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PROCEEDINGS AND DEBATES OF THE 86th CONGRESS
FIRST SESSION

VOLUME 105—PART 12

AUGUST 3, 1959, TO AUGUST 17, 1959
(PAGES 14873 TO 16108)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1959

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PROCEEDINGS AND DEBATES OF THE 86th CONGRESS, FIRST SESSION

SENATE

MONDAY, AUGUST 3, 1959

Rev. Richard E. Nowers, assistant minister, Foundry Methodist Church, Washington, D.C., offered the following prayer:

Lord of all being, we realize that to err is human and to forgive is divine. Refresh our lives during these crucial days, so that we may be a little less human and a little more divine. We realize that those in this Chamber face a maze of difficult tasks and decisions. Guide them, we pray, to see purpose and meaning in their lives, as they strive to build upon God-given foundations of our Nation. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, July 30, 1959, was dispensed with.

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of July 30, 1959, the following messages from the House of Representatives were received during the adjournment:

On July 31, 1959:

A message announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 8159. An act to amend the national banking laws to clarify or eliminate ambiguities, to repeal certain laws which have become obsolete, and for other purposes;

H.R. 8160. An act to amend the lending and borrowing limitations applicable to national banks, to authorize the appointment of an additional Deputy Comptroller of the Currency, and for other purposes; and

H.R. 8305. An act to amend the Federal Credit Union Act.

ENROLLED BILLS SIGNED

On August 1, 1959:

That the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H.R. 5674. An act to authorize certain construction at military installations, and for other purposes; and

H.R. 6769. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1960, and for other purposes.

HOUSE BILLS REFERRED

The following bills were read twice by their titles and referred to the Committee on Banking and Currency on August 3, 1959:

H.R. 8159. An act to amend the national banking laws to clarify or eliminate ambiguities, to repeal certain laws which have become obsolete, and for other purposes;

H.R. 8160. An act to amend the lending and borrowing limitations applicable to national banks, to authorize the appointment of an additional Deputy Comptroller of the Currency, and for other purposes; and

H.R. 8305. An act to amend the Federal Credit Union Act.

REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of July 30, 1959, the following reports of committees were submitted during adjournment:

On July 31, 1959:

By Mr. HAYDEN, from the Committee on Appropriations, with amendments:

H.R. 7978. An act making supplemental appropriations for the fiscal year ending June 30, 1960, and for other purposes (Rept. No. 597); and

H.R. 8283. An act making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1960, and for other purposes (Rept. No. 598).

By Mr. KENNEDY, from the Committee on Foreign Relations, without amendment:

S. 1697. A bill to amend the Mutual Defense Assistance Control Act of 1951 (Rept. No. 599).

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On July 30, 1959:

S. 1877. An act to amend the act of May 26, 1949, as amended, to strengthen and improve the organization of the Department of State, and for other purposes.

On July 31, 1959:

S. 56. An act to amend the act of August 5, 1954 (68 Stat. 674), and for other purposes;

S. 114. An act to provide for equal treatment of all State-owned hydroelectric power projects with respect to the taking over of such projects by the United States;

S. 175. An act to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska, and between Hyder, Alaska, and other points in the United States outside Alaska, either directly or via a foreign port, or for any part of the transportation;

S. 210. An act for the relief of Pantaleon Ibarra, also known as Elmo Gomes Arcibal;

S. 1234. An act to extend the provisions of title XII of the Merchant Marine Act, of 1936, relating to war risk insurance, for an additional 5 years, ending September 7, 1965;

S. 1434. An act to amend title XI of the Merchant Marine Act, 1936, as amended, with respect to insurance of ship mortgages, and for other purposes;

S. 1976. An act to make payments to Indians for destruction of fishing rights of Celilo Falls exempt from income tax;

S. 2148. An act to amend title XI of the Merchant Marine Act, 1936, as amended, to provide for the deposit of funds in escrow with the Secretary of Commerce, to provide for the payment of insurance, in part, on the basis of such deposits, and for other purposes; and

S.J. Res. 124. Joint resolution to extend the voluntary home mortgage credit program.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting several nominations and withdrawing the nomination of John G. Tucker, to be U.S. district judge for Eastern District of Texas, which nominating message was referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Foreign Relations Committee was authorized to meet during the session of the Senate today.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF THE CALENDAR DISPENSED WITH

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the

call of the calendar, under the rule, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ANNOUNCEMENT OF VISIT TO THE UNITED STATES BY NIKITA KHRUSHCHEV

Mr. JOHNSON of Texas. Mr. President, the President of the United States, as the chief spokesman for our Nation, will receive Nikita Khrushchev in September. I believe that this is a type of exchange which could do much for the whole world.

I have always believed in the open curtain through which people can pass freely and exchange ideas. I believe it should be encouraged at every level so that we can know the truth about each other.

We have had a number of exchanges at the very highest levels. We have not had so many by ordinary citizens.

The Soviet Premier will have an opportunity to see for himself what kind of people we are and what our true intentions are. After that, the course he may follow will be up to him, but at least he will be able to follow it with his eyes completely open.

I hope that this visit will be the forerunner of many more to come by people in all walks of life. I have long advocated the open curtain. I hope that this will be the wedge which will pry it open even further.

Mr. BUSH. Mr. President, President Eisenhower's announcement that Nikita Khrushchev will visit the United States next month and that the President will go to the Soviet Union later this year is of historic significance.

I hope that this exchange of visits by the two heads of state will bring a significant relaxation of tensions between the East and West, and thus hasten the day when the world may enjoy the blessings of a just, honorable, and enduring peace.

Khrushchev, in my judgment, has dangerously miscalculated the military strength of the United States and her allies in the free world, and has badly underestimated the determination of the American people to back the President in resistance to further Communist aggression. Vice President NIXON's blunt and frank talks with him while in Moscow may have caused him to revise some of his preconceptions. Mr. Khrushchev's planned visit here next month should further open his eyes.

Mr. MANSFIELD. Mr. President, I desire to associate myself with the remarks made by the distinguished majority leader, the senior Senator from Texas [Mr. JOHNSON], and those made by the acting minority leader, the senior Senator from Connecticut [Mr. BUSH], in regard to the President's announcement, this morning, that Mr. Khrushchev is to be invited to visit the United States in September, and the President's additional announcement that he, himself, contemplates a visit to the Soviet Union later in the fall.

Exchanges of this kind are not merely acts of social amiability, however much they may seem so. They are, in fact, acts intimately related to the conduct of foreign policy.

I have no doubt that there are good and sufficient reasons which have prompted the President to make this decision on an exchange of visits of heads of states. It was not, I am sure, an easy decision to make. Apart from the implications for policy which are inherent in the exchange, there are also problems of adequate security for the person of the Soviet Premier.

Some Members of this body may differ with the President's judgment. They have every right to differ and to express their differences, if they are so inclined. Neverthless, the power to decide to act in these matters—as has been pointed out on many occasions—resides with the President.

Now that the decision has been made by the President, it seems to me essential in this matter, as in others of high significance to the peace and well-being of the Nation, that there be no petty, partisan quibbling. I know that the majority leader can speak for most, if not all, Democratic Members of the Senate on that point. For myself, I shall certainly accept the leadership of the President and shall give his decision my full support.

Mr. President, in connection with the invitation, I recently ran across a copy of the speech delivered by the distinguished majority leader to the United Jewish Appeal, in New York City, on June 8, 1957. There is a good deal of similarity between certain parts of that speech and the speech recently made by Vice President NIXON to the peoples of the Soviet Union.

I quote in part the majority leader's speech of June 8, 1957:

> Only 4 years ago the brutal Stalin died. Only a year ago the world learned that the new Russian leader, Khrushchev, had found it necessary to expose the depths of Stalin's evil. And only 6 days ago Khrushchev took advantage of America's facilities to come into our homes and state the Communist case.
>
> I am glad that he did so. I have complete trust and faith in our people.
>
> They will not be contaminated by open Communist propaganda.
>
> We should welcome this example of direct argument.

I quote further from the same speech:

> I favor granting Khrushchev or Bulganin or Molotov or any Soviet leader television time in America every week of the year. I demand in return only that they grant us equal opportunities for reaching the Russian people.
>
> Let the Russians say what they wish. Let our people hear it to the bitter end. I have faith in them. I do not believe that there will be any Communist converts.

Mr. President, I ask the Senate to compare that great speech by the majority leader, in 1957, with the magnificent address delivered by Vice President NIXON to the peoples of the Soviet Union on last Saturday. Together, they represent the feelings and the hopes of the American people, regardless of political party.

I ask unanimous consent that the address entitled "The Open Curtain," delivered by the senior Senator from Texas in New York City on June 9, 1957, be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE OPEN CURTAIN

(Address by Senate Majority Leader LYNDON B. JOHNSON before the annual conference of the United Jewish Appeal, New York, N.Y., June 8, 1957)

Mr. Chairman, distinguished guests, I am here tonight with a basic premise in my mind.

It is that you—the members of the United Jewish Appeal—are men and women who have dedicated your lives to helping your fellow man.

I do not assume this lightly—merely from the desire of a speaker to flatter his audience. It rests upon your enviable record.

I raise the point only as a predicate to the remarks which I plan to make tonight. This is the place and you are the people to whom I wish to define a new proposal.

THE WORLD WE LIVE IN

Never before in history have people been so badly in need of help. And the only kind of help that will serve today is the kind that the people supply for themselves.

There is no need to recite once more the realities of the modern world. We are all only too familiar with them—the cold war, the armaments race, atomic fallout, international misunderstanding.

Most of these factors have appeared before in history. There have been cold wars. International misunderstanding has been a normal state of affairs for centuries. There is nothing new about an armaments race.

But for the first time, we now face the prospect of destroying ourselves—not as the result of an armaments race but merely by indulging in the race.

THE ATOMIC RAIN

For several weeks our newspapers have carried daily headlines about the effects of atomic fallout. The scientists disagree as to the amount of damage that is being done to humanity by our nuclear test explosions.

But even the most conservative state flatly that there is some risk.

I am no nuclear physicist. I do not pretend to have the scientific knowledge that would entitle me to pass judgment on genetics or the effects of strontium 90.

But I do know that the experts are talking about my children and your children. And it gives me no comfort to be told that some scientists think the risk to them is slight.

NO MONOPOLY

It is even less comforting to assess the probable future of the armaments race even assuming that our children escape the fallout danger—whether slight or tremendous. If it continues, the future is bleak.

The intercontinental ballistics missile with a hydrogen warhead is just over the horizon. It is no longer just the disorderly dream of some science fiction writer.

We must assume that our country will have no monopoly on this weapon. The Soviets have not matched our achievements in democracy and prosperity; but they have kept pace with us in building the tools of destruction.

With such weapons in a divided world, there will be little choice. We will return to the caves of our remote ancestors and burrow underground like the prairie dogs of West Texas.

REASONABLE ALTERNATIVES

There are reasonable alternatives to this unreasonable prospect. They are alternatives which are available to mankind—providing that mankind will adopt them.

Our present situation could have been avoided. Twelve years ago—when we had a monopoly on the atomic bomb—the United States offered to share the secrets of the atom with the entire world.

We asked in return only reasonable guarantees that the atom would never again be used in warfare. This offer had no parallel in history—and it would have converted the atom from an implement of death to an implement of life.

Two years later this plan was approved by the General Assembly of the United Nations. It was blocked only by the Soviet Union and its satellites.

There is no point in reliving the past. I am not going to waste your time and my time in proving that the Soviets were wrong. Free people who have had access to the truth are already aware of the facts.

We live in the present. We no longer have a monopoly on atomic power. But there is a sound reason for recalling the events of 1946 and 1948. One aspect of those events may point the way to the future.

The Russian people have never had an opportunity to weigh the free world's proposal for the control of atomic energy. They were never informed about it openly and frankly. They never knew that Stalin provoked an arms race that, if continued, must end in the total elimination of mankind.

Today humanity is a great deal closer to self-destruction than it was 10 years ago.

THE THREATS AND THE HOPE

And yet, because we are close to the threat, we may also be closer to hope. I do not foresee any quick utopian solutions. A happy ending to the atomic-hydrogen menace will not be easily found.

But I am convinced, to borrow Churchill's phrase, that if we cannot see the beginning of the end, we can at least see the end of the beginning.

There are pathways of peace and progress open to all humanity. The statesmen of the world have one overriding duty—to help light those paths.

Where lie the signs of hope? They lie in the realm of reason.

THE CHALLENGE

The challenge is truly immediate. It involves actions that can and must be taken this year, now—during the remaining 206 days of 1957.

Our basic need goes by the technical name "disarmament." That long, rather dull-sounding word represents a host of complicated problems. The answer—even a beginning to the answer—represents the hope of all mankind.

We must initiate action on five objectives, each contributing to our crusade for disarmament.

1. Controlled reduction of military forces by all countries.

2. A start on a mutual open skies foolproof inspection system.

3. A frank and open search for a method of suspending tests of the bigger nuclear weapons, under air-tight conditions which give full protection against violations.

4. A reduction of everyone's stockpile of nuclear weapons and means for delivery under copper-riveted methods of mutual inspection.

5. And this is the key to ultimate hope: A worldwide agreement—backed by absolute safeguards—that no nation will make any new fissionable materials for weapon purposes—neither the three present nuclear powers nor those who may soon have the capacity.

LET THE PEOPLE JUDGE

How do we launch this program? We do so in the only way possible—in the only way that accords with American traditions.

We must create a new world policy. Not just of open skies—but of open eyes, ears, and minds, for all peoples of the world.

I call for the open curtain. Let truth flow through it freely. Let ideas cleanse evil just as fresh air cleanses the poisoned, stagnant mass of a long-closed tavern.

Mankind's only hope lies with men themselves. Let us insist that the case be submitted to the people of the world.

A few years ago this would have been utterly impractical. But great events have recently stirred the world. We must seize the hopes they suggest. We must not be blinded to those hopes by rigid reflections of the past.

Only 4 years ago the brutal Stalin died. Only a year ago the world learned that the new Russian leader, Khrushchev, had found it necessary to expose the depths of Stalin's evil. And only 6 days ago Khrushchev took advantage of America's facilities to come into our homes and state the communist case.

I am glad that he did so. I have complete trust and faith in our people.

They will not be contaminated by open Communist propaganda.

We should welcome this example of direct argument.

But we must—I think—go much farther than this. Let us take Khrushchev's technique and turn it back upon him. Let us use the program as the means to open the iron curtain.

As he has used our TV screens for his appeals, let us demand to use his screens for our appeal—the appeal of truth undefensive and undismayed.

We should ask Khrushchev to provide us with Soviet-wide uncensored radio and TV facilities. We should call on him to allow spokesmen of our own choosing to come into Russian homes and state our case—the American case—to the Russian people.

RETURN TO FUNDAMENTALS

Let us get back to fundamentals. Let us return to the principles which made America strong and great and free.

The most important of these principles is that truth can be found in the free marketplace of ideas.

It is no secret to any of you that I am a Democrat. My political faith can be traced to many sources. One of them, and the most important of them, was Thomas Jefferson, who said:

"I know of no safe depository of the ultimate power of society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion by education."

This is an elegant and graceful way of putting a basic truth that I learned in Johnson City, Tex. Stated more simply, it means: Never underestimate the intelligence of the people.

Sometimes they are misinformed. Sometimes the truth is withheld from them. But when they have the facts, their judgment will be good and fair and honorable.

FAITH IN THE PEOPLE

I have a deep and abiding faith in the judgment of the people who ride the range in the Texas hill country. They may not have the ease of expression and the grace of manner of those who were reared in more settled parts of our land.

But no demagog is going to lead the lean, spare Texan who runs the cattle on my ranch into the paths of bigotry. And Nikita Khrushchev is not going to convert him into a Communist.

He's just plain got too much sense. And I don't think that he is unsual. I believe that most Americans are like that.

They may speak with a different accent. They may plow corn land in Iowa or sew clothes in New York City. They may work on the docks in Seattle or run a department store in Kansas City.

They may be northern Yankees or southern rebels. They may be Catholics, Protestants, or Jews. It makes no difference because they are all Americans.

I am not afraid to have them listen to Nikita Khrushchev or Karl Marx or Nicolai Lenin himself. They have the intelligence and the independence to make up their own minds.

I know there are some who are fearful of the effects of Communist propaganda upon our people. I am a Jeffersonian. I do not share those fears.

WELCOME COMPETITION

I favor granting Khrushchev or Bulganin or Molotov or any Soviet leader television time in America every week of the year. I demand in return only that they grant us equal opportunities for reaching the Russian people.

Let the Russians say what they wish. Let our people hear it to the bitter end. I have faith in them. I do not believe that there will be any Communist converts.

Khrushchev, in his broadcast, called for competition between Socialist and Capitalist states. There is one form of competition—the clash of ideas—that Americans would welcome with delight.

I am not talking of a propaganda offensive or waging peace. Those are the terms of advertising and this country is not interested in making a mercantile item of peace.

I am not talking of merely one reply to Khrushchev by the President or some other official.

I am calling for an open curtain for full discussion of the immediate, urgent problems facing our people. We should insist on the right to state our case on disarmament in detail to the Soviet people. We should have weekly appearances during this year on Soviet radio and television, and we should offer similar facilities here.

THE TRUTH SHALL MAKE YOU FREE

Can Khrushchev find any reasonable objection to this procedure? Can he advance one logical reason why his people should not hear our proposals advanced from our lips as our people heard his proposals advanced from his lips?

Khrushchev said last Sunday: "We have to live on one planet." Let him show that he is willing to make this possible.

I am a man who trusts people when they have the facts. I believe in the Biblical injunction: "You shall know the truth and the truth shall make you free." The Russian people are capable of recognizing the truth when it is offered to them.

We should not let a single day pass without raising this issue. We should call it up in the United Nations; we should make it a basic proposal in all disarmament talks; we should insist upon it every time a Russian representative is within earshot.

Why not allow Soviet labor leaders to talk to our people in return for our labor leaders talking to theirs? Why not allow Soviet industrial managers to talk to our people in return for our industrialists talking to theirs?

Is there any good reason why American and Soviet farmers should not exchange views—in the plain sight of the whole world? Is there any reason why our scholars and our professional men should be barred

from mutual exchanges with their Soviet counterparts?

Let the people know.

Let truth shine through the open curtain.

And when the people know, they will insist that the arms race, the nuclear explosions, the intercontinental missiles all be banished. They will insist upon systems that safeguard us against world suicide.

THE PATH OF PEACE

Once again we will place our feet on the path of constructive activity. We will look forward with joy rather than with dread to our children's future.

We live in a world where over two-thirds of the people are ill-housed, ill-clad, ill-nourished. When the madness of the nuclear arms race is halted, mankind's creative efforts can be turned to their relief. We shall survive this century only if we find how to substitute human dignity for human degradation.

The people in this room tonight are dedicated to the cause of helping—rather than destroying—humanity. You have worked through the years to bring a measure of security and a measure of decency to your fellow humans.

SANCTUARY

You have been associated with many humanitarian causes—and one of them is creating a sanctuary for the oppressed. That sanctuary, Israel, stands today—permanent and enduring—in the midst of what was once desert.

Creating that sanctuary meant that rivers had to be dammed; fields had to be tilled; houses had to be built; the resources of nature had to be tapped.

These are the tasks to which all of humanity should be dedicated.

We have had enough of oppression and wars; of trouble and turmoil; of the frustration of every normal human impulse. We have seen noble impulses thwarted and turned to ignoble ends. We have watched the fruits of genius warped and turned into the paths of destruction.

This is not the work of the people of the world. It is the work of the small groups of selfish and twisted men who withhold from their fellow human beings the indispensable tool of freedom—the truth.

As you go about your humanitarian work, I want to leave you with one thought tonight.

You are people who seek to build; not to tear down. And when doors are opened so the people of the world can find the truth for themselves, we can all turn to building—building a better life for ourselves and our children.

The people can be trusted. It is time the case be turned over to them.

Mr. BUSH. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I am delighted to yield.

Mr. BUSH. Mr. President, I wish to compliment both the majority leader and the Senator from Montana [Mr. MANSFIELD] upon their splendid statements, today, in connection with the prospective exchange of visits between the President of the United States and Mr. Khrushchev.

I thought both statements were statesmanlike and in keeping with the highest traditions of the Senate and the highest traditions of leadership in the Senate.

Mr. MANSFIELD. I thank the Senator from Connecticut.

Mr. JOHNSON of Texas. Mr. President, I should like to express my gratitude to both the Senator from Connecticut and the Senator from Montana.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON COOPERATION WITH MEXICO IN CONTROL AND ERADICATION OF FOOT-AND-MOUTH DISEASE

A letter from the Assistant Secretary of Agriculture, reporting, pursuant to law, that there have been no significant developments during the past 6 months relating to the cooperative program of the United States and Mexico for the control and eradication of foot-and-mouth disease; to the Committee on Agriculture and Forestry.

REPORT ON OVEROBLIGATION OF AN APPROPRIATION

A letter from the Director, U.S. Information Agency, Washington, D.C., reporting, pursuant to law, on the overobligation "Salaries and Expenses, U.S. Information Agency" (with an accompanying paper); to the Committee on Appropriations.

UNIFORMITY IN CERTAIN CONDITIONS OF ENTITLEMENT TO REENLISTMENT BONUSES

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to provide uniformity in certain conditions of entitlement to reenlistment bonuses under the Career Compensation Act of 1949, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

UNIFORM COMPUTATION OF RETIRED PAY FOR CERTAIN MEMBERS OF ARMED FORCES

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to provide uniform computation of retired pay for enlisted members retired prior to June 1, 1958, under section 4 of the Armed Forces Voluntary Recruitment Act of 1945, as amended by section 6(a) of the act of August 10, 1946 (60 Stat. 995) (with an accompanying paper); to the Committee on Armed Services.

REPORT OF NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND FINANCIAL PROBLEMS

A letter from the Chairman, National Advisory Council on International Monetary and Financial Problems, transmitting, pursuant to law, a report of that Council covering the period July 1 to December 31, 1958 (with an accompanying report); to the Committee on Foreign Relations.

AUDIT REPORT ON ALASKA INTERNATIONAL RAIL AND HIGHWAY COMMISSION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Alaska International Rail and Highway Commission for the period July 30, 1957, to June 30, 1959 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF BOSTON HOUSING AUTHORITY, BOSTON, MASS.

A letter from the Comptroller General of the United States transmitting, pursuant to law, a report on review of the Boston Housing Authority, Boston, Mass., Public Housing Administration, Housing and Home Finance Agency, dated July 1959 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF NORFOLK REDEVELOPMENT AND HOUSING AUTHORITY, NORFOLK, VA.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of the Norfolk Redevelopment and Housing Authority, Norfolk, Va., Public Housing Administration, Housing and Home Finance Agency (with an accompanying report); to the Committee on Government Operations.

REPORT ON FOLLOW-UP REVIEW OF ECONOMIC AND TECHNICAL ASSISTANCE PROGRAM FOR LAOS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the follow-up review of the economic and technical assistance program for Laos, International Cooperation Administration, Department of State, December 1958 (with an accompanying report); to the Committee on Government Operations.

REPORT ON RECEIPT OF APPLICATION FOR LOAN UNDER SMALL RECLAMATION PROJECTS ACT OF 1956

A letter from the Acting Secretary of the Interior, reporting, pursuant to law, that the Haights Creek Irrigation Co., of Kaysville, Utah, had applied for a loan of $214,000 under the Small Reclamation Projects Act of 1956 (with accompanying papers); to the Committee on Interior and Insular Affairs.

PROPOSED CONCESSION CONTRACT, YOSEMITE NATIONAL PARK, CALIF.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract in Yosemite National Park, Calif. (with accompanying papers); to the Committee on Interior and Insular Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Illinois; to the Committee on Finance:

"HOUSE JOINT RESOLUTION 62

"Whereas as a part of the Federal legislation in behalf of veterans of the U.S. Armed Forces there exists provision for insurance, familiarly known as GI insurance; and

"Whereas the veterans eligible for such GI insurance are authorized under Federal law to convert such insurance from less expensive term insurance to more expensive types such as whole life; and

"Whereas many veterans availed themselves of this right to convert their GI insurance to more expensive types and as a result are now hard pressed to meet the more expensive premiums; and

"Whereas it is in the interests of all veterans and the public at large that such GI insurance protection benefits for the families of veterans be continued in force and that unless many veterans are allowed to reconvert their GI insurance to less expensive term type many policies will be canceled because of the increased economic hardship involved in meeting such larger premiums: Therefore be it

"Resolved by the House of Representatives of the 71st General Assembly of the State of Illinois (the Senate concurring herein), That the Congress of the United States be respectfully urged to enact immediately the necessary amendments to the law relating to GI insurance so that veterans with GI insurance may either convert their term type insurance to other more expensive types such as whole life, or, after such conversion has been made, may reconvert such whole life and other more expensive types back into term insurance; and be it further

"Resolved, That suitable copies of this resolution be sent by the Secretary of State to the President of the Senate of the United States, the Speaker of the House of Representatives of the United States and each Member of

the U.S. Senate and House of Representatives elected from Illinois.

"Adopted by the house, June 24, 1959.

"PAUL POWELL,
"Speaker, House of Representatives.
"CLARENCE BOYLE,
"Clerk, House of Representatives.

"Concurred in by the senate, June 24, 1959.

"JOHN WM. CHAPMAN,
"President of the Senate.
"EDWARD E. FERNANDES,
"Secretary of the Senate."

Three resolutions of the Legislature of the Territory of Guam; to the Committee on Interior and Insular Affairs:

"RESOLUTION 130

"Resolution relative to expressing the heartfelt appreciation of the people of this Territory to the Honorable HENRY M. JACKSON, Senator from Washington and member of the Senate Interior and Insular Affairs Committee, for his well-demonstrated sympathy for the problems of Guam

"Be it resolved by the Legislature of the Territory of Guam—

"Whereas the Honorable HENRY M. JACKSON, Senator from Washington and member of the Senate Interior and Insular Affairs Committee, is truly a leader of those Americans who desire to alleviate the problems of Americans residing in territories and possessions of the United States, as demonstrated by his leading role in the granting of statehood to Alaska and Hawaii; and

"Whereas Senator JACKSON has illustrated his stand in this area by his cosponsorship of Senate bill 1930, which if enacted will serve to recompense those people whose lands were taken by the Navy to build roads; and

"Whereas again in illustration of his ready understanding for the problems and aspirations of the people of Guam, he has always extended to the Speaker of the Guam Legislature, on the latter's visits to Washington, many courtesies and valuable assistance: Now, therefore, be it

"Resolved, That the Fifth Guam Legislature does hereby, on behalf of the people of Guam, express its deepest appreciation to the Honorable HENRY M. JACKSON, Senator from Washington, for the helpful role he has played in furthering the aspirations of the people of Guam, and in helping to solve their problems; and be it further

"Resolved, That the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the Honorable HENRY M. JACKSON, Senator from Washington and member of the Senate Interior and Insular Affairs Committee, to the Presiding Officer of the U.S. Senate, and to the Governor of Guam.

"A. B. WON PAT,
"Speaker.
"V. B. BAMBA,
"Legislative Secretary."

"RESOLUTION 131

"Resolution relative to expressing the sincere gratitude of the people of the Territory of Guam to the Honorable THOMAS H. KUCHEL, Senator from California and member of the Senate Committee on Interior and Insular Affairs, for his ready understanding of and true sympathy for the problems of Guam

"Be it resolved by the Legislature of the Territory of Guam—

"Whereas the Honorable THOMAS H. KUCHEL, Senator from California, as a member of the Senate Committee on Interior and Insular Affairs, has always taken deep interest in the problems of this territory and has frequently demonstrated his deep and sympathetic grasp thereof, as illustrated by his sponsorship of Senate bill 1930, authorizing the Navy to acquire fee title to the roads it built on Guam; and

"Whereas as further illustration of Senator KUCHEL's sympathy for the people of Guam, he has always rendered extremely valuable and kindly aid and assistance to the speaker of this legislature upon his visits to our Nation's Capital; and

"Whereas the history of the honorable Senator's appreciation of the difficulties of our territory deserves commemoration by the people of Guam: Now, therefore, be it

"Resolved, That the Fifth Guam Legislature does hereby, on behalf of the people of Guam, express sincere gratitude and deep appreciation to the senior Senator from California, the Honorable THOMAS H. KUCHEL, for the many occasions when he has been of great help in solving the problems of the territory; and be it further

"Resolved, That the speaker certify to and the legislative secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the Honorable THOMAS H. KUCHEL, senior Senator from California and member of the Senate Committee on Interior and Insular Affairs, to the Presiding Officer of the U.S. Senate and to the Governor of Guam.

"A. B. WON PAT,
"Speaker.
"V. B. BAMBA,
"Legislative Secretary."

"RESOLUTION 158

"Resolution relative to expressing the appreciation and gratitude of the people of Guam to the Armed Forces and Congress of the United States for the liberation of Guam and for the enactment of the Organic Act of Guam, and to those persons who are helping to celebrate the anniversary of such liberation

"Be it resolved by the Legislature of the Territory of Guam—

"Whereas on July 21 of this year, the 15th anniversary of the liberation of Guam by the Armed Forces of the United States will be celebrated; and

"Whereas the 21st day of July 1959, will also mark the ninth anniversary of the passage by the U.S. Congress of the Organic Act of Guam, which act reads in part:

" 'SEC. 34. Upon the 21st day of July 1950, the anniversary of the liberation of Guam by the Armed Forces of the United States in World War II, the authority and powers conferred by this act shall come into force,' thereby granting the people of Guam their long-sought aspiration for American citizenship, civil government, and other matters advantageous and beneficial to them; and

"Whereas the Fifth Guam Legislature desires to express its deep appreciation and commendation to all those who have participated and helped in the past liberation day celebration and to express also in advance its similar appreciation and commendation to individuals and units, both civilian and military, for their forthcoming help in the July 21, 1959, celebration: Now, therefore, be it

"Resolved, That the Fifth Guam Legislature does hereby, on behalf of the people of Guam, express its deep gratitude and appreciation to the United States and to its Armed Forces for the liberation of Guam from the oppressor that has made it possible for this resolution to be entertained; and be it further

"Resolved, That the Fifth Guam Legislature does hereby, on behalf of the people of Guam, again express its gratitude to the U.S. Congress for the passage of the Organic Act of Guam, and to the President of the United States for signing into laws various legislation advantageous and beneficial to Guam, and does hereby further assure the Armed Forces the full cooperation of the people of Guam in matters of concern of the defense of our country, so that this Nation, under God, shall not perish from the earth; and be it further

"Resolved, That the Fifth Guam Legislature does hereby, on behalf of the people of Guam, express its appreciation and commendation to all participating units and individuals, civilian and military, for their contribution in the celebration of this important and significant, occasion—the liberation of Guam; and be it further

"Resolved, That the speaker certify to and the legislative secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the President of the United States, to the Presiding Officer of the U.S. Senate, to the Speaker of the House of Representatives, to the Secretary of Defense, to commander, Naval Forces Marianas, to commander, Third Air Division (SAC), Andersen Air Force Base, Guam, to the commanding officer, 809th Engineer Battalion, U.S. Army, Guam, to commanding officer, U.S. Coast Guard, Guam, to commanding officer, Marine Barracks, Guam, to the chairman of the Liberation Day Committee, and to the Governor of Guam."

RESOLUTION OF CITY COUNCIL OF ELMIRA, N.Y.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD, a resolution adopted by the city council of the city of Elmira, N.Y., favoring the enactment of legislation to provide funds for the continuance of the urban renewal program.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the redevelopment of the blighted and deteriorating sections of American cities is vital to the welfare and prosperity of the entire Nation; and

Whereas two-thirds of the people of the Nation live in metropolitan areas; and

Whereas approximately 400 cities throughout the country have undertaken or are planning redevelopment programs to meet the challenging need for housing, community facilities, commerce and industry; and

Whereas the domestic expenditure of the Federal Government for assistance to and development of cities of our country has failed to recognize that ours is now an urban civilization; and

Whereas the city of Elmira is in dire need of a redevelopment program for certain of its blighted and deteriorating areas: Now, therefore, be it

Resolved by the Council of the City of Elmira, That the Congress of the United States be encouraged to pass fair and adequate legislation to provide funds with which to fill the imperative need for urban renewal projects throughout the country; and be it further

Resolved, That copies of this resolution be sent to U.S. Senator JACOB K. JAVITS, U.S. Senator KENNETH B. KEATING, and Congressman HOWARD W. ROBISON.

MARINE M. SGT. CARL H. BUCK—PETITION

Mr. DOUGLAS. Mr. President, I am today releasing a joint letter to the President of the United States, signed by the Senator from South Dakota [Mr. MUNDT], the Senator from Montana [Mr. MANSFIELD], the Senator from Florida [Mr. SMATHERS], and myself,

with respect to the case of former marine M. Sgt. Carl H. Buck.

Our letter is in support of Sergeant Buck's petition to the President for a Presidential pardon, solely on the grounds of innocence, and for restoration to duty. We also ask that the Justice Department and the Federal Bureau of Investigation conduct a full-scale investigation of all the aspects of this case in order that Sergeant Buck's good name may be cleared.

My own interest in this case stems from the fact that Sergeant Buck was born in Illinois and is a former marine. The Senator from South Dakota [Mr. MUNDT] has had a long and continuing interest in the case, in part because Sergeant Buck's wife is from South Dakota, and he has written an extremely able letter to the Secretary of the Navy in which he points out the numerous contradictions in the testimony at Buck's trial in connection with his mistaken identification. The Senator from Montana [Mr. MANSFIELD], and the Senator from Florida [Mr. SMATHERS] are both former marines and for that reason have interested themselves in this case.

I want also to state that the very able and well known civil liberties lawyers, Joseph L. Rauh, Jr., and John Silard, have prepared an excellent legal brief and impressive documentary evidence of the innocence of Sergeant Buck which has been filed with the President. The services of Messrs. Rauh and Silard have been contributed without fee because of their conviction that a cruel miscarriage of justice has occurred in this case.

Sergeant Buck was convicted at Camp Pendleton, Calif., in 1952 of the charge of larceny in connection with the theft of three cases of Marine Corps chevrons. Buck had served 18½ years and had been ordered promoted to the rank of warrant officer at the time of his release from the service.

At one stage in the lengthy proceedings, he was cleared by a Navy Board of Review and at another stage the Board for the Correction of Naval Records recommended that his bad conduct discharge be changed to a general—honorable—discharge. Master Sergeant Buck, however, is seeking full vindication and the establishment of his innocence.

In our letter to the President, we state:

From our study of the case, we are fully convinced that Sergeant Buck is one of those rare and compelling cases where a man has been unjustly convicted for a crime committed by another. We are particularly impressed by the extensive evidence obtained since Sergeant Buck's trial which includes numerous affidavits of police officials and the recorded radio logs of the California State Police. We also, find it of considerable significance that, unlike Sergeant Buck, who has successfully passed a lie detector examination, the chief witness against him * * * has refused to be subjected to such a test.

The main features of the case include:

First. Persuasive evidence of mistaken identity and conflicting testimony as to the identity of the person who actually committed the crime.

Second. From the police radio logs, it appears that for Buck to have been the person involved, he would have had to drive 22 miles at high noon through a driving rain, through five towns, most of them with stoplights, and meanwhile have gotten rid of the stolen goods, and then to have deliberately parked his car in front of a California State police car, all in some 21 minutes or less. This appears to have been impossible.

Third. Misconduct of the Government prosecutor at the trial in introducing utterly irrelevant testimony to prejudice the defendant's case, including the testimony of the defense counsel who, in a most unusual action, took the stand as a prosecution witness.

Fourth. The testimony of the chief witness against Buck which on the basis of the affidavits from California police officers and the police radio logs can now be shown to be untrue.

Fifth. A series of Rube Goldberg mistakes by military personnel which denied to Buck his constitutional rights to representation in the appellate process by eminent civilian counsel, resulted in the failure of the military personnel to file timely briefs, and in an illegal discharge before the appellate process had been completed.

For these reasons we are requesting that Buck receive a Presidential pardon solely on the grounds of innocence, and that a full and complete investigation of the case be conducted by the Justice Department and the Federal Bureau of Investigation.

Mr. President, I ask unanimous consent that a copy of our letter to the President be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE PRESIDENT,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: We are writing in support of and to solicit your special attention to the petition for pardon and restoration to service for M. Sgt. Carl H. Buck.

In August of 1957, Senator PAUL DOUGLAS addressed an extensive communication to you concerning Master Sergeant Buck. In that communication it was emphasized that Sergeant Buck, who after almost 19 years of exemplary service in the Marine Corps, was convicted in 1952 by a court-martial of stealing three cases of military chevrons, appears to be innocent of that crime and has gathered impressive documentary evidence since his conviction that he could not possibly have committed the offense.

In November of 1957, Mr. Gerald D. Morgan replied to Senator DOUGLAS on your behalf to suggest that a petition be submitted for pardon for Sergeant Buck and that: "a petition to the President for Executive clemency would not, as we understand it, be opposed by the Department of the Navy and would therefore receive full consideration by the Department of Justice."

Since that time there has been prepared an excellent brief and documentation in support of a petition for pardon and restoration to service for Sergeant Buck. That brief and documentation has been prepared, at Senator DOUGLAS' request, by two able attorneys, Joseph L. Rauh, Jr., and John Silard of Washington, D.C. Sergeant Buck's petition for pardon and restoration to service is now being submitted to the Secretary of the Navy.

The undersigned have spent considerable time and effort on Sergeant Buck's case. We have carefully examined all the contentions and materials advanced in support of Sergeant Buck's plea. From our study we are fully convinced that Sergeant Buck's is one of those rare and compelling cases where a man has been unjustly convicted for a crime committed by another. We are particularly impressed by the extensive evidence obtained since Sergeant Buck's trial which includes numerous affidavits of police officials and the recorded radio logs of the California State Police. We also find it of considerable significance that, unlike Sergeant Buck who has successfully passed a lie detector examination, the chief witness against him, a Sergeant Franz, has refused to be subjected to such a test.

It seems to us that a man such as Sergeant Buck, who has been convicted and discharged from his military career and has subsequently obtained unimpeachable documentary evidence from police officials and police radio logs to prove that he is innocent, is entitled to a full and unconditional reprieve.

From time to time we have been dissuaded by a member of the White House staff from pursuing a particular course of action on the grounds that the Justice Department and the FBI could go into all of the circumstances surrounding the case. We now urge that you commit your most earnest attention and the full facilities of the Department of Justice to the facts submitted to prove Sergeant Buck's innocence, and that a full-scale investigation be made. To us, the facts provide overwhelming refutation of the possibility that Sergeant Buck is guilty of the crime for which he was convicted. We therefore urge that you grant Sergeant Buck an unconditional pardon and restore him to his career in the U.S. Marine Corps.

With best wishes.

Faithfully,

PAUL H. DOUGLAS.
KARL E. MUNDT.
MIKE MANSFIELD.
GEORGE A. SMATHERS.

Mr. DOUGLAS. Mr. President, I also ask unanimous consent that the petition for an unconditional pardon and restoration to service which was sent to the President on behalf of Sergeant Buck be printed in the RECORD.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

PETITION FOR UNCONDITIONAL PARDON AND RESTORATION TO THE SERVICE

THE PRESIDENT OF THE UNITED STATES:

Your petitioner, Carl Hirdler Buck, a citizen of the United States, residing at 2125 South 120th Street, Seattle, Wash., respectfully prays that he be granted an unconditional pardon and restoration to his rank in the U.S. Marine Corps.

Petitioner states that he was convicted of the crime of larceny on August 19, 1952, on a plea of not guilty, by a general court-martial convened by the commanding general, Marine Barracks, at Camp Pendleton, Calif., and was on that date sentenced to a bad conduct discharge, forfeiture of all pay and allowances, confinement at hard labor for 18 months and reduction to the grade of private. After the conclusion of the trial the members of the court submitted a recommendation for clemency and the convening authority reduced the period of confinement to a period of 11 months and the amount of the forfeiture to $58.80 per month for a like period.

Petitioner states that his case was taken on appeal to a Department of the Navy

Board of Review, where the judgment was reversed on January 23, 1953. On certification by the Judge Advocate General of the Navy to the U.S. Court of Military Appeals that the board of review decision was reversed on September 11, 1953. On February 24, 1954, on remand from the Court of Military Appeals, the board of review affirmed the judgment and the Court of Military Appeals, on October 4, 1954, denied review.

Petitioner states that he began the service of his sentence on August 19, 1952, in the U.S. Military Prison at Camp Pendleton, Calif., and at Mare Island, Calif., and was finally released upon the completion of his sentence on May 25, 1953. On January 14, 1955, petitioner was discharged from the Armed Forces of the United States with a bad conduct discharge. Following an appeal to the Navy Department Board for Correction of Naval Records, the discharge was retroactively changed to a general discharge.

Petitioner alleges that he was 39 years of age at the time the crime was allegedly committed and has no prior or subsequent criminal record; that he is married, has two children, age 7 and 9 years, and lives with and supports his family to the best of his ability.

Petitioner states that he is now employed by Boldt's Cafeteria, of Seattle, Wash., in the capacity of baker and has been so employed since February 1959, and that his prior employments since release have been as follows: Gottfried Baking Co., New York City, April 1955–July 1956, as bakery foreman; Heidi Baking Co., Silver Spring, Md., 1956–1958; Albertson's Super Market, Seattle, Wash., October 1958–January 1959, as baker.

Your petitioner respectfully prays that he be granted a full and unconditioned pardon and restoration to the Marine Corps on the grounds set forth in the attached brief and exhibits in support of petition for pardon and restoration to the service.

CARL HIRDLER BUCK.

JULY 17, 1959.

Mr. DOUGLAS. Mr. President, I also ask unanimous consent that the excellent brief in support of the petition, along with exhibits 50 to 59, all of which bear upon the innocence of Sergeant Buck, be printed in the RECORD.

There being no objection, the brief was ordered to be printed in the RECORD, as follows:

BRIEF IN SUPPORT OF PETITION FOR PARDON AND RESTORATION TO SERVICE FOR M. SGT. CARL H. BUCK

(Joseph L. Rauh, Jr., John Silard, attorneys for petitioner)

In August of 1952, Carl H. Buck, a marine master sergeant with an 18-year exemplary record of military service, was convicted by a court-martial of stealing three cases of chevrons from the U.S. Government. Since that time Sergeant Buck has unceasingly sought relief from that conviction; he has steadfastly and persuasively maintained that it was based upon mistaken identity. Every avenue of relief within the Navy judicial and administrative system has been pursued by and on behalf of Sergeant Buck; weighty representations on his behalf have been made to the Navy Judge Advocate General, the Secretary of the Navy, and to the President of the United States by the Board for Correction of Naval Records, by a committee of the U.S. Senate, and by individual Senators THOMAS HENNINGS, of Missouri; KARL E. MUNDT, of South Dakota; and PAUL H. DOUGLAS, of Illinois.

On August 21, 1957, Senator PAUL H. DOUGLAS wrote an extensive communication concerning Sergeant Buck's case to President Dwight D. Eisenhower, pointing out various errors in the handling of Sergeant Buck's court-martial case and new and persuasive evidence of Buck's innocence. The present petition for pardon was prompted by the November 6, 1957, reply to that communication from the Special Counsel to the President, Mr. Gerald D. Morgan, which states:

"Sergeant Buck's situation has been considered with sympathy and understanding * * * several possibilities have been explored with the following results.

"A petition to the President for Executive clemency would not, as we understand it, be opposed by the Department of the Navy and would therefore receive full consideration by the Department of Justice."

Based upon this communication and upon subsequent representations to members of Senator DOUGLAS' staff by Mr. Henry R. McPhee, Assistant Special Counsel to the President of the United States, that a petition for Executive clemency would receive a thorough investigation by the Department of Justice with the full assistance of the Federal Bureau of Investigation, Sergeant Buck hereby submits this documented brief in support of this joint request for the exercise of the clemency powers of the President and his restoration authority as Commander in Chief.

I. THE CIRCUMSTANCES OF SERGEANT BUCK'S TRIAL AND CONVICTION

The sequence of events which gave rise to Sergeant Buck's conviction for larceny of chevrons, as it appears from the record of his court-martial trial, constitutes one of the strangest criminal cases in military history. On March 5, 1952, Sgt. Shurland E. Hatley, assigned to the Survey Warehouse, Marine Corps Supply Depot, at Camp Pendleton, Calif., was approached by an unknown marine with a request that he exchange three half-cases of chevrons, having an estimated value of over $400, for $50 and a bottle of whisky. Sergeant Hatley, after instructing the unknown marine to contact him again on March 7, immediately reported the incident to his superior officers. The unknown marine appeared again at noon on March 7, dressed in khakis, wearing horn-rimmed glasses, needing a shave and sporting a mustache. Within view of M. Sgt. Jonathan C. Layton and of a M. Sgt. Walter J. Franz who had been called in from the Criminal Investigating Division, Sergeant Hatley, at the instruction of his superior officers, gave the unknown marine three cases of chevrons in exchange for $50. The marine placed the cases of chevrons in his yellow Studebaker and drove off.

Immediately thereafter, Sergeant Franz, the investigator assigned to catch the criminal, turned his jeep around in order to apprehend him, but the latter sped away and Franz was unable to keep up with him in his slower military vehicles. Franz thereupon contacted California State police authorities with the request that they apprehend a marine who was just leaving the base in a yellow Studebaker. A few minutes later, in the town of Solana Beach some 21 miles from the scene of the crime, a State highway patrolman, William A. Doran, received the radio message to apprehend a marine driving a yellow Studebaker. At that very moment, Officer Doran was parked within sight of a yellow Studebaker whose driver, M. Sgt. Carl H. Buck, was standing outside in the rain. Just a minute earlier Master Sergeant Buck had stopped his Studebaker within sight of Officer Doran's police car and had started to repair his rear license plate.

Sergeant Buck was immediately arrested by Officer Doran, but no chevrons were found in his car. Moreover, unlike the marine to whom the chevrons had been handed at Camp Pendleton a few minutes earlier, Sergeant Buck at the time of his arrest was not wearing a khaki uniform but greens, was not wearing horn-rimmed glasses, had no mustache and needed no shave but, on the contrary, was clean shaven. In order to have reached Solana Beach where he was arrested no later than 12:10 p.m., according to the subsequent testimony of Officer Doran, it would have been necessary for Buck to have disposed of the chevrons, passed through five populated communities with stop lights on the highway, and changed his appearance in material respects—all while driving at more than 60 miles an hour in a pouring rainstorm—only to stop at the side of the road just 15 miles from Camp Pendleton within sight of a parked State police car, leisurely proceeding to make repairs on his rear license plate. Needless to say, it is improbable that a fleeing felon could negotiate the 21-mile distance from the warehouse at Camp Pendleton to Solana Beach under the prevailing traffic and weather conditions within the few minutes that elapsed in this case; but it is utterly unbelievable that any such felon, having undertaken such a mad race through populated communities on a well-patroled highway, should suddenly park his car within sight of a State police officer and start to repair his license plate. In the years of controversy since Sergeant Buck's conviction over the question of his guilt or innocence, no one has yet suggested how anyone could and why anyone would have undertaken such an unprecedented stunt-driving flight from the scene of a crime only to park in front of a State police officer and proceed to repair his rear license plate.

Notwithstanding these startling contradictions, in August of 1952 Sergeant Buck was tried by military court-martial for theft of the chevrons surrendered to a marine by Sergeant Hatley on March 7, 1952. The major issue in the case was whether Sergeant Buck was the same marine who had been handed three cases of chevrons in exchange for $50, or whether there had been a mistake in identity. Sergeant Buck was convicted, and although the members of the court-martial which convicted him all recommended clemency, he served a sentence of 11 months' imprisonment and was discharged from the service.

Sergeant Buck is innocent of the crime for which he was convicted. In demonstration of his innocence and the circumstances which explain why, despite his innocence, he was convicted of larceny of chevrons, Sergeant Buck urges the following documented points in this brief:

1. Sergeant Buck's innocence was indicated at his court-martial trial by persuasive evidence of mistaken identity and by the weakness and conflict in the prosecution's testimony;

2. A major reason for Sergeant Buck's court-martial conviction, notwithstanding his innocence, is found in the misconduct of the Government prosecutor at the trial in introducing utterly irrelevant testimony to prejudice the defendant's case;

3. Sergeant Buck was deprived of a fair opportunity for vindication before the Court of Military Appeals because he was denied his constitutional and statutory right before that tribunal to have the effective representation of his chosen counsel;

4. Since his trial, Sergeant Buck has obtained vital proof that his conviction was the result of perjured testimony by a key prosecution witness, and that he is innocent of the crime of which he was convicted.

II. SERGEANT BUCK'S INNOCENCE WAS DEMONSTRATED AT HIS COURT-MARTAIL TRIAL BY PERSUASIVE EVIDENCE OF MISTAKEN IDENTITY AND BY THE WEAKNESS AND INCONSISTENCY OF THE PROSECUTION'S TESTIMONY

Sergeant Buck was convicted on the basis of weak and inconsistent testimony against

him, despite persuasive evidence that he could not possibly have been the marine who had taken the chevrons in question. Of the three prosecution witnesses who, for a considerable number of minutes on March 7, 1952, had observed the marine to whom the chevrons were given, only two even sought to identify Buck as that man, and all three were in complete contradiction concerning the clothing and appearance of the man who had taken the chevrons. Moreover, there was utter and irreconcilable conflict between the description of the offending marine by the three prosecution witnesses with respect to his clothing, his unshaven condition and his wearing of a mustache, and the testimony of defense witnesses who had observed Sergeant Buck just before and after noon on the same day (one of which witnesses was the California State traffic officer who had apprehended the accused) concerning Sergeant Buck's dress and the fact that he was completely clean shaven and had no mustache. Finally, the evidence of the three prosecution witnesses themselves as to the time of the incident of the taking of chevrons and the time of accused's arrest as fixed by the California State traffic officer who apprehended him made it a physical impossibility for Sergeant B··ck to have committed the larceny of which he was convicted.

An excellent summary of the evidence identifying the accused as the marine who had been handed the chevrons, as well as the evidence showing the impossibility of Sergeant Buck having been that marine, is contained in a letter of May 2, 1955, from Senator KARL E. MUNDT to the Secretary of the Navy:

"*(1) The evidence bearing upon the identification of the accused*

"The evidence adduced at the trial established that at the time of the delivery of the chevrons, there were three individuals present, namely, Sgt. Shurlan Eugene Hatley, S. Sgt. Jonathan Layton, U.S. Marine Corps, and M. Sgt. Walter J. Franz, U.S. Marine Corps. Their testimony concerning the identification of the accused is quite interesting and will be discussed in detail.

"Hatley, in describing the person to whom the chevrons were delivered, said that the suspect was a large man wearing green ribbons, and had four hash marks, and he had a shawl or a sweater thrown over his shoulders—that is all that he remembers. He did not remember whether he wore a hat; he did not remember whether he had a mustache, although he admitted at the pretrial investigation that the man that took the chevrons was wearing a mustache; that he believed to the best of his recollection that he was wearing glasses; that the shawl which he was wearing was a bright color; and that it was either red or green, or blue.

"Layton could not identify the accused as the man who received the chevrons: he described the man as a big man, larger than Hatley, who he believed wore dark glasses and had a shawl or sweater thrown over his head. He could not recall even the color of the sweater or shawl, in fact, could not say whether it was a light or dark color: he believed that he had a small mustache, and he believed that he was in uniform, although he was not sure of that, and he was not wearing a hat but did not know the color of his hair. He admitted at the pretrail investigation that he stated then that the man had a mustache.

"M. Sgt. Walter J. Franz identified the man receiving the chevrons as being dressed in the uniform of the day with some kind of a little jacket which he was trying to hold around his shoulders and wearing thick, horn-rimmed glasses: he subsequently stated that the uniform was khaki, he did not know whether or not he had a blouse, that the glasses were not sunglasses; that they were not dark glasses; that the small jacket he was wearing was a real light tan and that he did not think that he had a mustache, but he needed a shave.

"T. Sgt. Hillard Frie testified for the defense that he had seen the accused at the Marine Corps Recruit Depot Bakery on March 7 at about 11 and at that time he was clean shaven and was wearing the green uniform of the day. The only glasses he had ever seen the accused wear was a pair of tinted sunglasses.

"William A. Duran, another witness for the defense, was the State traffic officer who apprehended the accused on March 7 and he testified that he was clean shaven and he believed he was wearing a green uniform, although he was not positive about it.

"John P. Freed, another witness for the defense, testified that he saw the accused at about 11:30 on March 7 at which time he was in full green uniform wearing a green, wool field jacket; that he was clean shaven and that he was wearing tinted, rimless glasses.

"It is difficult to understand how any group of witnesses for the prosecution could be any more uncertain about the description of the persons to be identified as the man to whom the chevrons were delivered than were these witnesses, and they were setting a trap for a man. By the numerous discrepancies in the testimony of these Government witnesses, the identification of the accused has failed completely. In contrast thereto, the witnesses for the defendant were all in substantial accord as to the appearance and dress of the accused on the day in question. While it is recognized that witnesses often disagree in some details about an individual, it is difficult to understand how there could be as much confusion as existed among these witnesses. Certainly, it would seem that the prosecution witnesses should agree on the type of uniform which the man was wearing and whether or not he was wearing a hat and if he was not wearing a hat, to know the color of his hair. Also, if he was wearing a sweater or a shawl it would seem that the prosecution witnesses would have some recollection of its color and not have the color range from red, green, blue, or light tan. Finally, and perhaps most important, it is difficult to understand how, if the accused was clean shaven at about 11 or 11:30 a.m. and at 12:30 p.m. on March 7, as positively testified to by accused's witnesses, he could possibly be the same man who took the cases and who needed a shave or who was wearing a mustache at 12. I submit that the identification of the accused as the person who received the cartons simply is not established by the evidence adduced at the trial. To me it should be axiomatic that the prosecution must prove the identity of the accused beyond a reasonable doubt, along with all the other elements of the offense charged."

"*(2) The evidence relating to the time of the commission of the alleged offenses and the apprehension of the accused*

"The evidence relating to the time of the alleged offenses and the whereabouts of the accused at the time of the commission of the alleged offense is just as confusing as is the testimony by which the prosecution seeks to establish the identity of the accused.

"The witnesses Hatley, Layton, and Franz established the fact that the chevrons were delivered to someone about 12 noon on March 7. Hatley is very positive about the time, stating that he checked the time by the clock and that the person taking the cartons left at 12:10. Layton fixes the time right around noon. Franz fixes the time as about 12:10 or 12:15 when the person receiving the carton left the building.

"William A. Duran, the officer who stopped the accused, testified that he stopped his car at Solona Beach, a distance about 15 miles from the main gate at Camp Pendleton at approximately 12:15. The distance from building 22–S–4 was established as being 6 miles from the main gate of Camp Pendleton. Thus, we have the situation where, according to the evidence adduced at the trial, this person identified as the accused left the building from which the chevrons were taken at about the same approximate time (certainly, not more than 15 minutes later). When it is considered that there was a driving rain at the time, that the accused, if he were the guilty party, would have had to drive through about four or five towns in order to reach Solona Beach, that he necessarily would have to stop somewhere assuming the prosecution theory is correct, to transfer the chevrons to another car, as well as at the main gate, it would have been manifestly impossible for him to have performed the travel in the time shown by the evidence. It is impossible for a reasonable man to believe that the accused could have been the person taking the boxes supposed to contain chevrons."

Clearly, the prosecution's evidence identifying the accused as the marine who had been given the chevrons was hopelessly conflicting and confused and, unless the California State policeman who arrested the accused was untruthful in his testimony concerning the time of Buck's arrest, Sergeant Buck could not possibly have been the marine who was handed chevrons at Camp Pendleton between noon and 12:10 on March 7, 1952. The question, therefore, immediately arises why Sergeant Buck was convicted by the court-martial in the light of the most unreliable evidence against him and notwithstanding the proof of innocence, established by the testimony of three prosecution witnesses and a California State highway policeman, concerning the times of the taking of the chevrons and the accused's arrest 21 miles away. Much of the answer to the question why petitioner was ever convicted may doubtless be found in the willful misconduct of the prosecution in introducing irrelevant and highly prejudicial evidence at the trial.

III. A MAJOR REASON FOR SERGEANT BUCK'S COURT-MARTIAL CONVICTION NOTWITHSTANDING HIS INNOCENCE, IS FOUND IN THE MISCONDUCT OF THE PROSECUTOR AT THE TRIAL IN INTRODUCING UTTERLY IRRELEVANT AND PREJUDICIAL TESTIMONY

Shortly after his arrest on March 7, 1952, Sergeant Buck retained Mr. William H. Daubney as his counsel. Mr. Daubney had been a former legal officer at Camp Pendleton, a major in the U.S. Marine Corps who had a flourishing practice of military cases in the area. At the trial, prosecution witness Sergeant Franz testified that on the 19th of March 1952, accused's counsel Daubney called him to say that he had some chevrons to turn over to the Government and that these chevrons were turned over by Mr. Daubney to a Mr. Scanlon of the FBI and ultimately received by Sergeant Franz. Thereafter the prosecution called to the stand as a witness for the prosecution, Sergeant Buck's defense counsel at the trial, Mr. Daubney, who testified:

"I received a telephone call—I think I can safely say it was not from Sergeant Buck because I would recognize his voice. A person asked me what they should do if they had some Government property. So I said, 'Turn it into the Government.' As I recall, he then asked me if I would do it for them. I said, 'Certainly, bring 'em up.' I don't recall whether the person told me he had chevrons or not, or whether they just had Government property. I honestly don't remember. That evening, I think I received a telephone call in the afternoon, as I recall, * * * that evening the chevrons were found by me either in my outer office or in the hall.

I can't figure out whether I picked them up in the hallway or whether I found them in the outer office, and I can't remember. So I looked in the blanket, saw what they were, hauled them down to the library, dumped them in the library, and either called the military police or tried to get Mr. Scanlon. I couldn't get him. I talked to Sergeant-Major Franz" (R. 70).[1]

The evidence concerning the receipt of chevrons by Sergeant Franz from the accused's defense counsel was totally irrelevant and immaterial and introduced only to prejudice the accused. Nothing was adduced to show that the chevrons left at Mr. Daubney's door in an Army blanket on March 19 were in any way related to the chevrons that had been taken on March 7; indeed, unlike the chevrons taken on March 7, the chevrons turned over to Sergeant Franz by accused's defense counsel included private first class chevrons. Moreover, there was no evidence or even any attempt to relate these chevrons to the accused. Mr. Daubney testified that he could state with certainty from his knowledge of the accused's voice that the person calling him on the telephone inquiring about how to return Government property was not the accused. Indeed, although this was not made known to the members of the court-martial, Sergeant Buck was hospitalized for treatment of a serious disabling condition on March 19, 1952, the day when chevrons were left at Daubney's door.[2]

That the testimony introduced by the prosecution through Sergeant Franz and the accused's own defense counsel concerning the turning over of chevrons to Sergeant Franz by Mr. Daubney was utterly irrelevant, has been fully conceded by Rear Adm. Chester Ward, the Judge Advocate General of the Navy. In a letter of July 22, 1957, to the chief counsel of the Subcommittee on Constitutional Rights, Committee on the Judiciary, U.S. Senate, Admiral Ward states as follows:

"These particular chevrons were never identified at the trial as part of the stolen loot. In fact, according to the testimony of Franz, there were, among the chevrons which Daubney returned, some private first class chevrons. This particular type of chevron was not described in the evidence as being among the type of chevrons handed over at the time of the larceny. Nor was an inventory of missing chevrons put in evidence to establish as a fact the inference already aroused by Franz's testimony that the chevrons returned by Daubney were probably part of the loot. As matters stand, then, these chevrons could have come from most anywhere."

Not only was the evidence concerning the chevrons irrelevant, but it was highly prejudicial and introduced for the particular purposes of prejudicing the accused. Members of the court-martial would not only obviously have drawn the inference from that evidence that Sergeant Buck may have used a devious method of returning chevrons through his own defense counsel, but the prosecutor, in his closing argument, made the following highly prejudicial comment, inviting the court-martial to draw that improper inference: "It's circumstantial and circumstantial beyond a reasonable doubt that a huge quantity of chevrons were turned over by Mr. Daubney to Marine Corps officials at, or shortly after, the time he was retained by Buck" (R. 101).

Although the prosecutor knew full well that the Franz and Daubney testimony concerning the chevrons given Franz by Daubney was wholly incompetent and prejudicial, in violation of his obligation as an officer of the court and of the Marine Corps, the prosecutor not only offered this incompetent evidence to the court but deliberately used it in his closing argument in the most prejudicial way possible. It is by resort to irrelevant and highly prejudicial testimony that the prosecutor achieved his purpose of reinforcing the unpersuasive and totally conflicting evidence concerning the identity of the accused as the man who had taken three cases of chevrons on the 7th of March 1952.

IV. SERGEANT BUCK WAS DEPRIVED OF A FAIR OPPORTUNITY FOR VINDICATION BEFORE THE COURT OF MILITARY APPEALS BECAUSE HE WAS DENIED HIS CONSTITUTIONAL AND STATUTORY RIGHT BEFORE THAT TRIBUNAL TO HAVE THE EFFECTIVE REPRESENTATION OF HIS CHOSEN COUNSEL

Sergeant Buck was not only convicted on the most conflicting and improbable evidence of identity and on the basis of a trial in which the prosecutor knowingly introduced highly irrelevant and prejudicial testimony, but Sergeant Buck was also subsequently denied his constitutional and statutory right to representation in the appellate process by eminent civilian attorneys he had retained for that purpose, and was thus denied fair opportunity for vindication in the military judicial appeal system.

The sixth amendment to the Constitution of the United States assures an accused the right to be represented at any stage of criminal proceedings against him, including the appeallate process, by the counsel of his choice. *Adams* v. *United States*, 317 U.S. 269, 279. The same right is assured every member of the military services by the act of May 5, 1950, 64 Stat. 130; 10 U.S.C. section 870, which is article 70(d) of the Uniform Code of Military Justice:

"The accused has the right to be represented before the Court of Military Appeals or the board of review by civilian counsel if provided by him."

Due to a series of unprecedented mistakes by military personnel in the handling of his case before the Court of Military Appeals, Sergeant Buck was denied the valuable right to effective representation before that court by the civilian attorneys of his choice. Indeed, in violation of article 71 of the Uniform Code of Military Justice (act of May 5, 1950, 64 Stat. 131; 10 U.S.C. section 871),[3] Sergeant Buck was even discharged from the service before his full appellate rights had ever been afforded him.

On February 24, 1954, the Naval Board of Review in the Office of the Judge Advocate General of the Navy affirmed Sergeant Buck's court-martial conviction. Sergeant Buck immediately gave the required notice that he desired a review of his conviction before the Court of Military Appeals. On May 14, 1954, Lt. Comdr. John J. Nelson, USNR, informed Sergeant Buck by letter that he had been appointed Buck's appellate defense counsel.[4] By letter of May 21, 1954,[5] Sergeant Buck advised Commander Nelson that a brief on his behalf was being prepared by a civilian friend of his (Judge Martin Pence, who had for the past 25 years practiced law in Hawaii and served as the U.S. Circuit Judge, Third Circuit, Territory of Hawaii). Mr. Pence also promptly wrote Commander Nelson on May 29, 1954,[6] to inform him of his presence in the case.

a. Failure to file brief by Judge Pence

Thereafter, without consulting with Sergeant Buck's counsel Pence, on July 30, 1954, Commander Nelson filed a cursory five-page brief[7] in support of the petition for review of Sergeant Buck's court-martial conviction. On August 5, 1954, Mr. Pence, who had not been informed of the existence of that brief,[8] wrote Commander Nelson to say that he was "practically abandoning all other work in order to concentrate" on Buck's case,[9] and by letter of August 12, 1954,[10] Mr. Pence forwarded to Commander Nelson a rough draft of an extensive and excellent brief he had prepared in support of the petition for the Court of Military Appeals to review Buck's case. Thereafter Commander Nelson acknowledged the receipt of that draft and informed Mr. Pence and Sergeant Buck.[11] that he would file an amended petition incorporating such new matters as were appropriate from Mr. Pence's brief. Both Buck and Pence wrote Commander Nelson[12] urging that the material in the Pence brief be brought to the attention of the court by an amended petition. On September 7, 1954, Commander Nelson filed a petition[13] before the Court of Military Appeals for enlargement of time to file additional briefs, reciting the receipt of the Pence brief and Buck's request that the appointed military counsel put the Pence brief "in proper form for submission to the court." Thereupon, additional time for filing of new material was granted until September 27, 1954.[14] Nevertheless, for some inexplicable reason, although both Buck and Counsel Pence had frequently and emphatically urged the filing of the extensive material prepared by Pence, and had been advised that such material would be filed, the Court of Military Appeals was informed by Commander Nelson that no further brief would be filed in the case.[15] Since the Pence brief was not presented to the court due to Commander Nelson's oversight, mistake or indifference, the Court of Military Appeals proceeded to review the matter, and on October 4, 1954, on the basis of nothing but the cursory five-page document filed by appointed military counsel, denied Buck's petition for review.[16]

Immediately thereafter, on October 7, 1954, Maj. Charles J. McCaffrey, a new military appellate defense counsel who, in the interim, has been appointed to represent Buck, filed a motion for reconsideration, stating that the five-page Nelson brief previously filed "omitted certain assignments of error urged for this honorable court's consideration and that this omission has resulted in substantial prejudice to the accused."[17] Major McCaffrey specifically informed the court of Commander Nelson's error in the following terms:

"The matters thus omitted were developed by civilian counsel employed by the accused and but for the inadvertent omission thereof by appointed defense counsel would have come to the attention of this honorable court and may well have influenced its judgment in the disposition of the aforementioned case. Appointed appellate defense counsel who submitted the brief is in the process of being separated from the service."

b. Failure to inform accused of Court of Military Appeals decisions against him

At this point, however, again for some inexplicable reason, Major McCaffrey not only omitted to inform Sergeant Buck that the

[1] All "R." references herein are to pages of the official transcript of Sergeant Buck's court-martial trial.

[2] See appendix, exhibit 1, attesting Buck's hospitalization for acute spinal myositis from Mar. 11 to Apr. 10, 1952.

[3] See *United States* v. *Doherty*, decided by the U.S. Court of Military Appeals on June 12, 1959.

[4] See exhibit 2.

[5] See exhibit 3.

[6] See exhibits 4 and 5.

[7] See exhibit 6.

[8] See exhibit 11.

[9] See exhibit 7.

[10] See exhibit 8.

[11] See exhibits 9 and 12.

[12] See exhibits 10, 11, and 19.

[13] See exhibit 13.

[14] See exhibit 14.

[15] See exhibit 15.

[16] See exhibit 16.

[17] See exhibit 17.

Court of Military Appeals had denied him review on October 4, but over a 2-month period, in a series of communications to Buck and Counsel Pence, McCaffrey discussed the case in great detail without even intimating that the court had already refused to review it. (See exhibits 13, 21, 24, 25, 26, and 30.)

Examination of the correspondence indicates that apparently Major McCaffrey himself had overlooked or had forgotten the fact that the court had refused to review the case; indeed, in McCaffrey's first letter to Pence on October 7,[18] in discussing the case, McCaffrey failed to mention either the court's denial of review 3 days earlier or the motion for reconsideration he himself filed on that very day. Buck himself received no word from Major McCaffrey or anyone else in the appellate division from August 20 until October 28; and, although in a November 7, 1954, letter to Major McCaffrey [19] Buck stated that "in your letter there seems to be some doubt that the Court of Military Appeals will grant the petition for review," Major McCaffrey never informed him that the court had actually refused just that petition on October 4. It was not until December 20 that petitioner learned of this fact,[20] although he had personally written on October 19 to the Judge Advocate General requesting information concerning the status of his appeal.[20] On November 15, 1954, Major McCaffrey finally filed the 32-page brief prepared by Mr. Martin Pence,[21] which should have been submitted to the court in August or September, before the court's initial decision. On December 10, 1954, the Court of Military Appeals denied the petition for reconsideration.[22]

c. Because Sergeant Buck was not informed of the Court of Military Appeals decisions, General Snedeker's brief was submitted 2½ months too late

Meanwhile, Sergeant Buck, who spoke as late as December 10 by telephone with Major McCaffrey still without learning that the court had taken any action on his original petition,[23] had obtained Brig. Gen. James Snedeker, a former Judge Advocate General and leading expert on military law, to write a brief on his behalf to be submitted to the Court of Military Appeals on a petition for reconsideration if one were to become necessary.[24] Major McCaffrey was so advised by the accused by letter of December 16, 1954, and was also advised that the brief would be submitted "no later than Monday, December 20, 1954." [25] On December 20, 1954, the Snedeker brief was mailed to Major McCaffrey by Buck, airmail special delivery, and received at the Pentagon on December 21.[26] It was not, however, until December 28, 1954, that a second motion for reconsideration and the Snedeker brief were filed with the court by Major McCaffrey.[27] On December 30, 1954, that motion was opposed by the Government, in a written reply filed with the Court of Military Appeals,[28] solely on the grounds that it had not been timely filed.

d. Sergeant Buck was illegally discharged before the completion of appellate review

The Snedeker brief was received in the Office of the Judge Advocate General of the Navy at the Pentagon on December 21, 1954.[29] The Judge Advocate General had been informed, apparently by Major McCaffrey,[30] that the brief was arriving. But again, due to some inexplicable mixup in the Office of the Judge Advocate General of the Navy,[31] on December 28 a teletype was sent [32] from that office out to the field after the Snedeker brief had arrived in the Judge Advocate General's Office, stating:

"New petition not received by defense counsel in GCM case Carl H. Buck 236477 MDXT USMC. Sentence may be executed at this time without prejudice to further appellate review. Whether new petition will be considered is within province of USCMA."

On January 7, 1955, General Snedeker wrote to the clerk of the Court of Military Appeals,[33] pointing out that the October 4, 1954, Court of Military Appeals order denying review had not been promulgated by the Judge Advocate General of the Navy until December 20, 1954,[34] which was the first date that the accused had ever learned of that action. General Snedeker pointed out that, contrary to the December 28 teletype, postal authorities checked and confirmed the December 21, 1954, receipt of his brief by the Judge Advocate General of the Navy. Nevertheless, on January 14, 1955, Sergeant Buck was discharged from the service pursuant to a supplementary court-martial order dated December 29, 1954,[35] over his strenuous objections, verbal and in writing,[36] while the Court of Military Appeals was still considering his motion for reconsideration, and before it had ever taken action upon that motion and the Snedeker brief. On January 17, 1955, after Sergeant Buck's discharge from the Marine Corps, the Court of Military Appeals denied his motion for reconsideration.[37]

All of the foregoing facts are fully documented in the correspondence of the parties involved, the legal papers filed with the Court of Military Appeals and the formal actions of that court. Photostatic or certified copies of these appear in the appendix; because of the voluminous nature of that documentation and for ease of reference, there is set out below a chronological table thereof:

Date		Exhibit No.
May 14, 1954	Letter from Commander Nelson to Buck	2
May 21, 1954	Letter from Buck to Commander Nelson	3
June 8, 1954	Letter from Commander Nelson to Judge Pence	4
June 29, 1954	Letter from Lieutenant Hoag to Buck	5
July 28, 1954	Brief in support of petition for grant of review, for Buck by Commander Nelson	6
Aug. 5, 1954	Letter from Judge Pence to Commander Nelson	7
Aug. 12, 1954	do	8
Aug. 20, 1954	Letter from Commander Nelson to Judge Pence	9
Aug. 21, 1954	Extract of letter from Buck to Commander Nelson	10
Aug. 24, 1954	Letter from Judge Pence to Commander Nelson	11
Aug. 29, 1954	Letter from Commander Nelson to Buck	12
Sept. 7, 1954	Petition for enlargement of time, for Buck by Commander Nelson	13
Sept. 27, 1954	Order by Court of Military Appeals granting Buck's motion for enlargement of time to file additional pleadings	14
Oct. 4, 1954	Memorandum in Court of Military Appeals file	15
Do	Order by Court of Military Appeals denying Buck's petition for grant of review of decision of board of review	16
Oct. 7, 1954	Motion for reconsideration and request for extension to file brief in support thereof, for Buck by Major McCaffrey	17
Do	Letter from Major McCaffrey to Judge Pence	18
Do	Excerpt from letter from Judge Pence to Mr. Ziegler	19
Oct. 8, 1954	Order by Court of Military Appeals granting Buck's motion for extension of time to file brief	20
Oct 19, 1954	Letter from Buck to Judge Advocate General of the Navy	21
Oct. 20, 1954	Request for extension of time within which to file brief in support of petition, for Buck by Major McCaffrey	22
Oct. 22, 1954	Order granting Buck's motion for further extension of time to file brief, by Court of Military Appeals	23
Do	Letter from Major McCaffrey to Judge Pence	24
Oct. 28, 1954	Letter from Major McCaffrey to Buck	25
Nov. 7, 1954	Letter from Buck to Major McCaffrey	26
Nov. 12, 1954	Excerpt from brief on the behalf of appellant, for Buck by Judge Pence	27
Nov. 30, 1954	Government reply to motion for reconsideration and supporting brief	28
Dec. 10, 1954	Order by Court of Military Appeals denying petition for reconsideration	29
Dec. 16, 1954	Letter from Buck to Major McCaffrey	30
Dec. 17, 1954	Letter from General Snedeker to Buck	31
Dec. 20, 1954	Memorandum from Judge Advocate General of Navy to Commandant, 12th Naval District	32
Dec. 23, 1954	Letter from General Snedeker to Buck	33
Dec. 28, 1954	Teletype from Judge Advocate General to Commandant, 12th Naval District	34
Do	Motion for reconsideration and brief on behalf of accused, by General Snedeker	35
Dec. 29, 1954	Government reply to motion for reconsideration	36
Jan. 3, 1955	Letter from General Snedeker to Buck	37
Jan. 7, 1955	Letter from General Snedeker to Clerk of Court of Military Appeals	38
Do	Letter from Post Office Inspector Spencer to Buck	39
Jan. 10, 1955	Letter from Clerk of Court of Military Appeals to General Snedeker	40
Jan. 13, 1955	Letter from General Snedeker to Buck	41
Do	Letter from Major McCaffrey to Buck	42
Jan. 14, 1955	Statement of Buck refusing to accept discharge	43
Jan. 17, 1955	Order by Court of Military Appeals denying petition for reconsideration	44
Jan. 25, 1955	Letter from Major McCaffrey to General Snedeker	45
Jan. 26, 1955	Letter from Clerk of Court of Military Appeals to Mr. Roy C. Hall	46
----------	Extract from clerk's docket, Court of Military Appeals	47

In approving Sergeant Buck's court-martial conviction and sentence, the convening authority had ordered that "the execution of that portion thereof adjudging bad conduct discharge is suspended until the accused's release from confinement or upon completion of appellate review, whichever is the later date." [38] It cannot be doubted that Sergeant Buck's premature discharge was in violation of his statutory right to a prior full appellate review. Both his appointed defense counsel, Major McCaffrey,

[18] See exhibit 26.
[19] See exhibits 33 and 38.
[20] See exhibit 21.
[21] See exhibits 20, 22, 23, 27, and 28.
[22] See exhibit 29.
[23] See exhibit 30.
[24] See exhibit 31.
[25] See exhibit 30.
[26] See exhibits 38 and 39.
[27] See exhibits 35 and 37.
[28] See exhibit 36.
[29] See exhibits 38 and 39.
[30] See exhibit 33.
[31] See exhibit 42.
[32] See exhibit 34.
[33] See exhibits 38 and 40.
[34] See exhibit 32.
[35] See exhibit 49.
[36] See exhibit 43.
[37] See exhibit 44.
[38] See exhibit 48.

and General Snedeker, concurred in that view at the time.[39] Moreover, Buck's constitutional and statutory right to effective representation by the expert civilian attorneys he had chosen, was denied him by the incredible mistakes of two successive appointed military defense counsel. The first of these, Commander Nelson, neglected to file the brief prepared for Sergeant Buck by Judge Pence; the second, Major McCaffrey, communicated with Buck and his attorney for over 2 months after the court had denied Buck's petition, without advising them of that significant fact. As a consequence, the excellent brief prepared by Buck's counsel, General Snedeker, was not timely filed; it is not clear whether the court ever considered that brief, although it is clear that Buck was unlawfully discharged from the service prior to the court's action upon it.

In sum, Sergeant Buck was denied a fair military judicial review; by virtue of the inexcusable mistakes of appointed military counsel, the excellent briefs on his behalf prepared by his chosen attorneys were submitted to the Court of Military Appeals piecemeal and out of time and only "after the fact." Sergeant Buck was thus denied a fair and equal opportunity for review before that highest military court.[40]

Sergeant Buck, however, has not ceased in his effort to obtain redress. In the period since his conviction he has obtained a persuasive body of evidentiary documentation to buttress his consistent assertions of innocence; this evidence demonstrates that key testimony against Sergeant Buck at his court-martial was perjurious in various respects and that he is in fact innocent of the only transgression with which he has ever been charged in a lifetime of good conduct and faithful military service.

V. SINCE HIS TRIAL, SERGEANT BUCK HAS OBTAINED VITAL PROOF THAT HIS CONVICTION WAS THE RESULT OF PERJURED TESTIMONY BY A KEY PROSECUTION WITNESS, AND THAT HE IS INNOCENT OF THE CRIME FOR WHICH HE WAS CONVICTED

When Sergeant Buck was convicted by his court-martial, notwithstanding the contradictions in the evidence against him and the proof that he could not have been the offending Marine, he immediately began to gather all available evidence to show that he had been unjustly convicted of a crime he did not commit. The documentary material obtained since the trial gives the strongest possible indication of Sergeant Buck's innocence, and of the perjurious nature of the evidence against him by the chief prosecution witness, Sergeant Walter J. Franz:

A. New evidence of Franz perjury

The most vital issue at the trial was, of course, whether Sergeant Buck was the man who had requested and been given three cases of chevrons. Sergeant Buck has obtained extensive documentary evidence that Sergeant Franz's testimony on this key identity aspect of the case was perjurious.

Doubtless the most damaging testimony identifying Sergeant Buck was that by Franz, who testified that even before the boxes of chevrons were handed to an anonymous marine, he had already obtained Sergeant Buck's name as that of the guilty party. Sergeant Franz testified that after he was called into the case (R. 47):

"I proceeded down there and talked to Major Gallagher and Major Moore and they sent for a man named Staff Sergeant Hatley and they explained to me that there was a master sergeant by the name of Carl H. Buck, from Marine Corps Recruit Depot, who had tried to purchase some Government property. They had a contract that morning that this Master Sergeant Buck was to be at 22–S–4 at noon."[41]

And Sergeant Franz further testified that he himself had used the name "Master Sergeant Buck" before Buck's actual arrest:

"I called the main gate, and as I called the main gate I could hear them hollering as the car was going out the gate. I heard them hollering and whistling, but they told me afterward that Buck had the green light * * * or the car had the green light, that I wanted stopped, and it went right straight through. I then called the town patrol and asked them to go up on 101 and see if they could stop this car with Master Sergeant Buck driving it which I had or which I was told was his name by Major Gallagher.

"Question. What else did you do after you notified the town patrol, if anything?

"Answer. I then got back in my vehicle and proceeded to the Oceanside Police Department. There I contacted the highway patrol—the highway patrol, it seemed within a matter of 5 or 10 minutes I heard this call going back and forth that they had Buck in Solano Beach" (R. 49).

Evidence obtained since the trial shows that Sergeant Franz' key testimony identifying Buck by name before his arrest on the highway was utterly perjurious in that Franz did not know Sergeant Buck's name before his arrest and that in calling the gate and police authorities to apprehend a marine, Sergeant Franz never identified and could not identify the suspect by the name "Buck." In an affidavit[42] WO Young S. Knight, from whose home Sergeant Franz had made the telephone calls to the main gate and the town patrol for the apprehension of a marine, states that in making the telephone calls from his house:

"I do not recall Sergeant Franz mentioning the name of Sgt. Carl Buck and as Sergeant Buck is a friend of mine, I feel quite sure that had his name been mentioned by Sergeant Franz, I would recall it."

Further, California State Highway Patrolman Walter Woods has stated in an affidavit[43] that:

"While I was on duty as a California State highway patrolman in Oceanside, Calif., on the 7th day of March 1952, shortly after the noon hour, I was approached by M. Sgt. Walter Franz from the provost marshal's office, Camp J. H. Pendleton, and requested to put out a call on the police radio to stop and hold a marine driving a yellow Studebaker. I was not given any name of the marine wanted stopped nor the license number of the car. In fact, Sergeant Franz stated that he did not know the name of the person he was looking for."

Finally, the evidence provided by Officer Doran, who arrested Sergeant Buck, and the radio logs of the Oceanside, Calif., Police Department show that Sergeant Franz did not have Sergeant Buck's name. Officer Doran has made an affidavit[44] stating as follows:

"When I approached this car to question the driver, in order to determine if he was a marine, I noticed he had stepped out of his car and was attempting to fix his rear license plate which was swinging loosely. In answer to my question, the driver stated he was a marine from Marine Corps Recruit Depot, San Diego.

"He then handed me his identification card showing that he was M. Sgt. Carl H. Buck. I placed him under apprehension and held him in my patrol car for approximately 30 minutes during which time I sent his full name and rank by radio to the Oceanside Police Department. At about 10 minutes to 1 the MP's arrived from Oceanside and asked Sergeant Buck his name and thoroughly searched his car. There was two of them, one of them got into the patrol car with Sergeant Buck and I and he asked me to again radio in to Sergeant Franz at the Oceanside Police Department for the name of the marine wanted. We were informed by radio that Sergeant Franz did not have the name of the marine he was looking for. But we did receive a request for a marine named 'Blackman.'

"At approximately 15 minutes later a call came from the Oceanside Police Department that the marine they wanted was named Carl Buck; this was the first time that Sergeant Buck's name was sent over the air except when I sent Sergeant Buck's name in to identify him as the marine I was holding."

The radio logs of the Oceanside, Calif., Police Department also conclusively demonstrate the falsity of Sergeant Franz's testimony that he knew Sergeant Buck's name before Sergeant Buck's arrest. The recorded 1:03 p.m. radio message[45] states:

"(Contact Sergeant Franz at Camp Pendleton ascertain the correct name of the party being held by CHP officers) 10–4 Sergeant Franz is at this office has apparently lost all papers with names will check farther and call you (10–4) kma 857."

The prearrest identification of Sergeant Buck's name by Sergeant Franz may have been the most important single piece of evidence relied upon by members of the court in finding that Sergeant Buck was the person who had solicited and been given three boxes of chevrons on March 1, 1952. That prearrest identification of Buck's name has now been proved perjurious by the affidavits of the warrant officer from whose house Sergeant Franz made the telephone calls to apprehend, by the California State highway patrolman whom Sergeant Franz requested to put out a call of apprehension, by the State police officer who apprehended Buck, and by the radio log message recorded by the Oceanside police at the time of Sergeant Buck's arrest. There can be no question that had this evidence of the perjurious nature of this testimony been presented to the court, Sergeant Buck would not have been convicted, and that he stands wrongfully convicted on the basis of Sergeant Franz's perjurious prearrest identification of his name. Coming as it does from unimpeachable police sources, this new evidence provides most important corroboration that Sergeant Franz shamelessly gave false testimony identifying the accused by his name

[39] See exhibits 41, 42 and 45.

[40] While the Court of Military Appeals subsequently had before it a motion to reopen the case, upon which it rendered a lengthy memorandum opinion on June 6, 1958, that proceeding was obviously not an adequate substitute for the fair and orderly submission of Sergeant Buck's regular appeal to the Court of Military Appeals' 1958 "opinion" purported to deal with the merits of some of Sergeant Buck's contentions, the court's decision also expressly recognized that at that late date the court no longer had jurisdiction to entertain Sergeant Buck's appeal. Certainly under these circumstances Sergeant Buck never had the benefit of the regular appeal of his conviction to the Court of Military Appeals with the benefit of full participation by his chosen civilian counsel, which was his statutory and constitutional right.

[41] As even the Board of Review decision of February 24, 1954, conceded: "The circumstances were that Major Gallagher did not, and could not, have known that Sergeant Buck was involved."

[42] See exhibit 50.

[43] See exhibits 51 and 52.

[44] See exhibits 53 and 54.

[45] See exhibit 55.

in order to cover his own inexcusable negligence in permitting the actual offender to escape from the scene of the crime.

B. The lie detector test

While lie detector tests are not accepted as evidence in criminal courts, they have become generally accepted as a nonjudicial basis of evaluating guilt or innocence. In 1956 at the request of his attorney, Sergeant Buck was subjected to an extensive 3-day lie detector examination conducted at Fordham University by Dr. Joseph F. Kubis, professor of psychology.[46] Critical questions were asked on every phase of the events relating to the taking of chevrons and Sergeant Buck's trial. It was the conclusion of Professor Kubis, an eminent expert in pathometer examination that:

"It can be asserted that the records of Mr. Buck indicate that he believes his denials of stealing, taking or receiving the missing chevrons; and, he believes his denials of making a deal to get them."

Indeed, Professor Kubis went further than merely characterizing Sergeant Buck's subjective consciousness of guilt or innocence, to state that "the general picture is that of a person who did not take the objects."

In contrast to Sergeant Buck, who took and passed a lie detector examination, Sergeant Franz, the chief witness against him, and whose testimony Sergeant Buck has repeatedly characterized as false, has refused to undergo a lie detector test. On June 9, 1959, counsel for Sergeant Buck addressed the following communication [47] to Sergeant Franz:

"I am writing to you as attorney for former M. Sgt. Carl H. Buck. You will recall that in August of 1952 you were the chief witness at Sergeant Buck's court-martial for larceny of Government chevrons and that the basic question presented in the case was whether Sergeant Buck was the person who had taken the chevrons or whether the case involved mistaken identity.

"Ever since his trial Sergeant Buck has attempted by various means to obtain redress, asserting his complete innocence and that your testimony against him was false in various important respects. Among other steps that Sergeant Buck has taken to prove his innocence he submitted himself to an extensive lie detector examination at Fordham University in May of 1956 which covered in detail every aspect of the case against him and which Sergeant Buck passed 100 percent.

"I am sure you will understand how important this matter is to Sergeant Buck and to his family. For that reason and because I know that as a member of the Navy criminal investigation branch you would not want to shirk your full responsibilities in such a matter, I make the request of you that you consent as did Sergeant Buck to a lie detector examination to be given by some independent and acknowledged expert.

"If you consent to undergo a polygraph examination, we will, of course, make all necessary arrangements and pay all the expenses that you might incur.

"Since we are submitting for Sergeant Buck before the end of June a petition to the President for a pardon on the grounds of Sergeant Buck's innocence, I would appreciate your very prompt answer to this communication."

By a letter of June 12, 1959, Sergeant Franz refused that request in the following vitriolic terms: [48]

"Your letter which slyly attacks my character for truth and veracity is hardly the type I expected from a firm of such sound reputation. However, in this day and age nothing is unusual. It appears to me that the real reason for your letter was to offend me into not answering and thus give you an opportunity to capitalize on my silence. If this was your plan Mr. Silard, let this letter be notice that it failed.

"Your request that I submit to a lie detector test and your statement that I would not want to 'shirk my full responsibilities in this matter' is completely unbelievable. First, Mr. Silard, my testimony was truthfully given under oath and recorded for the world to review. It has never been questioned by the U.S. Marine Corps, nor the courts. Secondly, my responsibilities in connection with the 'Buck case' were completely fulfilled when I gave my testimony in court in 1952.

"It is no great surprise that the convicted Mr. Buck would assert my testimony to be false. He has made assertions for quite some time without success. As far as I am concerned and apparently as far as the courts are concerned, the case is closed. If it were otherwise, you would not need to petition the President for a pardon.

"Very truly yours,

"WALTER J. FRANZ,
"Master Sergeant, USMC."

The Navy has been just as solicitous to shield Sergeant Franz from the kind of examination or interrogation which might lead to his confession of perjury as has Sergeant Franz himself. On April 3, 1959, Senator PAUL H. DOUGLAS wrote the Judge Advocate General of the Navy requesting that Sergeant Franz be temporarily brought to Washington. In that letter Senator DOUGLAS pointed out that "the best and most direct way for Sergeant Buck to obtain evidence that a miscarriage of justice has resulted is of course through the chief witness against him, Sergeant Franz" and went on to request that Sergeant Franz be brought to Washington for interrogation, pointing out that:

"In order to present a record upon which he might base his plea for clemency, it therefore seems to me absolutely necessary for Sergeant Buck and his attorneys to be given an opportunity to confront and interrogate Sergeant Franz in the hope that he will retract his testimony or otherwise clarify what appears to be a grievous miscarriage of justice. It seems to me that an informal interrogation of Sergeant Franz at which a representative of himself and of my staff and possibly of Senator HENNINGS' staff, as well as Sergeant Buck and his attorneys, would likely be productive. At the very least it would give Sergeant Buck the fair chance to which he is clearly entitled as indicated by the White House letter to me, to demonstrate his innocence and obtain a full reprieve."

In communications of April 21, 1959, from the Judge Advocate General of the Navy, and May 4, 1959, from the Commandant of the Marine Corps, Senator DOUGLAS' request was flatly refused, assertedly because of the expense of bringing Sergeant Franz from California to Washington. Notwithstanding that the future life and reputation of an American citizen is at stake and that there is overwhelming cause to believe that Sergeant Franz gave perjurious testimony at his trial, the Judge Advocate General of the Navy wrote Senator DOUGLAS that:

"The proposed examination of Sergeant Franz can have no other purpose except to attempt to weaken and discredit his previous testimony. Full opportunity to do this was accorded in the judicial proceedings now terminated."

C. Police radio logs unquestionably establish Buck's innocence

Finally and most importantly, Sergeant Buck has obtained irrefutable documentary evidence that he could not have been the man to whom the chevrons were turned over by Sergeant Hatley shortly after noon on March 7, 1952.

At the trial itself, the time of the turning over of the chevrons to an unknown marine was established by the prosecution's three witnesses, and the time of Buck's arrest, 21 miles away, was established by Officer Doran of the California Highway Police. The following is the pertinent testimony of these witnesses, showing that the anonymous marine was handed the chevrons at 12:07 or 12:10 on March 7, 1952, and that Sergeant Buck was arrested 21 miles away just a few minutes later:

"Testimony of Sergeant Hatley, a Government Witness

"Question. After you had this telephone conversation on the morning of the 7th, did you see him?

"Answer. Yes, sir. I saw him at 12 o'clock that day" (R. 12).

"Question. Now you say a chap came in on the 7th of March. Can you fix the time definitely?

"Answer. Who came in?

"Question. Some person to pick up the chevrons.

"Answer. Yes; 12 o'clock.

"Question. How do you fix the time positively at 12 o'clock?

"Answer. There was a clock in the office and I was expecting someone to pick up the chevrons, and during the telephone conversation that morning the person calling said he would be there approximately at 12 o'clock.

"Question. Then you are quite certain that it was 12?

"Answer. It would have been 2 or 3 minutes either way.

"Question. How long was the person there?

"Answer. Approximately 7 or 8 minutes—maybe 10.

"Question. What time did you say the person left?

"Answer. Approximately 10 after——

"Question. Now, Mr. Hatley, is it then a fair statement that your testimony indicates that the individual who picked up the chevrons came in at 12 noon and left to the best of your estimation at 10 minutes after 12?

"Answer. Yes, sir; that is correct" (R. 22).

Testimony of M. Sgt. Johnathan C. Layton, a Government Witness

"Question. Do you recall the approximate time on the date in question that this money changed hands?

"Answer. Right around 12 o'clock noon" (R. 34).

Testimony of M. Sgt. Walter J. Franz, a Government Witness

"Question. What happened after they placed the boxes out there?

"Answer. Just about 12 o'clock right on the head, maybe a few minutes before 12, a yellow car drove up in front of 22–S–4 and Hatley said, 'It's him'" (R. 48).

"Question. Do you remember distinctly that it was 12 sharp when he arrived?

"Answer. As I said before, it could have been 1 minute to, or 1 minute after. The hands were almost at 12 or they were at 12. I wasn't specifying no different except a minute.

"Question. We can say safely, then, 5 minutes either way?

"Answer. Say 5 minutes either way.

"Question. How long did he stay there?

"Answer. I would say between 7 and 10 minutes.

"Question. Shall we safely assume, then, that according to the correct time he left there at 10 minutes after noon—5 minutes either way?

"Answer. Yes" (R. 59).

The record of trial contains the following testimony concerning the time of apprehension of Buck in Solana Beach, 21 miles from the scene of the crime:

[46] See exhibit 56.
[47] See exhibit 57.
[48] See exhibit 58.

Testimony of William A. Doran, State Traffic Officer, a Defense Witness

"Question. Were you on duty on the 7th of March?

"Answer. Yes, sir.

"Question. At approximately the noon hour, did anything unusual occur?

"Answer. Shortly after the noon hour, I received a call from the Oceanside Police Department to attempt to stop a yellow Studebaker, southbound on Highway 101 with a marine sergeant driving it.

"Question. Did you stop such an automobile?

"Answer. Yes, sir.

"Question. Where?

"Answer. At Solana Beach.

"Question. That's in the County of San Diego?

"Answer. Yes, sir.

"Question. At what time did you make the stop?

"Answer. Approximately 12:15" (R. 86).

"Question. Mr. Doran, how do you fix the time, 12:15?

"Answer. Well, I just approximate it. I don't recall looking at my watch. However, I know it was my lunch hour—starts at 12 and I was just thinking about going to get something to eat, and this—I know it was at least 10 after 12 or so when I started thinking about going for my lunch.

"Question. In other words, it could have been 12:30?

"Answer. No, sir.

"Question. You're absolutely sure of that?

"Answer. I'm positive it was approximately 12:15—12:20, in that area.

"Question. It could have been 12:20 or little—

"Answer. It could have been 12:20, but it could not have been 12:30.

"Question. What time did you first get the call?

"Answer. Just about 1 minute before Sergeant Buck pulled up to the signal" (R. 87–88).[49]

This persuasive evidence of mistaken identity was, however, rejected on the following grounds by the Navy Board of Review in its decision of February 24, 1954, affirming Sergeant Buck's conviction:

"If this was the only testimony in the record of trial reconciling the determination as to whether the person who left building 22–S–4 was the same person who was apprehended at Solana Beach, this Board would admit that a grave possibility of erroneous identification of the accused existed. It speaks for itself that it would be highly improbable, if not physically impossible, to drive 21 miles, part of such distance through populated areas involving traffic impediments, in approximately 16 minutes. But the record of trial contains considerable additional evidence which was properly within the court's discretion for consideration. While the testimony of Officer Duran was emphatic and positive it is apparent his deductions as to the time were not predicated upon a factual basis. His testimony discloses he approximated the time—that he did not look at his watch—he knew it was his lunch hour—and he was thinking about going to get something to eat. This testimony is refuted by that portion of Franz's uncontradicted accounting that he had arrived at the Oceanside Police Department—highway patrol—at '* * * approximately 12:30. It was between 12:30 and 1' and that 'it seemed within a matter of 5 or 10 minutes I heard this call going back and forth that they had Buck in Solana Beach' (R. 49). It is considered that the court was well within its prerogatives in rejecting that portion of the testimony purporting to be a definite establishment of the time of apprehension bottomed upon such uncertainty."

In short, the primary basis for the Board's rejection of the persuasive evidence of mistaken identity (based upon the time factor) was that Officer Doran's recollection of the time of arrest was "not predicated upon a factual basis." Since his trial, however, Sergeant Buck has obtained the irrefutable documentary factual basis for the time of his arrest—recorded radio messages at the San Diego, Calif., Police Department show the latest possible time that Sergeant Buck could possibly have been arrested.

Officer Doran has sworn repeatedly that it was just after Sergeant Buck pulled up to fix his rear license plate that he received a radio call to arrest a marine in a cream-colored Studebaker. The radio log entry[50] shows the following radio call logged in at 12:33 p.m. by San Diego police: "Have 2473 pick up marine sergeant for CID Camp Pen cream-colored Stude 1950 or 1951 south from Encinitas."[51] As further shown on the radio log, by 12:40 Officer Doran (2473), after stopping Sergeant Buck, examining his identification, and placing him under arrest, had radioed these facts back to his headquarters.

Under these circumstances the time of Sergeant Buck's arrest is no longer based upon the uncertainty of Sergeant Doran's calculation of the time of the arrest. It is now established through radio logs and the prosecution's own witnesses that whereas the guilty party had left with chevrons at 12:07 or 12:10, Master Sergeant Buck could not have been picked up, 21 miles away, any later than 12:32 and that Officer Doran's unequivocal testimony concerning the time of Sergeant Buck's arrest was thus substantially correct.

It would, of course, have been totally impossible for Sergeant Buck in 21 minutes to traverse 21 miles in a driving rainstorm, through five populated communities with stop lights, also stopping at the main gate of Camp Pendleton and stopping to dispose of chevrons along the way. As emphasized in the communication of August 21, 1957, from Senator PAUL DOUGLAS to the President of the United States:

"According to the definite testimony at the court-martial, the unknown 'Chuck' left the Camp Pendleton warehouse at 12:10 p.m. or within minutes of that time. Buck was apprehended at Solana Beach some 22 miles away. The California State Police officer who apprehended him testified that he did so at 12:15 and certainly no later than 12:20 p.m. The police radio logs show that the calls for the apprehension of the person involved went out at 12:30 or 12:32, or no more than 21 or 22 minutes from the time the unknown 'Chuck' left the Camp Pendleton warehouse. The police officer testified that he saw Buck just shortly before the first call came through. These calls were entered on the logs later than they actually occurred, but even then Buck could have been apprehended no later than 22 minutes from the time the so-called larceny occurred and actually only 5 to 10 minutes later.

"From the police radio logs at San Diego and at Oceanside, Calif., it appears that for Buck to have been the person involved, he would have had to drive some 22 miles, at high noon, through a driving rain, through five towns, most of them with stoplights, and meanwhile have gotten rid of the stolen goods, all in some 21 minutes. This appears to have been impossible."

Adding the documentary evidence discovered since the trial to the other contradictions in identification—that unlike the offending marine, Sergeant Buck had no mustache, was clean shaven, wearing different clothing, no horn-rimmed glasses and had no chevrons in his car—it becomes perfectly clear that through an unfortunate coincidence in vehicles, Master Sergeant Buck, with a lifetime record of excellent military service, has been unjustly convicted and dismissed from his military career for an offense committed by someone else.

It is rare indeed that a person convicted of a crime can establish his innocence by the testimony of the prosecution's own witnesses and that of a State highway policeman. It is even more rare that documentary evidence by means of recorded police radio logs is found to substantiate the impossibility of the accused's commission of the offense. In this case, however, such evidence has been produced. Certainly, a convicted American citizen who can prove his innocence through the radio logs of a State police department, is entitled to a full reprieve from a mistaken criminal conviction.

VI. CONCLUSION: SERGEANT BUCK, UNJUSTLY CONVICTED OF A CRIME HE DID NOT COMMIT, DESERVES FULL PARDON AND RESTORATION TO THE SERVICE

Sergeant Buck seeks a pardon because of his innocence and for no other reason. In that connection, Sergeant Buck urges that the fullest investigation be made by the Federal Bureau of Investigation of every detail of his trial and the testimony there introduced on his behalf and against him, as well as all the circumstances relied upon in this brief. Sergeant Buck will willingly undergo a second lie-detector test or any other examination aimed at establishing the truth. He is confident that a full investigation will remove him and his family from the cloud of the degrading accusation that he has committed a crime against the Government he sought to serve; by finally proving his innocence, it will make possible the rebuilding of a ruined life.

There are only a few instances in which a President of the United States has granted a pardon because of innocence. But Sergeant Buck's case is certainly one of those rare cases which cries out for clemency for an innocent citizen wrongfully branded a criminal, imprisoned, and dismissed, after 18 years, from his career in the U.S. Marines.

Buck was convicted on the slimmest and most contradictory evidence against him in the face of persuasive proof that he could not have been the guilty party. Totally irrelevant and highly prejudicial testimony introduced by the prosecution at his trial through his own defense counsel denied him a fair trial. A series of incredible mistakes before the U.S. Court of Military Appeals by appointed military counsel denied Sergeant Buck his constitutional and statutory right to a fair defense in the appellate process by the expert attorneys of his choice. Fnially, and most importantly, Sergeant Buck has obtained vital new evidence since his trial to demonstrate what has been clear to three Senators of the United States and every other impartial reviewer, that his conviction was the result of mistaken identity.

As an innocent man mistakenly convicted, Sergeant Buck fully deserves a pardon; such a pardon should be accompanied by his restoration to the service, which is within the power of the Chief Executive as Commander in Chief. Certainly, now that Sergeant Buck can demonstrate his innocence, nothing could justify the withholding of full redress by restoring him to his service career.

[49] Officer Doran made a slip of the tongue here for he has repeatedly stated and verified in affidavits that Sergeant Buck pulled up to the signal a minute before the radio message, not vice versa. See exhibit 53.

[50] See exhibit 59.

[51] The radio logs actually show that at the very latest, Buck had already pulled up in Solana Beach by 12:30. The time could have been no later and was possibly much earlier for the San Diego log 12:33 excerpt was recorded only after the call had originally been broadcast from Oceanside, rebroadcast from San Diego, and finally logged into the log book at San Diego.

But all apart from Sergeant Buck's innocence of the crime for which he was convicted, there is a separate and additional ground for his restoration to the Marine Corps. On November 8, 1956, after an official hearing and investigation by the Board for Correction of Naval Records, that statutory agency made a determination that Sergeant Buck should never have been discharged from the Marine Corps.[52] The Board found, on the basis of Buck's "many years of faithful and meritorious service,"[53] that the Clemency Board which had rejected his appeal to remain in the Marine Corps should have retained him in the service. The specific finding of the Board for Correction of Naval Records, concurred in by the Secretary of the Navy on November 29, 1956,[54] was as follows:

"after a most conscientious and careful consideration of petitioner's naval record, the evidence presented by him, or in his behalf, and particularly in view of his many years of faithful and meritorious service, the Board finds that the ends of justice would have been better served had petitioner been restored to duty and afforded an opportunity to complete his enlistment under honorable conditions by serving a probationary period. In this connection the Board is mindful of the general policy of the Department not to restore to duty a person convicted of theft, but believes that exceptions should be made in certain cases and that in view of all the circumstances attending the instant case, an exception to the general policy should have been made."

Thus, although a statutory agency of the United States, as well as the Secretary of the Navy, have ruled that Sergeant Buck was unjustly discharged from the Marine Corps, he has yet to receive the only appropriate relief against that injustice—restoration to the corps.

Sergeant Buck, innocent of the crime of which he was convicted, has been unfairly and unjustly labeled a criminal and deprived of his military career. He hereby respectfully requests an unconditional pardon and restoration to the service, in exercise of the clemency and restoration powers vested in the President as Chief Executive and Commander in Chief.

Respectfully submitted.

JOSEPH L. RAUH, Jr.,
JOHN SILARD,
Attorneys for Petitioner.

JULY 1959.

EXHIBIT 50

Young S. Knight, being first duly sworn, deposes and says as follows:

"On March 7, 1952, I was stationed at the Marine Base, Camp Pendleton, Calif.; on that date I went to my home for lunch arriving there shortly after 12 noon; at the time it was raining very hard.

"I had been in my home for only a few minutes when M. Sgt. Walter J. Franz knocked on the door and asked whether he could use the phone. Master Sergeant Franz was there about 5 or 10 minutes during which time he called first the main gate, then the town patrol, and finally, the State highway patrol.

"I was in and out of the room in which Sergeant Franz made the telephone calls and I heard Sergeant Franz give a description of the car which he wished to have stopped but I do not remember him giving any description of the man in the car either by name or otherwise. I do not recall Sergeant Franz mentioning the name of Sgt. Carl Buck and as Sergeant Buck is a friend of mine, I feel quite sure that had his name been mentioned by Sergeant Franz, I would recall it.

"My house from which Sergeant Franz made the aforementioned telephone calls was located about 5 miles from the supply area of Camp Pendleton and about 1 mile and a half to the main gate of Camp Pendleton.

"I have known Sergeant Buck over a period of several years, during which time Sergeant Buck has never had a mustache and has always been clean shaven.

"YOUNG S. KNIGHT."

Subscribed and sworn to before me, a notary public, this 18th day of November 1953.

ELIZABETH A. EDWARDS,
QUANTICO, VA. *Notary Public.*
My commission expires May 8, 1955.

EXHIBIT 51

STATEMENT

OCEANSIDE, CALIF., *April 21, 1954.*

I hereby certify that while I was on duty as a California State highway patrolman in Oceanside, Calif., on the 7th day of March 1952, shortly after the noon hour, I was approached by M. Sgt. Walter Franz from the provost marshal's office, Camp J. H. Pendleton, and requested to put out a call on the police radio to stop and hold a marine driving a yellow Studebaker. I was not given any name of the marine wanted stopped nor the license number of the car. In fact, Sergeant Franz stated that he did not know the name of the person he was looking for. I then contacted the MP's of Oceanside and they informed me they were looking for a man by the name of Blackman. I radioed or had radioed on ahead to State Highway Officer William Duran to stop a marine driving a yellow Studebaker. Then later I radioed or had radioed a request to hold a marine named Blackman.

I am willing to testify to the above statement any time, any place: I further state I have never been approached or requested to make a statement concerning the above facts by any attorney at law representing M. Sgt. Carl H. Buck, U.S. Marine Corps.

WALTER WOODS,
California State Highway Patrolman, 1-168.

E. JEANETTE BUCK,
CARL H. BUCK,
Witnesses.

EXHIBIT 52

Walter Woods, being first duly sworn, deposes and says as follows:

"While I was on duty as a California State highway patrolman in Oceanside, Calif., on the 7th day of March 1952, shortly after the noon hour, I was approached by M. Sgt. Walter Franz from the provost marshal's office, Camp J. H. Pendleton, and requested to put out a call on the police radio to stop and hold a marine driving a yellow Studebaker. I was not given any name of the marine wanted stopped nor the license number of the car. In fact, Sergeant Franz stated that he did not know the name of the person he was looking for. I then contacted the MP's of Oceanside and they informed me they were looking for a man by the name of Blackman. I radioed or had radioed on ahead to State Highway Officer William Doran to stop a marine driving a yellow Studebaker. Then later I radioed or had radioed a request to hold a marine named Blackman.

"I am willing to testify to the above statement any time any place. I further state I have never been approached or requested to make a statement concerning the above facts by any attorney at law representing M. Sgt. Carl H. Buck, U.S. Marine Corps.

"WALTER WOODS,
"California State Highway Patrolman No. 1468."

Subscribed and sworn to before me this 14th day of September 1956.

CLARA M. CARPENTER,
Notary Public.
My commission expires November 9, 1956.

EXHIBIT 53

William A. Doran, being first duly sworn, deposes and says as follows:

"That while I was on duty as a California State highway patrolman in Solana Beach, Calif., during the noon hour of March 7, 1952, I received a radio call to apprehend a marine driving a yellow Studebaker. There was no name of marine wanted or license number of the car mentioned in this request. Just before I received this call, a yellow Studebaker pulled off the highway and stopped in approximately the center of Solana Beach. When I approached this car to question the driver, in order to determine if he was a marine, I noticed he had stepped out of his car and was attempting to fix his rear license plate which was swinging loosely. In answer to my question, the driver stated he was a marine from Marine Corps Recruit Depot, San Diego.

"He then handed me his identification card showing that he was M. Sgt. Carl H. Buck. I placed him under apprehension and held him in my patrol car for approximately 30 minutes during which time I sent his full name and rank by radio to the Oceanside Police Department. At about 10 minutes to 1 the MP's arrived from Oceanside and asked Sergeant Buck his name and thoroughly searched his car. There was two of them, one of them got into the patrol car with Sergeant Buck and I and he asked me to again radio into Sergeant Franz at the Oceanside Police Department for the name of the marine wanted. We were informed by radio that Sergeant Franz did not have the name of the marine he was looking for. But we did receive a request for a marine named 'Blackman.'

"At approximately 15 minutes later a call came from the Oceanside Police Department that the marine they wanted was named Carl Buck; this was the first time that Sergeant Buck's name was sent over the air except when I sent Sergeant Buck's name in to identify him as the marine I was holding. The time this last call came over the air requesting Sergeant Buck was approximately 1:15 p.m. The MP's then placed Sergeant Buck under arrest. One of them drove his car back to Oceanside, and the other drove the pickup truck in which Sergeant Buck was confined.

"I am willing to testify to the stated facts any time, any place. I further state I have never been questioned as to the above facts by any attorney at law who was at that time representing M. Sgt. Carl H. Buck. I further state Sergeant Buck was clean shaven.

"WILLIAM A. DORAN,
"California State Highway Patrolman No. 743."

Subscribed and sworn to before me this 14th day of September 1956.

My commission expires November 9, 1956.

CLARA M. CARPENTER,
Notary Public.

EXHIBIT 54

To Whom It May Concern:

When I stopped Sergeant Buck on March 7, 1952, I was following a call I received to

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[52] See exhibit 60. While the Board for Correction of Naval Records did not recommend restoration to service for Sergeant Buck, it should be noted that it is the consistent practice of that Board either as a matter of jurisdiction or policy not to recommend such restoration. See exhibits 62 and 63.

[53] Marine Corps fitness report ratings range from unsatisfactory to outstanding. The fitness reports contained in Sergeant Buck's personnel file, covering the period of his service, have been reviewed. Sergeant Buck's ratings include none in the unsatisfactory column, 2 ratings of fair, 52 ratings of good, 107 ratings of very good, 115 ratings of excellent, and 21 ratings of outstanding.

[54] See exhibit 61.

stop a marine in a yellow Studebaker. There was no name mentioned at that time. I called in and asked for the name of the marine. I was informed it was Blackman. I replied that the man I had was Carl Buck. I was then told to hold subject until the MP's arrived; approximately 30 minutes later when the MP's arrived, one of them asked me to call in and ask again the name of the wanted marine. That was the first time Sergeant Buck's name was mentioned on the air other than when I informed the station it was Sergeant Buck I had instead of a man named Blackman. The MP's did not ask me for Sergeant Buck, in fact, to the best of my knowledge they did not know who they were looking for when they arrived at the scene.

WILLIAM A. DORAN,
State Traffic Officer No. 743.

EXHIBIT 55

RADIO LOG

Police Department — KMA 857
Oceanside, California — Date 3/7/52
Operators on Watch: B. W. Winford — 100-A3

Time	A.M. P.M.	Sec.	Car*	Transmission
11:55	AM	5	T-O	(Advise 5526 he is clear; Sta. T) KMA 857
11:56	AM	5	O-5526	Sta T advises 10-34. (KA4993) KMA 857
11:56	AM	5	C-3	(10-8) KMA 857) KMA 857
12:05	PM	5	C-1	(10-7 6811) 10-4 KMA 857
12;18	"	15	C-2	(10-7 at Haver's) 10-9 Location Pls. (Repeated) KMA 857
12:40	"	20	C-1	(10-8) 10-8 KMA 857
12:40	"	10	C-4	(10-98 on the 11-82 and do you still want me to 10-19?) I don't know what the 10-19 was about I am the only one here (10-4) KMA 857
12:41	"	10	C-2	(10-8) 10-4 KMA 857
1:00	pm	5	O-CHP	calling go ahead. (choppy unreadable)
1:02	"	10	T	I cannot read the unit trying to call will you pls relay?
1:03	"	15	T	Contact *Sgt. Franz* at Camp Pendleton ascertain the correct *name* of the *party* being held by CHP Officers) 10-4 Sgt *Franz* is at this office has apparently *lost* all papers with names will check farther and call you (10-4) kma 857
10:04	"	15	C1	(I am coming up 2nd will you send car to assist?) 10-9 location (I an almost in never mind) 10-4 Winford is in route to assist KMA 857
1:12	pm	5	O-T	Advise ur unit the mans name is Carl Buck M/Sgt. . (10-4) Sta T) KMA 857
1/31	"	10	T-O	(ur stolen 37 plymouth 1 P 29199 recovered in San Ysidro, have registered owner contact this office for release) 10-4 KMA 857
1:36	PM	5	O-C3	11-25 Paul (10-4 KMA 857 10-8) KMA 857
1:45	PM	5	O-3	(be clear about 2 min. . .) 10-19 . . No response KMA 857

I certify that the contents of the radio log as shown on the obverse side of this paper is a true copy of radio call log of the Oceanside Police Department for March 7, 1952.

WILLIAM H. WINGARD,
Chief of Police,
Oceanside, Calif.

DOROTHY M. GOODIN,
Notary Public.

SEPTEMBER 21, 1956.

CV——939

EXHIBIT 56

FORDHAM UNIVERSITY,
GRADUATE SCHOOL OF ARTS AND SCIENCES,
New York, N.Y., May 11, 1956.

Mr. DAVID ROMANOFF,
Selkowe, Johnson, Zimbalist, & Romanoff,
New York, N.Y.

DEAR MR. ROMANOFF: Enclosed is a summary report on the results of the pathometer examination administered to Mr. Buck.

Please feel free to call me about any phase of the examination or any aspects of the report.

Very truly yours,

JOSEPH F. KUBIS,
Professor of Psychology.

PATHOMETER EXAMINATION—SUMMARY REPORT

SELKOWE, JOHNSON, ZIMBALIST,
& ROMANOFF, COUNSELORS AT LAW,
New York City.

Person examined: Mr. Carl H. Buck.
Examiner: Dr. Joseph F. Kubis.
Place: Fordham University.
Dates: April 28, April 30, and May 5, 1956.

Problem: To determine if Mr. Buck stole three cases of chevrons from Camp Pendleton; to determine if he made prior arrangements to get the chevrons. Other accessory matters are included in the listing of critical questions which follow in a later section.

Number of tests: A total of 15 tests was administered over the 3-day examination period.

Condition of subject: Mr. Buck was very cooperative throughout all phases of the examination. His electrical reactions were of sufficient magnitude to make interpretation feasible. Vigorous, aggressive, and outspoken in his interpretation of the handling of his case, his attitude might be interpreted by others as hypercritical or grandiose.

Specific issues under investigation: It may be most appropriate to present the specific issues under investigation in the form of the critical questions that were used in interrogating Mr. Buck. Critical questions are those directly relating to the point at issue. Each test record contains three critical questions, and each of these is repeated three times within that record. Such critical questions are interspersed among at least 18 noncritical questions. A complete test record, then, includes at least 27 questions. The average number is 29, allowing for buffer questions at the beginning and the end of each test period.

TEST I

1. Were you in Camp Pendleton on March 7, 1952?
2. Did you ever make a deal with anyone to get chevrons?
3. Did you have anything to do with the missing chevrons?

TEST II

1. Did you promise whisky or money to get chevrons?
2. Did you ever have the missing chevrons in your car?
3. Did you ever give chevrons to Blackman?

TEST III

1. Did you ever go to Camp Pendleton in disguise?
2. Did you tell anyone to return the chevrons?
3. Did you make a deal with Franz?

TEST IV

1. Did you make arrangements with Hatley about chevrons?
2. Did you send anyone to pick up the chevrons on March 7?
3. Were you involved with Carrell and Thompson in getting the chevrons?

TEST V

1. Before March 7, 1952, did you ever get chevrons illegally?
2. Did you ever talk to Hatley about getting chevrons?
3. Did you plan to have the chevrons returned while you were in the hospital?

TEST VI

1. Did you ever receive chevrons from Hatley?
2. Are you telling the whole truth in this case?
3. Does your wife know who took the chevrons?

TEST VII

1. On March 7, 1952, were you at Camp Pendleton before 1 p.m.?
2. Did you tell someone to return the chevrons?
3. Did you ever give $50 to Hatley?

TEST VIII

1. Did you ever go to Camp Pendleton in disguise?
2. Did you ever make a deal with Hatley to get chevrons?
3. Have you lied to any questions I've asked you?

TESTS IX AND XI

1. Were you at Taylor Motors before noon on March 7, 1952?
2. Do you know with certainty who took the chevrons?
3. Did you give $50 to Hatley or anyone else on March 7, 1952?

TESTS X AND XIII

1. Were you at Pendleton on March 7 anytime before being stopped by the State police?
2. Did you take the chevrons on March 7, 1952?

TESTS XII AND XIV

1. After Taylor Motors did you stop at the bus depot and have coffee?
2. Did you ask Sergeant Franz for $50 back?
3. Did you buy chevrons from anyone on March 7?

TEST XV

1. Did you ever make a deal with Rankin to get binoculars?
2. Did you give $50 to anyone on March 7?
3. Were the missing chevrons ever in your car?

ANALYSIS OF RESULTS

The reader of this report is cautioned that the pathometer examination can lead to conclusions only about whether a person really believes what he is saying. It cannot determine whether what that person believes is the factual state of affairs. Self-delusion or self-deception, however, are predominantly the characteristic of mental pathology and not of ordinary normal reactions.

The analysis will take up a number of the basic issues in this case insofar as they have been thoroughly covered by the critical questions.

(a) As to the stealing, taking, receiving or buying chevrons on March 7 from Hatley or anyone else—the records indicate that Mr. Buck believes what he is saying when he answers these questions negatively. One would conclude that he is answering truthfully when denying the taking of the chevrons.

(b) As to talking to Hatley or making a deal with him or anyone else to get the chevrons—again his denial to these questions is corroborated by the electrical responses which are similar to those we have found in truthful responses.

(c) Also, from the records, it appears that he is giving a truthful answer when he denies asking Franz for $50 back.

(d) The reactions to the questions of ever giving $50 to Hatley or anyone else on March 7 are not interpretable. This means that we cannot state that the response is a lie; neither can we state that it is truthful.

(e) The reactions to the other questions found in the records insofar as they are relevant to the chevrons stolen on March 7, 1952, are to be interpreted as congruent with the

assertions of the examinee. In other words, they have not the characteristics of lying; their predominent picture is one of truthful reaction.

CONCLUSION

It can be asserted that the records of Mr. Buck indicate that he believes his denials of stealing, taking or receiving the missing chevrons; and, he believes his denials of making a deal to get them.

There were other questions relative to issues of the case which did not deal directly with the innocence or guilt of Mr. Buck and it can be assumed from the records of the case that the answers could have been negative or affirmative.

The general picture is that of a person who did not take the objects.

EXHIBIT 57

RAUGH & LEVY,
Washington, D.C., June 9, 1959.

M. Sgt. WALTER J. FRANZ, 332572,
Headquarters and Headquarters Squadron, Marine Corps Air Station, El Toro, Santa Ana, Calif.

DEAR SERGEANT FRANZ: I am writing to you as attorney for former M. Sgt. Carl H. Buck. You will recall that in August of 1952 you were the chief witness at Sergeant Buck's court martial for larceny of Government chevrons and that the basic question presented in the case was whether Sergeant Buck was the person who had taken the chevrons or whether the case involved mistaken identity.

Ever since his trial Sergeant Buck has attempted by various means to obtain redress, asserting his complete innocence and that your testimony against him was false in various important respects. Among other steps that Sergeant Buck has taken to prove his innocence he submitted himself to an extensive lie detector examination at Fordham University in May of 1956 which covered in detail every aspect of the case against him and which Sergeant Buck passed 100 percent.

I am sure you will understand how important this matter is to Sergeant Buck and to his family. For that reason and because I know that as a member of the Navy criminal investigation branch you would not want to shirk your full responsibilities in such a matter, I make the request of you that you consent as did Sergeant Buck to a lie detector examination to be given by some independent and acknowledged expert.

If you consent to undergo a polygraph examination, we will of course, make all necessary arrangements and pay all the expenses that you might incur.

Since we are submitting for Sergeant Buck before the end of June a petition to the President for a pardon on the grounds of Sergeant Buck's innocence, I would appreciate your very prompt answer to this communication.

Sincerely yours,

JOHN SILARD.

EXHIBIT 58

HEADQUARTERS AND
HEADQUARTERS SQUADRON,
U.S. MARINE CORPS AIR STATION,
El Toro (Santa Ana), Calif., June 12, 1959.

RAUH & LEVY,
Washington, D.C.

(Attention: Mr. John Silard).

DEAR MR. SILARD: Your letter which slyly attacks my character for truth and veracity is hardly the type I expected from a firm of such sound reputation. However, in this day and age nothing is unusual. It appears to me that the real reason for your letter was to offend me into not answering and thus give you an opportunity to capitalize on my silence. If this was your plan, Mr. Silard, let this letter be notice that it failed.

Your request that I submit to a lie detector test and your statement that I would not want to "shirk my full responsibilities in this matter" is completely unbelievable. First, Mr. Silard, my testimony was truthfully given under oath and recorded for the world to review. It has never been questioned by the U.S. Marine Corps, nor the courts. Secondly, my responsibilities in connection with the Buck case were completely fulfilled when I gave my testimony in court in 1952.

It is no great surprise that the convicted Mr. Buck would assert my testimony to be false. He has made assertions for quite some time without success. As far as I am concerned and apparently as far as the courts are concerned, the case is closed. If it were otherwise, you would not need to petition the President for a pardon.

Very truly yours,

WALTER J. FRANZ,
Master Sergeant, USMC.

EXHIBIT 59

RADIO STATION LOG

Station KMA-363 T

Operator: Tracy, W. Date 3-7-52
Relief operator: Watch 0830 To 1700

Station worked	Mobile unit	Time	Nature and contents of transmission	Name of mobile operator
	3468	1233	Have 2743 pick up Marine sgt. for CID Camp Pendl. cream colored Stude 50 or 51 South from Encinitas . . .	
All Units		1234	Above Rept.	
	2743	1240	Have car stopped at Solana Beach . . . 10-4 will advise	
2743		1241	Hold for CID Camp Pendl. MP's enroute from Camp Pendl . . . 10-4	
	2743	1300	Ascertain from CID Sgt. Franz . . . anme of this man . . . 10-23	

This is to certify that this is a true copy of a portion of the CHP Radio Log for March 7, 1952. The numbers 3468 are call letters for Calif. Hwy Patrol Ofc. Woods, as 2743 is for Ofc. W. Doran.

W. BORNHAUSER,
Dispatcher.

Mr. DOUGLAS. Mr. President, the other exhibits referred to in the brief are available for inspection in my office, but I am not placing them in the RECORD because of their voluminous nature.

Finally, Mr. President, I ask unanimous consent that an article which appeared in Man's magazine in February 1959, written by Sergeant Buck with Al Toffler, may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE UNITED STATES AGAINST SGT. CARL H. BUCK

(By Sgt. Carl H. Buck with Al Toffler)

(EDITOR'S NOTE.—In 1956, Carl Buck walked into the office of U.S. Senator PAUL DOUGLAS and told the same story that begins on this page. He spoke so convincingly that ever since, DOUGLAS—a former marine himself—has been battling against endless redtape to exonerate Buck. DOUGLAS convinced the Board of Correction of Naval Records to change Buck's Bad Conduct Discharge to a General Discharge under Honorable Conditions. Since then he has written President Eisenhower asking that Buck be vindicated. The White House suggested a pardon. But innocent men do not want a mere pardon and Buck insists he's innocent. DOUGLAS isn't alone. The Senate Constitutional Rights Subcommittee, headed by Missouri's Senator TOM HENNINGS, has taken a sympathetic interest in the case. So has Senator KARL MUNDT, of South Dakota, who wrote a compelling letter on Buck's behalf to the Secretary of the Navy. And, recently, famed civil liberties' lawyer Joseph Rauh agreed to take Buck's case without fee because he, too, was convinced that a cruel miscarriage of justice had occurred. Buck is now entering his seventh year of fighting to prove his innocence. He has submitted to and passed a lie detector test. Twice now, he has been cleared of charges, only to have to face subsequent new trials. Man's magazine, with these eminent men, believes that a fighting marine deserves an opportunity to present his side of the story to the American people. Here it is.)

Three men stood tense and ready in the office of 22–S–4, Supply Area, Camp Pendleton, Oceanside, Calif. At noon on March 7, 1952, as a torrential rain splattered on the concrete ramp outside the building, a light-colored car drove up and stopped nearby.

A tall, unshaven man with a shawl or sweater draped over him to ward off the rain climbed up the ramp and entered the building. He looked into the nearby office and motioned Sgt. Shurlan E. Hatley out of the room.

"Got the chevrons?" he asked.

Hatley nodded.

"I brought you half a hundred," he said. Then he handed several bills to Hatley.

Hatley mentally noted that the other man was nervous. The young sergeant went back to the Issue Section, picked up three cartons, and carried them to the door, stepped outside and set them down on the concrete. He then asked the man if he wanted a cup of coffee.

"No," the answer shot back. "I got to get the hell out of here."

Suddenly a stocky marine, M. Sgt. Ralph Walters (Ed.—an alias), Criminal Investigation Division, came running out of the office. He looked up to find himself face to face with the man wearing the shawl. But he kept going. He leaped out into the rain, jumped into a waiting jeep, and began to turn it around.

Meanwhile, the unshaven man carried the three cartons to his car, put them in the back seat, and covered them with a robe. He sprang into the auto, gunned the engine so fast its back wheels spun, and tore off into the rain heading west on Vandegrift Boulevard. It was 12:10.

The jeep bounced forward in pursuit. Walters floored the pedal, forced the speedometer up to 50. He followed the yellow car for a few miles, then lost sight of it. Jamming the jeep to a stop, he ran into the nearest house, and phoned the main gate on highway 101. Through the receiver he could hear the sentries shouting and whistling, but the guard's voice informed him that the light-colored car had already roared off into the wet grayness.

This story, told a different way by each of the three men who were in the supply warehouse when the unshaven man with the shawl showed up, is, in my opinion, the key to one of the most amazing frameups.

I know. Because I was its victim.

I had crawled out of the sack at about 4:30 that morning of March 7. The California sky was still tar black. A raw, damp wind rattled the windowpane. I had no way of knowing, in the sleepy silence of my home, that this was going to be the most important day of my life. It would make Okinawa seem like a 2-day pass.

I climbed into a rumpled set of marine greens. I didn't stop to shave. Instead, I left my sleeping wife, my 2-year-old daughter, and my 16-day-old son, and stepped outside. Chill air slapped sense into my brain as I opened the door and got into my yellow 1951 Studebaker V8. I nosed it toward the San Diego Marine Recruit Depot a few miles away.

I remember thinking as I drove through the night that, at last, with nearly 20 years in the Marines behind me, I was on the

verge of trading my master sergeant's stripes for the red and gold bar of a warrant officer. I'd been bucking for it a long time. I also remember driving slowly and listening to the loud knock produced by a bum camshaft in the car.

That morning we had cinnamon rolls on the menu at the depot. My men had to make them, 3,600 dozen to be precise. I was senior NCO in charge of all the baking for 20,000 personnel at the base. The bakers I had on watch that morning weren't too experienced so I had decided the night before that I would be on hand to see that the rolls were OK and delivered to the messhalls by 6:30 a.m.

It was all so very usual. Or so it seemed.

When I saw that everything was shipshape, I grabbed a cup of coffee at the NCO Club. (I was president of the club.) Then I drove back home. I was supposed to make a report that morning to Major Gorsuch, my superior. So after eating breakfast with my wife Jeanette, I shaved carefully and changed into fresh greens. When I left the house again I was clean shaven, in the full uniform of the day and wearing an Eisenhower jacket.

I saw Gorsuch about 10 a.m. Forty-five minutes later I told T. Sgt. Hillard H. Frie, who worked alongside me in the office, that I was going to take the Studebaker in for a checkup to see if I could get the camshaft replaced. I got in the car again, and at approximately 10:55 I swung past the main gate of the Depot, waved to the guards, and started north to Oceanside.

I arrived at Taylor Motors, in Oceanside, at 11:40. There I talked with John Freed, general manager of the garage, and asked him to give me a new camshaft as I had bought the car from him not long before. Freed said OK. But he said he couldn't do it right then.

"Can you come back tomorrow morning"? he asked.

"Sure," I replied.

That was an appointment I would never keep.

I left Taylor Motors and drove up to the Oceanside bus station to see if there were any marines around. Maybe I could pick up a rider back to 'Diego who would pay for a gallon of gas or so and keep me company. There was nobody there. I had a quick cup of coffee. I then started back south on Route 101 toward the San Diego depot.

The road from Oceanside to 'Diego runs like concrete tape along the Pacific beach. You have to drive through towns and built-up areas all along the way. I can see them plainly now in my mind's eye, even though I am 3,000 miles away, Carlsbad, Leucadia, Encinitas, Cardiff, Solana Beach, Del Mar.

On Freed's advice I drove slowly, afraid to do more damage to the camshaft. The highway, dotted with red lights and bracketed by buildings, glistened from the icy rain that had begun to fall. The sky was slate-gray.

As I braked at the red light in Solana Beach another car crawled up alongside mine. A civilian was shouting something to me. At first I couldn't hear him. Then I figured it out. "Your license plate is falling off," he yelled. That damn plate, I thought. It had been coming loose for a few days. The light changed, and I pulled over to the side. I cut the ignition, grabbed a screwdriver out of the glove compartment, and ran around to the back of the car.

Rain slashed down over my head and shoulders. It pelted off the trunk of the car and splashed into my face. It dripped down my forehead into my eyes as I worked the screwdriver into the head of the bolt and began to tighten. I worked quickly and intently. But the nut turned, too. I straightened up and hurried to the door again, meaning to reach in and grab a pliers.

Just then I heard the skim of tires on wet concrete. A black and white sedan cruised in and stopped about 10 feet behind me. I could see immediately, from the red flasher mounted on its roof, that it was a police car. In a moment, Officer William Duran, California Highway Patrol, was alongside me.

"You a marine from Pendleton?" he demanded.

"No, sir. I'm from the recruit depot at San Diego. Why?"

"I just got a call a minute ago to pick up a marine from Pendleton driving a yellow car. Got the call just as you pulled over."

As I got into the patrol car with him, I handed him my ID card. I looked at my watch. It was 21 or 22 minutes after 12.

A call crackled over the police radio. The voice said they were looking for a man named Blackman.

"Well," I told Duran, how about letting me go? My name's Buck, and I haven't even been up to Pendleton. I gotta get back to 'Diego by 1 o'clock."

"Take it easy, marine," Duran said.

The radio made noises again. It said to hold me until the MP's arrived. Half an hour later two marine police showed up with a paddy wagon. It was about a quarter to 1. They asked me if my name was Blackman. I told them it was Buck.

"Come with us," I was told.

The two MP's took me to my car. "Open the trunk," they snapped. I opened it. There was nothing but a spare and some tools in the trunk.

In a minute the two MP's were ramsacking the inside of my car. When they tore the floor mats up I began to get sore. I'm a big guy. I used to box. And I admit I have a temper. But you don't get tough with MP's—especially when you've just about made warrant officer after years of trying.

Meanwhile, the radio in Duran's car squawked back and forth. Minutes slipped by.

According to the police radio log at Oceanside, a call was made at 1:03. "Sergeant Walters is at this office (Oceanside). Has apparently lost all papers with names. Will check further and call you."

By now Duran had told Oceanside what my name was. And then, at 1:12—after they found out my name was Buck—the station again radioed the car. According to the log, the message read: "Advise ur (your) unit the man's name is Carl Buck, master sergeant.

What happened next was like an alcoholic's nightmare. The MP's took me back to Oceanside. There, for the first time in my life, I saw the stocky, sandy-haired CID sergeant who had let the unshaven man with the shawl on his head get away from the Marine warehouse. Walters was waiting at the Oceanside police station.

He looked at me. "Do you wear glasses?" he demanded. I said I only owned a pair of sunglasses and that they were in the car. Walters borrowed someone's thick horn-rimmed glasses and told me to put them on. When I did he stepped back about 12 feet, stared at my face, and said:

"That's the man I want."

Next Walters said I'd have to drive back to Pendleton with him. I asked for permission to phone my wife. He refused. I asked for permission to call my commanding officer. He refused.

When I was alone in the jeep with Walters, on our way to Pendleton, he told me I was the man he'd seen pay $50 and drive off from the supply warehouse with three boxes of chevrons. I had outraced him in the rain, he said.

"I never outraced anyone," I said, "because I never run away from anyone."

Until then I thought this fantastic mistake would clear itself up. In a way I thought the whole thing was funny. Was this some kind of weird practical joke? Then something that I had been told stuck in my mind and somewhere deep inside, it rang a warning bell.

I had mentioned to Walters that I was up for warrant officer. Subsequently I learned he was up for warrant officer, too. I wonder * * * did Walters need a scapegoat to get his promotion?

In the provost marshal's office a slight, blond CID lieutenant took me into a small room and interrogated me. Over and over again, for 40 minutes, he demanded that I tell him where the chevrons were. I told him the truth. I didn't know anything about the damn things.

I kept asking for permission to phone my wife and the depot. I also asked for a lawyer.

"What do you want a lawyer for?" the lieutenant asked. "There's no charge against you. Just answer the questions." He kept it up until, at last, disgusted and angry, he called in Walters. "Lock him up and throw away the key," he growled.

I got mad. "I've never been in jail in my life and I'm not gonna be," I yelled. "You put me at the staff NCO club or confine me to quarters." I told him I wanted to call the commanding general at San Diego. But they hustled me off to 14-George-1—the brig. My personal effects were confiscated. They threw a pair of fatigues at me and shoved me into the brig.

In the bullpen with me were guys up for robbery, desertion, gambling, and every other crime you can imagine. To get the the messhall, three-quarters of a mile away, we were forced to run—not walk. Always we were under armed guard. And every time we got back from mess they stood us up against a wall and searched us from stem to stern to make sure a man hadn't got hold of a cigarette or some silverware.

For 75 hours I was held incommunicado without there even being a charge against me. Then on Sunday, March 9, at about 3:40 p.m., my wife came in crying. Walters was with her. She'd waited for 3 or 4 hours to get to see me.

Walters complained to her, in front of the jailer, that I had been uncooperative. He said I had denied everything (later he swore I confessed.) He told her to talk to me. "Tell him to tell us where he's got those chevrons. If he tells us he can be home with you tonight."

I told Walters to shove off.

I had less than 10 minutes with Jeanette. I told her not to worry, but to get a lawyer for me as soon as she could.

Early the next evening a man named Stevens came to see me. I'd never seen him before. But I didn't have time to even wonder who he was. "Come with me, Sergeant," he said, "you're going back to duty. You haven't done anything." He was the lawyer. Before long, I was a free man again, for a while.

Spring came. The dismal, drenching rains of March were swept away, and with them went the shock and disgust that had come with my false arrest. Once or twice I had to fill out forms dealing with the incident. But each time my officers, including the post legal officer, assured me I could forget all about March 7, 1952. There were no charges against me. The experience became a memory, rather than a living hurt.

On June 24, my promotion came at last. I had passed my mental and physical tests, and my name and serial number appeared on the list of master sergeants approved for promotion to warrant officer.

Meanwhile, I had been ordered to Korea and was transferred to Camp Del Mar, Calif., for amphib training. There I was in charge of a platoon of 96 men taking their pre-Korea training. We fired the small bore and the machinegun for about 10 days. Then, one day, I was told there was a call for me from

Camp Pendleton. The voice at the other end identified itself as a major. Was I the same master sergeant who had been picked up on a State highway March 7?

I told him yes. Inside my gut I felt a stir of emotion.

The major informed me I was being transferred to Pendleton for "investigation." Then in mid-July—4 months after the crime—I was slapped with a charge of larceny. The court-martial was set for August 18, a Monday.

Now the March 7 nightmare began all over again. Only this time it didn't seem a bit funny. I hired William H. Daubney, Steven's senior partner, as my lawyer. The corps assigned Capt. Charles Stuhr to be my military defense counsel along with Daubney. I chased around getting affidavits.

As the trial approached, Daubney kept assuring me not to worry. He even bet a sawbuck against my dollar that I would be acquitted. Some of the things Daubney said worried me, but he was a former chief legal officer at Pendleton, and everyone told me he was a legal whiz.

Daubney also warned me to keep my mouth shut. "Don't talk to anyone about the case," he cautioned. "Leave it to me."

The morning of the trial came. It was cool, gray, and dreary. A little before 9, my wife and I arrived in the L-shaped frame building that served as the courthouse at Camp Pendleton. Daubney and Stuhr were already there.

Gradually the murmur of voices subsided and the chaos turned into order. Then I heard Capt. Ted Collins, the trial counsel—that is, the prosecutor—declare: "Prosecution is ready to proceed with the trial in the case of the *United States* against *Carl H. Buck,* master sergeant, U.S. Marine Corps, who is present in court."

Those words had a strange ring. "The *United States* against *Carl H. Buck.*" I had been serving the United States faithfully as a Marine since 1932 except for 4 years in the thirties. I was a civilian in the Reserves when I read how Japanese planes bombed the U.S. gunboat *Panay* in China. I knew war was coming. So I reenlisted.

In World War II, I remember one night on Saipan when a Zero dropped low over us and stitched 50-caliber slugs through my tent. I remember, too, how, during our landing on Okinawa, a kamikaze pilot snarled down out of the sky and crashed into the LST in front of ours.

I'm not trying to make myself look like a hero. I'm not one. But I knew I'd been an honest man serving my Government for the best years of my life. I'd never goldbricked my way out of a job. In fact, I'd always volunteered. And I'd never stolen a penny from anyone.

And now it was "the United States against Carl H. Buck."

I felt a bitter taste in my mouth as the first witness appeared. He was Sgt. Shurlan E. Hatley, the man who'd given the chevrons to the unshaven man with the shawl over him. Hatley said he'd done it under orders, that the whole thing was a trap arranged to catch the man trying to improperly receive Government property.

Hatley looked straight at me and said I was the man. I had been "exceptionally nervous," he said, and I was wearing a shawl over me. When Daubney asked him what the man looked like, Hatley stated:

"He was a large man. He was wearing greens, ribbons, four hash marks, and he had a shawl or sweater thrown over his shoulders * * * that is all I can remember."

Daubney asked, "How about a hat?"

"I can't remember."

"How about a mustache?"

"I don't remember that, either."

"Didn't you previously state at the investigation that the man who came in was wearing a mustache?"

"Yes, sir * * *."

"Glasses?"

"I don't remember. I believe * * * he was wearing dark glasses. * * *."

Daubney went on: "What color was the shawl?"

"Shawl? I don't remember the exact color. * * * It was a bright shawl * * * a bright color."

"Pastel?" Daubney asked.

"I don't believe so," Hatley replied, then admitted he didn't even know what "pastel" meant. Finally he swore, "It was either red, green, or blue."

Hatley also testified that he went back to get the chevrons by himself.

The next man to take the stand was T. Sgt. Johnsthan Layton. The contradictions began.

Prosecutor to Layton: "Were you able to identify the man?"

Layton: "I could not identify him."

What did the man look like? "He either needed a shave or had a small mustache." Was he in uniform? "I couldn't be too sure of that." Color of the shawl? "I don't recall."

Layton also testified that he had helped Hatley lug the boxes from the stock to the Issue Section, although Hatley swore he had done it alone.

When they put Walters on the stand, the picture became even muddier. Walters had been hiding in Hatley's office to observe the transaction. Daubney asked: "Now this chap who picked up the boxes * * * what was he dressed in * * * green or khaki?"

"Khaki." (Hatley had said greens.)

Was the man wearing a shawl? No, "it was a small size jacket."

"What color?"

"Tan—a real light tan. * * *"

"Did he have a mustache or not?"

"I don't think he had a mustache. He needed a shave."

Walters told of hopping into his jeep, pursuing the man at 50 miles per hour, then giving up. More important, Walters swore that even before the act had occurred he already knew I was the culprit. He said that when he called the gate to stop the speeding yellow car he had given them my name.

The whole thing was an incredible web of errors—a web with me in the middle. Things began to look bad. Then, suddenly, one of the most amazing things ever recorded in an American courtroom took place.

Captain Collins, the prosecutor, said in a loud voice: "At this time, Mr. Law Officer, the Government would like to call Mr. Daubney, Defense Counsel, to the stand."

Daubney said: "I have no objection."

The idea of a man's defense counsel willingly testifying as a witness for the prosecution was so startling that the law officer—the judge—asked incredulously: "Do I understand you to say you have no objection to being called?"

Daubney: "No objection."

My head was spinning. I'm a normally intelligent man in other matters, but I admit law was something new to me. Nevertheless, even I knew there was something wrong with this.

(EDITOR'S NOTE.—On July 27, 1957, Senator DOUGLAS said on the floor of the Senate: "The act of Sergeant Buck's defense counsel testifying as a prosecution witness raises questions which go to the very heart of justice and fair play. Who was defending Buck when his defense counsel testified for the prosecution? How was the defense counsel to cross-examine himself? How could defense counsel, in good faith, either urge the court to accept or to reject his own testimony?")

Before I could say a word, Daubney was being sworn in as a witness for the prosecution.

I listened aghast as he testified that he, Daubney, had found a blanketful of chevrons outside his office door and had turned them over to the local FBI man.

Then, almost as quickly as it had happened, Daubney stepped down. My court-martial record reads at this point: "The witness resumed his status as individual defense counsel." Daubney even waived cross-examination. How could he cross-examine himself?

I was throbbing with anger, confusion and, yes, fear. If a man's own lawyer can testify as a prosecution witness, is a fair trial possible? True, he hadn't named me or accused me in any way. But it certainly looked peculiar for the lawyer of a man charged with stealing chevrons or getting them illegally to find chevrons outside his office. It was damaging testimony.

After that my witnesses were called. Sergeant Frie, the man who worked with me at 'Diego, testified truthfully that he had seen me at about 11 o'clock. He said I was clean shaven and dressed in greens. John Freed swore that I was in the Taylor Motors' garage at about 11:30 and that I was with him for at least 5 or 10 minutes. He also testified that I was clean shaven and dressed in greens.

Officer Duran then testified that he stopped me at approximately 12:15 or 12:20 (5 or 10 minutes after the culprit left the warehouse, according to Walters and Hatley.) Then Duran pointed out that it was a good 15 miles from the Pendleton gate to the spot where he had stopped me. It was another 5 or 6 miles from the gate to the supply warehouse, placing me from 20 to 22 miles from the scene of the crime 5 or 10 minutes after it happened.

Duran also swore I was clean shaven and in my greens. Furthermore, Duran testified, I didn't appear "nervous" or abnormal in any way.

Daubney summed it up by saying: "If any man in this courtroom can drive from 22–S–4 (the supply warehouse) to Solana Beach in 15 minutes—let alone 5 minutes—if they can do it in 10 minutes, I'll eat that guy without any salt on him * * * That's 22 miles. Five minutes? In 10 minutes? In a pouring rainstorm? If you will—in a Studebaker? Can't be done."

Daubney pointed out that more than reasonable doubt existed as to who picked up those three cases of chevrons.

Then the jury went out and was gone only about 7 minutes when we all reentered the courtroom.

Then, at 2:40 on August 19, Tuesday, I heard the following words: "Master Sergeant Buck, it is my duty as president of this court to inform you that the court in closed session and upon secret written ballot, two-thirds of the members present at the time the vote was taken concurring in each finding of guilty, finds you: Of the specification, guilty; Of the charge, guilty."

The wave of shock, nausea and disgust that rocked me at that moment is impossible to describe. I stood before the jury mute and stupid. My head reeled.

Shortly afterward, the judge asked whether I had anything to say. I jumped up. By now my mind was fighting clear. I hadn't been permitted to say five words during the trial. "I had plenty to say," I shouted. Suddenly, I felt two strong hands on my arms. Stuhr and Daubney yanked me off my feet and into my chair. "We have no statement to make," Daubney told the judge.

As I was led out of the courtroom, I said in a bull voice: "Did you see that jury in there hang me like a piece of raw meat in the sun? I never had a chance to defend

myself. I never got a chance to say a damn word."

That afternoon I began my second stretch in the brig for a crime I never committed. I had been sentenced to 11 months. In the brig I was treated like an animal. They even opened my privileged mail—read what passed between myself and my lawyer—words that legally are supposed to remain strictly confidential.

Meanwhile, my wife hired a new lawyer to appeal the case. After Daubney's behavior I wanted no more of him. Then, on January 23, 1953, I got my first break since the whole nightmarish mess began. A board of review, after carefully studying the case, threw the whole thing out the window. The board said the evidence was too confusing for it to even use my name in its decision, and that the identity of the person involved was in doubt. It also ruled that, technically, no larceny had even been committed since Hatley, himself, had carried the boxes outside the warehouse and had accepted $50 in cash for them.

On February 16, nearly 6 months to the day I'd heard the verdict read, I walked out of the brig for a second time. I was a free man again—after having spent half a year in prison for a crime the Board of Review now said never occurred. And even if it had, I wasn't the man.

I hadn't been out a few weeks when I received new orders for Korea. In late March I went to Cold Weather Training Camp, Pickle Meadows, Calif. There for 3 weeks we marched, slept, and trained in bitter cold at 6,000 feet above sea level. In April I got 10-days' leave to wind up my stateside affairs. I didn't know it then, but my frame-up ordeal was not over.

With my wife and kids in the car I drove out to see my family in St. Louis. Then I headed north for Aberdeen, S. Dak., where Jeanette's family lives. On the second day of the trip I drove over 400 miles and arrived at Aberdeen at about 9 p.m. We were exhausted, the kids tired and cranky. I had never looked forward to a vacation as eagerly. My father-in-law is a good Joe, and we were going to hunt and fish in the hills around Aberdeen.

As I pulled into the driveway of the farm, my headlights gouging two holes in the dark, I could see my wife's folks come out to greet us. We got as far as exchanging hellos when suddenly my mother-in-law said:

"By the way, Carl, a telegram came for you."

We went inside and got it. I tore it open. The message was brief: "Leave canceled. Report back Camp Pendleton immediately."

I rushed to the kitchen and placed a long-distance call to the camp chief of staff. I thought my Korean orders had been moved up. When I got him he said: "Well, Sergeant, somebody jumped the gun on you. You're not going to Korea. You've been taken off the list. You don't rate leave. You better hustle back here quick."

Sunday night, April 19, 1953, I arrived back at Pendleton. I still didn't know what it was all about. It was 11 o'clock. The guards waved me through. I drove to the headquarters company. There the major who was OD hit me right between the eyes:

"Sergeant, I'm sorry to inform you, but I have orders to reconfine you."

"Confine me?" I snapped. "You can't confine me. What for? I got a Board of Review decision on the case that exonerated me. Those charges have been dropped."

"Sorry, Sergeant," he said, "but they've been hanging all the time. The Government's appealed up to the Court of Military Appeals (COMA). You're gonna have to finish out your whole sentence."

We argued heatedly back and forth. Finally I said, "How about letting me take my wife and kids home, and I'll come back in the morning?"

He refused. Then, with two riflemen present I stepped outside to tell my wife. The blow was too much for her. She let out a scream that cut like a jagged knife. In a moment she was laughing hysterically, crying and shouting. "In the name of God," she gasped, "They can't, they can't, they can't * * *." She kept saying it and shaking her head in disbelief. "It can't be true," she cried. "What for? He's innocent. He's a free man."

I could see the major was affected, but he insisted he had his orders. Finally, he agreed to let me drive my family as far as Camp Del Mar—a few miles. He said he'd lock me up at Camp Del Mar instead of Pendleton.

I quieted Jeanette. My two kids were in the back seat asleep, thank God. I opened the door and slipped in behind the wheel. As I did, one of the riflemen opened the door on the other side. Before I could object, he had slid in alongside my wife. A loaded, ugly carbine was pointed across her lap toward me.

Thus at midnight, with the armed marine in my own car, we drove through Pendleton and over a stretch of California highway into Camp Del Mar. There I was separated from my pale and frightened wife and slammed in the brig again—for the third time.

I asked the OD there to let me call a lawyer. He wouldn't. I asked to see his authority for locking me up. He laughed at me. The next morning I was flown under guard to Mare Island. From then until May 25 I was a lousy brig rat again.

For another 4½ months I was restriced to the base and denied rations unless I wanted to eat with the prisoners. I ate on my own money outside.

That September, COMA ruled on the case. It didn't deal with whether or not I was guilty. It merely stated that, according to its interpretation, a crime had been committed. This overturned the Board of Review decision.

I'll skip the legal details. But from here on in it has been a painful step-by-step battle for a new review and a fair trial. I was constantly being warned to shut up and forget all about it. Marine Captain Francis Foley, assigned to handle my case at the Pentagon, wrote me when I told him that I wanted to file perjury charges against Walters. Foley wrote: "Forget the entire matter. Even if you were successful and Walters were sentenced to confinement, you would have personal revenge but would be a marked man in the Marine Corps. * * * Consider the entire affair an unfortunate experience."

Well, Foley may have been right about my being a marked man. But I'm not built that way. I don't think many men could write off the treatment I got as "an unfortunate experience."

I wasn't out for revenge. I wanted vindication. So I kept up my fight. Then, in January 1955, hundreds of letters, documents and phone calls later, I was kicked out of the Marine Corps to which I had devoted my life. It was a bad conduct discharge. I refused to accept it.

I was by then stationed at Treasure Island, near San Francisco, and I remember the sympathetic colonel who told me to get off the base. He said that if I didn't, he would have to order me out by force. So I went. On January 14, 1955, I walked out the gate of the Marine Barracks at Treasure Island. I wore my full dress uniform with my hash marks and ribbons.

That discharge was, I believe, wholly illegal.

Since that day I have continued my battle for justice. Senator PAUL DOUGLAS of Illinois, a former leatherneck himself, has become interested in my case. He has even taken it to the White House. Recently, the White House suggested that I request a "pardon." It said the Navy would not object. Well, just as I am not seeking revenge, I don't want a pardon. I didn't commit a crime.

People ask me why I continue to fight, spending every cent I earn, going from lawyer to lawyer, taking a lie detector test at Fordham University, appealing to Congress for help. The answer is this:

I fight because my case has made a mockery of the rights of Americans. What has been done to me could be done to other GI's.

For me to have been the man who took that $496 worth of chevrons, I would in the words of Senator DOUGLAS, have had to "drive some 22 miles, at high noon, through a driving rain through five towns, most of them with stop lights, and meanwhile have gotten rid of the stolen goods, all in some 21 minutes." That is impossible.

When first picked up I was held incommunicado 3 days. That is improper. Walters said I confessed to one thing. COMA later said I confessed to something else. Yet no confession was ever produced and no witness ever backed up Walters' claim. Would I have been released the first time if I had confessed? The answer is obvious. I never did.

I served my full sentence and was discharged, all before COMA finally reviewed my case. This means I served before my appeals were finished. That's a little like going to the electric chair while the judges are still debating the case.

Walters testified that he knew my name before I was apprehended. The Oceanside police radio log, plus the testimony of Duran and another police officer all prove otherwise.

Walters also says he phoned my name to the gate when he asked them to stop the speeding fugitive. Yet the man whose phone he used has sworn my name was never mentioned.

Key officers who played a part in this were never called as witnesses.

The identification of the man who did it was a pack of contradictions. Yet I was convicted.

The man I paid $450 to defend me—all cash on the barrelhead—took the stand as a prosecution witness. No one ever proved that the chevrons he found were the same as the missing ones. Yet his evidence was admitted and it may have prejudiced the jury against me even though my name was never mentioned in connection with it.

Even the written opinion of COMA contains misstatements of fact that the official record of trial itself disproves.

I have even taken a lie detector test at Fordham University in 1956 at the request of a lawyer. It backs up the fact that I am telling the truth.

With all this, wouldn't you fight to clear your name?

Senator DOUGLAS has said on the floor of the U.S. Senate: "We should never be content when there is more than reasonable doubt that an innocent person has been wronged. It is more important to the honor of the Marine Corps and the United States that justice should prevail in this case."

As for Sgt. Carl H. Buck—for I still consider myself a marine—I live by my convictions. If it's proven to me that I can't trust my fellow man, and that there is no honor, then there's no use living.

When I die, I'll die the hard way, like a fighting marine, with my uniform on. And I'll die vindicated.

The only reason I live in this country is because I still believe it is good and that this

Government is honest and the people in it really want to be fair. I haven't had a fair trial. I would welcome one. For them to frame me, that I refuse to accept.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 1152. A bill for the relief of Alicja Zofja Batukiewicz (Rept. No. 600); and

S. 1429. A bill for the relief of Magdaleno V. del Rosario (Rept. No. 601).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 1081. A bill for the relief of Arshalouis Simeonian (Rept. No. 602); and

H.R. 4242. An act for the relief of certain aliens (Rept. No. 603).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

H.R. 4120. An act for the relief of Dr. Raymond A. Vonderlehr and certain other officers of the Public Health Service (Rept. No. 606); and

H.J. Res. 405. Joint resolution for the relief of certain aliens (Rept. No. 604).

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, without amendment:

H.R. 4644. An act to credit to postal revenues certain amounts in connection with postal activities, and for other purposes (Rept. No. 605).

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. WILEY, from the Committee on the Judiciary:

Edward G. Minor, of Wisconsin, to be U.S. attorney for the eastern district of Wisconsin:

By Mr. JOHNSTON of South Carolina, from the Committee on the Judiciary:

Francisco A. Gil, Jr., of Puerto Rico, to be U.S. attorney for the district of Puerto Rico; and

M. Frank Reid, of South Carolina, to be U.S. marshal for the western district of South Carolina.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McGEE (for himself and Mr. O'MAHONEY):

S. 2472. A bill to amend section 3 of the act of May 19, 1947, c. 80, 61 Stat. 102, as amended, relating to the trust funds of the Shoshone and Arapahoe Tribes, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ENGLE:

S. 2473. A bill to amend section 4132 of the Revised Statutes, section 37 of the Merchant Marine Act, 1920, and section 2 of the Shipping Act, 1916; to the Committee on Interstate and Foreign Commerce.

By Mr. HART:

S. 2474. A bill to provide for the conveyance to the State of Michigan of certain land in Grayling Township, Crawford County, Mich., to be used for National Guard purposes; to the Committee on Armed Services.

By Mr. ANDERSON:

S. 2475. A bill to amend the act of April 19, 1950 (64 Stat. 44; 25 U.S.C. 636), to better promote the rehabilitation of the Navajo and Hopi Tribes of Indians; to the Committee on Interior and Insular Affairs.

By Mr. LANGER:

S. 2476. A bill to require the full and fair labeling of tobacco products and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. LANGER when he introduced the above bill, which appear under a separate heading.)

By Mr. ANDERSON:

S. 2477. A bill to amend subchapter S of chapter 1 of the Internal Revenue Code of 1954, relating to election of certain small business corporations as to taxable status; to the Committee on Finance.

(See the remarks of Mr. ANDERSON when he introduced the above bill, which appear under a separate heading.)

By Mr. CAPEHART:

S. 2478. A bill for the relief of Marie Loray Legister; to the Committee on the Judiciary.

By Mr. BUSH:

S. 2479. A bill for the relief of Maria Angelina Parker; to the Committee on the Judiciary.

By Mr. MORSE:

S. 2480. A bill to amend the act entitled "An act to provide books for the adult blind," approved March 3, 1931; to the Committee on Rules and Administration.

By Mr. ELLENDER (for himself and Mr. AIKEN):

S.J. Res. 125. Joint resolution designating the week of November 20–26, 1959, as National Farm-City Week; to the Committee on the Judiciary.

RESOLUTIONS

Mr. BUTLER submitted a resolution (S. Res. 153) to authorize the Senate Committee on Armed Services to conduct an investigation of the concentration of defense procurement on the west coast of the United States and notably in the State of California, which was referred to the Committee on Armed Services.

(See the above resolution printed in full when submitted by Mr. BUTLER, which appears under a separate heading.)

PRINTING OF ADDITIONAL COPIES OF PART 1 OF SECOND INTERIM REPORT OF SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

Mr. McCLELLAN submitted the following resolution (S. Res. 154); which was referred to the Committee on Rules and Administration:

Resolved, That there be printed for the use of the Select Committee on Improper Activities in the Labor or Management Field four thousand additional copies of part 1 of the second interim report of that committee, made pursuant to S. Res. 44.

FULL AND FAIR LABELING OF TOBACCO PRODUCTS

Mr. LANGER. Mr. President, I introduce, for appropriate reference, a bill to require full and fair labeling of tobacco products.

There has been much debate by the medical profession and others on the impact of the use of certain cigarettes and other forms of tobacco on certain types of cancer. The requiring of full and fair labeling of tobacco products would put the public on notice of the following:

Mislabeled tobacco products: (a) A tobacco product shall be mislabeled if it is falsely or deceptively labeled. If a label is not affixed to each package and does not state whether or not the smoking of the tobacco products contained in said package result in a deviation from the normal in the skin temperature, blood pressure and subcutaneous temperature of a human being when tested in compliance with the methods, procedures and regulations promulgated by the Commission pursuant to section 6 (c) of this act.

This labeling would ease tensions as to the impact of tobacco on the user on certain types of cancer and circulatory ailments. This bill provides for examination by the FTC of packages of tobacco products and sets forth a criminal penalty of not more than $1,000.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2476) to require the full and fair labeling of tobacco products, and for other purposes, introduced by Mr. LANGER, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954, RELATING TO ELECTION OF CERTAIN SMALL BUSINESS CORPORATIONS AS TO TAXABLE STATUS

Mr. ANDERSON. Mr. President, on January 21 I introduced S. 605, a bill to amend section 1371 of the Internal Revenue Code of 1954 to permit stock of a small business corporation which is owned by a husband and wife to be treated as owned by a single shareholder for purposes of determining the number of shareholders of such corporations. With the passage of Public Law 85–866, in which was incorporated the Small Business Tax Adjustment Act, Congress allowed small business corporations to elect to be taxed as a partnership with the income of the corporation taxed directly to the shareholders. Under the law, a "Small Business Corporation" is limited to 10 shareholders. Subsequently, it was interpreted by the Treasury Department that shares held by a husband and wife would constitute each a shareholder for purposes of the act. In New Mexico and other community property States, a share obtained or held by one spouse becomes the property of the other by operation of law. In effect, this would mean that 10 married men in Illinois, Ohio, or Pennsylvania could form a small business corporation whereas only 5 could take advantage of the new law in Texas, California, or New Mexico. I doubt if anyone will seriously contend that such discrimination was the intention of Congress.

However, during the past 6 months other defects have been brought to my

attention, and I feel that new legislation is needed which will further clarify and strengthen the law. Thus I now introduce, for appropriate reference, a bill which I believe will accomplish this goal. I intend to transmit a copy of this proposed legislation to the Honorable WILBUR MILLS, the able chairman of the House Ways and Means Committee, for his immediate consideration and attention. I sincerely hope that Congress will be able to act on this measure at the earliest opportunity in order that the original intent of effectively assisting small business will be realized.

I ask unanimous consent that the bill, together with a section-by-section analysis, be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and analysis will be printed in the RECORD.

The bill (S. 2477) to amend subchapter S of chapter 1 of the Internal Revenue Code of 1954, relating to election of certain small business corporations as to taxable status, introduced by Mr. ANDERSON, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled—

SECTION 1. STOCK OWNED BY HUSBAND AND WIFE.

Section 1371 of the Internal Revenue Code of 1954 (relating to definitions applicable to certain small business corporations) is amended by adding at the end thereof the following new subsection:

"(c) Stock Owned by Husband and Wife.—For purposes of subsection (a)(1) stock which—

"(1) is community property of a husband and wife (or the income from which is community income) under the applicable community property law of a State, or

"(2) is held by a husband and wife as joint tenants, tenants by the entirety, or tenants in common, shall be treated as owned by one shareholder."

SEC. 2. SHAREHOLDERS NOT EMPLOYEES FOR CERTAIN PURPOSES.

Section 1372(b) of the Internal Revenue Code of 1954 is amended (1) by striking out "and" at the end of paragraph (1); (2) by striking out the period at the end of paragraph (2) and inserting in lieu thereof ", and"; and (3) by inserting after paragraph (2) the following new paragraph:

"(3) with respect to the taxable years of the corporation for which such election is in effect and with respect to the taxable years of a principal shareholder (as defined in section 1378 (c)) of such corporation in which or with which the taxable years of the corporation for which such election is in effect end, a principal shareholder shall not be considered an employee for purposes of section 101(b) (relating to employees' death benefits), section 105 (relating to amounts received under accident and health plans), section 106 (relating to contributions by employer to accident and health plans), section 119 (relating to meals or lodging furnished for the convenience of the employer), section 401 (a) (relating to qualified pension, profit-sharing, and stock bonus plans), and section 403 (relating to taxation of employee annuities)."

SEC. 3. NET OPERATING LOSS IN CASE OF DECEASED SHAREHOLDER.

Section 1374(b) of the Internal Revenue Code of 1954 (relating to allowance of net operating loss to shareholders) is amended by inserting after "the taxable year of the corporation ends" the following: "(or for the final taxable year of a shareholder who dies before the end of the corporation's taxable year)".

SEC. 4. SPECIAL CAPITAL GAINS RULES.

Section 1375(a)(1) of the Internal Revenue Code of 1954 (relating to treatment of capital gains by shareholders) is amended by striking out the last sentence and inserting in lieu thereof the following:

"For purposes of this paragraph, such excess shall be deemed not to exceed the lesser of—

"(A) the corporation's taxable income (computed as provided in section 1373 (d)) for the taxable year, or

"(B) the amount of long-term capital gain for the taxable year attributable to property held by the corporation for at least 36 months during which it was an electing small business corporation. In determining the period for which property has been held by the corporation for purposes of this subparagraph, section 1223 (2) shall not apply, and no such period shall be deemed to begin before the completion of the manufacture, construction, production, or purchase of such property.

This paragraph shall not apply with respect to any taxable year of the corporation during which it is a collapsible corporation as defined in section 341(b)."

SEC. 5. ADOPTION AND CHANGE OF TAXABLE YEARS.

(a) Subchapter S of chapter 1 of the Internal Revenue Code of 1954 (relating to the election of certain small business corporations as to taxable status) is amended by adding at the end thereof the following new section:

"SEC. 1378. ADOPTION AND CHANGE OF TAXABLE YEARS.

"(a) Conformity With Taxable Year of Principal Shareholders.—An electing small business corporation may not—

"(1) adopt a taxable year other than that of all of its principal shareholders (except that if all the principal shareholders do not have the same taxable year the corporation may adopt a calendar year), or

"(2) change to a taxable year other than that of all of its principal shareholders,

unless it establishes, to the satisfaction of the Secretary or his delegate, a business purpose therefor.

"(b) Eligibility To Make Election.—A small business corporation which has a taxable year (other than a calendar year) different from that of a principal shareholder may make an election under section 1372 only if it establishes, to the satisfaction of the Secretary or his delegate, a business purpose for its having such a taxable year.

"(c) Principal Shareholder Defined.—For purposes of this subchapter, a principal shareholder is a shareholder owning 5 percent or more of the stock in the small business corporation."

(b) The table of sections for such subchapter is amended by adding at the end thereof:

"SEC. 1378. Adoption and change of taxable years."

SEC. 6. DEFINITION OF "INCLUDIBLE CORPORATION".

Section 1504(b) of the Internal Revenue Code of 1954 (relating to definition of includible corporation) is amended by striking out paragraph (8) thereof.

SEC. 7. EFFECTIVE DATES.

(a) The amendments made by sections 1, 3, 4, 5, and 6 of this Act shall take effect on the day after the date of the enactment of this Act.

(b) The amendments made by section 2 of this Act shall take effect with respect to any small business corporation on the 90th day after the date of the enactment of this Act, or on the first day of the first taxable year of the corporation which begins after the date of the enactment of this Act, whichever is later.

The section-by-section analysis presented by Mr. ANDERSON is as follows:

EXPLANATION OF THE BILL

SECTION 1

Under section 1371(a) of existing law, a small business corporation may not have more than 10 shareholders. It is clear from the manner in which the word "shareholder" is used throughout subchapter S that each person having a community or common interest in stock must be counted as a shareholder. This rule unduly limits the permissible number of shareholders where the stock is held by a husband and wife as community property, as tenants by the entirety, or in other forms of joint ownership. In such cases, generally only one of the spouses is the real owner of the stock for practical purposes, yet the other spouse must now be counted as a shareholder.

Section 1 of the bill would remedy this situation by providing that, in determining the number of shareholders of a corporation, the husband and wife owning stock jointly or as community property shall be counted as only one shareholder. For all other purposes of subchapter S, including the requirement that all shareholders consent to the election, each spouse would continue to be considered as a shareholder.

Section 1 would become effective as of the day after the date of enactment of the bill.

SECTION 2

Subchapter S was designed to eliminate the major tax differences between corporate and noncorporate forms of doing business. One such difference under existing law is the treatment of fringe benefits which are available to the owners of a corporate form of business but not to partners and sole proprietors. Of course, the price paid for such benefits is the payment of a corporate tax. Present subchapter S, while relieving the corporation of the payment of a corporate tax, does not deprive shareholders of corporate fringe benefits. For example, a subchapter S corporation can establish a pension or profit-sharing plan for the benefit of its employees (including those which are shareholders) whereby part of a shareholder's salary as an employee is set aside, free of tax, to earn interest also free of tax. The entire amount so set aside is then received at a future date either at capital gain rates or is spread over a number of years at lower rates. The corporation also can obtain deductions for premiums paid for accident and health insurance covering shareholder-employees without regard to the limitations and restrictions applicable to individuals. Furthermore, up to $100 a week tax-free could be paid to a shareholder-employee of a subchapter S corporation as a wage continuation plan during periods of illness whereas such tax-free payments cannot be made to partners or proprietors. While we believe it is proper to continue the availability of these fringe benefits for employees generally it now appears, after some experience with the operation of subchapter S, that these benefits should no longer extend to shareholders of electing small business corporations.

The bill would eliminate the preferential treatment now available to the owners of a subchapter S corporation by providing that a principal shareholder (one owning 5 percent or more of the stock of the corporation) would not qualify as an employee for purposes of section 101(b) (relating to employees' death benefits), section 105 (relating to amounts received under accident and health plans), section 106 (relating to contributions by employer to accident and health plans), section 119 (relating to meals

or lodging furnished for the convenience of the employer), section 401(a) (relating to qualified pension, profit-sharing, and stock bonus plans), and section 403 (relating to taxation of employee annuities).

Since this amendment might have the effect of invalidating an existing pension plan if some of the beneficiaries are principal shareholders, it seems desirable to allow enough time either to amend the plan or to revoke the subchapter S election. Therefore, section 2 of the bill would become effective on the 90th day after the date of enactment or as of the 1st day of the first taxable year of the corporation which begins after the date of enactment, whichever is later.

SECTION 3

Section 1374 of present law allows the shareholders of an electing small business corporation to deduct their pro rata share of the corporation's net operating loss. However, a shareholder who dies before the end of the corporation's taxable year is deprived of his share of the net operating loss which occurs in the corporation's taxable year in which he dies. This inequity results from the fact that the statute requires the deduction to be taken for the shareholder's "taxable year in which or with which the taxable year of the corporation ends." In the case of death, this condition cannot be met. This result was never intended and section 3 of the bill prospectively would eliminate this defect.

SECTION 4

It has been suggested by some that subchapter S may be used to accomplish tax results for which it was not designed. A potential major area of abuse exists under the rules of section 1375(a) which permit a shareholder of an electing small business corporation to treat as capital gain his share of the corporation's capital gain.

For example, it has been suggested that attempts may be made to use section 1375 (a) to circumvent the collapsible corporation rules which are designed to prevent taxpayers from converting ordinary income into capital gain through the use of a corporation. Thus, individuals who are dealers in a certain type of property might transfer such property to a subchapter S corporation in the hope that sales of the property by the corporation would result in a capital gain which would be passed through to the individuals. If this could be done, the sale of the property would result in a single capital gains tax to the individuals whereas the gain should be treated as ordinary income. In carrying out the intent of the statute to permit going businesses to select the form under which they would operate without having to weigh the tax consequences of the desired form the proposed regulations under subchapter S appropriately minimize this problem by providing that gain from the sale of such property by the corporation shall not be treated as capital gain if the corporation "is availed of by any shareholder or group of shareholders owning a substantial portion of the stock of such corporation for the purpose of selling property which in the hands of such shareholder or shareholders" would not be capital gain type property.

A somewhat different problem arises where, for example, solely on a short-term or one-transaction basis, a corporation might make the subchapter S election for the purpose of disposing of highly appreciated assets at the cost of only a single capital gain tax to the shareholders. This short-term use of subchapter S to obtain such a major tax advantage is again contrary to the previously mentioned purpose of the subchapter.

Section 4 of the bill would provide a clearer statutory basis for dealing with both of these problems than does existing subchapter S. Section 4 would not deprive the shareholders of a noncollapsible corporation of the benefits of the capital gain pass-through with respect to property held for a period of at least 36 months during which the corporation was an electing small business corporation. However, it would preclude the use of subchapter S as a one-transaction or short-term tax avoidance device by removing from the scope of the capital gain pass-through the gain attributable to property held by the corporation for less than 36 months during which it was an electing small business corporation. Similarly, it would more directly preclude the use of subchapter S to circumvent the collapsible corporation rules by providing that the capital gain pass-through would not be available during any year in which the corporation was a collapsible corporation as defined in section 341(b).

Section 4 of the bill would be effective as of the day after the date of enactment.

SECTION 5

There is nothing in existing law to prevent the shareholders of a subchapter S corporation from obtaining a substantial deferment of income by having the corporation adopt a taxable year different from that of the shareholders. Such deferment of income was considered improper in the case of partnerships and section 706(b)(1) of the 1954 Code was enacted to prevent it. Section 5 of the bill is designed to prevent this deferment of income by shareholders of subchapter S corporations.

The new section 1378(a), which section 5 of the bill would add to the Code, provides that an electing small business corporation may not adopt or change to a taxable year other than that of all of its principal shareholders, unless it satisfies the Secretary or his delegate that it has a business purpose for such taxable year. A principal shareholder is defined as one who owns 5 percent or more of the stock in the small business corporation. Section 1378(a) contains an exception allowing the corporation to adopt a calendar year.

In order to preclude the circumvention of the rule of section 1378(a) by a corporation which changes its taxable year prior to, and in anticipation of, making the subchapter S election, section 1378(b) provides that a corporation which has a taxable year (other than a calendar year) different from that of any principal shareholder, is eligible to make the subchapter S election only if it establishes that it has a business purpose for having such taxable year. It is contemplated that a business purpose will be established by the fact that the corporation has been using such taxable year for a number of years prior to the election.

Section 5 of the bill would become effective as of the day after the date of enactment.

SECTION 6

Under section 1371, a small business corporation is defined as a corporation which, among other things, is not a member of an affiliated group. Standing alone, this requirement would prevent an electing small business corporation from having an 80-percent-owned subsidiary. This rule is intended to preclude the accumulation of corporate earnings in a subsidiary and thus avoid the taxation of those earnings to the shareholders of the subchapter S corporation. However, paragraph 8 of section 1504(b), which was added to the code apparently in order to insure this result, has the opposite effect by permitting the acquisition of a subsidiary by a subchapter S corporation after the election has been made. This apparent drafting error would be corrected by section 6 of the bill which would eliminate paragraph 8 from section 1504(b). This amendment would be effective as of the day after the date of enactment.

CIVIL USES OF ATOMIC ENERGY—AMENDMENTS TO AGREEMENTS WITH CERTAIN FOREIGN GOVERNMENTS

Mr. PASTORE. Mr. President, pursuant to section 123 c. of the Atomic Energy Act of 1954, as amended, the following documents were submitted to the Joint Committee on Atomic Energy on July 23, 1959, to amend the agreements for cooperation with France, Germany, Italy, the Netherlands, and Belgium, and a superseding agreement for cooperation with the Government of the Republic of Austria:

First. Five executed amendments to the agreements for cooperation with the Governments of the Republic of France, signed July 3, 1959; the Federal Republic of Germany, signed July 3, 1959; the Italian Republic, signed July 3, 1959; the Netherlands, signed July 3, 1959; and Belgium, signed July 12, 1959. Also an executed Agreement for Cooperation for Cooperation with the Republic of Austria, signed July 22, 1959, which supersedes the existing agreement for cooperation with the Government of the Republic of Austria.

Second. Copies of letters from the U.S. Atomic Energy Commission, dated July 7, 1959, to the President recommending approval of the proposed amendments and a copy of a letter, dated July 2, 1959, from the Commission to the President recommending approval of the proposed superseding Agreement for Cooperation with the Government of the Republic of Austria.

Third. Copies of letters from the President, dated July 21, 1959, to the U.S. Atomic Energy Commission approving the proposed amendments with the Governments of France, Germany, Italy, the Netherlands, and Belgium, and the superseding agreement for cooperation with Austria, containing his determination that the performance of such amendments and agreement will not constitute an unreasonable risk to the common defense and security, and his authorization to execute the proposed amendments and agreement.

Fourth. Copy of letter from the U.S. Atomic Energy Commission, dated July 22, 1959, describing provisions of the above amendments.

The amendments to the agreements for cooperation with France, Germany, Italy, the Netherlands, and Belgium are designed to update the existing agreements with the five countries to conform with current AEC policies. Specifically, the amendments would permit transfer by the United States of limited quantities of enriched uranium for use in small reactor experiments and research reactors, as well as use in materials testing reactors which is already provided for in existing agreements with these countries. Each of the amendments would permit the Atomic Energy Commission, at its discretion, to transfer uranium enriched up to 90 percent for the above types of reactors whose individual fuel load is not to exceed 8 kilograms of contained uranium 235.

In the case of each such transfer a determination is made by the Atomic Energy Commission that the transfer

will have technical and economic advantage to the United States. The amendments do not alter the comprehensive safeguards provisions in the existing agreements with the five countries which guard against diversion of the enriched materials to other than peaceful purposes.

In the case of the Belgian agreement, which formerly provided for sale only of enriched materials for these purposes, the new amendment provides for lease or sale, as may be mutually agreed, to permit Belgium to avail itself of current AEC policy to lease fuel for research and materials test reactors.

The amendments will enter into force when each government has exchanged written notification that their respective statutory and constitutional requirements have been fulfilled.

The superseding agreement for cooperation with the Government of the Republic of Austria updates the existing research agreement to conform with current AEC policies. It provides for transfer by the Atomic Energy Commission, at its discretion, of limited quantities of uranium enriched up to 90 percent for use in research reactors, and materials testing reactors. The agreement includes comprehensive safeguards provisions against diversion of these materials to other than peaceful purposes.

The new agreement affirms both parties' common interest in the International Atomic Energy Agency and they agree to consult with each other to determine in what respects, if any, they desire to modify the provisions of the proposed superseding agreement in view of the establishment of the agency. The superseding agreement will enter into force when the Governments of the United States of America and the Republic of Austria have exchanged written notifications to the effect that all statutory and constitutional requirements have been fulfilled and will remain in force for a period of 10 years thereafter.

Mr. President, I ask that these documents and the associated correspondence be printed in the RECORD.

There being no objection, the documents and correspondence were ordered to be printed in the RECORD, as follows:

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., July 22, 1959.

Hon. CLINTON P. ANDERSON,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR SENATOR ANDERSON: By separate letters I have today transmitted amendments to the agreements for cooperation with Belgium, France, Germany, Italy, and the Netherlands to the Joint Committee. You will note that each of these amendments would permit the Commission, at its discretion, to transfer uranium enriched up to 90 percent in the isotope U^{235} for use in reactor experiments as well as research and materials testing reactors, each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium.

As you will recall, it has heretofore been the policy of the Commission in the foreign program to limit the use of material enriched up to 90 percent to fueling research and materials testing reactors, capable of operating with core loads not to exceed 8 kilograms of contained U^{235} in uranium. The provision recorded in the amendments to our agreements with the Euratom countries will extend this policy by permitting the Commission to make such material available for use in reactor experiments.

A reactor experiment is generally defined as a project designed for the limited purpose of testing the technical feasibility of a reactor concept or some unique reactor feature or piece of equipment. It will be relatively small in size, generally producing less than 10 thermal megawatts, and in the case of the amendments now before the committee cannot have a core loading in excess of 8 kilograms of contained U^{235} in uranium. It will not incorporate all the features characteristic of a nuclear powerplant, for example, the production of electricity. A reactor experiment may be differentiated from an experimental reactor which is defined as a relatively complete plant, designed, engineered, constructed, and operated to provide the technical basis for the design of a large scale nuclear powerplant. In the Commission's program, the Borax reactors are considered reactor experiments while the EBWR is an experimental reactor.

The policy of making material enriched up to 90 percent available in the foreign program for reactor experiments is, in the Commission's view, desirable and reflects our own experience that the use of such material is often technically advantageous since it may permit the construction of a smaller and therefore more economical experimental facility than would be the case if material of assays of 20 percent or less were to be used.

Because the term "reactor experiment" was developed in the Commission's program and as a term of art may be misinterpreted or misunderstood, particularly in the foreign program, we have advised the Embassies of the Euratom countries of the definition outlined above. We are further planning to issue, in the near future, an appropriate press release with respect to this matter and will, of course, advise the joint committee beforehand in accordance with customary procedures.

Sincerely yours,

H. S. VANCE,
Acting Chairman.

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE NETHERLANDS CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of the Netherlands, desiring to amend further the agreement for cooperation concerning civil uses of atomic energy between the Government of the United States of America and the Government of the Netherlands, signed at Washington on June 22, 1956 (hereinafter referred to as the "agreement for cooperation"), as amended by the agreement signed at Washington on July 3, 1957, have agreed as follows:

ARTICLE I

Paragraph A of article IV of the agreement for cooperation, as amended, is amended to read as follows:

"A. Research materials: materials of interest in connection with defined research projects related to the peaceful uses of atomic energy and under the limitations set forth in article II, including source materials, special nuclear materials, by-product materials, other radioisotopes, and stable isotopes, will be sold or otherwise transferred to the Government of the Netherlands by the Commission for research purposes other than fueling reactors and reactor experiments in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially."

ARTICLE II

Article VII of the agreement for cooperation, as amended, is amended to read as follows:

"A. The Commission will sell or lease, as may be agreed, to the Government of the Netherlands, uranium enriched up to 20 percent in the isotope U^{235}, except as otherwise provided in paragraph C of this article, in such quantities as may be agreed in accordance with the terms, conditions, and delivery schedules set forth in contracts for fueling, defined research, experimental power, demonstration power, and power reactors, materials testing reactors, and reactor experiments which the Government of the Netherlands, in consultation with the Commission, decides to construct or authorize private organizations to construct in the Netherlands and as required in experiments related thereto; provided, however, that the net amount of any uranium sold or leased hereunder during the period of this agreement shall not exceed 500 kilograms of contained U^{235}. This net amount shall be the gross quantity of contained U^{235} in uranium sold or leased to the Government of the Netherlands during the period of this agreement less the quantity of contained U^{235} in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America during the period of this agreement or transferred to any other nation or international organization with the approval of the Government of the United States of America.

"B. Within the limitations contained in paragraph A of this article, the quantity of uranium enriched in the isotope U^{235} transferred by the Commission under this article and in the custody of the Government of the Netherlands shall not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project which the Government of the Netherlands or persons under its jurisdiction decide to construct and fuel with the United States fuel, as provided herein, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of such reactors or reactor experiments while replaced fuel elements are radioactively cooling, are in transit, or, subject to the provisions of paragraph E of this article, are being reprocessed in the Netherlands, it being the intent of the Commission to make possible the maximum usefulness of the material so transferred.

"C. The Commission may, upon request and in its discretion, make a portion of the foregoing special nuclear material available as material enriched up to 90 percent for use in research reactors, materials testing reactors and reactor experiments each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium.

"D. It is understood and agreed that although the Government of the Netherlands may distribute uranium enriched in the isotope U^{235} to authorized users in the Netherlands, the Government of the Netherlands will retain title to any uranium enriched in the isotope U^{235} which is purchased from the Commission at least until such time as private users in the United States of America are permitted to acquire title in the United States of America to uranium enriched in the isotope U^{235}.

"E. It is agreed that when any source or special nuclear material received from the United States of America requires reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or facilities acceptable to the Commission, on terms and conditions to be later agreed; and it is understood, except as may otherwise be agreed, that the form and content of any irradiated fuel elements shall not be altered after their removal from the reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing.

"F. With respect to any special nuclear material not owned by the Government of the United States of America produced in reactors fueled with materials obtained from the

United States of America which is in excess of the need of the Government of the Netherlands for such material in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an agreement for cooperation with the Government of the United States of America, and (b) the right to approve the transfer of such material to any other nation or international organization in the event the option to purchase is not exercised.

"G. Special nuclear material produced in any part of fuel leased hereunder as a result of irradiation processes shall be for the account of the Government of the Netherlands and after reprocessing as provided in paragraph E hereof shall be returned to the Government of the Netherlands at which time title to such material shall be transferred to that government, unless the Government of the United States of America shall exercise the option, which is hereby accorded, to retain, with appropriate credit to the Government of the Netherlands, any such special nuclear material which is in excess of the needs of the Government of the Netherlands for such material in its program for the peaceful uses of atomic energy.

"H. Some atomic energy materials which the Government of the Netherlands may request the Commission to provide in accordance with this agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of the Netherlands the Government of the Netherlands shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the Commission may, pursuant to this agreement, lease to the Government of the Netherlands or to any private individual or private organization under its jurisdiction, the Government of the Netherlands shall indemnify and save harmless the Government of the United States of America against any and all liability (including third party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Government of the Netherlands or to any authorized private individual or private organization under its jurisdiction."

ARTICLE III

Paragraph B of article XIV of the agreement for cooperation, as amended, is hereby deleted.

ARTICLE IV

This amendment, which shall be regarded as an integral part of the agreement for cooperation as amended, shall enter into force on the day on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of this amendment.

In witness whereof, the undersigned, duly authorized, have signed this amendment.

Done at Washington, in duplicate, this 22d day of July 1959.

For the Government of the United States of America:

IVAN B. WHITE.
H. S. VANCE.

For the Government of the Netherlands:

E. L. C SCHIFF.

Certified to be a true copy:

LAWRENCE F. O'DONNELL,
Foreign Affairs Officer, Agreements and Liaison Branch, Division of International Affairs.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., July 7, 1959.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed amendment to the agreement for cooperation between the Government of the United States of America and the Government of the Netherlands concerning civil uses of atomic energy, determine that its performance wil promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendations.

The Netherlands is a member state of the European Atomic Energy Community (Euratom). Article 106 of the treaty establishing the European Atomic Energy Community contemplates that the member states which before the date of entry into force of that treaty have concluded agreements with third countries for cooperation in the field of nuclear energy shall jointly with the Euratom Commission enter into the necessary negotiations with third countries in order, as far as possible, to cause the rights and obligations arising out of such agreements to be assumed by the Community. The agreement for cooperation between the Government of the United States of America and the European Atomic Energy Community (Euratom) concerning the peaceful uses of atomic energy, signed November 8, 1958, provides that the Government of the United States is prepared to enter into negotiations with the Euratom member states with reference to any agreement to which it is a party. The proposed amendment is designed to satisfy pressing requirements of the Netherlands atomic energy program pending the broader renegotiation of the Netherlands agreement to effect a transfer of rights and obligations to Euratom. The negotiations leading to this amendment were carried out in consultation with Euratom.

The amendment which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would modify the agreement for cooperation signed by the Government of the United States and the Government of the Netherlands on June 22, 1956, as amended on July 3, 1957.

The existing agreement, as amended, provides for the transfer of 100 grams of contained U^{235}, 10 grams of plutonium and 10 grams of U^{233} for research purposes. It also enables the Commission to sell or lease to the Government of the Netherlands for use in research reactors and sell for use in experimental, demonstration power and power reactors, enriched uranium in a net amount not to exceed 500 kilograms of contained U^{235} enriched up to a maximum of 20 percent. The existing agreement further permits the Commission to make a portion of the foregoing special nuclear materials available as material enriched up to 90 percent for use in a materials testing reactor, capable of operating with a fuel load not to exceed 6 kilograms of contained U^{235} in uranium.

Article I of the proposed amendment would permit the transfer of special nuclear materials, including U^{235}, U^{233}, and plutonium, on an as may be agreed basis, for defined research projects related to the peaceful uses of atomic energy.

Article II of the proposed amendment would provide for the transfer of a net amount of 500 kilograms of uranium enriched up to a maximum of 20 percent in the isotope U^{235}, except as noted below. This uranium would be sold or leased by the Commission to the Government of the Netherlands for fueling defined research, experimental power, demonstration power and power reactors, materials testing reactors, and reactor experiments in the Netherlands. The Commission, at its discretion, may make a portion of the foregoing 500 kilograms available as material enriched up to 90 percent for use in research reactors, materials testing reactors, and reactor experiments, each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium.

Following your approval and subject to the authorization requested, the amendment will be formally executed by the appropriate authorities of the Government of the United States of America and the Government of the Netherlands and placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954, as amended.

Respectfully,

JOHN A. MCCONE,
Chairman.

THE WHITE HOUSE,
Washington, July 21, 1959.

The Hon. JOHN A. MCCONE,
Chairman, Atomic Energy Commission, Washington, D.C.

DEAR MR. MCCONE: Under date of July 7, 1959, you informed me that the Atomic Energy Commission has recommended that I approve the proposed amendment to the agreement for cooperation between the Government of the United States of America and the Government of the Netherlands concerning the civil uses of atomic energy, and authorize it execution.

This amendment is designed to satisfy pressing requirements of the Netherlands atomic energy program pending a broader renegotiation of the Netherlands agreement to effect a transfer of rights and obligations to Euratom as provided in the treaty establishing the European Atomic Energy Community and as contemplated in the agreement for cooperation between the Government of the United States of America and the European Atomic Energy Community Concerning Peaceful Uses of Atomic Energy, signed November 8, 1958.

The recommended amendment has been reviewed. It provides for the transfer of a net quantity of 500 kilograms of enriched uranium to the Government of the Netherlands, and the Commission, at its discretion, may make a portion of the foregoing 500 kilograms available as material enriched up to 90 percent for use in research reactors, materials testing reactors, and reactor experiments. The proposed amendment will permit the transfer of quantities of special nuclear materials including U^{235}, U^{233}, and plutonium, for defined research projects related to the peaceful uses of atomic energy on an as may be agreed basis rather than in limited quantities as now provided in the existing agreement.

Therefore, pursuant to the provision of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

1. Determine that the performance of the proposed amendment will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and

2. Approve the proposed amendment to the agreement for cooperation between the Government of the United States and the Government of the Netherlands, enclosed with your letter of July 7, 1959; and

3. Authorize the execution of the proposed amendment for the Government of the United States by appropriate authorities of the Atomic Energy Commission and the Department of State.

It is my hope that this amendment will enhance the very productive program of cooperation between the United States and the Netherlands in the peaceful uses of atomic

energy pending a broader renegotiation of the Netherlands agreement to effect a transfer of rights and obligations to Euratom.

Sincerely,

DWIGHT D. EISENHOWER.

AMENDMENT TO AGREEMENT FOR COOPERATION CONCERNING THE CIVIL USES OF ATOMIC ENERGY BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE ITALIAN REPUBLIC

The Government of the United States of America and the Government of the Italian Republic, desiring to amend the agreement for cooperation concerning the civil uses of Atomic Energy between the Government of the United States of America and the Government of the Italian Republic, signed at Washington on July 3, 1957 (hereinafter referred to as the "agreement for cooperation"), have agreed as follows:

ARTICLE I

Paragraph A of article VI of the agreement for cooperation is amended to read as follows:

"A. Research materials: Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy and under the limitations set forth in article III, including source materials, special nuclear materials, byproduct materials, other radioisotopes, and stable isotopes, will be sold or otherwise transferred to the Government of the Italian Republic for research purposes other than fueling reactors and reactor experiments in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially."

ARTICLE II

Paragraphs A, B, and C of article VIII of the agreement for cooperation are deleted and the following paragraphs A, B, and C are substituted in lieu thereof:

"A. The Commission will sell or lease as may be agreed to the Government of the Italian Republic uranium enriched up to 20 percent in the isotope U^{235}, except as otherwise provided in paragraph C of this article, in such quantities as may be agreed in accordance with the terms, conditions, and delivery schedules set forth in contracts for fueling defined research, experimental power, demonstration power, and power reactors, materials testing reactors and reactor experiments, which the Government of the Italian Republic, in consultation with the Commission, decides to construct or authorize private organizations to construct in the Italian Republic and as required in experiments related thereto; provided, however, that the net amount of any uranium sold or leased hereunder during the period of this agreement shall not exceed 7,000 kilograms of contained U^{235}. This net amount shall be the gross quantity of contained U^{235} in uranium sold or leased to the Government of the Italian Republic during the period of this agreement less the quantity of contained U^{235} in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America during the period of this agreement or transferred to any other nation or international organization with the approval of the Government of the United States of America.

"B. Within the limitations contained in paragraph A of this article, the quantity of uranium enriched in the isotope U^{235} transferred by the Commission under this article and in the custody of the Government of the Italian Republic shall not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project which the Government of the Italian Republic or persons under its jurisdiction decide to construct and fuel with U.S. fuel, as provided herein, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of such reactors or reactor experiments while replaced fuel elements are radioactively cooling or, subject to the provisions of paragraph E, are being reprocessed in the Italian Republic, it being the intent of the Commission to make possible the maximum usefulness of the material so transferred.

"C. The Commission may, upon request and in its discretion, make a portion of the foregoing special nuclear material available as material enriched up to 90 percent for use in research reactors, materials testing reactors, and reactor experiments, each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium."

ARTICLE III

This amendment, which shall be regarded as an integral part of the agreement for cooperation, shall enter into force on the day on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of this amendment.

In witness whereof, the undersigned, duly authorized, have signed this amendment.

Done at Washington, in duplicate, in the English and Italian languages, both equally authentic, this 22d day of July 1959.

For the Government of the United States of America:

IVAN B. WHITE.
H. S. VANCE.

For the Government of the Italian Republic:

CARLO PERRONE-CAPANO.

Certified to be a true copy:

LAWRENCE F. O'DONNELL,
Foreign Affairs Officer, Agreements and Liaison Branch, Division of International Affairs.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., July 7, 1959.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed "amendment to the agreement for cooperation between the Government of the United States of America and the Government of the Italian Republic concerning the civil uses of atomic energy," determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendations.

The Italian Republic is a member state of European Atomic Energy Community (Euratom). Article 106 of the treaty establishing the European Atomic Energy Community contemplates that the member states which before the date of entry into force of that treaty have concluded agreements with third countries for cooperation in the field of nuclear energy shall jointly with the Euratom Commission enter into the necessary negotiations with third countries in order, as far as possible, to cause the rights and obligations arising out of such agreements to be assumed by the Community. The agreement for cooperation between the Government of the United States of America and the European Atomic Energy Community (Euratom) concerning the peaceful uses of atomic energy, signed November 8, 1958, provides that the Government of the United States is prepared to enter into negotiations with the Euratom member states with reference to any agreement to which it is a party. The proposed amendment is designed to satisfy pressing requirements of the Italian atomic energy program pending the broader renegotiation of the Italian agreement to effect a transfer of rights and obligations to Euratom. The negotiations leading to this amendment were carried out in consultation with Euratom.

The amendment which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would modify the agreement for cooperation signed by the Government of the United States and the Government of the Italian Republic on July 3, 1957.

The existing agreement provides for the transfer of 100 grams of contained U^{235}, 10 grams of plutonium, and 10 grams of U^{233} for research purposes. It also enables the Commission to sell or lease to the Government of the Italian Republic up to 7,000 kilograms of contained U^{235} in uranium enriched up to a maximum of 20 percent in the isotope U^{235} for use as fuel in defined research, experimental power, demonstration power, and power reactors in Italy. The existing agreement provides further that the Commission may make a portion of the foregoing special nuclear material available as material enriched up to 90 percent for use in a materials testing reactor, capable of operating with a fuel load not to exceed 6 kilograms of contained U^{235} in uranium.

Article I of the proposed amendment would permit the transfer of quantities of special nuclear materials, including U^{235}, U^{233}, and plutonium, on an as may be agreed basis, for defined research projects related to the peaceful uses of atomic energy other than fueling reactors and reactor experiments.

Article II of the proposed amendment would provide for the transfer of a net amount of 7,000 kilograms of uranium enriched up to 20 percent in the isotope U^{235}, except as noted below. This uranium would be sold or leased by the Commission to the Government of the Italian Republic for fueling defined research, experimental power, demonstration power, and power reactors, materials testing reactors, and reactor experiments, which the Government of the Italian Republic, in consultation with the Commission, decides to construct or authorize private organizations to construct in Italy and as required in experiments related thereto. The Commission, at its discretion, may make a portion of the foregoing special nuclear material available as material enriched up to 90 percent for use in research, materials testing reactors, and reactor experiments, each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium.

Following your approval and subject to the authorization requested, the amendment will be formally executed by the appropriate authorities of the Government of the United States of America and the Government of the Italian Republic and placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954, as amended.

Respectfully,

JOHN A. MCCONE,
Chairman.

THE WHITE HOUSE,
Washington, July 21, 1959.

The Honorable JOHN A. MCCONE,
Chairman, Atomic Energy Commission,
Washington, D.C.

DEAR MR. MCCONE: Under date of July 7, 1959, you informed me that the Atomic Energy Commission has recommended that I approve the proposed 'amendment to the agreement for cooperation between the Government of the United States of America and the Government of the Italian Republic concerning the civil uses of atomic energy," and authorize its execution.

This amendment is designed to satisfy pressing requirements of the Italian atomic energy program pending a broader renegotiation of the Italian agreement to effect a transfer of rights and obligations to Euratom as provided in the treaty establishing

the European Atomic Energy Community and as contemplated in the agreement for cooperation between the Government of the United States of America and the European Atomic Energy Community concerning peaceful uses of atomic energy, signed November 8, 1958.

The recommended amendment has been reviewed. It provides for the transfer of a net quantity of 7,000 kilograms of enriched uranium to the Government of the Italian Republic, and the Commission, at its discretion, may make a portion of the foregoing 7,000 kilograms available as material enriched up to 90 percent for use in research reactors, materials testing reactors and reactor experiments. The proposed amendment will permit the transfer of quantities of special nuclear materials, including U^{235}, U^{233}, and plutonium, for defined research projects related to the peaceful uses of atomic energy on an as may be agreed basis rather than in limited quantities as now provided in the existing agreement.

Therefore, pursuant to the provision of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

1. Determine that the performance of the proposed amendment will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and

2. Approve the proposed amendment to the agreement for cooperation between the Government of the United States and the Government of the Italian Republic, enclosed with your letter of July 7, 1959; and

3. Authorize the execution of the proposed amendment for the Government of the United States by appropriate authorities of the Atomic Energy Commission and the Department of State.

It is my hope that this amendment will enhance the very productive program of cooperation between the United States and the Italian Republic in the peaceful uses of atomic energy pending a broader renegotiation of the Italian agreement to effect a transfer of rights and obligations to Euratom.

Sincerely,

DWIGHT D. EISENHOWER.

AMENDMENT TO AGREEMENT FOR COOPERATION CONCERNING THE CIVIL USES OF ATOMIC ENERGY BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY

The Government of the United States of America and the Government of the Federal Republic of Germany, desiring to amend the agreement for cooperation concerning the civil uses of atomic energy between the Government of the United States of America and the Government of the Federal Republic of Germany, signed at Washington on July 3, 1957 (hereinafter referred to as the "agreement for cooperation"), have agreed as follows:

ARTICLE I

Paragraph O of article VI of the agreement for cooperation is amended to read as follows:

"A. Research materials: Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy and under the limitations set forth in article III, including source materials, special nuclear materials, byproduct materials, other radioisotopes, and stable isotopes, will be sold or otherwise transferred to the Government of the Federal Republic of Germany for research purposes other than fueling reactors and reactor experiments in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially."

ARTICLE II

Paragraphs A, B, and C of article VIII of the agreement for cooperation are deleted and the following paragraphs A, B, and C are substituted in lieu thereof:

"A. The Commission will sell or lease as may be agreed to the Government of the Federal Republic of Germany uranium enriched up to 20 percent in the isotope U^{235}, except as otherwise provided in paragraph C of this article, in such quantities as may be agreed in accordance with the terms, conditions, and delivery schedules set forth in contracts for fueling defined research, experimental power, demonstration power, and power reactors, materials testing reactors and reactor experiments, which the Government of the Federal Republic of Germany, in consultation with the Commission, decides to construct or authorize private organizations to construct in the Federal Republic of Germany and as required in experiments related thereto; provided, however, that the net amount of any uranium sold or leased hereunder during the period of this agreement shall not exceed 2,500 kilograms of contained U^{235}. This net amount shall be the gross quantity of contained U^{235} in uranium sold or leased to the Government of the Federal Republic of Germany during the period of this agreement less the quantity of contained U^{235} in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America during the period of this agreement or transferred to any other nation or international organization with the approval of the Government of the United States of America.

"B. Within the limitations contained in paragraph A of this article, the quantity of uranium enriched in the isotope of U^{235} transferred by the Commission under this article and in the custody of the Government of the Federal Republic of Germany shall not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project which the Government of the Federal Republic of Germany or persons under its jurisdiction decide to construct and fuel with U.S. fuel, as provided herein, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of such reactor or reactor experiments while replaced fuel elements are radioactively cooling or, subject to the provisions of paragraph E, are being reprocessed in the Federal Republic of Germany, it being the intent of the Commission to make possible the maximum usefulness of the material so transferred.

"C. The Commission may, upon request and in its discretion, make a portion of the foregoing special nuclear material available as material enriched up to 90 percent for use in research reactors, materials testing reactors, and reactor experiments, each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium."

ARTICLE III

This amendment, which shall be regarded as an integral part of the agreement for cooperation, shall enter into force on the day on which each government shall have received from the other government written notification that it has complied with all statutory and constitutional requirements for the entry into force of this amendment.

In witness whereof, the undersigned, duly authorized, have signed this amendment.

Done at Washington, in duplicate, in the English and German languages, both equally authentic, this 22d day of July 1959.

For the Government of the United States of America:

IVAN B. WHITE.
H. S. VANCE.

For the Government of the Federal Republic of Germany:

FRANZ KRAPF.

Certified to be a true copy:

LAWRENCE F. O'DONNELL,
Foreign Affairs Officer, Agreements and Liaison Branch, Division of International Affairs.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., July 7, 1959.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed "amendment to the agreement for cooperation between the Government of the United States of America and the Government of the Federal Republic of Germany concerning the civil uses of atomic energy," determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendations.

The Federal Republic of Germany is a member state of the European Atomic Energy Community (Euratom). Article 106 of the treaty establishing the European Atomic Energy Community contemplates that the member states which before the date of entry into force of that treaty have concluded agreements with third countries for cooperation in the field of nuclear energy shall jointly with the Euratom Commission enter into the necessary negotiations with third countries in order, as far as possible, to cause the rights and obligations arising out of such agreements to be assumed by the Community. The agreement for cooperation between the Government of the United States of America and the European Atomic Energy Community (EURATOM) concerning the peaceful uses of atomic energy, signed November 8, 1958, provides that the Government of the United States is prepared to enter into negotiations with the Euratom Member States with reference to any agreement to which it is a party. The proposed amendment is designed to satisfy pressing requirements of the German atomic energy program pending the broader renegotiation of the German agreement to effect a transfer of rights and obligations to Euratom. The negotiations leading to this amendment were carried out in consultation with Euratom.

The amendment which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would modify the agreement for cooperation signed by the Government of the United States and the Government of the Federal Republic of Germany on July 3, 1957.

The existing agreement provides for the transfer of 100 grams of contained U^{235}, 10 grams of plutonium, and 10 grams U^{233} for research purposes. It also enables the Commission to sell or lease to the Government of the Federal Republic of Germany up to 2,500 kilograms of contained U^{235} in uranium enriched up to a maxmum of 20 percent in the isotope U^{235} for use as fuel in defined research, experimental power, demonstration power, and power reactors in the Federal Republic of Germany. The existing agreement provides further that the Commission may make a portion of the foregoing special nuclear material available as material enriched up to 90 percent for use in a materials testing reactor, capable of operating with a fuel load not to exceed 6 kilograms of contained U^{235} in uranium.

Article I of the proposed amendment would permit the transfer of quantities of special nuclear materials, including U^{235}, U^{233}, and plutonium, on an as may be agreed to basis, for defined research projects related to the peaceful uses of atomic energy other than fueling reactors and reactor experiments.

Article II of the proposed amendment would provide for the transfer of a net amount of 2,500 kilograms of uranium enriched up to 20 percent in the isotope U^{235}, except as noted below. This uranium would be sold or leased by the Commission to the Government of the Federal Republic of Germany for fueling defined research, experimental power, demonstration power, and power reactors, materials testing reactors, and reactor experiments, which the Government of the Federal Republic of Germany, in consultation with the Commission, decides to construct or authorize private organizations to construct in the Federal Republic of Germany and as required in experiments related thereto. The Commission, at its discretion, may make a portion of the foregoing special nuclear material available as material enriched up to 90 percent for use in research, materials testing reactors, and reactor experiments, each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium.

Following your approval and subject to the authorization requested, the amendment will be formally executed by the appropriate authorities of the Government of the United States of America and the Government of the Federal Republic of Germany and placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954, as amended.

Respectfully,

JOHN A. MCCONE,
Chairman.

THE WHITE HOUSE,
Washington, July 21, 1959.

The Honorable JOHN A. MCCONE,
Chairman, Atomic Energy Commission,
Washington, D.C.

DEAR MR. MCCONE: Under date of July 7, 1959, you informed me that the Atomic Energy Commission has recommended that I approve the proposed "amendment to the agreement for cooperation between the Government of the United States of America and the Government of the Federal Republic of Germany concerning the civil uses of atomic energy," and authorize its execution.

This amendment is designed to satisfy pressing requirements of the German atomic energy program pending a broader renegotiation of the German agreement to effect a transfer of rights and obligations to Euratom as provided in the treaty establishing the European Atomic Energy Community and as contemplated in the agreement for cooperation between the Government of the United States of America and the European Atomic Energy Community concerning peaceful uses of atomic energy, signed November 8, 1958.

The recommended amendment has been reviewed. It provides for the transfer of a net quantity of 2,500 kilograms of enriched uranium to the Government of the Federal Republic of Germany, and the Commission, at its discretion, may make a portion of the foregoing 2,500 kilograms available as material enriched up to 90 percent for use in research reactors, materials testing reactors, and reactor experiments. The proposed amendment will permit the transfer of quantities of special nuclear materials, including U^{235}, U^{233}, and plutonium, for defined research projects related to the peaceful uses of atomic energy on an as may be agreed basis rather than in limited quantities as now provided in the existing agreement.

Therefore, pursuant to the provision of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

1. Determine that the performance of the proposed amendment will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and

2. Approve the proposed amendment to the agreement for cooperation between the Government of the United States and the Government of the Federal Republic of Germany, enclosed with your letter of July 7, 1959; and

3. Authorize the execution of the proposed amendment for the Government of the United States by appropriate authorities of the Atomic Energy Commission and the Department of State.

It is my hope that this amendment will enhance the very productive program of cooperation between the United States and the Federal Republic of Germany in the peaceful uses of atomic energy pending a broader renegotiation of the German agreement to effect a transfer of rights and obligations to Euratom.

Sincerely,

DWIGHT EISENHOWER.

AMENDMENT TO AGREEMENT FOR COOPERATION CONCERNING THE CIVIL USES OF ATOMIC ENERGY BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF FRANCE

The Government of the United States of America and the Government of the Republic of France, desiring to amend further the agreement for cooperation concerning the civil uses of atomic energy between the Government of the United States of America and the Government of the Republic of France, signed at Washington on June 19, 1956 (hereinafter referred to as the "agreement for cooperation") as amended by the agreement signed at Washington on July 3, 1957, have agreed as follows:

ARTICLE I

Paragraph A of article VI of the agreement for cooperation is amended to read as follows:

"A. Research materials: Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy and under the limitations set forth in article III, including source materials, special nuclear materials, byproduct materials, other radioisotopes, and stable isotopes, will be sold or otherwise transferred to the Government of the Republic of France for research purposes other than fueling reactors and reactor experiments in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially."

ARTICLE II

Paragraphs A, B, and C of article VIII of the agreement for cooperation as amended are deleted and the following paragraphs A, B, and C are substituted in lieu thereof:

"A. The Commission will sell or lease as may be agreed to the Government of the Republic of France uranium enriched up to 20 percent in the isotope U^{235}, except as otherwise provided in paragraph C of this article, in such quantities as may be agreed in accordance with the terms, conditions, and delivery schedules set forth in contracts for fueling defined research, experimental power, demonstration power, and power reactors, materials testing reactors and reactor experiments, which the Government of the Republic of France, in consultation with the Commission, decides to construct or authorize private organizations to construct in the Republic of France and as required in experiments related thereto; provided, however, that the net amount of any uranium sold or leased hereunder during the period of this agreement shall not exceed 2,500 kilograms of contained U^{235}. This net amount shall be the gross quantity of contained U^{235} in uranium sold or leased to the Government of the Republic of France during the period of this agreement less the quantity of contained U^{235} in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America during the period of this agreement or transferred to any other nation or international organization with the approval of the Government of the United States of America.

"B. Within the limitations contained in paragraph A of this article, the quantity of uranium enriched in the isotope U^{235} transferred by the Commission under this article and in the custody of the Government of the Republic of France shall not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project which the Government of the Republic of France or persons under its jurisdiction decide to construct and fuel with United States fuel, as provided herein, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of such reactors or reactor experiments while replaced fuel elements are radioactively cooling or, subject to the provisions of paragraph E, are being reprocessed in the Republic of France, it being the intent of the Commission to make possible the maximum usefulness of the material so transferred.

"C. The Commission may, upon request and in its discretion, make a portion of the foregoing special nuclear material available as material enriched up to 90 percent for use in research reactors, materials testing reactors, and reactor experiments, each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium."

ARTICLE III

This amendment, which shall be regarded as an integral part of the agreement for cooperation, as amended, shall enter into force on the day on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of this amendment.

In witness whereof, the undersigned, duly authorized, have signed this amendment.

Done at Washington, in duplicate, in the English and French languages, both equally authentic, this 22d day of July 1959.

For the Government of the United States of America:

IVAN B. WHITE.
H. S. VANCE.

For the Government of the Republic of France:

C. LEBEL.

Certified to be a true copy:
LAWRENCE F. O'DONNELL,
Foreign Affairs Officer,
Agreements and Liaison Branch,
Division of International Affairs.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., July 7, 1959.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed "amendment to the agreement for cooperation between the Government of the United States of America and the Government of the Republic of France concerning the civil uses of atomic energy," determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and

authorize its execution. The Department of State supports the Commission's recommendations.

The Republic of France is a member state of the European Atomic Energy Community (Euratom). Article 106 of the treaty establishing the European Atomic Energy Community contemplates that the member states which before the date of entry into force of that treaty have concluded agreements with third countries for cooperation in the field of nuclear energy shall jointly with the Euratom Commission enter into the necessary negotiations with third countries in order, as far as possible, to cause the rights and obligations arising out of such agreements to be assumed by the Community. The agreement for cooperation between the Government of the United States of America and the European Atomic Energy Community (Euratom) concerning the peaceful uses of atomic energy, signed November 8, 1958, provides that the Government of the United States is prepared to enter into negotiations with the Euratom Member States with reference to any agreement to which it is a party. The proposed amendment is designed to satisfy pressing requirements of the French atomic energy program pending the broader renegotiation of the French agreement to effect a transfer of rights and obligations to Euratom. The negotiations leading to this amendment were carried out in consultation with Euratom.

The amendment which has been negotiated by the Atomic Energy Commision and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would modify the agreement for cooperation signed by the Government of the United States and the Government of the Republic of France on June 19, 1956, as amended on July 3, 1957.

The existing agreement, as amended, provides for the transfer of 100 grams of contained U^{235}, 10 grams of plutonium, and 10 grams of U^{233} for research purposes. It also enables the Commission to sell or lease to the Government of the Republic of France up to 2,500 kilograms of contained U^{235} in uranium enriched up to a maximum of 20 percent in the isotope U^{235} for use as fuel in defined research, experimental power, demonstration power, and power reactors in France. The existing agreement provides further that the Commission may make a portion of the foregoing special nuclear material available as material enriched up to 90 percent for use in a materials testing reactor, capable of operating with a fuel load not to exceed 6 kilograms of contained U^{235} in uranium.

Article I of the proposed amendment would permit the transfer of quantities of special nuclear materials, including U^{235}, U^{233}, and plutonium, on an as may be agreed basis, for defined research projects related to the peaceful uses of atomic energy other than fueling reactors and reactor experiments.

Article II of the proposed amendment would provide for the transfer of a net amount of 2,500 kilograms of uranium enriched up to 20 percent in the isotope U^{235}, except as noted below. This uranium would be sold or leased by the Commission to the Government of the Republic of France for fueling defined research, experimental power, demonstration power, and power reactors, materials testing reactors and reactor experiments, which the Government of France, in consultation with the Commission, decides to construct or authorize private organizations to construct in France and as required in experiments related thereto. The Commission, at its discretion, may make a portion of the foregoing special nuclear material available as material enriched up to 90 percent for use in research, materials testing reactors, and reactor experiments, each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium.

Following your approval and subject to the authorization requested, the amendment will be formally executed by the appropriate authorities of the Government of the United States of America and the Government of the Republic of France and placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954, as amended.

Respectfully,

JOHN A. McCONE,
Chairman.

THE WHITE HOUSE,
Washington, July 21, 1959.

The Honorable JOHN A. McCONE,
Chairman, Atomic Energy Commission,
Washington, D.C.

DEAR MR. McCONE: Under date of July 7, 1959, you informed me that the Atomic Energy Commission has recommended that I approve the proposed "amendment to the agreement for cooperation between the Government of the United States of America and the Government of the Republic of France concerning the civil uses of atomic energy," and authorize its execution.

This amendment is designed to satisfy pressing requirements of the French atomic energy program pending a broader renegotiation of the French agreement to effect a transfer of rights and obligations to Euratom as provided in the treaty establishing the European Atomic Energy Community and as contemplated in the agreement for cooperation between the Government of the United States of America and the European Atomic Energy Community concerning peaceful uses to atomic energy, signed November 8, 1958.

The recommended amendment has been reviewed. It provides for the transfer of a net quantity of 2,500 kilograms of enriched uranium to the Government of the Republic of France, and the Commission, at its discretion, may make a portion of the foregoing 2,500 kilograms available as material enriched up to 90 percent for use in research reactors, materials testing reactors and reactor experiments. The proposed amendment will permit the transfer of quantities of special nuclear materials, including U^{235}, U^{233}, and plutonium, for defined research projects related to the peaceful uses of atomic energy on an as may be agreed basis rather than in limited quantities as now provided in the existing agreement.

Therefore, pursuant to the provision of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

1. Determine that the performance of the proposed amendment will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and

2. Approve the proposed amendment to the agreement for cooperation between the Government of the United States and the Government of the Republic of France, enclosed with your letter of July 7, 1959; and

3. Authorize the execution of the proposed amendment for the Government of the United States by appropriate authorities of the Atomic Energy Commission and the Department of State.

It is my hope that this amendment will enhance the very productive program of cooperation between the United States and France in the peaceful uses of atomic energy pending a broader renegotiation of the French agreement to effect a transfer of rights and obligations to Euratom.

Sincerely,

DWIGHT D. EISENHOWER.

AMENDMENT TO THE AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF BELGIUM CONCERNING THE CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of Belgium, desiring to amend further the agreement for cooperation concerning civil uses of atomic energy between the Government of the United States of America and the Government of Belgium, signed at Washington on June 15, 1955 (hereinafter referred to as the "agreement for cooperation"), as amended by the agreement signed at Washington on July 12, 1956, have agreed as follows:

ARTICLE I

Paragraph B of article VII of the agreement for cooperation, as amended, is deleted and the following is substituted in lieu thereof:

"B. 1. The Commission will sell or lease to the Government of Belgium under such terms and conditions as may be agreed such quantities of uranium enriched up to 20 percent in the isotope U^{235} as Belgium may require during the period of this agreement for fueling defined research, experimental power, demonstration power and power reactors, materials-testing reactors, and reactor experiments located in Belgium, the Belgian Congo, and Ruanda-Urundi which the Government of Belgium, in consultation with the Commission, decides to construct or authorize private users to construct in Belgium, the Belgian Congo, and Ruanda-Urundi, and as required in related experiments thereto, subject to any limitations in connection with quantities of such material available for such distribution by the Commission during any year. The Commission may upon request and in its discretion make a portion of the material sold or leased under this paragraph available as material enriched up to 90 percent for use in research reactors, materials-testing reactors, and reactor experiments each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium.

"2. It is understood and agreed that although Belgium may distribute uranium enriched in the isotope U^{235} to authorized users in Belgium, the Belgian Congo, and Ruanda-Urundi, the Government of Belgium will retain title to any uranium enriched in the isotope U^{235} which is purchased from the Commission at least until such time as private users in the United States are permitted to acquire title to uranium enriched in the isotope U^{235}.

"3. It is agreed that when any source or special nuclear materials received from the United States of America require reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or facilities acceptable to the Commission, on terms and conditions to be later agreed; and it is understood, except as may otherwise be agreed, that the form and content of any irradiated fuel elements shall not be altered after removal from the reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing.

"4. With respect to any special nuclear material not owned by the Government of the United States of America produced in reactors fueled with materials obtained from the United States of America which is in excess of the need of the Government of Belgium for such material in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an agreement for cooperation with the Government of the United States of America, and (b) the right to approve the transfer of such material to any other nation or international organization in the event the option to purchase is not exercised.

5. Special nuclear material produced in any part of fuel leased hereunder as a result of irridiation processes shall be for the account of the Government of Belgium and

after reprocessing as provided in subparagraph 3 hereof shall be returned to the Government of Belgium, at which time title to such material shall be transferred to that Government, unless the Government of the United States of America shall exercise the option, which is hereby accorded, to retain, with appropriate credit to the Government of Belgium any such special nuclear material which is in excess of the needs of the Government of Belgium for such material in its program for the peaceful uses of atomic energy.

6. Some atomic energy materials which the Government of Belgium may request the Commission to provide in accordance with this agreement are harmful to persons and property unless handled and used carefully. After delivery of such material to the Government of Belgium, the Government of Belgium shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the United States Commission may, pursuant to this agreement, lease to the Government of Belgium or to any private individual or private organization under its jurisdiction, the Government of Belgium shall indemnify and save harmless the Government of the United States of America against any and all liability (including third party liability) from any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the United States Commission to the Government of Belgium or to any authorized private individual or private organization under its jurisdiction."

ARTICLE II

This amendment, which shall be regarded as an integral part of the agreement for cooperation, as amended, shall enter into force on the day on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of this amendment.

In witness whereof, the undersigned, duly authorized, have signed this amendment.

Done at Washington, in duplicate, this 22d day of July 1959.

For the Government of the United States of America:

IVAN B. WHITE.
H. S. VANCE.

For the Government of Belgium:

JEAN DE BASSOMPIERRE.

Certified to be a true copy:

LAWRENCE F. O'DONNELL,
Foreign Affairs Officer, Agreements and Liaison Branch, Division of International Affairs.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., July 7, 1959.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed "amendment to the agreement for cooperation between the Government of the United States of America and the Government of Belgium concerning the civil uses of atomic energy," determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendations.

Belgium is a member state of the European Atomic Energy Community (Euratom). Article 106 of the treaty establishing the European Atomic Energy Community contemplates that the member states which before the date of entry into force of that treaty have concluded agreements with third countries for cooperation in the field of nuclear energy shall jointly with the Euratom Commission enter into the necessary negotiations with third countries in order, as far as possible, to cause the rights and obligations arising out of such agreements to be assumed by the community. The agreement for cooperation between the Government of the United States of America and the European Atomic Energy Community (Euratom) concerning the peaceful uses of atomic energy, signed November 8, 1958, provides that the Government of the United States is prepared to enter into negotiations with the Euratom member states with reference to any agreement to which it is a party. The proposed amendment is designed to satisfy pressing requirements of the Belgian atomic energy program pending the broader renegotiation of the Belgian agreement to effect a transfer of rights and obligations to Euratom. The negotiations leading to this amendment were carried out in consultation with Euratom.

The amendment which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would modify the agreement for cooperation signed by the Government of the United States and the Government of Belgium on June 15, 1955, as amended July 12, 1956.

The existing agreement, as amended, provides that the Commission will sell such quantities of uranium enriched up to 20 percent in the isotope U^{235} as Belgium may require and under such terms and conditions as may be agreed for use in research and power reactors located in Belgium, the Belgian Congo, and Ruanda Urundi, subject to any limitations in connection with quantities of such material available for such distribution by the Commission during any year, and subject to the limitation that the quantity of uranium enriched in the isotope U^{235} of weapon quality in the possession of Belgium by reason of transfer under this agreement shall not, in the opinion of the Commission, be of military significance. It also provides that a portion of the foregoing material, sold under the agreement, may be made available as material enriched up to 90 percent for use in a materials testing reactor, capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium.

Article I of the proposed amendment would permit the Commission to sell or lease to the Government of Belgium under such terms and conditions as may be agreed such quantities of uranium enriched up to 20 percent in the isotope U^{235} as Belgium may require during the period of the agreement for fueling defined research, experimental power, demonstration power and power reactors, materials testing reactors, and reactor experiments located in Belgium, the Belgian Congo, and Ruanda Urundi subject to any limitations in connection with quantities of such material available for such distribution by the Commission during any year. The Commission, at its discretion, may make a portion of the foregoing material available as material enriched up to 90 percent for use in research, materials testing reactors, and reactor experiments, each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium.

Following your approval and subject to the authorization requested, the amendment will be formally executed by the appropriate authorities of the Government of the United States of America and the Government of Belgium and placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954, as amended.

Respectfully,

JOHN A. MCCONE,
Chairman.

THE WHITE HOUSE,
Washington, July 21, 1959.

The Honorable JOHN A. MCCONE,
Chairman, Atomic Energy Commission, Washington, D.C.

DEAR MR. MCCONE: Under date of July 7, 1959, you informed me that the Atomic Energy Commission has recommended that I approve the proposed "amendment to the agreement for cooperation between the Government of the United States of America and the Government of Belgium concerning the civil uses of atomic energy," and authorize its execution.

This amendment is designed to satisfy pressing requirements of the Belgian atomic energy program pending a broader renegotiation of the Belgian agreement to effect a transfer of rights and obligations to Euratom as provided in the treaty establishing the European Atomic Energy Community and as contemplated in the agreement for cooperation between the Government of the United States of America and the European Atomic Energy Community concerning peaceful uses of atomic energy, signed November 8, 1958.

The recommended amendment has been reviewed. It provides for the transfer by sale or lease to the Government of Belgium under such terms and conditions as may be agreed such quantities of uranium enriched up to 20 percent in the isotope U^{235} as Belgium may require during the period of the agreement, subject to any limitations in connection with quantities of such material available for such distribution by the Commission during any year. It also provides that the Commission, at its discretion, may make a portion of the material leased or sold under the agreement as amended available as material enriched up to 90 percent for use in research reactors, materials testing reactors, and reactor experiments.

Therefore, pursuant to the provision of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

1. Determine that the performance of the proposed amendment will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and

2. Approve the proposed amendment to the agreement for cooperation between the Government of the United States and the Government of Belgium, enclosed with your letter of July 7, 1959; and

3. Authorize the execution of the proposed amendment for the Government of the United States by appropriate authorities of the Atomic Energy Commission and the Department of State.

It is my hope that this amendment will enhance the very productive program of cooperation between the United States and Belgium in the peaceful uses of atomic energy pending a broader renegotiation of the Belgian agreement to effect a transfer of rights and obligations to Euratom.

Sincerely,

DWIGHT D. EISENHOWER.

AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF AUSTRIA CONCERNING CIVIL USES OF ATOMIC ENERGY

Whereas the peaceful uses of atomic energy hold great promise for all mankind; and

Whereas the Government of the United States of America and the Government of the Republic of Austria desire to cooperate with each other in the development of such peaceful uses of atomic energy; and

Whereas the design and development of several types of research reactors are well advanced; and

Whereas research reactors are useful in the production of research quantities of radioisotopes, in medical therapy, and in

numerous other research activities and at the same time are a means of affording valuable training and experience in nuclear science and engineering useful in the development of other peaceful uses of atomic energy including civilian nuclear power; and

Whereas the Government of the Republic of Austria desires to pursue a research and development program looking toward the realization of the peaceful and humanitarian uses of atomic energy and desires to obtain assistance from the Government of the United States of America and U.S. industry with respect to this program; and

Whereas the Government of the United States of America, acting through the U.S. Atomic Energy Commission, desires to assist the Government of the Republic of Austria in such a program; and

Whereas the parties desire this agreement to supersede the agreement for coooperation between the Government of the United States of America and the Government of the Republic of Austria concerning civil uses of atomic energy, signed at Washington on June 8, 1956;

The parties agree as follows:

ARTICLE I

For the purposes of this agreement:

(a) "Commission means the United States Atomic Energy Commission or its duly authorized representatives.

(b) "Equipment and devices" means any instrument or apparatus and includes research reactors, as defined herein, and their component parts.

(c) "Research reactor" means a reactor which is designed for the production of neutrons and other radiations for general research and development purposes, medical therapy, or training in nuclear science and engineering. The term does not cover power reactors, power demonstrations reactors, or reactors designed primarily for the production of special nuclear materials.

(d) "Restricted data" means all data concerning (1) design, manufacture or utilization of atomic weapons; (2) the production of special nuclear material; or (3) the use of special nuclear material in the production of energy, but shall not include data declassified or removed from the category of Restricted Data by the appropriate authority.

(e) "Special nuclear material" means: (1) Plutonium, uranium enriched in the isotope 233 or in the isotope 235, or any other material which the Commission or the Government of the Republic of Austria determines to be special nuclear material; or (2) any material artificially enriched by any of the foregoing.

(f) "Atomic weapon" means any device utilizing atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and divisible part of the device), the principal purpose of which is for use as, or for development of, a weapon, a weapon prototype, or a weapon test device.

(g) "Under its jurisdiction" as used in articles II, VIII, IX, and XI means subject to the laws of; and as used in articles IV, V, VI, and VII means within the territory and subject to the laws of. "Beyond the jurisdiction of" as used in article IX means not within the territory and not subject to the laws of.

ARTICLE II

Restricted data shall not be communicated under this agreement, and no materials or equipment and devices shall be transferred and no services shall be furnished under this agreement to the Republic of Austria or authorized persons under its jurisdiction if the transfer of any such materials or equipment and devices or the furnishing of any such services involves the communication of restricted data.

ARTICLE III

A. Subject to the provisions of article II, the parties hereto will exchange information in the following fields:

1. Design, construction, and operation of research reactors and their use as research, development, and engineering tools and in medical therapy.

2. Health and safety problems related to the operation and use of research reactors.

3. The use of radioactive isotopes in physical and biological research, medical therapy, agriculture, and industry.

B. The application or use of any information or data of any kind whatsoever, including design drawings and specifications, shall be the responsibility of the party which receives and uses such information or data, and it is understood that the other party does not warrant the accuracy, completeness, or suitability of such information or data for any particular use or application.

ARTICLE IV

A. The Commission will sell or lease, as may be agreed, to the Government of the Republic of Austria, uranium enriched up to 20 percent in the isotope U^{235}, except as otherwise provided in paragraph C of this article, in such quantities as may be agreed in accordance with the terms, conditions, and delivery schedules set forth in contracts for fueling defined research and materials testing reactors which the Government of the Republic of Austria, in consultation with the Commission, decides to construct or authorize private organizations to construct and which are constructed in Austria; provided, however, that the net amount of any uranium which shall have been sold or leased under this article during the period of this agreement shall not at any time exceed 50 kilograms of contained U^{235}. This net amount shall be the gross quantity of such contained U^{235} in uranium less the quantity of contained U^{235} in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America during the period of this agreement or transferred to any other nation or international organization with the approval of the Government of the United States of America.

B. Within the limitations contained in paragraph A of this article, the quantity of uranium enriched in the isotope U^{235} transferred by the Commission under this article and in the custody of the Government of the Republic of Austria shall not at any time be in excess of the quantity necessary for the full loading of each defined reactor project which the Government of the Republic of Austria or persons under its jurisdiction construct and fuel with uranium received from the United States of America, as provided herein, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of such reactor or reactors while replaced fuel is radioactively cooling, is in transit, or, subject to the provisions of paragraph E of this article, is being reprocessed in Austria, it being the intent of the Commission to make possible the maximum usefulness of the material so transferred.

C. The Commission may, upon request and in its discretion, make a portion of the foregoing special nuclear material available as uranium enriched up to 90 percent in the isotope U^{235} for use in research or materials testing reactors each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium.

D. It is understood and agreed that although the Government of the Republic of Austria may distribute uranium enriched in the isotope U^{235} to authorized users in Austria, the Government of the Republic of Austria will retain title to any uranium enriched in the isotope U^{235} which is purchased from the Commission at least until such time as private users in the United States of America are permitted to acquire title in the United States of America to uranium enriched in the isotope U^{235}.

E. It is agreed that when any source or special nuclear material received from the United States of America requires reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or facilities acceptable to the Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel shall not be altered after its removal from the reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing.

F. With respect to any special nuclear material not subject to the option referred to in paragraph G of this article and produced in reactors fueled with materials received from the United States of America which is in excess of the need of the Republic of Austria for such material in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an agreement for cooperation with the Government of the United States of America, and (b) the right to approve the transfer of such material to any other nation or international organization in the event the option to purchase is not exercised.

G. Special nuclear material produced in any part of fuel leased hereunder as a result of irradiation processes shall be for the account of the Government of the Republic of Austria and after reprocessing as provided in paragraph E of this article shall be returned to the Government of the Republic of Austria at which time title to such material shall be transferred to that Government, unless the Government of the United States of America shall exercise the option, which is hereby granted, to retain, with appropriate credit to the Government of the Republic of Austria, any such special nuclear material which is in excess of the needs of the Republic of Austria for such material in its program for the peaceful uses of atomic energy.

H. Some atomic energy materials which the Commission may provide in accordance with this agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of the Republic of Austria the Government of the Republic of Austria shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel which the Commission may, pursuant to this agreement, lease to the Government of the Republic of Austria or to any private individual or private organization under its jurisdiction, the Government of the Republic of Austria shall indemnify and save harmless the Government of the United States of America against any and all liability (including third-party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel after delivery by the Commission to the Government of the Republic of Austria or to any authorized private individual or private organization under its jurisdiction.

ARTICLE V

Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy undertaken

by the Government of the Republic of Austria or persons under its jurisdiction, including source materials, special nuclear materials, byproduct material, other radioisotopes, and stable isotopes, will be sold or otherwise transferred to the Government of the Republic of Austria by the Commission for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially.

ARTICLE VI

Subject to the availability of supply and as may be mutually agreed, the Commission will sell or lease, through such means as it deems appropriate, to the Government of the Republic of Austria or authorized persons under its jurisdiction such reactor materials, other than special nuclear materials, as are not obtainable on the commercial market and which are required in the construction and operation of research reactors in Austria. The sale or lease of these materials shall be on such terms as may be agreed.

ARTICLE VII

It is contemplated that, as provided in this article, private individuals and private organizations in either the United States of America or Austria may deal directly with private individuals and private organizations in the other country. Accordingly, with respect to the subject of agreed exchange of information as provided in article III, each party will permit persons under its jurisdiction to transfer and export materials, including equipment and devices, to and perform services for the other Party and such persons under its jurisdiction as are authorized by the other Party to receive and possess such materials and utilize such services, subject to:

(a) The provisions of article II.

(b) Applicable laws, regulations, and license requirements of each party.

ARTICLE VIII

A. The Government of the United States of America and the Government of the Republic of Austria emphasize their common interest in assuring that any material, equipment, or device made available to the Goverment of the Republic of Austria pursuant to this Agreement shall be used solely for civil purposes.

B. Except to the extent that the safeguards provided for in this agreement are supplanted, as provided in article XI, by safeguards of the International Atomic Energy Agency, the Government of the United States of America, notwithstanding any other provisions of this agreement, shall have the following rights:

1. With the objective of assuring design and operation for civil purposes and permitting effective application of safeguards, to review the design of any (i) reactor and (ii) other equipment and devices the design of which the Commission determines to be relevant to the effective application of safeguards, which are to be made available to the Government of the Republic of Austria or persons under its jurisdiction by the Government of the United States of America or any person under its jurisdiction, or which are to use, fabricate, or process any of the following materials so made available: Source material, special nuclear material, moderator material, or other material designated by the Commission.

2. With respect to any source or special nuclear material which is to be made available to the Government of the Republic of Austria or any person under its jurisdiction and any source or special nuclear material utilized in, recovered from, or produced as a result of the use of any of the following materials, equipment, or device so made available (i) source material, special nuclear material, moderator material, or other material designated by the Commission, (ii) reactors, (iii) any other equipment or device designated by the Commission as an item to be made available on the condition that the provision of this subparagraph B2 will apply, (a) to require the maintenance and production of operating records and to request and receive reports for the purpose of assisting in ensuring accountability for such material; and (b) to require that any such material in the custody of the Government of the Republic of Austria or any person under its jurisdiction be subject to all of the safeguards provided for in this article and the guarantees set forth in article IX.

3. To require the deposit in storage facilities designated by the Commission of any of the special nuclear material referred to in subparagraph B2 of this article which is not currently utilized for civil purposes in Austria and which is not purchased or retained by the Government of the United States of America pursuant to article IV of this agreement, or otherwise disposed of pursuant to an arrangement mutually acceptable to the parties.

4. To designate, after consultation with the Government of the Republic of Austria, personnel who, accompanied, if either party so requests, by personnel designated by the Government of the Republic of Austria, shall have access in Austria to all places and data necessary to account for the source and special nuclear materials which are subject to subparagraph B2 of this article to determine whether there is compliance with this agreement and to make such independent measurements as may be deemed necessary.

5. In the event of noncompliance with the provisions of this article, or the guarantees set forth in article IX, and the failure of the Government of the Republic of Austria to carry out the provisions of this article within a reasonable time, to suspend or terminate this agreement and require the return of any materials, equipment, and devices referred to in subparagraph B2 of this article.

6. To consult with the Government of the Republic of Austria in the matter of health and safety.

C. The Government of the Republic of Austria undertakes to facilitate the application of the safeguards provided for in this article.

ARTICLE IX

The Government of the Republic of Austria guarantees that:

(a) Safeguards set forth in article VIII shall be maintained.

(b) No material, including equipment and devices, transferred to the Government of the Republic of Austria or authorized persons under its jurisdiction, pursuant to this agreement, by lease, sale, or otherwise will be used for atomic weapons or for research on or development of atomic weapons or for any other military purposes, and that no such material, including equipment and devices, will be transferred to unauthorized persons or beyond the jurisdiction of the Government of the Republic of Austria except as the Commission may agree to such transfer to another nation and then only if in the opinion of the Commission such transfer falls within the scope of an agreement for cooperation between the Government of the United States of America and the other nation.

ARTICLE X

It is the hope and expectation of the Parties that this Agreement will lead to consideration of further cooperation extending to the design, construction, and operation of power producing reactors. Accordingly, the Parties will consult with each other from time to time concerning the feasibility of an additional agreement for cooperation with respect to the production of power from atomic energy in Austria.

ARTICLE XI

The Government of the United States of America and the Government of the Republic of Austria affirm their common interest in the International Atomic Energy Agency and to this end:

(a) The parties will consult with each other, upon the request of either party, to determine in what respects, if any, they desire to modify the provisions of this agreement. In particular, the parties will consult with each other to determine in what respects and to what extent they desire to arrange for the administration by the International Atomic Energy Agency of those conditions, controls, and safeguards including those relating to health and safety standards required by the Agency in connection with similar assistance rendered to a cooperating nation under the aegis of the Agency.

(b) In the event the parties do not reach a mutually satisfactory agreement following the consultation provided for in subparagraph (a) of this article, either party may by notification terminate this agreement. In the event this agreement is so terminated, the Government of the Republic of Austria shall return to the Commission all source and special nuclear materials received pursuant to this agreement and in its possession or in the possession of persons under its jurisdiction.

ARTICLE XII

A. The agreement for cooperation between the Government of the United States of America and the Government of the Republic of Austria concerning civil uses of atomic energy signed at Washington on June 8, 1956, is superseded in its entirety on the day this agreement enters into force.

B. This agreement shall enter into force on the day on which each party shall have received from the other party written notification that such other party has complied with all statutory and constitutional requirements for the entry into force of such agreement and shall remain in force for a period of 10 years.

C. At the expiration of this agreement or of any extension thereof the Government of the Republic of Austria shall deliver to the Commission all fuel containing reactor fuels and any other fuel materials leased by the Commission. Such fuel and such fuel materials shall be delivered to the Commission at a site in the United States of America designated by the Commission at the expense of the Government of the Republic of Austria and such delivery shall be made under appropriate safeguards against radiation hazards while in transit.

In witness whereof, the undersigned, duly authorized, have signed this agreement.

Done at Washington, in duplicate this 22d day of July 1959.

For the Government of the United States of America:

IVAN B. WHITE.
H. S. VANCE.

For the Government of the Republic of Austria:

WILFRIED PLATZER.

Certified to be a true copy:

LAWRENCE F. O'DONNELL,
Foreign Affairs Officer, Agreements and Liaison Branch, Division of International Affairs, Atomic Energy Commission.

U. S. ATOMIC ENERGY COMMISSION,
Washington, D.C., July 2, 1959.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed agreement for cooperation between the Government of the United States of America and the Government of the Republic of Austria concerning civil uses of atomic energy, determine that its performance will promote and will not constitute an unreasonable risk to the common

defense and security, and authorize its execution. The Department of State supports the Commission's recommendations.

The proposed agreement, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would supersede the agreement for cooperation signed by the Government of the United States and the Government of the Republic of Austria on June 8, 1956. Major features of the proposed agreement are summarized below.

The existing agreement, which has a duration of 5 years, provides that the Commission will lease to the Government of the Republic of Austria, as fuel for research reactors, up to 6 kilograms of contained U^{235} in uranium enriched up to a maximum of 20 percent in the isotope U^{235} plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous use of the reactors involved. It also enables the Commission to transfer to the Government of the Republic of Austria 100 grams of contained U^{235}, 10 grams of plutonium, and 10 grams of U^{233} for use in defined research projects.

Article IV of the proposed superseding agreement provides that the Commission will sell or lease, as may be agreed, to the Government of the Republic of Austria, a net amount of 50 kilograms of uranium enriched up to 20 percent in the isotope U^{235}, except as noted below, for fueling defined research or materials testing reactors which the Government of the Republic of Austria, in consultation with the Commission, decides to construct or authorize private organizations to construct in Austria. The Commission, at its discretion, may make a portion of the 50 kilograms available as material enriched up to 90 percent for use in research or materials testing reactors, each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium. In addition, article IV provides that when any source or special nuclear material received from the United States requires reprocessing, such reprocessing will be performed either in Commission facilities or in facilities acceptable to the Commission.

The quantity of uranium enriched in the isotope U^{235} transferred to the Government of the Republic of Austria for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel is radioactively cooling, is in transit, or, subject to Commission approval, is being reprocessed in Austria.

Article V of the proposed agreement would permit the transfer of quantities of special nuclear materials, namely U^{235}, U^{233}, and plutonium, on an as may be agreed basis, for defined research projects related to the peaceful uses of atomic energy other than fueling reactors.

Article VIII of the proposed agreement incorporates several provisions which are designed to minimize the possibility that material or equipment transferred under the agreement will be diverted to nonpeaceful purposes.

In article XI of the proposed agreement the parties affirm their common interest in the International Atomic Energy Agency and agree to consult with each other to determine in what respects, if any, they desire to modify the provisions of the proposed agreement in view of the establishment of the Agency.

Following your approval and subject to the authorization requested, the proposed agreement will be formally executed by the appropriate authorities of the Government of the United States of America and the Government of the Republic of Austria and placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954, as amended.

When the Government of the United States of America and the Republic of Austria have exchanged written notification to the effect that all statutory and constitutional requirements have been fulfilled, the proposed agreement will enter into force and so remain for a period of 10 years thereafter.

Respectfully,

HAROLD S. VANCE,
Acting Chairman.

THE WHITE HOUSE,
Washington, July 21, 1959.

The Honorable JOHN A. MCCONE,
Chairman, Atomic Energy Commission,
Washington, D.C.

DEAR MR. MCCONE: Under date of July 2, 1959, you informed me that the Atomic Energy Commission has recommended that I approve the proposed agreement for cooperation between the Government of the United States of America and the Government of the Republic of Austria concerning civil uses of atomic energy, determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The proposed agreement will supersede the agreement for cooperation signed by the Government of the United States and the Government of the Republic of Austria on June 8, 1956, and will remain in effect for a period of 10 years.

The proposed superseding agreement provides, among other things, that the Commission will sell or lease, as may be agreed, a net amount of 50 kilograms of uranium enriched up to 20 percent in the isotope U^{235}, except as noted below, for use in research or materials testing reactors. The Commission, at its discretion, may make a portion of the 50 kilograms available as material enriched up to 90 percent for use in research or materials testing reactors, each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium. It is also provided that when any source or special nuclear material received from the United States requires reprocessing, such reprocessing will be performed either in Commission facilities or in facilities acceptable to the Commission.

The quantity of uranium enriched in the isotope U^{235} transferred to the Government of the Republic of Austria for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel is radioactively cooling, is in transit, or subject to Commission approval, is being reprocessed in Austria.

The agreement further permits the transfer of quantities of special nuclear materials, namely U^{235}, U^{233}, and plutonium, on an as may be agreed basis, for defined research projects related to the peaceful uses of atomic energy other than fueling reactors.

The agreement also contains several provisions which are designed to minimize the possibility that material or equipment transferred under the agreement will be diverted to nonpeaceful purposes. Finally, the agreement contains a provision whereby the parties affirm their common interest in the International Atomic Energy Agency and agree to consult with each other to determine in what respects, if any, they desire to modify the provisions of the agreement for cooperation in view of the establishment of the Agency.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

1. Determine that the performance of the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States;

2. Approve the proposed agreement for cooperation between the Government of the United States of America and the Government of the Republic of Austria, enclosed with your letter; and

3. Authorize the execution of the proposed agreement for the Government of the United States of America by appropriate authorities of the U.S. Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. SYMINGTON:

Address delivered by Representative CHARLES H. BROWN, of Missouri, at the annual Carver Day observance at George Washington Carver National Monument, July 12, 1959.

By Mr. MORSE:

Statement issued by him on the proposed exchange of visits between President Eisenhower and Premier Khrushchev.

RADIO AND TELEVISION ADDRESS BY VICE PRESIDENT NIXON AT MOSCOW

Mr. COOPER. Mr. President, I ask unanimous consent that the text of the address delivered by Vice President NIXON on August 1, at Moscow, to a radio and television audience, in the Soviet Union be printed in the body of the RECORD, at the conclusion of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. COOPER. Mr. President, there will be many appraisals of the Vice President's visit to the Soviet Union and its effect on Soviet foreign policy, the people of Russia, and, in indeed, upon the relations the United States and the Soviet Union.

The consequences of his trip—of his meetings with Mr. Khrushchev and other Soviet leaders, Mr. NIXON's associations with the Russian people, and his speeches and statements in Russia—undoubtedly will develop and unfold over a period of many months. But we can say today, as the President of the United States has said, and as the press of the United States has stated with unanimity, that Vice President NIXON has represented our country with dignity, honor, and good taste, and at the same time he has presented the basic beliefs and policies of the United States with strength and firmness. Mr. NIXON's speeches and exchanges with Soviet leaders, demonstrated his clear knowledge of the problems and issues which divide our country and the Soviet Union, whether they are immediate issues, susceptible of solution, or ideological ones, which cannot be reconciled.

As I said, Mr. NIXON conducted himself with restraint and good taste as a visitor in Russia, yet he did not hesitate to make clear to Mr. Khrushchev that the United States and its people, while devoted to peace, are determined to preserve our free system of government, and that our people are united in this purpose. His warning that ultimatums, from whatever side, and that the continuance of the Soviet policy of communizing other countries, could only result in danger, reached the heart of our difficulties with Soviet policy. The Vice President's constructive proposals for association between the leaders and people of our two countries, his insistence that the people of our country want a true peace, has strength, firmness and good humor, have made a substantial contribution to the lessening of tensions, and we can hope that in the months ahead we may see other favorable developments from his trip, and his statements. Whether or not this shall occur he has expressed the best principles of our country.

EXHIBIT 1

[From the New York Times, Aug. 2, 1959]

TEXT OF NIXON ADDRESS ON MOSCOW TELEVISION

Moscow, August 1.—I first want to express my appreciation to the Government of the U.S.S.R. for giving me an opportunity to speak to the people of this country by radio and television just as Mr. Frol R. Kozlov and Mr. Anastas I. Mikoyan spoke to the American people on their visit to my country.

I realize that 9 days is much too brief a time for a visitor to spend in this great country. But in that period I have had the opportunity of having extended and frank discussions with Mr. Khrushchev and other leaders of your Government. I have visited Leningrad, Siberia, and the Urals and I have had the privilege of meeting thousands of people in all walks of life.

What I would like to do tonight is to answer for the millions of people who are listening to this program some of the questions which were asked me over and over again on this trip so that you may get a true picture of the policies of the American Government and people.

IMPRESSIONS GIVEN

I should like to begin by answering a question which I often heard, "What are my impressions of this country and this people?"

While my visit was brief, I did have a chance, in addition to visiting this great capital city of Moscow, to see the beauty and culture of Leningrad, whose brave people won the admiration of the world for their heroic defense of their city during the war; to savor the inspiring pioneer spirit of Novosibirsk; to witness firsthand the thriving productivity of the Urals. I was greatly impressed by the efficient modern equipment of your factories; your magnificent ballets in Leningrad and Novosibirsk; by the competitive drive for progress which is evident on every side.

But most of all I was impressed by your people. After all, the greatest asset of a country is not its forests, its factories or its farms, but its people.

These are some of the characteristics of the Soviet people which I particularly noticed on this trip:

First, their capacity for hard work, their vitality; their intense desire to improve their lot, to get ahead, is evident everywhere.

There was another feature about the Soviet people which I noticed that may surprise you and that is in how many respects you are like us Americans. We are similar in our love of humor—we laugh at the same jokes. The people of your frontier East have much the same spirit of what was our frontier West.

We have a common love of sport. The name of Vasily Kuzenetsov, your great decathlon champion, is known in the United States as well as it is in the Soviet Union. We are both a hospitable, friendly people. When we meet each other we tend to like each other, as so many of our soldiers who met during the last Great War can attest.

DESIRE FOR PEACE CITED

Above all, the American people and the Soviet people are as one in their desire for peace, and our desire for peace is not because either of us is weak. On the contrary, each of us is strong and respects the strength the other possesses.

This means that if we are to have peace it must be a just peace based on mutual respect rather than the peace of surrender or dictation by either side. Putting it bluntly, both of our people want peace, but both of us also possess great strength and, much as we want peace, neither of us can or will tolerate being pushed around.

That is why I was so surprised that a question that was asked by a worker on the new scientific center outside of Novosibirsk. My heart went out to him as he told me that he had been wounded in World War II and that his father and mother had been killed by bombs. But then he said, "I don't believe when you say America is for peace."

Nothing he could have said could have astonished or saddened me more.

And so to the millions of Soviet people who suffered or lost their loved ones in war, and to all of those in this great country who want peace, I say tonight, if you doubt that the American Government and the American people are as dedicated to peace as you are, look at our record, examine our policies, and you can reach only one conclusion, that only aggressor nations have anything to fear from the United States of America.

AVERSION TO WAR OFFERED

We have fought in two world wars and have demanded and received not an acre of territory or a cent in reparations. We enjoy the highest standard of living of any people in the world history, and there is nothing whatever that we want from any other people in the world except to live in peace and friendship with them.

No leader in the world today could be more dedicated to peace than our President. And his brother, who has honored us by making this visit with us, can tell you President Eisenhower's whole life is proof of the stark but simple truth that no one hates war more than one who has seen a lot of it.

We know as you know that in this age of nuclear weapons it is impossible for either of our nations to launch an attack which would not bring terrible destruction to itself.

In this age any leader who is so insane even to think of starting a war would well heed your proverb—"Do not dig a pit for another; you may fall into it yourself."

Why, then, is there any doubt that the American Government and people are just as dedicated to peace as the people of the U.S.S.R.? I think part of the answer is to be found in another question which was often asked of me on this trip and in which Mr. Khrushchev himself raised in this manner in his speech on July 28 at Dnepropetrovsk: "If you believe in the peaceful intentions of our country, why do you continue the arms race, why do you construct new military bases around our borders?"

In answering this question, let me first point out that these bases are not maintained for purposes of attacking you but for purposes of defending ourselves and our allies.

BERLIN BLOCKADE RECALLED

Why did we think it was necessary to set up bases? Let us look at the record. We disarmed rapidly after World War II. Then came a series of events which threatened our friends abroad as well as ourselves.

The Berlin blockade and the war in Korea are typical of the actions which led the United States and our allies to rearm so that we could defend ourselves against aggression.

We also must remember that these events occurred before the 20th party congress changed the line to the one Mr. Khrushchev enunciated again in his speech at Dnepropetrovsk, that communism will now try to achieve its international objectives by peaceful means rather than by force. I could cite statement after statement made by previous leaders of the U.S.S.R. which advocated and threatened the use of force against non-Communist countries in order to achieve Communist objectives.

A striking illustration of why we maintain bases and strong military forces is the fact that one-fourth of the entire production of the U.S.S.R. goes into armaments. This, in effect, means that every worker in the Soviet Union works 1 day out of 4 for armaments. And we in our country are also bearing a heavy burden of armaments. Think what it could mean to both of our countries if we could lift this burden from the backs of our people.

MUTUAL ACTION URGED

Some may ask, why don't we get rid of the bases since the Soviet Government declares today that it has only peaceful intentions? The answer is that whenever the fear and suspicion that caused us and our allies to take measures for collective self-defense are removed, the reason for our maintaining bases will be removed. In other words, the only possible solution of this problem lies in mutual rather than unilateral action leading toward disarmament.

Another question which was often asked was, why don't the United States agree to stop the tests of atomic weapons? The answer in a nutshell is that the question is not whether we both should enter into an agreement to stop tests but whether that agreement is one which will make sure that the tests actually are stopped.

That is why we say that, if both sides honestly want to stop tests, we must first agree to set up inspection procedures in both of our countries which will make certain that the agreement is not violated. We believe this position is the only one that gives assurance of accomplishing the objective of stopping tests rather than just signing an agreement to do so.

We are encouraged by the fact that, at least in this area, we are presently engaged in serious negotiations which have made some progress. I know that I express the sentiments of the people of both our countries when I say that I am hopeful that these negotiations will finally end in agreement.

Another question that has often been asked me went something like this: The United States says it is for peace, but what the world wants are deeds not words. And the United States is short on deeds and long on words.

Nothing could be further from the truth. It is possible that many of you listening to me are not aware of the positive programs the United States has proposed which were designed to contribute to peace. Let me tell you about just a few of them and what happened to them:

We had a monopoly on the atomic bomb when on June 14, 1946, we submitted to the Baruch plan for international control of atomic energy. What happened? It was rejected by the U.S.S.R.

Under article 43 of the United Nations Charter, provision was made for the establishment of the United Nations armed forces to keep the peace. On June 4, 1947, we

made the first of many requests that agreement be reached. What happened? All have been rejected by the U.S.S.R.

At the summit conference in Geneva on July 21, 1955, President Eisenhower made his offer of open skies aerial inspection. What happened? It was rejected by the U.S.S.R. On May 1, 1958, the United States offered an Arctic aerial inspection plan to protect both nations from surprise attack. What happened? It was rejected by the U.S.S.R.

I realize that your Government has reasons for its rejection of these proposals. I do not list these proposals for the purpose of warming over past history but simply to demonstrate the initiative that our Government has taken to reduce tensions and to find peaceful solutions for differences between us.

END OF SUSPICION ASKED

I realize that my answers to these questions indicate that there are some very basic differences between us. But let us emphasize at the same time that the very fact that we have not made as much progress as we would like in the past in settling our differences is the strongest reason for us to redouble our efforts to create better understanding between our two countries to remove fear, suspicion and misconceptions where they exist and, thereby, to pave the way for discussions and eventual settlement by agreement of some of the basic conflicts between us.

We should both frankly recognize that we have some very real differences; they are not too easily settled. But two men who are friends can settle an argument between them without using their fists and two nations who want to be friends can do so without war.

I should like to suggest tonight some practical steps which will contribute to the cause of peace to which we are both dedicated.

First there are some positive things we can do which will create better understanding between us.

We can start by removing the language barrier. Here is one place where you are ahead of us. I was amazed at the number of people I met on this trip who were studying English. What we need are millions of American students who understand Russian.

EXPANSION SUGGESTED

Both the exchange of persons and the cultural exchange programs should not only be continued but sharply expanded. The more Americans who visit and get to know first hand the people of the Soviet Union and the more Soviets who do the same in the United States, the better understanding we shall have.

I believe that visits by officials like the one Mr. Mikoyan and Mr. Kozlov made to the United States and which I have just concluded can provide the means of frank and full discussions of some of our problems and the development of solutions for them. Consequently, we should explore ways of increasing the contacts of this type.

Most important of all, we need a much greater exchange of information between our two countries so that misconceptions which they have about you and that you have about us may be removed.

I was rather surprised that Mr. Khrushchev should raise a question about the failure of the Western press to report adequately one of his recent statements. I would estimate that at leass 100 of Mr. Khrushchev's words are printed in our American press for every one word of President Eisenhower's speeches on foreign policy be printed in the Soviet Union.

Why not go further and set up regular radio and television broadcasts by Mr. Khrushchev to the American people in return for President Eisenhower having the same privilege to talk to the Soviet people?

END OF JAMMING URGED

Let us put a stop to the jamming of broadcasts so that the Soviet people may hear broadcasts from our country just as the American people can hear 40 hours of broadcast a day from the Soviet Union. And let us have a freer flow of newspapers and magazines so that the Soviet people can buy American newspapers and magazine here just as we Americans purchased over 1½ million Soviet publications in last year alone.

I recognize that freedom of information can be abused and that neither of us is free from blame in that respect. The press, radio, television, and other means of communication, such as film studios, have a heavy responsibility for maintaining the spirit of truth and for preventing misinformation. In the final analysis, the misrepresentation of facts for distortion of the truth defeats itself. Let me give you an example that occurred to me on this trip.

There was a report in Pravda to the effect that on the morning after I arrived in Moscow I tried to give money to a poor Soviet citizen, with the hope that American press photographers who were present might take pictures of the incident and send them around the world. There was not a shred of truth to this story.

Here is what actually happened. On an early morning visit to the Danilovsky market, I had talked to scores of people and received a most friendly welcome. As I was about to leave, several of the people asked me for tickets to the American exhibition. I told them I did not have any with me, but that I would be glad to buy some tickets for those present who wanted to attend the exhibition. One of the group explained that it was not a question of their not being able to obtain them. I told him I would be glad to check into the matter and see if I could get tickets for him.

These are the simple facts as far as this incident was concerned, and I can only add that irresponsible reporters should never forget that in the end the truth always catches up with a lie.

"COEXISTENCE" CRITICIZED

Through this greater exchange of information between our two peoples, we not only learn from each other and improve our way of life, but we reduce the suspicion, the mistrust, the fear, and misunderstanding and assure the understanding and friendship which will lead to the peace we all want. That is why, to me, the concept of coexistence is completely inadequate and negative.

Coexistence implies that the world must be divided into two hostile camps with a wall of hate and fear between. What we need today is not two worlds but one world where different people will choose the economic and political systems which they want, but where there is free communication among all the people living on this earth.

Let us expand the concept of open skies. What the world also needs are open cities, open minds, and open hearts.

Let us have peaceful competition not only in producing the best factories but in producing better lives for our people.

Let us cooperate in our exploration of outer space. As a worker told me in Novosibirsk, let us go to the moon together.

Let our aim be not victory over other people but the victory of all mankind over hunger, want, misery, and disease, wherever it exists in the world.

I realize that this era of peaceful competition and even cooperation seems like an impossible dream when we consider the present differences we have between us. But the leaders of our countries can help make this dream come true. So far as the leader of our country is concerned, I can assure you that President Eisenhower has no objective to which he is more dedicated.

EISENHOWER PRAISED

As far as Mr. Khrushchev is concerned, I am sure you know we disagree sharply on political and economic philosophy and on many world problems. But these characteristics to anyone who meets him—he is a self-made man who worked his way up from the bottom; he is an articulate spokesman for the economic system in which he believes; he has immense drive; in sum, he is one of those individuals, whether you agree with him or disagree with him, who is a born leader of men. Because he has these unique qualities and because the decisions he makes will affect not only the two hundred million people of the U.S.S.R. but the two billion people on this earth, he carries a tremendous responsibility on his shoulders.

I would not be presumptuous as to try to give him advice on how he should fill that responsibility. In every factory and on hundreds of billboards I saw this slogan, "Let us work for the victory of communism."

If Mr. Khrushchev means by this slogan working for a better life for the people within the Soviet Union, that is one thing. If on the other hand, he means the victory of communism over the United States and other countries, this is a horse of a different color. For we have our own ideas as to what system is best for us.

If he devoted his immense energies and talents to building a better life for the people of his own country, Mr. Khrushchev can go down in history as one of the greatest leaders the Soviet people have ever produced. But if he diverts the resources and talents of his people to the objective of promoting the communization of countries outside the Soviet Union, he will only assure that both he and his people will continue to live in an era of fear, suspicion and tension.

The Geneva conference is a case in point. It would not be proper for me to comment on the specific proposals that are pending before that conference at this time. But agreements between great powers cannot be reached unless they take into account the views and interests of all parties concerned. I was encouraged to note in my conversations with Mr. Khrushchev that he recognizes this fact and agrees that a successful outcome of this conference could be a great step forward in settling some of the problems I have discussed tonight.

REPLY MADE TO KHRUSHCHEV

I have one final thought to add. Mr. Khrushchev predicted that our grandchildren would live under communism.

He reiterated that to me in our talks last Sunday. Let me say that we do not object to his saying this will happen. We only object if he tries to bring this about.

And this is my answer to him.

I do not say that your grandchildren will live under capitalism.

We prefer our system. But the very essence of our belief is that we do not and will not try to impose our system on anybody else. We believe that you and all other peoples on this earth should have the right to choose the kind of economic or political system which best fits your particular problems without any foreign intervention.

As I leave your country, I shall never forget an incident that occurred as I was driving through your beautiful Ural Mountains. A group of children on the side of the road threw wild flowers into my car and cried in English the word "friendship, friendship." Mr. [Georgi A.] Zhukov told me that the first word children who study English are taught is the word friendship. There could be no more eloquent expression of the attitude, an attitude which we share in common with you.

Finally, may I express on behalf of my wife and myself, and all the members of our party, our deep appreciation for the warm friendship and boundless hospitality we have found everywhere we have gone in the Soviet Union. I pledge to you that in the years to come I shall devote my best efforts to the cause of peace with justice for all the peoples of the world.

"Bolshoi spashibo, dosvidanva." Thank you very much, goodby.

THE NEED FOR FARM LEGISLATION

Mr. SYMINGTON. Mr. President, on July 24 I again called the attention of the Senate to the fact that Secretary Benson had not fulfilled the promise he made to members of the Senate Agriculture and Forestry Committee last February—namely, that he would send the committee a draft of an omnibus farm bill giving his recommendations in legislative language for dealing with the overall farm problem.

On July 29 the able minority leader [Mr. DIRKSEN] discussed my statement. In doing so he presented several excerpts from the testimony of February 16 and gave the dates of several letters, citing the latter in an effort to show that the Secretary had complied with his promise.

The distinguished Senator from Illinois concluded his remarks by saying, "This is the story and I am confident it cannot be denied."

But based on a detailed analysis of the record, it can be denied.

I read some excerpts from the testimony of February 16:

Senator PROXMIRE. If the Senator would yield, it was my understanding this morning that the Secretary of Agriculture said he would be delighted to come in with a bill pertaining to wheat. But it was not my understanding that he said he would come in with an omnibus farm bill of the kind the Senator from Georgia has proposed. I think there is a very important distinction, and I think the Senator from Missouri is asking, and I certainly would support him in it, we get an omnibus bill covering the administration's objectives, as the Senator from Missouri has suggested.

Senator SYMINGTON. This is correct, Mr. Chairman. My able colleague from Wisconsin has stated it exactly the way I would like to see it done, so that we will know what it is the Secretary of Agriculture would like us to do to help with this farm problem.

Later in the hearing, Senator PROXMIRE stated:

It would certainly seem to me, Mr. Secretary, you would come in and propose changes all up and down the line anywhere you feel the law should be changed and improved.

Secretary BENSON. That is what I have done in the testimony and we will draft it.

Still later Senator PROXMIRE asked:

As I understand it, the committee has asked you and you have agreed to provide an omnibus farm bill in this session.

Secretary BENSON. We have agreed to do some drafting that would incorporate it in legal language.

It is true that the acting general counsel of the Department did send some draft language to the chairman of the House Appropriations subcommittee, with a copy to the chairman of the Senate Agriculture Committee.

This language was transmitted without going through the regular Bureau of the Budget procedure. What is more important, the language dealt with only three commodities, plus the extension of two programs. Not by any stretch of the imagination could such an action be confused with the promised omnibus bill.

The record therefore is clear:

Secretary Benson was asked to present an overall omnibus farm bill. The Secretary promised to supply such an overall bill. The bill has not yet been furnished.

The record speaks for itself. In any case what is needed now is some constructive action. To that end the administration should present the bill promised last February, so the Congress can consider it prior to the end of this session.

The President, himself, would seem to be in agreement with this position, because week before last he said he hoped the Congress would pass "a decent farm bill which I think is terribly important to the United States, even at this late date."

I hope, therefore, that the President will notify the Secretary of Agriculture to send immediately to the Congress a draft of what he considers to be "a decent farm bill."

THE VICE PRESIDENT'S ADDRESS IN MOSCOW

Mr. CASE of South Dakota. Mr. President, I join in the commendation that has been expressed already for the remarkable address delivered by the Vice President in Moscow. It seems to me every American can take pride in the address which was delivered by the Vice President, the President of this body, the Honorable RICHARD M. NIXON, over radio and television to the millions of people who saw and heard it on the other side of the Iron Curtain as well as in parts of the free world.

There have been times when some of us have thought there was a lack of imagination in the foreign policy of the United States and that circumstances would combine to make it difficult to present a constructive approach. Today I think we can take comfort, pride, and resolution in the fact that the Vice President's address was imaginative and yet factual. He gave credit to the Russians for wanting to act when self-interest served the cause of peace, and in that respect it marks a distinct forward step, for unless this country can give support to and recognize that there are movements and elements in Russia that desire peace, the outlook will be very dark.

It has been properly recognized that in the Soviet countries, too, there are some people and some elements who sincerely want better relationships with the rest of the world, and on a deep basis, and by giving encouragement to them and at the same time making a straightforward statement of America's purposes, the Vice President has well served the cause of peace. I think this address will be one of the landmarks in the postwar relationships of the peoples of the world.

I ask unanimous consent that following my remarks there may be printed in the RECORD an editorial which appeared in the Washington Post and Times Herald of today, entitled "Rising to the Occasion."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 3, 1959]

RISING TO THE OCCASION

Vice President NIXON's address in Moscow is a powerful answer to the pessimists who say that there can be no change in the hostility that has existed between the United States and the Soviet Union since the war in Korea. It is estimated that 11 million persons in the Moscow area saw the Vice President make his speech on television and many millions of others heard the broadcast by radio. This in itself is a revolution in American-Soviet relations.

The manner in which Mr. NIXON responded to this unique opportunity is almost hopeful. His talk exuded only friendship for the people of the Soviet Union. He skillfully emphasized the common interests of Americans and Russians in humor, sports, a high standard of living, and peace. He had complimentary words for Premier Khrushchev and drew a distinction between the Stalinist brand of communism and Moscow policy today. With a good deal of deftness, he played upon the desire of the Soviet masses for more consumer goods and their horror of war.

It is reasonable to suppose that much of what the Vice President said would have a sympathetic reception among the Soviet people. This made it possible for him also to present, without giving offense, a clear and pointed explanation of American policy in terms that most of his listeners had probably never heard before. Without trying to minimize the differences between Washington and Moscow, he said very plainly that when two peoples of great strength want peace the peace must necessarily be just, because neither will tolerate being pushed around.

It was excellent strategy for Mr. NIXON to use his television address to answer the questions that planted Soviet propagandists had thrown at him at many different points of his tour. Some of his replies could have been improved, particularly his explanation of why the United States maintains foreign bases. But on the whole his responses were simple, direct to the point and, we surmise, convincing to many fair-minded listeners. His refutation of the miserable story in the Soviet press to the effect that he had tried to give money to a poor Soviet citizen so that propaganda pictures could be circulated abroad was nothing short of devastating, and it should have a considerable impact on those Russians who deplore the propagandistic nature of their press.

The Vice President's direct remarks to Mr. Khrushchev were superb. If that dynamic leader bends his energy toward peaceful progress within his own country, Mr. NIXON said, he "can go down in history as one of the greatest leaders the Soviet people have ever produced." But if he diverts Soviet resources and talents to the communization of other countries, the only result can be continuation of fear, suspicion, and tension.

Rising dramatically above Mr. Khrushchev's threat that our grandchildren will live under communism, the Vice President refused to predict that a third generation of Russians will be living under capitalism. "We prefer our system," he said. "But the very essence of our belief is that we do not and will not try to impose our system on anybody else." The contrast between communism and democracy in terms of human

values could scarcely be couched in more pointed terms.

On the whole, we think the Vice President has acquitted himself remarkably well in this difficult venture. He has effectively presented the message that the American people are most eager for the Russians to hear. If words and reason and attempts at friendly understanding can advance the cause of peace, Mr. NIXON has made a notable contribution.

A 1959 VIEW OF EISENHOWER

Mr. BUSH. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "A 1959 View of Eisenhower," written by David Lawrence, and published in the Washington Star of July 30.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A 1959 VIEW OF EISENHOWER

(By David Lawrence)

This correspondent happened to be one of a dozen newspapermen invited to dine with President Eisenhower last Monday night at the White House. Whatever the President says, informally or otherwise, in answer to questions on current issues is usually news, and permission was granted to those present to report it without direct quotation as they deal from time to time with the same subjects. Both of the press associations, which had representatives there, will in due course give the details.

What impressed this writer most, however, entirely apart from the many subjects that were covered during a discussion lasting nearly 4 hours, was how President Eisenhower looks physically. He seems healthier, ruddier of face, and younger in spirit and mood than when he first came to the White House in January 1953.

When this correspondent was in London recently, he was astonished to find that the image of President Eisenhower built up there by news dispatches from this country was that of a sick man and a puppet. The impression prevalent in some quarters in Britain and in other parts of Europe is that Mr. Eisenhower is an invalid, that he really doesn't have a mind of his own, and that he merely reflects perfunctorily what different advisers inside and outside the Cabinet tell him. Some of this doubtless has originated from partisan sniping in America.

A face-to-face appraisal, on the other hand, gives exactly the opposite feeling. Advisers, of course, play a part in every President's decisions, but Mr. Eisenhower shows an intimate knowledge of the pros and cons of many subjects, as well as of the nuances that emerge in the complicated problems of Government.

He ranks high indeed in Presidential stature, as this writer thinks back about the eight Presidents whose official careers he has studied firsthand in the last few decades of our history. Mr. Eisenhower is not as spectacular or as eloquent or as dramatic or as bellicose as have been some of the other Chief Executives, but he is nevertheless an effective one. Today he has an unprecedented hold on public opinion in America and abroad.

Incidentally, Mr. Eisenhower questions the accuracy of the phrase "lame duck President," as it is often used in the press with respect to his own status during a second term. The words "lame duck," he rightly points out, apply to someone who is finishing out his term after he has run for reelection and been defeated. There are many who believe that if Ike were eligible to run again and decided to do so, he would be elected by an overwhelming majority. So he really ought not to be called a "lame duck President."

Whether it is a complicated appropriations bill, or an analysis of the Cuban situation, or the contradictory and paradoxical aspects of the Khrushchev personality or of Communist aims, or the delicate subject of what American political currents may be in 1960, Mr. Eisenhower shows an extraordinarily intimate knowledge of what is going on and ts relationship to the Presidency.

Just before he finishes his term, he expects to reveal a study he has made of our antiquated system of operation in the executive branch of the Government. This probably will be issued after the election next year, when there is no possibility of political motivation being attributed to the plan.

As for the guiding influence in Mr. Eisenhower's decisions, it can be expressed in the phrase "common sense." He has a remarkable insight into the mind of the American people. He understands the spirit of free America, and he constantly tries to apply it in his decisions. He holds tenaciously to a "middle of the road" approach—avoiding the advice of extremists, irrespective of party. He is convinced that America can make progress only by steering a safe and sane course, and that the domestic dangers that face us lie in the realm of overspending of public funds and economic maladjustment.

Despite the harassments of the Presidential Office today, Mr. Eisenhower seems a happy and genial man. When he was told the other day that there would be a third major league in baseball, he began discussing the poor record of the Washington team, known as the "Senators." He thought perhaps they should have some other name, and jokingly suggested maybe they ought to be called the "Executives."

The President is optimistic about things in general. He thinks that social progress is being steadily made on the American scene. He knows the international situation is full of potential risks and peril, but he has faith in the unity of the Western Allies. Difficulties among them are not, of course, minimized by him.

Upon leaving the White House last Monday night, this correspondent thought of a visit 7 years ago with General Eisenhower, then Supreme Allied Commander in Europe. Chatting with him at his headquarters in Paris in 1952, this writer found him to be a military man with a surprising grasp of nonmilitary problems. Today, oddly enough, one forgets that Dwight Eisenhower has ever been in uniform. The "image" presented instead is that of an American statesman whose whole objective is, as he often expresses it, to do the best he can for the American people.

VETERANS EDUCATION BILL

Mr. YOUNG of Ohio. Mr. President, the Washington Post and Times Herald of yesterday, in its lead editorial, gave its endorsement to the GI education bill which was recently passed by the Senate and is now pending in the House. I refer to Senate bill 1138, introduced by the junior Senator from Texas [Mr. YARBOROUGH]. I wish to embody in my remarks the entire editorial which was published by one of the Nation's great newspapers, and I ask unanimous consent that the editorial in its entirety be printed in the body of the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 2, 1959]

EDUCATION FOR VETERANS

Should men who have served in the Armed Forces since the Korean war be granted educational benefits similar to those available to wartime veterans? The Senate decided this question in the affirmative recently, and the House is expected to do likewise, despite some dissatisfaction with the bill. The country's experience under the so-called GI bill of rights was so good and the need for education among the veterans of today is so great that we hope the objections to the bill can be overcome.

The chief argument of the opponents of the bill is that military service in peacetime should not be put on a par with actual wartime service. At one time the Senate seemed to accept this argument by adopting Senator COOPER'S amendment which would have converted the original Yarborough bill into a loan program. But it finally voted for Senator LONG'S substitute making grants available to all eligible veterans for 1 year, with second-year grants for those in the upper half of their class and loans for those in the lower half.

If this is not a sufficient distinction from the benefits granted in the GI law, the bill could be amended in the House to allow only 1 day of schooling for each day spent in the military service, in place of the present provision allowing 1½ days. We think the distinction between wartime and peacetime service should be maintained, but not to the extent of depriving the current crop of veterans of educational benefits.

The burden of military service, under present conditions, falls almost entirely on young men who have no opportunity to go to college. Indeed, 45 percent of the post-Korean veterans have not finished high school. Young men who attend college are seldom drafted because it would interrupt their education, and when they finish college they are beyond the age of preference for trainees. This fact alone seems to justify the extension of a helping educational hand to those who are called for military service and are eager to improve their education when and if an opportunity arises.

It can reasonably be argued, of course, that educational benefits should be available to all young men and women who measure up to certain standards and who cannot afford a college education on their own. But the outlook for the early adoption of such a policy is not bright. By accepting the Yarborough bill, with amendments, Congress can extend substantial educational aid to a group that has rendered and is rendering special service to the country. The whole Nation gains when the knowledge and skills of a substantial number of its young men are enhanced. Consequently, this bill seems to be indubitably in the public interest.

Mr. YOUNG of Ohio. Mr. President, since last January 3, I have become well acquainted with our distinguished colleague from Texas [Mr. YARBOROUGH] and regard him as a great U.S. Senator and a great leader. He is the author of this bill to provide opportunities for young men who have been serving in the cold war waged by the Soviet Union. His was a meritorious and needed legislative proposal. That it was passed in the Senate following extensive debate is a just tribute to the high respect and confidence Senators have in the distinguished author, the junior Senator from

Texas [Mr. YARBOROUGH], and the junior Senator from Ohio freely accords deference and devotion to him.

It is a historic fact that during the Civil War when conscription was enforced, families of young men subject to be drafted into the Union Army, were able to buy exemption upon payment of a $500 bounty. Of course, thousands of fathers by paying the bounty kept their sons from combat. No such favoritism has been shown in the present Selective Service Act, but it is true that young men otherwise subject to the draft under our selective service law are exempted to complete their university education. This is proper.

At this time it is of the utmost importance that young men in our country pursue a higher education. Nevertheless, it is factually correct that following the time these youngsters have completed their education, they are in most cases exempted from the draft because of age or some other good reason. Consequently, young men from poorer families, whose parents cannot afford to send them to colleges and universities, comprise the major part of our drafted Army. It is due to the leadership, research, and persistence of the distinguished Senator from Texas [Mr. YARBOROUGH] that with the enactment of his bill these young men will soon be in position to further serve their country after they have obtained a higher education in accord with the provisions of his GI education bill.

Mr. President, the bill of our colleague, the Senator from Texas, offers substantial educational opportunities to young men who have rendered special and important service to this Nation in this grim period of international anarchy. Nearly half of the young men drafted in our armed services have not completed their high school studies. Surely a great many of these boys after serving in the Army and then returning to civilian life somewhat older and much wiser than when they were drafted will complete their high school education and may take specialized training following that. By doing so, the entire Nation will benefit.

Mr. YARBOROUGH. Mr. President, will the Senator from Ohio yield to me?

Mr. YOUNG of Ohio. Mr. President, I yield to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, I want to express my deep appreciation to the junior Senator from Ohio for the very generous remarks about me personally which he has just made.

It would be very unfair of me if I were to accept sole credit for the bill for the education of the cold war veterans. While I am grateful to the distinguished Senator from Ohio for his generous comments, I wish to point out that 26 Senators joined as cosponsors of the bill. The distinguished junior Senator from Ohio, who has just spoken, was an active supporter and an able advocate of the bill to educate the cold war veterans. Another Senator now standing on his feet, the distinguished junior Senator from Alabama [Mr. SPARKMAN], testified before the committee, spoke in the Senate Chamber, and worked actively for passage of the bill for the cold war veterans, as did many other Members of this body.

Mr. President, the editorial which had been inserted in the RECORD by the distinguished junior Senator from Ohio, published in the Washington Post and Times Herald for Sunday, August 2, entitled "Education for Veterans," in support of the bill, is the first editorial I have seen published in a major American newspaper supporting the measure. There may have been others, but they have not come to my attention.

I wish to pay tribute to the Washington Post and Times Herald for its leadership in speaking out, through its editorial column, for a measure so badly needed for education in America.

As was pointed out by the distinguished junior Senator from Ohio, the draft law is bearing unequally upon the American youth. Today, only 45 percent of our young men serve in the Armed Forces. If a young man has enough money to go to college, he will not be drafted so long as he remains in college. If a young man has two children, he will not be drafted. A young man will not be drafted when he passes the cutoff age of 26 years. As a result, only 45 percent of our young men serve at all, either as draftees, or as enlistees.

The editorial published in the Washington Post and Times Herald recognizes that fact.

However, Mr. President, although I find myself in close agreement with most of the points of this editorial, there is one matter which I wish to clarify. The editorial suggests that it might help to finally pass this bill in the House if a greater distinction were made between the benefits for cold war veterans as compared to those extended veterans of World War II and the Korean conflict.

Mr. President, I want to emphasize that this bill already limits to a substantial degree the assistance to be extended veterans of the cold war. When we considered this bill in committee hearings, we purposely crossed that bridge. We have not proposed, nor has the Senate passed, a new GI bill which provides as great assistance opportunities as did the original GI bills because we recognize there is difference between the service of those who fight a cold war and a war of steel and death.

I wish to point out, as is shown in the table on page 17 of the report of the Senate committee in regard to the bill, which is S. 1138, that $110 per student paid in 1952 would buy now, because of the difference in the dollar value, only the equivalent of $78 then.

Mr. President, I ask unanimous consent that I may be granted 3 minutes additional time in my own right, instead of speaking further on the time of the Senator from Ohio.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. BUTLER. Mr. President——

Mr. YARBOROUGH. Mr. President, $110 today will buy only what $78 would buy in 1952, if we consider the purchasing power of the dollar. This will give a disadvantageous position to the cold war veterans of today, in comparison with the position of the veterans of the Korean conflict, even if we allow them dollar for dollar what we allowed to the veterans of the Korean conflict.

The editorial from the Washington Post and Times Herald is forward looking. On the Sunday preceding, July 26, 1959, there was published an article by Dr. Teller, who is credited with being the inventor of the H-bomb, in the Washington Post and Times Herald, the Washington Sunday Star, and many other great newspapers across the land, which carried a warning from Dr. Teller that unless we stepped up our educational endeavor, by 1969 the Russian science would have surpassed ours.

Admiral Rickover has given us the same warning from Russia, where he has looked at and observed the Russian schools. He says that even his alma mater, the Naval Academy at Annapolis, is not up to the scientific standards of the Russian schools. He has looked at the Russian nuclear-powered icebreaker and has warned us we are falling behind in science.

Mr. President, I ask unanimous consent to have printed in the RECORD, a letter from Downtown Waco Unlimited, of Waco, Tex., dated July 31, 1959, which states that on the 13th day of August Downtown Waco Unlimited will launch a "Golden Rule Days" program which is of vital interest.

The safety of America, our leadership of the free world, the happiness and well-being of our people, all are dependent upon a fuller educational effort. It is one of the main objectives for which a democracy exists. Until we make it possible for boys and girls with capabilities of usefully applying a college education, to attend college, we are failing in one of the great ideals of a free people.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WACO DOWNTOWN UNLIMITED,
July 31, 1959.

Senator RALPH YARBOROUGH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR YARBOROUGH: Downtown Waco Unlimited is a group of businessmen and property owners working together with a common purpose of rehabilitating our downtown area.

On August 13, D.W.U. will launch a program which we feel is of vital interest to you and to every policymaker in the United States.

The program, "Golden Rule Days," has the primary goal of focusing public attention on the vital need for improved educational standards.

Displays of missiles to be set up in the downtown area include, the Nike-Ajax, the Honest John rocket, the Atlas, and possibly the Sidewinder. Oak Ridge Nuclear Institute is shipping a summary of atomic power which will include a scale model of the *Savannah*. Baylor will furnish a nuclear

counting device, and natural history exhibits. The Waco Art Forum will demonstrate creative art techniques.

We want central Texans to realize that a child starting school this fall will be able to travel in outer space by the time he graduates from college. Although our displays are military missiles, they are the advanced application of new learning. These exhibits alert the people that the use of rocket and atomic power for peaceful purposes is almost upon us.

An added incentive for people to see these exhibits, is the prize of a $500 scholarship. Registration for the drawing of this prize is open to anyone, but the recipient must be under 21 years of age. The scholarship can be used in any college.

We are confident that Downtown Waco Unlimited is the first organization of this type to undertake such a bold venture. We would be very grateful if you could be in Waco on August 13, to help us launch our 3 day public symposium.

If it should not be possible for you to be present, we hope that you will mention our program in your newsletter, and other communications, so that other organizations will enlarge upon our efforts to awaken the people to the urgency of our educational lag.

Sincerely yours,

MICKEY LAVY,
President.

Mr. YARBOROUGH. Mr. President, I believe this is the first time in America that such an effort to publicize our need for educational advancement has been launched by an entire town. As the letter states:

The program, "Golden Rule Days," has the primary goal of focusing public attention on the vital need for improved educational standards.

Among other things, there is a prize of a $500 scholarship to be awarded. Registration for the drawing of the prize is open to anyone, but the recipient must be under 21 years of age.

The letter says:

We are confident that Downtown Waco Unlimited is the first organization of this type to undertake such a bold venture.

It is a bold venture for a greater educational effort in America.

Mr. President, I again wish to express my appreciation to the distinguished junior Senator from Ohio for his dynamic leadership and his contribution on this subject of improving the educational opportunities of our American youth and to express the hope that other newspapers of America will follow the lead of the Washington Post and Times Herald in support of this effort to afford a greater measure of educational opportunity, to the youth of America, by stepping up our educational effort.

Mr. GRUENING. Mr. President, I desire to associate myself with the remarks of the distinguished Senator from Ohio [Mr. YOUNG] and the distinguished junior Senator from Texas [Mr. YARBOROUGH] on the subject of the Veterans' Readjustment Assistance Act of 1959, Senate bill 1138, to provide education for veterans who have been called to serve after the Korean war.

I believe this is one of the most important measures passed by this body, and I am very happy that I am a cosponsor.

This legislation is important on a number of counts. It is important because it shows our appreciation of the fact that these young men are drafted more or less arbitrarily—not even under a universal form of draft—and that they are subject, therefore, in a sense, to a kind of discrimination, which their fellow citizens do not have to undergo.

Likewise, the bill is an important contribution to education, concerning the extension and amplification of which we are becoming increasingly appreciative, not only because in a free society like ours education and democracy are one and inseparable, but in view of our knowledge of the great progress being made by Russia in the field of education.

In the course of the debate several opponents of the bill made the argument that legislation on the subject was not necessary, because we were not in a state of war. I feel that the argument is not valid that because we are not actually in war, and that these young men are not being drafted for war service, entitled them to less consideration than has been given to veterans of previous wars and veterans of the war in Korea.

I think there is all the more reason for this legislation, because in time of war we naturally and properly expect every eligible young man to be called to the colors, and sooner or later everyone able to serve is called. But in this case the mere fact that we are not in war imposes on these men a peacetime duty from which many of their fellow citizens are exempted. I think it is of importance that they be given the educational opportunities of which their service in the Armed Forces may deprive them. I am very happy that the bill has been acted upon favorably. I commend the junior Senator from Ohio [Mr. YOUNG] for his very pertinent remarks, and the distinguished junior Senator from Texas [Mr. YARBOROUGH] for his sponsorship and leadership in bringing about passage of the bill.

CHALLENGE TO FREEDOM

Mr. BUTLER. Mr. President, the Honorable Herbert Hoover, Jr., who for 4 troubled years served as Under Secretary of State, played a vital role in assisting the late Secretary Dulles in meeting the threat to freedom posed by the Soviets.

He made a significant commencement address at Claremont Mens' College on June 13. It was entitled "Challenge to Freedom." From his wide experience as an engineer, a businessman, and statesman, he has surveyed the problems which confront the free world at this critical period in our history.

Mr. Hoover stated that—

Our Republic has been in continuous existence now for over 180 years—almost two centuries. That is longer, incidentally, than any other republic has ever lasted before in the entire history of the world. During that time we have withstood the impact of seven wars, each of which was a major undertaking in its day. Yet we have never fought to conquer anybody else's territory—nor have we ever lost. All we have asked is independence and the freedom to determine our own destiny.

This concept of freedom has made our economic system, which you are entering today, one of the most productive of all time. It is true that we have been blessed on this continent with an extraordinary combination of natural resources. So much so, in fact, that I am afraid we often take them too much for granted.

Mr. President, I, too, feel that many of us take freedom too much for granted. I share Mr. Hoover's fear for the future. He said:

But as time has gone on, we find more and more proposals to curtail these freedoms and incentives, in one manner or another. Some of them are necessary in order that we may continue to live and prosper in an equitable society. Others, however, merely have the effect of chipping away at the foundations and succeed only in reducing our incentives and lulling our senses of moral responsibility. Occasionally, either through ignorance or design, still others would attempt to make over our present system and substitute something new or untried for the very freedoms and incentives that have made us great.

High on this list of dangers, and perhaps one of the most insidious of all, are those proposals that would substantially alter our freedoms and incentives by indirect effect. Among the worst is fiscal irresponsibility at the governmental level; for by spending beyond our taxable income, inflation becomes inescapable. A chain reaction is initiated which ultimately affects the freedom of every member of society.

Freedom is often thought of primarily as a social and political force—freedom of worship, freedom of speech, or freedom to elect a truly representative government. But freedom is just as important and fully as indispensable in the economic side of our existence as it is anywhere else in the system. Its curtailment, too, can be equally as disastrous for it is one of the basic ingredients of our productivity. Without this productivity, many of our other freedoms would be meaningless.

Mr. President, Mr. Hoover's address is most significant. During my service in the Senate, I have had an opportunity to watch Communist methods at first hand as a member of the Internal Security Subcommittee of the Senate Judiciary Committee. Presently, as a member of the Joint Economic Committee, I have examined testimony which reinforces Mr. Hoover's views that economic freedom is inextricably united with our social and political freedoms in maintaining a truly representative government with a free enterprise economy.

So that all of my colleagues may have the benefit of reading Mr. Hoover's thoughtful address, I ask unanimous consent that it may be printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

CHALLENGE TO FREEDOM

(Commencement address, Claremont Men's College, June 13, 1959, by Herbert Hoover, Jr.)

At commencement exercises there seems to be an almost overwhelming temptation for the speaker of the day to try to terrify the graduating class with ominous forebodings of the world to come. Just why this should be, I wouldn't know, for it seems to me to be a thoroughly sadistic sort of an approach. On the contrary, this should be a day of rejoicing at having received one's sheepskin, a moment of anticipation, and a challenge of new and wonderful worlds to conquer.

According to the accepted formula, however, society, the Nation, or even the whole world—depending upon the orator's partic-

ular area of interest—are rapidly going to the dogs. The only hope for the future, apparently, lies with this special group of graduates, and on their shoulders rests the total responsibility for straightening out the mess and solving all of the world's problems.

Having heard this theme with numerous variations on many occasions, it is not my idea of a particularly auspicious way of celebrating a day of graduation—particularly while trying to sit still on a hard-bottomed chair.

True, there are a lot of troubles around, but I have a strong suspicion that the coming generation has a great deal of common sense. It will undoubtedly take these problems in its stride. It will solve many of them, it will invent some new ones, and at yearly intervals on commencement days its spokesmen will dutifully pass along the current inventory to future graduation classes.

I also have a suspicion that as each commencement day rolls around the graduating class will continue to listen with due respect, wonder why the older generation did not clean up its own troubles when the solutions were so obvious, and resolve thereafter to put softer cushions on the graduating chairs.

Seriously, though, as you leave college today it is naturally an occasion of challenge and of expectation. There is the challenge of a new job, new surroundings, new people and new responsibilities. Tomorrow you are anxious to get started and to stand on your own feet. A new life is ahead and you have the freedom to do your very best.

Your work in college, however, has been a good deal more than merely getting ready to find a job. If that were the only criterion you probably would have saved a good deal of time by skipping the last 4 years altogether. But to do a job properly today, and to assume the responsibilities that go with it, takes a sound understanding of the economic, social, and political forces that are at work around you. It is for this reason, perhaps as much as any other, that your college experience will help to lay the foundation for the years ahead. It is here also that each of you can make a real contribution to your community and to your country.

There are hundreds of millions of people in the world today who do not have the freedom to choose a job, or the freedom to make the best out of their lives. We have lived under a free system ourselves for so many generations that it is sometimes difficult to realize that a third of the world's population is held in the vise of Communist dictatorship, and that this dictatorship is utterly ruthless in directing their destinies. The leaders of this movement, moreover, have repeatedly challenged the whole concept of freedom in the rest of the world and they are doing their utmost to seek its destruction.

The basic forces of freedom are not going to suddenly change their direction. They are too fundamental and they have been at work too long to be easily deflected. Many of these forces have their roots as far back as there is any record of history. I would like to explore some of them for a moment, if you will let me, because this challenge to freedom undoubtedly will have a vital bearing on our lives for many years to come.

As I have said on several occasions, one of the most powerful forces of all time has been the desire of men to be free.

In the span of 40 years, since the end of World War I, the world has witnessed the decline of at least six major imperial empires. Out of these empires there emerged more than 30 new sovereign nations. In many instances, they were poorly prepared for self-rule, self-defense, or even for their own self-support. But the wave of nationalism which seems to follow in the wake of all great wars was such that the urge for independence was irresistible. The motivating force was that people were determined to be free—free politically, and free economically.

While the United States had strong ties with many of the mother countries of these old empires, we were necessarily sympathetic toward any people who genuinely wanted to be free and independent. Our own struggle for these principles was still fresh in history.

In fact, it was the rise of the United States, under the free system that we had developed, that sparked the desire for freedom in so many other people elsewhere in the world. And, incidentally, to that extent we may have contributed to the original Russian Revolution, for it was President Wilson who put into concrete terms the hopes of these people in his fight for freedom and self-determination during and after World War I.

It is one of the anachronisms of history that during the same period when the forces of freedom were causing the decline of the older empires, a new empire should be rising that would rule almost a third of the people of the earth with a degree of despotism that had not been seen for centuries. The rise of the Communist empire, on the ashes of the First Russian Republic was the very antithesis of the movement toward freedom and independence. Through a combination of outright military conquest, political penetration, conspiracy, and subversion, many of the countries which had won their liberty after the First World War were reduced again to despotism by the time the Second World War began. Still other nations lost their independence during the war, or after it was over. Their people were exploited to the point of real slavery, their resources were stolen, and they had no voice whatever in the determination of their own future—all in the name of communism.

It is worthwhile examining this force briefly, for much of what is going on today can only be explained in terms of its early beginnings.

Over a hundred years ago, Marx outlined a new political, economic, and social system. It was originally an expression of revolt against European capitalism as practiced in the middle 1800's.

Significantly, his work is still the standard treatise on communist ideology. The ideology itself has remained essentially static and has gone through relatively little change since its inception more than a century ago. It is doubtful, however, if the author of "Das Kapital" would recognize capitalism today for, with its fundamental concepts of individual freedom and incentive, it has been a dynamic force for progress. The competitive free enterprise system, as it has evolved in the United States, has come far closer to the dream of Marx for a system of universal plenty than the collectivist scheme which he originally spawned.

Marx, however, envisaged dictatorship as only a temporary phase in the progress toward communist ideals. While Communism has many of the trappings of representative government, in practice it has failed except under a system of absolute dictatorship. Russia is still in the dictatorship stage, 40 years after the revolution.

The suppression of religion, the elimination of individual freedom, and the substitution of military might for moral force were, according to Lenin, a necessary part of maintaining and advancing the Communist system. Lenin said:

"Religion is the opiate of the people."

And again:

"In our opinion, morality is entirely subordinate to class war * * * Our morality, then, consists solely in close discipline * * * We do not believe in the external principles of morality * * * Communist morality is identical with the fight for strengthening the dictatorship of the proletariat."

On another occasion, he said:

"We have to use any ruse, dodges, tricks, cunning, unlawful method, concealment and veiling of the truth."

No Russian leader has ever repudiated Lenin's teachings or policies. On the contrary, his works are still extolled as the foundation of all Communist wisdom. It is the bible upon which all Communists are raised—a short cut to material accomplishment by the elimination of all moral values.

No representative government, resting upon the consent of the governed, could last for long, and still enforce the kind of controls that are necessary for the survival of communism—at least in the form that we have known it up to now. It has to be ruled with an iron hand or it will fall apart.

Communist leaders have said on numerous occasions that their ultimate goal is world domination. It is beside the point whether this is for political consumption at home or from mortal fear of their inability to compete with free systems elsewhere in the world. The fact remains that they have made—and are now making—every conceivable effort to reach their objective.

There is, in the Communist orbit today, the largest military establishment in the world—almost as large as that of all other nations combined. In comparison with its economic size, the Soviet budget for military purposes is many times as large as that of the United States.

Russian heavy industry has been expanded, over the last 30 years, from practically nothing until today it is about one-third the size of that of the United States and leads all other nations except our own. That this has been accomplished with a frightening cost in forced labor, low living standards, and exploitation of the satellite countries is apparently of little consequence in the Communist system. Everything must be sacrificed for the ultimate goal.

In agriculture, about seven times as many people are engaged in producing food, in proportion to the total population, as in the United States. Yet there is less food per capita in Russia today than at any time since the revolution 40 years ago.

In providing a larger supply of consumer goods, the Soviets face a similar situation. State planning and control of heavy industry are relatively simple compared to the multiplicity of problems that arise in the consumer field. The shortage of labor in industry, due to the inordinately large number of people required for agriculture and the armed services, means that light industry can only be expanded at the sacrifice of heavy industry or the army.

What has been the reaction of the free world to this threat from communism?

More than 40 free nations have joined with us in mutual defense agreements. These countries have looked to us for leadership and support because in many instances even modest defense forces were beyond their own capabilities.

Our own defensive ability has been improved to a point never before equaled in peacetime. Yet through our resourcefulness and by developing modern weapons to replace sheer manpower we have been able to do so without impairing the fundamental freedoms of our system. The fact that during this period we have maintained one of the highest levels of individual prosperity in our history is a tribute to the soundness of our system. The cost has been high—in terms both of the expenditure of wealth, as well as the effort and material that have been diverted to economically nonproductive purposes. But the costs of deterring aggression and of keeping peace have been infinitely less than the costs of waging war.

One of the most effective leaders of modern times for real peace, and one who had a true understanding of freedom, was John Foster Dulles. It was my privilege to work

with him closely over a period of almost 4 years. He possessed a tireless and devout dedication to the fundamentals of liberty and justice, an extraordinary knowledge of world affairs, and brilliant skill and resourcefulness in handling international relations.

During the 6 years that he was Secretary of State our country was faced with some of the most difficult problems in the history of its foreign relations. That we came through this period safely was in great measure a tribute to his leadership. He was a devoted American citizen, and his loss is a deep tragedy for our country.

The free system under which we have lived in the United States has proven to be both tough, when need be, and effective. Our Republic has been in continuous existence now for over 180 years, almost 2 centuries. That is longer, incidentally, than any other republic has ever lasted before in the entire history of the world. During that time we have withstood the impact of seven wars, each of which was a major undertaking in its day. Yet we have never fought to conquer anybody else's territory, nor have we ever lost. All we have asked is independence and the freedom to determine our own destiny.

This concept of freedom has made our economic system, which you are entering today, one of the most productive of all time. It is true that we have been blessed on this continent with an extraordinary combination of natural resources. So much so, in fact, that I am afraid we often take them too much for granted. But be that as it may, these resources are things which, without the application of human effort, have little value in themselves. They do, however, create the opportunity to build a productive civilization, and that is what we have accomplished.

When the Republic began, the Thirteen Original States had an economy of the most elementary kind. Today we would call them underdeveloped—and spell it with a capital "U"—but in those days no one was offering us foreign aid, and we had to do the job ourselves. Yet the country has grown until it's economy is now the largest, most complex and most highly integrated the world has ever known. It has achieved a material standard of living for our people that is second to none.

The effectiveness of the system has been proved on many occasions by its adapability during the remarkable period of its growth. The evolution of the antitrust laws, to cite merely one example, has become one of the cornerstones of our modern, competitive, free enterprise system. Through it we have preserved the right for everyone to compete in the marketplace according to his own ability.

We have had a host of other freedoms and incentives in the economic sphere with which you are familiar—the right to determine our own occupations, to own property, and to invest our savings where we choose. The latter freedom, in particular, has created the broad base of industrial and agricultural ownership that is such a vital part of our life today.

There are probably many reasons why we have been able to do this job successfully, but to my way of thinking three of them stand out above all the rest:

First, there has been the freedom to get the job done;

Second, there has been the incentive to accomplish it; and

Third, there has been a tradition of ethical and moral responsibility to see that it was done right.

These were among the basic foundations upon which our Republic was erected and they have been an integral part of our economic, social, and governmental system ever since.

But as time has gone on we find more and more proposals to curtail these freedoms and incentives, in one manner or another. Some of them are necessary in order that we may continue to live and prosper in an equitable society. Others, however, merely have the effect of chipping away at the foundations and succeed only in reducing our incentives and lulling our senses of moral responsibility. Occasionally, either through ignorance or design, still others would attempt to make over our present system and substitute something new or untried for the very freedoms and incentives that have made us great.

High on this list of dangers, and perhaps one of the most insidious of all, are those proposals that would substantially alter our freedoms and incentives by indirect effect. Among the worst is fiscal irresponsibility at the governmental level; for by spending beyond our taxable income, inflation becomes inescapable. A chain reaction is initiated which ultimately affects the freedom of every member of society.

Freedom is often thought of primarily as a social and political force—freedom of worship, freedom of speech, or freedom to elect a truly representative government. But freedom is just as important and fully as indispensable in the economic side of our existence as it is anywhere else in the system. Its curtailment, too, can be equally as disastrous for it is one of the basic ingredients of our productivity. Without this productivity many of our other freedoms would be meaningless.

There are no easy answers to many of the problems that lie ahead. A lot of them probably will be with us for a long time to come. But I have no intention of ending this dissertation on a pessimistic note. I think we can and we will retain our basic freedoms and incentives if we make it our business to do so. The stakes are high, and they are well worth fighting for. As I mentioned a few moments ago, one reason that I am hopeful is that I think your generation has a great deal of common sense. I believe you will keep your wits about you and take these problems in your stride.

With our rapidly expanding knowledge of engineering and science, with improved public health and medicine, and with a host of other developments that are on the horizon, there is no reason why our productivity should not continue to increase many times over. There are more opportunities for real accomplishment and success awaiting your generation than ever before in our history. There will be many things to be done and they will be exciting, constructive, and rewarding.

If the challenge to freedom can be met successfully, as I believe it will, there will be a future ahead of us with untold possibilities.

RISING TO THE OCCASION

Mr. WILEY. Mr. President, I was pleased to read the editorial in this morning's issue of the Washington Post entitled "Rising to the Occasion," reviewing the significance of Vice President NIXON's address over the radio and television facilities of the Soviet Union.

As a thoughtful analysis of the speech, as well as a well-deserved tribute to the Vice President, I request unanimous consent to have the editorial printed at this point in the RECORD.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The Chair advises the Senator from Wisconsin that the editorial has already been ordered printed in the RECORD on request of the Senator from South Dakota [Mr. CASE].

Mr. WILEY. Then I withdraw the request.

ATOMIC ENERGY COMMISSION APPROPRIATIONS, 1960

Mr. JOHNSON of Texas. Mr. President, after conferring with the minority leader I ask unanimous consent that at the conclusion of the morning hour it be in order to consider Calendar No. 595, House bill 8283, the Atomic Energy Commission Appropriation Act. If such consent is given, I give notice that later I shall ask for a unanimous-consent agreement with regard to time, so that the bill may be sent to conference.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that time on amendments be limited to 20 minutes, and on the bill, to 1 hour, the time to be equally divided.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, as subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective during the consideration of the bill H.R. 8283, making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1960, and for other purposes, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 20 minutes, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That, in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

EISENHOWER-KHRUSHCHEV EXCHANGE OF VISITS

Mr. WILEY. Mr. President, on Saturday I prepared a press release entitled "Should We Invite Khrushchev to This Country?" That press release was general in character. What I did was to analyze the pros and cons. Then I said:

> The final decision to invite—or not invite—Mr. Khrushchev to this country, of course, rests with President Eisenhower, as chief administrator of our foreign policy and leader of the American people.

That question has been resolved, because the President has agreed to go to Russia, and he has agreed that Khrushchev is to be invited to visit the United States sometime in September.

Mr. President, I believe the Eisenhower-Khrushchev agreement for exchange visits, announced this morning by the White House, marks an unprece-

dented step in world politics that promises advancement toward lessening East-West tensions.

The President is to be congratulated for his diplomatic courage in taking this step to carry out his promise to go anywhere in the world if it would contribute to peace.

Never before in history have the leaders of two such powerful—but opposing—ideologies, agreed upon exchange visits to attempt to find a solution to their differences.

If the trip of the Vice President can serve as a measuring stick—then the Khrushchev-Eisenhower exchange may well provide the opportunity for a beneficial exchange of ideas.

We recognize, of course, that there are clear-cut differences between the East and West. We cannot expect that an interchange of visits by the leaders will automatically dissolve all these problems. Nevertheless, it may well lay the groundwork for progress in this direction.

Perhaps the most significant feature of such an exchange will be the opportunity for President Eisenhower to contact directly the Russian people.

The Nixon-to-Moscow trip, undoubtedly, has been the most effective effort to penetrate the Iron Curtain in recent years. I would hope that an interchange of visits between Mr. Khrushchev and President Eisenhower would have the result of further tearing down this obstacle to East-West understanding.

Now, the American people—and our allies—are faced with a challenge: What should be the attitude of our people—of the man on the street—toward a visit of Khrushchev, the top world Communist, to this country?

We can expect, of course, that there will be outcrys against the idea.

The fact is amply clear, of course, that a visit by Mr. Khrushchev does not imply any degree of approval of, or acquiescence to, the kind of Communist tactics that have threatened world peace.

However, the interchange does represent an effort by President Eisenhower and Premier Khrushchev to test the strength of their ideas and ideologies before the people.

In such a comparative evaluation, I am confident that freedom will be the winner.

Mr. President, I ask uninamous consent that the press release which I prepared on Saturday, and which was issued this morning, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

SHOULD WE INVITE KHRUSHCHEV TO THIS COUNTRY?

The people and the press in recent days have been exploring the possibility, and the related advantages and disadvantages, of a visit by Khrushchev to the United States in the near future. President Eisenhower has stated that he is in favor of such a visit—but at the right time. The papers, reporting from Russia, seem to indicate that Vice President NIXON may be in favor of such a visit soon.

The final decision to invite, or not invite, Mr. Khrushchev to this country, of course, rests with President Eisenhower as chief administrator of our foreign policy and leader of the American people. The decision, too, would be based upon whether or not such a visit would serve to ease East-West tension and promote peace.

The best time to determine the advisability of such visit may be after Vice President NIXON returns to this country and his Russian experiences are evaluated. The impressions Vice President NIXON is getting during his visit to Russia should certainly be a very important consideration in deciding about Khrushchev's visit.

Considering the difficulties of negotiating with Russian delegates, and the easiness and speed of travel these days, there is a feeling that it would be advantageous to carry on diplomatic negotiations at the highest level possible. There are those who believe that, although lower level diplomats may not reach agreement, more concrete results could be accomplished if only the heads of state could meet, free of all diplomic details and pomp.

Advocates of the Khrushchev visit also see in Khrushchev's coming here a major effort to correct Soviet misapprehensions about the United States. Only if the head of the Soviet state comes and sees the political, economic, social, and spiritual prosperity and freedom of this country—it is argued—is there hope that the Soviet propaganda machine will be encouraged to cease its campaign of distortions about our society. It is further argued that Khrushchev's full realization of the wealth, health, and the full support that the people of this country give to their Government may stem any desire on his part for a reckless international adventure.

Against Khrushchev's visit are the following considerations:

1. A visit in the near future, before the solution of the Berlin problem has been reached, could not be carried out in a confident atmosphere.

2. Such a visit would provoke strong opposition from portions of our population and the free world press, as an unnecessary and undue sign of friendship toward a person responsible for much of the Communist aggression, including the crimes in Hungary and elsewhere.

3. Any visit which would appear to be designed to provide for a Khrushchev-Eisenhower meeting to decide the fate of the world, would be contrary to our recent practices of collective negotiations, in which our Western allies have participated, and may be harmful to the cohesion of the Western alliance.

4. Many of the discourtesies shown to Mr. NIXON in the Soviet Union hardly create a precedent for a constructive visit.

Naturally, we have nothing to hide about our country and we believe that in principle our doors should be open to any person that honestly desires to come and observe our way of life. But the complexities of the world's political situation require that we give careful consideration to invitations to the head of state of the opposing camp. Since it is Mr. Khrushchev who is greatly responsible for the present world tension, by many past acts of aggression and by his threats against our position in Germany and the Middle East, it does not seem unreasonable to hope that he might improve the world's political atmosphere, by concrete and constructive action at the Geneva Conference and elsewhere, before such trip is undertaken.

Consequently, the onus of responsibility and the proof of good will therefore rest on Mr. Khrushchev.

Mr. SPARKMAN. Mr. President, I am very glad that President Eisenhower has invited Premier Khrushchev to come to the United States for a visit, and particularly, that he has followed up that decision with the statement that he plans to visit the Soviet Union later in the fall.

A great deal has already been said on the subject, and I shall not take the time of the Senate to add to what has been said. I believe that the exchange of visits is a very good idea, and that it may hold some promise of better days to come so far as the peace of the world is concerned. I have long believed that, the greater the exchange of persons and information between the Western World and the countries behind the Iron Curtain, the better the chance of lifting the Iron Curtain.

A few days ago an editorial entitled "If Ivan Doubts What He Sees, Why Not Offer America as Proof?" published in the Huntsville, Ala., Times of July 27, 1959. This is my hometown newspaper. The editorial was written by the very able young and brilliant editor, Will C. Mickle. I ask unanimous consent that the editorial be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IF IVAN DOUBTS WHAT HE SEES, WHY NOT OFFER AMERICA AS PROOF?

DICK NIXON has done very well with Nik Khrushchev during their verbal tilts in Moscow, but the real winner for the West apparently has been the American national exhibition just opened in the Communist capital.

In violation of assurances given Vice President NIXON and American newsmen prior to their arrival, Soviet censors have done their best to water down stories reporting Russian reactions to the exhibit. But numerous bits of evidence slip through the censorship screen to give ample indication of a whopping success.

Perhaps the best sign is the huge volume of rush orders calling for exhibition replacements on scores of items lost to souvenir-hunting Russians.

The gay, excited and amazed Muscovites pushing through the showrooms have just about carted off the show—sub rosa, of course.

The Kremlin had previously ruled against American firms offering free souvenirs, but this didn't daunt the Ivans and the Igors who took a fancy to the bits of America on exhibit.

Application of the censors' pencils to exhibit reaction stories is an example, per se, of the show's success, just as is the counterpropaganda drive launched by the Communist press. Pravda, for example, makes much ado over the American story of George Washington and the cherry tree. Guides, the newspaper says, "learned to recite the story, but they did not learn its lesson." (Neither did Pravda, we might add.)

With the Russian policy of accentuating the negative and eliminating the positive on anything American, this seems to be an ideal time for a bold, American counterstroke.

Moscow says the American exhibit is false. As anywhere, there'll be believers and disbelievers * * * scores of thousands of them, judging from opening attendance figure at the exhibit.

Why not offer to show America itself as proof?

We might not be able to show all Russians, but certainly many thousands could be accommodated.

How? The idea of a people-to-people exchange program is not new. We do offer an adaptation.

We are now spending billions of dollars to counter communism in ways that may or may not be effective.

Some of those dollars go toward maintaining a huge fleet of mothballed ships, including transports.

Could we not press those ships into service to transport thousands of Russian visitors to America at our expense—the money being transferred from current anti-Communist funds? And once here, turn them over to American communities for a week or so, with the community itself bearing the expense. We'll bet not a single community in the Nation would say no to the opportunity to show America. Security would be no problem. The visitors would be kept too busy and watched too closely by the communities involved.

Something such as this would place the big lie where it belongs, and in a most inexpensive way, comparatively speaking.

Of course, such a program would take time to establish. But no time could be better for the initial offer.

The Kremlin would never allow it? Probably not, but the challenge could be hurled, and we would win a major cold war victory, whatever their answer.

ADEQUATE FINANCING PLAN REQUIRED TO KEEP HIGHWAY PROGRAM ON SCHEDULE

Mr. NEUBERGER. Mr. President, last week the House Committee on Ways and Means announced agreement on a proposal for supplemental financing of the Federal highway program. The committee recommended, first, issuance of up to $1 billion in revenue bonds to be paid off over a 5-year period from trust fund revenues; second, transfer to the trust fund for a 4-year period of 2 percent of the excise tax on automobiles; and, third, extension by 4 years of the period during which existing taxes which go into the trust fund will be imposed.

In line with these proposals, the committee also suggested, first, stretch out of the construction program so that final apportionments will occur in 1973 instead of 1969; and, second, reduction in authorized annual apportionments to the States for the Interstate Highway System.

Mr. President, the plan outlined by the committee is ill advised.

Acceptance by Congress of these recommendations means:

Increased traffic strangulation and consequential economic and life loss.

Disruption of highway planning, financing, and construction by the States.

Greater highway costs due to bond financing.

Loss of general fund revenue, making necessary deficit financing or curtailment of other Federal functions.

Unemployment in the highway construction industry and supporting sectors of the economy.

HIGHWAY USE VASTLY INCREASED

Mr. President, in a recent speech on the Federal highway program at the annual conference of the Western Association of State Highway Officials, association president, W. C. Williams, who is also Oregon's able State highway engineer, pointed out that—

> This program was not approved and started on its way merely as something that would enable the various States to speed up their road programs. Actually, the need for the highways to be built under this great program had been evident for several years, and to have delayed any longer the start of this ambitious program would have led to ultimate chaos insofar as movement of traffic on our roads and streets is concerned. Why do I say this? Because of the fantastic increase of motor vehicles upon our highway system.
>
> The United States is a nation on wheels—and not the horse-drawn type. In the past 20 years, we have had an increase of motor vehicles of 250 percent, and up to the time of the vast 1956 Federal-Aid Road Act there had been little addition to or major improvement of the highway system of 20 years ago. In 1959 we expect some 70 million vehicles on our system that was scarcely adequate for 30 million vehicles 20 years ago. So we were constantly losing ground.
>
> And when we consider that reliable estimates place the 1975 automotive vehicle count at 100 million (and those vehicles traveling an estimated 1 trillion vehicle-miles per year), I do not think you will doubt my previous remark that traffic chaos would have soon enveloped us.
>
> * * * * *
>
> Without rapid progress on not only our interstate system but the ABC system as well, we could be staring traffic strangulation in the face on many sections of both rural and urban highways. So let us fervently hope that there will be no dragout or curtailment of the originally proposed 13-year program upon which we are now so favorably launched.

Statistics cited by Mr. Williams indicate the huge economic loss involved in delay of the Federal highway program in terms of traffic congestion and increased costs.

Delay also means loss of life. Safety engineers have estimated that completion of the Interstate Highway System will bring a saving of 4,000 lives a year from traffic accidents. Surveys of sections of the Interstate System already completed show them to be approximately 2½ times safer than ordinary highways.

Mr. President, in 1956 Congress made a commitment to the States. It approved a long-range program of Federal assistance to aid the States in constructing vitally needed roads. The States, in turn, proceeded to implement this giant highway building plan. They allocated resources of men, money, and materials in accordance with the authorizations and target dates established by Congress. Now Congress threatens to renege on its part of the bargain. The result will be disaster for many States.

My own State of Oregon has postponed indefinitely the letting of $5.3 million in highway contracts planned for July. A total of $30 million in contracts now scheduled for award in the remainder of 1959 will not be let if Federal funds are shut off. Loss or deferment of expected income from the highway trust fund may mean inability on the part of the State to meet payments on existing contracts.

OREGON SUPPLIES EXAMPLE

Mr. President, because the situation which Oregon faces with respect to the Federal highway program is similar to that confronting many other States, I ask unanimous consent that there appear at the conclusion of my remarks an article by Herman Edwards from the July 26, 1959, issue of the Oregonian, of Portland, Oreg., entitled "Oregon Faces Possible Disaster in Federal Road Fund Crisis," and describing in detail the financial consequences to my State of failure to maintain goals established in the Highway Act of 1956.

Interest rates on Federal short-term bonds are now at a record high. Expense of borrowing money to keep the Federal highway program going will boost unnecessarily the cost of the Interstate Highway System. If present general fund revenues are earmarked for retirement of this debt, we must either decrease some other Federal activity or borrow additional money to cover the gap.

Mr. President, the Department of Labor has estimated that for each $1 billion spent on highway construction, jobs are created for 63,750 men per year on the projects themselves and an additional 78,750 in sectors of the economy supporting the actual roadbuilding. The program recommended by the House Committee on Ways and Means would eliminate nearly $2 billion in authorizations for fiscal year 1961.

If available Federal funds are reduced, States will be forced to dismiss engineering and technical personnel recruited and trained for their enlarged highway programs. It will not be a simple matter to rehire.

Mr. President, for these reasons I believe that the proposal of the House Ways and Means Committee is inadequate and undesirable.

SOLUTION: INCREASED GAS TAX

I think that the correct solution to the problem which we presently face with respect to the Federal highway program is a temporary increase of 1½ cents in the Federal highway motor fuel tax.

On March 5, 1959, I submitted to the Senate a bill providing for such an increase. On June 25, 1959, I offered the substance of my measure as an amendment to the corporate and excise tax extension bill; however, the Senate declined to accept this approach at that time, 46 to 33.

Mr. President, I hope that the membership of the House of Representatives will see fit to reject the financing scheme outlined by the House Committee on Ways and Means and, instead, approve temporary imposition of a 1½-cent boost in the tax on gasoline, diesel, and special motor fuels to keep the Federal highway program on the schedule contemplated in 1956.

Should the House fail to take such action, and corrective language not be approved by the Senate Finance Committee, I intend to again offer my amendment to raise by 1½ cents for a 2-year period the Federal gasoline tax. Enactment of this proposal will enable us to realize target dates set in 1956 until we have an opportunity to review new cost estimates and user studies in 1961 and determine whether or not a major revision of the total financing program is desirable.

Mr. President, I ask unanimous consent that there appear at the conclusion of my remarks editorials from the Washington Evening Star, the Washington

Post, the New York Times, and the Medford, Oreg., Mail-Tribune, which point out the need for keeping the Federal highway program on schedule through a realistic financial arrangement.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Portland Oregonian, July 26, 1959]

OREGON FACES POSSIBLE DISASTER IN FEDERAL ROAD FUND CRISIS

(By Herman Edwards)

The failure by Congress to enact financing legislation necessary to carry on the program of the Federal Aid Highway Act of 1956, or the delay for any considerable period in providing funds will be a major disaster to Oregon and probably to most or all of the States.

The stoppage or slowdown of Federal funds will do more than cripple the highway construction program.

The traffic strangulation that will inevitably ensue if highway modernization does not keep pace with the increasing usage of the highways will result in greater loss of life and other serious economic losses.

Great numbers of people who are dependent on highway construction and others who are employed by the manufacturers and distributors of materials and supplies would be affected.

Oregon might even have to resort to the emergency sale of bonds to meet payments on existing construction contracts.

The Oregon State Highway Commission last Monday postponed indefinitely a bid opening scheduled for the following day at which contracts for an estimated $5,300,000 worth of projects were to be considered. It had no alternative in view of the uncertainty when, or whether, Congress will act.

There will be no more calls for bids and no new contracts involving the use of Federal-aid money awarded until the financing problem is settled. Many other States have been forced to take similar action.

The Oregonian asked W. C. Williams, State highway engineer, to explain the State's position and the problems it faces.

WORK TO CONTINUE

Work will continue on existing contracts and they should proceed under normal schedule. They probably will be completed according to plans made at the time of contracting, barring strikes, bad weather, or other unforeseen difficulties, said Williams.

These include the projects on the State's two Federal-aid Interstate Highway Systems, U.S. 99 and U.S. 30, and also the ABC program—Federal-aid primary, Federal-aid urban, and Federal-aid secondary highways.

All projects except those now under contract are halted. On U.S. 99, the Pacific Highway, they include these:

Completion of the Albany-Judkins Point (Eugene) section; the Grants Pass-Medford section, the Southwest 11th Avenue-Lowell Street section of the Baldock Freeway in Portland, and the East Bank and Minnesota Avenue Freeways in Portland.

These important projects on U.S. 30, the Columbia River Highway, and the Old Oregon Trail Highway are halted:

The Multnomah Falls-Dodson section, the Dodson-Hood River section, the Hood River-Mosier section, the Meacham-La Grande section, and the Baker-Huntington section.

OTHER WORKS WAIT

Other important projects planned on the Federal-aid primary system also are halted. These include the Davis, Slough-Bandon section of the Oregon Coast Highway, the Pioneer Mountain section of U.S. 20 in Lincoln County, and two sections between Vale and Juntura, also on U.S. 20 in Malheur County.

Other primary highway projects which must wait include the structures for the six-laning of the Sunset Highway in Multnomah County from the Highlands interchange to the Washington County line; the long-sought modernization of State Highway 42 between Coos Bay and Roseburg, and the Reedville-Hillsboro section in Washington County.

The planning for the eventual construction of the Marquam and Fremont Bridges, the Foothills Freeway and the Stadium Freeway as part of the interstate highway network in Portland will not be seriously affected, said Williams.

A shutoff of Federal aid funds will make a difference of $30 million worth of contracts between what was planned to be spent during the remainder of the calendar year 1959 and what can be spent.

Under the arrangement made between the Federal Government and the Oregon Highway Commission the Federal-aid funds to be made available to the State for the fiscal year 1961 would be $43,108,000 for the Interstate System and $13,097,000 for the ABC system, a total of $56,205,000. With the addition of $14,383,000 of State matching funds, this would have provided $71,881,000 for the 1961 construction on interstate, primary, urban, and secondary highways.

PLAN TIME NEEDED

Under existing practice this money would have been apportioned this month to Oregon and other States. This allocation in advance gives the States time to do their planning and project programing ahead of time.

If Congress does act to provide funds, a short delay, say of 2 weeks, would not be too serious. The State highway department could get its program back into gear without too much trouble. The longer the delay, the more difficult it would be to get the program back on schedule.

"A delay of a year would be very serious; 3 years would be catastrophic," said Williams.

"As an example, U.S. 99 between Albany and Eugene is now at the traffic saturation point. Any delay will cause unnecessary loss of life and economic loss due to traffic congestion. Other serious bottlenecks would remain on the system, such as Grants Pass-Ashland, and on U.S. 30 between Portland and The Dalles.

BOTTLENECKS SEEN

"No relief would be provided in Portland for traffic situations on Barbur Boulevard, the Willamette River bridges, connections from the Baldock Freeway to the Banfield Freeway, and the route of U.S. 99 northerly to Vancouver," the State highway engineer said.

"The State highway department would have to reduce its personnel if there is a long delay," said Williams. This also would cause a problem in getting the construction program back on the road.

There is a chance that Oregon may not be able to meet the bills on work which it already has contracted. Said Williams:

"Oregon's normal share of the income stream into the Federal highway trust fund is slightly less than $3 million a month. If nothing is done to substantially interfere with this income the State can survive the crisis without additional financing, provided no new contracts are awarded.

"However, if this income is cut off or deferred for more than 2 or 3 months Oregon will be hard put to make payments on existing contracts. At the moment we are not able to say how such an emergency would be met, but the commission would probably have to use its authority under ORS 366.641, which provides that it may sell short-term bonds in an amount not to exceed $2 million in any calendar year."

[From the Washington Evening Star, July 30, 1959]

HIGHWAY COLLAPSE

If the House Ways and Means Committee had deliberately set out to undercut the Nation's massive highway improvement program it could hardly have been more effective than by its new proposal to solve the program's financial crisis.

The task before the committee was to find a way to replenish the rapidly diminishing National Highway Trust Fund so that (1) a deficit could be averted this year and (2) immediate allocations of Federal aid could be made to the States, up to an authorized total of $2.5 billion, for the year starting July 1, 1960. But the House committee's solution, in effect, is simply to cut back a good part of the program. Its billion-dollar bond issue scheme would trim the Federal aid amount for the 1961 fiscal year to less than a fourth of the authorized amount—from $2.5 billion to $600 million. It would slash aid in the 2 subsequent years by nearly a billion dollars a year. And it would stretch the time for completing the 41,000-mile Interstate Highway System 6 years beyond its present target date of 1969.

The committee has been too timid to adopt the proper solution—approval of the 1½-cent increase in the Federal gas tax proposed by President Eisenhower. Strong pressure undoubtedly is being exerted by oil companies and by highway user organizations against the fuel tax boost, and the positions of these groups are traditional. But we cannot believe that their shortsightedness reflects the opinion of the ordinary motorist. Certainly, if he could be heard, he would express willingness to pay the small additional charge in return for fulfillment of the bright benefits of the highway program.

One ironic aspect of the situation is that the committee's inadequate proposal, even if enacted by Congress, may well be vetoed by the President. The administration previously has opposed the concept of a special highway bond issue on grounds that it would cause inflationary pressures and would conflict with sales of other Government securities. In addition, the bond issue scheme would require transfer of part of the Federal motor vehicle excise tax from the general fund of the Treasury to the highway fund—another deficit-producing effect which the President properly has strongly opposed.

The House committee's program also seems to ignore the fact that a major restudy of Federal highway financing is due in 1961. The immediate problem has been simply to find an answer that would hold until that time. The most feasible answer is the gas tax increase.

[From the Washington Post and Times Herald, August 1, 1959]

PINCH, PINCH

The House Ways and Means Committee has hit a new low in the congressional game of trying to out-economize President Eisenhower by proposing a severe cutback in the Federal interstate highway program. The committee proposes that the program—belated in its inception and already plagued by unwarranted stretchouts, compromises, and delays—be further diluted by postponing many projects for several years and burdening the whole program with needless debt. It has rejected, with no adequate explanation, the President's thoroughly proper request for a small increase in the gasoline tax to keep the interstate program on schedule and in the black.

As we have previously noted, the added cost to highway users of the proposed 1½-cent-a-gallon increase in the motor fuel tax would probably be more than offset by the

convenience and outright dollar savings that would accrue from the early completion of the Interstate System. We hope the Senate will be less timorous about resisting the propaganda of the automobile and gasoline lobby and will meet the fiscal problem head on with a revenue scheme tailored to the Nation's highway needs.

[From the New York Times, July 30, 1959]

THE HIGHWAY PROGRAM

Reluctance of Congress to match highway construction needs with responsible financing had its logical sequel yesterday in the gravely unsatisfactory program voted out by the House Ways and Means Committee.

The 41,000-mile plan of interstate highway building will be delayed, with a stretchout over a longer period of years. Immediate allocations to the State will be sharply cut and continue so for several years, throwing State schedules into utter confusion. A billion-dollar bond issue will be authorized, breaking with the sound policy of pay-as-we-go inaugurated when the highway plan was formulated in 1956.

All this regrettable compromise stems from Congress refusal to accept President Eisenhower's recommendation, first made months ago, and steadily reiterated that the gasoline tax be increased 1½ cents a gallon. The results will be serious, immediate, and go beyond the adverse effect on highway building.

Just a week after the President put the case for a balanced budget next year so well, and the desirability of beginning to reduce the vast public debt, and emphasized the astronomical cost of interest payments in a budget missing balance by more than $12 billion in the most recent fiscal year, the House committee departs on this new adventure in deficit financing and inflationary spending policy. It ignores the fact that, in this most prosperous of all times, Congress has failed thus far to put the Government on a current cash basis.

An instant protest can be expected from the States, which in many cases have already been spending future money on the assurance of long-term commitments from the Government, which was one of the valuable principles established by the 1956 law, enabling the State to know what to expect year after year instead of waiting to see in each congressional session what money would be available. The new highways are needed. In fact we need today the highways of tomorrow that the Federal program promised.

It is only fair that all users of the highways should pay their way on the new roads. To use the revenues of taxes other than that on gasoline to amortize the proposed billion-dollar bond issue to the detriment of a balanced budget and a further delay in the reduction of the Federal debt is to rob Peter to pay Paul. The interest charges on the bond issue will increase the cost of the highway program, a disservice to all taxpayers, including motorists.

The Ways and Means Committee has taken an unwise course damaging to the highway construction program and the Nation's economy as well. Its plan must be rejected and an ample gasoline tax increase substituted.

[From the Medford (Oreg.) Mail Tribune, July 24, 1959]

HIGHWAY PROGRAM THREATENED

Sometimes the attitudes of Congress pass all understanding.

Such is the case in the national highway program, which has stopped bid-letting in both Oregon and Washington, and threatens to bring the entire national program to a halt within a few months unless something is done.

In Oregon, as well as elsewhere, this is serious. The State highway commission is "geared up" for an extensive road building program, based on the earlier assurances of Federal funds to pay for 90 percent of the Interstate Highway System construction costs.

Contractors throughout the State have expended huge sums to purchase the heavy road building machinery they need to bid on the big jobs which have been scheduled.

The commission itself has hired several hundred engineers who, if the highway building stops, will be sitting around twiddling their thumbs, or at worst be laid off. If the latter happens, the department will have to go through the entire difficult, expensive process of rebuilding its organization all over again, once the Federal funds start coming through again.

This sort of situation is duplicated in State after State throughout the Nation.

The finance measures designed to pay for the Interstate Highway System have not proven adequate to meet the costs.

There are four principal alternatives:

1. To enact measures to bring in added funds (such as the proposed 1½-cent increase in the Federal gasoline tax).

2. To issue bonds, to be repaid over a period of years from the existing sources of highway funds.

3. To tap Federal funds other than those heretofore dedicated to highway purposes.

4. To do nothing (as at present) and let the whole complicated, expensive, geared-up program come crashing down, to be followed by a long-drawn-out and extended program of limited building which will push years into the future the completion of the vital highway network.

Of these four, we personally believe number one is the best. It would keep the highway program going, and on a pay-as-you-go basis, would add little to the inflationary pressures of Government spending because it is not a deficit plan, and would adhere to the program as first contemplated when passed several years ago.

If necessary, we feel it could be combined with number three, for there are good arguments that since the entire Nation, and not just the highway users as such, benefit from better highways, other funds could justifiably be used.

We do not, however, like the idea of piling up more debt, either as bonds or through other channels, to finance the program.

As for the fourth choice—nothing—it would be a disaster. Congress should get things moving again.

E. A.

ATOMIC ENERGY COMMISSION APPROPRIATIONS, 1960—ORDER FOR YEAS AND NAYS

Mr. JOHNSON of Texas. Mr. President, I should like to have the cooperation of all Senators, since so many are now on the floor. An order has been entered for the consideration of the Atomic Energy Commission appropriation bill following the conclusion of the morning hour. I ask for the yeas and nays on the passage of that bill.

The yeas and nays were ordered.

ORDER FOR CONSIDERATION OF SUPPLEMENTAL APPROPRIATION BILL

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that following the completion of action on the atomic energy appropriation bill it be in order for the Senate to proceed to the consideration of H.R. 7978, the supplemental appropriation bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that during the consideration of the supplemental appropriation bill we may have a limitation of 20 minutes on each amendment and 1 hour on the bill, the time to be equally divided.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

Mr. JAVITS. Mr. President, some of us could hardly hear the unanimous-consent request proposed by the Senator from Texas. Will the Senator from Texas yield, so that we may get some information? I understand the Senator proposes to bring up for consideration the atomic energy appropriation bill and that he has secured unanimous consent for the consideration of the supplemental appropriation bill, and that he is asking for a time limit on the supplemental appropriation bill. What was the request for time?

Mr. JOHNSON of Texas. The request was 20 minutes on each amendment and 1 hour on the bill.

Mr. JAVITS. Good; fine. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, as subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective during the consideration of the bill H.R. 7978, the Supplemental Appropriation Act, 1960, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 20 minutes, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

CITIZENS COMMITTEE ON NATURAL RESOURCES APPEALS FOR FAVORABLE CONGRESSIONAL ACTION ON WILDERNESS BILL

Mr. NEUBERGER. Mr. President, I believe the attention of the Senate should be called to a most persuasive and effective advertisement which was published in the Washington Post and Times Herald of August 3, 1959, urging the 86th Congress to act favorably on the wilderness bill.

The ad, which covers a full page, represents great financial sacrifice and

dedication on the part of many of the leading conservation organizations of the United States. The display appeals to us of the Congress to act upon a bill which has been the subject of extended field hearings and hearings in Washington, D.C., by the Senate Committee on Interior and Insular Affairs, headed by the eminent Senator from Montana [Mr. MURRAY]. I, myself, presided at several field hearings in Bend, Oreg., and San Francisco, Calif.

Mr. President, the advertisement in today's Washington Post has been sponsored by the Citizens Committee on Natural Resources, whose chairman is the distinguished biologist and former Director of the U.S. Fish and Wildlife Service, Dr. Ira N. Gabrielson. He and his associates, who include such conservation leaders as Howard Zahniser, Dewey Anderson, and Spencer M. Smith, ask us to pass legislation which will help to save some of the relatively scant remaining wilderness solitudes in our Nation. Let me say for these people that they have been completely reasonable and fair. In that atmosphere, they have made substantial concessions in their original bill, so that the widest possible support may now be realized in the Senate and in the House.

I believe that the entire contents of this significant advertisement, headed "An Open Letter on an Important Public Issue," should be printed in the body of the RECORD. Accordingly, Mr. President, I ask unanimous consent for this purpose. I am pleased that our esteemed Chaplain, Rev. Frederick Brown Harris, is included among the signers of this advertisement.

There being no objection, the open letter was ordered to be printed in the RECORD, as follows:

AN OPEN LETTER ON AN IMPORTANT PUBLIC ISSUE

AUGUST 3, 1959.

To the Members of the Senate and the House of Representatives of the 86th Congress, Washington, D.C.

DEAR SENATORS AND REPRESENTATIVES: We want to encourage you to enact promptly a conservation measure now in Congress to preserve a portion of our country in its natural unspoiled condition, as it always has been.

We want to emphasize to you that your support of this bill will be in the interest of all the people. It will benefit not only the present generations but generations yet unborn. It will not damage anybody.

This is the wilderness bill—introduced in the Senate by HUBERT H. HUMPHREY, RICHARD L. NEUBERGER, and a coast-to-coast bipartisan group of 16 other cosponsors and by Representative JOHN P. SAYLOR and 10 others in the House.

ENACTMENT PROCESS NOW UNDERWAY

This bill has been the subject of three hearings in Washington, D.C., and six hearings in the West—in Seattle; Bend, Oreg.; San Francisco, Salt Lake City, Albuquerque, and Phoenix.

It has been reported on favorably by the Departments of Agriculture and the Interior, and by the Budget Bureau, with suggested amendments.

After so many years of study and delay, the enactment of the bill should now move ahead promptly. The wilderness bill should become law this year.

We are aware that you have received hundreds of letters about it and have seen many articles and editorials. We realize that we do not need to tell you the many arguments in its favor.

Not only for recreation but for many reasons, our wilderness areas—like our art galleries, museums, and libraries—are an important part of our public heritage. Like these other places, the wilderness areas at any one time may contain fewer poeple than our mass recreation areas, and yet be of outstanding public importance. The claim that preserving them is locking them up for special groups is preposterous. The wilderness areas should indeed be preserved and kept open, as they now are—for all who wish to use them, as wilderness—not destroyed by exploitation for special commercial interests.

What prompts our letter is the nature of the opposition.

Strangely enough, unwarranted opposition has been stirred up against this excellent bill. The meaning and purpose of the bill seem to have been willfully and persistently misconstrued and distorted. Controversy has been aroused over a measure that should have been enacted before this.

NO INTERESTS DAMAGED

The Associated Press in reporting the April 2, 1959, hearing in Phoenix, Ariz., said: "Most of the opposition came from representatives of livestock, oil, mining, and lumber interests."

We agree with the chairman of the Citizens Committee on Natural Resources—Dr. Ira N. Gabrielson, outstanding national conservation leader—who says that this bill "avoids interference with other programs and existing interests."

We actually believe it would be wise policy and good public relations for these business interests to join in supporting the bill, instead of trying to block it.

TWO PERCENT OF OUR LAND

We are impressed with the fact that only Federal lands are involved and all that are involved comprise only a fiftieth (2 percent) of the total area of our country.

These areas, it is emphasized, are already within national forests, national parks, and wildlife refuges. They are in a wilderness condition and are already considered most important as wilderness.

Actually only some 8 percent of the land in national forests would be affected. More than 90 percent of the land in national forests would be unaffected and would remain available for lumbering and other commercial uses.

Existing grazing privileges, we note, are recognized by the bill (and continued). Mining where now a legal possibility may be permitted if needed in the national interest. All existing private rights are safeguarded, including, of course, those of miners now operating.

No areas now open to lumbering are affected.

A special provision safeguards State water laws.

Through this legislation, then, we can have the values of wilderness along with other programs.

The wilderness values are real and important:

1. This wilderness preservation program protects areas of scenic grandeur for all the population, in the future as well as now.

2. Wilderness affords a type of recreation sought by many of our citizens—a recreation that is rugged, healthful, spiritually uplifting, and attractive to youth groups and families as well as to individuals.

3. The wilderness also has scientific assets for protection—plant and animal life, geological material, and so-called control areas where scientists can observe conditions where man's management activities are absent.

4. Preserving wilderness areas is a practical way also to insure watershed protection in the high mountain country.

To argue that preserving wilderness areas for all these values is "locking" them up for special groups is indeed preposterous.

A FIGHT TO PROTECT THE PUBLIC INTEREST

Those who vote for this bill need have no fear that anyone can rightfully complain that his interests have been damaged. Of this we are sure.

The threatened damage is the other way around. The public is going to have to fight to protect its interest.

Dr. Gabrielson recently said, "This fight is not against any interests which will be damaged by the proposed bill but rather it is against interests which have hopes of raiding the few remaining areas of wilderness for their own purposes whenever they have a chance."

We think he is right.

Actually such opposition looks to us like a very good reason why we need just such a bill, to give congressional backing to wilderness preservation.

A WESTERNER'S BILL, TOO

We also want to emphasize that the wilderness bill is a Westerner's bill just as much as it is anyone else's—or perhaps more so.

We note that the entire congressional delegation from one Western State—Montana—is sponsoring the bill, in the House and Senate both. Senator MURRAY and Representative METCALF have championed it from the start; Senator MANSFIELD and Representative ANDERSON are earnest supporters.

No group of Easterners is trying to force this wilderness program on the West. Conservationists in all 50 States are urging it in the national interest.

PASS THE WILDERNESS BILL NOW

We consider the wilderness bill a most important conservation measure. We think it fortunate that this kind of program can still be carried out in this country—and without sacrificing or damaging any other interests—as part of a sound overall land-use program that all conservationists should support.

Its passage will supply a valuable guideline for the work of the Outdoor Recreation Resources Review Commission which has recently been established by Congress and the President.

We join with other conservationists in urging you: Pass the wilderness bill as soon as you can. Enact it in this first session.

Three volumes of testimony at hearings in the West and in Washington, totaling more than 1,500 pages, have already been published. Another is in press. It looks as though there is little left to be said. So we urge, on the basis of the case as now made: Go ahead with its enactment.

Don't postpone it till the second session and let this long-needed, broad-interest, conservation measure get involved in election-year politics.

It is a good measure, and timely. It will harm no one. It will be a lasting credit to all who support it.

Sincerely yours,

Ansel Adams; John H. Baker; Elliott S. Barker; Irving M. Clark; Robert K. Cutter, M.D.; Guy Emerson; U. S. Grant, 3d; Frederick Brown Harris; Joel H. Hildebrand; Paul G. Hoffman; Joseph Wood Krutch; Karl A. Menninger, M.D.; Karl W. Onthank; Eleanor Roosevelt; Francis B. Sayre, Jr.; Wallace Stegner; Adlai E. Stevenson; G. Mennen Williams.

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THE 1960 SENATORIAL CAMPAIGN

Mr. McGEE. Mr. President, I have been having troubles over the weekend, trying to make certain identifications. I am not sure whether I am having arithmetical, geographical, or simply party troubles. However, I read a statement issued by the distinguished junior Senator from Kentucky [Mr. MORTON], who also is the national chairman of the Republican Party. In his statement, made a few days ago, he makes mention of the fact that the Republicans intend to hold "the 11 seats we have where incumbents are running."

He then goes on to make this interesting statement:

> And then we want to pick up four or five. Take the State of Wyoming for one; that is one seat we are definitely going after. Illinois is another.

I suppose he is referring to the distinguished senior Senator from Illinois [Mr. DOUGLAS], who is standing to my right, when he says the Republican Party is going after that Illinois seat. Then the Senator from Kentucky said:

> Michigan is another, and probably two in New England.

The mystifying part of the statement by the national chairman of the Republican Party is:

> And probably two in New England.

I got out my list of Senators to try to determine which two Senators they might be. I note that the senior Senator from Rhode Island [Mr. GREEN] is up for reelection next year; and his race will be a very tough one. But for the life of me, I cannot find another Democrat in New England who is up for reelection. That forces me to one of two conclusions, and I would question the validity of either one without knowing for certain the motivations, the mathematics, or the geography of the national chairman of the Republican Party. One conclusion would have to be that he is already conceding the election of a Democratic President next year, because there is a Democratic presidential candidate running from New England, in Massachusetts; therefore, the chairman of the Republican National Committee would think he would have a chance to pick up that Massachusetts seat as his second Democratic seat.

Or there may be a New England Republican who has not been voting like a Republican, and it is planned to recover that seat and add it to the Republican column.

But, again, I am not certain which of these two alternatives would be the explanation, or whether the national chairman of the Republican Party has a third alternative.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. McGEE. I am happy to yield.

Mr. DOUGLAS. I am very glad the Senator from Wyoming has touched on this subject. As one who has been marked for slaughter, I may say that I believe in the American two-party system. I believe that we should have two vigorous, strong parties. I hope that both parties will name the best man or woman they have available, and that those candidates will make good, clean, vigorous campaigns. The voters then will decide whom they wish, and we will abide by the results.

I may say that this rather optimistic statement by the chairman of the Republican National Committee reminds me of the lines in Oliver Goldsmith which apply with peculiar appropriateness to his comments:

> The wretch condemn'd with life to part
> Still, still on hope relies;
> And every pang that rends the heart
> Bids expectation rise.

Mr. McGEE. I thank the Senator from Illinois.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. McGEE. I yield.

Mr. MORTON. I appreciate the Senator letting me know that he planned to engage in this colloquy this morning.

While I do not like to take the floor of the Senate to speak as Chairman of the Republican National Committee, I may say that it is a part of my responsibility in my position to confuse the opposition. I have enjoyed very much the two hypothetical alternatives which the distinguished Senator has developed concerning New England. I see that I have the opposition confused. I hope the confusion may continue and that perhaps we may divide and conquer.

Mr. McGEE. I thank the Senator from Kentucky for his explanation. May I report that this side of the aisle is not confused, but is delighted with either alternative, whether it be the alternative of the election of a Democrat to the Presidency or whether it be perhaps an attempt to unseat a Republican in New England.

There is a third alternative which has just come to mind, as I have been thinking of this problem. It lies in the attempt of New England to spread west. We are told that the West is on the rise again. Perhaps New England's boundaries are now going to encroach upon those of the traditional West, and thus this would make available still another seat.

I observe the distinguished senior Senator from Michigan [Mr. MCNAMARA] in the Chamber. He was mentioned by special selectivity. I am glad he is present to hear his name taken.

FILTH IN THE MAILS

Mr. DIRKSEN. Mr. President, Family Weekly is a weekly supplement which accompanies a great many newspapers. It appears, I think, in 180 Sunday newspapers having a combined circulation of 4,700,000.

The issue for last Sunday, August 2, 1959, contains a signed article entitled "Let's Stop Filth Through the Mails," written by the Postmaster General.

The postmasters in the 177 cities where this magazine is distributed have been instructed to mount copies of this article on their lobby bulletin boards.

Because the article is worth while and has great appeal to families throughout the country, I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LET'S STOP FILTH THROUGH THE MAILS

(By Arthur E. Summerfield, Postmaster General of the United States)

The Post Office Department has declared war on the mailing of obscenity into American homes.

I call upon all citizens—especially the parents of our 20 million teenage youngsters—to enlist in this crusade to rid the Nation's mails of lewd material soliciting the purchase of vile pictures, slides, films, and related filth.

I wish we could show every American parent these materials, or conduct him through the exhibit we have arranged for Members of Congress, law-enforcement officers, and civic leaders. One special alcove of the exhibit hall is reserved for the worst of it. Here, behind thick curtains, we hold confiscated books, paintings, photographs, and statues representing every depraved human appetite. It has to be seen to be believed.

Unless we stop the filth merchants, close to 1 million children in America will find such material in their family mailboxes this year, carried by the U.S. postman.

Just how serious is this problem to you and me? To our children? To our communities and our country?

My own feeling is expressed in a statement I made recently before a subcommittee of the House Post Office and Civil Service Committee investigating the mailing of obscene and pornographic material:

"It is my deep conviction that one of the most serious moral and social problems in the United States today is the multi-million-dollar mail-order traffic in obscenity."

We can estimate at present that the sale of such material through the mails is running at more than $500 million a year.

The especially disturbing aspect of this racket is the fact that these purveyors of filth are aiming their attention more and more at children. This is how they work:

First, they get a line of merchandise consisting of filthy cartoons, art studies, comic books, color slides, and perhaps movies in color.

Then they write come-on literature, describing their offerings in the most provocative phrases they can invent to excite the senses of curious teenagers.

Then they reach out for customers through the U.S. mails. They place dummy ads in inexpensive teenage and preteen publications, offering such items as baseball bats for boys and doll-dress outfits for girls. These attractive and harmless items are offered below legitimate prices and, as a result, thousands of children send in their pennies with their names and addresses. The latter is what the muck merchants seek, a list of adolescent and preadolescent boys and girls with access to money.

Another list for their pandering comes from high school annuals. Each season these are collected and their thousands of names and addresses used by filth peddlers. Their shameful solicitations are written with special emphasis on teasing and tempting the growing, curious mind.

One raid on a filth firm in New York turned up 17 tons of obscenity ready to be mailed and a list of 100,000 names of prospects, including those of many high school students.

With their first mailing, in a plain, sealed envelope, they are in business. Their investment is negligible and their profits astronomical.

Inevitably, they get some orders; later, after other mailings, they get reorders. These latter children, girls as well as boys, become their special victims. Follow this chain of events—it could happen to your boy or girl.

After several reorders, a youthful customer is likely to receive a phone call from a woman who says she represents the X company, that she is looking for a local sales agent, she has heard that he is a livewire, and she has some new merchandise to show him. Can they talk?

So the boy who answered an innocent ad for a baseball bat, after 18 months or so, may become a smalltime filth merchant on his own, with subagents working for him, all spreading vile literature and art through the community.

The worst exhibits we have ever confiscated, as a matter of fact, came from the storeroom of a 14-year-old high school student.

But the story is not finished. Pornography often leads to worse things. Drug pushers have discovered that kids who read for "kicks" are good prospects for another thrill. Somehow, the pusher learns the names of a half-dozen youthful filth peddlers, makes their acquaintance in a drug store, invites them up to his room for a drink, and introduces them to marijuana. Then, offering an even bigger "kick," he persuades them to try a shot of heroin.

In the investigation of armed robbery, extortion, embezzlement, and forgery, authorities continually find that those guilty of such crimes were early collectors of obscene pictures and films.

Sex criminals and sex murderers almost always prove to have a long record of addiction to pornographic and sadistic material. Here again, the blight of such material goes beyond its original mark. Children who have never been exposed to it can nevertheless be victims of sex criminals who have been exposed.

No child is immune. Obscene material is sent to girls as well as boys. It has been sent to orphanages and summer camps. It is addressed to children as young as 8 years.

And it is obvious that many children, without parental attention, fall into the trap of ordering the filth for sale, for smut merchants regard traffic with children as a major part of their highly lucrative business.

This monstrous assault can be stopped. I am determined that the Post Office Department will do everything possible to stop it. This determination is shared by our postmasters around the country and by my associates in the Department.

But we recognize that the final answer lies in adequate public support. The time for action is now.

As far back as 1865 Congress made it a Federal offense to mail obscene matter. Nevertheless, commercialized pornography has continued to grow.

It has expanded tremendously since World War II.

It has doubled in the past 5 years alone.

There appear to be two basic reasons for this rapidly growing volume:

First, the huge profits realized from a relatively small capital investment; and second, the broad definition of obscenity handed down by certain courts, notably in Los Angeles and New York, where the great bulk of the mail-order business in obscenity and pornography originates.

Over a period of time, these liberal rulings have established virtual sanctuaries in which dealers in obscenity operate with impunity and in defiance of the Post Office Department's efforts to bar their use of the mails or bring them to justice.

Until last year, controlling decisions of the courts held that prosecutions could be carried out only in the districts where materials were put into the mails—which, of course, were the most liberal districts. For years, we in the Post Office urged legislation that would allow prosecution not only at the point of mailing but in the communities where the filth is received—where the actual damage is done—and where citizens should have the opportunity to express their standards of morality and decency.

Such legislation finally was passed by the 85th Congress and signed into law by President Eisenhower last year. We are convinced that it provides an effective weapon for dealing with this problem. The first case following its passage was in Boise, Idaho, and related to mailings of obscene material from California and Oregon. The offenders, a man and his wife, each received a 10-year prison sentence and a fine. Other cases are now pending in the courts.

It is in our efforts to make full use of this new legal weapon that the Post Office most needs the cooperation of parents and decent-minded citizens everywhere.

The privacy of the mail is one of our basic American rights. The Post Office Department cannot, and will not, violate this right, even when it has strong evidence that the mail is being used for unlawful purposes.

Therefore, the Post Office can legally identify and take action against violators of the mails only on complaint of citizens who receive such material. We can act only after the recipient of obscene mail has opened it and placed it in the hands of the local postmaster as evidence. This will not involve the addressee in public embarrassment or testimony in court. The law is clear, as is our duty, but we must have evidence of this illicit material being received through the U.S. mail.

Unfortunately, smut merchants make profits which enable them to retain high-priced lawyers adept at hamstringing, delaying, and confusing court action until their clients go free or receive only small prison terms or fines. By getting off lightly, the peddlers can move back into their racket under a new name, in short order.

They are also experts at sounding wounded cries about "censorship," "freedom of the press," and "civil liberties." And all too often they are able to find well-meaning persons to take up their cry and carry on their insidious battle.

Don't be deceived. This is cynical nonsense. Preventing the peddling of pornographic poison to children is no more a violation of civil liberties than is preventing the sale of liquor or dope to children.

The community which does not fully punish those guilty of any of these crimes is tragically failing its duty.

Accompanying this article you will find the steps you can take to help your community clean up this mess. Act promptly. Act vigorously.

I pledge that the Post Office Department will lead the way. And I am confident that when the American people are fully aware of the vicious extent of the challenge, they will fight this battle through to certain victory.

THIS IS WHAT YOU CAN DO

1. If obscene material arrives in your mailbox, save all material received, including the envelope and enclosures.

2. Report the matter immediately to the local postmaster and turn the material over to him, either in person or by mail.

3. Actively support Members of Congress and community officials in their efforts to help bring this racket to an end.

CAPTIVE NATIONS WEEK

Mr. KEATING. Mr. President, as one of the sponsors of the Captive Nations Week resolution, I have noted with some dismay the manner in which various sources have attacked Congress and the President for their parts in its promulgation. I think this criticism is both short-sighted and ill advised.

I am proud of my sponsorship of this measure, and proud of my work in the Senate Judiciary Committee which helped speed its passage. My sentiments are grounded on my basic belief that we cannot do too much to call to the attention of the world the plight of the enslaved peoples behind the Iron Curtain. We cannot too often remind these noble people that they are not forgotten and that we are working and praying for their day of liberation.

The fact that Captive Nations Week was proclaimed at the same time Vice President NIXON was touring Russia has been attacked by some people. They indictate the Vice President was embarrassed by the incident. If that is so, he certainly has handled the whole situation with his usual aplomb.

Of course, Premier Khrushchev's heavy-handed criticisms of the week have merely served to further call the attention of the world to the plight of the oppressed people behind the Iron Curtain. While it is true that we should not taunt the Russian bear unnecessarily, the task of keeping alive the spirit of freedom among the captive peoples is important and necessary. If the result is to irritate the Soviets, then that merely demonstrates anew that often the truth hurts.

The storm of protest emanating from the Kremlin illustrates conclusively that the enslaved nations represent the Achilles' heel of the Soviet Empire. They cannot stand criticism or the hot spotlight of public scrutiny on this point.

Thus, if the result of the passage of the Captive Nations Week resolution has been to rile up the Communists, so be it. They have it coming to them as a result of their ruthless and bloody rule of their satellites and because of the oppressive manner in which all forms of free expression have been beaten down.

One wonders what the critics of Captive Nations Week would have us do. Should we turn our back on the enslaved peoples, and thus abdicate our traditional role as the champion of the world's oppressed? I should hope we have not come to that point.

I, for one, will never be a party to any tactics which smack of appeasement in an effort to avoid offending the Communist leaders. Of course, we should not stir troubled waters unnecessarily. But when our cause is just—as in the case of Captive Nations Week—we must not hold back.

Mr. President, this new controversial resolution, in effect, merely represented a concrete expression of the view of all Americans that there will never be full

peace until every nation everywhere can control its own destinies. It was directed to what may well be considered the dominant issue of our times—the right of men to choose their own form of government and to shape their own destinies. Premier Khrushchev and his fellow international gangsters have repeatedly asserted that the people of the satellite states favor the Communist rule which has been thrust upon them. If they really believe this, of course, it can readily be put to the test by a series of free elections behind the Iron Curtain.

All of us realize that will not happen, because the Communists know full well that if these people are allowed to express their own free will, they will choose to throw their lot with the forces of freedom and democracy. The Communists cannot afford to put into the hands of the people the right to change their form of government, for they know that Communist tyranny would be the first to go.

Mr. President, so long as there are captive nations and so long as Communist terrorism continues, there can be no true peace. We of the free world, and especially we in America, must continue to express our concern about the plight of the captive peoples, must continue to assure them of our mutuality of interest in their aspirations to be free. The forthright pledge of support for the enslaved peoples, as contained in the Captive Nations Week resolution, must be pounded home again and again. It cannot be repeated too often. It is nothing to be ashamed or timid about. Indeed, it must be shouted from the rooftops.

I think we ought to give serious consideration to the suggestion that this protest over Soviet tactics should be made permanent, by means of a Captive Nations Year. Perhaps in that way we can demonstrate most forcefully of all America's continued dedication to the goal of the freeing of the noble nations now trapped behind the Iron Curtain and their restoration to their rightful place in the family of free nations.

Mr. President, a number of fine articles and editorials appearing in various newspapers have recognized the importance and propriety of the action of Congress in passing the Captive Nations Week resolution. I ask unanimous consent to have them printed in the RECORD.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune, July 28, 1959]

LIST OF PRECEDENTS CITED ON CAPTIVE NATIONS WEEK

(By David Lawrence)

WASHINGTON, July 27.—Maybe there ought to be a "Captive Nations Year" instead of a "Captive Nations Week." Then the protest will be continuous instead of once a year.

Evidently those fainthearted in our midst who think it was a bad idea for the Congress of the United States to proclaim American ideals to the peoples of the world and utter words of sympathy to the oppressed don't know that similar protests have been perennial in American history. Or else they are so afraid of offending Khrushchev that they are willing to appease him still more by criticizing what Congress did.

A glance at the record will show that the Democratic and Republican Parties have for more than 70 years inserted from time to time planks in their national platforms expressing the sympathy of the American people for oppressed peoples abroad. It has become so natural for this to be done by both parties that the Congress earlier this month spent only a few minutes debating the joint resolution which subsequently aroused the ire of the Communist imperialists in Moscow. In 1892, both the Republican and Democratic Party platforms condemned the Russian Government for the mistreatment of its people. The Democratic platform plank, entitled "Sympathy for the Oppressed," read as follows:

"This country has always been the refuge of the oppressed from every land—exiles for conscience' sake and, in the spirit of the founders of our Government, we condemn the oppression practiced by the Russian Government upon its Lutheran and Jewish subjects, and we call upon our National Government, in the interest of justice and humanity, by all just and proper means, to use its prompt and best efforts to bring about a cessation of these cruel persecutions in the dominions of the Czar, and to secure to the oppressed equal rights.

"We tender our profound and earnest sympathy to those lovers of freedom who are struggling for home rule and the great cause of local self-government in Ireland."

REPUBLICAN WORDING

The Republican national platform in the same year, under the title "Championing the Oppressed," had this plank:

"The Republican Party has always been the champion of the oppressed, and recognizes the dignity of manhood, irrespective of faith, color, or nationality. It sympathizes with the cause of home rule in Ireland, and protests against the persecution of Jews in Russia."

In 1896, the Republican platform had a plank saying: "The Armenian massacres (by the Turks) have aroused the deep sympathy and just indignation of the American people, and we believe that the United States should exercise all the influence it can properly exert to bring these atrocities to an end."

Then, in 1900, the Democratic platform had a plank expressing sympathy with the efforts of the Boers of South Africa to gain "liberty and independence" from British rule.

In 1920, the Democratic national platform contained a plank "expressing its active sympathy with the people of China, Czechoslovakia, Finland, Yugoslavia, Poland, Persia, and others who have recently established representative government." Another plank expressed sympathy with the efforts of the Irish people to get their freedom, and still another plank called on the American Government to "render every possible and proper aid to the unfortunate people of Armenia."

A CALL FOR JEWISH STATE

The year 1944 saw the first plank from the Republicans calling for a "free and democratic commonwealth" in Palestine. Then, in 1948, the Democrats had a plank, too, "looking forward to the admission of the State of Israel to the United Nations." The Republicans in their platform that year also had a plank proclaiming friendship with the people of Palestine.

The 1956 Republican platform said:

"We shall continue to seek the reunification of Germany in freedom, and the liberation of the satellite states—Poland, Czechoslovakia, Hungary, Rumania, Bulgaria, Latvia, Lithuania, Estonia, and other once-free countries now behind the Iron Curtain. The Republican party stands firmly with the peoples of these countries in their just quest for freedom. We are confident that our peaceful policies, resolutely pursued, will finally restore freedom and national independence to oppressed peoples and nations."

NINETEEN HUNDRED AND FIFTY-SIX PLANK

The 1956 Democratic plank said in part: "We declare our deepest concern for the plight of the freedom-loving peoples of central and eastern Europe and of Asia, now under the yoke of Soviet dictatorship. The United States, under democratic leaders, has never recognized the forcible annexation of Lithuania, Latvia, and Estonia, or condoned the extension of the Kremlin's tyranny over Poland, Bulgaria, Rumania, Czechoslovakia, Hungary, Albania, and other countries. We look forward to the day when the liberties of all captive nations will be restored to them and they can again take their rightful place in the community of free nations."

It's an old story with America, but somehow Nikita Khrushchev hasn't heard of it.

[From the New York Times, July 28, 1959]

MR. KHRUSHCHEV'S CAPTIVES

Premier Khrushchev has gone to great pains to make clear his displeasure at our country's observance of Captive Nations Week. His annoyance is understandable. It has long been a prime goal of his foreign policy, as it was of Stalin's, to force the West to accept the legitimacy and permanence of the Communist territorial conquests which have so radically changed the world in the last two decades. Our continued observance of Captive Nations Week testifies to the failure of this effort.

Let us recall some of the facts which Mr. Khrushchev tries to suggest he has forgotten:

Estonia, Latvia, and Lithuania were independent nations two decades ago until the Red Army occupied them and carried out farcical elections which resulted in their incorporation into the Soviet Union. The East German revolt of June 1953, and the Hungarian Revolution of October–November 1956, are recent enough so that Mr. Khrushchev should remember that it required Soviet tanks and bayonets in the streets of East Berlin and Budapest to keep those peoples captive. And the Premier knows even better than we how close he and his colleagues came to ordering their armed forces to attack Poland in October 1956, when the Soviet hierarchs rushed to Warsaw, fearful that Poland was slipping out of their grasp. Throughout Eastern Europe Communist totalitarianism was imposed upon cowed peoples either directly by the Soviet armed forces, as in Rumania, or by a minority which took power—as in Czechoslovakia in February 1948—over a majority cowed by the fear of invasion by Soviet troops standing at the border.

Since he really knows all this, Premier Khrushchev has sought to twist the issue by the clumsy trick with which he has baited Vice President NIXON, the trick of pointing to Soviet citizens and asking if they are slaves. Since Mr. NIXON is prevented by realization of his responsibilities as a guest and as an official visitor from responding adequately to this maneuver, Premier Khrushchev has been able to score a cheap propaganda point.

Even the Communists themselves have sometimes admitted that the Soviet people are not free. Here, for example, is the way Pravda put the matter as recently as July 6, 1956: "As concerns our country, the Communist Party was, is, and will be the only sovereign of the thoughts, spokesman of the ideas and aspirations, director and organizer of the people during the entire duration of its struggle for communism."

Are people free when they must endure, in Pravda's expressive word, a "sovereign" over their thoughts? If the Soviet people were free they would be able to think as they wish, to read what they like, to tune in to any radio broadcast they wished to hear, to choose their own rulers, and to travel abroad, without permission, as they

please. They have none of these rights of freemen. If Premier Khrushchev is so desirous of convincing us that his people are free, why does he not take the obvious steps? Why does he not lift the Iron Curtain? Why does he not permit the free movement of people and ideas into and out of his country? Why does he not stop jamming our broadcasts? Why does he not submit himself to the ordeal of a free election in which there is an organized opposition with freedom to urge alternate policies? Why does he not permit the American exhibition in Moscow to enjoy the same freedom in displaying our books as the Soviet exhibition has in displaying Soviet books in New York? Why does he not permit Pasternak's "Doctor Zhivago" to be freely available to the Soviet people?

There are many kinds of slavery. But of all these kinds, enslavement of the minds of a great people is the most terrible. And that is the slavery of the Soviet people.

[From the New York Daily News, July 28, 1959]

NIXON TO POLAND—VEEP TO VISIT A CAPTIVE NATION

Another thing we like about Vice President NIXON's televised set-to with Khrushchev last Friday at the U.S. Moscow fair is that it shocked a bunch of British diplomats and newspapers. They considered it disgraceful.

Mr. NIXON, we feel, couldn't have hoped for a better testimonial to his courage and his ability to trade propaganda punch for punch with the clownish Khrushchev.

The next point of top interest on the Nixon trip promises to be his 2-day visit in Poland next week. Poland is one of the countries included in the Eisenhower-Congress proclamation of Captive Nations Week—which hit Khrushchev where he lives, as witness his and his kept press' repeated screams about it.

We hope NIXON has observed this anguish, and will make all the capital he can out of it when he visits Poland.

It will be most interesting, too, to see whether NIXON gets a warm reception from the Polish crowds, in contrast to the chill of mass hatred which afflicted Khrushchev on his recent tour of his Polish slave-province. Anybody want to bet?

[From the Washington Post and Times Herald, July 29, 1959]

MR. K.'S WORDS—AT VARIANCE WITH REALITIES

(By Roscoe Drummond)

The evidence is strongly on the side that the American exhibit in Moscow plus Vice President NIXON's crowd-greeting friendliness plus his "kitchen" debate with Premier Khrushchev plus Mr. K.'s annoyance at the "captive nations" proclamation—that all these developments are exerting a considerable impact on the Soviet people.

Despite the continued Soviet attacks on the U.S. exhibition as misleading, unrepresentative, and hardly worthy of notice—or perhaps because of them—as many as 65,000 Russian citizens are enthusiastically swarming through the exposition in a single day.

Some American commentators have suggested that the "captive nations" resolution was badly timed, that it gave Mr. Khrushchev the opportunity to impose a sour atmosphere upon the Nixon visit, that it ought to have at least been delayed.

I think the opposite is true, that it was well, though perhaps accidentally, timed. Right after a trip to "captive" Poland, which didn't go very well, right after having to call off a month's visit to Scandinavia because the Scandinavian press made it clear that it didn't relish Mr. K.'s brand of freedom, the resolution apparently touched the Soviet Premier at such a sore point that he had to keep talking about it. The more he talked about it, the more attention he called to the plight of the nations which have been put under Soviet rule by force. Mr. Khrushchev did quite a job publicizing the resolution.

It seems to me that the most telltale aspect of the public NIXON-Khrushchev debate in the kitchen of the typical American house is the tremendous gap between Mr. K's words and the realities behind them—realities grimly familiar to the Soviet people as well as to the satellite peoples. For example, this exchange:

NIXON—"You must not be afraid of ideas."

Khrushchev—"We tell you not to be afraid of ideas. We have no reason to be afraid. We have already broken free of such a situation."

Is this true? Are the Soviet leaders no longer afraid to let the Soviet people have free access to ideas? Have they "broken free of such a situation?"

Well, while this conversation was taking place, Soviet censors were demanding that more than 100 books be removed from the American library at the exposition. Among them were: "Anthology of Old Russian Literature," "Journey to Poland" by Harvard's John K. Galbraith, "A Treasury of Great Russian Short Stories," Barbara Ward's "Faith and Freedom," "Great Ages and Ideas of the Jewish People," "Tides of Crisis" by A. A. Berle Jr., and other ideas of which the Soviets were apparently afraid.

At another point Mr. Khrushchev told Mr. NIXON that he wouldn't be able to find a single "captive" in the whole Communist world.

No? Consult the U.N. reports on Soviet slave labor. Consult the Hungarian "freedom fighters," some 200,000 of whom fled from Soviet tanks. Consult the 2 million North Koreans who fled to South Korea or the 1 million Vietnamese who fled from the Communist North to the noncommunist South. Consult the 3 million Germans who have fled from East Germany to West Germany. Were these millions fleeing from freedom—or from political captivity?

In his one American television interview, over CBS, Mr. Khrushchev said all he wanted was "to let the people choose" whether or not they prefer Communist rule.

At the U.S. exposition he rushed past a battery of voting machines, remarking that he was "not interested in them."

Why not—if he really believes in "letting the people choose" their form of government? He doesn't. Nowhere in the Communist world have the people ever been allowed to choose between a Communist and a non-Communist government. I suggest that even if the Communists absolutely knew they would win a free election—that is, with more than one party being voted for—they would never dare permit it. Reason: If you concede the right of a people to choose a government, you concede their right to change a government—and that the Communists never accept.

VICE PRESIDENT NIXON'S ACTIVITIES IN THE SOVIET UNION

Mr. KEATING. Mr. President, the impact of Vice President NIXON's tour is being felt not only in the United States and the Soviet Union, but throughout the world where the cold war battle for men's minds continues without letup. By standing up to Premier Khrushchev in their face-to-face debates, and by carrying the message of peace and good will from the American people direct to the Russian people, Mr. NIXON has served well the cause of world peace.

The Vice President's coolness in the face of extreme provocations and his eloquent presentation of America's position deserve the hearty applause and commendation of all of us. He has brought home to the people of Russia our dedication to the ending of wars and the building of a lasting peace based on justice and mutual understanding.

An excellent editorial concerning the Vice President's trip recently appeared in the Rochester (N.Y.) Times-Union. It summarizes well the sentiments so many of us feel—that Mr. NIXON's exemplary behavior thus far on his travels has contributed substantially to the cause of world peace. I ask unanimous consent to have this editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NIXON KEEPS HEAD IN BRAWL, HIS POINT VITAL TO PEACE

Evidently Premier Khrushchev went to the American exposition in Moscow looking for an argument, and he got it. Vice President NIXON refused either to be pushed around, talked down, or to fawn on his host.

MASTERLY SPEECH

It was a situation he would not have chosen for himself. It was, in fact, an abrupt change in atmosphere from the Vice President's formal speech opening the exposition. This speech was a masterpiece. It went beyond the usual pleasantries of such occasions and made a serious, thoughtful presentation of American attitudes, hopes, and convictions. It glossed over none of our failures but met them head-on, thereby adding conviction to what he said. He spoke for all America.

But Khrushchev got off a plane from Poland spoiling for an argument and he found it in the kitchen at the exhibit.

In such catch-as-catch-can wrangles it is always hard to keep on the subject and not follow some provocative remark down a blind alley. But Mr. NIXON managed to do so.

And his main point was one that everyone in the world knows is true, except, perhaps, Khrushchev. It was of such overshadowing importance and of such immediate application that it alone was worth an elaborate mission to Moscow.

Mr. NIXON had touched on the point in his formal address. He said the fact that either nation had a bigger bomb, a faster plane, or a more powerful rocket no longer adds up to an advantage. This is because we have reached the point where the Biblical injunction "they that take the sword shall perish with the sword" is the grimmest fact we confront.

Therefore, he said, neither must ever put the other in a position where he has no choice but to fight or surrender. No nation is strong enough to issue an ultimatum to another without running the risk of self-destruction.

MEANS GENEVA

Despite the atmosphere of a waterfront brawl, Mr. NIXON pressed his point home on Khrushchev again and again. He exhorted him to understand all the implications of the necessity to avoid putting himself or us into a position where there is no line of retreat from catastrophe.

The implications are as close at hand as Geneva. There the whole question is the Soviet Union's insistence that it will have its way in Berlin, or else. Mr. NIXON said, concerning Geneva, "It takes two to make an agreement. You cannot have it all your own way." And he pressed him again not to allow the conference to fail.

It was tremendously worth saying, even if it had to be said in a wrangle. Mr. NIXON kept his head and got it said.

THE COMMUNISTS' PROPAGANDA BOO-BOO

Mr. KEATING. Mr. President, news reports emanating from Vienna indicate that the carefully planned Communist propaganda circus, otherwise known as the World Youth Festival, has turned into an embarrassing comedy of errors for the Reds. In spite of extensive preparations to make this a showcase for the virtues of communism, the Festival has turned into a series of angry squabbles marked by oppressive tactics typical of the Soviets.

The latest reports indicate that the sponsors of the fiasco feel the splits and feuds among delegates are getting out of hand, and that as a result the anti-Communists are stealing the propaganda spotlight from them. This is partially a result of the fact this is the first Festival which has been held outside the Iron Curtain, and perhaps also results from the makeup and alertness of some of the delegates.

There recently came to my attention a study of the World Festival of Youth and Students prepared by the Institute for the Study of the U.S.S.R. This organization is composed of scholars who have left the Soviet Union. They have banded together to make available to the free world analyses of contemporary events and detailed studies of various aspects of the Soviet system by persons who know it intimately.

The report of the Institute on the Youth Festival is particularly timely in the light of the trials and tribulations which have been going on in Vienna. As the report outlines, the Festival was organized with the utmost care by the World Federation of Democratic Youth, a front organization controlled from Moscow.

Official preparations have been made by a commission located in Vienna. This commission has been publishing a special newspaper and its activities have been supplemented by National Festival Committees organized in various countries with the assistance of various Communist and leftist organizations.

As this report makes clear, the primary objective of the Festival is to control the minds of the young delegates so that they will be thoroughly indoctrinated in the Soviet line. It is a pure and simple propaganda sounding board for the Kremlin.

It is well, therefore, that stubborn opposition to the Communists has sprung up at the Festival. The fact that disputes outnumber love feasts indicates the master plan of the Soviets has been unmasked.

In order that more people may have a fuller understanding of the background of the Festival, I ask unanimous consent to have printed in the RECORD the report prepared by the Institute for the Study of the U.S.S.R., and distributed in this country by that fine organization, the American Committee for Liberation.

The PRESIDING OFFICER. Is there objection?

There being no objection, the report was ordered to be printed in the RECORD, as follows:

THE VIENNA WORLD YOUTH FESTIVAL: AN INSTRUMENT OF SOVIET FOREIGN POLICY

Carefully prepared and lavishly financed, the Seventh World Festival of Youth and Students is the first in the series of such festivals to be held outside the Communist world. Its aim is to manipulate the youth of non-Communist countries in the interest of Soviet foreign policy. Particular emphasis will be placed upon influencing the youth of Asia, Africa, and Latin America.

According to the latest reports the Seventh World Youth Festival will be attended by delegates from 130 countries (Komsomolskaya Pravda, June 21, 1959).[1] It will also be "the largest and most universal international youth assembly ever to be held" (Molodezh Mira, Youth of the World, 1959, No. 3). The Central Committee of the CPSU, as the real moving force behind this festival and its organization, hopes that it will mark a new step forward in the worldwide Communist advance. The Soviet regime hopes to facilitate its future actions on the international scene by gaining full or partial support for its foreign policy from the youth of the non-Communist world.

The official preparations for the festival have been made by a permanent preparatory commission located in Vienna. The commission has been publishing a special newspaper named Festival in connection with its work and its activities have been supplemented by "National Festival Committees" organized in many countries with the assistance of various Communist and "progressive" organizations. As early as December 1958 such national committees had been organized in 60 different countries (Festival, December 1958). By June 1959 active preparations for the festival were reported to be underway in more than 90 countries. According to official Soviet information (Modoldoi Kommunist, Young Communist, 1959, No. 6), more than 1,200 youth, student, cultural, sports and trade union organizations of various political and religious tendencies were involved in these preparations.

Direct person-to-person contact has been one method of propagating the idea of the festival among non-Communist youth. Young people from Communist countries have been flooding their pen-pals in lands outside the Communist world with letters extolling the festival.

Preparatory to the Vienna Festival, national youth festivals have already been held in many non-Communist countries, particularly in Asia, Africa, and Latin America, as well as in all the Communist nations. These festivals have elected delegates to the Vienna Festival, and selected the athletic teams and music and dramatic ensembles who will represent their respective lands in the various festival programs.

The festival will be attended by about 17,000 persons in an official capacity, but large numbers of observers and curious spectators are also expected to be present. Some statistics on the anticipated number and composition of the different delegations are already available.

"Eight hundred leading representatives of Soviet youth—young factory and collective farm workers, students, future scientists, young writers and composers, artists, and athletes—will go to the World Festival" (Pravda, June 28, 1959).

In fact, a considerably larger number of participants will go to Vienna from the U.S.S.R. Besides the youthful delegates many mature scholars and leading figures in the field of fine arts will be present. A number of Communist theorists and specially trained propagandists will deliver lectures and lead discussions at seminars and meetings. Finally there will be a large complement of agents from the state security organizations to keep an eye on both the foreign and the Soviet delegates. M. Gronberg, secretary of the Austro-Soviet Society, stated in an article in Komsomolskaya Pravda on June 24, 1959 that more than 1,000 persons would come to the festival from the Soviet Union.

Communist China, in its effort to compete with Moscow for influence, will probably be almost as fully represented at the festival as the U.S.S.R. Large delegations will come from the satellite countries of Eastern Europe—about 550 each from Poland, Czechoslovakia, and Hungary, and 450 from Bulgaria. The Latin American countries will send 300 delegates from Brazil, 250 from Argentina, and 150 from Venezuela, to name only the largest contingents from that part of the world. The United States will have 400 delegates and Denmark 300. France, the home of a large and influential Communist Party, will send 800.

The Party Central Committee of the U.S.S.R., in view of the great significance it attaches to the Seventh World Youth Festival, will obviously attempt to take advantage of the presence of West Germany young people in Vienna to promote its policies toward Germany in general and Berlin in particular. The permanent commission expects the arrival of a large contingent of West German and Austrian youth. The Jugendring groups, the Catholic youth organizations of both countries, and the Union of Austrian High Schools have refused categorically to take part in the festival, but some individual branches and chapters are sending delegates to Vienna. From Western Germany the Union of Liberal Students and the Socialist Student Organization are sending to the festival 25 delegates each, and the Social Democratic Young Sokols will be represented at Vienna by observers. Festival in February 1959 stated that more than 1,000 representatives of youth in the German Federal Republic had announced their intention to participate and its April issue carried a statement to the effect that not fewer than 15,000 to 20,000 youths from West Germany would be present. The June 1959 issue of the journal Molodoi Kommunist notes that "in Bonn it is understood that thousands of young West Germans will go to Vienna without hindrance."

Molodoi Kommunist has this to say about the participation of Austrian youth in the festival:

"For the most part the young people have expressed the desire to participate personally in this festival. But since the leadership of their respective organizations is opposing it, they will take part in the festival on an individual basis and not as members or activists of this or that organization." (Molodoi Kommunist, 1959, No. 9.)

Exact information on the participation of Asian or African youth is not available, but it can be assumed that attendance from both these countries will be large.

Besides the regular delegates, by May 1959 more than 1,500 athletes from different

[1] The first of this series of youth festivals was held in Prague in 1947. It was attended by representatives of the youth of 71 countries. Delegates from 81 nations attended the second festival held in Budapest in 1949. The third, fourth, fifth, and sixth festivals were held in East Berlin, Bucharest, Warsaw, and Moscow, respectively. They took place in 1951, 1953, 1955, and 1957 and were all attended by delegates coming from more than 100 different countries.

groups in various countries had announced their intention to attend the festival (Festival, May 1959).

The festival's program is extraordinarily extensive and varied. An average of 80 different events is anticipated for each day of the festival. The events planned may be grouped under five main headings, each with a special goal of its own, while the program as a whole has one basic political aim; namely, to win over the youth of the non-Communist world.

1. Entertainment: An elaborate entertainment program has been arranged. It is hoped that the spectacular character of this program will exert sufficient psychological influence upon the young people present to make them easily susceptible to the message of other aspects of the festival. On the opening day the entertainment will include a great parade on the Prater Boulevard, a parade of dance and gymnastic groups and finally a great fireworks display and a youth ball for all participants. Later there will be an international student ball, an international student carnival, another great celebration on the Prater, an assembly of girls awarded beauty prizes during 1959, two large style shows, a celebration of youth and friendship with a parade and closing concert by famous performers, festivals of farm youth and circus performers, dances and concerts in the international student club, and a brilliant last evening of entertainment with a gala concert, fireworks, and so on.

2. Sports: The program of sports events is designed to appeal to the athletic and sports interests of youth. The friendly atmosphere and spirit of sportsmanlike competition which the sports program should generate will help the Soviets in their campaign to influence youth. The schedule includes competitions for the festival's sports medal, friendly meetings of young athletes from various countries to discuss sports, an international tournament of young stars, international automobile races, and a conference of coaches and directors of sports organizations.

3. Festival of the arts: A program of colorful and varied professional and amateur performances representing the arts of many different national groups has been arranged. By playing upon the emotion and enthusiasm of youthful audiences these artists are expected to make communism seem an attractive way of life. Ensembles and soloists from more than 70 countries have already announced their intention to take part in the festival.

4. Intellectual: This part of the festival program aims to evoke in youth respect for the accomplishments of the Communist countries and particularly the Soviet Union in science and engineering and to demonstrate their superiority to the West in these fields. Lectures will be given by outstanding scholars and scientists on such themes as "Problems of Mastering Space" (to be combined with a meeting between youth and selected Soviet creators of the first interplanetary rocket), "The Lengthening of Human Life," "Atomic Power Today and Tomorrow," "A Century of Science and Man," and "Problems of Contemporary Literature."

5. Political: The program for this section of the festival has obviously been prepared with a view to furthering the political aims of the Soviet regime. The core of the program will be a series of student seminars on critical political problems. The topics will include "The Role of Students and Student Organizations in Contemporary Society," "Nature and Man in the Light of Contemporary Concepts of Science, Technology, and Philosophy," "Problems of the Democratization and Reform of Systems of Higher Education," "Economic, Political, and Cultural Problems of Colonial and Underdeveloped Countries and the Role of Students in Their Solution." It is a foregone conclusion that the papers on these subjects will be written carefully by representatives of the Communist world and the discussions will be directed by trained propagandists and theoreticians specially selected for the purpose. There will also be conferences on such subjects as "Automation and Its Results in Various Countries" and "Questions of Wages and Employment," as well as meetings to celebrate friendship and solidarity with youth in colonial countries and countries which have only recently become independent.

Gatherings of young people organized on a professional basis are also scheduled, including gatherings of construction and metal workers, electric power and engineering workers, oil and railway workers, workers in foodstuffs industries, textile workers, workers in chemical industries, clothing and footwear workers, miners, printers, agricultural laborers, members of agricultural artels (producers' cooperatives), and collective farmers, private peasants, independent and tenant farmers, young white-collar workers, teachers, journalists, and so forth.

The first four headings of the festival program contain events designed to exert a psychological impact on youth, while the winning over of youth to the support of Soviet policies is to be attained by the fifth heading in the program. Influencing the young people is, of course, only the necessary precondition to the essential goal of capturing their support for Soviet world policy.

The formal program will be supplemented by other types of activity. An important method of spreading propaganda among the young people will be the individual contacts made at various informal gatherings and discussions. Even the inevitable flirtations may have a part to play in this process.

The Communist organizers of the festival expect opposition to it, particularly from Western youth organizations. They are therefore making every effort to compromise anti-Communist activity by such organizations. The Soviet press has even accused certain Austrian political parties of obstructing the festival:

"Officially members of these parties voted to adopt resolutions permitting the festival to be held in Vienna. However, in their partisan political activity outside the government, they have not considered themselves bound by their own vote and are carrying on both openly and in secret a campaign against the festival" (Molodoi Kommunist, 1959, No. 6).

The article also stated that West Germany is the headquarters of European opposition to the festival and that this opposition is headed by Catholic groups.

The Soviet press, Festival, and the publications of the World Federation of Democratic Youth are issuing numerous articles and press releases in an attempt to offset the impact of negative reactions to the Festival by the free youth of the West. They cite resolutions approving the Festival adopted by youth organizations in Asia, Africa, and Latin America and messages of greeting from various "progressives" in the field of politics, science, culture, and art. The official management of the Vienna Festival is trying to use these artificially inspired statements as proof that the Festival is a completely nonpolitical affair, organized by and representing youth of the most varied political, ideological, and religious beliefs, which has no other aim than to lessen world tension and clear the ground for international friendship and solidarity.

"Participation in these international games and competitions does not in any way imply adherence to or approval of any one political trend" (Festival, February 1959, No. 5).

"These young people are not gathering to discuss which is the best political faith, nor to defend or attack any particular existing government. They are gathering in order to dance together, enjoy themselves together, take part in sports together, show each other their different national cultures, and to talk over together the things which they all value. They will talk of such questions, equally understandable to all, as for instance, the simple question of what lies ahead for them—a long, peaceful life or a quick death" (Festival, Feb. 1959, No. 5).

Despite all attempts to prove that youth itself has organized this Festival, the precise and skillful stage-management of its real directors cannot be hidden. The World Federation of Democratic Youth has been placed in charge of its preparation and conduct. This organization is under the direct supervision of the Central Committee of the CPSU and together with the World Peace Council, the World Federation of Trade Unions, and the International Democratic Womens' Organization it belongs to the group of subsidiary organizations of the CPSU Central Committee created after World War II. Organized at a conference in London in 1945, by 1949 it had been completely taken over by the Communist Party. This absorption is confirmed by the expulsion from France in 1951 of the Executive Committee of the World Federation previously located in Paris, for subversive activity. The executive committee then moved behind the Iron Curtain to Budapest.

A declaration made by the executive committee of the World Federation of Democratic Youth at the December 1958 conference in Colombo shows quite clearly that this organization is directed from Moscow. Ostensibly this declaration was made on behalf of 85 million young people from all over the world. But it merely parrotted the current "line" of Soviet foreign policy, besides recommending careful preparations for the festival. The lines linking these preparations to Moscow are exposed to view in an article entitled "A Great Force of the Present Age" which was written to observe the 10th anniversary of the founding of the "World Movement of Fighters for Peace." (Molodoi Kommunist, 1959, No. 5.) The article describes youth festivals as one of the best possible means of promoting Soviet peace aims.

The Soviet press, Festival, and the publications of the World Federation of Democratic Youth provide ample proof that the festival is purely a political project. Komsomolskaya Pravda (June 23, 1959) removes all doubt about the festival's political and propaganda aims with such remarks as "Venezuela welcomes the festival which will help her in the day-by-day struggle for complete liberation from the imperialist camp." An article in Festival (February 1959) indicates the important part Communists are expected to play in the festival itself:

"As no one has ever denied young Communists will also participate in our festival. Perhaps in 1859 it was still possible to have an all-embracing world meeting without Communists, but today we live in the world of the year 1959, in which one part of the world is already Communist, while in the other part the Communists are an important force. A great world undertaking in science, sports, or any other field is impossible today without Communist participation."

The financing of the festival has been carefully planned and apparently no expense will be spared to make it a success. For example, the festival commission has budgeted $884,000 just for the upkeep of the festival participants during their stay in Vienna, at the rate of $52 per person. If the expenses

for the program itself, for publicity and propaganda, for decorating the city, and for travel costs of the participants are added up, the total figures are large indeed. It has been officially announced that funds collected by the national preparatory committees and contributed to the festival fund amounted to $250,000, which sum was earmarked for the travel expenses of participants. However, Festival (April and May 1959) notes that other funds for the festival have been provided by the World Federation of Democratic Youth, the International Student Union, and various "individuals" and "countries which have at their disposal the corresponding resources." This last modest phrase means of course the Soviet Union, which undoubtedly is contributing the lion's share of the necessary subsidy either directly to the festival fund or through the World Federation of Democratic Youth and the various Communist Party treasuries of the world to the individual national preparatory committees.

REAL PURPOSES OF THE FESTIVAL

The objectives of the festival in the eyes of the CPSU Central Committee are easily apparent in the literature prepared for the guidance of its organizers: These purposes are as follows:

1. To control the minds of the youth of the world in order through youth to promote Soviet foreign policy. To mold youth from many lands into a mobile force directed from the Kremlin to further Soviet political aims.

2. To impose upon the youth of Asia and Africa political submission to the CPSU Central Committee. The influence exerted by the Soviet Union on the youth of these continents is already substantial and the festival is intended to make that influence decisive.

3. To stimulate the struggle of the peoples of Asia and Africa against the West's policy by artificially arousing "the determination of the youth of Asia and Africa to put an end during the lifetime of our own generation to colonial survivals in the two continents." (Molodoi Kommunist, 1959, No. 5.)

4. To gain the assistance of youth in the campaign to take over politically and economically the Latin American countries. Every effort will be devoted to destroying the influence of the United States of America in Latin America. Preparations for the festival in the South American countries—Brazil, Argentina, Venezuela, and the rest—indicate the extent to which Soviet policy has been brought to bear on the youth of those countries.

5. To win the support or at least the neutrality of the youth of the free West. The possibility of achieving this aim may be increased by the fact that the Seventh World Youth Festival is being held in a free Western country, but is also protected from possible anti-Communist retaliatory moves by Austrian neutrality in the cold war.

It should be noted that the CPSU Central Committee hopes that Soviet youth will win the warm debate expected at the festival with the representatives of the youth of the non-Communist world. Appealing to Senator HUMPHREY in Komsomolskaya Pravda (June 28, 1959), the Communist leadership asserts:

"The young hearts of the festival participants go out in friendship to all their friends throughout the world. At Vienna, the sound of music and song in many different languages soaring above the Alps, may persuade youth to forget your exhortations and to carry home with them impressions which you would not like them to have received."

6. To attempt at the festival to win over politically the greatest possible number of West German youth and thus to exert an influence upon the policy of the Federal Republic in the German and Berlin questions. It is worthy of note that the Soviet leadership skillfully inspired the appeal of 39 public and scientific figures of the Federal Republic to West German youth to support and take part in the Vienna Festival.

It is interesting that the Soviet press is almost completely silent regarding preparations for the festival in Communist China. Evidently there will be serious competition in Vienna between the two Communist world centers for influence over the youth of the non-Communist world and particularly of Asia, Africa, and Latin America.

To sum up, the Seventh World Youth Festival will be the largest and most universal youth assembly ever to be held. Holding it outside the Communist empire is an attempt to introduce a Trojan horse into the free world.

SENATOR-ELECT FONG OF HAWAII

Mr. HICKENLOOPER. Mr. President, the August number of Pageant magazine contains an article entitled "Hawaiian Success Story," by David S. Teeple. Its subject is HIRAM FONG, who was just elected Senator from Hawaii.

This article is concise, but it shows a picture of a man who is a great success under the American system, in the typical American fashion.

I ask unanimous consent that the article be printed at this point in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HAWAIIAN SUCCESS STORY

(By David S. Teeple)

On July 28, 1959, Hawaii will have formally ratified its new statehood. The new State will bring with it, not only the 50th star for Old Glory, but a fresh reminder of America's heroic, traditional role as the melting pot of nations.

Fed by American idealism, Hawaii is itself an amazing melting pot. The new State is a racial potpourri of Polynesians, Japanese, Chinese, Portuguese, Swedes, Dutchmen, Englishmen, Spaniards, and New England Yankees.

The sweet synthesis of East and West is perhaps best typified by its leading citizens. And typical of these is the substantial figure of HIRAM FONG, the Hawaiian Republican Party's candidate for U.S. Senator in the July 28 elections.

Both of FONG's parents are Chinese, FONG's birthplace is Hawaii, but FONG himself is a distinguished success in the fabled American tradition—the poor boy who wins his way to fame and wealth by hard work and tenacity. His name itself symbolizes Hawaii's experiment in introducing East to West. "Fong" may be a name unmistakably Chinese, but "Hiram" is as downeast Yankee as any name can be.

Should FONG win the election, he will be the first person of oriental parentage to become a Senator of the United States. It is a measure of progress not without irony that today FONG should stand welcome at the threshold of the Senate, the "world's most exclusive club." It was the same Senate that helped pass laws in the 19th century (culminating in the Chinese Exclusion Act of 1882) to block the inflow of Chinese immigrants.

Our closed-shore policy helped divert many Chinese migrants to Hawaii at that time. And that really is when FONG's Hawaiian Horatio Alger story begins.

In 1872, FONG's father left the swarming Chinese mainland to work in the Hawaiian sugarcane fields as a 16-year-old indentured laborer earning $12 a month. A few years later, a young Chinese girl left home to work as an unpaid bond servant for a Hawaiian family. The two migrants married, and eventually raised 6 sons and 5 daughters in peasant penury.

Born in 1908, HIRAM LEONG FONG was the seventh child. Like his brothers and sisters, young FONG had to work constantly to help feed the sprawling family. He shined shoes and sold newspapers like a true Horatio Alger hero. But he improved on Alger by catching crabs and fish for the family larder.

Helped, no doubt, by the powerful alchemy of American culture, the zeal for self-improvement fired the seventh son of the illiterate sugarcane worker and the illiterate bond servant. HIRAM FONG set himself on going to school. School in Hawaii meant the Christian missionary schools, those enduring monuments to the forceful character of New England clerics who only 70 years before had sailed into pagan Hawaii to make "Christian gentlemen" out of Polynesian natives.

School meant not only study but work for near-pauper FONG. By constantly juggling jobs to support himself, he finally finished secondary school and enrolled in the University of Hawaii. At the university, he kept right on juggling jobs—as a collector of overdue bills, as a college correspondent for both a morning and an evening newspaper, as a guide for tourists visiting the oriental temples Christian gentleman FONG had long since grown away from.

Like many another Alger type from Maine to Hawaii, FONG found time not only to work and study, but to edit his college newspaper, serve as major in the Reserve Officer Training Corps, join the debating team, volleyball team and rifle team, and to preside over the university's YMCA.

In 1930, FONG was graduated with honors, completing the course in a one-under-par 3 years. In the midst of the great depression, he found himself a job as chief clerk of the suburban water system. Prudently saving his money, for 2 years he prepared himself for the next step up: winning a degree at Harvard Law School, then as now the most distinguished law school in the United States.

Harvard thumbed down the Hawaii University graduate on the grounds that the island school wasn't an accredited institution. But a Harvard alumnus, former Attorney General of the Territory of Hawaii Arthur G. Smith, persuaded Harvard to accept FONG, provided he remained in the top 10 percent of his class. He thus became the first Hawaii University alumnus to gain official admittance to Harvard Law School.

Three years after enrolling, FONG returned to Hawaii with $3,000 worth of debts and a Harvard degree worth a good deal more than that to an ambitious and confident young man.

FONG was gaining momentum. Three years later he entered politics, and in his first electoral bid was voted into the Hawaiian Legislature. He served there for 14 years, as speaker, vice speaker, and outspoken booster for Hawaiian statehood. (In 1940 the Hawaiian electorate voted for statehood by a large majority.)

Presenting the Hawaiian case before a U.S. Senate committee in 1950, FONG pointed out that "the granting of statehood to Hawaii will cost the Federal Government nothing, yet will accomplish in the world and especially the Pacific, what is expected of the costly Marshall plan in Europe—that is, to win friends for America. Hawaiian statehood will increase the prestige and honor of the American people in the field of international diplomacy."

When World War II broke out, ex-ROTC Major FONG was called up to active duty with the Air Corps. He eventually became judge advocate of the 7th Fighter Command of the 7th Air Force, and a real major.

After the war, FONG devoted his considerable energies to a law practice and a finance business. He has been notably successful in both. His law firm, Fong, Miho, Choy & Robinson, is one of the top firms on the archipelago. (Also one of the most cosmopolitan, since it is staffed by two Chinese, two Japanese, one Korean and one part Hawaiian, part Caucasian lawyer.)

The son of the indentured plantation worker is also president of Finance Factors (a $12 million loan corporation), Finance Realty, Finance Investment Co., and Market City, Ltd., and the Grand Pacific Life Insurance Co. Yet, with the blood of Chinese peasants in his veins, FONG likes to work hard on his 200-acre cattle ranch and banana farm. He's a gentleman farmer who rolls up his sleeves and plunges into the farm chores.

Lawyer-Financier-Farmer FONG still finds time for civic chores with the YMCA, chamber of commerce, Lions Club, PTA, and his local Congregationalist Church. A skilled practical businessman, he is nevertheless well known among his associates as "a banker with a heart." In a recent strike among sugar cane workers which lasted 6 months, FONG declared a moratorium on all payments due his finance company until the strike had been settled and normal incomes restored.

Today, at 51, HIRAM FONG is knocking at the door of the august U.S. Senate.

His Senate race won't be run on the basis of race, either. There is no race prejudice among Hawaii's "kamaaina" (native born) and very little among the "malihini" (newcomers).

Rich, honored, vigorous and active, happily married for 21 years and the father of four children, FONG is not only an indisputable success, he is a success formed indisputably from the American mold.

Describing him, one could be describing the career of any American politician who fought his way up from poverty. From working his way through college to leadership in his local PTA, FONG has made all the stops just the way they're made in Wichita, Kans., or Burlington, Vt.

Proud of that fact, FONG likes to see himself as a symbolic American figure. "I am," he has said in speeches, "a product of the American public school system, a product of the American way of life. I hope the American people will see my life as symbolic of the opportunity offered only in a democratic society such as ours."

More important, perhaps, than how America sees FONG, is how the millions of restless people in the Asian countries see him. If he wins the coming election, FONG will be the first "man of the Pacific" to vote in our Senate. Even if he loses, the people of the Orient will know that eventually one of their race will take his seat in a great legislature of a Western nation.

FONG represents Hawaii's successful experiment in joining the East to the West. He and the Hawaiian Islands that produced him should help America win friends among the eastern half of the world's population which now eyes us suspiciously.

As an American success story, Chinese-Hawaiian-American HIRAM FONG is clear proof that racism has no permanent place in America. It is not only an irony that the Senate which excluded Chinese from our shores will now or very soon be welcoming a Chinese person into its chambers. It is a mark of the progress of our Nation in meting out justice and providing a peaceful way of life within our borders to every nationality in the world.

THE DUNES OF INDIANA

Mr. DOUGLAS. Mr. President, as knowledge of the danger to the dunes of Indiana spreads, sentiment in favor of their preservation through the creation of a national park or monument is rising very rapidly. I ask unanimous consent that there may be printed at this point in the RECORD a letter from Charlotte Reischer describing the beauty of the dunes. I call attention to the last sentence, which reads as follows:

Who would dare to build a steel mill there?

This question is asked in a rhetorical sense. I regret to say that it has to be answered in the following terms, namely, that the company which is seeking to ravage the dunes immediately is the National Steel Co., headed by Mr. George M. Humphrey, a former Secretary of the Treasury. We hope very much that Mr. Humphrey's mind may be changed by this appeal. I commend the editorial to the attention of the Senate and the country; and while I do not believe in giving commercials ordinarily, I wish the Members of the Senate and others would look at the leading cartoon in this morning's Washington Post by the inimitable Herblock, which deals specifically with this question.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DUNE MEMORIES

Are the steel companies going to be allowed to obliterate the Indiana Dunes even before Congress has had a chance to act? Contracts have already been let for early construction of mills near Ogden Dunes.

I was born and raised 30 miles from the dunes, in Illinois. I learned to swim there and to follow the scritch-stratch trail of the sandpiper. On a clear day we could see the Chicago skyline. When my brother, 12 years old, declared he would run away from home we all helped him pack up, and off he rode on his bicycle—to the dunes.

For a week he camped out alone; then he rode home again to a proud but worried family. My parents had their honeymoon in a fisherman's cabin in the dunes, at the end of March when the west wind pushed the surf high onto the beach. And long before that, even before Gary was built on the sands in 1911, my mother used to go out to the dunes.

I have been on beaches up and down the eastern seaboard. I have swum in the Mediterranean and visited the Northwest. Here and there, there are beaches where the swimming is good. And there are a few where the sand is clean and castles are fun to build. But nowhere have I found a beach where you can walk for miles and miles, as you can at the dunes.

The dunes stretch far inland. In autumn when it was too cold to swim we used to walk back through trees aflame with color and build our picnic fire, sheltered from the wind in a sandy hollow. When we spent the night at the dunes, we would get up at 4 in the morning and climb the highest dune around to watch the sunrise. Best of all were the sunsets glowing across the lake in evening calm.

People who have grown up in other parts of the country find dull the flat expanse of midwestern fields. They are unmoved by the wide horizon, the coal-black soil, even by the "elephant's-eye" corn. But the dunes appeal to all. They are the Midwest's Grand Canyon. Who would dare to build a steel mill there?

CHARLOTTE REISCHER.

ANNANDALE, VA.

PROPOSED MEMORIAL TO JAMES MADISON

Mr. DOUGLAS. Mr. President, some weeks ago the distinguished American historian and journalist, Irving Brant, proposed that the discarded columns of the east portico of the Capitol should be used as part of a memorial to James Madison.

As all of us know, James Madison was more responsible than anyone else for the drafting of the American Constitution and for its adoption. He was also the author of the Bill of Rights, which constitutes the first 10 amendments to the Constitution. In the first session of Congress he also drafted and succeeded in having passed the statute which set up the American judicial system.

In addition to his other contributions he became Secretary of State under Thomas Jefferson, and served for 8 years as President.

It is regrettable that no adequate memorial to James Madison has hitherto been erected. I wish to commend Mr. Brant for his suggestion, and I desire to urge that it be carried out. The columns which have been taken from the east front of the Capitol are now piled in front of the east front. The Architect of the Capitol has not told us what he intends to do with them. We hope it is not his intent to destroy them. They could readily be used as columns for a building similar to that which Madison had at his estate at Montpelier, and which in turn, if my knowledge of architecture serves me correctly, was modeled after a similar structure in the Vale of Tivoli, approximately 30 minutes outside of Rome, which I remember seeing one morning, many years ago, with great appreciation.

I ask unanimous consent to have printed in the Appendix of the RECORD two letters which appeared in the Washington Post and Times Herald of August 2. One was written by Merle Curti, professor of history at the University of Wisconsin, and formerly president of the American Historical Association. The other letter was written by Sidney Hyman, author of "The American Presidents."

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MADISON'S CONTRIBUTION

As a teacher and writer of American history who has worked for many years in one of the first cities to be named for Madison, I am happy to support the proposal of so distinguished a scholar as Irving Brant that the columns lately removed from the front of the Capitol be used to build a memorial to the man whose many services to the Nation have been duly noted by Mr. Brant and by those who have endorsed his proposal, including Edward S. Corwin, Edmond Cahn, and Carl B. Swisher.

To the reasons these authorities have given I should like to add certain qualities of mind and character that enabled Madison to make some outstanding contributions to the Nation. His mind was an extraordinarily logical one and he used his logic for highly constructive and creative purposes.

A true and wise Democrat in both the ethical and operational sense of the term, Madison, supplemented, as Adrienne Koch

has so well shown, Jefferson's emphasis on individual rights. Madison did this in part by promoting that order in which reasonable compromises are made. He stood on his feet, he was no one's man, and in this integrity guided a realism which did much to insure the success of the Republic in its early and precarious testing time.

A memorial in the Capital of the Nation he did so much to launch is an eminently appropriate testimonial to one of the indisputably great Americans.

MERLE CURTI,
Professor of History, University of Wisconsin.

MADISON.

If the monuments in Washington to men on horseback were all brought together in one field, the number would be roughly equivalent to a reinforced cavalry regiment. Yet the Washington Post has been emphasizing of late there is no suitable monument to James Madison; no monument to him, though here was a man whose force of mind helped establish the constitutional context in which all of us live, and whose glory it is for the horseback warriors to defend.

Madison himself was human enough to wish to be thought well of by posterity. In a letter he wrote on February 24, 1826, to a dying Thomas Jefferson he recalled their lifelong collaboration, and how the public effect might be regarded in aftertimes. "I indulge the confidence," he said, "that sufficient evidence will find its way to another generation to insure, after we are gone, whatever of justice may be withheld whilst we are here."

Justice of that sort has since been done to Jefferson. Precious little of it has been done to Madison—though the evidence coming down to our generation shows that the political tradition known simply as Jeffersonian is actually an amalgam of ideas and deeds in which Madison's contribution was on a par with Jefferson's.

The parity deserves recognition, however belatedly, in the graphic symbol such as the monument the editors of the Washington Post contemplate in honor of Madison's memory.

SIDNEY HYMAN.

Mr. YARBOROUGH. Mr. President, I commend the distinguished Senator from Illinois for the statement he made in support of an appropriate memorial to James Madison, honored by many as the father of the Constitution, and certainly the father of the Bill of Rights.

I wish to express my support of the resolution heretofore introduced by the distinguished Senator for the erection of a suitable Madison memorial. I think there should be appropriate recognition of one of the four or five great governmental thinkers who founded the institution under which we live.

FIRST MEETING OF TEXTILE INDUSTRY ADVISORY COMMITTEE

Mr. PASTORE. Mr. President, last year, by virtue of a Senate resolution, a very exhaustive and extensive investigation was conducted in regard to the decline in the textile industry. I had the honor and the privilege of serving as chairman of that special committee. We made 10 specific recommendations. One was for the establishment of an interdepartmental advisory committee, which only recently was created by directive of the President of the United States.

On Wednesday of last week, the first meeting of that committee was held. I have before me a press release which is quite informative and instructive; and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

TEXTILE INDUSTRY ADVISORY GROUP HOLDS FIRST MEETING

Acting Secretary of Commerce Frederick H. Mueller today hailed the formation of the Textile Industry Advisory Committee under Department of Commerce auspices as an important step in the Government effort to aid the textile industry, when the newly organized group held its first meeting at Commerce.

Mr. Mueller told the tripartite body, drawn from management, labor and the public, that he hopes for "concrete and constructive ideas" from its deliberations.

The Committee was brought up to date today on measures already being taken by Commerce's Business and Defense Services Administration for facilitating and expanding the collection of statistical data to meet the expressed need of the textile industry, and also for developing more economic studies on various aspects of the industry.

The Advisory Committee and the Interagency Textile Committee, which also was represented today, were created as the outgrowth of recommendations from the Senate Committee on Interstate and Foreign Commerce, after an exhaustive study of textile problems by a subcommittee.

Carl F. Oechsle, Assistant Secretary of Commerce for Domestic Affairs, heads the seven-member Interagency Committee, which also includes representation from State, Treasury, Army, Agriculture, Labor and the Council of Foreign Economic Policy. It reports to the Secretary of Commerce.

Members of the Advisory Committee today praised the Government for the creation of both groups, feeling they would serve a useful purpose in acquainting Congress and other Government agencies with textile industry developments.

H. B. McCoy, BDSA Administrator, outlined the plans for furnishing the textile industry with more complete statistical data, and for facilitating its collection, through cooperation with the Bureau of the Census.

This work will be carried on by BDSA's Textiles and Clothing Division, which also will direct the projected economic studies touching on such matters as the historic fluctuations in the textile industry domestically, and the growth of the industry abroad.

Members of the Advisory Committee agreed with A. Henry Thurston, Director of BDSA's Textiles and Clothing Division, that a pressing need is for rapid monthly reports on a number of key items that would be of great assistance in marketing programs. Better figures on imports were cited as one important item.

Henry Kearns, Assistant Secretary of Commerce for International Affairs, reported on his discussions in Hong Kong earlier this year, when he impressed on the textile and apparel industries there the need for diversification and orderly marketing in their apparel shipments to the United States. He emphasized that concentrated shipments of some specific items were causing undue distress to American industry and suggested that moderation and diversification of shipments would be desirable if they wished to continue to enjoy long-term American markets. Mr. Kearns expressed optimism that action would be taken by Hong Kong producers that would ease the situation. He also discussed his subsequent meetings with U.S. retailers and importers.

Members of the Advisory Committee said that one of the big problems of the domestic cotton textile industry is the competition from foreign sources which manufacture their products from the cotton which this Government sells overseas at 25 percent under the price at home.

Eight of the nine members of the Advisory Committee were present. They were:

Management: William I. Kent, president, Kent Manufacturing Co., Clifton Heights, Pa.; William J. Erwin, president, Dan River Mills, Danville, Va.; Seabury Stanton, president, Berkshire Hathaway, Inc., New Bedford, Mass.

Labor: Emil Rieve, chairman, executive council, Textile Workers Union of America (AFL–CIO), New York, N.Y.; George Baldanzi, president, United Textile Workers of America (AFL–CIO), Washington, D.C.; Victor Canzano, vice president, Textile Workers Union of America (AFL–CIO), New York, N.Y.

Public: A. L. M. Wiggins, chairman of the board, Atlantic Coast Line Railroad Co., Hartsville, S.C.; Olin Glen Saxon, professor of economics, Yale University, New Haven, Conn.[1]

The members of the Interagency Committee, or their representatives, also took part.

EXCHANGE OF VISITS BETWEEN PRESIDENT EISENHOWER AND PREMIER KHRUSHCHEV

Mr. JAVITS. Mr. President, on yesterday, on the television, I had occasion to comment on a prospective visit of Premier Khrushchev to the United States. This morning, the President has announced such a visit.

Mr. President, Americans will welcome this latest expression of the new diplomacy of face-to-face discussion of issues. I thing they will also welcome the fact that Premier Khrushchev, who has been doing a great deal of guessing about our country and its power and its will, will see our country for himself. Certainly that will be all to the good.

But, Mr. President, I think the most important part of the announcement lies in the fact that the President has coordinated and cleared that visit with our free world allies. I say that because we must not encourage any idea that the two super powers—ourselves and the Soviet Union—are going to divide up the world. In our case, we cannot play the game the way the Russians do. We have allies who are full and equal partners with us, and we must consult them.

In the same connection, let me say that I also wish to repeat the suggestion my colleague, the junior Senator from New York [Mr. KEATING], made earlier today—namely, that the President of the United States will not forget, when he talks to Khrushchev, that 100 million captive peoples are imprisoned behind the Iron Curtain. I hope that subject will also be on the agenda.

Mr. President, yesterday, on the television, I was asked by some young students a question which I believe will be of interest to my colleagues. Those students asked me whether I thought our will would be sapped by the visit of

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[1] Third member—Martin Gainsbrugh, National Industrial Conference Board, 460 Park Avenue, New York, N.Y., was unable to attend meeting due to a prior commitment.

Khrushchev and whether he would lull our Government into some kind of somnolence, so that we would not do our best in the cold war.

First, I join my colleagues in saying that Vice Phesident NIXON's mettlesomeness, as shown in actual face-to-face debate in Moscow, was reassuring and was representative of the spirit of Americans. I believe he is very representative of that spirit; and I believe he has done an excellent job there, as all of us affirm. But, more than that, I do not think our will will be sapped at all. On the contrary, I believe that our country's diplomacy will be reinvigorated by our increased understanding of Mr. Khrushchev, through what he has to say about Russia and her purpose.

I believe that Khrushchev's prospective visit is likely to have the same effect as that of the recent visit to our country by Mikoyan. It is my position, and I believe it is that of the American people generally, that we can safely rely on a correct understanding of the genuineness and the asserted love for peace of these two leaders of the Soviet Union, as tested in the light of what each has done, rather than based upon the words they utter.

In short, I think Mikoyan's television appearance did the cause of the free world an inestimable amount of good, as he demonstrated his inflexibility, his doctrinaire attitude, his absolute certainty that the Russian Communist way, and no other way, would allow the attainment of the proper goals. I believe that demonstration by him will convince the American people as nothing else could have done. I expect that we shall have the same experience with Khrushchev.

So I believe that at long last we are coming face to face with our trouble. But it is very important that we not be seduced by the idea that one country can "play the game" for half the world. Perhaps Khrushchev can, for Communist Russia and the Iron Curtain countries; but certainly the United States will never attempt to do so on the part of its allies in the free world.

President Eisenhower can do the countries imprisoned behind the Iron Curtain a great deal of good when he talks to Khrushchev, by always being cognizant of the fact that we expect to honor the dignity of the captive nations and their right to take the actions they deem proper.

Mr. DIRKSEN. Mr. President, I am confident that our Nation and the other nations will honor the President for his invitation to Khrushchev to visit our country, and also for President Eisenhower's decision to make a return visit, when he will have an opportunity to address the people in the Soviet Union by means of the instrumentalities made available for that purpose.

I believe that the groundwork for this situation was laid in 1952, when the President said that if he thought he could do some good by going to Korea, he would go there. He did go there, and the bloodletting and the killing ceased; and people remember kindly and graciously his visit there.

If there can come some end to the tensions which now exist between nations, and some relief from the costly armament burden which sits so heavily on people in all parts of the world, I believe history will rank President Eisenhower as the boldest peacemaker in many generations. For himself, there will, of course, be the enduring and lasting satisfaction that in his lifetime—great military man that he was, captain of the greatest military offensive mankind has ever seen—he will not have left a single stone unturned, a single thing undone, to bring to mankind the most cherished of all things—namely, a just and enduring peace.

Mr. JAVITS. Mr. President, I am grateful to the Senator from Illinois.

Let me conclude by saying that no matter what comes from the conversations, I think the world can be sure that neither the President's will, nor the will of Vice President NIXON, nor our will, nor the will of the American people generally to maintain peacefully, even if it takes decades, the struggle to obtain justice and freedom, will be sapped, but that instead, all of us will try in every way possible to arrive at concord; but if we have to sweat it out, I am confident we will do so.

PROPOSED EXCHANGE OF VISITS BY LEADERS OF RUSSIA AND THE UNITED STATES

Mr. YARBOROUGH. Mr. President, I think the proposed visit and exchange of views by the leaders of Russia and the United States is a significant step in the right direction.

There are two ways of ending the cold war conflict. We may end it by conference or by combat. We can wake the drumming guns, or we can confer on possible ways of easing tension.

It is idle to expect peaceful coexistence with people if we refuse to talk to them. We can have a rule of world law and order, or we can meet at a kind of international O.K. Corral.

Americans believe that world law and order is preferable to international acceptance of the law of the jungle, the conflict of tooth and fang, the rule of surprise and ambush.

Believing that the only way to substitute conference for recrimination is to begin, I favor conference, debate, and exchange of statements of position between the two great nuclear powers. Any agreements are likely to come only after long conferences and careful scrutiny. The sooner these conferences begin between the American and Russian leaders, the better. We can make progress for peaceful security only by working at the job. Any agreements made must be with adequate security safeguards. We are ready to confer, but not to surrender.

PROPOSED VISITS OF LEADERS OF THE UNITED STATES AND RUSSIA

Mr. LAUSCHE. Mr. President, this morning the President announced that Khrushchev would make a visit to the United States, and that, either following that visit or simultaneously with it, the President of the United States would visit the Soviet Union.

In World War II the bomb known as the blockbuster had a destructive power equal to 20 tons of TNT; at Nagasaki and Hiroshima the bombs had a destructive force of 20,000 tons; now the power is 20 million tons. In the course of a few days the populated and built-up areas of the world can be destroyed in modern warfare. Having in mind those facts, it seems to me no stone should be left unturned in trying to reach an understanding that will insure peace in the world.

There will be many who will take exception to the visit. I personally do not feel enthusiastic about it when I am motivated by sentiment and by wishes contrary to a consideration of cold, realistic facts. Considering what will happen to the world unless every effort is made to achieve peace, or at least to delay war, I cannot help but subscribe to the visit that will be made.

My own view is that Khrushchev desires to visit the United States mainly on a defensive basis. His position in the captive nations is unstable. He realizes that there are about 80 million people who want to shed themselves of the yoke of communism. He wishes to come to the United States hoping that a coolness will be thrown over the hopes of the future of those people. That is one of the results we should avoid; we should make certain it will not happen.

The people of the satellite countries of Europe should continue to understand that we are not abandoning them; that we believe in their cause; that we sympathize with their desire to achieve liberty; and that we are of the belief that in the course of time liberty will come to them. Time is on our side.

When Khrushchev comes here he will very probably visit the metropolitan centers of our country, and in them he will see islands of people whose ancestors came from the captive nations.

Mr. President, may I have 2 additional minutes?

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. LAUSCHE. Mr. Khrushchev will see islands of cities inhabited by the descendants of Poles, Hungarians, Finns, Estonians, Latvians, Bulgarians, Macedonians, Yugoslavs, Czechs, Slovaks, and descendants of people from other captive nations. When he sees those people he will see a community of purpose and a symbol of the cause of liberty which will make Khrushchev wonder and marvel. He will learn that we want peace, but that in the efforts to achieve it we will not surrender our honor or falter in full defense of our lands, our lives, and honor.

My belief is that good will come to our country, and it may also come to the communized countries when they receive actual knowledge of the goodness of what we are doing and the peacefulness of our purpose.

THE FOREIGN AID PROGRAM

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to speak not to exceed 5 additional minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. BYRD of West Virginia. Mr. President, I am sure that many Members of the Senate are encouraged by the fact that our distinguished majority whip, the Senator from Montana [Mr. MANSFIELD], is directing a thorough and comprehensive study, through a Foreign Relations Subcommittee, of alleged abuses and mismanagement in our foreign aid program.

I believe that every Senator, regardless of his feelings in regard to foreign aid, will agree that it is a very desirable undertaking to make an objective examination of these charges.

Therefore, Mr. President, I wish to propose that the Senate should abstain from passing a foreign aid appropriation bill until the final results of the study by the Senator from Montana [Mr. MANSFIELD] and his subcommittee have been received. I feel that we should admit that we are in no position to vote on this important program as long as many charges against it have not been fully investigated, and that we should suspend judgment until the investigation is completed.

I will readily concede, Mr. President, that I believe where there is smoke, there must be some fire. I think the allegations that our foreign aid dollars are being misused and carelessly strewn over the globe have been repeated so frequently, and by such reliable personages, that some credence must be placed in them.

Even the President himself has admitted, in effect, that there is abuse in the foreign aid program. Just 12 days ago, he sent to the Congress a report which acknowledged awareness "of the charges of waste and maladministration made in connection with our aid program," and added that "there is no question but that some of these criticisms are justified." A United Press International story which contained these serious admissions was printed in the July 23 issue of the Williamson (W. Va.) Daily News, and I ask unanimous consent that the article may be printed as a part of my remarks in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REPORT ACKNOWLEDGES WASTE IN FOREIGN AID

WASHINGTON.—President Eisenhower sent to Congress today a report acknowledging waste and maladministration in the foreign aid program and calling for steps to end it.

The report also recommended that nations receiving aid seek to guarantee increasingly honest government at their end.

The report, prepared by a presidential study committee of former Government officials, was transmitted to Congress by Eisenhower without comment.

The committee, headed by William H. Draper, Jr., also recommended long-range financing of the oversea development loan fund a proposal that the President himself once opposed.

Congress has approved a compromise bill—now on the President's desk awaiting his signature—which authorizes $3,556,200,000 in foreign aid spending during the current fiscal year.

But the big foreign aid battle, in which charges of waste and maladministration will play a large part, is still to come. The compromise bill merely authorizes expenditures and Congress still must put up the actual money.

The Presidential Committee said its members were aware of the charges of waste and maladministration made in connection with our aid program," but added:

"While we believe that the administration and coordination of these programs has improved in recent years, there is no question but that some of these criticisms are justified.

"However, the conclusion we reach is that the programs must be continued and better administered, not emasculated or abandoned."

It recommended creation of a single Federal agency to administer all economic aid programs now scattered throughout the Government under general supervision of the State Department.

The report said that too many uncoordinated voices are being permitted to speak for the United States and officials of recipient countries had difficulty in understanding the purpose and function of the numerous American agencies operating abroad.

The report also criticized "an excessive amount of staff time" devoted to interagency coordination on foreign aid and the fact that in no one place in Government was there a complete, meaningful record of what was being done in each country.

The committee suggested that the proposed single foreign aid agency might be made a semiautonomous unit within the State Department. But it definitely favored setting up the agency outside the Department as an independent unit of Government with basic responsibility for all major related economic assistance programs.

Mr. BYRD of West Virginia. Mr. President, it is evident that there is considerable weight to the argument that some of our foreign aid money is not being properly utilized, and is not achieving the purpose for which the American people are paying so dearly.

In addition, there is another sort of charge against our foreign aid program; namely, that there is considerable secrecy and coverup of mistakes upon the part of the directors of the program. This allegation has been voiced many times, and was repeated Saturday afternoon in an editorial in the Washington Daily News. I ask unanimous consent that the editorial, too, may be printed in the RECORD as a part of my statement.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FOREIGN AID SECRECY

The question of official secrecy in the foreign aid program came up again yesterday at the Senate committee hearing on charges of maladministration in Vietnam.

International Cooperation Administration (ICA) officials promised full cooperation to clear up the charges, with some reservations. They will withhold, as a matter of fixed policy, evaluation reports dealing with foreign aid projects and personnel.

This policy of withholding information from Congress is defended, by President Eisenhower among others, as a matter of Executive privilege. It has been used even to keep desired information from the General Accounting Office.

Congress met this refusal with a paragraph in the foreign aid authorization bill, directly requiring that all such information be furnished to the Accounting Office and to any committee of Congress.

President Eisenhower replied, in substance, that this was an infringement on his Executive authority and that he would ignore it.

And so the House has toughened its stand with a requirement that if, after 20 days, ICA still refuses to make desired information available, money for the project involved will be cut off.

Constitutionality of such a requirement never has been tested, but we hope it sticks. These billions for foreign aid are provided reluctantly by the American people out of record taxes, on the theory that every penny thus spent is essential to American security.

This money is spent in the far corners of the world, out of sight of the average citizen. As is the case whenever huge sums are freely available, there is inclination toward waste and extravagance which can be prevented only by constant vigilance.

This is a case where, in our opinion, Congress is right and Ike is wrong.

Congress appropriates this money and Congress certainly should insist on full accounting. We hope the Senate adopts a similar 20-day rule and insists it be enforced.

Mr. BYRD of West Virginia. Finally, Mr. President, in addition to all these accusations of waste, misuse and secrecy, there is a growing feeling in America, I believe, that our farflung foreign aid program actually is not a good investment for the American taxpayers. I think that many Americans are beginning to wonder how long our country can continue to shoulder the economic burdens of more than half a hundred nations, while our own national debt is greater than the total of the national debts of all other countries in the world. I think that many Americans are beginning to ask, Why do we keep buying air conditioners for Vietnam when we cannot afford proper schools for our own children and proper medical care for our own aged?

A very lucid example of this hometown-American view was contained in an editorial which was published in the July 21 edition of the Sunset News-Observer of Bluefield and Princeton, W. Va. The editorial was titled, "Pakistan Versus Brush Creek." I ask unanimous consent that it may be printed in the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PAKISTAN VERSUS BRUSH CREEK

It will be hard for Princeton and area residents to understand President Eisenhower's logic if he vetoes the public works appropriations bill which contains the funds for the badly needed Brush Creek flood control project. For here is a situation in which an expenditure of a modest amount of Federal funds could give an economic lift to an area of our own country as badly in need of help as any place you can find. Maybe we'd stand a better chance of getting help if we could fool the President into thinking Princeton is in Pakistan instead of West Virginia.

We are not sure, of course, that the President is going to veto the measure. But yesterday's story from Washington in which he criticized Congress for appropriating money for new domestic public works projects was not encouraging. Privately, our representatives in Washington are saying that Ike may not actually go through with his threat. They point out that the overall amounts in the bill are only slightly more than the President requested. But what

apparently irks Ike is that 44 new projects were added by the House and 38, of which Brush Creek is one, were added by the Senate. He sees the thing as a challenge to his determination to balance the budget whatever it may cost in terms of domestic programs.

It's the old familiar story, of course. Cutting government spending is fine so long as it applies to the other fellow. But there's more to it than that. If the U.S. economy, generally and not just in spots, is going to grow stronger and expand as it should, then Federal projects such as this which can provide new job opportunities, and hence more national income and more tax revenues, should be undertaken. We cannot afford to continue supporting public works projects all over the world (which Ike likes)—we simply will not have the tax revenues to do it—unless we undertake new projects at home which will boost our own economy. The good old goose that lays the golden eggs might quit laying one of these days.

Ike's viewpoint, in our opinion, is the short-sighted one. Balancing the budget is a desirable goal. But why balance it at the expense of the future of Princeton and other U.S. communities? Why not shave a little more off of aid for Pakistan, or wherever the money is going now?

Princeton and Mercer County, we submit, could use some foreign aid. And the returns, we wager, would be considerably more tangible than those realized from some of the aid we have sent all over the globe.

The prospect of reclaiming land that can be used for new business and industrial development, and at a reasonable cost, right here in our own bailiwick fully justifies the Federal appropriation, we think. We hope Ike sees it that way.

Mr. BYRD of West Virginia. So, Mr. President, in view of the charges of waste, the charges of mismanagement, the charges of official secrecy, and the grassroots feeling that perhaps some of the immense quantities of money which we are scattering overseas might be better spent at home—in view of all these things, I repeat my proposal.

I respectfully submit that the Senate should withhold approval of any more foreign aid appropriation bills until the findings of the investigation being conducted by the Senator from Montana [Mr. MANSFIELD] and his subcommittee have been made known.

Mr. President——

The PRESIDING OFFICER (Mr. GRUENING in the chair). The Senator from West Virginia.

UNITED STATES MUST STAND UP AGAINST KHRUSHCHEV

Mr. BYRD of West Virginia. Mr. President, in Friday's edition of the Washington Post, there was a copyrighted article by former President Harry S. Truman, entitled, "Harry Truman Writes: United States Must Stand Up Against Khrushchev."

I feel that there is great wisdom in the contents of the article. I feel that the words of caution voiced by our distinguished former Chief Executive could well serve as guides to each person who helps direct our Nation's course in these tense days.

In order that the Congress may have benefit of our former President's views on this crucial world question, I ask unanimous consent, Mr. President, that the article be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HARRY TRUMAN WRITES: UNITED STATES MUST STAND UP AGAINST KHRUSHCHEV

(By Harry S. Truman)

Our current encounters with Russian diplomacy should serve as added warning that to falter or to hesitate in dealing with Khrushchev can only lead to more trouble.

The unrelenting pressure on the free world by the Kremlin can only be met by steady and determined resoluteness. For us to appear to be begging the Communists for peace or to try to go over their heads to the Russian people will do us no good. The Russian people have no voice in their dictatorship and are being kept in total ignorance about the United States and the conditions in the world as a whole.

The situation—already bad—could become even more serious if we give Khrushchev reason to think that we of the West are weak, confused, and divided and that he can bluff us into bargaining away our rights and security by threats of total destruction. The visit to Russia by a Vice President of the United States would, under halfway reasonable circumstances, be seized upon by the Soviet Government to help toward a more hopeful understanding. But the Kremlin seems to prefer an atmosphere of crisis and tension, because it best serves its plan for government control and exploitation of all its satellites and for further expansion of the Communist world.

COMMON DECISIONS

We sometimes make the mistake of assuming that dictators underestimate our strength and determination to resist them. I was sorry to see the West give the impression recently of being unable to arrive at common decisions in such matters as a summit meeting, how to cope with an attempted blockade of West Berlin and nuclear weapons in France.

Clearer leadership on our part should have prevented these matters from developing into differences among the allies.

Under present conditions, one of the most important responsibilities of our leadership is to keep our allies together. This is not easy. Our allies are free and, of course, have views of their own. But in recent years there has been a feeling on the part of some of them that we have lacked sympathy and understanding of their problems. For my part, I think that this feeling grew out of our actions during the Suez crisis, and I must add that feeling was in some measure justified.

I have an impression that our friends and neighbors in Cuba and South America are disturbed about our policies toward them today. And I hope we do something about that situation so that we do not blunder into the hands of the Communist fifth column now active in this hemisphere.

For instance, in Cuba, I think that Fidel Castro is a good young man, who has made mistakes but who seems to want to do the right thing for the Cuban people, and we ought to extend our sympathy and help him to do what is right for them.

During Franklin D. Roosevelt's administration and my own, we sought to do what we thought was in the interest of the nations of South America, to do what was best for their people, without regard to special interests. And the people of South America knew we were not out to exploit them.

However, in our relations with the Kremlin, we have but one choice, and that is to meet force with force and to confront bluff and bluster with cool and determined resoluteness. If the Communists should blockade West Berlin, we ought to break through it, and that should be the end of the blockade.

If we permit the Communists to cut us out of Berlin, we will provide them with the means to take over the rest of Germany, and go on from there.

FIRMNESS STRESSED

If Khrushchev is not stopped at Berlin, there will be no stopping him anywhere in Europe. Unless we keep this in mind in our dealings with the Communist dictatorship, we shall run the risk of hesitating and faltering and thus encourage the Soviet dictators in their mad adventure.

Strong leadership by the United States is the one possible way of arresting the trend toward war through a miscalculation. The only one who dares to engage in warlike behavior is Khrushchev, aided and abetted by his comrades in arms in Red China.

We certainly never did and do not now want war, but it would be the grossest folly of miscalculation if the Kremlin and Red China believed we would stand for peace at any price.

I am disturbed by the continuing spectacle of so many well-intentioned, distinguished Americans traveling to Moscow on their own and intruding into the conduct of our foreign policy.

It is difficult and trying enough for this country to confront Russian propaganda, which has been seeking to divide and confuse us, but seldom have we been so badly served as we are now by a procession of visitors who come back and rush into print to tell us what Khrushchev intends to do. I wonder if these visitors realize that they are being used by Khrushchev to serve his purposes, which are to confuse, intimidate, and frighten free nations into surrendering to the Communists on their terms.

A fellow Missourian, Mark Twain, once talked of "Innocents Abroad," but he was referring to Americans who went abroad for amusement and not to meddle into foreign affairs. The Kremlin has seized upon the willingness of recent visitors to propagandize this country over the heads of our Government.

It makes it more difficult for the President and the Secretary of State to carry out the established policy of the Government.

MEDDLING DECRIED

All Americans should, of course, be free to travel and meet and converse with anyone they choose, but it is quite another matter when these visits and meetings are used by the Russians to meddle in the business of our constitutional policy makers.

If any of these travelers wish to undertake personal missions, they ought to make sure that they have the approval of the Government of the United States. They should bear in mind that the Logan Act prohibits unauthorized negotiations, formal or informal, by Americans with any foreign powers at any time.

With the present explosive situation between the free and the Communist-slave worlds, the dangers of misunderstanding caused by public statements of prominent Americans, in my judgment, calls for someone to put a stop to these activities.

I am not talking about curbing the fullest reporting by competent and professional reporters, just as I am in favor of giving the widest publicity to all matters pertaining to the conduct of our foreign affairs so that we may have a fully informed public; but what I am opposing is the use of visits to Moscow by prominent people—in or out of public life with no official responsibility for conducting our foreign negotiations—making statements and purporting to speak with some authority to the American people when they who speak, themselves, are not fully informed of all the circumstances involved.

If the President is to conduct our foreign affairs with a strong and firm hand, he cannot tolerate intrusions by unauthorized persons or groups of persons, no matter what

their aims. The President is in the best position to know all the facts and conditions in the exercise of his leadership. This is no place for amateurs who get themselves exposed to only one facet of a complicated situation.

Any one of these private interviews with Khrushchev—whether for 15 minutes or 8 hours—is a privileged sanctuary for him, from which he can shake his fist, threaten with missiles and make irresponsible statements with diplomatic immunity.

HARRIMAN CRITICIZED

I have the highest regard for Averell Harriman as a keen observer. He has served his country with distinction. As a matter of fact, he was among the first to sense the trend in Russia's course of hostilities toward the West. I wish that he had reported what transpired between him and Khrushchev to the President or the Secretary of State and stopped there.

Mr. Harriman understood Stalin with rare insight and communicated it, as he should have done as Ambassador, to Washington. But I think Khrushchev may have overimpressed him.

I am glad that, at long last, the administration is about to avail itself of the special talents and experience of Chip Bohlen in recalling him to the high councils of the State Department. Ambassador Bohlen not only possesses the knowledge of the Russian language—he knows the Russians.

He should be of great help and strengthen the hand of the Secretary of State. Bohlen acted as my Russian interpreter at the Potsdam Conference. I was impressed with his alertness to shadings and evasion in the translation of Stalin's own interpreter, Pavlov. Frequently, Bohlen would correct the interpretation made by Pavlov and clarify obscure meanings. Stalin, too, appreciated Bohlen's performance, for he would smile each time Bohlen corrected Pavlov.

When you caught up with Stalin, he was always easy to deal with, perhaps because he had in the back of his mind that he did not intend to keep his word and his commitments.

STUDY OF GOVERNMENT POLICY-MAKING MACHINERY

Mr. MANSFIELD. Mr. President, 3 weeks ago the Senate approved Senate Resolution 115, under which a special subcommittee of the Senate Government Operations Committee is undertaking an unprecedented study of our Government's policymaking machinery for dealing with the cold war. This study has been given front-page treatment and extensive favorable editorial comment in the Nation's press.

I share the conviction of the editorial writers that this study is in excellent hands, under the chairmanship of the distinguished junior Senator from Washington [Mr. JACKSON].

I ask unanimous consent to have printed in the RECORD a number of editorials and news stories attesting to the importance of this study.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

[From the New York Times, July 19, 1959]

PRESIDENT BACKS SENATORS' STUDY OF POLICY-MAKING—HE SHIFTS STAND AND AGREES TO FACILITATE INQUIRY ON DEVISING STRATEGY—NOT AN INVESTIGATION—LEGISLATORS VOW THEY WILL NOT INFRINGE ON ADVISING BY NATIONAL COUNCIL

WASHINGTON, July 18.—President Eisenhower, reversing his earlier opposition, has pledged White House cooperation in a forthcoming congressional study of the Government's organization for reaching national policy decisions.

The President's assurance of cooperation in the unusual congressional inquiry was disclosed today by Senator HENRY M. JACKSON, Democrat, of Washington, who will head the three-man Senate Government Operations Subcommittee conducting the inquiry.

Senator JACKSON said in a statement that the White House cooperation would make possible an unprecedented congressional study of the adequacy and the shortcomings of the present organization for devising national strategy.

SCHOLARLY EVALUATION

"Never before have the Congress and the executive branch worked together in a scholarly and nonpartisan evaluation of our national policy machinery," the Senator declared.

An exchange of letters with the President made public by the Senator disclosed that President Eisenhower early had serious objections to the proposed inquiry and had expressed his concern in a letter to the Senate majority leader, LYNDON B. JOHNSON, Democrat of Texas. From the exchange it was evident that the President was concerned that the inquiry might infringe upon Executive privileges and go into the sensitive area of National Security Council deliberations.

To meet these Presidential objections, proposed guidelines for the inquiry were worked out in discussions between Senator JACKSON and Bryce N. Harlow, a Deputy Assistant to the President.

STUDY, NOT INVESTIGATION

The proposed guidelines specify that the inquiry, so far as it relates to the National Security Council, "will be a study, not an investigation" and "will not attempt, by legislation or otherwise, to infringe upon the constitutional privilege of the President to obtain advice through such organization and procedures as he deems appropriate."

The guidelines also state that the study of the National Security Council will be directed to its purposes, composition, organization, and procedures and will not go into substantive matters considered by the council.

In a letter to Senator JACKSON on July 10, the President said that the guidelines "relieve the most serious of the concerns" expressed in his earlier letter to Senator JOHNSON. He gave assurances, therefore, that the White House staff would "work cooperatively with your subcommittee in an effort to help make this study of value not only to the legislative branch but to the executive branch as well."

PRESIDENTIAL STUDY CITED

The President's letter indicated that the study might play a role in the reorganization plans he intended to submit to Congress before retiring from office. At his news conference this week, the President observed that the present organization imposed "unsolvable" burdens upon higher Government officials and said that he planned to submit some reorganization recommendations to Congress so his successor will have the benefit of a better organization.

Senator JACKSON, who is a member of the Senate Armed Services Committee and the Joint Congressional Committee on Atomic Energy, has criticized the present policymaking machinery on the ground that it does not "produce clearly defined and purposeful strategy for the 'cold war.'"

He has made some proposals for revising the present organization, including establishment of several policy planning staffs in various Government agencies to relieve the National Security Council of some of its planning responsibilities and creation of a national academy to act as a permanent policy study group in all phases of defense strategy.

FUNDAMENTAL ISSUES SEEN

"The fundamental issues," Senator JACKSON said in his statement today, "is whether a free society can so organize its human and material resources so as to outthink, outplan and outperform totalitarianism."

In carrying out its study, the subcommittee plans to hear testimony from officials who have held policymaking jobs in both Republican and Democratic administrations. Preliminary hearings are expected to begin next month.

Senator JACKSON announced the appointment of three men to the subcommittee staff:

Kenneth Mansfield former staff member on the Joint Congressional Committee on Atomic Energy and now assistant to the director of Combustion Engineering, Inc., of Windsor Conn., who will serve as staff director; Robert W. Tufts, former member of the State Department policy planning staff and now Professor of Economics at Oberlin College, and Greenville Garside, a New York lawyer.

[From the New York Times, July 20, 1959]

A LOOK AT NATIONAL POLICY

Senator HENRY M. JACKSON, Democrat from the State of Washington, believes that today's "fundamental issue is whether a free society can so organize its human and material resources as to outthink, outplan and outperform totalitarianism." He has overcome President Eisenhower's original reluctance to cooperate in a scholarly and nonpartisan evaluation of our national policy machinery.

Anyone who delves into that illuminating publication called the U.S. Government Organization Manual is likely to come out with a headache and a realization of the need for some study of this sort.

The trouble is not that we lack policymaking machinery, especially in the obvious fields of foreign programs and defense. We have the National Security Council, whose members include the President, Vice President, Secretary of State, Secretary of Defense and the Director of the Office of Defense Mobilization.

We have a Planning Board to formulate policy recommendations to be considered by the Council; we have an Assistant Secretary for Planning in the State Department, with the modest task of evaluating current foreign policy in the formulation of long-range policies; the Office of Defense Mobilization coordinates all mobilization activities of the executive branch of the Government; the Central Intelligence Agency advises the Council concerning such intelligence activities of the Government departments and agencies as relate to national security, and all the Operations Coordinating Board has to do is to provide for the integrated implementation of national security policies.

In this setup there are little wheels and big wheels. Senator JACKSON, who is a member of the Committee on Government Operations and therefore familiar with the work of the Hoover Commissions, will understand the problems and the difficulties.

A layman might suspect that what the Government needs is a simplified structure of responsibility and command. Who does the original thinking when everybody is either being coordinated or is coordinating somebody else? The Government is overweight, perhaps not so much with squandered money as with overlapping agencies.

Senator JACKSON's three-man Government Operations Subcommittee may get somewhere if he sticks to his announced princi-

ples and resists the temptation to put on a circus. A scholarly congressional inquiry would be refreshingly new.

[From the Christian Science Monitor, July 20, 1959]

PRESIDENT, CONGRESS LAUNCH POLICY VENTURE

(By Neal Stanford)

WASHINGTON.—A unique experiment in legislative-executive cooperation is in the making, now that President Eisenhower has pledged his support of a forthcoming congressional study of the government's machinery for reaching national policy decisions.

Normal procedure would have resulted in a congressional study—with Senators trying to pry into the administration's mechanics of formulating national policies—and the administration adamant against congressional encroachment.

It is only stating facts to report that the White House was more than a little cool to the original proposal as presented by Senator HENRY M. JACKSON, Democrat, of Washington, who will head the three-man committee making the investigation.

INVESTIGATION OUT

The President was concerned lest the investigation infringe upon executive privileges and get into the sensitive area of specific National Security Council decisions.

It is the NSC—with members including the President, Vice President, Secretary of State, Secretary of Defense, and the director of the Office of Defense Mobilization—which does the final fact finding and correlation on all major national-security problems.

But after some exchanges, a number of guide lines were agreed to by White House and Senate leadership to keep this from becoming either a witch hunt or a whitewash.

It was agreed that the inquiry would be a study, not an investigation—investigation carrying unsavory overtones.

It also was agreed that the Senators would not attempt in any way to infringe the constitutional prerogatives of the President to seek advice and help in any way he deems appropriate.

And thirdly, it was agreed that the study would not get involved in specific substantive matters considered by the National Security Council—which could only result in aid and comfort to unfriendly powers.

PRESIDENT DISSATISFIED

One reason President Eisenhower—assuring himself of adequate safeguards—was ready to cooperate with the Congress in this matter was disclosed at a recent press conference.

The President let it be known that he is himself quite dissatisfied with some governmental machinery in general and certain features specifically. As he told newsmen, the present machinery imposes unsolvable burdens on government officials.

And he announced that he himself would before long present some reorganization plans with the one purpose of leaving his successor a more workable system.

ISSUE PINPOINTED

No one is arguing that there is not enough "machinery" in the Federal Government to handle decisionmaking. But both White House and Congress are increasingly persuaded that the machinery that exists is inadequate, inefficient, overlapping, and archaic.

In sponsoring this study Senator JACKSON asserted: "The fundamental issue today is whether a free society can so organize its human and material resources as to outthink, outplan, and outperform totalitarianism."

It is his position that the United States and its allies can do just that but not with the present machinery, staff structure, responsibilities.

Members of the Senate making the study are to be: Senator JACKSON, Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, and Senator KARL E. MUNDT, Republican, of South Dakota.

In the forthcoming hearings both Democrats and Republicans who have held or hold policymaking jobs in the Government will be heard.

Present machinery for reaching national policy decisions includes such a variety of councils, boards, agencies as: the National Security Council, the Operations, Coordinating Board, the Central Intelligence Agency, the Office of Defense Mobilization, the Bureau of the Budget, the National Aeronautics and Space Council.

OBSOLESCENCE HIT

The trouble, then, as Senator JACKSON publicly charges and the President suggests, is not that there is not enough machinery. It is rather that it is obsolescent.

Senator JACKSON hails the President's cooperative effort in this congressional inquiry as "unprecedented."

"Never before have the Congress and the executive branch worked together in a scholarly and nonpartisan evaluation of our national policy machinery," the Senator declared.

And, just as neither branch of Government can be expected to have a monopoly of wisdom, neither can either political party, as the Senator puts it, "have a monopoly of wisdom or a monopoly of error on this vital matter."

If the two parties and the two branches of Government carry through this study as envisaged it can indeed claim to being something unprecedented—as the Senator claims.

[From the Spokane Spokesman Review, July 20, 1959]

A FAIR AGREEMENT FOR POLICY STUDY

President Eisenhower and Washington's Senator HENRY M. JACKSON have pledged mutual cooperation between Congress and the executive branch in the conduct of an unusual evaluation of the purpose and operations of the national security council.

As chairman of a subcommittee on national policy machinery of the Senate Government Operations committee, Mr. JACKSON secured Senate approval last week of a resolution authorizing this study.

According to the Senate-White House agreement, this is not to be an investigation of the national security council. It is planned as a study into the "effectiveness of Government organization and procedure in the contest with world communism."

In pressing for this evaluation, Mr. JACKSON stated that "the fundamental issue is whether a free society can so organize its human and material resources so as to outthink, outplan and outperform totalitarianism."

Following conferences with White House officials, certain guidelines for the study were established and these were deemed satisfactory to the President in his correspondence with the Senator.

This is a vital field for consideration by both the executive and legislative branches of the Government. Mr. JACKSON should be encouraged to keep this study on a nonpartisan basis and to effect searching appraisal of how the United States can best utilize its superior talents and resources to strengthen America—militarily, diplomatically, economically and psychologically—in the contest that confronts this Nation and its people.

[From the Providence Journal, July 21, 1959]

STATESMANSHIP AT ITS BEST IN WASHINGTON

The agreement between President Eisenhower and Senator HENRY M. JACKSON, Democrat, of Washington, concerning a study of the policymaking machinery of the U.S. Government represents statesmanship of the highest order.

It is impossible to tell in advance, of course, how the study will be conducted or what it may disclose. But there is ample evidence of the need to take a long, hard look, as Senator JACKSON puts it, at the question of "whether a free society can so organize its human and material resources as to out-think, out-plan and out-perform totalitarianism." The decision to make the inquiry a joint undertaking of the legislative and executive branches should assure its scope and depth.

When Senator JACKSON first proposed that a three-man subcommittee of the Senate Government Operations Committee might look into the functioning of the National Security Conuncil, the President properly and understandably was alarmed. As he pointed out in a letter of objection to the majority leader, Senator JOHNSON, Democrat, of Texas, a congressional investigation of the usual sort in that area almost certainly would infringe upon executive privileges and risk the disclosure of sensitive information.

In negotiations between Senator JACKSON and a presidential assistant, however, it was found that guidelines for the inquiry could be established. One specifies that the subcommittee will conduct "a study, not an investigation" of the workings of the National Security Council. Another provides that the congressional group will "not attempt, by legislation or otherwise, to infringe upon the constitutional privilege of the President to obtain advice through such organization and procedures as he deems appropriate." The fact that the study is to be headed by a responsible and informed Senator like Mr. JACKSON is the best guarantee that these necessary limitations will be observed.

A third guideline stipulates that the study will be confined to the purposes, composition, organization, and procedures of the National Security Council but will not touch any substantive matters decided by the Council. This could come close to frustrating the entire undertaking. For example, Senator JACKSON may want to learn whether we have overinvested in nuclear power to fit the doctrine of "massive retaliation," and have underinvested in the kinds of balanced, mobile conventional-nuclear power most necessary to serve our political purposes under the still operative but unpopular doctrine of containment. It is difficult to see how he can get answers to such vital questions if he is obliged to consider the policymaking apparatus entirely in the abstract.

The hope that the study will be permitted to deal with some specific matters rests on President Eisenhower's pledge that the White House staff will work cooperatively with your subcommittee. Having taken the necessary precautions to prevent an irresponsible congressional intrusion into executive functions in the fields of foreign policy and military strategy, the President now says he is anxious to make this study of value not only to the legislative branch but to the executive branch as well.

If it is to have such value, it must have enough freedom to determine by examining the evidence how well the policymaking machinery is working. Senator JACKSON suspects that it has not produced clearly defined and purposeful strategy for the cold war. This is a legitimate subject for a congressional inquiry, provided it is conducted with scrupulous care and receives the cooperation of the executive. Both sides deserve credit for recognizing these requirements.

[From the Washington Post, July 22, 1959]

A LOOK AT POLICY FORMATION

The potential value of the study of governmental machinery for the shaping of

national policy has been greatly enhanced by the decision of President Eisenhower to cooperate with the Senate Government Operations Subcommittee in this undertaking. White House participation in the study became feasible when Senator JACKSON, chairman of the subcommittee, agreed with Bryce N. Harlow, Deputy Assistant to the President, on a set of guidelines. The result could well be the most valuable survey of national policy formation that has ever been undertaken.

Neither the congressional leadership nor the White House is wholly satisfied with the present system for the formulation of major national security policies, although the machinery has been substantially improved in recent years. Mr. Eisenhower indicated at his last news conference that he will send reorganization plans to Congress during his last year in office in the hope that his successor will be given a better organization to work with than he has had. Senator JACKSON and other leaders on Capitol Hill also have some definite ideas of how the country's best talents may be mobilized in the present struggle against the spread of totalitarianism. At least these ideas can now be brought together in a thoughtful and nonpartisan search for agencies and relationships that will best promote the national interest.

The study will not be an investigation. It will not be concerned with the problems before the National Security Council but rather with how that agency operates as an instrument for the shaping of international policies and defense planning. It would be a happy outcome, indeed, if the study should produce a plan satisfactory to both the congressional leaders and the White House, which would give virtual assurance of its enactment.

[From the Manchester Guardian Weekly, July 23, 1959]

WASHINGTON COMMENTARY—REFORMING NATIONAL SECURITY METHODS

(By Max Freedman)

WASHINGTON, July 21.—President Eisenhower made the right decision when he agreed to support Senator JACKSON'S study of the Government's procedures in establishing national security programs. It did not require weeks of reflection in the executive branch to reach the conclusion that Senator JACKSON would conduct a responsible study of the National Security Council rather than a destructive investigation. His entire record in Congress, together with his special interest in defense problems, confirms his credentials as one of the most reliable and useful Members of the Senate. More than the usual measure of responsibility rests, in a study of this kind, on the staff director. It is therefore a matter for general rejoicing that Senator JACKSON has been able to persuade Mr. Kenneth Mansfield to return to Washington for this duty. During his years of service with the congressional Committee on Atomic Energy he was universally regarded as an official whose rare intellectual gifts were enhanced by his austere and disinterested concepts of public duty. It will be good to have him in Washington again.

Senator JACKSON, like many other responsible students of government, has criticized the National Security Council because it often fails to debate and to decide the crucial issues of policy. All too frequently the problem, when it reaches the Council, is presented in the form of an agreed compromise. This procedure prevents the President and the Council from seeing the question in all its tangled and urgent complexity. Senator JACKSON has suggested more planning staffs for the departments, so that they will be able to make the strongest possible case for the Council's judgment. These departments in turn can often exact a responsible and searching decision by the Council, for it will know that its policy will be subject to friendly but detailed review by independent experts.

Mere administrative machinery will not solve very much. The project of reform will collapse in failure if the members of the Council do not accept the painful duty of making the ultimate national decisions which they alone are qualified to make. But at least Senator JACKSON wants to give them a fair chance by improving the methods of consultation with the various departments, by presenting the opposed issues with challenging clarity, and by producing the necessary information for a candid and courageous debate. Senator JACKSON deserved the President's support, if only for this high purpose.

When he discussed this whole question in April before the National War College. Senator JACKSON regretted the lack of planning throughout the executive branch. Officials are inclined to leave this task to the National Security Council or to agencies that are given specific duties. The result can be seen in the absence of ideas for new policies. A great deal of talent in the Government is never used. The National Security Council itself is most active after a crisis has burst upon Washington. It usually shows less wisdom and less zeal in applying the policies which will prevent a dangerous situation from slipping out of control. It requires no morbid precision of memory to recall numerous episodes in recent American policy that confirm the accuracy of Senator JACKSON'S analysis. One proof that the indictment has hit the mark is provided by the special commissions and study groups doing the work which should be done by the National Security Council if it were functioning properly.

President Eisenhower's guarded and enigmatic remarks at his recent press conference have been taken to mean that his personal discontent with existing procedures will lead him to propose a detailed reorganization plan to Congress next year. There will be no conflict between the President's proposals and the Senator's study. Both will try to strengthen the Government for the diverse tasks of peace and for the constant challenge of Communist power.

Senator JACKSON has suggested that the staff of the National Security Council be reorganized so that it would consist of the heads of the policy-planning staffs in the departments. These men would have direct access at all times to their departmental chief and would be responsible to them. He believes this kind of staff would be better prepared to define issues in a way that would compel responsible decisions by the council than is the present staff which is responsible to an independent director. This change would be frankly designed "to force the chiefs of departments and the President to make the choices between alternatives that they should make." The Secretary of State would have a central role on the council, as it would be his duty to make the first presentation in which the choices of policy are defined.

Another suggestion calls for the establishment of an Academy of National Policy. This agency would be outside the Government, but it could see secret information. It would conduct special investigations for the confidential use of the Government. Many of its reports could be published, for the academy would have as one of its tasks the preparation of public opinion in understanding the issues which would one day have to be settled by the National Security Council. Being a permanent agency, consisting of nationally respected citizens and having easy access to the thinking of the Government's leading officials, the academy might come to exercise a central influence in the development of policy.

Senator JACKSON has not intended either to anticipate or to limit the results of his forthcoming study. The inquiry may begin next month but it will almost certainly run into next year. Few activities in Washington will better reward thoughtful attention.

[From the St. Louis Post-Dispatch, July 26, 1959]

NATIONAL SECURITY COUNCIL COMES UNDER PUBLIC STUDY BY U.S. SENATE COMMITTEE—GOVERNMENT'S HIGHEST POLICY ADVISORY GROUP CALLED A DANGEROUSLY MISLEADING FACADE BY A SENATORIAL CRITIC—LONG-TERM PLANNING SAID TO BE NEGLECTED—NIXON INCIDENT IS CITED

(By Raymond P. Brandt)

WASHINGTON, July 25.—With limited cooperation promised by President Eisenhower, a Senate subcommittee is preparing for the first public study of the National Security Council, the highest policy advisory group in the Government.

Chairman of the three-man subcommittee of the Government Operations Committee is Democratic Senator HENRY M. JACKSON, of Washington, a severe but constructive critic of the Council's setup, recommendations and operations. He is also a member of the Armed Services and the Joint Atomic Energy Committees. The other members are Democrat HUBERT H. HUMPHREY, of Minnesota, a member also of the Foreign Relations Committee, and Republican KARL E. MUNDT, of South Dakota, also on the Appropriations Committee.

JACKSON is convinced that the Security Council has failed, under Presidents Truman and Eisenhower, to live up to its promises and potentialities envisioned when it was established as an integral part of the 1947 National Security Act.

"As it now functions," he told the Post-Dispatch, "the NSC is a dangerously misleading facade. The American people and even the Congress get the impression that when the Council meets, fresh and unambiguous strategies are decided upon. That's not the case though it ought to be. The NSC spends most of its time readying papers that mean all things to all men.

"As a result, national decision making becomes in fact a series of ad hoc, spur of moment, crash actions, when there is action at all. Because the NSC does not produce positively worded strategy and see that it is carried out, the handling of day-to-day problems is necessarily left to the departments concerned. Each goes its own way because purposeful, hard-driving, goal-directed strategy, which alone can give cutting edge to day-to-day tactical operations, is lacking."

A minor but timely example of the lack of executive branch foresight was the coincidence of Vice President NIXON'S arrival in Moscow Thursday to open the American fair, with President Eisenhower's proclamation for a Week of Prayer for the nations held captive by Russian communism.

For their own political purpose the Kremlin undoubtedly would have found other ways to downgrade the NIXON good will gesture if this Government had not given Khrushchev and Pravda a readymade target for propaganda blasts.

NIXON'S trip to Russia was a high-level policy decision. It was not the Security Council's function to try to guess what probable counter actions the Kremlin would take. That would be the job of the lower level Operations Coordinating Board which is expected to see that the approved policy is carried out in the most effective way. The coincidence of the visit and the proclamation probably was an accident.

But the accident could have been avoided if someone in the State Department, the U.S. Information Service, or Central Intelligence, all represented on the Coordinating Board, had been able to delay the issuance of the proclamation until after NIXON'S visit.

JACKSON wants the Council to act in accordance with Bernard M. Baruch's personal definition of a speculator as "a person who sees what is going to happen and does something about it." Baruch emphasizes that the doing something is just as important as seeing what is going to happen.

The Council, which in potentialities ranks higher than the Cabinet, is headed by the President, who presides at weekly meetings when he is in Washington. The other statutory members are Vice President Nixon, Secretary of State Christian A. Herter, Secretary of Defense Neil H. McElroy, and Director Leo A. Hoegh, of the Office of Civil and Defense Mobilization.

The Council's papers are only advisory recommendations to the President who constitutionally is responsible for foreign policy. Once he has signed them, however, they become operational directives to the departments and agencies, primarily State, Defense, OCDM, and the U.S. Information Agency.

In practice, about 10 other high ranking officials, backed by their experts, attend the Council meetings. They include Treasury Secretary Anderson, Attorney General William P. Rogers, Budget Director Maurice H. Stans, Chairman Raymond Saulnier of the President's economic advisers, Gordon Gray, Presidential Assistant for National Security Affairs, General Nathan Twining, Chairman of the Joint Chiefs of Staff, Director George V. Allen, of the USIA, and Director Allen W. Dulles, of the Central Intelligence Agency. These officials do not have a vote on policy papers.

The meetings, which last from 2 to 3 hours, are almost invariably opened by Dulles with a briefing on the latest international intelligence. Its agenda is handled by Gray, who is a principal member both of the planning staff, composed of experts from various departments and agencies, and the Operations Coordinating Board, of which an Under Secretary of State is chairman.

The Jackson resolution authorizing the study of the NSC setup was unanimously approved by the Senate July 14 and carried with it an appropriation of $60,000. Preliminary work has already been started by a three-man expert staff and public hearings may be held within a few months. The first report must be made by January 31. The subcommittee's life probably will be extended.

President Eisenhower agreed to cooperate with the study only if rather severe limitations were accepted by the subcommittee. These were worked out between Jackson and Bryce N. Harlow, the President's deputy assistant.

In summary, these conditions were:

1. The inquiry will be a study, not an investigation.

2. The testimony of executive branch officials must not deal with substantive considerations before the Council or its subordinate machinery.

3. The study will be confined to matters involving purposes, composition, organization and procedures, all subject to appropriate safeguards regarding classified projects.

4. All testimony by present and former officials who have served on the NSC and its subordinate bodies will first be taken in executive session. Decision as to later public hearings and release of testimony will be agreed upon by the committee and a representative of the President.

On June 25, Mr. Eisenhower wrote to Senate Majority Leader LYNDON B. JOHNSON what, in effect, was a protest against the resolution. This letter has not been made public but it expressed a natural concern that an investigation might get into the sensitive area of the President's foreign policy responsibilities and undermine the usefulness of the Council itself.

After the subcommittee guidelines had been agreed upon, the President wrote JACKSON that within those bounds his staff, including personnel of the NSC organization would cooperate to help make this study of value not only to the legislative branch but to the executive branch as well.

Commenting on this letter, JACKSON said Mr. Eisenhower had made a "major contribution" to the study which should produce some practical results in the national interest.

JACKSON's concept of the NSC organization and the President's responsibilities for foreign policy and national security is much more comprehensive than Mr. Eisenhower's.

His basic complaint is that we are losing the cold war when we could be winning it.

Committee after committee, he points out, has proposed programs to fortify our position in the cold war, for every new crisis we seem to get a new committee.

"It is a formidable list," he observes, "for example the Finletter committee, the Gray committee, the Paley commission, the Sarnoff commission, the President's Committee on Scientists and Engineers, Citizens Advisers on Mutual Security, the Gaither committee, the Draper committee, the Boeschenstein committee—not to mention the Committee on Economic Development and the study groups of the Rockefeller Brothers Fund.

"Over and over again these committees warn that we are losing the cold war. Their reports are not refuted, neither are they acted upon. They are simply referred to some other committee for 'study'."

JACKSON believes that policy planning staffs should be set up in each major department and agency, "with a position, role, and prestige" like that of the Policy Planning Staff in the State Department during the Truman Administration. He would also consider establishing an "academy of nation policy" outside the Government, the equivalent of a permanent Gaither committee, which would have access to classified information.

The Washington Senator does not expect immediate radical changes in the NSC organization as a result of the subcommittee study. Much will depend on who is elected President next year because the NSC is an intimate advisory group for the President.

[From the New York Times, Aug. 2, 1959]

NEW APPROACH TO FOREIGN POLICY—COMMITTEE TO STUDY U.S. PLANNING

(By Russell Baker)

WASHINGTON, August 1. — Without fanfare, the machinery has begun to roll here for a joint White House-Congressional undertaking that could be of immense importance in the decade ahead.

The object is review and possible revision of the fundamental processes through which the United States Government makes and carries out the highest national policy.

The prime mover is Senator HENRY M. JACKSON, Democrat, of Washington, who has been arguing for months that the existing cumbersome and labyrinthine bureaucracy charged with policymaking has proved a dismal failure against the peculiar challenge of cold war.

A few weeks ago Senator JACKSON finally found an influential and not unenthusiastic supporter for his thesis that it was time at least to start reexamining the policymaking machinery.

President Eisenhower, after an initial coolness toward the project promised White House cooperation in a nonpolitical Senate study that will examine and recommend improvements in the present system.

The study will be managed by a three-man panel of the Senate's Government Operations Committee. Senator JACKSON is the chairman. His colleagues will be Senators HUBERT H. HUMPHREY, Democrat, of Minnesota, and KARL E. MUNDT, Republican, of South Dakota.

STAFF READY

The President has assigned Charles A. Haskins, senior staff member of the National Security Council, to work closely with them. A professional staff has already been assembled and is at work. A few hearings may be held later this summer but the bulk of the work that will attract public notice is unlikely to begin until early 1960.

Behind these unstartling facts lie problems and issues of the greatest sensitivity and the most profound importance. National security policy touches in some degree, every activity of public life and lies at the heart of most contemporary political controversy.

Into its formulation go questions great and small: How extensive a military commitment will national resources safely permit? What should be the policy toward the Middle East? Would the psychological value of an expensive technological demonstration justify expenditures that threaten the economy's stability? What are the United States' long-term goals in the cold war? Is it wise to build a grain elevator in Pakistan and deny Idaho's demand for a new dam?

Ideally, the thousands of daily decisions made by the executive branch would conform to a set of policy guidelines charted by the President in consultation with his highest advisers, the whole directed toward moving the Nation along a defined course toward an understood goal.

AGREED GOALS

Obviously this directed course would be impossible and unthinkable in a nontotalitarian state, even if it were blessed with a leader of the omniscience required to chart it.

In an effort to fit democratic government for a prolonged competition with totalitarianism, Congress and the President have gradually created a system of organizations where, in theory, agreed goals are synthesized from the constant clash of ideas and interests within government, and where alternatives are prepared for the President to weigh when he must make an important decision in crisis.

Senator JACKSON's charge is that the organization has fatal flaws for the cold war situation. President Eisenhower, through his recent discussion of the need for well defined national goals, of the lack of time for top Government men to think, and of the need for a White House reorganization after 1960, has indicated his own dissatisfaction with the present system.

"The central issue of our time," Senator JACKSON said in a speech to the National War College in April, "is can a free society so organize its human and material resources as to outperform totalitarianism?"

"Come a crisis, we may arouse ourselves to take emergency action," he said. "We appoint a science adviser to the President, we rush wheat to India, we improvise an airlift to Lebanon, we consent to a summit meeting. But at no time are the vital energies of our people fully engaged. * * * At no time are the tasks of the cold war presented in terms that are meaningful to men at the work bench, to shopkeepers, to children in school, and to housewives."

FLAW NOTED

Directly under the President at present are the Cabinet and the National Security Council with its subsidiary Planning Board and Operations Coordinating Board. In addition, there are the Joint Chiefs of Staff in the Pentagon, the offices of the Secretaries of State and Defense, various departmental planning staffs, hundreds of advisory boards, steering groups, interdepartmental committees and special Presidential committees.

Under the organization charts, the Planning Board of the NSC plans new policies

and programs which are then considered by the appropriate department heads before an agreed paper is presented to the NSC. The NSC functions as a presidential advisory board. Decision rests with the President.

The agreed policy is then carried out under the supervision of the Operations Coordinating Board.

Senator JACKSON contends that the flaw in this picture is that the NSC simply does not operate as the charts depict. In fact, he argues, NSC papers are inevitably no more than compromises worked out among conflicting departments and, therefore, lacking in the "sharply defined policy issues and choices" that a President should have before him.

CRASH ACTION

"An NSC paper is commonly so ambiguous and so general that the issues must all be renegotiated when the situation to which it was supposed to apply actually arises," he said in his War College speech.

As a result, he contends, high decision-making becomes a series of "crash actions."

The NSC was established by Congress in 1947 but it has not been subject to congressional study since. Senator JACKSON, realizing the sensitive area he will be treading, has agreed with the President that his study is to be apolitical, without attempts to embarrass or sensationalize, and dedicated to strengthening the hand of the President of the future, to whichever party he may belong.

The prospect for headlines is dim. The opportunity for Senator Jackson to make a significant contribution to the art of Government is enormous.

HUMAN NEEDS IN URBAN SOCIETY

Mr. MURRAY. Mr. President, my interest was recently caught by a statement of Dr. Karl Menninger, the famed chief of staff of the Menninger Foundation at Topeka, Kans., that wilderness and near wilderness areas are essential to the mental health of both children and adults.

Upon inquiry about the statement, Dr. Menninger sent me the text of an article he wrote for the Architectural Record of July 1959, on "Human Needs in Urban Society," where the statement is made.

I ask unanimous consent to have the text of Dr. Menninger's article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PLANNING FOR AN INCREASING LEISURE—HUMAN NEEDS IN URBAN SOCIETY

(By Karl Menninger[1])

If a psychiatrist were to be interviewed by a group of architects and builders, they might ask him some such question as this: "There are many of us engaged in the sciences and arts involved in planning and building houses, schools, factories, subdivisions and cities. Our aim in the long view is the more complete fulfillment of human needs insofar as these depend upon physical structures. For our guidance we must depend upon the experience of previous failures, failures which we can analyze and try to make provision against in the ever-opening future. In this way, we believe, we create more and more stately mansions and more and more comfortable human colonies.

"The failures from which we have learned least are the human failures, the individual citizens who, for all our diligent planning and provision, nevertheless fall sick, turn back from their goals and even attack the very community which has given them life. About such failures we expect psychiatrists to have something to say to us, because psychiatrists see these failures. Of course lawyers see them too, and clergymen and general physicians. But psychiatrists see more of them than anyone, especially of those whose behavior suggests a deep frustration of human needs and purposes. Some of the lacks in these damaged lives may reflect an omission or an error in the planning and building of human habitations. What can you, a psychiatrist, tell us that will help us to know how to plan and build better for people?"

This is not the kind of question which psychiatrists ordinarily must answer. In practice, we are usually faced with an immediate problem of damage done. Frustrations have become unbearable; disappointments, temptations, and aggressions have overwhelmed control. Reactions have occurred which necessitate special maneuvers by the doctor, from consolation to hospitalization or even incarceration. This is our daily practice. In theory, a few research projects have been developed which engage the cooperation of sociologists, but psychiatry for the most part concentrates upon the individual's capacity to make the best of his situation, whatever it may be.

We have made some progress away from the ancient notion that behavior programs are inherited along with the family silver and Grandmother Wright's asthma. We are not quite in agreement with the Russian psychiatrists for whom it is an axiom that nothing is inherited, but we no longer use heredity as a whipping boy or an alibi. Nor do we go along with the Russians in dispensing with individual responsibility, picturesquely and improperly labelled "free will." But most psychiatrists throughout the world would probably concur that much human maladjustment—or let us just say crime and illness—is directly related to social structures, social pathology, and social improvidences. I am using the word social here in a sense which includes the work of architects, engineers, and builders.

HUMAN NEEDS: BIOLOGICAL AND PSYCHOLOGICAL

In speaking of human needs generally, I would divide them into biological needs such as the need for air and preferably unpolluted air; for food and prefererably fresh and not too expensive food; for water—and need I say unpolluted water and easily available water; for temperature control; for sleep undisturbed by noise, alarms, movement and the like; for bathing; for clothes storing (I am including this as a biological need); for exercise of various kinds; for excretory convenience and privacy. For all of these I know architects try to provide.

To these more classical biological needs I would add the psychological needs. Of these the most important are for maintaining contacts of different degrees of intensity and intermittency with other human beings, i.e., very intimate (as in the family), moderately intimate (as with friends) and less intimate (as with acquaintances of different groupings.) There is also a need to have some privacy and retreat from all of these.

The long childhood in the human species requires special provisions for the proper nurture, protection and training of the baby, little child, older child and teenager. These may be considered psychological needs considering our state of cultural development. They require certain places in the home, places in the neighborhood to play and to go to school and, ideally, a place in the neighborhood to do some kind of work.

Still another psychological need is for the maintenance of contact with nonhuman nature. The simplest way, perhaps, is through pets, which every child should have if he wants them, and let's hope he does. Add the somewhat artificial but pleasant provisions in an accessible and properly maintained park—trees, flowers, shrubs, lawns, lakes and streams. In my opinion we must add to this a proximity to larger nonurban areas of farm or wilderness or near-wilderness as essential to the mental health of both child and adult.

The final extension of this reach into the universe is represented by the need for some kind of relation to whatever—to all the whatevers—that are considered divine. I mean the need for a place to worship.

FREUD CALLED THEM DRIVES

In his famous book entitled "What Men Live By," Dr. Richard Cabot proposed that our essential needs, other than biological ones, were for work, play, love and worship. Without realizing it he was saying about what Freud put into more scientific language. Freud spoke of drives rather than of needs, classifying them into the creative, constructive, positive drives; the negative destructive, hurtful impulses; and the combinations of these two. The combinations may be slanted toward greater or less constructiveness and social usefulness. Thus if sabotage be construed as sheer destructiveness, the same energy may be combined with some admixture of constructive impulses and guidance to appear in various forms of aggressive play—football, for example.

Sometimes the fusion is less successful; the aggressive drive is modified but the combination still leans toward the destructive side—dangerous speeding, for example, which is perhaps a little better than outright manslaughter. I also consider hunting an example of this, because I don't like hunting or trapping and other forms of killing for pleasure. But many people condone these who do not approve of, let us say, bullfighting (in this country), or dog racing. These are too undisguisedly cruel, aggressive and destructive.

Everyone agrees, however, that there are some forms of the fusion of the instinctive impulses which are free from any criticism—innocent play of various kinds, camping, dancing, singing, painting, playing music, and, indeed, most kinds of work. Work, too, is disguised and neutralized aggression.

CONTROL IS A PART OF LIVING

I have led you into a point of view which may pique your curiosity or arouse your interest, because it is not, I think, a part of the usual considerations of architects and city planners. It is a piece of theory which—I hasten to add—some of my colleagues still reject (although I think they will come to it, if I may speak most arrogantly). I refer to my proposition that destructiveness is intrinsic in us, and has to be controlled, guided and provided for constantly, incessantly, forever. Life consists, indeed, in effecting and maintaining this control. At first glance this may seem to exculpate society, including architects and city planners, from any responsibility for the juvenile delinquency, divorce, crime, and mental illness of the community, requiring them to think only of provision for the failures.

But not so. The control of destructiveness is an internal, individual process, true; but it is influenced and facilitated (or the reverse) by social attitudes and structures. The environment and the individual are both involved in the adjustment process; both have needs—some of them mutual needs, i.e., which only the other can gratify. To a considerable extent each man makes his own outer environment, the environment with

[1] Dr. Menninger is chief of staff of the Menninger Foundation in Topeka, Kans. He is the author of "The Human Mind," "Man Against Himself," "Love Against Hate," and many other books and papers. This paper is based on an address given at the National Construction Industry Conference, December 1, 1958, in Chicago.

which he is constantly engaging in a running transaction called life. His constructiveness finds its opportunities, his destructiveness its targets—or its proper control and deflection.

CITIES: MIRRORS OF A DUALITY

Our cities as they are, good and bad, our villages and hamlets (ugly as most of them are), our beautiful homes and our unsightly slums all mirror man's instinctual duality and emotional ambiguity. We cannot blink the essential aggressiveness, destructiveness, and disorderliness which the human being seems impelled to express, but we may not overlook the evidence of constant battle against these, and the slow extension of more order, more creativity, more beauty. The ugliness of human habitations on the roadside, the dreary areas in the city, the devastation of the soil, the greedy destruction of the forests, the murderous butchery of the wildlife—all are evidences of the predaceousness of the human species. But correspondingly, a neat little farm, a continuously yielding forest, a terraced hillside, a gracious home, an ample park, an inspiring church building, an ingeniously planned suburb or office building or automobile or library or hospital or school—all these bespeak and spell out man's constructive gifts and their ceaseless battle against the enemy within.

It is pleasant thus to think of the structures man builds in which to live as reflections of the laws of beauty within him, and we should fully indulge ourselves in this pleasure. But we should also always remember that disorder and cruelty and meanness and ugliness are also projections of tendencies, not of a few villains, but of mankind. This fact, I think, the architect and builder and city planner must take into consideration.

"HOW?" YOU WILL ASK PERTINENTLY

If it were merely a matter of human needs and drives about which I have told you a little, and mechanical facilities, parks, pavements, and shopping centers, I am sure we could get together quickly and evolve a perfect architecture and a perfect city planning. But we have to deal with three other factors.

MORE PEOPLE, OLDER PEOPLE, MORE LEISURE

One of these is that medical and surgical development, especially public health measures, have effected a change in the average span of life such that we now have a larger percentage of older people whose usefulness has somewhat diminished but whose human value may be greater than ever. They require somewhat different housing facilities, neighborhood opportunities and general planning than do the younger segments of the population. They are increasing.

In the second place, a number of factors which I shall not try to analyze have resulted in the rapid increase in world population. Adequate measures of birth control seem slow to develop or to be accepted in the places where they are most needed. Food producers are fewer, even though their efficiency has increased. Available arable land is approaching the marginal limit.

One final thing: Work, which has always been the most useful device for harnessing the aggressive impulses of human beings, is progressively diminishing. No one works as hard as he used to. No one works as long hours as he used to. The development of automation suggests the likelihood of still a greater reduction. Consequently, there is an increasing amount of leisure available, at least to most American citizens. This leisure can be occupied, theoretically, in five ways:

1. In some kind of creative activity which is not considered work.

2. In various definitely self-restorative or self-cultivating activities such as reading, contemplating, and so forth.

3. In active recreation which affords some sublimation of aggressive tendencies.

4. In dawdling, loafing, sleeping, and passive recreation—considered by some people to be restorative.

5. In various forms of more or less overt aggressiveness—the mischief that Satan still finds for idle hands to do.

DESIGN FOR BETTER LEISURE-TIME USE

Now we have a perfect right to set up our own value systems for this list, and even within some of the topics there will be still further subdivisions and value system hierarchies. My own value system, based on many observations of human derailments, would be to put at the top of these activities those which are most individually or socially constructive. And my point now is this: We know that the more constructive and socially useful the form of energy direction selected for excess leisure time, the more difficult it is to sustain it and the more help is required. Constructive and creative endeavors need encouragement, example, direction, facilitation. Perhaps this is the most important thing I have to say to architects and the building field. The aggressive needs of mankind need to be provided for, and they need to be provided for now more than ever, because there are more people, there are more old people, there is less work, and there is more leisure. Most people don't know what to do with their leisure—or, rather, they don't do with their leisure what it would be best for them and for society for them to do with at least some of that leisure. And a part of this failure is a lack of vision on the part of their predecessors. They didn't see that we would need 10 times as many national parks as we have. They waited until now to establish wilderness areas such as Senator NEUBERGER'S and Senator MURRAY'S wonderful bill provides for. They failed to give us one-tenth the area of city parks that we need. They forgot that privacy was just as important as social contact for each individual.

Why should country clubs be an extravagant privilege of the prosperous? Why shouldn't everyone in the community who wants to, belong to a country club? Of course, I should hope that they would become something besides golf clubs and eating places, valuable as these two functions are. Why shouldn't everyone in the community have a restorational recreational group membership also? Why should a relatively few people be permitted to kill off the wildlife we all like to see? If people must knock down something, why not more bowling alleys and shooting galleries?

To some extent structure determines custom, as well as custom structure. Why did the Northern Italians suddenly begin to paint in the Renaissance? Why did the Germans suddenly begin to compose music in the 18th century? Who knows what devices and facilities and opportunities spread these things? As Gardner Murphy beautifully and bravely says: "Sandlot baseball, sidewalk hopscotch, and radio mysteries can all give something to the growth of boy and girl; but it is not clear that they necessarily give more to the fulfillment of human nature than many other satisfactions which cover the face of the earth and which have, as a matter of fact, grown like mushrooms when once encouraged." Let me repeat that—"When once encouraged." What would happen if everyone in the community had easy access to a place in which to paint? What if the community would have the courage to believe that it could prevent more crime with youth centers than with jails? What if a city—any city—was to spend one tenth as much on its recreational program as it spends on its police system? Indeed, what if policemen were suddenly to be transformed into guides of public recreation?

I know what you will say: "We are helpless in the face of television. Professional sports have taken away opportunities for athletic play. The parks are ruined by vandals. The community won't support concerts."

And you would be quite right, of course. But these very discouragements are the evidences of a need for something better. And a part of that something better will depend upon the vision of the men who plan the places in which we live and sleep and go to school and shop and work and play. It would be presumptuous, indeed, for me to attempt to give you a specific vision. I can only suggest that you accept the theory of human drives and needs that I have offered, hoping from it that you will be confirmed in a conviction that more provision must be made for the best use of an increasing surplus of leisure time.

U.S. RELATIONSHIPS WITH THE SOVIET UNION

Mr. CAPEHART. Mr. President, history will record, in my opinion, that the year 1959 was perhaps one of the most important, if not the most important, year in the diplomatic history of our Nation.

We are taking broad and important steps. In some respects we are taking new and uncharted courses seeking again a solution of our problems with Russia.

It will not be my purpose here, Mr. President, to appraise the merits of these new approaches. I do not believe the man lives who is qualified to say whether they are right or whether they are wrong.

I am convinced, however, that it is time for the Members of the Congress, the people of the United States, and the people of the free world to reflect seriously on the happenings of the day.

The danger is, Mr. President, in my opinion, that we may again be "taken in" by the Russians. I am afraid that is the very thing that is happening at this moment. We all recognize that upon the results of what we are doing might well hinge permanent peace or, God forbid, horrible war.

Surely there is not a Senator—surely there is not a citizen—who has studied and who knows the history of our relationship with the Soviet Union since 1933, who believes Russian diplomacy can be trusted.

We were led into the recognition of Russia in 1933 by false promises. At the end of World War II we made concessions to Russia on the basis of promises and agreements which were not kept. There were those who liked "Uncle Joe" and who went along with him on promises which were not kept. Communist guns boomed in Korea shortly thereafter.

Nations which were our traditional allies and which in all probability would be our allies today are now under Russian control and domination because those promises and agreements were not kept. Except for their value as guideposts for the present and future negotiations, discussions of these unfortunate events in our diplomatic history with Russia would serve no useful purpose at the moment. They are, as we say, water over the dam.

The important thing now, Mr. President, is that we do not again fall victim to sweetness and light attitudes, back-patting-on-the-surface-maneuvers and diplomatic trickery which could well be leading us so deep into the morass of international relations that we could not

extricate ourselves short of a war of doubtful outcome.

I have been encouraged by the increasing travel of our people to Russia. I am also convinced that there is merit in the increasing numbers of Russians who have visited this country.

I am happy, Mr. President, that more Members of the Congress have been visiting Russia. I am one of them. I am glad that Russian officials are visiting us. Such exchanges can lead to nothing but good.

At the same time, Mr. President, I feel very strongly that we should stop to remind ourselves and the American people about the history of Russian diplomatic attitudes and performances. They have not been good in the past and I for one can see nothing to indicate that they are any better today.

This Nation and its free allies still face the same threats of Communist competition which have beset us since 1933. In some of its phases, that competition is more severe, more threatening than it has ever been before.

Russia's military strength is increasing. Russia's industrial potential is increasing by leaps and bounds. Russia's foreign trade competition is increasing and will continue to do so. Russia's propaganda machine expands and expands in the battle for the minds of men. Russian domination of its captive countries increases. There are signs of Russian influence, Russian support, if not worse in trouble spots of the world, including some in our own hemisphere.

There is nothing to indicate that Russia has relented one iota in its determination to see to it that our grandchildren will live under the Communist system. Russian communism has not relented one iota. The character of Russian communism has not changed. Neither has its goal of world domination. We have made concession after concession to try to solve this most dangerous diplomatic tussle in all of the history of the world.

Russia has made no concessions. She is not now making any concessions. Certainly she has made no concessions, for example, in the Berlin situation. She has not withdrawn her troops or her influences from the captive nations.

The threat of Russian communism is, in my opinion, greater today throughout the world than it has ever been before. I thank God that we have been able to keep to a minimum Communist subversion in this country. It is still with us, however, to the extent that it demands our constant vigilance.

I hope with all of my heart, Mr. President, that we shall never again face the stark reality of war. The way to prevent that, of course, is through careful, but not soft, diplomacy. The situation demands firm diplomacy. There is ever present here the danger that emotion will overcome good judgment. Let's not be taken in again. That, in my opinion, Mr. President, is the danger of "fanfare" diplomacy.

I hope that history will prove that we were not again taken in.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, is morning business concluded?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRAVEL ALLOWANCES TO ESCORTS OF DEPENDENTS OF MEMBERS OF THE ARMED FORCES

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 579, H.R. 3322, notwithstanding the order previously entered.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 3322) to amend title 10, United States Code, and certain other laws to authorize the payment of transportation and travel allowances to escorts of dependents of members of the uniformed services under certain conditions, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, this bill would—

First. Authorize the payment of transportation and travel allowances for escorts of military dependents authorized to travel at Government expense who would otherwise be required to travel unaccompanied under unusual and extraordinary circumstances.

Second. Authorize such payments to persons who have acted as escorts under these circumstances since January 1, 1950, if they have not received reimbursement.

Third. Validate payments previously made for this purpose where the travel was directed and performed.

Fourth. Relieve disbursing officers from responsibility for payments for this purpose that have already been made.

EXPLANATION

On rare occasions dependents of military personnel must be moved from one location to another in circumstances where they require accompaniment but their military sponsor or parent is unable to accompany them. An instance of this type occurred in 1958 when an Air Force sergeant and his wife were killed in an automobile accident in Turkey. Two children, one aged 6 years and one aged 6 months, were injured. One of the children sustained a broken leg and required extensive hospitalization. The other child was less seriously injured and, after a short period of hospitalization, was placed in the care of friends of the deceased parents. The Air Force had the problem of seeing that the children were returned to the United States and delivered into the custody of members of the family who could be responsible for them.

This bill contemplates authorization of the travel allowances of a person to be designated as an escort in such circumstances.

For several years the military departments have designated escorts for such a purpose. As early as 1951, the General Accounting Office noticed, but did not take exception to, occasional vouchers representing reimbursement for travel by persons acting in an escort capacity. Although the authority for such practice was not explicit, the military departments considered that such authority existed and that the departments had a responsibility to both a member and to the public to provide escorts for dependents in these unusual instances.

In 1956, the Comptroller General ruled that in the absence of specific statutory authority the payment of travel and transportation allowances for escorts in these circumstances could not be allowed.

PROVISIONS OF THE BILL

The bill provides that under regulations to be prescribed by the appropriate Secretaries and approved by the Secretary of Defense, round-trip transportation and travel allowances may be paid to any person for travel under competent orders as an escort for dependents of a member of the Armed Forces if the travel is performed no later than 1 year after the member dies, is missing, or is otherwise unable to accompany his dependents. For such allowances to be payable, it also must be determined that travel by the dependents is necessary and that they are incapable of traveling alone because of age, mental or physical incapacity, or other extraordinary circumstances.

The bill validates those travel and transportation allowances paid before the effective date of the bill if the allowances are otherwise authorized under section 1 of the bill. Persons who have performed such travel since January 1, 1950, and who have not been paid for it, or those who have been required to repay to the United States amounts paid to them for this purpose, would be entitled to receive payments for this purpose. Appropriate provision is also made for relieving disbursing officers from responsibility for erroneous payments to escorts before the effective date of this measure.

COST

The Department of Defense estimates that the cost of this authority would be negligible and that it can be absorbed within available appropriations. The retroactive cost of the bill is estimated at about $1,600.

The PRESIDING OFFICER. The bill is open to amendment. If there be no

amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 3322) was ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. CAPEHART. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Indiana to lay on the table the motion of the Senator from Texas to reconsider the vote by which the bill was passed.

The motion to lay on the table was agreed to.

ESTABLISHMENT OF BUREAU OF NAVAL WEAPONS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 580, H.R. 7508.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 7508) to amend title 10, United States Code, to establish a Bureau of Naval Weapons in the Department of the Navy and to abolish the Bureaus of Aeronautics and Ordnance.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill (H.R. 7508) to amend title 10, United States Code, to establish a Bureau of Naval Weapons in the Department of the Navy and to abolish the Bureaus of Aeronautics and Ordnance, which had been reported from the Committee on Armed Services, with amendments, on page 2, line 7, after the word "Navy", to insert "or the Marine Corps"; in line 10, after the word "Navy", to insert "or the Marine Corps", and on page 3, after line 3, to strike out:

(A) by striking out the second sentence in subsection (a); and

(B) by striking out, in subsection (b), the words "or major general, as appropriate, and with retired pay based on that grade".

And, in lieu thereof, to insert:

(A) by striking out in the second sentence of subsection (a) the words "Bureau of Aeronautics" and inserting in lieu thereof the words "Bureau of Naval Weapons".

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none; and, without objection, the committee amendments are agreed to en bloc.

PURPOSE OF THE BILL

Mr. JOHNSON of Texas. Mr. President, this measure would authorize the establishment of a Bureau of Naval Weapons within the Navy Department by consolidating the existing Bureaus of Ordnance and Aeronautics.

EXPLANATION OF THE BILL—FUNCTION OF BUREAUS

Under the organization of the Department of the Navy, the Chief of Naval Operations and the Commandant of the Marine Corps, under the Secretary of the Navy, have responsibility for all matters relating to military command, while the Under Secretary, the Assistant Secretaries, and the chiefs of the bureaus have responsibility for all matters relating to business administration.

The Chief of Naval Operations and the Commandant of the Marine Corps are considered as representing the "consumers." The bureaus and their shore activities under the direction of the Under Secretary and the Assistant Secretaries are considered as representing the "producers." The bureau system is the foundation of the Navy's "producer" origination. The Department of the Navy now has the following bureaus: First, Aeronautics; second, Medicine and Surgery; third, Personnel; fourth, Ordnance; fifth, Ships; sixth, Supplies and Accounts; and seventh, Yards and Docks.

PROBLEM THIS BILL IS INTENDED TO MEET

Before the development of advanced aircraft and missiles with increasing technical advances in electronics and similar fields, ships, aircraft, and other advanced weapons were of such a nature that they could be designed, developed, and produced within the existing bureau structure without serious problems of jurisdiction and responsibility. The principal points of coordination were in the adaptation of a ship or aircraft to accommodate a different torpedo tube gun mount, bomb rack, or rocket launcher.

The characteristics of aircraft and missiles, together with the necessary controlling and launching equipment, have become so complex and interrelated that they must be designed and developed as complete systems. Components of these advanced weapons systems may govern both the aircraft and the weapon, with the result that neither the airframe nor the weapon itself can be designed and developed independently. Consequently, the weapons systems development functions of the Bureau of Ordnance and the Bureau of Aeronautics have become so intermingled that problems of mixed responsibility, coordination, and funding have developed and will increase.

The division of responsibility between the Bureau of Aeronautics and the Bureau of Ordnance results in the responsibility for weapons systems development being divided, with the Bureau of Ordnance being responsible for warheads, explosives, fuses, and rocket motors for all missiles, and the Bureau of Aeronautics having the responsibility for the final testing and evaluation of certain missiles.

The division of responsibility mentioned in the preceding paragraph creates problems of coordination. Each point of the division requires coordination if the whole weapons system is to be developed successfully. One of the solutions has been for the bureaus to draw up a formal agreement on the division of responsibility for a specific weapons system and to establish a coordination committee composed of representatives of each bureau.

Another problem exists in connection with funding. Under the present appropriations procedure, all the funds for a complete weapons system are not provided to a single bureau. There frequently is difficulty in the funding processes for each missile. A temporary solution has been found in the case of the Polaris system by establishing a management fund, but the Navy considers that such an arrangement is impractical for every system under development.

ORIGIN OF RECOMMENDATION FOR NEW BUREAU

The then Secretary of the Navy appointed a Committee on Organization in August of 1958. This Committee, the Chairman of which was the present Secretary of the Navy, Hon. W. B. Franke, was charged with evaluating the responsiveness of the Department of the Navy to recent advances in science and technology and to the Department of Defense Reorganization Act of 1958. The formal report of the Committee on Organization was submitted to the Secretary of the Navy on January 31, 1959.

The Committee concluded that most of the troublesome areas of splintered responsibilities and split cognizance are between the Bureau of Ordnance and the Bureau of Aeronautics. The Committee recommended that the consolidation of these two bureaus would result in the following advantages: First, it would place approximately two-thirds of the total development effort of the Department under the direct authority and control of a single executive in the producer organization; second, it would bring within the cognizance of a single bureau most of the present areas of split cognizance in weapons systems development; third, it would coordinate and simplify funding of major weapons systerms; fourth, it would expedite the timely development and procurement of all components of a weapons system; and fifth, it would promote economy through improved coordination and supervision and through more effective use of facilities and laboratories.

WHY LEGISLATION IS NECESSARY

The bureaus are statutory organizations but their duties and responsibilities are determined by the Secretary of the Navy under the authority of section 5132, title 10, United States Code. The Secretary does not have the authority to establish a new bureau or to abolish an existing bureau.

TIMING OF CHANGE

The Department of the Navy plans to complete the organizational structure of the Bureau of Naval Weapons in time to establish this new Bureau on September 1, 1959. It is anticipated that the Bureau of Naval Weapons can assume the responsibilities of the Bureaus of Ordnance and Aeronautics in time to permit

the disestablishment of these bureaus on January 1, 1960.

EFFECT OF PERSONNEL

The Department of the Navy estimates that substantially all of the personnel included in the existing Bureaus of Ordnance and Aeronautics will be required in the functioning of the Bureau of Naval Weapons. The Bureau of Aeronautics now employs 431 military personnel and 2,179 civilians. The Bureau of Ordnance has 206 military personnel and 1,442 civilians.

COST OF THE LEGISLATION

The Department of the Navy candidly states that it does not forecast monetary savings as a result of the consolidation contemplated by this bill. Although some savings may result, the authority is sought in an attempt to shorten lead-time in the development of new weapons systems by placing them under single direction and control.

COMMITTEE RECOMMENDATION

The committee recommends this legislation as being a progressive step. At the same time, the increasing relative importance of the submarine and the antisubmarine warfare functions of the Navy make it obviously desirable that the organization of the Navy include provision for these functions commensurate to such importance. The report of the Committee on Organization of the Navy is not entirely clear that the Navy organization reflects appropriate recognition of the relative importance of fleet ballistic missile submarines and antisubmarine warfare. The committee urges the Navy to give continued consideration to this subject.

DEPARTMENTAL POSITION

The Department of the Navy strongly urges the enactment of this legislation. It is a part of the Department of Defense legislative program for 1959, and the Bureau of the Budget has advised there is no objection to the enactment of this legislation.

The PRESIDING OFFICER. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 7508) was read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. CAPEHART. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Indiana to lay on the table the motion of the Senator from Texas to reconsider the vote by which the bill was passed.

The motion to lay on the table was agreed to.

POSTAL POWERBOAT SERVICE IN ALASKA

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 589, Senate bill 1849.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1849) to amend the act of August 10, 1939, authorizing the Postmaster General to contract for certain powerboat service in Alaska.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief statement of the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of this bill is to amend existing law under which the Postmaster General is authorized to contract for the transportation of mail by steamboat between Seward (on the mainland of Alaska) and Nikolski (in the Aleutian chain, on Umnak Island). The steamboat also touches a number of intermediate Alaskan ports between Seward and Nikolski.

This bill would prohibit the Postmaster General from entering into any contract for an extension of the route to include other ports, such as Seattle, which are clearly not on the Seward-Nikolski route. However, the bill does not in any way restrict or otherwise affect the stops which the boat now makes, or may in the future make, along the route between Seward and Nikolski. Its intent is to prevent a lengthening of the route through the addition of distant ports.

JUSTIFICATION

The legislation that S. 1849 would amend was intended to provide adequate postal service for the inhabitants of the remote Alaskan communities between Seward and Nikolski, and including Seward and Nikolski. This bill would restrict the mail boat to the Seward-Nikolski route, but would not affect the stops along that route, thus assuring that area of reasonably frequent mail delivery.

This bill is needed for the above purpose, because current law would not prevent the awarding of a mail-transportation contract to carriers whose routes could be extended to include ports such as Seattle which are remote from the Seward-Nikolski route. Distant ports, such as Seattle, are so far removed from the area required by law to receive the special mail delivery that the mail service to these Alaskan communities would suffer because it would be less frequent.

If the route were extended to Seattle, for example, the time required to make the voyage would be increased by approximately 2 weeks. Furthermore, if the route for mail carriers obtaining contracts under current law were not limited, as by this bill, the result would be a subsidy to the carrier engaged in operations between Seward and Seattle. A subsidized carrier would be in direct competition with other unsubsidized carriers operating along the Seattle-Seward route.

AGENCY VIEWS

Following is a letter from the Post Office Department expressing approval of the legislation:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D.C., June 15, 1959.

Hon. OLIN D. JOHNSTON,
Chairman, Committee on Post Office and Civil Service, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to your request for a report on S. 1849, a bill to amend the act of August 10, 1939, authorizing the Postmaster General to contract for certain powerboat service in Alaska.

Under the existing law (39 U.S.C. 487a) the Postmaster General contracts for the transportation of mail by steamboat between Seward and Nikolski, Alaska, and several intermediate points. Service is required to be performed on a once-a-month frequency, using a safe and seaworthy boat of sufficient size to provide adequate space for mail, passengers, and freight.

This proposal would make it mandatory that any vessel employed in the performance of mail service on this route shall not be operated between points other than those specified in the contract.

The proposed amendment would not impair the Postmaster General's authority to arrange for service which, in his discretion, he may deem necessary between points on the route specified in the act of August 10, 1939, as amended. The schedules and conditions prescribed by the Department for current operations and those in the foreseeable future would not be adversely affected by the limitation provided by this bill.

In view of the foregoing, this Department will interpose no objections to the enactment of the measure.

The Bureau of the Budget has advised that there is no objection to the submission of this report to the committee.

Sincerely yours,

E. O. SESSIONS.
Deputy Postmaster General.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the Postmaster General to contract for certain powerboat service in Alaska, and for other purposes", approved August 10, 1939, as amended (39 U.S.C. 487a), is amended by inserting before the period at the end thereof a colon and the following: *"Provided,* That any steamboat or other powerboat employed in the performance of such contract shall be operated exclusively on the route described in this Act".

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

RELIEF OF GOVERNMENT OF THE REPUBLIC OF ICELAND

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 590, Senate bill 1590.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1590) for the relief of the Government of the Republic of Iceland.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. RUSSELL. Mr. President, may we have a brief explanation of the bill?

Mr. JOHNSON of Texas. The bill would dispose of claims involving the Governments of the United States and Iceland, one against the other. The claims arose from accidents involving U.S. armed services personnel stationed in Iceland during the period 1941–47, under the terms of an agreement between the two countries that covered this period.

BACKGROUND AND COMMITTEE ACTION

Under the agreement, dated July 1, 1941, the United States agreed to "undertake defense of the country without expense to Iceland," and promised "compensation for all damage occasioned to the inhabitants by their military activities." The agreement was similar to several others that were concluded with governments in which the United States had stationed military personnel.

In all, there are 374 accident claims against the United States held by two Icelandic insurance companies. They amount to 144,994 kronur. U.S. counterclaims against these same companies amount to 56,994 kronur, a difference of 88,000, which, at the rate of exchange 16.36 kronur to $1, amounts to $5,378.98, the sum agreed upon and recommended in this bill.

In 1953, the Department of the Army notified the Department of State that it had no funds under existing claims statutes with which to settle the obligations with the two insurance companies, and asked the State Department to negotiate final settlement with Iceland. This was done, and the agreement was signed in November 1956. The bill under consideration would implement that agreement.

On July 23, Maj. Noel F. Cipriano, of the Army, provided some of the background for this bill as he testified before the committee in executive session.

COMMITTEE RECOMMENDATIONS

The Foreign Relations Committee is confident that the bill represents an equitable settlement of the claims that arose from the wartime agreement between the United States and Iceland.

Mr. RUSSELL. Does the bill state how much is involved?

Mr. JOHNSON of Texas. At the prevailing rate of exchange, it is the equivalent of approximately $5,380.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, to the Government of the Republic of Iceland, the sum of $5,378.98, and such additional sum due to increases in rates of exchange as may be necessary to pay this claim in foreign currency, in full satisfaction and final settlement of its claim against the United States in the amount of 88,000 Icelandic kronur, arising out of accidents involving United States Armed Forces during their presence in Iceland from July 7, 1941, to April 5, 1947, under the terms of the agreements between the Government of the United States of America and the Government of the Republic of Iceland, respecting the defense of Iceland, dated July 1, 1941 (55 Stat. 1547), and regarding the settlement of claims of Icelandic insurance companies, dated November 23, 1956.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

ATOMIC ENERGY COMMISSION APPROPRIATIONS, 1960

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 595, House bill 8283, the Atomic Energy Commission appropriation bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 8283) making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1960, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

The PRESIDING OFFICER. For the information of the Senate, the Chair will read the unanimous-consent agreement which is in effect with relation to the pending bill.

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective during the consideration of the bill (H.R. 8283) making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1960, and for other purposes, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 20 minutes, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: Provided, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. JOHNSON of Texas. Mr. President, I yield 5 minutes to the Senator from Arizona [Mr. HAYDEN].

Mr. HAYDEN. Mr. President, this bill, H.R. 8283, appropriates $2,680,414,000 for the Atomic Energy Commission for fiscal year 1960. This amount is an increase of $51,300,000 over the House allowance, but is under the revised estimates for 1960 by $6,886,000.

For operating expenses the committee recommends restorations totaling $36,300,000, which includes a transfer of $2 million to the National Science Foundation, and for plant acquisition and construction the committee recommends restoration of $15 million.

In an appropriation of this size there are many technical considerations involved, but the committee has been fortunate to have the advice and counsel of Senators who are also on the Joint Committee on Atomic Energy.

I should like first to have the amendments agreed to en bloc and then I should like to call upon the Senator from New Mexico [Mr. ANDERSON], the chairman of the Joint Committee on Atomic Energy, for a statement on the bill.

Mr. President, I ask unanimous consent that the committee amendments to the bill be considered and agreed to en bloc and that the bill thus amended be regarded for the purpose of amendment as original text; provided that no point of order be considered to have been waived by reason of agreement to this order.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

Under the heading "Atomic Energy Commission—Operating Expenses," on page 2, line 15, after the word "vehicles", to strike out "$2,374,114,000" and insert "$2,410,414,000", and on page 3, line 8, after the word "transferred", to insert a colon and the following proviso: *"Provided further,* That of the funds appropriated herein, $2,000,000 shall be transferred to and merged with funds appropriated to the National Science Foundation".

Under the subhead "Plant Acquisition and Construction", on page 4, line 13, after the word "vehicles", to strike out "$255,000,000" and insert "$270,000,000".

Mr. HAYDEN. Mr. President, the Senator from Alabama [Mr. HILL] was chairman of the subcommittee which considered the bill. I first call upon the chairman of the Joint Committee on Atomic Energy for a statement.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from New Mexico such time as he may desire.

Mr. ANDERSON. Mr. President, this bill is a difficult one to cover item by item. The subcommittee headed by the able Senator from Alabama [Mr. HILL] went into the question very carefully. I wish the able Senator from Louisiana [Mr. ELLENDER] were in the Chamber, because I thought his questions were as informative as they could be. He was very desirous of reducing the amount of the bill, as he usually is. I thought he asked some very pertinent questions, in order to give the committee the benefit of his experience.

In the full committee the able Senator from Arizona [Mr. HAYDEN] presided. The committee went through the bill very carefully.

Some of the House figures were changed. I believe the Senate figures are very much in accordance with what the Congress should do. Of course, the

final figures will be in conference between the House and the Senate.

Many of the items are extremely difficult to break down. It is very difficult to explain why the exact figure used by the Senate should be adopted, as against the House figure.

The Atomic Energy Commission must have certain amounts for raw materials. It has contracts with producers for the production of uranium. Sometime the contracts are not carried out in full. As a result, the Commission may have a carryover running into millions of dollars. This year I believe the carryover was nearly $100 million. That does not mean that the Commission did not need to have the money appropriated, nor does it mean that it foolishly spent the money after it was appropriated.

The same thing applies to the items for special nuclear materials and the weapons program. The Atomic Energy Commission must take the weapons program given it by the military, and try to estimate how much it will cost to carry out the program. In this instance there has been a complete change in the emphasis on programs, from the very large bombs which would give a multimegaton yield, to the smaller tactical weapons, the production of which is now receiving a great deal of interest and encouragement.

For that reason the weapons program is difficult to calculate in advance. At certain times weapons which are expected to be put into production are not quite ready, and changes are therefore made.

Taking the items one by one, under the head of "special nuclear materials" the committee recommends the restoration of $2 million in the special nuclear materials program. However, the committee agrees with the House that none of the reduction made in this program is applicable to the funds justified for the process development activity, in the amount of $36,900,000.

In the reactor development program, there was an item of $10 million, representing a restoration of that amount. I believe that program is probably the best investment we make in this field. The House inserted some restrictions which struck the Senate committee as being unwise. I am glad that the Senate members of the Appropriations Committee decided to eliminate those restrictions. The wisest investment is to develop reactors in experimental devices first, and then have an opportunity to put them on the line, rather than to construct large reactors and face the possibility that they may cost a great deal more money than anticipated.

The program is a sensible one, which has been very carefully developed by the Atomic Energy Commission, in conjunction with the Joint Committee on Atomic Energy. I believe that the relationship between the Atomic Energy Commission and the Joint Committee has been exceptionally favorable. This year there has been a good deal of give-and-take on both sides. The bill, as finally recommended, we believe, will provide a reasonable amount for reactor development.

In connection with physical research, the committee did not restore all the money which originally was considered wise by the Commission or by the Joint Committee, but I believe it has recommended the restoration of enough so that the program can be properly carried forward.

In connection with training, education, and information, some reduction in the money for that item was restored, but not all of it.

In the field of civilian applications of isotopes and nuclear explosives, restoration of $5,100,000 was recommended by the committee, to provide the full budget estimate of $14,100,000. I see no way to cut down on the isotope figures.

I believe the Senate committee has done a fine job. I tried to cooperate with the committee by suggesting one or two places where I thought reductions could safely be made. Such reductions have been made.

I think the figure to be taken to conference is a proper one and that the cost of this very important part of the Government will be adequately met.

Mr. ANDERSON subsequently said: Earlier in the afternoon the able majority leader and the Senator from Arizona yielded to the Senator from New Mexico to make a statement with reference to the atomic energy appropriation bill. I ask unanimous consent that a prepared statement on the restoration of cuts in operating funds for physical research program may appear at the conclusion of that statement.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR ANDERSON ON RESTORATION OF CUT IN OPERATING FUNDS FOR PHYSICAL RESEARCH PROGRAM

I believe it is important that the recommendation of the Senate Appropriations Committee to restore $8 million in operating funds for the so-called offsite or university program be approved by the Senate. As noted in the staff memorandum to me, reproduced on page 55 of the Senate Appropriations Committee hearings, the reduction of $10,280,000 by the House in the offsite or university program would have serious effects on the effectiveness of the overall program because a large part of available funds are already mortgaged to take care of increased operating costs of the accelerator program. (See table 2, p. 56, Senate appropriations hearings.)

Let me quote a few sentences from the memonandum:

"If the cut made by the House is allowed to stand, little if any new work can be initiated this coming year. In fact, there is a strong probability that existing research programs may actually have to be cut back or eliminated.

"The fixed costs of accelerators, referred to above, together with the language of the Appropriations Committee report, may create several imbalances in the program, particularly with regard to chemistry and metallurgy which apparently will have to absorb a disproportionate share of the reduction.

"The cut of $10,280,000 in the offsite program, as specified by the House committee, could cause a severe cutback in university research work which is one of the backbones of the physical research program. If such severe cuts are to be made, this is one of the worst places to make them in terms of the effectiveness of the overall program."

Then down at the bottom of page 55 it says:

"The general consensus of the Joint Committee would appear to require consideration of the following:

"(a) Restore the operating fund level for physical research for fiscal year 1960 to a minimum of $114 million, and preferably to the level of $120 or $125 million originally requested by AEC and recommended by the Joint Committee. (Exclusive of Sherwood.)

"(b) Permit AEC flexibility to apply its funds within the physical research program to achieve maximum savings and to provide for a well-balanced research program aimed at obtaining the best overall results."

I think that the whole question of a well-balanced program is something which we must face up to not only this year but in years to come. We must be sure that with the increasing funds we are providing for operation of high energy accelerators, we do not cut back in support of the other important areas of physical research; namely, chemistry and metallurgy. Restoration of $8 out of the $10 million cut by the House in the university program should be considered a bare minimum to support present research activities, with no stepup in effort. Even here there may have to be some trimming of existing university projects.

I would personally prefer to see the whole $10,280,000 restored to the offsite program, because of pressing needs in the program, but I think that as a minimum, the $8 million restoration recommended by the Senate Appropriations Committee should be approved.

SUPPLEMENTAL APPROPRIATIONS, 1960

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 594, H.R. 7978.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 7978) making supplemental appropriations for the fiscal year ending June 30, 1960, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. JOHNSON of Texas. Mr. President, I yield to the distinguished Senator from Arizona, the chairman of the Committee on Appropriations, as much time as he may desire.

Mr. HAYDEN. Mr. President, the supplemental appropriation bill for 1960, as reported to the Senate, makes appropriations of $1,076,000,000, which is an increase of $466 million over the bill as it passed the House, but is still $141,900,000 under the budget estimate.

The major increases which the Senate committee made over the House include $280 million for the Inter-American Development Bank. The estimate for this item was submitted to the Senate after the appropriation bill had passed the House of Representatives. The committee has also increased the House bill by $68 million for the National Aeronautics and Space Administration. Testimony before the committee indicated that these additional funds were absolutely

necessary if the space program were to continue in an efficient manner.

Although there was no budget estimate, the committee has included in the bill $27 million for the Forest Service. These funds were not in the House bill, and are designed to implement the program for the national forests which was submitted to the Congress by the Secretary of Agriculture on March 24, 1959. There is a detailed explanation of this increase on page 9 of the committee report.

The committee has also included in the bill, over the House figure and over the budget estimate, an item of $30 million for the Air Force to modernize MATS, and to provide five million dollars for development of an advanced powerplant for MATS. The remaining increases over the House bill and the reductions under the budget estimate are itemized in detail in the Senate report.

Mr. President, I ask unanimous consent that the committee amendments to the bill be agreed to en bloc, and that the bill thus amended be regarded for the purpose of amendment as original text; provided, that no point of order be considered to have been waived by reason of agreement to this order.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona? The Chair hears none, and the committee amendments are agreed to en bloc.

The amendments agreed to en bloc are as follows:

On page 2, line 13, after "(50 U.S.C. app. 2092, 2093)", to strike out "$100,000,000" and insert "$116,000,000."

On page 2, after line 15, to insert:

"EXECUTIVE OFFICE OF THE PRESIDENT

"Office of Civil and Defense Mobilization

"Salaries and Expenses

"For an additional amount for 'Salaries and Expenses,' to be allocated for expenses necessary to discharge such civil defense and defense mobilization functions performed by other Federal Agencies as may be designated by the Office of Civil and Defense Mobilization, $3,650,000."

At the top of page 3, to insert:

"Construction of Facilities

"For expenses necessary for the design, construction, and equipment of a protected regional facility for the Office of Civil and Defense Mobilization, $2,700,000, to remain available until expended."

On page 3, after line 6 to insert:

"Alaska International Rail and Highway Commission

"Salaries and Expenses

"Funds available under this heading shall remain available until June 30, 1961."

On page 3, after line 11, to insert:

"Boston National Historic Sites Commission

"For expenses necessary to carry out the provisions of the Act of June 16, 1955 (60 Stat. 136), as amended, $20,000."

On page 4, line 5, after the word "airport", to strike out "$22,470,000" and insert "$27,500,000", and in line 7, after the word "exceed", to strike out "$400,000" and insert "$500,000."

On page 4, line 20, after the word "exceed", to strike out "$2,885,000" and insert "$3,181,000", and in line 23, after "(5 U.S.C. 2131)", to strike out "$91,400,000" and insert "$94,430,000."

On page 5, after line 1, to insert:

"For an additional amount for 'Research and Development', as authorized by Public Law 86–12, $20,750,000, to remain available until expended."

On page 5, line 7, after the word "equipment", to insert "and for other items of a capital nature as authorized by law"; in line 11, after the word "Administration", to insert "including not to exceed $9,000 for representation allowance overseas and official entertainment expenses, to be expended upon the approval or authority of the Administrator;"; in line 15, after the word "of", to strike out "thirty-two" and insert "sixty-five"; in line 16, after the word "which", to strike out "nineteen" and insert "thirty-eight"; in line 17, after the word "only", to strike out "$318,675,000" and insert "$333,070,000"; at the beginning of line 19, to strike out "That no art of the foregoing appropriation shall be available for other items of a capital nature which exceed $250,000 until fourteen days have elapsed after notification as required by law to the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate: ", and in line 24, after the amendment just above stated, to strike out *"Provided further,"*.

On page 6, after line 4, to insert:

"For an additional amount for 'Construction and equipment', as authorized by Public Law 86–12, $24,250,000, to remain available until expended."

On page 6, line 10, after the word "property", to strike out "at Cleveland, Ohio,"; in line 11, after the word "law", to strike out "$52,000,000" and insert "$57,800,000", and in line 12, after the word "expended", to strike out the colon and *"Provided,* That no part of the foregoing appropriation shall be available for purposes authorized by section 3 of Public Law 86–45 until fourteen days have elapsed after notification as required by law to the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate."

On page 7, line 23, after "(5 U.S.C. 55a)", to strike out "$666,000" and insert "$740,000."

On page 8, line 6, after "(5 U.S.C. 55a)", to strike out "$720,000" and insert "$800,000."

On page 8, after line 11, to insert a new heading, as follows:

"DEPARTMENT OF AGRICULTURE"

On page 8, after line 12, to insert:

"Forest Service

"Forest Protection and Utilization

"For an additional amount for 'Forest protection and utilization', as follows:

" 'Forest land management', $15,000,000; of which $1,000,000 for insect and disease control shall be apportioned for use, pursuant to section 3679 of the Revised Statutes, as amended, to the extent necessary under the then existing conditions, and 'Forest research', $4,500,000; of which $2,500,000 for construction of research facilities shall remain available until expended."

On page 8, after line 23, to insert:

"Forest Roads and Trails

"For an additional amount for 'Forest roads and trails', $2,000,000, to remain available until expended."

At the top of page 9, to insert:

"Access Roads

"For acquiring by condemnation or otherwise additional roads needed for access to national-forest lands in carrying out the Act of June 4, 1897, as amended (16 U.S.C. 471, 472, 475, 476, 551), $5,000,000 to remain available until expended."

On page 9, after line 6, to insert:

"Acquisition of Lands for Superior National Forest

"For the acquisition of forest land within the Superior National Forest, Minnesota, under the provisions of the Act of June 22, 1948 (62 Stat. 570; 16 U.S.C. 577c–577h), as amended, $500,000, to remain available until expended: *Provided,* That no part of this appropriation shall be used for the acquisition of any land without the approval of the local government concerned."

On page 9, after line 14, to strike out:

"DEPARTMENT OF COMMERCE

"Bureau of the Census

"Salaries and Expenses"

On page 9, after line 17, to insert a new heading, as follows:

"DEPARTMENT OF COMMERCE"

On page 9, after line 18, to insert:

"Business and Defense Services Administration

"Salaries and Expenses

"For an additional amount for 'Salaries and expenses', $200,000, to be derived by transfer from the appropriation for '1958 Censuses of Business, Manufactures, and Mineral Industries' for fiscal year 1960: *Provided,* That during the current fiscal year the Bureau of the Census may collect statistics relating to the textile industry upon the request of the Business and Defense Services Administration."

On page 10, after line 5, to insert:

"National Bureau of Standards

"Plant and Facilities

"For an additional amount for 'Plant and facilities', including purchase and improvement of a radio propagation field site, without regard to the monetary limitation in the Act of September 2, 1958 (15 U.S.C. 278d), acquisition of rights-of-way and construction of necessary access roads, and expenses of relocating equipment to such site, $500,000, to remain available until expended."

On page 10, after line 15, to insert:

"DEPARTMENT OF DEFENSE—CIVIL FUNCTIONS

"Department of the Army

"Rivers and Harbors and Flood Control Construction, General

"For 'Construction, general,' an additional amount of $200,000, to remain available until expended, for Fort Randall Reservoir, South Dakota, to complete riprap protection of the Saint Joseph Indian School property located along the pool."

At the top of page 11, to insert:

"DEPARTMENT OF DEFENSE—MILITARY FUNCTIONS

"Aircraft procurement, Air Force

"Solely for modernization of the Military Air Transport Service fleet including $5,000,000 for the development of an advanced powerplant, as the Secretary of the Air Force may determine to be necessary for the accomplishment of that purpose, $30,000,000, to remain available until expended."

On page 11, after line 8, to insert a new heading, as follows:

"DISTRICT OF COLUMBIA"

On page 11, after line 9, to insert:

"District of Columbia funds

"Metropolitan Police

"For an additional amount for 'Metropolitan Police', $70,000."

On page 11, after line 13, to insert:

"Miscellaneous

"Settlement of Claims and Suits

"For the payment of claims in excess of $250, approved by the Commissioners in accordance with the provisions of the Act of February 11, 1929, as amended (45 Stat. 1160; 46 Stat. 500; 65 Stat. 131), $10,602."

On page 11, after line 19, to insert:

"Division of Expenses

"The sums appropriated in this Act for the District of Columbia shall, unless otherwise specifically provided for, be paid out of the general fund of the District of Columbia,

as defined in the District of Columbia Appropriations Acts for the fiscal years involved."

On page 12, after line 5, to insert:

"Assistance to States, General

"For an additional amount for 'Assistance to States, general', $2,026,000; and the purposes for which appropriations under this head are available during the fiscal year 1960 shall include traineeships pursuant to section 306 of the Public Health Service Act, as amended."

On page 12, after line 11, to insert:

"Communicable Disease Activities

"For an additional amount for 'Communicable disease activities', $100,000."

On page 12, after line 18, to insert:

"Hospitals and medical care

"For an additional amount for 'Hospitals and medical care', $6,089,500; and the purposes for which appropriations under this head are available during the fiscal year 1960 shall include traineeships pursuant to section 307 of the Public Health Service Act, as amended."

On page 13, after line 2, to insert:

"Office of saline water

"Salaries and Expenses

"For an additional amount for 'Salaries and Expenses', $400,000."

On page 13, after line 6, insert:

"Construction

"For an additional amount for 'Construction', $2,550,000, to remain available until September 3, 1965."

On page 13, line 17, after the word "resources", to strike out "$425,000" and insert "$775,000."

On page 13, after line 17, to insert:

"Bureau of Indian Affairs

"Education and Welfare Services

"For an additional amount for 'Education and Welfare Services', $2,225,000."

At the top of page 14, to insert:

"Bureau of Reclamation

"Loan Program

"For an additional amount for 'loan program, $5,147,000, to remain available until expended: *Provided,* That any contract under the Act of July 4, 1956 (69 Stat. 244), as amended, not yet executed by the Secretary which calls for the making of loans beyond the fiscal year in which the contract is entered into shall be made only on the same conditions as those prescribed in section 12 of the Act of August 4, 1939 (53 Stat. 1187, 1197)."

On page 14, after line 10, to insert:

"Virgin Islands Corporation

"Loans to Operating Fund

"The Virgin Islands Corporation may borrow not to exceed $1,235,000 from the Treasury of the United States for the construction of salt water distillation facilities in Saint Thomas, Virgin Islands, as authorized by section 3 of the Act of September 2, 1958 (72 Stat. 1760)."

On page 14, after line 17, to insert:

"Revolving Fund

"For an additional amount for the revolving fund established under this head in the Supplemental Appropriation Act, 1950, for advances to the Virgin Islands Corporation, as authorized by law (63 Stat. 350; 72 Stat. 1760), $1,240,000."

At the top of page 15, to insert a new heading, as follows:

"THE JUDICIARY"

On page 15, after line 1, to insert:

"Supreme Court of the United States

"Miscellaneous Expenses

"Not more than $5,000 of the appropriation under this head in the Judiciary Appropriation Act, 1959, shall remain available for obligation during the fiscal year 1960 for the purchase of a portrait of the late Chief Justice Vinson as provided for by Public Law 85-20, approved April 20, 1957."

On page 15, after line 9, to insert:

"Customs Court

"Salaries and Expenses

"For an additional amount for 'Salaries and expenses', $18,000."

On page 15, after line 13, to insert:

"DEPARTMENT OF JUSTICE

"Bureau of Prisons

"Salaries and Expenses

"There may be transferred from the appropriation to the Department of Defense for 'Operation and maintenance, Army,' fiscal year 1960, an amount, to be determined by the Bureau of the Budget, but not to exceed $1,500,000, to the appropriation for the current fiscal year for 'Salaries and expenses, Bureau of Prisons'."

At the top of page 16, to insert:

"DEPARTMENT OF LABOR

"Bureau of Labor Statistics

"Salaries and Expenses

"For an additional amount for 'Salaries and expenses', $1,050,000."

On page 16, after line 5, to insert a new heading, as follows:

"LEGISLATIVE BRANCH, SENATE"

On page 16, after line 7, to insert:

"Contingent expenses of the Senate

"Furniture

"For an additional amount for 'Furniture', fiscal year 1959, $12,500."

On page 16, after line 11, to insert:

"Inquiries and Investigations

"For an additional amount for 'Inquiries and investigations', fiscal year 1959, $450,000."

On page 16, after line 14, to insert:

"Miscellaneous Items

"For an additional amount for 'Miscellaneous Items', fiscal year 1959, $222,500."

On page 16, after line 17, to insert:

"North Atlantic Treaty Parliamentary Conference for 1959

"For salaries and expenses necessary for the annual meeting of the North Atlantic Treaty Parliamentary Conference for 1959 to be held in Washintgon, District of Columbia, as authorized by section 604 of the Mutual Security Act of 1959, $100,000, to be disbursed by the Secretary of the Senate, who hereby is authorized to advance to the Chairman of the Senate delegation such sums within the appropriation as may be necessary to defray incidental expenses, sums so advanced to be accounted for in the same manner as provided by law for Senate committees."

On page 17, after line 5, to insert:

"Administrative Provisions

"The Secretary of the Senate may hereafter fix the compensation of the assistant parliamentarian, the legislative clerk, and the journal clerk at not to exceed $7,620 basic per annum each."

On page 17, after line 10, to insert:

"(a) The second proviso in the paragraph relating to the authority of Senators to rearrange the basic salaries of employees in their respective offices which appears in the Legislative Branch Appropriation Act, 1947, as amended (2 U.S.C. 60f), is amended to read as follows: '*Provided further,* That no salary shall be fixed under this section at a basic rate of more than $5,100 per annum, except that (1) the salary of one employee may be fixed at a basic rate of not more than $8,040 per annum, (2) the salary of one employee may be fixed at a basic rate of not more than $8,460 per annum, and (3) the salary of one employee may be fixed at a basic rate of not more than $8,880 per annum'."

On page 17, after line 22, to insert:

"(b) Such paragraph is further amended by adding at the end thereof a new sentence as follows: 'A Senator may establish such titles for positions in his office as he may desire to designate, by written notification to the disbursing office of the Senate.'"

On page 18, after line 3, to insert:

"(c) The first paragraph under the heading 'Administrative Provisions' in the appropriations for the Senate in the Legislative Branch Appropriation Act, 1957 (2 U.S.C. 60f–1) is repealed."

On page 18, after line 7, to insert:

"POST OFFICE DEPARTMENT

"(Out of Postal Fund)

"Transportation

"For an additional amount for 'Transportation', $7,200,000."

On page 18, line 24, after the word "expended", to strike out "$2,500,000" and insert "$3,500,000."

On page 19, after line 1, to insert:

"Contributions to international organizations

"For an additional amount for 'Contributions to international organizations' for the expenses of the Secretariat of the Interparliamentary Union, $3,000."

On page 19, line 14, after word "maintenance", to strike out "$450,000" and insert "$500,000."

On page 19, line 16, after the word "Construction", to strike out "$125,000" and insert "$450,000."

On page 19, after line 17, to insert a new heading, as follows:

"TREASURY DEPARTMENT"

On page 19, after line 18, to insert:

"Office of the Secretary

"Investment in Inter-American Development Bank

"To finance the participation of the United States in the Inter-American Development Bank, to remain available until expended, $280,000,000, of which $230,000,000 is for the purchase of capital stock in said bank (including $200,000,000 for callable capital stock and $30,000,000 for the first installment on the paid-in capital stock) and $50,000,000 is for payment of the first installment of the subscription of the United States to the fund for special operations of said bank: *Provided,* That this paragraph shall be effective only upon enactment into law, during the first session of the Eighty-sixth Congress, of H.R. 7072 or similar legislation."

On page 20, after line 7, to insert:

"Bureau of Accounts

"Salaries and Expenses

"For additional amount for 'Salaries and expenses', $25,000."

On page 20, after line 11, to insert:

"U.S. Coast Guard

"Operating Expenses

"For an additional amount for 'Operating expenses', $800,000."

On page 20, line 20, after the word "in", to insert "Senate Document Numbered 42 and", and in line 22, after the word "Congress", to strike out "$198,675" and insert "$443,438."

Mr. CASE of South Dakota. Mr. President, will the Senator from Arizona yield?

Mr. HAYDEN. I yield.

Mr. CASE of South Dakota. I note with interest that the committee is reporting an item of $2,550,000 for the Office of Saline Water and $400,000 for salaries and expenses. From reading the report, I note it is contemplated that this appropriation will provide the

money to start the first of the saline water plants, will provide the money for the design of a brackish water plant, and will also provide $1 million for construction on plants Nos. 2 and 3.

The chairman and the other members of the Committee on Appropriations are to be commended for the interest they have taken in getting the saline water program into the action stage. The Senator from Arizona will recall that a few years ago it was difficult to get adequate funds for the research program. But that research has paid off, and we are getting some practical suggestions. It is my confident belief that any money which has been spent for research in the past several years will show greater values for the economic progress of the country and in meeting the water problems of the various areas where there is a serious water shortage.

May I ask the distinguished Senator if my review is substantially correct: Namely, that the $2,550,000 for construction is to provide $1,500,000 for the first saline water conversion plant?

Mr. HAYDEN. That is to be located at Freeport, Tex.

Mr. CASE of South Dakota. And $50,000 is to be spent for the engineering design of a brackish waterplant.

Mr. HAYDEN. The location of that plant is yet to be determined.

Mr. CASE of South Dakota. By reading the testimony presented to the committee, it would appear that the special advisory committee on that subject may make a decision in September. Was the committee hopeful that it might be done as soon as that?

Mr. HAYDEN. We were assured that a decision would probably be made in September.

Mr. CASE of South Dakota. If that is done, I think the committee was wise to provide a million dollars for the acceleration of the construction of the second and third plants. I hope this item will be agreed to without a dissenting vote.

Mr. HAYDEN. The truth is that the American people everywhere are aroused by the fact that water is the scarcest of our natural resources. There is an increasing awareness of this fact in all sections of the United States. We used to think that water shortages were confined to the arid regions, where water was needed for irrigation and potable purposes. That is no longer true. The demand for water is increasing all the time. The demand for manufacturing purposes is increasing. Greater supplies of water are needed for the increasing populations of the great cities. All these things have combined to make it necessary to try to remove the salt from sea water and thus to produce potable water. I think remarkable progress has been made.

I remember, as does the Senator from South Dakota, when we had difficulty in obtaining the original appropriation. I at one time asked a very eminent scientist from the Massachusetts Institute of Technology, who was testifying before our committee, how he thought we could arrive at a solution of this problem. He said it would be the result of American inventiveness; that some "nuts" would find a way to do it. Well, the "nuts" have been at work.

Mr. CASE of South Dakota. It appears that we have reached the place where practicable results are obtainable.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Arizona yield?

Mr. HAYDEN. I yield.

Mr. JOHNSON of Texas. I congratulate the Senator from South Dakota for his long-time interest in this very important field. I think rapid progress has been made. The committee has made an excellent recommendation which has met with the approval of all concerned. I commend the Secretary of the Interior for his leadership in this field. I hope that progress will continue to be made.

Mr. CASE of South Dakota. I thank the Senator from Texas for his generous comments. He well commends the Secretary of the Interior for the interest he has taken in this matter. I believe that even as of today he scarcely makes a speech when he does not refer to the saline water program as one of the outstanding programs to which the energies of his Department have been devoted.

In the same connection, Dr. A. L. Miller, a former Member of the House, is now Director of the Office of Saline Water. He, too, has given the program a great deal of "push." Also, Mr. Jenkins, who has been with the program for a long time, is entitled to much of the credit for the progress which has been made.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. LAUSCHE. Can the Senator from Arizona state the position of the Director of the Federal Aviation Agency with respect to the $2,450,000 which is appropriated for the construction of a sewer system to serve the Chantilly Airport?

Mr. HAYDEN. My recollection is that General Quesada was very much in favor of it. He testified strongly in favor of it.

Mr. LAUSCHE. Was there any opposition expressed to it by any of the governmental agencies?

Mr. HAYDEN. The only comment on it, was, on the part of some individuals who wanted to connect their sewage disposal with the system, but our idea was that the system proposed would connect up with the disposal of sewage in the District on its own, and that private persons would have to find other ways of disposing of their sewage.

Mr. LAUSCHE. It is my understanding that the item was rejected by the House, because originally in planning the airport sewage disposal plant, they felt that a $750,000 expenditure would be adequate to take care of the sewage at the airport.

Mr. HAYDEN. But it was determined that there was no presently feasible way adequately to take care of the sewage by the method proposed at that time, and that this was the only feasible way to do it. So General Quesada recommended this change.

Mr. LAUSCHE. I thank the Senator very much.

Mr. NEUBERGER. Mr. President, I should like to speak just a few words of commendation for the action taken by the Committee on Appropriations on this supplemental bill.

The committee has acted wisely in providing funds for our national forests. On the surface the increases may look large, but in reality they are not. The increase for forest land management is approximately $5 million above the 1959 level. This will permit some acceleration in every major national forest activity.

In forest research, the increase is approximately $2 million above the 1959 level. This will permit the construction of essential laboratory facilities throughout the Nation. The laboratories include every type of needed study, and, of course, the findings of one laboratory in one region, will be useful in other parts of the country. I am most gratified that an Insect and Disease Regional Laboratory is scheduled for Corvallis, Oreg. We have an outstanding school of higher education there, with one of the finest deans in the profession. The plant site and facilities are adequate and there will be a great opportunity for cooperative work with the Oregon State College of Forestry.

I am especially pleased to see that the committee has included funds for access roads. The $2 million added here will permit the program to proceed at the full authorized level. As the senior Senator from Arizona knows, the authorization in 1959 was $32 million, and we provided enough money to fulfill it. This year's authorization is only $30 million and these added funds will permit full scale operations. The committee has also wisely provided an additional $5 million to permit the Forest Service to acquire non-Federal roads needed to provide access to national forest timber. By this action alone, revenue will be enhanced by $19 million. This certainly is a good investment, and one which will help balance the budget.

To my way of thinking, the language of the Secretary of Agriculture which is quoted by the committee provides a complete justification for the action taken. The Secretary said:

> What is done in the next 10 to 15 years will largely determine whether these vastly important public lands will contribute by the year 2000 their fair share to a greatly expanded national economy.

The committee deserves warm congratulations for its decision to move promptly to meet this challenge.

I would like to close, making brief mention of two other actions by the committee. The full request of the administration for the O. & C. forestry program in the Bureau of Land Management has been allowed. This $525,000 will permit the sale of 1 billion board feet, an increase of 163 million board feet over that planned originally. This is practical because the allowable cut for sustained yield has been increased. This additional timber will bring an estimated $2½ million into the Treasury.

I am also delighted that the committee has provided the funds needed for the Outdoor Recreation Resources Review Commission. As a member of that

Commission, I can assure the senior Senator from Arizona [Mr. HAYDEN] and the members of his committee that we will spend the funds wisely and carefully. Finally, I would like to mention the valuable service that the staff members of the Appropriations Committee provide. The excellence of this bill and the many other bills that we have considered reflects to a large extent the dedicated work of fellows like Bill Woodruff on our side and Mr. Gene Wilhelm on the staff in the other body.

As the junior Senator from one of our leading lumber-producing States, I wish to say that we are aware that the senior Senator from Arizona knows our problem and does his very best to meet and solve it, and I express my gratitude to him.

Mr. HAYDEN. I thank the Senator from Oregon. I yield to the Senator from North Carolina.

Mr. JORDAN. Mr. President, I strongly recommend that the Senate approve H.R. 7978, the supplemental appropriations bill for fiscal 1960.

I am particularly interested in that section of the bill dealing with the expansion of our forestry research program.

The approval of the funds that would increase our forestry research program is long overdue.

The importance of forestry to our economy cannot be overemphasized. For many years, we have neglected our forests, and unless drastic measures are taken we will be in grave trouble in the near future. The best estimates show clearly that if the per capita use of timber products continues to increase at its present rate, wood consumption will double in the next 40 years. This fact alone paints a serious picture for the future when we give consideration to the fact that our expanding population is reducing the total number of acres available for woodland.

Even with present-day production as high as it is, we are still importing a considerable amount of wood products, mainly pulpwood, woodpulp, and paper.

Because of increased consumption and a growing population, we have reached the point where we must depend on research and sound management of our forestry resources for the answers. It is not a simple matter of planting more trees. Additional forest land is one of the answers, but only one, and in fact a minor one over the long haul.

The most serious need today is the finding of ways and means to utilize wisely the timberland we have as well as land which is being reforested. In order to do this, we must control insects and diseases and at the same time encourage in every way possible sound management practices.

A recent study by the Forest Service gives a good illustration of the importance of controlling insects and diseases. The study shows that in 1952, which was a typical year, insects killed seven times as much saw timber as fire, and disease killed three times as much. These facts speak for themselves, and they show clearly that we are losing the productivity of more timberland because of insects and disease than because of the fearful forest fire.

According to the Forest Service, the immediate requirements—the short-term needs—call for an annual sustained yield of 11 billion board feet of saw timber from the national forests. Only 6.4 billion feet were cut in 1958. These facts speak for themselves and clearly indicate the emergency nature of the problem we face in getting our house in order.

The need for the programs which would be supported under this bill is great. There is no doubt about that.

The total appropriation for forestry items would be $22 million under this bill. The largest category is forest land management projects, which would receive $15 million. A total of $4.5 million would be used for expanded research, including $2.5 million for the construction of research facilities. Another $2.5 million would be used for the acquisition of lands and forest roads and trails.

In the long run, I feel the need for additional research facilities is the greatest single need. In the interest of time, I will not discuss the merits of each of the proposed research facilities for which funds are included in the bill.

I would, however, like to mention specifically the need for a regional laboratory in North Carolina, which will require about $775,000 to construct.

In North Carolina we produce in commercial quantities practically every type of timber common to the eastern half of the United States. We take pride not only in the large volume of our production, but in the variety of our production as well.

We also take pride in the fact that we are the Nation's leading State in the production of wood furniture. Furniture is one of our top industries, and it is of utmost importance to our overall economy.

Through the years, we in North Carolina have been keenly aware of the importance of forestry not only to our State, but to the Nation as a whole. As a result of this awareness, we have in North Carolina two of the world's finest schools of forestry—one at North Carolina State College in Raleigh, and one at Duke University in Durham.

In addition to these two outstanding schools of forestry, we have for a number of years carried on important, but a necessarily limited amount of forestry research at the Forestry Research Station, State College in Raleigh.

Our greatest need at the moment is to increase the volume of basic research in order to bring it up to a realistic level.

The location of a regional laboratory in the Raleigh-Durham-Chapel Hill area, which we in North Carolina refer to as the research triangle, would be a natural.

In the research triangle scientists and technicians would have access to three of the most outstanding research and educational centers in the entire Nation. In addition to the facilities of the State-operated forestry research station at State College in Raleigh, and the schools of forestry at State College and Duke University in Durham, the University of North Carolina at Chapel Hill would also make valuable contributions.

Just as important, a regional laboratory in the Raleigh-Durham-Chapel Hill area would be located in an area that is capable of producing an unusually wide variety of timber and wood products.

Thus far, basic research in forestry has been meager. But even with the modest amount of work now going on, the immediate outlook is unusually bright. Already, work is being done to develop fast-growing hybrid trees and trees which are resistant to insects and diseases.

The possibilities are unlimited, and we in North Carolina sincerely feel that we can make a positive contribution not only to the future development of our own State, but of the entire Nation.

I want to emphasize that while we are fortunate in having two fine schools of forestry in North Carolina, the proposed forestry research regional laboratory would serve not only North Carolina, but the entire Southeast as well as all those areas in the eastern half of the United States with problems common to those in the Southeast. We have all of the basic ingredients, and we are eager to put them to work.

I hope the Senate will approve the bill without delay in order for badly needed work to get under way in the near future.

Mr. HAYDEN. I yield to the senior Senator from Montana.

Mr. MURRAY. Mr. President, an appropriation bill never comes before the Senate but that I marvel at the effort the senior Senator from Arizona [Mr. HAYDEN], and his committee members have made to bring the best possible bill before us.

I am exceptionally pleased, and I know that I can express the warm appreciation of every conservationist both in Montana and across this Nation, when I commend the decision to provide $27 million of additional money for our national forest system. We have been alerted that a tremendous conservation effort must be made in the next 10 years if the resource needs of our people are going to be met in the future. We have a diminishing natural resource base and an expanding population. The only solution is to develop, conserve, and wisely use our renewable resources.

I am proud to have worked to help bring about this substantial increase in Forest Service programs. The Senator from Arizona has done a remarkable job of providing vitally needed funds for each and every essential national forest need.

I recall to the attention of the Senate that this $27 million increase is far less than we spend on foreign aid in many countries where this program operates. I do not believe that we can deny the needs of our people at home while we continue to pour billions of dollars abroad. If we are to help the other nations of the world, and I think we must, our first responsibility is to keep ourselves strong. No one can look objectively at the condition of our national forest resources and say that we can delay as much as 1 year the revitalization and conservation of these great federally owned forests.

I commend the committee for its timely action and for the consideration it has given to all of us in the Senate who have been urging this course of action. It is my hope that the administration will promptly advise the conferees that it favors the decision of the Senate, and that it recognizes that conservation of our natural resources has complete and strong bipartisan support.

Mr. MANSFIELD. Mr. President, I wish to join my distinguishd senior colleague from Montana in commending and complimenting the distinguished Senator from Arizona and chairman of the Appropriations Committee for the consideration he has shown toward the Forest Service in the supplemental appropriation bill now before us.

Mr. President, I should like to speak for a moment about the gratifying action taken by the Senate Appropriations Committee in providing $27 million in new funds for the Forest Service for fiscal year 1960. The Senator from Arizona [Mr. HAYDEN] and the other members of the committee have acted in their usual thorough and conscientious manner. We all recall that when the regular bill for the Forest Service was before the Senate the chairman said that he would consider adding funds in the supplemental bill. At that time he indicated that the Bureau of the Budget and the Secretary of Agriculture would be asked to submit a request for funds. Twenty Senators representing all parts of the country then asked the Director of the Bureau of the Budget and the Secretary of Agriculture to comply quickly with the committee's desire. We were later advised by these administration spokesmen that funds would not be sought until fiscal year 1961. Following this, 15 Senators joined with me in requesting that the Appropriations Committee consider adding the necessary funds. In that letter we said:

> We believe the Congress has made enough savings in the overall budget to demonstrate to the people that implementation of the forest program now is sound. We also believe we can make a good case that by taking positive action on a conservation program with widespread interest we are doing a job that our people expect and want done.

I know of no man who has given greater service to conservation than the senior Senator from Arizona [Mr. HAYDEN]. This is not because he comes from the West, but because he understands the role that resource conservation plays in having a strong and vigorous Nation. He understands the responsibility we have as elected representatives to promote the general welfare of our people. The action his committee has taken is another of many demonstrations of his understanding and his wisdom.

Our national forests are valuable assets which benefit all our people. They are a prime source of water. They supply the greatest opportunities for healthful outdoor recreation. They contribute significantly to our forest products industry and to our livestock industry. Hunters and fishermen know that forest lands are important to them. The research which the Forest Service conducts is essential to a sound conservation program. The money this bill provides will advance each and every one of these activities. I find it difficult to single out any one program and indicate a preference for it, because each of them is a part of the overall need. The most significant action, however, which I think the committee has taken is in the money added for roads and trails, recreation, reforestation and range improvement, and insect and disease control. In the report submitted earlier this year by Secretary Benson these were among the activities which were lagging farthest behind. In order that the action by the committee can be gaged against the total needs which are known to us at this time, I ask unanimous consent that there be printed in the RECORD at the conclusion of my remarks a table setting this forth.

I thank the Senator from Arizona and all the members of the committee for the excellent and constructive work they have done in providing badly needed funds for our forests.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

National forest short-term program, national total

Item and project	Recurrent work maximum annual level	Nonrecurrent work short-term program total	Funds provided by Senate for fiscal year 1960 [1]	Work needed
Forest protection and management:	*Thousands*	*Thousands*	*Thousands*	
Timber resource management:				
Sales administration and management	$25,200		$1,700	Develop plans for 8,500,000 acres. Keep plans current. Cut 11,000,000,000 board feet.
Reforestation and stand improvement		$375,160	1,000	10,600,000 acres of cultural treatment. Plant 3,900,000 acres (including reinforcement and recent burn planting).
Recreation-public use	16,300			National Forest Outdoor Recreation Resources Review. Complete management and development plans. Maintenance, sanitation, and cleanup of existing facilities.
		122,880	6,000	Construct 102,000 family units.
Wildlife habitat management	2,980			Management and administration of wildlife resources.
		33,600	400	Improve 1,900,000 acres habitat, 7,000 miles stream, 56,000 acres lakes, 2,000 small watering facilities for wildlife. Rodent control 11,200,000 acres.
Range resource management:				
Management	4,191			Management and administration of range resources.
		11,561	200	Complete analysis and plans for 10,000 allotments.
Revegetation		30,772	300	Revegetate 4,400,000 acres.
Improvements	1,605			Maintain existing improvements.
		26,067	200	Construct 18,000 miles fence and 9,500 water developments.
Soil and water management	1,345			Management and administration of soil and water resources.
		83,320	500	Watershed rehabilitation on 1,300,000 acres, and 22,000 miles of gullies, roads, and streams. 160 pollution control structures and 420 flood prevention projects. Soil surveys on 33,000,000 acres. Initiate inventories and water yield studies.
Mineral claims, leases, and other land uses (including land classification and ownership adjustments).	4,896			Examine mining claims. Administer mineral leases and special uses. 5,000 miles of property line maintenance. Administer land exchange.
		53,595	1,000	Prepare new status records system. Accelerate cadastral surveys. 133,000 miles property line surveys and posting. 224,000 square miles topographic mapping.
Land purchase		1,515	500	Boundary canoe waters, Superior National Forest, Minn., 9,000 acres. Small tracts within Cache National Forest, Utah, 1,000 acres.
Ranger district management	11,277			General supervision and management of ranger districts.
Land utilization projects	2,110	10,420	200	Management and development of timber, recreation, range, wildlife, and water resources on 4,600,000 acres of land utilization lands.
Forest fire protection	19,313			Intensified protection, including increased manpower and equipment, approximately 2½ times present level.
		73,200	1,000	Fuel reduction on 4,200,000 acres and 12,000 miles of firebreaks. Construct 1,800 heliports and spots.
Structural improvements for fire and general purpose.	7,600			Maintenance of all existing improvements, including radio replacements.
		98,600	1,500	Construct 2,700 housing units and related improvements; 3,200 service buildings, lookouts, and special structures; betterment of existing structures; 2,000 new radio installations; replace 3,000 miles of telephone lines; construct and reconstruct 62 landing fields.
Insect and disease control	9,000		1,000	Intensified and accelerated detection, prevention and control of forest insects and diseases to reduce current timber losses.
Total, protection and management	105,817	920,690	15,000	

[1] 1960 funds not segregated between recurrent and nonrecurrent items.

National forest short-term program, national total—Continued

Item and project	Recurrent work maximum annual level	Nonrecurrent work short-term program total	Funds provided by Senate for fiscal year 1960	Work needed
Forest research:				
Forest and range management research:	*Thousands*	*Thousands*	*Thousands*	
Forest genetics and planting	$2,510			
Silviculture	3,125			
Timber growth and yield	810			
Watershed management	3,485			
Range management	1,450			
Recreation and wildlife	2,455			
Forest protection research:				
Forest fire	2,200			
Forest insects	2,210		$2,000	The amounts shown are for recurrent research program of broad regional or national character that relate to national forest problems.
Forest disease	1,440			
Forest products utilization research:				
Forest products	5,636			
Forest engineering	1,700			
Forest resources research:				
Forest surveys	470			
Forest economics	850			
Marketing	1,000			
Construction, research facilities		$34,354	2,500	Construction of 5 experiment station headquarter office-laboratories, 17 specialized laboratories, and 25 research center office-laboratories, minor field laboratories, utility buildings, related facilities and minor structures on about 100 experimental forests and ranges.
Total, research program	29,341	34,354		
Forest roads and trails:				
Construction		[2] 719,600	7,000	Construction and reconstruction of 46,000 miles of roads, 8,000 miles of trails, and assistance in construction of roads by timber purchasers.
Maintenance	[3] 20,500			Maintenance of existing roads and trails.
Grand total	155,638	1,674,644	27,000	

[2] Timber purchasers will construct an additional 44,000 miles of road costing approximately $564,000,000 as the purchasers' share.

[3] Timber purchasers will maintain existing purchaser-constructed roads at an estimated annual cost of $4,500,000.

Mr. ANDERSON. Mr. President, in the foreword of "Timber Resources for America's Future," published in January 1958, Dr. Richard McArdle, Chief of the Forest Service stated that "tomorrow the Nation's need for timber will be strikingly greater than today or at any time in the past." That in essence is the finding in the Forest Service appraisal of the timber situation in the United States.

I have found in this Forest Service report much valuable information in regard to our timber resources. It will be helpful to all of us in dealing with our problems on the national forests. We cannot, however, limit our interest to timber and timber products. The forests have many other values and when we speak of forest resources it has a much broader meaning than sawtimber for lumber.

We hear much talk these days about critical and strategic materials and needs. Timber is a critical material either during a war or in peacetime, but in speaking of things critical and strategic in this connection, we must take a look at the other values in our national forests. There is nothing more critical to the arid West than water. This commodity is fast becoming a concern of many of the cities of the East also. The manner in which our forests are managed to a great degree controls the water supply of the entire country.

Not only are our forests important to all of us for the water and timber products, but they are especially significant to the people of the West in contributing a great deal to the production of beef and wool. As we all know, both of these critical items greatly affect the economy of hundreds of communities.

Last but not least in importance are the recreation resources of our forests. The facilities and accommodations in the forests are already inadequate to care for the increasing number of people visiting the forests each year. The expansion and improvement of the recreation areas is essential to the health and well-being of our population.

We have been falling behind in our schedule for protection and development of our national timber lands. I was therefore happy to see the Department of Agriculture in March of this year submit its "Program for the National Forests." I did regret, however, that this was not accompanied by a request for funds to implement the program. I therefore joined with 19 of my colleagues in the Senate endorsing the recommendation of the Senate Committee on Appropriations to the Department of Agriculture, that a budget request be submitted to Congress during the present session so that this program could be gotten under way. I was disappointed when the Department advised that it did not intend to request funds until budget time for 1961. I, along with many of my colleagues in the Congress, have felt for some time that this type of accelerated program on the forest is urgent. Each year we have gone before the Appropriations Committee urging more funds, but we have had little cooperation from the Bureau of the Budget.

Much of the proposal of the Department is an expansion or extension of some of the very fine programs now in effect, but which have never been fully implemented. I have been before the Appropriations Committee a number of times urging that such programs as the Anderson-Mansfield reforestation and revegetation program, Operation Outdoors, and our research programs be put on schedule. I have urged increase of funds for insect and disease control and eradication as well as funds for research; therefore, I am happy to lend my support to this stepped-up program and to urge that the funds suggested by the Appropriations Committee be made available now.

There is a great deal of discussion going on all over the country and in Congress about balancing the budget and holding down inflation. I am receiving a good many letters about this problem from my State, but never a word against this sort of a program. In fact, I have received letters each year urging that funds be made available to improve our forest programs. We have made some cuts in the budget where it appeared in the interest of the country. We should make further cuts in items that neither bring a return on the investment nor enhance the prestige of this country in the eyes of the world, or with the people at home.

What we propose in the way of funds for this program is a mere pittance compared to our overall budget and the amount of technical aid and other help given foreign countries, much of which brings no return in any manner. I know our forest program will return manifold both in tangible and intangible benefits.

Our forests are revenue-producing property. A good businessman does not willingly allow such property to deteriorate and become unproductive. Failure to provide and carry out the type of program that will adequately protect our watersheds, that will provide lumber and forest products, that will provide for the recreation needs of our people, now and in the future, means we will go out of business in those particular products unless we invest to protect these resources.

The schedules we have been following are putting us a little farther behind each year. It is the height of folly to close our eyes to the needs of the coun-

try in this area. We are doing just that and I give you one or two examples:

In the matter of infestation by insects and diseases, the loss is appalling. It is even far greater than destruction by fire. For the United States as a whole, the loss from destructive causes is estimated to be 92 percent of net sawtimber growth. Of this total, insects and disease make up 65 percent. This loss should and can be cut down by additional funds to do the job. Yet, we see this loss each year without doing very much about it.

In the case of recreation, the use of forests is increasing by leaps and bounds. In 1945 the visits to the forests were near 38 million. The number of visits in 1958 was 68.5 million and it is estimated that by 1969 recreational use of the national forests system will reach 130 million. This would put into trade channels a total of nearly a billion dollars. It is impossible with the funds available to even maintain in good condition the facilities we have, let alone provide for the increased need.

We know there will be a continued fast growth of the population and along with this growth we must have a continued expansion of our economy. Timber and forest products, water, beef, wool and recreation are some of the important factors in any expanding and firm economy. We must not have a famine in these items. This will surely occur if we do not take steps today to provide for the future. Timber does not grow in a year or a few years. It takes 25 to 100 years. The proposed program is needed to take care of this situation. It must be started now and it must be kept on schedule. I urge that the Senate stand behind and support the recommendations of the Appropriations Committee and approve the funds for this purpose in this bill.

Mr. DWORSHAK. Mr. President, I also should like to commend the distinguished chairman of the Committee on Appropriations for his vigorous support of the program submitted by Secretary Benson and the Forest Service to accelerate the development of our public forests.

In this regard it should be emphasized that there was almost if not completely unanimous support within the Appropriations Committee on a bipartisan basis. The members of the committee recognized that in the conservation and expanded use of our forest areas for recreational development, for watershed protection, and access roads to market timber, this is a very constructive and worthwhile program. Insofar as finances are concerned, the investment of small sums now will accelerate the marketing of overripe timber and result in increased revenues to the Federal Treasury.

It is most encouraging to me, coming from a western State which has 20 million acres of U.S. forest lands, to note that there is such excellent cooperation between the Forest Service in the executive department and the Members of Congress in stimulating and promoting this very fine program. I hope these funds will be retained in the conference report on this bill.

Mr. DIRKSEN. Mr. President, I doubt whether there is any labor quite so tedious at times as the business of shepherding a supplemental appropriation bill through the Senate Appropriations Committee. It contains many items, small, some large, and its consideration is a test of fidelity and devotion. I know from my own experiences on that committee that the chairman was always there. Other members could absent themselves, but the chairman was always in his place.

So, Mr. President, I salute the chairman and I salute the staff, Bill Woodruff, Thomas Scott, Harold Merrick, Bill Kennedy, and all the others who have been so helpful.

Particularly I wish to say that I thought the Senator from Arizona did an excellent job on the Aeronautics and Space Administration item. I intend to ask consent to have printed in the RECORD a little fact sheet and also some pointed editorials on the matter.

I am glad the bill has been reported precisely as it is. There is a timetable involved between us and other countries, and so money is important in narrowing any gap which may exist and to take us out in front.

So I salute the Appropriations Committee for a job well done.

Mr. President, I ask unanimous consent in connection with my observations to have printed in the RECORD the fact sheet and editorials.

There being no objection, the fact sheet and editorials were ordered to be printed in the RECORD, as follows:

FACT SHEET

1. The National Aeronautics and Space Administration was created by Public Law 85-568 and approved in the 2d session of the 85th Congress. The NASA officially was in operation October 1, 1958.

2. In the 1st session of the 86th Congress, two budget requests for funds (a 1959 supplemental item and regular fiscal year 1960) were submitted to the Congress.

3. House action:

Year	Amount requested	Appropriation Committee action	House action	Final reduction
				Percent
1959 supplemental	$45,000,000	$41,400,000	$18,675,000	59
1960 regular	485,300,000	443,400,000	443,400,000	9
Total	530,300,000	484,800,000	462,075,000	13
Net cut		−45,500,000	−68,225,000	

Several technical points of order by GROSS (Iowa) were sustained on the House floor so that the Appropriations Committee recommended reductions were actually increased.

Senate action: The Senate Appropriations Committee has recommended full restoration of budget amounts for NASA for 1959 supplemental and fiscal year 1960 operations.

4. Effect of any reductions in NASA's budget requests: The NASA is faced with a critical money situation due to the fact that much of its research and development funds must be allocated to obtaining space engines to place larger payloads into orbit. In addition, the NASA must obtain competent scientific and technical personnel to manage its programs and must acquire modern research and tracking facilities to carry on the Nation's aeronautical and space programs. In view of the considerable lead enjoyed by the Soviet Union in the space field, prior to organization of the NASA, a reduction in operating funds when the Nation is beginning its space efforts can only increase this time differential. No reasons were assigned in the House Appropriations Committee report for the reduction in funds. In view of the modest increase in personnel and funds requested by the NASA, a cut in its appropriations must be absorbed by reducing the pace on research and development for space engines and vehicle systems now planned to put this country on an equal basis with the Soviet Union.

[From the Cleveland Press, July 17, 1959]

"WHY THE COMPLACENCY?" SPACE BOSS GLENNAN ASKS

A year ago this month, Congress passed the National Aeronautics and Space Act: unanimously in the House, overwhelmingly in the Senate.

One of the chief mandates laid down in the legislation was: "The preservation of the role of the United States as a leader in aeronautical and space science and technology."

What has happened since then to give anyone a sense of complacency?

Have we—who started serious work in the space field 6 or 7 years after the Soviets were pouring unlimited funds and their best brains into the drive to dominance in space—suddenly achieved some enormous advantage?

If so, I would like to know about it. I would sleep better at night.

If Congress slices an already-lean NASA budget at a time when this Nation has barely begun its space effort, the world will conclude that the United States is having second thoughts about facing the Communist challenge in this field.

Realistically, a research and development program of the complexity and magnitude of this one cannot be turned on and off at a moment's notice. Having made the decision to enter the race, we must pursue with vigor an imaginative, well-planned program.

Our agency became operative on Oct. 1, 1958—one year after sputnik began beeping ominously overhead. From the outset both Houses of Congress have given us the strongest possible support.

Consequently, I am unable to grasp the reason for the House cut.

As administrator, I have resisted the temptation to indulge in Sunday supplement speculation about the coming wonders of space exploration.

At the same time I have tried to convey my deep conviction that space research holds the promise that it may soon be paying for itself many times over in tangible economic benefits.

We have every right to count on developments in satellite meteorology, communications, navigation and geodetics that will dramatically affect the lives of all of us.

Here, in brief, is what the reduction could mean to our national space program in terms of time and progress:

Development of the Vega rocket propulsion system might have to be drastically cut back.

It will be one of the first space vehicles capable of making extensive television surveys of the moon's surface.

We might have to retard Centaur which should be capable of soft-landing a 730-pound scientific payload on the moon.

We would have to eliminate or drastically reduce the $30 million needed for the 1,500,000-pound-thrust, single-chamber engine. Only with this vehicle will it be possible to carry our manned expeditions to the moon and back.

Even our top priority Project Mercury, the manned satellite project, would certainly be affected.

Let me assure you that I am not crying wolf.

The decision in this Nation's space exploration is up to Congress. Whatever decision you make, we will attempt to carry it out with diligence and devoted effort.

[From the Washington Evening Star, July 1, 1959]

MONEY FOR SPACE

Not many months ago, after the Kremlin had successfully launched the first man-made moon in history, our Congress rang with eloquent and even hysterical speeches calling for bold and imaginative action (without a moment's delay, and hang the expense) to insure that our country would be second to none in space.

Then, in a series of unusually swift hearings and admirable moves, the House and Senate agreed upon the establishment of the National Aeronautics and Space Administration. As proclaimed at its birth, this civilian agency—headed by Dr. T. Keith Glennan—was brought into being to establish American leadership on the pathway to the stars. To that end, as soon as it began to operate, it drafted a far-ranging program of satellite launchings, lunar probes, and such other fantastic ventures as Project Mercury—a project in which the United States has committed itself to try orbiting a man around the earth before the Soviet Union does.

All this, despite the great and inescapable expense implicit in it, won the enthusiastic approval of Congress. It did so as a program deemed essential both to the prestige and security of our country. Yet, strangely enough, with an inconsistency which even big minds ought to view as a hobgoblin, the House has just voted to slash more than $68 million from the $530 million requested by President Eisenhower for NASA's operations during the coming fiscal year. This economizing action, moreover, has been taken in the teeth of an administration warning, as voiced by Dr. Glennan, that the Agency's original budget, because of rising costs in the meantime, "has become tighter and tighter until there is less than any slack in it."

What does it mean to take $68 million out of such a budget? Because of the nature of the work involved, precise answers are difficult, but this much may be viewed as a certainty: The House cut, if it prevails, will require a sharp curtailment (more than 10 per cent) of planned research and development regarded as of vital importance to our national effort to attain leadership in space. Further, again if it prevails, the cut will slow down Project Mercury in a way that will increase the possibility, if not the probability, that a Russian will be the first man into orbit safely around the earth. This is a point that speaks for itself, and Congress and the country at large can ill afford to shrug it off.

In these circumstances, the Senate ought to restore to the NASA all of the funds that the House has taken away. Senator JOHNSON, the majority leader, has been one of the most eloquent advocates of American supremacy in space, and we hope he will use his powerful influence to see to it that the people who are supposed to lead us along that line are given enough money to do it.

[From the Washington Star]

MISTAKE IN SPACE

Dr. T. Keith Glennan, head of the National Aeronautics and Space Administration, has pulled no punches in his appearance before the Senate Appropriations Committee. Speaking in somber and urgent tones, he has flatly declared that the House, in recently voting to cut $68 million from his agency's budget for the current fiscal year, has taken a step that threatens to result in "disastrous consequences," and there is no reason to doubt the soundness of his warning.

The sum sought by NASA, with the strong and unqualified backing of President Eisenhower, is $530 million. As Dr. Glennan has said, this represents a tight budget with "less than any slack in it." In other words, it is the rockbottom minimum needed to give our country, for the sake of both its prestige and its security in a dangerous world, a fighting chance to catch up with the Soviet Union in space, and to go on from there to achieve genuine leadership in the field—an unchallengeable second-to-none position.

This is the objective that the American people want to see attained with the least possible delay. It is why Congress not many months ago, after the Russians had successfully orbited the world's first earth satellite, acted with extraordinary speed and unanimity in bringing NASA into being and in recommending that no expense be spared to establish our country's supremacy in space. Yet with massive inconsistency and a certain measure of recklessness, the House now has slashed a great chunk out of the money the President has requested to do the job that must be done if such supremacy is ever to be realized.

Why such economizing? In Dr. Glennan's words, "What has happened * * * to give anyone a sense of complacency? * * * Have we—who started serious work in the space field 6 or 7 years after the Soviets were pouring unlimited funds and their best brains into the drive to dominate space—suddenly achieved some enormous advantage?" Of course we haven't. Actually, we still lag behind in several vital respects, and so we can ill afford to pinch pennies in dealing with a situation in which "the United States must bend every effort to achieve a position of leadership. * * * And we are all agreed that leadership in a race where there are only two participants cannot conceivably mean running second."

In saying this, and in admonishing that there will be "disastrous consequences" if the House cut is sustained, Dr. Glennan has backed himself up with a chapter-and-verse documentation of what is likely to happen unless Congress restores the money that has been taken away. Among others, the consequences will involve a slowing down, a curtailment or a shelving of key projects—including the one aimed at sending an American into orbit in 1961—designed to make us look reasonably impressive in our spatial competition with the Russians.

Accordingly, it is good to know that space-minded Senator JOHNSON, the majority leader, is in agreement with all this. As he put it, it would be "a great mistake" not to provide NASA with every penny it has asked for. We hope that Congress as a whole, when the issue is finally decided, will act in keeping with the warning that he and Dr. Glennan have both sounded.

[From the Washington Daily News, July 23, 1959]

CAPITAL CIRCUS

(By Jerry Greene)

WASHINGTON, July 22.—It may well be that Russian rocket successes with animal space flights have become so common, and U.S. missile failures so usual that the public has lost much of its earlier interest in the regions between here and the moon.

Certainly there is considerable evidence in Congress that this is true and as a result probably the most perplexed official in the Capital is Dr. T. Keith Glennan, Chief of the National Aeronautics and Space Administration.

He is being told by one congressional committee he isn't spending enough and asked why he can't get along faster with his work in space. Then when he asks for the dough, he is blasted for extravagance, his budget is mercilessly slashed and he is sternly instructed to quit wasting the taxpayers' money.

Only last night in a little noted speech here, Dr. Glennan declared that Russia's head start in the space race represents a real threat to our security.

"We are given the choice," said Glennan, "of competing with Russia in the new realm of space research, or else resigning ourselves to the role of onlooker in the most inspiring enterprise of our time."

Obviously, there is a big rash of confusion spreading over the entire issue and today the alarmed Representative OVERTON BROOKS, Democrat, of Louisiana, decided to take action. As chairman of the House Space Committee, BROOKS called for extended hearings to begin next Tuesday to find out how badly we have bogged down and why.

On the surface, BROOKS wants to study the five recent successive failures of the Atlas intercontinental ballistic missile. At present, the Atlas is intended to be the launching vehicle for Project Mercury, which is to put the first American into orbit 2 or 3 years from now. (Washington is buzzing with reports that the Russians will make this big attempt by October of this year.)

But BROOK: is going a lot further than a study of the Atlas and will try to give the people a solid picture of the situation and some reassurance, if there is any to be found.

THE ROOT OF ALL WASHINGTON TROUBLE

As is usual here when trouble creeps over the horizon, the cause can be traced to money, rightfully or wrongfully. Few can be found who will say that Glennan's NASA has not done a remarkable job in getting started in just 12 months. But those same Congressmen who had been screaming in near hysteria about Russia running faster toward the stars, just a few days ago cut $68.2 million from NASA requests.

NASA had asked that another $45 million be added to this year's budget of $385 million, and a 1960 appropriation of $485.3 million. The total House cut in both requests of $68.2 million was taken over the vigorous opposition of BROOKS and a number of his worried colleagues.

The House Space Committee, after long hearings, had approved the full amounts NASA wanted.

Now the measures are under consideration by the Senate Appropriations Committee, which is expected to report in about 2 weeks.

WHAT HAS HAPPENED? ASKS THE DOCTOR

Less than 10 days ago, Dr. Glennan went before the Senators to plead his case.

"Wholesale expression of congressional support for NASA was evident until very recently," Glennan testified. "Today, the situation is strangely changed. NASA is faced, not with having to decline a plethora of funds, but with the prospect that vital projects will have to be curtailed or even put on the shelf because funds for them are being denied."

Last year, he recalled, NASA got every dime it asked.

"What has happened since then to give anyone a sense of complacency?" he asked.

In danger of elimination or facing long delay should the reductions stand, as out-

lined by Glennan, were half a dozen major space projects now under way.

Best known of these, of course, is Project Mercury, the man-in-space operation, when and if the Air Force can get the kinks out of the Atlas and give the first astronaut at least a better than 50–50 chance of getting off the ground.

THESE SPACE VEHICLES LISTED FOR THE AX

Then there would be drastic cuts in development of the VEGA rocket propulsion system. If this gadget works, it is expected to put a 5,000-pound payload in orbit, and be one of the first vehicles capable of making TV surveys of the moon.

VEGA, the NASA chief said, "will be our first which is capable of matching the payload lofting capability of the Soviets."

Then on the danger list is Centaur, designed to put 8,000 pounds in a 300-mile orbit and should be able to land a 750-pound package on the moon safely.

Facing elimination entirely for the time being is the cash needed for continuing work on the million and a half pound thrust rocket engine which is intended to supply power to send the first manned expedition to the moon—and back. They figured it would take at least 6 years to build.

BROOKS, hurt and baffled by the refusal of the House to go along with the wholehearted recommendations of his Space Committee, is not unmindful that his hearings next week might help light a fire under the Senators and some of his reluctant House colleagues when the appropriations bill goes to conference, as it surely will.

If not, and the United States falls further behind in the drive beyond the skies, first blame must rest squarely on the Congress itself.

EXCERPTS FROM EDITORIAL IN THE PHILADELPHIA INQUIRER OF JULY 22, 1959

Originally, a model of the capsule that was to carry the first U.S. airman into space was to have been launched this month by an Atlas.

Whether that can now be done is doubtful, but the sooner the space capsule experiment can be successfully concluded the better it will be for U.S. prestige and security.

EXCERPTS FROM EDITORIAL IN THE PHILADELPHIA INQUIRER OF JULY 8, 1959

Ever since the Russians put the dog Laika into orbit aboard Sputnik II late in 1957 there has been no letup in their experiments with animals in space. * * * The Soviet goal, of course, is to be first in space with a man.

Despite U.S. progress the odds probably favor Russia getting a man in space first because the Moscow masters would not hesitate to jeopardize a man's life in the interests of achieving a great propaganda victory over the United States. This country should put a man in space as soon as it can be done with reasonable safety.

The payload of the American rocket that carried two monkeys into space was only one-eighth the weight carried in the latest Soviet experiment. Russian satellites put in orbit around the earth have been from the very beginning much heavier than U.S. satellites.

Moscow radio commentators, in describing the missile that launched the two dogs and a rabbit said the projectile was powered by engines "much stronger than anything the Americans have."

Security of this Nation and the entire free world requires full speed ahead in our space and missile program. * * * The Russians are not resting on the laurels of past achievements and neither should we.

EXCERPTS FROM EDITORIAL IN THE MEMPHIS COMMERCIAL APPEAL, MEMPHIS, TENN., JULY 20, 1959

The blame can be laid on public lethargy—the unconcern which preceded the sputnik scare and which has persistently crept back since the flurry of activity immediately following sputnik.

Of even more concern than the mere fact that textbooks lag and teachers are far behind the times is the speed with which Russia is systematically moving ahead of America in the science field.

The lethargic American asks: "What good is all this expensive research in things that have nothing to do with my life?"

The answer has been urgently underlined by the Rand Development Corp., a private advisory agency. The Rand Corp. has reported:

"The technical pace of modern life does not permit a society here—in the United States of America—to operate at a leisurely pace. We stand being outstripped economically, militarily, and even philosophically (by the Russians) if we do not act with speed and thoroughness."

SPACE MENAGERIE FROM THE LOS ANGELES EXAMINER, JULY 11, 1959

The Noah's Arknik, a catchy term of the London Daily Mail for the Soviet achievement in putting up a rocket with two dogs and a rabbit and bringing them back safely, is impressive. Particularly so is the announced overall weight of the missile as more than 2 tons. The maximum height was not stated, but it seems probable it was no more and perhaps less than our feat of rocketing two monkeys and recovering them after a trip that reached 300 miles up and extended 1,500 miles over the Atlantic.

For our side the Russian accomplishment is more warning to keep on our toes.

[From Space Business Daily, Apr. 14, 1959]

America still is not awake to the peril of Communist dominance in outer space, is the view of Dr. Wernher von Braun, expressed during one of his latest public statements. Dr. von Braun said "the peril is so grave it cannot be overstated—and we must understand the total implications to our future welfare if the Soviets succeed in their drive to achieve a dominant position in outer space." Dr. von Braun listed four conclusions drawn from known facts of the Soviet program: 1. That the Russian space program parallels much of the current and planned space programs of this country. 2. That a substantial part of the Soviet effort is directed toward manned space flight and the eventual exploration of the moon and nearer planets by human crews. 3. That Soviet scientists and technicians are exclusively concerned with their work and pay little heed to any possible competition from another quarter. 4. That there is an ominous absence of any reference to possible military implications—"The great mass of their work is shrouded in secrecy." The Russians appear so sure of their technological leadership and their ability to retain the initiative that they do not even consider the possibility someone else might beat them to the moon, Dr. von Braun stated. "Frankly, I do not know who could," he added.

[From Space Business Daily, Mar. 19, 1959]

The U.S.S.R. has the means to build large solid propellant cases. W. H. Zim, president of General Nuclear Engineering Corp., in surveying Soviet atomic progress reported recently to the United States Joint Committee on Atomic Energy that the Reds are producing very large pressure vessels. Mr. Zim noted that one installattion was producing cases up to 14 feet in diameter which could take pressures of 900 psi. By a strange coincidence, 900 psi appears to be a standard working pressure for liquids and solids. Should these connections be true, it would mean that the Russians are already produring test vehicles for an all-solid ICBM and booster rockets for various liquid and manned rocket planes plus manned space stations. Conservative estimates place this activity in casing work about two years back—so that testing of truly large solid rockets in the Soviet Union may be expected this year. This would mean that the Russians are about 1 or 2 years ahead of us in the application of large solid propellant weapons and space systems.

[From Missiles and Rockets, July 13, 1959]

NASA BRACES TO FIGHT CUTS

(By Paul Means)

WASHINGTON.—Two Russian dogs named Snowflake and Daring, and an unnamed Russian rabbit could be NASA's best bet to rejuvenate Congress' flagging interest in space research.

The latest Soviet space experiment came after the House lopped off $68 million from NASA's supplemental fiscal year 1959 and fiscal year 1960 budgets, and just before the Senate began its deliberations.

Congress leaped into action after the Russians orbited Sputnik I in October of 1957, claiming that the administration had been stingy with space research money. NASA hopes that the latest Russian experiment will similarly shake Congress out of its present lethargy.

WHAT COULD HAPPEN

If the space agency has to make do with $68 million less it may mean that the whole NASA schedule for space research, including Project Mercury's attempt to orbit the first man in space, will have to be revised.

Schedules for the big space boosters, such as Vega, Centaur, Nova and Saturn, will have to be lengthened so that they do not run out of money. First firings of Vega, expected in late 1960, may have to be delayed.

The cut will also mean less space research, without the insurance in some cases of backup shots in case the first experiment fails.

ONE-TWO PUNCH

The House's about-face on money for space research culminated last week when the House Appropriations Committee voted to cut the NASA budgets by $45,500,000. Committee member Representative ALBERT THOMAS, Democrat of Texas, defended the cuts by stating that NASA had more money than it could spend wisely.

Adding to space agency's woes was a technical point of order raised by Representative H. R. GROSS, Republican, of Iowa, which eliminated what was left of the $48,354,000 in the NASA fiscal year 1959 supplemental. Representative GROSS pointed out that a recently passed law forbids the House to appropriate money for NASA not hereafter authorized by the House Committee on Sciences and Astronautics. The committee had authorized the supplemental before the passage of the law (Public Law 8645) not "hereafter" as the language of the law requires.

The House then salvaged $18 million of Project Mercury research and development funds in the supplemental by tacking them onto fiscal year 1960 budget. Lost was $22-725,000 for construction and equipment, bringing the total loss to the NASA budget to $68 million.

NASA officials are confident that the House space committee will either reauthorize the funds kicked out by Representative GROSS' technicality, or amend Public Law 8645 so that the words "hereafter" do not apply to their earlier authorization of this money.

THE REAL DANGER

What they are worried about is the $45,-500,000 cut, which NASA Administrator Dr. Glennan warns will cripple efforts to establish U.S. leadership in space research.

NASA spokesmen point out that the $35,-145,000 cut in research and development funding would severely cut into the funds available for the development of advanced systems, such as Vega, Centaur, Nova, and

Saturn. They point out that $310 million of the $354 million NASA asked for in research and development money goes for fixed costs required to continue contractual obligations started in 1959, and to pay for operational costs of already ordered items.

To cut $35,145,000 out of the research and development budget—as the House has done—leaves NASA with only $8,305,500 for development of advanced systems. In order to rebalance the program, NASA scientists say they will have to delete scheduled space flights, slow down procurement of equipment for these flights, and delay important elements of the NASA flight program.

Such delays could have international repercussions as well as denying NASA scientists needed knowledge. The cut in Project Mercury research and development funds in the fiscal year 1959 supplemental by 10 percent will mean according to NASA spokesmen, a slowing down of the program, thereby jeopardizing the United States chance of being the first nation to place man in orbital space flight.

Other important programs, such as the meteorological and communications satellite programs, and nuclear engine research under Project Rover, may have to be delayed.

TRACKING THREATENED

Another cut NASA officials say the program cannot sustain is the $7,325,000 slash in the construction and equipment allocation. If the funds trimmed out by Representative GROSS's technicality are included, NASA's construction and equipment budget would be cut by $30,050,000.

Much of this money is needed for the Project Mercury tracking range, without which the astronauts cannot take their first ride into space. The importance of the new tracking facilities was underlined recently when NASA attempted to award the contract for construction and integration of the range by July 1.

The House cut also reduced the NASA proposed salaries and expenses budget by $3,030,000, which will deny the use of 100 new employees to the space agency. Many of the new NASA employees were to man the expanded worldwide tracking and observation installations.

ROCK BOTTOM

NASA had pretty well wrung its budget dry before submitting it to Congress. In fact, some observers had felt that the NASA budget was too small, and that the space agency would have to ask for more funds later in the year. (See Missiles and Rockets Apr. 20, p. 24.) Dr. Glennan admitted as much in criticizing the House cut, stating that the space agency had learned that money for certain projects did not go as far as it had originally seemed it would.

NASA hopes for restorations of the House cuts rest first with the Senate Appropriations Committee, chairmaned by Senator CARL HAYDEN, Democrat, of Arizona. If the space agency gets by this hurdle, then action by the Senate as a whole and the Senate-House conference will decide the budget's fate.

FRIEND IN POWER

A strong ally on the side of the space agency should be Senate Democratic Leader LYNDON JOHNSON, of Texas, chairman of the Senate Aeronautical and Space Sciences Committee, which has already authorized the NASA budget in total, and an advocate of space research since the launching of Sputnik I.

If the majority leader can swing the support of his party, then prospects are good that the NASA budget cuts will be restored. In the House, the Republicans in general favored the total NASA budget and the Democrats favored the cuts.

[From Missiles and Rockets, July 13, 1959]

BOSTON—"HUB" OF SPACE RESEARCH

(By William E. Howard)

BOSTON.—Few cities physically show the Nation's explosive growth in missile/space manufacturing and research more than Boston—a culturally endowed community which long ago laid claim to being the "hub of the universe," and where industry today is in the process of making this extravagant boast come true.

The entire metropolitan area is rapidly emerging as the country's leading research center. Scientists in hundreds of laboratories are conceiving and putting together the sophisticated offensive and defensive weapons of tomorrow. And they are responsible for much of the brainwork going into astronautic systems which one day will enable man to explore space.

Nowhere is the magnitude of this fast-expanding activity more eye arrestingly apparent than along a 65-mile stretch of superhighway skirting the city from north to south in a great arc. Down the length of this busy artery there already are more than 200 modern plants employing more than 30,000 persons.

This is Route 128—Boston's "golden industrial semicircle." Less than 10 years ago, it did not exist. Route 128 was only a country road meandering through meadows and woods, and connecting suburbs.

Where there were pig farms only a few years ago, today industrial parks are springing up. Once quiet towns are the scene of more development. Industrial brick and mortar investment alone is estimated at $140 million. The entire complex, including business and home development, is valued at more than $500 million, and the figure is increasing.

Land values have shot up from $1,000 an acre to as much as $26,000, with plenty of takers. All segments of industry are represented in this booming new area. But electronics is far and away the most predominant.

KEY TO GROWTH

Originally, conversion of Route 128 into an expressway was conceived primarily as a way to divert traffic around Boston's congested streets. But by the time it was opened in 1951, developers were already making plans to attract new industry. Electronics manufacturers just beginning to open a vast new market were the first to see its advantages for locating efficient one-story plants, with the highway affording quick transportation and the historic old towns offering pleasant living.

Gravitation to Route 128 was slow at first. Then research took over, mushrooming the growth of the electronics industry and forcing the construction of new plant facilities. Concurrently, in the early fifties, came the development of missiles with their heavy electronic requirements.

One after the other, Raytheon Manufacturing Co., CBS Electronics, Sylvania Electric, Avco, and other well-known companies moved out to the new highway.

Paving the way for the migration were such real estate developers as the Boston firms of Cabot, Cabot & Forbes and R. M. Bradley & Co. They were the ones that launched the industrial park plan, offering in one package a ready-prepared site, well-located, and engineering facilities to design any type of plan for purchase or lease. Both firms are credited with contributing greatly to the orderly development of Route 128.

Thirteen industrial parks are either completed or in final construction stages and three more are being started. These parks are absorbing, too, an ever-mounting number of new firms spawned in the dawning of the space age.

Illustrative of what is happening is the case of Itek Corp. Founded about 2 years ago by 4 Boston University engineers, Itek now has more than 700 employees engaged in classified reconnaissance satellite and other space work. In quick order it bought one plant on 128, leased 65,000 square feet of the Waltham Watch Co. works, and is planning to build a laboratory on a 43-acre site in Lexington near the "Golden Semicircle." Incidentally, Itek also has a new west coast installation.

Another spectacular example is Transitron. Founded 6 years ago with 8 employees, it now has 3,000—and is the second-largest semiconductor producer in the nation.

In the past 2 years more than $52 million has been poured into new plants along Route 128—and developers feel there is room to double the present total. Visibly supporting their optimism, the fabulous expansion pace keeps on accelerating.

AIR FORCE MILLIONS

Perhaps the biggest single contributor to the amazing boom—not only along 128—but elsewhere in the metropolitan area, is the Cambridge Research Center of the Air Force's Air Research and Development Command. CRC has been and still is funneling millions of dollars into research.

As of May 31, CRC has outstanding 1,199 contracts totaling $320 million. Millions more in contracts—production and research—are being poured into the area by the AMC, NASA, ARPA, the Army and Navy, and private industry as well.

[From Missiles and Rockets, Aug. 13, 1959]

NASA BUDGET CUT IS DANGEROUS ECONOMY

(By Clarke Newton)

If some pollster were to query the 436 Members of the House of Representatives with a question which would read like this:

"Do you want the United States to have a space program commensurate to her place in the world of nations and second to no other country on earth?"

The replies undoubtedly would add up to virtually a unanimous "Yes."

Why then did the House cut $68 million from the budget of the National Aeronautics and Space Administration early this month before sending it to the Senate? In the words of NASA Administrator T. Keith Glennan:

"During the hearings on our fiscal 1959 budget request, some Members of Congress raised serious questions about our not having requested far greater sums than we felt, after careful study, that we needed to organize NASA and initiate the (space) program.

"What has happened since then to give anyone a sense of complacency? For I can only interpret the action of the House as an indication of a lessening in the sense of urgency which has been expressed so often on the floor and in committee.

"Have we—who started serious work in the space field 6 or 7 years after the Soviets were pouring unlimited funds and their best brains into the drive to dominance in space—suddenly achieved some enormous advantage?

"If so, I would like to know about it. I would sleep better at night."

NASA is requesting a fiscal 1960 budget of $485,300,000. In addition NASA has requested $45 million in supplementary funds for 1959.

The House Committee on Appropriations cut the combined requests by $45.5 million.

The House itself, on points of order, further reduced both requests by $22,725,000—a reduction of $68,225,000 in all.

What could these cuts means to NASA? In the words of the Administrator and his qualified associates:

Vega: Drastically cut back. Vega is a modified three-stage Atlas capable of putting a 5,800-pound satellite in orbit to make

television surveys of the moon, among other things. It is an essential preliminary for moon flight. Budget funding: $42.5 million.

Centaur: Retarded. Centaur is similar but more powerful than Vega, designed to put 8,000 pounds in orbit or to soft-land a 730-pound scientific load on the moon. Budget funding: $41 million.

Nova: Eliminate or drastically reduce. Nova is the 1½-million-pound-thrust, single-chamber engine, producing in time a 6 million-pound-thrust cluster necessary to carry manned expeditions to the moon. Budget funding: $30.2 million.

Rover: Reduce. Rover is the nuclear rocket for space travel.

Mercury: Probably slowdown. Mercury is the manned satellite project.

Tracking and data acquisition networks—delayed. As necessary to space probes as precinct support to a Congressman.

New personnel—reduced by 15 percent. People are skills and training and competence. Without them no project can be accomplished.

What is likely to happen in the Senate or in Senate and House compromise?

The $22,725,000 lost on the points of order technicality will probably be restored. But the $45.5 million cut by the House Appropriations Committee will probably be lost entirely or at best partially restored. And, in the words of one high NASA official, the loss of even $20 million would affect the projects listed above.

The NASA budget request seems to us more than ordinarily reasonable. Some $100 million of it goes to support NASA research centers. Less than $375 million is new money for the space field. Compare this to a $40-plus billion defense budget in these days of a cold war where Russia uses her space exploits as an instrument of power politics; when she has convinced much of world opinion that success—or failure—in the space field is a measure of a nation's scientific progress.

At the risk of stepping on Pentagon toes, we would say—and earnestly—that the value of the United States of placing a man in space first, or of making a landing on the moon first—that either of these things is of more value to this Nation in the cold war than a squadron of intercontinental missiles—which costs just about $100 million.

We believe that Administrator Glennan and his associates at NASA are doing a good and conscientious job. They don't pretend to have a magic formula for space exploration. If someone has such a formula they would like to see it.

Furthermore, we believe the NASA budget is honestly and tightly prepared. If for no other reason—and there are other reasons—the budget is too small to be otherwise.

[From Aviation Week, July 20, 1959]

SPACE PROGRAM IN DANGER

(By Robert Holtz)

The national space exploration and research program has been placed in serious danger by two thoughtless and irresponsible votes in the House of Representatives. The first was a secret vote by the House Appropriations Committee slicing both the regular fiscal 1960 budget request and the fiscal 1959 supplemental budget request of the National Aeronautics and Space Administration by $46 million below what both House and Senate had previously authorized. The second was a voice vote by the House upholding a nit-picking legal technicality that deprived NASA of another $22 million for its current fiscal year's program.

The actions by the House Members, who only a few months ago were criticizing NASA officials for not seeking more funds and hysterically demanding that the U.S. space program outreach the Russians immediately if not sooner, were punctuated by a pair of Soviet announcements of successful experimental space research rocket shots in which various types of animals were recovered. The character, frequency and recovery results of the Soviet animal space shots carry the unmistakable warning of a new stage of advance in their space exploration progress and a strong hint of something even more spectacular to follow soon. In view of all the chest thumping, outraged indignation, and demands for U.S. action in this field that has come from Capitol Hill since Sputnik I went into orbit, it is utterly inconceivable to understand the mental processes by which these supposedly responsible legislators blithely slashed $68 million from a program that has barely begun technically.

CONGRESSIONAL MANDATE

As we have pointed out before (AW June 22, p. 69), NASA has done a remarkable job in getting underway since last July when Congress passed the National Aeronautics and Space Act by unanimous vote in the House and an overwhelming majority in the Senate. At that time the Congress demanded: "The preservation of the role of the United States as a leader in aeronautical and space science and technology."

This was then and still is a worthy purpose.

The initial NASA budget request has been modest considering the magnitude of the task it has shouldered. It requested $485 million for fiscal 1960 and followed with an additional $45 million supplementary request for fiscal 1959 to bolster key development areas where progress was promising. Its leaders have been remarkably frank with Congress in warning that this is a bare beginning sufficient only for the organizational and early research phase. They have stated clearly that as the program gathers momentum and produces results it will require as much as $2 billion annually to maintain the pace of leadership demanded by the President, the Congress, and the American people. Keith Glennan, NASA Administrator, who has a reputation as a hard-headed, able Administrator and certainly cannot be confused with the wildly imaginative space cadet type, has made a cold, detailed analysis of how these budget cuts which are relatively small in dollars will undermine the pace of the key programs aimed at laying a sound foundation for future space exploration and capturing the lead in this endeavor, now unquestionably claimed by the Soviet Union. Mr. Glennan's analysis is reported in detail on page 26 of this issue. He is strongly supported in his position by Senate Majority Leader LYNDON JOHNSON, Democrat, of Texas.

WAVERING SUPPORT

The current mood of the House in capriciously whittling "across the board" percentage cuts from almost every phase of NASA operations and nit-picking over the wording of a legal clause is all too typical of the wavering support of technical programs in both military and civil research that has put this country in the unenviable position of losing leadership in some critical fields and watching the gap close in others with alarming rapidity. It is the type of muddle-headed action that dooms long term technical programs to inevitable financial and administrative frustration because of a series of short term "whim of the moment" decisions by responsible Government agencies both in the executive and legislative branch of Government. It is there, and not with our scientific and industrial leaders, that any responsibility should be firmly fixed.

How indeed can a Congressman who has voted for these piddling dollarwise but technically critical NASA budget cuts look squarely into the eyes of a Project Mercury space capsule pilot who has unhesitatingly volunteered to risk his life facing the uncharted dangers of the unknown for the benefit of his country and all mankind? We wish to exempt from this charge of irresponsibility the members of the Senate and House Science and Space Committees who have worked so hard and effectively to establish and support a national space program.

SENATE DECISION

Now the decision is up to the Senate where the NASA fiscal bills are being considered by the Senate Appropriations Committee. We hope this group will take a more thoughtful and responsible approach to the problem and restore all of the House-inflicted cuts. This will not only enable NASA to continue a brisk pace in its key projects but will also serve as adequate notice to the thousands of young scientists and engineers who might be attracted to this program that the Congress of the United States means what it says and that they can look forward to reasonable support if they devote their technical lives to this fascinating endeavor.

If the Senate and a joint conference do not take this vital action, the national space program will be in serious danger and the full blame for this country's failure to wrest leadership in this field from the Soviet Union must be placed squarely where it belongs—on the legislators who voted against it.

Mr. MORSE. Mr. President, will the Senator from Arizona yield to me?

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Does the Senator from Arizona yield to the Senator from Oregon?

Mr. HAYDEN. I yield.

Mr. MORSE. Mr. President, I wish to join my colleagues in commending the Senator from Arizona for his accomplishments in connection with this bill.

The Committee on Appropriations has again shown its leadership and its sound judgment by providing additional funds for national forest programs. When I appeared before the committee earlier this year, I pointed out that this year's budget was deficient in two respects; it had not provided for carrying out programs at needed levels, and it permitted substantial revenue losses. Since that time, I have been alternately pleased and dismayed. I was pleased when the committee decided to provide funds later, as it is doing now; and I was dismayed that the administration expressed a reluctance to make a budget request for the additional funds.

In looking over the committee action, I think it is significant to note that while the actual increase over 1960 funds is $27 million, the increase over the 1959 funds amounts to only about $12,500,000. This will permit us to start on the program for the national forest submitted by Secretary Benson. I consider the action by the committee wise and forward-looking. It represents the positive philosophy that I outlined in my testimony before the committee.

The Senator from Arizona and the members of his committee are using the scales that we should use. They are balancing national resource development and the needs and aspirations of our people. If this Nation is going to continue to spend billions of dollars abroad on foreign aid, we are going to have to do the things at home that we know must be done to keep our Nation strong. The amount provided here is a

mere pittance, when weighed against the billions we are spending on foreign-aid programs. The 180 million acres in the national forests are underdeveloped, areas in our own economic framework. We cannot afford to do less for these lands than for any other underdeveloped lands; and we must do more, for they are our own. I commend the excellent work of the committee and its staff, and I hope that the committee conferees will be successful in persuading our good friends in the other body that the action of the Senate is reasonable and in the public interest.

I call attention to the concept of multiple use which applies to our forests. Multiple use includes multiple benefits—tangible and intangible. For example, for our hard-pressed counties—for local government—the payment in lieu of taxes that is present only when there is revenue from a national forest is an important element we must recognize. The committee estimates that its action on access roads providing $5 million will bring in $19 million in revenue. The counties will receive one-fourth of this for local schools and roads. This tangible benefit will strengthen local government. It represents the type of cooperation between the United States and subdivisions of our States that we should foster and encourage at every opportunity.

I ask unanimous consent to have printed at this point in the RECORD a release on this general subject which I issued Saturday, August 1, 1959.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

MORSE LAUDS SENATE APPROPRIATIONS COMMITTEE FOR $27 MILLION FORESTRY APPROPRIATIONS

In a statement issued today, Senator WAYNE MORSE praised the Senate Appropriations Committee and its chairman, Senator HAYDEN, for recommending a $27 million program for development, management, and improvement of our great Federal forest resources.

Referring to the supplemental appropriations bill, H.R. 7978, just reported by the Senate Appropriations Committee, MORSE said:

"The Senate Appropriations Committee, agreeing with requests I have made repeatedly, along with other western Democratic Senators, for appropriations to implement the administration's program for the national forest, has approved $22 million to be applied to items such as timber resource management, recreation development, range management, fire protection, and forest research.

"The committee's action on forest research included a recommendation of $2.5 million for construction of nine research facilities, including a regional laboratory on insects and diseases at Corvallis, Oreg.

"The administration has talked much about its program for the national forest, but has shied away from asking for funds to put the program into operation," said MORSE.

The action taken by Senator HAYDEN'S committee in recommending these sizable supplemental appropriations will give us a real opportunity to learn whether the administration will now do something about its much-heralded forestry program. The Hayden committee is to be congratulated for giving us action instead of talk.

The senior Oregon Senator said that he was particularly pleased over the committee's recommendation of $5 million to acquire private access roads to national timber. "This action would free thousands of acres of Federal timber now becoming overripe and disease-infected due to our present inability to get access to these vast resources over certain roads. If acquired, these roads will bring huge returns to the Federal Treasury," said MORSE.

The supplemental appropriations will be acted upon in the Senate early in the coming week and will then go to a Senate-House conference.

"I shall give strong support to this appropriation in the Senate and will do everything possible to assure that the $27 million increase is held in the conference with the House," the Oregon Senator stated.

Mr. COTTON. Mr. President, I have prepared a brief statement on the action of the Appropriations Committee in recommending that $200,000 be made available for the textile industry program of the Department of Commerce. I ask unanimous consent that my statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COTTON ON THE TEXTILE INDUSTRY PROGRAM OF THE DEPARTMENT OF COMMERCE

I want to express my approval of the action of the Appropriations Committee in recommending that $200,000 be made available for the textile industry program of the Department of Commerce. I hope the Senate will approve this item.

The committee deserves special thanks, in my opinion, because it has provided these funds for the textile program by transferring them from another appropriation, thus avoiding an increase in the total appropriations.

The funds will be used to carry out the recommendations of the Special Textile Subcommittee of the Senate Committee on Interstate and Foreign Commerce. As a member of that subcommittee, and as the author of the Senate resolution which created it, I believe this appropriation is fully justified. It can produce substantial benefits to the industry and to the Nation as a whole.

There is no need for me to go into great detail regarding the findings and recommendations which our special subcommittee made after a careful investigation into the problems of the domestic textile industry. It is enough to note that we found the domestic industry to be confronted with a number of serious problems, which must be solved if the industry is to continue to meet the requirements which our national economy and our national security demand of it.

The textile industry is aggressively price competitive. It is composed of many firms and most of them are small. Textile plants tend to operate as close to capacity as possible in order to reduce the overhead cost per unit of production. This leads to periodic floodings of the market, and a constant downward pressure on prices. When the textile market becomes glutted with production prices fall, some mills are forced into liquidation, and others attempt to compensate for the falling prices by still greater production. At some point the market will absorb no more and there is a general cutback in production. The mills go on short hours until the surpluses are cleared away and the market gets back to normal. Then a new upward trend begins. Experience has shown that this cycle in the textile industry may only take about 2 years.

Our committee found that one factor contributing to these periodic fluctuations in the industry is the lack of adequate current information about production, inventories, and similar data which would enable the industry to gage its situation at any given moment.

The purpose of this appropriation is to secure improved statistical information to fill these gaps. The fluctuations in production, which are so disruptive of employment, wages, and stability in the industry, could be smoothed out, at least to some extent, if more timely information were available. Statistics to be collected under this program would permit production to be regulated by the industry to more nearly meet the current state of demand for textile production.

At the present time, the textile industry, fortunately, is in an upward swing. I hope this appropriation can be put to work fast enough and effectively enough to prevent, or at least reduce, the downward swing which in the past has regularly followed the upturn.

The items merits the full approval of the Senate and the Congress.

Mr. ELLENDER. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. ELLENDER. I wish to join the many Senators who have complimented and thanked the chairman of the Appropriations Committee [Mr. HAYDEN] for his excellent leadership in seeing that the Congress provides necessary funds for forest protection and utilization.

I should also like to extend the congratulations of the Senator from Mississippi [Mr. STENNIS], to the chairman of the Appropriations Committee for his efforts on behalf of our forest industry.

Unfortunately the Senator from Mississippi is today in his home State, participating in the primary election. However, before he left, he and I discussed the pressing need for funds to implement the program for the national forests.

We were both in agreement that an early start on this much-needed program to preserve and conserve this Nation's forests is a dire necessity. We must preserve one of this Nation's most precious natural resources—our forests—for the millions of Americans yet unborn.

It will be recalled that many of us attempted to include in the regular appropriation bill an item to inaugurate this program. At that time the distinguished Senator from Arizona promised that he would make every effort to obtain a budget authorization for the item, and that if he failed in that effort, when the supplemental appropriation bill came along he would incorporate such an item in it. He has done so.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an excerpt from the committee's report, beginning at the bottom of page 10, with the title "Forest Protection and Utilization," down to the bottom of page 11, where we find listed some of the projects which are being cared for by means of this appropriation.

There being no objection, the excerpt from the report (No. 597) was ordered to be printed in the RECORD, as follows:

FOREST PROTECTION AND UTILIZATION

Forest land management

Appropriation, 1959	$87,661,400
Appropriation, 1960	77,815,800
Supplemental estimate	None
House allowance	None
Committee recommendation	15,000,000

The committee recommends an appropriation of $15 million for "Forest land management" for implementing projects proposed in the "Program for the National Forest" that are financed from this appropriation.

The funds recommended are for the following projects:

Timber resources management:	
Sales administration and management	$1,700,000
Reforestation and stand improvement	1,000,000
Recreation—public use	6,000,000
Wildlife habitat management	400,000
Range resource management:	
Management	200,000
Revegetation	300,000
Improvements	200,000
Soil and water management	500,000
Minerals claims, leases, and other land uses	1,000,000
Land utilization projects	200,000
Forest fire protection	1,000,000
Structural improvements for fire and general purposes (construction and maintenance)	1,500,000
Insect and disease control	1,000,000
Total	15,000,000

Forest research

Appropriation, 1959	$16,681,400
Appropriation, 1960	14,026,400
Supplemental estimate	None
House allowance	None
Committee recommendation	4,500,000

The committee recommends the allowance of $4,500,000 to implement the various research programs included in the "Program for the National Forests." Of the sum recommended, $2 million is to strengthen forest research programs throughout the country. While no part of the funds has been allocated to specific projects, the committee directs the officials of the Forest Service to review the requests made to the House and Senate Committees on Appropriations for increases in various projects and allocate reasonable sums to those requests that are in accord with the projects included in the program.

The balance of the recommendation—$2,500,000—is for the construction of research facilities at the following locations:

Wenatchee, Wash.: Watershed management regional laboratory.

Corvallis, Oreg.: Insects and diseases regional laboratory.

Flagstaff, Ariz.: Office and laboratory, regional research center for forest range management.

Boise, Idaho: Range timber management regional laboratory.

Bottineau, N. Dak.: Shelter belt planting regional laboratory.

Stoneville, Miss.: Hardwood regional research laboratory.

Durham-Raleigh, N.C.: Insects and diseases regional laboratory.

Warren, Pa.: Recreation and wildlife habitat regional laboratory.

West Thornton, N.H.: Watershed regional laboratory.

Mr. SCOTT. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. SCOTT. Mr. President, I am very glad that this supplemental appropriation bill includes the additional $2,500,000 for forest research construction, and, in particular, that that item includes an item of $75,000 for the Wildlife Habitat Laboratory at Warren, Pa. These provisions of the bills are in accord with the general program for conservation which is in the interest of the entire Nation; and I am very happy to be able to support this bill.

Mr. CARROLL. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. CARROLL. I desire to associate myself with the remarks of the senior Senator from Louisiana [Mr. ELLENDER] in congratulating the Senator from Arizona for his splendid work on this appropriation bill.

I ask unanimous consent to have printed in the RECORD a statement by me in regard to the Forest Service.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CARROLL

PROGRAM FOR THE NATIONAL FORESTS—1960 SUPPLEMENTAL APPROPRIATION

I strongly endorse the action of the Senate committee in recommending an appropriation of $22 million to implement the special program for the national forests.

In my opinion, the amount requested is modest. If we can spend billions of dollars on foreign aid, we can certainly afford this essential program of resource development which will yield great constructive returns to the American people.

My own State of Colorado is vitally affected by this program in that about one-third of Colorado's total area, or 19,900,000 acres, is forest. Eleven national forests lie wholly, and one partially, within Colorado. The total income from use and sale of forest resources of the national forests in Colorado amounted to $1,042,994 during the fiscal year ending June 30, 1957.

The proposed increase in research funds will be helpful in stepping up the basic research program to improve management, protection, and use of forest, range, and watershed resources being conducted at field research centers in Colorado.

The primary values in much of Colorado's mountainous terrain are in forest, range, and watershed—most important of these forest resources is water.

The State of Colorado yields more than 16 million acre-feet of water annually with most of the water coming from the high mountainous country, the greater portion of which is in national forests.

Within the State's boundaries are headwaters of four important rivers: The Colorado, Rio Grande, Arkansas, and Missouri.

Through the years, Colorado's forests have been subjected to devastating insect attacks and the control job is expensive and difficult. The largest insect epidemic known in recent forest history—the spruce bark beetle—occurred in Colorado forests. This insect has killed an estimated 5 billion board feet of spruce and some lodgepole pine. Continuing threats, too, are the Black Hills bark beetles as well as the spruce bud worm which is also doing material damage in many other sections of the United States and Canada.

Big fires in the national forests in Colorado continue to be a major problem. Following is data on fire damage in Colorado for the period 1952 through 1956:

Total fires, 2,747.

National forest area burned over, 7,700 acres.

State and private land burned over, 22,288 acres.

Use of Colorado's national forests for recreation is an important factor in attracting tourists and serving as a source of diversion for Colorado residents and visitors. During a typical year, more than 6½ million visits were made to the forest areas and facilities.

Mr. CARROLL. Mr. President, I am happy to join the senior Senator from Arizona [Mr. HAYDEN] and the junior Senator from Mississippi [Mr. STENNIS] in support of these vital appropriations for the special national forest program.

Mr. HAYDEN. Mr. President, I ask unanimous consent to have printed in the RECORD a statement made by the junior Senator from Mississippi [Mr. STENNIS] before the Appropriation Committee in support of the appropriation items to implement and expand the program for the national forests.

Mr. President, the Senator from Mississippi has made an extensive study of our forestry problems, especially in the field of research. His advice and counsel has greatly benefited the committee in its consideration of funds for the programs of the National Forest Service.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR STENNIS BEFORE SENATE APPROPRIATIONS COMMITTEE IN SUPPORT OF EXPANDED FORESTRY PROGRAM

Mr. Chairman, this supplemental appropriation bill includes $22 million to strengthen our program of improving and managing the national forests. I wish to commend the distinguished Senator from Arizona, Mr. HAYDEN, and his committee for their foresightedness in adding this important item. I firmly believe that favorable action on this proposed increase will be an important step toward assuring that our forest lands will better provide the products and services needed by present and future generations.

The program for the national forests presented in March to the Congress by the Secretary of Agriculture outlines both long-range objectives and short-range proposals for the protection, development, and utilization of our vital national forest resources. The short-term proposals would increase the annual harvest of sawtimber from the national forests to 11 billion board feet by intensifying sustained-yield management of present timber stands, growing more and better trees, reducing disease, insect, and fire losses, and improving forest land utilization. Forested lands that contain the headwaters of our most important rivers would be better protected and managed to improve yields of silt-free water so vital to all parts of our country. National forest rangelands would be improved and more intensively managed to provide increased forage for domestic livestock. The tremendous upsurge in recreational use of the national forests, a sevenfold increase since World War II, would be provided for by improving and increasing sites and facilities for picnicking, camping, hiking, boating, and improving fish and wildlife habitats. Highly important is the provision for increased protection of these forests from the destructive impact of fire, insects, and disease. The net sawtimber growth in 1952 could have been nearly doubled and the income to the Treasury correspondingly increased were it not for the effect of these severe and costly losses.

I would like to point particularly to the provision in the proposed appropriation for strengthening the program of forestry research. I deem this of paramount importance because advances in protection, management, and utilization techniques can be realized only as rapidly as research shows the way. Those charged with the responsibility of protecting and managing our natural resources must look to the scientists to decipher the laws of nature and provide the information needed as a basis for sound forestry operations and management. In the "Program for the National Forests" research needs are set forth as an integral part of the program. On the basis of my experience, and this is supported by the views of many others who have been in touch with

me, I am convinced that we should start now to provide for an orderly expansion in the forestry research program and to construct the laboratories and other facilities that will speed the research along. One of the soundest investments we can make is in basic research which leads to discoveries of better forestry methods and provides the knowledge to guide forestry practices along progressive lines.

An expanded research program should be aimed at determining improved methods of regenerating and managing timber stands, of stabilizing soils and improving water yields, improving wildlife habitats, developing better grazing practices, and increasing recreational opportunities. Also needed is increased research on biological control of forest insects and diseases to prevent disastrous epidemics, and development of improved control methods for pests. Forest fire research should be strengthened to provide better guides for fire prevention and control. Utilization and marketing research needs expansion to obtain better and fuller use of harvested timber; to find increased uses for poorer quality trees, species that at present are little used; and to discover new uses for timber residues on the national forests.

I have observed repeatedly that the forestry research scientists are severely hampered in doing the most efficient work because of the lack of adequate, modern laboratories and related research facilities. Tremendous advances in other research fields have been made possible through modern equipment, techniques, and well-equipped laboratories. Our forestry scientists cannot make progress without these vital aids. We are making real progress, but many forestry research teams must still use makeshift quarters. This bill includes $2.5 million to continue this so necessary program of construction of modern laboratories and related facilities necessary for an adequate program of basic research.

The advances in the total forestry program that would be made possible by the $22 million increase would be of tremendous value to all parts of the country. The need for action at this time is due to the fact that acceleration of the program during the next few years will largely determine whether these highly important forest lands will contribute their fair share to this country's future economic growth and well-being.

Mr. JOHNSON of Texas. Mr. President, the President, on June 23, 1959, recommended that a prototype regional defense center be constructed at Denton, Tex., at a cost of $2,700,000. This center would serve as a guide for later construction of seven similar regional facilities throughout the Nation.

Important in the selection of Denton was the fact that it has been previously designated in the national plan for civil and defense mobilization as the first alternate relocation site of the Federal Government.

As an alternate Federal relocation center it would be available to the President, Cabinet officers, and the Director of OCDM, if such use became necessary under the impact of nuclear attack.

Protected regional centers—such as that proposed for construction at Denton—bear a strong relationship to national survival.

Test exercises conducted by the OCDM have demonstrated the necessity of strengthening the capability of the Federal Government to operate at the regional level under emergency conditions.

Additionally, these exercises have shown that under the initial impact of nuclear attack, there would be islands of survival throughout the United States which must have the capability of independent action.

The Denton project is designed to meet this need. But it should be stressed that this facility would be used not only in the event of attack, but in the day-to-day operations of the OCDM region 5 headquarters.

In addition to offering protection in the event of a national emergency, this underground facility would replace rented quarters now occupied at Denton by the OCDM.

Planning has taken into consideration the fact that there are now employed in the Dallas-Fort Worth area—about 35 miles away—more than 16,000 Federal employees.

The structure is designed to house 200 employees on a day-to-day basis, and 500 in an emergency.

There would be two underground levels. The upper level embraces the operations room, communications center, decontamination chamber, and office space. The lower level would contain emergency sleeping areas, much of the mechanical equipment, and additional office space.

In addition to providing 30 pounds per square inch blast protection, the proposed prototype will incorporate a filter system against radioactive particles and biological and chemical hazards.

I am advised that after thorough testing of the Denton structure, construction of other regional centers will be recommended in the 1962 budget.

I congratulate the committee on its wisdom in including the full amount proposed in the supplemental estimate—$2,700,000—for the construction of a prototype center.

I regard this project as basic to the defense of the Nation, and respectfully urge my colleagues to support it.

Mr. THURMOND. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. THURMOND. I should like to congratulate the distinguished chairman of the Appropriations Committee and the other members of the committee for the item in regard to the Department of Commerce, to transfer $200,000 from the Bureau of the Census, as requested in Senate Document No. 43, for the expenses of the Interagency Textile Committee, established in accordance with the President's letter of May 18, 1959, to the Secretary of Commerce. The amount thus provided will be for the collection of statistics and the preparation of economic analyses of the textile industry. These statistics and the analyses are very greatly needed. I am very glad, indeed, that the committee has seen fit to include this item; and I desire to express my appreciation to the able chairman of the committee.

Mr. HOLLAND. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. HOLLAND. I should like to refer briefly to the matter mentioned by the distinguished Senator from South Carolina [Mr. THURMOND]. The Senate had included in the annual appropriation bill for the Department of Commerce the $200,000 which has been referred to by the Senator from South Carolina; but in conference the Senate conferees could not retain the money in that bill, because there was no budget estimate for it.

In the meantime we have obtained the budget estimate, which the committee thought was particularly well placed, because these funds would come from an appropriation of $6 million already made for the censuses of business, manufacturers, and mineral industries for this year. The use of $200,000 from that item for this purpose will allow the entire activity to proceed, and the only impact of it would be to increase slightly the appropriation required next year, in order to complete the very necessary work.

I wish to say that the full committee felt that it should back strongly the request of the legislative committee, headed by the Senator from Washington [Mr. MAGNUSON], and that of his able subcommittee, headed by the Senator from Rhode Island [Mr. PASTORE], to "get on the road" a special effort to aid the textile industry. We hope that will be successful.

Let me also refer briefly to the item at the top of page 4 of the report, relating to the Office of Civil and Defense Mobilization. Senators will note that the supplemental estimate which had reached the Senate was for $12 million, but that the committee recommends only $3,650,000. We did so because of the feeling that this was not the time to go into any new activities which were proposed to be commenced with the $12 million; and we found that $3,650,000 was required to continue actual activities which have been underway during the fiscal year 1959, and which are very important, and would suffer if an appropriation for them were not made. In fact, some of them would be destroyed entirely, and others would be destroyed in part, if the $3,650,000 appropriation were not made available.

So I thank the distinguished Senator from Arizona; and I wish to supplement what has previously been said, by stating, as a member of the committee, that I have never known any other Senator to work so hard, so faithfully, so unremittingly, and so conscientiously as has our distinguished chairman, the senior Senator from Arizona [Mr. HAYDEN]. In fact, in connection with this supplemental appropriation bill, I believe he outdid himself.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. CHURCH. Mr. President, when the Forest Service budget was in the Appropriations Committee, I submitted a statement pointing out that it was false economy to hold back our forest service programs by delaying the construction of roads, timber marketing,

and other development operations. In this area of activity, the wise spending of money returns monetary benefits greatly exceeding the outlay. On two occasions recently I have joined with other Members of the Senate in urging the very action which the Committee on Appropriations has taken in increasing the Forest Service appropriation by $22 million to implement a major part of the program for the national forests in the 1960 supplemental appropriation bill. With 19 other Senators, under the able leadership of the senior Senator from Montana, I urged the administration to support the Committee on Appropriations request for a supplemental budget submission for the Forest Service. I joined with 15 other Senators led by the distinguished junior Senator from Montana in suggesting that the Appropriations Committee proceed to add funds for the Forest Service budget despite the fact that the administration was reluctant to seek money.

The committee has restored some programs to the 1959 level, and has advanced other programs slightly above 1960 levels. It has paved the way for putting into full operation a real development program on our national forests in fiscal year 1961. It has made certain that the increases are reasonable so that there will be no waste or mismanagement of funds. They have paid particular attention to three programs that are of vital importance: Basic research, roads and trails, and recreational facilities. But at the same time they have not forgotten other programs which have long range and important benefits.

Congress adds funds to the budget submitted by any administration at the risk of having the money impounded. This risk should be taken here. I agree fully with the position taken by the senior Senator from Arizona on this matter. He, and the junior Senator from Mississippi, who has given this matter special study and leadership, are deserving of great credit.

Idaho has some 20 million acres of national forest. In the towns of my State that are dependent upon the forest and its resources, the program upon which the Appropriations Committee has embarked will have real and lasting value.

I commend the Senate Appropriations Committee for its action, and express the hope that its conclusions will find ready acceptance, and that these funds will be provided and made available.

Mr. JOHNSON of Texas. Mr. President, I want to commend the distinguished chairman of the Appropriations Committee, the illustrious Senator from Arizona, for the outstanding way in which he has handled and presented the supplemental appropriation bill. I believe the committee as a whole deserves the thanks of the Senate for the care and discretion that has been exercised in dealing with the large variety of programs and items covered by this bill.

As chairman of the Committee on Aeronautical and Space Sciences, I want to voice my wholehearted support for the action taken by the committee to restore the drastic cuts made by the House in the budget requests for the National Aeronautics and Space Administration. These cuts could well have crippled our Nation's space program.

We certainly should not hobble ourselves in the space race at the very time that our Vice President must publicly acknowledge that the Soviets are ahead of us in the thrust of their rockets.

Mr. President, the Space Committee held long and detailed hearings on NASA's supplemental request for fiscal year 1959 and the request for 1960. The subcommittee headed by the distinguished Senator from Mississippi [Mr. STENNIS] unanimously recommended approval of the full amounts requested—$45 million in supplemental 1959 appropriations and $485,300,000 in 1960 appropriations. These recommendations were endorsed unanimously by the full committee and the authorization bills were approved by overwhelming votes in both the House and Senate.

The House made several cuts in the NASA budget, reducing the $530,300,000 total by $68,225,000. Dr. Glennan, the able Administrator of NASA, has stated flatly that "to sustain these cuts or to compromise them will hamstring the U.S. space program."

I will not take time to enumerate the possible consequences of these cuts, since I am confident that the Senate will endorse the recommendation of the Appropriations Committee to grant the full amount of the NASA budget request. This is only half the battle, however, since we must make the record crystal clear as to our deep concern over the need to provide the funds required for our space programs.

I ask unanimous consent, Mr. President, to insert at this point in the RECORD a statement made by Dr. Glennan in testifying before the Senate Appropriations Committee.

Mr. President, last November the great nuclear physicist, Dr. Teller, was asked by a reporter what Americans might find on the moon. Dr. Teller's reply was brief: "Russians."

Even though our man-in-space program has been given the same high priority accorded the ballistic missile program, we are told that the Russians have the capability to put a man in space first.

While we must not sell ourselves short, it is clear that this is no time for complacency. We must continue to work harder and faster, for we must realize that the Soviets are not going to stop so that we can catch up with them. This, of course, applies not only to the field of space, but to most everything else we do.

We must show the world that in a free and independent society, democracies, based as they must be upon the coordinated efforts of men of good will, can produce successful unified results.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY DR. T. KEITH GLENNAN, ADMINISTRATOR, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION BEFORE THE SENATE APPROPRIATIONS COMMITTEE, JULY 13, 1959

Mr. Chairman and members of the committee, I welcome the opportunity to appear before this committee for the first time. I am here to discuss H.R. 7978, which is now before you. In particular, I want to discuss the crippling reductions in the budget requests of the National Aeronautics and Space Administration that are embodied in H.R. 7978. These cuts, if sustained, would have disastrous consequences, and I am impelled to point them out.

The degree of success or failure of the U.S. space effort, vis-a-vis that of the Russians, will be gravely influenced by what Congress decides in this crucial matter.

A year ago this month, the Congress passed the National Aeronautics and Space Act: unanimously in the House, overwhelmingly in the Senate. One of the chief mandates laid down in the legislation was: "The preservation of the role of the United States as a leader in aeronautical and space science and technology."

During later hearings on our fiscal 1959 budget request, some Members of Congress raised serious questions about our not having requested far greater sums than we felt, after careful study, that we needed to organize NASA and initiate its programs.

What has happened since then to give anyone a sense of complacency? For I can only interpret the action of the House as an indication of a lessening in the sense of urgency which has been expressed so often on the floor and in committee.

Have we—who started serious work in the space field 6 or 7 years after the Soviets were pouring unlimited funds and their best brains into the drive to dominance in space—suddenly achieved some enormous advantage?

If so, I would like to know about it. I would sleep better at night.

Or has it come about in some way that we know that the Soviet satellites and space probes, which our scientific devices have tracked and reported, were somehow gigantic hoaxes?

Gentlemen, tracking devices such as ours are not easily misled. We believe that the Russians have done exactly what they have announced they have done. And perhaps they have achieved much more that they have not revealed.

Wholesale expression of congressional support for NASA was evident until very recently. Today the situation is strangely changed. NASA is faced, not with having to decline a plethora of funds, but with the prospect that vital projects will have to be curtailed or even put on the shelf because funds for them are being denied.

I will not be challenged when I say that the United States must bend every effort to achieve a position of leadership in the space field. And we are all agreed that leadership in a race where there are only two participants cannot conceivably mean running second.

I do not have to tell you that we must have the facilities to exert that leadership. Also, we must have the men, we must have the money necessary to the task.

The goal all of us seek—U.S. supremacy in space—was set by Congress last year and reaffirmed this year when Congress authorized the full NASA budget request. This authorization reflected the awareness of Congress that we cannot win the race in which we are engaged during this turning point in history should we be deprived of the all-out support of our legislators.

Therefore, I request, with all the earnestness I can muster, that the cuts in the NASA budget be fully restored.

The reductions in the NASA budget total $68,225,000. They represent cuts both in the $45 million supplemental budget request for fiscal 1959 and from our $485,300,000 budget request for fiscal 1960. Actions in the House caused the reductions.

First, the House Committee on Appropriations cut the combined requests by a total of $45,500,000.

Second, technical points-of-order passed during debate in the House resulted in a further reduction of $22,725,000 in both requests.

I am urging the members of this committee to make full restoration because to sustain those cuts or to compromise them will hamstring the U.S. space program.

Moreover, if the Congress slices an already lean NASA budget at a time when this Nation has barely begun its space effort, the world will conclude that the United States is having second thoughts about facing the Communist challenge in this field. Realistically, a research and development program of the complexity and magnitude of this one cannot be turned on and off at a moment's notice. Having made the decision to enter the race, and for many other important reasons, we must pursue with vigor an imaginative, well-planned program.

Well aware of the implications of the Russian's commanding space lead, Congress created NASA last year around the nucleus of the highly respected National Advisory Committee for Aeronautics which had been serving the military services and the aircraft industry for 43 years. Our agency became operative on October 1, 1958—1 year after Sputnik I began beeping ominously overhead. With NASA personnel and facilities, we were off to a good—if late—start.

From the outset, both Houses of Congress have given us the strongest possible support. House and Senate Space Committees have devoted many weeks of hearings to our problems and programs. The House Committee on Science and Astronautics has heard 300 witnesses from NASA, the military services, and private industry during 70 days of hearings so far this year. The Senate Committee on Aeronautical and Space Sciences has devoted a great amount of its busy schedule to NASA's program and the Nation's space effort. In connection with our 1960 budget the committee has published technical hearings of NASA work which are the most comprehensive, understandable, and educational documents on the Federal Government's aeronautical and space activities that exist today.

Both Houses of Congress have this year overwhelming approved the requested authorizations for our 1959 supplemental and fiscal 1960 appropriations.

Consequently, I am unable to grasp the reasons for the House cut.

As Administrator, I have resisted the temptation to indulge in Sunday supplement speculation about the coming wonders of space exploration. I have been doing my utmost to see to it that the taxpayers' money is spent wisely as we venture into this new realm and reap its benefits. I have made it a point, however, to be explicit with the Congress about the inevitable costliness of space research. Repeatedly I have stressed during congressional hearings that NASA budgets will grow in the years ahead.

At the same time, I have tried to convey my deep conviction that space research holds the promise that it may soon be paying for itself many times over in tangible economic benefits. We have every right to count on developments in satellite meteorology, communications, navigation, and geodetics that will dramatically affect the lives of all of us.

Taking these considerations into account, last year we put together a budget for fiscal 1960 which we felt would get us well into space exploration. As has been said time and time again, inventions are not conceived on schedule, and vast sums of money, spent without adequate thought and planning, particularly in the early phases of a program, may hinder rather than facilitate projects.

Because space technology is an expensive, fluid affair, it requires continuous review. Since January, when the President submitted our fiscal 1960 budget request, we have found means to get considerable more space mileage per dollar in some areas than originally had seemed possible. We have also discovered that others of our programs will cost more than our original estimates.

When we prepared our first budget estimates back in November 1958, we based our space flight program upon Juno II and Thor-Able boosters. Our studies have taught us, however, that future reliance upon these vehicles would be uneconomical, in fact, that it is almost impossible to justify their use because of their limited load-carrying capacity and lack of versatility. We will, of course, use them for special purpose tasks in connection with particular projects already underway. However, building on the technology developed out of the missile program, we have initiated development of Thor-Deltas, Vega, and Centaurs which—within 2 years—will enable us to launch much larger scientific payloads far more efficiently and cheaply.

This decision required that we pare our funds for basic research and for other activities. Subsequent studies have also indicated the need for additional tracking and data reduction installations and for the immediate modernization of existing stations. To meet this need, we have again had to trim elsewhere in the budget.

Adjustments like these are by no means unusual in a research program, particularly as we work at the frontiers of a new technology. We must deal with a new order of complexity and cost. We need to build and manage systems that are more than global in scope. Organization of the myriad components into a working whole is a staggering task.

At one and the same time, we find that advances of science generate a flood of new proposals and an unprecedented rate of obsolescence, thus making appraisal, selection, and phasing more and more difficult and complex. Direction and control of technology has become one of today's most pressing and managerial challenges.

As I brought out earlier, our present budget has no slack whatsoever. As further evidence of our tight belts, I would like to state that we do not have a single "backup" vehicle for any of our scientific experiments. Each must be a "one-shot" affair, and if the booster malfunctions, we will simply have to lay the experiment aside.

Before spelling out for you just what this cut will mean to our program, I would like to point out that our research centers, which are deeply involved in aeronautical as well as space research, account for slightly more than $100 million of our 1960 request. Actual new money for the space field is somewhat less than $375 million. Some or all of the large budget, long lead-time items in our space program, would be affected by the House action, if sustained. Here, in brief, is what the reduction could mean to our national space program in terms of time and progress:

1. The development of the Vega rocket propulsion system might have to be drastically cut back. A key vehicle in our future plans, Vega will be capable of placing more than 5,000 pounds in an earth orbit. It will be one of the first space vehicles capable of making extensive television surveys on the moon's surface. It will also be used for communications satellite relay experiments and will have the capacity to launch two-man satellites. It will be our first which is capable of matching the payload lofting capability of the Soviets.

2. In addition to cutting back Vega, we might have to retard Centaur, another key space vehicle which will be able to place more than 8,000 pounds in a 300-mile orbit and should be capable of soft-landing a 730-pound scientific payload on the moon. The Department of Defense, as well as NASA, has a strong interest in this vehicle.

3. We would have to eliminate or drastically reduce the $30 million needed for the 1½-million-pound-thrust, single-chamber engine. This is a long lead-time project to provide in about 6 years time propulsion units capable of 6 million pounds thrust. Only with this vehicle will it be possible to carry our manned expeditions to the moon and back. The budget cut will set this back at least 1 year.

4. Among other long lead-time items on which we would have to reduce the pace is Project Rover which concerns the development of nuclear propulsion for space travel.

5. We would have to delay completing additions to our tracking and data acquisition networks.

6. Even our top-priority Project Mercury, the manned satellite project, would certainly be affected if we are to carry on with any semblance of a balanced program. This, of course, would increase the probability of the Soviets scoring still another beat in this aspect of space exploration.

Let me assure you that I am not crying wolf. While we have not had the time to evaluate in detail the effect of the proposed cuts, it is clear that the items enumerated would be those most likely to be affected.

A final, serious matter that I want to mention is the House action which reduced NASA's request for personnel increases and supporting costs. You will recall that when the National Advisory Committee for Aeronautics was absorbed by NASA, 7,699 employees were transferred to the new agency. Along with the transfer went NACA's heavy aeronautical research responsibilities. Since that time, only 1,269 employees have been added to carry the additional responsibilities.

Now, we have requested funds to employ an additional 1,027—a modest increase in view of NASA's mission. The House cut the number by 15 percent. These people are urgently needed to help make up the time that has already been lost. And the management—the sensible management—of a budget of the size under consideration is done by people in adequate numbers and of high quality. We have said that we propose to limit the size of our own staff in favor of contracting a substantial part of the space program. But we need men for planning, contracting and monitoring those contracts. And we must have a sufficiently large in-house operation to assure that we have people knowledgeable in the field to provide the technical judgments necessary to the development of a sound program. Without the men to do the job, we will break our stride and fall even further back.

The decision in this Nation's space exploration program is up to the Congress. Whatever the decision you make, we will attempt to carry it out with diligence and devoted effort.

The work we are now doing is an important instrument of international prestige. By utilizing their space exploits as an instrument of power politics, the Russians have convinced a large segment of world opinion that success or failure in these experiments is a valid measure of our scientific progress and general cultural status, as opposed to theirs. And there is no blinking the fact that the uncommitted nations are influenced by space achievement.

In conclusion I want to say that in my judgment, and in the judgment of the scientists and engineers who are with me here today, our 1959 supplemental and 1960 budgets as originally submitted are sound—and conservative. They cannot be reduced without placing in jeopardy some of our most important programs.

Mr. MARTIN. Mr. President, I heartily approve of the Senate's restoration of the funds requested by the National Aeronautics and Space Administration, in its 1959 and 1960 budget.

When the House cut $68,225,000 out of the appropriation for NASA in these

two highly crucial years—the first years of its existence—I was shocked. Of course, I recognize the vital need for overall economy in Government expenditures. But I had not expected that this commendable trend toward self-restraint in spending would extend to the already lean budget of NASA.

At the time of the first hearings on the supplemental request for 1959 and the proposed 1960 budget, last January, we were told that the President had already pared his estimated requirements for NASA to the barest minimum needed for its effective operation.

I remember that the Administrator, the Honorable T. Keith Glennan, was asked at that time whether he could speed up the fulfillment of the NASA program if more money were provided. In effect, we offered then to increase the budget for NASA beyond the amount requested by the President.

Dr. Glennan's answer was loyal to the planning of his Chief Executive; it was direct and to the point. He said that the sum requested was the amount which he and his advisers felt would get the program off to a good, solid start, and that—for reasons inherent to the nature of research activities—the provision of more money at that time would not necessarily make these important space experiments advance any faster.

Dr. Glennan said nothing about the possibility that less money might be provided, because it was then inconceivable to any of us that the funds for this program—which is of historic significance to our progress as a nation—might be cut. Our mood at that time was one of grim determination to accept the challenge of the Soviet Union in space, and to grasp the initiative. Our colleagues on the other side of the Capitol were equally resolute.

I cannot believe that our resolution to meet the Soviet challenge has weakened in only 7 months. If so, what can we expect in 2 or 3 more years? That our national space program will be cut back to impotence again? That we will resign to the Russians in the contest for mastery of space? I refuse to think that this is what the Congress intends.

How, then, has the situation changed? In the past few months, have we shown we can surpass the Russians with our existing space vehicles? On the contrary. Difficulties with the instrument package delayed our hoped-for shot toward Venus, early in June, until it was too late; and the chance will not come again for 18 months. Troubles with our most advanced booster vehicle—the Atlas—have set back the missile program for several months, and may cause postponement in the testing of this basic rocket powerplant for NASA.

Meanwhile, the Soviet Union has again demonstrated twice that it can send living creatures aloft into space, and bring them back unharmed. It may not be long before the Russians get ahead of us once more—this time by launching the first manned satellite.

I can only assume that a fleeting instant of confusion—brought about by the conflicting needs of thrift, on the one hand, and a discriminating liberality, on the other, caused the House of Representatives to vote to reduce the funds which it had previously authorized for NASA.

Respectfully—but with a sense of utmost urgency—I ask the Senate conferees who are members of the Appropriations Committee, when they meet with the House conferees on House bill 7978, to stress the vital necessity of retaining the $68,225,000 balance which the Senate has voted to restore in the 1959 and 1960 budget for NASA.

Mr. CASE of New Jersey. Mr. President, I ask unanimous consent that there may be printed in the RECORD a statement I have prepared.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CASE OF NEW JERSEY

Less than a year ago, after exhaustive hearings on U.S. space operations, the Congress passed and sent to the President the National Aeronautics and Space Act.

The effect of the act was to detach space exploration and research, for nonmilitary purposes, from the Department of Defense, turning it over to the National Aeronautics and Space Administration which the legislation created.

Looking back on the reasons why this was done, I think you will agree that two were foremost in our minds. One was to separate the scientific aspects of space activities, with their possible benefits in weather surveillance, communications, and so on, from the purely military applications. The other was to make clear to the world that this country has no aggressive designs on its neighbors in the exploration of space.

By divorcing these two efforts, we also assumed a grave responsibility. It was to give strong support to the new civil agency which we had created so that it can carry out its far-reaching mission.

Before the adoption of this legislation, space research was carried on by the Department of Defense, as an extension of missile research. This arrangement had its drawbacks—among them the ones I have suggested, which we rectified in establishing NASA. But it also had certain advantages.

One was the fact that space projects with delayed or long-range benefits were closely associated with the immediate needs of national defense. Hence, it was comparatively easy to show the importance of supporting them.

Another advantage was that the Defense Department has an enormous budget, and a good deal of latitude in allotting funds to the development of obscure or exotic weapons of great potential effectiveness. Thus it was a fairly simple matter to include the cost of many space projects in the funding of larger missile projects with which they were connected.

In this way, for example, it was possible for the Army to have its Explorer satellites ready for launching less than 4 months after the first Russian sputnik, because they had been built as a byproduct of the Jupiter missile.

Similarly, the first experimental Pioneer space probes launched by the Air Force could be put together in a short time, because they were based on the existing Thor weapon system.

On the other hand, Vanguard was delayed until after the Russians had achieved their spectacular success, primarily because it was detached from the missile program, and was given an extremely limited budget for its development.

I raise this point to remind my colleagues in the Senate that we have now removed the entire program of nonmilitary space activities from the Defense Department program, with its impressive budget. We have done so for reasons that seem to us good and necessary. But we are also obligated to see that the end result is not to deprive NASA of the funds required to carry on its work.

I am glad to say that the Senate has recognized this obligation by restoring the $68,225,000 cut by the House of Representatives from NASA's 1959 and 1960 budget. The appropriation bill now awaits joint approval by the Senate and the House in conference.

I urge the members of the Senate committee to back the full appropriation for NASA with all its force. The alternative—if the drastic cut ordered by the House is allowed to stand—will be to establish the United States firmly in second place behind the Russians in space technology.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the supplemental appropriation bill.

The yeas and nays were ordered.

Mr. ELLENDER. Mr. President, before the Senate proceeds to vote on the bill, I should like to call the attention of Senators to the item of $450,000 to pay the deficit for inquiries and investigations conducted during the past fiscal year. This $450,000, then, is in addition to what has already been spent for investigations, bringing the total expended for this purpose during fiscal 1959 to almost $3½ million.

Senators were very much surprised when they learned the total amount of money they have already approved for investigations this year by way of resolutions——

The PRESIDING OFFICER. Will the Senator desist for a moment, so the Chair may inquire on whose time he is speaking?

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Louisiana such time as he may need.

The PRESIDING OFFICER. The time of the Senator from Arizona has expired.

Mr. JOHNSON of Texas. Mr. President, I ask the acting minority leader [Mr. JAVITS] to yield to the Senator from Louisiana such time as he may need.

Mr. JAVITS. Mr. President, I yield to the Senator from Louisiana such time as he may desire.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. ELLENDER. Mr. President, as I indicated, quite a number of Senators on the Appropriations Committee expressed surprise when they learned that expenditures for investigations during the present fiscal year could possibly aggregate around $5 million. As I have often pointed out on the floor of the Senate in my annual battles against this ever-growing trend, about 12 or 13 years ago the amount spent for investigations by Senate committees and subcommittees was in the neighborhood of from $140,000 to as much as $200,000.

This clearly shows the way that these investigations are growing. What we are doing is allowing the creation of little "kingdoms" here in the Senate while the taxpayer foots the bill. I predict that if this trend is allowed to continue unchecked, then expenditures for these so-called investigations could very well reach $5 million for the current fiscal year. Of course, the only way

to check such a trend is for Senators not to vote for the many resolutions authorizing these investigations, many of which are useless, that are presented to the Senate each year.

I hope that next January, when the time comes for the presentation of resolutions authorizing investigations for the next fiscal year, the Committee on Rules and Administration will examine carefully each request with an eye to reducing expenditures.

I also hope to see other Senators join with me to bring an end to many of these investigations, which have as their only purpose, the creation of well-paying jobs.

Mr. JAVITS. Mr. President, I yield 4 minutes to the Senator from West Virginia [Mr. BYRD].

Mr. BYRD of West Virginia. Mr. President, I thank the Senator from New York for his kindness in yielding to me.

Mr. President, in this bill there are moneys for the improvement of our national forests. The item includes $15 million for forest land management, $4.5 million for forest research, additional moneys for forest roads and trails, and one-half million dollars for the acquisition of lands for national forests.

It is my belief, Mr. President, that the program which would be made possible by this appropriation is one of singular import when viewed against our Nation's mushrooming national forest needs—and is deserving of our most serious attention. It is my sincere hope that the Senate will see fit to approve the appropriation of moneys for such a program, and that the House of Representatives will concur in its inclusion in the bill.

For the inclusion of this important appropriation in the bill, I would like to express my gratitude to Chairman HAYDEN and the Appropriations Committee. I commend the committee for its foresight and good judgment.

There are few programs, Mr. President, which I feel are as valuable to the long-range interests of our country as is the program for the development and maintenance of our national forests. The virtues—both for the immediate future and for the distant future—of an adequate national forest program have been repeated often in this Chamber, but I would like to again set forth some of the reasons for this vital undertaking.

The national forests of America are priceless national assets. In 39 States and Puerto Rico, there are 180 million acres of national forest land, contained in 148 national forests. One acre out of every 12 of the land area of the continental United States is in national forests. In the West, the ratio is nearly 1 acre in every 5. These Federal holdings—consisting of forest lands, range lands, and high mountain watersheds—are owned by all Americans. It could be stated that every man, woman, and child in America owns roughly one acre of national forest.

The immense worth of the national forests is becoming increasingly apparent to our Nation. The national forests are coming more and more to mean wholesome recreation for all families, stable water supplies for large regions, huge yields of timber and wood products, forage area for great herds of livestock, habitats for game and other wildlife, as well as sources of important mineral supplies and other resources. Western agriculture and industry depend heavily on water flowing from national forest watersheds. Timber grown in national forests provides jobs and incomes for hundreds of thousands of persons who process that timber. The number of livestock grazing in national forest ranges goes into the millions. And for millions of Americans, the national forests mean rest, relaxation, and spiritual uplift.

The estimated total monetary worth of our national forests—judged by purely physical standards, such as the value of land and improvements—has been appraised at more than $7 billion. Yet, the forests are not a costly millstone around the necks of the American taxpayers, for they are relatively inexpensive to maintain, and are, in part, self-sustaining. To illustrate that our national forests are indeed a responding investment, I should like to quote a few sentences from Miscellaneous Publication No. 794 of the Department of Agriculture, titled "Program for the National Forests."

On page 2, the publication states:

> The national forests are revenue-producing properties. Twenty-five percent of such revenues is distributed to counties in which national forest lands are located, in lieu of direct taxes. Current annual revenues are about $100 million, and more than a billion dollars has been received in total from the sale of national forest goods and services. National forest payments received by the counties, coupled with Federal expenditures for roads and fire control which States or counties would make, substantially exceed the taxes that the national forests would pay if subjected to ordinary assessment and levy.

Then on page 3, the report says:

> Nearly half of all softwood sawtimber in the Nation and more than half of the commercial forestland in the West is found in the national forests. About one-fourth of the timber cut in the West comes from the national forests.

And on page 5, it states:

> In 1953, 5.2 billion board feet of timber, with a stumpage value of $70.6 million, were cut (in the national forests) * * * 8 billion board feet, with a stumpage value of more than $100 million, are expected to be cut in 1959.

And, finally, on page 7, it says:

> In 1953, the total receipts from the sale of timber and from the use of the range and other surface resources was $76 million. It is anticipated that these receipts for fiscal year 1959 will be about $110 million. With these anticipated receipts for 1959, almost $600 million will have been received by the Federal Government since the close of 1953. This is almost 60 percent of the first billion dollars of national forest receipts reached on November 21, 1958.

Thus, Mr. President, it is obvious that America's national forests are helping to pay their own way. While the appraised worth of the entire national forest system is only $7 billion, the forests already have repaid to the taxpayers more than one-seventh of their value in solid cash. Of this repayment, 25 percent has gone, and is going, directly to the counties in which the forests are located, to be used for improved schools, roads, and other facilities.

At this point, I should like to emphasize that the financial returns from the national forests—while very substantial in the past—are expected to rise rapidly in the near future, until they far overshadow the accomplishments of the past. I should like to quote a paragraph from a statement by Representative GAVIN, of Pennsylvania, in the CONGRESSIONAL RECORD of April 27, which very well sums up the matter of monetary return from the forests. He said:

> The national forests are an operating public enterprise. The timber, wildlife, recreation, water and other resources are not locked up or withheld from orderly public use. The total cash receipts from the sale of timber and related resources now exceed a billion dollars. The second billion dollars should be reached within the next 10 years.

Mr. President, I have been speaking primarily of the tangible, cash return from the forests. The many, many other benefits which cannot be listed in dollars and cents—such as recreation for millions of families, steady water supplies for cities and farms, preservation of land and wildlife—all add up to a much more impressive return on our investment in national forests.

Therefore, I feel it is imperative that we support this portion of the supplemental appropriation bill which would augment our national forest program.

If we approve these funds for increased national forest work, it will mean added advantages to be reaped from our valuable woodlands. It will mean expanded research to find still better ways to utilize the richness of nature. It will mean greater insurance against floods, erosion, forest fires, insect destruction, and wood diseases. It will mean the construction of still more and better recreational facilities for the millions who relax in and enjoy the forests. It will mean an improved system of forest roads and trails. It will mean the creation of a substantial number of forestry jobs, which will help the areas of our country still plagued by unemployment. And, finally, it will contribute toward the realization of the U.S. Forest Service's much-discussed long-range plan to make our national forests ready to meet the needs of our growing Nation as far into the future as A.D. 2000.

All these worthwhile goals will be served to some degree if we give approval to the supplemental funds for national forest work.

Mr. JAVITS. Mr. President, I yield 3 minutes to the Senator from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. President, the Committee on Appropriations has again brought before this Senate an excellent bill. When the President submitted his so-called balanced budget last January we all knew that the Committee on Appropriations would give careful study to each and every item requested. We were aware the committee would be guided by opportunities to obtain real savings or improved operations amounting to $1.2 billion. The committee has recommended savings of $142 million and, at the same time, has provided

funds not requested by the administration. I am pleased that among these is an item of $27 million for the forest service. This money will be used to step up conservation work in every vital field, and, at the same time, it will provide urgently needed income.

One of the great problems we face in America is that our national forests usually lie in areas of low economic activity. In West Virginia they are lands purchased by the Federal Government after they have been partially stripped of their timber and the watershed denuded.

These are the underdeveloped regions of our Nation fully as deserving of consideration as is money we may spend abroad.

The committee has presented a domestic aid program which has as its purpose the maintenance of a strong and vigorous nation with natural resources developed to meet the need of a rapidly expanding population.

I commend action taken by the distinguished chairman and his colleagues of the Committee on Appropriations, and I recognize the warm cooperation and splendid achievements of my able colleague from West Virginia [Mr. BYRD]. He has just spoken in reference to the importance of the national forests of the United States and the imperative need for the conservation and development of this part of our national domain.

In the State of West Virginia we have two national forests, the Monongahela and the George Washington. When I addressed this forum on April 30, it was my privilege to call attention to this fact. Federal funds expended in forest productivity return real monetary benefits to our State and to our citizens.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time.

Mr. JAVITS. Mr. President, I yield back the time remaining to me.

The PRESIDING OFFICER. All time for debate has been yielded back.

Mr. JOHNSON of Texas. Mr. President, as I understand the situation, all time has been yielded back on both bills.

Mr. President, I suggest the absence of a quorum; and at the conclusion of the call of the roll we will have a vote on both bills.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to state for the RECORD at this point that the AEC appropriation bill is $6,886,000 under the budget estimate and the supplemental appropriation bill is $141,904,447 under the amount requested by the President in the budget estimate.

This is the result of the careful work of prudent men who are determined to effect economies rather than merely talk about them. I believe it is clear that at the conclusion of the session, the administration budget will have been cut substantially and without any "back door spending" which the President has not either requested or approved.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. The vote is on the passage of the supplemental appropriation bill, is it not?

The PRESIDING OFFICER. The Senator is correct.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island [Mr. GREEN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Virginia [Mr. ROBERTSON], the Senator from Florida [Mr. SMATHERS], and the Senator from Mississippi [Mr. STENNIS] are absent on official business.

The Senator from Connecticut [Mr. DODD] and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

I further announce that, if present and voting, the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island [Mr. GREEN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Virginia [Mr. ROBERTSON], the Senator from Florida [Mr. SMATHERS], and the Senator from Mississippi [Mr. STENNIS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

The Senator from North Dakota [Mr. LANGER] is absent because of illness in his family.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Arizona [Mr. GOLDWATER], the Senator from North Dakota [Mr. LANGER], and the Senator from Massachusetts [Mr. SALTONSTALL] would each vote "yea."

The result was announced—yeas 79, nays 0, as follows:

YEAS—79

Aiken	Bartlett	Bible
Allott	Beall	Bush
Anderson	Bennett	Butler
Byrd, W. Va.	Hayden	Morton
Cannon	Hennings	Mundt
Capehart	Hickenlooper	Murray
Carlson	Hill	Neuberger
Carroll	Holland	Pastore
Case, N.J.	Hruska	Prouty
Case, S. Dak.	Jackson	Proxmire
Chavez	Javits	Randolph
Church	Johnson, Tex.	Russell
Cooper	Johnston, S.C.	Schoeppel
Cotton	Jordan	Scott
Curtis	Keating	Smith
Dirksen	Kefauver	Sparkman
Douglas	Kerr	Symington
Dworshak	Kuchel	Talmadge
Eastland	Lausche	Thurmond
Ellender	Long	Wiley
Engle	McClellan	Williams, N.J.
Ervin	McGee	Williams, Del.
Frear	McNamara	Yarborough
Gore	Mansfield	Young, N. Dak.
Gruening	Martin	Young, Ohio
Hart	Monroney	
Hartke	Morse	

NAYS—0

NOT VOTING—19

Bridges	Humphrey	O'Mahoney
Byrd, Va.	Kennedy	Robertson
Clark	Langer	Saltonstall
Dodd	McCarthy	Smathers
Fulbright	Magnuson	Stennis
Goldwater	Moss	
Green	Muskie	

So the bill (H.R. 7978) was passed.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the supplemental appropriation bill was passed be reconsidered.

Mr. HOLLAND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HAYDEN. Mr. President, I move that the Senate insist on its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. LAUSCHE in the chair) appointed Mr. HAYDEN, Mr. CHAVEZ, Mr. ELLENDER, Mr. HILL, Mr. MAGNUSON, Mr. HOLLAND, Mr. STENNIS, Mr. JOHNSON of Texas, Mr. BRIDGES, Mr. SALTONSTALL, Mr. YOUNG of North Dakota, Mr. MUNDT, Mrs. SMITH, and Mr. DWORSHAK conferees on the part of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 577. An act to amend title 10, United States Code, section 2481, to authorize the United States Coast Guard to sell certain utilities in the immediate vicinity of a Coast Guard activity not available from local sources;

S. 906. An act to amend section 1622 of title 38 of the United States Code in order to clarify the meaning of the term "change of program of education or training" as used in such section;

S. 1110. An act to amend the act of August 4, 1955 (Public Law 237, 84th Cong.), to provide for conveyance of certain interests in the lands covered by such act;

S. 1367. An act to amend title 14, United States Code, entitled "Coast Guard", to authorize the Coast Guard to sell supplies and furnish services not available from local sources to vessels and other watercraft to meet the necessities of such vessels and watercraft;

S. 1694. An act to extend the existing authority to provide hospital and medical care

for veterans who are U.S. citizens temporarily residing abroad to include those with peacetime service-incurred disabilities;

S. 2153. An act to authorize the Coast Guard to accept, operate, and maintain a certain defense housing facility at Yorktown, Va., and for other purposes; and

S. 2183. An act granting the consent of Congress to interstate compacts for the development or operation of airport facilities.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 697) to authorize the Secretary of the Navy to acquire certain real property in the county of Solano, Calif., to transfer certain real property to the county of Solano, Calif., and for other purposes.

The message further announced that the House insisted upon its amendment to the bill (S. 994) to authorize the Secretary of the Interior to construct, operate, and maintain the Spokane Valley project, Washington and Idaho, under Federal reclamation laws, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ASPINALL, Mr. ROGERS of Texas, Mr. UDALL, Mr. WESTLAND, and Mr. HOSMER were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a bill (H.R. 6940) to amend the Mineral Leasing Act of 1920 in order to increase certain acreage limitations with respect to the State of Alaska, in which it requested the concurrence of the Senate.

HOUSE BILL PLACED ON CALENDAR

The bill (H.R. 6940) to amend the Mineral Leasing Act of 1920 in order to increase certain acreage limitations with respect to the State of Alaska, was read twice by its title and placed on the calendar.

ATOMIC ENERGY COMMISSION APPROPRIATIONS, 1960

The Senate resumed the consideration of the bill (H.R. 8283) making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1960, and for other purposes.

The PRESIDING OFFICER. The bill (H.R. 8283) having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island [Mr. GREEN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Utah [Mr. Moss], the Senator from Maine [Mr. MUSKIE], the Senator from Virginia [Mr. ROBERTSON], the Senator from Florida [Mr. SMATHERS], and the Senator from Mississippi [Mr. STENNIS] are absent on official business.

The Senator from Connecticut [Mr. DODD] and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

I further announce that, if present and voting, the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island [Mr. GREEN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Utah [Mr. Moss], the Senator from Maine [Mr. MUSKIE], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Virginia [Mr. ROBERTSON], the Senator from Florida [Mr. SMATHERS], and the Senator from Mississippi [Mr. STENNIS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

The Senator from North Dakota [Mr. LANGER] is absent because of illness in his family.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Arizona [Mr. GOLDWATER], the Senator from North Dakota [Mr. LANGER] and the Senator from Massachusetts [Mr. SALTONSTALL] would each vote "yea."

The result was announced—yeas 79, nays 0, as follows:

YEAS—79

Aiken	Ervin	Martin
Allott	Frear	Monroney
Anderson	Gore	Morse
Bartlett	Gruening	Morton
Beall	Hart	Mundt
Bennett	Hartke	Murray
Bible	Hayden	Neuberger
Bush	Hennings	Pastore
Butler	Hickenlooper	Prouty
Byrd, W. Va.	Hill	Proxmire
Cannon	Holland	Randolph
Capehart	Hruska	Russell
Carlson	Jackson	Schoeppel
Carroll	Javits	Scott
Case, N.J.	Johnson, Tex.	Smith
Case, S. Dak.	Johnston, S.C.	Sparkman
Chavez	Jordan	Symington
Church	Keating	Talmadge
Cooper	Kefauver	Thurmond
Cotton	Kerr	Wiley
Curtis	Kuchel	Williams, N.J.
Dirksen	Lausche	Williams, Del.
Douglas	Long	Yarborough
Dworshak	McClellan	Young, N. Dak.
Eastland	McGee	Young, Ohio
Ellender	McNamara	
Engle	Mansfield	

NAYS—0

NOT VOTING—19

Bridges	Humphrey	O'Mahoney
Byrd, Va.	Kennedy	Robertson
Clark	Langer	Saltonstall
Dodd	McCarthy	Smathers
Fulbright	Magnuson	Stennis
Goldwater	Moss	
Green	Muskie	

So the bill (H.R. 8283) was passed.

Mr. HAYDEN. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. CANNON in the chair) appointed Mr. HAYDEN, Mr. HILL, Mr. ELLENDER, Mr. ANDERSON, Mr. DWORSHAK, and Mr. HICKENLOOPER conferees on the part of the Senate.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. ANDERSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

INCREASE IN MAXIMUM OIL AND GAS ACREAGE LIMITATION, STATE OF ALASKA

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 577, S. 1855.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1855) to amend the Mineral Leasing Act of 1920, in order to increase certain average limitations with respect to the State of Alaska.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill, which has been reported from the Committee on Interior and Insular Affairs, with an amendment on page 1, after line 6, to strike out:

(1) in the second sentence thereof, by striking out the word "Territory" and substituting therefor the word "State" and by striking out the words "one hundred thousand acres granted hereunder" and substituting therefor the words "for both such types of leases and options, one million acres";

(2) in the sixth sentence thereof, by inserting after the word "State" at the end thereof and before the period a comma and the following words: "except as is provided in this section in the case of the State of Alaska".

And, in lieu thereof, to insert:

(1) by striking out the words "except that in the Territory of Alaska no person, association, or corporation, except as herein provided, shall take or hold at one time oil or gas leases exceeding in the aggregate one hundred thousand acres granted hereunder" and inserting in lieu thereof the words "except that in the State of Alaska no person, association, or corporation, except as herein provided, shall take or hold at one time oil or gas leases, or options to purchase or otherwise acquire oil or gas leases, exceeding in the aggregate for both such leases and options, six hundred thousand acres"; and

(2) by striking out the words "The interest of an optionee under a nonrenewable option to purchase or otherwise acquire one or more oil or gas leases (whether then or thereafter issued), or any interest therein, shall not, prior to the exercise of such option, be a taking or holding or control under the acreage limitations provisions of this Act. No such option shall be entered into for a period of more than three years, without the prior approval of the Secretary of the Interior, and no person, association, or corporation shall hold at one time such options of more than two hundred thousand acres in any one State." and inserting in lieu thereof the words "The interest of an op-

tionee under a renewable option to purchase or otherwise acquire one or more oil or gas leases (whether then or thereafter issued), or any interest therein, shall not, prior to the exercise of such option, be a taking or holding or control under the acreage limitations of this Act, except as is provided in this section in the case of the State of Alaska. No such option shall be entered into for a period of more than three years, without the prior approval of the Secretary of the Interior, and no person, association, or coporation shall hold at one time such options of more than two hundred thousand acres in any one State except as is provided in this section in the case of the State of Alaska."

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 27 of the Act entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", approved February 25, 1920, as amended (30 U.S.C. 184), is amended —

(1) by striking out the words "except that in the Territory of Alaska no person, association, or corporation, except as herein provided, shall take or hold at one time oil or gas leases exceeding in the aggregate one hundred thousands acres granted hereunder" and inserting in lieu thereof the words "except that in the State of Alaska no person, association, or corporation, except as herein provided, shall take or hold at one time oil or gas leases, or options to purchase or otherwise acquire oil or gas leases, exceeding in the aggregate for both such leases and options, six hundred thousands acres"; and

(2) by striking out the words "The interest of an optionee under a nonrenewable option to purchase or otherwise acquire one or more oil or gas leases (whether then or thereafter issued), or any interest therein, shall not, prior to the exercise of such option, be a taking or holding or control under the acreage limitations provisions of this Act. No such option shall be entered into for a period of more than three years, without the prior approval of the Secretary of the Interior, and no person, association, or corporation shall hold at one time such options of more than two hundreds thousand acres in any one State." and inserting in lieu thereof the words "The interest of an optionee under a renewable option to purchase or otherwise acquire one or more oil or gas leases (whether then or thereafter issued), or any interest therein, shall not, prior to the exercise of such option, be a taking or holding or control under the acreage limitations of this Act, except as is provided in this section in the case of the State of Alaska. No such option shall be entered into for a period of more than three years, without the prior approval of the Secretary of the Interior, and no person, association, or corporation shall hold at one time such options of more than two hundred thousand acres in any one State except as is provided in this section in the case of the State of Alaska."

Mr. JOHNSON of Texas. I should like to inform the Senate that the Senator from Colorado [Mr. ALLOTT] has some questions about this bill. I am not informed as to whether there will be a yea-and-nay vote on it. I hope that there will not be, but the Senator is detained from the Chamber at the moment. Other Senators have statements they would like to make.

When we conclude with Senate bill 1855, if we do conclude with it today, we will proceed to the consideration of order No. 563, Senate bill 747. I wish to put the Senators on notice to that effect.

THE STEEL STRIKE

Mr. SYMINGTON. Mr. President, instead of criticizing the parties about their alleged failure, through face-to-face meetings, to settle the steel dispute, the Secretary of Labor would be better advised to spend his time performing his statutory duties in order to help work out a constructive settlement.

The union and management negotiators in steel held about 70 face-to-face meetings, in efforts to arrive at a settlement through collective bargaining.

During this period of more than 2 months, the administration and the Secretary of Labor made no effort to provide the basis upon which a settlement could be worked out in collective bargaining between the steel companies and the union, other than to issue platitudinous announcements of nonintervention.

The Mediation and Conciliation Service, despite its plain statutory authority to lend its assistance to the parties in order to avert a strike, studiously refused to attempt to mediate the dispute until after the strike had begun.

Prior to the strike, the President rejected the union's request to appoint an impartial factfinding board, with authority to make recommendations for a basis of settlement.

After the strike had begun, the Secretary of Labor announced that he would report the facts to the President. But since the President seems determined to do nothing, and since the Secretary has not seen fit to make the facts public, there can be small hope from this source.

It should be clear now that the parties are at an impasse—and need assistance to settle the dispute.

I have been urging consistently, both before and since the strike began, that the national interest requires the speediest possible settlement.

To this end I propose the following program to be followed by the administration:

First. The President should stop issuing declarations of nonintervention, and the Secretary of Labor should stop criticizing the parties.

Second. The President should use the power and influence of his high office to insist that a reasonable settlement be concluded promptly.

The President could do this best by calling to the White House the responsible principals of both sides, and urging them to negotiate a settlement in the national interest.

Finally, the President should make it clear at such a meeting that if the parties do not conclude a settlement promptly, he will appoint an impartial board, headed by public figures, with established reputations, to examine all the issues involved in the dispute; and to make recommendations for a basis for a negotiated settlement.

I again urge the administration to take such action to help resolve this strike, which, if prolonged, will have grave effect, not only on the prosperity, but also on the security, of the United States.

INVESTIGATION OF CONCENTRATION OF DEFENSE PROCUREMENT ON THE WEST COAST

Mr. BUTLER. Mr. President, last Thursday the House-Senate conferees meeting on the defense appropriations bill voted against an $11 million Air Force appropriation for 11 F–27 jet-prop aircraft to be built by the Fairchild Corp., of Hagerstown, Md.

This was, of course, disturbing news to the citizens of the outstanding city of Hagerstown, which depends to more than a small measure upon the business of the Fairchild plant there. Although it would be incorrect to label the city a distress area, recent cutbacks in the Fairchild payrolls have caused distress among the city's inhabitants. And although Fairchild officials have stated that the refusal of this appropriation will have no immediate damaging effects, it cannot be anything but a severe blow in the long run.

Now the natural question arises as to why certain of the conferees should have voted against the F–27 aircraft. Fairchild has had a long and splendid record of service and performance for 40 years. It was responsible for the construction of the famous Flying Boxcar which did so much for this country in recent conflicts. As for the F–27 itself, the Air Force officials have declared, for the record, that is an excellent airplane and would make an excellent replacement for the C–47, which has become increasingly expensive to maintain.

For many months, I have exerted the most sincere and earnest efforts to point out the value of the F–27 to the Defense Department. Several of my colleagues have ably assisted me, in particular the senior Senator from New Hampshire, who has contributed unstintingly of his valuable time.

Now it so happens that the Fairchild plant is in Maryland, and it seems to me that herein lies the real reason why the conferees were unimpressed by its petition. Incredible as it may seem, Mr. President, the fact that the Fairchild plant is not located on the west coast may very well have been the reason for its being shunted aside last week.

A quick look at the appropriation tally sheet reveals that missile, aircraft and electronic industrial contracts are concentrated in the State of California. That State's diversified qualities are well-known and justifiably so. Its oranges, its climate, its educational system, its baseball teams, are excellent beyond dispute. However, it is difficult for me to understand why the climate or the gardens or the athletic merits of that State should make it, almost inevitably, the most proper place for defense contracts.

By concentrating the defense efforts in California, the Defense Department is not only showing the most unfortunate sort of favoritism but it is imperiling the defense effort of this Nation. It has been an oft-stated policy of the Defense Department to disperse defense contracts. But the latest figures indicate that 27 percent of the Defense Department procurement flows into California. That 1 State out of 50 should

receive 27 percent of the total defense of this mighty Nation indicates to me that fair and impartial granting of Government contracts is not being observed.

Mr. ENGLE. Will the Senator yield?

Mr. BUTLER. I would like to continue my statement, and then the Senator can ask me a question.

Mr. ENGLE. I do not care to take much of the Senator's time. I ask that the Senator yield to me for only a short inquiry.

Mr. BUTLER. I yield to the Senator from California.

Mr. ENGLE. Does the distinguished Senator from Maryland think that California has obtained these defense contracts because of some skulduggery in the Pentagon? Is that what the Senator thinks the problem is?

Mr. BUTLER. I shall make a few remarks about that a little later.

Mr. ENGLE. I shall be much interested to hear if this administration is doing some things to which the Senator objects.

Mr. BUTLER. As a representative of the people of the Free State of Maryland, I am naturally concerned about the fate of a splendid city like Hagerstown. But in a larger sense, as a Senator obligated to consider the entire Nation, I am deeply disturbed by this centralization of defense contracts and the serious consequences that it might have upon the defense effort of the United States and the national economy.

I intend to press for a full and complete investigation of this policy of California first and foremost until I am completely satisfied that performance, and not influence from former generals and admirals on the boards of California companies, is responsible for the consistent winning of contracts by those golden-plated State firms. It may be that the glitter in California is not from the gold in its ground but from the stars and stripes of retired but still active general officers. Other factors undoubtedly have contributed to the defense concentration on the west coast. It is time the Senate found out.

Mr. President, I submit a resolution authorizing the Senate Committee on Armed Services to conduct an investigation into this problem.

I might say to the Senator from California that this practice is not of such recent vintage. It has been pursued for some time, and it is becoming increasingly a problem which must be looked into.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 153), submitted by Mr. BUTLER, was referred to the Committee on Armed Services, as follows:

Whereas 27 per centum of all defense procurement contracts are let to companies, the principal place of business of which is on the west coast of the United States and particularly the State of California; and

Whereas many of the aforementioned companies which produce aircraft, missiles, electronic gear, and other defense material have huge backlogs of orders; and

Whereas other companies, with comparable facilities and employees with equal skills, located in other sections of the United States in many instances have insufficient contract work at their disposal; and

Whereas such concentration of defense procurement in one particular area is not in keeping with long-established principles of national defense requiring decentralization of defense activities; and

Whereas this high concentration of defense facilities in one section of the Nation is not in keeping with the best interests of national economy: Now, therefore, be it

Resolved, That the Committee on Armed Services or any duly authorized subcommittee thereof is authorized, under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, to conduct a full and complete study and investigation to determine the cause and the scope of the concentration of defense activities on the west coast, and particularly in the State of California, and to recommend to the Senate such legislative or other action as, in the opinion of the committee, is necessary to be taken to assure the defense and to protect the national economy from undue concentration of defense activities.

SEC. 2. For the purposes of this resolution the committee, from August 1, 1959, to January 31, 1960, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $60,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. CANNON in the chair). The Senator from California will state it.

Mr. KUCHEL. What is the rule in regard to a Senator's speaking about one of the States of the American Union?

The PRESIDING OFFICER. The Parliamentarian informs the Chair that there is a Senate rule that it is not proper for a Senator to speak offensively of a State of the Union.

Mr. BUTLER. But, Mr. President, certainly it is not improper for a Senator to say that the sunshine in California is wonderful and its fruit and vegetables are delicious.

Mr. KUCHEL. I suggest that perhaps it would be more becoming to my colleague, who is on the Judiciary Committee, if he would also demonstrate his enthusiastic support for following the rules of the Senate.

Mr. BUTLER. I would also say to the Senator from Californina that the Senator from Maryland has not violated, and hopes he never will violate, any rule of this body.

So, Mr. President, I ask the Senator from California to apologize for even inferring that I would violate a rule of the Senate. I insist that the Senator from California be a little more careful about how he speaks of other United States Senators.

Mr. KUCHEL. I suggest that the Senator from Maryland be a little more careful about how he speaks of one of the sister States of the Union.

Mr. BUTLER. I said nothing about one of the sister States of the Union, other than that it has a fine baseball team, wonderful fruit, beautiful scenery, marvelous climate, and almost all of the defense contracts. [Laughter.]

Mr. JAVITS. Mr. President, I think we can agree that the facts must speak for themselves. On many occasions my colleague [Mr. KEATING] and I have pointed out our worries about the apparent ability of California contractors to make off with most of the prime defense contracts, especially in the missile and rocket field.

My understanding of the remarks of the Senator from Maryland is that they did not violate the Senate rule. Certainly all of us have the highest respect for California.

Mr. KEATING. Mr. President, the observation which I wish to make is right along that line. I did not interpret the remarks of the Senator from Maryland as being critical of the State of California, any more than were the remarks which my colleague [Mr. JAVITS] and I have made in the past about California in discussing the procurement picture. We have simply called attention to a fact; and I am very happy the Senator from Maryland has done so today, too.

Furthermore, the senior Senator from California [Mr. KUCHEL] made a very serious charge against the Senator from Maryland [Mr. BUTLER]. I would consider that charge a compliment, but I am sure the Senator from California will wish to correct the RECORD in regard to it, for he charged the Senator from Maryland with being a member of the Committee on the Judiciary. The fact is that he is no longer a member of that committee. He is a member of the Committee on Finance. I think the Senator from California should set the RECORD straight in that regard.

Mr. KUCHEL. Then let me apologize, Mr. President, for charging that the distinguished Senator from Maryland is a member of a Senate committee when he is not a member of it.

Mr. ENGLE. Mr. President, the senior Senator from New York [Mr. JAVITS] and his colleague [Mr. KEATING] and I have discussed the matter of defense contracts. I am quite sure the Senator from Maryland did not mean to reflect on the State of California. If he reflected on anyone, it was on those in the Pentagon who run the defense contract business; and currently the Pentagon happens to be in control of the party of the Senator from Maryland.

If those contracts are not properly awarded, if California firms are not entitled to receive them, if there is any skullduggery at the crossroads, and if such matters are not being properly

handled, I suggest that the Senator from Maryland make an investigation and find out what the administration is up to, if it is up to anything wrong. But I do not believe it is.

I believe that California firms have received such contracts on their merits, and will continue to do so. So we shall welcome competition from Maryland firms, on competitive bids for contracts, and in any other way. I think the American system will improve by means of such competition.

VISIT OF THE VICE PRESIDENT TO RUSSIA AND POLAND

Mr. SCOTT. Mr. President, in connection with the visit of the Vice President to Poland, I am reminded of the statement of that famous and wonderful lady Sophie Tucker, who said, "I have been rich and I have been poor; and believe me, rich is best." It is my hope that on the return visit, Mr. Khrushchev may see the great depth of the power of America, both material and spiritual. He has seen war and he has seen peace. I hope he too will conclude, "Believe me, peace is best."

Mr. President, as I read the voluminous newspaper accounts of Vice President NIXON's trip to Russia and Poland, and as I see the increasing number of editorials confirming my own high opinion of our Vice President, I am struck by the similarity of this man with another great American in our history: Theodore Roosevelt.

Theodore Roosevelt had a love for America that was displayed as a fierce patriotism which knew no apologies. Theodore Roosevelt captured the imagination of people because he was articulate and dramatic—but also because his enthusiasm was based upon the ideals and principles which were dear to the heart of all Americans.

Mr. NIXON's strikingly similar characteristics have never been so obvious as today, when they are sharpened by the contest with the Communists and magnified by the enormous respect which people abroad show for this man.

He has talked bluntly and realistically to the Russian people through the medium of television. And without compromising our highest aspirations for peace and freedom, he still spoke without rancor and with justifiable respect for the abilities of the present leaders of the Soviet Union.

Mr. NIXON touched a responsive chord in the hearts of the Poles on his visit yesterday. In Moscow, Mr. Khrushchev had taunted Mr. NIXON with, "Do you call these people captives?" In Warsaw, no Russian would have dared ask such a question, because the crowd might have roared back, "Yes." All the free world knows that Poland is not Communist by the free choice of the Poles.

Mr. NIXON has displayed the qualities of statesmanship which we need so much in today's world. I am delighted that so many thoughtful Americans are now able to see that statesmanship in action.

I ask unanimous consent to have printed in the RECORD as part of my remarks several editorials on Mr. NIXON's trip abroad.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 3, 1959]

FROM POLAND'S HEART

Americans must be deeply moved by the incredible reception the people of Warsaw gave Vice President NIXON yesterday. In the heart of Communist-ruled Eastern Europe, in a nation with Soviet troops on its soil and with Soviet troops on its eastern and western borders, hundreds of thousands of people turned out spontaneously to cheer and throw flowers to the Vice President of the United States.

This happened in a city which but a few weeks ago gave only a tepid welcome to Premier Nikita S. Khrushchev for whose reception the Polish Government had mobilized all its resources. Once again truth has shown itself to be stranger than fiction.

No one planned it that way, but yesterday's outpouring of friendship from Poland's heart toward our country symbolized by Mr. NIXON was the most effective answer possible to Premier Khrushchev's gibes at our celebration of Captive Nations Week.

The Polish Government is a member of Moscow's Warsaw Pact. Wladyslaw Gomulka and his fellow leaders have time and again associated themselves with Khrushchev's denunciation of American imperialism and his threats against the West's position in Berlin. For almost a decade and a half the Polish people have been indoctrinated with Communist propaganda from almost every possible organ of education and communication. But yesterday the people of Warsaw gave Mr. NIXON what may well have been the warmest welcome an American leader has received in a foreign nation for a decade or longer. The political implications are unmistakable and will be understood by peoples and leaders wherever the facts are known.

At the end of World War II we did not use our power to compel Stalin to live up to his promises of a democratic Poland, but instead permitted him to enslave its people and destroy all public opposition. And almost 3 years ago, in October 1956, we contributed nothing but verbal encouragement to the Polish people as they defied Khrushchev's threats and set a new course, of which Gomulka was then the symbol. Nor have we done anything of crucial importance these past 3 years, in which the concessions of the Polish October have been steadily whittled away or abolished. Yet, as Warsaw proved yesterday, the Polish people still see in us the beacon of their hopes for a better tomorrow.

The cynical may argue that nothing really important was changed yesterday. Poland's unenviable geographic position between occupied East Germany and the Soviet Union was not altered by an inch. The harsh realities of the nuclear age which make any talk of liberation by force of arms unthinkable are as terrible this morning as they were yesterday before Mr. NIXON arrived in Warsaw.

But the cynics are wrong; something of great importance was changed yesterday. By their welcome the people of Warsaw destroyed the propaganda campaign which has sought so hard to prove that Communist totalitarianism has won over the people of Eastern Europe so there can be no more talk of captive nations. In 1 hour of truth, as the Nixon caravan rode from the airport to the city, the friends of freedom and democracy gained new courage and new heart, which cannot help but affect profoundly the world political scene.

[From the Washington Post, Aug. 3, 1959]

RISING TO THE OCCASION

Vice President NIXON's address in Moscow is a powerful answer to the pessimists who say that there can be no change in the hostility that has existed between the United States and the Soviet Union since the war in Korea. It is estimated that 11 million persons in the Moscow area saw the Vice President make his speech on television and many millions of others heard the broadcast by radio. This in itself is a revolution in American-Soviet relations.

The manner in which Mr. NIXON responded to this unique opportunity is also most hopeful. His talk exuded only friendship for the people of the Soviet Union. He skillfully emphasized the common interests of Americans and Russians in humor, sports, a high standard of living and peace. He had complimentary words for Premier Khrushchev and drew a distinction between the Stalinist brand of communism and Moscow policy today. With a good deal of deftness, he played upon the desire of the Soviet masses for more consumer goods and their horror of war.

It is reasonable to suppose that much of what the Vice President said would have a sympathetic reception among the Soviet people. This made it possible for him also to present, without giving offense, a clear and pointed explanation of American policy in terms that most of his listeners had probably never heard before. Without trying to minimize the differences between Washington and Moscow, he said very plainly that when two peoples of great strength want peace the peace must necessarily be just because neither will "tolerate being pushed around."

It was excellent strategy for Mr. NIXON to use his television address to answer the questions that planted Soviet propagandists had thrown at him at many different points of his tour. Some of his replies could have been improved, particularly his explanation of why the United States maintains foreign bases. But on the whole his responses were simple, direct to the point and, we surmise, convincing to many fair-minded listeners. His refutation of the miserable story in the Soviet press to the effect that he had tried to give money to a poor Soviet citizen so that propaganda pictures could be circulated abroad was nothing short of devastating, and it should have a considerable impact on those Russians who deplore the propagandistic nature of their press.

The Vice President's direct remarks to Mr. Khrushchev were superb. If that dynamic leader bends his energy toward peaceful progress within his own country, Mr. NIXON said, he "can go down in history as one of the greatest leaders the Soviet people have ever produced." But if he diverts Soviet resources and talents to the communization of other countries, the only result can be continuation of fear, suspicion, and tension.

Rising dramatically above Mr. Khrushchev's threat that our grandchildren will live under communism, the Vice President refused to predict that a third generation of Russians will be living under capitalism. "We prefer our system," he said. "But the very essence of our belief is that we do not and will not try to impose our system on anybody else." The contrast between communism and democracy in terms of human values could scarcely be couched in more pointed terms.

On the whole, we think the Vice President has acquitted himself remarkably well in this difficult venture. He has effectively presented the message that the American people are most eager for the Russians to hear. If words and reason and attempts at friendly understanding can advance the cause of peace, Mr. NIXON has made a notable contribution.

[From the Washington Post and Times Herald, July 31, 1959]

SWINGING DOOR POLICY

Mr. Khrushchev, having failed to catch any flies with vinegar, is now trying the

honey treatment again. His new speech at Dnepropetrovsk takes a seemingly far more conciliatory attitude toward Berlin and the problem of the Geneva Conference while yielding nothing of substance, and he expresses renewed interest in a summit meeting. It must be a trifle confusing to the Soviet people who follow what they are permitted to read or hear of Mr. Khrushchev to learn just after his denunciations of the American warmongers that he has now acknowledged the peaceful intentions of Messrs. Eisenhower and NIXON.

To what extent this apparent new tack is the result of Mr. NIXON'S visit of course cannot be assessed. Quite apart from its ultimate influence either on diplomatic understanding or on Mr. NIXON'S political fortunes, however, the effect of the trip seems to us to have been good. The Vice President has handled himself with alertness and dignity. Despite the planted hecklers, the transposition in the Communist press of the Khrushchev-NIXON debate and the party-line criticism of the American exhibition in Moscow, some of the facts about American views and intentions evidently are getting through.

It would be extremely foolish to conclude that there has been any change in Soviet objectives on such account; at best there may have been a minor change in tactics. Mr. Khrushchev alternates so frequently between bluster and balm that it is difficult to know what will be his mood on any particular issue. There will have to be an altogether remarkable alteration in the Soviet position, of which there is no real sign yet, if the Geneva Conference is to be saved.

What the milder language demonstrates, however, is not the need to propose new Western concessions, but quite the opposite. Mr. Khrushchev is a very patient fellow. He has tried his utmost to dislodge the West from Berlin. When he finds one path barred he selects another. If his new approach means anything, it means that the firmness of the basic Western position on Berlin has induced him to devise other methods.

The question of whether to hold a summit meeting, in which the Soviet chieftain has indicated new interest, is something else. A summit conference might accomplish nothing constructive, and there is a danger that it might arouse false hopes and demands for damaging concessions. At the same time, in view of the unique position of Mr. Khrushchev, there is a chance that face-to-face discussion would lead to some accord which he has been unwilling to trust to subordinates. On balance, provided that fundamental Western unity were retained, this newspaper thinks that there would be more to gain than to lose. A meeting at Quebec presumably would facilitate the presence of French President de Gaulle and still permit an invitation for Mr. Khrushchev to visit the United States.

The trick is to separate a summit meeting from the stagnation at Geneva. Plainly enough the Western attempt to use the possibility of a summit as a lever to force Soviet reasonableness at Geneva has not worked. It does not follow, however, that a summit meeting would not be worth trying, or that merely because Mr. Khrushchev now seems to want one we should therefore be against it.

[From the Philadelphia Inquirer, Aug. 1, 1959]

"THE PEOPLE ARE STILL FRIENDLY"

It may be many weeks or months before the full effects of Vice President NIXON'S 11-day Soviet tour, which ends this weekend, are known. There is one result, however, that already is clearly in focus.

The friendliness of the Russian people—as differentiated from the Soviet Government—has been dramatized more forcefully than at any previous time since the East-West cold war began.

Mr. NIXON stated the situation in a phrase at Moscow Airport yesterday. He had just returned to the Soviet capital after a 5,000-mile journey into the hinterland of eastern Russia and Siberia.

"Peace and friendship," the Vice President said, is what he encountered on every side. Not only were the words spoken but they were shown in spirited welcomes accorded to NIXON by Russian men and women from many walks of life.

The Vice President noted it is "highly significant that after all the criticism of the United States in the Soviet press, the people are still friendly."

In view of the fact that Kremlin leaders have been preaching "peace and friendship" for years—in words, but not actions—why is the emphasis on friendship to NIXON so important?

There are two reasons.

One is that NIXON went where other Americans never had been.

He penetrated the heart of the U.S.S.R. where foreign travelers of any nationality are very rarely seen. He talked to miners in mines, workers in factories, men and women on streets. He had brief but direct conversation with several thousand ordinary Russian people. What NIXON uncovered, for all the world to see, is a feeling of friendship for America in the Soviet grassroots, far from the propaganda mills of the Kremlin.

The second reason the friendship shown to NIXON by the Russian people is so important is his high official position in the U.S. Government.

An ordinary American tourist might reasonably expect cordial treatment from the native citizenry as long as he behaved himself. If there was any animosity of the Soviet people toward the U.S. Government, NIXON certainly would have felt the full impact of it. Although there were a few hecklers, the Vice President encountered for the most part a people curious about America, anxious to know Americans better, and hungry for knowledge of the world beyond the Iron Curtain.

The television address to the Russian people scheduled by NIXON today, on the eve of his departure from the U.S.S.R., is to include answers to questions put to him by hecklers—questions that were too involved to be answered in a sentence or two. This speech could be a highlight of NIXON'S tour. Whatever its effect, he already has shown that rank-and-file Russians want to be friendly with us and should be given every opportunity to develop that friendship on a people-to-people basis.

Mr. NIXON handled himself admirably in contacts with the Soviet people and their leaders. The Vice President's long chats with Soviet Premier Khrushchev—in public and private—may or may not have a bearing on future United States-Soviet relations, but the talks cannot help but promote greater understanding between the two Governments.

Strangers sometimes fight for no reason except they have no other way to settle disputes.

A spirit of friendship between the peoples of Russia and the United States will not solve serious problems resulting from political and economic differences, but friendly peoples can inspire governments to settle differences by negotiation instead of war.

The seeds of friendship for Americans are firmly planted in the Russian people. NIXON helped cultivate them. It will take a lot more work in the form of international exchange programs, before the seeds will blossom into real peace.

LETTER FROM THE LATE M. L. BENEDUM

Mr. SCOTT. Mr. President, I received a letter on the 30th of July from a gentleman who was celebrating his 90th birthday. In that letter he wrote:

I have warmed my hands before the fire of life * * *.

I could not have lived nine-tenths of a century and looked upon the wonders of nature without reaching the firm conviction that the universe toils in some immense endeavor and that the mysterious energies of God labor to divine perfection. In that conviction I go forward with a high face.

Mr. President, the gentleman who wrote that letter was Mr. M. L. Benedum, one of the most illustrious citizens of Pennsylvania, who died on the day I received the letter. I ask unanimous consent that the full letter may appear in the body of the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PITTSBURGH, PA.,
July 28, 1959.

Hon. HUGH SCOTT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: At 90 years of age I face up to the reality that the twilight gathers about me, but messages of good will and good cheer such as that which you sent me on my anniversary bring the sunlight of high noon into my heart.

Providence has permitted me to live from the sixties of the 19th century to the late fifties of the 20th century and to have had broad and varied contacts with men and events throughout the world. I have warmed my hands before the fire of life.

The rich rewards of memory are mine and I am also blessed in the enjoyment of the priceless things of this day. Of those things, I place the highest value on my friendships.

I could not have lived nine-tenths of a century and looked upon the wonders of nature without reaching the firm conviction that the universe toils in some immense endeavor and that the mysterious energies of God labor to divine perfection. In that conviction I go forward with a high face.

I thank you from the bottom of my heart for your remembrance. May the richest blessings of providence be visited upon you and yours always.

Sincerely yours,

M. L. BENEDUM.

APPOINTMENT OF SENATOR SALTONSTALL TO NATIONAL HISTORICAL PUBLICATIONS COMMISSION

The PRESIDING OFFICER (Mr. CANNON in the chair). The Vice President has requested the Chair to announce his appointment of the Senator from Massachusetts [Mr. SALTONSTALL] as a member of the National Historical Publications Commission, established by Public Law 754 of the 81st Congress, to fill the vacancy caused by the expiration of the term of the Senator from Utah [Mr. BENNETT].

U.S. ECONOMIC AND FISCAL POLICY

I. THE ECONOMIC CHALLENGE AND BUDGETARY REALITIES CONFRONTING CONGRESS

Mr. JAVITS. Mr. President, I have chosen to speak today on the economic challenge and budgetary realities confronting the Congress because I think it is very important that those who, like myself, are deeply concerned with the cold war struggle and with foreign policy make very clear their views on the

internal economic strength of the United States. I do not think there can be any challenge to the fact that this internal vitality forms essentially the underpinning for anything which may happen today in the struggle for peace and freedom.

Mr. President, before I proceed, I might qualify myself by saying that I was deeply concerned with this subject long before I entered public life at all, going back to the middle 1930's, and also by pointing out that when I was a Member of the House of Representatives I was chairman of the Foreign Economic Policy Subcommittee of the Committee on Foreign Affairs, that I am chairman of the Economic Committee of the NATO parliamentarians, and that I am a member of the congressional Joint Economic Committee. Therefore, I feel very deeply the need for a vital fiscal policy on the part of our Government.

Mr. President, great public attention is now being focused on the danger of inflation. I have received letters on the subject, and so have many of my colleagues. I hope many of those who have written me will find a rather complete answer to their questions in my speech.

This key issue covers also the immediate national issues of the Administration's measure to remove the statutory ceiling of 4.25 percent on interest rates on the long-term part of the national debt and its proposal to set a 3.75 percent interest rate on savings bonds. The acute economic dangers inherent in the prolongation of the steel strike are also very important in focusing public attention on the peril of inflation.

These are not normal times for our country or for the world, and we cannot deal with our economic problems as if they were. For the overriding issue of our time continues to be peace. Also, we are deeply committed to free institutions; therefore, there are some actions we will just not resort to in the way of regimentation of the economy or the discipline of the individual, whatever may appear to be their attractiveness in terms of dealing with our economic problems.

Although we are not engaged in a fighting war, the life and death struggle between the economic and social systems of freedom against communism—the so-called cold war—demands unusual expenditures, personal sacrifice, and a dynamic policy—and the competition between the United States and the free world again the U.S.S.R. and the Communist world is getting hotter all the time. Also, in this global conflict, U.S. foreign economic policy could well have a vital influence on the success of the revolution of rising expectations for tolerable living standards in Asia, Africa, and South and Central America; and therefore materially influence the nearly 1 billion people in the less developed areas of the free world, among them 20 nations newly created since World War II, whose ultimate decision will be so critical in determining whether freedom or communism is the rule of the world.

For these all-important reasons, I find that I cannot agree with the current popular political test being applied to the inflation issue which seeks to distinguish between the "spenders" and the "savers"—the effort to polarize and thus make irreconcilable the views of those who believe in the necessity of economic growth and those who fear inflation more. If we permit ourselves to pass judgment on a major spending program just based on a quick glance at its price tag, conceivably we may wind up condemning a program in a field such as housing, which is actually indispensable to the Nation's economic growth and prosperity. Yet we may accept another bill essentially "pork barrel" in nature because it is marked down in price by comparison, though it is still an unnecessary, wasteful expenditure—for example, the cost of each one of the programs to maintain high fixed price supports on 21 different farm commodities.

Applying only the price-tag test to Federal programs is not in the best interests of our Nation and the cause of peace in these unusual times. We must reaffirm our own faith in our ability to meet decisively the economic challenges which now confront us, while at the same time we make measurable progress forward in our national development—we must do this confidently without being slaves to the shibboleth of "budget balancing," but at the same time—with the objective of balancing the budget—outgo with income—by a careful, hardheaded regard for budget and fiscal necessities. The financial viability of this country is a major element in national security, and therefore we cannot lay aside budgetary considerations. But at the same time, it would be equal folly to permit them to become the primary determinants of our policy.

The economic impact of Federal programs is discussed by Dr. Arthur Burns, former chairman of the President's Council of Economic Advisors, who wrote as follows in his book, "Prosperity Without Inflation":

> Neither Government officials, nor our political parties, can be insensitive to the possible opportunities for advancing the general welfare by increasing public expenditures on school buildings, scholarships, medical research, scientific laboratories, economic statistics, public employment offices, technical services to business or agriculture, slum clearance, highways, or public parks. It is undoubtedly true that higher expenditures on these and countless other items will often bring benefits to the American people that would fully justify their cost. Yet a government that sought to do at once everything that is or seems desirable would invite economic and financial disaster. There are limits to what the Government can accomplish. The limits are set in the first instance by its financial resources, and they are imposed in a more fundamental sense by the Nation's real resources.

Later on, Dr. Burns poses this thought-provoking approach:

> Suppose that the President, before turning to specific recommendations for the coming year in his budget message and the economic report, took a long view and outlined in general terms the needs of the Nation and the various governmental programs that should either be started or expanded over the next few years.

In short, Mr. President, Dr. Burns points out there are a great many things we want to do. The limitation on doing them is set by our financial resources, of course, but, far more fundamentally, by all our resources, both human and material. Then Dr. Burns says it is not necessary to do everything in the same year or in 2 years, provided we give the people assurance that we are going forward to do the things which need to be done within an approximate period of time. That will satisfy them, provided we make such a commitment.

Mr. President, I think this is the key to the whole business of not worshipping the budget as a golden calf but at the same time being hardheaded about money. Let us test that out.

In the consideration and debate of major programs having a budgetary impact, the key factors are not only the size of the price tag on the program but also the purpose for which the money is to be spent. For example, there are certain budgetary items which are investments in the traditional sense such as the income producing facilities of the Panama Canal owned by the Government. During fiscal 1959 about $3 million was received by the U.S. Treasury from the Panama Canal Corporation, representing clear profit figured after paying all costs including that of governing the Zone. There are other budget items which may be considered investments in a broader sense—investments in increased wealth for the Nation with resulting increased tax revenues from a broader tax base such as those involving housing and urban renewal, roads, and similar programs. Loans fall into still another expenditure category, such as scholarship loans under the National Defense Education Act and college housing loans which are eventually repaid to the U.S. Treasury—in the meantime, interest is paid to the Government on these loans. Finally, there are those expenditures which represent the going costs of Government and which, although they have a beneficial effect for all of us while they are being made and in the future, cannot be regarded as anything more than money well spent. That does not add to the total wealth of the country.

A major legislative program upon which the Congress must act at this session is housing, which represents in its different provisions every kind of Federal expenditure discussed.

Mr. President, I use housing as an example since it is well known that the President vetoed the housing bill because he thought it would be inflationary. I respectfully submit that in the context of a balanced budget, which has in mind what the Nation needs as well as what it can spend, housing very much belongs. I hope very much we shall have a housing bill at this session, and I hope what we pass will meet America's housing needs.

Mr. President, I make these comments because the housing bill represents very much the type of program I have in mind.

Urban renewal is composed of loans and grants to localities which result in increased land values, greater tax revenues in the future for both local and Federal Government, and improved living facilities in slum areas which presently have a debilitating effect on community growth.

College housing is a loan program repayable to the Government over 50 years on which the Government receives not only interest payments but also the administrative costs of the program; it adds not only to the Nation's physical assets but more important, to the development of our Nation's youth.

FNMA mortgage market operations comprise the purchase of actual negotiable assets and their subsequent sale in order to maintain stability in the private mortgage market; while the Government owns them, these mortgages represent an income producing investment.

Public housing is an example of the type of program which meets a continuing national need for low-cost dwelling units through annual Federal contributions; however, while these funds do not result in a measurable return to the Government, they do make possible the channeling of substantial amounts into an area where bond financing from the private market is used to build new housing; they contribute measurably to the practicability of our total housing effort.

The original housing bill passed by Congress earlier this session fell victim to the numbers game. The basic disagreement did not involve the desirability of the various programs; rather it was concentrated on the total amount provided for in the bill and its apportionment among the various items. The great emphasis on the short-range budgetary impact of the original housing bill as set forth in the veto message did not take into account that a dollar spent on urban renewal grants has a wholly different economic impact than a dollar spent on mortgages purchased from private lenders. The first stimulates the expenditure of additional dollars—in a ratio of 5 to 1—from private and local government sources to create new physical assets and revenue for our Nation whereas the other represents additional investment capital in the money market bringing at the same time interest income into the Federal Treasury.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. DOUGLAS. The senior Senator from Illinois has to leave the floor, but before he does so he wishes to congratulate the senior Senator from New York for the very able speech he is delivering. The Senator from New York has one of the keenest minds in this body. He not only has a keen mind but he also has a warm heart. Those two qualities are not always combined together.

I am glad the Senator is taking the attitude he is taking in regard to the housing bill.

I know what it is to go against the policy of a national administration of one's own party, because I had a somewhat similar experience in the 4 years from 1949 to 1952, inclusive. I will say that independence of thought is what we need. Upon occasion we do have to go against the leaders of our party.

The Senator from New York comes from the largest city in the Nation, one of the greatest cities of the world. The Senator knows that many of our cities are rotting away at their very centers and that millions of our people are living in the slums. The Senator knows that a major surgical operation is needed in many of these cases, for the people who are displaced must be rehoused. Some of those people, because of poverty or race, are unable to obtain satisfactory accommodations on their own. The Senator very properly regards it as a function of Government to help in the matter, particularly in view of the fact that the cities commonly lack full home rule and, so far as revenue is concerned, are held down by legislatures largely dominated by the rural communities.

I think we should form in the Senate a big city bloc. There is a farm bloc, a rivers and harbors bloc, and a reclamation bloc, but the cities of the country do not have a bloc. I understand the cities of the country now represent approximately 60 percent of the total population, and in a few years there will be in the cities 80 percent of the population. While I do not believe in pressure politics or power politics, I think in self-defense we should organize, across party lines.

I am very glad to observe that the Senator from New York is setting for us a fine example. When the roll is called I hope we will be found together.

Mr. JAVITS. I thank my colleague from Illinois for his generosity in connection with the housing problem. I agree with the Senator from Illinois that the problems of the cities involve a great majority of the people of the United States, and there is some common cause which can be made among us upon that subject.

I point out that there was a great housing bill of 1949, the Taft-Ellender-Wagner bill. The other day we heard a notable address by former Senator Taft on a recording before the Subcommittee on Housing of the Committee on Banking and Currency. The great Taft-Ellender-Wagner bill was a bipartisan bill. I had the privilege of being its sponsor in the House of Representatives. This is the tradition in connection with housing legislation.

However, I point out that the main thrust of my speech today is on general economic policy. What I am doing is comparing the constructiveness of housing as it adds to the wealth of the country with the general wastefulness of the farm program as it has been conducted, in order to demonstrate that the mere fact that we are spending x dollars is not in and of itself determinative of whether we are breaking or upholding a budget. The main question is, What are we spending the money for? That is as critically important, at least, as the fact that it represents a budgetary item.

The economic productivity of housing programs is in sharp contrast with the nonproductive expenditures involved in our enormously expensive farm program. A substantial portion of increased farm output is directly attributable to production for Government price support payments. This factor is particularly damaging since the increase in output often bears no relationship to demand or needs; this is especially the case with the basic crops of wheat, cotton, corn, tobacco, rice, and peanuts. A reduction of the Federal Government's price guarantees is sound, but such a cutback must be coupled with more vigorous substantive programs—these will also cost money, but money infinitely better spent. They include increased industrial uses of farm products, more efficient mechanization, better marketing—including processing and packaging closer to the farm—greater utilization of farm products in foreign aid. Our dairy farms in New York, for example, have shown a marked ability to adjust to a more realistic situation without much Government help.

Housing is constructive, and adds to the wealth of the country and to its incoming-paying capacity, and the real property taxpaying capacity in cities, in addition to all kinds of social benefits. The farm program is a deadweight in the U.S. economy. The enormous agricultural surplus maintained by the Federal Government should be an asset. Incidentally, it is an asset nonexistent in the Soviet Union.

This stock of commodities is now valued at approximately $9 billion; and the Congress recently appropriated another $4 billion for surpluses under the fiscal 1960 budget. It may be impractical to achieve a more reasonable ratio between actual farm output and consumer demand, but the size of this surplus puts us on our mettle to find more productive uses for it. Our Federal farm stabilization program is more like the story of "The Sorcerer's Apprentice," by Paul Dukas. The apprentice has learned to turn on the water tap in that musical tone poem but cannot shut it off, and it begins flowing faster and faster. We need to rationalize our agricultural situation by understanding that we cannot keep active every farm, notwithstanding advancing technology but that we must finance the transition. However, we must also learn that food is a powerful asset of foreign policy, especially in nations beginning to industrialize, in order not to waste our surplus, but to use it to the greatest effect in the cause of freedom, while at the same time we seek methods of trying to end the conditions which produce the surplus.

In evaluating the major economic programs still to come before Congress at this session—highways and housing, farm price supports, and school construction—each of us should look beyond the immediate price tag and analyze their actual impact on the national economy for fiscal 1960 as well as on our economic growth, national productivity, and potential Federal revenues in the years ahead. Most of these programs have some combination of the various types of expenditures discussed; some will meet the test of hardheaded fiscal scrutiny and others undoubtedly may not.

I give these two examples of two very different kinds of programs, as they affect the budget, one of which is strong, sound, helpful, and productive, the other of which seems to be a wasted asset in terms of the ultimate good it does, evaluated to the strength and capacity of the United States.

In short, the most serious challenge as yet unmet by the Congress or the

country is the conscientious effort required to reconcile our differing views into a meaningful, dynamic fiscal policy instead of constantly pitting the opposing viewpoints against each other in a dead-end fight which will be over when one side or the other is vanquished or expires from exhaustion.

The objective of a balanced Federal budget over a cyclical period is a sound one and should be followed. But the existence of the cold war intruding into the economic life of our country, the persistence of more than normal unemployment for the United States as a whole, and the relentless pressure of competition from the U.S.S.R. demands of us that we adjust our fiscal policy to avoid jeopardizing our national future. But, at one and the same time, we must also move into other fields at home and abroad in order to develop our resources and broaden the economic base required to carry out our worldwide responsibilities.

We are uniquely able to do this—and we are the only country in the free world which possesses this capability—provided that we have the vision to undertake the necessary development at home and abroad sustained by the high level of national morale and dedication essential to the achievement of our objectives.

II. LOWER INTEREST RATES AS A NATIONAL OBJECTIVE

A key to our national posture and the future of our economic policy is the availability of credit to the Federal Government at interest rates not materially beyond the level experienced during the last 25 years which reflect firm confidence in our basic strength and in our future prospects as a Nation. Therefore, the objective of our current fiscal policy should be to encourage and deserve adequate credit at such interest rates.

There is no magic formula as to what is an appropriate interest rate objective within these principles. The computed rate of interest on the total public debt outstanding—currently estimated in excess of the 1958 figure—of 2.867 percent is the highest that it has been for exactly 25 years. Even immediately before World War II it was no higher and we have to go back to the depression period 1932–34 for a comparable level when the figure was up above 3 percent.

At present the tendency is for interest rates to progressively exceed this standard further and this is a serious danger signal for the United States. Regardless of what we may have to do at the moment to adjust realistically to conditions as we find them, our long range objective must be to lower interest rates, not to raise them. The reason for lower, not higher, interest rates is that in a free society the interest rates on our national debt represent an evaluation in the market place of the probability of success insofar as the future development of the United States is concerned. Despite the present intensity of the cold war the risk element in our future should not be such as to drive interest rates in the upward direction toward which they are now tending.

One of the truly grave dangers of increasing interest rates is the possible loss of confidence of the world in our economic leadership and the loss of confidence even by the domestic investor. For both of these are not so much interested in what money is bringing now as they are in where we are going—and as our operations at home and abroad are so heavily based upon credit, what is most important is our credit standing. The fact is that among current prime loan rates in various countries that of the United States is the lowest or among the lowest, and that is the way it should be. The danger is that U.S. interest rates may rise to a level which we would expect to find, first, in a nation that has not yet achieved an adequate stage of national development for world economic leadership, or second, a nation that is already relinquishing a leading role in the world economy.

Because of these convictions I shall propose a program in a moment, which I think we need in order to fight inflation and protect the credit of the United States.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a table headed "Interest Rates in the United States and Other Countries." The best date we could get for that purpose was September 1957.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

INTEREST RATES IN UNITED STATES AND OTHER COUNTRIES

Interest rates are lower here than in other countries of the free world. While comparisons are sometimes difficult to make, the Senate Finance Committee's 1957 investigation of the country's financial condition turned up a list of current prime loan rates of commercial banks in over 50 countries. At that time, when our interest rate structure was at the peak of the 1957 tight money period, we had the very lowest interest rate of any country in the world.

Current prime loan rates in various countries September 1957

Bolivia	16
Korea	12–15
Chile	12–14
Greece	12
Brazil	12
Israel	11
Peru	11
Ecuador	10
Austria	9½
Mexico	9½
Germany	9
Japan	9
Finland	8–8½
Argentina	8
Uruguay	8
Iran	7½–8½
Italy	7½
Turkey	7–9
Denmark	7–8
Syria	7–8
Costa Rica	7
France	7
Honduras	7
Lebanon	7
Nicaragua	7
Sweden	6½–7
Ireland	6¼
Iraq	6–7
Singapore	6–7
Spain	6–6½
Colombia	6
Dominican Republic	6
El Salvador	6
Guatemala	6
Liberia	6
South Africa	6
Venezuela	6
India	5½–6½
Egypt	5½–6
Hong Kong	5½–6
Australia	5½
Canada	5½
Netherlands	5½
Great Britain	5¼–5½
Philippines	5–7
Belgium	5–5½
Portugal	5–5½
Cuba	5
New Zealand	5
Panama	5
Norway	4¾
Switzerland	4½
Puerto Rico	4¼
United States	4

NOTE.—Long-term Government bonds in Canada and the United Kingdom today are offered at about 5 percent.

Source: Senate Finance Committee, Investigation of the Financial Condition of the United States, pt. 2, August 6, 1957, p. 1052.

Mr. JAVITS. Also I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a table headed "Interest Rates in Historical Perspective." The table goes back over a long period of years, representing the computed rate of interest on the total public debt, bearing out the point I just made, that we are now at the highest point we have attained since the depression days of 1932 to 1934.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

INTEREST RATES IN HISTORICAL PERSPECTIVE

Computed rate of interest on public debt outstanding, June 30, 1916–58

1916	2.376
1917	3.120
1918	3.910
1919	4.178
1920	4.225
1921	4.339
1922	4.240
1923	4.214
1924	4.180
1925	4.105
1926	4.093
1927	3.960
1928	3.877
1929	3.946
1930	3.807
1931	3.566
1932	3.505
1933	3.350
1934	3.181
1935	2.716
1936	2.559
1937	2.582
1938	2.589
1939	2.600
1940	2.583
1941	2.518
1942	2.285
1943	1.979
1944	1.929
1945	1.936
1946	1.996
1947	2.107
1948	2.182
1949	2.236
1950	2.200
1951	2.270
1952	2.329
1953	2.438
1954	2.342

INTEREST RATES IN HISTORICAL PERSPECTIVE—Continued

Computed rate of interest on public debt outstanding, June 30, 1916–58—Con.

1955	2.351
1956	2.576
1957	2.730
1958	2.638
1959	2.867

NOTE.—The picture which this table shows for interest rates on the public debt is also roughly representative of the trend in other interest rates. Interest rates all along the line are high now only in relation to the artificially depressed levels of the depression thirties and the inflationary forties.

Source: U.S. Treasury Annual Report, 1958, page 563. Data for 1959 supplied by Treasury Department.

Mr. JAVITS. This table goes back to 1916, and shows that the last time we approached this rate was in the 1954 period, when the rate was 3.181 percent. Today it is 2.867 percent, or higher.

III. FOUR POINT PROGRAM TO FIGHT INFLATION AND PROTECT U.S. CREDIT

I recommend a four point program to fight inflation and protect U.S. credit. I repeat that the thousands of citizens who have written me on this subject deserve to know exactly what I think we need to do about the situation.

I urge the incorporation of the following four objectives in our national fiscal policy and management:

First. A short term opportunity for the Federal Government to operate with greater flexibility in respect to the public debt than it can now manage due to the statutory ceiling on interest rates—this objective to be gained through adoption of the President's recommendation to the extent of permitting the President to exceed the present 4¼ percent interest rate ceiling on U.S. long term bonds during the next few years.

I understand that the discussion is no longer about 2 years, but perhaps a modest period of between 2 and 5 years. We ought to lift the interest rate ceiling on long-term marketable debt for a few years, so that the President may have freedom of action to correct a situation which the Government now faces, of being unable to sell the bonds covering that debt. I believe in a limitation of time, because I believe we should keep the reins in our hands, in the effort to get lower interest rates.

Secondly, in order to emphasize their special role, I urge that the ceiling be lifted on savings bonds, provided that the authority for this latter action—that is, lifting the ceiling on savings bonds—could be terminated by Congress by a concurrent resolution not requiring the President's approval at any time.

So there are two different plans: One for the long-term marketable bonds, as to which I urge that the ceiling be lifted for a few years, and then that Congress review the matter again; and, second, as to savings bonds, on which I suggest that the ceiling be lifted subject to being restored by a concurrent resolution of Congress.

Second. I propose a nationwide attack upon inflation, to be spearheaded by the Federal Government through a massive offering of peace bonds, this massive attack to be signaled by a special $25 billion issue of Peace Bonds bearing a higher competitive interest rate. I shall discuss that in detail in a few moments.

Third. National recognition that the budget is most affected at a sensitive economic time such as we are now experiencing by the selectivity of items which are enacted in the form of appropriations; therefore, the administration and the Congress should favor those major items which contribute to the national wealth and productivity and oppose those items which represent nonproductive costs.

Fourth. The pursuit of national and international policies which will materially increase our productivity and which will weight the scales more heavily in our favor regarding the final outcome of the "cold war."

IV. THE FEDERAL BUDGET FOR 1960 RECAST AS A CORPORATION'S FINANCIAL STATEMENT

Much has been made in discussions about budget and national debt of the comparison between the operations of the Federal Government and of a business corporation. Certainly the Government, like a business, must try to get the most for its money and operate within its fiscal ability. But it is in evaluating our expenditures that we have failed to take a real business approach because no corporate balance sheet would lump capital investment, current expenses, loans and contributions under one heading. I have prepared a restatement of the 1960 budget to separate those items which would in a business be considered capital items and those which would be considered current expense. This table follows.

In order to demonstrate that the budget does not necessarily stand as an absolute document, so that if we spend $100 million or $1 billion or $2 billion more than the budget calls for, we are invading the financial security of the United States, I have had the 1960 budget recast as a corporation financial statement by the Library of Congress. I ask unanimous consent that the recasting be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

[In millions]

	Expense items		Capital items	
	Budgetary	Trust fund	Budgetary	Trust fund
Expenditures:				
Additions to Federal assets:				
Loans, civil:				
Disbursements	----------	----------	$6,753	[1] $1,248
Adjustment, foreign currency expenditures	----------	----------	−498	----------
Public works:				
Sites and direct construction:				
Civil	----------	----------	1,812	[2] 3,031
Major national security	----------	----------	1,973	----------
Change in commodity inventories:				
Civil	$2,728	----------	----------	----------
Major national security	190	----------	----------	----------
Major equipment:				
Civil	72	----------	----------	----------
Major national security:				
AEC facilities	----------	----------	36	----------
AEC other	29	----------	----------	----------
Ships	----------	----------	1,659	----------
Aircraft, missiles, and other Department of Defense	12,155	----------	----------	----------
Other physical assets, acquisition and improvement:				
Civil	----------	----------	102	----------
Major national security	----------	----------	1,756	----------
Other developmental purposes:				
State and local physical assets	----------	----------	250	----------
Private physical assets	----------	----------	780	----------
Educational training and health:				
Civil	----------	----------	717	----------
Major national security	----------	----------	13	----------
Research and development:				
Civil	----------	----------	807	----------
Major national security	----------	----------	4,256	----------
Expenditures—Continued				
Other developmental purposes—Con.				
Engineering and natural resource surveys	----------	----------	$73	----------
Current expenses for aids and special services:				
Agriculture	$2,750	----------	----------	----------
Business:				
Civil	817	----------	----------	----------
Major national security	64	----------	----------	----------
Labor	342	----------	----------	----------
Homeowners and tenants	1	----------	----------	----------
Veterans	4,921	----------	----------	----------
International:				
Civil	1,412	----------	----------	----------
Major national security	1,865	----------	----------	----------
Other aids and special services	2,311	----------	----------	----------
Other services and current operating expenses:				
Repair, maintenance and operation of physical assets:				
Civil	317	----------	----------	----------
Major national security	10,059	----------	----------	----------
Regulation and control	607	----------	----------	----------
Operation and administration of other civil activities	1,560	----------	----------	----------
Other major national security operation and administration	11,770	----------	----------	----------
Interest	8,096	----------	----------	----------
Trust funds, not classified above	----------	$16,742	----------	----------
Total	61,994	16,742	20,459	$4,279

[1] FNMA secondary market operation fund.

[2] Highway trust fund, $3,015,000,000; other, $16,000,000.

[In millions]

	Current items		Other	
	Budgetary	Trust fund	Budgetary	Trust fund
Receipts:				
Taxes:				
On individual income	$45,000			
Less refunds	4,300			
Total	40,700			
On corporation income	22,048			
Less refunds	600			
Total	21,448			
Excise	11,941			
Less refunds	90			
Less transfer to highway trust fund	2,906			
Total	8,945	$2,906		
Employment	11,135			
Less refunds	4			
Transfer to OASI trust fund	9,276	9,276		
Transfer to disability trust fund	940	940		
Transfer to R. and retirement account	575			
Total	340	575		
Receipts—Continued				
Taxes—Continued				
Estate and gift	$1,430			
Less refunds	15			
Total	1,415			
Other	10			
Less refunds	1			
Total	9			
Customs	918			
Less refunds	18			
Total	900			
Miscellaneous:				
Seigniorage, interest, etc	2,275			
Sale of Government property			$348	
Realization on loans and investments			427	
Recoveries and refunds			295	
Interest, contributions, etc		$6,779		
Loan repayments, enterprise revolving funds, civil			6,008	[1] $763
National security			20	
Total	76,032	20,476	7,098	763

[1] FNMA secondary market operations fund.

This analysis shows that at least $20.5 billion of budget expenditures out of approximately $82.5 billion for 1960 are of a capital investment character; plus a possible $12.1 billion more representing aircraft and missile procurement which because of its rapid obsolescence character has been classified as a current expense.

Mr. JAVITS. Mr. President, I have recast the budget because the analysis shows that at least $20.5 billion of budget expenditures—in other words, about one-fourth of the expenditure of $82.5 billion for 1960—are of a capital investment nature. In short, these expenditures add to the fundamental wealth of the taxpayers of the Nation. It cannot be considered money which is nonproductive; on the contrary, it is money which is extremely productive. If we deduct $20.5 billion, we reduce the budget to $62.5 billion, which is well below the intake and takes care of any kind of budget excess which we might have, if we really do the things we have to do.

I emphasize this because the American people should not be panicked by the idea that the budget, and every figure in it, represents the answer to inflation. It does not. It depends on what the money will be spent for. When we have $20 billion in productive expenditures in a budget calling for the expenditure of $82.5 billion, we are not in any immediate danger of having the budget contribute to an inflationary situation. On the contrary, we have a little leeway in respect of the Government doing certain things which must be done, as in the case of housing, which I analyzed a few minutes ago.

V. PUBLIC, LIKE PRIVATE DEBT, CAN BE NONINFLATIONARY DEPENDING ON ITS USE

Just as expenditures must be analyzed in terms of their purposes and effect so must the debt be considered in terms of its maturities, who holds significant portions and to what use these securities are put. The long-term policies of Government can and should relate the Federal debt to the long-term productive capacity of the Nation. It is this capacity which can overcome any persistent inflationary advance.

The Federal Government's investment in the increase of the Nation's productive potential has been much more conservative than business investment. Net corporate debt has exceeded the estimated output by corporations every year since 1954 while the net Federal debt has actually been decreasing to about 53 percent of the gross national product, in spite of the defense burdens and other less productive expenses which the Federal Government must bear.

In view of the Federal Government's wide range of responsibilities, this conservatism is justified, but it cannot be extended to result in a neglect of businesslike investment in expansion. Long-term expansion of Government investment in the country's potential wealth can cope constructively with the ravages of creeping inflation. We surely would want to avoid a policy of economic contraction in dealing with inflation, for that would prove fatal not only to our position with respect to the Soviet Union but to our concept of increasing opportunity in a free economy.

The fact that corporations have been able to obtain credit greatly in excess of their profits and have been able to finance a total net debt even in excess of their estimated yearly output indicates that the criterion for judging credit is not only how much is borrowed but what is done with the borrowed money—and how it is put to use.

If a business uses credit for policies leading to possible bankruptcy, it will have to pay the investor high interest rates to make up for the risk—if it can obtain the money at all. Money squandered on inefficient Government procurement or for purposes which add neither to the Nation's wealth nor to its security has an inflationary impact which will not only drive up the cost of credit to the Government but also to business, to the prospective homeowner, and to the consumer.

Money borrowed for investment in productive capacity and in the increase of wealth should be available at reasonable rates because its effect will be anti-inflationary in the long run.

Thus, even a budget deficit of from $2 billion to $4 billion, or an equivalent reduction in a possible budget surplus, if necessary, to strengthen the capacity of the Nation to fight long-term creeping inflation, should not and cannot be evaluated in terms of an immediate inflationary impact. We have many figures now which show that with increased economic activity we may have a surplus.

Incidentally, that is all that is talked about here, even if we consider the expenditures which must be made for housing, highways, airports, and all the other things which are essential to the national growth and productivity. It might well not be considered a deficit at all in the broader "businessman's" analysis of the budget.

Nonetheless, any existing shortage of credit in an expanding economy must be considered by the Government in setting its interest rates. Government must compete in the market for the credit it needs—but it must do so in terms of the fact that investment in Government securities should be safer than investment in individual business debentures and, therefore, should pay interest which, while moving in relation to the general market is also somewhat lower than the prevailing rate—one banker in the hearings before the Joint Economic Committee estimated this spread at one-half of 1 percent. An interest rate on Government securities tending to exceed the prevailing prime rate would be a clear indication that much money is being used for nonproductive purposes. It is in this context that greater flexibility to adapt its interest rates to market needs should be given to the administration. This context also provides the testing ground for

the budget, a budget which must of necessity take full account of survival expenditures and must also provide for some expenditures for economic growth.

I think the test is, Can the U.S. Government get money at reasonable rates? This brings me to a discussion of the special $25 billion issue of Peace Bonds as a key anti-inflationary weapon.

The present economic upturn which has accelerated the growth rate of the gross national product since the recession low 1 year ago to an annual rate of more than 10 percent has put an unusual strain on the availability of credit. This strain can be expected to persist until the U.S. economy stabilizes at an optimum annual growth of from 4 to 5 percent per annum, as against our current annual rate of 3.6 percent per annum.

VI. SPECIAL $25 BILLION ISSUE OF PEACE BONDS A KEY ANTI-INFLATIONARY WEAPON

The present economic upturn which has accelerated the growth rate of the gross national product since the recession low 1 year ago to an annual rate of more than 10 percent has put an unusual strain on the availability of credit. This strain can be expected to persist until the U.S. economy stabilizes at an optimum annual growth rate of 4 to 5 percent per annum. In view of these considerations I support the proposal for a 2-year period during which the administration would have the authority to adjust the interest rates on long-term securities to meet market requirements, but with the special arrangements I have outlined for Peace Bonds. At the end of this period we should envisage that a more orderly market would have been established. In the meantime, however, the possible inflationary effects of higher interest rates must be taken into consideration, as well as their possible effect on certain sectors of the economy such as increased home ownership, school construction, the promotion of sound urban communities and the prosperity of business—all of which are among our prime national objectives.

It will be recalled that I suggested lifting the interest ceiling subject to its restoration by a concurrent resolution of Congress.

I suggest that in addition to removing the interest ceiling on the sale of savings bonds, subject to congressional withdrawal of authority through a concurrent resolution, the Treasury be urged to undertake a massive Peace Bond drive, to sell $25 billion to the public at interest rates which will attract new investors into this bond market.

It is a fact—and the Secretary of the Treasury testified to it before the House Committee on Ways and Means—that the United States in late years has not got its share of public investment based upon the savings of the people, who are simply not investing in savings bonds. For example, the Secretary of the Treasury testified about percentage increases in savings during the past 6 years of 52 percent for commercial bank savings, 50 percent for accounts in mutual savings banks, 150 percent for savings and loan shares, and only 21 percent for savings bonds. It was reported only this morning that the American people have established a new high level of personal savings of $21 billion for the last year, this at a time when the Federal Government should be able to get its share of those savings with the tremendous help of the long-term bond market, so as to assist in the anti-inflationary struggle which is now taking place. I ask unanimous consent that a table showing the change in components of U.S. savings be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Components of U.S. savings

[In billions of dollars]

Year ending Dec. 31—	Total savings	E- and H-bonds	Percent of total	Savings and loan shares	Percent of total	Commercial bank saving accounts	Percent of total	Mutual savings bank deposits	Percent of total
1952	115.2	35.3	31	19.2	17	38.1	33	22.6	20
1953	124.7	36.7	29	22.8	19	40.8	33	24.4	20
1954	135.4	38.2	28	27.3	20	43.5	32	26.4	20
1955	145.5	40.1	28	32.2	22	45.0	31	28.2	19
1956	155.9	41.4	27	37.1	24	47.4	30	30.0	19
1957	167.6	41.6	25	41.9	25	52.4	31	31.7	19
1958	182.3	42.6	23	47.9	26	57.8	32	34.0	19

Between 1952 and 1958, savings increased by $67.1 billion. Only $7.3 billion (11 percent) of this increase was invested in E- and H-bonds. Thus, while savings increased by 58 percent, investment in E- and H-bonds increased by only 21 percent.

Mr. JAVITS. One of the key weapons not sufficiently in use at the moment in our anti-inflationary arsenal is the individually held U.S. savings bond. Right now, their total value is equivalent to about 15 percent or $42 billion of the national debt held by 41 million investors. We should establish as a basic national policy of debt management that a greater proportion of outstanding obligations should consist of these savings bonds. These bonds which make credit available without increasing the money supply—as do Government bonds bought by banks—can exercise a growing anti-inflationary impact on the entire economy. The realization of this objective is possible only if the Government and private economy undertake drives to sell Peace Bonds on a scale comparable to those launched during wartime to sell war bonds.

The general position of the financial community of the country supports the administration in opposing a congressional sense resolution now progressing in the House of Representatives which would call for the purchase of long-term Government bonds in market operations by the Federal Reserve System, a practice last engaged in in 1951. The Secretary of the Treasury and the Chairman of the Federal Reserve Board testified that this authority exists today and could be exercised if it was thought desirable.

In answer to this question that I put: "Do I understand you to say therefore there is no inhibition in the Treasury about open market purchase—of long-term debt?" Secretary Anderson replied: "No, we have no inhibition." He did not recommend it, however: "Senator JAVITS, it seems to me that the monetary authority ought to have a maximum of flexibility as to how the detailed instruments of the monetary authority are used from time to time."

Under present circumstances such a congressional directive, even as a sense resolution, it is said by Government and financial authorities, might well be interpreted by the financial community as signaling the congressional willingness to see more inflation.

Mr. President, inasmuch as the governmental and financial authorities think that open market operations in Government bonds will add to inflation, let us assume we accept that interpretation. Then there must be some other alternative and the U.S. Government must find some way to deal with current activities in the market which depress the price of long-term Federal bonds and add pressure on the Treasury to offer a higher interest rate if it wishes to sell new or to refund old long-term issues.

We know that the Treasury has just refunded an issue at 4¾ percent, an unheard of rate for United States bonds, in an issue maturing in less than 5 years.

Mr. President, this is a real danger signal to the country, and I think the people are prepared, if the Government will give them half a chance to do so, to join with the Government in fighting the danger.

It seems to me that a powerful and effective noninflationary way in which this result may be attained is by much greater reliance upon savings of the individual in the disposition of the long-term Federal debt. This becomes immediately practicable through a massive drive to sell Peace Bonds. The fact is that right now the amount of savings bonds being purchased and cashed in are just about in balance and the Federal Government is receiving for investment less of the aggregate of the individual savings than for many years before. The area of opportunity for noninflationary stabilization of the Government long-term bond market through the sale of peace bonds is therefore very great.

In the idea of promoting a massive sale of peace bonds to the American people I have very interesting supporting testimony. On July 28, 1959, we had before us in the Joint Economic Committee a panel of life insurance company economists. The panel consisted of George T. Conklin, Jr., vice president—finance—the Guardian Life Insurance Co. of America, New York City; Sherwin C. Badger, financial vice president, New England Mutual Life Insurance Co., Boston; James J. O'Leary, director of economic research, Life Insurance Asso-

ciation of America, New York City; Robert B. Patrick, vice president, Bankers Life Co., Des Moines; and Richard K. Paynter, chairman of the finance committee and executive vice president, New York Life Insurance Co., New York City. One would think they would be very anxious to divert the American people's savings into life insurance, not into savings bonds, but, on the contrary, seeing how very important it is to their policyholders to have anti-inflationary situations, they themselves recommended that one of the finest things that could be done in the struggle against inflation was very materially to increase our sale of savings bonds, in the way I have just described, and to raise the interest rates so that Federal securities will be more competitive with savings and loan associations, insurance companies, and savings banks, and at the same time provide the patriotic incentive which will come from a major issue of Peace Bonds.

The life insurance economists pointed out that the average yield on E- and H-bonds, the savings bonds from 1952 to 1959, increased only 26 basis percentage points, but the average yield on marketable long-term Government bonds increased 141 basis points, and the average yield on prime corporate bonds increased 150 basis points. They pointed out that at 141 and 150 basis points, respectively, this was three times the normal spread between Government bonds and commercial interest rates, even if they were of a prime character.

It seems to me that is very eloquent testimony. Millions of Americans regularly purchased defense bonds in the days preceding World War II and purchased war bonds during the years of conflict.

I ask unanimous consent that the portion of their statement on this point be printed at this point in the RECORD.

There being no objection, the statement was ordered printed in the RECORD as follows:

WHAT CAN BE DONE TO IMPROVE THE NET SALES OF SAVINGS BONDS?

During the past several years the U.S. savings bonds have lost ground as a means of saving in this country. The record in 1959 has become a source of concern. Sales of E- and H-bonds through May are 6 percent behind a year ago, with a worsening trend. Similarly, 1959 redemptions are 9 percent above a year ago, also with a worsening trend. On a cash basis, the net drain on the Treasury of an excess of redemptions over sales of E- and H-bonds in the second quarter of this year is estimated at $300 million.

Here again, the spread of inflationary psychology poses a serious threat. Unless the expectation of continuing inflation is brought under control, the Treasury will find it more and more difficult to sell savings bonds in competition with equities. Not only this, but the $38 billion of E-bonds outstanding are demand obligations for the Treasury and pose the threat of a big cash drain under inflationary conditions. Therefore, it is vital to the savings bond program that an end be made to the inflation psychology of our people.

Beyond this, it goes without saying that the interest rate on savings bonds must be kept in line with other rates if these bonds are to continue to appeal to the smaller investor. It has been argued that the sale of savings bonds is comparatively insensitive to interest rate trends, but the evidence is not convincing. Here again the basic way to induce the individual investor to purchase savings bonds is to pay an interest rate in line with market conditions. If held to maturity the yield per annum on series E-bonds in 1941 (when these bonds were first issued) was 2.90 percent. At this time the yield on E-bonds was most generous as compared with the average rate on marketable bonds, savings bank deposits, and commercial bank savings deposits. It compared favorably with the rate on saving and loan shares. A similar situation existed in 1945, 1948, and 1952. Between 1952 and June 1959, however, the average yield on E- and H-bonds increased only 26 basis points, whereas the average yield on marketable long-term Government bonds increased 141 basis points and Moody's Aaa corporate bond yield index increased 150 basis points. Likewise, the average yield figures on savings banks deposits, savings and loan shares, and commercial bank savings deposits show how they have increased much more than the yield on E- and H-bonds from 1952 to 1958. These figures illustrate the need to raise the rate on E- and H-bonds to restore their early strong competition position. The limited success achieved in recent years in the sale of E- and H-bonds is all the more remarkable in the light of the relatively less favorable yield they have as compared with other yields on savings. Given a competitive rate, savings bonds should provide a much greater source of long-term funds for the Treasury.

In addition to a competitive rate, the Treasury should also provide a system of incentives to the securities market in order to promote the sale of savings bonds. Here again, commissions should be paid to the sellers of savings bonds. Moreover, it would seem that a tax-exempt feature could be used with savings bonds that would not have a serious effect on revenues and would not cause serious difficulties of an equity nature. Such a feature could, however, have a very stimulating effect on sales of savings bonds."

Mr. JAVITS. While the peace bond campaign, based in large part on patriotism needed to win the cold war and widespread concern with inflation, will have a vast popular appeal, it is a fact of life that Americans are much more sophisticated today regarding investments and return on their money. This is shown by many investment columns and advertisements in the popular press, and by the large number of families participating in mutual and other investment funds, and buying securities.

Most Americans know they can receive 4 percent interest on savings bonds and savings and loan association deposits in many places, deposits which are insured by the Government. Also most Americans know that banks and trust companies are getting 5 and 5¼ percent on mortgages which are guaranteed by the United States, and on other obligations guaranteed by the United States. Other than from a patriotic standpoint, there is very little practical inducement to invest in savings bonds at 3.26 percent.

I ask unanimous consent that there be printed in the RECORD at this point a table of comparative yields on U.S. savings bonds and other investments.

There being no objection, the table was ordered printed in the RECORD, as follows:

Comparative yields on U.S. savings bonds, marketable bonds, and savings deposits

	Annual averages					June 1959
	1941	1945	1948	1952	1958	
Savings bonds: [1]						
Series E	2.90	2.90	2.90	3.00	3.26	3.26
Series H				3.00	3.26	3.26
Series F	2.53	2.53	2.53	[2]	[2]	[2]
Series J				2.76	[2]	[2]
Series G	2.50	2.50	2.50	[2]	[2]	[2]
Series K				2.76	[2]	[2]
Marketable bonds:						
U.S. Government long-term	[4] 2.37	2.37	2.44	2.68	3.43	4.09
Moody's Aaa corporate	2.77	2.62	2.82	2.96	3.79	4.46
Deposits and shares:						
Saving banks deposits	1.89	1.68	1.78	2.43	3.17	[5]
Savings and loan shares	3.10	2.50	2.30	2.80	3.50	[5]
Commercial bank savings deposits	1.30	0.80	0.90	1.10	2.30	[5]

[1] Yield per annum if held to maturity.
[2] Issuance discontinued in May 1952.
[3] Issuance discontinued in May 1957.
[4] Average yield for month of December 1941.
[5] Not available.

Mr. JAVITS. Thus an increase in savings bond interest is essential, but it is essential only as a hand-in-hand companion to a massive patriotic effort to sell peace bonds.

The Treasury Department is trying to sell peace bonds as a peace force, and yet when I inquired here in the Senate whether Senate employees could go into a payroll savings plan, I was told one was not in existence but that the Financial Clerk's office would accommodate an individual Senator who wished to devote a part of his salary to savings bonds. I promptly did this and I know many of my colleagues are doing this right now. But I ask, how can we say we are doing our best in the savings bonds field when there is not even a payroll plan for Senate employees?

VII. MEASURES TO PROMOTE UNITED STATES ECONOMIC GROWTH

Basic to any evaluation of budget balance and its effect upon our general fiscal stability, inflation, productivity and growth, is the fact that such balance or near balance can be achieved not only through adjustments in expenditures, but also through tax policy changes. Such an approach would under many circumstances result in the possibility that policy ends can be met without as great a budget impact as a purely expenditure-oriented policy may require.

For example, should the national survival or the meeting of growth program

requirements demand an adjustment in budget expenditures, tax revision and tax reform could be joined with such action. Thus there would be the opportunity to increase revenues under the present tax structure through the prospect that a revision of the tax base, by closing loopholes, reorienting the impact of particular taxes and providing incentives would result in larger revenues with a decrease in individual tax burden, or even that substantive legislation would increase business activity, wealth and income so that the existing tax structure at existing rates might result in the necessary additional income to the Federal Government.

To quote from Leon Keyserling in "Inflation: Cause and Cure":

> Reducing Federal expenditures to combat inflation sacrifices programs which may be needed even more than price stability, and also sacrifices growth programs which are anti-inflationary in the long run. Public spending should represent that portion of our total national production, calculated at optimum rates of economic growth, which we want to devote to the great priorities of our public needs. If we are not actually growing at optimum rate, this is an additional reason for not cutting back on Federal outlays. On the other hand, if total national spending is in excess of our productive capabilities, private spending for nonessentials and luxuries should be cut back first. This is why tax policy is the appropriate fiscal weapon for combating excess-demand inflation. Toward this end, the mere running of a budgetary surplus is less sufficient than the proper imposition of the tax burden. A more discerning tax policy would also help to restrain inflation by gearing the imposition of the tax burden to an improved balance between investment and consumption.

Certainly the Federal Government can contribute significantly to the climate for economic progress by tax revision. On the one hand, tax reform is needed to eliminate some biases now existing against capital accumulations, especially for small business, and to provide a tax atmosphere within which sound business practices, rather than tax considerations, determine the character of business activity; on the other hand, we must continue to advance the policy that those with substantially the same incomes should pay substantially the same taxes, and that ability to pay is a key consideration in the burden imposed by the tax structure. Studies by the Tax Policy and Fiscal Policy Subcommittees of the Joint Economic Committee have indicated, for example, that first, a substantial volume of financial assets have been immobilized by various features of the Federal tax system; second, business capital structures and the methods of financing improvements and expansions are adversely affected by the present tax bias in favor of debt financing; and third, present depreciation allowances for tax purposes may be inadequate to provide the resources needed to expand and to replace obsolete plant and equipment with facilities incorporating technological advances, especially for small business.

Tax reform is needed to eliminate some biases now existing against capital accumulations, especially for small business, and to provide a tax atmosphere within which sound business practices, rather than tax considerations, determine the character of business activities. On the other hand, we must continue to advance the policy that those with substantially the same incomes should pay substantially the same taxes, and that ability to pay is a key consideration in the burden imposed by the tax structure.

The first thing we need to do is to become realistic about taxation in connection with the depreciation rates on new machinery.

In a recent speech, Carrol M. Shanks, president of the Prudential Insurance Co., said:

> The United States is the only major industrial country which has failed to modernize tax laws to provide substantial incentive to capital expenditures. The 5-year rapid amortization adopted at the time of the Korean war has now run its course so that not only will there be no incentive to more rapid replacement, but in the years ahead there will be a writeoff deficiency below normal rates.

He pointed out that Great Britain, Canada, West Germany, Denmark, Belgium, France, Italy, Sweden, Argentina, Chile, and Japan all have modernized their depreciation provisions either to allow for replacement cost or to provide very rapid depreciation, or both.

The economic horizons we foresee in the decade ahead must not overlook an element which has historically been one of the great strengths of our private economy—small business. As a member of the Senate Select Small Business Committee, I am acutely aware of the need for depreciation policies and research and marketing opportunities that enable small businesses to modernize production facilities and technologically compete in present markets while aiding in the development of brandnew ones.

For business generally, should our productive rate in a specific area lag dangerously and threaten the achievement of indispensable national goals, rapid amortization is one of several logical economic tools to be utilized. It involves no substantial revenue loss in terms of taxes over a longer period, although an immediate deferment is allowed.

A recent McGraw-Hill Publications' survey shows that one-third of our industrial plant valued at $300 billion is becoming obsolescent, and that depreciation allowances at present lag $4 to $6 billion annually behind modern replacement needs. Both Representative KEOGH and Senator CAPEHART have offered us income tax allowance depreciation plans.

In many cases, a tax incentive program, as in foreign investment amortization and rapid tax writeoff for depreciation of new facilities, which involve only postponements of taxes rather than forgiveness, can accomplish, at only a small current loss and no permanent loss at all, the same ends as might require substantial budgetary or other expenditures if handled otherwise.

These are the reasons why I favor the use of rapid amortization provisions for the encouragement of private investment, and some tax exemptions to cover the requirement needs of individuals in the professions, middle income earners, and small businessman, while I feel that we should close such tax loopholes as are implicit in the present level of oil depletion allowances at 27½ percent and excessive mineral depletion allowances and other special tax benefits which are larger than they need to be to accomplish their economic purposes, and presently permit these and other large segments of the economy to escape their responsible share of Government costs.

VIII. REGIONAL LABOR-MANAGEMENT COUNCILS AND FACTFINDING IN LABOR DISPUTES PROPOSED TO HELP PACE U.S. PRODUCTIVITY

Among the steps which could help economic growth materially is the establishment of "local productivity councils" similar to the labor-management committees which operated in various areas of the country since World War II. Consisting of top-level labor and management representatives of the private economy, these councils organized on a regional basis could make major contributions toward increased production and safety of operation, without sacrificing the interests, needs, and goals of either management or labor.

A case in point is the work they could undertake in the field of automation and to deal with the dislocation of working people which might result from automation.

A sense of urgency similar to that which led to the creation of these councils in wartime—there were almost 5,000 throughout the country—exists now. The cold war is mainly one of economic pressures; and similar measures are appropriate, particularly when they involve voluntary cooperation in the Nation's interest. In addition, an atmosphere of mutual trust between management and labor would be built up through cooperative efforts to increase productivity at the local level by increasing safety of operations, up-dating and standardization of archaic building codes, dealing with excesses of absenteeism or wastage of supplies and materials, stimulating and rewarding suggestions for more efficient operation, and generally stimulating an awareness of the urgency underlying the economic struggle in which we are engaged.

Finally, as a major contribution to growth and productivity, we need also some means for mitigating the naked rigors of the economic competition between management and labor where the public interest is heavily at stake. In our society, I believe that the massive impact of public opinion can be more effective than Government control or direction. For these reasons, the current steel strike is an excellent case in point.

At the moment, the battlelines drawn by opposing factions in the steel strike are so severe that little progress toward eventual settlement has been made. Both sides appear to be capitalizing in part on the economic warfare which has been raging over Federal expenditure programs in Congress. Management has accused the steelworkers of striking for "more inflation", based on their claim that their wage raise demand must drive up steel prices, while the union has charged that profit levels in

the steel industry are "fantastic" and that a reasonable return can still be realized by the companies, without boosting prices in this most basic industry.

Mr. President, I think the Secretary of Labor, Mr. Mitchell, was correct when he said, "A plague on both your houses."

A Presidential factfinding panel that will present the issues clearly to the public, which is the jury in this instance, is essential if we are to prevent a national economic emergency which could be the outgrowth of a prolonged steel strike. I think this course of action is necessary, and only a panel so appointed will have the necessary prestige. As Dr. Arthur Burns has pointed out:

> Official appeal for restraint in wage and price adjustments may be salutary, but experience suggests that it would be unwise under ordinary circumstances to expect a broad response to exhortation.

To that, Mr. President, I say "yea and amen."

IX. APPRAISAL OF SOVIET INDUSTRIAL GAINS VERSUS U.S. GROWTH RATE

Is there among us anyone who honestly doubts that there are on U.S.S.R. planning boards at this very moment detailed blueprints directed at the ultimate goal of world domination, be it by economic, subversive or military means—a goal the Communists are prepared to meet, despite enormous sacrifice of material resources, industrial output, and even human labor and life? I doubt that there is such a naive Member among us.

The chief of the Central Intelligence Agency, Allen Dulles, views publicly as deadly serious the objectives Premier Khrushchev set for the Soviet economy in 1965—goals announced a few months ago and which there is affirmative evidence the Russians may meet even faster than we originally thought. In a careful appraisal of the original Communist seven-year plan, Mr. Dulls foresaw, as perfectly feasible, a 50 percent increase in the U.S.S.R. military spending by 1965, without any greater strain on that nation's economy. By the same year, he estimates that Soviet industrial production would be about 55 percent that of the United States—not 80 percent, as Khrushchev claims—and by 1970, 60 percent of ours, assuming the same relative rates of growth. However, even that standard of comparison is already becoming obsolete.

On July 15, 1959, there appeared in the New York Herald Tribune an article summarizing a report released by TASS, the official Soviet news agency. Total industrial production was claimed by the Communists to be 12 percent ahead of the first half of 1958, which, if sustained through 1965, "would result in substantially overfilling the 7-year plan," according to the best Federal Government intelligence evaluation available. To quote further from this intelligence memorandum, prepared at my request:

> The report of Soviet economic plan fulfillment for the first 6 months of 1959 indicated good progress toward achievement of the 7-year plan (1959–65) goals.
>
> The industrial production index compiled by the Central Statistical Board of the Council of Ministers is a gross value of output index. Because it includes the total value of output at all stages of production, there is extensive double counting, which tends to overstate the contribution of the faster growing industries. Past studies of this index lead to the conclusion that it should be revised downward if it is to be compared with the Federal Reserve Board index. The FRB index is of the "value added" type, which nets out all double counting.
>
> It is estimated that Soviet industrial production, computed on the FRB basis, would show an increase of about 10 percent in the first half of 1959 over the comparable period of 1958, not 12 percent as officially claimed. However, an annual increase of 10 percent is a very rapid rate of growth. For the 7 years through 1957, U.S. industrial growth was at an annual rate of 3.6 percent.
>
> In Mr. Dulles' New Orleans speech, the rate of Soviet growth implied in the statement that U.S.S.R. industrial output would reach 55 percent of our own by 1965 was 8.5 percent a year. If the Soviets succeed in sustaining their industrial advances at 10 percent annually, then they could reach 55 percent of U.S. output a few years earlier than 1965. Much, of course, depends on the future rate of our own growth.

The challenge inherent in this latest report is that the United States must sharply increase its present rate of growth if it is to retain command of the resources which so far have deterred more widespread Communist advances or aggression. If, on the other hand, the U.S. growth rate loses momentum, and slips to one-fifth the U.S.S.R.'s current rate, then we have Mr. Dulles' words in appraisal of our future:

> If this is true, the United States will be virtually committing economic suicide.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks an article which appeared in Science magazine, written by Prof. G. Warren Nutter, professor of economics at the University of Virginia, Charlottesville, Va., who has been rather importantly engaged in working with a very important body, the National Bureau of Economic Research, in estimating Russian productivity, together with a news analysis of this report from the New York Times of Sunday, August 2.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 2, 1959]

DOUBT EXPRESSED ON SOVIET GAINS—RESEARCHER FINDS UNITED STATES LEAD IN OUTPUT GREATER THAN HAS BEEN DEPICTED

(By Harry Schwartz)

An article in the current issue of Science holds that the United States has a far greater lead in industrial production over the Soviet Union than American economists have hitherto believed.

The article is by Prof. G. Warren Nutter, an economist at the University of Virginia. It presents some tentative results of a major research study of Soviet economic growth conducted at the National Bureau of Economic Research under Professor Nutter's direction. Earlier reports of the study's findings have already provoked substantial controversy among specialists on the Soviet economy.

Professor Nutter writes that he has concluded on the basis of his research that as recently as 1955 the "net production of Soviet industry" was only about 22 percent that of industry in the United States. This compares with his calculation that in 1913, Russia's net industrial production was about 15 percent of the corresponding United States output.

OTHER ESTIMATES QUESTIONED

The economist writes, "The general opinion of American specialists in Soviet studies seems to be that Soviet industrial production was about a third of the American level in 1955, which is considerably higher than the estimate given here." He adds, "I can only say that I have not been able to reproduce the conventional estimate by direct calculations."

Professor Nutter's estimate calls into question two widely publicized recent pronouncements on this subject, one Soviet and one American, that have received close attention in many parts of the world.

Premier Nikita S. Khrushchev declared some months ago that Soviet industrial output was half that of the United States, a relationship he used as the base for his boast that by 1970 the Soviet Union would outstrip the United States both in total and in per capita output. If Professor Nutter's estimate is even approximately correct, the Khrushchev boast would seem to be an empty one.

CIA FIGURES DISPUTED

The Nutter estimate appears also incompatible with the statement by Allen W. Dulles, head of the Central Intelligence Agency, last April, which put Soviet industrial output at about 40 percent of that of the United States.

Professor Nutter reports his calculations indicate that the 1955 Soviet industrial output was about equal to that of the United States in 1913, while Russia's 1913 industrial production corresponded roughly to that of 1877 in the United States.

The economist warns against drawing conclusions about Soviet-American military strength from his data on industrial production. He also writes, "It would be prudent to suppose that Soviet industrial output will grow faster than that of the United States in the near future."

His article presents two comparisons of the rate of growth of Soviet and American industry. Over the period 1913–55 he finds that the average annual growth rate of Soviet industry was only slightly greater than that of the United States, 3.9 against 3.7 percent.

For the period 1928–55, however, he calculates an average annual Soviet industrial output growth rate of 6.1 percent against only 3.7 percent for the United States.

Professor Nutter warns that there are many serious problems in measuring industrial production, particularly for a country that has developed as rapidly as the Soviet Union. Different methods of measuring Soviet industrial growth give substantially different results, he notes, but he terms the Soviet growth rates he has cited as "best" because they are calculated from an index that "conforms most closely in its construction to the kind of production index preferred in the West."

[From Science magazine, July 31, 1959]

SOVIET INDUSTRIAL GROWTH—ESTIMATES OF IT FACE DIFFICULTIES, BUT THE BEST WESTERN GUESS FINDS SOVIET CLAIMS MUCH EXAGGERATED

(By G. Warren Nutter)

In applying Lord Kelvin's famous dictum to the workaday habits of many economists, one of my revered teachers, Frank H. Knight, used to say: "If you can't measure, measure anyhow." The student of the Soviet economy cannot avoid getting caught on the barb of this remark. Knowing the formidable difficulties of measuring, in a simple and direct way, such a complex and elusive thing as Soviet economic growth, he might refuse the job. But the public will not be denied: the question is too pressing

to be left unanswered. The student is thus forced to act on a second principle also often enunciated by Knight, one that he attributes in turn to a revered teacher of his own: no question can be called unanswerable if it has to be answered, and some answers are better than others—or, at least, some are worse.

The question before us is how fast Soviet industry has been growing. It has been answered many times, and there is no doubt that some answers are worse than others. Within the brief compass of this article, I will try to explain why this is so and to give my own answers, without presuming that they are best.

THE WORST ANSWER

The worst answer, almost all Western scholars agree, comes in the form of the official Soviet index of industrial production. According to that index, industrial output has multiplied 36 times since 1913 in the Soviet Union, or 7 times more than in the United States, where it has multiplied around 5 times. The myth is easily dispelled: since Russian industry produced about a seventh as much as American industry in 1913, its output would now exceed the American level if the official Soviet index were correct. Not even the Soviet leaders claim this. In a recent speech, Khrushchev stated that Soviet industrial output had reached half the American level, a figure that is also probably too high. This would seem to imply a contradiction in Soviet arithmetic, a rare occurrence. The contradiction is avoided by an official statement that Russian output in 1913 was only 7 percent of the American level, a fancifully low estimate.

Unfortunately, the defects in the Soviet index cannot be fully analyzed and corrected because the underlying details have not been published. We do know that the index is not constructed in accord with generally accepted Western practices and that some of the methods used are bound to exaggerate growth. For example, until recent years output was evaluated in so-called 1926–27 prices, but new products were added to the index whenever they first came into production. They were supposed to be evaluated in the prices they would have had in 1926–27, had they been produced then. But this is a bit difficult to do in the case of television sets, jet airplanes, rockets, and the like. The expedient actually followed was to price each new product at its initial cost of production, which was inflated on two counts. First, initial costs are abnormally high, since they include developmental expenses, apply to a pilot rate of production, and do not allow for normally rapid reductions in cost, attributable to learning. Second, there was a steady and sharp inflation in the general price level over this period. Hence new products, which tend to grow faster in output than older ones, were entered into the index periodically at heavily inflated weights.

Other practices have a similar effect in exaggerating growth. Soviet statisticians seem to be aware of the more serious defects in the official index, and improvements have been made in the postwar years. Nevertheless, the index continues to exaggerate growth, though not as heavily as before. Meanwhile, the index for earlier years, having become firmly established in official dogma, stands little chance of being revised.

THE THORNY PATH TO BETTER ANSWERS

The only alternative open to the Western scholar is to start from scratch and construct his own production index. Enormous problems are immediately raised. In the first place, the basic data on physical output of individual industries also come from official sources; and, though they are not as unreliable as broader index numbers, they have many shortcomings. In the second place, the turbulent and uneven nature of Soviet industrial growth creates measurement troubles that could not be eliminated even if the basic data were ideal.

Social scientists accustomed to doing empirical work may find it hard to believe that Soviet statistics are really worse than others, because every empirical researcher in no matter what field of the social sciences quickly becomes convinced, for rather good reasons, that no data could be as bad as those he is forced to work with. Why call the kettle black when it is probably no grayer than the pot.

Let us acknowledge at once that all statistics contain faults and errors. Let us also acknowledge that no government or other agency is free from the temptation to stretch figures to its own account, if it feels it can get away with it. Representative government, competitive scholarship, and free public discourse are the Western institutions that have counteracted error and misrepresentation in statistics, imperfectly to be sure, but at least to some degree.

The peculiar difficulties with Soviet statistics stem, in the first instance, from the system of authoritarian, centralized planning, from what has been called a command economy. Published statistics come from only one source, the state. There are no independent sources to restrain each other or to be used as checks against each other, except to the extent that related figures published by different state agencies might be uncoordinated before publication. On the other side, the suppliers of data to the central authorities—the economic enterprises and other administrative units—have a stake in the figures they report, since their performance is judged on the basis of them. The Soviet statistical authorities do not hide their concern over the misreporting that results from this feature of the economic system.

A second set of difficulties stems from the crusading nature of Soviet communism. Statistics are grist for the propaganda mill. Knowing the ideological views of Soviet leaders, one cannot expect them to dispense facts in a passive and detached manner.

For both broad reasons, Soviet statistics are selective and of varying reliability and ambiguity. The policy of selectivity has two rather opposing results as far as statistics on physical output are concerned. On the other hand, some areas of poor performance are shielded from view, being underrepresented in published data. On the other hand, some of the more rapidly expanding economic activities associated with the military sector are also not reported on. It is impossible to determine the net bias of the sample of published data, whether there is, on this count, a net over- or under-statement of growth.[1]

A few broad generalizations can be made about the reliability of the published statistics. In the first place, absolute output is probably overstated in the case of most industries, particularly for the years within the plan period, though the degree of overstatement cannot be determined. In the second place, growth in output is also probably overstated relative to a prerevolutionary base, but not necessarily over other parts of the Soviet period. Over some of the latter years, growth may be overstated, over others understated, and over still others more or less accurately reported. This will vary from industry to industry and from one situation to another.

Let us now turn briefly to some of the more technical problems involved in constructing production indexes for Soviet industry. A production index is a synthetic measure that translates diverse growth rates for many different products into the single hypothetical rate that presumably would have obtained if, in fact, all products had grown at the same rate. The translation is accomplished by, in effect, transforming the many different products into a common generalized product—by weighing each product by its relative cost of production in a particular year. Thus, swords are beaten into plowshares by expressing both in terms of their productive value: the output of each is multiplied (weighted) by its unit cost of production, and the resulting values are added together to get aggregate production. The aggregate can be thought of as the hypothetical quantity of plowshares (or swords) that could be produced if they were the only things produced. Growth between one year and other is measured by the ratio of aggregate production in the later to the earlier year, outputs of swords and plowshares being weighed in both years by the costs in a single specified year.

Even under conditions in which the basic data needed to compute index numbers are close to ideal, the numbers can be fickle. Their vagaries have made necessary the development of a specialized theory of index numbers, whose mysteries cannot be explored here. We must be satisfied to note that the numerical value of a production index will depend on such things as the weighing formula used, the year chosen for the weights, the structure of production, the path of growth followed, and so on. The divergence between indexes constructed in alternative ways tends to be greatest when an economy is undergoing swift and radical changes in its structure and when growth rates for different industries are widely dispersed.

Soviet industry has undergone just such swift and radical changes, particularly during the late 1920's and early 1930's. Growth rates have also diverged widely from one sector of industry to another, being much higher in heavy industry than in consumer goods industries. Growth has been interrupted at critical points by major disturbances. Quantitative growth has not been accompanied by the general improvement in quality that has characterized industrial development in most Western countries. These difficulties of measurement are compounded by the fact that there are few reliable data on costs of production: as is now acknowledged by Soviet economists, the Soviet price system does not accurately reflect relative costs of production. These factors, coupled with the questionable reliability of statistics on physical output, makes the calculation of production indexes for Soviet industry unusually treacherous.

SOME BETTER ANSWERS

In the face of these many problems, the only satisfactory approach is to measure Soviet industrial growth in a number of ways and examine the converging lines of evidence. In the work I have been associated with at the National Bureau of Economic Research,[2] we have constructed a variety of production indexes, measuring productive activity at three different stages of fabrication, using Soviet weights for three different years (1913, 1928, and 1955) and American weights for four others (1914, 1929, 1939, and 1954), and varying in extensiveness of product coverage. These indexes have been supplemented by studies of the performance of individual industries, summarized by various techniques, including liberal comparisons with performance of

[1] These brief comments apply to the condition of economic statistics since 1956. Between 1938 and 1956, statistics on the physical output of individual industries were not published at all in the Soviet Union, with a few minor exceptions.

[2] The National Bureau of Economic Research is a nonprofit organization engaged in economic research, with its main offices in New York. Arthur F. Burns of Columbia University is president, and Solomon Fabricant of New York University is director of research.

counterpart industries over relevant periods of American industrial history. Since the study has not been completed, the figures presented here should be viewed as tentative and subject to revision.

Let us look first at the production indexes, concentrating our attention on the growth they show over two periods, 1913–55 and 1928–55. The first encompasses the whole Soviet era, except for the last few years; the second, the period under comprehensive centralized planning.

Over the longer Soviet period, these indexes show industrial production as multiplying between 3.5 and 6.8 times; over the plan period, between 3.8 and 6.6 times. If we choose from among these indexes a single one that conforms most closely in its construction to the kind of production index preferred in the West and treat that index as the "best" estimate of Soviet industrial growth, we find that Soviet industrial output multiplied 5.6 times over the entire Soviet period and 5.5 times over the plan period. From these indexes, we note the failure of Soviet industry to show any net growth between 1913 and 1928. According to the official Soviet index, the corresponding multiples are 27 times for 1913–55 and 21 times for 1928–55. Hence, if the "best" estimate is accepted as correct, the official Soviet index contains a four- to five-fold exaggeration of growth over the periods under consideration.

For comparative purposes, it is advisable to translate these multiples of growth into average annual rates (see table 1). The "best" estimate of growth is shown to be 4.2 percent a year, on the average, over the entire Soviet period and 6.5 percent a year over the plan period, rates that are somewhat less than half those shown by the official Soviet index.[3] Some of this growth is attributable to the acquisition of territory during and after World War II: the Baltic States, about half of Poland, a part of Rumania, and other lesser territories. These regions have added about 10 percent to Soviet industrial production, and eliminating the gain reduces the average annual growth rate to 3.9 percent for the entire Soviet period and to 6.1 percent for the plan period.

These general results may be checked in two broad ways. First, study of about 50 individual industries indicates that Russian output in 1913 (within the pre-1939 Soviet territory) and 1955 was, on the average, roughly the same as U.S. output in 1885 and 1920, respectively. This would mean that Soviet industrial production grew approximately as much between 1913 and 1955 as American production grew between 1885 and 1920. Over the latter period, American industrial production multiplied 5.4 times, almost the same figure as found by the "best" index for Soviet industry for 1913–55.

TABLE 1.—*Average annual growth rates of Soviet industrial production according to different production indexes*

[Percentages]

Index	Unadjusted		Adjusted [1]	
	1913–55	1928–55	1913–55	1928–55
Calculated indexes:				
All indexes	3.0–4.7	5.1–7.3	2.7–4.4	4.7–6.9
"Best" index	4.2	6.5	3.9	6.1
Official Soviet index	8.2	11.9	7.9	11.5

[1] Adjusted to exclude gains from territorial expansion during World War II.

[3] The phenomenon of compounding makes the average annual growth rates diverge less percentagewise than the multiples of growth for the longer spans.

Second, a similar comparison can be made for aggregate production. If the output of Soviet industrial products is evaluated in American prices, we find—after making allowance for the degree of coverage represented by the products for which this evaluation can be made—that the net production of Soviet industry was about 15 percent as large as net production of American industry in 1913, and about 22 percent as large in 1955.[4] The estimate for 1955 is probably less reliable than the one for 1913, and may be in error by as much as 10 percent in either direction. Looking back into American industrial history, we find that in 1877 production was about 15 percent of the level in 1913, and in 1913 it was about 22 percent of the level in 1955. Hence, through this indirect path, we would suppose that Soviet industrial output in 1913 and 1955 corresponded roughly with American industrial output in 1877 and 1913, respectively. Between 1877 and 1913, American industrial output multiplied 6.7 times, which is roughly the multiple shown for Soviet industry for 1913–1955 by the fastest-growing index constructed in our work at the National Bureau of Economic Research.

THE ANSWERS PUT INTO PERSPECTIVE

The estimates of Soviet industrial growth presented here will take on more meaning if they are compared with the pace of industrial growth in this country. We note that Soviet growth has been slightly faster than American growth for 1913–1955, and much faster for 1928–1955 (see table 2). It would be prudent to suppose that the differential will continue in favor of the Soviet Union over the near future.

TABLE 2.—*Comparisons of average annual growth rate for industry in the United States and Soviet Union*

[Percentages]

Period	Soviet Union [1]	United States
1913–55	3.9	3.7
1885–1927		4.8
1877–1919		5.0
1928–55	6.1	3.7
1885–1912		5.3
1877–1904		5.6

[1] Adjusted to exclude gains from territorial expansion during World War II.

These comparisons are important for many purposes, but they do not indicate the relative growth-generating capacities of the Soviet and American economic systems, even as far as industry alone is concerned. The industrial potentials of the two economies are similar: they are both large and richly endowed with natural resources. Given the state of the industrial arts, the rate of industrial growth tends to depend on the level of productive activity relative to the industrial potential. The lower that level, the faster the growth rate tends to be. It is therefore useful to compare Soviet with American growth over periods in which industrial production started at roughly the same level. In this respect, the American periods 1885–1920 or 1877–1919 are more or less comparable with the Soviet period 1913–55, and 1885–1912 or 1877–1904 with 1928–55.

Over the longer "comparable" periods, the American growth rate exceeded the Soviet one; over the shorter ones, the reverse is true (see table 2). The growth-generating superiority of one industrial system over the other—as far as it is revealed by these rather mechanical comparisons—remains in doubt, to be resolved only by the future course of history. It should be noted, however, that this set of comparisons involves a substantial advantage in favor of the Soviet Union, since it has had 20th-century technology at its disposal in working out its course of industrialization.

[4] The general opinion of American specialists in Soviet studies seems to be that Soviet industrial production was about a third of the American level in 1955, which is considerably higher than the estimate given here [see, for example, "Soviet Economic Growth: A Comparison with the United States" (Joint Economic Committee, Washington, D.C., 1957), p. 11]. I can only say that I have not been able to reproduce the conventional estimate by direct calculations.

WARNINGS ABOUT CONCLUSIONS

Since the aims of this brief survey of a particular measurement problem have been modest, it would be a mistake to conclude too much from it. Our attention has been focused on the broad aggregate of industrial production, not on the segments of industry receiving highest priority from Soviet leaders. Those are the segments that promote state power, in particular military power. It is wrong to infer military power from general industrial strength, and vice versa.

One must also be careful not to make simple mechanical comparisons between industrial growth rates in the Soviet Union and the West. The character of industrial growth and the context within which it has taken place differ so materially in the two parts of the world that comparisons of highly generalized measures of industrial growth carry a very limited meaning. In the Soviet Union enhancement of state power has been the primary objective of economic policy, the consumer being treated as a residual claimant. Heavy industry and ordnance have been supported at the expense of consumer goods; and other important sectors of the economy—agriculture, construction, and consumer services—have been neglected in favor of industrial growth. Leisure has grown very slowly, and human losses that stagger the imagination have been a part of the cost of growth. These matters are not brought up to place the actual quantitative achievements in a shadow; those achievements are real enough. But a full appraisal of industrial performance and its significance requires that it be viewed against the broader background of economic and social achievements as a whole.

Mr. JAVITS. Mr. President, this analysis shows that Soviet industrial production can probably, conservatively, be computed at somewhere in the area of an average of 6.1 percent per annum in the period from 1928 to 1955, as against our average of something in the area of 4 percent. Of course, we start from a very much higher base, but I do not think any of us, based upon this rather detailed and concise scientific analysis, or upon the intelligence estimate of Mr. Dulles, who undoubtedly bespeaks the views of the CIA, should have the remotest kind of complacency about the Russians' breathing very hotly down our necks in terms of inrustrial productivity.

Basic Marxist theory still expounded by Communist leaders dictates the "boom" and "bust" cycle for capitalist economies; in less developed nations which hope to equal the astonishing industrial growth of the U.S.S.R. in the last 30 years, it might still be a salable philosophy, notwithstanding its spuriousness, in light of our recent recession, unless we do something about it. It can best be refuted by how fast and how well the United States moves to capitalize on its own opportunities for economic development. I am tired of looking over my shoulder to see how fast the Communists are coming up from

behind. I would rather look forward to see what we must do to realize legitimate national goals for our own people by 1965—say a per capita per annum increase in disposable income from the 1958 figure of $1,784 to $2,300 (in 1958 dollars) and a U.S. export-import trade of $50 billion annually by 1965. That last figure can be reached only if the primary producing nations of the free world, generally underdeveloped but often possessed of vital strategic raw materials, advance rapidly enough in their living standards to purchase much greater quantities of manufactured goods from the United States and other industrial nations, as well as of their own production.

Now, there are affirmative elements of our Government economic and fiscal policy which should be further emphasized to meet this life or death challenge.

The next major step in U.S. peace leadership requires us to undertake joint economic action with our 14 NATO, allies and with the other members of the Organization for European Economic Cooperation—Austria, Sweden, and Switzerland—as well as with other leading industrial nations of the free world. In this way, we can marshal our economic resources to accelerate the rate of economic growth in the developing nations coveted by the Communists and to protect against the economic warfare now being waged by them.

One way to do this is to preserve free institutions by making available credit and know-how to do the job—not force and repression. To reach a goal of $10 billion in public and private aid to the developing nations by 1965—which is vitally needed to do the job they need done—the United States would have to increase its annual rate of lending through the Development Loan Fund, raising it to $1.5 billion annually, as proposed by the Senator from Arkansas [Mr. FULBRIGHT], chairman of the Senate Foreign Relations Committee, and step up foreign private investment to $5 or $6 billion annually, and also take free world joint economic action referred to above.

We must make a very great effort overseas to develop new markets and new opportunities for investment. This is our greatest chance for economic expansion, equivalent to the "Go West, young man" drive of the decades following the Civil War. Now it is "Go world, young man," expanding our operations through the world. We should place a great premium upon oversea private investment, encouraging it through governmental measures including tax advantages, guarantees, governmental services at home and abroad, and efforts by treaty and agreement to assure equal treatment and the integrity of investments. We should back up foreign private investment with long-term Government loans for infrastructure development purposes—ports, roads, sanitation, education, reclamation, navigation, and irrigation—while, at the same time, spending as needed for technical assistance and for the education and training of far more Americans than at present to engage in this technical assistance.

A recent report on the place of the U.S. private economy in the foreign policy efforts of our Government, which is of monumental importance to the peace leadership of the United States, is entitled "Expanding Private Investment for Free World Economic Growth." It was prepared by the Department of State and Commerce in cooperation with other Federal agencies, and issued by Under Secretary of State Dillon, based on the staff work of Ralph Straus of New York.

It recommends a major increase in U.S. foreign private investment in aid of our peace leadership. It deals with tax incentives for such investment; participation of small business; stimulation of treaties of commerce, friendship, and navigation; material increase and improvement of the existing ICA private investment guarantee program; improved administrative procedures of U.S. Government agencies in the foreign trade and investment field and other major matters of this character.

It is expected that during this session the Senate will have the opportunity to consider the Foreign Investment Incentive Act of 1959, H.R. 5, introduced by Representative HALE BOGGS, of Louisiana. This bill would provide for a variety of tax incentives to U.S. businesses engaged in foreign investment and trade. It would encourage developing nations to give tax inducements to U.S. investment, and would promote the ability of U.S. corporations to insure the property losses of oversea subsidiaries.

A U.S. trade goal of $50 billion a year can be a tremendously important growth factor in our own domestic economy, as borne out by our experience in the recent recession. The Department of Commerce reports that some of the component parts of major industries hit most heavily by our recent recession registered vital gains in exports which undoubtedly contributed to their ability to participate in our 1959 economic recovery. The following increases in exports in 1958 over 1957 were in key sectors of our industry, while total exports showed a decline: Radio and television apparatus up 11 percent; metalworking machines and machine tools up 8 percent; railway transportation equipment up 44 percent. The chemical industry also registered gains in certain areas.

The important contribution to economic development made by foreign aid and private investment programs can be wiped out by some material reversal of the progressively liberal trend of our trade policies or by a recession of demand in the United States. In 1958 our export and import trade with Mexico exceeded $1.3 billion; our net economic grants and credits were $77 million; with Argentina an 8 to 1 ratio held true; with Colombia the ratio was better than 10 to 1; and while our trade with Venezuela exceeded $1.7 billion, our net economic grants and credits were only $3 million.

Our trade with India was more than double the net inflow of economic aid, and with Indonesia the ratio was nearly 10 to 1. With the African nations of Ethiopia, Ghana, and Liberia, our trade was $200 million, while the net effect of our economic assistance was $15 million.

To prevail in an economic offensive, the U.S.S.R. does not have to surpass or even equal the U.S. standard of living. Should the typical Soviet citizen be able to purchase an everage of two and a half pairs of shoes a year by 1965, as proposed in their 7-year plan, that could be a much more meaningful achievement to the typical Indonesian, Liberian, or Jordanian than the fact that most American homes will have a car and a television set. The U.S.S.R. and the Iron Curtain countries could enormously damage the free world if they could persuade the nearly billion people in the 20 developing nations which have gained their independence since World War II that the Communist system, with its totalitarian control over resources, production, and distribution can raise their living standards faster and more surely than ours. Our job is to see that the Communists will not profit from having the average worker in Africa, South America, or Asia engage in comparison shopping. A comparison of growth in India with that in Red China or a comparison of living standards in Russia today with that only 30 years ago should not be of any help to the Communist cause—rather, such a comparison should be a help to our side.

CONCLUSION

In all the many considerations I have discussed, and in meeting all the challenges which our Nation, our economy, and the needs of our people face today, we in the Congress, and those in the administration, as well as the American people, must make the decision of what goals we wish to achieve. The problem was restated in the Rockefeller report, which points out:

> In making the choices which will confront us, we have the opportunity to adopt a series of measures that could give us a more rapid economic growth. * * * Our choices are not necessarily limited by past rates of expansion—they encompass the possibility that we can adopt policies that provide positive stimuli to greater output.

Our task is to balance our needs, not with the thought that one goal must be sacrificed to achieve another, but with the full realization that we may be able to achieve most or all of them through a judicious use of our resources.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRUENING. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CANNON in the chair). Without objection, it is so ordered.

ALASKA AND HAWAII STATEHOOD—TRIBUTE TO JACK BURNS OF HAWAII

Mr. GRUENING. Mr. President, last week the people of Hawaii, in their gen-

eral election, concluded the action which validated the enactment by this Congress of statehood for Hawaii. To me it is an event of transcending importance. I feel confident that when the history of this decade is written nothing will be deemed by historians comparable in importance to the action of this and of the preceding Congress in bringing into the Union the 49th and 50th States. It is a milestone in the history of our Nation, a dramatic and dynamic reincarnation of the American dream, and the beneficial consequences of which will continue to mount through the years. The mere physical extension to our Union to the continent's farthest west and farthest north and, in the case of Hawaii, to a point farther south than ever before, are not important per se, but the indirect effects—the spiritual consequences—are incalculable.

In the case of Hawaii we have demonstrated to the whole world that as a nation we believe men should be judged by what they are and not by the color of their skin or their ethnic origin. It is particularly significant that in the five persons elected to the five important offices in Hawaii last week, five different ethnic strains were represented. In OREN LONG, elected Senator, we have an American of Anglo-Saxon descent. In HIRAM FONG, elected to the other seat in the Senate, we have an American of Chinese origin. In DANIEL INOUYE, elected Representative, we have an American of Japanese ancestry. In William Quinn, elected Governor, we have an American whose paternal forbears were no doubt Irish. In James Kealoha, elected lieutenant governor, we have an American of the Hawaiian—that is, the Polynesian—race.

The election of these men of five diverse strains clearly and correctly reflects the ethnic diversity of Hawaii's citizenry.

From the beginning of our Nation we have broadened the base of our ethnic representation. In the first Senate, representation was limited to men of English, Irish, Scotch, or Welsh ancestry—from the mother country of Great Britain—and of Dutch descent. These were the ethnic strains represented in the early days of our history. Then they were broadened through the years to include those of German, French, and Scandinavian descent—later of Spanish, Italian, and Slavic origin—all evidences of the broadening base of our democracy. But invariably these were ethnic strains originating in Europe.

An important departure was made 3 years ago when Representative SAUND, a naturalized citizen, a native of India, was elected to the Congress and, I am happy to say, reelected at the last election.

And now, for the first time, we shall have in the Congress two Representatives of other ancient asiatic stocks. This is a demonstration which the whole world will understand. It cannot be but of incalculable benefit to us as a Nation—both for our own sake, and for our role in this troubled world. It is further validation of the immortal principles proclaimed in our Declaration of Independence. We may not have always and everywhere lived up to these principles. But our democratic process—which is a continuing process of reaffirmation, renewal and regeneration—makes it possible for us to revalidate those principles from time to time.

I take this occasion to pay a tribute to a great American who, by a strange irony of fate, lost in the election last Tuesday. He is JACK BURNS, for the past 3 years Hawaii's voteless Delegate to Congress. It is a cause of profound regret to those of us who have known JACK BURNS that he was defeated by a small margin in Hawaii's first State election. He deserved a better result. However, it has become axiomatic among us who believe in the Democratic system to accept cheerfully—even though regretfully—the verdict of the electorate, whatever it may be.

Deeply engraved in our hearts and convictions is the belief that in this land of freedom the people rule. We may sometimes feel that the people—which is all of us—have made a mistake. We may shake our heads sadly at what seems an act of ingratitude or lack of appreciation of sterling public service, but nevertheless we accept whatever the verdict may be. That is the American way.

However, it should be recorded for all time—at least this is my conviction, and I am sure it is shared by others—that there would have been no election in Hawaii, no statehood for Hawaii and, indeed, I may say, no statehood for Alaska, had it not been for JACK BURNS' unselfish and far-visioned statesmanship. To demonstrate this conclusively we need to recall some recent history.

Mr. President, it should be no secret to those of us who have long battled in the Statehood causes of both of our last two incorporated Territories—Hawaii and Alaska—that Hawaii was long since ready for statehood; was prepared for statehood long before Alaska was; that as much as a quarter of a century ago it had met the tests of population, of a strong and going economy, of a militantly loyal Americanism, and indeed, every other test.

We all knew that, but circumstances arose so that in the 85th Congress the case of Alaska had become the stronger of the two and was therefore given the preferred treatment of legislative priority.

It had been our experience several years earlier to see the disastrous results—or perhaps, more correctly said, the lack of results—in achieving statehood for either Territory when these two statehood bills were combined. As we should recall, to set the record straight, when General Eisenhower was president of Columbia University in 1950 he made a ringing declaration in a public address before the Freedom Bell at Denver, saying, "Quick admission of Alaska and Hawaii will show the world that America practices what it preaches." Those of us who had been battling for these two statehood causes were thrilled and were confident that the statement, which we recalled after General Eisenhower became President of the United States, would insure the speedy admission of both our Territories as States. But to our disappointment, for reasons which I think are not wholly clear, and certainly are not clear to me, President Eisenhower, after taking office, chose in his first state of the Union message and throughout his first term to go all out in his espousal of statehood for Hawaii but not for Alaska. Nor were the reasons for this change clarified by his answers to questions on the subject at press conferences.

At that time, too, there had been a long standing conviction, held by nearly everyone on the Hill, that if admitted to statehood, Hawaii would send Republicans to the Congress and Alaska would send Democrats. Therefore, with what was a perfectly understandable motivation, some of our Democratic friends in Congress decided that in order to do even-handed justice to equal political participation, the two bills should be joined to insure the passage of both. That would not have been done had our Democratic friends here been able to receive any assurance that with the bills passed separately the President would not veto the Alaska bill. Therefore, the decision to tie them together was made.

Both my colleague, Senator BARTLETT—then Delegate in the House—and I, who had just shortly before left the governorship of Alaska but was working as a private citizen for statehood—protested against this move with all our might and main to our good friends, who were then and are now in the Senate. But we could not prevail. They retorted in substance:

> We are not going to let Hawaii send two Republican Senators and a Republican Representative to Congress and have Alaska left out.

We urged our view that the move would prove a grave error; that the cause of Hawaii was good per se and that even if Alaska never got statehood Hawaiian statehood should be acted upon favorably—as it would have been—but that we also were convinced that Alaska statehood could not fail to come very shortly after Hawaii's, and that, on the contrary, if these two bills were joined neither would get in. As those who were then in the Senate will recall, the move to join the Alaska and Hawaii statehood bills was supported not only by those who favored statehood for both, but by those who opposed statehood for either. Those who held these opposing views approached the subject with a different analysis of what the results of joining them would be. Those who favored both felt it would bring both into the Union: Those who opposed both felt both would be defeated. Opponents of statehood for both proved to be right. The joint bill passed the Senate by a vote of 57 to 28—by a vote or more than 2 to 1—under the able leadership of my good friend, the distinguished Senator from New Mexico [Mr. ANDERSON], who has always been so helpful in promoting the statehood causes of both Alaska and Hawaii. But over in the House the bill was kept buried in committee. The House leadership at that time refused to

act on the bill or to go to conference on it.

In the following Congress the Senate properly took the position that as it had acted on the statehood bills, it was up to the House to initiate action the next time. So the House did act. It brought up the joint statehood bill, which those of us who favored statehood for both viewed with much misgiving, and it was defeated. Thus the cause of statehood for both Alaska and Hawaii was greatly set back and it looked for a time as if their statehood was either indefinitely postponed or might never take place. It was clear beyond peradventure that joining the two bills was fatal to both and would inevitably be.

It became evident to us in Alaska that a new approach was needed, and so the 1955 legislature, to its eternal credit, took the bold, drastic action of providing for a constitutional convention which would draw up a constitution for the hoped for State. The legislature appropriated $300,000 for that purpose, scorning the advice of the timid and prudent that the venture would not succeed, and that if Alaska would wait until Congress enacted a statehood bill the Federal Government would pay the cost of this constitutional convention.

The Alaska Constitutional Convention was held in the winter of 1955 and 1956 at the University of Alaska. Fifty-five delegates had been elected to it on a nonpartisan basis, 55 being the historical number of those who met in Philadelphia in 1777 to draft the Constitution of the United States. The Alaska convention produced a constitution which political scientists declared to be the equivalent of, if not superior to, any existing State charter.

The people of Alaska ratified it at a subsequent election. They went further. At the same election they voted to approve an ordinance, likewise placed on the ballot by the constitutional convention, to ask the people of Alaska whether they wanted, in advance of action by the Congress, to elect two Senators and a Representative and send them to the National Congress to work for statehood. The people of Alaska ratified that ordinance.

Alaskans had ample precedent for this action although the last time similar action was taken was almost a century ago. We derived our inspiration for this action from the people of Tennessee who in 1796, impatient that the first three Congresses had not enacted statehood legislation, drafted a constitution of their own, elected two Senators and sent them to the Capital of the Nation, which was then Philadelphia, to request statehood of the Congress. This action was successful and Tennessee became a State. The same procedure was followed next by Michigan, then by Iowa, by California, by Minnesota, by Oregon and by Kansas.

In Alaska we called this the Alaska-Tennessee plan and, as those of my colleagues who were in the 85th Congress will recall, Bill Egan, who is now Governor of Alaska: RALPH RIVERS, who is Alaska's first-elected Representative, and I came here to work for statehood. From the standpoint of Alaska, Egan and I were U.S. Senators, but from the standpoint of the Senate we were merely lobbyists with some kind of mandate to work for statehood. But our efforts were successful and we will be eternally grateful to the Members of the 85th Congress in both the Senate and the House for their action in voting Alaska into the Union.

However, this action would never have taken place if the efforts made during the 85th Congress by certain Members of this and the other body and most particularly by the administration to insist that the Hawaii bill be brought up simultaneously with, or immediately after, the Alaska bill, had been successful. Great pressure was put upon delegate BURNS to agree to such a move. Had he given his assent to it, neither Alaska nor Hawaii would have been States by now. He knew what had happened before would happen again. We all knew it.

For this statesmanlike course JACK BURNS was attacked bitterly in Hawaii. His opponents made every kind of political capital out of it. He was traduced as being a great Representative of Alaska, but not a Representative of Hawaii. But he stuck to his guns unflinchingly, with the result that not only did Alaska come in in the 85th Congress, but in an amazingly short time, with only a few hours of debate, Hawaii became the 50th State in the 86th. If JACK KENNEDY ever writes a sequel to his classic "Profiles in Courage," a chapter should be devoted to JACK BURNS.

The list of men who have contributed to this great achievement—the extension of the Union and the projection of the democratic ideal—into the far Pacific and into the Arctic—is long and distinguished. It would be difficult to single out those who are particularly notable. In the case of Hawaii, we cannot forget Sam King, for years its voteless Delegate in the House and then Governor of Hawaii. We cannot forget Joe Farrington, who succeeded him as Delegate, nor his widow, Betty Farrington. All labored mightily and devotedly for Hawaiian statehood.

In the case of Alaska, there is James Wickersham, the pioneer of statehood, who, as Delegate from Alaska, introduced the first statehood bill in 1916. There is Anthony J. Dimond, who served as Delegate for 12 years, from 1933 to 1945, and put statehood for Alaska back on the road. There is my able and devoted colleague, BOB BARTLETT, who, as Alaska's Delegate for 14 years, mobilized the hearings and support in Congress which gradually raised the statehood cause of Alaska to the high level where it was possible to bring it into reality. There is George Lehleitner, that selfless citizen of Louisiana, who conceived the idea of reviving the Tennessee plan and made it possible thereby for Alaska to achieve its statehood.

But yet I would say that none of these had to undergo the terrible ordeal and make the difficult and sacrificial choice that fell to JACK BURNS. JACK BURNS deliberately risked his political future—and the risk has materialized—by his unselfish and far-visioned dedication to the cause of statehood for both our Territories. I will state unqualifiedly my belief that if it had not been for JACK BURNS we would have today only 48 States, and the great achievement of adding the 49th and 50th would have remained for some distant future time.

So I cannot but deeply deplore, though I must accept it, the fact that JACK BURNS was defeated by a small margin at last Tuesday's election. I am confident, however, that an appreciation of his heroic service will increasingly register, and that he will have further opportunities to bring to public service the devotion and dedication which he so memorably exhibited to both his State and the Nation. I hail JACK BURNS as the one man who, above all others, made the achievement of bringing two States into the Union possible.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks an excellent editorial from the New York Times of last Friday entitled "The State of Hawaii Votes," of which I quote the final paragraph:

> But the shining and wonderful thing about this election and about the presence of Hawaii within the Union is that there is now an Asian melting pot in our system of States as well as a European melting pot. We can now say to the people of the Far East, "Your brothers and cousins have equal rights with ourselves and are helping to make our laws."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE STATE OF HAWAII VOTES

The 93 percent of Hawaii's registered voters who went to the polls on Tuesday reflected, in part, the necessity felt by the sugar planters 80 or 90 years ago and later by the pineapple growers for an abundance of cheap labor. To some critics in the early part of the present century it looked as though a sort of feudalism was being constructed in the beautiful Pacific archipelago. Race could be played against race, the Chinese against the Japanese, the Filipinos against all of the earlier migrants.

But what happened? The cheap labor that came to Hawaii intermarried with the remnants of the native population. Children of the different races intermarried with one another. In place of the 400,000 more or less homogeneous inhabitants that Captain Cook found in Hawaii, or might have found if he had not been killed, there are now about 600,000 inhabitants so intermingled and intermarried that it is a source of pride for one of them to be able to count a large number of racial strains. To say that racial snobbery has completely vanished in Hawaii would probably not be true. But it is pretty clear that what is vanishing is racial discrimination.

As our correspondent, Lawrence E. Davies writes from Honolulu, 42 out of 81 offices contested at the first State election were won by Americans of Asian descent. The Governor was born in New York State and one of the U.S. Senators was born in Kansas, but the Lieutenant Governor is a native Hawaiian. One of the U.S. Senators is the son of an indentured Chinese immigrant, and the single U.S. Representative is the son of a naturalized Japanese clerk. This man, DAN-

IEL KEN INOUYE, deserves special mention. He served in Italy with the famous Nisei 442d Regimental Combat Team, lost his right arm in action and received three decorations, including the Distinguished Service Cross.

Such is Hawaii and such are the men Hawaii delights to honor. The split between the two imported major parties is of less importance. But it so happens that the State executive and the State senate are Republican, while the State house of representatives is Democratic. The congressional delegation will have a Democratic Senator, a Republican Senator and a Democratic Representative.

One can draw various deductions and make various predictions. The two new Democrats in Congress will make it a little harder for the unreconstructed and undesegregated southern Members of Congress to get their own way against the majority policy. No doubt the fact that Hawaii is now a functioning State, lacking only a proclamation to put the item on record, may be good for the island's business—especially the tourist business.

But the shining and wonderful thing about this election and about the presence of Hawaii within the Union is that there is now an Asian melting pot in our system of States as well as a European melting pot. We can now say to the people of the Far East, "Your brothers and cousins have equal rights with ourselves and are helping to make our laws."

Mr. PROXMIRE. Mr. President, I congratulate the distinguished junior Senator from Alaska for the extraordinarily gracious speech he has just made. Did I understand the Senator from Alaska to say that there might not have been a State of Alaska and a State of Hawaii if it had not been for the efforts of Delegate BURNS?

Mr. GRUENING. That is my conviction. If the Senator from Wisconsin will recall, during the 85th Congress tremendous pressure arose from the White House to the effect that unless the Hawaii statehood bill was tied to the Alaska statehood bill, or was brought up immediately afterward, Republicans and others would vote against the Alaska bill and would make every effort to kill it. It was clear to all of us that if that were so, the opposition to the two bills which existed at that time was sufficient to defeat both of them.

Yet Delegate BURNS held the key, because if he had yielded, he would have carried enough sentiment with him so that if the two bills were brought up, neither would have passed.

Mr. PROXMIRE. I am glad the Senator from Alaska has stressed that point. I am glad to observe that the senior Senator from Alaska also is in the Chamber. In my judgment, we would not have the State of Alaska or the State of Hawaii if it had not been for the magnificent efforts of both the present Senators from Alaska.

I wholeheartedly and enthusiastically support the tribute paid by the junior Senator from Alaska to Delegate BURNS. He is indeed a man of outstanding character, integrity, and ability. He is a man who has dedicated much of his life to bring the Territory of Hawaii into the States.

My wife and I came to know Mrs. Burns, although only briefly. We were deeply impressed by her outstanding character. Undoubtedly she was a great asset to her husband.

It is one of the sad ironies of politics that Delegate BURNS, who gave so much of his energy to enabling Hawaii to become a State, should have lost in the election for Governor. However, I think it is interesting and proper to observe that he might well have been a U.S. Senator if he had taken the easy course. Instead, he took the hard course, the tough course, the course he must have taken against his excellent political judgment. He did this in behalf of his party and of his own principles and convictions. It seems to me it is characteristic of JACK BURNS that he should have made the difficult, self-sacrificing decision, in behalf of his principles as he saw them.

Mr. GRUENING. It is precisely the decision to which his character and principles have led him, at the sacrifice of his immediate future.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. GRUENING. I yield with pleasure.

Mr. KUCHEL. The distinguished junior Senator from Alaska in his characteristically courteous and able manner describes the labors of one of our colleagues in Congress by which the legislation granting statehood to the 50th State of our Union was passed.

I speak as a Republican and I speak also as an American who shared the earnest desires of the overwhelming majority of the people of our country that the great Territory of Alaska and the great Territory of Hawaii each be admitted as equal members of the American Union.

I see two good reasons, as I look at my two colleagues from Alaska, why both these happy situations eventuated. Ever since I became a Member of the Senate, I have been a member of the Committee on Interior and Insular Affairs. I serve as ranking minority member of the Subcommittee on Territories. I well remember when an attempt was made, about 5 or 6 years ago, to have legislative approval of statehood for Alaska and statehood for Hawaii, as well. Our opponents tried to tie those two issues together in order to solidify opposition which each had incurred and make it apply to both.

I remember again in the intervening years the manner by which it was made crystal clear that right and justice were on the side which wanted these two Territories to become States. Both national political parties—the Republican Party and the Democratic Party as well—pledged themselves in favor of that design.

I can remember the almost daily visitations to the Capitol of my two indefatigable friends from Alaska, now my illustrious colleagues in demonstrating their constant zeal to a great public cause.

I am glad to repeat in the Senate today what I said earlier about the present Delegate from Hawaii, who is not of my partisan faith. He performed a service when he announced that he would not fight for Hawaiian statehood at the cost of letting Alaskan statehood suffer. Thus when the Alaska statehood bill came before the two Houses of the Congress, Delegate BURNS refused to agitate for an amendment to tack on Hawaii to it.

I am most happy to be able to salute the Senator from Alaska for his comments and his labors in behalf of these two statehood issues.

Mr. GRUENING. I thank the distinguished senior Senator from California. I call attention to the fact that he was not among those who made any attempt to tie the bills together or to associate them, although he was fervently in favor of statehood for both Territories. He realized what the political strategy underlying the situation was. He knew that if one Territory could be admitted to the Union separately and singly, the other was bound to follow. Being deeply devoted to the cause of statehood, which is the cause of democracy and of Government by the consent of the governed, he was single-minded in his purpose to allow Alaska statehood to move ahead, knowing that statehood for Hawaii would follow.

In doing that, he had a great example from a great American and a great Californian, Earl Warren, who, I think to his everlasting credit, first appointed the distinguished senior Senator from California, to the U.S. Senate.

Mr. KUCHEL. I thank the Senator from Alaska.

Mr. GRUENING. It is one of the many acts which will go down to the everlasting credit of Earl Warren, and show his excellent judgment as a great American.

I think it is important to recall that while many of the Senator's colleagues on the other side of the aisle worked hard to tie the two statehood bills together, for reasons which I know they had, the senior Senator from California [Mr. KUCHEL] saw the wisdom of taking the position JACK BURNS took, and which was finally followed, and succeeded in getting the two States admitted to the Union.

Mr. KUCHEL. I thank the Senator from Alaska. I know he will agree with me that the victory for the cause of self-government which was won in the recognition by Congress of the justice of statehood for both Alaksa and Hawaii, gives both political parties abundant opportunity to glory in this evidence of the dynamics of self-government, American style.

Mr. GRUENING. I know the senior Senator from California, always considerate, saw the issue far above partisanship. It made no difference to him what the prospects of officialdom would be. With him, the cause was the superior part of any consideration.

Mr. BARTLETT. Mr. President, will the Senator from Alaska yield?

Mr. GRUENING. I yield.

Mr. BARTLETT. I well remember, as these words are being spoken, the days which seem so long ago, the trying days,

the days which are now one with history, when we were fighting for statehood and the senior Senator from California fought side by side with us. When it was suggested to him, as I know it was on many occasions, that political consideration should be taken into account, he steadfastly refused to give countenance to them, but said that the important thing was to admit both Alaska and Hawaii as States of the Union. Of much less importance would be the political complexion of the persons elected to State office and to Congress from the new States.

I associate myself with everything which my colleague from Alaska has said about Delegate JOHN A. BURNS. To him, more than to anyone else, perhaps, we owe statehood not only for Hawaii, but also for Alaska. As the distinguished junior Senator from Alaska has so ably explained, had JACK BURNS taken the easy course, the political course, in 1958, it is most doubtful that Alaska would now be a State; and surely Hawaii would not be. But JACK BURNS stood fast. That was not at all easy to do, because political and other pressures were exerted upon him from home and from Alaska to tie the two statehood bills together. But he refused.

He refused at very considerable political risk to himself because he knew that to link these bills once more after the fateful experience of previous statehood history would be to bring defeat to both. So he stood with us of Alaska in insisting that the Alaska bill come first on the legislative calendar, and he was willing to forego, and did forego, consideration of the Hawaii bill in the 85th Congress. His good judgment was vindicated when the bill was so promptly passed by both Houses of Congress, and he then took the calculated risk, the hard risk, of filing for the Governorship.

The people of the islands he loved so well and where he has resided so long owe him much, and I am sure the day will come when JACK BURNS will again serve them in high office.

As an Alaskan I desire to express my gratitude to JACK BURNS for his very, very substantial contribution to the cause of Alaska statehood.

I would say, Mr. President, that everything I have heard about the man who became the first Governor of Hawaii, Mr. Quinn, is on the credit side. So far as I am concerned, if I knew that through all recorded history the elected officers of Hawaii were to be members of the political party opposite from that to which I belong, I nevertheless think that one of the greatest achievements of this Congress was to grant statehood to Hawaii. I can say that all the more easily, perhaps, feeling confident and sure that Senator-elect LONG and Representative-elect INOUYE will be joined after future elections by other Democrats.

I am thankful to my colleague from Alaska for yielding to me.

Mr. GRUENING. I wish to say in conclusion that I think it is important to note that the sacrifices of human beings, if they lose out in a political campaign, are easily forgotten. They should be remembered. The name of JACK BURNS should be enshrined in the history of Hawaii and the history of the nations a man who, I venture to suggest, is worthy of a chapter in that classic of JACK KENNEDY'S "Profiles in Courage." I am grateful to have my colleagues, the distinguished Senator from California and the distinguished Senator from Wisconsin join us in recognizing that fact.

Mr. MORSE. I join with the Senator from Alaska [Mr. GRUENING] in paying my respects and high commendation to Delegate JACK BURNS for the fine record he made during his term of service as the Delegate from Hawaii in the House of Representatives.

I wish to say to the people of Hawaii that it is my judgment that Hawaii would not today be a State if it had not been for the statesmanship and generalism of Delegate BURNS last year. It will be recalled that several years ago an attempt was made to join Hawaii and Alaska in a statehood bill. My judgment is that that joining resulted in the defeat of that bill.

Delegate BURNS talked to a good many of us early in the session last year about the parliamentary strategy—let us be frank about it—which we thought should be followed in connection with the statehood issue involving both Alaska and Hawaii. I recall a long conversation I had with JACK BURNS in which I gave him advice which many other Members of the Senate had previously given him, namely, that the best way to assure statehood for Alaska and for Hawaii would be to have statehood bills introduced and voted on separately for the two, and not have bills for statehood for both brought before Congress in one bill.

I think the people of Hawaii should know that at first Delegate BURNS was very much opposed to that recommendation. But the more people he talked to about it, the more he became convinced that he should at least yield to our judgment in the matter; and finally, somewhat reluctantly, he decided to do so. I wish to say that from then on, the Delegate from Hawaii was very helpful in furthering the progress through Congress of the Alaskan statehood bill.

As pointed out earlier this afternoon by the Senator from Idaho [Mr. CHURCH], the advice we gave was proven to be correct. It seemed clear to those of us who gave the advice that once Alaska became a State, it would be only a matter of time before Hawaii would also be granted statehood.

Mr. President, I make this statement because I have been informed that a considerable amount of criticism was heaped on the head of Delegate BURNS because he went along with the advice which a considerable number of us gave him when question arose as to the parliamentary form of a statehood petition for Hawaii and for Alaska, last year. Delegate BURNS was wise in following the counsel he did follow, and in my judgment he deserves great credit for the fact that statehood has been granted to Hawaii. I make this statement because I wish to associate myself with everything the Senator from Alaska [Mr. GRUENING] said this afternoon, in the course of the very fine and well-deserved speech he made about Delegate BURNS.

Mr. CHURCH subsequently said: Mr. President, I rise to commend the junior Senator from Alaska for having paid so deserving a tribute to JACK BURNS of Hawaii. Unquestionably JACK BURNS served Hawaii with a selfless devotion to its real and lasting interests. He did this even when it meant jeopardizing his personal career.

As the Senator from Alaska has pointed out, JACK BURNS withheld any effort to join the Hawaiian statehood bill with the Alaskan statehood bill last year, fully cognizant that such a joinder might well have meant the defeat of both measures. He knew that Hawaiian statehood would follow if Alaska were admitted to the Union. Subsequent history has proved him correct, though he was bitterly attacked and ridiculed for the course he followed.

Mr. President, JACK BURNS has courage, wisdom, and integrity. He was a credit to the Congress, to the people he represented, and to the country in his service in Congress. I believe the day will come when we will count him again among us.

CONGRESSIONAL RESPONSIBILITIES FOR AMERICAN EDUCATION

Mr. PROXMIRE. I am very happy that the Presiding Officer is the Senator from Utah because the remarks I am about to make were inspired by the outstanding address he delivered here last week, an address on education.

The PRESIDING OFFICER (Mr. CANNON in the chair). If the Senator will permit me, the Presiding Officer is the junior Senator from Nevada.

Mr. PROXMIRE. I beg the pardon of the distinguished junior Senator from Nevada. My speech nevertheless was inspired by the speech of the Senator from Nevada. Utah also is a splendid State and the two Senators from Utah are fine Senators. It was the speech of the outstanding, brilliant young Senator from Nevada that inspired me here this afternoon. The Senator from Nevada was assisted in this speech, as I recall, by the senior Senator from Oregon [Mr. MORSE], and the distinguished junior Senator from Texas [Mr. YARBOROUGH].

He called the attention of the Senate to the tremendous challenge by the Soviet Union to this country on the educational front. It was emphasized in particular how in these days we are not doing the kind of job for our children, in educating our children, that we can do, that we should do, that we can afford to do, or that, with the aid of outstanding Senators like the Senators from Nevada, the Senator from Oregon, and the Senator from Texas, we will do and do soon.

Mr. President, the President of the United States is today engaged in an

economy drive. I doubt if there has been a time in recent years in which the Nation has been more aware of the importance of economy in government than it has become in the past several months. This economy drive has been supported by the distinguished senior Senator from Texas, the majority leader, and rightly so, and I am proud that my majority leader has done this.

It seems to me that in times of prosperity it is particularly important that Congress do all it can to balance the budget. Indeed I think it is a moral responsibility to make every sacrifice in terms of additional taxes, if necessary, or in terms of reducing some spending that is not completely essential, in order to have a balanced budget in times of prosperity.

I see on the floor the distinguished senior Senator from Delaware [Mr. WILLIAMS]. I follow the distinguished senior Senator from Delaware on every opportunity when I feel I possibly can in his leadership because I think of all the Senators in this body no man has devoted more thought and more work, more effort successfully to economy, than the senior Senator from Delaware [Mr. WILLIAMS].

Mr. President, I am emphasizing the attitude that has spread throughout America in favor of economy because I just completed a questionnaire in my State of Wisconsin.

I think Wisconsin is just about as typical, at least of the good things in America, as any State of the Union. Wisconsin contains about 2 percent of the population. Its income is about the same as the national average income. It contains about the same balance between urban and rural residents, about the same proportion of industry and farm as the average throughout our country. So I think a questionnaire on the subject of education in Wisconsin, provided it is an honest and fair questionnaire, represents a sample of opinion, represents a fair cross section of the kind of opinion we would get throughout the country.

This questionnaire was sent to more than 10,000 people. I received a very, very heartening return. It was sent on a carefully objective random basis to every one of the 71 counties of Wisconsin; about to be 72 counties, it is now 71. The results of that questionnaire seem to me to be particularly striking in view of the fact that I am sure the American people are willing to go along with the President of the United States and the majority leader in favor of economy in Government wherever it is sensible and practical and possible.

I have been inundated by a tremendous economy mail, as I am sure all other Senators have been. Coupons have been clipped from newspapers which are carrying on a crusade for economy; and many letters have been written from the heart by people who feel that Federal taxes have become too high and who also feel that if the Government is going to have an unbalanced budget, inflation will be the result.

Mr. President, I addressed this question to the people of Wisconsin: Should we or should we not spend more money on education in this economy-in-Government period? So what I did was to ask them not only whether we should increase what we are spending for education, but also to tell me where the money should come from, what taxes should be increased, what revenue sources should be tapped in order to provide the additional money for education.

This is the exact question as I asked the people of Wisconsin: "The President's Science Advisory Committee has said we should double our annual expenditures for education. This corresponds with the recommendations of the Rockefeller and White House Conference on Education Reports. Do you agree with the committee's views on education?"

Of the hundreds of replies I have received from Wisconsin, 70 percent have said "Yes," they favor doubling our expenditures for education; 30 percent have replied "No."

I have classified the returns on the basis of the urban returns and the rural returns. We keyed the questions, so we would be able to determine whether there was a difference between the attitude of those on the farms of Wisconsin and the attitude of those in the cities of our State. We found that approximately twice as many, both among those in the cities and among those on the farms, favored doubling the expenditures for education. To be exact, 71 percent of the urban residents who responded said "Yes," and 29 percent said "No," sixty-seven percent of the rural residents who responded said "Yes," and 33 percent said "No."

In the face of the overwhelming, all-pervasive economy campaign made by the President of the United States, those responses seem to me to be most significant.

The other day the Senator from Oregon [Mr. MORSE], whom I now see on the floor, emphasized how vital and important education is to the national defense, and how seriously we are cheating the American children by not providing them with adequate teaching. In view of the tremendously effective campaign, which is being carried on, for economy in Government, I am sure that many Senators and many Members of the House of Representatives have wondered whether Federal aid to education or some kind of effort by the House and the Senate to provide additional funds for education would be politically possible or feasible. Mr. President, I find in my own State of Wisconsin that it is overwhelmingly popular. The people of Wisconsin want us to double the amount the Federal Government is spending on education.

In a few minutes I shall show where the people of Wisconsin think the necessary funds should come from. I believe that will be an eye opener, too.

Mr. President, this is not only politically practical today. More than that, it is correct in principle—because, in the first place, the basic resource of the Nation is the trained intelligence of its people, particularly its young people. When we reflect on the resources of nations, we think in terms of area, population, and natural resources. With regard to all those things, there are other countries, and there always have been, that are superior to the United States. Other countries have larger areas. Other countries have richer natural resources. Other countries have larger populations. It is true that we are blessed with a magnificent economic system and with perhaps the best political system that mankind has devised—as found in our Constitution. There is no question that our superlative economic system and our superlative political system have been tremendously important to us.

But a very important fact which developed during the 19th century, and has been expanded during the 20th century, is that our Nation above all others, has stressed universal education and, throughout most of its history, has devoted a great deal of its resources to education.

Mr. President, a year ago last fall, I visited Europe. While I was there, I devoted most of my time to visiting both the grade schools and the high schools. I particularly asked to be allowed to visit the physics, the mathematics, and the English classes. While I was in West Germany, and also while I was in Poland—I had a brief opportunity to visit there—and while I was in the Scandanavian countries, I was greatly impressed with the quality of the teaching and with the determination and the effort of the students. However, as compared with Europe, particularly Western Europe—our country has one great advantage—namely, that most of our children have an opportunity to have a high-school education, as well as a grade school education. Most of our children go to school for 12 years. On the other hand, throughout Europe, 90 percent of the students go to school for only 8 years. That is true of Germany, and I understand it is also true of England and of the Scandinavian countries. It is true of Poland. Until recently, Russia's educational system required 10 years of schooling, although I understand that requirement may be modified. So here is at least one advantage which the American educational system has. Our insistence on 12 years of education for most of our children gives more of our children an opportunity to go to college. It gives more of our children an opportunity to obtain the professional training which is so essential to a strong Nation and an effective civilization. In this way it has been one of the real reasons for the supremacy of the American economy and for the fact that we are as powerful and as strong and as outstanding a nation as we are.

The speech made last week by the Senator from Nevada, supported by the Senator from Oregon [Mr. MORSE] and the Senator from Texas [Mr. YARBOROUGH], was devoted to another aspect of

this problem—namely, what has been occurring in the Soviet Union in the past few years, particularly in the past 10 or 15 years—a development which was emphasized by the recent visit of Admiral Rickover, and was reported by him in our newspapers. The fact is that the Soviet Union is intensely dedicated to seeing to it that all its children have a primary education, and then to seeing to it that all Russian children who are gifted and who can benefit substantially by receiving a higher education, receive one. In Russia, there has been a very great emphasis on education, as demonstrated by these facts: First, that the Russian Government spends more than twice as much in relation to gross national product, on education, as we do, and second, that in Russia the teachers are paid far more, in relation to other members of the economy, than teachers in the United States are paid, and third, that in Russia the number of pupils per teacher is much smaller than the corresponding number in the United States. I think every educator—and let me say that I was an educator very briefly, and I know that the distinguished occupant of the chair, the Senator from Nevada [Mr. CANNON], also was an educator—realizes that it is most important to have classes small enough in size so that the children can receive individual attention.

Today, one of the great problems of American education is that the number of students is increasing so rapidly and the number of teachers is so limited that the children are not receiving the kind of individual attention that is necessary. I understand that in Russia there is 1 teacher for every 17 pupils. In this country, there is 1 teacher for approximately every 30 pupils. In the State of Wisconsin, there is 1 teacher for every 27 pupils. At any rate, we do not have enough teachers, and they are not paid enough, certainly in relation to our ability to pay.

All this adds up to the fact that the Soviet Government is investing more in the essential, basic, vitally important program which is of the utmost importance in determining whether a country will have greater power in the future, or whether it will decline. The Russians are devoting more to education, at least in terms of their ability to pay, than the United States is; and the Russians are stressing, and are doing so very, very effectively, the importance of the teaching of science and mathematics.

Obviously, that is not the only reason, or even the principal reason, why the Senate of the United States should decide to devote more of the Nation's resources to education. An essential reason is that education permits a person to enjoy to a far greater extent the good life, the fruits of civilization, and the opportunities to be a responsible citizen and one who can fully enjoy everything that life has to offer him.

We are not beginning to devote nearly as large a proportion of our resources to education as we can. This fact has been brought to the attention of the Senate before, but I believe it cannot be overemphasized. The fact is that last year and the year before and the year before that, substantially more was spent in this country on gambling, drinking, smoking, and cosmetics together than was spent on education. This is not to say that there is anything illegal about gambling, drinking, smoking, or using cosmetics. It is to say that this country spends huge amounts on relatively trifling or mild pleasures. It is a great shame when our country, with the resources it has, spends more money in this way than it spends on all university instructors, plus the cost of running the universities from top to bottom, plus the cost of grade school and high-school teachers, and all the other costs of all education.

Mr. President, this is not something which merely educators are saying. It is not merely something which it may be popular to say at PTA meetings. This is not merely something that the intellectuals or eggheads favor. It is something that the American people want.

It seems to me that if this question makes any sense at all, it means that the people on the farm and everywhere else overwhelmingly favor our doing a better job for education. Seventy percent of the people of Wisconsin who replied—2 to 1—say we should double our spending for education.

I am sure if I had asked not, "should we double, but should we spend more?" the returns would have been even more overwhelmingly in favor. This expression of popular conviction comes in the teeth of an economy drive, publicized, and propagandized by the President and the mass communication media as I have ever seen.

I asked the people of Wisconsin another question, and that was where the money should come from to pay for this additional education. Many persons say we should do more for education, but, if they are Federal officials, in some cases they say, "Let the States or the school districts do it."

Some of us who have studied the financing of schools in our States recognize how very difficult it is for those funds to come from the States or localities.

I want to call to the attention of the Senate that the people of Wisconsin recognize how very difficult it is to finance education in that way.

Eighty-three percent of the cost of education in Wisconsin comes from property taxes. I asked the people of Wisconsin, if they thought we should double our spending for education in Wisconsin, should the money come from property taxes? Fifteen percent said "Yes." Eighty-five percent said "No." The results of the answers of farmers and city dwellers was about the same.

Then I asked whether the money should come from higher State sales taxes. Again, there was an emphatic "no." Forty-three percent said "Yes." Fifty-seven percent said "No."

Then I asked if the funds should come from higher State income taxes. We have one of the most progressive income tax systems in the country. Wisconsin was the first State in America to adopt an income tax. Thirty-two percent said "Yes." Sixty-eight percent said "No." By a vote of 2 to 1, the people of Wisconsin do not want to use that source of revenue to aid education. They are overwhelmingly against using major State or local sources of revenue for education in my State.

Then I asked whether the money should come from Federal grants to States from Federal revenues. Sixty-seven percent said "Yes." Thirty-three percent said "No." It was a 2-to-1 vote. It is interesting to see that the urban dwellers voted 65 percent "yes," and 35 percent "no." The farmers voted even more overwhelmingly in favor of Federal aid. Seventy-seven percent said "Yes." Twenty-three percent said "No."

The last part of my second question was whether the money should come from each State's sharing in the revenue from Federal income taxes paid by the State's corporations and citizens. The answer was 87 percent "yes," and only 13 percent "no." As a matter of fact, farmers voted 91 percent in favor of the State of Wisconsin or any other State retaining its share of income taxes paid by the State's corporations and citizens to the Federal Government.

Mr. President, I did not disclose that I had made a proposal of this kind, but I did last year, and introduced it, and I did it again this year. This kind of proposal seems to me by far the most practical way of providing the kind of educational funds we need in this country. It is practical for this reason: Most Senators and Representatives, I think, recognize that if we are going to fulfill the American dream, it is essential that the Federal Government assist the poorer States as well as the wealthy States in paying for the cost of education. I think most Members of Congress realize that because of the competitive nature of State revenues, it is very difficult for States to increase industrial or property taxes, for fear of driving industry away, and that it is necessary for a service as essential as education to obtain some revenues from our Federal Government. At the same time, I think a very large number of American citizens feel very strongly, even if they favor Federal aid to education, everything should be done that possibly can be done to prevent the Federal Government from imposing its own will, imposing Federal standards, imposing Federal controls and dictating, from Washington, school policies in the States.

I recall that when Senator Taft supported Federal aid to education, he said at the time that we should provide aid for education that would give maximum protection to school districts, so there would be no determination from Washington as to what teachers were hired by the schools, or what school books were bought. Here is a way that provides built-in protection from Federal interference as a result of Federal assistance, by providing that that assistance shall come from taxes paid by the citizens of that particular State.

Mr. President, I have worked out an equalization system so each State would get the same dollar amounts for every school-age child.

Mr. President, I conclude by saying I am not at all surprised by the results of this questionnaire. I had hoped for these results. I was somewhat concerned by the fact that I was sending out this kind of questionnaire at a time when the most tremendous Government economy propaganda being made by the President was being carried over most communications media. I would not have been too surprised if the people of Wisconsin had said, "Not now." But they said, "Yes, we must have Federal aid to education now, immediately. We need it." The people said they wanted it, by an overwhelming majority.

Mr. President, I think this is partly true because we in Wisconsin have had a history of sharing State income taxes with localities. It has been a method whereby localities, without dictation from the State government, can determine what to do with those revenues, which, after all, the people of those localities have paid.

Mr. President, I made this speech principally to give myself an opportunity to call the attention of the Senate to the questionnaire. So I ask unanimous consent to have printed in the RECORD at this point the questions—and there are some other questions in the questionnaire which I shall not report on now but which I shall discuss at a later date—relating to education and whether the people of Wisconsin want to double spending on education, and if so, where the revenue should come from.

Mr. President, I yield the floor.

There being no objection, the questionnaire and results were ordered to be printed in the RECORD, as follows:

The President's Science Advisory Committee has said we should double our annual expenditures for education. This corresponds with recommendations of the Rockefeller and White House Conference on Education reports.

[In percent]

	Total, Wisconsin		Urban		Rural	
	Yes	No	Yes	No	Yes	No
1. Do you agree with the committee's views on education?	70	30	71	29	67	33
2. If so, should the money come from:						
Higher property taxes?	15	85	14	86	16	84
Higher State sales taxes?	43	57	43	57	39	61
Higher State income taxes?	32	68	26	74	48	52
Federal grants to States from Federal revenues?	67	33	65	35	77	23
Each State sharing in the revenue from Federal income taxes paid by the State's corporations and citizens?	87	13	86	14	91	9

THE FINANCIAL PROBLEM OF THE UNITED STATES

Mr. WILLIAMS of Delaware. Mr. President, today I wish to discuss a serious financial problem with which we in America are confronted, and I am making this statement not as an alarmist, but as a realist, and as one who feels that the only way to cure any problem is to face it, determine its cause, and to then make the necessary corrections.

Our country faces a serious economic or financial crisis, and our future prosperity and growth as a nation depend upon our ability to solve this problem.

For the first time in our history, we see our Government having difficulty in selling its bonds except at a very high rate of interest. Why? Why is it that investors no longer want to buy these bonds—bonds whose payment is guaranteed by the richest and most prosperous Nation in the world?

Is it that they question the ability of our Government to pay these bonds at maturity? Certainly not. No one questions that these bonds will be paid. Every investor in America and every banker in the world knows these bonds will be paid.

Then why do they refuse to buy these bonds except at ever higher rates of interest?

The answer is very simple if we only want to face it. They are not buying these bonds because they question the value of the American dollar with which they will be paid.

Over the past 20 years they have seen the value of our American dollar cut in half.

They hear prominent Government officials beat their chests in denouncing higher interest rates, and then in the same speech these officials will endorse a program of continued deficit spending and a program of "planned inflation," or what they refer to as controlled inflation.

Prominent Members of the Congress and some of our leading economists now tell us that we should not worry about an unbalanced budget. They tell us that in order to have a growing and prosperous economy we need a little inflation—about 2 or 3 percent per year. That is why our bonds are not selling except at higher interest rates.

Investors in the past bought these bonds at interest rates of 2 to 3 percent. Then, with inflation eroding the value of our dollar 2 to 3 percent each year, they not only saw their interest vanish, but also some of their principal lost, and in view of the manner in which we as a Government insist upon still spending more than our income, they see no hope of reversing the trend.

Therefore, investors are demanding an interest rate high enough to absorb this 2 or 3 percent annual erosion of the dollar plus another 2 or 3 percent yield for their money.

But interest rates are not our major problem, and while it is essential, even mandatory, that we remove the artificial ceiling which presently handicaps our Secretary of the Treasury in properly financing this debt, that alone will not solve the problem.

Let us be realistic. Higher interest rates are not the cause of our economic crisis, they are only the result. Once we remove the cause, these interest rates will correct themselves, and it will not take a congressional directive to the Federal Reserve Board to do it.

The questions which investors are asking today, and questions which must be properly answered before full confidence in the American dollar can be restored, are:

First. When will we as a government tighten our belts and start living within our income? Can we balance the budget in fiscal 1960 and in the years that follow?

Second. After achieving a balanced budget, will we give priority to a payment on our national debt or to tax reductions?

Third. Can the United States of America control inflation and keep our American dollar as the soundest of international currencies?

All three of these questions are so closely related that I shall discuss them collectively.

First, I will state that, in my opinion, there is a possibility that our budget for fiscal 1960 can be balanced, but I emphasize that there is only a possibility, and whether this will be achieved is far from being certain.

It depends entirely upon what the Congress does in the way of appropriations and whether it provides the additional revenue requested by the President to underwrite the deficits both in the Post Office Department and in the Federal Highway Fund.

As to the possibility of any tax cut in fiscal 1960 it is my firm opinion that this definitely should be ruled out.

Even if we are successful in balancing the budget, and even if we have a reasonable surplus, this surplus should be applied toward the reduction of our national debt.

With a national debt which has been rising systematically over the period of the past 30 years, the time is long past due when an orderly reduction of this debt should begin. If today, in a period of the highest prosperity that our country has ever known, we cannot live within our income and make payments toward the reduction of this debt, it may well be asked, "When will we do it?"

The third question, as to whether or not we can control inflation and protect the soundness of the American dollar, will be answered by what we do in regard to the two previous questions.

Inflation in this country will continue as long as we continue deficit spending, and the sooner this simple fact of life is recognized the better it will be.

It is for this reason, that as one Member of the Senate, I feel Congress has no

alternative but to reduce appropriations to the point where our Government can live within its income and have a reasonable amount left over with which to start an automatic retirement of our national debt.

We all recognize that our tax rates are too high, and we should work toward the position where we can reduce these rates; but it is time that we tell the American people that this debt has got to be paid and that the sooner we start making payment the better. Tax reductions should follow, not precede, the beginning of an orderly reduction of our debt.

Our Federal deficit for fiscal 1959 exceeded $12 billion. That means during the past fiscal year we have been spending at the rate of over $1 billion per month over and above our income.

During but 6 of the past 30 years has our Government lived within its income, with last year's deficit representing the largest peacetime deficit in the history of our country.

In the face of this situation there is ample reason for the widespread concern of the American taxpayers and the American investors as to when these deficits will end. There is ample reason for the widespread concern as to what effect these deficits will have on the future value of the American dollar. Already these deficits have brought our national debt to all all-time high. Not only has our national debt increased, but also all segments of the American economy have for the past several years been increasing their debts.

During the past 6 years our national debt has risen from $267 billion to $283 billion. The debts of individuals, corporations, and States have increased at an even more rapid rate. For instance, corporate debts which stood at $202.9 billion in 1952, today stand at $298.3 billion, or an increase of $95.4 billion in 6 years.

The debts of our State and local governments in 1952 were $31.2 billion. Today these same debts are $59.2 billion, or an increase in 6 years of $28 billion. This is practically double their debt of 6 years ago.

In the case of individuals, the value of outstanding mortgages on December 31, 1952, was $82.4 billion. As of December 31, 1958, they had increased to an all-time high of $155.6 billion, or an increase of $73 billion, which again is nearly double. Consumer credit during this same period has increased from $27.4 billion in 1952 to $45.1 billion on December 31, 1958, while other types of consumer or individual debts have increased from $25.7 billion to $39 billion.

All sources of credit combined, as of December 31, 1952, totaled $637 billion. Today the total amount outstanding of these same sources of credit is $880.2 billion, or an increase in 6 years of $243 billion.

These figures illustrate the extent to which we Americans, as a nation, as State and local governments, and as individuals, have for the past several years been living beyond our income; and the question may well be asked, "When are we going to begin reducing these outstanding debts?"

For the past several years our country has been enjoying the highest level of prosperity, the fullest rate of employment, and the highest wage levels that any country has ever known, and yet we still cannot live within our income. How much of this recent prosperity is accounted for by increased credit—debts which have been placed against the future generations? The inescapable fact is that during the past 30 years we have, as a nation, as States, and as individuals, all been living beyond our income.

Those are the facts; and neither the executive branch nor the legislative branch of this administration, nor of any of the preceding administrations, whether it be Democrat or Republican, can get too much satisfaction from pointing the finger of responsibility at the other party. Nor can the people back home dodge their part of the responsibility for these ever-expanding expenditures.

Far too often, public officials think the best way to get elected or the best way to perpetuate their political party in power is to promise everything to everybody, along with an extra promise of lower taxes. At the same time, there has been a growing tendency on the part of far too many people to demand that the Federal Government accept and underwrite many of those responsibilities which were once recognized as belonging to individuals and to the States.

The result of all this is that our country today faces a crisis in its fight against inflation. Our Government is for the first time in our generation having difficulty in selling its bonds except at abnormally high rates of interest.

Instead of being alarmed and working toward greater control of our Government spending, we actually find that in this Congress there is developing an even greater clamor for more wild spending.

Notwithstanding the fact that our Government has just closed a fiscal year in which it spent over $1 billion per month more than its income, there are still scores of new bills being introduced calling for new spending programs and new Federal aid projects, many of which would be far beyond even the imagination of our forefathers.

I selected 15 of the many bills which are presently pending in this Congress and asked the Director of the Budget to give an estimate of their cost over a projected 5-year period. Without in any way discussing the merits or demerits of these various proposals, I call attention to the fact that if only these 15 projects are authorized by this Congress they would, over the next 5 years, cost the American taxpayers an additional $187.4 billion. That represents additional expenditures of nearly $40 billion per year for the next 5 years, over and above what we are now spending.

At this point I ask unanimous consent to have incorporated in the RECORD a breakdown of the cost of these 15 bills, showing their cost.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Bill and description	Present status	Estimated cost over 5-year period as furnished by the Bureau of the Budget	Bill and description	Present status	Estimated cost over 5-year period as furnished by the Bureau of the Budget
		Millions			*Millions*
S. 2; H.R. 22: School Support Act	Reported in House June 8, Union Calendar.	$15,000	S. 722: Area Redevelopment Act	Passed Senate Mar. 23, reported in House May 14, Union Calendar.	$400
S. 1087: Student Aid Act	No action	966			
H.R. 1031: Emergency program of grants for public works.	do	2,500	H.R. 1301: Farm income	No action	36,500
H.R. 1030: Community facilities and public works.	do	2,500	S. 570: Authorize reimbursement to States for certain free and toll roads on the Interstate Highway System.	do	2,200
H.R. 77: Old-age pensions of $75 per month for all over 65.	do	66,000	S. 805: Amend Federal Water Pollution Act: H.R. 3610.	Passed House June 9	500
S. 791: Unemployment insurance grants	do	1,000	S. 1056: To provide a program of national health insurance.	No action	40,000
H.R. 102: Pensions for World War I veterans.	do	9,000	S. 863: Construction of classrooms to provide increased amounts for teachers salaries.	Hearings on general subject have been held—pending before subcommittee.	3,600
H.R. 208: Federal employees health insurance.	House holding hearings.	1,200			
S. 2162: Same	Passed Senate July 16.				
S. 881: Social security health insurance	No action	6,100			
H.R. 4700	House holding hearings.		Total		187,466

Mr. WILLIAMS of Delaware. It is true that in its action on appropriation bills the Congress has made some reductions. At the same time reductions have been made in some appropriation bills; however, there have been increases in others and in the new obligational authority.

A summary of the actions by the House of Representatives shows that during this session it has increased the President's request by $1,255 million,

including appropriations and obligational authority, while the Senate during this period has increased the President's requests by $1,863 million.

At this point I ask unanimous consent to have included in the RECORD, a breakdown of the congressional action on the President's budgets as of July 26, 1959.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Action on President's budgets as of July 26, 1959

The President's budget for 1960 proposes a $70,000,000 surplus. To date, House action turns this into a $814,000,000 deficit. Senate action to date would create a deficit of $1,272,000,000.

	Effect on President's budgets (1959 and subsequent years)
House of Representatives:	
The President proposes that Congress enact motor fuel and aviation gas taxes and increase postal rates, all of which would provide $676,000,000. Congress has taken no action and the Democratic leadership indicates none is planned.	Denies $676,000,000 in needed revenues.
The House has passed a voluntary pension plan for self-employed persons which would reduce receipts by $365,000,000	Reduces Government's revenues by $365,000,000.
On the other hand, the House has taken the following spending action:	
Passed Veterans Housing Loan Act for $100,000,000. (Status: Law.)	$100,000,000 more than President's budget.
Passed $126,000,000 aid-to-airports bill. (Status: Law.)	$6,000,000 more than President's budget.
Extended temporary unemployment compensation for remainder of this fiscal year, adding $75,000,000 to 1959 expenditures. (Status: Law.)	$75,000,000 more than President's budget.
Passed Federal Water Pollution Control Act. (Status: Senate Public Works Committee.)	$840,000,000 more than President's budget.
Passed veterans' pension bill. (Status: Senate Finance Committee.)	$208,000,000 more than President's budget.
Appropriation actions have reduced new obligational authority by $1,015,000,000	$1,015,000,000 less than requested.
Senate:	
Failure to act on President's proposed postal rate increase and certain tax increases	Denies $676,000,000 in needed revenues.
Passed aid-to-airports bill. (Status: Law.)	$6,000,000 more than President's budget.
Area Redevelopment Act. (Status: House Banking and Currency Committee.)	$337,000,000 more than President's budget.
Extended temporary unemployment compensation for remainder of this fiscal year, adding $75,000,000 to 1959 expenditures. (Status: Law.)	$75,000,000 more than President's budget.
Passed grants to States for education TV. (Status: House Interstate and Foreign Commerce Committee.)	$50,000,000 more than President's budget.
Passed extension of school milk program for fiscal years 1960 and 1961. (Status: House Agriculture Committee.)	$10,000,000 more than President's budget.
International medical research: $50,000,000 annually. (Status: House Interstate and Foreign Commerce Committee.)	$50,000,000 more than President's budget.
Passed Veterans' Housing Loan Act. (Status: Law.)	$100,000,000 more than President's budget.
Passed peacetime eservicemen's readjustment benefits, $100,000,000 1st year; $500,000,000 by 4th year. (Status: House Veterans' Affairs Committee.)	Do.
Appropriation action has increased new obligational authority by $459,000,000	$459,000,000 more than requested.
Summary:	
After 7 months of this session of Congress, the House of Representatives has taken actions that increased the President's requests by $1,255,000,000.	Plus $1,255,000,000.
All Senate action to date has increased the President's requests by $1,863,000,000	Plus $1,863,000,000.

NOTE.—Excludes housing bill, vetoed by President, which was $565,000,000 more than President's budget.

Mr. WILLIAMS of Delaware. What proposals have been made by the sponsors of these bills to pay for these additional expenditures? Have there been any suggestions for increased taxes? None whatever. On the contrary, Congress has even rejected the request of the administration to increase the gasoline tax needed to finance the deficit in the highway construction fund; however, many of those who protested the loudest against this tax still insist that the program be continued at an accelerated rate. Many bills are now pending which would provide not for increased revenues, but for tax reductions.

For instance, one tax reduction proposal, H.R. 10, has been passed by the House and is now pending before the Senate Finance Committee. There may be some merit to the proposal, but the fact cannot be ignored that if enacted it would reduce our revenues by $380 million a year—a $380 million loss in revenue that can only be financed with additional borrowings.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. JAVITS. The Senator and I may disagree; but the fact is that what we owe is always to be set off against what we have. The fact that our aggregate debt has increased from $650 billion to $850 billion does not mean what it sounds like, in view of the fact that the gross national product and the national disposable income have increased by an even greater proportion.

There is one point of agreement between myself and the Senator from Delaware, whom I admire greatly, as he knows, and that is with respect to the tax question. That is why I asked him to yield at this point.

Notwithstanding our different views about expansion and productivity, and various kinds of operations abroad, the fact is that we are as one on the proposition that we must pay for what we get. I thoroughly agree with the Senator on that point.

Those of us who voted on the floor of the Senate for the ½-cent gasoline tax increase the other day were only being honest with ourselves. I do not feel that we must balance the budget every year in a cold war. We may have to go along with cyclical balance over a period of time. But one thing is clear, namely, that we must close the tax loopholes and levy the necessary taxes to come at least within a measurable distance of paying the bill. Those of us who think we are liberal in our attitudes on social questions, foreign aid, and so forth, must face up to the proposition of being willing to vote the necessary taxes to pay the bill.

I say this to the Senator because I think he deserves it, in view of his attitude in being hardheaded about money.

Mr. PROXMIRE. Mr. President——

Mr. WILLIAMS of Delaware. I appreciate the remarks of the Senator from New York. I heard his speech earlier in the day. He, too, was indicating that at this time, when we are enjoying the highest degree of prosperity the country has ever known, we should finance our expenditures to a much greater degree than what we have been doing.

We may differ in our approach, but on the basic point that we should pay for the programs if we are to authorize them, we are in complete agreement.

House bill 10—and I shall mention some other bills later—might have merit if we had the money; but it has always been my position that a tax reduction financed on borrowed money is in reality a farce. We are only kidding the American people.

I am opposed to any tax reduction until such time as we not only have brought our expenditures in line with our income but also made a reasonable payment on our national debt.

The continued deficit spending under which we have been operating for the past 30 years definitely accounts in a large part for the depreciation of the American dollar and for the fact that we cannot sell our bonds today except at a high rate of interest.

Last year we sent the Secretary of the Treasury into the open-money market to borrow an additional $12½ billion to finance the deficit of the Federal Government. That, on top of the huge demand for credit coming from industry, individuals, and other segments of our economy, was more than the money market could stand without a rapid acceleration in the rates of interest. I think it is time to recognize that these factors are connected. I fully agree that if we wish to advocate various spending programs on the floor of the Senate, we should put a price tag on them and advocate the necessary taxes to pay for them.

Mr. JAVITS. I know that my colleague from Wisconsin [Mr. PROXMIRE] wishes to participate. I have only one further important but brief observation.

There are some things, like the question of the depreciation policy with respect to machinery, or the question raised by the Boggs bill, to encourage oversea private investment, with respect to which the Government itself, in a sense, is making a little investment only to get back more at the end, in

connection with which there may be a difference of opinion.

What we are both talking about is a straight tax reduction situation, in which the money is foregone, in terms of taxes. I agree with the Senator thoroughly in his concept of fiscal responsibility, that if liberals like myself wish to vote for programs, we should measure them against the cost, and see that they are paid for, even though we all know that taxes are unpopular.

Mr. WILLIAMS of Delaware. If we put the price tags on the programs, the American people will then know what they will cost in additional taxes and can decide whether they are worth the cost.

I certainly feel that at this time, by all means, with our country enjoying its present level of prosperity, we have an even greater responsibility to reduce our expenditures to the point of our income.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. PROXMIRE. There is no Member of the Senate who is better qualified to speak on the subject which he is now discussing than is the senior Senator from Delaware. He has given the Senate an example of a man who believes, and believes very deeply, in prudence and thriftiness in government. I follow his lead, as I said earlier today, whenever I possibly can.

I want to be certain that I understood the figure the Senator used. Did he use the figure $186 billion?

Mr. WILLIAMS of Delaware. One hundred eighty-seven billion dollars as representing the cost of the 15 suggested programs.

Mr. PROXMIRE. Over the succeeding 5 years. That would be an average of about $36 billion a year for 5 years.

Mr. WILLIAMS of Delaware. The cost of the bills?

Mr. PROXMIRE. Yes.

Mr. WILLIAMS of Delaware. Yes. The cost of those 15 bills over a 5-year period would be $187,466 million, according to the estimates furnished by the Bureau of the Budget.

Mr. PROXMIRE. Over a 5-year period?

Mr. WILLIAMS of Delaware. Over a 5-year period.

Mr. PROXMIRE. The average cost would be $35 billion or $40 billion a year?

Mr. WILLIAMS of Delaware. That is correct. The reason why I asked the Bureau of the Budget to project the amount over a period of 5 years was that there would be a slow start in the first year before the bills became fully effective.

Mr. PROXMIRE. How many bills are involved?

Mr. WILLIAMS of Delaware. Fifteen.

Mr. PROXMIRE. Is it not true that some tax loophole measures have been introduced which would have raised some revenue?

Mr. WILLIAMS of Delaware. Yes; that is true. But that would not account for enough additional revenue to pay this cost.

Mr. PROXMIRE. The point of the Senator from Delaware is not that some Senators have introduced revenue-raising measures, including gasoline tax bills, and other bills, but that those measures themselves contain no balancing revenue-raising provisions.

Mr. WILLIAMS of Delaware. That is the point. There have been measures which have been introduced to close loopholes here and there. The Senator from Wisconsin knows that I have worked toward the objective of closing loopholes. However, even if we were successful in achieving all our objectives, it still would not be possible to finance any such program as is contemplated by the expenditure of $187 billion over a period of 5 years.

Mr. PROXMIRE. Does the Senator from Delaware distinguish between loan programs and programs which are outright spending or grant programs?

Mr. WILLIAMS of Delaware. These are primarily spending programs.

Mr. PROXMIRE. They contain no lending program money at all?

Mr. WILLIAMS of Delaware. These are almost all spending programs from which there would be no reimbursement.

Mr. PROXMIRE. I will be extremely interested in studying the bills. I think the Senator from Delaware has performed a real service in calling this matter to the attention of the Senate.

Mr. WILLIAMS of Delaware. In addition, there are now pending before the House Ways and Means Committee several other tax reduction proposals, two of which—H.R. 310 and H.R. 5—if enacted would reduce our revenue another $10 billion per year.

If just these 18 bills—15 calling for mutibillion-dollar expenditures and 3 calling for multibillion-dollar tax reductions were enacted it would mean that for the next 5 years our expenditures would be increased at a rate of approximately $40 billion per year while at the same time our income would be reduced at a rate of around $10 billion per year. All of these proposals are being made at a time when our Government has just closed its books on a fiscal year in which it showed a deficit of over $12 billion.

Certainly, taxes are too high, but there is only one real way to cut taxes and that is first to cut down on Government spending. Any tax reduction in the face of our present budget condition is a farce. Any tax reduction financed on borrowed money is an open admission on the part of its supporters that they do not have the courage to tell the American people what their proposed programs would cost and that they do not have the courage to levy sufficient taxes to pay for them.

Our Government does not have access to any mysterious source of income. The only money which the Federal Government can spend is money which we first have taken, either directly or indirectly, out of the pockets of the American taxpayers. Or if we do not raise this revenue to meet our expenditures in the form of taxes, then the only other course is to issue Government bonds, thus creating a debt in the name of the future generations; and this is what we have been doing for the past 30 years. It is this policy which is largely responsible for the American dollar having already lost one-half of its purchasing power, and unless this trend is stopped the American dollar is going to be depreciated even further.

For the first time in our generation, grave questions are being asked abroad as to the stability of the American dollar.

For the past 2 years gold has been moving out of this country at an accelerated rate. A part of this loss in gold can be attributed to an adverse trade balance, but we would be blind if we accepted this as the sole reason.

Unquestionably a part of this gold is being transferred as the result of the questions raised in international banking circles as to the ability of the U.S. Government to check inflation, or, in other words, our ability to live within our income.

Last year our Government was forced to enter an already tight money market to borrow an extra $12 billion to finance its deficit. These huge borrowings coming on top of a rapidly expanding economy pushed interest rates to an alltime high, and at the same time generated a lack of confidence in the stability of the American dollar.

There is only one way we can restore or maintain confidence in the American dollar; and that is, to demonstrate not only to the American people but to the world that this Government is determined to live within its income and that we stand ready to pay whatever price and whatever sacrifice are necessary to achieve this objective.

I am not an alarmist. I have every confidence in the will and the ability of the Government of the United States to solve any financial problem; however, I am a realist, and I am convinced that unless our Government does take prompt action to solve this problem a serious financial crisis could develop. To me this is not a question of choice. We have already advanced to the point where certain steps must be taken.

In my opinion those necessary steps are:

First. Our budget must be brought into balance. To do this all projects which are not immediately essential to our national defense and upon which work can be suspended without unnecessary loss, should be curtailed or held in abeyance.

Second. All tax cuts, regardless of how meritorious, should be ruled out until after a reasonable payment has been made on our national debt. This definitely eliminates any possibility of a tax cut for 1960.

Third. Congress should immediately repeal the present 4¼-percent ceiling on interest rates for long-term Government bonds. Long-term Government bonds in the open market today are selling at discounts to yield 4½ percent or better, and it is a farce to maintain the existing ceiling under the guise of opposing higher interest rates.

Fourth. I am opposed to any suggestion of instructing the Federal Reserve Board to support the Government bond market. Such action would definitely be inflationary and would only further destroy the investors' confidence in the American dollar.

Fifth. A greater effort should be made to finance a larger percentage of our national debt through savings bonds sold to the people. To accomplish this, series E and series H savings bonds must be made a more attractive investment.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. JAVITS. The whole burden of my speech today was the proposal of a $25 billion issue of peace bonds.

Notwithstanding our differences in policy concerning particular measures, I am gratified to know that the Senator from Delaware and I think alike on this particular subject. I used the framework of "peace bonds" because it enables the Government to change the interest rate and change the term of savings bonds. It will lend impetus to patriotism, which is inherent in the cold war.

I think the anti-inflationary effect of putting this body of long-term debt on the individual investor is so great that it represents a major aspect of our victory in the cold war, a victory in real terms of well-being and peace for the world.

I am not asking the Senator to join me in my thesis, but I express my gratification to him for his reasoning. I know he will forgive me for saying this. He is a conservative. We are proud to have him as a great conservative in the Republican Party. It leads him to much the same point as do my views, which are on the liberal side, especially in social welfare measures, lead me.

But against the hard rock of fiscal responsibility I think this is something very noteworthy to the American people, and I thank my colleague for having told me and for mentioning it.

Mr. WILLIAMS of Delaware. I thank the Senator from New York. I am in complete agreement with him on his suggestion this afternoon that a larger percentage of our debt should be financed by means other than through the banks. I think there is no greater anti-inflationary step that could be taken by this administration than that of trying to get away from financing such a large portion of our debt through banks, which, as we all know, does have greater inflationary tendencies than if it were financed by the selling of savings bonds to the people.

However, as I point out, to accomplish this those bonds must be more attractive than they are today. At a later date I expect to discuss a proposal to make the series E and series H bonds more attractive.

However, I will say now that if we are to ask the American people to buy savings bonds, we have got to make these bonds the most attractive investment in America. Savings bonds today are being cashed in at a rate faster than they are being sold. Much concern is being expressed over that situation. I made the statement the other day in a conference that I thought we should be realistic and recognize that the reason why these series E bonds are being cashed in to the extent we see today, is that under present conditions they are not the best investment in America.

Let us not dodge that fact any further. With Government bonds selling in the open market at 4½ and 4¾ percent, certainly we cannot expect the average investor to buy these bonds which yield only a fraction over 3 percent. Unless they are offered at a more attractive rate of interest, they will not sell.

I shall speak further on that subject at a late date and present a suggestion which I think would make these bonds a more attractive investment.

Mr. JAVITS. I am glad the Senator has spoken of that particular situation, because I put a table in the RECORD in connection with my remarks which shows that the proportion of people's savings which the United States is getting in savings bonds is at a new alltime low, notwithstanding the fact that savings in private savings and loan institutions, amounting to $48 billion, are at a new alltime high. The participation of the public in the disposition of savings through the purchase of savings bonds has fallen, whereas their participation in savings and loan associations, commercial savings and mutual savings banks, has risen, the main beneficiary being the savings and loan associations.

I join the Senator in his remarks and I have heretofore made the proposal I have recounted. We must have a realistic interest rate. We have to have terms and conditions. Some witnesses before our joint economic committee even advocated some form of tax exemption in order to make the bonds more attractive.

Mr. WILLIAMS of Delaware. These savings bonds must be made the most attractive investment in America. I think we owe that to those who are going to buy them. After all these are bonds being sold to the working people of this country. If we are going to pay higher rates of interest, let us pay it on these savings bonds.

Last year the Congress, as a recessionary measure, authorized an acceleration of expenditures on the highway program, with the result that this fund is now confronted with a substantial deficit, and either this program will have to be curtailed or additional revenues provided.

The President has suggested an additional 1½-cent increase in gasoline tax; however, last week the Committee on Ways and Means rejected any suggestion of increased taxes and instead made the following proposals:

First. The issuance of not to exceed $1 billion in revenue bonds beginning as needed upon the date of enactment and with the issuance to be completed prior to June 30, 1961. These bonds will be issued against the assets of the highway trust fund and will not be a part of the public debt. The highway trust fund is to pay off the bonds within 5 years—prior to the end of fiscal year 1966.

Mr. President, with relation to that point I ask this question: What collateral would be placed back of these bonds by the highway trust fund? Presumably they would not be a part of the national debt. Presumably their payment would not be guaranteed by the United States. But we all know that the Government will not be able to sell these bonds unless it be made very clear that the Government will be standing back of their payment.

As to the assets of the highway trust fund, what assets do they have? None except an interest in our highway system and any claim on revenue that Congress sees fit to assign it. We all know that we cannot sell those bonds unless we put the security of the United States back of them.

Second. Beginning July 1, 1961, the transfer to the highway trust fund of 2 percentage points of the excise tax on automobiles, with this transfer to continue for a period of 4 years to July 1, 1965. This transfer will provide additional funds to the trust fund to help repay the revenue bonds.

Third. To extend from June 30, 1972, to June 30, 1976, the period during which the taxes which go into the highway trust fund will be imposed.

The suggestion that we finance this deficit by transferring money from the general fund, which is already running a deficit, is just bookkeeping juggling that will fool no one, and the suggestion that we can issue $1 billion in bonds pledging the assets of the highway trust fund as collateral and not have these bonds counted as a part of the public debt is utterly ridiculous.

If the Congress wants this highway program to continue, then let us be willing to pay for it.

In conclusion, I repeat—our Government is faced with a serious financial crisis. Inflation must be controlled. Confidence must be restored in the stability of the American dollar, but that can only be accomplished by us as Americans meeting this challenge and taking prompt and courageous action.

CORRECT USE OF THE TALKING BOOKS SERVICE OF THE LIBRARY OF CONGRESS

Mr. MORSE. Mr. President, a large group of people is being denied the blessings of reading, simply because their eyes are too weak to read and too strong to be blind.

It seems to me that a library is designed to help those who want to read, and to provide books for those who wish to read. The Congress has created in the Library of Congress a division for the blind which operates the talking books service. But since anyone using the service must be legally blind, we have the situation in which the Library of Congress is servicing the blind, and not serving the near-blind who wish to read. I feel that this service should be made available to all those who have need of it. By excluding those who are not legally blind from this service, we are creating a vacuum in which numerous people must exist with no enjoyment from reading.

So, Mr. President, I introduce, for appropriate reference, a bill to amend the so-called talking book act of 1933. The purpose of this amendment is to allow those who are physically incapable of reading to avail themselves of this service. As the act now reads, the Library of Congress can lend the "talking books" only to those who are declared legally blind.

Many, however, are unable to read, due to poor eyesight or other physical disabilities, yet do not have such poor eyesight as to be declared legally blind.

As an example, I should like to quote from a letter I received from one of my constituents. As a result of an automobile accident, this lady suffered temporary blindness. An operation restored partial vision, but not enough to read, yet enough not to be declared legally blind. She states the predicament faced by many others. She has written to me as follows:

> My sister [had] found out about the books and the talking machine and arranged for me to have them and it was several months before I was off the legally blind. This was a most wonderful experience to have sight restored and to enjoy the wonderful books. I thought I might be allowed to have the books because of the floaters that make reading almost impossible for me but this can't be, for I am not legally blind. The man in charge of the social service for the blind in Portland * * * wrote there are lots of folks like me who have difficulty in reading or can't read who need the talking books but they are legally blind.

Of course, Mr. President, the Library of Congress avoids—and rightly so—becoming involved in any legislative matter. But the Library of Congress verifies facts; and it has verified the facts in regard to this situation, as I have presented them today to the Senate.

I believe that all Members of this body would immediately concur in the bill I am introducing, once they understood those facts. I believe that anyone who considers this matter and ascertains the facts will conclude that what I am proposing to be done is only right and fair as a matter of simple social justice.

Therefore, Mr. President, I hope this very humane bill will be considered very promptly by the committee, and will be reported to the Senate at this session, so that Congress will at this session pass it. We need to pass it quickly, so that in the months immediately ahead we can correct the effects of simply a legislative technicality which forbids the Library of Congress to make these talking books available to those who cannot read but who, nevertheless, have some sight remaining, and therefore cannot meet the technical requirement that they be declared legally blind, under the law, before these talking books can be made available to them.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2480) to amend the act entitled "An act to provide books for the adult blind," approved March 3, 1931, introduced by Mr. MORSE, was received, read twice by its title, and referred to the Committee on Rules and Administration.

LABOR REFORM

Mr. MORSE. Mr. President, on July 22 I had occasion to review the legislative picture for labor reform, just prior to the House Labor Committee's having reported its bill. That bill, H.R. 8342, is now available.

Mr. President, I should like to ask unanimous consent to include in the RECORD at the conclusion of these remarks a brief comment upon H.R. 8342 in relation to S. 1555, which the Senate passed at the end of April.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, it will be recalled that on July 22 I analyzed with some care certain criticisms made by the Teamsters of the House bill and the Senate-passed bill and I disagreed with some of those criticisms. The RECORD for July 27 contains at page 14272 an analysis of the House committee's bill prepared by the U.S. Chamber of Commerce. It should be stated for the RECORD that the chamber of commerce criticisms are unsound in many respects.

Mr. President, I should like to give an example. Section 707 of the Senate bill contained a ban on the "hot cargo" contract, a device used by the Teamsters to carry out secondary boycotts without engaging in strikes or picketing against secondary employers. The Teamsters announced that the Senate had passed a bill which would make strikebreakers of truckdrivers by removing their legal right to refuse to go through a primary picket line. Clearly, this was not our intent. The House committee, in section 705(a), adopted the Senate's language on "hot cargo," but added a proviso to the effect that employees had a right to be protected if they refused to cross a primary picket line. The chamber's analysis describes the result as a section which "cleverly nullifies the provisions of the Senate-passed bill." The chamber of commerce, like the Teamsters, apparently believes the Senate passed a bill which is at complete variance with the carefully built up concepts between primary labor disputes and secondary ones. I completely disagree with this interpretation of the Senate bill for the reasons set forth in the analysis I have asked to have printed in the RECORD, and I now ask unanimous consent to have printed at the conclusion of my remarks, an analysis of the major changes made by the House committee in the labor reform bill as it passed the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

MAJOR CHANGES MADE BY HOUSE COMMITTEE IN LABOR REFORM BILL AS IT PASSED THE SENATE

1. Hot cargo: The Senate bill bans a secondary boycott conducted through the use of a "hot cargo" clause between a union and an employer common carrier. This practice has been described as a loophole in the Taft-Hartley Act which bans secondary boycotts by strikes or picketing. The Senate bill was not intended to affect the rights of anybody in connection with a primary strike or picket line. The House committee bill makes the latter point clear.

2. No man's land: The House committee bill in this most difficult area provides a solution which has considerable appeal. It would require the National Labor Relations Board to exercise its jurisdiction fully, but in order to avoid a serious log jam of cases, the House committee bill would provide authority for the Board's regional directors to render decisions in election cases. This provision would substantially free the Board's Washington staff for consideration of unfair labor practice cases.

3. Fiduciary responsibility: The fiduciary provision of the bill was broadened by the House committee. Section 501 of the Elliott bill imposes a general fiduciary responsibility on all union officers, taking into consideration the special problems and functions of the labor organization. The House provision in no way attempts to indicate what expenditures a labor organization may make and envisages that any expenditure approved by the membership and executive board or other governing body is lawful. Thus, although the Elliott bill is broader in its application than the Senate bill, it does not appear to restrict the right of a union to make any authorized expenditure approved by responsible officials thereof.

4. Small unions: The House committee bill provides for mandatory exemption of unions with 200 members or $20,000. The Senate bill provided discretionary authority to the Secretary to exempt unions with 200 members and $20,000. It is estimated that the House-approved provision would exempt from all reporting requirements about 60 percent of all local unions in the country. It is estimated that these unions which would be exempt embrace between 5 and 15 percent of all union members. However, there is a means provided to the Secretary to revoke the exemption after notice and hearing if the members are not being provided the information required by the act.

5. Employer reporting: This provision is much weaker than the one contained in the Senate-passed bill.

6. Powers of the Secretary: In the reporting title of the bill the Secretary, by the House committee amendments, was deprived of the right to compile reports and studies based on the data made available to him. Otherwise his power to make investigations, seek injunctions, to compel compliance and institute criminal prosecutions, remains unchanged.

7. Defense costs: While the House committee retained the prohibition against unions' paying a fine of a person convicted of a violation of title II, it struck the provision prohibiting payment of defense costs of a person indicted or convicted.

8. Non-Communist affidavit: The House committee eliminated the Senate non-Communist affidavit provision but inserted in the elections title a ban on any Communist holding union office, or holding a position as a labor relations consultant.

9. Extortion picketing: The House committee rewrote section 213 without substantial change in effect.

10. Trusteeships: There were no substantive changes of any magnitude made in the trusteeship sections of the bill. In addition to permitting a member to bring a complaint on trusteeships through the Secretary of Labor, the House committee version permits a direct suit in a U.S. district court by a member who alleges a violation of the trusteeship portions of the act. The House committee version grants a presumption of validity of 18 months as opposed to the Senate's 12 months where a trusteeship has been imposed in accordance with the provisions of the act.

11. Availability of members lists: The House committee bill makes available to every bona fide candidate for union office the up-to-date mailing list of the union for copying.

12. Election enforcement: The House committee version eliminates the suit by the Secretary on a complaint of a member of an election title violation and provides that a member may go directly into a district court to redress any violations of the elections title. The court may order the Secretary to hold a new election and in this and other respects the House committee version is similar to the Senate provision. No other

substantial changes were made in the election title.

13. Codes of ethical practices: The House committee struck the whole of title V of the Senate-passed bill providing for voluntary codes of ethical practices.

14. Catch-all criminal penalties. The House committee eliminated section 607, which prescribes criminal penalties for attempts to use force or violence or economic reprisal to prevent the exercise by a member of any right guaranteed under the act.

15. Picketing: No change was made in the picketing provision.

16. Communications industry: The amendment relating to supervisors in the communications industry was dropped.

17. Economic strikers: The House committee version is similar to the Kennedy-Ives bill of last year.

18. Denver building trades: The House committee added a new provision which was not in the Senate-passed bill which would reverse the Denver building trades decision. The provision permits picketing on a building site when a union has a dispute with one of several employers on a building site without running afoul of the secondary boycott restrictions of the Taft-Hartley Act.

This modification in the law was recommended in 1954 by the President in his labor message to the Congress, and was incorporated in S. 2650 which was reported to the Senate by a Republican-controlled Senate Labor Committee in that year. The act would continue to ban secondary boycotts in the construction industry except in the situation covered.

19. Bill of rights: The bill of rights was completely rewritten but the substantive changes made in the enumerated rights themselves do not appear significantly different from the Senate-passed bill. The enforcement of the rights, however, has been changed. Rather than the criminal penalties of section 607(a) which are applicable under the Senate-passed bill, the House committee version permits a member to bring a suit in a district court after exhausting reasonable internal union remedies, to obtain appropriate relief for the violation.

EXHIBIT 2

ANALYSIS OF U.S. CHAMBER OF COMMERCE COMMENT (RECORD P. 13016) ON H.R. 8342

TITLE I—RIGHTS OF MEMBERS OF LABOR ORGANIZATIONS

Section 101(a)(1): It is asserted that although rights are accorded union members, it subjects these rights to reasonable qualifications unformerly imposed; hence the section can be rendered meaningless by union action.

Clearly if the qualification is not reasonable then the union's privilege is nonexistent. Hence the section is not rendered meaningless.

Section 101(a)(3): It is inferred that the exemption of federations from the requirements for raising dues is suggestive of a double standard. In fact members of federations are not individuals but constituent internationals. If a constituent organization decides against paying its per capita contribution, that is its privilege; and it may resign, or enjoy less influence.

Section 101(a)(4): It is stated that the requirement to exhaust internal remedies effectively destroys the right to sue.

In fact the internal remedies must be "reasonable," if they were not, there would be a right to sue.

Section 101(a)(5): It is asserted a union has been given sweeping authority for emasculation of the safeguards provided.

In fact any disciplinary action must be in accordance with the union's constitution and bylaws which must not be inconsistent with the provisions of this section.

Section 102(a): It is asserted that to require a union member to abide by internal union procedures at all is futile, and for 6 months is fatal.

In fact this assumes that union procedures are in an overwhelming number of cases invoked by those treated unjustly and will be handled without regard to their merits. Moreover the requirement that parties exhaust internal remedies in any organization is firmly established in the law.

TITLE II

Section 201(a): It is asserted that a list of required subjects be incorporated into union constitutions. An example is a provision for strike authorizations.

The example suggests the frivolousness of the assertion. Unions, to protect themselves, need stated procedures for strike authorizations to avoid over hasty conduct by members and local leaders.

Section 201(b): It is asserted that the requirement for financial reports should include standards for a union's "financial dealings."

In fact this assumes that union procedures are in an overwhelming number of their officers; the fact that these requirements are not included in 201(b) is not in point.

Section 201(c): It is asserted that the requirement to furnish "information required to be contained in such report" permits furnishing "in any fashion the union may choose."

Perhaps the union may choose first-class mail, its house organ, or by direct distribution. But what it furnishes is clear, and it must contain the same information required in its report.

Section 201(d): The spirit of John Dio is invoked to suggest an exemption for small unions is improper. The typical small local with unpaid officers and insignificant treasury should be exempt in the same manner persons earning less than $600 don't file income tax returns.

Section 201(e): It is inferred that removal of the ban on access to the NLRB for those not filing reports would remove the incentive to file.

In fact many unions not now using the NLRB would be required to file reports or face criminal penalties. The NLRB disqualification has been primarily a source of delay in case handling and a useful technical device for employers to flout the law.

Section 209(a): It is asserted that rules and regulations issued in order to effectuate the purposes of title II would be unenforcible.

This is an assertion without substance. The section provides for a criminal penalty for any violation of title II. The assertion provides no example of an imaginary loophole. Willful failure to report the material required by the Secretary and the law would be subject to criminal penalty.

Section 209(b): It is asserted that a person can escape culpability for false filing by denying he knew his statement to be false (presumably the same criticism could be repeated for many sections of the bill).

This is a misleading assertion. Would the chamber make it a crime to file a report when the person so doing believes (in fact) it is true but which includes an unintentional misstatement. The basis of any criminal act is a guilty intent, not carelessness.

Section 210: It is asserted that the Secretary has no authority to seek a court order to enforce the rules and regulations he issues.

The section provides the Secretary with the right to seek injunctions whenever a person is violating, or about to violate, "any of the provisions of this title."

TITLE III—TRUSTEESHIPS

Section 301: The criticisms of this section are difficult to understand in the light of the remaining sections of the title. The bill does provide carefully prescribed standards for trusteeships.

Sections 302, 304(c): It is inferred that legitimate objects of a union might be illegitimate. In view of the presumption of invalidity after 18 months of trusteeship, the burden of proving a legitimate purpose would be clearly upon the union.

To suggest a shorter time for the presumption of trusteeship validity overlooks the extreme reluctance most unions exercise in declaring trusteeship. To hobble a union in the exercise of this right is to insure irresponsibility and misbehavior from local officials.

TITLE IV—ELECTIONS

It is asserted that there are insufficient standards for elections generally and at the intermediate or national levels; and that since the union's constitution and bylaws govern anyway, the requirements of this title are rendered useless.

The bill imposes the following requirements:

1. Section 401(d): "A reasonable opportunity shall be given for the nomination of candidates."

2. Section 401(d): "Every member in good standing shall be eligible to be a candidate and to hold office (subject to * * * reasonable qualifications uniformly imposed) and shall have the right to vote * * * without being subject to penalty, discipline, or improper interference or reprisal of any kind."

3. Every member is guaranteed 45 days' notice of the time and manner of making nominations and also of the place and date of the election (sec. 401(d)).

4. No member whose dues have been checked off by his employer may be denied the right to vote because the employer has not paid the money over to the union (ibid.).

5. In an international election the results of the voting in each local must be published separately (ibid.).

6. All records pertaining to the election must be retained for 1 year (secs. 401(d) and (e)).

7. Union money may not be contributed or applied to promote the candidacy of any person (sec. 501(f)).

8. Each candidate is given the right to have an observer at the polls in a local election (sec. 501(b)).

9. Each candidate is given the right to have an observer at the counting of the ballots in a local election.

10. In addition to the foregoing requirements it will be a violation of the Federal statute for the union not to conduct the election in accordance with its constitution and bylaws. The chamber's assertion "the union constitution and bylaws govern * * *" is another half truth. Section 501(d) provides that they shall govern insofar as they are not inconsistent with the provisions of this title.

TITLE V

Section 501(a). It is asserted that a loophole is created by limiting the fiduciary duty to take into account the special problems and functions of a labor organization.

Such a duty must be related to the type of organization involved. A trustee for a family estate, a corporate director and a union officer—all have duties which are subject to the highest standards, but some of those standards are higher in each case than in another because of the different purposes involved.

The chamber further asserts that a union official is left unaccountable for profits reaped while using his office (not union funds) to his personal advantage.

This is a misrepresentation. Section 501 (a) explicitly requires union officials "to account to the organization for any profit received by him in whatever capacity in connection with transactions conducted by him or under his direction on behalf of the organization." The same section also forbids a union officer "from holding or acquiring any

personal interest which conflicts with the interests of such organization." Section 501 (b) authorizes an individual member, when these rules are violated and the union fails to sue, to bring a suit "to recover damages or secure an accounting or other appropriate relief for the benefit of the labor organization."

Section 504: It is asserted that this section fails to prevent criminal elements from the labor-management scene because it enumerates only some serious felonies.

The difficulty of adopting the chamber's approach is well demonstrated by its example of manslaughter which can be committed as a result of an automobile accident. Surely the chamber would not want to bar a person from his livelihood because he was guilty of manslaughter under these circumstances.

TITLE VII

Section 701(a)(b): It is asserted that the effect of the bill will be to exclude the States from "handling matters which are of strictly local concern, and will overload the National Labor Relations Board, already overloaded by 6,000 cases.

To be more precise, the bill will not exclude the States any more than they are now excluded; it will instead provide a forum for determining rights of employers and employees which are now in the no man's land. The possibility of overloading the NLRB is significantly countered by permitting regional directors to decide representation cases.

Section 702(a)(b): It is asserted that right to work laws are being weakened in the construction industry.

The fact is that any weakening of the right to work laws is specifically provided against. The fact is that these sections are aimed to make no change in existing law but to make clear that the prehire agreement is permissible in the industry. The section also attempts to clarify a muddled legal situation regarding hiring halls.

Section 702(c)(d): It is asserted that this section permits secondary boycotts in the construction industry. In fact, secondary boycotts are prohibited under existing law. The purpose of this section is to permit a union to conduct picketing at a job site in furtherance of a dispute with an employer on the job site, but without falling afoul of secondary boycott restrictions.

Section 705(a): It is asserted that this section "cleverly nullifies" the provisions of the Senate-passed bill curbing hot cargo clauses.

In fact that the Senate-passed bill was aimed at hot cargo clauses by which a union was able to inflict secondary pressure. It was not intended that the rights of any persons not to go through primary picket lines should be changed. If the chamber was under any apprehension that the Senate version curbed such primary activity, it at least is now informed.

Section 705(a): It is asserted that this section places an ineffective limitation on recognition picketing and none on organizational picketing.

In fact it prohibits both types of picketing under two types of situations: (1) for 9 months after an election has been conducted, and (2) when another union has been recognized even without NLRB certification.

This provision is identical to the Senate version.

Section 705(d): It is stated that a union can avoid an injunction against picketing by filing a charge.

In fact, the words of the section refute the assertion "* * * it shall be a defense to show that an unfair labor practice * * * has been committed." It is difficult to believe that it would want such picketing stopped for an employer who was violating the law.

DOWNSTREAM BENEFIT BILL

Mr. MORSE. Mr. President, once again there is under consideration in the Senate a bill involving a subject matter I have opposed in the past, and shall oppose again this year. I do so with regret and with some sadness, because it is a proposal which is being made by some of the Members of the Senate for whom I have the highest of regard. It is known as the downstream benefits bill.

I think the bill is completely wrong in principle. It is a bill which involves this type of situation: The Federal Government builds a multipurpose dam on a river belonging to all the people of the United States. The Federal Power Commission then grants a license to a private utility to build a private utility dam higher up the river to make use of water belonging to all the people of the United States. That is a permission, in effect, by the people of the United States to use the people's water for the generation of power, because, as I say, the river belongs to all the people of the country.

Mr. President, over the years—in fact, for decades—it has been found necessary in the Congress of the United States always to watchdog and be on guard against the selfishness of monopolistic interests. Sad to say, but true, whenever they can pass the burden on to the shoulders of the taxpayers, we can be sure that the monopolies will try it. They have been trying this one for years, and they are at it again. In essence, what the downstream benefit bill provides is that the people shall pay the private utilities the benefit—a money benefit—for building a dam on the people's river higher up on the stream than the public dam, impounding water behind the private dam, thereby regulating the flow, but not one bit more than is necessary to run the private utility generators, and then charge the taxpayers a price for the use of water, which belongs to the people in the first place, which flows over a private utility dam and then down the stream, at a more rapid rate, over a public dam, generating power in both places.

Mr. President, I have been at a loss to understand how such an attempt to assess the taxpayers could get any support. What the private utilities ought to be doing is paying the taxpayers for the use of the people's water in the first instance, not seeking to charge the taxpayers for the use of their own water, simply because in the first instance it is impounded behind a private utility dam which they were permitted by license to build on the people's river.

Mr. President, there is a pretty fundamental principle of development of natural resources here involved. Let the private utilities get by with this charge against the taxpayers, and once the principle is established in connection with one dam, it is only a matter of time, may I say, before the taxpayers will be paying practically the total cost of the private utility dams which can be built higher up on the stream on which there is located a multi-purpose dam.

Well, maybe they will win this time, Mr. President, but they will not win with my vote; and once the taxpayers come to understand this program against the public interest they will not win with public support.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD the text of a release issued on July 30, 1959, by our able colleague in the House, Representative ULLMAN, in opposition to the so-called downstream benefit bill.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

Congressman AL ULLMAN, Democrat of Oregon, this week strongly urged the defeat of legislation authorizing Federal subsidies for private power companies operating upstream storage dams. The House Interstate and Foreign Commerce Committee is currently considering various proposals permitting payments to owners of non-Federal projects for benefits the Government may obtain at downstream dams.

In a statement submitted to the committee, ULLMAN labeled the legislation "another utility bonanza" resulting in a "windfall amounting to millions of dollars. Private power companies developing upstream sites do so as a privilege and according to specific conditions set forth in their licenses," ULLMAN said. "Why, then, should the Federal Government make payments for incidental benefits which may accrue from the granting of Federal licenses. Assuredly these benefits are not much to ask in return for the profits resulting from private development of the public's water resources."

Congressman ULLMAN said he rejected that theory that Federal subsidies were a necessary "inducement" to get private power companies to coordinate their operations with Federal projects. "A more desirable method is to require coordination as a condition in the license granted to the private companies by the Federal Power Commission."

As an example of the effect of the proposed legislation, ULLMAN referred to the three small dams licensed to the Idaho Power Co. in the midde Snake. "These bills would require the Federal Government to pay the Idaho Power Co. for downstream benefits at eight Federal projects—payments that would undoubtedly run into millions of dollars over the service life of these dams.

"I strenuously object," ULLMAN continued, "to a proposal providing cash or other financial awards to the Idaho Power Co. for the privilege of underdeveloping this stretch of the Snake River. It was a mistake to grant a Federal license in the first place; it would compound the tragedy to play Santa Claus again and hand the Idaho Power Co. an unanticipated windfall amounting to millions of dollars."

Mr. MORSE. Mr. President, Representative ULLMAN has made a very able record in the House of Representatives as the people's friend on issue after issue in protecting the public interest in the natural resources of this country, which belong to all the people.

It will be found that the natural resource fight goes on in a rhythm, if its legislative history in the Congress is checked. It is during the lull periods—and we are now in a lull period—that the private utilities and other monopolistic interests try to do their legislative handiwork in the Congress. They hope to catch the public and the Congress off guard. They try to get through legislation that seeks to line their pockets with profit dollars, at the expense of the taxpayers.

Mr. President, the statement made by Representative ULLMAN leaves no room

for doubt that he is on guard, and I am delighted to be associated with him in the cause of protecting the public interest from what I consider to be a very unsound bill.

I submitted testimony against the bill on July 29, 1959, before the Senate committee on Interstate and Foreign Commerce, and I ask unanimous consent that the statement I filed with the committee at that time be printed in the RECORD as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR WAYNE MORSE, OF OREGON, BEFORE SENATE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE ON S. 1782 AND S. 2262, JULY 29, 1959

Mr. Chairman and members of the committee, I regret that I must appear here to oppose S. 1782, introduced by my good friend and distinguished colleague, Senator MURRAY, and S. 2262, introduced, by request, by the distinguished chairman of this committee, Senator MAGNUSON. However, I have opposed similar bills in the past, and I have no reason to believe that these so-called downstream benefit bills have been improved by the addition of a "coordination" coating to make the pill less bitter.

In testifying before the Senate Committee on Interior and Insular Affairs in 1955 on another downstream benefits bill, I said:

"This is a bad bill. It is the cornerstone of the so-called partnership scheme under which the private utilities would be permitted, no, paid, for taking over multipurpose storage damsites. It is a double giveaway. The private utilities would not only receive the revenue potential of the damsites, which should be developed in the public interest; they would be paid to enable them to do so."

I do not believe that the Senate, in the year 1959, will stray so far from this Nation's historic water policy as to give serious consideration to this proposal. The basic assumption of these bills is that a private utility, or other non-Federal interest, has equal rights and privileges with the Federal Government on navigable streams of the United States. I challenge this assumption.

Again quoting my testimony in 1955:

"The philosophy of this proposal is certainly novel. Our streams are the common heritage of all the people. When a license is issued to a non-Federal agency or a private utility it is conferred because it is deemed that the public convenience and necessity will be served and because the utility desires to invest funds and make a profit. It should be borne in mind that the utility is using community property for which it does not pay and often has the benefit of the Government's power to condemn property for a public use.

"It makes sense that when the United States builds and operates a dam that increases the efficiency of downstream non-Federal dams the downstream beneficiary should compensate the Federal Government if it is feasible to compute the payment.

"The reverse does not follow. The non-Federal user is, in the first instances, employing water in streams that belong to the citizenry at large. Private utility power dams are not designed to improve the stream in order to create downstream benefits. That is an incidental byproduct of their operation.

"It would be strange to exact payment from the taxpayers to compensate utilities for such incidental improvements of resources that belong to all of the people."

If we so desired, we could talk at great length about voluntary coordination but we can't get away from the effect of these bills—namely, that they would authorize Federal payments to non-Federal owners for the benefits which result from the granting of a privilege by the Federal Government. I believe the Federal Government is being generous enough when it grants a license to a non-Federal interest to construct a dam across a navigable stream of the United States. I do not see why the Government should then offer to pick up the check for a part of the costs of constructing and operating the non-Federal project under a Federal license.

There has been testimony that passage of such legislation as this would constitute simple equity and fairness. I say it would constitute plain subsidy and windfall.

Let me cite one case with which I have had some contact over the past several years. The most tragic example of underdevelopment of water resources in the history of our Nation is the pigmy dams now being built by Idaho Power Co., on the middle Snake. No private power company ever fought harder, expended more effort and resources, or had more backing from its allies over the country than did Idaho Power Co., in its battle to defeat a Federal high Hells Canyon Dam and to construct its own small dams.

Idaho Power Co. certainly did not make this fight on the condition that it would receive downstream benefit windfalls. In fact, the company said it would build its little dams at no expense to the taxpayer, and was subsequently so embarrassed by the uproar over multimillion dollar Federal fast tax writeoffs that it gave up, though reluctantly, that particular Federal subsidy.

Yet these bills would have the Federal Government make payments to Idaho Power Co. for the power benefits received at eight downstream Federal dams from the 1 million acre-feet of storage at the power company reservoirs. If the high Hells Canyon Dam were being built today, as the Senate voted that it should be, the Government would soon have available 3,800,000 acre-feet of usable water storage, nearly four times as much as will be provided by the power company's little dams.

I am vigorously and unalterably, opposed to legislation which would pay Idaho Power Co., or any other private power company in the future, for the privilege of underdeveloping the water resources of this Nation.

Idaho Power Co., has already received the privilege of a Federal license to build dams on the Snake River; it has already received fast tax writeoffs which it did not reject; and it is using the benefits of section 167 of the Internal Revenue Code to gain other tax advantages through speeding up of depreciation of other capital additions to its power system.

This power company—and it is not the only one in the country to do so—last year paid out dividends to its stockholders of which 40 percent were tax free. And this year it is estimated that 35 to 40 percent of its dividends will be tax free, thanks to a gimmick in Federal tax laws.

Mr. Chairman, I do not want to favor legislation which will grant additional Federal subsidies to Idaho Power Co. Federal aid for Idaho Power Co. has gone far enough. We read reports of mismanagement of foreign aid programs. How many Americans know of the aid to private power companies through the liberalized depreciation bonanza?

But the proponents of this bill say we should pay these subsidies to entice the power companies to coordinate their operations with Federal projects. I believe the present Federal Power Act provides sufficient authority for the Federal Power Commission to require coordination as a condition of the issuance of a license to a non-Federal owner. So I say the Government does not have to rely on subsidized voluntary agreements to accomplish this highly desirable purpose. As a case in point, the FPC license to Idaho Power Co. for its massive underdevelopment of the middle Snake requires coordination. Whatever else may be said of FPC's action in approving Idaho Power's comprehensive plan for developing the river, the fact is that FPC did require coordination as a condition of the license. If a coordination requirement is good enough for Idaho Power Co., it is good enough for any other non-Federal interest which applies to FPC for a license to build a dam across navigable waters of the United States.

Let us get our thinking on the main track, and not on misleading sidetracks. Idaho Power Co. did not acquire permanent rights to the use of the middle Snake when it obtained a license from FPC. It obtained the right to build a dam—under certain conditions—and the Federal Government retained the right to recapture this dam after the expiration of a 50-year license. Any control over the waters of the middle Snake River which the Idaho Power Co. dams make possible is due entirely to the granting of this terminable 50-year privilege. Idaho Power Co., or any other power company in the future, would not apply for an FPC license if it thought it was entering into a losing proposition.

I have heard that the proponents of these bills say private power company customers should share in the benefits of Federal power projects. In the Pacific Northwest, they already share, since a great part of federally generated power goes to private companies and private industries. But if this bill were passed, do you think the power companies would pass the benefits along to their customers? Idaho Power Co. today is taking money from its ratepayers, through the liberalized depreciation provisions of the Internal Revenue Code, and is passing this money out to its stockholders as tax-free dividends. Montana Power Co., another prime beneficiary of this proposed legislation, is taking more than 40 cents per share of stock from its ratepayers through Federal tax gimmicks and is not passing a cent of it back to the ratepayers. This is a bill which would benefit power company stockholders, if past experience is any indication, and not the ratepayers.

I would like to ask this committee what the cost would be if these bills were passed. If 20 non-Federal upstream dams were constructed in the next 20 years over the country, what would it cost the Federal Government over a 50-year period in downstream benefit payments? My guess is that the cost would run into millions of dollars. This is a sort of back-door financing for the private power companies. And for the Congress, it represents an authorization for blank dollars in appropriations, or in power revenues.

Mr. MORSE. It will help our thinking on these bills if we separate the coordination concept from the downstream benefits idea. Everybody is in favor of real coordination, the kind that is enforced and is workable. I urge your committee to pass legislation which will bring about this kind of coordination. This can be achieved through the same means as that proposed in these bills, through an amendment to the Federal Power Act. Such an amendment would require the Federal Power Commission to require coordination as a condition of any future FPC license, and as a part of a comprehensive plan for the development of the water resources of a river basin. If inequities result, or if any project owner is penalized because of basinwide coordination, then that owner should be properly compensated.

But I cannot stand aside and see a reversal of fundamental concepts of river

development policy in the name of "coordination." I cannot condone the idea that the road to coordination is Federal subsidy. I urge this committee to examine closely the effects of these bills, and to pass legislation which will bring about better coordination among water project owners without further subsidizing the private power companies.

ADJOURNMENT

Mr. MORSE. Mr. President, in accordance with the agreement previously reached, I move that the Senate stand in adjournment until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 6 o'clock and 21 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, August 4, 1959, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 3, 1959:

U.S. DISTRICT JUDGE

Charles F. Paul, of West Virginia, to be U.S. district judge for the northern district of West Virginia, vice Herbert S. Boreman, elevated.

INDIAN CLAIMS COMMISSION

Arthur V. Watkins, of Utah, to be an Associate Commissioner of the Indian Claims Commission, vice Louis J. O'Marr, resigning.

WITHDRAWAL

Executive nomination withdrawn from the Senate August 3, 1959:

U.S. DISTRICT JUDGE

John G. Tucker, of Texas, to be U.S. district judge for the eastern district of Texas.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 3, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

I Samuel 16: 7: *The Lord seeth not as man seeth; for man looketh on the outward appearance, but the Lord looketh on the heart.*

Almighty God, we are now approaching Thy throne of grace with a humble spirit and a contrite heart for we feel constrained by Thy great love and compelled by our many needs to call upon Thee.

We beseech Thee to inspire us to be more conscientious and scrupulous about discharging faithfully every appointed task.

Illumine with the spirit of wisdom and understanding the minds and hearts of all who administer and have charge of our civic affairs.

May the laws that are being enacted by the Congress be the expressions of Thy divine will.

Hear us in Christ's name. Amen.

The Journal of the proceedings of Thursday, July 30, 1959, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2210. An act to provide for the disposition of the Philadelphia Army Base, Philadelphia, Pa.

HOUSE AND SENATE AMENDMENTS TO VARIOUS BILLS

The SPEAKER laid before the House the following message from the Clerk of the House:

JULY 31, 1959.

The Honorable the SPEAKER,
House of Representatives.

SIR: Pursuant to the authority previously granted, the Clerk received from the Secretary of the Senate today the following message:

That the Senate agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5674) entitled "An act to authorize certain construction at military installations, and for other purposes"; and

That the Senate agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6769) entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1959, and for other purposes"; and

That the Senate agree to the amendments of the House of Representatives to the amendments of the Senate numbered 4, 6, 9, and 26 to the said bill; and

That the Senate agree to the report of the committee of conference on the disagreeing votes of the two Houses on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7040) entitled "An act making appropriations for the sundry independent bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1960, and for other purposes"; and

That the Senate agree to the amendments of the House of Representatives to Senate amendments Nos. 25 and 29 to said bill;

That the Senate further insist on its amendment No. 1 and ask a further conference with the House on the disagreeing votes of the two Houses thereon;

That Mr. MAGNUSON, Mr. HILL, Mr. ELLENDER, Mr. ROBERTSON, Mr. HOLLAND, Mr. ALLOTT, Mr. SALTONSTALL, and Mr. YOUNG of North Dakota be the conferees on the part of the Senate; and

That the Senate disagree to the amendment of the House of Representatives to the bill (S. 994) entitled "An act to authorize the Secretary of the Interior to construct, operate, and maintain the Spokane Valley project, Washington and Idaho, under Federal reclamation laws;" and request a conference with the House of Representatives on the disagreeing votes of the two Houses thereon;

That Mr. ANDERSON, Mr. JACKSON, and Mr. KUCHEL be the conferees on the part of the Senate.

Respectfully yours,
RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

HOUSE BILLS ENROLLED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had on July 31, 1959, examined and found truly enrolled bills of the House of the following titles:

H.R. 5674. An act to authorize certain construction at military installations, and for other purposes; and

H.R. 6769. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1960, and for other purposes.

SIGNING OF ENROLLED BILLS

The SPEAKER. The Chair desires to announce that, pursuant to the authority granted him on Thursday, July 30, 1959, he did on July 31, 1959, sign the following enrolled bills of the House:

H.R. 5674. An act to authorize certain construction at military installations, and for other purposes; and

H.R. 6769. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1960, and for other purposes.

DEPARTMENT OF DEFENSE APPROPRIATION BILL

Mr. MAHON submitted a conference report and statement on the bill (H.R. 7454) making appropriations for the Department of Defense for the fiscal year ending June 30, 1960, and for other purposes.

SPOKANE VALLEY PROJECT

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 994) to authorize the Secretary of the Interior to construct, operate, and maintain the Spokane Valley project, Washington and Idaho, under Federal reclamation laws, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Colorado? The Chair hears none and appoints the following conferees: Messrs. ASPINALL, ROGERS of Texas, UDALL, WESTLAND, and HOSMER.

RECEPTION FOR VICE PRESIDENT NIXON ON HIS VISIT TO POLAND

Mr. BENTLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BENTLEY. Mr. Speaker, as one who suggested more than 2 months ago to Vice President NIXON that he stop in Poland during the course of his trip to Moscow, I have been delighted to read of the outstanding reception which he has received in Warsaw. This clearly indicates the warm and deep friendship which the people of Poland, as distinguished from their Communist government, feel for the people of our own country.

I note that according to the press, Mr. NIXON has indicated he would favor a visit of Prime Minister Khrushchev for sometime to the United States and now that invitation has been extended by President Eisenhower. While he is in Poland, I hope that the opportunity will arise for Mr. NIXON to let it be known to Cardinal Wyszynski that, as the greatest figure today in Poland, I am certain he would be most welcome should he desire to visit our country.

I am confident this visit of Mr. NIXON's to Poland, which I suggested to him in a letter last May, will be yet another proof to the people of Poland as well as to all captive peoples, that the U.S. Government maintains the closest friendship and concern for them and has a deep and abiding conviction that they will continue to progress on the road to free government and complete self-determination.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

ADDITIONAL COMPENSATION FOR DEAFNESS OF BOTH EARS

The Clerk called the bill (H.R. 268) to amend title 38 of the United States Code to provide additional compensation for veterans having the service-incurred disability of deafness of both ears.

Mr. PELLY. Mr. Speaker, on behalf of a Member who could not be present, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

INCREASED COMPENSATION FOR CERTAIN DISABLED VETERANS

The Clerk called the bill (H.R. 283) to amend section 314(k) of title 38, United States Code, to provide an increased statutory rate of compensation for veterans suffering the loss or loss of use of an eye in combination with the loss or loss of use of a limb.

Mr. PELLY. Mr. Speaker, on behalf of a Member who could not be present, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

CONVEYANCE OF CERTAIN PROPERTY TO FORT WALTON BEACH, FLA.

The Clerk called the bill (H.R. 2934) to provide for the conveyance of certain real property of the United States to the city of Fort Walton Beach, Fla.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, I understand an amendment will be offered and, if it is, there will be no objection on the part of the objectors on this side of the aisle.

Mr. SIKES. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Florida.

Mr. SIKES. Mr. Speaker, I am prepared to offer an amendment which I understand will remove the objections which have been raised to 50 percent of the fair market value and, if the amendment is adopted, the language of the bill would then say, fair market value. I have such an amendment at the Clerk's desk.

Mr. PELLY. Mr. Speaker, under those conditions, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to section 3 of this Act, the Secretary of the Air Force shall convey to the city of Fort Walton Beach, Florida, all right, title, and interest of the United States in and to the real property described in section 2 of this Act for use as a municipal golf course and for other recreational purposes.

SEC. 2. The real property referred to in the first section of this Act is more particularly described as follows: 338.7549 acres of the Eglin Air Force Base Reservation, all being a portion of sections 26, 34, and 35, township 1 south, range 24 west, Okaloosa County, Florida, beginning with the General Land Office monument marking the southeast corner of the northeast quarter of section 35, township 1 south, range 24 west, to north 1 degree 09 minutes east along the east line of said section a distance of 2,662.40 feet to the General Land Office monument at the northeast corner of section 35, thence continue on the previous bearing a distance of 949.76 feet to a point on the southwest right-of-way line of Mooney Road, thence north 56 degrees 06 minutes 20 seconds west along said right-of-way line a distance of 364.73 feet to a State road department concrete monument marking the point of intersection of the aforementioned right-of-way line and the south right-of-way line of Florida State Highway No. 189, thence south 64 degrees 28 minutes west along said south right-of-way line to a distance of 4,103.01 feet to a point where the east line of the northwest quarter of the northwest quarter, section 35, intersects said right-of-way line, thence south 0 degrees 42 minutes west along said quarter-quarter section line go a distance of 613.71 feet to an Eglin Air Force Base boundary marker at the southeast corner of the northwest quarter of the northwest quarter of section 35, thence north 88 degrees 22 minutes 30 seconds west a distance of 1,206.04 feet to the point of intersection of the south right-of-way line of Florida State Highway No. 189, thence south 64 degrees 28 minutes west along said right-of-way line go a distance of 1,626.12 feet to a point where the west line of the southeast quarter of the northeast quarter of section 34 intersects said right-of-way line, thence south 0 degrees 13 minutes west along said quarter-quarter section a distance of 615.50 feet to an Eglin Air Force Base boundary marker at the southwest corner of the southeast quarter of the northeast quarter of section 34, thence south 88 degrees 35 minutes 40 seconds east along the quarter section line of sections 34 and 35 a distance of 6,611.65 feet to the point of beginning.

SEC. 3. The conveyance authorized by the first section of this Act shall be subject to the condition that the real property so conveyed shall be used by the city of Fort Walton Beach, Florida, for a municipal golf course and other recreational purposes only, and if such city shall ever cease to use such real property for a municipal golf course and other recreational purposes the title thereto shall revert to the United States, which shall have the right of immediate entry thereon.

With the following committee amendment:

Page 3, line 12, strike all of section 3 and insert in lieu thereof the following:

"SEC. 3. The conveyance authorized by the first section of this Act shall be subject to—

"(a) the condition that the real property so conveyed shall be used by the city of Fort Walton Beach, Florida, for a municipal golf course and other recreational purposes only, and if such city shall ever cease to use such real property for a municipal golf course and other recreational purposes the title thereto shall revert to the United States, which shall have the right of immediate entry thereon.

"(b) the condition that the city of Fort Walton Beach, Florida, shall pay to the Secretary of the Air Force as consideration for the tract of land conveyed under the provisions of this Act, a price equal to 50 per centum of the fair value of the property conveyed, based on the highest and best use of the property on the date of enactment of this law, regardless of its former character or use, as determined by the Chief of Engineers, Department of the Army, or his designee."

Mr. SIKES. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SIKES to the committee amendment: On page 4, lines 9 and 10, strike out "50 per centum of."

The amendment to the committee amendment was agreed to.

The committee amendment, as amended, was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXCHANGE OF LANDS—MASSACHUSETTS PORT AUTHORITY

The Clerk called the bill (H.R. 5888) to authorize the Secretary of the Navy to transfer to the Massachusetts Port Authority, an instrumentality of the Commonwealth of Massachusetts, certain lands and improvements thereon comprising a portion of the so-called E Street Annex, South Boston Annex, Boston Naval Shipyard, in South Boston, Mass., in exchange for certain other lands.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized to convey to the Massachusetts Port Authority, an instrumentality of the Commonwealth of Massachusetts, subject to the terms and conditions hereinafter in this Act expressly stated, and to such other terms and conditions as the said Secretary of the Navy shall deem to be in the public interest, all the right, title, and interest of the United States in and to that portion of the property known as E Street Annex, South Boston Annex, Boston Naval Shipyard, in South Boston, Massachusetts, including the improvements thereon, and described as follows:

Beginning at a point, said point being the intersection of the easterly side line of E

Street, and the northerly side line of West First Street, thence running north 40 degrees 59 minutes 00 seconds east by the easterly side of said E Street, a distance of 1,325.78 feet to a point, thence turning and running south 49 degrees 01 minutes 00 seconds east a distance of 206.25 feet to a point bounded by land of United States of America (United States Naval Station), thence turning and running south 40 degrees 59 minutes 00 seconds west a distance of 389.83 feet to a point bounded by land of United States of America (United States Navy, Boston Naval Shipyard), thence turning and running south 49 degrees 01 minutes 00 seconds east a distance 447.75 feet to a point bounded by land of United States of America (United States Navy, Boston Naval Shipyard), thence turning and running south 40 degrees 59 minutes 00 seconds west a distance of 935.95 feet to a point on the northerly side line of West First Street and bounded by land of the United States of America (United States Navy, District Public Works Officer, First Naval District) and now or formerly by land of Mary I. Murphy, thence turning and running north 49 degrees 01 minutes 00 seconds west a distance of 654.00 feet to the point of beginning; containing in area 15.9 acres of land, more or less, and shown on Public Works Drawing Numbered 981-391-28 titled "Plan of Land in Boston, Massachusetts, South Boston District, Portion of E Street Annex, South Boston, Massachusetts, dated 18 November 1958", reserving to the Government a railroad right-of-way to building numbered 61 on lands retained by the Government and an easement for a water line and subject to a right-of-way for railroad purposes granted to the Port of Boston Authority and a drainage easement to the city of Boston, in consideration of the conveyance by the Massachusetts Port Authority to the United States of America, free of all encumbrances, the following lands, together with any improvements thereon: (a) An area of approximately 60,300 square feet occupied by the United States under permit A-260 issued by the Port of Boston Commission of the Commonwealth of Massachusetts, bearing Department of the Navy instrument numbered NOy (R)-65507; and (b) an area of approximately 109,264 square feet occupied by the United States under permit A-261 issued by the Port of Boston Commission of the Commonwealth of Massachusetts, bearing Department of the Navy instrument numbered NOy (R)-65508.

SEC. 2. The conveyance to the Massachusetts Port Authority authorized by the first section of this Act shall be made subject to the following express conditions: (a) That the Massachusetts Port Authority, at its own expense, will preserve and maintain in a condition suitable for, and not inconsistent with, the purposes of the Authority, the lands and the improvements existing on said property on the date of enactment of this Act, and those which may be constructed thereon after such date of enactment; (b) that in a time of war or national emergency the United States shall have the right of the free and unlimited use of all said property including any improvements which may be erected by the grantee, but the United States shall pay a fair rental for any improvements made after the date of enactment of this Act and shall be responsible during the period of such use for the entire cost of maintaining said property.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING COAST GUARD TO SELL CERTAIN UTILITIES

The Clerk called the bill (S. 577) to amend title 10, United States Code, section 2481, to authorize the U.S. Coast Guard to sell certain utilities in the immediate vicinity of a Coast Guard activity not available from local sources.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2481 of title 10, United States Code, is amended as follows:

(1) Subsection (a) is amended as follows:

(A) By striking out the words "of a military department" and inserting in place thereof the word "concerned".

(B) By striking out the word "or" immediately following the words "Air Force," and inserting the words "or Coast Guard," immediately following the words "Marine Corps,".

(2) Subsection (c) is amended by striking out the words "of the military department".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING COAST GUARD TO SELL SUPPLIES TO VESSELS

The Clerk called the bill (S. 1367) to amend title 14, United States Code, entitled "Coast Guard", to authorize the Coast Guard to sell supplies and furnish services not available from local sources to vessels and other watercraft to meet the necessities of such vessels and watercraft.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 17 of title 14, United States Code, is amended by adding the following new section:

"SEC. 654. The Secretary under such regulations as he may prescribe, may sell to public and commercial vessels and other watercraft, such fuel, supplies and furnish such services as may be required to meet the necessities of the vessel or watercraft if such vessel or watercraft is unable—

"(1) to procure the fuel, supplies, or services from other sources at its present location; and

"(2) to proceed to the nearest port where they may be obtained without endangering the safety of the ship, the health and comfort of its personnel, or the safe condition of the property carried aboard.

Sales under this section shall be at such prices as the Secretary considers reasonable. Payment will be made on a cash basis or on such other basis as will reasonably assure prompt payment. Amounts received from such a sale shall, unless otherwise directed by another provision of law, be credited to the current appropriation concerned and are available for the same purposes as that appropriation."

SEC. 2. The analysis of chapter 17 of title 14, United States Code, is amended by adding the following new item:

"654. Public and commercial vessels and other watercraft; sale of fuel, supplies, and services."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASED COMPENSATION OF KEEPERS OF LIGHTHOUSES

The Clerk called the bill (H.R. 2245) to amend subsection 432(g) of title 14, United States Code, so as to increase the limitation on basic compensation of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard from $3,750 to $5,100 per annum.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 14 of the United States Code, subsection 432(g), is amended by striking the amount "$3,750" therein and inserting in lieu thereof the amount "$5,100".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER BY NAVY TO COAST GUARD OF CERTAIN PROPERTY

The clerk called the bill (H.R. 7943) to authorize the Coast Guard to accept, operate, and maintain a certain defense housing facility at Yorktown, Va., and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. DURHAM. Mr. Speaker, I ask unanimous consent that an identical Senate bill, S. 2153, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Coast Guard is authorized to accept from the Department of the Navy, without reimbursement, the forty-two unit defense housing facility at Yorktown, Virginia, and to operate and maintain such facility on a rental basis for occupancy by Coast Guard personnel and their dependents pursuant to the provisions of the Act of July 2, 1945 (59 Stat. 316; 37 U.S.C. 111a).

SEC. 2. Until June 30, 1960, rents collected may be utilized in operating and maintaining the facility, after which date they shall be deposited in the Treasury to the credit of miscellaneous receipts. Coast Guard appropriations shall be available for the cost of operating and maintaining the housing facility.

SEC. 3. The administration of the housing facility by the Coast Guard shall, except as provided in section 2, be in conformity with the administration of similar housing projects by the other Armed Forces.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 7943) was laid on the table.

DISPOSAL FROM THE NATIONAL STOCKPILE

The Clerk called the concurrent resolution (H. Con. Res. 166) providing the

express approval of the Congress under section 3(e) of the Strategic and Critical Materials Stock Piling Act, of the disposal of rough cuttable gem-quality diamonds, cut and polished gem-quality diamonds, osmium, rhodium, ruthenium, and zircon concentrates from the national stockpile.

There being no objection, the Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the Congress expressly approves, pursuant to section 3(e) of the Strategic and Critical Materials Stock Piling Act (53 Stat. 811, as amended; 50 U.S.C. 98b(e)), the disposal of the following materials from the national stockpile in accordance with the plans of disposal published by General Services Administration in the Federal Register on the dates indicated—

(a) approximately forty-seven thousand and forty-nine carats of rough cuttable gem-quality diamonds and eight thousand four hundred and twelve carats of cut and polished gem-quality diamonds, Federal Register of August 5, 1958 (23 F.R. 5944);

(b) approximately twenty-seven troy ounces of osmium, two thousand five hundred and fifteen troy ounces of rhodium and fifty-one ounces of ruthenium, Federal Register of August 15, 1958 (23 F.R. 6311); and

(c) approximately fifteen thousand nine hundred and two short dry tons of zircon concentrates, Federal Register of March 13, 1959 (24 F.R. 1844).

All funds derived from the sales authorized by this concurrent resolution shall be deposited into the Treasury as miscellaneous receipts.

The concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

COCONUT OIL

The Clerk called the joint resolution (H.J. Res. 441) relating to the disposition of coconut oil from the national stockpile under the Strategic and Critical Materials Stockpiling Act.

Mr. WEAVER. Mr. Speaker, at the request of another Member who is unable to be present today, I ask unanimous consent that this measure be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska.

There was no objection.

RETIREMENT OF U.S. COMMISSIONERS

The Clerk called the bill (H.R. 163) to amend the Civil Service Retirement Act with respect to the crediting of service of U.S. commissioners for purposes of such act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(1) of the Civil Service Retirement Act (5 U.S.C. 2253(1)) is amended—

(1) by striking out in the first sentence thereof "on the basis of one three hundred and thirteenth of a year for each day on which such United States commissioner renders service in such capacity" and inserting in lieu thereof "on the basis of one two hundred and thirty-eighth of a year for each day on which such United States commissioner renders service in such capacity", and

(2) by striking out in the second sentence thereof "three hundred and thirteen days in any one year" and inserting in lieu thereof "two hundred and thirty-eight days in any one year".

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That section 3(1) of the Civil Service Retirement Act (5 U.S.C. 2253(1)) is amended—

"(1) by striking out in the first sentence thereof 'on the basis of one three-hundred-and-thirteenth of a year for each day on which such United States commissioner renders service in such capacity' and inserting in lieu thereof 'on the basis of one three-hundred-and-thirteenth of a year for each day prior to July 1, 1945, and one two-hundred-and-sixtieth of a year for each day after June 30, 1945, on which such United States commissioner renders service in such capacity', and

"(2) by striking out in the second sentence thereof 'for more than three hundred and thirteen days in any one year' and inserting in lieu thereof 'for more than three hundred and thirteen days in any one year prior to July 1, 1945, or for more than two hundred and sixty days in any one year after June 30, 1945'.

"SEC. 2. Notwithstanding any other provision of law, benefits payable by reason of the amendments made by the first section of this Act shall be paid from the civil service retirement and disability fund.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECIAL MILK PROGRAM FOR CHILDREN

The Clerk called the bill (S. 1289) to increase and extend the special milk program for children.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

PEANUTS FOR BOILING

The Clerk called the bill (H.R. 4938) to amend the Agricultural Adjustment Act of 1938 to make permanent the definition of "peanuts" which is now in effect on a temporary basis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last paragraph of the Act entitled "An Act to amend the peanut marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, and for other purposes", approved August 13, 1957 (7 U.S.C. 1359 note), is repealed.

With the following committee amendment:

Page 1, line 7, strike the word "repealed" and insert "amended by striking the word 'and' and inserting after the figure '1959' the words ', 1960 and 1961' ".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend the Agricultural Adjustment Act of 1938 to extend for 2 years the definition of "peanuts" which is now in effect."

A motion to reconsider was laid on the table.

AMENDING ACT OF AUGUST 4, 1955, (PUBLIC LAW 237, 84TH CONGRESS)

The Clerk called the bill (H.R. 4697) to amend the Act of August 4, 1955 (Public Law 237, 84th Cong.) to provide for conveyance of certain interests in the lands covered by such act.

Mr. DORN of South Carolina. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate bill (S. 1110) to amend the act of August 4, 1955 (Public Law 237, 84th Cong.), to provide for conveyance of certain interests in the lands covered by such act.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to direct the Secretary of Agriculture to release on behalf of the United States conditions in two deeds conveying certain submarginal lands to Clemson Agricultural College of South Carolina so as to permit such college, subject to certain conditions, to sell, lease, or otherwise dispose of such lands", approved August 4, 1955 (Public Law 237, Eighty-fourth Congress; 69 Stat. 496), is amended by adding at the end thereof the following:

"SEC. 3. (a) Upon application and subject to subsection (b) of this section, all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the said conditions as to such lands may be conveyed to the Clemson Agricultural College of South Carolina by the Secretary of the Interior upon the payment of an amount equal to the fair market value of such interests as determined by appraisal or otherwise.

"(b) This section shall not apply to the mineral interests of the United States in the seven thousand three hundred eighty and one-half acres of land taken by eminent domain in Civil Action 2446 in the United States District Court for the Western District of South Carolina."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

AMENDING FEDERAL FARM LOAN ACT

The Clerk called the bill (H.R. 6353) to amend the Federal Farm Loan Act to

transfer responsibility for making appraisals from the Farm Credit Administration to the Federal land banks, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MURRAY. Mr. Speaker, reserving the right to object, I have an amendment to this bill. I have discussed it with the chairman of the Committee on Agriculture, the gentleman from North Carolina [Mr. COOLEY]. I do not think there is any objection to the amendment on his part. The amendment has been gone through very fully with the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield.

Mr. COOLEY. Mr. Speaker, I have discussed the proposed amendment with the gentleman from Tennessee. While I have no right to accept the amendment, I have agreed to accept it for the purpose of taking it to conference at least. So I have no objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Farm Credit Act of 1959".

TITLE I—FEDERAL LAND BANKS

SEC. 101. Section 3 of the Federal Farm Loan Act, as amended, is amended—

(a) by changing the paragraph thereof relating to the appointment of registrars, appraisers, and examiners (12 U.S.C. 656) to read:

"The Farm Credit Administration shall appoint a farm loan registrar for each farm credit district to receive applications for issues of farm loan bonds and to perform such other services as are prescribed by this Act, and may appoint a deputy registrar who shall during the unavoidable absence or disability of the registrar perform the duties of that office. It shall also appoint as many farm credit appraisers and farm credit examiners as it shall deem necessary. Such farm loan registrars, deputy registrars, farm credit appraisers, and farm credit examiners shall have no connection with or interest in any institution, association, or partnership engaged in banking or in the business or making land mortgage loans or selling land mortgages but they may perform such duties as are authorized by the Farm Credit Administration in connection with the business of the banks and associations it supervises: *Provided,* That this limitation shall not apply to persons employed by the Farm Credit Administration on a temporary basis.";

(b) by deleting the paragraph thereof relating to the compensation of appraisers and inspectors (12 U.S.C. 658);

(c) by deleting the paragraph thereof relating to the employment of certain personnel by the Farm Credit Administration (12 U.S.C. 659); and

(d) by deleting the second sentence of the third paragraph from the end thereof (12 U.S.C. 662).

SEC. 102. (a) The second paragraph of section 9 of the Federal Farm Loan Act, as amended (12 U.S.C. 742), is amended to read:

"Any person desiring to secure a loan through a Federal land bank association under the provisions of this Act may, at his option, borrow from the Federal land bank through such association the sum necessary to pay for shares of stock subscribed for by him in the Federal land bank association. Any such sum for the purchase of stock shall be made a part of the face amount of the loan and such sum shall for all purposes be additional to the 65 per centum of the normal value of the farm as specified in any provision of this Act."

(b) Section 10 of the Federal Farm Loan Act, as amended (12 U.S.C. 751–757), is amended to read:

"SEC. 10. (a) Whenever an application for a mortgage loan is made to a Federal land bank association, the loan committee provided for in section 7 of this Act shall cause to be made such investigation as it may deem necessary as to the character and solvency of the applicant and the sufficiency of the security offered. When it appears that a loan may be approved, the loan committee shall obtain a written report on the security by an appraiser designated or appointed by the Federal land bank of the district and such appraiser shall investigate and make a written report upon the security offered. Such appraisal, investigation, and report shall be made in accordance with appraisal standards prescribed by the Farm Credit Administration and may be made by any competent person (including an employee of a Federal land bank association) when designated for that purpose by the Federal land bank of the district. The loan committee shall cause a written report to be made of the results of such investigations of the applicant and the security and shall, if it concurs in such report, approve the same in writing. After the loan committee has reached an agreement as to the amount and terms of the loan which may be offered to the applicant, if such amount is not in excess of 65 per centum of the normal value of the security offered as determined by said appraiser, the association may notify the applicant of the amount and terms of the loan approved by the loan committee: *Provided,* That any such notice shall contain a statement that the amount and terms of the loan offered to the applicant are subject to and conditioned upon subsequent approval or disapproval by the Federal land bank.

"(b) The written report of the loan committee and the report made by an appraiser designated or appointed by the Federal land bank shall be submitted to the Federal land bank with the application for the loan, and the land bank shall examine said reports when it passes on the loan application which they accompany. No loan shall be made unless the report of the loan committee and the report of the appraiser are favorable.

"(c) All appraisal reports shall be made on forms approved by the Farm Credit Administration.

"(d) No farm credit appraiser and no appraiser designated or appointed by a Federal land bank shall make any appraisal in connection with a loan in which he is interested, directly or indirectly. No member of a loan committee or of a board of directors of a Federal land bank association shall participate in the consideration of or action on any loan in which he is interested, directly or indirectly.

"(e) Each Federal land bank shall conduct studies in such manner and to such extent as the Farm Credit Administration deems necessary in connection with the appraisal standards prescribed for the district.

"(f) Notwithstanding the foregoing provisions of this section—

"(1) appraisal reports made by appraisers heretofore or hereafter appointed by the Farm Credit Administration pursuant to section 3 of this Act may be used as a basis for Federal land bank loans;

"(2) the Farm Credit Administration may, in its discretion and in such circumstances and for such periods as it deems necessary, direct that any or all appraisals in connection with loans by any Federal land bank, or appraisal standards studies required by subsection (e), shall be made by farm credit appraisers appointed pursuant to section 3 of this Act; and

"(3) for purposes of paragraph (2) of this subsection, the Farm Credit Administration is authorized to employ additional farm credit appraisers, including such appraisers as it may select who have been designated or appointed by a Federal land bank, and to require that the salaries and other expenses of all such additional appraisers be paid by the Federal land bank served by them in such manner as the Farm Credit Administration shall determine.

"(g) Farm credit appraisers appointed pursuant to section 3 of this Act shall make such reviews and investigations as the Farm Credit Administration determines to be necessary to assure compliance with the appraisal standards prescribed by it pursuant to subsection (a) of this section; make such additional reviews and investigations concerning the quality of first mortgages securing farm loan bonds as the Farm Credit Administration shall direct; and perform such other duties as may be prescribed by the Farm Credit Administration. Any first mortgage which is found not to conform to the appraisal and loan standards prescribed by the Farm Credit Administration shall not be credited toward meeting the amount of bond collateral which a Federal land bank is required to maintain with a farm loan registrar except in such amount as the Farm Credit Administration shall approve."

SEC. 103. On the effective date of this title each land bank appraiser shall be transferred from the Farm Credit Administration to the Federal land bank served by him immediately prior to said effective date, without reduction in salary and accumulated leave, unless the Farm Credit Administration, in its discretion, determines that individual appraisers shall be retained as farm credit appraisers. The selection of personnel for transfer, or for retention as farm credit appraisers, shall be without regard to section 12 of the Veterans' Preference Act of 1944, as amended (5 U.S.C. 861). Land bank appraisers shall be subject to the same employment conditions as other bank employees after transfer under this section. At least sixty days prior to the effective date of this title the Farm Credit Administration shall notify each land bank appraiser that he is to be transferred to a Federal land bank or that he is to be retained in the Farm Credit Administration. Any land bank appraiser who notifies the Farm Credit Administration in writing at least thirty days before the effective date of this title that he does not desire to accept employment as stated in the notice from the Farm Credit Administration shall be separated from employment on said effective date and such separation shall be deemed involuntary.

SEC. 104. (a) Section 12 of the Federal Farm Loan Act, as amended (12 U.S.C. 771), is amended by (1) changing the last proviso of paragraph "Second" thereof to read: "*And provided further,* That any land bank may make loans on an unamortized or partially amortized basis, under rules and regulations issued by the Farm Credit Administration."; (2) striking out of paragraph "Seventh" thereof "loans to any one borrower shall in no case exceed a maximum of $200,000, but".

(b) Section 20 of the Federal Farm Loan Act, as amended, is amended by deleting the second sentence thereof (12 U.S.C. 861, second sentence) and by inserting the following immediately before the period at the end of the last sentence thereof (12 U.S.C. 864, last sentence): ", except that, with the approval of the Farm Credit Administration, an issue of bonds may be limited to bearer or coupon bonds".

(c) The first and second sentences of section 23 of the Federal Farm Loan Act, as amended (12 U.S.C. 901), are amended by substituting "at the end of each fiscal year" for "semiannually" therein.

(d) The first and second sentences of section 24 of the Federal Farm Loan Act, as amended (12 U.S.C. 911), are amended by substituting "at the end of each fiscal year" for "semiannually" therein.

(e) The seventh paragraph of section 29 of the Federal Farm Loan Act, as amended (12 U.S.C. 967), is amended by changing "land bank appraiser" in the second and third sentences thereof to "farm credit appraiser".

(f) Section 202(c) of the Federal Farm Loan Act, as amended (12 U.S.C. 1033), is amended by changing the period at the end thereof to a comma and adding the following: "and any Federal intermediate credit bank may in its discretion purchase such loans or discounts with or without such endorsement.".

(g) Section 208(c) of the Federal Farm Loan Act, as amended (12 U.S.C. 1093) is amended by changing "Land bank appraisers" in the first sentence thereof to "Farm credit appraisers".

(h) The Federal Farm Loan Act, as amended (12 U.S.C. 641 et seq.), and any other Act of Congress in which the words appear, are amended by changing "national farm loan association" and "national farm loan associations" to "Federal land bank association" and "Federal land bank associations", respectively.

(i) The Federal Farm Loan Act, as amended (12 U.S.C. 641 et seq.), and any other Act of Congress in which the words appear, are amended by changing "secretary-treasurer" and "secretary-treasurers", when used to mean the secretary-treasurer of a national farm loan association (herein renamed "Federal land bank association"), to "manager" and "managers", respectively.

(j) The first sentence of section 5(d) of the Farm Credit Act of 1953 (12 U.S.C. 636(d)) is amended by inserting immediately before the period at the end thereof ": *Provided*, That the salary of not more than three positions of deputy governor shall each be fixed by the Board at a rate not exceeding $17,500 per annum".

(k) This title shall become effective December 31, 1959.

TITLE II—STATUS OF FARM CREDIT BANKS AND EMPLOYEES

SEC. 201. Notwithstanding any other provision of law, and in order to encourage and facilitate increased borrower participation in the management and control of institutions operating under the supervision of the Farm Credit Administration in accordance with the policy declared in section 2 of the Farm Credit Act of 1953 (12 U.S.C., supp. IV, 636a), section 6 of the Farm Credit Act of 1937, as amended (12 U.S.C. 6401), is amended—

(a) by inserting "(a)" immediately following "SEC. 6.", by redesignating subsections "(a)" and "(b)" as paragraphs "(1)" and "(2)", respectively, and by deleting subsection "(c)";

(b) by adding the following at the end of paragraph (1) of subsection (a) thereof (as redesignated herein): "The employment, compensation, leave, retirement (except as provided in subsection (e) hereof), hours of duty, and all other conditions of employment of such joint officers and employees employed by the district farm credit board, and of separate officers and employees of the Federal land bank, Federal intermediate credit bank, and bank for cooperatives of the district employed by the board of directors of such banks, shall be determined by the respective boards without regard to the laws from which exemption is granted in this section, but all such determinations shall be consistent with the laws under which such banks are organized and operate. Appointments, promotions, and separations so made shall be based on merit and efficiency and no political test or qualification shall be permitted or given consideration. The district farm credit board shall, under rules and regulations prescribed by the Farm Credit Administration, provide for veterans' preference and limitations against political activity for such officers and employees substantially similar to the preference and limitations to which such officers and employees were subject upon enactment of this sentence."; and

(c) by adding the following new subsections after subsection (a) thereof (as redesignated herein):

"(b) The provisions of section 1753 of the Revised Statutes (5 U.S.C. 631) and the Act of January 16, 1883, entitled 'An Act to regulate and improve the civil service of the United States', as amended (22 Stat. 403; 5 U.S.C. 632 et seq.), any laws supplementary thereto, including but not limited to the Act of August 24, 1912, as amended (5 U.S.C. 652), section 1 of the Act of November 26, 1940, as amended (5 U.S.C. 631a), and section 1310 of the Supplemental Appropriation Act, 1952, as amended (5 U.S.C. 43, note), and any rules, orders, or regulations promulgated for carrying such Acts or laws into effect, shall not apply to a Federal land bank, Federal intermediate credit bank, or bank for cooperatives, or to its directors, officers, or employees.

"(c) The Federal Employees' Compensation Act, as amended (5 U.S.C., ch. 15), shall not be applicable in respect to the injury, disability, or death of any employee of a Federal land bank, Federal intermediate credit bank, or bank for cooperatives unless such injury, disability, or death (or cause thereof) occurred before January 1, 1960.

"(d) Section 9 of the Hatch Act, as amended (5 U.S.C. 118i), and the Veterans' Preference Act of 1944, as amended (5 U.S.C. 851–869), shall not be deemed to apply to a Federal land bank, Federal intermediate credit bank, or bank for cooperatives, or to its directors, officers, or employees.

"(e) Each officer and employee of a Federal land bank, Federal intermediate credit bank, or bank for cooperatives who, on December 31, 1959, is within the purview of the Civil Service Retirement Act, as amended (5 U.S.C., supp. IV, ch. 30), shall continue so during his continuance as an officer or employee of any such banks without break in continuity of service. Any other officer or employee of such banks and any other person entering upon employment with any such banks after December 31, 1959, shall not be covered under the civil service retirement system by reason of such employment, except that (1) a person who, on December 31, 1959, is within the purview of the Civil Service Retirement Act, as amended, and thereafter becomes an officer or employee of any such banks without break in continuity of service shall continue under the civil service retirement system during his continuance as an officer or employee of any such banks without break in continuity of service and (2) a person who has been within the purview of said Act as an officer or employee of such banks and, after a break in such employment, again becomes an officer or employee of any such banks may elect to continue under the civil service retirement system during his continuance as such officer or employee by so notifying the Civil Service Commission in writing within thirty days after such reemployment.

"(f) In addition to such amounts as they are required to contribute to the civil service retirement and disability fund under section 4(a) of the Civil Service Retirement Act, as amended (5 U.S.C., supp. IV, 2254(a)), each Federal land bank, Federal intermediate credit bank, and bank for cooperatives shall, for each fiscal year after June 30, 1960, pay to the Farm Credit Administration to be covered into the Treasury as miscellaneous receipts, its fair portion of the cost of administration of said fund as determined in annual billings by the Civil Service Commission.

"(g) Any Federal land bank, Federal intermediate credit bank, or bank for cooperatives may, subject to the approval of the Farm Credit Administration, establish a retirement system for its officers and employees either separately or jointly with any other corporation under the supervision of the Farm Credit Administration. In determining eligibility for or the amount of any benefit under any such retirement system, there shall not be taken into account any service which is creditable under the Civil Service Retirement Act, as amended, but service which constitutes employment as defined in section 210(a) of the Social Security Act, as amended (42 U.S.C., supp. IV, 410(a)), may be so taken into account notwithstanding section 115 of the Social Security Amendments of 1954 (42 U.S.C., supp. IV, 410, note) or any other provision of law.

"(h) Subsections (b), (c), (d), (e), (f), and (g) of this section shall apply to the Central Bank for Cooperatives and its personnel and the board of directors of the Central Bank for Cooperatives shall have all the authority and responsibility with respect to personnel of such central bank as is vested in the farm credit board of a district or the board of directors of a district bank for cooperatives with respect to personnel of any such district bank under subsection (a)(1) of this section.

SEC. 202. (a) Section 210(a)(6)(B)(ii) of title II of the Social Security Act, as amended (42 U.S.C., supp. IV, 410(a)(6)(B)(ii)), and section 3121(b)(6)(B)(ii) of the Internal Revenue Code of 1954, as amended (26 U.S.C., supp. IV, 3121(b)(6)(B)(ii)), are each amended by inserting "a Federal land bank, a Federal intermediate credit bank, a bank for cooperatives," immediately before the words "a national farm loan association" therein.

(b) Section 2680 of title 28, United States Code, is amended by adding at the end thereof the following new subsection: "(n) Any claim arising from the activities of a Federal land bank, a Federal intermediate credit bank, or a bank for cooperatives.".

(c) Section 102(b) of the Federal Employees Pay Act of 1945, as amended (5 U.S.C. 902(b)), is amended by striking out "and" immediately preceding "(6)" therein and by inserting before the period at the end thereof "; and (7) officers and employees of a Federal land bank, a Federal intermediate credit bank, or a bank for cooperatives".

(d) Section 303 of the Government Employees' Incentive Awards Act (5 U.S.C., supp. IV, 2122) is amended by inserting within the parentheses after the words "the Tennessee Valley Authority" the words "or the Central Bank for Cooperatives".

(e) Section 205(e) of the Annual and Sick Leave Act of 1951, as added by section 4(b) of the Act of July 2, 1953 (5 U.S.C., supp. IV, 2064(e)), and section 1 of the Act of December 21, 1944, as amended by section 4(a) of the Act of July 2, 1953 (5 U.S.C., supp. IV, 61b), are each amended by substituting "(C), (H), or (I)" for "(C), or (H)" therein.

SEC. 203. (a) Nothing in this bill shall be deemed to amend, alter, repeal, or restrict the application of (1) section 190 of the Revised Statutes (5 U.S.C. 99), relating to the prosecution of claims against the United States by former employees; (2) the Act of August 26, 1950 (5 U.S.C. 22–1, 22–2, 22–3), relating to the suspension and separation of employees for security reasons; (3) section 710(e) of the Defense Production Act of 1950, as amended (50 U.S.C., app., supp. IV, 2160(e)), relating to the authority of the President to provide for an executive reserve training program; or (4)

any Act of Congress the violation of which is punishable by a fine or imprisonment, or both.

(b) Any Act of Congress enacted after the effective date of this title and which states that it shall be applicable to agencies or instrumentalities of the United States or to corporations controlled or owned, in whole or in part, by the United States, or to officers and employees of the United States or such agencies or instrumentalities or corporations, shall not be applicable to a Federal land bank, Federal intermediate credit bank, or bank for cooperatives, or to its directors, officers, or employees unless such Act specifically so provides by naming such banks.

(c) This title shall become effective January 1, 1960.

Mr. MURRAY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MURRAY: Page 14, strike out lines 8 to 17, inclusive, and insert in lieu thereof the following:

"(f) Each Federal land bank, Federal intermediate credit bank, and bank for cooperatives shall contribute to the civil service retirement and disability fund, for each fiscal year after June 30, 1960, a sum as provided by section 4(a) of the Civil Service Retirement Act, as amended (5 U.S.C. 2254(a)), except that such sum shall be determined by applying to the total basic salaries (as defined in that Act) paid to the employees of said banks who are covered by that Act, the per centum rate determined annually by the U.S. Civil Service Commission to be the excess of the total normal cost per centum rate of the civil service retirement system over the employee deduction rate specified in such section 4(a). Each bank shall also pay into the Treasury as miscellaneous receipts such portion of the cost of administration of the fund as is determined by the U.S. Civil Service Commission to be attributable to its employees."

The SPEAKER. The question is on the amendment offered by the gentleman from Tennessee [Mr. MURRAY].

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. MURRAY. Mr. Speaker, section 201(c) of H.R. 6353 adds at the end of section 6 of the Farm Credit Act of 1937 certain new subsections, including a new subsection (f) appearing at page 14, lines 8 through 17, of the reported bill. The new subsection (f) will continue under coverage of the Civil Service Retirement Act approximately 1,600 employees of Federal land banks, Federal intermediate credit banks, and banks for cooperatives, although they will no longer be Federal employees after enactment of H.R. 6353. This represents a departure from the established principle that the Civil Service Retirement Act shall apply only to Federal employees.

The equities in favor of these employees have been most ably explained to me by the distinguished gentleman from North Carolina, the chairman of the Committee on Agriculture, and I concur in his view that they are entitled to all possible consideration. They have served for a number of years in positions in the banks which have been covered by the Civil Service Retirement Act since 1942. I understand that the average length of service rendered is 20 years or more. It would be unfair to the employees and possibly adverse to the interests of the banks were the employees, through no fault of their own, to be deprived of retirement protection they have had for many years.

Without this amendment, the new subsection (f) would have one further effect which is undesirable. The reported bill provides for continued contribution by the employees at the rate of 6½ percent of their annual salaries. The banks would match this contribution and pay a fair share of the cost of administration of the retirement fund. This provision would result in an unwarranted additional cost to the civil service retirement and disability fund, which already is in serious financial condition. The recent actuarial valuation of the fund discloses obligations exceeding assets by $27 billion. This amount actually represents a deficit in the fund.

The reported bill makes no provision for payment by the employees or the banks of the difference between their combined contributions and the current annual cost of the retirement coverage provided—generally referred to as the "normal cost." Presently, approximately 19.5 percent of annual payroll is required to maintain the retirement fund on a current basis and to pay interest on the past deficit. The 19.5 percent consists of 6½ percent of salary contributed by the employees, 6½ percent matching contribution by the agencies, approximately one-half of 1 percent to cover the normal, or currently accruing, costs for each year, and 6 percent interest on the deficit.

Thus, the current or normal cost of civil service retirement coverage for the employees in the instant case will be approximately 13½ percent of payroll, rather than the total of 13 percent provided for by the bill. The difference of one-half of 1 percent of payroll represents an unwarranted expense to the already overburdened retirement fund.

In summary, the amendment will continue retirement coverage for the employees concerned, as is done by the reported bill, with the employees contributing 6½ percent of their salaries. However, the amendment requires the banks to contribute an amount each year equal to the difference between the employees' 6½-percent contribution and the normal cost of the fund for that year—presently 13½ percent. The banks would contribute approximately 7 percent of payroll, compared to 6½ percent under the reported bill, in addition to their fair share of the cost of administering the retirement fund.

The amendment continues the obligations of the Government to bear the normal cost and interest related to service rendered by the employees up to the date of enactment of the bill. The banks will assume the obligation for retirement coverage of the employees after enactment of H.R. 6353—that is, when they will no longer be Federal employees but will continue under the Federal retirement system—beginning with the first full fiscal year commencing after enactment of the bill.

I believe that this amendment is desirable and will assure fair treatment of the employees while at the same time preventing any undue drain on the civil service retirement fund.

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, this bill S. 1512 provides authority for the Federal land bank to make loans on an unamortized or partially amortized basis. As a general rule, a loan would be made on an amortized basis, and several citizens in Iowa have expressed opposition to the violation of this general rule. I have made inquiry of members of the committee concerning the intent of this provision and found overwhelming support for the provision. In response to inquiries, the Farm Credit Administration has made a statement which I believe expresses the intent of the members with whom I have discussed this matter. The statement is as follows:

Under present law, Federal land banks may make loans only under an amortization plan calling for a fixed number of annual or semiannual payments. The bill would authorize the land banks to make loans on an unamortized or partially amortized basis under rules and regulations issued by the Farm Credit Administration.

Generally, amortized loans are considered to be in the best interest of both borrower and lender. The making of such loans would continue to be the primary business of the banks. There are special circumstances, however, where some land bank borrowers, after paying off a substantial portion of their loans, would prefer to use their income for farm improvements or other expenses. Also, in some instances, older borrowers would prefer to have a certain amount of debt against their farms and use the money for living expenses which would otherwise go to reduce the debt. There are other farmers who, like many business concerns, prefer to carry on their normal operations with a certain amount of mortgage indebtedness against the farm. The land banks could better serve the needs of all these farmers if they were authorized to make unamortized or partially amortized loans. It is intended, however, that the banks use this authority only in special situations such as those indicated above and they would not be permitted to do so in any case if there would likely be a deterioration in the security for the loan. It will be noted that under the language of the bill the authority of the banks in this respect is subject to close supervision by the Farm Credit Administration, since loans of this kind could be made only under rules and regulations issued by the Farm Credit Administration. The Farm Credit Administration can be relied upon to prevent any abuse of this authority.

Mr. Speaker, I know there are special situations where it is better business to reduce indebtedness secured by chattel mortgages that bear a higher interest rate than to reduce the land mortgage.

The bill as a whole provides some good improvements.

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the Senate bill (S. 1512) to amend the Federal Farm Loan Act to transfer responsibility for making appraisals from the Farm Credit Administration to the Federal land banks, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Farm Credit Act of 1959".

TITLE I—FEDERAL LAND BANKS

SEC. 101. Section 3 of the Federal Farm Loan Act, as amended, is amended—

(a) by changing the paragraph thereof relating to the appointment of registrars, appraisers, and examiners (12 U.S.C. 656) to read:

"The Farm Credit Administration shall appoint a farm loan registrar for each farm credit district to receive applications for issues of farm loan bonds and to perform such other services as are prescribed by this Act, and may appoint a deputy registrar who shall during the unavoidable absence or disability of the registrar perform the duties of that office. It shall also appoint as many farm credit appraisers and farm credit examiners as it shall deem necessary. Such farm loan registrars, deputy registrars, farm credit appraisers, and farm credit examiners shall have no connection with or interest in any institution, association, or partnership engaged in banking or in the business of making land mortgage loans or selling land mortgages but they may perform such duties as are authorized by the Farm Credit Administration in connection with the business of the banks and associations it supervises: *Provided,* That this limitation shall not apply to persons employed by the Farm Credit Administration on a temporary basis.";

(b) by deleting the paragraph thereof relating to the compensation of appraisers and inspectors (12 U.S.C. 658);

(c) by deleting the paragraph thereof relating to the employment of certain personnel by the Farm Credit Administration (12 U.S.C. 659); and

(d) by deleting the second sentence of the third paragraph from the end thereof (12 U.S.C. 662).

SEC. 102. (a) The second paragraph of section 9 of the Federal Farm Loan Act, as amended (12 U.S.C. 742), is amended to read:

"Any person desiring to secure a loan through a Federal land bank association under the provisions of this Act may, at its option, borrow from the Federal land bank through such association the sum necessary to pay for shares of stock subscribed for by him in the Federal land bank association. Any such sum for the purchase of stock shall be made a part of the face amount of the loan and such sum shall for all purposes be additional to the 65 per centum of the normal value of the farm as specified in any provision of this Act."

(b) Section 10 of the Federal Farm Loan Act, as amended (12 U.S.C. 751–757), is amended to read:

"SEC. 10. (a) Whenever an application for a mortgage loan is made to a Federal land bank association, the loan committee provided for in section 7 of this Act shall cause to be made such investigation as it may deem necessary as to the character and solvency of the applicant and the sufficiency of the security offered. When it appears that a loan may be approved, the loan committee shall obtain a written report on the security by an appraiser designated or appointed by the Federal land bank of the district and such appraiser shall investigate and make a written report upon the security offered. Such appraisal investigation and report shall be made in accordance with appraisal standards prescribed by the Farm Credit Administration and may be made by any competent person (including an employee of a Federal land bank association) when designated for that purpose by the Federal land bank of the district. The loan committee shall cause a written report to be made of the results of such investigations of the applicant and the security and shall, if it concurs in such report, approve the same in writing. After the loan committee has reached an agreement as to the amount and terms of the loan which may be offered to the applicant, if such amount is not in excess of 65 per centum of the normal value of the security offered as determined by said appraiser, the association may notify the applicant of the amount and terms of the loan approved by the loan committee: *Provided,* That any such notice shall contain a statement that the amount and terms of the loan offered to the applicant are subject to and conditioned upon subsequent approval or disapproval by the Federal land bank.

"(d) The written report of the loan committee and the report made by an appraiser designated or appointed by the Federal land bank shall be submitted to the Federal land bank with the application for the loan, and the land bank shall examine said reports when it passes on the loan application which they accompany. No loan shall be made unless the report of the loan committee and the report of the appraiser are favorable.

"(c) All appraisal reports shall be made on forms approved by the Farm Credit Administration.

"(d) No farm credit appraiser and no appraiser designated or appointed by a Federal land bank shall make any appraisal in connection with a loan in which he is interested, directly or indirectly. No member of a loan committee or of a board of directors of a Federal land bank association shall participate in the consideration of or action on any loan in which he is interested, directly or indirectly.

"(e) Each Federal land bank shall conduct studies in such manner and to such extent as the Farm Credit Administration deems necessary in connection with the appraisal standards prescribed for the district.

"(f) Notwithstanding the foregoing provisions of this section—

"(1) appraisal reports made by appraisers heretofore or hereafter appointed by the Farm Credit Administration pursuant to section 3 of this Act may be used as a basis for Federal land bank loans;

"(2) the Farm Credit Administration may, in its discretion and in such circumstances and for such periods as it deems necessary, direct that any or all appraisals in connection with loans by any Federal land bank, or appraisal standards studies required by subsection (e), shall be made by farm credit appraisers appointed pursuant to section 3 of this Act; and

"(3) for purposes of paragraph (2) of this subsection, the Farm Credit Administration is authorized to employ additional farm credit appraisers, including such appraisers as it may select who have been designated or appointed by a Federal land bank, and to require that the salaries and other expenses of all such additional appraisers be paid by the Federal land bank served by them in such manner as the Farm Credit Administration shall determine.

"(g) Farm credit appraisers appointed pursuant to section 3 of this Act shall make such reviews and investigations as the Farm Credit Administration determines to be necessary to assure compliance with the appraisal standards prescribed by it pursuant to subsection (a) of this section; make such additional reviews and investigations concerning the quality of first mortgages securing farm loan bonds as the Farm Credit Administration shall direct; and perform such other duties as may be prescribed by the Farm Credit Administration. Any first mortgage which is found not to conform to the appraisal and loan standards prescribed by the Farm Credit Administration shall not be credited toward meeting the amount of bond collateral which a Federal land bank is required to maintain with a farm loan registrar except in such amount as the Farm Credit Administration shall approve."

SEC. 103. On the effective date of this title each land bank appraiser shall be transferred from the Farm Credit Administration to the Federal land bank served by him immediately prior to said effective date, without reduction in salary and accumulated leave, unless the Farm Credit Administration, in its discretion, determines that individual appraisers shall be retained as farm credit appraisers. The selection of personnel for transfer, or for retention as farm credit appraisers, shall be without regard to section 12 of the Veterans' Preference Act of 1944 as amended. Land bank appraisers shall be subject to the same employment conditions as other bank employees after transfer under this section. At least sixty days prior to the effective date of this title the Farm Credit Administration shall notify each land bank appraiser that he is to be transferred to a Federal land bank or that he is to be retained in the Farm Credit Administration. Any land bank appraiser who notifies the Farm Credit Administration in writing at least thirty days before the effective date of this title that he does not desire to accept employment as stated in the notice from the Farm Credit Administration shall be separated from employment on said effective date and such separation shall be deemed involuntary.

SEC. 104. (a) Section 12 of the Federal Farm Loan Act, as amended (12 U.S.C. 771), is amended by (1) changing the last proviso of paragraph second thereof to read: "*And provided further,* That any land bank may make loans on an unamortized or partially amortized basis, under rules and regulations issued by the Farm Credit Administration."; (2) striking out of paragraph seventh thereof "loans to any one borrower shall in no case exceed a maximum of $200,000, but".

(b) Section 20 of the Federal Farm Loan Act, as amended, is amended by deleting the second sentence thereof (12 U.S.C. 861, second sentence) and by inserting the following immediately before the period at the end of the last sentence thereof (12 U.S.C. 864, last sentence): ", except that, with the approval of the Farm Credit Administration, an issue of bonds may be limited to bearer or coupon bonds".

(c) The first and second sentences of section 23 of the Federal Farm Loan Act, as amended (12 U.S.C. 901), are amended by substituting "at the end of each fiscal year" for "semiannually" therein.

(d) The first and second sentences of section 24 of the Federal Farm Loan Act, as amended (12 U.S.C. 911), are amended by substituting "at the end of each fiscal year" for "semiannually" therein.

(e) The seventh paragraph of section 29 of the Federal Farm Loan Act, as amended (12 U.S.C. 967), is amended by changing "land bank appraiser" in the second and third sentences thereof to "farm credit appraiser".

(f) Section 202(c) of the Federal Farm Loan Act, as amended (12 U.S.C. 1033), is amended by changing the period at the end thereof to a comma and adding the following: "and any Federal intermediate credit bank may in its discretion purchase such loans or discounts with or without such endorsement."

(g) Section 208(c) of the Federal Farm Loan Act, as amended (12 U.S.C. 1093), is amended by changing "Land bank appraisers" in the first sentence thereof to "Farm credit appraisers".

(h) The Federal Farm Loan Act, as amended (12 U.S.C. 641 and the following), and any other Act of Congress in which the words appear, are amended by changing "national farm loan association" and "national farm loan associations" to "Federal land bank association" and "Federal land bank associations", respectively.

(i) The Federal Farm Loan Act, as amended (12 U.S.C. 641 and the following), and any other Act of Congress in which the words appear, are amended by changing "secretary-treasurer" and "secretary-treasurers", when used to mean the secretary-treasurer of a national farm loan association (herein renamed "Federal land bank association"), to "manager" and "managers", respectively.

(j) The first sentence of section 5(d) of the Farm Credit Act of 1953 (12 U.S.C. 636d(d)) is amended by inserting immediately before the period at the end thereof ": *Provided*, That the salary of not more than three positions of deputy governor shall each be fixed by the Board at a rate not exceeding $17,500 per annum".

SEC. 105. This title shall become effective December 31, 1959.

TITLE II—STATUS OF FARM CREDIT BANKS AND EMPLOYEES

SEC. 201. Notwithstanding any other provision of law, and in order to encourage and facilitate increased borrower participation in the management and control of institutions operating under the supervision of the Farm Credit Administration in accordance with the policy declared in section 2 of the Farm Credit Act of 1953 (12 U.S.C. 636a), section 6 of the Farm Credit Act of 1937, as amended (12 U.S.C. 6401), is amended as follows:

(a) By inserting "(a)" immediately following "SEC. 6.", by redesignating subsections "(a)" and "(b)" as paragraphs "(1)" and "(2)", respectively, and by deleting subsection "(c)".

(b) By adding the following at the end of paragraph (1) of subsection (a) thereof (as redesignated herein): "The employment, compensation, leave, retirement (except as provided in subsection (e) hereof), hours of duty, and all other conditions of employment of such joint officers and employees employed by the district farm credit board, and of separate officers and employees of the Federal land bank, Federal intermediate credit bank, and bank for cooperatives of the district employed by the board of directors of such banks, shall be determined by the respective boards without regard to the laws from which exemption is granted in this section, but all such determinations shall be consistent with the laws under which such banks are organized and operate. Appointments, promotions, and separations so made shall be based on merit and efficiency and no political test or qualification shall be permitted or given consideration. The district farm credit board shall, under rules and regulations prescribed by the Farm Credit Administration, provide for veterans' preference and limitations against political activity for such officers and employees substantially similar to the preference and limitations to which such officers and employees were subject upon enactment of this sentence."

(c) By adding the following new subsections after subsection (a) thereof (as redesignated herein):

"(b) The provisions of section 1753 of the Revised Statutes (5 U.S.C. 631) and the Act of January 16, 1883, entitled 'An Act to regulate and improve the civil service of the United States', as amended (22 Stat. 403; 5 U.S.C. 632 and the following), any laws supplementary thereto, including but not limited to the Act of August 24, 1912, as amended (5 U.S.C. 652), section 1 of the Act of November 26, 1940, as amended (5 U.S.C. 631a), and section 1310 of the Supplemental Appropriation Act, 1952, as amended (5 U.S.C. 43, note), and any rules, orders, or regulations promulgated for carrying such Acts or laws into effect, shall not apply to a Federal land bank, Federal intermediate credit bank, or bank for cooperatives, or to its directors, officers, or employees.

"(c) The Federal Employees' Compensation Act, as amended (5 U.S.C., ch. 15), shall not be applicable in respect to the injury, disability, or death of any employee of a Federal land bank, Federal intermediate credit bank, or bank for cooperatives unless such injury, disability, or death (or cause thereof) occurred before January 1, 1960.

"(d) Section 9 of the Hatch Act, as amended (5 U.S.C. 118i), and the Veterans' Preference Act of 1944, as amended (5 U.S.C. 851–869), shall not be deemed to apply to a Federal land bank, Federal intermediate credit bank, or bank for cooperatives, or to its directors, officers, or employees.

"(e) Each officer and employee of a Federal land bank, Federal intermediate credit bank, or bank for cooperatives who, on December 31, 1959, is within the purview of the Civil Service Retirement Act, as amended (5 U.S.C., ch. 30), shall continue so during his continuance as an officer or employee of any such banks without break in continuity of service. Any other officer or employee of such banks and any other person entering upon employment with any such banks after December 31, 1959, shall not be covered under the civil service retirement system by reason of such employment, except that (1) a person who, on December 31, 1959, is within the purview of the Civil Service Retirement Act, as amended, and thereafter becomes an officer or employee of any such banks without break in continuity of service shall continue under the civil service retirement system during his continuance as an officer or employee of any such banks without break in continuity of service and (2) a person who has been within the purview of said Act as an officer or employee of such banks and, after a break in such employment, again becomes an officer or employee of any such banks may elect to continue under the civil service retirement system during his continuance as such officer or employee by so notifying the Civil Service Commission in writing within thirty days after such reemployment.

"(f) In addition to such amounts as they are required to contribute to the civil service retirement and disability fund under section 4(a) of the Civil Service Retirement Act, as amended (5 U.S.C. 2254(a)), each Federal land bank, Federal intermediate credit bank, and bank for cooperatives shall, for each fiscal year after June 30, 1960, pay to the Farm Credit Administration to be covered into the Treasury as miscellaneous receipts, its fair portion of the cost of administration of said fund as determined in annual billings by the Civil Service Commission.

"(g) Any Federal land bank, Federal intermediate credit bank, or bank for cooperatives may, subject to the approval of the Farm Credit Administration, establish a retirement system for its officers and employees either separately or jointly with any other corporation under the supervision of the Farm Credit Administration. In determining eligibility for or the amount of any benefit under any such retirement system, there shall not be taken into account any service which is creditable under the Civil Service Retirement Act, as amended, but service which constitutes employment as defined in section 210(a) of the Social Security Act, as amended (42 U.S.C. 410(a)), may be so taken into account notwithstanding section 115 of the Social Security Amendments of 1954 (42 U.S.C. 410, note) or any other provision of law.

"(h) Subsections (b), (c), (d), (e), (f), and (g) of this section shall apply to the Central Bank for Cooperatives and its personnel and the board of directors of the Central Bank for Cooperatives shall have all the authority and responsibility with respect to personnel of such Central Bank as is vested in the farm credit board of a district or the board of directors of a district bank for cooperatives with respect to personnel of any such district bank under subsection (a)(1) of this section."

SEC. 202. (a) Section 210(a)(6)(B)(ii) of title II of the Social Security Act, as amended (42 U.S.C. 410(a)(6)(B)(ii)), and section 3121(b)(6)(B)(ii) of the Internal Revenue Code of 1954, as amended (26 U.S.C. 3121(b)(6)(B)(ii)), are each amended by inserting "a Federal land bank, a Federal intermediate credit bank, a bank for cooperatives," immediately after the words "employ of" therein.

(b) Section 2680 of title 28, United States Code, is amended by adding at the end thereof the following new subsection:

"(n) Any claim arising from the activities of a Federal land bank, a Federal intermediate credit bank, or a bank for cooperatives."

(c) Section 102(b) of the Federal Employees Pay Act of 1945, as amended (5 U.S.C. 902(b)), is amended by striking out "and" immediately preceding "(6)" therein and by inserting before the period at the end thereof "; and (7) officers and employees of a Federal land bank, a Federal intermediate credit bank, or a bank for cooperatives".

(d) Section 303 of the Government Employees' Incentive Awards Act (5 U.S.C. 2122) is amended by inserting within the parentheses after the words "the Tennessee Valley Authority" the words "or the Central Bank for Cooperatives".

(e) Section 205(e) of the Annual and Sick Leave Act of 1951, as added by section 4(b) of the Act of July 2, 1953 (5 U.S.C. 2064(e)), and section 1 of the Act of December 21, 1944, as amended by section 4(a) of the Act of July 2, 1953 (5 U.S.C. 61b), are each amended by substituting "(C), (H), or (I)" for "(C), or (H)" therein.

SEC. 203. (a) Nothing in this title shall be deemed to amend, alter, repeal, or restrict the application of (1) section 190 of the Revised Statutes (5 U.S.C. 99), relating to the prosecution of claims against the United States by former employees; (2) the Act of August 26, 1950 (5 U.S.C. 22–1, 22–2, 22–3), relating to the suspension and separation of employees for security reasons; (3) section 710(e) of the Defense Production Act of 1950, as amended (50 U.S.C., App., 2160(e)), relating to the authority of the President to provide for an executive reserve training program; or (4) any Act of Congress the violation of which is punishable by a fine or imprisonment, or both.

(b) Any Act of Congress enacted after the effective date of this title and which states that it shall be applicable to agencies or instrumentalities of the United States or to

corporations controlled or owned, in whole or in part, by the United States, or to officers and employees of the United States or such agencies or instrumentalities or corporations, shall not be applicable to a Federal land bank, Federal intermediate credit bank, or bank for cooperatives, or to its directors, officers, or employees unless such Act specifically so provides by naming such banks.

(c) This title shall become effective January 1, 1960.

Mr. COOLEY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COOLEY: Strike out all after the enacting clause of the bill, S. 1512, and insert the provisions of the bill, H.R. 6353, as passed, as follows: "That this Act may be cited as the 'Farm Credit Act of 1959'.

"TITLE I—FEDERAL LAND BANKS

"SEC. 101. Section 3 of the Federal Farm Loan Act, as amended, is amended—

"(a) by changing the paragraph thereof relating to the appointment of registrars, appraisers, and examiners (12 U.S.C. 656) to read:

"'The Farm Credit Administration shall appoint a farm loan registrar for each farm credit district to receive applications for issues of farm loan bonds and to perform such other services as are prescribed by this Act, and may appoint a deputy registrar who shall during the unavoidable absence or disability of the registrar perform the duties of that office. It shall also appoint as many farm credit appraisers and farm credit examiners as it shall deem necessary. Such farm loan registrars, deputy registrars, farm credit appraisers, and farm credit examiners shall have no connection with or interest in any institution, association, or partnership engaged in banking or in the business of making land mortgage loans or selling land mortgages but they may perform such duties as are authorized by the Farm Credit Administration in connection with the business of the banks and associations it supervises: *Provided,* That this limitation shall not apply to persons employed by the Farm Credit Administration on a temporary basis.';

"(b) by deleting the paragraph thereof relating to the compensation of appraisers and inspectors (12 U.S.C. 658);

"(c) by deleting the paragraph thereof relating to the employment of certain personnel by the Farm Credit Administration (12 U.S.C. 659); and

"(d) by deleting the second sentence of the third paragraph from the end thereof (12 U.S.C. 662).

"SEC. 102. (a) The second paragraph of section 9 of the Federal Farm Loan Act, as amended (12 U.S.C. 742), is amended to read:

"'Any person desiring to secure a loan through a Federal land bank association under the provisions of this Act may, at his option, borrow from the Federal land bank through such association the sum necessary to pay for shares of stock subscribed for by him in the Federal land bank association. Any such sum for the purchase of stock shall be made a part of the face amount of the loan and such sum shall for all purposes be additional to the 65 per centum of the normal value of the farm as specified in any provision of this Act.'

"(b) Section 10 of the Federal Farm Loan Act, as amended (12 U.S.C. 751–757), is amended to read:

"'SEC. 10. (a) Whenever an application for a mortgage loan is made to a Federal land bank association, the loan committee provided for in section 7 of this Act shall cause to be made such investigation as it may deem necessary as to the character and solvency of the applicant and the sufficiency of the security offered. When it appears that a loan may be approved, the loan committee shall obtain a written report on the security by an appraiser designated or appointed by the Federal land bank of the district and such appraiser shall investigate and make a written report upon the security offered. Such appraisal, investigation, and report shall be made in accordance with appraisal standards prescribed by the Farm Credit Administration and may be made by any competent person (including an employee of a Federal land bank association) when designated for that purpose by the Federal land bank of the district. The loan committee shall cause a written report to be made of the results of such investigations of the applicant and the security and shall, if it concurs in such report, approve the same in writing. After the loan committee has reached an agreement as to the amount and terms of the loan which may be offered to the applicant, if such amount is not in excess of 65 per centum of the normal value of the security offered as determined by said appraiser, the association may notify the applicant of the amount and terms of the loan approved by the loan committee: *Provided,* That any such notice shall contain a statement that the amount and terms of the loan offered to the applicant are subject to and conditioned upon subsequent approval or disapproval by the Federal land bank.

"'(b) The written report of the loan committee and the report made by an appraiser designated or appointed by the Federal land bank shall be submitted to the Federal land bank with the application for the loan, and the land bank shall examine said reports when it passes on the loan application which they accompany. No loan shall be made unless the report of the loan committee and the report of the appraiser are favorable.

"'(c) All appraisal reports shall be made on forms approved by the Farm Credit Administration.

"'(d) No farm credit appraiser and no appraiser designated or appointed by a Federal land bank shall make any appraisal in connection with a loan in which he is interested, directly or indirectly. No member of a loan committee or of a board of directors of a Federal land bank association shall participate in the consideration of or action on any loan in which he is interested, directly or indirectly.

"'(e) Each Federal land bank shall conduct studies in such manner and to such extent as the Farm Credit Administration deems necessary in connection with the appraisal standards prescribed for the district.

"'(f) Notwithstanding the foregoing provisions of this section—

"'(1) appraisal reports made by appraisers heretofore or hereafter appointed by the Farm Credit Administration pursuant to section 3 of this Act may be used as a basis for Federal land bank loans;

"'(2) the Farm Credit Administration may in its discretion and in such circumstances and for such periods as it deems necessary, direct that any or all appraisals in connection with loans by any Federal land bank, or appraisal standards studies required by subsection (e), shall be made by farm credit appraisers appointed pursuant to section 3 of this Act; and

"'(3) for purposes of paragraph (2) of this subsection, the Farm Credit Administration is authorized to employ additional farm credit appraisers, including such appraisers as it may select who have been designated or appointed by a Federal land bank, and to require that the salaries and other expenses of all such additional appraisers be paid by the Federal land bank served by them in such manner as the Farm Credit Administration shall determine.

"'(g) Farm credit appraisers appointed pursuant to section 3 of this Act shall make such reviews and investigations as the Farm Credit Administration determines to be necessary to assure compliance with the appraisal standards prescribed by it pursuant to subsection (a) of this section; make such additional reviews and investigations concerning the quality of first mortgages securng farm loan bonds as the Farm Credit Administration shall direct; and perform such other duties as may be prescribed by the Farm Credit Administration. Any first mortgage which is found not to conform to the appraisal and loan standards prescribed by the Farm Credit Administration shall not be credited toward meeting the amount of bond collateral which a Federal land bank is required to maintain with a farm loan registrar except in such amount as the Farm Credit Administration shall approve.'

"SEC. 103. On the effective date of this title each land bank appraiser shall be transferred from the Farm Credit Administration to the Federal land bank served by him immediately prior to said effective date, without reduction in salary and accumulated leave, unless the Farm Credit Administration, in its discretion, determines that individual appraisers shall be retained as farm credit appraisers. The selection of personnel for transfer or for retention as farm credit appraisers, shall be without regard to section 12 of the Veterans' Preference Act of 1944, as amended (5 U.S.C. 861). Land bank appraisers shall be subject to the same employment conditions as other bank employees after transfer under this section. At least 60 days prior to the effective date of this title the Farm Credit Administration shall notify each land bank appraiser that he is to be transferred to a Federal land bank or that he is to be retained in the Farm Credit Administration. Any land bank appraiser who notifies the Farm Credit Administration in writing at least 30 days before the effective date of this title that he does not desire to accept employment as stated in the notice from the Farm Credit Administration shall be separated from employment on said effective date and such separation shall be deemed involuntary.

"SEC. 104. (a) Section 12 of the Federal Farm Loan Act, as amended (12 U.S.C. 771), is amended by (1) changing the last proviso of paragraph 'Second' thereof to read: '*And provided further,* that any land bank may make loans on an unamortized or partially amortized basis, under rules and regulations issued by the Farm Credit Administration.'; (2) striking out of paragraph "Seventh" thereof 'loans to any one borrower shall in no case exceed a maximum of $200,000, but'.

"(b) Section 20 of the Federal Farm Loan Act, as amended, is amended by deleting the second sentence thereof (12 U.S.C. 861, second sentence) and by inserting the following immediately before the period at the end of the last sentence thereof (12 U.S.C. 864, last sentence): ', except that, with the approval of the Farm Credit Administration, an issue of bonds may be limited to bearer or coupon bonds'.

"(c) The first and second sentences of section 23 of the Federal Farm Loan Act, as amended (12 U.S.C. 901), are amended by substituting 'at the end of each fiscal year' for 'semiannually' therein.

"(d) The first and second sentences of sesction 24 of the Federal Farm Loan Act, as amended (12 U.S.C. 911), are amended by substituting 'at the end of each fiscal year' for 'semiannually' therein.

"(e) The seventh paragraph of section 29 of the Federal Farm Loan Act, as amended (12 U.S.C. 967), is amended by changing 'land bank appraiser' in the second and third sentences thereof to 'farm credit appraiser'.

"(f) Section 202(c) of the Federal Farm Loan Act, as amended (12 U.S.C. 1033), is amended by changing the period at the end

thereof to a comma and adding the following: 'and any Federal intermediate credit bank may in its discretion purchase such loans or discounts with or without such endorsement.'

"(g) Section 208(c) of the Federal Farm Loan Act, as amended (12 U.S.C. 1093), is amended by changing 'Land bank appraisers' in the first sentence thereof to 'Farm credit appraisers'.

"(h) The Federal Farm Loan Act, as amended (12 U.S.C. 641 et sec.), and any other Act of Congress in which the words appear, are amended by changing 'national farm loan association' and 'national farm loan associations' to 'Federal land bank association' and 'Federal land bank associations', respectively.

"(i) The Federal Farm Loan Act, as amended (12 U.S.C. 641 et seq.), and any other Act of Congress in which the words appear, are amended by changing "secretary-treasurer' and 'secretary-treasurers', when used to mean the secretary-treasurer of a national farm loan association (herein renamed 'Federal land bank association'), to 'manager' and 'managers', respectively.

"(j) The first sentence of section 5(d) of the Farm Credit Act of 1953 (12 U.S.C. 636d (d) is amended by inserting immediately before the period at the end thereof ': *Provided*, That the salary of not more than three positions of deputy governor shall each be fixed by the Board at a rate not exceeding $17,500 per annum'.

"(k) This title shall become effective December 31, 1959.

"TITLE II—STATUS OF FARM CREDIT BANKS AND EMPLOYEES

"SEC. 201. Notwithstanding any other provision of law, and in order to encourage and facilitate increased borrower participation in the management and control of institutions operating under the supervision of the Farm Credit Administration in accordance with the policy declared in section 2 of the Farm Credit Act of 1953 (12 U.S.C., supp. IV, 636a), section 6 of the Farm Credit Act of 1937, as amended (12 U.S.C. 6401), is amended—

"(a) by inserting '(a)' immediately following 'SEC. 6.', by redesignating subsections '(a)' and '(b)' as paragraphs '(1)' and '(2)', respectively, and by deleting subsection '(c)';

"(b) by adding the following at the end of paragraph (1) of subsection (a) thereof (as redesignated herein): 'The employment, compensation, leave, retirement (except as provided in subsection (e) hereof), hours of duty, and all other conditions of employment of such joint officers and employees employed by the district farm credit board, and of separate officers and employees of the Federal land bank, Federal intermediate credit bank, and bank for cooperatives of the district employed by the board of directors of such banks, shall be determined by the respective boards without regard to the laws from which exemption is granted in this section, but all such determinations shall be consistent with the laws under which such banks are organized and operate. Appointments, promotions, and separations so made shall be based on merit and efficiency and no political test or qualification shall be permitted or given given consideration. The district farm credit board shall, under rules and regulations prescribed by the Farm Credit Administration, provide for veterans' preference and limitations against political activity for such officers and employees substantially similar to the preference and limitations to which such officers and employees were subject upon enactment of this sentence."; and

"(c) by adding the following new subsections after subsection (a) thereof (as redesignated herein):

"'(b) The provisions of section 1753 of the Revised Statutes (5 U.S.C. 631) and the Act of January 16, 1883, entitled "An Act to regulate and improve the civil service of the United States", as amended (22 Stat. 403; 5 U.S.C. 632 et seq.), any laws supplementary thereto, including but not limited to the Act of August 24, 1912, as amended (5 U.S.C. 652), section 1 of the Act of November 26, 1940, as amended (5 U.S.C. 631a), and section 1310 of the Supplemental Appropriation Act, 1952, as amended (5 U.S.C. 43, note) and any rules, orders, or regulations promulgated for carrying such Acts or laws into effect, shall not apply to a Federal land bank, Federal intermediate credit bank, or bank for cooperatives, or to its directors, officers, or employees.

"'(c) The Federal Employees' Compensation Act, as amended (5 U.S.C., ch. 15), shall not be applicable in respect to the injury, disability, or death of any employee of a Federal land bank, Federal intermediate credit bank, or bank for cooperatives unless such injury, disability, or death (or cause thereof) occurred before January 1, 1960.

"'(d) Section 9 of the Hatch Act, as amended (5 U.S.C. 118i), and the Veterans' Preference Act of 1944, as amended (5 U.S.C. 851–869), shall not be deemed to apply to a Federal land bank, Federal intermediate credit bank, or bank for cooperatives, or to its directors, officers, or employees.

"'(e) Each officer and employee of a Federal land bank, Federal intermediate credit bank, or bank for cooperatives who, on December 31, 1959, is within the purview of the Civil Service Retirement Act, as amended (5 U.S.C., supp. IV, ch. 30), shall continue so during his continuance as an officer or employee of any such banks without break in continuity of service. Any other officer or employee of such banks and any other person entering upon employment with any such banks after December 31, 1959, shall not be covered under the civil service retirement system by reason of such employment, except that (1) a person who, on December 31, 1959, is within the purview of the Civil Service Retirement Act, as amended, and thereafter becomes an officer or employee of any such banks without break in continuity of service shall continue under the civil service retirement system during his continuance as an officer or employee of any such banks without break in continuity of service and (2) a person who has been within the purview of said Act as an officer or employee of such banks and, after a break in such employment, again becomes an officer or employee of any such banks may elect to continue under the civil service retirement system during his continuance as such officer or employee by so notifying the Civil Service Commission in writing within thirty days after such reemployment.

"'(f) Each Federal land bank, Federal intermediate credit bank, and bank for cooperatives shall contribute to the civil service retirement and disability fund, for each fiscal year after June 30, 1960, a sum as provided by section 4(a) of the Civil Service Retirement Act, as amended (5 U.S.C. 2254(a)), except that such sums shall be determined by applying to the total basic salaries (as defined in that Act) paid to the employees of said banks who are covered by that Act, the per centum rate determined annually by the United States Civil Service Commission to be the excess of the total normal cost per centum rate of the civil service retirement system over the employee deduction rate specified in such section 4(a). Each bank shall also pay into the Treasury as miscellaneous receipts such portion of the cost of administration of the fund as is determined by the United States Civil Service Commission to be attributable to its employees.

"'(g) Any Federal land bank, Federal intermediate credit bank, or bank for cooperatives may, subject to the approval of the Farm Credit Administration, establish a retirement system for its officers and employees either separately or jointly with any other corporation under the supervision of the Farm Credit Administration. In determining eligibility for or the amount of any benefit under any such retirement system, there shall not be taken into account any service which is creditable under the Civil Service Retirement Act, as amended, but service which constitutes employment as defined in section 210(a) of the Social Security Act, as amended (42 U.S.C., supp. IV, 410(a)), may be so taken into account notwithstanding section 115 of the Social Security Amendments of 1954 (42 U.S.C., supp. IV., 410, note) or any other provision of law.

"'(h) Subsections (b), (c), (d), (e), (f), and (g) of this section shall apply to the Central Bank for Cooperatives and its personnel and the board of directors of the Central Bank for Cooperatives shall have all the authority and responsibility with respect to personnel of such central bank as is vested in the farm credit board of a district or the board of directors of a district bank for cooperatives with respect to personnel of any such district bank under subsection (a)(1) of this section.'

"SEC. 202. (a) Section 210(a)(6)(B)(ii) of title II of the Social Security Act, as amended (26 U.S.C., supp. IV, 3121(b)(6)(B)(ii), and section 3121(b)(6)(B)(ii) of the Internal Revenue Code of 1954, as amended (26 U.S., supp. IV, 3121(b)(6)(B)(ii)), are each amended by inserting 'a Federal land bank, a Federal intermediate credit bank, a bank for cooperatives,' immediately before the words 'a national farm loan association' therein.

"(b) Section 2680 of title 28, United States Code, is amended by adding at the end thereof the following new subsection: '(n) Any claim arising from the activities of a Federal land bank, a Federal intermediate credit bank, or a bank for cooperatives.'.

"(c) Section 102(b) of the Federal Employees Pay Act of 1945, as amended (5 U.S.C. 902(b)), is amended by striking out 'and' immediately preceding '(6)' therein and by inserting before the period at the end thereof '; and (7) officers and employees of a Federal land bank, a Federal intermediate credit bank, or a bank for cooperatives'.

"(d) Section 303 of the Government Employees' Incentive Awards Act (5 U.S.C., supp. IV, 2122) is amended by inserting within the parentheses after the words 'the Tennessee Valley Authority' the words 'or the Central Bank for Cooperatives'.

"(e) Section 205(e) of the Annual and Sick Leave Act of 1951, as added by section 4(b) of the Act of July 2, 1953 (5 U.S.C., supp. IV, 2064(e)), and section 1 of the Act of December 21, 1944, as amended by section 4(a) of the Act of July 2, 1953 (5 U.S.C., supp. IV, 61b), are each amended by substituting '(C), (H), or (I)' for '(C), or (H)' therein.

"SEC. 203. (a) Nothing in this title shall be deemed to amend, alter, repeal, or restrict the application of (1) section 190 of the Revised Statutes (5 U.S.C. 99), relating to the prosecution of claims against the United States by former employees; (2) the Act of August 26, 1950 (5 U.S.C. 22–1, 22–2, 22–3), relating to the suspension and separation of employees for security reasons; (3) section 710(e) of the Defense Production Act of 1950, as amended (50 U.S.C., app., supp. IV, 2160(e)), relating to the authority of the President to provide for an executive reserve training program; or (4) any Act of Congress the violation of which is punishable by a fine or imprisonment, or both.

"(b) Any Act of Congress enacted after the effective date of this title and which states that it shall be applicable to agencies or instrumentalities of the United States or

to corporations controlled or owned, in whole or in part, by the United States, or to officers and employees of the United States or such agencies or instrumentalities or corporations, shall not be applicable to a Federal land bank, Federal intermediate credit bank, or bank for cooperatives, or to its directors, officers, or employees unless such Act specifically so provides by naming such banks.

"(c) This title shall become effective January 1, 1960."

The SPEAKER. The question is on the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

LANDS SET ASIDE FOR QUINAULT TRIBE IN WASHINGTON

The Clerk called the bill (H.R. 2188) to set aside certain lands in Washington for Indians of the Quinault Tribe.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That lands heretofore reserved for school purposes at Queets Village, within the Quinault Indian Reservation, State of Washington, and constituting 15.3 acres of land, more or less, in lot numbered 7, section 35, township 24 north, range 13 west, Willamette meridian, a portion of which has been subdivided into lots and partially occupied by certain Quinault Indians, and all of which is surplus to present Government needs, shall be disposed of as follows:

(a) As to lots actually occupied and improved by individual Indians on February 1, 1958, each lot shall be patented to the individual occupants in accordance with section 10 of the Act of June 25, 1910 (36 Stat. 855, 858).

(b) All remaining lands of the said 15.3 acres shall be and the same are hereby set aside in trust for the Quinault Tribe of Indians.

With the following committee amendments:

Page 1, line 3, strike out the word "reserved" and insert in lieu thereof the word "purchased".

Page 1, line 8, strike out the word "partially".

Page 1, lines 9 and 10, strike out the words "and all of which is surplus to present Government needs, shall be disposed of as follows:" and insert in lieu thereof the following: "and all of which are surplus to the needs of the Department of the Interior, shall, with the improvements thereon, be disposed of by the Secretary of the Interior as follows:".

Page 1, line 11, through page 2, line 3, strike out all of subsection (a) and insert in lieu thereof the following:

"(a) Lots actually occupied and improved by individual Indians on February 1, 1958, shall be patented in trust to their occupants, as under sections 5 and 6 of the Act of February 8, 1887 (24 Stat. 389), as amended (25 U.S.C. 348, 349), but such lots may nevertheless be alienated to any member of the Quinault Tribe or, with the approval of the Secretary of the Interior, to another in which latter event they shall cease to be trust lands."

Page 2, after line 6, add a new section reading as follows:

"SEC. 2. Prior to disposition of the lands, as provided in section 1 of this Act, the Quinault Tribe of Indians shall have agreed to eliminate from their suit now pending before the Indian Claims Commission under the Act of August 13, 1946 (60 Stat. 1049, any claim based on alleged inadequate compensation for said lands and to renounce any other claim they may have with respect thereto. Neither the lands herein authorized to be disposed of, nor the cost or value of said lands, shall be considered by way of offset under section 2 of said Act. Nothing contained in this Act shall be construed as an admission of liability on the part of the United States with respect to these or any other lands."

Mr. HOFFMAN of Michigan. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I take this time, before we have a rollcall and before we go to lunch, to call the attention of the Speaker and the Members of the House to the fact that we have appropriated a good many dollars to the Health Department and also to the Food and Drug Administration. This you should know before you go to lunch, especially if you eat over in the House cafeteria: That in the subway I just passed a handtruck carrying raw beef over there. There was a paper over the top, but nothing on the sides to protect it from the sides of the meat—an open space about 3 to 4 feet long, 2½ feet wide.

Last week I noticed a food truck, a little truck—I do not mean a motortruck, but a hand-pushed truck—taking food through the underground passage with nothing over the top.

Before you go to lunch, I want to let you know that that situation exists here in the Capitol itself. I am not so sure that we are in a position to try to protect public health or the health of millions abroad when we do not protect our own.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NONNAVIGABLE WATERS IN CHICAGO

The Clerk called the bill (H.R. 7948) to declare nonnavigable a part of the west arm of the south fork of the south branch of the Chicago River, situated in the city of Chicago, in the State of Illinois, as hereinafter described.

There being no objection, the Clerk read the bill, as follows:

Whereas that part of the west arm of the South Fork of the South Branch of the Chicago River situated in the city of Chicago in the State of Illinois hereinafter more particularly described, is not being used and is not usable as a navigable stream and in its present condition is more or less a nuisance; and

Whereas the said city of Chicago owns land bordering on said portion of said stream and wishes to fill in the same: Now, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said portion of said stream described as follows: "That part of the west arm of the South Fork of the South Branch of the Chicago River, as established by the ordinance of the city of Chicago on July 17, 1911, in the southwest quarter of section 32, township 39 north, range 14 east of the third principal meridian, in the city of Chicago, county of Cook, State of Illinois, lying westerly of a straight line drawn from a point in south dock line of the said west arm 203.94 feet westerly of the point of intersection of the south dock line of the said west arm with the west dock line of the east arm of the South Fork of the South Branch of the Chicago River, as established by said city of Chicago ordinance of July 17, 1911, measured along the south dock line of said west arm, thence to a point in the north dock line of the said west arm said point being 278 feet westerly of the intersection of the north dock line of the said west arm with the west dock line of the South Fork of the South Branch of the Chicago River as established by said city of Chicago ordinance of July 17, 1911, measured along the north dock line of said west arm of the South Fork of the South Branch of the Chicago River, is hereby declared to be and is hereafter to be regarded as a nonnavigable body of water."

With the following committee amendments:

On page 1, strike out the preamble.

On page 2, line 3, strike out the words beginning with "said" down through the word "part" in line 4 and insert in lieu thereof "portion".

Page 2, strike out lines 23, 24, and 25, and insert in lieu thereof the following: "of the South Branch of the Chicago River, is hereby declared to be and is hereafter to be regarded as a nonnavigable water of the United States within the meaning of the Constitution and laws of the United States: *Provided,* That plans for a suitable bulkhead to retain any fill to be placed in the waterway shall be submitted to and approved by the Corps of Engineers, United States Army, prior to the placing of such fill."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTERSTATE COMPACTS FOR AIRPORT FACILITIES

The Clerk called the bill (S. 2183) granting the consent of Congress to interstate compacts for the development or operation of airport facilities.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to each of the several States to enter into any agreement or compact, not in conflict with any law of the United States, with any other State or States for the purpose of developing or operating airport facilities. The right to alter, amend, or repeal this Act is expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION AND EXPANSION OF REFINANCING LOAN AUTHORITY

The Clerk called the bill (H.R. 7629) to make permanent the authority of the Secretary of Agriculture to make loans under section 17 of the Bankhead-Jones Farm Tenant Act, as amended, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 17 of the Bankhead-Jones Farm Tenant Act, as amended, is amended (1) by striking out at the beginning of such section "Until June 30, 1959, the" and inserting in lieu thereof "The" and (2) by striking out of the second sentence the words "livestock and farm equipment" and inserting in lieu thereof the words "other assets".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRESERVATION OF SULLY PLANTATION BUILDINGS

The Clerk called the bill (H.R. 4329) to prohibit the immediate demolition of certain dwellings being acquired in connection with the Chantilly airport site, Virginia, and for other purposes.

Mr. ASPINALL. Mr. Speaker, reserving the right to object, I wonder if the gentleman who wrote the report on this bill will answer a question.

Mr. HARRIS. I should be glad to undertake to answer any questions the gentleman may have.

Mr. ASPINALL. The question is whether there will be at a later time a request to have this property made a historic site under the jurisdiction of the Federal Government.

Mr. HARRIS. I have no information on that. I believe the gentleman from Virginia [Mr. BROYHILL], author of the bill, might have some information.

Mr. BROYHILL. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Virginia.

Mr. BROYHILL. This is a historic residence and we want to preserve it as such a residence. The bill provides for the conveyance of the title of the building to a public organization for maintenance and preservation and for public display.

Mr. ASPINALL. Will my friend be in here later asking the Federal Government to accept it as a historical site?

Mr. BROYHILL. No, because the Fairfax County Park Authority has already agreed to accept and maintain it.

Mr. ASPINALL. Mr. Speaker, I withdraw my reservation of objection.

Mr. GROSS. Mr. Speaker, reserving the right to object, what is this historical site?

Mr. BROYHILL. It was the home of Richard Bland Lee, the brother of Light Horse Harry Lee and the uncle of Robert E. Lee. Richard Bland Lee was also the first Representative in Congress from my congressional district.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the frame and brick dwellings known respectively as Sully and Leeton, located on the former Sully Plantation near Chantilly in Fairfax County, Virginia, shall not be demolished for a period of two years after they are acquired by the United States through the Civil Aeronautics Administration for use in connection with the proposed Chantilly airport site. During this period the Civil Aeronautics Administration may convey to public or private organizations of the State or locality, without cost, title to either or both of said dwellings and an easement in the immediate land upon which they are situated: *Provided,* That such conveyance or conveyances shall be upon the condition that the organization or organizations preserve, exhibit, and maintain said structure or structures for the use and benefit of the public.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the frame and brick dwellings known respectively as Sully and Leeton, located on the former Sully Plantation near Chantilly in Fairfax County, Virginia, acquired by the United States pursuant to the Act of September 7, 1950 (64 Stat. 770), shall not be demolished by any agency of the United States prior to December 31, 1959. Upon request, therefore, prior to December 31, 1959, the Administrator of the Federal Aviation Agency is authorized—

"(a) to convey to any public or private organization of the State of Virginia, without cost, title to the buildings known as Sully and to grant an easement for use of such land as the Administrator considers necessary for maintenance of such buildings for historic purposes; provided that any such conveyance and easement shall be conditioned upon (1) continued preservation, maintenance and exhibition of such buildings for historic purposes, (2) a covenant not to use the property as a place of public assembly, (3) a covenant not to use the property for commercial purposes, and (4) such other conditions as the Administrator considers necessary to protect the interests of the United States; and upon a provision that if such conditions are not complied with the title to such buildings shall revert to the United States and such easement shall terminate; and

"(b) to grant a right to any applicant to which a conveyance is made pursuant to paragraph (a) hereof, without cost, to dismantle the buildings known as Leeton, and to salvage and remove any and all material considered by such grantee to have a historic value: *Provided,* That the grant of such right shall be conditioned upon an obligation of the grantee to remove all material and structures, whether or not of historic value, from the land occupied by such buildings and to restore the land to a condition satisfactory to the Administrator, including, but not limited to, the removal of all debris and the filling of all wells and basement and septic tank excavations."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended to read as follows: "A bill to provide for the conveyance to any public or private organization of the State of Virginia of certain dwellings acquired in connection with the Chantilly airport site, Virginia, and for other purposes."

A motion to reconsider was laid on the table.

AUTHORIZING USE OF CERTIFIED MAIL FOR SERVICE OF PROCESS

The Clerk called the bill (H.R. 7112) to amend section 1005(c) of the Federal Aviation Act of 1958 to authorize the use of certified mail for service of process, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1005(c) of the Federal Aviation Act of 1958 (49 U.S.C. 1485(c)) is amended to read as follows:

"OTHER METHODS OF SERVICE

"(c) Service of notices, processes, orders, rules, and regulations upon any person may be made by personal service, or upon an agent designated in writing for the purpose, or by registered or certified mail addressed to such person or agent. Whenever service is made by registered or certified mail, the date of mailing shall be considered as the time when service is made."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASED ACREAGE LIMITATIONS IN ALASKA

The Clerk called the bill (H.R. 6940) to amend the Mineral Leasing Act of 1920 in order to increase certain acreage limitations with respect to the State of Alaska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 27 of the Act entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", approved February 25, 1920, as amended (30 U.S.C. 184), is amended—

(1) in the second sentence thereof, by striking out the word "Territory" and substituting therefor the word "State" and by striking out the words "one hundred thousand acres granted hereunder" and substituting therefor the words "for both such types of leases and options, one million acres";

(2) in the sixth sentence thereof, by inserting after the word "State" at the end thereof and before the period a comma and the following words: "except as is provided in this section in the case of the State of Alaska".

With the following committee amendments:

Page 1, line 7, strike out the word "second" and insert in lieu thereof the word "ninth".

Page 2, line 2, strike out the words "one million" and insert in lieu thereof the words "six hundred thousand".

Page 2, line 3, strike out the word "sixth" and insert in lieu thereof the word "thirteenth".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEASING OF COAL MINES IN ALASKA

The Clerk called the bill (H.R. 6939) to amend the act providing for the leasing of coal mines in Alaska in order to increase the acreage limitation in such act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes", approved October 20, 1914 (38 Stat. 741), is amended by striking out "two thousand five hundred and sixty acres" wherever it appears in such Act and inserting in lieu thereof "thirty thousand seven hundred and twenty acres".

With the following committee amendment:

Strike out all after the enacting clause and insert: "That the Act entitled 'An Act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes', approved October 20, 1914 (38 Stat. 741), is repealed.

"SEC. 2. The first sentence of section 2 of the Act of February 25, 1920 (41 Stat. 437, 438), as amended (30 U.S.C., sec. 201), is further amended by the deletion of the words 'outside of the Territory of Alaska,'."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to repeal the act of October 20, 1914 (38 Stat. 741), as amended (48 U.S.C., secs. 432–452), and for other purposes."

A motion to reconsider was laid on the table.

CHANGES OF COURSES UNDER KOREAN VETERANS' EDUCATION PROVISIONS OF TITLE 38, UNITED STATES CODE

The Clerk called the bill (S. 906) to amend section 1622 of title 38 of the United States Code in order to clarify the meaning of the term "change of program of education or training" as used in such section.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1622 of title 38 of the United States Code is amended by adding at the end of such section the following new subsection:

"(c) As used in this section the term 'change of program of education or training' shall not be deemed to include a change from the pursuit of one program to pursuit of another where the first program is prerequisite to, or generally required for, entrance into pursuit of the second."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MEDICAL CARE FOR PEACETIME SERVICE-CONNECTED VETERANS TEMPORARILY RESIDING ABROAD

The Clerk called the bill (S. 1694) to extend the existing authority to provide hospital and medical care for veterans who are U.S. citizens temporarily residing abroad to include those with peacetime service-incurred disabilities.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 624(b) of title 38, United States Code, is amended to read as follows:

"(b) The Administrator may furnish necessary hospital care and medical services to any otherwise eligible veteran for any service-connected disability if the veteran (1) is a citizen of the United States temporarily sojourning or residing abroad, or (2) is in the Republic of the Philippines."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING DEFINITION OF THE TERM "CHILD" IN VETERANS' LAWS

The Clerk called the bill (H.R. 2405) to amend section 101 of title 38, United States Code, to provide that a child shall be deemed to be the adopted child of a veteran where the child was a member of the veteran's household and is adopted by the spouse of the veteran within 2 years of the veteran's death.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (4) of section 101 of title 38, United States Code, is amended by adding at the end thereof the following new sentence: "A person shall be deemed, as of the date of death of a veteran, to be the legally adopted child of such veteran if such person was at the time of the veteran's death living in the veteran's household and was legally adopted by the veteran's surviving spouse within two years after the veterans' death; however, this sentence shall not apply if at the time of the veteran's death, such person was receiving regular contributions toward his support from some individual other than the veteran or his spouse.

With the following committee amendments:

On page 2, line 2, immediately after "death" insert the following: "or the date of enactment of this sentence."

On page 2, line 6, immediately after "spouse" insert the following: ", or from any public or private welfare organization which furnishes services or assistance for children.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE EXCHANGE OF CERTAIN LANDS IN ARLINGTON COUNTY, VA.

The Clerk called the bill (H.R. 2465) to authorize the exchange of certain lands in Arlington County, Va.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to exchange certain parcels of unimproved real property of the United States located in Arlington County, Virginia, not needed for any governmental purposes, for certain parcels of unimproved real property in Arlington County, Virginia, owned by Roy G. Allman, C. J. Weetman, and others, needed in connection with the proposed widening of Army-Navy Drive: *Provided,* That the lands so exchanged shall be of approximately equal value.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the Secretary of Commerce is hereby authorized to convey to Roy G. Allman, C. J. Weetman, and others, certain parcels of land, totaling 15,090.22 square feet, adjacent to Army-Navy Drive ("G" Road) in Arlington County, Virginia, acquired for use as right-of-way for the Pentagon Building road network, as shown on the plat indicating dedication of right-of-way for Army-Navy Drive and vacation of certain streets in Arlington County, as prepared and approved by the Department of Public Service, Arlington County, Virginia. As consideration for such conveyance, the Secretary is authorized to accept the sum of $1,800 and the conveyance from Roy G. Allman, C. J. Weetman, and others, of certain parcels of land, totaling 14,132.99 square feet, in Arlington County adjoining the said right-of-way, all as shown on the aforesaid plat."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read: "A bill to authorize the conveyance by the Secretary of Commerce of certain lands in Arlington County, Va."

A motion to reconsider was laid on the table.

EXTENDING WAR ORPHANS SCHOLARSHIP TO CHILDREN OF SPANISH-AMERICAN WAR VETERANS

The Clerk called the bill (H.R. 2773) to amend section 1701 of title 38, United States Code, to provide the same educational benefits for children of Spanish-American War veterans who died of a service-connected disability as are provided for children of veterans of World War I, World War II, and the Korean conflict.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 1701(a)(1) and 1701(d) of title 38, United States Code, are each amended by inserting "the Spanish-American War," immediately before "World War I" each place it appears.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDUCATIONAL ASSISTANCE FOR ORPHANS

The Clerk called the bill (H.R. 4306) to provide education and training for the children of veterans dying of a service-connected disability incurred after January 31, 1955, and before the end of compulsory military service.

Mr. WEAVER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

SPECIALLY ADAPTED HOUSING GRANT FOR SERVICE-CONNECTED DISABLED VETERANS

The Clerk called the bill (H.R. 7373) to amend section 801 of title 38, United States Code, to provide assistance in acquiring specially adapted housing to certain veterans seriously disabled during a period of war.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 801 of title 38, United States Code, is amended by inserting immediately after the first sentence the following: "The Administrator is also authorized under such regulations as he may prescribe, to assist any veteran who is entitled to compensation under chapter 11 of this title, based on service during a period of war (as defined in section 301(2) of this title), for a permanent and total service-connected disability of a nature such as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair, in acquiring a suitable housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability, and necessary land therefor."

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That section 801 of title 38, United States Code is amended to read as follows:

" 'The Administrator is authorized, under such regulations as he may prescribe, to assist any veteran, who is entitled to compensation under chapter 11 of this title, based on service after April 20, 1898, for permanent and total service-connected disability due to the loss, or loss of use, of both lower extremities, such as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair, in acquiring a suitable housing unit with special fixtures or movable facilities made necessary by the nature of the veterans' disability, and necessary land therefor. If a veteran is entitled to compensation under chapter 11 based on service during a period of war (as defined for the purposes of chapter 11) for permanent and total service-connected disability, which includes (1) blindness in both eyes, having only light perception, plus (2) loss or loss of use of one lower extremity, and such permanent and total disability is such as to preclude locomotion without the aid of a wheelchair, the Administrator is authorized, under such regulations as he may prescribe, to assist the veteran in acquiring a suitable housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability, and necessary land therefor.

" 'The regulations of the Administrator shall include, but not be limited to, provisions requiring findings that (1) it is medically feasible for such veteran to reside in the proposed housing unit and in the proposed locality; (2) the proposed housing unit bears a proper relation to the veteran's present and anticipated income and expenses; and (3) the nature and condition of the proposed housing unit are such as to be suitable to the veteran's needs for dwelling purposes.' "

The committee amendment was agreed to.

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, the House has today passed five bills on the call of the Consent Calendar which were recently reported by the Committee on Veterans' Affairs.

I want to say a word of explanation about the measures which we have approved, even though the committee reports went into considerable detail.

The first bill passed today was S. 906. The purpose of this legislation is to permit a veteran taking training under "The Veterans' Readjustment Assistance Act", chapter 33, United States Code—Korean G.I. bill of rights—to make a change of program or training when the first program is a prerequisite to, or generally required for, entrance into pursuit of the second. This bill is identical to H.R. 7724, sponsored by the gentleman from Texas [Mr. BECKWORTH]. Hearings were held by the Subcommittee on Education and Training on July 21, at which time my colleague, the gentleman from Texas [Mr. BECKWORTH], appeared and testified.

This assistance act, first passed in the 82d Congress, was designed to be restrictive in course changes due to abuses which occurred in the World War II program. Experience has shown that the relaxation permitted by this bill will not be unwise from administrative standpoint and will be reasonable and fair to the veteran.

The Veterans' Administration recommends favorable consideration and estimates a small cost.

S. 1694 would extend the authority of the Veterans' Administration to provide hospital and medical care to U.S. citizens temporarily residing abroad and who require such care for peacetime service-incurred disabilities. At the present this is restricted to wartime disabilities. I introduced an identical bill at the request of the Veterans' Administration, which was designated H.R. 6380. The legislation is estimated to cost not more than $10,000 in any one year.

The gentleman from Alabama [Mr. HUDDLESTON] is the sponsor of H.R. 2405, which amends section 101 of title 38, United States Code, to redefine the term "child" to include a child who was a member of the veteran's household prior to the veteran's death and who was adopted within 2 years after the veteran's death by the surviving spouse. The Veterans' Administration recommends favorable consideration. There is no estimate of cost but obviously it would be very small.

H.R. 2773 was introduced by the gentleman from Minnesota, [Mr. JUDD], and it would amend section 1701 of title 38, United States Code, to make children of Spanish-American War veterans eligible for war orphans' educational assistance. Today this benefit is limited to children whose fathers died of service-connected disabilities during World War I, World War II, or Korea. The age limit for the children is 18 to 23, generally; length of education may not exceed 36 months and monthly payments of $110.

The Veterans' Administration recommends favorable action. There is record of only 33 war orphans in this classification. It is estimated the lifetime cost of the program would not exceed $35,000.

The last veterans' bill approved today, H.R. 7373, was introduced by the gentleman from Ohio [Mr. DEVINE]. Section 801 of title 38, United States Code, which was enacted originally as Public Law 702, 80th Congress, provides grants for so-called paraplegic housing. This is limited to 50 percent of the cost of the house, not to exceed $10,000. In addition the veteran may receive a guaranteed or direct loan to purchase the house. The grant is made to provide specially adapted housing due to the veteran's disability. Generally speaking, the present law requires inability to walk without crutches, canes, braces, or wheelchairs due to the loss of use of both lower extremities. It applies to all service-connected cases, wartime and peacetime, which occur on or after April 20, 1898.

The amendment presented by the committee in H.R. 7373 limits the application of the proposed bill to approximately 50 wartime cases and would generally cover those individuals who have been severely disabled but still have one leg which is partially useful. Assuming that there are 50 such cases, the cost would be approximately $500,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SELECTION BY THE STATE OF ALASKA OF CERTAIN LANDS MADE SUBJECT TO LEASE, PERMIT, LICENSE, OR CONTRACT

The Clerk called the bill (H.R. 5849) to amend the act of July 7, 1958, providing for the admission of the State of Alaska into the Union, relating to selection by the State of Alaska of certain lands made subject to lease, permit, license, or contract.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 6(h) of Public Law

85–508 (72 Stat. 339) is amended to read as follows: "Any lease, permit, license, or contract issued under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U.S.C. 181 and the following), as amended, or under the Alaska Coal Leasing Act of October 20, 1914 (38 Stat. 741; 30 U.S.C. 432 and the following), as amended, shall have the effect of withdrawing the lands subject thereto from selection by the State of Alaska under this act, unless an application to select such lands is filed with the Secretary of the Interior within a period of five years after the date of the admission of Alaska into the Union."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE ANNEXATION OF CERTAIN REAL PROPERTY OF THE UNITED STATES BY THE CITY OF WYANDOTTE, MICH.

The Clerk called the bill (H.R. 383) to authorize the annexation of certain real property of the United States by the city of Wyandotte, Mich.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall, within two years after the date of enactment of this Act, petition the city of Wyandotte, Michigan, for the annexation as a part of such city of all that real property known as Grassy Island which is located in the Detroit River offshore from such city in section 21, township 3 south, range 11 east, Michigan meridian, Michigan, and comprising ninety acres, more or less.

With the following committee amendments:

Page 1, strike out all of lines 6, 7, 8, and 9, and insert in lieu thereof the following: "city of any lands owned by the United States which were formerly within the boundaries of Ecorse Township and which lie due east of said city in the Detroit River."

Page 1, after line 9, add a new section reading as follows:

"SEC. 2. Said annexation shall be without prejudice to the full right of the United States and its lessees, licensees, and permittees to hold and enjoy said property and to make such use thereof and erect such structures thereon as may be provided for by the laws of the United States or, in the case of a lessee, licensee, or permittee, by the terms of his lease, license or permit."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time to ask the majority leader what the legislative program is for tomorrow.

Mr. McCORMACK. Mr. Speaker, the program for today is as carried in the whip's notice. I notice that H.R. 6940, the second bill on the suspension list, was passed by unanimous consent, so that will be taken off the list.

On tomorrow the conference report on the Defense Department appropriation bill will be called up.

It is understood, of course, that any rollcalls on today or tomorrow, with the exception of rollcalls on any rule, and I cannot see the possibility of any rules coming out today, will be postponed until Wednesday.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Iowa.

Mr. GROSS. The bill S. 1512 was passed. That was on the Consent Calendar, and it is the third bill on the whip notice.

Mr. McCORMACK. I appreciate the gentleman's calling that to my attention.

Mr. ARENDS. That leaves four suspensions?

Mr. McCORMACK. That leaves four suspensions for today, yes.

ROLLCALLS POSTPONED UNTIL WEDNESDAY

Mr. McCORMACK. Mr. Speaker, in the event there are any rollcalls on today or tomorrow, with the exception of on a rule, I ask unanimous consent that they be postponed until Wednesday of this week.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

HONORARY DESIGNATION OF ST. ANN'S CHURCHYARD IN THE CITY OF NEW YORK AS A NATIONAL HISTORIC SITE

Mrs. PFOST. Mr. Speaker, I move to suspend the rules and pass House Joint Resolution 113.

The Clerk read House Joint Resolution 113, as follows:

Whereas the historical burial ground of Saint Ann's Churchyard, New York, New York, is the final resting place of such men as the Honorable Gouverneur Morris, the chief stylist of the Constitution of the United States; Lewis Morris, a New York signer of the Declaration of Independence; and other notable patriots who devoted themselves to the service of our Nation: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the historical burial ground located at Saint Ann's Avenue and East One Hundred and Fortieth Street, borough of the Bronx, city of New York, be designated as a national historic site in memorial of certain founders of the Nation buried therein.

SEC. 2. This Act shall become effective if and when the Saint Ann's Church, through its duly authorized representatives, has executed an agreement in terms and conditions satisfactory to the Secretary of the Interior, providing for the continuing administration, care, and maintenance, without expense to the United States, of the Saint Ann's Churchyard burial grounds, whereupon said Secretary shall issue a notice declaring that said requirement has been met and that the Saint Ann's Churchyard is formally designated as a national historic site.

The SPEAKER. Is a second demanded?

If not, the question is on suspending the rules and passing the resolution.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the House joint resolution was passed.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, House Joint Resolution 113 designates the burial grounds in St. Ann's Churchyard in the Borough of the Bronx, New York City, as a national historic site. This would be done in memory of certain founders of the Nation buried in the churchyard. Among those buried there are the Honorable Gouverneur Morris, chief stylist of the Constitution of the United States, and General Lewis Morris, a signer of the Declaration of Independence.

No expenditure by the United States is involved except possibly a very small amount for a plaque or marker. The Government would assume no obligation to maintain the burial plot itself.

It is true that this proposal has not met with a favorable recommendation from the National Park Service's Advisory Board on National Parks, Historic Sites, Buildings, and Monuments. However, the Committee on Interior and Insular Affairs unanimously recommends enactment of this legislation on the basis that the advisory board has not given full attention to the broad national historic significance to American history of the patriots whose remains are buried in this churchyard.

ACREAGE HISTORY AND ALLOTMENTS

Mr. COOLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7740) to amend the Agricultural Adjustment Act of 1939, as amended, with respect to the preservation of acreage history and the reallocation of unused cotton acreage allotments, with amendments.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 377 of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"SEC. 377. In any case in which, during any year beginning with 1956, the acreage planted to a commodity on any farm is less than the acreage allotment for such farm, the entire acreage allotment for such farm (excluding any allotment released from the farm or reapportioned to the farm and any allotment provided for the farm pursuant to subsection (f) (7) (A) of section 344) shall, except as provided herein, be considered for the purpose of establishing future State, county and farm acreage allotments to have been planted to such commodity in such year on such farm, but the 1956 acreage allotment of any commodity shall be regarded as

planted under this section only if the owner or operator on such farm notified the county committee prior to the sixtieth day preceding the beginning of the marketing year for such commodity of his desire to preserve such allotment: *Provided*, That beginning with the 1960 crop, the current farm acreage allotment established for a commodity shall not be preserved as history acreage pursuant to the provisions of this section unless for the current year or either of the two preceding years an acreage equal to 75 per centum or more of the farm acreage allotment for such year was actually planted or devoted to the commodity on the farm (or was regarded as planted under provisions of the Soil Bank Act or the Great Plains program): *Provided, further*, That this section shall not be applicable in any case, within the period 1956 to 1959, in which the amount of the commodity required to be stored to postpone or avoid payment of penalty has been reduced because the allotment was not fully planted. Acreage history credits for released or reapportioned acreage shall be governed by the applicable provisions of this title pertaining to the release and reapportionment of acreage allotments."

SEC. 2. Section 344 of the Agricultural Adjustment Act of 1938, as amended, is amended as follows:

(1) Subsection (f) is amended by changing paragraph (8) thereof to read as follows:

"(8) Notwithstanding the foregoing provisions of paragraphs (2) and (4) of this subsection, the Secretary shall, if allotments were in effect the preceding year, provide for the county acreage allotment for the 1959 and succeeding crops of cotton, less the acreage reserved under paragraph (3) of this subsection, to be apportioned to farms on which cotton has been planted in any one of the three years immediately preceding the year for which such allotment is determined, on the basis of the farm acreage allotment for the year immediately preceeding the year for which such apportionment is made, adjusted as may be necessary (i) for any change in the acreage of cropland available for the production of cotton, or (ii) to meet the requirements of any provision (other than those contained in paragraphs (2) and (6)) with respect to the counting of acreage for history purposes: *Provided*, That, beginning with allotments established for the 1961 crop of cotton, if the acreage actually planted (or regarded as planted under the Soil Bank Act, the Great Plains program, and the release and reapportionment provisions of subsection (m) (2) of this section) to cotton on the farm in the preceding year was less than 75 per centum of the farm allotment for such year, in lieu of using such allotment as the farm base as provided in this paragraph, the base shall be the average of (1) the cotton acreage for the farm for the preceding year as determined for purposes of this proviso and (2) the allotment established for the farm pursuant to the provisions of this subsection (f) for such preceding year; and the 1958 allotment used for establishing the minimum farm allotment under paragraph (1) of this subsection (f) shall be adjusted to the average acreage so determined. The base for a farm shall not be adjusted as provided in this paragraph if the county committee determines that failure to plant at least 75 per centum of the farm allotment was due to conditions beyond the control of producers on the farm. The Secretary shall establish limitations to prevent allocations of allotment to farms not affected by the foregoing proviso, which would be excessive on the basis of the cropland, past cotton acreage, allotments for other commodities, and good soil conservation practices on such farms."

(2) Paragraph (3) of subsection (g) is hereby repealed.

(3) Subsection (l) is amended by adding the following at the end thereof: "Notwithstanding any other provision of this act, beginning with the 1960 crop the planting of cotton on a farm in any of the immediately preceding three years that allotments were in effect but no allotment was established for such farm for any year of such three year period shall not make the farm eligible for an allotment as an old farm under subsection (f) of this section: *Provided, however*, That by reason of such planting the farm need not be considered as ineligible for a new farm allotment under subsection (f)(3) of this section."

(4) Paragraph (2) of subsection (m) is changed to read as follows:

"(2) Any part of any farm cotton acreage allotment on which cotton will not be planted and which is voluntarily surrendered to the county committee shall be deducted from the allotment to such farm and may be reapportioned by the county committee to other farms in the same county receiving allotments in amounts determined by the county committee to be fair and reasonable on the basis of past acreage of cotton, land, labor, equipment available for the production of cotton, crop rotation practices, and soil and other physical facilities affecting the production of cotton. If all of the allotted acreage voluntarily surrendered is not needed in the county, the county committee may surrender the excess acreage to the State committee to be used for the same purposes as the State acreage reserve under subsection (e) of this section. Any allotment released under this provision shall be regarded for the purposes of establishing future allotments as having been planted on the farm and in the county where the release was made rather than on the farm and in the county to which the allotment was transferred, except that this shall not operate to make the farm from which the allotment was transferred eligible for an allotment as having cotton planted thereon during the three-year base period: *Provided*, That notwithstanding any other provisions of law, any part of any farm acreage allotment may be permanently released in writing to the county committee by the owner and operator of the farm, and reapportioned as provided herein. Acreage released under this paragraph shall be credited to the State in determining future allotments. The provisions of this paragraph shall apply also to extra long staple cotton covered by section 347 of this Act (7 U.S.C. 1344 (m))."

The SPEAKER. Is a second demanded?

Mr. HOEVEN. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. COOLEY. Mr. Speaker, this bill has been considered by people in all phases of the cotton industry. It was reported by an overwhelming vote in the Committee on Agriculture.

Our committee, after due notice, held comprehensive hearings on H.R. 7740, and not one witness appeared to oppose it, while numerous leaders among cotton farmers came all the way to Washington to testify in behalf of it.

I personally received numerous letters and telegrams supporting the bill, and to the time our committee voted to report it I cannot recall that I received one communication in opposition.

The language in the present bill was written in the Department of Agriculture in a conference which was arranged at my suggestion. The Department of Agriculture has approved the bill, and I hope that it will now pass without any difficulty and soon be enacted into law.

Mr. Speaker, H.R. 7740 deals with the acreage history and allotments for crops in the operation of production adjustment programs.

Crops subject to acreage allotments are affected by the first section of the bill which provides that, beginning with the 1960 crop, the entire current farm allotment shall be regarded as planted if during the current year or either one of the 2 preceding years the acreage actually planted or devoted to the commodity on the farm—or regarded as planted because of participation in the soil bank—was 75 percent or more of the farm allotment. Acreage history credited to the farm under this provision also would be credited to the State and county. This procedure was recommended by the Department of Agriculture.

The automatic preservation of history for allotment purposes, which coincided with the authorization of the acreage reserve of the soil bank, expires with the 1959 crops. Unless H.R. 7740 or some other legislation is enacted, producers of allotted crops beginning with the 1960 crops must plant each year in order to maintain the acreage history for their farms, county, and State. Thus if no action is taken, the result would be an increased production of crops already in surplus.

Other sections of the bill relate specifically to the orderly transfer of unused cotton acreage allotments.

Under H.R. 7740 the unused cotton allotments would be transferred to other farms, first, within each county, and then within the State. Allotted cotton acreage not used within the State subsequently would become available for distribution in other States.

The purpose is to require that a farmer holding a cotton acreage allotment plant it, voluntarily release it to retain the acreage history on his farm, or gradually forfeit it to other farmers who want to use it.

By this legislation, as long as a farm maintains cotton acreage history equal to the farm allotment by planting or voluntarily releasing acreage for use by other farmers, the county and State would not lose any acreage history credit because of any underplanting of the farm allotment. But, to the extent that a farm fails in any year to receive acreage history equal to the farm allotment, the county and State would lose an equal amount of history for that year.

H.R. 7740 would reduce the allotment base of all farms, regardless of size, where operators fail to plant or release at least 75 percent of the allotment each year, and allotments of these farms would shift gradually to other farms with bases which had not been reduced.

Under this bill it is likely that the volume of released allotments would be greater than at present and that more released acreage would be surrendered to the State committees for reallocation within the State.

Mr. Speaker, if there are any questions that anyone desires to ask about the bill, I will be glad to try to answer such questions. The gentleman from Arkansas [Mr. GATHINGS] as chairman of the Cotton Subcommittee of the House

Committee on Agriculture, conducted extensive hearings. All persons desiring to be heard were accorded an opportunity to be heard and, as I said a moment ago, the farm organizations, the farm leaders, people in all phases of the cotton industry, are supporting the bill.

Mr. BASS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Tennessee.

Mr. BASS of Tennessee. The first title of the bill deals also with tobacco, does it not?

Mr. COOLEY. It does, along with all other crops. There has been no particular interest indicated from those in the tobacco-growing areas because the situation of the tobacco industry is entirely different, as you know.

Mr. BASS of Tennessee. Yes, I understand. I have one further question. Now, the acreage transfer provision in this bill does not deal with tobacco, does it?

Mr. COOLEY. No.

Mr. BASS of Tennessee. I thank the gentleman.

Mr. COOLEY. That is all I have, Mr. Speaker, unless there are some questions.

Mr. HOEVEN. Mr. Speaker, H.R. 7740 is a very complex piece of legislation that contains two main provisions. The first provision found in section 1 of the bill affects all crops which are subject to acreage allotments—wheat, cotton, rice, tobacco, and peanuts. This section simply extends with some modification a provision of existing law which automatically preserves the acreage histories of these crops.

Under this bill, beginning in 1960, the entire current farm allotment will be regarded as planted, if during the current year or either of the 2 preceding years the acreage actually planted or devoted to the commodity or considered as planted due to soil-bank participation, was at least 75 percent of the farm allotment. This bill modified and extends the present law which provides that all allotments will be regarded as fully planted for the purpose of establishing future allotments, if the owner or operator of the farm notifies the county committee prior to the beginning of the marketing year of his desire to preserve such allotment. In order to eliminate unnecessary clerical work and inconvenience to farmers, Congress amended section 377 in 1957 to make the preservation of history automatic. This was done by eliminating the requirement that the farm operator actually request preservation of the allotment. In other words, under present law which expires this year an allotment is automatically preserved, no matter what percentage of planting was made in the 1956–59 period, whereas this bill will preserve the farm acreage history only if the farmer plants 75 percent of his allotment in 1 of 3 years.

Section 2 of the bill relates solely to cotton. It is a compromise worked out by representatives of cotton producers, the Department of Agriculture and the Committee on Agriculture after the committee had rejected various bills which would have allowed the sale, lease, or exchange of acreage allotments. Section 2 of the bill is designed to allow the reapportionment of cotton allotments within counties and States where farmers do not use their entire allotments.

Although there is some opposition to the bill at this time, during the hearings on the bill no opposition was expressed to the compromise language. The committee bill is supported by the Department of Agriculture as a practical compromise between those cotton producers who would like to maintain forever the cotton acreage "status quo" and those producers who would perhaps desire to see all cotton grown in irrigated and more efficient areas of the United States.

Mr. Speaker, I have no objection to the passage of this bill. I now yield 5 minutes to the gentleman from California [Mr. HAGEN].

Mr. HAGEN. Mr. Speaker, I speak in opposition to this bill which has the opposition of the bulk of the cotton growers in the area of the United States that grows cotton west of Texas. I want to remind you that this area that I am speaking of has produced the smallest burden on the Federal Government in the form of what amounts to sales of cotton to the Government. The cotton grown in these areas is taken out of the loan and sold on the open market to a much greater proportion than the cotton grown in other areas.

The cotton law is one of the worst laws on the statute books dealing with any commodity, and this is merely another attempt to get out of a box which was the creation of the Committees on Agriculture of the Congress.

Basically the problem stems from the unwise action in creating minimum acreages over the course of years, a minimum which was put up to 10 acres in 1938. Now, this legislation basically is designed to provide a penalty against the farmer who does not plant his acreage; in other words, it seeks to provide him an incentive for engaging in planting which he might otherwise conclude was unnecessary or uneconomical so far as he is concerned and so far as the country is concerned.

Mr. Speaker, we have a vast surplus of cotton at this time and the Federal Government is going through rigorous steps in order to reduce that surplus at some great cost to the taxpayers. It is my proposition that this legislation, providing as it does a penalty to every grower forcing him to plant every acre or surrendering it to a neighbor who will plant it, will result in an increase in the surplus which we currently have at great cost to the Federal Government.

Now, I know that you are all aware that there is vocal public opinion in this country that the agricultural program which we have is costing too much and that Congress is only temporizing with that cost and with that program. This bill is another example of the kind of temporizing that is being condemned, because it will not reduce the cost of the program, but rather increase it. It will add to the cost of the program with every new acre it brings into production. There have been some statements made that this bill has the endorsement of the Secretary of Agriculture. I might add that I privately know that it is a very reluctant endorsement, because the Secretary is aware of the surplus. He is aware of the cost of the program, and he could not wholeheartedly endorse a proposition which would add to that surplus and to that cost. This has his endorsement only because he felt that some kind of legislation was necessary to cover the situation of the expiration of an automatic preservation law which expires at the end of this year, and this bill goes beyond his original recommendation to cover that situation.

Mr. GATHINGS. Mr. Speaker, will the gentleman yield?

Mr. HAGEN. I yield to the gentleman.

Mr. GATHINGS. As a matter of fact, if this bill is not enacted, the cotton farmer would have to plant 90 percent of his allotment every year in order to maintain his history and that of the county and the State; whereas, under the terms of H.R. 7740 which is before us, he would have to plant only 75 percent once every 3 years.

Mr. HAGEN. That is true under the provisions of section 1 of the bill. But under the provisions of section 2 of the bill he has to plant at least 75 percent every year.

Mr. GATHINGS. Yes; and he would have to plant 90 percent every year if you did not have the bill H.R. 7740 that we now seek to pass. That would mean that there would be added cotton planted if we did not act under H.R. 7740.

Mr. HAGEN. Of course, under the present law, it is guaranteed that he will go completely out of business a lot faster than he will under this bill. In other words, you keep him in business longer and at the same time you put the pressure on him to plant more and the opportunity you create for his neighbors planting acres he does not want to plant; and you ignore the sections of this bill with reference to the so-called 10-acre farmer which, for the first time, annually threaten him with reduction of acreage if he does not plant. We very generously provide in the law for every farmer who had a history of planting as many as 10 acres in any single year of the preceding 3-year period. The requirement of action only once in every 3 years for complete protection of his right to plant left him some sensible discretion as to planting based on his observation of supply and demand related to the conditions on his farm. H.R. 7740 narrows this area of discretion and says plant annually or let your neighbor plant your allotment and thereby deteriorate the overall market situation when you want to come back into the cotton business. The penalty for not following this foolish course of procedure is reduction of and forfeiture of allotment.

The key to this bill is the language on page 2 of the report accompanying it. The sixth paragraph on that page reads as follows:

> Under this bill it is likely that the volume of released allotments (allotments surrendered for planting by someone else) would be greater than at present and that more released acreage would be surrendered

to the State committees for reallocation within the State.

This is a euphemistic way of saying that more cotton would be planted annually. This conclusion was verified by the North Carolinian who was the principal witness for the bill. He admitted, in response to my questions, that more planting would annually occur. The only question in his mind would be whether or not such greater planting would be substantial. As a matter of fact, this bill would not have the endorsement of its sponsors if it were not believed that it would encourage greater planting of acreages that are now unneeded, as the present owners of the allotments thereon have wisely concluded.

The letter from True Morse, Acting Secretary of Agriculture, printed on pages 10 and 11 of the committee report supports the premise that this bill will cause increased planting. In such letter he urges that the bill be amended to provide for preservation of acreage history on Government lands even though no planting occurs. He states that if such language is not provided the allotments will be shifted to private lands and the Government prohibition against planting on Government lands will be meaningless. The same statement can be made with respect to the application of the bill to purely private allotments. In other words he seeks a Government lands exemption from its provision to hold down planting. Logic demands that the same criteria be applied as criticism of the bill as a whole.

The cost aspects of this bill represent one criticism of it. An equally valid criticism deals with the inequities it will create among different producing areas of the Cotton Belt.

Through no fault of mine assignments of a national right to produce are first made in terms of State boundaries with a secondary breakdown to county boundaries and a final breakdown to the farm itself. Good sense would dictate a national allotment stemming directly from the national total to the farm but that is not the case. In these circumstances the farmer earns the right to produce by his production. Neither the county nor the State earned his allotment. It follows that if his allotment lapses by reason of his failure to produce it should disappear. This bill will not permit this. Rather it preserves each allotment for the purpose of distribution to other growers in a very limited area—first the county and then the State. Cottongrowers elsewhere are thereby saddled with alloted production which was not earned by past history—surpluses are perpetuated to their detriment. It is no coincidence that the growers most adversely affected by this bill are the most efficient in the United States—those most willing to accept lower support levels.

The dilemma of cotton in the South will not be solved by legislation like this which on the one hand restricts the so-called family farmer and on the other hand penalizes the most efficient cotton areas. Proper legislation will come only when the dilemma becomes so deep that only sensible action will solve it. I am talking about lower, more realistic, price supports and ground rules of acreage allocation which treat all growing areas equally.

CALL OF THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. COOLEY. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following members failed to answer to their names:

[Roll No. 122]

Abbitt	Flood	Multer
Abernethy	Flynn	Nix
Addonizio	Fogarty	Norblad
Alexander	Ford	O'Brien, N.Y.
Alford	Fountain	Philbin
Ashley	Frazier	Pilcher
Ashmore	Frelinghuysen	Powell
Auchincloss	Fulton	Prokop
Barrett	Gallagher	Quigley
Barry	Gary	Rabaut
Bass, N.H.	Giaimo	Reece, Tenn.
Bennett, Mich.	Glenn	Rees, Kans.
Blitch	Goodell	Reuss
Bolton	Green, Oreg.	Rodino
Bonner	Green, Pa.	Rogers, Tex.
Boyle	Halpern	Rostenkowski
Brewster	Healey	St. George
Brooks, La.	Hess	Santangelo
Buckley	Holland	Scott
Byrne, Pa.	Holtzman	Short
Canfield	Jackson	Smith, Miss.
Carnahan	Jennings	Spence
Carter	Johansen	Staggers
Celler	Keith	Taber
Chenoweth	Kelly	Taylor
Collier	Kilburn	Teller
Cook	Lesinski	Thompson, N.J.
Curtis, Mass.	McDowell	Thomson, Wyo.
Curtis, Mo.	Macdonald	Toll
Daniels	Machrowicz	Tuck
Delaney	Mason	Udall
Derwinski	Meader	Whitener
Diggs	Merrow	Whitten
Dooley	Meyer	Widnall
Dorn, N.Y.	Miller, N.Y.	Williams
Dulski	Moore	Winstead
Farbstein	Morgan	Yates
Fino	Moulder	Zelenko

The SPEAKER pro tempore (Mr. BOLAND). On this rollcall 317 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ACREAGE HISTORY AND ALLOTMENTS

Mr. HOEVEN. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Speaker, this bill in my opinion not only represents a danger as far as the orderly allocation of the acreage for cotton is concerned, but it also represents another attempt to preserve what I think is a very artificial situation as regards the allotment of acreage for cotton. This specified fictitious system under which, if a person complies with these artificial rules, he may preserve his history for planting cotton even though he does not now plant cotton. This is fast coming to a situation, Mr. Speaker, in which, if a person has ever grown a cotton crop and if he wants to play the rules of the game from then on out, he can retain the reputation of a cottongrower without ever growing cotton again in his life.

Now, to me there is something slightly ridiculous in this situation. I understand the motives behind the committee's action and the motives behind the Department of Agriculture in approving this measure. There is a hope that if you let a man retain title to certain allotments, perhaps he will not plant that cotton. Well, to me that is begging the question.

I hope that sooner or later the House will face up to the fact that the system under which we now allocate crop acreage is obsolete, is archaic, and needs to be worked over in the interest of making this agricultural program make more sense.

Mr. HAGEN. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from California.

Mr. HAGEN. Is it not true that this legislation provides an incentive for overplanting with the further proviso that if the fellow so situated does not plant, his neighbors in a given area will plant it? In other words, it is an expensive program because it will force planting in areas where there is currently large underplanting by giving growers only the dreadful alternative of planting or surrendering to neighbors who will plant on penalty of reduction of allotment but it is also inequitable to those cotton areas in the West, shall I say, which seek to reduce the surplus by accepting lower price supports with the hope that quotas will ultimately become either unnecessary or only sporadic. This bill attempts to establish ground rules to establish large production in the least efficient growing areas, those areas which have consistently asked for high support levels.

Mr. RHODES of Arizona. The gentleman is absolutely correct. I want to congratulate the gentleman from California on the remarks he made previously. The remarks made by the gentleman from California set forth the case against this bill much better than I could possibly do it myself. The facts certainly are as the gentleman stated, that this bill will have the effect of transferring acreage and perpetuating what we think is an artificial situation in that it will continue the growth of cotton of a quality which is not as good as could be grown elsewhere, at a cost that is higher than that which would prevail if the cotton is grown in other areas and will, in effect, prevent cotton from being grown where it can be grown the best and the cheapest, which is mainly in the cotton producing areas of the West.

Mr. HAGEN. Mr. Speaker, if the gentleman will yield further, very briefly the background of this situation is that the Congress created a 10-acre minimum which was designed principally to help the southern cotton areas. Experience has demonstrated that in 1958, for example, out of 900,000 cotton farmers less than 500,000 of them planted any cotton at all, and the bulk of those nonplanters were these so-called 10-acre farmers located largely in the old Cotton Belt.

This bill is designed to force those farmers to plant cotton annually, which we do not need and increase the taxes that go with that kind of an operation.

Mr. RHODES of Arizona. The gentleman is correct. I call the attention of the House to the situation of the burley tobacco farmer. The burley tobacco farmer has been ruined by the minimum acreage provision of the bill under which he now operates. I do not want the cotton farmer to find himself in the same situation as the burley farmer now is.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from California.

Mr. TEAGUE of California. May I point out that I joined the gentleman from California [Mr. HAGEN] in signing the minority report. I want to associate myself with his remarks as well as those of the gentleman from Arizona and point out that as I see this legislation, it will increase the surplus of cotton and be more costly to the American taxpayers and, therefore, I think it should be defeated.

Mr. RHODES of Arizona. I thank the gentleman. That is a point which should be remembered by everybody, whether they are interested in agriculture or not. They have taxpayers in their districts, many of them, and, in my opinion, this bill cannot be good news for the taxpayers of the United States.

Mr. COOLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Arkansas [Mr. GATHINGS].

Mr. GATHINGS. Mr. Speaker, the main objection that has been raised to this bill is that it will grow too much cotton. As a matter of fact, H.R. 7740, the bill that is before us, will mean less production of cotton in that under the terms of this bill a farmer can maintain his history by releasing his acreage or by growing only 75 percent of his acreage allotment. A farmer with an allotment of more than 10 acres would have to grow 90 percent of his allotment of cotton each year under the law on the statute books now, or release it as a part of it, if we do not pass H.R. 7740.

The gentleman speaks of the 10-acre provision. The gentleman from California [Mr. HAGEN] has consistently opposed that 10-acre provision. He has always been against it. He does not want the small farmer to grow cotton. These people in the original Cotton Belt have the small acreages and they are entitled to a livelihood, they are entitled to continue in the cotton business as well as the larger farmers.

Under the terms of this bill, the 10-acre man would be brought under the law just as is the man who grows more than 10 acres. He would be able to plant 75 percent of his allotment whereas, under the present law, he only has to plant one-tenth of an acre in order to maintain that 10-acre history.

Mr. HAGEN. Mr. Speaker, will the gentleman yield?

Mr. GATHINGS. I yield to the gentleman.

Mr. HAGEN. In other words, the gentleman now wants to take away from the 10-acre grower something that the Congress gave him a few years ago.

Mr. GATHINGS. What we want to do is to put him on the same basis. That would eliminate the gentleman's argument. The gentleman wants to eliminate the 10-acre man completely. Under the terms of this bill, a 10-acre man will be on the same, identical footing. That is, he would have to plant at least 75 percent of his allotment in order to maintain his history.

This bill is brought to us because of the fact that in the 1956 Soil Bank Act there was a provision, section 477, which automatically preserved the history of all these basic crops. That provision was written in in 1956 and applied to the 1956, 1957, 1958, and 1959 crops. It expires at the end of this year. Something needs to be done because of the fact that otherwise we will have no automatic preservation of this history after this year. So the Department has come in and recommended approval of this bill. As a matter of fact, the groups from across the whole belt, with very few exceptions, approved this legislation. There was only one letter in opposition, and that came from the State of Arizona.

On the last day of the hearings the chairman asked the question—and we had 4 days of hearings—whether there was anyone present who opposed this legislation and no one responded.

Everyone who appeared before us was in favor of it. The bill has been worked out carefully down in the Department by those who are interested in this proposal and throughout the whole belt. It is good, sound legislation and I do trust that it will be approved.

The two gentlemen from California [Mr. HAGEN and Mr. TEAGUE] filed a minority report on this bill. I would like to discuss this report paragraph by paragraph.

Page 21, paragraph 3: Section 1 of the bill does not freeze all current allotment relationships among States and among counties within a State. Mr. H. L. Manwaring, an official in the Department of Agriculture who participated in drafting and recommending the provisions in section 1 to the Congress, has recently explained that it was the Department's intention that a county and State be credited with acreage history only to the extent that farms are credited, and that after reviewing the matter again it is his belief that the language is clear on this point.

Paragraph 4: As indicated above, the acreage history for a county and State under section 1 of the bill will depend entirely on the acreage credited to farms in the county and State. If there is no credit for a farm, then there will be none for the county and State.

Paragraph 5: This paragraph implies that the question of providing for the preservation of acreage history for the several basic commodities has not been thoroughly considered.

It is generally understood among persons who follow agricultural legislation and programs that section 377 of the Agricultural Adjustment Act of 1938, which provides for the automatic preservation of acreage history equal to the farm allotment, expires with the 1959 crops. Evidence of the widespread information on this fact and the action taken to extend section 377 beyond the 1959 crops is as follows:

First. In December 1958 the American Farm Bureau Federation at its annual convention adopted a resolution that farmers should not be required to plant their allotments in order to keep history.

Second. In January 1959 Senator STENNIS introduced a bill to make section 377 permanent law.

Third. In March 1959 the Department of Agriculture recommended to the Senate and the House that section 377 be extended in modified form. H.R. 5741 and S. 1418 were introduced containing the Department's recommended provisions.

Fourth. On June 1, 1959, at a hearing before the House Committee on Agriculture, Assistant Secretary McLain renewed the Department's recommendation that section 377 be extended in modified form.

Fifth. On June 15, 1959, H.R. 7740 was introduced, containing in section 1 the provisions for history preservation as previously introduced in H.R. 5741.

Sixth. On July 15, 1959, a press release was issued by Chairman COOLEY requesting persons interested in H.R. 7740 to forward their views or testify at a hearing scheduled for July 22, 1959.

Seventh. At the hearing on July 22, 1959, numerous witnesses were heard, and several messages from coast to coast, all endorsing H.R. 7740, except one letter from Arizona, were placed in the record.

Paragraph 7: This paragraph refers to section 1 of the bill as a stimulant to the planting of unneeded acres of cotton. This is entirely wrong. If section 1 becomes law, acreage history equal to the farm allotment will be credited to the farm, county and State each year if once during each 3-year period at least 75 percent of the farm allotment is planted—or regarded as planted under the soil bank program. If section 1 or a similar provision is not enacted, a cotton farmer can provide acreage history equal to the farm allotment for his farm, county and State by planting not less than 90 percent of the farm allotment each year.

Paragraph 8: It is stated that section 2 attaches "a penalty of loss of allotment to the farmer who wisely decides not to plant because of the overall supply-demand situation." This statement is wrong. Section 2 does not penalize a farmer with loss of allotment if he fails to plant. Under section 2 a farmer who in a given year finds or decides the allotment should not be planted may protect his allotment base for the following year by releasing the unused allotment to the county committee.

Page 22, paragraph 1: The bill does not say "plant annually to the maximum of your allotment." It says a farmer may receive full credit for planting an acreage equal to his farm allotment by planting at least 75 percent of the farm allotment.

Paragraph 2: The year 1958 is not a representative year for illustrating operation of the cotton allotment program. The terms of the soil bank acreage reserve program for 1958 were extremely attractive to thousands of small cotton farmers and many of them placed their entire allotments under the program. It might be added that many large cotton farmers found the 1958 program attractive and placed as much of his allotment in it for payment as the limitation allowed.

Paragraph 3: No statistics can be assembled to prove or disprove the statement that "H.R. 7740 will do long-range harm to the whole cotton industry." The bill will permit cotton allotment to shift to farms which annually meet the rigid requirements as to planting and releasing of allotment. From a long-range standpoint, it is likely that generally, these will be the farms on which cotton can be produced efficiently and economically and that having cotton production in the hands of the operators of these farms will be in the best interests of the whole cotton industry.

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks in the RECORD on the bill now under consideration.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. HOEVEN. Mr. Speaker, the first section of the bill relating to all of the allotment crops was recommended to the Congress by the Department of Agriculture. Section 2 on cotton represents a compromise between the Department and agricultural leaders from North Carolina to Texas. For the past 2 years these leaders sought statutory authority for the selling or leasing of allotments by one farmer to another. The Department strongly opposed this approach to solving the allotment problems of farmers in certain areas. At hearings before our committee in early June it was agreed that some of these persons and the Department would try to work out some changes in the cotton program. The provisions in section 2 represent the results of that effort.

H.R. 7740 is not major farm legislation. It deals solely with the procedures for establishing farm cotton allotments and calculating farm, county, and State acreage history for cotton as well as other crops for which acreage allotments are now used; namely, wheat, rice, tobacco, and peanuts. The bill does not drastically alter procedures now in effect for these commodities. But it makes several changes which are considered important by representatives of most of the affected farmers, especially for cotton.

The first section of the bill extends, in modified form, a provision of present law which recognizes the interest farmers have in maintaining their yearly acreage history on which the size of future allotments is predicated. This provision recognizes the proposition that the Congress should not require, at a time when the Nation is overstocked with all of the affected crops, each farmer annually to plant an acreage approximating the farm allotment in order to protect his future allotment position. For the years 1956 through 1958 the Government paid farmers under the Soil Bank Act for not planting the full farm allotment. H.R. 7740 is expected to accomplish a reduction in production of the allotment crops at no cost to the Government. It permits and encourages the wheat, cotton, peanut, rice, and tobacco farmers to produce less and still keep their allotments. Specifically, it provides that the full farm allotment will be considered as planted if in the year then current—beginning with 1960 crops—the acreage planted—or regarded under the Soil Bank Act as planted—is at least 75 percent of the farm allotment.

For cotton the bill will allow farmers to protect their allotment status by meeting each year prescribed requirements as to planting and releasing the allotment. The farmer who fails to safeguard his position, be he a large or small operator, will find his allotment reduced and the acreage so lost will be absorbed by other cotton farms.

In time, it is believed the cotton provisions in section 2 of the bill will result in increasing the allotments, nationwide, for the farms which year after year fully utilize their allotments in accordance with the planting and releasing procedures. It will be assumed that these will be the farms on which cotton is produced most efficiently and economically. This is where cotton must be grown if this wonderful natural fiber is to compete successfully in the future with synthetic fibers and foreign cottons.

Mr. BROCK. Mr. Speaker, during the present session of this Congress I have taken the floor on several occasions to register my protest, and the protest of livestock raisers and farmers in Nebraska and other Farm Belt States, against the importation of livestock and red meats into the United States. These imports, and the importing of the processed meats, have dug deeply into the economy of the American farmer. This is particularly so now, because of the abundant corn crop being harvested which in turn brings about cheaper feeding of livestock and a heavy market of beef cattle and hogs. The heavy market naturally causes lower prices for the producer. If this is not enough to contend with, we now have more grief for the producer by increased importation of livestock and red meats.

While my previous remarks on this floor were directed against the imports of beef and red meats, we now have another importing problem that will materially, if not financially, affect another phase of the livestock business. I am referring to the increased importing of lambs from Australia and New Zealand. We have just received a shipment of 30,000 head, which will help to depress the domestic lamb market. To add insult to injury, the same exporters who sent this trial shipment, are planning to ship us 200,000 or more, head of lambs in the next 2 or 3 months, if the trial shipment is successful. The trial shipment will be on the fat market in 3 or 4 weeks and can and probably will sell for $10 per head less than for what we can produce or sell fat lambs domestically.

How much longer are we to wait before some concrete action is taken by this administration and the Department of Agriculture to halt the increasing importation of livestock and red meats, now the lambs, before the American livestock raiser and the farmer is forced to the wall and financial ruin by cheap imports. This latest action could very well be the beginning of the end for the sheep industry in the United States.

Mr. JONES of Alabama. Mr. Speaker, I rise to support H.R. 7740, a bill to provide for the automatic preservation of acreage history for basic commodities and to permit a farm, county, and State to retain its full cotton acreage history.

On June 17, 1959, I introduced H.R. 7783, a similar bill to H.R. 7740. I am particularly interested in this legislative proposal since it will do much for our cotton producers who are in great need of consideration at this time. In my congressional district of Alabama there is more cotton grown than in any other district of the State. Cotton growing is still a major crop in my area, and many people there are dependent upon cotton for their livelihood. When this industry is in a healthy condition, our whole section feels the economic impact. Conversely, when cotton is depressed, my people are very adversely affected.

I understand that the U.S. Department of Agriculture has announced its acceptance of the provisions of H.R. 7740 and has placed its stamp of approval on the bill. This action on the part of the Department should pave the way for prompt passage by both Houses of Congress, so that the bill may be sent to the White House for the President's signature before this session of Congress is over.

Section 1 of H.R. 7740 continues on a permanent basis the preservation of acreage history for the six basic commodities. This provision in the present basic Farm Act expired on June 30, 1959, and unless steps are taken to continue this provision, great hardships will be experienced by the producers of basic commodities. Producers of some of these commodities are already faced with the fall planting season within a few weeks. In addition, all farmers would like to know whether this provision of law will be kept so that they can start making their plans for seed, fertilizer and other essential items for next year's crops.

Section 2 of H.R. 7740 permits a farm, county, and State to retain its full cotton acreage history without full planting of each farm allotment each year. This is done by prescribing certain requirements as to planting cotton or releasing unused allotment to the county committee. During the past several years, many States including Alabama have lost considerable cotton acreage due to the failure of farmers to plant their allotment each year. Under section 2 of this bill, this leak in the barrel would be plugged up to an appreciable extent, and this is exactly what is needed at this time. If certain farmers do not use or want to use their cotton acreage al-

lotment or turn it back each year to the county committee, the county or State acreage history should not have to suffer a decrease for future allotment purposes. This bill affords a workable and practical solution of this problem.

Mr. Speaker, I sincerely urge the House to vote to suspend its rules and pass H.R. 7740 today. This bill is urgently needed, and time is of greatest essence in passing this measure. We need to pass this bill now so that our farmers can have sufficient time in which to make their plans for their next crop. H.R. 7740 is supported by both sides of the aisle and has the cooperation of the Department of Agriculture. With this bipartisan support, H.R. 7740 should be written into law at an early date.

Mr. GRANT. Mr. Speaker, H.R. 7740 is a very simple piece of legislation which deals with the acreage history and allotments for crops in the operation of production adjustment programs. Unless this or some other legislation is enacted, producers of allotted crops, beginning next year, must plant each year in order to maintain the acreage history for their farms, county and State.

If legislation is not enacted, there will necessarily be an increase in production of crops already in surplus. This is true because in order to maintain history, it will be necessary for a grower to plant his allotment. H.R. 7740 would transfer this unused cotton allotment to other farmers, first within each county and then within the State. If not used in the State, it would become available for distribution in other States. This is fair and equitable legislation.

Some may say that if a farmer does not want to plant his allotment, that he should be made to give it up and that it first go to the national allotment. This would not be a fair way to handle it. The bill spells out how it should be handled. Justice can only be done where it first is used, in the county where it belongs, then to the State, and then on a national basis.

Unless this legislation is enacted, farmers with allotments above 10 acres can only protect future allotments by having planted 90 percent, thus adding to the surplus. H.R. 7740 merely permits the farm, county, and State, to retain its full cotton acreage history without full planting of each farm allotment each year. This legislation will mean a great deal to a lot of people and will not contribute to the cotton surplus.

Mr. ROBERTS. Mr. Speaker, I want to put myself on record as commending the gentleman from North Carolina [Mr. COOLEY] and the gentleman from Arkansas [Mr. GATHINGS] and his committee for the devoted efforts put into H.R. 7740; and as supporting the passage of this bill.

I stated in the House on January 15 of this year that it is mandatory that the 86th Congress act at the earliest possible moment to modify the laws regulating the allocation of cotton acreage.

Of course, I am delighted for this opportunity before adjournment to act upon legislation which would have this effect. I think the people expect the Congress to do something on this problem before it goes home.

A few months ago, I received a telegram from the Governor of Alabama, the Honorable John Patterson, and he said, in part:

> A survey conducted in each of Alabama's 67 counties indicates that unless the flexibility in acreage allotments which the leasing measure that you support provides is effected for 1959, Alabama will stand to lose the creation of new wealth on nearly 100,000 acres of good cotton land.

The Governor was referring to the bill which I introduced during the opening month of this session to provide for the lease and transfer of acreage allotments.

I was disappointed that the studies required on this problem made it impossible to take definitive action in time to affect the 1959 cotton crop.

However, our cotton farmers still need the greater flexibility in the cotton acreage allotments that this bill provides.

The sections of the bill dealing with transfer of unused cotton acreage allotments will have the effect of giving the farmer who wants to grow cotton the right to do so.

Under present conditions, we have not provided a ready funnel for the flow of allotted acreage from farmers who are only partially interested in farming to the farmers who want, need, and can utilize additional acreage.

This bill provides that unused cotton allotments would be transferred to other farms, with first preference going to farmers within the same county.

This will require that a farmer plant his cotton acreage allotment, turn it loose to retain the acreage history on his farm, or forfeit it to other farmers who want to use it.

Farmers who plant 75 percent or more of their farm allotment will be regarded as having planted their entire current farm allotment. Those who do not plant or release 75 percent of their allotments will have their allotment bases reduced, and allotments of these farms would shift to other farms with bases not reduced.

This would have a revitalizing effect on production in the cotton States.

A leader in studying Alabama cotton problems tells me that he believes H.R. 7740 will enable greater utilization and planting of Alabama's cotton acreage than any law since allotments have been in effect.

Under this bill, a county or State would not lose any acreage history credit for underplanting as long as the farms maintain their history by planting or releasing acreage to other farmers.

I think this is as it should be. The farmers who are truly interested in farming and preserving their county's acreage history are encouraged to do so.

Mr. Speaker, I urge the action of the House in this regard to give some relief to one portion of the overall farm picture.

Mr. WHITENER. Mr. Speaker, as the Representative of one of the largest cotton-producing congressional districts in North Carolina I am particularly pleased that the House has scheduled action on H.R. 7740.

The provisions of this bill are of great importance to all farmers in the 11th Congressional District of North Carolina, and especially so to the farmers in the four cotton-growing counties of Gaston, Cleveland, Rutherford, and Polk.

We are all aware of the serious hardships with which the cotton farmer in all sections of the country has been confronted during the past several years. Probably no other group of cotton farmers, however, has experienced a greater degree of hardship and economic distress than has been the lot of the cotton farmers in North Carolina.

We in North Carolina are proud that our State has more individual farms than any other State in the Union. Over 267,906 farms dot the landscape of our State, and on approximately 40 percent of these farms cotton is cultivated.

The production of cotton, therefore, is vital to the growth and economic stability of North Carolina. Nowhere is this fact more apparent than in the congressional district I am privileged to represent in this Congress.

During the past several years there has been a steady decline in the number of cotton allotments and cotton acres allocated in North Carolina. In 1954 my State had 91,039 allotments and 624,831 acres allocated for cotton. This year North Carolina only had 82,097 cotton allotments and 485,992 acres allocated for the crop. When we realize that in 1926 the State had 1,802,000 acres of cotton under cultivation and produced 1,208,000 bales of the fiber, the swift decline that has taken place in the cotton economy of the State becomes all the more apparent.

The drop in allotments and acreage during the past several years has been reflected in the situation existing in the four cotton-producing counties in my district.

In 1954 Gaston County had 946 allotments and 5,355 acres allocated. Today the county has only 823 allotments and 3,740 acres set aside for cotton.

Cleveland County, the largest cotton-producing county in North Carolina, had 3,557 allotments in 1954 and 40,826 acres allocated. This year Cleveland County had only 3,331 allotments and 34,359 acres allocated.

In Rutherford County the trend also has been downward. The county had 12,173 acres allocated and 2,160 cotton allotments in 1954. The situation today finds the same county having 11,214 acres allocated and 1,848 allotments.

Polk County had 421 allotments in 1954 and 1,938 acres allocated. The 1959 figures reveal that this county has 1,820 acres allocated with 453 allotments.

Mr. Speaker, I believe the same story would be told if we were to examine the figures for every cotton-producing county in North Carolina. Year after year, allotments and cotton acreage have decreased in the State. As a result, many of our small cotton farmers have been forced to find other means of employment.

It is imperative, therefore, that we enact H.R. 7740. I commend the House Committee on Agriculture for bringing this bill to the floor, and I am pleased

that the Department of Agriculture has realized the seriousness of the situation facing the cotton farmers and has given the Department's endorsement and support to this legislation.

Under the provisions of this bill unused cotton allotments within a county will be distributed among other cotton farmers in the same county. Any of the allotments not used after this has been done will be distributed within the State, and if there is a State surplus, other States will share in it. This is a realistic approach to a situation that has become exceedingly worse with each passing year.

Simply stated, this bill will provide that a farmer must plant his acreage allotment. If he does not do so he can voluntarily release it and retain the acreage history on his farm. Otherwise, he will gradually forfeit his allotment to the use of other farmers who desire to plant a larger cotton crop.

H.R. 7740 has had the support of cotton-producer associations. In talking with the cotton farmers in my congressional district I find that they are likewise heartily in favor of the enactment of this legislation. There is, of course, no cure-all for the problems of the cotton producer, but the enactment of H.R. 7740 will go a long way toward alleviating some of the present difficulties he is experiencing. The bill deserves the support of every Member of the House.

Mr. HEMPHILL. Mr. Speaker, the Committee on Agriculture is to be congratulated for promptly reporting out H.R. 7740, which allows unused cotton allotments to be transferred to other farms, first, within each county and then within the State. Allotted cotton acreage not used within the State subsequently would become available for distribution in other States.

Cotton is a great commodity, and we who live in the original cotton country have seen the Government program disparage the growth of cotton rather than encourage it. Since allotments could not be transferred, we have had great difficulty in justifying an investment to grow a crop which had no great potential for farm income. This bill changes that, and I am delighted.

Many of my farmers have spoken to me about this legislation, and I hope it will pass when the vote is taken on Wednesday. I understand this is approved by the Department of Agriculture.

It is my hope this bill, if enacted into law, will relieve some of the surplus supply, since it will no longer demand that 90 percent of the farm allotment be planted each year in order to protect future allotments.

I hope South Carolina will keep its full cotton acreage history without full planting of each farm allotment each year.

Finally, it gives the farmer the select right to trade off his allotment and use it for some purpose other than his own. He can help his neighbor, he can help his country, and he can help his community.

I urge the passage of H.R. 7740.

Mr. ELLIOTT. Mr. Speaker, for many years I have been interested in legislation which will bring out economic justice for the cotton farmers of our Nation, my State of Alabama, and the Seventh Congressional District of Alabama, which I have the honor to represent. The Seventh Congressional District has, basically, a rural economy. We have around 26,000 farm families, whose farms will average approximately 50 acres. However, the number of farmers in our district has been decreasing in recent years. In many cases, I think, our farmers have left the land because their cotton acreage has been reduced to such a level that planting it is not economically feasible. A real economic squeeze has enveloped our small farmers. The economic distress of our people in the Seventh District has been further accentuated by the closing of many of our coal mines; therefore, in my opinion, something must be done to preserve for our farmers the opportunity to make an adequate living.

Early in this session of Congress I introduced two bills which, in my opinion, would help alleviate the problem of the decreasing cotton allotments in my district. One bill provided for the lease and transfer of cotton allotments; the other provided for a 1-year carryover of cotton farm acreage allotments when planting had been prevented by bad weather conditions.

H.R. 7740, which is now before us, in effect, embodies the concepts of both of the bills which I introduced. I, therefore, urge approval of this bill. This bill provides a reasonable mechanism through which a farm, a county, and a State may retain its full cotton acreage history without full planting of each farm allotment each year.

As you know, under the present law, the basic allotments for counties and States are based on the cotton history for the previous 5 years. As a result, if a farmer does not plant his allotted acreage, the amount not planted will be reflected in a reduction of the acreage history for his county and his State. During the past few years, there have been many farmers who have chosen not to plant their full allotment, or none of their allotment. This underplanting has caused our State and district to lose part of its cotton acreage. Last year alone our Seventh Congressional District's acreage allotment was reduced by almost 4,000 acres.

This legislation now before us would preserve acreage history equal to the farm allotment of an individual farm, if during the current year or during either of the two previous years the acreage planted in cotton on the farm, or regarded as planted according to established regulations, was the equivalent of 75 percent or more of the farm's allotment.

Furthermore, it provides for the transfer of unused cotton acreage allotments to other farmers, first within the county, and then if still unused, to another farmer within the State. Thus, the acreage allotment history for a county may be fully maintained over a period of years even though the full allotment is not being used in any one year. This, I would hope, would result in a county retaining virtually its same allotment year after year. To put it simply, as I see it, this bill will have the effect of requiring a farmer to plant his cotton acreage, voluntarily release it to another farmer within his county, or gradually forfeit his allotment to other farmers who wish to use it.

Early this year I had a letter from the Honorable John Patterson, Governor of Alabama, regarding the problem of leasing or transferring acreage allotments. His letter stated, in part: "Farm leaders from all over Alabama are concerned about the wholesale abandonment of cotton allotments due to the situation on many of our farms where small allotments, coupled with low prices, have rendered cotton production unprofitable. A survey conducted in each of Alabama's 67 counties indicates that unless flexibility in acreage allotments is effected for 1959, that Alabama will stand to lose the creation of new wealth on nearly 100,000 acres of good cotton land. Even at present prices and yields (this bill) has been estimated to prevent the loss of over $15 million worth of new wealth for Alabama in 1960 alone. Consequently, this cotton measure could well be one of the most important measures to come before the Congress in 1959 so far as the economy of the State of Alabama is concerned."

I am happy to note, Mr. Speaker, that provisions of this bill relating to cotton allotments and acreage history were arrived at through a conference with representatives of our cotton producers and officials of the U.S. Department of Agriculture. This is the kind of cooperation we need if we are to arrive at adequate solutions to our farm problems. There is a great deal of sentiment in favor of this bill. It has been supported by communications from every part of the Nation's Cotton Belt, and during the course of the hearings on this legislation not one single witness appeared in opposition to it. I expressed to the Agriculture Committee, during the course of the hearings on this bill, my approval of its purpose. I reaffirm that support now and urge the passage of H.R. 7740.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and on a division (demanded by Mr. HAGEN) there were—ayes 58, noes 31.

Mr. COOLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Under the unanimous consent agreement heretofore made, that vote will be passed over until Wednesday.

TO ACQUIRE AND TRANSFER CERTAIN REAL PROPERTY TO THE COUNTY OF SOLANO, CALIF.

Mr. DURHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 697) to authorize the Secretary of the Navy to acquire certain real property in the county of Solano, Calif., to transfer certain real property to the county of So-

lano, Calif., and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 6, line 4, strike out "8.26" and insert "78.26."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. DURHAM]?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

STATE PARTICIPATION IN EMERGENCY FEED, SEED, AND ROUGHAGE PROGRAM

Mr. COOLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6861) to provide for a specific contribution by State governments to the cost of feed or seed furnished to farmers, ranchers, or stockmen in disaster areas, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, no feed for livestock or seed for planting shall be furnished to farmers, ranchers, or stockmen pursuant to Public Law 875, Eighty-first Congress (42 U.S.C. 1955 and the following); Public Law 115, Eighty-third Congress, first session; Public 357, Eighty-third Congress, second session; Public Law 480, Eighty-third Congress, second session; or pursuant to any other law as a disaster relief measure, unless, in addition to such administrative costs as may be assumed by the State, the State in which such feed or seed is furnished agrees to contribute 25 per centum to that part of the cost, including transportation, of such feed or seed which is not paid for by the recipients thereof: *Provided, however,* That the effective date of the foregoing percentage of cost provision shall be three years after the enactment of this Act: *And provided further,* That feed for livestock deprived of their normal feed sources by extreme emergency conditions may be furnished temporarily by the Secretary without State participation in the cost of such feed.

The SPEAKER. Is a second demanded? [After a pause.] If not, the Chair will put the question.

The question is on the motion to suspend the rules and pass the bill, as amended.

The question was taken, and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HOEVEN. Mr. Speaker, H.R. 6861 is sound and needed legislation. It requires that States participate in the cost and the administration of Federal feed, seed and roughage assistance programs. It has the approval of the Department of Agriculture and has been reported almost unanimously by the Committee on Agriculture.

I would, Mr. Speaker, like to review the background and the reasons for this legislation.

The emergency feed program began in 1953 in an effort to deal with an extremely serious drought situation. Some southwestern areas at that time were entering their fourth year of critical drought conditions. The growing shortage of feed and water for livestock caused many farm and ranch families extreme difficulties in maintaining their foundation herds of livestock. In those areas where extreme drought and other major natural disaster conditions have existed, the primary objective of this program has been to give the necessary assistance promptly and efficiently to distressed farmers and ranchers.

The program has been operated on the local level through the agricultural stabilization and conservation committees. The abuses have been relatively slight and the Department has taken action to recover some $4½ million from feed dealers, farmers and ranchers who have misused the program.

Up to the present time the Federal Government has assumed the entire cost and administration of the program. Last year both the House and the Senate passed bills to require State participation in this program, but these bills died in the closing days of the 85th Congress before conferees were appointed. Last year the Senate bill provided for State participation from 25 to 50 percent, while the House bill allowed a 10-percent contribution.

I introduced H.R. 6861 first because I strongly feel that the government closest to the people is the best government and second, because this bill will reduce the cost of the Federal agricultural program.

In addition, Mr. Speaker, the bill provides a 3-year period for State legislatures to make whatever statutory or constitutional changes which may be necessary in order to participate in the program. The bill leaves open the door for special aid in case an extreme emergency such as a flood or a tornado strikes a particular State. In such a case, no State participation in the cost of the feed, seed or roughage would be required. I would also like to point out that this legislation is in accord with the Governors' conference and the President's policy of establishing joint Federal and State responsibility and cooperation in the administration of the affairs of government.

This bill is by no means a precedent. There are many agricultural programs which operate on this principle. A few are as follows:

First. Payments in State departments of agriculture, bureaus of markets, and similar State agencies under section 204(b) of the Agricultural Marketing Act of 1946 for marketing service activities.

Second. National school lunch program: Contributions by State and local interests of $3.50 to each $1 of Federal funds are required by the School Lunch Act of 1946. Payments for meals by children are included in the contributions by the State or local interests.

Third. Payments to State experiment stations: The Hatch Act, as amended, provides that any amount allotted to any State in excess of $90,000 shall be matched by the State out of its own funds for research. Payments are also made to States on a matching basis for marketing research under the Agricultural Marketing Act of 1946.

Fourth. Payments to State extension services: The Smith-Lever Act, as amended, provides that the major portion of the funds appropriated for grants for the cooperative extension program to be matched by the States. Marketing educational work is also conducted under the Agricultural Marketing Act of 1946 on a matching basis.

Fifth. State and private forestry activities: The U.S. Forest Service makes payments to State forestry agencies for forest fire protection, reforestation, and good management of woodlands which must be matched by the cooperating States.

In conclusion, Mr. Speaker, this legislation follows an established and successful principle of government and as such should be enacted.

INCREASED AUTHORIZATION FOR THE 1960 AND 1961 SCHOOL MILK PROGRAM

Mr. COOLEY. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1289) to increase and extend the special milk program for children, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of Public Law 85-478 (172 Stat. 276), is amended to read as follows: "That for the fiscal year beginning July 1, 1958, not to exceed $78,000,000, and for the fiscal year beginning July 1, 1959, not to exceed $81,000,000, and for the fiscal year beginning July 1, 1960, not to exceed $84,000,000, of the funds of the Commodity Credit Corporation shall be used to increase the consumption of fluid milk by children (1) in nonprofit schools of high school grade and under; and (2) in nonprofit nursery schools, child care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children."

The SPEAKER. Is a second demanded?

Mr. HOEVEN. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. COOLEY. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. JOHNSON] such time as he may desire to explain the bill. The gentleman from Wisconsin is chairman of the dairy subcommittee of the House Committee on Agriculture who dealt with this problem.

Mr. JOHNSON of Wisconsin. Mr. Speaker, the Dairy Subcommittee held extended hearings on this matter. The testimony before the committee showed

that the $75 million which is now appropriated for the special school milk program would not be enough. It was necessary to raise the appropriation for the year 1959, which was done by separate legislation. It was also necessary to raise the $75 million for the fiscal year 1960 and 1961. The committee amended S. 1289 to provide $81 million for fiscal year 1960, and $84 million for the fiscal year 1961. This was done unanimously by the Dairy Subcommittee, and this action was agreed to unanimously by the full committee. All the bill does is provide $81 million for fiscal 1960 and $84 million for fiscal 1961 from Commodity Credit Corporation funds.

Mr. HOEVEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. ALGER].

Mr. ALGER. Mr. Speaker, I thank my colleague for yielding to me.

Mr. Speaker, I would like to ask a direct question, if I may. I was the lone Member of the House last year to oppose the school milk program. I tried to state in the RECORD at that time why I did. I would like to ask the gentleman, the chairman of the subcommittee, a question. Is the primary purpose of this bill the distribution of surplus stocks or to provide food for our children?

Mr. JOHNSON of Wisconsin. We, on the committee, feel that it serves two purposes. It disposes of surplus milk which, if it were not made available to the children, would have to be bought by the Commodity Credit Corporation in the form of butter, cheese, and dried milk. At the same time this helps the health of the children who are in the program by having milk available for them.

Mr. ALGER. I want to compliment the gentleman for making such a clear statement. I was puzzled last year because in the bill last year and in the report, missing this year, there was contained the statement that the primary purpose of the program was to improve nutrition for schoolchildren, and earlier I had questioned the gentleman from North Carolina [Mr. COOLEY] as to whether the primary purpose was not the distribution of surplus stocks of food. I never really did get an exact answer.

Mr. JOHNSON of Wisconsin. May I say this to the gentleman from Texas: When the law was first enacted, it had for its purpose disposing of surplus milk. But, the way the program has developed and is developing all over the country, it is very much a health measure as well as a way of using up our surplus. The testimony before our subcommittee showed the amount of butter, cheese, and dried milk that would accumulate if all this milk were not used in the school milk program.

Mr. ALGER. There is no question then that this does dispose of surplus products. Of course, the thing that puzzles me and concerns me, Mr. Speaker, is the fact, of course, we could very well be building up surpluses just so that we could later dispose of them to the schoolchildren through the milk program as a health program thereby making a very fine program for the dairy folks. I am not opposed to the dairy people doing good business and I am not opposed to schoolchildren drinking milk. But, I would like to cite you a parallel example to show you why I, as one Member, am concerned. Let us say, for example, that the manufacturers of children's clothing were having a tough year and that they got together and the Federal Government agreed that we would subsidize the clothing manufacturers for schoolchildren and that Government would pick up the cost beyond a certain amount as a minimum fee. Under those circumstances, very obviously, the children get clothing. The taxpayers would pick up the difference as the taxpayers now pay the difference for the milk. Children need clothing, of course. I am simply calling to your attention in this case that the Federal Government is actually becoming a provider of clothing, as it has become a provider of milk. I am not opposed to children drinking milk, but I think this House ought to clearly see that we are no longer disposing of surplus milk but we are actually perpetuating a program of providing food for our schoolchildren.

I do not think that is the role of the Federal Government.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. ALGER. I yield.

Mr. COOLEY. Could not the gentleman make exactly the same argument against the school lunch program? Certainly the gentleman is not opposed to that.

Mr. ALGER. I would certainly make the same argument there against the school lunch program. I do not believe it is the role of the Federal Government to feed and clothe our people.

Mr. COOLEY. I say, notwithstanding the gentleman's argument, he is in favor of the school lunch program?

Mr. ALGER. For the same reason I am not in favor of the school lunch program. I thought I made that clear.

Now, Mr. Speaker, under privilege of extending my remarks, I would like to append my remarks of last year. I still do not believe it is the role of the Federal Government to feed and clothe people.

Mr. ALGER. Mr. Speaker, I take this time solely because I was the lone dissenting vote on the preceding vote on the school lunch program. I want to make it clear to my colleagues that I recognize the need to dispose of these surpluses, and I am wholeheartedly for schoolchildren drinking milk, but I am also wholeheartedly opposed to Uncle Sam being the giveaway middleman for American food, clothing, or other necessities of life. This is not the role of Federal Government.

By this vote, too, I am protesting the confusion of Congress' intent. Originally this school milk program was to dispose of surpluses. Now it is contended in the bill itself "An act to continue the special milk program for children in the interest of improved nutrition in fostering the consumption of fluid milk in the schools." This sounds like a business ad for dairy products. I, too, believe in children drinking milk. I do not believe it to be the role of Federal Government to be the distributing agent for milk. Our Constitution does not so empower the Federal Government to use the taxpayers' money. Food surpluses were a wartime emergency, the result of bonuses offered farmers to produce. They overproduced, more than meeting the challenge, and so we had to dispose of the surpluses. Earlier I asked the chairman of the Agriculture Committee, "Is the primary purpose of this legislation to dispose of the surplus stocks or provide food for our children." His answer, "The primary purpose was to dispose of surplus material." This is a clear statement contradicting the bill and committee report which says "the primary purpose of the program is improved nutrition for schoolchildren." Then the chairman went on to confuse his answer by saying, "The real purpose of course, has been accomplished, to improve the diet of many thousands of schoolchildren."

SCHOOL MILK BILL

Mr. Speaker, is there anyone who does not want to see underprivileged children enjoy an adequate and balanced diet? Oh come on now. Certainly all of us do, just as we want to see every child adequately clothed and suitably sheltered. Believe me, this has little or nothing to do with the so-called Federal school milk program.

If a school district participates—a wealthy or a poor one—they can sell milk to all youngsters—needy or not—for considerably less than it costs, and the Federal taxpayer will make up the difference.

The program is pushed in Congress primarily by those interested in boosting milk consumption and keeping the price up. Now, I don't deny that this aim may be good—but I don't believe it is a function of the Federal Government, for which you ought to be compelled to pay ever higher taxes—in effect subsidizing the milk industry. To judge how improper the idea is let us draw a less emotional analogy. Children need clothing too. Suppose a bunch of clothing manufacturers—having trouble moving as much of their merchandise as they would like and not wanting to cut the price, should get together and suggest that we offer clothes through the school system at half price, with the taxpayer making up the difference. Such a setup would undoubtedly move a lot of clothing, and help keep the price up on all clothing sold anywhere. Why wouldn't it? It would be cheaper to get the youngsters new clothes this way than to repair torn or damaged trousers, and all at the taxpayers expense. Incidentally, such a program would benefit a few really needy schoolchildren who might not otherwise be adequately clothed.

But let us not kid one another—the people who would benefit most and who would be pushing to extend this program into even the richest school districts in the land, would be the clothing manufacturers.

Mr. HOEVEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the special school milk program has been a successful and popular program since its inception in the 83d Congress.

In fiscal 1959 the Department of Agriculture operated the program in over 80,000 schools, child-care institutions, and summer camps. Nearly 2.2 billion half pints of healthful, nutritious milk were consumed by American schoolchil-

dren during the same period. Last November in Iowa alone, some 2,166 institutions served over 4.4 million half pints of milk to Iowa schoolchildren. In order to keep this valuable program operating on a desirable level, the Committee on Agriculture has increased the authorization for this program to $81 million for fiscal 1960 and to $84 million for fiscal 1961. The bill is merely a recognition of the fact of our increased school population which is estimated to go up to 43.7 million children in the 1960–61 school year, or some 3 million more than this year.

It should be clear, Mr. Speaker, that this legislation does in no way require the Department to expend all the funds provided in S. 1289. The bill simply authorizes these increased expenditures in order to keep pace with our expanding school population and to continue the program on its present level.

Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Speaker, I wish to commend the Committee on Agriculture for reporting out this bill. In the 83d Congress I was one of the original cosponsors of this program with our late colleague, the gentleman from Minnesota, Mr. ANDERSEN.

The committee bill increases for the 1960 and 1961 fiscal years by $6 million and $9 million, respectively, the maximum amount of money which may be used by the Secretary of Agriculture for the special school milk program authorized under section 201(c) of the Agricultural Act of 1949 and Public Law 85–478. Public Law 85–478 authorized $75 million for each of the fiscal years 1959, 1960, and 1961.

Under this highly successful and worthwhile program milk service is now available to about three out of every four children in school. That is a fine record. In my opinion, as long as the Department of Agriculture needs to buy surplus dairy products, we should continue full efforts to move milk in fluid form to our young children. I am happy to give my support to the committee amendment. This is good legislation, and it is important that the legislation be passed now and sent to the White House, because only in this way can an adequate program be arranged for the next 2 years.

I also want to commend the Committee on Agriculture for their prompt action on this legislation.

Mr. HOEVEN. Mr. Speaker, I yield one minute to the gentleman from Maine [Mr. MCINTIRE].

Mr. MCINTIRE. Mr. Speaker, it has been a pleasure to serve on the subcommittee of the House Committee on Agriculture dealing with dairy problems and I want to be recorded in favor of this legislation to provide adequate support for this constructive program.

Mr. HOEVEN. Mr. Speaker, I yield one minute to the gentleman from Minnesota [Mr. ANDERSEN].

(Mr. ANDERSEN of Minnesota asked and was given permission to revise and extend his remarks.)

Mr. ANDERSEN of Minnesota. Mr. Speaker, I would like to compliment the Committee on Agriculture for bringing out this additional authorization. To me this is one of the most worthwhile programs we have ever undertaken, not only to agriculture but also to the schoolchildren of America. The members of the Committee on Agriculture are to be complimented for bringing it out.

Among the bills the committee had under consideration was my own, H.R. 5487, introduced March 10, 1959, and I am especially pleased to note that the Senate bill has been amended to provide a substantial increase in the authorization for future years. We all read stories about the "population explosion" now taking place, and I know of no better program for the health of our children than this special milk program.

Mr. COOLEY. Mr. Speaker, I yield 1 minute to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Speaker, I want to compliment the committee for the good work they have done on this program to make it possible for us to use more milk.

Mr. HOEVEN. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Speaker, I rise in support of the school milk extension bill, S. 1289. This legislation is extremely important because of the number of school children who receive this milk. There are 74,128 schools which participate in the program which distributed 217,682 half-pints of milk per month.

The program's national significance is obvious, when it is noted that in fiscal year 1958 the school milk program amounted to 1,030,774,500 pounds and in fiscal year 1959, 1,162,100,000 pounds.

The importance of the program is apparent, Mr. Speaker. Because of it, schoolchildren all over the country are able to drink nature's most perfect food.

It is true that this authorization is in excess of what is needed next year, just as this year $78 million was authorized but $75 million was used.

There are two important reasons for this.

One stems from simple arithmetic. The fast-growing school population is resulting in many more children who can benefit from enriching, wholesome milk. We must provide enough authorization to meet the growing demand.

Secondly—the needs of some States are greater than others. A State which has met its demands and which has a surplus in its allotment, cannot turn over its excess to a sister State which, because of uncontrollable circumstances, has not enough for its program. We must provide enough authorization to see that the assurances given at the beginning of the school year are met.

In this way, the authorization provides a cushion necessary for full utilization of the program.

In summary, Mr. Speaker, the value of the program—and the investment it makes in a priceless resource, the health of our children—makes it well worth the cost. I urge the enactment by this Congress of the school milk extension.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

HADLEY TERCENTENNIAL, 1659–1959

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, Hadley, Mass., is a typical New England town, rich in tradition and history. Picturesque in setting, it is on the banks of the Connecticut River, at the foothills of the northern end of the Appalachian range and the base of Mount Holyoke. Hadley is a pleasant, comfortable place to live in. Majestic elms and maples tree-line its main Russell Street. The greenery of is skyline is broken only by the spires of its churches. The very old and the ultra new homes of its people compliment each other. Acres of rich, fertile soil produce a host of products with emphasis on the finest binder tobacco, onions, potatoes, and magnificent roses. It is in this setting that the solid citizens of Hadley live the good life. It is no wonder that they are proud of their town and happy in their environment.

HADLEY IS ONE OF OLDEST NEW ENGLAND TOWNS

Mr. Speaker, this year marks the 300th anniversary of Hadley's birth. It is one of the oldest towns in New England and the town fathers, officials and citizens have combined to fittingly celebrate its tercentennial, 1659–1959. July 31, August 1 and 2 were reserved to highlight its history by exhibits, tours, reunions, tercentenary ball and culminating in a remarkable parade. I joined in and witnessed some of these events and felt the joy of all who participated.

BOLAND COMMENDS TOWNSPEOPLE AND TERCENTENARY COMMITTEES

Mr. Speaker, I want to take this opportunity to congratulate the 3,000 residents of Hadley for the true American spirit they have displayed in observing their town's 300th birthday. The following members of the executive committee are to be commended for the wonderful arrangements they made: Edwin M. Podolak, chairman; John T. Martula, cochairman; Stanley C. Jekanoski, secretary; Roger Johnson, John S. Kelley, Jr., Anthony J. Blyda, William Chmura, John E. Devine, Henry E. Drozdal, Ernest W. Hibbard, Edward J. Matuszko, Owen A. McNiff, Sr., John Mish, Jr., Frank C. Reynolds, R. Donald Shipman, Edward W. Tudryn, and Edward C. Wanczyk.

Also, Mr. Speaker, I include with my remarks a most interesting digest on the history of the town of Hadley that appeared in the Hadley tercentenary program. It was prepared by the historical committee from contributions made by the following: Mrs. Doheny H. Sessions, Mrs. Fern Nutter, James Kentfield, Miss Florence Burke, Rev. Aloysius A. Budnik, Edward Banack, Mrs. Dorothy Comins Page, Robert Piziak, Roger Johnson, William Chmura, Frank C. Reynolds, Ben

Drabeck, Mrs. Esther Barstow, Stanley Kulas, Mrs. John T. Martula, Richard and Susan Martula, editors.

HADLEY LANDS ONCE OCCUPIED BY NIPMUCK INDIANS

When word of the newly arrived settlers at Plymouth reached the valley, Nipmuck Indians, living between Worcester and the Berkshire Hills, became aware of the fact that these people and their comparatively efficient weapons would help protect them from the raids of the greatly feared warriors—the Mohawk. The number of arrowheads—made of the type of flint found west of the Hudson River—which have been discovered in the valley meadows is tangible evidence of the Mohawk raids.

The Norwottuck Band of Nipmucks, who lived near the Connecticut River and raised crops in the fertile meadows, had been almost wiped out by the yellow sickness, or plague, brought to America at the end of the 16th century by early ships from Europe. The few men who survived needed help to protect their women and children from the fate of slavery or death. When Mohawk hunters attacked them, the Nipmucks knew that their territory, inherited from generations before them, was in danger. The threat of Mohawk raids was one good reason for the Nipmucks to induce the newcomers to settle among them. Twice, delegates of these Nipmuck Indians visited the Massachusetts Bay Colony to seek settlers. They extolled the quality of the corn produced and the abundance of fish. Fifty canoes with corn had been taken down the river to help the first settlers at the lower plantation at Windsor.

The Europeans considered themselves superior to the aboriginals. The material advantages, though few, which the first settlers brought with them caused some of the natives to wonder whether the white man's God was not stronger than those of their own culture. Occasions when Indians had been tricked and murdered had caused a warning to be circulated among the tribes that white men spoke with crooked tongues.

The rivalry of European kingdoms complicated the struggle in this country. The Dutch traded guns to the Indians for beaverskins. The French and English used arguments based on the advantages of their religions and bolstered these arguments with gifts of knives, hatchets, and other items in attempts to outdo each other. Traffic with natives in rum was forbidden but frequent.

King Phillip—leader of the Valley Indians—tried to unite all the tribes of New England in order to rid the country of these foreigners who were driving his people from their native lands, despite the fact that the newcomers were determined to stay. Gradually the Indians were eliminated. After the massacre by Captain Turner at the falls now named for him, the two camps of Indians in the vicinity of Hadley quietly withdrew to join their people north of Albany—1676.

Within 3 years after the landing of the Pilgrims, 1,700 immigrants had come to the shores of New England. The pressure of numbers of families in the first wave of emigrating Europeans, and the seemingly limitless stretches of meadow and woodland resulted in plans for upriver settlements in the Connecticut Valley.

In 1659 a number of Englishmen who dissented in points of church doctrine withdrew from Weathersfield to found a new church and town. On April 18 of that year there were 59 names signed to the agreement to transplant from Connecticut to the Massachusetts plantation purchased from the Indians on the east side of the Connecticut River and on the west beside Northampton "there to inhabit and dwell by September 1660."

The record of the General Court, May 22, 1661, reads:

> On the motion of the inhabitants of the new plantation nere Northampton, relating to sundry particulars, it is ordered by this court that the said toune shall be called Hadley.

This plantation consisted of approximately 80 square miles. Not more than 100 years later in the original plantation of Hadley, settlements had become the towns of Hatfield, South Hadley, Sunderland, Amherst, and Granby.

John Winthrop, who became the first Governor of Massachusetts, spent most of his life near Hadleigh, England. In part, the Massachusetts town was named Hadley—revised spelling—in honor of John Winthrop, who is supposed to have courted his third wife in Hadleigh, England. Today there are communities named Hadley in seven other States: Indiana, Kentucky, Michigan, Minnesota, New York, Pennsylvania, and Alaska.

In the year 1675, William Goffe, later immortalized as "The Angel of Hadley" by the poet Nathaniel Hawthorne, saved the young town from the Indians. Goffe, who had been one of the judges to sentence Charles I of England to death, was forced to flee to America in 1660, and in 1664 journeyed to Hadley where he lived in seclusion. One day, while townsmen were at the meetinghouse, Indians attacked. With the group irresolute, a white-bearded figure appeared at their head. He led the attack which repulsed the Indians, and then disappeared. Some writers today tend to discount the incident as pure fancy much to the chagrin of Hadley residents.

In the struggle between France and England to control the colonies, the French used Indians to raid the English settlements. From the area of Hadley's plantation, 167 men fought for the British in the French and Indian War. This fighting eliminated the threat that the Indians constantly posed. These years were characterized by terror, hardship, and disease. But following the War of Independence, the peaceful period saw both territorial expansion and industrial growth.

As the town neared its 200th anniversary, considerable development was evident. Along the streams of Hadley and North Hadley, there were "manufactories" in 1854; five saw mills, two grist mills, three blacksmith shops, five stores—two with post offices, one plaster and wire manufactory, six broom making shops, one wheelwright, and wagon shops. Schools, both elementary and secondary, were available for both boys and girls. The system of apprenticeship provided training for trade and business. Immigrants from famine-striken Ireland were used in menial and hard labor.

With the development of factories many French Canadians came into the valley. They, too, were ridiculed and exploited but finally became citizens and landowners when opportunities occurred, just as the Irish had done. The opening in the West after the Civil War, as well as the many deaths caused by the war, left a number of farms in Hadley available to these recent arrivals.

At the turn of the 20th century the continuing expansion in the United States aided in attracting great numbers of people from Europe. In Hadley the majority of immigrants at this period were from Poland. They, too, had strange speech and customs and suffered hardship and exploitation. But there were opportunities to work and save money. Parents made sacrifices, as did their children. The combined efforts made the promise of this New World come true.

Reading the names of taxpayers in Hadley gives a synopsis of the success story of the immigrants who have settled here during the past 300 years. There is no descendant of a native American born in the valley before 1659. There are a few who can trace back their ties to the original settlers. Other names which may suggest one or another of the later immigrants are now mostly American citizens by birth or by choice.

The town of Hadley is still primarily an agricultural community. The soil continues to yield crops of high quality and support fine growing families, but to meet demands financially parents often supplement their farming income with other work. Industry is no longer based on waterpower. The railroad has lost much of its business to trucking concerns. The blacksmith shops have become filling stations and garages. The old time taverns have become the popular motels. Scenes have changed greatly even in 50 years. But in spite of the diversification of interests and changes in the community, its citizens are proud of their heritage and intend to continue to uphold the best in the tradition of Hadley.

LABOR-MANAGEMENT REFORM BILL

Mr. GRIFFIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous mater.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, when I joined recently with the distinguished cochairman of the House Labor-Management Reform Subcommittee, the gentleman from Georgia [Mr. LANDRUM], in introducing our substitute reform bill, we described it as "moderate but effective."

In general, the press coverage that has been accorded our substitute bill has

been fair, accurate and objective. However, as might be expected, in some quarters the bill was quickly tagged as "extreme," "vicious," and "antilabor."

Whether we like it or not, apparently a battle of tags and labels is on. Unfortunately, in such a skirmish, the facts are too often brushed aside and ignored.

Those who seek to put our substitute bill in proper perspective would do well to start by reviewing an editorial statement made by one of the Nation's leading liberal (and certainly not antilabor) newspapers, the Washington Post and Times Herald.

On March 8, 1959, the Washington Post and Times Herald said editorially:

It is common practice for the Teamsters to tell small employers to deliver their employees into the union—or else. The "or else" may be either blackmail picketing or a secondary boycott against the victims, or both.

Secretary of Labor Mitchell has proposed amendments to the Kennedy-Ervin bill that would strike at these additional abuses of the picket line. His suggestions are moderate and reasonable, but, of course, not sacrosanct.

The editorial will be set forth in full at the close of my remarks.

On May 19, 1959, another of the Nation's leading liberal newspapers, the St. Louis Post-Dispatch, stated editorially:

Secretary Mitchell's proposed curbs on certain secondary boycotts certainly should be written into the bill. The Senate left it out in favor of a "hot cargo" clause.

Similarly, Secretary Mitchell's complete proposal for dealing with blackmail picketing ought to go into the bill, instead of the weaker version which the Senate adopted.

The editorial will be set forth in full at the close of my remarks.

In the light of such editorial comment, which is only typical of views expressed in leading newspapers all over the country, it is interesting to review once again just what is in the substitute bill which the gentleman from Georgia [Mr. LANDRUM] and I have proposed. The major differences between the committee bill and the substitute are as follows:

First. The bill of rights in the substitute is essentially the bill of rights in the form passed by the Senate—instead of the weak and watered-down version adopted by the House committee.

Second. The Senate-passed bill contains a provision making it a Federal crime for any person to deprive a union member of the rights guaranteed under the Act through force or violence. The House committee struck out this provision. The substitute would restore it.

Third. Titles II, III, IV, V, and VI of the substitute, dealing with reporting, trusteeships, elections, and other safeguards, are almost identical to the provisions in the committee bill. One important difference: the committee bill seriously weakens existing law by automatically exempting nearly 70 percent of all labor unions from reporting; our substitute bill would require all unions to report, but the Secretary of Labor could prescribe simplified forms for smaller unions.

Fourth. The most important, and apparently the most controversial, difference between the bills is the fact that the substitute in title VII contains provisions, generally in line with proposals made by Secretary Mitchell, to deal with the abuses of blackmail picketing and secondary boycotts.

President Eisenhower has said that the substitute bill is a "tremendous improvement" and has recommended that it be supported because it contains effective and necessary curbs on blackmail picketing and secondary boycotts. Some significant newspaper quotes will be found at the close of my remarks.

Far from being a "union buster" our substitute bill contains many provisions which would be of great benefit and assistance to union members and leaders in the attainment of their legitimate objectives; for example, the following features of our substitute should not be overlooked:

First. Elections during a strike: Under the Taft-Hartley Act, economic strikers who are replaced cannot vote in a representation election. Accordingly it is possible for an unscrupulous employer to provoke a strike, hire replacements and then have a quickie election to oust the union. Before his death, Senator Taft recognized this defect in the Taft-Hartley Act and recommended that it be corrected.

Under section 703 of our substitute, a representation election could not be called during an economic strike for at least a year, if a petition is filed by an employer, or 6 months, if a petition is filed by another union.

Second. Unions in the building and construction industry: It has long been recognized that union certification procedures under the Taft-Hartley Act are not wholly practicable in the building and construction industry. More than a year ago, top union leaders and contractors in this field were called together by Secretary of Labor Mitchell. They agreed upon certain principles upon which a change in the law should be based.

Those principles have been embodied in section 702 of our substitute bill which is endorsed by Secretary Mitchell. This section would enable a union in the building and construction industry to be certified by the NLRB without a prior election in cases where there is a history of collective bargaining.

Third. Non-Communist affidavit: Our substitute, like the committee bill, would repeal the discriminatory non-Communist affidavit filing requirement, which has been imposed upon union officers. While the filing of such an affidavit would no longer be required, our substitute would make it a crime for anyone who is a Communist, or has been a Communist within the preceding 5 years, to serve as a union officer or as a labor relations consultant or as an officer of any group or association of employers which deals with any labor organization.

Fourth. Priority handling: Section 706 of our substitute would provide for priority handling by the NLRB of charges filed against an employer who fires or otherwise discriminates against an employee for engaging in organizing or other union activities. The Committee bill contains a similar provision.

Fifth. Protection of rights: Section 609 would make it unlawful for a union officer to fine, suspend, expell, or otherwise discipline a union member because he exercised his rights as guaranteed under the bill. Provision is made for civil enforcement.

Section 610 of the substitute would make it a Federal crime for any person to deprive a union member of rights guaranteed under the bill through the use of force or violence. Neither of these provisions is included in the committee bill.

Mr. Speaker, as one who represents many union members in a district that is largely industrial, I submit that the proposed substitute bill is fair, reasonable, and moderate. It will go a long way toward correcting the abuses uncovered by the McClellan committee, but it will not penalize or unduly hamper the legitimate activities of unions.

SOME QUOTES ON THE LABOR REFORM BILL

From the Washington (D.C.) Evening Star, July 21, 1959:

Senator MCCLELLAN charged today that the House Labor Committee has "gutted" his bill of rights for union members.

Lack of criminal penalties, Senator MCCLELLAN said in an interview, would make it "impossible for rank-and-file members to obtain any relief."

Associated Press wire, July 28, 1959:

WASHINGTON.—Senator MCCLELLAN said today he favors a stronger labor control bill than either a Senate-passed version or one approved by the House Labor Committee.

The chairman of the Senate Rackets Investigating Committee told a National Press Club luncheon that a new bill coauthored in the House by Representatives LANDRUM, Democrat, of Georgia, and GRIFFIN, Republican, of Michigan, is more likely to correct labor abuses revealed by his committee.

United Press International wire, July 29, 1959:

WASHINGTON, D.C.—President Eisenhower Wednesday gave his qualified blessing to a substitute labor reform bill unveiled in the House this week.

He told a news conference the measure, sponsored by Representatives LANDRUM, Democrat, of Georgia, and GRIFFIN, Republican, of Michigan, came much closer to his ideas for dealing with union corruption than the Senate bill and one approved by the House Labor Committee.

The President said he thought the new legislation went far toward correcting the evils exposed by the Senate rackets investigation.

Associated Press wire, July 29, 1959:

WASHINGTON.—The President gave virtual endorsement to a new labor bill introduced in the House by Representatives LANDRUM, Democrat, of Georgia, and GRIFFIN, Republican, of Michigan. The bill is proposed as a substitute for one reported by the House Labor Committee and is described by union officials as much tougher than the committee version.

He called it a tremendous improvement over earlier and weaker versions and commended the sponsors.

The editorials previously referred to follow:

[From the Washington Post and Times Herald, Mar. 8, 1959]

ABUSES OF PICKETING

All the sponsors of reform legislation in the labor-management field agree that some

additional curbs on picketing are essential. The mildest of the measures before Congress, the Kennedy-Ervin bill, would prohibit what Senator KENNEDY has described as "shakedown picketing"—the use of picket lines to force an employer to "buy off" a union boss. The need for such a provision is self-evident. Controversy has arisen because this very limited curb would not touch various other abuses that are no less despicable than a shakedown.

The McClellan committee has brought to light numerous cases in which picketing has been used as an instrument of blackmail. In Flint, Mich., a Teamsters Union local began picketing an employer to force him to sign a collective bargaining contract even though none of his employees belonged to the union. When he refused, a fire bomb was tossed into his store, sugar was poured into truck gasoline tanks and employees were assaulted.

It is a common practice for the Teamsters to tell small employers to deliver their employees into the union—or else. The "or else" may be either blackmail picketing or a secondary boycott against the victim, or both. A small employer has the alternative of yielding or of watching his business destroyed. If he yields, of course, the rights of his employees to join a union of their own choice or not to join any union are grossly violated.

Under the present law employees have a right to vote in a NLRB election on whether they wish to be represented by a union. If they reject the union, however, it may nevertheless picket the plant and perhaps destroy the business and wipe out their jobs. Even in cases where the employer has recognized a union composed of his employees under the terms of the National Labor Relations Act, a stranger union is free to picket the business if the union already established there does not happen to have been certified by the NLRB.

Protection of these collective bargaining rights of employees is no less important than the protection of employers against shakedown picketing. Secretary of Labor Mitchell has proposed amendments to the Kennedy-Ervin bill that would strike at these additional abuses of the picket line. His suggestions are moderate and reasonable, but of course not sacrosanct. If any legislator, labor leader or employer can produce better or more effective methods of curtailing blackmail picketing, it is certainly his duty to do so. But these abuses ought to be dealt with (without impairing any of the legitimate rights of organized labor), and in our opinion an overwhelming majority of the American people want Congress to do its duty in this particular.

[From the St. Louis Post-Dispatch, May 19, 1959]

A STRONGER LABOR BILL

A House Labor Subcommittee has begun hearings on the Senate labor bill, and already is under intense pressure from the unions to water it down. Far from being watered down, the Senate version of this much-needed legislation ought to be strengthened.

The public interest does not demand a union-busting bill, but it does demand a measure which effectively guarantees union democracy, makes union leaders more directly answerable to the rank-and-file, and corrects the abuses so impressively brought out by the McClellan investigation.

Secretary Mitchell's proposed curb on certain secondary boycotts certainly should be written into the bill. The Senate left it out in favor of a weak "hot cargo" clause.

Present law forbids a secondary boycott—that is, the application of union pressure against a firm which is not the primary party to a dispute—in certain circumstances. First, an objective of the union must be to compel one person to cease doing business with another, and second, the means employed to achieve this objective must be a strike or some other concerted action of employees.

As the Teamsters have found, however, it is easy to slap a secondary boycott on "hot cargo" or anything else simply by avoiding concerted action of employees. The pressure can be applied directly to an employer, or it can be applied through an individual employee. Secretary Mitchell's proposal would close these loopholes without going so far as to outlaw all secondary boycotts, some of which might be considered legitimate—for example, those against an employer who is performing farmed-out struck work.

Similarly Secretary Mitchell's complete proposal for dealing with blackmail picketing ought to go into the bill, instead of the weaker version which the Senate adopted. Mr. Mitchell does not urge that all picketing for the purpose of union organization be barred. But he would bar such picketing where the employees clearly did not want to be represented by that union. "Top-down" organizing, in which the union aims its power at the employer instead of persuading his employees, is a demonstrated evil which the Mitchell proposal would effectively deal with.

The Senate bill is defective on this point in several respects. The language is loose, and subject to interpretations that would weaken its effectiveness. While the bill bars blackmail picketing where a plant representation election has been held during the preceding 9 months, it does not bar such picketing during the remaining 3 months before a new election, under the present law, can be held. If the purpose is to bar blackmail picketing at plants where another union has won an election, why not bar it during the whole year between elections?

The House committee also needs to take a close look at the enforcement powers behind the "bill of rights" which the Senate prescribed for union members. The Senate relied chiefly on authorizing a member to file civil suit in the courts. But how many union members could afford to hire a lawyer and pay for protracted litigation against a well-financed union? The enforcement power could be strengthened, either by making unions and their leaders liable for costs of successful suits against them, or by authorizing a union member to seek redress from the NLRB. When an employer violated a union member's rights, the case goes to the NLRB before it goes to the courts. Perhaps the same procedure could be followed if the member's rights were violated by a union.

There are no doubt other respects in which the Senate bill could be improved without converting it into a union-busting measure. The secondary boycott, picketing and bill-of-rights enforcement clauses seem to us the most important. We hope the House will tackle them courageously despite political pressure from the unions.

FORTY-THREE ACCOMPLISHMENTS OF THE ELLIOTT LABOR REFORM BILL

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, attempts have been made during the past few weeks to create an impression in the public mind that H.R. 8342, the Elliott labor reform bill, reported by the House Committee on Education and Labor, is a watered-down, meaningless version of the Senate bill. It has, for example, been described as "a victory for Jimmy Hoffa."

I believe that the committee bill, on which we labored for 6 long weeks, improves the Senate bill, and that it is a better piece of legislation than its Senate counterpart. The charges that have been made are, for the most part, slanted interpretations of the provisions of H.R. 8342 which seriously distort its impact. We particularly commend to you an analysis of the charges that have been leveled against this measure which can be found in the CONGRESSIONAL RECORD for Wednesday, July 29.

Below you will find a brief summary of some of the provisions of this legislation:

Assures that every member of a labor organization shall have equal rights to participate in union affairs.

Provides freedom of speech and assembly for union members.

Assures that union dues and initiation fees and assessments can be raised only by majority action.

Protects members' rights to take grievances against the union or its officers to court.

Safeguards union members from improper disciplinary action.

Provides for furnishing of copies of the contract between employer and union to affected employees upon request.

Provides for full reporting and public disclosure of union internal processes.

Provides for full reporting and public disclosure of financial operations by all but the smallest unions.

Provides for full reporting and public disclosure of financial transactions and holdings, if any, by union officials which might give rise to conflicts of interest, including payments received from labor relations consultants.

Provides for full reporting and public disclosure by employers and labor relations consultants of expenditures for the purpose of interfering with, coercing or restraining employees in the exercise of their rights to organize and bargain collectively.

Provides for full reporting and public disclosure by employers and labor relations consultants of expenditures for the purpose of obtaining confidential information concerning the activities of employees or unions in connection with a labor dispute.

Provides for full reporting and public disclosure by employers and labor relations consultants of any payment or direct or indirect loans to a labor organization or officer or employee of a labor organization.

Provides for full reporting and public disclosure of trusteeships imposed by national or international unions.

Prescribes minimum standards for establishment of trusteeships and sets limits on their duration.

Empowers Federal courts to preserve the assets of a trusteed labor organization and limits the funds which may be transferred from a trusteed labor organization to the international.

Requires election of constitutional officers and members of executive boards of international unions at least every 5 years by secret ballot or by delegates elected by secret ballot.

Requires election of constitutional officers and members of executive boards of local unions at least every 3 years by secret ballot.

Protects members' right to nominate candidates and to vote in union elections without being subject to improper interference or reprisals.

Gives every bona fide candidate for union office an opportunity to inspect and copy the list of members of a labor organization subject to a union shop agreement.

Requires that all candidates shall have the opportunity to have observers present at the balloting and at the counting of the ballots in a union election.

Prohibits use of union funds to promote individual candidacy in union elections.

Prescribes procedures whereby a union officer guilty of serious misconduct in office may be removed by a secret ballot vote after court proceedings if the union's constitution does not provide adequate machinery for such removal.

Empowers Federal courts to direct and supervise new elections where an election was improperly conducted.

Preserves members' rights to enforce union's constitution under State laws with respect to trusteeships and safeguarding fair procedures before an election.

Permits union members to go to court to force union officers or employees to account for any personal gain obtained through dealings with the union.

Provides criminal penalties for embezzlement, conversion, et cetera, of union funds.

Requires that union officers and employees be bonded.

Forbids union loans to any officer or employee which would result in a total indebtedness of more than $2,500.

Prohibits union payment of the fines of officers or employees convicted of violation of the act.

Provides that no person who is or has been within the last 5 years a member of the Communist Party may be a union officer or employee.

Provides that no person convicted of certain crimes may serve as an officer or employee of a labor union or as a labor relations consultant within 5 years of conviction or termination of imprisonment.

Declares unlawful payments by an employer to his employees or their representatives in an attempt to influence organizational or collective bargaining activities.

Forbids the demanding or acceptance of unloading fees as a condition to permitting nonunion drivers to unload their own cargo.

Gives the Secretary of Labor power to investigate violations of the act.

Punishes shakedown picketing by fine and imprisonment for up to 20 years.

Eliminates the no man's land of labor relations by requiring the NLRB to exercise its full jurisdiction and by reorganizing the Board in a manner that will permit it to do so effectively.

Permits, with appropriate safeguards, prehire and 7-day union shop agreements in the building and construction industry.

Gives building tradesmen the same right to picket at the site of a labor dispute as employees in other industries.

Restores voting rights to economic strikers.

Establishes a prehearing election procedure with respect to labor disputes in which there are no substantive issues present in order to speed up the handling of cases by the NLRB.

Closes the Teamster's "hot cargo" clause loophole in the Taft-Hartley prohibition of secondary boycotts.

Prohibits organizational picketing when a bona fide union already represents the employees.

Prohibits organizational picketing within 9 months of a representation election in which no union was voted.

WATER POLLUTION CONTROL

Mr. POAGE. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DINGELL. Mr. Speaker, in 1956 as a member of the House Public Works Committee, I vigorously supported the development of the first Federal Water Pollution Control Act under the leadership of Congressman JOHN BLATNIK, of Minnesota. The Congress in that year enacted a law which for the first time provided a comprehensive Federal water pollution control program, including enforcement, research, and technical and financial assistance to States and municipalities.

During this current session of the Congress I have repeatedly called attention to the continuing and growing threat to the health of the American people by pollution of our Nation's waters. Water pollution is indeed a dismal and appalling waste and places a challenge before us to conquer a menace to the physical and economic well-being of our Nation by the degradation of one of our most vital natural resources—water.

The Federal Water Pollution Control Act of 1956 authorized $50 million a year to be appropriated for construction grants for municipal sewage treatment works. This is only half what is needed. While the limited grant program has achieved notable results, more money expenditure is needed on all levels. Consequently, Congressman BLATNIK introduced H.R. 3610 in this session of Congress which would restore the original $100 million per year authorization for construction grants as was first proposed in the water pollution control bill of 1956. The administration has opposed this restoration and is, in fact, proposing the complete termination of the construction grant program.

There are two major ways of restoring the quality of the Nation's water—first, to provide financial incentives and stimulate voluntary construction and, second, to provide adequate enforcement measures. Since the administration has consistently opposed the continuation of the construction grant section, making it an heroic battle to get funds for this aspect of the program each year, and since it is imperative that the waters of this country must be restored to usable quality if we are to survive, I am today introducing a bill strengthening the enforcement provisions of the Federal Water Pollution Control Act.

This bill would retain, as does the present act, three stages of the enforcement procedures: first, the calling of a conference; second, holding a public hearing; and third, Federal court action. The primary rights and responsibilities of the States in this area will be recognized, and the procedure proposed will give the States full opportunity to take appropriate action under their own laws and procedures. First, the jurisdiction of the Federal enforcement procedure would be extended from pollution of interstate waters which originates in one State and affects persons in another State, to all navigable waters in the United States. As under the present act the Surgeon General could only initiate enforcement procedures where pollution originated in one State and endangered the health and welfare of persons in another State. Enforcement procedures, however, would have to be initiated by the Surgeon General upon the request of an affected municipality, as well as by the Governor of the State, or State water pollution control agency as provided in existing law. Subsequent to such conference the State would be given an opportunity—at least 6 months— to take appropriate action under its own law. If this was not done a public hearing would be held before a hearing board appointed by the Secretary of Health, Education, and Welfare. Under existing law, if appropriate remedial action is not taken after such hearing, the Secretary is required to recommend that the Attorney General of the United States request court action. Under the bill, I am introducing, after the public hearing the Secretary could issue an order which, unless appealed to the courts, would be final. In addition, my bill would provide compensation to members of the hearing board who are not members of the Federal Government.

I confidently expect this bill to receive bipartisan support as members of the opposing political party, in arguing against the construction grant provisions of the bill, have indicated that they were in favor of strengthend Federal enforcement provisions. This is evident in the congressional debates on the 1956 bill as contained in the June 13, 1956, CONGRESSIONAL RECORD and from the hearings held by the House Public Works Committee while the bill was being developed. These sentiments were reiterated in hearings before the House by members of the Public Works Committee to amend the Federal Water Pollution Control Act, held on May 20, 21,

and 22, 1958 and on March 18, 1959 and April 8, 1959. I have no doubt that members of both parties are sincere in seeking strengthened enforcement of the Federal Water Pollution Control Act.

MY TRUE SECURITY—THE AMERICAN WAY

Mr. POAGE. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. ALEXANDER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALEXANDER. Mr. Speaker, the first annual "My True Security" national awards program was held at the Statler-Hilton Hotel, Washington, D.C., on July 21, 1959. The United States Junior Chamber of Commerce and Mutual Benefit Life Insurance Co., Newark, N.J., sponsored this essay contest as an undertaking designed to increase the American student's understanding of the importance of individual initiative and self-reliance in our free enterprise system. More than 50,000 high school seniors in 2,000 high schools participated in this contest and I am delighted that the North Carolina winner, Miss Karen Rawling, Salisbury, is a resident of my congressional district.

The full text of Miss Rawling's essay, which has ably presented the interest of all of us in personal security and the American way of life, follows:

MY TRUE SECURITY—THE AMERICAN WAY

Personal security and the American way are interdependent. The manner in which we Americans will meet tomorrow's problems is determined by the kind of nation we have previously built. The pattern of our past has influenced the cast for the die of our future. Our present ideals of security and Americanism are deeply enrooted in our national background. The American way is the character of our Nation—the character she acquired as she grew from her rough-hewn cradle of revolution to her world of violent change.

To understand this American character we must acknowledge its development.

In a tyrannical world our forefathers dared to say that every individual is born with the rights to life, liberty, and the pursuit of happiness! To win these rights the Americans fought a war and acquired a vast land, the heroic setting for their experiment in freedom.

When our country had pushed through the rugged frontier she became a laboratory for science and a sanctuary for the oppressed. Our people have crusaded for reform and advanced their culture. By employing the American way of their ancestors, modern Americans have made democracy work.

It would be well for all Americans to place their feet in the tracks of their forefathers where they can neither wander nor stumble. However, we must not be tied too rigidly to the philosophies of the past—our value lies in being a voice and not an echo. We should be cognizant of the actions of our forefathers, but we must rely upon ourselves to obtain personal as well as national security. To extend the precedent which our ancestors have established, we are compelled to create new inventions, increase our knowledge, and exceed our heritage.

In our American way, each American has the opportunity for personal security. Initiative, tempered with self-reliance, is the median between opportunity and security. To make a better nation and to gain personal security, we must disseminate and cultivate throughout America two great virtues: (1) The spirit of initiative, and (2) the spirit of self-reliance.

Initiative is self-reliant enterprise. It first exerts itself in the home with the child's inceptive efforts of development; in the school, it grows and matures with knowledge. In adulthood, initiative prompts us to seek employment resulting in the self-reliance fostered by monetary security.

Necessity demands that we have confidence in ourselves so that we might steadfastly and resolutely surmount our difficulties and contribute to the betterment of mankind.

Every person, who through initiative has gained an education and is self-reliant, has opportunity unlimited. Self-reliance is an inner quality prompted by education, the weapon which banishes fear from the heart of man; we are secure only when we are unafraid. Therefore, when we have banished fear and armed ourselves with spiritual fortitude we shall have obtained essential security.

If every American is essentially secure, so likewise is his Nation. America is secure because each citizen has the right to free speech and press, to secret ballot at elections, to assemble peacefully, to free enterprise, and justice in trial by jury. The Nation employs capable officials to execute its laws and Armed Forces to guard its security.

The two kinds of security, personal and national, are basically interacting—one bolsters, the other reciprocates.

The spirits of self-reliance and initiative are the two pillars on which rests the edifice of personal security and the American way. The collapse of either one of these pillars will bring the downfall of the entire structure.

So long as my generation adopts the methods of its ancestors and erects our building logically and builds it well, I am personally secure.

LABOR BOSSES' POLITICAL INFLUENCE NOT DECISIVE

Mr. CURTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. HOFFMAN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, overlong, candidates for public office have been frightened by the threats of would-be union political tyrants.

True, with millions at their command, with expert political workers, the bosses have a tremendous influence and, in certain areas, they can dictate the choice of public officials.

But such is not the situation throughout the country.

We must admit that, in some congressional districts, in some voting precincts, in some cities and States, the unions hold the balance of power. This is especially true where the opposition lacks either the time, the ability, or the financial aid to make adequate opposition. In other districts, where the candidate has skillful help, he can win in spite of the most desperate union opposition. This is true because he has the right of the issue.

In my own district, since 1937, skillful, well-heeled political workers sent in from other points have failed to defeat me because the principles which I espoused, which I backed, were sound—and in practically every voting precinct in each of the six counties in the district, I was able to meet the voters face to face and to factually discuss the issues involved.

It was my privilege to win because the stand taken was sound and the voters are intensely American, believe in our form of government, in living and let live, and were willing to listen. They are honest, they believe that this Government of ours is the best yet devised, and they want it continued in full force and effect.

True, testifying before the House Committee on Education and Labor,[1] Mr. Meany, president of AFL–CIO, testified flatly that unions had no political power, though, I am sure, he certainly cannot believe that statement to be true. However, am sure that a look at the record convinces that union political would-be bosses do not have all the political power they claim.

They do have almost unlimited funds—they have an army of skilled workers—but if the people once know the truth, their political philosophy will be defeated.

There just cannot be jobs—employment—unless there are those who provide jobs.

The burden rests squarely upon us—that is, the candidates who believe in conservative, constitutional government—to present the issues fairly and unequivocally.

The most noteworthy example is the reelection of the late Senator Taft. Last week's Saturday Evening Post editorial of August 1 carries another example. It reads:

CONSERVATIVE CANDIDATES CAN'T WIN BY APING THE LIBERALS

(By John Chamberlain)

Conservatives in this country have been losing votes because they themselves have been building up a false image of the power of a few labor bosses.

According to the cliche which the conservatives have been so industriously circulating, labor is unbeatable at getting out the vote. Not only does it have its own money—collected by the AFL–CIO's Committee on Political Education, or COPE—but it also can claim credit for the welfare funds distributed by the Federal Government.

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[1] Mr. Meany on the political power of unions (tr. 268–269):

"Mr. HOFFMAN. Would you mind giving me your opinion, with respect to the Republican and Democratic political organizations, as to what the political power of the union is?

"Mr. MEANY. Political power of the union?

"Mr. HOFFMAN. Yes, as compared with Republican and Democrat Parties?

"Mr. MEANY. The political power of the unions is bunk. Any union leader tells you he has political power, tell him I said it is not true. Union leaders don't control any votes and don't have any political power at all.

"Mr. HOFFMAN. Did you Congressmen hear that?

"Mr. MEANY. Yes, I realize that. I realize that it is funny how people who run for office can see power, they get some sort of complex during the campaign, they see power all over the place.

"I don't see the political power of unions, Mr. Hoffman."

Because of the power of this cliche, Republicans as well as Democrats have fallen over backward to show a high score on the CIO's list of what constitutes a good voting record in Congress.

The cliche, however, is hardly in accord with the election-day facts which Mr. Rogers C. Dunn, of the Dunn Survey of Washington, D.C., has been busy collecting and reducing to a few telling graphs and generalizations. Recently Mr. Dunn went into the State of Delaware. What he discovered there was in accordance with what he had discovered in labor centers such as Pittsburgh and New York City: The power of the labor leader to roll up big majorities by superior footwork at the polls is largely illusory.

In his Delaware survey Mr. Dunn has collected election figures for the entire State, for the metropolis of Wilmington, and for the various counties, going back to 1936. His statistics on the fates of Republican candidates for Congressman—Delaware has only one Representative—and Senator are extremely suggestive.

A conservative Republican, J. Caleb Boggs, was elected Congressman in 1946, in 1948, and again in 1950. Later Boggs was elected Governor. Governor Boggs did all this without benefit of labor support. In 1947 he voted for the Taft-Hartley Act. In the 81st Congress Boggs scored 91 percent wrong on the CIO–PAC list.

In 1958 a liberal Republican, Harry Haskell, Jr., who had made a record in the House of Representatives that was 58 percent acceptable to labor's political committee, lost in his campaign for reelection. On the other hand, the conservative Republican Senator JOHN WILLIAMS, who had a CIO–PAC score that was 100 percent wrong, won his reelection by a majority of more than 10,000.

The Delaware facts, then, would seem to show that when Republicans run a "me too" candidate they lose because their potential supporters stay at home. The labor-Democratic vote, increasing slowly with the growth of population, is sufficient to gain the day any time the conservative forces lack a candidate whom conservatives approve.

The inference is that it isn't the labor bosses who have been doing the job. It is Republican failure to provide a fighting opposition. In Delaware, a representative State, the Republicans have done well whenever they have stuck to candidates who have a true Republican flavor.

LABOR REFORM LEGISLATION

Mr. SHELLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SHELLEY. Mr. Speaker, I have today introduced H.R. 8490, a labor-management reform measure which is not a prolabor bill, nor is it an anti-labor bill. At the opening of this Congress it was the general thought of practically all members of both parties that legislation would be enacted which would set up a system of financial accounting and responsibility on the part of both labor and management in connection with their labor relations activities; further, that such legislation would carry provisions which would drive the crooks and the racketeers out of positions with labor and out of positions with management in the labor relations field.

The present situation before the House leaves us to consider two bills, either of which or both of which seek to punish all of the labor movement for the misdeeds of some and which write into the permanent law of the land punitive legislation against labor. Both of these proposals—the Elliott bill and the Landrum-Griffin bill—go far beyond what Congress set out to do—and that is real tough financial accountability legislation. The bill I have introduced seeks to do just this and nothing more. I am setting forth herein a detailed account of what H.R. 8490 does in contrast with the other legislation before us.

PRINCIPAL DIFFERENCES BETWEEN SHELLEY SUBSTITUTE AND COMMITTEE BILL (H.R. 8342)

First. Unions would be safeguarded in section 101(b) of the Shelley substitute against irresponsible abuse of rights guaranteed in title I—rights of members. No such provision is included in the committee bill.

Second. The encouragement for States to enact union members' bills of rights, which is contained in section 103 of the committee bill, is omitted from the Shelley substitute. Section 103 of the Shelley substitute safeguards union members' rights and remedies under their union constitutions and bylaws and the authority of unions over the conduct of their own internal affairs, except as explicitly provided in the bill.

Third. The employer and labor consultant reporting provisions, which are hardly more than the merest sham in the committee bill, have been made substantially more effective in section 203 of the Shelley substitute.

Fourth. Section 306 of the Shelley substitute omits the confusing language of the committee bill under which the bill's regulations applicable to trusteeships would be superimposed on all of the complicated and varying State regulations and decisions. When actions are filed by the Secretary of Labor to enforce the bill's trusteeship provisions, the district courts would have exclusive jurisdiction under the Shelley substitute.

Fifth. The Shelley substitute omits the provision contained in section 301(b) of the committee bill, which would make the membership lists of all unions where members are covered by some form of union security agreement available for copying by every bona fide candidate for union office who could in turn give or sell them to an employer, the Communist Party, or commercial advertising concerns. In place of this provision, section 301(b) of the Shelley substitute contains provisions similar to those contained in the Senate-passed bill—S. 1555.

Sixth. The Shelley substitute contains in section 501 carefully drafted provisions defining and enforcing the accountability of union officials for embezzled union funds for which they are responsible and for any income or profit they receive in connection with any transaction that conflicts with the interests of their union. This provision takes the place of section 501 of the committee bill under which the propriety of many types of expenditures of union funds could be challenged by members' suits in Federal courts. The Shelley substitute, like the committee bill, makes embezzlement of union funds a Federal crime.

Seventh. Section 502 of the Shelley bill corrects defects in the union officials' bonding requirements contained in the committee bill. Enforcement would be through injunction action brought by the Secretary of Labor in the Federal courts instead of through criminal proceedings, which hardly appear to be appropriate for the enforcement of such types of requirements.

Eighth. The provisions disqualifying persons convicted of certain crimes from serving as officers of unions, as labor relations consultants or as officers or employees of employer associations dealing with unions, which are contained in section 504 of the committee bill, have been broadened in the Shelley substitute to apply in addition to service as employers' labor relations officers or employees or as other personnel officials of employers.

Ninth. The Shelley substitute restores the Senate-passed amendment of section 302(c)(4) of the Taft-Hartley Act permitting the voluntarily authorized checkoff of periodic payments to unions in line of membership dues, as well as the checkoff of union dues, fees and assessments now permitted under existing law.

Tenth. In place of the vague and indefinite language of section 602 of the committee bill, making extortionate picketing a Federal crime, punishable by a prison term of up to 20 years, the Shelley substitute restores improved language from the Senate-passed bill banning shakedown picketing. The penalty for violation would be the same under the Shelley substitute as under the committee bill. Shakedown picketing would also be an unfair labor practice when engaged in by a union under section 705 of the Shelley substitute.

Eleventh. Section 603(a) of the committee bill, which is designed to encourage States to enact State legislation imposing additional restrictions on labor unions' conduct of their own internal affairs, has been omitted from the Shelley substitute.

Twelfth. The provisions contained in section 701 of the committee bill, which would take away from the National Labor Relations Board and confer on the General Counsel authority over the personnel in the Board's regional and field offices, has been omitted from the Shelley substitute.

Thirteenth. The Shelley substitute omits the language contained in section 704 of the committee bill which, by making the prehearing election procedures authorized therein inapplicable whenever the appropriate bargaining unit is in dispute, would largely nullify the value of these procedures.

Fourteenth. Section 705 of the Shelley substitute makes shakedown picketing engaged in by a union an unfair labor practice. Picketing for purposes of extortion is also made a Federal crime under section 602. These provisions take the place of the punitive restrictions which the committee bill would impose on traditional and perfectly legitimate

trade union practices under the guise of banning so-called hot cargo agreements and organizatoinal and recognition picketing.

Fifteenth. The Shelley substitute adds to the bill a provision making the bill effective 120 days after the date of enactment.

Technical improvements are also made by the Shelley substitute in the form and language of various provisions of the bill.

At the time of the debate of the labor-reform measure, H.R. 8490 will be offered as an amendment in its entirety or as a substitute for the pending bill. I sincerely appeal to those who believe that a strong democracy needs a strong, clean, honest trade union movement as an integral part thereof, support this proposal on the grounds that it satisfies the needed legislation requirements of the time and does not unduly punish decent, honest American labor.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. THOMPSON of New Jersey (at the request of Mr. HAYS), for today, August 3, 1959, on account of official business.

Mr. FOUNTAIN (at the request of Mr. HAYS), for today, August 3, 1959, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HEMPHILL, for 30 minutes, on August 10.

Mr. HOFFMAN of Michigan, for 10 minutes, today, tomorrow, and every day this week that the House is in session.

Mr. BAILEY, for 1 hour, on Monday next, August 10, 1959.

Mr. CURTIN, for 10 minutes, on August 4, 1959.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. PORTER and to include extraneous matter.

Mr. SCHENCK.

Mr. BENTLEY and to include extraneous matter.

Mr. ALGER.

Mrs. KEE.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2210. An act to provide for the disposition of the Philadelphia Army Base, Philadelphia, Pa.; to the Committee on Armed Services.

ADJOURNMENT

Mr. POAGE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 27 minutes p.m.) the House adjourned until tomorrow, Tuesday, August 4, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1259. A letter from the Chairman, National Advisory Council on International Monetary and Financial Problems, transmitting a semiannual report of the National Advisory Council on International Monetary and Financial Problems on its activities during the period July 1 to December 31, 1958 (H. Doc. No. 207); to the Committee on Banking and Currency and ordered to be printed.

1260. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 27, 1959, submitting a report, together with accompanying papers and illustrations, on a cooperative beach erosion control study of the Atlantic coast of New Jersey from Barnegat Inlet to the Delaware Bay entrance to the Cape May Canal, prepared under the provisions of section 2 of the River and Harbor Act approved July 3, 1930, as amended and supplemented (H. Doc. No. 208); to the Committee on Public Works and ordered to be printed with 22 illustrations.

1261. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 19, 1959, submitting a report, together with accompanying papers and illustrations, on a survey of East Basin of Mamaroneck Harbor, N.Y., authorized by the River and Harbor Act approved July 24, 1946 (H. Doc. No. 209); to the Committee on Public Works and ordered to be printed with illustrations.

1262. A letter from the Assistant Secretary, Department of Agriculture, transmitting a report relating to the cooperative program of the United States and Mexico for the control and the eradication of foot-and-mouth disease, pursuant to the reporting requirement of section 3, Public Law 8, 80th Congress (21 U.S.C. 114d); to the Committee on Agriculture.

1263. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to provide uniformity in certain conditions of entitlement to reenlistment bonuses under the Career Compensation Act of 1949, and for other purposes"; to the Committee on Armed Services.

1264. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to provide uniform computation of retired pay for enlisted members retired prior to June 1, 1958, under section 4 of the Armed Forces Voluntary Recruitment Act of 1945, as amended by section 6(a) of the act of August 10, 1946 (60 Stat. 995)"; to the Committee on Armed Services.

1265. A letter from the Secretary of the Air Force, transmitting a draft of proposed legislation entitled "A bill to authorize the President to reappoint Elwood R. Quesada, formerly lieutenant general, U.S. Air Force, retired, to the grade of major general and to retire him in the grade of lieutenant general, and for other purposes"; to the Committee on Armed Services.

1266. A letter from the Comptroller General of the United States, transmitting a report on the review of selected phases of low-rent housing operations of the Norfolk Redevelopment and Housing Authority, Norfolk, Va.; to the Committee on Banking and Currency.

1267. A letter from the Comptroller General of the United States, transmitting a report on the followup review of economic and technical assistance program for Laos, International Cooperation Administration of the Department of State under the mutual assistance program supplementing a previous report dated October 8, 1958; to the Committee on Government Operations.

1268. A letter from the Assistant Secretary of the Interior, transmitting a proposed concession contract by the Director of the National Park Service to authorize William E. and Adeline L. Brantley, to operate the El Portal Motor Inn in the El Portal administrative site of Yosemite National Park for a period of 10 years from January 1, 1959, through December 31, 1968, pursuant with the act of July 31, 1953 (67 Stat. 271), as amended by the act of July 14, 1956 (70 Stat. 543); to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of July 30, 1959, the following bill was reported on July 31, 1959:

Mr. DAWSON: Committee on Government Operations. H.R. 6904. A bill to establish an Advisory Commission on Intergovernmental Relations; with amendment (Rept. No. 742). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted Aug. 3, 1959*]

Mr. MAHON: Committee of conference. H.R. 7454. A bill making appropriations for the Department of Defense for the fiscal year ending June 30, 1960, and for other purposes. (Rept. No. 743). Ordered to be printed.

Mr. GEORGE P. MILLER: Committee on Science and Astronautics. H.R. 8374. A bill to amend Public Law 85–880, and for other purposes; without amendment (Rept. No. 744). Referred to the Committee of the Whole House on the State of the Union.

Mr. FORRESTER: Committee on the Judiciary. H.R. 7242. A bill to amend sections 1, 57j, 64a(5), 67b, 67c, and 70c of the Bankruptcy Act, and for other purposes; without amendment (Rept. No. 745). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SHELLEY:

H.R. 8490. A bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes; to the Committee on Education and Labor.

By Mr. ROOSEVELT:

H.R. 8491. A bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes; to the Committee on Education and Labor.

By Mr. DENT:

H.R. 8492. A bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of

labor organizations, and for other purposes; to the Committee on Education and Labor.

By Mr. ANFUSO:

H.R. 8493. A bill to incorporate the Space Cadet Corps; to the Committee on the District of Columbia.

By Mr. DINGELL:

H.R. 8494. A bill to amend section 8 of the Federal Water Pollution Control Act to strengthen the enforcement procedures for that act; to the Committee on Public Works.

H.R. 8495. A bill to promote the conservation of migratory fish and game by requiring certain approval by the Secretary of the Interior of licenses issued under the Federal Power Act; to the Committee on Interstate and Foreign Commerce.

By Mrs. GRANAHAN:

H.R. 8496. A bill to strengthen the criminal penalties for the mailing, importing, or transporting of obscene matter, and for other purposes; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 8497. A bill to amend section 213 of the National Housing Act to permit existing cooperatives to obtain additional insurance thereunder for capital improvements and replacements; to the Committee on Banking and Currency.

H.R. 8498. A bill to amend section 213 of the National Housing Act to place the cooperative housing insurance program on a mutual basis, with refunds of insurance premiums provided for to the extent permitted by loss experience; to the Committee on Banking and Currency.

By Mr. PILCHER (by request):

H.R. 8499. A bill for the relief of the Government of the Republic of Iceland; to the Committee on Foreign Affairs.

By Mr. SAUND:

H.R. 8500. A bill to provide for stabilization and orderly marketing in the poultry industry; to the Committee on Agriculture.

By Mr. ULLMAN:

H.R. 8501. A bill to amend the Klamath Termination Act; to the Committee on Interior and Insular Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Illinois, memorializing the President and the Congress of the United States to enact immediately the necessary amendments to the law relating to GI insurance so that veterans with GI insurance may either convert their term-type insurance to other more expensive types, or may reconvert the more expensive types back to term insurance; to the Committee on Veterans' Affairs.

Also, memorial of the Fifth Guam Legislature of the Territory of Guam, memorializing the President and the Congress of the United States relative to expressing the appreciation and gratitude of the people of Guam to the Armed Forces and Congress of the United States for the liberation of Guam and for the enactment of the Organic Act of Guam, and to those persons who are helping to celebrate the anniversary of such liberation; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FORAND:

H.R. 8502. A bill for the relief of Maria Helena Pacheco; to the Committee on the Judiciary.

By Mr. HERLONG:

H.R. 8503. A bill for the relief of John J. Bailey; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 8504. A bill for the relief of Edward Klincewicz; to the Committee on the Judiciary.

H.R. 8505. A bill for the relief of Ewa Stepien; to the Committee on the Judiciary.

H.R. 8506. A bill for the relief of Wladyslawa Maria Kamysz; to the Committee on the Judiciary.

By Mr. SMITH of California:

H.R. 8507. A bill for the relief of Vahe Proudian and Alice Proudian, his wife; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Senator Morse Applauds Eisenhower-Khrushchev Exchange of Visits

EXTENSION OF REMARKS
OF
HON. WAYNE MORSE
OF OREGON
IN THE SENATE OF THE UNITED STATES
Monday, August 3, 1959

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement I made today to the press, in regard to the proposed visit of Premier Khrushchev to the United States.

There being on objection, the statement was ordered to be printed in the RECORD, as follows:

MORSE APPLAUDS EISENHOWER-KHRUSHCHEV EXCHANGE OF VISITS

Senator WAYNE MORSE, Democrat of Oregon, today issued the following statement on the Eisenhower-Khrushchev exchange of visits:

"The announcement by the White House that Premier Khrushchev will visit the United States this September and President Eisenhower will visit Russia at a later date makes a lot of sense. Khrushchev needs to learn through his own eyes and ears that the people of the United States are as much opposed to a nuclear war as are the people of Russia.

"I am sure that President Eisenhower has hopes that he will be able to make great progress in helping Khrushchev recognize, before it is too late, that both Russia and the United States have everything to lose and nothing to gain by a continuation of a nuclear armaments race.

"It is my hope that Khrushchev's visit to the United States will precede by a few days a summit conference with the heads of all other states at the United Nations' headquarters in New York. Now is the time for the nations of the world to agree to take whatever disarmament steps are necessary jointly and through the procedures of the United Nations. Following such a summit meeting, President Eisenhower's visit to Russia will symbolize not only to the Russian people but to all humanity that world peace is attainable in our time."

Keenotes

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 3, 1959

Mrs. KEE. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD I include copies of my newsletter which was released today:

K-E-E-N-O-T-E-S

(By Representative ELIZABETH KEE)

The House has approved an appropriation bill of $3.1 billion for the mutual security program. The amount voted by the House represented a reduction of about $700 million below the amount requested by the President.

The President expressed disappointment over the size of the House reduction. He has even threatened to call a special session this fall if Congress refuses to vote as much money for foreign aid as he deems necessary.

There is growing dissatisfaction with the foreign aid program in Congress. Shortly before the House voted on the appropriation, reports were made to Congress which indicated that part of the foreign aid money is being spent in a slipshod, wasteful manner.

As usual, the people in charge of the program tried to scare Congress with assertions that any reduction in the amount of money voted would bring about an extension of communism. This is an old story but it failed to impress Congress this year.

Many supporters of the program believe the reductions will serve notice on the administration that wasteful practices must end. These Members believe that if less money is available, the administrators will have to be more careful in handling the program.

I supported reductions in the program. The $700 million which the House cut from the appropriation will go a long way in bringing the budget into balance.

COAL RESEARCH BILL PASSES

The Senate has passed a coal research bill similar to legislation passed earlier by the House. This is good news for coal areas such as West Virginia.

If the President signs the bill, we can begin a program to find new and expanded markets for coal, one of our most important basic resources. The country will be seriously affected if this great industry, employing hundreds of thousands of people, is allowed to get in serious trouble.

The industry itself is aware of the need for more research. It is spending a large sum each year in developing new uses for coal and in improving production and distribution methods. But more research is urgently needed and the coal research bill offers a sensible plan, supported by the entire industry, for achieving the type of program that will bring about beneficial results.

GAS TAX INCREASE DEFEATED

The House Ways and Means Committee has turned down efforts to increase the Federal gasoline tax by 1½ cents a gallon. Instead, the committee proposes to finance the

interstate highway program by issuing $1 billion in bonds, to be retired by earmarking a part of the taxes now paid by automobile users. This makes good sense. An increase in the Federal gasoline tax would have been a serious mistake. It is significant that more than 30 Governors opposed the increase. The committee offers a sensible plan for keeping the highway building program going.

Algeria Needs Peace—The World Needs a Peaceful Algeria

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Monday, August 3, 1959

Mr. PORTER. Mr. Speaker, for too many years a real war has been razing the country of Algeria. That war soon will enter its 6th year. Because we feel the present situation in Algeria continues to constitute a threat to international peace and security, a number of us this week publicly urged a negotiated peace now between the two parties concerned.

A copy of our statement and a news release issued simultaneously follow under the leave to extend my remarks in the RECORD:

Sixteen U.S. Representatives today urged the Government of France to enter into negotiations to end the 5-year Algerian war. Their resolution was made public while foreign ministers of the independent African states are meeting in Monrovia, Liberia, expressly to help the provisional government of the Algerian Republic.

The Congressmen said they were deeply concerned that the war in Algeria was headed toward its sixth year. They said, "we cannot remain silent about this tragic war in Alegria and we publicly urge a negotiated peace now between the two parties concerned."

The statement, issued for the group by Representative CHARLES O. PORTER, Democrat of Oregon, said the signers "recognize the right of the Algerian people—as of all peoples—to self-determination and independence."

PORTER said he favors Congress memorializing the plight of captive nations, but he added "there should be no double standards. There are captive nations in Latin America and in Africa as well as behind the Iron Curtain."

The signers of the statement, all Democrats, are HUGH J. ADDONIZIO, of New York; VICTOR L. ANFUSO, of New York; EDWARD P. BOLAND, of Massachusetts; RICHARD BOLLING, of Missouri; CHARLES A. BOYLE, of Illinois; FRANK M. CLARK, of Pennsylvania; BYRON L. JOHNSON, of Colorado; GEORGE A. KASEM, of California; WILLIAM H. MEYER, of Vermont; ROBERT N. C. NIX, of Pennsylvania; ADAM CLAYTON POWELL, of New York; HENRY S. REUSS, of Wisconsin; JAMES ROOSEVELT, of California; FRANK THOMPSON, JR., of New Jersey; LEONARD G. WOLF, of Iowa; and PORTER.

Copies of the statement are being sent to French President Charles de Gaulle in Paris and to Prime Minister Ferhat Abbas, of the Algerian provisional government, through the Algerian office in New York City. Text of the statement follows:

"We the undersigned Members of the U.S. House and Senate, are deeply concerned that the war in Algeria will soon enter its 6th year.

"We recall the two resolutions passed by the United Nations General Assembly in successive 1957 sessions that a peaceful, democratic, and just solution should be found to end the conflict in conformity with the principles of the U.N. Charter.

"We recognize the right of the Algerian people—as of all peoples—to self-determination and independence.

"To achieve this right, thousands of Algerians are dying monthly and thousands more are refugees in other parts of north Africa and elsewhere.

"The present situation in Algeria continues to constitute a threat to international peace and security.

"Therefore we suggest that our U.S. Govment take leadership in bringing the Algerian conflict to a just termination, not only for reasons of peace and humanitarianism, but to lay foundations for good relations between a free Algeria and the American people and their Government in the years ahead.

"We recommend that our country urge our ally, France, to enter into negotiations for the cessation of the conflict.

"We urge that our country in the forthcoming 14th session of the U.N. General Assembly no longer abstain from voting, as it did in the 13th General Assembly, on any responsible resolution that urges continuing negotiations to reach a solution to the conflict.

"We commend our country for making available certain surplus foodstuffs to the Algerian refugees, and certain scholarships to Algerian students, and we urge our Government and its private agencies and citizens to continue to help these refugees.

"Thus we cannot remain silent about this tragic war in Algeria and we publicly urge a negotiated peace now between the two parties concerned."

Washington Report

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, August 3, 1959

Mr. ALGER. Mr. Speaker, following is my newsletter of August 1, 1959:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Tex., August 1, 1959)

The Federal highway construction dilemma grows. The problem is shortage of money (a) immediately, and (b) for the entire 16-year program. The reasons are: (1) Increased costs beyond original estimates, and (2) forced accelerated spending last year, allegedly as antirecession. The solution for immediate funds is to (a) raise taxes, or (b) pay out of the general Treasury. So the Ways and Means Committee proposes to do neither; instead, to borrow, hardly a new idea and not a real solution at all. My solution is to pay out of the general Treasury and cut Government spending elsewhere, in less essential areas (public works, public power developments, public housing, foreign aid, sewer building, fertilizer manufacturing, and hundreds of Federal social services and Government business operations). This solution has not and will not be considered, though it cannot be disproved. Careful study should be given the dire consequences, not evident, of last year's forced acceleration of spending, which I forecast in disapproving our action then.

The more permanent solution for the entire highway construction program is manyfold. To restate the problem: (a) The Federal cost of the highway program has grown $15 billion in 2 years (from $38.5 billion to $53.5 billion, including $12 billion in the interstate program alone); (b) the cost of highway construction rose 12 percent from mid-1954 to the end of 1956 (see House Doc. 300, January 1958). Proper corrective action by Congress can rest only on careful study of the whys to these increases. Such study should be made now, before more taxpayers' money is spent to condone, perpetuate, or bury improper contracting, wastefulness, unconscionable profit, and unintentional mistakes, if such there be. The facts will exonerate as it will permit correction. Or should we just pour more money in, taxpayers be hanged, because the people want highways. I believe the people want and deserve not only highways, but their money's worth. Taxes are too high now.

My suggestions for correction of both immediate and long term shortage of funds are these: (1) Transfer funds from the general Treasury to the highway trust fund, only enough to make good on highway contracts in force; (2) budget future expenditures after realistic study of costs to date, and stretch out the building program by (a) building only those multilanes necessary where traffic flow exceeds 6,000 vehicles per day, and (b) build by stages, establishing correct geometrics (basic roadbed and surface, engineering, drainage, etc.) and later add the frills; (3) set budget by dollar amount, not mileage; (4) change the 90–10 Federal-State matching ratio to 75–25 percent; (5) repeal the Davis-Bacon Federal wage setting so States can set the prevailing wage as in the past; (6) repeal the utility relocation reimbursement, leaving this to States. The bond proposal of financing by borrowing is (a) abandoning the pay-as-we-go principle, (b) makes the Treasury short-term Federal debt refinancing even tougher, (c) puts highway bonds in competition for loan money with home, auto, and furniture buyers, also small merchants, and (d) with interest cost of $168 to $268 million on $1 billion in bonds is too much, means less highway for the money. The highway problem is the result of the same old problem; the Federal Government is spending too much in nonessential programs, now short-changing highways. The real and only solution: Reduce Federal spending, not increase taxes or borrow and charge to the troubled future.

The foreign aid appropriation (mutual security) bill and debate was history repeating itself (newsletter June 20, 1959, Mar. 4 and May 17, 1958). The earlier $3.5 billion authorization (reduced from $3.9 billion request) was cut this go-round to $3.1 billion and passed 279–136 (ALGER against). The component parts are: (1) military assistance; (2) defense support; (3) Development Loan Fund; (4) development assistance; (5) technical cooperation; (6) contingency fund.

Facts and figures from debate and hearings (1,781 pages): (1) Of 86 nations in the world the United States has given $82 billion to 76 nations since World War II; (2) U.S. foreign aid personnel has grown from 458 in 1948 to 53,600 in 1958; (3) 67 free nations' debt is $185 billion; the Soviet bloc has debt of $51 billion; the U.S. debt is $285 billion, $48 billion more than all the rest of the world combined; (4) total money available (unexpended $4.8 billion, this bill $3.1 billion) is $8 billion plus foreign currencies we own of $1.5 billion or approximately $9.5 billion (actually there's more); (5) yearly foreign aid includes other military expenditures than in foreign aid bill (over $1 billion) and surplus food gifts ($1 billion or more) approximately $5.5 billion. Add to this the yearly interest on $82 billion of foreign aid now part of the national debt, $3.1 billion, makes actual yearly foreign aid $8.5 billion; (6) over 2,000 separate projects have now been reduced to 1,450, many abandoned as im-

practical (9 pages, 60 specific projects documented in hearings); (7) Comptroller General of United States has audited and examined foreign aid, found it overprogramed and mismanaged, inefficient, etc., with too much money the chief cause of the trouble.

Random examples: (a) Graft, corruption, and profit from improper distribution and sales of aid materiel by foreign businessmen and officials; (b) military vehicles delivered could not be used, shortage of drivers and maintenance; (c) ammunition and equipment ruined because not properly stored; (d) 44 tires per truck stored in 1 nation; (e) 185 years' supply of particular ammunition on hand in one country and only one carburetor for trucks for entire army; (f) over 4,000 tons excess ordnance materiel in one country's depot; (g) diversion, pilfering and thievery until military supplies were short in another country, etc.; (8) civilian projects of all kinds are financed, many types of which government cannot provide in our country (list of 113, such projects, p. 940, hearings); aid for education purposes has gone to over 50 countries, including Yugoslavia; (9) classification as secret or other security designation covers up glaring faults of the program; (10) 1,113 audit recommendations by ICA (International Cooperation Administration) and GAO (General Accounting Office) findings all show lack of planning and cost relationship; (11) military assistance, the most justifiable of the component parts, is replete with errors—(a) Inadequate estimates of needs and costs; (b) inadequate relationship of cost and objectives to be achieved; (c) improper recordkeeping of total costs by country, and others; (12) groups that enjoy windfalls or are vitally interested are (a) printing and publishing industry, (b) motion picture industry, (c) shipping, (d) manufacturing, (e) export and import firms, (f) commercial banks, (g) colleges and universities, (h) clergy, (i) military; (13) "loan" of Development Loan Fund is fictitious, repayable 80 percent in local currency which United States can't use; further, Congress has no control over this fund.

A few, even more than a few, instances of mistakes should not condemn such a program as foreign aid, but the almost endless examples of error, inefficiency, waste, mismanagement, overprograming, lack of objectives, and underplanning, in many countries culminating in aiding our enemies (Yugoslavia, Poland, Indonesia, etc.) and alienating our friends proclaims there are basic faults that need correction, not acceptance and continuation. As a nation, we cannot spend ourselves rich. We cannot make ourselves secure by giving ourselves away. We cannot buy friends; they do not stay bought. The greatest fallacy is to ascribe aid as charity or "be thy brother's keeper" through foreign aid by our Government. The real Biblical meaning is the practice between individual human beings, not governments, which by nature must be impersonal and realistically self-interested. This fundamental difference and role of government needs to be studied. As I oppose big Federal spending where there is wastefulness or contradiction of purpose, am I negative or anti as adduced in the last campaign?

Senator McCLELLAN this week answered labor's criticism that his labor bill is antilabor this way: "Antilabor are they? Well, let us see. The provisions of these measures, the provisions that they criticize, are 'anti' some things beyond all doubt. I shall enumerate for you a few of the things they are 'anti.' They are anti-gangster, goon, racketeer, and hoodlum. They are anti-theft, embezzlement, shakedown, blackmail, and extortion. The are antiarson, antiacid assault, and antivandalism. They are antifraud, dishonesty, crookedness, and corruption. They are anti-violence, bestiality, brutality, and cruelty. And they are antidictatorship, boss rule, oppression, and exploitation. Yes, they are 'anti' these two dozen things and more. And when summed up, they simply establish conclusively and irrefutably that Congress has undertaken to enact laws that will be effective in dealing with and in preventing crime and tyranny from being imposed and inflicted upon our workers, union members, and the public at large. How can anyone call laws that are designed to curb such activities 'antilabor?' I do not believe, and in fact I know, that the great rank-and-file of American workers both in unions and without, do not associate such practices with the true mission and purposes of honest, decent, trade unionism among free men in a civilized society. But these things, these abhorrent abuses, have happened and they are happening here. I do believe they must be stopped if our system of government and way of life under law and order are to survive."

To this I add amen, and I shall do everything I can to help pass an effective labor law to curb the excesses of labor leaders and the monopolistic dangers of unions in the interest of all our people, including union members. It's a toss-up whether Congressmen will have the courage to do what's needed now.

The Budget Bureau has listed some built-in increases to Federal expenditures under existing law, showing a possible $26 billion increase next year. In addition, new legislation now pending in Congress totals $16 billion. The only protection against this pent-up flood of spending is in the people themselves. The public alone can force Congress to exercise self-discipline. Will people realize this in time and tell their Congressmen how they feel?

Concerning the speculation over a summit conference, my own belief is simply that it should be called off. Russia's leaders should be told that in view of their sabotaging every meeting and all past agreements and their avowed dedication to world conquest, there is no area of agreement between us until and unless they establish one. Deeds, not words, are needed. To me such a positive statement on our part will promote peace and is the safest course.

On this "Government by veto" charge now being leveled by some of the disgruntled would-be spenders, it's interesting to note the veto records of some earlier Presidents. Cleveland, 584 vetoes; Roosevelt, 631; Truman, 250. Compare these records with the 142 bills President Eisenhower has vetoed to date. Personally, I'm happy that we have a President unafraid to wield his veto power in defense of fiscal responsibility.

Schedule of Grassroots Conferences in Third Ohio District

EXTENSION OF REMARKS
OF
HON. PAUL F. SCHENCK
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, August 3, 1959

Mr. SCHENCK. Mr. Speaker, it is a great privilege and an honor to represent the people of the Third District of Ohio here in the Congress of the United States. I am deeply grateful for this opportunity to be of service, and it is my constant aim to serve my constituents in the best way possible. It has been my regular policy to keep in close contact with the people of the Third District so that I may know how they feel about the many important issues facing us here in Congress.

As the Representative of this great district, I have considered it my duty not only to be well informed of the opinions of my constituents, but also to be of the greatest possible service to persons having problems dealing with agencies or departments of our Federal Government.

Eight years ago I initiated the idea of holding grassroots conferences throughout our district, and I have continued this practice each year during the time Congress is in adjournment. I also have a full-time congressional service office at the U.S. Post Office Building in Dayton, where I can meet with people personally at any time that my official duties permit me to return to the district.

During the time I am in Washington attending to legislative and official duties, a competent secretary is in charge of my district service office to assist callers and to help them with requests for aid in dealing with the Federal Government so that I can be of every proper assistance to them.

In these ways I have sincerely tried to keep well informed as to the personal opinions of my constituents, and I have also tried continuously and sincerely to be of every proper service to them.

Members of Congress are constantly called upon to give careful and earnest consideration to legislation dealing with many complex national and international problems. These day-to-day decisions often affect the lives and living of every citizen in our Nation. Consequently, these personal and private conferences help me to serve all of the people in my district in a much more effective manner.

This year, during our official congressional recess, I am again taking time to hold these grassroots conferences throughout our district at convenient public buildings. I deeply appreciate the fine cooperation of the many officials who have made these meeting places available to me as an aid in rendering this public service.

This is the schedule I have arranged:

Dayton post office, room 314, September 21 and 22, 9 a.m. to 4 p.m.

Miamisburg City Building, September 24, 4 p.m. to 8 p.m.

Germantown City Building, September 25, 4 p.m. to 8 p.m.

Phillipsburg City Building, September 26, 1 p.m. to 3 p.m.

Brookville City Building, September 26, 4 p.m. to 8 p.m.

Hamilton Courthouse, September 28, 9 a.m. to 4 p.m.

Oxford Municipal Building, September 29, 4 p.m. to 8 p.m.

Middletown American Legion, October 1, 9 a.m. to 4 p.m.

Fairfield City Building, October 2, 4 p.m. to 8 p.m.

I have been greatly encouraged by the increased attendance at these conferences. It is sometimes surprising to see how much can really be accomplished when a citizen and his Congressman can sit down face to face and talk over problems of mutual concern.

Special appointments are not necessary for these conferences, and I sincerely urge individuals or groups to meet with me on the date and at the place most convenient to them. The knowledge obtained through these grassroots conferences will help me to render better service, both legislative and personal, to all of the people of our important Third District as their Representative in the Congress of the United States.

Tribute to George Washington Carver

EXTENSION OF REMARKS
OF
HON. STUART SYMINGTON
OF MISSOURI
IN THE SENATE OF THE UNITED STATES
Monday, August 3, 1959

Mr. SYMINGTON. Mr. President, on July 12 the very able Representative from the Seventh District of Missouri, the Honorable CHARLES H. BROWN, was the principal speaker at the annual Carver Day observance, held at the George Washington Carver National Monument, at his birthplace near Joplin, Mo.

Representative BROWN reviewed the story of George Washington Carver's life from its humble beginnings as the son of a slave to the heights of success that can only be achieved through service to humanity.

The life and work of this good man, Dr. Carver, is one of the great stories of America, and should be known throughout the world.

I commend Representative BROWN'S address to the attention of my colleagues, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY CONGRESSMAN CHARLES H. BROWN AT THE ANNUAL CARVER DAY OBSERVANCE AT GEORGE WASHINGTON CARVER NATIONAL MONUMENT, JULY 12, 1959

I thank each and every one of you for inviting me here today. I have looked forward to this occasion for reasons that many of you may not realize. Back in the thirties, when I worked in Washington, I heard Dr. George Washington Carver testify before a congressional committee. They said they were going to give him 3 or 4 minutes, but they wound up giving him almost an hour. And, listening to him, I thought to myself—this man has taught them more in these 60 minutes than they have learned in the last 60 days.

He was, perhaps, the greatest Missourian who has lived to date, when you measure greatness by one's lasting contributions to humanity.

The facts about George Washington Carver's life are very brief. He started from the humblest of beginnings. He never knew exactly when he was born. He always said that it was about 1864. But, recent research into the census records indicate that it might have been, and probably was, around 1860. He never knew his father; but he knew his mother and he remembered her until he died. She was a slave.

And, Carver always knew where he was born. He was born on the Moses Carver farm near Diamond Grove, Mo. But in his early childhood, probably when he was 3 or 4 years old, border guerrillas captured his mother and George Carver and carried them off to Arkansas. In time, George was turned over to a man who offered a $300 horse for his release. His mother was never heard of again.

George came back to southwest Missouri and, with the help of friends, grew to be a gangling boy who wanted an education so badly that he would do any chore or odd job to get one. He attended the public schools in two or three towns in Kansas. He wanted to go to college, so he worked his way through Simpson College and then on through Iowa State and got a bachelor's degree in 1894. He got a master's degree in 1896. He was a good student, one of the best they had; and, they offered him a professorship in botany.

But, he became interested in what Booker T. Washington was doing at Tuskegee Institute in Tuskegee, Ala. So, he went there and became the head of their research and experiment department.

At Tuskegee, his thirst for knowledge was so great that it was unquenchable. He sought and found new uses for such commonplace things as cornstalks, sweetpotatoes, soybeans, peanuts, trees, and that red clay of Alabama. He turned ordinary materials into extraordinary products. He found ways to make plastics, paints, paper, plywood, cosmetics, and even imitation marble out of commonplace materials.

Whole new industries grew out of his discoveries, but George Carver never participated in the profits. Many of his formula he gave to humanity without royalty; and, most of his personal income he gave to young, eager students who wanted a college education. George Carver's students remember him as a threadbare professor who couldn't have cared less about money. He was also a great artist. One of his paintings hangs in the Luxembourg Gallery. Many of his paintings you will see at Tuskegee.

In his later years he won worldwide recognition for his talents and his work. He is one of the few Americans who ever became a member of the British Royal Society of Art. He won the Spingarn Medal in 1923. He won the Roosevelt Medal for achievements in science in 1939. He was Director of Research for the U.S. Department of Agriculture. And, he served on numerous boards and panels where research scientists were needed.

But his first love and his last love was his classroom, his students, and his laboratory at Tuskegee. There he remained as chief of research and experiment until he died in 1943 at the age of 80—or was it 83?

These are the bare facts of his life; but they don't begin to tell the whole story.

George Washington Carver was one of God's chosen children, richly endowed by the Creator with a rare and priceless talent, placed by the Creator in an environment where the only way to achieve was to struggle. No one could have faced more hardships. But, no hardship could deter him and no amount of suffering could break his indomitable spirit. Difficulties inspired him, and the suffering he endured taught him to understand, to appreciate, and have compassion for the suffering and the trials and hardships of others.

He learned how to work early in life and he never forgot it. He worked until he fell on the ice and was put in bed.

He was a man who had no fear of the unknown. He loved to experiment with new ideas. He loved to blaze new trails, find new methods and new ways of doing old jobs and scale new summits that no one had ever atempted to scale before.

Above all he never lost his sense of values. To him a better world, a happier people, the Golden Rule meant more than all the comforts and luxuries that a man could possess.

George Washington Carver was a success in the true meaning of the word; and his achievements are immortal because he left disciples—students who today are telling their students, who in turn will tell their students about George Washington Carver, what he stood for, what he thought, and what he did for mankind in his fourscore years on earth.

Jesus of Nazareth did more in less than 40 years than George Washintgon Carver did in 80. Moses contributed more to mankind than George Carver. Perhaps some scientists in the history of the world left a legacy equally as valuable—men like DeVinci, Galileo, Newton, and others—Einstein, perhaps; but, few men in the history of the world have done as much for mankind as did this man. For, he was one of God's chosen children, born with that keen mind and that big heart. A man whom God sent us for a purpose; and he walked with God every day of his life to fulfill that purpose nobly.

The least we can do is learn a lesson from this man's life. I feel that was a part of the purpose for which he was sent. I would like to mention very briefly just three lessons that we sorely need to learn today.

First, George Carver proved that all things are possible if you are determined enough to do it. Why, you couldn't face any more hardships than this man faced. He didn't start from scratch. He started from behind scratch. Everywhere he turned, he met prejudice, doubt, and suspicion. But they didn't deter this man. He said he was going to do something worthwhile, and he did.

Today, the world is divided into two armed camps and the means for destroying mankind is at hand. There are those who say that war is inevitable, that nothing we can do will prevent an Armageddon.

I just don't believe that. I think we can lead this world to a new era of permanent peace—a golden era more golden than we have ever known, if we have the courage and determination that George Carver had.

Some people say mankind will never be able to cope with its population explosion, that we will be overwhelmed by our own numbers, that we can't possibly provide the highways, the schools, the homes, the necessities of life for these teeming millions. I don't believe that. I think we Americans can do anything we want to do, if we have the guts to do it. Complicated problems are hard to solve. Wise men may differ on how to solve them. But we must never stop striving for better solutions. We must never be defeated by a sense of futility.

The second lesson that George Carver, in my opinion, taught is that he proved that good men—not money or machines—make the only genuine progress in the world. He didn't have a multimillion-dollar laboratory. He didn't say you must give me this and give me that or I can't discover these things. He worked with the simplest of tools.

Sometimes, I think we get so enamored with bigness and giantism that we overlook the true value of just a good man. It wasn't a big laboratory that built the first Ford automobile. It was Henry Ford in a little lean-to garage. It wasn't the XYZ laboratory that discovered the radio. It was a man named Marconi, working in his home. It wasn't the ABC holding company that discovered the incandescent lamp. It was Thomas Edison. A man with a great mind who worked. Good men solve big problems and do big things. Money and machines are only the tools that good men use to achieve.

A third lesson that I think George Carver's life taught is that the truly successful man is one who adds something of lasting benefit to humanity. Oh, there have been a lot of men who accumulated more wealth than George Washington Carver. Thousands who have gathered unto themselves a bigger-than-average share of the world's material

goods and titles. Men who have been honored and praised as successful men, big men, even called great men. But the successful man is the one who deals in true human values, the Golden Rule, the lasting benefits.

The world little notes nor remembers what what we leave behind in material goods. But as we pass this way on earth, if we could help someone in his time of trouble, we will have achieved some small measure of immortality.

The rest of us were not given that great mind that George Carver had; but each of us has a heart, if we'll use it. We can all have the compassion for our fellow man that George Carver had.

George Washington Carver was a great man in the true sense of greatness. It is only right that we should do him honor on these days. And, as the years go by, I hope that this shrine will grow not only in its physical appearance, but in the number of people who will come here and learn about this man who walked with God every day of his life and fulfilled God's purpose nobly.

National Interstate Highway System

EXTENSION OF REMARKS
OF
HON. ALVIN M. BENTLEY
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Monday, August 3, 1959

Mr. BENTLEY. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following exchange of correspondence I had with John C. Mackie, Michigan State highway commissioner, concerning the financing plan for the construction of the National Interstate Highway System reported out of the Ways and Means Committee last week.

LANSING, MICH., *July 30, 1959.*

Hon. ALVIN M. BENTLEY,
Member of Congress, House Office Building, Washington, D.C.:

Michigan will be forced to scrap its 5-year, $1¼ billion new highway program if Congress passes slow-down financing plan for construction of the National Interstate Highway System reported out of House Ways and Means Committee yesterday. The Department is stunned and dejected at the committee's action. The bill will reduce Federal highway aid to Michigan in 1960–61–62 $141 million under levels anticipated when our program was announced. (From $278.6 million to $136.8 million.) Frankly, it almost amounts to a break in faith by the Congress with the various highway departments from amounts planned when the 1956 Federal highway bill was passed and the Federal gas tax increased from 1½ to 3 cents. We have been desperately gearing our engineering right-of-way and design schedules pointing toward a record 1960 construction year which would put Michigan far out front in highways. It seems incredible long hours of urgent labor we have put into gearing for 1960 may have been spent in vain. Michigan has already programed $84 million in 1960 Interstate Federal aid with the Bureau of Public Roads, but the committee bill will allow us only $58.6 million instead of the $96.7 million we had been promised. The action amounts to penalizing States that have moved with speed to build roads. Grim reality of what proposed cutback means probably best illustrated by projects which will be slowed or indefinitely delayed, scheduled for 1960 and 1961. They include the following:

1. Walter P. Chrysler Expressway, Metropolitan Detroit, plus right-of-way and engineering on 12 miles of the proposed Fisher Expressway in Detroit, Wayne County.

2. One hundred and fifteen miles Detroit-Muskegon Expressway, U.S. 16 (Interstate 96) in Livingston, Ingham, Clinton, Kent, Ottawa, Muskegon Counties.

3. Forty-seven miles relocation U.S. 25 (Interstate 94) which calls for extension of the Edsel Ford Expressway through Macomb and St. Clair Counties to Port Huron.

4. Seventy-two miles of relocation of U.S. 27 and U.S. 2 (Interstate 75) in Crawford, Otsego, and Chippewa Counties.

5. Forty-four miles of relocated U.S. 10 (Interstate 75) in Oakland County from South Oakland County to connection with the Fenton-Clio Expressway in Genesee County. We will have to abandon our announced schedule for these and a few other projects unless Congress restores interstate aid to levels anticipated when the interstate program was originally established.

JOHN C. MACKIE,
State Highway Commissioner.

JULY 31, 1959.

Mr. JOHN C. MACKIE,
State Highway Commissioner,
Lansing, Mich.:

I have received your telegram of July 30 deploring action of House Ways and Means Committee in reporting slow-down financing plan for construction of the National Interstate Highway System. I agree that this would have serious effect on the several Michigan projects mentioned in your telegram and would regret any delay or slowing up of interstate program in our State. Since Ways and Means Committee, however, has rejected all other proposals for additional financing, I do not know what alternative remains at this late date in our session. It is too bad that members of your Democratic Party who control this committee as well as House of Representatives did not support alternative financing plan which would have permitted the program to proceed according to schedule. Now that we are apparently faced with this financing proposal or nothing, I am afraid we will have to support whatever the Ways and Means Committee brings before us.

Congressman ALVIN M. BENTLEY.

SENATE

TUESDAY, AUGUST 4, 1959

Dr. Caradine R. Hooton, general secretary, General Board of Temperance, the Methodist Church, Washington, D.C., offered the following prayer:

O Lord, our Heavenly Father, who by Thy beloved Son hast taught us that Thou art love, strengthen the witness of all those who, following His example, give themselves to the service of their fellow men. Grant unto these and all other leaders of our Nation the clear vision to perceive the things which retard our progress toward Christian maturity; give us the high purpose, the unfailing courage, and the unwavering perseverance so to discipline our lives and direct our actions that law, order, justice, and peace may here and everywhere prevail, to the glory of Thy holy name and the good of Thy whole family, through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Monday, August 3, 1959, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Foreign Relations Committee was authorized to meet during the session of the Senate today.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE PROGRAM—CONFERENCE REPORTS ON APPROPRIATION BILLS

Mr. JOHNSON of Texas. Mr. President, in connection with the mutual security appropriation bill, I notice that the Appropriations Committee has scheduled hearings on this very important piece of proposed legislation; and I know the hearings will be thorough and exhaustive, as always.

I wish to congratulate the distinguished occupant of the chair, the President pro tempore, for the very fine record the Senate Appropriations Committee has made under his leadership and under his guidance thus far this session. Fourteen appropriation bills, as I recall, have been passed by the Senate thus far. The military construction appropriation bill and the mutual security appropriation bill are yet to be reported to the Senate by the Appropriations Committee.

Many Senators—dozens, I would say—have talked to me about the possibility of having final action taken on the appropriations bills which have passed the

Senate and have gone to conference. I do not attribute blame to any Member of Congress on either side of the aisle or in either body; but as regards the mutual security appropriation bill, I hope that before the Appropriations Committee sets a rigid schedule of hearings, mornings and afternoons, which will interfere with the conferences on the other appropriation bills, the members of both the House committee and the Senate committee will give due consideration to acting on the appropriation bills which already are in conference.

For instance, Mr. President, it was July 9 when one of the most important of the appropriation bills passed the Senate, and a conference was requested. I am informed that the House has agreed to the conference; but no conference has yet been held on the civil functions appropriation bill.

I certainly hope that the Defense Department appropriation bill conference report will be acted on by the House of Representatives today, and that action on that conference report will be completed in the Senate today. That bill involves approximately $40 billion. The bill, as passed, is approximately in the amount of the President's budget estimates; I believe the total amount is within a few million dollars, one way or the other, of the amounts the President recommended.

However, the supplemental appropriation bill, which passed the Senate only yesterday, and the atomic energy appropriation bill, the independent offices appropriation bill, the legislative appropriation bill, and—most important—the civil functions appropriation bill have not yet cleared the conference committees.

So I am not going to ask the Senate to act on any other appropriation bill until we clean up some of the appropriation bills in conference. I bespeak the cooperation of Senators on both sides of the aisle.

The PRESIDENT pro tempore. Let the Chair state that agreement has been reached to go to conference tomorrow afternoon on the atomic energy appropriation bill and on Thursday on the public works appropriation bill. Those agreements were reached this morning.

Mr. JOHNSON of Texas. I congratulate the Chair for his expeditious action. Again he has demonstrated why he is one of the most efficient and one of the most beloved Members of the Senate. If, in order to hold the necessary conferences, he finds it necessary to have the Senate adjourn, the Senate will be glad to take time off on Thursday, Friday, or Saturday.

But I believe it important that we get the rest of these appropriation bills to the President.

I think it very evident that these appropriation bills, as passed by the two Houses, will be hundreds of millions of dollars below the President's budget estimates; and I believe it important that the fake, phony, hypocritical charge that the congressional Democrats are the spenders is now exposed in such a way that even a prejudiced press will have to report it.

Mr. DIRKSEN. Mr. President, will the Senator from Texas yield to me?

Mr. MANSFIELD. Mr. President, will the majority leader yield to me?

Mr. JOHNSON of Texas. I yield first to the minority leader, and then I shall yield to my friend on this side of the aisle.

Mr. DIRKSEN. First, I should like to make two observations:

Mr. President, if I have not said this before, I certainly do bestow a compliment on the chairman of the Appropriations Committee, the senior Senator from Arizona [Mr. HAYDEN], particularly with special reference to the complete fairness with which he has conducted the hearings on the mutual security appropriation bills in past years. I think I tried to be completely diligent in being on hand at all times when those hearings were in progress. Everyone knows that the mutual security appropriation bill is a highly knotty and controversial measure. Yet the chairman of the committee has been eminently fair at all times; and everyone who had something to say about the bill, either for or against any of its items, was given abundant opportunity to make his presentation.

So I am confident that the hearings on that measure this year will be conducted in precisely the same fashion.

Now I must make one observation with respect to what the majority leader just now stated about winding up with the appropriation bills, as passed by the two Houses, in total amounts hundreds of millions of dollars below the President's budget estimates. Let me say that nothing could delight me more; and I bestow a compliment where the compliment is deserved, and I give the compliment right now to the majority leader, the senior Senator from Texas; but when I do so——

Mr. JOHNSON of Texas. Mr. President, will the Senator from Illinois be willing to stop just before he reaches the "but", and insert a period, and then begin with a new paragraph? [Laughter.]

Mr. DIRKSEN. Oh, yes; because I will remember what I was going to say.

Mr. JOHNSON of Texas. Let the Senator from Illinois proceed.

Mr. DIRKSEN. I was going to point out, Mr. President, that we should not forget that early in this session the distressed areas bill, as passed, called for $87 million; and let us also not forget that the Federal-aid airport bill, as passed, called for hundreds of millions of dollars in excess of the estimates.

So I think we should take credit for pursuing with proper diligence, decent grace——

Mr. JOHNSON of Texas. Whom does the Senator from Illinois mean when he uses the word "we"?

Mr. DIRKSEN. The minority.

Mr. JOHNSON of Texas. I think the compliment is due the entire Congress.

First, as regards the appropriation bills, let me say that every Senator who has been here as long as the Senator from Illinois has knows that an authorization bill is not an appropriation bill, and that billions of dollars of authorizations are never appropriated for. Frequently, authorization bills are used to hoodwink and to mislead people.

However, nothing provided in any authorization bill would prevent the Senate from keeping the amounts of the appropriation bills passed this year below the amounts of the budget estimates. Nothing contained in the Federal-aid-to-airports authorization bill, which the Congress voted for almost unanimously, would prevent the amount of the appropriation bill from being less than the amount of the budget estimates, this year.

The Senator from Texas is willing to assume as much responsibility for having the amounts of the appropriation bills, as passed, below the amounts of the budget estimates as is the minority leader. But the Senator from Texas wants the Congress and its record to be presented to the people. And the record is that this year the Congress has not used to any extent any back-door financing that has not been requested by the President or approved by the President. And the record is that this so-called spending Congress is going to spend hundreds of millions of dollars less than the President asked for.

And that record both parties are entitled to share in. But this phony Madison Avenue slick propaganda that goes out, that refers to congressional spenders, ought to be exposed for the fraud it is. So far as the Senator from Texas is concerned, he is going to call the roll from now "until"—and to point out that on 16 recommendations the President made in the appropriation bills this year it has been necessary to cut 14 of those bills. The net reduction will result in hundreds of millions of dollars less being available to be spent than the President requested. That has been true in every year of the Eisenhower administration. It has been necessary for Congress to reduce the budget requests by more than $10 billion, and $10 billion is not hay.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Montana.

Mr. DIRKSEN. Mr. President, will the majority leader permit a comment on what he has just said?

Mr. JOHNSON of Texas. I yield to the minority leader.

Mr. DIRKSEN. First of all, I thought I had taken care of responding to this back door business on a number of occasions. Secondly, I would observe that nothing can delight the human heart more than when religion comes, even in the fiscal field; and, of course, we have told our story with diligence to the country, and I am glad it has brought such fruitful results. I compliment the majority leader. I am delighted that, under his able, spirited, and skillful leadership this fine result can be achieved, and that all of us, on both sides of the aisle, can glory in the fact.

Mr. JOHNSON of Texas. I want to point out this is not the result of any persuasiveness on the part of the distinguished minority leader. These results were obtained before the distinguished and beloved Senator from Illinois became minority leader.

In 1957, the President invited Congress to cut his budget, and we did, to the tune of five big, fat billion dollars. [Laughter.] The distinguished Secretary of the Treasury at that time stated we were going to have a hair-curling depression if we did not cut the budget. So we cut it by $5 billion, and, Mr. President, I ask unanimous consent to have inserted in the RECORD the almost monthly statements made by the majority leader at that time, calling attention to the necessity of being practical and prudent, and calling attention to the fact that Congress should exercise its responsibility and cut each appropriation bill. That was in 1957.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

STATEMENTS, 1957 BUDGET, BY SENATOR LYNDON B. JOHNSON

March 8, 1957: After indicating that a survey made in Texas favored a reduction in the budget, Senator JOHNSON said his efforts would be directed toward that end.

April 8, 1957: In a floor discussion, Senator JOHNSON pointed out that the highest peacetime budget under President Roosevelt was $9 billion; under President Truman $39.6 billion (compared to the estimated budget for 1958 of $71.8 billion).

May 1, 1957: Senator JOHNSON pointed out the inconsistency in statements made by members of the executive branch; some responsible Cabinet officers recommending that the budget be cut, but when cuts were made in the House, asking the Senate to restore them. He further said that he was going to vote his convictions and not vote for any grant that could not be fully justified.

May 2, 1957: Again commenting on the inconsistency of statements made, Senator JOHNSON pointed out that the President had appealed to the people to support his budget while some Cabinet officers were saying if the budget wasn't cut there would be a hair curling depression.

May 8, 1957: In commenting on the budget, Senator JOHNSON said, "We cannot cut the budget without cutting spending, and we cannot adopt one course in January and another course in May."

May 13, 1957: Senator JOHNSON commented on the coming speech of the President before the Nation in defense of his budget. He pointed out that the administration wanted to eat its cake and have it too. While the President was pleading for his budget, others in the administration were demanding substantial cuts to bolster the administration's economy record. Senator JOHNSON also pointed out that those advocating cuts in some instances wanted to take the cuts from veterans, the farmers, slum dwellers, and students and then raise postal rates, in other words, increase one of the taxes on our people.

June 3, 1957: Senator JOHNSON commented on congressional handling of appropriation bills and pointed out that thus far this year the Senate has had an excellent record. Our committee (Appropriations) has gone over the bills carefully and thoroughly. The result, I believe has been the type of economy which the American taxpayers are demanding. No budget is sacrosanct. It is simply the judgment of the President and his Budget Bureau as to the amount of money the administration thinks it needs to operate over a period of time.

July 11, 1957: Senator JOHNSON, in discussing the battle of the budget, provided figures which indicate reductions approaching $4 billion—or 6.4 percent—from the President's budget that was submitted to us in January. Up to this point, appropriation requests totaling $60,553,833,463, have gone through some stage of consideration by this Congress. On the basis of their current status, they have been cut to $56,656,136,959."

August 9, 1957: Senator JOHNSON said: "All of us, I believe, recall the statement by the Secretary of Treasury concerning the budget. The then Secretary, said it would have to be cut to avoid a hair-curling depression. I have before me figures which show that when all the bills are taken into account, this Congress has reduced the President's budget by $5,927,495,584 or 9.1 percent."

Mr. JOHNSON of Texas. Mr. President, in 1958 we did the same thing.

The majority leader met with the President on November 18, 1958, at the White House. The President told the majority leader at that time of his plans for his budget and the necessity of holding down expenditures, and solicited an expression from the majority leader. The majority leader reminded the President then that each year the President had been in office the Congress had cut his request for expenditure, and I refer to the President's appropriation request. So far as the majority leader is aware, this back-door financing thing is just a smokescreen, because the principal advocate of back-door financing has been the administration itself. The administration has asked for the only back door financing the Congress has consented to. So we ought to nail that camouflage.

The majority leader said to the President on November 18 that Congress cut every budget the President ever submitted and I predicted we would cut this one, and we have, and we are going to cut further.

We have raised the amounts provided in some bills above the budget requests. I think we shall increase probably 2 out of the 16 appropriation bills. We will reduce 14 out of the 16. But we will have a net decrease under the budget this year, as we have had each year under the Eisenhower administration, to the tune of several hundred million dollars.

Mr. President, I know it costs more for the Government to operate these days. I remember when I heard the able minority leader make speeches in the other body on economy, when the highest peacetime budget that Mr. Franklin Roosevelt ever had as President was $9 billion. I remember hearing one distinguished statesman say this country can never stand more than a $10 billion budget. The highest peacetime budget Mr. Franklin Roosevelt ever had was $9 billion. Then Mr. Truman became President. The highest peacetime budget under Mr. Truman was $39 billion. Now we have $70 billion budgets, and Congress comes along and whittles away on each appropriation bill.

I spent hours, days, and weeks trying to get $33 million out of the State, Justice, and courts appropriation bill. We have done that to 14 bills. Here we come up with savings of several hundred million dollars, but they say, "Oh, that is not the whole story. What about authorizations?" I say we have billions of dollars of authorizations that we never appropriate for. In the last analysis, authorizations are controlled by appropriations. Anybody who has been here long enough to know the difference between authorizations and appropriations knows that to be true, although efforts can be made to befuddle the people. They say, "What about backdoor financing?" They try to give you that Madison Avenue, slick propaganda stuff. Our answer is, "Who is asking for backdoor financing?" The administration has asked for $4 billion for the International Monetary Fund and the World Bank. That is all the backdoor financing that has been approved this year. But they try to make Tom Jones on the farm think we are doing something else.

Mr. President, I want the RECORD to show that each Congress under the Eisenhower administration, including the Republican 83d Congress, has found it necessary to reduce materially each budget.

I want to be fair, and I state that Congress traditionally cuts the Executive budget. It traditionally reduced Mr. Truman's budget. It traditionally reduced Mr. Roosevelt's budget. It even had to reduce Mr. Hoover's budget. So this is not anything new. But when I pick up the newspapers and magazines and listen to the radio and hear the regular stage set and the talks about congressional spenders, I ask who they are talking about. I am surprised anybody in the Congress would want to foul his own nest in the record, but the record is here for anyone to read:

One hundred and ten million dollars below the budget on Agriculture. The Senator from Georgia [Mr. RUSSELL] is the chairman of that subcommittee.

Nineteen million dollars below the budget for Commerce. The Senator from Florida [Mr. HOLLAND] is the chairman of that subcommittee.

Nineteen million, nine hundred and sixty-one thousand dollars under the budget for defense.

Interior, $9 million under the budget.

Labor-Health, Education, and Welfare, $259 million over the budget. We thought it desirable to spend more than requested for the health and education of our people.

State and Justice, $33 million below the budget.

Treasury-Post Office, $44 million under the budget.

Independent offices, $76 million under the budget.

Legislative, $4 million under the budget.

Supplemental, $44 million under the budget.

Atomic Energy, $50 million under the budget.

We suppose the appropriation for the mutual security authorization bill is going to be under the budget, because we authorized hundreds of millions less than the President asked for.

When the whole story is written, the record of this session of Congress is going to be the same as the record of any other Congress under this administration. We have had to cut the President's budget requests.

Mr. MANSFIELD and Mr. DIRKSEN addressed the Chair.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may yield to the Senator from Montana and to the Senator from Illinois during this morning hour period.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I wish to point out that I was interested in what the distinguished minority leader had to say about someone seeing the light of fiscal responsibility. I am sure the Senator was talking about the President of the United States and the administration. I happened to see and to enjoy the appearance of the minority leader on a nationwide TV program a week ago Sunday. A question came up—was raised by one of the participants: Did the Senator from Illinois, the minority leader, think that the Democrats in Congress this year were going to again reduce the President's budget requests? The distinguished minority leader replied that not only the Democrats, but also the Republicans as well, would do so.

I think the Senator hit the nail on the head, because, as the majority leader has pointed out, in every session under the administration of Mr. Eisenhower—and, in the two sessions of the 83d Congress, under Republican control—under both the Democrats and Republicans, the budget estimates submitted by the administration have been cut; and I think they have been cut on a bipartisan basis.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MANSFIELD. I am certain that will be done again this year.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MANSFIELD. Surely.

Mr. JOHNSON of Texas. Mr. President, for that reason I entered into an agreement with the distinguished former minority leader, Mr. Knowland, so that we could make sure anybody who wanted to increase the budget estimates could vote against the bill, anybody who wanted to reduce the budget estimates could vote against the bill and anybody who wanted to approve the bill could vote for it. We began a policy of calling the roll on all appropriation bills.

I make no partisan claim in this matter. I am not speaking only for the Democrats. I want to put into the RECORD the votes which have been taken on the appropriation bills thus far.

The vote on the second supplemental appropriation bill was 80 to 1.

The vote on the Agriculture Department appropriation bill was 74 to 10.

The vote on the Commerce Department appropriation bill was 89 to 4.

The vote on the Defense Department appropriation bill—and I congratulate the very able Senator from New Mexico [Mr. CHAVEZ]—was 90 to 0.

The vote on the District of Columbia appropriation bill was 68 to 0.

The vote on the Interior Department appropriation bill was 82 to 0.

The vote on the legislative appropriation bill was 80 to 1.

The vote on the State-Justice Departments appropriation bill was 90 to 0.

The vote on the Treasury, Post Office appropriation bill was 53 to 3.

The vote on the independent offices appropriation bill was 89 to 1.

The vote on the Labor-HEW appropriation bill was 84 to 10.

The vote on the General Government matters appropriation bill was 79 to 2.

The vote on the public works appropriation bill was 82 to 7.

Those were the votes when those bills passed this body.

I wish to point out there were not more than a dozen votes against any appropriation bill. Of course, of the dozen, some Senators may have thought not enough money was being spent, and that we ought to spend more. Some Senators no doubt thought we ought to spend less. In any event, the Senate approved of the action. By and large, seven out of eight votes which have been cast in this body have been cast for the appropriation bills.

The Congress as an institution has maintained the very fine record which it has set throughout the years of being careful, of being frugal, of being prudent, and at the same time meeting the needs of our people. Where it was necessary to increase expenditures for the conservation of our resources, as in regard to the Civil Functions appropriation bill, we have done so. Where it was necessary to increase the President's budget estimates $259 million for the health of our people, we have done so. But in the regular bureaucratic setup which we find prevailing in Washington, we have gone into the dark corners and we have cut hundreds of millions of dollars out of those expenditures.

I predict that when the final bill is completed we will have provided several hundred million dollars under the budget estimates this year, as we have done each year during this administration. And the grand total will be in excess of $10 billion.

I yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, nothing so fortifies and sharpens my personal pride as a record of accomplishment by that great institution of government of which I have been a Member for more than 25 years. When the Senate joins in and harkens to the leadership, to the wisdom, and to the prudence of the President, when he constantly asserts the necessity for a balanced budget, that makes me happy, too. I am delighted to see that great cooperative venture between the legislative branch and the Executive.

Mr. JOHNSON of Texas. Mr. President, if the Senator will yield, I want to question the point that the Congress cannot act except on the wisdom of the President. The Congress has some wisdom of its own, whether the Senator wants to admit it or not, and the Congress has demonstrated it each time. Congress has demonstrated it is $10 billion more frugal than the President has been or than the Director of the Bureau of the Budget has been.

I think that the Senator from Illinois joined in expressing that determination to cut some of the "fat" out of these budgets, and we ought to admit it.

Mr. DIRKSEN. May I continue, Mr. President?

Mr. JOHNSON of Texas. I yield to the Senator, but I reserve the right to make comments from time to time. [Laughter.]

Mr. DIRKSEN. Frankly, Mr. President, I have never become emotional about an arithmetic problem. I think of what a character of Charles Dickens—whose name was Thomas Gradgrind—said:

> Now, what I want is, facts. * * * Facts alone are wanted in life.

I am delighted that the majority leader is going to include all this statistical data in the RECORD, because then it will be my duty to analyze it and also to point out, probably, some of the things which I might regard as divergences, shall I say, and to set the whole matter in what I consider to be an adequate perspective.

There are such things as vetoes. There are such things as authorizations, where it is intended full well to spend all the money which is authorized if it is appropriated.

I make these comments conscious of the fact that there have been these curtailments in appropriation bills. But I also point out, for instance, when we take credit for that kind of a cut in the Agriculture Department appropriation bill, there is $100 million of reduction which should not have been made if the Commodity Credit Corporation is to pay the bills already ascertained by the Treasury Department more than a year ago. We owe those bills, and we cannot duck them.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. JOHNSON of Texas. Did the Senator offer an amendment to do that?

Mr. DIRKSEN. I do not know whether I offered an amendment or whether the Senator from Delaware [Mr. WILLIAMS] offered an amendment, but I pointed out, on the floor, the facts. I said it was a spurious cut, because the bill was owing and was due.

Mr. JOHNSON of Texas. The majority of the Senate, apparently, did not agree with the distinguished Senator.

Mr. DIRKSEN. The Senator from Illinois finds himself in the minority quite often. [Laughter.]

Mr. JOHNSON of Texas. The vote on that appropriation bill was 74 to 10.

Mr. DIRKSEN. Yes. I was 1 of the 10. I was one of those who voted against the $390 million increase in the Health, Education, and Welfare Department appropriation bill. I also voted against the conference report, so that the record might be consistent, in the interest of a balanced budget.

Mr. JOHNSON of Texas. I am sure the Senator would be one who would vote for certain increases in the mutual security bill. It is entirely a question of judgment. Some people believe we ought to increase that bill and reduce the bill for the Health, Education, and Welfare Department. Some people think we ought to increase both bills.

But I want to point out that when the entire record is written the Senate figures will be several hundred million dol-

lars under the President's budget estimates. Does the Senator deny that that is true, with regard to the bills which have passed, as shown by the schedule of the bills on the back of the calendar

Mr. DIRKSEN. Oh, not for one minute. I take great pleasure in it. I again compliment the majority leader.

Mr. JOHNSON of Texas. I thank the Senator. I compliment the entire Senate.

Mr. DIRKSEN. Let us give credit where credit is due.

Mr. JOHNSON of Texas. I compliment the entire Senate, Mr. President.

Mr. DIRKSEN. So that the whole story may be told. I think we owe that to the country.

Mr. JOHNSON of Texas. I have done my best to tell the whole story, but I am not sure we always get the whole story from the other end of the Avenue. I have seen very few statements from there calling attention to the reductions Congress has made.

Oh, when we make a reduction in the mutual security bill, we are told we have to restore it post haste. But with regard to the regular, routine reductions we make in regard to each bill, very little attention is given to the matter. I think it is important for the Record to show, even if it does take some compiling of statistics, that in regard to the 16 requests which the President has made, through his Director of the Bureau of the Budget, the Appropriations Committee and the Senate will reduce 14 of those substantially, and the net result will be hundreds of millions of dollars saved for the taxpayers of this country.

Mr. DIRKSEN. One other observation, and then I shall have finished, Mr. President.

I should point out that forbearance and unselfishness are great Christian virtues, and we should not expect a pat on the back for doing our duty as the legislative branch of the Government.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED APPROPRIATION, BOSTON NATIONAL HISTORIC SITES COMMISSION (S. DOC. NO. 44)

A communication from the President of the United States, transmitting a proposed appropriation, for the fiscal year 1960, in the amount of $20,000, for the Boston National Historic Sites Commission (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

REPORT ON OVEROBLIGATION OF AN APPROPRIATION

A letter from the Director, National Science Foundation, Washington, D.C., reporting, pursuant to law, on the overobligation of an appropriation in that Foundation; to the Committee on Appropriations.

REAPPOINTMENT AND RETIREMENT OF ELWOOD R. QUESADA

A letter from the Secretary of the Air Force, transmitting a draft of proposed legislation to authorize the President to reappoint Elwood R. Quesada, formerly lieutenant general, U.S. Air Force, retired, to the grade of major general and to retire him in the grade of lieutenant general, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

REMOVAL OF GEOGRAPHICAL LIMITATIONS ON ACTIVITIES OF COAST AND GEODETIC SURVEY

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to remove geographical limitations on activities of the Coast and Geodetic Survey and for other purposes (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

FLEXIBILITY IN PERFORMANCE OF CERTAIN FUNCTIONS OF COAST AND GEODETIC SURVEY AND WEATHER BUREAU

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to provide flexibility in the performance of certain functions of the Coast and Geodetic Survey and of the Weather Bureau (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Three letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

STATUS OF PERMANENT RESIDENCE FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report of the Archivist of the United States on a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

SELF-GOVERNMENT FOR THE DISTRICT OF COLUMBIA—RESOLUTION

Mr. WILEY. Mr. President, we recall that on July 15 of this year the Senate passed Senate bill 1681, to provide a larger degree of self-government to the residents of the District of Columbia.

Currently, this bill is pending before the District of Columbia Committee in the House of Representatives. Together with this Senate-passed bill, there are now pending before this committee 20-odd bills relating to self-government for the District of Columbia; including H.R. 4637, introduced by Representative REUSS, of Wisconsin, which bill was recommended and is supported by the administration and the District of Columbia Board of Commissioners. I understand that hearings are now being held by the House District of Columbia Committee on all these bills.

Over the years, there have been serious differences of opinion as to what should be the status of residents of the District of Columbia; as well as the relationships of their governing authority to the Federal Government.

We realize, of course, that it is important to provide the District residents with as large a voice in their government as possible; as well as an opportunity to exercise other rights and privileges, such as voting, under the Constitution.

Today I received from Stanley J. Witkowski, city clerk of the city of Milwaukee, Wis., a resolution adopted by the Common Council of Milwaukee supporting self-government for the District of Columbia. I request unanimous consent to have the resolution printed at this point in the RECORD, and appropriately referred.

There being no objection, the resolution was ordered to lie on the table, and to be printed in the RECORD, as follows:

RESOLUTION SUPPORTING SELF-GOVERNMENT FOR THE DISTRICT OF COLUMBIA

Whereas although local self-government is the foundation of our American political system; and

Whereas the rights and benefits of substantial home rule in the determination of municipal affairs are presently denied to the citizens of the District of Columbia; and

Whereas the Congress of the United States is considering legislation approved by the administration to assure local self-government by granting home rule to the District of Columbia; and

Whereas such legislation has the support of the Board of Commissioners of the District, a substantial majority of its residents and the U.S. Conference of Mayors among others: Now, therefore, be it

Resolved by the Common Council of the City of Milwaukee, That the Congress of the United States be and it hereby is urged to grant the right of determination of local affairs to the people of the District of Columbia through the passage of legislation of the type proposed by the administration and introduced by Congressman HENRY S. REUSS which provides a territorial form of government for the District; and be it further

Resolved, That copies of this resolution be forwarded to the Senators and Congressmen whose districts include the city of Milwaukee.

I hereby certify that the foregoing is a copy of a resolution adopted by the Common Council of the City of Milwaukee on July 21, 1959.

STANLEY J. WITKOWSKI,
City Clerk.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

S. 2471. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes (Rept. No. 607).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 5138. An act to extend the grounds of the Custis-Lee Mansion in Arlington National Cemetery (Rept. No. 618).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, with amendments:

S. 1448. A bill to change the name of the Abraham Lincoln National Historical Park at Hodgenville, Ky., to Abraham Lincoln's Birthplace (Rept. No. 617).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 1216. A bill to approve an order of the Secretary of the Interior adjusting, deferring, and canceling certain irrigation charges against non-Indian-owned lands under the Wind River Indian irrigation project, Wyoming, and for other purposes (Rept. No. 610); and

H.R. 4405. An act to authorize and direct the Secretary of the Interior to conduct studies and render a report on the feasibility of developing the water resources of the Salt Fork and the Prairie Dog Town Fork of the Red River in the State of Texas (Rept. No. 611).

By Mr. NEUBERGER, from the Committee on Interior and Insular Affairs, without amendment:

S. 1221. A bill to amend the act authorizing the Crooked River Federal reclamation project, Oregon, in order to increase the capacity of certain project features for future irrigation of additional lands (Rept. No. 609); and

H.R. 968. An act to provide for the construction by the Secretary of the Interior of the Bully Creek Dam and other facilities, Vale Federal reclamation project, Oregon (Rept. No. 608).

By Mr. GRUENING, from the Committee on Interior and Insular Affairs, without amendment:

S. 1514. A bill to amend the act of August 9, 1955 (69 Stat. 618) (Rept. No. 612).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with amendments:

S. 1136. A bill to provide for transfer of title to irrigation distribution systems constructed under the Federal reclamation laws upon completion of repayment of the costs thereof (Rept. No. 613).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 258. A bill to provide for certain reductions in the reimbursable construction cost of the Kittitas division of the Yakima reclamation project, Washington (Rept. No. 614); and

H.R. 3335. An act to provide for the apportionment by the Secretary of the Interior of certain costs of the Yakima Federal reclamation project, and for other purposes (Rept. No. 615).

By Mr. CHURCH, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 3682. An act to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the act of August 14, 1958 (Rept. No. 619).

By Mr. MOSS, from the Committee on Interior and Insular Affairs, with amendments:

S. 713. A bill to revise the boundaries of the Zion National Park in the State of Utah, and for other purposes (Rept. No. 616).

REPORT OF SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD, RELATING TO ACTIVITIES OF JAMES R. HOFFA AND INTERNATIONAL BROTHERHOOD OF TEAMSTERS (S. REPT. NO. 620)

Mr. McCLELLAN. Mr. President, on behalf of the Senate Select Committee on Improper Activities in the Labor or Management Field, pursuant to Senate Resolution 44, Eighty-sixth Congress, I am filing today with the Senate the committee's findings on the activities of James R. Hoffa and the International Brotherhood of Teamsters. I intend to file tomorrow the committee's factual summary with relation to the Hoffa testimony, in addition to factual summaries and findings relating to Allen Dorfman, the Union Insurance Agency of Illinois, the Great Atlantic & Pacific Tea Co. of New York, and two locals of the Amalgamated Meat Cutters Union in New York City. This is a part of the total report of the committee's activities for the year 1958. Other portions of the report are currently being considered by members of the committee and will be filed as soon as approved. These findings more than ever put the responsibility squarely on Congress to enact legislation to deal with these serious problems. I am hopeful that the House will pass the kind of bill necessary to effectively remedy the unwholesome conditions uncovered by the committee and exemplified by this report and others that will be made by the committee in the near future.

I ask that the report be printed.

The PRESIDENT pro tempore. The report will be received and printed.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. CHAVEZ, from the Committee on Public Works:

Col. Howard A. Morris, Corps of Engineers, to be a member and secretary of the California Debris Commission; and

Frank A. Augsbury, Jr., of New York, to be a member of the Advisory Board of the St. Lawrence Seaway Development Corporation.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MAGNUSON (by request):

S. 2481. A bill to continue the application of the Merchant Marine Act of 1936, as amended, to certain functions relating to fishing vessels transferred to the Secretary of the Interior, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appears under a separate heading.)

By Mr. MAGNUSON (for himself and Mr. ENGLE) (by request):

S. 2482. A bill to remove geographical limitations on activities of the Coast and Geodetic Survey, and for other purposes; and

S. 2483. A bill to provide flexibility in the performance of certain functions of the Coast and Geodetic Survey and of the Weather Bureau; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under separate headings.)

By Mr. MARTIN:

S. 2484. A bill for the relief of Franc Molka; to the Committee on the Judiciary.

By Mr. KERR (for himself and Mr. MONRONEY):

S. 2485. A bill to authorize the sale of 40 acres of land owned by the Creek Tribe of Indians; to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON:

S. 2486. A bill for the relief of Nobuko Stickles; to the Committee on the Judiciary.

By Mr. SMATHERS (for himself and Mr. SPARKMAN):

S. 2487. A bill to provide for greater competitive distribution throughout private industry of the economic benefits flowing from preparing the Nation's defense, to improve the opportunities for small business concerns to participate as subcontractors in Government procurement, and for other purposes; to the Committee on Armed Services.

By Mr. THURMOND:

S. 2488. A bill to authorize the procurement of certain aircraft for training of the Air Force Reserve and for the transportation of ground combat units in time of war or emergency; to the Committee on Armed Services.

By Mr. CASE of New Jersey:

S. 2489. A bill for the relief of Dr. Jose Aquino; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

Mr. SYMINGTON submitted a concurrent resolution (S. Con. Res. 69) favoring action by the President looking to a settlement of the pending steel strike, which was referred to the Committee on Labor and Public Welfare.

(See the above concurrent resolution printed in full, when submitted by Mr. SYMINGTON, which appears under a separate heading.)

RESOLUTION

PAYMENT OF CERTAIN OBLIGATIONS INCURRED BY SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

Mr. McCLELLAN submitted the following resolution (S. Res. 155); which was referred to the Committee on Rules and Administration:

Resolved, That not to exceed $4,500 of funds made available to the Senate Select Committee on Improper Activities in the Labor or Management Field by Senate Resolution 44, agreed to February 2, 1959 is hereby made available for obligations incurred under authority of Senate Resolution 221, agreed to January 29, 1958 as amended.

CONTINUATION OF APPLICATION OF MERCHANT MARINE ACT OF 1936 TO FUNCTIONS RELATING TO CERTAIN FISHING VESSELS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to continue the application of the Merchant Marine Act of 1936, as amended, to certain functions relating to fishing vessels transferred to the Secretary of the Interior, and for other purposes. I ask unanimous consent that a letter from the Assistant Secretary of the Interior, requesting the proposed legislation, be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2481) to continue the application of the Merchant Marine Act

of 1936, as amended, to certain functions relating to fishing vessels transferred to the Secretary of the Interior, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter presented by Mr. MAGNUSON is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., July 27, 1959.

HON. RICHARD M. NIXON,
President, U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed herewith is a draft of a proposed bill "to continue the application of the Merchant Marine Act of 1936, as amended, to certain functions relating to fishing vessels transferred to the Secretary of the Interior, and for other purposes."

We recommend that this proposal be referred to the appropriate committee for consideration, and that it be enacted.

In accordance with the authority contained in section 6 of the Fish and Wildlife Act of 1956 (70 Stat. 1122; 16 U.S.C., 1952 ed., sec. 742(c)), the functions formerly exercised by the Secretary of Commerce relating to the issuance of Federal ship mortgage insurance on fishing vessels authorized by the Merchant Marine Act of 1936 were transferred to this Department (23 F.R. 2304).

The purpose of this proposed legislation is to permit the efficient execution of the transferred functions by continuing the application of the Merchant Marine Act of 1936, as amended, subsequent to the transfer of these functions. The Merchant Marine Act of 1936 authorizes the issuance of Federal ship mortgage insurance on all types of passenger, cargo, and combination passenger-cargo carrying vessels, tugs, towboats, barges, and dredges documented under the laws of the United States, as well as fishing vessels owned by citizens of the United States. While this function, so far as it relates to fishing vessels, has been transferred to this Department, the authority to insure construction loans and mortgages on vessels other than fishing vessels remains in the Secretary of Commerce.

By the terms of the Merchant Marine Act of 1936, as amended, the Federal ship mortgage insurance fund is used as a revolving fund for the purpose of carrying out the provisions of the act. The act authorizes a premium charge for the insurance of loans and mortgages, as well as a charge for the investigation of applications for insurance, the appraisal of properties offered for insurance, the issuance of commitments, and for the inspection of properties during construction, reconstruction, or reconditioning. Funds so received are deposited in the revolving fund. The act further provides that "the faith of the United States is solemnly pledged to the payment of interest on the unpaid balance of the principal amount of each mortgage or loan insured under this title." In the event of default of the payment of principal and interest by the mortgagor, the insured mortgagee may demand payment of an amount equal to the unpaid principal and accrued interest from the United States. Upon an offer by the mortgagee to assign the loan or mortgage within 30 days after demand, the Secretary of Commerce, or the Secretary of the Interior for purposes of the transferred function, is required to accept the assignment and promptly pay to the lender the unpaid principal amount of the loan and unpaid interest thereon to the date of payment.

At the time the functions of the Secretary of Commerce relating to mortgage insurance on fishing vessels were transferred to the Secretary of the Interior, subsection (b) of section 1105 provided that "any amount required to be paid by the Secretary of Commerce pursuant to subsection (a) of this section shall be paid in cash." Subsequently, however, due to a special need that arose on the part of the Department of Commerce, the act was amended on July 15, 1958 (Public Law 85–520, 72 Stat. 358). This amendment was designed to implement the pledge of faith clause by providing a means for paying amounts required to be paid under subsection (a) of section 1105 when moneys in the revolving fund are insufficient. Section 1105(b) was amended by inserting at the end thereof the following sentences:

"If at any time the moneys in the Federal ship mortgage insurance fund authorized by section 1102 of this act are not sufficient to pay any amount the Secretary of Commerce is required to pay by subsection (a) of this section, the Secretary of Commerce is authorized to issue to the Secretary of the Treasury notes or other obligations in such forms and denominations, bearing such maturities and subject to such forms and conditions that may be prescribed by the Secretary of Commerce, with the approval of the Secretary of the Treasury. Such notes or obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield and outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of such notes or other obligations. The Secretary of the Treasury is authorized and directed to purchase any notes or other obligations to be issued hereunder and for such purpose he is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such act, as amended, are extended to include any purchases of such notes and obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this section. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States. Funds borrowed under this section shall be deposited in the Federal ship mortgage insurance fund and redemptions of such notes or obligations shall be made by the Secretary of Commerce from such fund."

We have published in the Federal Register notice of rulemaking covering the fishing vessel mortgage insurance program; however, we find that it is difficult if not impossible to carry out the transferred functions. The July 15, 1958, amendment of the Merchant Marine Act, which we have quoted, specifically confers authority upon the Secretary of Commerce to make definite arrangements with the Secretary of the Treasury for the payment of any defaults that may arise in connection with the mortgage insurance activities. Due to the fact that the transfer of the functions, relating to fishing vessels preceded the amendment in question, there is doubt that the latest amendment of the act applies to this Department. In any event, in carrying out our functions under the act, there would be insufficient funds in the early stages of our operations to pay off a claim unless there were an initial appropriation made to the fund. Such an appropriation, however, would tie up Government funds for an unspecified length of time with no indication that such funds would ever be needed.

In the foregoing circumstances, we consider that the procedure set forth in the latest amendment to the Merchant Marine Act of 1936 should be made applicable to our functions as well as to the functions of the Secretary of Commerce under the act. We have discussed this program relating to the mortgage insurance on fishing vessels with six banks and three insurance companies. These firms have indicated some degree of interest in the program; however, we are informed that all except two of the banks would refuse to accept this mortgage insurance on fishing vessels unless we can give them assurance that funds will be available to pay off promptly, in accordance with the terms of the act, any claims that may be caused by a default. In this connection, it should be noted that a claim for a default would not necessarily indicate a net loss to the fund as the collateral may be sufficient to pay the entire amount of the claim upon liquidation thereof. If we are to carry out the purposes of the Fish and Wildlife Act of 1956 in carrying out the mortgage insurance functions relating to fishing vessels that have been transferred to us, it is essential that we be in a position to pay promptly any claims that may result from such mortgage insurance.

We have been advised by the Bureau of the Budget that there would be no objection to the submission of this proposal to the Congress.

Sincerely yours,

ROSS LEFFLER,
Assistant Secretary of the Interior.

REMOVAL OF GEOGRAPHICAL LIMITATIONS ON ACTIVITIES OF COAST AND GEODETIC SURVEY

Mr. MAGNUSON. Mr. President, on behalf of myself, and the Senator from California [Mr. ENGLE], by request, I introduce, for appropriate reference, a bill to remove geographical limitations on activities of the Coast and Geodetic Survey, and for other purposes. I ask unanimous consent that a statement in support of the proposed legislation may be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 2482) to remove geographical limitations on activities of the Coast and Geodetic Survey, and for other purposes, introduced by Mr. MAGNUSON (for himself and Mr. ENGLE), by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The statement presented by Mr. MAGNUSON is as follows:

STATEMENT IN SUPPORT OF PROPOSED LEGISLATION TO REMOVE GEOGRAPHICAL LIMITATIONS ON ACTIVITIES OF THE COAST AND GEODETIC SURVEY, AND FOR OTHER PURPOSES

The act of August 6, 1947, which provides basic authority for the activities of the Coast and Geodetic Survey authorizes surveys, observations, measurements, and charting activities in the United States, its Territories, and possessions.

The purpose of the proposed legislation is to clarify ambiguous language in the act of August 6, 1947, and to provide statutory authority for the Secretary of Commerce to conduct activities listed in that act without regard to the geographical limitations set forth therein in connection with projects designated essential to the national interest by the head of an executive department or agency.

The rapid development of the exploration of outer space, the impelling need for increasing our knowledge of the oceans, and the increasing range of scientific investigation and study generally require, for maximum effectiveness, the gathering of increasingly detailed and more widespread geophysical data, which includes geodesy,

oceanography, seismology, and geomagnetism. The Coast and Geodetic Survey as a Government agency primarily responsible for surveys in these fields has experienced a rapidly increasing demand for its services in connection with these activities. Many of these requests require data relating to geographical locations and geophysical phenomena which can be obtained only from surveys, observations, measurements, or investigations outside the United States, its Territories, and possessions. Under the geographical restrictions set forth in the 1947 act, the Coast and Geodetic Survey is unable to collect through its own field parties such data and regardless of the necessity in the national interest for precise data is forced to rely upon other sources for the necessary observations, surveys, measurements, and investigations with no control over methods, standards of accuracy, or priorities to be established for the various projects.

The oceanographic program as proposed by the National Academy of Sciences and National Research Council, which is now being considered by the Congress, recommends that the Coast and Geodetic Survey be responsible for half of the deep-ocean surveys. The inclusion of the geographical restrictions in the 1947 act poses a question as to whether or not the Coast and Geodetic Survey has the legal authority to conduct hydrographic and oceanographic surveys on the high seas. This question is raised by the ambiguity of the phrase "(including surveys of off-lying islands, banks, shoals, and other offshore areas)" in section 1(1) of the act.

A question is also raised by the inclusion of the geographical limitations in section 1 as to whether or not the Coast and Geodetic Survey has the authority to conduct the activities enumerated in that section in areas outside the United States, its Territories, and possessions as a reimbursable project for another department or agency in accordance with section 601 of the Economy Act of 1932 (31 U.S.C. 686).

The proposed legislation would authorize the Coast and Geodetic Survey to carry out its activities without regard to geographical limitations whenever the head of an executive agency determines the project to be essential to the national interest.

Since the enactment of the enclosed draft bill would not, in the foreseeable future, entail annual expenditure of appropriated funds in excess of $1 million, the provisions of Public Law 801, 84th Congress, are not applicable.

FLEXIBILITY IN PERFORMANCE OF CERTAIN FUNCTIONS OF COAST AND GEODETIC SURVEY AND WEATHER BUREAU

Mr. MAGNUSON. Mr. President, by request, on behalf of myself, and the Senator from California [Mr. ENGLE], I introduce, for appropriate reference, a bill to provide flexibility in the performance of certain functions of the Coast and Geodetic Survey and of the Weather Bureau. I ask unanimous consent that a statement of purpose and need of the bill may be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 2483) to provide flexibility in the performance of certain functions of the Coast and Geodetic Survey and of the Weather Bureau, introduced by Mr. MAGNUSON (for himself and Mr. ENGLE), by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The statement presented by Mr. MAGNUSON is as follows:

STATEMENT OF PURPOSE AND NEED

The purpose of the bill is to make possible simplification of appropriation act language and to provide flexibility in the legal provisions under which the Coast and Geodetic Survey and the Weather Bureau, in the Department of Commerce, carry out certain functions relating to oceanographic observations, seismograph observations, magnetic observations, meteorological observations and meteorological investigations in the Arctic region.

Section 2 of the act of July 22, 1947, 61 Stat. 400, 33 U.S.C. 873, authorized the Coast and Geodetic Survey to pay extra compensation to members of crews of vessels when assigned duties as bombers or fathometer readers, and to employees of other Federal agencies while observing tides or currents or tending seismographs, at such rates as may be specified from time to time in the appropriation concerned.

During the intervening years, it has been necessary each year to incorporate in the appropriation for the Coast and Geodetic Survey language fixing the above-mentioned rates. This has resulted in an unnecessary and undesirable complication of the appropriation act language. In addition, the rate incorporated in the appropriation act language tends to become fixed and inadequate in the light of changing times and conditions. Necessary adjustments from time to time require the attention of the Congress, even though they are of negligible significance compared with the many important questions of public policy which urgently require the attention of the Congress.

To remedy this difficulty and provide necessary flexibility, it is proposed in section 1 of the bill to authorize the Secretary of Commerce to fix the rates rather than to require them to be specified in appropriation acts.

Section 1 of the bill would also correct certain obsolete language. In view of technological advances in the nature of the work concerned, the phrase in the present law "assigned duties as bombers or fathometer readers" would be changed to "assigned duties as instrument observer or recorder", and "tending seismographs" would be changed to "tending seismographs or magnetographs".

The Weather Bureau has a similar but somewhat more complex problem. Section 3 of the act of June 2, 1948, 62 Stat. 286, 15 U.S.C. 327, authorized the Weather Bureau to (a) grant extra compensation to employees of other Government agencies for taking and transmitting meteorological observations, and (b) appoint employees for the conduct of meteorological investigations in the Arctic region without regard to the civil service and classification laws and titles II and III of the Federal Employees Pay Act of 1945, both at base rates which shall not exceed such maximum rates as may be specified from time to time in the appropriation concerned.

The foregoing language makes it necessary to specify the rates mentioned in the appropriation language each year. This unnecessarily complicates the appropriation language, fixes the rates in relatively rigid form, and makes it necessary to take up the time of the Congress in consideration of adjustments in such rates. In addition, the section as enacted in 1948 contained an exception from the classification laws. This exemption was nullified by the Classification Act of 1949, and it has been necessary to reenact it each year in the annual appropriation act.

The additional complexity in the appropriation act resulting from the necessity of including these details is reflected by the fact that two-thirds of the appropriation act language is devoted to a proviso setting forth these details.

Section 2 of the bill would authorize the Secretary of Commerce to prescribe the rates concerned, at base rates not to exceed the maximum scheduled rate for GS–12, and would reenact on a continuing basis the exemption from the classification laws which is now dependent on annual appropriation acts.

Changes in the rates now specified in the appropriation acts are urgently needed. The Coast and Geodetic Survey reports that it is no longer practicable in numerous localities to obtain the services required for only $1 a day, the rate now authorized by statute. An increase in the rate to $5 a day is now essential. The Weather Bureau reports it is no longer practicable in many localities to obtain the services required for only $5 a day. An increase in the rate to $8 a day is now required.

Enactment of the bill would make it possible to simplify the appropriation act for the two appropriations concerned, provide much-needed flexibility in the periodic adjustment of the rates, and eliminate the necessity for asking the Congress to legislate on what are essentially minor details of administration.

SETTLEMENT OF CURRENT STEEL STRIKE

Mr. SYMINGTON. Mr. President, a large majority of the American people approve President Eisenhower's invitation to Mr. Khrushchev to visit the United States next month.

We hope that this visit will impress on him the basic strength of this country; and that this impression will be reflected in his subsequent conduct in the field of foreign policy.

This new development gives an important additional reason for a prompt settlement of the already 3 weeks old steel strike.

Therefore, I submit for appropriate reference a Senate concurrent resolution expressing the sense of the Congress that the President take certain actions in the national security and welfare to settle this strike.

I ask unanimous consent that this concurrent resolution remain at the desk through Friday, August 7, to permit additional Senators to associate themselves with it.

The PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will lie on the desk, as requested by the Senator from Missouri.

The concurrent resolution (S. Con. Res. 69) was referred to the Committee on Labor and Public Welfare, as follows:

Whereas the current strike in the steel industry has already caused widespread unemployment, reduced national production, and resulted in great financial loss to steelworkers, to steel companies, and to related industries; and also heavy loss of revenue to the Government;

Whereas such strike, if prolonged, will affect the national security and welfare;

Whereas these circumstances create an overriding public interest in the speediest possible settlement of such strike;

Whereas the parties having reached an impasse, assistance from the Government is therefore necessary to encourage speedy settlement of the strike within the framework of free collective bargaining;

Whereas the deadlock results from a basic dispute between the parties as to the facts bearing upon the issues, and also from disagreement between the parties as to what course of settlement will best serve the public interest: Now, therefore, be it

Resolved by the Senate of the United States (the House of Representatives concurring), That it is the sense of Congress:

That the President of the United States use the prestige and influence of his high office in an effort to obtain promptly a reasonable settlement.

SEC. 2. That he invite the responsible principals in the steel dispute to meet with him in order to impress upon them their primary responsibility to the Nation to conclude an early and reasonable settlement;

SEC. 3. That the President should set an early date at which, in the absence of a fair and reasonable settlement, he will take further action; and

SEC. 4. That upon failure of the parties to conclude a settlement by that date, the President should apoint an impartial Board, headed by public figures, with established reputations, to ascertain the facts with respect to the dispute; and to make public a full and complete report of such facts, with recommendations as to terms of settlement of the dispute which will best serve the national interest and be fair and equitable to both parties.

CONVEYANCE OF CERTAIN LANDS TO STATE OF ILLINOIS—AMENDMENTS

Mr. MORSE submitted amendments, intended to be proposed by him, to the bill (S. 747) to provide for the conveyance of certain lands known as the Des Plaines Public Hunting and Refuge Area to the State of Illinois, which were ordered to lie on the table and to be printed.

AMENDMENT TO CONSTITUTION RELATING TO FILLING OF TEMPORARY VACANCIES IN THE HOUSE OF REPRESENTATIVES—AMENDMENTS

Mr. KEATING submitted amendments, intended to be proposed by him, to the joint resolution (S.J. Res. 39) to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives, which were ordered to lie on the table and to be printed.

JAMES MADISON MEMORIAL—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Mr. NEUBERGER. Mr. President, I ask unanimous consent that the names of the senior Senator from Illinois [Mr. DOUGLAS] and the junior Senator from Texas [Mr. YARBOROUGH] be added as cosponsors of the joint resolution (S.J. Res. 117) to establish a commission to formulate plans for a memorial to James Madison, introduced by me on July 7, 1959.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE OF HEARINGS ON PROPOSED LEGISLATION AMENDING THE NATIONAL BANKING LAWS

Mr. ROBERTSON. Mr. President, as chairman of the Committee on Banking and Currency, and as chairman of its Subcommittee on Banking, I wish to announce the commencement of hearings on legislation amending the national banking laws. The proposed legislation consists of the following bills:

H.R. 8159, by Mr. BROWN of Georgia, to amend the national banking laws to clarify or eliminate ambiguities, to repeal certain laws which have become obsolete, and for other purposes.

H.R. 8160, by Mr. BROWN of Georgia, to amend the lending and borrowing limitations applicable to national banks, to authorize the appointment of an additional Deputy Comptroller of the Currency, and for other purposes.

It is my intention to hold hearings on these bills prior to adjournment of the Congress, on a day or days to be determined later. In the meantime all persons who wish to appear and testify at hearings on these bills are requested to notify Mr. J. H. Yingling, chief of staff, Committee on Banking and Currency, room 5300, Senate Office Building, telephone Capitol 4-3121, extension 3921, as soon as possible.

NOTICE OF HEARINGS ON PROPOSED LEGISLATION TO REGULATE SAVINGS AND LOAN HOLDING COMPANIES

Mr. ROBERTSON. Mr. President, as chairman of the Committee on Banking and Currency, and as chairman of its Subcommittee on Banking, I wish to announce the commencement of hearings on legislation to regulate savings and loan holding companies. The proposed legislation consists of the following bill:

H.R. 7244, to promote and preserve local management of savings and loan associations by protecting them against encroachment by holding companies.

It is my intention to hold hearings on this bill prior to adjournment of the Congress, on a day or days to be determined later. In the meantime all persons who wish to appear and testify at hearings on this bill are requested to notify Mr. J. H. Yingling, chief of staff, Committee on Banking and Currency, room 5300, Senate Office Building, telephone Capitol 4-3121, extension 3921, as soon as possible.

NOTICE OF HEARING ON NOMINATION OF BYRON E. BLANKINSHIP AND 146 OTHER FOREIGN SERVICE OFFICERS FOR PROMOTION

Mr. MANSFIELD. Mr. President, on behalf of the Committee on Foreign Relations, I desire to announce that the Senate today received the nominations of Byron E. Blankinship and 146 other Foreign Service officers, for promotion.

In accordance with the committee rule, the pending nominations may not be considered prior to the expiration of 6 days.

DEATH OF MRS. WILLIAM LANGER

Mr. DIRKSEN. Mr. President, it is with a heavy heart that I announce to the Senate the death of Mrs. William Langer, the wife of the distinguished Senator from North Dakota.

It was my pleasure to know her well. Never in my lifetime have I encountered any person at once so gracious and so kindly as Mrs. Langer. Her passing comes as a great shock to the family, and to all the friends of the Senator.

Mr. YOUNG of North Dakota. Mr. President, it is with the deepest sorrow that I learn of the passing of Mrs. Langer.

Mrs. Langer was one of the most outstanding and wonderful women I have ever known. Surely, no one could have been a finer mother of a most lovable family.

Lydia Langer enjoyed the respect and admiration of all the people of North Dakota and wherever people came to know her.

On behalf of Mrs. Young and myself may I extend our deepest sympathy to Senator LANGER and his lovable family.

Mr. JOHNSON of Texas. Mr. President, I am deeply distressed, as I know every other Member of the Senate is, to learn of the passing of Mrs. Langer.

She was a good lady, a wonderful person, a fine companion, and a friend of many Members of this body and their wives.

To her husband and the others she leaves behind, we extend our deep sympathy and our great respect.

Mrs. Johnson joins me in this solace to the members of this distinguished family.

Mr. WILEY. Mr. President, I join in the sympathetic expressions which have been made on the passing of Lydia Langer. Everyone who knew her felt that here was a real woman. Of course, the family and BILL will miss that fine influence.

We extend to them all our heartfelt sympathy.

Mr. KEATING. Mr. President, I wish to join the distinguished Senator from Illinois and other Senators in expressing sympathy to our colleague, BILL LANGER, and his fine family.

We all know the great handicap under which he has labored during recent weeks. Our hearts and prayers will be with him and his family.

Mr. CHAVEZ. Mr. President, I wish to join my colleagues in paying tribute to a wonderful mother and wife.

I believe that my family knew Mrs. Langer and her family possibly as well as we knew any other family in Washington. She reared a fine family. We wish she were still alive. She made a great contribution to society.

Mr. THURMOND. Mr. President, on behalf of Mrs. Thurmond and myself, I extend our deepest sympathy to Senator LANGER and his family on the death

of Mrs. Langer. She was a lady of lofty character and high ideals, and had a host of friends. She will be greatly missed.

Mr. GRUENING. Mr. President, I should like to join in these expressions of sympathy for our beloved colleague in the deep and tragic loss which he has suffered. Those of us who have known him for many years know how devoted a family man he was, and how painful the loss is.

On behalf of Mrs. Gruening and myself, I extend our heartfelt sympathy.

Mr. JAVITS. Mr. President, I should like to join my colleagues in condolences to Senator LANGER. I believe that all of us who know BILL so well know what he has been through in recent times. Our hearts go out in sympathy to him, knowing the wonderful family feeling which existed, and the fine companionship which he has treasured.

He has suffered a great loss in the death of Lydia Cady Langer, whom we all knew as a gracious and lovely lady, a fine woman, and a great spouse for our beloved colleague, BILL LANGER.

I know that every other Senator, if he were present in the Chamber, would join us in these expressions of sympathy and sincere condolences.

Mr. ERVIN. Mr. President, I express the hope and the prayer that He who marks the sparrow's fall and numbers the hairs of our heads may bring comfort to our friend BILL LANGER in this hour of deep distress.

Mr. MANSFIELD. Mr. President, I have just been informed of the death of a dearly beloved friend, Mrs. Lydia Langer, the wife of the distinguished senior Senator from North Dakota. Mrs. Langer was well known and beloved in Montana, because she and her husband did us the honor to visit our State on many occasions. I know that her passing will be a deep loss to the people of the middle section of the United States.

I extend deepest condolences and the most heartfelt sympathy on behalf of Mrs. Mansfield, Anne, and myself to Senator LANGER and his family in their hour of bereavement.

Mr. SALTONSTALL. Mr. President, I join with the Senator from Montana [Mr. MANSFIELD] and other Senators in extending deep sympathy to the distinguished senior Senator from North Dakota [Mr. LANGER] upon the death of his wife.

As one who knew Mrs. Langer over the years, I admired the way in which she brought up her fine family of girls. I knew her as a friend. I can appreciate very much the great loss which her death means to her husband, our colleague, Senator LANGER.

Mrs. Saltonstall joins with me in sending heartfelt sympathy to Senator LANGER in this hour of sadness.

Mr. KEFAUVER. Mr. President, I join with other Senators in expressing deep sorrow over the passing of Mrs. William Langer. We who have been here for a time know that she was always thoughtful, considerate, and pleasant. She was always interested in the families of other Members of the Senate and in what was taking place in the Senate. We know of the very deep devotion which existed among the members of the Langer family—Senator LANGER, Mrs. Langer, and their daughters.

It has been my pleasure to be in their home, where I came to know Mrs. Langer quite well. I considered her to be one of the outstanding, most delightful women I have ever known in Washington.

We know also what a tremendous, shocking blow Mrs. Langer's death will be to Senator LANGER. All of us, I am certain, extend to him and their daughters our deepest sympathy. I hope he may take comfort in the knowledge that all of us will have him in mind and will wish him every blessing and comfort during the trying days of his bereavement.

Mr. BRIDGES. Mr. President, I wish to express my sympathy and that of Mrs. Bridges to Senator LANGER in the loss of his wife, Lydia Cady Langer, who died today, August 4, at the George Washington University Hospital. Mrs. Bridges and I knew Mrs. Langer as a gracious lady in whose company we were delighted to be over many years. We knew her as a fine mother and wife.

I extend our sympathy also to the four daughters of Senator and Mrs. Langer and to their 12 grandchildren.

Senator LANGER and his wife were married 41 years ago, while he was attending Columbia University in New York. When death takes away a man's wife of 40 anniversaries, the loss is bound to be great, especially when his life's partner devoted herself to being wife to her husband and mother to their children.

Such a woman was Mrs. Langer.

Again, I extend deepest sympathies to Senator LANGER and his family.

Mr. JACKSON. Mr. President, I wish to associate myself with the remarks of my colleagues in connection with the passing of Mrs. Wiliam Langer, the wife of our distinguished senior colleague from North Dakota.

It has been my privilege to know Mrs. Langer and her wonderful family for many years. She was a gallant lady, a devoted wife, and a loving and understanding mother. I had the opportunity of visiting with her during her last illness. In this she demonstrated the best that can be found in any human being. She was courageous; she never complained; she was selfless; her only interest to the very last was what it had been during a lifetime of marriage—love and devotion to her family, her community, State, and Nation, and to her church.

Mr. President, all of this was possible by reason of her deep and devout religious faith. She was a woman of great faith, which made it possible for her to surmount great obstacles. She was a tower of strength to her husband and to her family.

Mr. President, I extend to my colleague and to his family my deepest sympathy.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to express my deep sympathy to the senior Senator from North Dakota in the passing of his dear wife, the former Miss Lydia Cady.

Throughout their married years Mrs. Langer was an inspiration to the distinguished senior Senator from North Dakota, and a perfect helpmate in his political career.

Mrs. Johnston and I knew Mrs. Langer intimately and treasured her friendship. We know the great void that will be left in the Langer family because of her passing.

I extend deepest sympathy to the senior Senator of North Dakota and his lovely family.

Mr. MORSE. Mr. President, Mrs. Morse and I are deeply saddened to learn of the death of Mrs. William Langer today. Lydia, as she was known to us, was a wonderful and gracious woman and we shall miss her very much. To Senator LANGER, and to the family, Mrs. Morse and I express our deep sympathy. Our prayers go with them at this time of sorrow.

When we first came to the Senate and commenced our services here Mrs. Langer extended many, many courtesies to Mrs. Morse. A beautiful friendship developed between them.

SOLDIERS AS SERVANTS: A BAD PRACTICE

Mr. GRUENING. Mr. President, the Daily Press reports and I have heard that officers in the military services of our country have been making rather wide use of enlisted personnel as servants and flunkies.

In the mail this week, I received from one of my constituents in Alaska a bulletin which apparently was posted at one of our Air Force bases in my State. The bulletin explains itself. It says:

> Request volunteers for the position of airman's aide to colonel. * * * Airmen must meet the following requirements: Neat in appearance; some knowledge of cooking; know how to tend bar; single or unaccompanied. Should be an airman, first class, or staff sergeant. Those interested are to contact the first sergeant not later than 1200 hours, 21 July 1959.

This announcement is signed by a master sergeant of the U.S. Air Force.

The constituent who sent it to me, who I suspect may be one of our servicemen who did not volunteer for this glamorous position, cooking and tending bar for the colonel, appended a note which asked:

> Is this the way our boys are trained to defend our country? Is this how our tax money is used?

I should like to ask those same questions here in the Senate of the United States. If a mere "chicken colonel" rates an aide who must know both how to cook and how to tend bar, I am wondering what kind of servants we are furnishing at the taxpayers' expense to generals in the armed services.

Mr. President, it would appear that the practice of which the bulletin I have quoted is an evidence is widespread. In one of the newspaper columns last week I noted an allegation that even President Eisenhower, presumably because of his position as Commander in Chief, has had as many as 10 servicemen assigned to him to perform duties of mess boys and servants at the White House. I hesitate to believe that such a situation could exist, and I hope a denial from the White House will be forthcoming soon.

Mr. President, I think we all share the view that the young men who are called into the service of our country as soldiers, sailors and airmen should not be used as servants of the officer class. If the "brass" desires such domestic service, they should hire it from civilian ranks and pay for it. Certainly the pay of a colonel or higher ranking officer is adequate to afford such personal domestic service if it is desired. I am sure that such culinary and beverage dispensing service can be obtained from the Culinary Workers' Union and Bartenders' Union without difficulty. I feel that this practice further emphasizes a caste and class distinction between officers and enlisted men which runs counter to our democratic principles. In addition to the other objectionable aspects of calling upon men in uniform to perform personal domestic service for their officers is that it is another variation of Government competition with private enterprise. I have written to the Secretary of the Air Force for an explanation of this instance from my own State which has just come to my attention.

The distraught mother who once might have said, "I did not raise my boy to be a soldier," could, I feel, just as truly today plead, "I did not raise my boy to tend bar, or cook for a colonel, or be an officer's chauffeur, or caddy for a general on a golf course."

I hope this practice will be terminated promptly and voluntarily by action of those in charge of our military services before the citizens of America rise up and demand that that be done.

NEW YORK STATE CONTRIBUTORS TO AMERICAN NATIONAL EXHIBIT IN MOSCOW

Mr. KEATING. Mr. President, the American National Exhibition in Moscow has been a very considerable success. This has been evident in the tremendous throngs of Russians who have viewed it, and in the frantic efforts of Moscow's propagandists to depreciate it.

I am proud to note that many New York firms and individuals have made substantial contributions to the success of this exhibition.

George Nelson & Co., of New York, were chief designers for the exhibit, responsible for all interior and exterior displays. Nelson also designed the plastic pavilions, which were constructed by Lunn Laminates, Inc., of Huntington, Long Island. The exhibition hall was fabricated and erected by Reynolds-Feal Co., of New York and Milan, Italy. The landscape architect and site planner for the exhibition was the New York firm of Robert Zion and Harold Breen.

Thirty-three New York firms were among those contributing to the packaging display at the exhibition. I ask unanimous consent that their names be printed at this point in the RECORD.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

Corning Glass Works, Corning; Rek-O-Kut Co., Inc., Corona; Pan American World Airways, Jamaica; Patricia Murphy Greenhouse Perfumes, Mount Vernon; Bristol-Myers Co., New York; Bloomingdale Bros., New York; Lord & Taylor, New York; Masterset Brush Co., New York; Vonder Lancken & Lindquist, New York; Harry & Marion Zelenko, New York; Raymond Loewy Association, Inc., New York; Pantasote Co., New York; Capital Records, New York; S. Neil Fujita, New York; Donald Deskey Associates, New York; Dixie Cup Co., New York; Precision Valve Corp., Yonkers; Ed-U-Cards, Long Island City; Equitable Paper Bag, Long Island City; El Producto, Long Island City; Hudson Pulp & Paper Co., New York; Laverne Originals, New York; Elizabeth Arden Sales Corp., New York; Bergdorf Goodman Co., New York; Imco Container Corp., New York; Plax Corp., New York; American Machine & Foundry Co., Inc., New York; Revlon, Inc., New York; Harry Lapow Associates, New York; Prestige Records, Inc., New York; Mercury Record Corp., New York; Airkem, Inc., New York; Avon Products, Inc., New York.

Mr. KEATING. Mr. President, 15 New York firms were among those which underwrote the plastic pavilion at the exhibition. I ask unanimous consent that their names be printed at this point in the RECORD.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

Allied Chemical Corp., New York; Shell Chemical Corp., New York; Food Machinery & Chemical Corp., New York; Owens-Corning Fiberglass Corp., New York; Reichhold Chemicals, Inc., White Plains; Argus Chemical Corp., Brooklyn; General Products Corp., Union Springs; W. R. Grace Co., New York; American Cyanamid Co., New York; Celanese Corp. of America, New York; Hooker Chemical Corp., Niagara Falls; Union Carbide & Carbon Corp., New York; U.S. Rubber Co., New York; Claremont Pigment Dispersion Corp., Roslyn Heights; St. Regis Paper Co., New York.

Mr. KEATING. Mr. President, paintings were loaned for the fine arts exhibit at the Moscow exhibition by 19 New York museums, galleries, couples, and individuals. I ask unanimous consent that their names be printed at this point in the RECORD.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

Mr. and Mrs. William A. M. Burden, New York; Museum of Modern Art, New York; Metropolitan Museum of Art, New York; Whitney Museum of American Art, New York; the Honorable Mr. and Mrs. W. Averell Harriman, New York City; Brooklyn Museum; Joseph H. Hirshhorn, New York; Milton Lowenthal, New York; Munson-Williams-Proctor Institute, Utica; Rochester Memorial Art Gallery; Mr. A. Conger Goodyear, New York; Mr. Himan Brown, New York; Mrs. Phyllis B. Lambert, New York; Mr. and Mrs. Alexander Rittmaster, New York City; Kootz Gallery, New York; Mr. I. Donald Grossman, New York; Mr. Roy Neuberger, New York; Mrs. Eugene Speicher, New York; Mr. Dan R. Johnson, New York.

Mr. KEATING. Mr. President, 14 New York galleries or individals loaned sculpture. I ask unanimous consent that their names be printed at this point in the RECORD.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

World House Gallery, New York; Whitney Museum of American Art, New York; Grace Borgenicht Gallery, New York; Joseph Hirshhorn, New York; Kraushaar Galleries, New York; Robert Isaacson Gallery, New York; Pierre Matisse Gallery, New York; Perls Gallery, New York; The Artist, New York; Kootz Gallery, New York; Museum of Modern Art, New York; Metropolitan Museum of Art, New York; Stable Gallery, New York; Downtown Gallery, New York.

Mr. KEATING. I also ask unanimous consent, Mr. President, that there be printed at this point in the RECORD a list of 6 major sponsors, 20 participating sponsors, 26 cooperative sponsors, and 9 others who made New York's contribution to the American fashion display at the Moscow exhibition under the leadership of Leonard J. Hankin, executive vice president of Bergdorf Goodman, New York City.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

Major sponsors (located in New York City unless otherwise noted): Fairchild Publications, Seventeen Magazine, Suzy Perette Dresses, Inc., Helena Rubinstein, Man-Made Fiber Producers Association, Pendleton Woolen Mills.

Participating sponsors: Alamac Knitting Mills, American Institute of Men's & Boy's Wear, Alyssa Children's Wear, National Coat & Suit Recovery Board, Ohrbach's, Pellon Corp., Sears, Roebuck & Co., Ship and Shore, J. P. Stevens & Co., Van Raalte Co., Inc., Kramer Jewelry, Leather Industries of America, Arkay Junior Frocks, Associated Dry Goods Corp., Associated Fur Manufacturers, Inc., Berkshire Knitting Mills, Burlington Industries, Inc., Coiffures Americana, Eagle Clothes, Hart, Schaffner & Marx.

Cooperative sponsors: Allied Stores Corp., Amalgamated Clothing Workers of America, Montgomery Ward & Co., New York Girl Coat Co., Lou Nierenberg Corp., Palm Beach Co., Federated Dept. Stores, Sacony, Sterling Last, Long Island City, Michaels Stern & Co., W. T. Grant Co., Hat Corp of America, Hickey-Freeman Co., Rochester, LeRoi Hosiery Co., Merry Mites, Anglo Fabrics, Henri Bendel, Cluett Peabody, Cromwell Mills, Inc., Rogers Peet Co., Joseph Fligelman, Inc., Fox Knapp Mfg. Co., Gimbel Bros., H. W. Gossard Co., Zelinka-Matlick, Inc., Miles Shoes.

Other contributors: Affiliated Dress Manufacturers, Inc., National Dress Manufacturers Association, Inc., Popular Priced Dress Manufacturing Group, Inc., United Better Dress Manufacturing Association, United Popular Dress Manufacturing Association, Baker Clothes, Grossman Clothing Co., Harwood Manufacturing Co., Lustberg Nast.

Mr. KEATING. Mr. President, nine New York firms contributed to underwriting the costs of 3,500,000 souvenir guidebooks in Russian, and I ask unanimous consent that the names of those firms be printed at this point in the RECORD.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

All-State Properties, Inc., American Express Co., Continental Can Co., Inc., General Electric Co., IBM World Trade Corp., Macy's, Republic Steel Corp., Seagrams Distillers Co., Singer Manufacturing Co.

Mr. KEATING. Mr. President, 18 New Yorkers were among the 75 guides selected for the exhibition, I ask unanimous consent that their names be printed at this point in the RECORD.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

Joan Barth, New York; Thomas Conroy, Yonkers; Sam Driver, New York; George

Feifer, New York; Paul F. Gottlieb, Long Island City; Barry F. Rubin, New York; Mrs. Elizabeth Shepard, New York; Mrs. Elizabeth Valkenier, New York; Claire de Saint-Phalle, Scarsdale; Mrs. Natasha Carlton, New York; Harris Coulter, New York; Olha Dyhdalevych, New York; Mrs. Helen Gillespie, Riverdale; Edith F. Rogovin, Buffalo; Charlotte Saikowski, New York; Andrew Swatkovsky, New York; Frederick Willerford, New York; Jane Gary, New York.

Mr. KEATING. Mr. President, the photographic display of American architecture included 10 New York structures—United Nations Headquarters, the Sculpture Garden of the Museum of Modern Art, the Seagram Building, the Roosevelt Field Shopping Center on Long Island, the Greenburgh High School, the Knesses Tifereth Israel Synagogue at Port Chester, the Esso Office Building and models of Lever House and the Tishman Building in New York City, and Heathcote Elementary School in Scarsdale. And finally, I might note that the Swirl Co. of New York made the yellow-and-white striped dresses worn by the girls serving free Pepsi-Cola at the exhibition.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. JAVITS. Mr. President, I compliment the distinguished junior Senator from New York for compiling this information. I think it is most desirable. It is a matter of great State pride for us that individuals and companies in the State of New York have participated in this way.

I saw the fashion exhibit at the Institute of Fashion Technology in New York before the exhibit was sent to Moscow. It was tremendously impressive. It showed the resourcefulness and creativity of the ready-to-wear industry in New York. I think our State has every reason to be very proud.

I am very grateful to the junior Senator from New York for having amassed this information and for placing it in the RECORD.

Mr. KEATING. I thank the senior Senator from New York for his contribution to the discussion.

Mr. President——

The PRESIDENT pro tempore. The Senator from New York.

HELP FOR THE SELF-EMPLOYED

Mr. KEATING. Mr. President, for a number of years it has been apparent that the tax treatment accorded self-employed persons with regard to their retirement savings is not comparable to the application of the laws to employees covered by employer-financed pension plans. Within budgetary limitations, this imbalance should be rectified. I sponsored similar legislation in the House of Representatives for several years.

In this connection, a clear and strong presentation of the need for H.R. 10 and the ramifications of statutory changes in this field recently appeared in the New York Herald Tribune. It was written by an expert in the field, and provides valuable information for those concerned with the need for special help for our self-employed. I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune, July 12, 1959]

PENSION TAX BREAK LOOMS

(By Henry T. Vance)

Some 10 million self-employed Americans may soon receive a highly important tax concession in the form of tax deductible pension plans.

This is what is being sought under the Keogh-Simpson bill, which passed the House of Representatives last March and is now awaiting Senate action.

While there have been no indications as to how the Senate Finance Committee might act on this bill, its outlook at this time is perhaps more favorable than at any time since 1951, when Representative EUGENE J. KEOGH, Democrat, of New York, first introduced a bill with this objective.

In fact, many mutual fund sponsors, including Vance, Sanders & Co., Inc., which distributes Boston Fund, Massachusetts Investors Trust, and three other funds, have joined leading banks and insurance companies in preparing to offer plans when the bill is passed.

The plan being considered by Vance, Sanders offers a simple and flexible feature whereby self-employed individuals may use mutual fund shares in setting up a restricted retirement trust fund.

The Keogh-Simpson bill—Representative RICHARD M. SIMPSON, Republican, of Pennsylvania, is cosponsor—would provide that self-employed individuals subject to income taxes under section 1401 of the Internal Revenue Code be allowed a tax concession on a maximum of 10 percent of earned income, not to exceed $2,500 annually or $50,000 in their lifetime. This exemption would be granted if they became members of a qualified pension fund. The benefits under the plan would be subject to a tax upon retirement.

PENSION PLANS SPREAD

The project of providing employees with income for their retirement years has grown rapidly in recent years. About one worker out of three today is covered by either a profit-sharing or pension plan at an estimated annual cost of some $5 billion. This is more than 15 times greater than in 1940. This growth has been sparked, of course, by special deferred tax benefits. Unfortunately today's doctors, lawyers, and other businessmen who are self-employed do not qualify for the tax benefits available to businesses and their employees under Internal Revenue-approved plans. Hence, the proposed Keogh legislation, which also is known as the self-employed individuals' retirement act of 1959.

The Keogh bill simply seeks to give the self-employed an opportunity to build a retirement nest egg along with a tax deferrment while he is doing so. The professional or businessman wants to live as comfortably in his retirement years as his brother employees of private industry. The trouble now is that the private industry employee can build his nest egg while the self-employed cannot.

This inequity, incidentally, has been done away with in both Great Britain and Canada in recent years. Can the United States be far behind?

TWO METHODS

There are two principal ways in which amounts may be contributed to a self-employment pension plan: One, a restricted retirement policy, and two, the aforementioned restricted retirement fund.

The first plan must be a contract issued by a life insurance company with the proviso for payment of retirement benefits. The second merely means a trust is established under a retirement plan for the benefit of one or more participants. The trustee must be a bank, and the investments of the trust are limited to stock or securities listed on a registered exchange, stock of a regulated investment company (mutual fund) or Government bonds.

There is, however, a move afoot to permit banks to serve as custodians, rather than trustees, where the retirement fund is invested in shares of regulated investment companies or Government obligations. This would give mutual funds equal status with banks and insurance companies in providing a complete plan for self-employed persons.

HOW IT WORKS

For example, shares of a mutual fund, under accumulation programs, are already held in custody by banks. A plan holder could merely segregate holdings, to the extent possible, under a qualified trust established for that purpose.

The Treasury Department has already given evidence of its approval to the custodian account concept by stating: "To reduce the cost of participating in the plan, an exception might be made for certain types of investment which do not appear to need the services of a trustee. For example, individuals might be permitted to purchase stock in a regulated investment company directly without the use of a trustee, provided there are appropriate safeguards and the company agrees to provide the Government with information regarding purchases and sales of its stocks under the plan."

Whether the Keogh bill is enacted this year or not, it appears that equitable tax treatment for the millions of self-employed Americans is on the way.

CANCELLATION OF HIGHWAY CONSTRUCTION BY NEW YORK DEPARTMENT OF PUBLIC WORKS

Mr. KEATING. A report in today's New York Times notes that the New York Department of Public Works has canceled the scheduled awarding Thursday of $36 million worth of highway construction. The reason given for this action is that the payment of Federal highway funds is to be discontinued after August 1 of this year.

Mr. President, this report points up the urgency of congressional action to permit the continuation of our Federal highway program. The need for more and better highways is of the highest priority. New York State's announcement, cutting back its highway program, reflects a dilemma that confronts every State of the Union. Before this situation is allowed to bring our national highway program to a total halt, we must take action.

Mr. President, I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HALT ON AID CURBS STATE ROAD WORK—UNITED STATES ENDS PLEDGE OF SHARE IN COSTS AND $36,800,000 CONTRACTS ARE STOPPED

(By Warren Weaver Jr.)

ALBANY, August 3.—The State public works department called off today the scheduled awarding Thursday of $36,800,000 worth of highway contracts.

It also deferred indefinitely State's 1959–60 program that involved Federal funds. Affected are 9 of 10 highway contracts.

The actions were based on notice to the State over the weekend that no Federal aid payments could be guaranteed for State contracts let after August 1.

The Federal Bureau of Public Roads sent word that Congress had not yet made any move to replenish the Federal highway trust fund, from which aid payments are made to the States.

SUFFOLK PROJECTS VOIDED

Among the 14 contracts being withdrawn are 2 in Suffolk County.

One would have provided $4,016,000 for a 4-mile, four-lane section of the Sunrise Highway Extension between Hampton Bays and Shinnecock Hills, together with more than 5 miles of access roads. The other proposed $1,444,000 for reconstruction of a 2-mile, four-lane section of Route 110 from Amityville north to the Southern State Parkway, including the demolition of 31 buildings.

Other major highway projects stalled are a $10,064,000 6-mile segment of Route 17 east of Binghamton and more than 10 miles and $13 million worth of the new Empire Stateway, to run from the Pennsylvania border to the Thousand Islands.

The State superintendent of public works, J. Burch McMorran, announced also that the State had already committed the spending of more than $20 million on highway projects for which Federal aid would normally be forthcoming but had not yet been guaranteed. The State expected to learn later this week whether the Federal trust fund had the resources to cover the aid for these projects.

Technically, Washington officials have already allocated Federal highway aid for the Federal fiscal year that ends next July 1. What they lack in money in the trust fund to allocate now for the 1960–61 fiscal year.

However, New York and a number of other States have used their own money to meet the Federal share of highway project costs in anticipation of reimbursement.

This State has a large stake in continuation of the Federal program. With the Federal Government paying 90 percent of the cost of interstate highway construction the State would expect to receive next year about $125 million in aid and $55 million in aid for other programs.

The proposed 1959–60 State program involves expenditures of $303,700,000. Contracts for only about $87 million worth of work have been let since the State fiscal year began April 1. About 90 percent of the program involves some Federal aid.

Two State public works officials conferred with Federal highway officials in Washington last week and delivered to Mr. McMorran the notice of the August 1 cutoff of guaranteed aid.

Acquisition of rights-of-way for Federal-aid highways is also being halted.

FIGHTING DISEASE ON A WORLD-WIDE BASIS

Mr. KEATING. Mr. President, as a cosponsor of the resolution to authorize American participation in an international crusade to stamp out disease and pestilence, which has passed the Senate, I am extremely hopeful the other body will act on this matter before this session ends. By means of the International Health and Medical Research Act, the United States can assert the kind of leadership which will not only pay off in healthier, happier lives for people everywhere, but will also contribute substantially to the cause of world peace.

Two opening witnesses appearing on the House side have made impressive presentations of the need for this new agency. In an editorial published this morning, the Washington Post states succinctly the need for congressional action to make possible American leadership in this field. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 4, 1959]

MOBILIZING RESEARCH

There are two compelling arguments in support of the proposed International Health and Medical Research Act which the Senate adopted and on which House hearings are now being held. The act would add to the research institutes of the U.S. Public Health Service a new agency to promote, coordinate and finance the war against disease on a worldwide basis. The lead-off witnesses in favor of the proposal, General of the Army Omar Bradley and Dr. Howard Rusk, made an impressive case for such an agency.

In the fight against disease, as Dr. Rusk pointed out, the United States has no monopoly on creative imagination, ingenuity and research potentials. The new agency would operate, in effect, to weld an alliance among researchers working now in isolation and often in ignorance of each other's efforts. It would help workers in other lands handicapped now by lack of funds. It would unite an attack now made disconnectedly and thus enhance its effectiveness. In addition, the proposed agency would have great utility in reaffirming to the world the interest of the United States in the welfare of mankind without regard to national boundaries. This is a kind of leadership in world affairs which Americans must ardently desire their country to assert.

NUCLEAR AIRCRAFT CARRIER

Mr. JAVITS. Mr. President, I am much pleased to note that the conferees on the Department of Defense appropriation bill, 1960, have agreed to appropriate $35 million for long-leadtime items in connection with proposed construction of a nuclear aircraft carrier. This action is well conceived, and is the result of the leadership of the Senate on the recommendation of the Senate Appropriations Committee, in making provision for a nuclear-powered carrier.

It takes account of the manifold responsibilities of our country whose policy must be backed up by the necessary military forces. This nuclear carrier underlines the fact that our commitments extend to limited regional security problems as well as to the dread possibility of an all-out conflict. Furthermore, there is much strategic thinking that in terms of total defense a nuclear carrier with its long staying power at sea and with new types of weapons can have enormous deterrent capability.

It is now timely to point out that there is no better place to build such a carrier than at the "can do" yard, the Brooklyn Navy Yard. The Brooklyn Navy Yard is distinguished by a long career of superior performance in the construction of naval vessels, including particularly aircraft carriers. A case in point is the recently completed *Independence*, which I had the honor of inspecting and of being present at its commissioning.

The large force of skilled workers at the Brooklyn Navy Yard, backed by the resources of the greatest city in the world, is ready to take on the job and to carry it through to completion with distinction. The Brooklyn Navy Yard has not been allotted its full and fair share of naval construction work. My colleague the Senator from New York [Mr. KEATING] and I and the whole congressional delegation from New York have been making that point constantly with our defense authorities. The loyal force of workers at the yard is ready to assume the task of building a nuclear carrier, and I earnestly hope that the job will be awarded to the "can do" Brooklyn Navy Yard.

Mr. JOHNSTON of South Carolina. Mr. President, I trust the Senator will also take note of the Charleston Navy Yard. That yard is prepared to do the work, and South Carolina would be glad to have it done there. The building facilities could be expanded there and probably the carriers could be built at less expense.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to my colleague from New York.

Mr. KEATING. Mr. President, I express my gratification over the action taken authorizing this nuclear carrier. I emphatically join with the senior Senator from New York in his fine presentation of the capabilities of the New York naval shipyard. It has the skilled workmen, adequate ways, and all the other necessary equipment. It seems to me that yard is the logical place for this carrier to be built.

I know that my colleague from New York, who has worked shoulder to shoulder with the other members of the New York congressional delegation in trying to bring this about, will continue his fine efforts to this end.

Mr. JAVITS. I may say to our colleague from South Carolina that there are only a very few yards in the country able to build a ship of this size and character, indeed, and my information is there are only two, but if Charleston is one of them, then God bless the Charleston yard for its capabilities.

However, I respectfully submit that in the Brooklyn Navy Yard we have the skilled workers, we have the space, and we have the experience needed. It is no derogation of any other yard if we put in our bid most strongly.

Mr. KEATING. And the New York naval shipyard needs the work.

Mr. JAVITS. It needs the work.

Mr. JOHNSTON of South Carolina. We certainly do not object to the Senators putting in their bid, but we also put in our bid for Charleston, S.C.

Mr. KUCHEL. Mr. President, I have the honor to suggest that if the Defense Department would like to build this great new carrier in California, we will be glad to accommodate them, and if we need any additional tools to do the job, we will try to arrange to get them.

Mr. JOHNSTON of South Carolina. Mr. President, will my colleague yield to me?

Mr. NEUBERGER. Mr. President, I ask for the regular order.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). The regular order has been requested. The Chair recognizes the Senator from South Carolina.

PROTECTION OF AMERICAN INVESTMENTS IN FOREIGN COUNTRIES

Mr. JOHNSTON of South Carolina. Mr. President, recently, the Cologne, Germany, Society To Advance the Protection of Private Foreign Investments issued a statement calling attention to the need for action such as that which the Senator from New Hampshire [Mr. BRIDGES] and I sought to undertake in connection with the passage of the mutual security authorization bill.

Our amendment, in its original form, would have permitted the President to deny future foreign aid to any nation which expropriated or confiscated U.S.-owned property without paying adequate compensation.

The Cologne society, in its statement, also reminds us that the Federal Government of Germany has written provisions into its budget law that would seek to protect foreign investments against illegal encroachments.

Inasmuch as I consider this entire question to be of vital importance in the entire area of economic aid abroad, I wish to bring the statement of the Cologne society to the attention of my colleagues at this time, and I ask unanimous consent that the statement be printed in the body of the CONGRESSIONAL RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

COLOGNE, GERMANY, *July 22, 1959.*

The Society To Advance the Protection of Private Foreign Investments today cited adoption by the U.S. Senate of the Bridges-Johnston amendment to the Mutual Security Act as proof of the fact that Germany has strong support in the United States in its belief in the sanctity of private property.

At the same time, the society praised the Federal Government of Germany for adopting provisions to the Federal budget law which seek to protect foreign investments against illegal encroachments.

These provisions set up guarantees, warranties or other assurances for private investors against political risks, provided the foreign investments involved are worth supporting.

The guarantees, warranties, or other assurances, however, would be dependent upon whether or not the country in which the investment is to be made has made an agreement with the Federal Republic providing for the protection of such capital investment either by agreement or other means.

The society added:

"This manifests the principle laid down by international law, and, consequently, also in the constitutions and trade agreements of many countries according to which foreign properties may not be taken from the investors by expropriation or similar actions unless there is prompt, adequate, and effective compensation. This is also one of the principles embedded in the draft for a multilateral convention drawn up by the society for the protection of private foreign investments in collaboration with similar groups representing England, France, and Switzerland. This draft, which is designed not only to protect future, but also presently existing foreign investments, states—in agreement with existing rules of international law—that expropriations which do not correspond to the aforementioned conditions are unlawful.

"That Germany is not the only country advocating this idea is shown by the Bridges-Johnston amendment adopted by the U.S. Senate suggesting a supplement to the Mutual Security Act, according to which countries expropriating American properties without adequate compensation may no longer receive foreign aid.

"There is a genuine need for effective protection of private foreign investments, not only as far as private investors interested in such investments are concerned, but also governments of the capital investing countries. This applies mainly to the German economy, which, in view of considerable foreign losses suffered in the past, has been very reluctant in the field of capital export. The Federal budget law also protects the interests of all citizens as it provides that tax money may not be spent for such countries which are not willing to protect rights and interests of foreigners against unlawful encroachments.

"The Cologne society is convinced that these provisions of the Federal budget law constitute an initial effective contribution to stem the lately growing tendency to violate private foreign rights. This most surely will also allow a considerable increase of Germany's share in development aid, with available means to go to such capital needy countries which abide by the rules of international law. The society hopes that in the interest of the capital investors—as well as the capital receiving countries—this initial step will pave the way for the conclusion of a broad multilateral protection convention which should be joined by as many countries as possible."

A. ROBERT SMITH, OF EUGENE REGISTER-GUARD, SURVEYS CAPE HATTERAS NATIONAL SEASHORE ON NORTH CARCLINA SEACOAST

Mr. NEUBERGER. Mr. President, a number of bills before the Senate would authorize establishment of the Oregon Dunes national seashore and other magnificent shoreline parks under jurisdiction of our U.S. National Park Service. I am pleased and proud to have my name associated with all these pieces of beneficial and forward-looking legislation.

It is the history of national parks that local opposition frequently exists at the time of their original authorization. This has occurred at Grand Canyon, Yosemite, Mount Rainier, Crater Lake, Shenandoah, and at many other great parks throughout the Nation. The proposed Oregon Dunes and Sea Lion Caves national seashore is no exception to this prevalent rule. Particularly in the vicinity of Florence, hostility has existed among some people to the idea of a national seashore park.

An enterprising daily newspaper in Lane County, where much of the seashore is located, the Eugene Register-Guard, decided to inquire into the basis of this opposition. Was it justified? The Guard and its editors turned their attention to the most appropriate example which was available to them—the Cape Hatteras national seashore on the North Carolina coast. Antagonism to this national seashore existed in the beginning, too. Yet 6 years ago the Cape Hatteras area park finally was established.

The Register-Guard detailed its able Washington, D.C., correspondent, Mr. A. Robert Smith, to make an on-the-scene study of Cape Hatteras. I think this is journalism at its best—to undertake a factual study which seeks to get behind the explosive words, the prejudicial phrases, the political catchalls, the superficial slogans and the half truths.

Would a national seashore recreation area be a good or bad thing for the lovely Oregon seacoast with its grandeur? How better to find out than to dispatch a trained newspaper reporter like A. Robert Smith to analyze and inquire into its counterpart across the continent on the Atlantic coast—namely Cape Hatteras? The Eugene Register-Guard has performed a valuable service for its readers in assuming the expense and effort of this comprehensive survey.

As a result of his extensive journey to the area of Cape Hatteras, Mr. Smith prepared four detailed articles for the Register-Guard. These were published on July 26, 1959, and for 3 successive days thereafter. I have profited by reading them and I have learned a great deal. I am certain that other readers of the Register-Guard will share this opinion.

I ask unanimous consent, Mr. President, to have these informative articles printed in the body of the RECORD. They support thoroughly, as I see it, the case for an Oregon Dunes national seashore. They review the early opposition to Cape Hatteras. They show the emotional intensity of this antagonism. But they also show how land values have risen due to the park, how the general economy of the region has soared to new high levels.

Opponents of Oregon Dunes complain that the national seashore will take property off the tax rolls. Opponents of Cape Hatteras voiced the same complaint. Yet A. Robert Smith quotes a leading banker in the Cape Hatteras area as pointing out that, while some property was removed from the tax rolls to comprise the park, land remaining on the tax rolls often increased in value 50 to 100 times as the park intensified and heightened the general economic activity of the region.

Furthermore, it is of crucial significance that, in the 6 years the Cape Hatteras national seashore has been in operation, visitors have soared from 100,000 in number to 348,000—an increase of over 300 percent. Business from tourist trade has risen 150 to 200 percent, according to Mr. Smith's article. This would seem to answer the arguments of seashore area development opponents that inclusion of the Oregon Dunes in the national park system would affect business adversely.

In my opinion, one of the major benefits from the series of articles from the Oregon newspaper is the emphasis that has been given to the different status of seashore recreation areas, as compared with national parks. National parks are primarily for preservation of some exceptional and unique scenic beauty, with

recreational activities there in a secondary category. The seashore recreation areas, on the other hand, underscore outdoor recreation activities such as swimming, fishing, sailing, boating, and waterfowl hunting, just as their name implies. The two types of development cannot be safely compared because of different basic functions.

I was very much interested in the portion of Mr. Smith's article which dealt with establishment of boundaries of Cape Hatteras. There has been much discussion in Oregon regarding what portions of the terrain should be included and what areas excluded from the recreation area. I thought it noteworthy in the Cape Hatteras development that, as Mr. Smith said:

Park Service officials held meetings in each village, drew up maps, and reached agreements with local citizens on where the most suitable boundary markers should be placed.

Thus we have ample evidence that local citizens will not be forced to unquestioningly accept any bureaucratic edicts, but that Park Service personnel devote much time to working out acceptable seashore area boundaries.

Cape Hatteras national seashore recreation area is the first and only park development of its kind within the United States. It provides a precedent and case history for similar use of shoreline elsewhere in the Nation. I think that anyone concerned with the problem of meeting our national recreation requirements, of the present and the future, will be impressed by what has been accomplished at Cape Hatteras in a comparatively short time, as related by Mr. A. Robert Smith's articles. They provide an excellent basis for judging the value of an expanded and accelerated program of shoreline recreation area development.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon?

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Register-Guard, July 26, 1959]

BEAUTY OF CAROLINA'S SHORE DRAWS PEOPLE FROM AFAR—I

(EDITOR'S NOTE.—What's in a national seashore besides a name? How are they developed by the National Park Service? How would seashore creation affect the tourist industry—the people who live nearby? To answer these and other questions, raised by Senator RICHARD L. NEUBERGER'S proposal for an Oregon Dunes national seashore, the Eugene Register-Guard sent its Washington correspondent, and photographer, Phil Wolcott, to Cape Hatteras, N.C. Below is the first of four articles telling what they found along the Nation's first—and only—national seashore recreation area.)

(By A. Robert Smith)

NAGS HEAD, N.C.—If you want to find out what happens when the Federal Government establishes a national seashore, as is now being proposed for the Oregon Dunes coastal area, this is the place to go to get the answer.

For here is the Cape Hatteras national seashore recreation area, the only one of its kind in the country. However it is only the first of a number of such areas that the National Park Service wants to create in the future in Oregon, Texas, Massachusetts, and Indiana.

This seashore is really a string of low, sandy islands lying off the North Carolina coast, familiarly and historically known as the Outer Banks. The national seashore recreation area starts just below the vacation mecca of Nags Head. It embraces some 80 miles of uninterrupted beaches, as well as inland marshes where wildlife is protected and fed.

"We feel," said Robert F. Gibbs, superintendent of the area, "that the beach itself is the recreation area, and our business is to preserve it in a natural state and not allow it to become cluttered up with casinos that you find in commercial beach areas."

The area is in essentially the same natural state that Sir Walter Raleigh's "lost colonists" found here 375 years ago. This policy for managing and developing Cape Hatteras was outlined in the act of Congress authorizing it, as follows:

"Except for certain portions of the area, deemed to be especially adaptable for recreational uses, particularly swimming, boating, sailing, fishing and other recreational activities of similar nature, which shall be developed for such uses as needed, the said area shall be permanently reserved as primitive wilderness and no development of the project or plan for the convenience of visitors shall be undertaken which would be incompatible with the preservation of the unique flora and fauna of the physiographic conditions now prevailing in this area."

One original exception to this edict in the act was to allow residents, or "bankers," as they are called, to continue commercial fishing, which historically had been the chief means of livelihood for many inhabitants of the villages on the outer banks.

Three years after the authorizing act was passed, an amendment was enacted to permit another exception to this policy—hunting, in season, for ducks and geese was permitted. Hunting is not allowed in the national parks. With this concession came a change in the name: instead of just calling it a national seashore, the words "recreation area" were tacked on.

ONLY OTHER CONCESSION

Apparently the only other concession to the march of civilization is that extraction of sand for commercial use has been permitted under specified conditions.

From the window of his headquarters office, Superintendent Gibbs can watch bathers a half mile down the beach as they flock to the Coquina Beach bathing facility developed by the park service under its Mission 66 park improvement program.

"When I see the commercial beaches up around Nags Head, with 'kids' walking around with beer cans, and then look at our public beach, where families have wholesome recreational facilities, it gives me a great deal of pride," Gibbs observed.

An eye-catching feature of this beach facility is an imaginative shade structure, built of tiers of laminated wood, so designed to withstand hurricane winds up to 200 miles per hour. Under it are picnic tables on a wooden platform, dressing rooms, drinking water, toilets, and an information center from which park rangers lead nature walks along the beach twice daily. No concessions—not even a soft-drink machine—are made toward commercialization.

This is the mood of a national seashore—improved along creative, functional lines to facilitate use of what nature created, but resisting commercialization to the last.

NO COMPETITION

Parkland is off limits to commercialization. The result is that in the towns outside the national seashore boundaries, and in eight villages that lie in private property islands within the national seashore, local merchants, restaurant operators, motel keepers, and filling station managers meet the needs of the visitor without competition—which some feared originally—from any government enterprises.

Under a lease arrangement, a boat marina which was operating in prepark days at Oregon Inlet (named for a ship which was first to sail through the inlet) continues to operate, offering deep sea fishing boats for adventurous anglers who have already this year caught about 100 Blue Marlin off the Hatteras coast.

Gibbs said the park service would be willing to let private enterprise build two more fishing piers at appropriate places where visitors could drop a line to take advantage of the splendid sport fishing. Jeeps, available for rent in the villages, may be used to travel up and down the seashore by surf fishermen or just plain joyriders.

LOTS OF CUSTOMERS

Several camp grounds have been established. These are equipped with showers, toilets, and drinking water. Trailers and tents dotted these areas 2 weeks ago, despite the rainy aftermath of hurricane Cindy and a waterspout which blew through a bowling alley in Nags Head.

The citizens from the crowded metropolis can, of course, pick out any spot along the 80-mile length to splash in the surf, lie in the sun, or build sand castles, quite possibly with no one in sight in either direction on the sandy wastes that stretch to the far horizons.

Why do people drive hundreds of miles to Cape Hatteras seashore?

"Well," said Gibbs, "these people from the prairie country (many inland State license tags are in evidence) come because it's just different from anything they have at home. There is something intriguing about the seashore. It brings out a sense of adventure. You never know what the next wave will wash up—a bottle or a piece of an old ship."

BOOK ABOUT SHIPWRECKS

A local author has published a book of the countless shipwrecks off Cape Hatteras, "Graveyard of the Atlantic," and the park service operates a museum of the sea which portrays the lore of seafaring before radar and other electronic devices brought relative safety to ocean commerce.

During the days of sailing ships, the Coast Guard maintained numerous stations along these islands. One of the lighthouses, a tall beauty built in 1870 is open to all who can endure its 255-step spiral staircase to the windswept catwalk aloft.

Although often not noticed by the casual visitor, perhaps the most important single improvement by the Government is in stabilizing the beach. Fences have been built and sea grass planted to halt sand erosion. About a hundred feet from the ocean a barrier ridge has been built by letting sand pile up around fences. The barrier guards the highway from being covered with sands that shift with every wind that huffs in from the Atlantic.

Without this stabilization program, to which $100,000 was allocated in 1957, the land formation would be in constant jeopardy.

On the west lies Pamlico Sound, between the seashore and the mainland. One bridge now connects the island chain with the mainland, but a second bridge is being planned by the State.

There are few trees the entire length of this area, and virtually all the vegetation has a gone-with-the-wind appearance. It seems to be a case of survival of the toughest plants.

Within the seashore recreation area is located the Pea Island National Wildlife Refuge, a 5,880-acre tract where 34 species of migratory and nonmigratory waterfowl have been noted. However Cape Hatteras is better known for its fishing. Channel bass, bluefish, sea mullet, trout, spot, croaker,

dolphin, amberjack, mackerel, marlin, and sailfish are caught here.

The Park Service charges no admission fee to enter the seashore area or for use of any of the facilities.

DRAWING POWER GROWS

The drawing power of these attractions appears to be growing. In the 6 years since Cape Hatteras national seashore was created, visitor attendance has increased from an estimated 100,000 a year to 348,335 last year. The visitors who come from far and wide seem to love it, many to return again and again.

But there was no love for this establishment on the part of some local citizens who did their best to stop it.

[From the Register-Guard, July 27, 1959]

NATIONAL SEASHORE DEVELOPMENT: HATTERAS PROJECT ALMOST BLOCKED—II

(By A. Robert Smith)

CAPE HATTERAS, N.C.—Creation of the country's first national seashore recreation area here at Cape Hatteras came the hard way, against some bitter local opposition, and over financial obstacles that nearly blocked it.

Over a quarter century elapsed between the birth of the concept of preserving this seacoast as a public playground and its final realization. But it was not, as some might imagine, a case of someone in Washington trying to put across an idea that was unpopular in the Carolina grassroots.

Quite the contrary, most of the steam behind the Cape Hatteras seashore movement came from local people—editors, legislators, the Governor, and private citizens.

The man who is credited with first advocating preservation of this area was a newspaper editor, W. O. Saunders, of Elizabeth City, N.C. In 1922, he proposed making the entire coast of North Carolina into one big long State park.

A few years later, this district sent to Washington a new Congressman, Lindsay C. Warren, who took up the cause. Successful in first getting a national historical monument to commemorate the first airplane flight of the Wright Brothers at Kitty Hawk just a few miles up the coast from here, Warren set out to get a national park to preserve the Outer Banks.

SEASHORE BILL BEGINS TO MOVE

Then came the real estate boom of the roaring twenties, bringing a number of New Jersey land speculators into the area, buying up miles of isolated, sparsely inhabited land for a few dollars an acre. The land was worth so little that in those days is wasn't even carried on the county tax rolls, one veteran observer recalls. There is little or no farming or livestock raising to give the land any agricultural value.

Came the depression, and Warren's bill for a Cape Hatteras national seashore began to move. It was finally enacted into law in 1937.

"Nobody objected to the bill," recalled Victor Meekins, editor the Coastland Times, the weekly newspaper at Manteo, county seat of Dare County. "They welcomed anything during the depression."

Meekins had worked under Saunders at Elizabeth City, and, after establishing his own paper here in 1935, he became a crusader for making the dream come true.

There was one critical weakness in the act authorizing the Cape Hatteras national seashore: It didn't authorize the Government to spend any money to create it. Little of this area was Federal property, which meant the Government had to depend on donations of money or land if a park was ever to be established. The only sizable public land was Pea Island National Wildlife Refuge, but this 5,880-acre tract was not along the ocean. "There were no givers at first," recalled Meekins.

DONATION FORMS PARK CENTER

The National Park Service, its hopes high that some philanthropic souls would come forward, made use of WPA and CCC workers in 1938–39 to begin a dune stabilization program. Some 2,500 young men were put to work in this fight against sand erosion, which had become so bad that it threatened the very existence of these flat sandy islands composing the Outer Banks.

The first big break came when the heirs of Henry Phipps, reputed to own more coastal property than anyone else in the country, gave 2,700 acres, which included the heart of the desired area, Cape Hatteras itself. This formed the nucleus of the park which was to come.

So in 1950 the Governor reactivated the State seashore commission. But the amount of land donated thus far fell far short of the 10,000 acres minimum required by the Interior Department for creation of a national seashore. It began to look like the dream wouldn't come true.

At this point, an influential resident, Huntingdon Cairns, general counsel and secretary of the National Gallery of Art in Washington, D.C., put the bug in the ear of a key official of the Mellon philanthropic enterprises. Consequently the children of Andrew W. Mellon, each from his own foundation, donated funds which the State agreed to match—making a land acquisition kitty of $1.6 million.

This put the movement in business in 1951 for the first time. It also aroused opponents to arms for the first time. The outcome of the struggle modified the resulting national seashore in some significant respects.

[From the Register-Guard, July 28, 1959]

STATE'S HIGHWAY PLAN BASIS OF HATTERAS OPPOSITION—SIZE OF AREA HALVED IN WAKE OF PROTEST—III

(By A. Robert Smith)

HATTERAS VILLAGE, N.C.—"Those who opposed the park said it looked like a big black snake was going to gobble them up."

This was the recollection of Robert E. Jordan, manager of "The Lost Colony" theatrical production on Roanoke Island. The black snake was the asphalt highway that the State proposed to build down the outer banks to make Cape Hatteras national seashore possible.

Local opponents had no more outspoken or effective, fighter than Andrew Austin, who admits he didn't want the new road or the park. A white-thatched man in his eighties, Austin operates a general store here.

You might sum up Austin's case against the seashore fairly by saying he simply liked it better the way it was before the visionaries went to work.

In those days there was no highway into Hatteras village, and Austin had become pretty skilled at piloting his model T up the coastal sands just out of reach of the pounding surf.

Austin also owns land. He sold some 740 acres of it, located just below here, many years ago to a multimillionaire, George Albert Lyons, for a hunting club that was somewhat on the exclusive side. It had five members. They came here for the duck hunting, which in those days several decades ago was splendidly unhampered by bag limits. The oldtimers say a man could bring down 100 ducks or geese in an hour.

"We had a good class of people coming here then," argued Austin, claiming credit for starting the area on its way to becoming a hunting and fishing area for men of means.

GROUP HOLDS PROTEST MEETINGS

Another friend of Austin's is W. A. Worth, an aged Elizabeth City lawyer, whose land fight with the Government was on everyone's lips. These men were the most influential opponents.

"We had a petition with 85 percent of the people here in Hatteras against the park," Austin recalled. "And Lindsay Warren said it would never be done if the people opposed it. Then I took all the means I had—I even sold some of my stock—and built a motor court. The next year the State started taking our land. So, of course, we fought it."

They held public protest meetings, circulated petitions, sent delegations to Washington to try to upset the plans of the Interior Department and the State for implementing their plan to convert land donated or financed by private sources into a huge seashore park.

But the proponents of the park held most of the trump cards. They already had a law on the books authorizing the national seashore, and by 1952 gifts from the Mellon family and the State had made land buying possible for the first time. The only thing the opposition could hope to do was arouse local inhabitants.

Victor Meekins, the local country editor who is known for his blunt language in print and in person, sized up the opposition this way: "Two or three very greedy real estate men started a campaign against it. You can always get the natives worked up by saying 'You won't be able to hunt like you used to.'"

Meekins claimed the opponents sent a "rum hound" up and down the beach, telling the inhabitants of the fearful things the Federal Government was going to thrust down their throats if this thing went through.

The editor said Austin opposed State construction of a road into Hatteras out of self-interest; he operated a freight boat to and from Elizabeth City to supply the town merchants with their goods. A road would allow trucks to bring it in.

LAND VALUES ARE DISPUTED

The story most often related to the inquiring visitor is that of Worth, the Elizabeth City attorney who made a fortune in one transaction, and which rubbed many citizens hereabouts the wrong way. It involves a 2,200-acre tract of land north of Oregon Inlet, which had been owned by a wealthy New Yorker who had decided to give it to the State for a park. He had been one of a group who had reportedly paid $60,000 for the property to form a hunting club. But he died before he could make the gift. His heirs got tangled up in their inheritance, and the outcome was that the land was acquired by Worth, who had done legal work for them. The price he paid was $6,000, according to the county recorder of deeds—or less than $3 per acre.

Worth's close friend, Austin, said Worth built a boat marina for sport fishermen at Oregon Inlet, and proceeded to mark off lots for sale before the park service came in with offers to buy the land. The Government offered Worth $192,000 for this property, and deposited the money to await his acceptance. He rejected the offered, claiming his land was now worth over $1 million.

The Government moved to condemn and threw the case into court, where it is still unsettled, after several new settlement figures ranging around $400,000 have been mentioned.

The probable cost of acquiring this property was so unexpectedly high that the two Mellon-financed foundations. Old Dominion and Avalon, had to kick in some more money.

There are two local points of view on this case.

"When a man buys some land and the value goes up, that's just his good luck," declared Austin.

"It's robbery," declared Meekins. "It's a crime against the public."

In any event, the opposition made some headway and won some concessions, even if it lost the ultimate struggle against the national seashore.

PARK AREA REDUCED IN SIZE

For one thing, the size of the area included in the park was trimmed considerably. The original bill, passed in 1937, would have authorized a national seashore 62,000 acres in size. But by 1953, many homes had been built along the northern stretch of the outer banks in the towns of Nags Head, Kill Devil Hill, and Kitty Hawk.

When financing the purchase of uninhabited land presented a problem, it became evident that purchase of more expensive residential property would run the cost well beyond the donations. Hence, the final size is now less than half—28,500 acres—the original seashore proposal.

A concession to the opposition also whittled off some acreage around each of the eight tiny villages which were founded originally around Coast Guard stations in the days of sailing ships. Although some of these villages were dying out fast (the 1950 population of Hatteras, the largest, was 480, and of Salvo, the smallest, 68), the Park Service drew back its orginal boundaries away from these towns to give them growing room.

Now as you drive down the highway, you know you are coming to a town when commercial signboards begin to appear along the road, located on property outside the jurisdiction of the Park Service.

Austin claims the Park Service, under its original plan, would have taken his motel, part of the town hotel, and several private homes. As it turned out, his motel remains intact, but he says he will have to move an old Coast Guard building which he converted into apartments.

In fact, the outcome was that not one private residence along this 80-mile coast was taken over by the Park Service when the final boundaries were established. Park Service officials held meetings in each village, drew up maps and reached agreement with local citizens on where the most suitable boundary markers should be placed.

Thus ended the long struggle, except for some holdout land cases still tied up in Federal court, where a crowded docket and a sick judge have delayed final settlement.

[From the Register-Guard, July 29, 1959]

BANK DEPOSITS, LAND VALUES RISE AS AREA'S TOURIST BUSINESS BOOMS—IV

(By A. Robert Smith)

MANTEO, N.C.—"I don't think there is anyone who is opposed to it. I think they are satisfied."

So said Andrew Austin, the most outspoken critics of creating Cape Hatteras National Seashore Recreation Area, 7 years after losing his fight against it.

The economy of his town of Hatteras is much better now, but he claimed it's not a bit due to the new park.

"I don't think it's helped anyone," Austin declared, claiming the county tourist bureau does a god job of promoting the historical and recreational attractions of the cape. Easy money accounts for the prosperity, he argued.

How did he account for the great rise in tourist visitations?

"The road," he answered. "When the road came in, by Jerry they just piled in. There's no doubt that this area is going to have a boom. But it's not because of the park. It's because of the fishing grounds."

Here at the county seat, editor Victor Meekins snorted at Austin's argument against the significance of the national seashore.

"This is a great economic asset," he asserted. "It means millions of dollars to us. Our main industry before was fishing, but it has been destroyed by wasteful methods. The roads that are bringing tourists into this area wouldn't have been built if it hadn't been for the national seashore. There was nothing to bring the roads for—a population of less than 5,000 along a 130-mile coast wouldn't justify a road. The State took a long shot in building this road."

Access to this area was made possible not only by a road, but by ferries across several inlets and sounds where bridges are now scheduled for construction. The Federal Government supplied surplus amphibious landing ships for the ferryboats, and the State operates them free of tolls. Visitors sometimes wait their turn in line for the ferry for hours, or turn back in impatience. Bridges, it is expected, will result in many more tourists.

Down at the Bank of Manteo, Manager Maynard Mangum pulled out his ledgers and found that bank deposits remained fairly constant from 1944 to 1950, but then began to increase substantially. Deposits of $935,000 on December 30, 1950, rose to $1,861,000 on December 31, 1958. The day I sat in his office they were up to $2,166,000.

W. R. Pearce, another banker, gave a personal indicator of what has happened here. He said he bought several seashore lots in 1937 for $300 each, and he has recently refused $5,000 for them.

"A lot of people feared it would take land off the tax rolls," Pearce recalled, "but they didn't realize the land that remained on the tax rolls would increase in value 50 to 100 times."

"The fishing business is gone," he added. "If it hadn't been for the park, I don't know what we would have done."

At the Dare County courthouse, the supervisor of taxes hauled out his books to reveal what has happened to the total assessed valuation of lands in the county during this period when private land was going off the tax rolls into Federal ownership. His books showed that in 1950, before the park was created, the total assessed valuation was $11,156,752. By 1957, it had climbed to $18,520,913. Last year, after a revaluation of beach property just north of the national seashore, the total jumped to $25,130,457—and local taxpayers enjoyed a tax cut from $1 to 80 cents per hundred.

Melvin Daniels, registrar of deeds for the county, said that during the same time the population has not increased much. There are now 6,000 to 7,000 in the county compared to 5,000 a few decades ago.

Aycock Brown, manager of the county tourist bureau for 7 years, disputes Austin's contention that the national seashore has not brought more tourists than otherwise would have responded to his publicity efforts for this area.

"A national seashore gets much wider publicity than we can give the area," Brown said, paying tribute to the Park Service. "It's the most wonderful thing in the world."

He said tourist business is up 150 to 200 percent. An ex-newspaperman, Brown expressed a point of view quite the opposite of Austin's yearning of the old days of exclusive gun clubs.

"Now all the people can enjoy the seashore," Brown observed. "The day of the wealthy family owning these areas is over."

The postmaster at Nags Head supplied another indicator of growth in the local economy. In the past 11 years, he said stamp sales have risen from $1,700 to $9,000. This is one price index which hasn't been subject to inflation, since postal rates have changed very little in that time.

The story of Archie Burrus tells about economic expansion here in human terms. Returning to Manteo after serving in the Armed Forces during World War II, Burrus went into the grocery business with his father. They operated a small self-service grocery store.

When the park was created Burrus decided to gamble on a big motel near the entrance.

"People thought I was crazy for building with brick," he recalled. "They thought I wouldn't get my money out of it because of the seasonal nature of business. But today everyone builds with brick." The older places are wood frame and cedar shingle construction.

Burrus got his money out, all right. This season he added a swimming pool, and the fanciest restaurant in these parts, reportedly at a cost of $100,000.

No studies have been made in this area to determine the dollar impact of tourist trade, but in addition to tourist dollars there is a Park Service payroll which amounted to $220,000 last fiscal year, making it "by far the biggest payroll in the county," said Robert F. Gibbs, superintendent of the national seashore. This does not cover wages paid by contractors who are doing work on improvement and maintenance in the seashore recreation area, he noted.

The Park Service employs 75 at maximum strength, about 16 of which are seasonal employees—naturalists and rangers, a number of whom are public schoolteachers who work in the park during the summer teaching visitors about the seashore.

Thus far, the Park Service has spent $3,741,434 (not counting the cost of buying the land) in developing Cape Hatteras. Just over $1 million has gone into roads and trails, another million into buildings and utilities, nearly a half million into dune stabilization and the balance in operation and maintenance.

Under Mission 66, the park improvement program, over $6 million has been programed for Cape Hatteras improvements.

All these expenditures flow through local economic channels. And they are designed to bring the national seashore up to the expectations and demands at a steadily increasing number of tourists.

Visitation in the last 6 years has increased from less than 100,000 to 348,335 persons annually—and it is expected that, within the next 10 years, well over 1 million tourists annually will visit the Hatteras seashore, Gibbs said.

JOHN A. BURNS—FIRST STATE ELECTIONS IN HAWAII

Mr. MURRAY. Mr. President, yesterday the distinguished Senator from Alaska [Mr. GRUENING] made a most statesmanlike address in this body on the first State election ever to be held in Hawaii. In particular, the Senator from Alaska paid tribute to the Honorable JOHN A. BURNS, the able Delegate from Hawaii. Mr. President, I would like to call this statesmanlike address to the attention of each Member of this body. It is found in the CONGRESSIONAL RECORD for Monday, August 3, beginning on page 14976.

At the same time, I want to associate myself as strongly as possible with the position and views of the Senator from Alaska, both with respect to the elections in Hawaii, and most particularly with respect to the contributions of Delegate BURNS. I believe, Mr. President, that I am in a better position than any other Member of this body to evaluate the character, ability, and the contributions of JACK BURNS to his State and to the Nation.

I was chairman of the Committee on Interior and Insular Affairs in those trying days in the last Congress when the fate of statehood for both Alaska and Hawaii hung in the balance. The situation was such, Mr. President, that had Mr. BURNS been a man of different character, a man of lesser courage or more limited political vision, it is extremely

doubtful whether either Alaska or Hawaii would have attained statehood at this time, or, probably, for some time to come.

As I wrote Mr. BURNS after his selection by the Democratic Party of Hawaii to be its standard bearer:

Statehood for Hawaii is a monument, in no small part, to your judgment, your sensibility to men and situations, and, above all, to your own character and personality which won the deep respect of official Washington. What may not be so well recognized is your truly great administrative and executive ability.

Mr. President, I ask unanimous consent that the text of the letter I wrote Mr. BURNS under date of July 17, 1959, and a brief press release making it public, appear in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURRAY. Mr. President, because of my knowledge of Mr. BURNS' high character and great ability, I wish to express my most earnest hope that a way speedily will be found through which his services can continue to the State he had such a monumental part in creating and to our Nation.

In conclusion, Mr. President, I would like to say a word about the first State elections held in Hawaii, which took place on Tuesday, July 28.

As the distinguished Senator from Alaska stated, these elections resulted in the selection to the Congress of an American of Anglo-Saxon ancestry, one of Chinese ancestry, and one of Japanese ancestry. Over the years we were considering Hawaii statehood, I have stated publicly, on several occasions, that I would be honored to sit in the Senate of the United States beside a fellow-American of Japanese or Chinese ancestry whose attainments and gifts of character had qualified him, in the opinion of his fellow citizens, for the high office of Senator.

Last Tuesday's elections now have made the vision of mine a reality, and I would like to take this opportunity, Mr. President, to welcome to this body the Honorable OREN E. LONG, former Governor of Hawaii, and the Honorable HIRAM FONG, former senator of the Territory of Hawaii. I also hail the election to the other body of DANIEL INOUYE, an American of Japanese ancestry whose devotion to the ideals and principles of America has been written in his own blood on our country's battlefields.

Mr. President, Tuesday's elections in Hawaii are another milestone in American history, and in the advancement of the historic American principles of equality, democracy and freedom.

The press release presented by Mr. MURRAY is as follows:

BURNS BEST QUALIFIED TO LEAD NEW STATE OF HAWAII, CHAIRMAN OF SENATE STATEHOOD UNIT FINDS—SENATOR MURRAY, OF INTERIOR COMMITTEE, HAILS DELEGATE'S PROVEN EXECUTIVE ABILITY—PLEDGES CONTINUED COOPERATION

Senator JAMES E. MURRAY (Democrat, Montana), chairman of the Senate Committee on Interior and Insular Affairs, the committee which earlier this year handled the legislation admitting Hawaii as the 50th State, today made public the text of a letter he had written Hawaiian Delegate JOHN A. BURNS. Mr. BURNS is the Democratic candidate for Governor of Hawaii, opposing William Quinn, who is Hawaii's present Territorial Governor. Senator MURRAY had previously called on President Eisenhower to remove Mr. Quinn from office because, as a Federal employee seeking elective office, the Eisenhower appointee was violating the Hatch Act.

The text of Senator MURRAY's letter is as follows:

JULY 17, 1959.

Hon. JOHN A. BURNS,
Honolulu, T.H.

DEAR JACK: I am of course delighted at the results of the primary in Hawaii which have given my fellow citizens of my sister State such outstanding candidates for office as yourself, Oren Long, Frank Fasi, and Dan Inouye.

The selection of all of you justifies fully my long-standing and vigorously maintained faith in Hawaii's political maturity and complete readiness for Statehood.

Because of our work together for statehood, as well as for so many interim measures for the good of the Territory, your relationship and mine has been and is a particularly personal and close one. In my long years in public life—in a few days I will mark my 25th anniversary of service in the Senate—I have seen many candidates come and go. I can state without equivocation that you are one of the best qualified, by reason of character, ability, and experience of all of those many aspirants for office that I have known over the many years.

I am certain the people of Hawaii know of the great, the essential, part you had in bringing about statehood so early in this session of Congress. Statehood for Hawaii is a monument, in no small part, to your judgment, your sensitivity to men and situations, and, above all, to your own character and personality which won the deep respect of official Washington. What may not be so well recognized is your truly great administrative and executive ability. I have seen you in action when the going was tough, if I may use the phrase, and I know that you have what it takes to make a truly great first Governor of a truly great State.

In that office you will have to meet many very complicated, serious problems, some of which will involve the help of the Congress, at least in their initial stages. I want to assure you of the continued cooperation, full and complete, of this committee, and I am convinced, of the majority party in both Houses of Congress in the difficult and trying days of transition from Territorial status to statehood.

My best and warmest wishes to you and the people of Hawaii for your success.

Sincerely yours,

JAMES E. MURRAY,
Chairman.

UNION ACTIVITY ABROAD OFFERS LITTLE LIKELIHOOD OF RELIEF FOR AMERICAN INDUSTRY FROM LOW FOREIGN WAGE COMPETITION

Mr. PROXMIRE. Mr. President, with every day that passes I become more deeply concerned with the increasingly grave problem facing domestic American industry from surging foreign competition. Recently our International Finance Subcommittee of the Banking and Currency Committee held hearings on my resolution calling for an investigation of the investment of American private capital abroad. I was struck during these hearings with the unwillingness of some of the ablest and wisest experts in foreign trade and investment to recognize the extent and seriousness of this problem.

One of the hopeful assertions by some of the experts has been that foreign countries—as their productivity increases will rapidly increase wages until wages in competitive countries are far closer to ours. How feeble a hope this may be is set forth in persuasive detail in an article in this morning's Wall Street Journal that describes the nature of the European labor union. I ask unanimous consent that this article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNUSUAL UNIONS: EUROPE'S LABOR GROUPS STRESS POLITICS, LEAN LESS ON PAY BARGAINING—A LOOK AT AUTO FIRMS SHOWS WHY WAGES ARE LIKELY TO STAY BELOW U.S. LEVELS—FIAT IS "LIKE A FATHER"

(By Dan Cordtz)

TURIN, ITALY.—"Collective bargaining? In the Italian auto industry, there isn't any. Fiat just gives everything to the workers—like a father."

This bitter comment comes from Secondo Perroni, secretary of the Italian Metalworkers Federation. His union is one of the three major labor organizations which represent workers of Fiat Co., builder of 90 percent of Italy's motor vehicles.

Although the situation he describes is not in every respect typical of Europe's bustling auto plants, it points up a fact of significance to American car manufacturers and other U.S. producers who already are feeling the pressure of lower foreign wage rates.

For there is not, in Europe's auto plants or in most other European industries, anything resembling the tough, two-sided collective bargaining between the United Auto Workers and the Big Three of the U.S. auto industry. As a result, Europe's lower wage rates, a management talking point in the current steel talks in the United States are not likely to be eliminated as a big competitive factor in the near future.

THE UPPER HAND

There are, of course, considerable differences of detail in the labor situations in various countries. In some, organized labor's influence in politics and even on wages at the national level is pronounced. But a look at the European auto industry shows why, it is generally true that management—to a degree long since forgotten in the United States—holds the upper hand in dealing with its workers.

Even in France's government-owned Regie Nationale des Usines Renault, generally regarded as Europe's most liberal automotive employer, a top labor relations executive states frankly, "We decide what wages we are going to pay and then tell the unions."

One result of this situation, as American car makers know only too well, is a general wage level far below that of the United States. A typical Fiat worker, for example, earns less than $100 a month. His American counterpart gets as much in a week. In England, employees of Vauxhall Motors, Ltd., General Motors Corp's. subsidiary, average about $175. And workers generally put in more than the American's 40 hours a week.

NO NARROWING OF THE GAP

"Our wages are going to continue to rise," says Dr. Heinz Nordhoff, president of Volkswagen, "but yours are going up about as fast. I don't foresee any narrowing of the wage gap very soon."

Since 1950, average hourly wages in U.S. auto plants have risen 53 percent—a rate exceeded in Europe only by Germany's approximately 80 percent. But Germany, of

course, started from a depressed base. In Italy, at the other extreme auto wages have gone up only 36 percent in the same interval.

Why, in countries where the union movement predates that of the United States has labor been so ineffective in boosting wages in such an efficient and prosperous industry as automobiles? There seem to be four principal reasons:

The structure of the unions themselves; the form which collective bargaining usually takes; the concept of a union's function and proper means of action; and, finally, the basic attitude of most workers.

To begin with, there is no counterpart of the UAW in any of Europe's auto-producing nations. Auto workers are represented either by a multiplicity of craft-oriented unions (as in England, where 22 unions are recognized in the Dagenham plant of Ford Motor Co., Ltd.) or, more frequently, by huge, all-inclusive labor organizations whose membership takes in all metal-working industries.

WE ARE HOSTILE

"We are hostile to the idea of a separate auto union," explains George Delamarre, secretary general of the French Metalworkers Federation, "because of the possibility in an economic emergency of losing the mobility of labor if we create special organizations for separate industry segments."

Mr. Delamarre admits, however, that this determination to maintain unions with broad membership probably holds back gains in the auto industry—where a separate union could concentrate on winning special concessions impossible for other industries to grant.

In practice, however, when wage negotiations are held they are usually conducted by large associations of employers and either huge union federations (such as Britain's Trades Union Congress) or a group of unions. British auto manufacturers, with the exception of Ford and Vauxhall, are represented by the Engineering and Allied Employers National Federation in bargaining with the Trades Union Congress. Some 4,400 companies are members of the federation, and their total employment amounts to nearly 2.5 million. In Sweden, basic bargaining on all wages is between the Lands Organization—which represents nearly every wage earner in the country—and the Swedish Employers Federation. A really national wage increase (last year it was 2 percent) is determined at this level and industry-wise unions and employer groups can engage in supplementary bargaining only within that framework.

"When it gets down to the level of our own company," says Dr. P. A. Norkrans, director of personnel of A. B. Volvo of Sweden, "there isn't very much left to talk about."

Some companies do not participate in association bargaining. But with the wage pattern for great numbers of workers determined by the national or industrywise agreements, their own action usually is conditioned by what has been won in the other plants.

The broad agreements, moreover, are usually written with the interests of the association's smallest, least-efficient producers in mind. In such cases, once the unions have settled for relatively little, nearly all pressure is removed from nonmember firms to do better.

Complains Charles Levinson, secretary of the automotive division of the International Metalworkers Federation in Geneva: "We are prepared to accept national bargaining on minimum wages and working hours. But this must be completed at the company level in terms of actual wages, fringe benefits, working conditions and grievance procedures." Up to now, except in a few instances, this has not been done.

Where companies do improve on the minimums, their actions are nearly always the result of corporate policy—not union pressure. Thus Fiat pays 80 percent higher wage rates than required under the national contract for the metalworking industry—but, as Mr. Perroni says, it grants such improvements like a father. Similarly Renault, whose own contract is so much more liberal than that of the rest of the French metalworking industry that it has drawn heated criticism from other employers, hardly was responding to labor muscle when it wrote its terms.

DOING WHAT FORD DID

"We're just doing what Henry Ford did 50 years ago," says Managing Director Pierre Dreyfus. "We can't sell cars unless people have money, and they can't have money if we pay miserable wages."

Adds Didier Limon, Renault's assistant personnel director: "We'd actually like to see the unions stronger than they are—it would make things tougher for the Communists if the unions were effective in bargaining. But at the moment, the strength of unions is not in their numbers but in their political connections."

Such political affiliations are the essence of European unionism. The union, in most instances, is first and foremost the plant-level extensions of a given political party. Even in Sweden, where the Lands Organization is far more all-encompassing than the AFL–CIO in the United States, a portion of every member's dues money goes into the coffers of the ruling Social Democratic Party.

This identification between union and political goals had a twofold result: Members are more likely to look to the government—rather than collective bargaining—for their objectives. And whatever objectives are sought, they are likely to apply to all workers, not just those in a particularly favored industry.

A FETISH FOR POLITICAL SOLUTIONS

"European unions," charges Victor Reuther, head of the UAW's internation department "have made a fetish of seeking political solutions to what are essentially economic problems." The solutions usually have been vast new schemes of social benefits for all workers, rather than higher wages in industries which could afford them. And, Mr. Levinson asserts, "this is fine if you're sick or unemployed, but it doesn't make buyers for automobiles."

State-furnished social benefits in Italy, for example, are estimated by Fiat officials to increase the average worker's income by 40 percent—with company-provided fringe benefits boosting it still more.

The political obsession mentioned by Mr. Reuther accounts for another bargaining weakness of Europe's unions—their concept of the strike as a protest directed toward the government rather than a means of bringing economic pressure to bear on a given company or industry.

"By European standards," says Mr. Levinson, "unions in the United States are strike happy. Over here they just don't understand the technique of shutting down a plant and keeping it shut down until their demands are met." One important reason, explains Victor Feather, assistant general secretary of the British Trades Union Congress, is the organization's breadth of membership. "We can't go pulling 2.5 million men out for long," he says. "It would wreck the whole country."

A 1- OR 2-DAY STRIKE

"We call a strike of 1 or 2 days to demonstrate to the government we want something," says Italy's Mr. Perroni. "When the politicians see our solidarity, then they'll bring pressure on the employers to settle."

Finally the European auto worker—to judge from interviews with many of them—is not nearly as concerned about his pay as his American counterpart. Employers and union leaders generally agree, and offer a number of explanations.

"We're very realistic," claims the TUC's Mr. Feather. "Our economy is very definitely built on exports. The U.S. workers gets twice as much as the English worker, but his cost of living is higher, too. If we got our wages up to the same level as yours, our living costs would just go up with them. Besides, then we couldn't sell our cars in your country and we'd be out of work. We'd be a lot of ruddy fools to do that."

And certainly one of the most important factors in the attitude of European workers is the extent of their company-and-government-provided social benefits. In France, notes Mr. Delamarre, about a third of the average worker's income is in the form of such fringes—and in Italy it is even higher.

WORKERS DON'T CARE

"The portion of the wage beyond the actual cash is growing more and more important," Mr. Levinson observes, "so workers don't really care much about collective bargaining."

Moreover, even where cash alone is considered, auto workers usually are among the best paid factory workers in every country. If they are not, as in Italy, the aristocrats of the working class, they are at least conscious of better economic conditions than most. This, too, appears to cool some of the ardor they might otherwise have for strong action to increase their slice of their employers' profits.

OREGON PTA SCHOOL OFFICIALS OPPOSE SLASH IN FEDERALLY IMPACTED AREA FUNDS

Mr. NEUBERGER. Mr. President, the House Education and Labor Committee is currently conducting hearings on administration proposals to reduce Federal funds paid to local school districts which confront unusual demands upon their facilities due to the impact of Federal workers' families.

This proposed legislation is of considerable importance to my State. It would adversely affect 87 Oregon schools located in 22 counties. Total financial loss to Oregon if the proposals, which would amend Public Law 874 and 815, were implemented would amount to over $300,000. In view of the heavy financial burden carried by our school districts in their efforts to maintain minimum educational standards in the face of normal enrollment rises, a decrease in Federal payments to aid in paying the unusual costs incurred through utilization of school facilities by children of Federal workers.

Mr. President, on July 17 the board of managers of the Oregon Congress of Parents and Teachers met at Monmouth, Oreg., for its midsummer session. At that time the Board declared its strong opposition to the administration proposal. Mrs. David McCarthy, legislative director of the Oregon PTA Congress, wrote me of the group's action. She stated that:

I reported the move in Congress to cut appropriations for federally impacted areas by revising the formula for distribution. Since this would cut Oregon's share of the Federal funds by some $315,791 to those districts where unusual demands have been made upon their school facilities, it was our belief that this decrease will have a very diverse effect upon those districts. Representatives from federally impacted areas explained that school budgets have been based upon the assumption that this money would

be forthcoming. The Board of Managers strongly recommended that Oregon's congressional representatives oppose the passage of H.R. 7140 and S. 1939, which would reduce these funds.

Mr. President, I spoke on the Senate floor on June 1 of this year in opposition to the proposed reduction in Public Law 815 and 874 funds. I reiterate that position today. I am confident that the hearings now underway in the House will reveal the ill-advised nature of the administration plan.

I ask unanimous consent that there be printed in the RECORD at the conclusion of my remarks several letters which I have received from Oregon school officials outlining in some detail the perilous consequences which would follow the enactment of such legislation.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

McKENZIE RIVER SCHOOLS,
DISTRICT NO. 68,
Finn Rock, Oreg., June 6, 1959.

Senator RICHARD NEUBERGER,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NEUBERGER: It is probable that the following information will be too late to be of value to you, but I would like to express myself with regard to what Federal aid has meant to this school district. As you are no doubt aware, this district is faced with a tremendous impact of Cougar Dam which will probably very nearly double our school population. It is probable that large districts could absorb two or three hundred additional students without too much difficulty, but such an increase to a small district assumes major proportions.

This district has made every effort to meet the demands of the increasing population and we feel that we have succeeded to a high degree. This success has been to some degree due to the aid we have received from Public Law 874, with close to 50 percent of our students at the present time eligible for reimbursement under this law. You can readily see that the factor of federally connected youngsters is a major cost item to us. Even with this large percentage, our entitlement has run between $12,000 and $20,000 for the last several years; this, of course, is not a very large percentage of our total operational budget of $175,000. You can readily understand what would happen when that percentage skyrockets with the advent of labor on the Cougar project.

We have made application for substantial aid in 22,000 square feet of new construction which will be carried out this summer. This application has been made under Public Law 815, and this is the first time we have exercised our eligibility under this law.

It would certainly appear to the people of this district that Federal school aid is not only just, but a due obligation when the impact of federally connected youngsters reaches the population that it has in our situation. We know that you will exercise every effort to enable small districts such as ours to fulfill the obligations of education that are paramount at this time, and do so with the cost assumed by the agency that is responsible—in this case federally connected families.

I will be glad to supply additional statistical data or information that might be of value to you or desired by you.

Very truly yours,
BEN C. HUNTINGTON,
Superintendent, McKenzie River Schools.

KNOX BUTTE SCHOOL,
Albany, Oreg., June 2, 1959.

Hon. RICHARD NEUBERGER,
U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SENATOR NEUBERGER: It has just come to my attention that the present administration is proposing to reduce Federal school aid to impacted districts from 50 to 25 percent of per pupil cost where parents employed by Government reside in school districts outside communities where they work.

Although time and space does not permit me to give a detailed account at this time, I should like to submit the following statements.

Our district is located on the edge of Albany, Oreg., in Linn County. We are very close to the former Camp Adair area where the SAGE installation and other air defense installations are being erected.

We are already feeling the effect of children moving into the district where their parents work on this property. Our district is in effect a "bedroom" district of Albany. We have an assessed valuation of only some $360,000 with an anticipated enrollment of over 200 this fall in our elementary school. (We are elementary district only.)

We desperately need any funds available under present plans, let alone any reduction. The district finds itself scraping bottom to even house the children we now have. The district actually voted money from its already thin operating budget in order to help build a single needed room. Bonding capacity was so limited as not to be able to build one classroom.

Please give your support to maintaining what help we now can expect. I trust that this letter is not too late.

Sincerely yours,
DONALD F. DUNBAR,
Principal.

SCHOOL DISTRICT NO. 30, CONSOLIDATED,
Warrenton, Oreg., June 1, 1959.

Hon. RICHARD L. NEUBERGER,
U.S. Senator, U.S. Senate,
Washington, D.C.

DEAR SENATOR NEUBERGER: Word has come to us indicating proposed cuts under the provisions of Public Law 874. It would deprive us of approximately $4,000 per year, or the amount needed to pay one teacher.

We would appreciate very much a legislature that would be favorable to a continuation of the provisions of this law.

We in education are faced with many financial problems—chiefly lack of State and Federal support, no sales tax, and property owners that are near revolt.

It may well be education's fault. The high cost of our secondary schools could be cut way down by selection of students on the basis of desire and ability. So far our educational philosophy has not been selective.

To get down on your hands and knees each year and pray the public for the financial approval for continued existence of one of the greatest blessings available to mankind, and at the same time perform the service of the master teacher, seems to strain the limits of human endurance.

If these pithy comments will aid you in your decisions we are thankful.

Sincerely yours,
RICHARD B. KNOTTS,
Superintendent of Schools.

CLATSKANIE UNION HIGH SCHOOL,
DISTRICT NO. U. H. 5,
Clatskanie, Oreg., May 29, 1959.

Hon. RICHARD L. NEUBERGER,
U.S. Senate, Washington, D.C.

DEAR SENATOR NEUBERGER: Clatskanie Union High School is one of the school districts which receives Federal funds under Public Law 874. During the year of 1958–59 the amount of $2,860.65 was received, on the basis of 16 students whose parents work on U.S. Government property, from the application filed for the 1957–58 school year. During the school year 1958–59, 20 students have been enrolled whose parents work on U.S. Government property.

It is expected that for the next few years the number of such students enrolled here will increase by approximately the same percentage. I understand that there is a possibility that the amount received under Public Law 874 might be reduced approximately 10 percent. In a few years, at the above rate of increase, this would amount to a loss of nearly $500 to this district.

Perhaps this information will be useful to you in considering the effects of any changes that might be made in Public Law 874.

Yours truly,
WM. F. HARCOMBE,
Principal.

ALBANY PUBLIC SCHOOLS,
Albany, Oreg., May 26, 1959.

Hon. RICHARD L. NEUBERGER,
U.S. Senate, Washington, D.C.

DEAR SENATOR NEUBERGER: I have been informed that legislation has been proposed which would reduce the Federal assistance for school districts under Public Law 874.

A reduction of reimbursement from the present 50 percent figure to 25 percent as proposed on pupils whose parents work on Federal property but do not reside on Federal property, would have caused our district to lose $6,040 this year, which would have to be made up by adding 0.6 mill to our local property tax.

Further, with an increase in enrollment coming during the next year due to the SAGE project at Camp Adair, our district would be much more seriously affected.

Sincerely yours,
A. E. PALMER,
Superintendent.

THE TRAGEDY OF FORCED INTEGRATION

Mr. JOHNSTON of South Carolina. Mr. President, on last Thursday I delivered to the Senate some remarks regarding the critical racial conditions existing in New York City; and I placed in the RECORD an article, from the August 3 issue of U.S. News & World Report, to the effect that New York City was sitting on a powder keg.

Basically, what I told the Senate was that New York City, with all its laws requiring integration, has the worst racial unrest, the worst prejudice, and the worst police problem of any city in America. I pointed out that, in contrast, in the South, where there are no laws forcing integration, Negroes and whites live side by side, work together, and do this in peace and harmony. I further pointed out that these people have mutual respect for one another, and not the hate which we find in areas where there is forced integration. In short, it is evident that forced integration is detrimental to the spiritual, moral, economic, and social welfare of people; whereas segregation tends to preserve these finer qualities in people of all races.

Since my remarks appeared in the RECORD and were published in the newspapers all over the Nation, I have received a great deal of mail on the subject.

All of this mail endorses the U.S. News & World Report's position and my remarks. I have not received a single piece of mail contradicting or criticizing my statements. To the contrary, all of this mail received from the Metropolitan New York area gives tragic emphasis to what the magazine U.S. News & World Report reported, and certainly adds credence to my allegation that forced integration is wrong for our people.

Those who have written to me state that they do not want their names used, for fear of reprisal. Their letters tell me that they are fearful of going on the streets after dark, and cite instances of murder, rape, and mob violence that know no equal elsewhere in our land. Along with these letters came articles from newspapers describing the horrible situation that exists as the result of forced integration in New York City.

One resident said she was 65 years old and was quite bitter at being a prisoner in her own home. "I hate it," she said, "but I want to die natural," meaning that she did not want to be mugged, raped, robbed, or beaten on the streets of her native city.

One man 67 years old said that he and his wife never go to a movie at night any more, because of fear of violence on the street.

An article in the New York Mirror, dated Thursday, June 11, carried a five-column headline, "Where Terror Roams the Street." I quote from this New York newspaper:

> Muggings are common and seldom reported to police. Purse snatching is even more frequent. Women are accosted. Sidewalks are blocked by groups of menacing, sneering, beer-drinking inhabitants. * * *
>
> Longtime residents of the apartment buildings that overlook Central Park and the Hudson no longer stir from their homes at night. If there is a compelling reason they hail a cab even to go just a few blocks.

Mr. President, one of the letters sent to me states that New York "is a jungle. I was born here and lived here all of my life, and every day I hear people say the South is 100 percent right"—on the question of integration.

Another letter states that the great leaders of integration and civil rights legislation would not dare to walk through Central Park, Prospect Park, or Morningside Park after dark without a police guard. This writer went on to say that a stranger would not dare to walk on 134th Street between Lenox and 7th Avenue, in Harlem, after dark without an armed guard.

Mr. President, one woman even wrote to say that the churches and synagogues in some areas of New York have discontinued evening services, because the women are fearful of being attacked at night on the streets.

I regret that I must point out to the Senate this situation; but in each letter the fears expressed are of one race versus another race. This is not just an ordinary crime problem. It is a crime problem which has resulted from forced integration that has generated the most violent hatred and prejudice ever created in any area of America. I warn, as I have warned on innumerable previous occasions, that if the drive to ram civil rights legislation through the Congress and onto the people of these United States is continued, the conditions existing in New York will spread to every corner of this land.

I ask the proponents of civil rights legislation: Do you think that by passing more laws enforcing integration you will enable the churches and synagogues of New York to reopen at night, or will you have to hire thousands of additional policemen to insure the civil rights of those people in New York City?

I think what we need, as I have said before, is more segregation and less forced integration, if we want to preserve law and order, not only in places such as New York, but elsewhere across the Nation.

I wish to assure everyone in New York that I am not picking on New York City; but all these statistics, letters, these newspaper reports, these magazine reports about such conditions have emanated from New York. It is a deep, stark tragedy that this situation has developed and has reached this point.

EUROPEAN REFUGEE PROBLEMS

Mr. LAUSCHE. Mr. President, my attention has been called to an article published in Saltzburg Nachrichten on May 21 of this year. The article describes the suicide of a 29-year-old Yugoslav girl who escaped from Tito's "socialistic paradise" and was brutally returned to Tito by the Austrian authorities.

Marica Hrastovčak, the name of this most recent victim, came to Austria in October 1958. The Austrian authorities, after hearing her case, decided to return her to the Yugoslav communistic authorities on November 5. But Marica could not reconcile herself to the life of a slave, to which the Austrian police action was forcing her back. After having finished serving her prison term, she crossed the border for a second time on April 28. Her earlier experience had taught her not to make her presence known to the local authorities in Austria, for she hoped that one day she could cross into Germany, where the escapees from the communistic regime were known to receive more humane treatment. But she met with bad luck; on April 30, she was caught by the Austrian frontier guards at the very moment when she was preparing to leave Austria. She was brought back to Salzburg prison, where, dreading the possibility of being once more returned to Tito, she committed suicide.

The Saltzburg Nachrichten, in reporting this tragic event, comments that this is just a repetition of incidents which often are taking place in Austria these days. It further states the need to ask publicly: "Isn't it time to stop this forceful return of escapees to the Communists hell, handing the victims over to their executioners?"

That this is not an isolated case is shown by another news items which appeared in Time magazine on April 27, 1959. It describes the suicide of another Yugoslav girl, Smilja Srca. Smilja escaped to Austria, where she found a family which hired her to look after their children. She was happy to be given an opportunity to lead a decent life, earning her living in a free country; and soon she won the sympathies of the entire family, and made many friends. In the meantime, the investigating Austrian authorities decided that she was an economic escapee, and ordered her back to Yugoslavia.

The eve of the day when she was to be deported, she took leave from the children for whom she had cared for 3 months, wrote a farewell message in Serbo-Croatian to her kind employers, went out into the cold April night in the land of the Alps, and with a bullet, ended her young life.

This bullet, at the same time, also killed an illusion.

And not just one.

These two cases, so close to our times, and bearing in mind the fact that women were involved, demand and call for a reexamination of the very difficult situation of the Yugoslav refugees who are denied sanctuary by the Austrian and Italian authorities.

Official Austrian statistics report that in the course of 1958, 4,852 persons fled from Yugoslavia. Over one-half of these were forced back under the pretext that they were all economic refugees.

Mr. President, this problem should be taken into serious consideration by the international organizations dealing with the refugees. The world's humanitarian organizations should also get interested. We all recall how the society for the protection of animals' lives protested when the Soviets sent their dog into space. Do we value human lives less? Let us hope that the Yugoslav refugees will find better hospitality in the hearts and conscience of public opinion in the free world.

Differentiating the escapees into political and economic escapees is a self-instituted interpretation of the Geneva convention by the Austrian authorities. The brutal treatment, by forcing the return of those who are declared to be "economic" refugees, is utterly condemnable.

Governments of the free world can do a great deal toward the solution of this problem by opening their doors to these unfortunate persons, by changing immigration procedures. This would decrease the number of refugees in Austria and, at the same time, would have an effect on the Austrian police and put a stop to the forceful return of refugees.

The latent public conscience of the free nations must be awakened. This, not only in the name of democracy, but in the name of anticommunism, in the name of freedom and the right to asylum, and finally, in the name of humanitarianism.

I ask unanimous consent at this point in my statement to have printed in the RECORD an excerpt from Time magazine of April 27, 1959, an article of June 8, 1959, from the Hrvatski Glas—Croatian Voice—and a news story from Ameriska

Domovina—American Home—of April 23, 1959.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Hrvatski Glas, June 8, 1959]

THE TRAGEDY OF A CROAT GIRL

VIENNA, May 27.—Marica Hrastovcak, aged 29, poisoned herself in the police jail of Saltzburg, swallowing a considerable quantity of shoe polish and died of poisoning in the hospital on May 20.

She poisoned herself because of the intention of the Austrian authorities to return her again to Yugoslavia, where she had already been returned once before and consequently escaped again into Austria.

Attempting to get to Germany she was caught near the border and jailed. She preferred death rather than to be returned by force to Yugoslavia.

The Arbeiter Zeitung published an editorial calling for a revision of the rules for granting the right of asylum to Yugoslav refugees. The newspaper relates that "according to the news about the refugees on the Yugoslav border it is becoming clear that actually half of the refugees coming from Yugoslavia into Austria are returned; not being able to prove the status of a political refugee."

[From Time magazine, Apr. 27, 1959]

AUSTRIA—THE PROBLEM OF THE REFUGEE

In 3 short months the pretty, blue-eyed servant girl had found friends, a good job, and happiness under Austrian freedom. But last week 19-year-old Smilja Srca was ordered by the Austrian Government to return to Yugoslavia. Leaving her mistress a thank-you note in a language the lady could not read, Smilja told the family children goodbye, crept out into the Alpine night and put a bullet through her head. She survived, but the bullet destroyed the optic nerve connections of both eyes, and she will never see again.

Austrians everywhere felt sorry for Smilja—but having accepted a million refugees from communism since World War II, they were still in no mood to change Austria's present restrictive policies toward immigrants. Involved in Austria's dilemma is the unsolved international problem of what is a refugee.

Over the postwar years a dozen nationalities have streamed into Austria, seeking asylum, filling refugee camps, and—despite large-scale international aid—burdening the Austrian economy. After the influx of nearly 200,000 Hungarians, Austria in self-defense decided to limit the flow. Reading between the lines of the Geneva Refugee Convention, Austria decided to distinguish economic refugees from political refugees. Since economic refugees are those in quest of a better life—not (in the language of the convention) fleeing persecution—Austria concluded that they could be deported.

Legally under the code they can. Humanely, as the Smilja incident dramatically illustrated, grave problems are raised in consigning returnees to an uncertain fate back home. Since most Yugoslavs are economic refugees, more than half the 4,852 who crossed the Austro-Yugoslavian border since the crackdown began New Year's Day 1958 have been returned.

[From Ameriska Domovina, April 23, 1959]

THE UNFORTUNATE FATE OF THE REFUGEE WHO WOULD HAVE HAD TO RETURN—A YOUNG GIRL WHOM THE AUSTRIAN AUTHORITIES TRIED TO RETURN TO YUGOSLAVIA, TRIED TO COMMIT SUICIDE AND BECAME BLIND—THE RETURNING CONTINUES

CLEVELAND, OHIO.—The newspaper Times tells of a pretty, young girl who fled from Yugoslavia, found employment as a servant and had been getting along satisfactorily already for several months when the announcement suddenly came that they would return her to Yugoslavia.

During the night the girl left the family for whom she had been working, went out into the dark and fired a bullet into her head. In the hospital it is true her life was saved but she will remain blind for the optic nerve was severed.

The sad fate of Smilja Srce has once again brought the world's attention to the question of returning the so-called state refugees to Yugoslavia. Since New Year's Day of 1958 when new strict rules came into effect, the Austrian authorities have returned about half of the 4,852 persons who fled there from Yugoslavia.

Mr. LAUSCHE. Mr. President, early this year, the Zellerbach Commission on the European Refugee Situation submitted an excellent report on European refugee problems.

Serving on the Commission were Mr. Harold L. Zellerbach, president, Crown-Zellerbach Corp.; the Honorable Angier Biddle Duke, president, International Rescue Committee; the Honorable Eugenie Anderson, former U.S. Ambassador to Denmark; Mr. Irving Brown, European Representative, AFL–CIO; Mrs. David Levy, member, New York State Youth Commission; Mr. Eugene Lyons, senior editor, the Reader's Digest; and the Right Reverend James A. Pike, bishop of California, Protestant Episcopal Church of California.

As a part of my remarks, I ask unanimous consent that certain excerpts, dealing with the determination of refugee status and the special section dealing with Austria's treatment of refugees, be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

THE DETERMINATION OF REFUGEE STATUS

Ideally, a refugee from communism who chooses a path that leads him to one part of the free world should receive the same treatment as a refugee who chooses some other path to freedom. In practice, the conditions of reception and treatment and the standards of eligibility for refugee status vary tremendously from one country to another, and, for that matter, from one period to another within each country. Nothing points this up more dramatically than the current treatment of Yugoslav refugees in Austria, Italy, Greece, Germany, and France. It is, for example, difficult to understand why, on the one hand, two-thirds of the Yugoslav refugees escaping into Italy and all of those who reach France should be granted refugee status, while on the other hand approximately two-thirds of those who escape to Austria should be returned to Yugoslavia, and two-thirds of those who reach Germany should be denied refugee status, but not returned to Yugoslavia. It is also difficult to understand why Yugoslavs who escaped prior to 1956 were, with few exceptions, considered worthy of eligibility, whereas, the majority of those who escaped during the course of 1958 were considered unworthy of eligibility.

On the basis of information which came to it, the Commission could not help wondering whether the refugee who is being screened for eligibility is, in effect, not placed in the position of having to "prove his innocence," and whether he is not too frequently denied eligibility on the basis of unconfirmed suspicion.

Far more important than any economic suffering to which he may be subjected by denial of refugee status, is the psychological impact of such denial on the refugee. The significance of this denial to him is that he is unwanted. Having lived under a political regime where the scrap of paper which identifies a person controls his entire destiny, and having abandoned national and legal status in the act of escaping, the refugee tends to look upon his certificate of eligibility almost as a proof of his personal existence. The refugee's attitude may be exaggerated—but there can be no doubt that the denial of status is for him a cruel and sometimes shattering experience.

AUSTRIA

The eligibility procedures employed in Austria must be viewed against this background. They are not procedures established for the purpose of dealing fairly and generously, in the traditional Austrian spirit, with the new escapees from Yugoslavia. On the contrary, their purpose is to produce a very high rate of return and in this way to discourage other Yugoslavs who are thinking of escaping to Austria. On this point some of the Austrian authorities were quite frank. Nevertheless, the Austrian eligibility procedures provide an interesting contrast with those in Italy.

Refugees arriving in Austria are detained as prisoners, pending a determination of their eligibility, either at Camp Annapichl in Carinthia, or Camp Wagna in Styria. It is true that this is a "light imprisonment," as one Austrian police official described it. But as light as it may be, the fact remains that the refugees are kept under lock and key and they have no access to voluntary agency representatives or legal counselors during this period.

A competent observer who sat in on a number of these preliminary interviews by minor officials of the Austrian police force said that the refugees would sometimes go white in the face when questions were barked at them and the answers they gave all met with apparent disbelief.

The police interrogators prepare a dossier in each case. Most of the information contained in the dossier is simple biographical data. The key paragraph consists of a résumé of the refugee's reasons for escaping, as understood and prepared by the police interrogator.

In a majority of the cases the decisions by the Austrian eligibility officers are based simply on the reading of the dossier. An officer goes through the dossiers and divides them into three groups: (1) Those who are considered political refugees and to whom asylum is accordingly granted, (2) those who are considered economic refugees and who will, therefore, be turned back to the Yugoslav authorities, and (3) those cases about which the eligibility officer feels that further information is necessary. Only in the case of this latter category does the deciding officer personally interview the refugee in question. The eligibility officers whom the Commission met were men of humanitarian spirit and intelligence; one had the impression that they were captives of procedures and policies about which they had personal misgivings.

As a rough estimate, it was stated that the High Commissioner's representative suggests a review of about 50 percent of the rejectees and that approximately 50 percent of these reviews result in reversals. After all this has been done, the rate of return is 50 to 60 percent.

The manner in which the returns are initiated was described by many refugees who had passed through the detention centers. Periodically, there is a rollcall. As each name is called, the refugee is told to report to one part of the camp or to another. Everyone knows what this means: one of the groups is going to be returned. The refugees said that whenever such a rollcall was announced, a pall of terror would fall over the camp. What happens be-

yond that point is something for which there has been no eyewitness. Having seen refugees who were speechless with terror at the prospect of being returned, it is difficult to believe that all of those who are turned over to the Yugoslav authorities go peaceably. There are rumors that quite a few of the refugees must be sent back in handcuffs. This may explain why the process of returning the refugees is not something to which the press is invited.

IN DEFENSE OF RECLAMATION

Mr. ALLOTT. Mr. President, James D. Corriell, editorial writer for the Boulder Camera, Boulder, Colo., has written an editorial entitled "In Defense of Reclamation," which appeared in the Camera for Friday, July 17, 1959.

Mr. Corriell has reduced to short and readable form the basic argument for continuing the reclamation program in our effort to conserve what is perhaps the most valuable of our natural resources—our water. I commend most heartily "In Defense of Reclamation" as profitable reading to all my colleagues, and ask unanimous consent that it be printed in full at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IN DEFENSE OF RECLAMATION

When you go poking around a beehive it's a good idea to know something about bees.

Prof. Charles Hardin of the University of Chicago courted a few welts this week when he poked his academic finger into Western reclamation. He also got his feet tangled up in his own logic and stumbled precariously near the fringes of fiction.

Professor Hardin, who as a visiting professor at the University of Colorado has reportedly been telling his students the U.S. Constitution should be junked, told the Western Resources Conference this week that reclamation money might better be spent on occasionally dry eastern land than on the reclamation of arid western land for agriculture.

Then he set forth some arguments against reclamation itself, knocking the props from under his main point. He said reclamation is getting too high priced inasmuch as the most feasible projects, in his opinion, already have been completed. And he charged that irrigation under reclamation projects aggravates the surplus crop problem.

Now if reclamation is that bad, how can it be seriously proposed that eastern lands be put under reclamation-type irrigation during the dry cycles?

Professor Hardin's claim regarding the crop-surplus problem is for the most part untrue, for nearly all crops made possible by irrigation of arid regions are not in surplus. One exception is cotton, but the increase of this crop through reclamation is negligible.

His further argument that the returns are greater on water used in industry than on water used for farming is no argument at all. That's like saying manufactured gadgets are cheaper than vegetables; therefore, let's abolish groceries.

The simple fact is that water is vital to every human activity. It costs more for some activities than others. It will produce more in some activities than others. But whatever the water costs, all needs must be served.

We don't say eastern lands should not get the irrigation they need. We don't say industrial water use should be subordinated to agricultural use. We don't say water in the West is more economical than water in the East.

But we have seen what reclamation has done for the vast Platte Valley, which early geographers included in the Great American Desert. We have seen what irrigation has done for the Utah desert area settled by the Mormons. We have seen vast sagebrush desert lands in southern Idaho transformed into productive farmlands by reclamation. We have seen what irrigation has done for huge arid regions in California. The list could go on and on.

With the appalling population expansion problem that faces us in the immediate future, we had better be preparing livable space for more people and arable land to feed them. The crop surplus problem will not be with us long as hungry mouths multiply during the next few years.

It is no time now to pit reclamation needs of one section against those of another. It is no time to quibble about financial returns of one human activity as compared with another. It is no time to belittle man's ability to conquer his environment. It is no time for a philosophy of defeatism—whether expressed in a desire to junk the Constitution or to junk reclamation.

It is rather a time for us to recapture the spirit of the Founding Fathers and of the pioneers who opened the West—the spirit of conquest over hostile forces, whether political, natural, economic, or social. The era before us calls for more reclamation, not less; more conservation of natural resources, not less; more faith in human resources, not less.

And this applies not to the West alone, but much more to the Nation as a whole.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, has morning business been concluded?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KUCHEL. What is the business now pending before the Senate?

The PRESIDING OFFICER. There is no business pending before the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 1289. An act to increase and extend the special milk program for children; and

S. 1512. An act to amend the Federal Farm Loan Act to transfer responsibility for making appraisals from the Farm Credit Administration to the Federal land banks, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7454) making appropriations for the Department of Defense for the fiscal year ending June 30, 1960, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 21, 34, and 38 to the bill, and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 8 and 40, and concurred therein, each with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 8283) making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1960, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CANNON, Mr. RABAUT, Mr. KIRWAN, Mr. JENSEN, and Mr. TABER were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 163. An act to amend the Civil Service Retirement Act with respect to the crediting of service of U.S. commissioners for purposes of such act;

H.R. 383. An act to authorize the annexation of certain real property of the United States by the city of Wyandotte, Mich.;

H.R. 2188. An act to set aside certain lands in Washington for Indians of the Quinault Tribe;

H.R. 2245. An act to amend subsection 432 (g) of title 14, United States Code, so as to increase the limitation on basic compensation of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard from $3,750 to $5,100 per annum;

H.R. 2405. An act to amend section 101 of title 38, United States Code, to provide that a child shall be deemed to be the adopted child of a veteran where the child was a member of the veteran's household and is adopted by the spouse of the veteran within 2 years of the veteran's death;

H.R. 2465. An act to authorize the conveyance by the Secretary of Commerce of certain lands in Arlington County, Va.;

H.R. 2773. An act to amend section 1701 of title 38, United States Code, to provide the same educational benefits for children of Spanish-American War veterans who died of a service-connected disability as are provided for children of veterans of World War I, World War II, and the Korean conflict;

H.R. 2934. An act to provide for the conveyance of certain real property of the United States to the city of Fort Walton Beach, Fla.;

H.R. 4329. An act to provide for the conveyance to any public or private organization of the State of Virginia of certain dwellings acquired in connection with the Chantilly Airport site, Virginia, and for other purposes;

H.R. 4938. An act to amend the Agricultural Adjustment Act of 1938 to extend for 2 years the definition of "peanuts" which is now in effect;

H.R. 5849. An act to amend the act of July 7, 1958, providing for the admission of the State of Alaska into the Union, relating to selection by the State of Alaska of certain lands made subject to lease, permit, license, or contract;

H.R. 5888. An act to authorize the Secretary of the Navy to transfer to the Massachusetts Port Authority, an instrumentality of the Commonwealth of Massachusetts, certain lands and improvements thereon comprising a portion of the so-called E Street Annex, South Boston Annex, Boston Naval Shipyard, in South Boston, Mass., in exchange for certain other lands;

H.R. 6861. An act to provide for a specific contribution by State governments to the cost of feed or seed furnished to farmers, ranchers, or stockmen in disaster areas, and for other purposes;

H.R. 6939. An act to repeal the act of October 20, 1914 (38 Stat. 741), as amended (48 U.S.C., secs. 432–452), and for other purposes;

H.R. 7112. An act to amend section 1005 (c) of the Federal Aviation Act of 1958 to authorize the use of certified mail for service of process, and for other purposes;

H.R. 7373. An act to amend section 801 of title 38, United States Code, to provide assistance in acquiring specially adapted housing to certain veterans seriously disabled during a period of war;

H.R. 7629. An act to make permanent the authority of the Secretary of Agriculture to make loans under section 17 of the Bankhead-Jones Farm Tenant Act, as amended, and for other purposes;

H.R. 7948. An act to declare nonnavigable a part of the west arm of the South Fork of the South Branch of the Chicago River situated in the city of Chicago in the State of Illinois, as hereinafter described; and

H.J. Res. 113. Joint resolution to provide for the honorary designation of Saint Ann's Churchyard in the city of New York as a national historic site.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 166) providing the express approval of the Congress under section 3(e) of the Strategic and Critical Materials Stock Piling Act, of the disposal of rough cuttable gem-quality diamonds, cut and polished gem-quality diamonds, osmium, rhodium, ruthenium, and zircon concentrates from the national stockpile, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 577. An act to amend title 10, United States Code, section 2481, to authorize the United States Coast Guard to sell certain utilities in the immediate vicinity of a Coast Guard activity not available from local sources;

S. 906. An act to amend section 1622 of title 38 of the United States Code in order to clarify the meaning of the term "change of program of education or training" as used in such section;

S. 1110. An act to amend the act of August 4, 1955 (Public Law 237, 84th Congress), to provide for conveyance of certain interests in the lands covered by such act;

S. 1367. An act to amend title 14, United States Code, entitled "Coast Guard", to authorize the Coast Guard to sell supplies and furnish services not available from local sources to vessels and other watercraft to meet the necessities of such vessels and watercraft;

S. 1694. An act to extend the existing authority to provide hospital and medical care for veterans who are U.S. citizens temporarily residing abroad to include those with peacetime service-incurred disabilities;

S. 2153. An act to authorize the Coast Guard to accept, operate, and maintain a certain defense housing facility at Yorktown, Va., and for other purposes;

S. 2183. An act granting the consent of Congress to interstate compacts for the development or operation of airport facilities;

H.R. 697. An act to authorize the Secretary of the Navy to acquire certain real property in the county of Solano, Calif., to transfer certain real property in the county of Solano, Calif., and for other purposes; and

H.R. 3322. An act to amend title 10, United States Code, and certain other laws to authorize the payment of transportation and travel allowances to escorts of dependents of members of the uniformed services under certain conditions, and for other purposes.

HOUSE BILLS AND JOINT RESOLUTION REFERRED OR PLACED ON THE CALENDAR

The following bills and joint resolution were severally read twice by their titles and referred or placed on the calendar, as indicated:

H.R. 163. An act to amend the Civil Service Retirement Act with respect to the crediting of service of U.S. commissioners for purposes of such act; to the Committee on Post Office and Civil Service.

H.R. 383. An act to authorize the annexation of certain real property of the United States by the city of Wyandotte, Mich.;

H.R. 2188. An act to set aside certain lands in Washington for Indians of the Quinault Tribe;

H.R. 2245. An act to amend subsection 432(g) of title 14, United States Code, so as to increase the limitation on basic compensation of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard from $3,750 to $5,100 per annum; and

H.J. Res. 113. Joint resolution to provide for the honorary designation of St. Ann's Churchyard in the city of New York as a national historic site; to the Committee on Interior and Insular Affairs.

H.R. 2405. An act to amend section 101 of title 38, United States Code, to provide that a child shall be deemed to be the adopted child of a veteran where the child was a member of the veteran's household and is adopted by the spouse of the veteran within 2 years of the veteran's death; to the Committee on Finance.

H.R. 2465. An act to authorize the conveyance by the Secretary of Commerce of certain lands in Arlington County, Va.; to the Committee on Public Works.

H.R. 2773. An act to amend section 1701 of title 38, United States Code, to provide the same educational benefits for children of Spanish-American War veterans who died of a service-connected disability as are provided for children of veterans of World War I, World War II, and the Korean conflict; and

H.R. 7373. An act to amend section 801 of title 38, United States Code, to provide assistance in acquiring specially adapted housing to certain veterans seriously disabled during a period of war; to the Committee on Labor and Public Welfare.

H.R. 2934. An act to provide for the conveyance of certain real property of the United States to the city of Fort Walton Beach, Fla.; and

H.R. 5888. An act to authorize the Secretary of the Navy to transfer to the Massachusetts Port Authority, an instrumentality of the Commonwealth of Massachusetts, certain lands and improvements thereon comprising a portion of the so-called E Street Annex, South Boston Annex, Boston Naval Shipyard, in South Boston, Mass., in exchange for certain other lands; to the Committee on Armed Services.

H.R. 4329. An act to provide for the conveyance to any public or private organization of the State of Virginia of certain dwellings acquired in connection with the Chantilly airport site, Virginia, and for other purposes;

H.R. 7112. An act to amend section 1005 (c) of the Federal Aviation Act of 1958 to authorize the use of certified mail for service of process, and for other purposes; and

H.R. 7948. An act to declare nonnavigable a part of the west arm of the South Fork of the South Branch of the Chicago River situated in the city of Chicago in the State of Illinois, as hereinafter described; to the Committee on Interstate and Foreign Commerce.

H.R. 4938. An act to amend the Agricultural Adjustment Act of 1938 to extend for 2 years the definition of "peanuts" which is now in effect; and

H.R. 6861. An act to provide for a specific contribution by State governments to the cost of feed or seed furnished to farmers, ranchers, or stockmen in disaster areas, and for other purposes; to the Committee on Agriculture and Forestry.

H.R. 5849. An act to amend the act of July 7, 1958, providing for the admission of the State of Alaska into the Union, relating to selection by the State of Alaska of certain lands made subject to lease, permit, license, or contract; and

H.R. 6939. An act to repeal the act of October 20, 1914 (38 Stat. 741), as amended (48 U.S.C., secs. 432–452), and for other purposes; placed on the calendar.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 166) providing the express approval of the Congress under section 3(e) of the Strategic and Critical Materials Stock Piling Act, of the disposal of rough cuttable gem-quality diamonds, cut and polished gem-quality diamonds, osmium, rhodium, ruthenium, and zircon concentrates from the national stockpile, was referred to the Committee on Armed Services, as follows:

Resolved by the House of Representatives (the Senate concurring), That the Congress expressly approves, pursuant to section 3(e) of the Strategic and Critical Materials Stock Piling Act (53 Stat. 811, as amended; 50 U.S.C. 98b(e)), the disposal of the following materials from the national stockpile in accordance with the plans of disposal published by General Services Administration in the Federal Register on the dates indicated—

(a) approximately forty-seven thousand and forty-nine carats of rough cuttable gem-quality diamonds and eight thousand four hundred and twelve carats of cut and polished gem-quality diamonds, Federal Register of August 5, 1958 (23 F.R. 5944);

(b) approximately twenty-seven troy ounces of osmium, two thousand five hundred and fifteen troy ounces of rhodium and fifty-one troy ounces of ruthenium, Federal Register of August 15, 1958 (23 F.R. 6311); and

(c) approximately fifteen thousand nine hundred and two short dry tons of zircon concentrates, Federal Register of March 13, 1959 (24 F.R. 1844).

All funds derived from the sales authorized by this concurrent resolution shall be deposited into the Treasury as miscellaneous receipts.

INCREASE IN MAXIMUM OIL AND GAS ACREAGE LIMITATION, STATE OF ALASKA

Mr. KUCHEL. Mr. President, I move that the Senate resume the consideration of Calendar No. 577, Senate bill 1855.

Mr. MANSFIELD. Mr. President, reserving the right to object, and I do not intend to, will the Senator state what bill that is?

Mr. KUCHEL. That is the Alaska mineral leasing bill.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1855) to amend the Mineral Leasing Act of 1920, in order to increase certain acreage limitations with respect to the State of Alaska.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate resumed the consideration of the bill.

Mr. GRUENING. Mr. President, I ask unanimous consent that the Senate lay aside the pending bill, Order No. 577, Senate bill 1855, and proceed to the immediate consideration of the House-passed companion bill, Order No. 603, House bill 6940, of the same title.

The PRESIDING OFFICER. The House bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 6940) to amend the Mineral Leasing Act of 1920 in order to increase certain acreage limitations with respect to the State of Alaska.

The PRESIDING OFFICER. Is there objection to the present consideration of House bill 6940?

There being no objection, the Senate proceeded to consider the bill.

Mr. GRUENING. Mr. President, I urge the passage of H.R. 6940, which is identical in intent, purpose, and objectives to Calendar No. 577, S. 1855.

Both bills provide for the adjustment of the amount of acreage available for oil and gas leasing in Alaska so as to make it comparable to the amount of similar acreage available in the other 48 States, taking into consideration the far larger size of Alaska and the higher costs of exploration and development there.

The difference between the two bills is only one of drafting.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill is open to amendment.

Mr. BARTLETT. Mr. President, I have no statement to make in reference to the bill. The Senate bill was introduced in May by my colleague [Mr. GRUENING], for himself and for me, in response to many suggestions from citizens of Alaska. I think it is a good bill. The proposed legislation will be helpful in the development of oil and gas within Alaska.

The situation which brought about the need for an amendment to the existing law is being presented by my colleague. I wish to congratulate him for reporting the bill. I am hopeful the suggestion that the House version be accepted in lieu of the Senate bill will be agreed to, and that the bill will be passed by the Senate and signed into law by the President. The accomplishment of this objective will be an aid to oil and gas development in Alaska, which has now engaged the interest and attention of practically all the major oil companies in the United States, many of the smaller ones, and many independent producers.

We are confidently looking forward to the discovery of a great oil area, which we expect will be an instrumental factor in the economic advancement of the 49th State.

Mr. ALLOTT. Mr. President, I am sorry that at this particular moment there are comparatively few Members of the Senate on the floor to discuss what I think is a bill of very far reaching import about which I have had my personal reservations, as both Senators from Alaska are aware.

The comments which I propose to make are comments generally of which at least the junior Senator from Alaska [Mr. GRUENING] has been completely aware, because I have discussed the matter with him both in the subcommittee and in the full committee.

The bill pending before the Senate, H.R. 6940, proposes to amend the law which is designed to promote the mining of coal, phosphate, oil shale, sodium, and potassium on the public lands and public domain.

The particular purpose of the bill is to amend the Mineral Leasing Act of 1920, in order to increase certain acreage limitations with respect to the State of Alaska.

In order to understand fully what is involved, and to make a complete legislative record, which is what I intend to do at this time, I think we ought to realize, first, the following facts:

In the Mineral Leasing Act—the act of February 25, 1920, found at 41 Stat. 437, and codified at 30 United States Code, section 181, and following sections, as it has been amended—Congress in a single piece of legislation declared its policy to be that the thereafter oil and gas resources—as well as oil shale, coal, phosphate, and sodium, with potassium—potash—by a 1927 amendment—in and on the public lands of the United States would be disposed of only under a leasing system.

It should be made clear that we are talking about the leasing of public lands. This has nothing to do with the leasing of private lands in any respect; it covers only lands owned by the Federal Government, which in essence belong to each and every one of the people of the United States. The lands involved are defined as original public domain lands which have never left Federal ownership; also, lands in Federal ownership which were obtained by the Government in exchange for public lands or for timber on such lands; also, public domain lands which have reverted to Federal ownership through operation of the public land laws. Those are the three ways in which the Federal Government has obtained title to these lands, the lands which would be involved in the amendment of the Mineral Leasing Act of 1920.

Public lands must thus be distinguished from "acquired lands," lands which have been obtained by the United States by purchase, condemnation, or gift or by exchange for such purchased, condemned, or donated lands or for timber on such lands. The Mineral Leasing Act for Acquired Lands, enacted on August 7, 1947 (61 Stat. 913; 30 U.S.C. 351–359), authorizes the Secretary of the Interior to issue permits and leases for deposits of oil, gas oil shale, coal, phosphate, sodium and potassium in lands acquired by the United States, including such lands in Alaska, and subject to the same conditions as obtain in the case of public lands. In other words, mineral leasing on acquired lands proceeds the same as on public lands, but the acreage limitations apply separately.

Finally, with respect to mineral leasing of Federal oil and gas resources, there is the Outer Continental Shelf Lands Act of August 7, 1953 (67 Stat. 462; 43 U.S.C. 1331 et seq.). As Members know, this act had as its principal object and purpose declaring it to be the policy of the United States that the subsoil and seabeds of the Outer Continental Shelf—explicitly leaving unaffected the character of the high seas above the shelf and the rights to navigation and fishing thereon—appertain to the United States and are subject to its jurisdiction, control, and power of disposition, as set forth in the act. That act also authorizes the Secretary of the Interior to grant leases or permits for the use of shelf lands, including those for exploration and development of the oil and gas deposits of the submerged lands of the Outer Continental Shelf (67 Stat. 464, 468; 43 U.S.C. 1337). These lands are, and have been leased competitively, and are, of course, the submerged lands seaward of those belonging to the States under the terms of the Submerged Lands Act of May 22, 1953 (67 Stat. 291; 43 U.S.C. 1301); acreage limitations which apply on fast—inland—lands do not apply to shelf lands.

Mineral "leasing" as it appears in Federal law, should be distinguished from the patent system which since 1872 has characterized the Federal system of permitting private development of metalliferous minerals found on lands belonging to the United States. The law is administered by the Secretary of the Interior.

There are two basic types of leases which apply to the lease of oil or gas in public lands competitive and noncompetitive.

When the lands to be leased are within any known geological structure of a producing oil or gas field, the law—codified

at section 226, title 30, United States Code—requires the lands to be leased to the highest responsible bidder by competitive bidding; successful lessees bid and pay such bonus as may be acceptable to the Secretary of the Interior, and in addition the lessee is required to pay a minimum royalty of 12½ per centum in amount or value of the production removed or sold from the lease. Leases issued competitively have a primary term of 5 years and continue so long thereafter as oil or gas is produced in paying quantities.

When the lands to be leased are not within any known geological structure of a producing oil or gas field—and this, of course, is the case with respect to the vast majority of lands filed upon and leased—the first person qualified to hold a lease who makes application is entitled to a lease without competitive bidding. These noncompetitive leases are conditioned upon payment of certain annual lease rentals, and also upon the payment by the lessee of a royalty of 12½ percent in amount or value of the production removed or sold from the lease. Just as is true in the case of competitive leases, the primary term is fixed at 5 years, continuing so long thereafter as oil or gas is produced in paying quantities.

The law does provide, in the case of noncompetitive leases—and all of the provisions I have referred to are found in section 226 of title 30, United States Code—that upon the expiration of the 5-year term, if the lease has been maintained in accordance with applicable statutory and regulatory requirements, the record titleholder is entitled to a single extension of the lease; this single extension is for 5 years if at the end of the primary term the noncompetitive lease in question is on lands not within the known geologic structure of a producing oil or gas field, and for 2 years in case such lease is on lands which are within such a structure. In both cases, the lease continues for as long thereafter as oil or gas is actually produced in paying quantities.

Finally, there is one other distinction: The law for many years has carried certain acreage limitations. Generally, noncompetitive lease acreage is chargeable to the individual; that is, it is assessed against prescribed acreage limitations. Competitive lease acreage is not so chargeable.

LEASE AND OPTION ACREAGE LIMITATIONS

I propose to discuss lease and option acreage limitations, because without an understanding of this subject, no one can understand what the effect of the bill would be or what we are trying to do.

The question has been asked, Since S. 1855 deals with amendments to the acreage limitation provisions to which the Senator refers, would it be possible to state what those acreage limitations are under present law?

Section 27 of the Mineral Leasing Act, which is codified at section 184, title 30 of the United States Code, carries the provisions which establish limitations upon the acreage which may be held by one individual under mineral lease within each State. There are two ways in which an individual—and this includes a person, association or corporation—may hold interests in Federal oil and gas leaseholds: He may hold directly, that is, under lease; or he may hold indirectly, that is, under option—and options are required to be nonrenewable and limited to a 3-year term.

An option occurs when a person who has procured a lease on public lands from the Federal Government conveys to some other individual a right to purchase that lease.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. ALLOTT. I yield.

Mr. LAUSCHE. I should like to have the Senator from Colorado explain in greater detail the manner in which the option is acquired, and the manner in which the lease is acquired. When the Senator from Colorado speaks of an option, is he speaking of an option to purchase?

Mr. ALLOTT. An option to purchase a lease.

Mr. LAUSCHE. I hope the Senator will pardon me for asking the question, but I should like a little further explanation.

Mr. ALLOTT. I am very happy to give it.

As I explained a moment ago, these leases are issued by the Federal Government upon a competitive or noncompetitive basis. When the leases sought are upon a known oil and gas structure, the bidding for such leases must be competitive.

Mr. LAUSCHE. That is, where the lease is upon a known and established gas structure——

Mr. ALLOTT. Whether it is producing or not. If it is upon a known oil and gas structure, bidding on the lease must be competitive. When it is not upon a known oil or gas structure, the first one who files application has a preference in the securing of the lease, subject to other limitations, which I am about to discuss.

Assume that A has certain leases which he has acquired from the Federal Government in a legal manner, and B also has some leases, which perhaps are adjoining, or which, although they may not be contiguous to the particular piece which A holds, may be close enough to help him block out an area which would protect him in the event he wanted to drill. B would give to A an option to purchase the lease or leases which he held. Ordinarily such options are for 3 years. That is the limitation on such options, and they are also nonrenewable. The limitation can be avoided in several ways which I shall discuss later, but basically it is just a simple matter of granting new options.

An option is a private agreement between two individuals who hold leases.

Mr. LAUSCHE. Does the statute give the Government the right, for a consideration, to give an option to purchase, which is included in the lease?

Mr. ALLOTT. Not that I am aware of. I think not. The only power the Federal Government has in that respect is to lease.

Mr. LAUSCHE. But under the law the lessee does have the right to assign or convey his lease to a third person.

Mr. ALLOTT. That is correct—to give an option to another party to purchase the lease, with the approval of the Department.

Mr. LAUSCHE. If he has the right to give an option to purchase, of course, such option to purchase may finally ripen into a complete sale, provided the Federal Government approves.

Mr. ALLOTT. Only a sale of the leasehold; not of the land itself. I think that is an important distinction. It is only a sale of the leasehold which the person has.

There have been several amendments to the acreage limitation provisions. The most recent of these was enacted in 1954. Oil and gas leases not exceeding 46,080 acres in the aggregate and options covering not more than 200,000 acres may be held in any one State, except Alaska—and Alaska was at the time, of course, the Territory of Alaska.

The general limitation laws were not applicable to Alaska. So in response to the questions just asked by the Senator from Ohio [Mr. LAUSCHE], there is a limitation, on leases of 46,080 acres.

However, in Alaska, at present, 100,000 acres may be held under oil and gas lease by a single party. This is roughly double what they could hold in any other State in the Union; in fact, it is more than double the amount which is allowable.

Total holdings, direct and indirect, then, may not exceed 246,080 acres—46,080 under lease and 200,000 under option—in any one State of the United States. However, in Alaska, the permissible acreage is 300,000—100,000 under lease and 200,000 under option—or roughly 50,000 acres in excess of that in any other State.

OIL AND GAS LEASING RENTALS

The question has been asked: Then Alaska today has special acreage limitation provisions? There have been general references to a requirement of royalty and rental payments. Are these requirements the same in Alaska as in other States?

The answer is: Under the law which governs today, they are. Through the enactment by Congress only last year, rental and royalty provisions in Alaska were brought into conformity with the rental provisions in the other States of the Union.

I commented earlier on royalty requirements and the terms of leases. Rentals are payable annually, on a per-acre basis, in advance; and the law—section 17 of the act, as codified at section 226, title 30, of the United States Code—establishes the minimum rental which the Secretary of the Interior may charge.

The bill being considered today applies only to noncompetitive lease acreage which is chargeable under the law against acreage limitations; that is, not over known structures or producing fields. With respect to such lease acreage, the law, beginning in 1935, established a minimum annual rental charge of 25 cents an acre, except that during

the second and third years rentals are waived unless a valuable deposit of oil or gas is discovered before that time.

For a number of years, under regulations developed pursuant to this provision, the charges have been as follows: 50 cents the first year; second- and third-year rentals are waived; the per-acre rental during the fourth and fifth years is 25 cents an acre—in short, a gross rental of $1 an acre is charged during the initial term of 5 years, or an average of 20 cents an acre a year. For the 6th through the 10th years, in the case of the present renewal of a 5-year lease, the rental is 50 cents an acre annually, or a gross rental of $2.50 for the second 5-year period, making a gross rental per acre during the 10 years of $3.50, or an average annual rental of 35 cents an acre.

DISTRIBUTION OF RENTAL, ROYALTY, AND BONUS INCOME

The question has also been asked: What disposition is made of the income from these Federal oil and gas leases—that is, the income which arises from the payment of bonuses, rentals, and royalties?

The answer is: Provision was made in the original language of the 1920 act—section 35 of that act, codified today, as amended, as section 191 of title 30 of the United States Code—for the payment into the Treasury of the United States and for disbursement or crediting on a fixed formula thereafter to three sources. This applies to all income from all the minerals covered by the act. As it stands today, the disbursement is as follows: 10 percent of such collection is credited to miscellaneous receipts in the Treasury of the United States; 37½ percent is paid to the State, including Alaska, within the boundaries of which the leased lands are or were located, with a requirement that they be used by such State or its subdivisions for the construction and maintenance of public roads or for the support of public schools or other public educational institutions, as the respective State legislatures may direct. The remainder, 52½ percent, with the exception of the State of Alaska, is by law paid into, reserved, and appropriated as a part of the reclamation fund for expenditures in the 17 States of the Reclamation West. In the case of Alaska, which does not come under the Federal reclamation law, this 52½ percent is paid to the State of Alaska for disposition as her legislature may see fit.

So in the State of Alaska, of the actual receipts to the State of all sums which are received by way of rental or by royalties from oil produced, 90 percent goes to the State of Alaska, as compared with 52½ percent in the case of other States.

So Alaska presently gets 90 percent of the money received from bonuses, royalties, and rentals resulting from oil and gas leasing activity and production on Federal lands within her area; and of that amount, 37½ percent is earmarked for the purposes indicated.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. BARTLETT. I believe the Senator from Colorado said that the other States have returned to them 52½ percent. Is that not 37½ percent; and does not 52½ percent go into the reclamation fund?

Mr. ALLOTT. This is what I said:

> Thirty-seven and one-half percent is paid to the State.

Mr. BARTLETT. I misunderstood the Senator.

Mr. ALLOTT. For disposition as the legislature may direct. The remainder, 52½ percent, with the exception of the State of Alaska, goes into the reclamation fund.

Mr. BARTLETT. And Alaska is not a reclamation State, is it?

Mr. ALLOTT. Alaska is not a reclamation State. In the instance of Alaska, she would take 90 percent for disposition as her legislature might direct.

Mr. BARTLETT. Alaska would take 52½ percent as the legislature might direct, and the other 37½ percent, I believe, would go into the categories which were specified by the Senator a few minutes ago, including roads and education.

Mr. ALLOTT. That is correct.

Mr. BARTLETT. The 52½ percent may be used according to the discretion of the legislature.

Mr. ALLOTT. That is my understanding.

Mr. LAUSCHE. There are other nonreclamation States falling into the same category as Alaska.

Mr. ALLOTT. Yes. There are only 17 States which are reclamation States, and with respect to the disposition of revenues from oil produced on the public domain within their borders it would be the same. However, I know of no public lands subject to leasing outside the reclamation States.

Mr. LAUSCHE. Then the fact is that Alaska would not be occupying a unique position, but with respect to the 52½ percent would be identically situated with all the other nonreclamation States. There are 17 reclamation States. That would mean there are 32 that are not. Alaska is among those 32.

Mr. ALLOTT. I believe that is correct, yes, as to nonreclamation States.

Mr. BARTLETT. Alaska is a nonreclamation State.

Mr. LAUSCHE. But the thought in my mind is that Alaska does not occupy a lone, unique position. There are other States in the same category. Is that not true?

Mr. BARTLETT. I cannot answer the Senator.

Mr. ALLOTT. I should like to point out to the Senator from Ohio that this does not generally occur except in the public land States.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield to the Senator from Alaska.

Mr. BARTLETT. I should like to say to the Senator from Ohio that the Senator from Colorado has pointed out the essential difference. The other States are not public land States, and Alaska, of course, is. Ninety-nine percent plus of the land in Alaska is public land.

Mr. LAUSCHE. Then with respect to the use of the 90 percent Alaska stands in a lone and isolated position. Is that correct?

Mr. ALLOTT. For all practical purposes that is so.

The question has also been asked: Is it correct to say that the bill as introduced would have increased the acreage limitation in Alaska from 100,000 acres under lease and 200,000 acres under option to 1 million acres under either lease or option, or both? The bill as originally introduced did provide for a 1-million-acre limitation. The figure has been reduced in H.R. 6940, now being considered, to 600,000 acres.

As originally introduced and as reported, the bill eliminates the present statutory distinction between leased acreage and option acreage, and would thus permit the holding of 600,000 acres directly, compared with the present direct acreage limitation of 100,000 acres, or the combined lease and option allowable of 300,000 acres.

So, whereas we originally had a limitation of 100,000 acres on leaseholds, we now would have a 600,000 limitation which could be either leasehold or by option.

The question has also been asked: If the bill before the Senate applies only to Alaska—as it does—was any thought given to making changes in the law which applies to all other States comparable to those which are proposed to be made only with respect to Alaska in the pending bill?

For some time there has been pending in the Senate Interior and Insular Affairs Committee proposed legislation which would amend the law so as to eliminate the distinction between lease and option acreages in all the other States. It would not as presently proposed affect the total allowable acreage in the other States, however, and I point out that the other bill has not been acted upon by the Interior Committee as a whole, but is still pending, if I understand its status correctly, before the subcommittee of the Interior and Insular Affairs Committee. Hearings have been held on it, and if it were approved it would permit 246,080 acres of direct holdings, against the present limitation on direct holdings of 46,080 acres. In other words, there is also a bill pending before the Senate Interior and Insular Affairs Committee, which I anticipate will be acted upon favorably, which amends the present limitation by eliminating the distinction between leaseholds and options, thereby permitting the holding of a total of 246,080 acres of combined leaseholds or options in any one State.

One of the chief reasons for the favorable consideration of the particular bill pending in the Interior and Insular Affairs Committee, and one of the real reasons for doing away in the bill now pending before the Senate with the distinction between option and leasehold, is that because of the difficulty of recording, and because of certain decisions of the Department of the Interior, together

with certain court cases which have been adjudicated, it has become almost impossible for anyone who is dealing in oil leases or options to find out whether he has a valid and existing lease or option. In other words, he cannot have a valid and existing lease or option unless the original lease was issued legally. So these questions have been raised, and, I desire to make the record clear. I do not think anyone objects to doing away with the difference between oil leases and options, and treating them alike under the law.

The question has been asked: Then, if the Congress approves the present bill, we will have achieved this result: in Alaska, oil companies operating there will be permitted to hold 600,000 Federal acres under lease; in all of the other States, the companies operating there will be limited to holding of 46,080 acres under lease?

This will be true unless the Senate Interior and Insular Affairs Committee acts favorably and Congress then acts favorably upon and the President signs the bill now pending before the committee.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield to the Senator from Ohio.

Mr. LAUSCHE. Is it proposed to lift the 46,080 limitation in the several States solely because the bill grants 600,000 acres in Alaska? Is it because the 600,000 acres leasehold grant is so large that the Senator from Colorado feels the disproportion makes mandatory the lifting in the other States of the acreage limitation?

Mr. ALLOTT. I should have to answer that in all fairness with a categorical "No." That is not the reason, I am sure, for considering the proposed legislation.

At the present time in public land States one can hold 46,080 acres by lease or direct holding and 200,000 acres by option, which makes a total holding by an individual or corporation of 246,080 acres. The reason for the figure 600,000 is not because the figures for the States have been raised, or it is contemplated they will be raised. I think the reason, which the Senator from Alaska may develop as he sees fit, is that it is felt that the size and area of Alaska warrants a larger acreage.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield to the Senator from Alaska.

Mr. BARTLETT. In this connection I should like to note, for the information of the Senator from Ohio, that on page 2 the report reveals that the disparity between the holdings in Alaska and the other States is not so great really as it might first appear to be, because, as the Senator from Colorado noted, 246,080 acres may be held in the other States by lease and option, and additional land may be had under the Acquired Lands Act. There are not any acquired lands in Alaska. To all intents and purposes the act does not apply there. So in the State of Wyoming, which happens to be the example used in the report, there might be under the control of one individual or one corporation as much as 492,160 acres of land, or only 107,840 less than is requested in the pending measure for an area which has five times the land area of Wyoming. I think that is a very important point in this connection.

Mr. ALLOTT. I submit to the Senator, however, that though that is a possibility, it would rarely occur.

Mr. BARTLETT. I think the Senator is correct.

Mr. ALLOTT. It would be very rare.

Mr. BARTLETT. But as a matter of fact it is legally possible in any case.

Mr. ALLOTT. There are other legal possibilities which I intend to explore later, but that is the real ground and basis why I am not in favor of the pending bill.

I yield to the Senator from Ohio.

Mr. LAUSCHE. Let me inquire whether the Senator from Colorado is a member of the Committee on Interior and Insular Affairs.

Mr. ALLOTT. Yes, I am.

Mr. LAUSCHE. Is the Senator from Colorado of the opinion that the provision which will allow the granting of a lease for 600,000 acres is sound?

Mr. ALLOTT. Not in the form in which that provision is set forth in this measure. After I have discussed the other features of the statutory background, I shall deal with that point.

Mr. LAUSCHE. Very well.

Mr. ALLOTT. Mr. President, some have asked how the committee justifies proposed legislative action which would permit oil companies which happen to operate in Alaska to hold under lease nearly 15 times the acreage which can be held under lease in the other States.

The committee's justification is set forth in its report on the bill. Briefly, the situation is that Alaska is large, and exploration and development costs there are high, as much as three times as great as the average cost in the other States. The initial investment is thus such that it must be protected by substantial acreage holdings.

At the present time, a number of operators in Alaska have reached their acreage limitation; and it is said that unless this measure is enacted, further pioneering work by these more active companies and persons must come to a halt. That is the argument that is made. It is stated that such a halt in their operations would "seriously retard" the search for and the development of Alaska's oil potential "to the grave detriment of both the economy of the State and our security in the nearest-to-Russia area under the American flag."

In addition, the long-range benefit would be the development of a thriving petroleum industry. The short-range benefit would be that many millions of dollars in badly needed additional revenues would go to Alaska, through her 90 per centum share of lease-rental revenues; roads would be built in remote places; and service industries would be attracted to Alaska. It is also said the Federal Treasury would benefit; and that national defense and security would be strengthened.

But the Department of the Interior is opposed to this bill.

Inasmuch as one of my chief purposes is to make the RECORD crystal clear in regard to the pending proposal, I wonder whether my colleague on the Committee on Interior and Insular Affairs, the Senator from Alaska [Mr. GRUENING], will be willing to answer some questions in regard to how he understands the bill will operate and what its effect will be.

First of all, I am sure he will agree with me that the Department of the Interior is the agency which is designated by Congress to administer the leasing and development program for oil and gas resources on the public lands.

Mr. GRUENING. That is correct.

Mr. ALLOTT. Next, I am sure the Senator from Alaska will also agree with me that the primary purpose of this measure, regardless of whether it is explicitly stated—and this is probably where the Senator from Alaska and I are in disagreement—should be, not to bring immediate revenues into the coffers of the State of Alaska, but, rather, to secure the maximum overall development of the oil and gas resources of Alaska.

Mr. GRUENING. I think the bill might be said to have both purposes. The bill aims to attract the investment of capital and to promote oil and gas exploration under the extremely difficult and costly conditions which exist in Alaska.

Mr. ALLOTT. But is it not a fact that the overall development and the long-term development of these resources should be the purpose of this bill, rather than the immediate financial benefit which may be obtained by Alaska?

Mr. GRUENING. Yes, I think the long-range benefits might be the more important; but I think that both the long-range benefits and the short-range benefits may be considered as objectives.

Mr. ALLOTT. As a matter of fact, the original leasing act is entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," rather than "An act to bring more money into the individual States."

The Bureau of Land Management, of the Department of the Interior, is the agency which is responsible for administering the leases; and the Geological Survey, of the Department of the Interior, is responsible for supervising the actual development under the leases, and is charged with responsibility for insuring that sound conservation practices in compliance with applicable laws and regulations are followed. Are not these two agencies experienced in these activities? Furthermore, does the Senator from Alaska know how many leases these agencies are administering and supervising?

Mr. GRUENING. Yes, they are experienced along these lines; but we also find within the same Department profound differences of opinion. There were differences of opinion there in regard to this very bill. The Bureau of Land Management had one opinion, and a less

identifiable agency within the same Department had another opinion.

Mr. ALLOTT. But neither of those agencies gave its approval to the bill which now is before the Senate, did it?

Mr. GRUENING. I would not say that, because the reports were not made separately. When the Department made its report—which was in rather vague terms—it expressed disapproval of enactment of the million-acre provision, but added that if additional evidence were adduced, it would be prepared to change its mind. It made that report before the hearings were held; and a great deal of additional evidence was adduced at the hearings.

Mr. ALLOTT. Is the Senator from Alaska saying that now either the Department of the Interior or the U.S. Geological Survey supports the pending bill?

Mr. GRUENING. I am saying that the Department of the Interior is supporting a bill which is so little different from this one that I do not consider the difference essential.

Mr. ALLOTT. Since this is the Senator's bill, may I ask why there is not a report from the Department, then, saying that it approves this bill?

Mr. GRUENING. I cannot speak for the Department; but I know that it has agreed to approve a total leasing of 600,000 acres, provided it is divided into two parts—300,000 acres north of the Brooks Range, and 300,000 acres south of the Brooks Range, the total amount being the same as in this bill.

Those of us who are very much more familiar with conditions in Alaska than are the bureaucrats in the Department of the Interior know that that distinction is wholly unrealistic, and is not based on any actual justification as regards climatic or weather conditions upon which the Interior Department's distinction was supposedly based.

Mr. ALLOTT. I hope that if and when there is a change in the administration—although I trust I shall never see that day come—the Senator from Alaska will not apply the same epithet he has just now applied.

I wish to say that presently there are considerably more than 130,000 oil and gas leases in effect, and they embrace more than 107 million acres of land. Of course these two agencies have more than 39 years of experience under the Mineral Leasing Act.

Mr. GRUENING. If the Senator from Colorado will pardon me, let me say that I dislike to indulge in any self-advertising; but if the Senator from Colorado will consult my book entitled "The State of Alaska," he will find in it no less caustic indictments of the bureaucracy of administrations of different political complexion. I find that that bureaucracy does not change a great deal with the change of administrations.

Mr. ALLOTT. Is it not true that in its report, the Department of the Interior recognizes that the development of oil and gas in Alaska continues to be more costly than in other States; but the Department does not believe that a general increase of the acreage limitation, as proposed by means of Senate bill 1855—namely, an increase of 600,000 acres—would be helpful or desirable? Is not that the substance of the report made by the Department of the Interior?

Mr. GRUENING. As I have stated, the Department of the Interior has agreed to an increase to 600,000 acres, provided the 600,000 acres is divided into two parts: 300,000 acres north of the Brooks Range, and 300,000 acres south of the Brooks Range. Those of us who sponsor this bill think that is a wholly arbitrary and unrealistic division and really does not apply sensibly to actual conditions in Alaska.

The reason for that distinction is, I think, that the Department of the Interior wished to develop exploration north of Brooks Range, on the assumption, as its witnesses testified, that weather conditions are far more severe north of the Brooks Range than they are south of it. Those of us who have been over that region on various occasions in various seasons, which the Department of the Interior experts have not been, know that climatic conditions south of Brooks Range are generally as severe as those north of Brooks Range. Colder temperatures, in fact, have been noted south of the Brooks Range than north of it. More snow actually falls south of Brooks Range than north of it.

So far as accessibility is concerned, neither of these oil-bearing regions is served appreciably by roads, so there is really no essential difference between the two areas, and the distinction made by the Department of the Interior is wholly unrealistic.

Mr. ALLOTT. Is it not a fact that the area north of Brooks Range was not opened up to leasing until some of the companies were close to the maximum of their lease holdings?

Mr. GRUENING. Yes. I think the Senator refers to the naval petroleum reserves.

Mr. ALLOTT. That area has only recently been opened up to leasing. Is that correct?

Mr. GRUENING. Yes.

Mr. ALLOTT. The Department's report points out why it favors use by companies up to their limit of development contracts or unit plans. It is convinced that procedures which compel early and timely drilling to discovery and production are ideally designed to meet the present Alaska situation.

We are talking about a 600,000 acre limitation, which does away with the differentiation between the holding of options and leases under this bill. Is that not correct?

Mr. GRUENING. That is correct.

Mr. ALLOTT. It is a fact, is it not, that under the bill before the Senate today, a company can hold almost limitless acreage in Alaska? In other words, by means of unitization of its lease and option contracts, and by utilizing development contracts, acreage of a company can be exempted from chargeability under the limitations of the act. Is that statement correct?

Mr. GRUENING. If the Senator so affirms I am sure that is so.

Mr. ALLOTT. I believe the Senator will find that it is true.

Mr. GRUENING. If the Senator from Colorado states it as a fact, I shall be happy to accept the statement.

Mr. ALLOTT. I see present on the floor the Senator from New Mexico [Mr. ANDERSON].

Mr. GRUENING. He is an expert on this subject.

Mr. ALLOTT. He participated in the hearings. I am sure he will bear me out in this statement: The fact is that even the 600,000-acre limitation under this bill does not represent any real limitation of holdings, because a company could hold 600,000 acres of land under lease and option. It could then unitize 50,000 acres and put that land into a unitization agreement which would call for a drilling contract under the agreement which the United States Geological Survey provides, but those 50,000 acres would then be subtracted from the amount chargeable to that company, and the company could then lease 50,000 more acres from the Federal Government. I ask the Senator from New Mexico if that is correct.

Mr. ANDERSON. The statement made by the Senator from Colorado is correct, I am sure.

Mr. ALLOTT. The company could, in turn, take another 50,000 acres, set that land aside in a unitization agreement, and then it could substitute another 50,000 acres. By that time, the amount would be up to 700,000 acres. The company could do it again, take another 50,000 acres, put that land into a unitization agreement, and then lease another 50,000 acres. By that time the amount would be up to 750,000 acres.

Is it not true that by the use of a unitization agreement and by a development contract, there is no limitation upon what any one person or one firm may hold in Alaska or any other State?

Mr. GRUENING. There may be a legal limitation or not, but I should think there would be a limitation brought about by some circumstances.

Mr. ALLOTT. There would be some economic limitation, there is no question; but I think the Senator will find that in the hearings a statement was made, which was not challenged by anyone, that there is one company in Alaska today which controls more than 800,000 acres, and has drilled only two wells to date.

Mr. GRUENING. I think it must be realized that exploration and drilling in Alaska have been of very recent date, and the fact that this company has drilled two wells only means that exploration there is in its infancy.

Mr. ALLOTT. But in spite of the fact that the present limitation is 300,000 acres, here is a company that controls more than 800,000 acres, but has drilled only two wells. So this limitation by itself is not definitive. I will ask the Senator if that statement is not true. He has studied the bill. He has sponsored a similar bill. I am sure it is true that there is no practical limitation, so long as a company can put other acreage into unitization agreements and into development contracts.

Mr. GRUENING. Does the Senator imply that this is a situation peculiar to Alaska?

Mr. ALLOTT. It applies to other places also, but this is a point which is not understood generally, and it is one of the reasons why I am deeply concerned about this bill. We are operating under a 300,000-acre limitation today, and one company already controls and owns acreage in excess of 800,000 acres. What is going to be the result if the limitation is increased to 600,000? Is that company going to jump its control up to 1,200,000 or 1,500,000 acres?

Mr. GRUENING. Nobody can foretell, but I am confident that if it does, it will mean greater development of oil resources in Alaska, which is what we are after.

Mr. ALLOTT. Merely because a company leases, there is no assurance, I point out to my friend, of the devolpment of oil in Alaska.

Mr. GRUENING. We have no assurance about many things. We are hopeful oil development will occur. That is the purpose of this bill. Such legislation has the support of all those who are really familiar with Alaska and with oil conditions and prospects there.

Mr. ALLOTT. I think the Senator is taking in a little too much territory when he makes that statement, because I think there are many persons, as well as industries, acquainted with the situation, that are not sure this would be a good piece of legislation.

Mr. GRUENING. If that be true, why did not those opponents appear at the well-advertised hearings? No opposition was heard from any source except the rather ambiguous comment by the Department of the Interior. It was the only opposition which was registered.

Mr. ALLOTT. The Department of the Interior is, after all, the department of Government which is chargeable with this particular responsibility. Both the Bureau of Land Management and the U.S. Geological Survey appeared in opposition to the bill as did the Department of the Interior.

Mr. GRUENING. I am sorry, but I have to disagree with the Senator.

Mr. ALLOTT. They have offices in Alaska.

Mr. GRUENING. The Bureau of Land Management did not appear in opposition. In fact, the Director of the Bureau of Land Management, as is shown in the record of hearings, stated he thought the present acreage limitation was unrealistic and should be increased.

Mr. ALLOTT. But that does not mean he is in support of the bill which the Senator is espousing today.

Mr. GRUENING. No. He has to take orders, as most bureaucrats do from higher bureaucrats.

Let me read from the record of hearings of June 19.

Mr. ALLOTT. To what page is the Senator referring, please?

Mr. GRUENING. Page 10 of the hearings on Alaska Mineral Leasing:

On June 5, Senator O'MAHONEY, who is the chairman of this subcommittee, was questioning Mr. Woozley, the Director of the Bureau of Land Management, on the subject of acreage limitation, and Senator O'MAHONEY said:

"What do you think about the amount of land that should be carried under options and leases. Do you have in mind a maximum limitation?"

And Mr. Woozley, the Director of the Bureau of Land Management of the Department of Interior, replied:

"I think, Senator, that as far as the States other than Alaska are concerned, the present limitation has proved satisfactory, the 46,080 and the other making a total of 246,000. I am not so sure that with the present acreage available in Alaska that the present option is realistic."

Senator O'MAHONEY then said:

"As a matter of fact, you think it probably is not realistic."

Mr. Woozley said, "That is true. I think with the tremendous acreage involved in Alaska there probably should be some realinement for that."

Mr. ALLOTT. I point out to the Senator again, that is far from an endorsement of the bill. It is a request for realinement.

Mr. GRUENING. Neither, as the distinguished Senator has contended, is the view expressed in opposition to the bill.

Mr. ALLOTT. There is a report, because the Department of Interior, which is the Department in which the Bureau of Land Management is contained, has filed an adverse report on the bill and has appeared in opposition to the bill.

Mr. GRUENING. Of course, the Department of Interior is far from infallible. Those who have observed its workings through the years have seen it commit some very grievous errors. The Department prevented for a decade and a half the mining of coal in Alaska, so that the development of Alaska was seriously retarded for practically half a generation. We have seen such things happen again and again.

In the report which was made as to the reasons for the opposition and the reasons for the counterproposal made, it is stated the witnesses had no firsthand knowledge of the situation which they described. But all the people of Alaska who have had firsthand knowledge—the commissioner of resources of Alaska and others who have been on the ground—knew the facts to be different from what the Department of Interior asserted them to be or believed them to be.

Mr. ALLOTT. I wish to ask the Senator a question. Is it not true that under the proposed legislation an oil company can hold 600,000 acres-plus, at an average rental for the first 5 years of 20 cents an acre a year?

Mr. GRUENING. Yes, I think that is correct. It is 20 cents. Of course, some people have been critical of that and have sought to increase the amount, but I do not think that is particularly pertinent to the bill under consideration.

Mr. ALLOTT. So if we permit oil companies to hold such fantastic acreages without any obligation to drill, for the cheap cost of 20 cents an acre, we will not be contributing to the development of Alaska's resources. We would contribute to the immediate rentals, 90 percent of which would go to the State.

I am not trying to penalize our good friends from the State of Alaska, but by such action we would not contribute to the development of the oil and gas of Alaska.

Mr. GRUENING. I beg to differ with the Senator. Of course, the Senator is entitled to his opinion, and it is based on a good deal of experience, but there are others who disagree, and I am one of them.

Mr. ALLOTT. The Senator has spoken often of his experience in Alaska. I might point out to the Senator, since I live in the Great Plains area of the United States, where there is much oil and gas produced, I, too, have had a little experience in this field. I find that the mere taking of leases does not contribute to development. So long as the companies concerned can hold the leases at a minimum rental, they often retain them as reserves. They will pay for the leases rather than develop the lands. That is what I think would be accomplished in Alaska under the provisions of the Senator's bill.

Mr. GRUENING. I am glad the Senator has stated that for the RECORD, because it will give us every inducement to persuade these companies to do otherwise—to develop, as I am confident they will.

Mr. ALLOTT. I will ask the Senator how many wildcat wells have been drilled in Alaska to date.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. BARTLETT. I believe the drilling of the first wildcat well is about to start.

Mr. ALLOTT. So with the present 300,000-acre limitation and the leasing of land on Kenai Peninsula and elsewhere, only one wildcat well to date has been drilled. Is that correct?

Mr. BARTLETT. No. My understanding, which may not be technically accurate, because I am not an oil expert, is that the wildcat well is to be drilled. A well was drilled on Kenai Peninsula by Richfield and Standard, and oil was discovered there. Another well was drilled and oil was also discovered, but all experiences have not been so fortunate.

There are many tales told, of course, in the Land of the Midnight Sun. In respect to separating fancy from fact, the job is not always easy. It is said that Phillips Petroleum in the Yakataga region spent in excess of $8 million without making any discovery at all.

If the Senator will permit me to add one more statement on the Alaska Peninsula, Humble Oil Co. is reputed to have spent more for one well, which produced absolutely nothing, than the United States paid for Alaska to Russia in 1867, when the price was $7.2 million.

Mr. ALLOTT. I would have to say that I do not follow the Senator's reasoning.

I should like to ask my friend another question. Is it not a fact that all the wells which have been drilled in Alaska so far, except one, have been under development contracts?

Mr. BARTLETT. I cannot answer the Senator.

Mr. GRUENING. There have not been so many as to prove the rule, I believe. I think there have been two.

Mr. ALLOTT. The Senator thinks possibly there have been two?

Mr. GRUENING. I think there have been two, yes.

Mr. ALLOTT. Let us concede there have been two. The development contracts are not chargeable to the acreage which the companies have charged to them, are they?

Mr. GRUENING. I do not see the pertinence of the question.

Mr. ALLOTT. It goes to the pertinency of the matter, I will say to my friend, in this way: If a company can keep on enlarging its acreage by the use of developmental contracts and by the use of unitization, then the 600,000 acres as a limitation, which is being sought by the bill, which would not guarantee any geographical distribution of development, would permit the companies to continue to grow until there was a complete monopoly of all the possible oil land and oil and gas land in the southern part of the State. On the other hand, if a company must commit acreage to a development or unitization contract it becomes obligated to drill and develop the area. This bill tends to reduce the existing incentives for going into development and unitization contracts.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. BARTLETT. That is, of course, a very interesting theory; indeed, it may be more than that—it may be a fact. However, it seems to me what can be done in Alaska under the existing law is exactly that which can be done in any other State. The law which applies to Alaska with respect to leases and unitization is no different from the law which applies to Colorado or Wyoming. If there is something wrong with the general law, let us cure it. If there is something wrong with the rental structure for leases, let us cure that generally.

However, we are discussing a case where theoretically, at least, in any one of the States, taking into consideration the Acquired Lands Act, a person or a company may have almost as much oil and gas land as is proposed in this measure under consideration.

Mr. ALLOTT. He could, if there were that much acquired land in any State.

Mr. BARTLETT. Theoretically, as I stated.

Mr. ALLOTT. It is a very theoretical case that a person could do so. Even granting that this is the situation in a given State, the point I am making is: If a company can now hold or control in excess of 800,000 acres, with a 300,000-acre limitation, how much can the company own or control with a 600,000-acre limitation?

Mr. BARTLETT. More, I suppose; but this can be done elsewhere. The other day we were holding a hearing before the Senate Committee on Interstate and Foreign Commerce. In response to a question I asked, a witness for the Interior Department said that by the stroke of a pen the Secretary of the Interior could turn all the public domain of Alaska into a wildlife range. So we cannot exactly predict what will happen in any given situation.

Mr. ALLOTT. I predict that Alaska will be like every other State. In some areas there will be oil and gas, and in other areas there will not be.

The Senator has answered my question. There would be no real limitation, with the proposed increase in the amount of acreage which may be held.

I should like to ask my friend from Alaska one further question. Does he favor a change in the rental rates for oil and gas leases on the public domain, to bring them more in line with the rentals which anyone would have to pay to lease land from a private individual?

Mr. GRUENING. I believe that if that would be productive of more revenue, and would not inhibit oil development, I would be in favor of it.

Mr. ALLOTT. Does the Senator believe that it would inhibit oil development?

Mr. GRUENING. That I cannot tell.

Mr. ALLOTT. Does he think it would produce more or less revenue?

Mr. GRUENING. We can never know until we try it, whether an increase in price limits the use, or whether the lessees absorb the increase and go ahead. I do not think we can tell until we actually try it.

Mr. ALLOTT. Does the Senator say he is in favor of the position discussed in committee by the Senator from New Mexico [Mr. ANDERSON], with respect to the increase of these rentals, or is he opposed to it?

Mr. GRUENING. I think the Senator from New Mexico was on sound ground when he pointed out that the price of everything else had gone up since the days when these rentals were fixed at very low figures, and that there was no reason why the price of the rentals should not go up.

Mr. ALLOTT. Does the Senator believe that rentals should be subject to adjustment?

Mr. GRUENING. Yes.

Mr. ALLOTT. May I inquire whether the Senator has in mind offering an amendment to the pending bill to increase the rentals in Alaska?

Mr. GRUENING. No; I have not.

Mr. ALLOTT. But the Senator does favor it?

Mr. GRUENING. I do not believe we should complicate this relatively simple issue by offering amendments which might be highly controversial.

Mr. ALLOTT. I thank the Senator.

Third. Whatever else may be said of S. 1855, it is piecemeal legislation of the worst sort.

H.R. 6940 deals only with Alaska. It would establish acreage limitation, insofar as direct or lease holdings are involved—and these are the significant holdings—15 times those permitted in the other States.

On this point, it is obvious that by dealing only with Alaska, H.R. 6940 places companies presently operating exclusively in Alaska or in Alaska and the other States, in a discriminatorily favored position over those companies operating solely in States other than Alaska.

It would eliminate the distinction between lease and option holdings, a major policy decision in itself, but only in Alaska; at the same time, it would totally ignore other clearly, and even vitally, interrelated proposals.

There are pending in the Congress perhaps the most numerous and significant proposed amendments to the Mineral Leasing Act in its history. Many of these are, in the view of industry, the committee, and the Department of the Interior, meritorious proposals. But —and this is the important thing—Interior has repeatedly emphasized its absolute conviction that these several important and interrelated legislative elements should be considered together, or if considered separately should be considered in such order as would achieve the same effect as a single bill combining all elements, that is, repeal of second- and third-year rental waiver; adjustment upward of present minimum lease rentals; elimination of distinction between lease and option holdings, with consequent substantial increase in permissible direct acreage holdings in each State; and, then increasing of the primary lease term to 10 years from 5 years.

H.R. 6940 is proposed for action by the Senate without any assurance whatsoever that consideration can and will be given to adjusting by statute present law governing the second- and third-year waiver, lease rentals, or lease terms.

Fourth. H.R. 6940 threatens to deprive both the people of the United States and the people of Alaska of very substantial revenues.

Viewed most conservatively, and not very realistically, H.R. 6940 would double the present acreage limitation in Alaska: it would increase total allowable acreage from 300,000 acres—100,000 under lease, 200,000 under option—to 600,000 acres however held. Viewed realistically, it would multiply by six times the acreage limitation in Alaska—increasing it from the present 100,000 acres permitted under lease to 600,000 under lease.

Having in mind the present average of 20 cents per acre per year rental chargeable during the 5-year primary lease term provided under present law, we can assume conservatively that that lease acreage would double in Alaska as a result of enactment of H.R. 6940. Then, let us examine the consequences.

Examination of the record made, and some reexamination of statistics, make it clear that the statements appearing at page 4 of the committee report—"the need for this additional revenue, which can be realized at no cost to the Federal Treasury, and the Federal Treasury would in fact benefit"—are, put succinctly, completely misleading and erronous.

Presently under lease or lease offer are some 46 million acres in Alaska. On the basis of the committee's advice and the position of Senator GRUENING, the bill's sponsor, we may assume that acreage would double in the near future—would climb to 96 million acres.

This being the case, enactment now of H.R. 6940 would invite a result we cannot believe—on close examination—would be either in the interest of the new State of Alaska and its people, or the people of the United States.

Enactment of H.R. 6940, without an attendant change in the present waiver or rental provisions—and the bill's sponsor indicated no enthusiasm whatsoever for such changes in H.R. 6940, notwithstanding urging by the Department of the Interior—the Government would, of course, be bound by the terms of leases as they would issue under present law at an average of 20 cents an acre for the first 5 years.

Gross rental for the initial 5-year term, as we have said is $1 per acre; of this Alaska receives 90 percent, the United States 10 percent. Assuming doubling of acreage presently under lease as a result of relaxation of acreage limitations, enactment of Senator GRUENING's bill now would deprive the new State of Alaska of at least $81,800,000 in oil and gas leasing revenues in the next 5 years.

In other words, if we enact the proposed legislation now, and people take up 5-year leases based upon the estimated expansion of the lease law, it will deprive the State of Alaska of at least $81,800,000 in revenues in the next 5 years, because the present rate of rentals will apply. The difference between 90 percent of rentals at $3 gross rental per acre on the same number of acres if issuance of leases were made under recommended increased minimum rentals.

If the rates of lease were raised, as we have proposed, instead of bringing in $1 in the first 5 years, it would bring in $3; but if this occurred, and if the acreage did double—and I am sure my friends from Alaska anticipate that it would—the resulting loss to Alaska would be as I have indicated.

This we call keepaway of moneys belonging to Alaska for schools, roads, and such other purposes as the legislature decides.

It follows that the loss of revenues to the United States would be $9,200,000 during the same period, and for the same reasons.

This we call giveaway, of moneys belonging to all of the people of the United States.

For reasons we have elsewhere pointed out, this deprivation of very, very substantial revenues would occur without any attendant assurance that early and timely development of lands would occur. This we call takeaway—of millions of acres of land from development possibilities, for a number of years, at bargain basement rates, by a handful of oil companies which happen to be operating in Alaska at the present time.

But even those figures need not be the full ultimate loss to either Alaska or the United States by reason of enactment of H.R. 6940.

If H.R. 6940 is enacted now, and if subsequently the primary lease term is increased from 5 to 10 years—and S. 2181 and other pending bills propose such a change—without attendant adjustments for the full period of minimum rentals and without repeal of the present rental waiver provisions—and the legislation presently pending in committee makes no such provisions—the loss in revenues will climb appreciably.

Present gross rentals for 10 years aggregate $3.50 per acre; as Interior proposes to change existing law the new gross minimum rental would be $8 per acre. Under these circumstances the loss of revenues to the State of Alaska because of increased leasing activity as a result of relaxed acreage limitations—and without attendant adjustments the Interior Department argued unsuccessfully should be made—would amount to at least $186,300,000 over the 10-year period. The difference between 90 percent of rentals at $3.50 gross per acre on 46 million acres under present law, and 90 percent of rentals at the Departments' proposed $8 gross per acre for the 10-year period.

And this is not all. To the foregoing would have to be added loss of revenue during the 6th through the 10th years on the 46 million acres' worth of leases presently outstanding or on application, or an additional $103,500,000. The difference between 90 percent of rentals at $2.50 gross per acre on 46 million acres under present law, and 90 percent of rentals at $5 gross per acre for the 6th through the 10th years.

The total loss of revenue to Alaska over the 10-year period following the enactment of H.R. 6940 might well be as high as $289,800, and to the people of the United States, during the same period, almost $30 million. H.R. 6940 could provide a loss of a third of a billion dollars in revenue, I believe, to the State of Alaska. It is give away, take away, and keep away.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. GRUENING. If the calamity which the Senator from Colorado visualizes were to take place under the provision of the bill, a proposal to extend the acreage to 600,000, would there not be a corresponding calamity in the Department of the Interior's recommendation also to grant 600,000 acres, to be divided merely by a geographic line? Obviously the same result would obtain in either case.

Mr. ALLOTT. Not at all. As a matter of fact, the recommendation of the Department of the Interior would tend to spread this acreage over the entire State of Alaska, so that we would get what the original Mineral Leasing Act contemplated, which is the maximum development of lands in the State of Alaska.

I do not believe that it can be successfully contended that if we pass a bill increasing the acreage limitation now, and then do not act immediately—and we should act before we pass this law—to increase the rentals, we will deprive the State of Alaska of many millions of dollars of State revenue, and we will also deprive the U.S. Government of a similar amount.

In the first paragraph of page 4 of the committee report, it is stated:

> The need for this additional revenue, which can be realized at no cost to the Federal Treasury.

Mr. President, this is not at no cost to the Federal Treasury, and I think it is not at no cost to the State of Alaska. I think the State of Alaska will pay dearly for this, unless it is coupled with an increase in the price and cost of acreage rentals.

Finally, this proposal is premature. Apart from the very real threat of loss of very substantial revenues, through the enactment of H.R. 6940, the longer range loss risk might be even greater; that is, the risk that development would be slowed through the inaction of leaseholders in Alaska for from 5 to 10 years.

The Department of the Interior puts it this way: Concede, arguendo, that the Department of the Interior is in error in its judgment that development contracts and unit agreements appear to be the best or only way to assure full and timely development in Alaska in the immediate future, that is, the next year or the next 18 months; concede further that the past 2 years' history of nondevelopment on acreage other than that embraced by such agreements is misleading, and that subsequent history will so demonstrate. If the Department of the Interior is wrong in pleading for caution now, its "error" can be undone next year, or the year following, with some minimal slowdown of development in Alaska.

If, on the other hand, the proponent of H.R. 6940 is in error in his assertion—and I believe he is—that relaxation of the acreage limitation at this time is unwarranted, as the Department's experts think he is, or in any case that his present judgment is unwarranted based on past showings, and therefore premature, that error could not be undone for upwards of 10 years. Why? Because the lessee companies could have their acreage and not need to develop it for that long a period. Both revenues and development would be lost.

There is one other reason for labeling action now "premature." Under the Alaska Statehood Act, the State is authorized to select more than 100 million acres of lands. Lands prospectively valuable for oil and gas could be selected. If Alaskans truly feel they want to risk increased acreage on the lands of individuals and companies now, they need only proceed to select. Alaska law permits 500,000-acre holdings on fast lands by one individual, 500,000 on submerged lands. The new State ought to examine its own position and in good faith do something on its own to relieve what the junior Senator from Alaska [Mr. GRUENING] describes as a "grave detriment" situation. Thus far, no sign of willingness so to act has been evidenced.

In short, Alaska has a clear remedy for the illness which the junior Senator from Alaska asserts plagues her.

I have only the utmost respect for the junior Senator from Alaska, and I have only the utmost respect for his intentions in this matter. I desire to make it clear that nothing I have said should be construed by anyone to imply anything except that the Senator from Alaska is trying to do for his State what he thinks at the present moment is best for it. I have tried to convince him, unsuccessfully, twice—in the subcommittee and also in the full committee—that this proposal is not in the best interests of Alaska. I hope he will reconsider his position.

The interests of Alaska would appear to be on the side of deferring action on H.R. 6940, even though some Alaskans might want to risk depriving themselves

both of substantial revenues and development of her resources. Congress cannot so lightly risk the interests of all the people of the United States in those same resources.

The proposal of the Secretary of the Interior was that the acreage limitation contained in H.R. 6940 be split, so that 300,000 acres would be south of the Brooks Range, and 300,000 would be north. The reason for splitting the acreage, according to the Department's reasoning—and this is also included in the reports of the Bureau of Land Management and the Geological Survey—is that it would assure development not only north of Brooks Range, but also south of Brooks Range. To put it another way, it would assure development not only in the south, where the major portion of the development is now taking place, but would also assure development north of Brooks Range, where little or no oil and gas exploration work is being conducted.

As it is, the bill if passed would permit all this development to be done in the very south of Alaska, and would leave what is generally regarded as perhaps the best possible development area of Alaska, which is north of the Brooks Range, without any development, or with no impetus to begin development.

I have pointed out that if the bill is enacted now, those who lease will secure what amounts to 10-year leases on very, very reduced minimal acreage fees. I say in all candor that what should be done is not to pass the bill. If the bill is passed, there will be a rush to lease at the cheap rate of 20 cents an acre a year; and once those leases have been made, they can be renewed at the end of 5 years for a period of 10 years. There will be no guarantee at all that any development work will be done.

Furthermore, there will be a great loss of revenue. I cannot help feeling that in the long run Alaska will be many, many million dollars ahead if we defer action on this bill until such time as action has been taken on the proposals to increase the rental rates. At that time the Senator from Alaska could reintroduce his bill.

I have one other objection to the bill. As I pointed out at some length a while ago, under present law one company holds in excess of 800,000 acres of land. I have been informed that wells have been drilled, at least commenced, to entitle them to hold these 800,000 acres. If we increase the maximum to 600,000 acres without making them expand into other areas, I do not know how much land any one company could hold in Alaska.

I do not hold with this policy of government. I believe that the limitation carried in the bill will lead to headaches. It may even, in this administration or subsequent administrations, lead to scandal, because it involves the control of entirely too much land without the impelling duty to spread this interest over the State of Alaska.

I do not want to see this administration or any other administration imposed with the impossibility of administering such an impossible law, and in my opinion if we do what is projected, we will be acting to the ultimate detriment of Alaska and the United States in several different ways.

Mr. BARTLETT. Will the Senator yield?

Mr. ALLOTT. I am happy to yield to the Senator from Alaska.

Mr. BARTLETT. Naturally in a situation similar to the present one, even in different situations, men of honest convictions may differ. I cannot let the debate on this bill conclude, though, without noting that my colleague [Mr. GRUENING] and I introduced the bill at the specific request of the State Legislature of Alaska. Nor do I want the debate to fail to note that the director of natural resources of Alaska, Phil Holdsworth, urged passage of the bill.

It is our belief and conviction that instead of taking money from the State of Alaska, enactment of the bill will create a situation which will add to State revenues.

We are, of course, vitally interested in receiving into our State treasury the rental revenues which are so meaningful now in adding to the credit side of the State treasury, but even more important is the development of an oil industry which will give us royalty proceeds, and could by itself come close to maintaining the cost of the governmental operation of the State of Alaska.

We would expect that the dedicated employees of the Interior Department would prevent scandal from occurring even if the acreage limitation were double what it proposed under this bill. I think they could watch over it very carefully and make sure that nothing untoward occurred.

Mr. ALLOTT. The Senator realizes, of course, that under the present law, one which we are trying to correct by S. 2181, which is now pending before the committee, the Department of the Interior has experienced difficulty in controlling the number of leases and options.

I am sure the Senator is aware of that, and it is for that reason and in this area that assistance is sought so we may not have a scandal, or bring about such a situation that many innocent people may be hurt, because under the present law the Bureau of Land Management and the Geological Survey have no really adequate way to control the transfer of leases by way of assignment so that innocent purchasers can ascertain what they are.

Mr. BARTLETT. Does the Senator know whether the Department of the Interior has requested Congress to alter this situation?

Mr. ALLOTT. Yes; they have.

Mr. BARTLETT. When did that request first come?

Mr. ALLOTT. I cannot say when it first came. I can only say to the Senator that they have requested us to alter it, and the remedy is contained in S. 2181.

Mr. BARTLETT. This situation has been in effect for a long period of time.

Mr. ALLOTT. Since the beginning of the Mineral Leasing Act; and it should have been corrected many years ago.

Mr. BARTLETT. Have many scandals occurred?

Mr. ALLOTT. No scandals have occurred, but many people have suffered many, many thousands of dollars of loss because of it.

Mr. BARTLETT. I may say to the Senator from Colorado that, though I disagree with him as to his conclusions relating to the bill, I think he has performed a useful public service in calling to the attention of the Senate his objections. However, I should like to speak for a moment on another feature.

Mr. ALLOTT. Before the Senator turns to that, let me say to him that I have been a lawyer all my life, and I sometimes argue very vehemently and very seriously. I am sure that he and his colleague know, and I hope they will always know, that what I have to say about this bill indicates no reflection on the intent and the honesty of either of the Senators from Alaska. I have stated before, and I reiterate, my deep regard for both Senators and for what they are trying to do, but there are some conclusions which seem to me patent, which I cannot avoid, and therefore I feel obligated to call them to the attention of the Senate.

Mr. BARTLETT. I did wish to point out that oil development north of the Brooks Range might be made difficult by reason of the fact that practically all of that area remains withdrawn under public land order 82, and on very little of it may oil and gas leases be made. I think it is rather a striking illustration that the Colorado Oil & Gas Co. from the Senator's own State—I do not know whether it is "hurting" for land or whether it has too much land, or what its situation is in respect to land—has acquired by lease some land north of the Brooks Range in the so-called Gubik area where the Navy made a large gas discovery during the war, and this company, with fine enterprise, is looking forward to the possibility of transporting gas by pipeline from the Arctic to Fairbanks and possibly to the seacoast. We all wish them well because this would have much meaning in respect to the lowering of fuel costs in all of interior Alaska.

Mr. ALLOTT. I wish them well, too, and I say with all sincerity to my two friends that I realize that in these beginning years of Alaska's statehood, Alaska has to find funds with which to operate, and that the first few years, more perhaps than any other time, are going to be very difficult.

I feel that the policy which would be approved by the bill is shortsighted. I would not say now that I would oppose it if the rental situation were different, but I feel that I must vote against the bill under the present situation.

Mr. GRUENING. Mr. President, will the Senator from Colorado yield to me?

Mr. ALLOTT. I am very glad to yield.

Mr. GRUENING. I, too, wish to express my appreciation of the sincerity of the Senator from Colorado in his approach to the pending bill.

Of course, in the committee he expressed much less detailed views in regard to his concern about the provisions of the bill than he has expressed at great length and with new arguments on the

floor. I do not share the fears he has voiced. I believe he has constructed an imaginative picture of cumulative financial disaster; and when he refers to financial disaster resulting from enactment of the bill, I cannot agree with him. I do not believe there will be scandals as a result of the 600,000-acre provision of the bill. The Senator from Colorado seems to be of the opinion that scandals will develop under the 600,000-acre provision of the pending bill, but that no scandals would develop under the 600,000-acre provision proposed by the Department of the Interior. I cannot agree with the Senator from Colorado as to that; I cannot see such a difference between the two provisions.

Mr. ALLOTT. Certainly there is a difference between them; because the Department has recommended a separate limitation of 300,000 acres north of the Brooks Range and a separate limitation of 300,000 acres south of the Brooks Range.

Certainly it is not realistic for the Senator from Alaska to argue that, on the one hand, Alaska deserves special consideration because of her large area, and subsequently to argue that, on the other hand, the great size of Alaska should be ignored. The actual size of Alaska must be considered in connection with both matters.

Mr. GRUENING. Mr. President, I do not agree with the argument the Senator from Colorado has made; I believe he is mistaken.

On the other hand, I have high respect for the Senator from Colorado, who has had a great deal of experience in oil matters in the West, particularly in Colorado, although it should be realized by all that conditions in Colorado are very different from those in Alaska.

In any event, Mr. President, I desire to express my great personal regard for the Senator from Colorado.

Mr. ALLOTT. I thank the Senator from Alaska.

Mr. GRUENING. Mr. President, I ask the Senate to pass the bill.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The bill is open to amendment.

THE FARM PROBLEM IN LIGHT OF THE LETTER FROM PRESIDENT EISENHOWER

Mr. ELLENDER. Mr. President——

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Colorado will state it.

Mr. ALLOTT. Was the Senator from Louisiana recognized?

Mr. ELLENDER. I believe I was.

The PRESIDING OFFICER. The Senator from Louisiana has been recognized.

Mr. ELLENDER. Mr. President, during his weekly press conference a few weeks ago, President Eisenhower expressed the hope that the Congress would enact a decent farm bill before adjournment. The President's comment, taken in conjunction with recent speeches made by Secretary of Agriculture Benson, indicated to me that perhaps the Chief Executive might not be aware of either the attitude of the Congress or the position of his own Department of Agriculture in connection with farm legislation thus far this year.

In response to the President's comment, I wrote him, on July 23, that as chairman of the Senate Committee on Agriculture and Forestry, I would give him my personal assurance that if he would supply the committee with a draft of legislation conforming to his own views—that is, in the form of specific proposals which he believed could be enacted by the Congress—it would receive expeditious and thorough consideration.

Yesterday, I received a letter from the President, in response to my letter of July 23.

To me, the most significant portion of the President's letter reads as follows:

> I trust that farm legislation, particularly with respect to wheat, can be favorably acted upon this year by your committee in a form that will prove to be acceptale to the Congress and in such form that I can approve consistently with the interests of all Americans.
>
> The Secretary of Agriculture will supply you with drafts of legislative language to effectuate my recommendation.

In this connection, two points are of paramount importance. First, the President apparently appreciates the fact that any farm legislation which has a chance of enactment must reflect, and be based upon, the will of Congress. Second, the President is evidently prepared to submit to the Congress specific, draft legislation on a straight-down-the-line basis. If that were done, it would be a marked departure from the course followed by the administration thus far this year.

At no time has the 86th Congress had before it a draft of legislation which purported to hew to the line of the President's views. Those views, as I read them, would require changes in all farm programs involving mandatory price supports covering all commodities except corn.

This is important, because earlier this year, the Secretary of Agriculture appeared before the Senate Committee on Agriculture and Forestry to testify in support of the President's farm program recommendations. At that time, he outlined certain broad and general policies which he suggested be used as the basis for new legislation affecting only certain commodities. He did not submit at that time, nor had he previously submitted to the committee, draft legislation embodying his views on the President's views on a farm program.

The following excerpt from the hearing is pertinent:

> The CHAIRMAN. Mr. Secretary, have you any legislation that you have prepared to submit to the committee?
>
> Secretary BENSON. No, Mr. Chairman; we have not drafted any legislation; but we stand ready to help the committee in any way we can. We would be glad to help with the drafting if the committee would give us some directions as to what they would like to do. We would be happy to do that.

Later, counsel for the Department did submit legislative drafts to the committee staff; but in no instance, insofar as price supports were concerned, did such proposed legislation provide for a definite, comprehensive farm program. Despite the President's indication that all commodities subject to mandatory supports, except corn, should be dealt with in new legislation, draft proposals covering only three price-supported commodities were made available by the Department. Even these were phrased in the alternative. In the case of wheat, the Secretary suggested two routes to travel. The first alternative involved lower price supports and increased acreage. The other alternative involved a tightening of controls, lower price supports, and reduced acreage.

In the case of peanuts and tobacco, the same was true—that is, the Department offered for each of these commodities two alternative price-support proposals. In the case of peanuts, the proposal included authority to increase acreage allotments, issue marketing orders, and eventually substitute marketing orders for marketing quotas.

No legislation dealing with cotton or rice was proposed then, or has been proposed subsequently. As a matter of fact, the Secretary of Agriculture stated that in view of the enactment last year by the Congress of laws affecting primarily cotton, rice, and corn, it might be desirable to give that legislation a reasonable trial.

What action was taken on those suggestions, Mr. President?

All of the Secretary's recommendations were referred to appropriate subcommittees, at which time they received intensive hearings and study. As a result of those hearings and studies, the full committee acted. Separate bills, covering wheat and tobacco, were reported.

It is true that neither of those bills followed verbatim either of the price-support alternatives suggested by the Secretary of Agriculture. In fact, the wheat bill did not conform in all respects to the legislation proposed by other members of the committee, other Senators, or farm organizations. However, the wheat bill we approved, the same bill which was passed by the Senate, adopted in principle the second alternative relating to acreage controls recommended by the Secretary of Agriculture—that is, we voted to tighten restrictions, close loopholes, and offer the prospects of reducing wheat production by over 200 millions bushels per year.

In the meantime, the House Committee on Agriculture had also been holding hearings on proposed wheat legislation. That committee reported, and the House passed, a bill providing for price supports at 90 percent of parity and a reduction in acreage allotments of 25 percent, with a payment in kind on diverted acreage of one-third the average annual wheat yield.

In addition, the House measure also included many of the provisions of the Senate bill which provided for tightening of present laws and closing of loopholes.

The Senate and the House conferees met on June 16 and 17, and agreed upon a 2-year bill providing for price supports at 80 percent of parity, with a 20

percent reduction in acreage, and including provisions relating to the tightening or closing of loopholes in the law.

The conference report was approved by the Senate on June 17, but was rejected by the House by a vote of 215 to 202.

All of that was done, I might add, with the assistance of the administration. They marshaled their forces in the House to defeat the conference bill.

As a result, the Senate was compelled to adopt the House version of the wheat bill, which provided for price supports at 90 percent of parity, with a 25 percent reduction in acreage.

According to responsible estimates, this bill would have reduced production of wheat by some 300 million bushels per year and cut Goverment costs by an estimated $264 million per year.

This legislation was forwarded to the President on June 22, and was vetoed by him on June 25.

In the case of tobacco, the bill finally enacted followed the President's recommendation to the extent of providing price supports lower than would have been the case had we maintained the existing price support law unchanged. It was vetoed, as I understand it, partly because it sought to maintain the old parity concept as one basis for determining the support level, but principally because it might raise farmers' hopes. It would seem that, basically, the President vetoed a tobacco bill which, by his own estimate, would have saved the Government about $14 million the first year, and which provided for reduced support levels, because, even though it went in the direction he recommended, it did not go far enough.

The facts are, Mr. President, that the Congress has done its best to enact remedial farm legislation this year, but it has been frustrated in its efforts to do so by two vetoes.

Now, I do not want to indulge in blame laying, because the problems involved are much too serious to be dealt with on that basis. I do say, however, that we may be approaching a point where constructive farm legislation can become law, if the Congress receives drafts of bills of a type which have a chance of congressional approval, and I am willing to take the President at his word in this regard.

I do hope, however, that in drafting such legislation, the executive branch will not insist upon having everything its own way—that it will take into consideration the fact that the Congress has already expressed its will, but that we are willing to meet the executive branch in a spirit of conciliation and compromise if, indeed, the Secretary of Agriculture is willing to meet us in that same spirit.

I want to again assure the Chief Executive that if straightforward legislation, legislation which the Congress can find acceptable, is forwarded to us, I, as chairman, along with the entire membership of the Senate Committee on Agriculture and Forestry, certainly propose to do everything possible to see that such legislation is readied for action without delay.

Mr. President, since preparing the remarks I have just delivered, I have received a letter from Secretary Benson transmitting to me proposed draft legislation to accomplish the President's views on a farm program. The Secretary's letter arrived at my office about 10:30 this morning.

As I indicated earlier, I had hoped that the President would fulfill his implied promise to me that farm legislation would be submitted which could be favorably acted upon this year by the Senate Committee on Agriculture and Forestry, and which would prove to be acceptable to the Congress.

Such, however, is obviously not the case. I am distressed to note that the draft bills that the Secretary of Agriculture forwarded to me this morning are verbatim, line for line, word for word, with the suggestions he presented to the committee beginning as far back as February, which were the subject of committee hearings, which were rejected by both the Senate and House Committees on Agriculture, by the Congress as a whole, and which are not supported by any of the major farm organizations.

Mr. SYMINGTON. Mr. President, will the able Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. SYMINGTON. I congratulate the Senator for the presentation he is making this afternoon. For a long time I have felt that the attitude of the Department of Agriculture was not candid in its relationship with the committee of which the distinguished Senator from Louisiana is chairman, and on which I have the honor to serve.

Yesterday I placed in the RECORD additional testimony which showed that the Secretary of Agriculture promised the committee last February that he would send us an omnibus farm bill, and I stated that as of now it is clear he has yet to fulfill that promise.

I ask my friend from Louisiana if, based on the correspondence to which he has just referred, it does not appear to him that the President believes the Department of Agriculture has actually done something in the way of proposing overall farm legislation, when in fact it has not. In other words, does it not appear that President Eisenhower believes Secretary Benson has sent to Congress an omnibus, overall farm bill?

Mr. ELLENDER. Judging from the letter sent to me by the President, it seemed to me he was prepared to send to me, in response to my request, proposed legislation which, in the light of what Congress did last month and the month before, might have some chance of passage. I had hoped he would see that the Secretary of Agriculture forwarded new legislation, involving new thoughts, a new approach. I never dreamed that, in the light of the President's letter, the Secretary would merely have his earlier suggestions, covering only three crops, retyped and dispatched to me.

I might say further that, in my opinion, it is evident the President is not aware of the fact that the program for wheat, peanuts, and tobacco proposed by the Secretary earlier this year has been studied by both committees of the Congress and has been rejected. It is also evident, from reading the President's letter, that he may not be aware that Mr. Benson had not sent to Congress an omnibus bill designed to carry out his program, but, instead, merely sent alternative proposals covering only three commodities. Anybody who reads his letter, which I hope to put in the RECORD, will see that is true.

Furthermore, notwithstanding the fact that the President only a few days ago wrote me that he would see that the Secretary of Agriculture sent to Congress proposed farm legislation which had a chance of congressional approval, the Secretary has sent to Congress legislation which is essentially the same as one of the alternative suggestions sent to Congress last February.

As the Senator well knows, the committee held extended hearings on these schemes, and the only wheat bill that could be passed by the Senate was the one which was finally approved.

As the Senator will recall, when this bill went to conference, the conferees agreed to 80-percent-of-parity price supports, with a 20-percent cut in acreage allotments. The conference report was submitted to the Senate, and the Senate adopted it, but the House rejected it, at the instigation of the administration. In this connection, it is apparent that the administration which purports to be concerned about the wheat surplus, defeated a bill which would have curtailed wheat production by over 200 million bushels. As a result, the Senate, in order to deal with the wheat problem, was compelled to accept the House proposal, which, incidentally, would have reduced production substantially, too. I am the first to admit that this bill was far from perfect but it was the only legislation Congress could agree to, and it would have reduced production and made a start toward reducing the wheat surplus.

I am sure the President ought to be aware of the fact that the committees of Congress have done the best they could in presenting wheat legislation. I am sure the Senator will also agree with me that there is no chance at all of the Congress adopting the proposals submitted to us this morning by the Secretary of Agriculture, particularly since they have already been studied by both the Senate and House Committees on Agriculture, and rejected.

Mr. SYMINGTON. Mr. President, if the Senator will yield again, based on the letter from the President to the Senator from Louisiana and the subsequent letter of the Secretary of Agriculture to the Senator from Louisiana, the latter being dated August 3, am I correct in stating the Senator believes the President thinks the Secretary of Agriculture has done something, which actually, from the standpoint of any presentation of comprehensive legislation, the Secretary has not done.

Mr. ELLENDER. There is no question about that.

Mr. SYMINGTON. The second paragraph of the letter of Secretary Benson dated August 3 states:

> It should be noted that this language is, in effect, an updating of the legislative language forwarded to you by this Office on May 1, 1959.

May I ask the distinguished chairman of the Committee on Agriculture and Forestry if it is not correct that that legislative message was not forwarded to the Senator from Louisiana, but was forwarded to Representative WHITTEN?

Mr. ELLENDER. That is correct. The draft was prepared for Congressman WHITTEN. I only received an information copy.

Mr. SYMINGTON. A copy of it was sent to the Senator from Louisiana.

Mr. ELLENDER. Yes. Let me state further to the Senator from Missouri that when I saw that the Secretary used the term "updating" I took it to mean his earlier three-crop proposals had been revised, and perhaps extended to cover the field indicated by the President in his letter to me, that is, made to cover all commodities subject to mandatory price supports, except corn, with which the President indicates satisfaction. Unfortunately, this was not done.

The only thing the Secretary has done is that instead of sending us alternative bills he sent us the first alternative.

Mr. SYMINGTON. The letter of the President would seem to imply that the Secretary of Agriculture would send an omnibus bill giving the position of the department to the Congress. But all the Secretary of Agriculture did, apparently after he had seen his copy of the letter to the Senator from the President, was to send a reaffirmation of the same position he stated to Representative WHITTEN on May 1. At that time he sent a personal copy of the Whitten letter to the Senator, but not to the committee.

Mr. ELLENDER. The Senator is correct.

Mr. SYMINGTON. Is it not true that in the letter of the President to the Senator of August 1, the closing language reads:

> The Secretary of Agriculture will supply you with drafts of legislative language to effectuate my recommendations.

Mr. ELLENDER. That is correct.

Mr. SYMINGTON. But all the Secretary of Agriculture sent the Senator, attached to his letter of August 3, are the recommendations made on a few crops many months ago; is that correct?

Mr. ELLENDER. The Senator is correct.

Mr. SYMINGTON. Is it not true that, although the Secretary stated in the letter—

> It should be noted that this language is, in effect, an updating of the legislative language forwarded to you by this office on May 1, 1959.

Nothing was forwarded to the Senator except the copy of a letter written by Edward M. Shulman, Acting General Counsel of the Department of Agriculture, to the Honorable JAMIE L. WHITTEN, chairman of the Agriculture Subcommittee of the Committee on Appropriations of the House of Representatives.

Mr. ELLENDER. The Senator is correct. That proposed legislation was drafted at the request of Mr. WHITTEN, as I understand the situation.

Mr. SYMINGTON. Is it not true that the letter from the Acting General Counsel to Mr. WHITTEN says, in the last paragraph:

> Since you have requested the Department to prepare this draft legislation as a drafting service, the enclosed draft legislation has not been submitted to the Bureau of the Budget.

Mr. ELLENDER. The Senator is correct.

Mr. SYMINGTON. My able friend from Louisiana has been here a great deal longer than have I, but in the executive branch, when we proposed legislation which did not necessarily conform to our opinion or that of the executive branch, we were careful to note it did not go through the Bureau of the Budget. Therefore, would not the proper interpretation of the last paragraph be that it is a submission of proposed legislation in accordance with a request from Representative WHITTEN, but in no case does it necessarily follow the views of the Department as to what legislation was desirable.

Mr. ELLENDER. That is exactly what I think. The Senator is correct in his conclusions.

Mr. SYMINGTON. Mr. President, I thank the able chairman of the Senate committee. This is but additional evidence, presented in even more definite form that, whereas the Secretary of Agriculture spends much time criticizing the Congress for what it tries to accomplish in the field of agriculture—the Secretary himself, either because he is unwilling or unable, has consistently refused to fulfill the promise he made last February that he would send the Congress an omnibus, overall farm bill representing his recommendations as to what should be acted on at this session of Congress.

Does the distinguished chairman of the committee agree with those observations?

Mr. ELLENDER. There is no question but that the Secretary did promise to send us an omnibus bill. In all fairness, however, the Secretary indicated in his testimony that it might not be necessary to send to Congress legislation covering cotton, rice, and corn, because the Secretary preferred to give the new programs covering those commodities an opportunity to operate before submitting further proposed legislation affecting them.

Mr. SYMINGTON. I understand that; but after the Secretary made those observations, as a result of further interrogation on the part of the distinguished junior Senator from Wisconsin, the Secretary nevertheless did promise to send to Congress an omnibus farm bill for the consideration of the Congress.

Mr. ELLENDER. The original record so shows.

Mr. SYMINGTON. Yes, and that word "original" is very important. As of this time, does the chairman of the Senate Committee on Agriculture and Forestry know what is the omnibus overall farm legislation which the Department of Agriculture or the President would like to see passed.

Mr. ELLENDER. I do not know. I wish I did. I have done my best to find out but I am still in the dark. We have asked for such legislation, we were apparently promised it, if I read the President's letter correctly, yet it has not been forthcoming.

Mr. SYMINGTON. Mr. President, I again commend my able and distinguished colleague for the fine work he has been doing for American farmers, despite the many blocks thrown in the way of his efforts to provide sound legislation, and thrown by those very people who under our form of government are supposed to be working for the farmer.

Mr. ELLENDER. Mr. President, earlier I referred to the fact that prior legislative drafts made available to the Senate Committee on Agriculture and Forestry had been phrased in the alternative. The proposed legislation which I have just received is not phrased in the alternative, but is identical with the first alternative offered by the administration 5 months ago. Specifically, as to wheat, the Secretary proposes exactly the same program he submitted in February; that is, authority to base price supports on 75 to 90 percent of the preceding 3-year average price; authority to increase acreage allotments by up to 50 percent, removal of the present 30-acre limit on wheat produced for on-farm consumption, and so forth, and discontinuance of acreage allotments and marketing quotas on wheat after 1963, with price supports at 90 percent of the 3-year average.

As to peanuts, price support would be based on 90 percent of the 3-year average price, and the Secretary would be given authority to increase the national acreage allotment by up to 50 percent.

These authorities would be coupled with the possibility of marketing orders.

For tobacco, price support in 1960 and 1961 based on 75 to 90 percent of the 3-year average price, with price support in 1962 and subsequent years, based upon 90 percent of the 3-year average price.

Mr. President, as I indicated earlier, the Secretary of Agriculture has not even taken the trouble to redraft the legislation he offered to the Congress in the light of its rejection earlier this year.

In my opinion, he has not done what I had hoped the President would direct him to do, and that is to submit legisislation which—and I quote from the President's letter to me—"will prove to be acceptable to the Congress."

The Secretary well knows that the proposed legislation he sent to us earlier this year was not acceptable to the Congress, and he should know that merely submitting this same proposed legislation under a cover letter bearing a different date is not going to change the congressional attitude toward it.

I had hoped that the exchange of letters between President Eisenhower and me offered the possibility of bringing before the Congress remedial farm legislation in time for enactment this year.

Unfortunately, I cannot say at this time that such is the case.

Once again the President has asked for corrective legislation covering all crops except corn. Once again the Secretary has sent us draft legislation covering only wheat, tobacco and peanuts.

For the first time, in his letter to me, the President indicated that the Department of Agriculture was going to be instructed to take the attitude of Congress into consideration.

The Department has not done so, but has forwarded to Congress legislation no different from that which we have already carefully considered and which was rejected. Yet, in his letter to me Mr. Benson has the temerity to state that—and I quote:

> It should be noted that this language is, in effect, an up dating of the legislative language forwarded to you by this office on May 1, 1959.

The Secretary has his dates wrong. The legislation he sent me was first made available to the Committee on Agriculture and Forestry in February—not in May. The language sent to me under date of May 1 was a copy of language which the Department had prepared as a drafting service for Representative WHITTEN of Mississippi, as was brought out by my good friend from Missouri [Mr. SYMINGTON]. According to my files, Under Secretary Morse forwarded this legislation to me along with a copy of a letter from Acting General Counsel Edward Shulman addressed to Representative WHITTEN, in which Mr. Shulman states:

> Since you have requested the Department to prepare this draft legislation as a drafting service, the enclosed draft legislation has not been submitted to the Bureau of Budget.

Mr. President, it is obvious that the Secretary of Agriculture is once again laying the cornerstone for what I feel sure will be a series of nationwide speaking trips endeavoring to lay the blame for no new farm legislation at the doorstep of Congress.

I think the facts demonstrate that the Congress is willing to act, as I stated earlier, if the executive branch is prepared to discuss farm legislation with the Congress in a spirit of conciliation and compromise—the same spirit in which I, as chairman of the Senate Committee on Agriculture and Forestry, approached President Eisenhower late last month. Events have demonstrated that no one is going to have exactly his own way on farm legislation. This covers Mr. Benson, the various farm organizations, Senators, Members of the House of Representatives, and others.

If we are to achieve agreement on constructive farm legislation, it will be necessary for all involved to give a little and take a little.

Obviously, despite the President's indication in his letter to me that the executive branch was prepared to take the attitude of Congress into consideration in drafting new farm legislation, that spirit of conciliation and compromise has not yet infected the Secretary of Agriculture.

I am distressed that such is the case, but the facts are there for all to see.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a letter addressed by me to the President, dated July 23, 1959, together with a letter from the President to me, dated August 1, 1959, in reply to the letter to which I have just referred.

There being on objection, the letters were ordered to be printed in the RECORD, as follows:

JULY 23, 1959.

The Honorable DWIGHT D. EISENHOWER,
President of the United States,
White House, Washington, D.C.

MY DEAR MR. PRESIDENT: I note from the transcript of your press conference held on Wednesday, July 22, that you list among the essential bills which Congress should enact before adjournment a "decent farm bill which I think is terribly important to the United States even at this late date."

I would be most grateful, Mr. President, if you would kindly have a bill prepared embracing your views on farm legislation.

As chairman of the Senate Committee on Agriculture and Forestry, I can assure you that if you will supply us with draft legislation conforming to your own views and which you believe could be enacted by the Congress, such legislation will receive expeditious and thorough consideration by my committee.

With kindest personal regards and best wishes, I am,

Sincerely yours,

ALLEN J. ELLENDER,
U.S. Senator.

THE WHITE HOUSE,
Washington, August 1, 1959.

The Honorable ALLEN J. ELLENDER,
U.S. Senate, Washington, D.C.

DEAR SENATOR ELLENDER: I appreciate your assurance of July 23 that you would welcome a bill embracing my views on farm legislation.

First, I suggest a careful reexamination of my January 29 message on agriculture in which my views are set forth on price support levels. For ease of reference, I quote below the most relevant part:

"I recommend that prices for those commodities subject to mandatory supports be related to a percentage of the average market price during the immediately preceding years. The appropriate percentage of the average market price should be discretionary with the Secretary of Agriculture at a level not less than 75 and not more than 90 percent of such average in accordance with the general guidelines set forth in the law. Growers of corn, our most valuable crop, have already chosen, by referendum vote, program changes which include supports based on such an average of market prices."

I understand that between the time of my message and May 1 your office was supplied with various drafts of legislation in keeping with the administration's views. My recommendations, in capsule form, are these:

For wheat: Liberalization of planting restrictions and the basing of price supports on recent market behavior.

For tobacco: Correction of price support levels and retention of marketing quotas.

For peanuts: Authority to adjust acreage allotments upward, to relate price supports to recent market history, and to utilize marketing orders.

Conservation reserve: Extension of the program in time and funds.

Public Law 480: Continuation for 1 year of authority to sell surplus farm products for foreign currency and an increase of $1,500 million in the amount authorized to be expended.

Your committee has already reported out a bill extending Public Law 480. I trust that farm legislation, particularly with respect to wheat, can be favorably acted upon this year by your committee in a form that will prove to be acceptable to the Congress and in such form that I can approve consistently with the interests of all Americans.

The Secretary of Agriculture will supply you with drafts of legislative language to effectuate my recommendations.

With best wishes.

Sincerely,

DWIGHT D. EISENHOWER.

Mr. ELLENDER. Mr. President, I also ask to have printed in the RECORD at this point a letter from Secretary of Agriculture Benson dated August 3, 1959, with attachments thereto, containing the legislation which he suggested, according to his letter, pursuant to the President's promise.

There being no objection, the letter and attachments were ordered to be printed in the RECORD, as follows:

AUGUST 3, 1959.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate.

DEAR SENATOR ELLENDER: In the President's letter to you of August 1, he stated that the Secretary of Agriculture would furnish you with appropriate language to implement the President's legislative recommendations with respect to agriculture. We are attaching a copy of the proposed legal language along with appropriate explanations of the proposed legislation.

It should be noted that this language is, in effect, an updating of the legislative language forwarded to you by this office on May 1, 1959.

Prior to May 1, alternative drafts of legislation to implement the administration's proposals were forwarded to Mr. Harker Stanton, counsel. These drafts were forwarded individually beginning March 12, 1959, with wheat and ending on April 30, 1959, with the conservation reserve extension.

I would be most pleased if the recommendations which we are now forwarding would receive favorable action both by the Senate Committee on Agriculture and Forestry and the Congress. They are sound. They merit your support.

Sincerely yours,

EZRA T. BENSON,
Secretary.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Agricultural Act of 1959".

TITLE I—WHEAT

Discontinuance of acreage allotments and marketing quotas on wheat

SEC. 101. The Agricultural Adjustment Act of 1938, as amended, is amended:

(1) By amending subsection (f) of section 335 by deleting item (1) and renumbering items (2), (3), and (4) as items (1), (2), and (3), respectively.

(2) By adding at the end of section 333 the following:

"The national acreage allotment determined under the foregoing provisions of this section may be increased by not more than 50 per centum for any crop of wheat beginning with the 1961 crop if the Secretary determines that such increase is necessary in the interests of the welfare of the agricultural economy (1) to avoid hardships to wheat producers, (2) to meet potential market demands for wheat, (3) to avoid undue restrictions on production or marketings of wheat, (4) to prevent disruption in the orderly marketing of wheat, (5) to insure

adequate farm income, or (6) because of any combination of the factors above."

(3) By adding the following new section:

"SEC. 339. Notwithstanding any other provision of law, acreage allotments and marketing quotas shall not be established for the 1964 and subsequent crops of wheat."

Price support

SEC. 102. Title I of the Agricultural Act of 1949, as amended, is further amended by adding at the end thereof the following:

"SEC. 106. Notwithstanding the provisions of section 101 of this Act, price support to cooperators for the 1961 crop, the 1962 crop, and the 1963 crop of wheat repectively, if producers have not disapproved marketing quotas, shall be at such level not less than 75 per centum or more than 90 per centum of the average price received by farmers during the three marketing years immediately preceding the marketing year for such crop as the Secretary determines appropriate after consideration of the factors specified in section 401(b) of this Act. Price support for each such crop of wheat in the case of noncooperators and in the case marketing quotas are disapproved shall be as provided in section 101(d) (3) and (5). The level of price support for the 1964 crop and each subsequent crop of wheat shall be 90 per centum of the average price received by farmers during the three marketing years immediately preceding the marketing year for such crop. The Secretary shall determine and announce the support price for each crop of wheat in advance of the planting season on the basis of the statistics and other information available at that time, and such support price shall be final."

TITLE II—PEANUTS

Price support

SEC. 201. Title I of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following:

"SEC. 107. Notwithstanding the provisions of section 101 of this Act, the level of price support to cooperators for the 1960 and each subsequent crop of peanuts, if producers have not disapproved marketing quotas, shall be 90 per centum of the average price received by farmers during the three marketing years immediately preceding the marketing year for such crop. Price support for each such crop of peanuts in the case of noncooperators and in case marketing quotas are disapproved shall be as provided in section 101(d) (3) and (5). The Secretary shall determine and announce the support price for each crop of peanuts in advance of the planting season on the basis of the statistics and other information available at that time, and such support price shall be final."

Authority to increase the national acreage allotment

SEC. 202. Section 358(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following:

"The national acreage allotment determined under the foregoing provisions of this section may be increased by not more than 50 per centum for any crop of peanuts beginning with the 1960 crop if the Secretary determines that such increase is necessary in the interests of the welfare of the agricultural economy (1) to avoid hardships to peanut producers, (2) to meet potential market demands for peanuts, (3) to avoid undue restrictions on production or marketings of peanuts, (4) to prevent disruption in the orderly marketing of peanuts, (5) to insure adequate farm income, or (6) because of any combination of the factors above."

Marketing orders

SEC. 203. Section 8c of the Agricultural Adjustment Act, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 608c) is further amended as follows:

(1) Paragraph (2) is amended by inserting "peanuts," before "soybeans,".

(2) Subparagraph (B) of paragraph (11) is amended by inserting "or peanuts and their products," after "milk and its products,".

Substitution of marketing orders for farm allotments and quotas

SEC. 204. The Agricultural Adjustment Act of 1938, as amended, is amended by adding following section 359 thereof a new section as follows:

"SEC. 360. Notwithstanding any other provisions of this Act, if and when the major peanut production or major peanut marketing areas as determined by the Secretary become covered by an order or orders to effect under the Agricultural Marketing Agreement Act of 1937, as amended, (1) any national marketing quota previously proclaimed for any crop of peanuts to be regulated under such order or orders and any farm acreage allotments or marketing quotas established pursuant to such national marketing quota shall cease to be effective, and (2) the Secretary shall not thereafter proclaim a national marketing quota for any crop of peanuts."

Price support if marketing orders are in effect

SEC. 205. Effective beginning with the first crop of peanuts for which farm acreage allotments and marketing quotas are not in effect as a result of the operation of section 360 of the Agricultural Act of 1938, as amended, the Agricultural Act of 1949, as amended, is amended as follows: (1) By inserting after the words "any basic agricultural commodity" in the first sentence of section 101 the words "except peanuts"; (2) by striking from section 101(b) the words "and peanuts"; and (3) by amending section 107 to read as follows:

"SEC. 107. The Secretary is authorized to make available through loans, purchases or other operations price support to producers for peanuts at such level not in excess of 90 per centum of the parity price therefor as the Secretary determines appropriate after consideration of the factors specified in section 401(b) of this Act."

TITLE III—TOBACCO

SEC. 301. Title I of the Agricultural Act of 1949, as amended, is further amended by adding at the end thereof the following:

"SEC. 108. Notwithstanding the provisions of section 101 of this Act,

(a) price support to cooperators for the 1960 crop and the 1961 crop of tobacco, respectively, if producers have not disapproved marketing quotas, shall be at such level not less than 75 per centum or more than 90 per centum of the average price received by farmers during the three marketing years immediately preceding the marketing year for such crop as the Secretary determines appropriate after consideration of the factors specified in section 401(b) of this Act,

(b) the level of price support to cooperators for the 1962 crop and each subsequent crop of tobacco, if producers have not disapproved marketing quotas, shall be 90 per centum of the average price received by farmers during the three marketing years immediately preceding the marketing year for such crop,

(c) no price support shall be made available for any crop of tobacco for which marketing quotas have been disapproved by producers, and

(d) price support may be made available to noncooperators for any crop of tobacco at such level not in excess of the level of price support to cooperators, as the Secretary determines will facilitate the effective operation of the program.

The Secretary shall determine and announce the support price for each crop of tobacco in advance of the planting season on the basis of the statistics and other information available at that time, and such support price shall be final.

SEC. 302. Subsection (e) of section 101 of the Agricultural Act of 1949 and section 2 of the Act of July 28, 1945 (59 Stat. 506), as amended, are repealed effective with the 1960 crop.

TITLE IV—CONSERVATION RESERVE PROGRAM

SEC. 401. Section 108(b) of the Soil Bank Act is amended by adding at the end thereof the following:

"Effective beginning with 1961, the Secretary shall give special consideration to those States and regions where it is necessary to discourage the production of wheat."

SEC. 402. Section 109 of the Soil Bank Act is amended:

(1) by amending subsection (a) to read as follows:

"(a) The Secretary is authorized to formulate and announce programs under this subtitle B and to enter into contracts thereunder with producers during the eight-year period 1956–63 to be carried out during the period ending not later than December 31, 1972, except that contracts for the establishment of tree cover may continue until December 31, 1977."

(2) by striking out in subsection (c) "$450,000,000", and substituting in lieu thereof "$500,000,000".

SEC. 403. Section 211 of the Agricultural Act of 1956 is amended by striking out "three years" wherever it appears therein and substituting "six years".

TITLE V—EXTENSION OF PUBLIC LAW 480

SEC. 501. The Agricultural Trade Development and Assistance Act of 1954, as amended, is amended as follows:

(1) Sections 109 and 204 of such Act are amended by striking out "1959" and substituting in lieu thereof "1960".

(2) Section 103(b) of such Act is amended by striking out "1959" and substituting in lieu thereof "1960" and by striking out "$2,250,000,000" and inserting in lieu thereof "$3,750,000,000".

(3) Section 203 of such Act is amended by striking out "$800,000,000" and inserting in lieu thereof "$1,100,000,000".

EXPLANATION OF PROPOSED LEGISLATION

WHEAT

The proposed legislation would provide for relaxing controls for the 1961, 1962, and 1963 crops of wheat by authorizing the Secretary to increase the national acreage allotment for wheat up to 50 percent above the level determined by the existing formula, and by removing the present 30-acre limit on the number of acres of wheat which may be grown on a farm for use on the farm as feed, food or seed without penalty. Acreage allotments and marketing quotas on wheat would be discontinued after 1963.

The level of price support for the 1961, 1962, and 1963 crops of wheat would be at such level not less than 75 or more than 90 percent of the average price received by farmers during the 3 preceding marketing years as the Secretary determines appropriate after consideration of the general guidelines specified in section 401(b) of the Agricultural Act of 1949, as amended. The level of price support after 1963 would be 90 percent of the average price received for the 3 preceding marketing years.

PEANUTS

The proposed legislation contains provisions which would make changes in existing law as follows:

1. Peanuts would be supported at 90 percent of the average price received by farmers during the 3 preceding marketing years. This provision would be in effect as long as

the marketing quota provisions of the Agricultural Act of 1938, as amended, remain effective and peanut producers do not disapprove marketing quotas.

2. The Secretary would be given authority to increase the national acreage allotment for peanuts by not more than 50 percent.

3. The Agricultural Marketing Agreement Act of 1937, as amended, would be amended to authorize the issuance of marketing orders for peanuts.

4. If and when the major peanut production or marketing areas become covered by a marketing order or orders, any national marketing quota previously proclaimed for any crop of peanuts to be regulated under such order or orders and any farm acreage allotment or marketing quotas, established pursuant to such national quota, would cease to be effective and the Secretary would be prohibited thereafter from proclaiming a national marketing quota for any crop of peanuts.

5. Effective beginning with the first crop of peanuts for which farm acreage allotments and marketing quotas are not in effect as a result of the issuance of a marketing order or orders covering the major peanut producing or marketing areas, price support for peanuts would be discretionary at such level not in excess of 90 percent of the parity as the Secretary determines appropriate after consideration of the general guidelines specified in section 401(b) of the Agricultural Act of 1949a as amended.

TOBACCO

The proposed legislation would make the following changes in price support for tobacco:

1. The level of price support for the 1960 and 1961 crops of each kind of tobacco, if marketing quotas are not disapproved, would be at such level not less than 75 or more than 90 percent of the average price received by farmers during the 3 preceding marketing years as the Secretary determines appropriate after consideration of the general guidelines specified in section 401(b) of the Agricultural Act of 1949, as amended.

2. The level of support for the 1962 and subsequent crops of each kind of tobacco, if producers have not disapproved marketing quotas, would be 90 percent of the average price received by farmers during the 3 preceding marketing years.

CONSERVATION RESERVE PROGRAM

The proposed legislation would extend the authority to carry out the conservation reserve program for 3 years, by extending the period during which contracts may be signed until 1963, by extending the period during which contracts (except contracts for the establishment of tree cover) may be carried out until 1972, and by extending the period during which contracts for the establishment of tree cover may be carried out to 1977.

The proposed legislation would also increase the amount of funds which may be spent on the program. At the present time under the Soil Bank Act, contracts may not be entered into which would require payments to producers, including the cost of materials and services, in excess of $450 million in any calendar year. The Appropriation Act for the Department further limits the amount which currently may be obligated to $375 million per year. The proposed language would increase the authorization under the Soil Bank Act to $500 million per year.

The Department's recommendation that the authorization for the conservation reserve program be increased to $500 million is subject to the following conditions:

1. Participation under the extended program to emphasize "whole" farms now producing principally price-supported commodities, particularly allotment crops and those for which price support is mandatory.

2. Enactment of price support legislation as proposed in this bill.

The proposed legislation would also amend the Soil Bank Act to provide specific authority for giving special consideration to those States and regions where it is necessary to discourage the production of wheat in distributing the national conservation reserve goal and allocating the funds to the State.

The proposed legislation would also extend section 211 of the Agricultural Act of 1956 for an additional 3 years. Section 211, which expired on May 28, 1959, limits Federal benefits with respect to surplus crops grown on newly irrigated and drained land within any Federal irrigation and drainage project authorized after May 28, 1956, unless such crops had been produced on such land prior to such date and also limits Federal benefits with respect to surplus crops grown on land reclaimed by flood control projects authorized after May 28, 1956, and on land so reclaimed.

EXTENSION OF PUBLIC LAW 480

The proposed legislation would: (1) extend title I of the Agricultural Trade Development and Assistance Act of 1954 for 1 year; (2) increase the amount authorized to be expended under title I of such act by $1,500 million; (3) extend title II of the act for 1 year; (4) increase the amount authorized to be expended under title II of such act from $800 million to $1,100 million.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. SYMINGTON. Would the Senator also include in the RECORD a letter of transmittal to him, from the Under Secretary of Agriculture, Mr. Morse, attaching thereto a letter from Mr. Shulman to Representative WHITTEN?

Mr. ELLENDER. I have that letter and the enclosure, and I will be happy to make it a part of my address.

Mr. President, I ask unanimous consent that the letter to which the Senator from Missouri has referred be also printed in the RECORD at this point as a part of my remarks, together with the enclosure.

There being no objection, the letter and attachment were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., May 1, 1959.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate.

DEAR SENATOR ELLENDER: We are enclosing a copy of a letter to Congressman WHITTEN, together with a draft of proposed legislation prepared pursuant to a request made by Congressman WHITTEN at the hearings on the Department of Agriculture and Farm Credit Administration appropriations for 1960.

Sincerely yours,

TRUE D. MORSE,
Under Secretary.

U.S. DEPARTMENT OF AGRICULTURE,
OFFICE OF THE GENERAL COUNSEL,
Washington, D.C., May 1, 1959.

Hon. JAMIE L. WHITTEN,
Chairman, Agriculture Subcommittee, Committee on Appropriations, House of Representatives.

DEAR CONGRESSMAN WHITTEN: In accordance with your request to the Secretary of Agriculture at the hearings before the Agriculture Subcommittee of the House Appropriations Committee, this office has prepared the enclosed draft of legislation which you requested. The draft legislation deals with wheat, peanuts, tobacco, the conservation reserve program, and Public Law 480.

Enclosed also are drafts of legislation which have previously been submitted to the Agriculture and Forestry Committee of the Senate at the request of such committee. Some of such drafts have also been furnished the House Agriculture Committee.

Since you have requested the Department to prepare this draft legislation as a drafting service, the enclosed draft legislation has not been submitted to the Bureau of the Budget.

Sincerely yours,

EDWARD M. SHULMAN,
Acting General Counsel.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. SYMINGTON. The Senator from Louisiana says:

If we are to achieve agreement on constructive farm legislation, it will be necessary for all involved to give a little and take a little.

I do not know what farm bill Secretary Benson would like us to pass. Does the chairman feel that he knows what it is the Secretary of Agriculture would like us to pass? If so, what is it?

Mr. ELLENDER. I cannot answer the Senator's question specifically, because the Secretary has never submitted such specific legislation to us. However, as I understand the Secretary's philosophy, his idea is to beat down prices as low as possible, and in that way discourage production.

He has stated, in general, that he favors reducing price supports; yet, in the next breath he proposes to increase acreage, as was the case with his suggestions covering wheat. That does not add up. We already have so much wheat that it is practically running out of our ears. Yet the idea of the Secretary of Agriculture is further to reduce price supports and increase acreage. This would certainly result in increased wheat production. Thus, the Secretary's ideas do not add up.

Mr. SYMINGTON. Does the chairman believe that what Mr. Benson would like to do is to eliminate all price supports?

Mr. ELLENDER. That would be the logical result of his suggestions. Actually, I would gather that the Secretary would like to be a sort of farm czar, with authority to fix price supports at whatever level he might desire—and, evidently, the lower the better. As the Senator knows, past history proves that such a program would not discourage production. The facts show that as prices have been lowered, the more the farmers have planted, in order to obtain greater volume, and an adequate income.

Mr. SYMINGTON. If that is what is in the mind of the Secretary of Agriculture, why was it that only recently he recommended and obtained approval of a plan for corn for this year which raises price supports from 6 to 10 cents on 92 percent of the corn produced in the United States; and at the same time he removed all controls of any kind whatever over the production of corn, notwithstanding the fact we already have $3.4 billion of corn and feed grains already in Government storage?

Mr. ELLENDER. I believe the corn program is probably in line with the President's views on agriculture.

As I have said on many occasions, corn seems to be the fair-haired little blue-eyed baby girl of the price support program. Corn has always fared better than any other basic commodity.

Mr. SYMINGTON. Why?

Mr. ELLENDER. I wish I knew, but somehow, the corn growers always got price supports, whether they complied with acreage allotments or not. The Senator well knows that in the case of cotton, peanuts, and tobacco, the farmers must comply with acreage allotments in order to obtain the benefits of price support, and to avoid penalties for overplanting. Such marketing penalties were never applied to corn. Even when the corn farmers were subject to acreage allotments, the Secretary saw to it that even those who did not comply with allotments got price support. Now, this support was lower, of course, than supports for those who complied with acreage allotments. However the fact is that corn was and still is treated in a different manner from any other of our basic commodities. Why that is, I do not know.

Mr. SYMINGTON. Does the Senator consider it right and proper, especially as we all know the price of corn affects the price of livestock, especially hogs for the Secretary to go around the country boasting about livestock prices being high, and no storage problems because hogs were being sold in a free market, while at the same time he has stored up more than $3.4 billion in feed grains which, if they were released, would naturally result in a collapse of the livestock market?

Mr. ELLENDER. I will say to my good friend from Missouri that I hope Mr. Benson continues to make speeches. I want to see him explain to the American people what is going to happen to hog prices, what is now happening to poultry prices, as well as what will soon happen to the price of beef. My guess is that, as in the past, he will try to blame Congress for the gluts in these commodities, and the gluts are on the way, thanks to abundant and cheap corn and other feed grains. My guess is that he will not take the responsibility, even though it is his. He is the one who actually suggested the corn and other feed grain programs, as the Senator well knows. He also suggested the soil bank program, which has been a total fiasco, but he is doing his best to blame the Congress for that one, too.

Mr. SYMINGTON. The Senator is so correct.

Mr. ELLENDER. The soil bank program has been an absolute failure. I do not know of any farm program on the statute books which has caused more harm than the soil bank program.

Mr. SYMINGTON. At a cost of many hundreds of millions in taxes.

Mr. ELLENDER. The acreage reserve has cost almost $2 billion, in an effort to take acreage out of cultivation in order to reduce production. Yet, despite the soil bank program, total farm production has been kept at almost an even keel. The Senator well remembers that the first year's operation of the soil bank program cost the taxpayers $180 million for corn alone; 5,600,000 acres of corn were taken out of production. Still, when the corn crop was harvested at the end of the year, it was discovered that the farmers had produced 220 million bushels more than they had produced the year before on 5 million acres less than they had planted the year before.

Mr. SYMINGTON. That is correct.

Mr. ELLENDER. Congress got the blame for that. But who advocated the program? Mr. Benson did. He is always suggesting, but he is never around to take the responsibility when his suggestions backfire.

Mr. SYMINGTON. Last fall, when visiting around my State, people asked why Congress did not do what Secretary Benson wanted. So when he came before our committee, I asked him, "What is it you want? Provided it is not injurious to the farmer, and will reduce agricultural inventories, I will be for any overall legislation you recommend.

Finally, we got him to agree, for the first time since I have been a member of the committee, that he would send us the overall omnibus legislation which he thought right. Yet, as of now, I do not know what it is he wants in the way of overall farm legislation.

Now the Senator from Louisiana says that, in his opinion, all this correspondence he has placed in the RECORD, together with his very able analysis of that correspondence, is simply preliminary to more Benson tours, with Secretary Benson getting on a plane and going out to chambers of commerce in the great urban areas to attack the farmers again.

That is the essence of what the Senator from Louisiana has so ably presented.

Why is it that the Secretary of Agriculture feels he can continue to attack Congress, while he also continues to refuse, as he has refused in past years, to tell Congress just what overall legislation it is that he wants.

Mr. ELLENDER. The Secretary of Agriculture has a good press. The press prints everything he says. But very little is said about the realities of the farm program. After a loss has been suffered, little is said concerning how it was suffered.

The Senator may remember that only a few months ago I appeared on a television program with Mr. Benson. Mr. Benson had the temerity to state to the audience that the cost of the farm program—we were discussing the farm price support program—was in excess of $20 billion.

I presented to him his own figures and showed to the same audience that the total price support program, from 1933 through December of last year, cost a little more than $5 billion. Despite what his own Department figures showed, he insisted that the program cost $20 billion. Whose version made the headlines? Well, Mr. Benson's, of course.

Mr. Benson has always been able to sell his story to the press. He always manages to claim credit for the good parts of the program, but he blames Congress for the failures, most of which he himself concocted.

Mr. SYMINGTON. Many people have been quite critical of the farm program, but complimentary about our stockpile of minerals, metals, and machine tools. The value of our stockpile of metals, minerals, and machine tools is many billion dollars more than the value of the stockpile of agricultural products now owned by the Government.

For some reason, when we discuss our stockpile of metals, minerals, machine tools, we do so with great pride, treating them as valuable assets. But when we discuss agricultural surpluses, we discuss them with shame and embarrassment.

Does the Senator from Louisiana know why it is that our stockpiles of metals, minerals, and machine tools are considered as greater assets than agricultural surpluses? If the United States should become engaged in real trouble, nonperishable food would be more necessary for the American people than anything else except medical supplies.

Mr. ELLENDER. I do not know what the answer may be. I do believe that those who administer the programs to which the Senator has referred are more or less in sympathy with them; whereas, the Secretary of Agriculture, in my humble judgment, has never been in sympathy with the farm program.

Mr. SYMINGTON. I congratulate the Senator from Louisiana. That is what I sincerely believe also. It is particularly unfortunate therefore that, at the same time he continues to express his lack of sympathy for the program, he nevertheless continues to refuse to give us his overall recommendations.

INCREASE IN MAXIMUM OIL AND GAS ACREAGE LIMITATION, STATE OF ALASKA

The Senate resumed the consideration of the bill (H.R. 6940) to amend the Mineral Leasing Act of 1920, in order to increase certain acreage limitations with respect to the State of Alaska.

Mr. GRUENING. Mr. President, I ask that H.R. 6940 be passed.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. ALLOTT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALLOTT. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1960—CONFERENCE REPORT

Mr. CHAVEZ. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7454) making appropriations for the Department of De-

fense for the fiscal year ending June 30, 1960, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today, pp. 15097–15099, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CHAVEZ. Mr. President, in presenting the conference report on H.R. 7454, the Defense Department appropriation bill for fiscal year 1960, I have a happy duty to perform, for I believe that the measure before the Senate is one of the finest defense bills presented to this body over the years while I have been chairman of the Defense Subcommittee.

The action of the conference will appropriate $39,228,239,000 for our Defense Establishment, plus $430 million in transfers from revolving funds. The amount appropriated is $19,961,000 under the budget estimate, $379,900,000 over the amount provided by the House, and $366,100,000 under the amount provided by the Senate.

By service the amounts to be appropriated under the conference report are as follows:

For the Army, $9,375,805,000;

For the Navy, $11,006,503,000;

For the Air Force, $17,472,706,000;

For the Office of the Secretary of Defense, $1,373,225,000.

I ask unanimous consent that a tabular presentation of congressional action on the Defense Department appropriation bill be included at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. CHAVEZ. Mr. President, through the action of the Senate and House on this bill I believe that we will have strengthened our national defense substantially in both the immediate and more distant future. Senators have the bill before them. I shall merely attempt to present briefly the highlights of the conference action.

First, for modernization of the Army, the conference report provides $1,407,300,000, or approximately $382 million over the budget. In addition, from previous years' appropriations, the bill calls for reprograming $100 million of Nike-Hercules funds and applying this to Army modernization. Through these actions the Congress will have provided needed funds to strengthen that branch of the service which, should there be war, will be urgently called on, regardless of whether the war or conflict be a so-called local or a general war.

Second, the bill contains $35 million for long leadtime procurement items for a nuclear attack aircraft carrier. By this action it should be clearly understood, and was so stated in the conference, that the nuclear attack carrier shall be built and that the funds shall be applied to this purpose and to no other purpose whatsoever. This addition is required if we are to keep our Navy modern. When this carrier joins the fleet, it will replace an obsolete and much slower carrier, built during World War II. Its deck design will not only permit the landing of more modern aircraft, but will enable all aircraft to land with a much higher degree of safety than would be possible on the older type carrier.

I believe that the Senate subcommittee, the full committee, and the Senate itself acted wisely in insisting that this modern carrier be built, and in the years to come the conferees will find their inclusion of the carrier looked upon as farsighted. I particularly wish to commend my good friend and colleague the junior Senator from Virginia [Mr. ROBERTSON] for the important part he played in making certain that this modern carrier would be funded in this bill so that construction can be initiated immediately.

Third, the conference agreed to an amount of $137 million over the budget for increased emphasis on antisubmarine warfare. Funds so provided will provide for the procurement of more antisubmarine submarines, aircraft, and helicopters, and accelerate the research and development and procurement connected with other submarine countermeasures.

Fourth, the bill retains funds restored by the Senate for 35 jet utility trainers and 14 jet navigation trainers for the Air Force. These aircraft will enable the Air Force to train its crews in the most modern advances in jet aircraft development. In addition, aircraft procurement funds relating to the 1-percent reduction and funds for safety of flight modifications were retained, as provided previously by the Senate. Bomarc funds amounting to $79.9 million were also included. Furthermore, although no funds were specifically recommended, through language in the bill and report and through additional funds not specially earmarked, the Congress has approved authority to utilize existing funds for the procurement of the Mace missile.

Fifth, the bill contains funds for certain increases in military personnel above the amounts requested. For the Marine Corps funds are provided to maintain a strength of 200,000; for the Army Reserve, 300,000, and for the Army National Guard, 400,000. Mandatory language has been included to provide for the National Guard strength of 400,000, and in addition, the conference committee was assured by the administration that the Army Reserve strength will be maintained at 300,000 during fiscal 1960 and that the Army National Guard will be maintained at the 400,000 figure. It is the fervent hope of members of the conference that the highest responsible officials will also reexamine strength requirements in the Marine Corps in the light of past history and the turbulent present-day possibilities, and increase the dwindling strength of our Marine Corps to 200,000, for which funds were provided.

The conferees and the chairman of the conference committee were assured by high authority in the administration that it was the purpose to keep the National Guard at 400,000, the Reserve at 300,000, and the Marine Corps at 200,000.

Sixth, the conference bill has provided a general restoration of approximately half of the 1-percent reductions made by the House in operations and procurement accounts.

With reference to section 631, the Senate language as amended on the floor was unacceptable to the conference committee. Instead the conference accepted the House version of section 631, which uses the terms "air transportation" and "air carrier" in accordance with the Federal Aviation Act of 1958. It was agreed that $85 million would be earmarked from MATS funds for expenditure with such air carriers.

My point is that the conferees agreed that section 631, which uses the terms "air transportation" and "air carrier" will be interpreted and applied in accordance with the Federal Aviation Act of 1958.

As has been noted, in various categories the conference has increased the funds made available to the Department of Defense for procurement, personnel, and research and development. In certain instances—notably in the ballistic, strategic and tactical missile fields—broad flexibility has been provided to the Secretary to enable the Department of Defense to accelerate promising breakthroughs. In all instances where increased funds have been provided, the conferees have acted with only one purpose in mind: to provide the Department with the funds it believes necessary to give our country the strongest defense possible.

The action taken by the conferees on this bill was completely nonpartisan, motivated solely by patriotic considerations. It is my earnest hope that it will be looked upon in this light by those who have charge of the utilization of the funds appropriated, and that a reevaluation will be undertaken in the unresolved areas of military strength and hardware procurement. In view of continued international tensions, it is hoped that due consideration be given certain congressional convictions, as evidenced by the changes made in the Defense Department's request.

The measure before the Senate is, in the opinion of the conferees, a strong one, which will provide a firm step forward in the year ahead, not only in modernizing our Army, Navy, and Air Force, but also in encouraging the acceleration of vital missile development for the long pull.

I wish again to thank all those who have helped forge this measure: the members of the Senate Appropriations Committee, the individual Senators who have contributed so much, the House members of the conference committee with whom we worked so amicably; and the officials of the Department of Defense who were always cooperative.

I urge the prompt adoption of the conference report.

EXHIBIT 1

Department of Defense—Congressional action on fiscal year 1960 budget requests, by appropriation title, H.R. 7454, regular Defense Department appropriation bill, military functions

(Note: Some items not comparable, 1959–60, due to budget structure adjustments.)

TITLE I—MILITARY PERSONNEL

Item	Appropriations, 1959 [1]	Budget estimates, 1960	House action	Senate action	Conference agreement
Military personnel, Army	[2] $3,175,961,000	[2] $3,314,063,000	[2] $3,233,063,000	[2] $3,233,063,000	[2] $3,233,063,000
Military personnel, Navy	[2] 2,420,618,200	[2] 2,476,700,000	[2] 2,476,700,000	[2] 2,476,700,000	[2] 2,476,700,000
Military personnel, Marine Corps	[2] 635,692,000	[2] 596,900,000	[2] 596,900,000	[2] 620,600,000	[2] 620,600,000
Military personnel, Air Force	3,941,801,000	[2] 3,914,000,000	[2] 3,912,000,000	[2] 3,892,000,000	[2] 3,912,000,000
Reserve personnel, Army	222,759,000	202,000,000	231,700,000	231,700,000	231,700,000
Reserve personnel, Navy	90,098,000	88,000,000	88,000,000	88,000,000	88,000,000
Reserve personnel, Marine Corps	23,760,000	24,300,000	24,300,000	24,300,000	24,300,000
Reserve personnel, Air Force	53,746,000	54,000,000	54,000,000	54,000,000	54,000,000
Army National Guard	353,093,000	191,961,000	234,961,000	234,961,000	234,961,000
National Guard personnel, Army		48,000,000	48,000,000	48,000,000	48,000,000
Air National Guard	251,880,800	715,000,000	715,000,000	715,000,000	715,000,000
National Guard personnel, Air Force					
Retired pay, Department of Defense	640,000,000				
Total, title I—Military personnel	11,809,409,000	11,624,924,000	11,614,624,000	11,618,324,000	11,638,324,000

TITLE II—OPERATION AND MAINTENANCE

Operation and maintenance, Army	$3,117,238,000	$3,053,785,000	$3,065,390,000	$3,085,390,000	$3,075,390,000
Operation and maintenance, Navy	[3] 2,575,515,900	[4] 2,803,192,000	2,599,320,000	2,621,720,000	2,611,220,000
Operation and maintenance, Marine Corps	[5] 173,117,000	([4])	[4] 171,350,000	175,850,000	175,850,000
Operation and maintenance, Air Force	4,119,525,000	4,256,800,000	4,167,506,000	4,222,506,000	4,195,006,000
Operation and maintenance, Army National Guard		146,000,000	157,000,000	151,700,000	151,700,000
Operation and maintenance, Air National Guard		169,000,000	169,000,000	169,000,000	169,000,000
National Board for the Promotion of Rifle Practice, Army	300,000	300,000	300,000	300,000	300,000
Operation and maintenance, Alaska Communication System, Army	5,667,200	5,676,000	5,676,000	5,676,000	5,676,000
Salaries and expenses, Secretary of Defense	16,545,000	20,500,000	20,500,000	20,500,000	20,500,000
Office of Public Affairs	448,500				
Claims, Department of Defense	16,520,000	16,500,000	16,500,000	16,500,000	16,500,000
Contingencies, Department of Defense	30,000,000	30,000,000	30,000,000	15,000,000	15,000,000
Operation and maintenance, Olympic winter games, Department of Defense		[6] 800,000	400,000	800,000	800,000
Salaries and expenses, Court of Military Appeals, Department of Defense	405,200	425,000	425,000	425,000	425,000
Total, title II—Operation and maintenance	10,055,281,800	10,502,978,000	10,403,367,000	10,485,367,000	10,437,367,000

TITLE III—PROCUREMENT

Procurement of equipment and missiles, Army	$1,669,338,000	$1,024,700,000	$1,232,300,000	$1,450,000,000	$1,407,300,000
Aircraft and related procurement, Navy	2,033,795,000	1,950,294,000	1,969,394,000	1,950,294,000	1,961,644,000
Shipbuilding and conversion, Navy	2,069,400,000	1,498,200,000	1,322,000,000	1,636,200,000	1,330,700,000
Procurement of ordnance and ammunition, Navy	602,535,000	564,069,000	627,369,000	564,069,000	567,719,000
Procurement, Marine Corps	25,000,000	135,200,000	133,850,000	133,850,000	133,850,000
Aircraft procurement, Air Force		4,409,100,000	4,165,700,000	4,316,600,000	4,284,600,000
Missile procurement, Air Force		2,601,200,000	2,448,300,000	2,552,900,000	2,540,550,000
Other procurement, Air Force		1,165,200,000	1,104,100,000	1,115,200,000	1,109,650,000
Aircraft, missiles, and related procurement, Air Force	6,643,475,000				
Procurement other than aircraft and missiles, Air Force	2,220,020,000				
Total, title III—Procurement	15,263,563,000	13,347,963,000	13,003,013,000	13,719,113,000	13,336,013,000

TITLE IV—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Research and development (Army)	$507,345,000				
Research, development, test, and evaluation, Army		$1,046,515,000	$1,046,515,000	$1,035,715,000	$1,035,715,000
Research and development (Navy)	830,779,300				
Research, development, test, and evaluation, Navy		970,920,000	1,015,920,000	970,920,000	1,015,920,000
Research and development (Air Force)	751,829,000				
Research, development, test, and evaluation, Air Force		1,149,900,000	1,159,900,000	1,159,900,000	1,159,900,000
Salaries and expenses, Advanced Research Projects Agency, Department of Defense	520,000,000	455,000,000	455,000,000	455,000,000	455,000,000
Emergency fund, Department of Defense	[7] 150,000,000	[7] 150,000,000	[7] 150,000,000	[7] 150,000,000	[8] 150,000,000
Total, title IV—Research, development, test, and evaluation	2,759,953,300	3,772,335,000	3,827,335,000	3,771,535,000	3,816,535,000
Total appropriations, titles I, II, III, and IV	39,888,207,100	39,248,200,000	38,848,339,000	39,594,339,000	39,228,239,000

[1] Includes amounts appropriated in the Second Supplemental Appropriation Act, 1959.

[2] In addition, the following amounts to be derived by transfer from revolving funds:

	Fiscal year 1959	Fiscal year 1960 budget	Fiscal year 1960 House action	Fiscal year 1960 Senate action	Fiscal year 1960 conference agreement
Military personnel:					
Army	$375,000,000	$200,000,000	$281,000,000	$281,000,000	$281,000,000
Navy	135,000,000	75,000,000	75,000,000	75,000,000	75,000,000
Marine Corps	25,000,000	15,000,000	15,000,000	24,000,000	24,000,000
Air Force		50,000,000	50,000,000	70,000,000	50,000,000
Total	535,000,000	340,000,000	421,000,000	450,000,000	430,000,000

[3] Includes amounts appropriated under 9 formerly separate titles, as follows:

Aircraft and facilities, Navy	$856,180,500
Civil engineering, Navy	129,118,400
Medical care, Navy	97,698,000
Naval petroleum reserves	1,683,000
Navy personnel, general expenses	87,940,500
Ordnance and facilities, Navy	153,948,700
Servicewide operations, Navy	124,404,300
Servicewide supply and finance, Navy	325,134,500
Ships and facilities, Navy	799,408,000

[4] "Marine Corps Troops and Facilities" estimate submitted as an activity included in "Operation and maintenance, Navy" in the amount of $172,000,000. Recommended as a separate appropriation.

[5] Appropriated under title "Marine Corps Troops and Facilities."

[6] Includes $400,000 requested in H. Doc. No. 102.

[7] In addition, $150,000,000 to be derived by transfer from other appropriations available for obligation in the respective fiscal year.

[8] In addition, $300,000,000 to be derived by transfer from other appropriations available for obligation in the respective fiscal year.

Mr. SALTONSTALL. Mr. President, will the Senator from New Mexico yield to me?

Mr. CHAVEZ. I yield.

Mr. SALTONSTALL. Let me say that under the leadership of the Senator from New Mexico, the conference report represents a remarkable overall combination of the views of the administration, the views of the House of Representatives, and the views of the Senate. The conferees worked very diligently; and, as a result, the conference report calls for slightly less than the administration's budget recommendations and approximately halfway between the appropriations voted by the House and those voted by the Senate.

The report adds to the strength of the Army, by adding funds for procurement of new equipment. The report provides funds for additional aircraft, additional ships and, essentially, for a start on a new nuclear aircraft carrier.

The report also provides funds for the Army Reserve, Army National Guard, and the Marine Corps in which all of us are very greatly interested. The report places a floor under the strength of the National Guard and provides it with additional funds.

Mr. CHAVEZ. Mr. President, let me say to my good friend, the Senator from Massachusetts, that as I understand the conference report—and I believe that the Senator from Massachusetts and the other conferees understand it in the same way I do—although it is true that the report does not provide a floor for the Marine Corps and the Army Reserve, at least it provides increased funds for greater strength, and also for the Army National Guard, for which a floor was provided. We were assured—and I am certain that that assurance was given in the best of faith by the administration—that it would maintain the Army Reserve and the Army National Guard at 300,000 and 400,000, respectively.

Mr. SALTONSTALL. That is my understanding, and the Senator from New Mexico has expressed the matter very clearly.

Mr. President, instead of taking more time of the Senate, I ask unanimous consent to have printed at this point in the RECORD a statement, which I have prepared, which deals in some detail with the conference report. In part the statement is a reiteration of the statement which has been made by the Senator from New Mexico, and in part it is based on my own views regarding the results of the conference.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SALTONSTALL

In my judgment, the bill which came out of the conference committee is truly a strength-and-preparedness bill.

I sincerely believe it provides sufficient funds to give the Nation up-to-date, well-balanced defense forces to protect us against any possible enemy.

It does this and still remains within the total budget request.

I wish to emphasize my belief that this bill will keep our military forces strong without jeopardizing the economy of the country on which, in the final analysis, our Nation's security rests. This is good news, it seems to me, for every American. It is indicative of our determination to retain overall military superiority to a potential enemy. Without such strength, it is doubtful that we—or the rest of the free world—would long survive.

Each year, Congress makes a further investment in military equipment and troops to protect our survival as a nation. For fiscal year 1960, the conference bill provides substantial funds: a total of $39,228,239,000 in new obligational authority. This is $19,961,000 under the budget, a significant fact for all American taxpayers. It is $366,100,000 less than the bill passed by the Senate in mid-July and $379,900,000 more than the bill passed by the House in early June.

In addition to new funds, the conference bill provides a total of $430 million in cash transfers from revolving funds of the Department of Defense. This is an increase of $90 million in transfers over the budget and $9 million more than the House provided.

These cash transfers are available to help finance our defense programs, along with the new moneys provided.

This bill is confined to the so-called military functions of the Department of Defense. Military construction items of great importance are contained in a separate bill. Congress recently authorized $1.2 billion for construction of military facilities, bases, and so on. The bill appropriating money under this authorization is still pending.

The $39 billion-plus in the military functions bill reported by the conferees should buy us a lot of military muscle.

Mere expenditure of dollars, however, does not necessarily assure greater defense strength. How we spend our dollars is at least as important as how many dollars we spend. We must make sure we get 100 cents worth of defense for every dollar we spend.

It is true the dollar amounts finally agreed upon by the conferees differ in many instances with both the House bill and the Senate bill. But, in the main, the broad philosophies embodied in both bills are retained in the conference report.

Generally speaking, where the conference report differs from the budget, the reason is a recognition that time and events have overtaken a budget that was prepared many months ago. For example, since the budget was submitted last January, the Department of Defense revised its air defense plan involving the Bomarc and Nike-Hercules missiles. The conference bill reflects this changing emphasis, cutting back even a little further in these programs.

On the other hand, the conference bill steps up our offensive ballistic missile programs and our efforts to defend against ballistic missiles fired at us by an enemy.

We provided extra funds for general war preparedness. We also agreed on additional funds for limited war forces, especially for Army modernization of combat equipment.

We provided more funds for other military programs essential in either general or limited war, such as antisubmarine warfare items and Navy ships.

I wish to assure Members of the Senate that the $366,100,000 reduction in the Senate bill is not any major surrender of the Senate's position on its own bill. The $366 million net reduction is made up of a number of pluses and minuses. The largest single reduction relates to the nuclear attack aircraft carrier.

Instead of the $380 million provided by the Senate for the full amount of the ship, the confereees agreed to provide $35 million for long leadtime items, principally for the atomic reactors. In this way, the Senate figure was reduced by $345 million so far as fiscal year 1960 funds are concerned.

But, the important thing is, the conference action constituted approval of a nuclear attack carrier to replace one of the old World War II vintage carriers now in the fleet. The nuclear carrier should be ready within a few months of the time the conventional carrier requested in the budget would have been ready. In the meantime, the Navy can firm up the design for this second atomic carrier, taking advantage of lessons learned in constructing the *Enterprise*.

I wish to review in a general way the highlights of the conference bill.

In terms of dollars, this is how the conference bill compares with the President's budget request, with the Senate bill, and with the House bill:

New obligational authority:	
President's budget	$39,248,200,000
Senate bill	39,594,339,000
House bill	38,848,339,000
Conference bill	39,228,239,000
Under budget	−19,961,000
Under Senate bill	−366,100,000
Over House	+379,900,000
Transfers from revolving funds:	
President's budget	340,000,000
Senate bill	450,000,000
House bill	421,000,000
Conference bill	430,000,000
Over budget	+90,000,000
Under Senate bill	−20,000,000
Over House bill	+9,000,000

In terms of programs, this is how the Senate and House conferees resolved the differences in the two bills:

MARINES, ARMY RESERVES, AND ARMY NATIONAL GUARD

The House conferees accepted the Senate action providing a total of $43.1 million more than the budget to fund a 200,000-man Marine Corps. Both Houses had agreed upon additional funds for 300,000 Army Reserves and 400,000 Army National Guard, representing increases of 30,000 and 40,000 over the budget, respectively.

In all three cases, however, the Senate had provided language establishing these strength levels as mandatory floors and, further, had earmarked the additional funds to be used only for the purpose of the larger force levels.

The conferees retained the mandatory floor under the Army National Guard, but in the case of the Marines and Army Reserves such language was deleted.

New language was substituted for the earmarking provisions, and the understanding was that, if these funds were not used for the purpose of the larger Marines, Reserves, and Guard, the funds would revert to the Treasury.

MISSILES

In recognition of the swift pace of scientific and engineering developments in ballistic missiles, the Senate bill provided language giving the Secretary of Defense more flexibility to apply funds to the most promising programs. House and Senate conferees agreed such flexibility was desirable. The question at issue was how best to draft language to accomplish our purpose.

Substitute language adopted by the conferees permits the Secretary of Defense, under the authority and terms of the emergency fund, to transfer an additional $150 million for accelerating any strategic and tactical missile program.

We hope the Secretary will use this authority to advance missile programs that appear workable and achievable and, by the same token, to halt those which offer little promise of adding appreciably to our defense strength.

MACE MISSILE

Neither the House nor the Senate approved $127.5 million of the budget request for the Mace tactical missile of the Air Force. But the Senate provided transfer authority for the Secretary to take care of commitments to NATO allies for Mace.

In place of the Senate language, it is stated in the conference report that Air Force missile procurement funds shall be available for Mace, provided that the Secretary of Defense first certifies to the Appropriations Committees of Congress that the missile is "essential to the military posture of this country."

BOMARC AND NIKE-HERCULES MISSILES

Regarding the Bomarc air defense missile, the House conferees accepted the Senate restoration of $79.9 million of the $162.7 million cut by the House. Under the revised air defense plan, the Department of Defense asked the Senate to allow $129.9 million for the missile, but we felt that $79.9 million would be adequate.

In the case of the other air defense missile—Nike-Hercules—the House accepted the $10.8 million reduction in Army research for this program made by the Senate bill and proposed by the Department of Defense.

In addition, the conference report directed that $100 million be reprogramed from Nike-Hercules to Army modernization. The Senate had included language in the bill itself to reprogram $117.8 million, $41 million more than the $76.8 million contemplated reprograming under the Department's air defense plan.

These combined actions on Bomarc and Nike-Hercules air defense missiles reflect the conferees' desire to put less emphasis on defensive programs and more emphasis on offensive programs.

AIR FORCE AIRCRAFT

The House conferees agreed with the Senate restoration of $24.5 million for 35 jet utility trainers, $23.4 million for 14 jet navigation trainers, and $50 million for safety of flight modifications. But they would not accept $11 million added by the Senate for 11 F–27 mission support aircraft.

ARMY MODERNIZATION

For Army procurement of equipment and missiles, the conferees agreed upon $175 million of the $217.7 million Senate increase over the House bill. This makes a total of $1,407,300,000 in new funds available in fiscal year 1960, an increase of $382.6 million over the budget.

In addition, the conferees directed the Secretary of Defense to reprogram from Nike-Hercules funds $100 million to be used for purchase of modern Army combat equipment.

Of the $382.6 million increase in new funds over the budget, $20 million relates to the Army National Guard and Reserve and $137 million to speed up the Nike-Zeus antiballistic missile program. This leaves a net of $225.6 million in new money for Army modernization over the budget figure.

With the $100 million ordered reprogramed—and these are mainly prior year funds—there is a total availability of $325.6 million for Army modernization in excess of the budget.

ANTISUBMARINE WARFARE

In the President's budget, about $1.2 billion all told was requested for antisubmarine warfare.

To step up the Navy's antisubmarine warfare programs even further, the conferees added $137.3 million. This compares with the $255.3 million in extra ASW funds in the House bill.

The Senate bill, on the other hand, fully funded the nuclear aircraft carrier in line with the Navy testimony that a carrier was its No. 1 priority—more necessary even than the ASW increases of the House. Also provided in the Senate bill was $18 million for long leadtime items for another nuclear antisubmarine submarine.

Included in the $137.3 million agreed upon by the conferees are full funds for an additional nuclear antisubmarine submarine, helicopters, and other ASW weapons and related equipment.

Thus, the conference bill provides for both the Navy's No. 1 priority and for some very essential antisubmarine warfare items.

PROCUREMENT

The House had made a 1 percent general reduction in all procurement accounts of the military services to encourage better procurement methods. The Senate restored these cuts in full, except in the case of the Marine Corps where the Defense Department accepted the cut. The conferees agreed to one-half of 1 percent general cut, thus splitting the difference between the two bills.

OPERATION AND MAINTENANCE

Both the House and Senate bills had provided funds in the operation and maintenance accounts to support the increased number of Marines, Army Reserves, and Army National Guard over the budget. The Senate bill, however, reduced Army Guard operation and maintenance funds for Nike-Hercules support, and the conferees went along with the $5.3 million cut.

The conferees also accepted one-half of the Senate restorations to Army, Navy, and Air Force operation and maintenance accounts for base operating costs, proficiency flying, and operation and maintenance of the active fleet.

The operation and maintenance funds are used to keep our men and equipment in combat readiness.

MATS

The conference bill specifies that $85 million of MATS funds shall be available only for procurement of commercial air transportation service. This is $5 million more than the House bill and $15 million less than the Senate bill.

Last year $80 million was so earmarked. Except for the dollar change, the provision this year is identical to the 1959 act and to the House bill. Again, it directs the Secretary of Defense to utilize the services of civil air carriers which qualify as small businesses to the fullest extent found practicable.

CONCLUSION

In conclusion, it is my firm belief that this bill will add considerable strength to our defense posture.

What I said in regard to the Senate bill applies equally to the conference bill.

It emphasizes offense and avoids overemphasis on defense in order to give us the greatest deterrent forces for our dollars invested.

It recognizes the onrush of science, technology, and military weaponry and gives the administration the flexibility to make the most of these advances.

It recognizes the need for preparedness for limited war as well as for all-out nuclear war.

I urge the Senate to approve the conference report.

Mr. MANSFIELD. Mr. President, will the Senator from New Mexico yield to me?

Mr. CHAVEZ. I yield.

Mr. MANSFIELD. I must say that I am disappointed at the action of the conferees insofar as a mandatory floor for the Marine Corps is concerned. I say that without any thought of questioning the strong support and the attitude of the distinguished Senator from New Mexico, who throughout his career in public office has been a stanch and stout defender of the Marine Corps.

But I am disturbed that on the basis of two actions taken during this fiscal year—one, in the supplemental appropriation bill which provided strong amendatory language increasing the size of the Marine Corps to 200,000 men; and the other, in the course of the hearings on the regular Department of Defense appropriation bill, under the chairmanship of the distinguished Senator from New Mexico, again including amendatory language, and making it mandatory that the strength of the Marine Corps be maintained at not less than 200,000—such results have not been achieved.

I have an idea of the difficulties which the distinguished Senator from New Mexico had to surmount in order to bring to us a conference report which provides for as much as he was able to get the conferees to agree to.

But I should like to point out that in April, 9,989 officers and men were discharged from the Marine Corps, with the result that in that month the strength of the Marine Corps amounted to only 174,709. In other words, the Marines found it impossible to maintain even the 175,000 strength requested by this administration. That was because of the fact that the Marines were forced to discharge many men early, and therefore the Marine Corps suffered a consequent loss in strength.

I am hopeful that the attitude of the chairman and of the other members of the Senate committee and of the Senate conferees, and the statements they have made—to the effect that this money is to be allowed with the intent that it will be used to maintain a strong Marine Corps—will result in the use of the money in the way and for the purpose they intend, and for no other purpose, so that the first line of our defense will be kept active, and so that this mobile and ready striking force will achieve what Congress intended it to achieve when it passed the bill which provided for three combat-size divisions and three air wings for the Marine Corps.

Again I wish to thank the Senator from New Mexico, who fought long and hard for what the Senate believed to be best for the country.

Mr. CHAVEZ. Let me point out to the Senator from Montana that the Senate conferees were, in addition to myself, the Senator from Arizona [Mr. HAYDEN], the Senator from Georgia [Mr. RUSSELL], the Senator from Alabama [Mr. HILL], the Senator from Louisiana [Mr. ELLENDER], the junior Senator from Virginia [Mr. ROBERTSON], the senior Senator from Virginia [Mr. BYRD], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from New Hampshire [Mr. BRIDGES], and the Senator from North Dakota [Mr. YOUNG]. Not one of them failed to try his very best to carry out what the Senator from Montana has in mind. But we simply were unable to do so. The House conferees were adamant. And, after all, it is necessary to have the Congress take final action on the bill, and send it to the President for his signature. It was only after encountering that extremely adamant opposition on the part of the House conferees that we agreed to submit this report.

Mr. MANSFIELD. I understand that, and I know that the Senator from New

Mexico did the very best he possibly could.

Mr. JOHNSON of Texas. Mr. President, will the Senator from New Mexico yield to me?

Mr. CHAVEZ. I yield.

Mr. JOHNSON of Texas. Mr. President, I wish to congratulate the Senator from New Mexico and all the other conferees on the part of the Senate for their report on the Department of Defense appropriation bill. I believe they have done an outstanding job in reconciling the House and Senate versions of the bill.

As is always the case when it is necessary to compromise differences, in order to get on with the job to be done, each of the Members of this body might have preferred a different result for one or more of the individual items covered by the bill. I believe all of us will agree, however, that the changes made by the Congress have considerably improved and strengthened the bill.

Several weeks ago, when the Defense Department appropriation bill was debated on the floor, I discussed the inadequacies of the 1960 budget and the significant reservations expressed by each of the Joint Chiefs of Staff. Rather than repeat that now, I refer to pages 13177 through 13179 of the CONGRESSIONAL RECORD of July 13.

Although the bill as reported by the conference committee calls for appropriating $19,961,000 less than the President's budget, the report provides additional resources for meeting—at least in part—a number of the reservations expressed by the Joint Chiefs of Staff.

I wish to mention a few of the notable improvements made by the Congress in the Defense Department appropriation bill:

First. Funds for procurement of equipment and missiles by the Army have been increased by $382,600,000. In addition, at least $100 million of funds available for the Nike-Hercules are to be reprogramed for Army modernization. These two steps alone provide close to one-half a billion dollars to accelerate the Nike-Zeus antimissile missile program and to improve Army modernization and firepower.

Second. The Army National Guard is to be maintained at 400,000, rather than cut to the 360,000 proposed in the budget.

Third. The Army Reserve is to be maintained at 300,000, rather than cut to 270,000.

Fourth. Funds have been provided to start construction of a nuclear-powered aircraft carrier. The Budget Bureau had proposed that this carrier be powered with conventional engines.

Fifth. An additional $137,300,000 has been provided to accelerate antisubmarine warfare programs, including $45 million additional in the vital area of research and development.

Sixth. The Marine Corps will be built up to a fighting strength of 200,000 by the end of fiscal year 1960. The budget proposed maintaining a reduced strength of 175,000.

Seventh. An additional $172 million for procurement and research and development funds have been provided to accelerate ballistic missile programs. In addition, the Secretary of Defense has been provided with new authority to transfer $150 million to accelerate any strategic or tactical missile programs, whenever such action would be advantageous to the national defense.

Mr. President, I believe that the Congress can be proud of the many improvements it has made in the defense appropriations bill. It is an example of what can be done by men of good will working in the national interest.

Of course, this is not the whole story. With this bill, the Congress is providing the executive branch with the means to make needed improvements in our defense programs. Our efforts will go for naught, however, if the administration chooses to ignore the clearly expressed will of the Congress.

I sincerely hope that this will not be the case. This bill is the product of long hours of work and deliberation by conscientious Members of both Houses and of both parties. I believe that the Congress has clearly met its responsibilities in providing the resources and authority needed to provide for the national defense. We have every right to expect the executive branch to do the same.

Again I wish to thank the Senator from New Mexico for handling this troublesome bill, the largest appropriation bill we shall consider this year, in an able and expeditious manner.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. ELLENDER. I wish to join other Members of the Senate in commending the Senator from New Mexico. He did a very good job. It was rather difficult, to say the least, for us to sit day in and day out, and fight for the Senate amendments, and in particular the amendments providing floors for the Reserves, Marines, and the National Guard. One important provision we were able to retain, concerned the limitation on the use of the funds which were provided to increase the strength of the National Guard, Reserves, and the Marine Corps.

Mr. CHAVEZ. That is correct.

Mr. ELLENDER. If it is not used for the purpose specified, the money will return to the Treasury.

Mr. CHAVEZ. If I may interrupt the Senator at that point, heretofore we have so provided, but instead of using the money to get a floor of 200,000 men, the money was used for other purposes.

Mr. ELLENDER. That is correct.

Mr. CHAVEZ. Now it is provided that if the money is not used for the purpose specified, it shall go back to the Treasury.

Mr. ELLENDER. And the chances are the money will be used for the purposes provided.

Mr. CHAVEZ. That is correct.

Mr. ELLENDER. I am satisfied that in the case of the National Guard, as well as the Reserves, the money provided will no doubt be used to raise strength to the levels desired by the Congress.

Mr. President, I had my staff prepare an analysis of the defense budget for fiscal year 1960. A good many persons are under the impression that most of the money contained in this bill goes for new hardware, for airplanes, and so forth.

Of a total military budget of $40,453,764,000, and this sum includes $1,225,525,000, authorized for military construction, I wish to point out that over one-fourth, or 28.8 percent to be specific, involving a total of $11,638,324,000, goes for military personnel and retirement pay.

For operations and maintenance—that is, for gasoline and other supplies necessary to operate the hardware we have on hand—another 25.8 percent of the budget aggregating $10,437,367,000 is spent. Only 28.5 percent or $11,490,813,000, goes for procurement—that is, for the purchase of tanks, ships, and other necessary materiel.

Only 14 percent of the defense budget, or $5,661,735,000, is earmarked for research and development, which is a program that has expanded greatly during the past few years.

This money is not spent for equipment, but solely for research and the acquisition of prototypes.

Of the total defense budget, in the neighborhood of 3 percent or $1,225,525,000 could be used for construction, if the current authorization bill is fully funded.

On many occasions I have expressed my concern over the rapidity with which money that is expended for retirement pay is increasing.

In 1950 the entire cost of retirement was $189,444,000. For fiscal year 1960 it will be $715 million. By 1963 it is estimated that retirement pay and related benefits will require the expenditure of $1,109 million. By 1970 the cost of retirement pay alone will be almost $2 billion.

It is my hope that study will be given to this problem.

Congress has already acted on legislation to retire some 4,000 Navy and Marine officers at an earlier date than the law now requires. It strikes me that if there are that many excess officers, we ought to look into the feasibility of perhaps admitting fewer cadets into the military academies. It seems to me that it makes little sense to keep increasing enrollments at the academies and, in the same breath, retiring officers still able to perform a service for their country.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. SALTONSTALL. I may say to the Senator from Louisiana those two bills went through the Senate last week. One of them concerned the Navy alone, and the other bill concerned all the services. If I may use a colloquial term, one of the bills involves a question of getting rid of the "hump" which was created in the Navy during World War II. The Army and Air Force have already gotten rid of their "humps" under previous legislation.

The bill was discussed by the Senator from Mississippi, the Senator from Colorado, myself, and other Senators 2 weeks ago.

The great problem we face is getting younger officers into the service. In fairness to men who could never otherwise obtain higher rank, it was deemed best to provide for the retirement of

some of the older officers. The laws for all the services were changed and liberalized last year in order to make them more fair for those retiring.

The Senator from Mississippi [Mr. STENNIS] and I made short speeches several months ago urging that nothing further be done this year with respect to these retirement laws which affect all the services. We felt it wiser that the changes made last year be given an opportunity to see how they worked or how fair they were for those for whose benefit they were passed.

I do not mean to get into a long discussion, but that is true.

Mr. ELLENDER. The point I am making is that the subject ought to be studied. It is proposed that we retire by 1969 under the bill the Senator has mentioned, some 4,170 officers.

Mr. SALTONSTALL. The bill with respect to the Navy, which was passed by the Senate the other day, will expire of its own weight in 1965, because the Navy has stated by that time it feels the problem will be solved. We want to be fair to those men.

Mr. ELLENDER. I understand that. I am not trying to be unfair to anybody. The point I am making is that the amount required to finance retirement pay seems to be skyrocketing.

Mr. SALTONSTALL. I agree.

Mr. ELLENDER. By 1970 it will amount to $2 billion.

Mr. SALTONSTALL. I agree. It is one of our great problems.

Mr. ELLENDER. I am only suggesting that the Committee on Armed Services, or perhaps some agency of the executive branch should look into the matter.

Mr. CHAVEZ. Mr. President, the appropriations committee does not take action until after the Committee on Armed Services reports a bill which authorizes action.

Mr. ELLENDER. The Senator is correct.

Mr. CHAVEZ. Then we consider the appropriations. I think the Committee on Armed Services should look into the matter, because it is serious.

Mr. SALTONSTALL. In justice to the Committee on Armed Services, I wish to say that we have been studying the subject for the past 4 years. The chairman of the committee is the Senator from Georgia [Mr. RUSSELL], and I am sure he will substantiate my statement, because he is concerned, as all of us are, with this problem.

Mr. ELLENDER. I hope some study will be made, looking toward reducing the amount. I do not know how to do it. It is an intricate matter, I am sure.

Mr. SALTONSTALL. It is.

Mr. ELLENDER. Something ought to be done about it, because the amount of money is growing by leaps and bounds.

Mr. SALTONSTALL. I agree.

Mr. ELLENDER. Mr. President, I did not intend to take up so much time.

Mr. DWORSHAK, Mr. THURMOND, and Mr. BEALL addressed the Chair.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed in the RECORD the analysis to which I previously referred.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

Department of Defense budget analysis, fiscal year 1960

[Dollars in thousands]

	Military personnel	Percent of total	Operations and maintenance	Percent of total	Procurement	Percent of total	Research and development	Percent of total	Construction authorization	Percent of total	Total	Percent of total
Army [1]	$3,699,724		$3,227,090		$1,407,300		$1,035,715		$218,125		$9,587,954	23.7
Navy [2]	2,564,700		2,611,220		3,860,063		1,015,920		185,451		10,237,354	25.3
(Transfers contemplated)					−281,600		+281,600					
Total					3,578,463		1,297,520					
Marines [3]	644,900		175,850		133,850						954,600	2.3
Air Force [4]	4,014,000		4,364,006		7,934,800		1,159,900		817,170		18,289,876	45.2
(Transfers contemplated)					−1,563,600		+1,563,600					
Total					6,371,200		2,723,500					
DOD, and others	[5] 715,000		59,201				605,000		[6] 4,779		1,383,980	3.5
Total	11,638,324	28.8	10,437,367	25.8	11,490,813	28.5	5,661,735	13.9	[7] 1,225,525	3.0	40,453,764	100.0

[1] Includes National Guard and Reserves.
[2] Includes Reserves.
[3] Includes Reserves.
[4] Includes Air National Guard and Reserves.
[5] Retired pay.
[6] Deficits in all services, prior years.
[7] Figures rounded.

Mr. ELLENDER. Mr. President, I also ask unanimous consent to have printed in the RECORD certain excerpts from Senate hearings on the fiscal year 1960 Department of Defense appropriations bills, including a table on page 627 and a colloquy I had with Mr. McNeil, which is printed at page 399 of the hearings headed, "Upward Trend in Retired Pay," which concludes near the middle of the page.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Actual and estimated new obligational authority, obligations, and expenditures for retired pay, fiscal years 1950–63

Fiscal year	Appropriation	Transfer	Total available	Obligations	Expenditures		
					New obligational authority	Balance of prior authority	Total
1950 actual [1]	$180,000,000	$19,700,000	$199,700,000	$198,060,374	$189,444,599		$189,444,599
1951 actual	342,000,000		342,000,000	324,089,227	318,350,025	$6,096,123	324,446,148
1952 actual	345,000,000		345,000,000	330,597,804	325,839,341	3,201,381	329,040,722
1953 actual	330,000,000	27,000,000	357,000,000	356,385,315	354,345,279	3,131,590	357,476,869
1954 actual	365,000,000	22,000,000	387,000,000	386,297,962	383,079,574	2,928,253	386,007,827
1955 actual	404,500,000	19,000,000	423,500,000	422,102,485	416,353,952	2,321,761	418,675,713
1956 actual	495,000,000		495,000,000	478,931,770	474,527,273	2,639,249	477,166,522
1957 actual	515,000,000		515,000,000	510,784,009	507,055,647	4,126,086	511,181,733
1958 actual	564,000,000	3,000,000	567,000,000	560,961,693	555,802,201	5,980,290	561,782,491
1959 estimate	640,000,000		640,000,000	640,000,000	634,000,000	6,000,000	640,000,000
1960 estimate	715,000,000		715,000,000	715,000,000	708,500,000	6,500,000	715,000,000
1961 estimate	832,000,000		832,000,000	832,000,000	825,500,000	6,500,000	832,000,000
1962 estimate	959,000,000		959,000,000	959,000,000	952,500,000	6,500,000	959,000,000
1963 estimate	1,109,000,000		1,109,000,000	1,109,000,000	1,102,500,000	6,500,000	1,109,000,000

[1] Excludes comparative transfer from:

Department of the Navy:	
Pay and allowances, naval personnel	$29,760,000
Pay, Marine Corps	2,145,000
Veterans' Administration:	
Air Force, Army, and Navy pensions	74,411,125
Total	106,316,129

UPWARD TREND IN RETIRED PAY

Retired pay will require $715 million for 1960, $70 million more than 1959. The cost of retired pay since the end of the Korean war has just about doubled. As I have pointed out in recent years, this sharp upward trend in retired pay may be expected to continue and even accelerate in future years as the World War II input of personnel becomes eligible for retirement. The $1-billion-per-year mark will probably be passed in the early 1960's.

Senator ELLENDER. Now what is that due to?

Mr. MCNEIL. The bulk of the people who retire at the present time, in the 1950 period, were in the Army, Navy, or old Air Corps of the War Department back in the 1920's and 1930's when all the services were small. Beginning in 1941, we had a big increase at the beginning of the war. Many of those people have stayed in right straight through and some of them become eligible for retirement, if they apply for it, beginning in 1961, after 20 years' service. Many of them won't, of course. They will stay longer. But I think there will be a considerable number who will make application for retirment beginning in 1961 and 1962.

Senator ELLENDER. You say that this retired pay will pass the billion-dollar mark in 1960?

Mr. MCNEIL. In the 1960's. I don't know whether it will be 1962 or 1963.

Senator ELLENDER. That is supposed to be the maximum?

Mr. McNEIL. No.

Senator ELLENDER. What do you figure the maximum will be?

Mr. McNEIL. I would say with the force at the present size, in the 1970 period it could run to $2 billion.

Senator ELLENDER. $2 billion for retired pay?

Mr. McNEIL. If you continue the present size force and get up into the 1975 or 1980 period.

Mr. ELLENDER. Mr. President, I thank my friend the Senator from New Mexico.

Mr. CHAVEZ. Mr. President, I yield next to the Senator from Idaho [Mr. DWORSHAK].

Mr. DWORSHAK. Mr. President, as a member of the Appropriations Subcommittee which held hearings on the bill for many weeks, I desire to commend the chairman for his fine understanding of the various issues involved in the controversies affecting national preparedness.

I wish to ask the Senator specifically what was done in regard to the Nike-Zeus antimissile missile.

Mr. CHAVEZ. Moneywise, we have provided in the bill $137 million over the budget estimate. I cannot tell the Senator the total budget amount, because it is a classified item. However, I am sure the Senator can get the information from the committee.

Mr. DWORSHAK. In other words, as the result of the action of the House, of the Senate, and of the conference committee an additional amount of $137 million is being provided?

Mr. CHAVEZ. That was added to the amount provided before.

Mr. DWORSHAK. For research and development and for procurement of the Nike-Zeus missile?

Mr. CHAVEZ. The Senator is correct.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield to my good friend the Senator from South Carolina.

Mr. THURMOND. Mr. President, I should like to commend the distinguished chairman and the other conferees upon the decision they made in regard to this bill. The very life of our Nation is dependent upon our defense. Although this appropriation amounts to $39¼ billion, there is nothing more important to the Nation than that we maintain a strong defense.

I should like to express my appreciation, as one Senator, to the conferees for the fine job they have done.

Mr. President, when the bill passed the Senate we added some mandatory language with regard to the size of the Reserves, so as to be sure the manpower would be kept at 300,000. I understand it was not possible to retain the language in the conference, but I also understand that money is provided for a Reserve force of 300,000 and, further, that the conferees have received assurances from the Defense Department and from the White House that the Reserve Forces will be kept at 300,000.

I should like to ask the distinguished Senator from New Mexico if that is a correct understanding.

Mr. CHAVEZ. The Senator is correct. While we were in conference I was called by a representative of the administration, and I made it a point to inquire about the matter. I asked the representative for whom he was talking, and he told me he was talking for the administration. I have his name.

Mr. THURMOND. I thank the Senator.

Mr. CHAVEZ. We wanted to have the mandatory language, but, as is true with regard to any conference, we cannot get everything we want. We provided money for every one of the 300,000 Reserves, and we were assured, notwithstanding the fact that mandatory language was not provided, that an effort would be made to keep the strength up to 300,000.

Mr. THURMOND. Under the appropriation bill, as I interpret the language, the missile program will go forward and make progress. There is a provision to carry on the missile program?

Mr. CHAVEZ. The Senator is correct.

Mr. THURMOND. Including the Nike-Zeus antimissile missile?

Mr. CHAVEZ. The Senator is correct.

Mr. THURMOND. As well as the other type missiles?

Mr. CHAVEZ. Yes. In the bill itself provision is made for flexibility. If there is a breakthrough in regard to any missile, irrespective of name, the Department of Defense has the authority to proceed, under the money we have provided.

Mr. THURMOND. And the ground forces have been increased beyond the recommendations of the administration?

Mr. CHAVEZ. The Senator is correct.

Mr. THURMOND. I thank the distinguished chairman of the committee.

Mr. CHAVEZ. I thank the Senator from South Carolina.

Mr. BEALL. Mr. President, first I wish to congratulate the chairman of the Subcommittee on Appropriations, the distinguished Senator from New Mexico [Mr. CHAVEZ], and then to say that the remarks I am about to make certainly do not apply to him, because he has been most cooperative.

Mr. President, I do not enjoy the role I am now forced to take—the role of exposing a wrong and the selfish reasons back of an affront to my State of Maryland and an affront to our Air Force leaders. I intend to ask my colleagues in the Senate to right this wrong. I am forced to take the floor to ask that the conference report on H.R. 7454, the Defense Department appropriation bill, be rejected in part, and that the Senate conferees be instructed to hold to the Senate's position in regard to the inclusion in the aircraft production program of the F–27, the turboprop transport plane designed to replace the famous old workhorse of the air, the DC–3. Although thought of as a Maryland product, parts of the F–27 are made in Oklahoma.

This item was struck from the conference report in a series of actions which speak for themselves. Possibly Senators can judge better what their decision should be in the matter of the conference report if they know exactly how it happened that the F–27 item came to be dropped. The significance of these simple facts is unmistakable.

In the bill as passed by the Senate, after long and thorough study by our Committee on Appropriations, there was provision for three types of planes to cost a total of some $59 million, as follows: $24½ million on the UTX, manufactured by North American of California; approximately $23½ million on the UCX, manufactured by Lockheed, also of California, and by McDonnell of Missouri—in view of what is to follow, keep in mind those two States, California and Missouri—and $11 million on the F–27, manufactured by Fairchild in Maryland and Oklahoma. This was the allocation of the $59 million which was agreed upon in the Senate.

The House conferees met, and, on general principles, agreed to hold out for a nominal reduction. How did they intend to reduce the total? On a pro rata basis, of course—cut a little from each of the three items. That was what they planned to do, by general consent.

But what happened? When the conferees of both Houses met, the $59 million for aircraft was taken up, item by item. First, the conferees took up the UTX, made in California; there was no opposition; the House conferees, all of them, voted with the Senate conferees for the full amount for the California plane. Next, the UCX, made in California and in Missouri; again full agreement for the full amount. It looked as though the House conferees had given up any scheme to cut the Senate items. Next the F–27, made in Maryland and in Oklahoma. And then, one of the House conferees brought up the idea that they had agreed to ask for a reduction of $10 or $11 million—"and would not the F–27 item of $1 million nicely fit the suggested reduction?"

"What about scaling down each of the three items?"

"No; the California and Missouri items have already been agreed to in full."

"What about appropriating an overall amount and letting the Air Force decide how it is to be distributed?"

"No; the California and Missouri items, already agreed to, might be cut to some extent."

The vote was taken. All Senate conferees voted for the F–27 items; the House split 3 to 2. Two House Members joined with the chairman in voting against the Maryland plane. And who are these two House Members? Why, one is from California and the other is from Missouri.

Mr. RANDOLPH. Mr. President, would it interfere with the continuity of the address of the able Senator from Maryland as he presents the problem if I were to ask a question?

Mr. BEALL. I yield to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I would appreciate it if the eminent Senator from New Mexico [Mr. CHAVEZ] would address himself to the problem raised by the Senator from Maryland [Mr. BEALL] in reference to the fact that the Senate conferees voted in favor of the Air Force purchase of the F–27, which is manufactured and assembled, at least in part, at Hagerstown, Md.

Mr. CHAVEZ. Mr President, every one of the Senate conferees wanted to

retain this item in the bill. It was only after hours of conference, and when we realized the adamant attitude of several of the House Members, that we yielded. There were House Members from all parts of the country, including California. They were extremely adamant. I am not questioning their motives. The Senate conferees tried to retain this item in the bill. We placed it in the bill in the subcommittee, in the full committee, and on the floor of the Senate. We certainly tried to retain it. We thought these planes were needed, and we had evidence from the Defense Department as to the necessity for this type of airplane.

Mr. RANDOLPH. Mr. President, will the Senator allow another interruption?

Mr. BEALL. If the Senator will wait a few moments, I shall be glad to yield.

The California and Missouri items were retained in full, but the House conferees became very saving when it came to the Maryland-Oklahoma item.

Our Senate conferees and two of the House conferees were united for the inclusion of the F–27, not only because the F–27 is needed, but also because its production in Maryland and Oklahoma would be in keeping with the overall defense principle of not centering our aircraft production in one area. As we all know there has been a great concentration of defense production in California, and this is not in the best interest of America. Any decentralization of such production is on the right side. The Hagerstown plant is ideally situated, tucked away in the mountains, about as safe as any location could be, and the Oklahoma plant is not in an industrial area.

We do not want our great production arm crippled by the dropping of a bomb or two dropped on California. I think the factor of decentralization is a strong one in favor of the production of the F–27.

Nearly $4 billion is being spent on military aircraft—that is 4 thousand million—and California is getting the lion's share of the production contracts; and yet its representative begrudges the comparatively small item of $11 million for Maryland and Oklahoma.

Of the $4 billion to be spent, all we ask for Fairchild is $11 million. Can Senators deny us this?

The F–27 is a superior plane. It is needed. Here, at Fairchild, is an established plant all ready to go; highly skilled and carefully trained technicians are standing by.

Officials of the Pentagon, military experts, experts in aircraft and in defense, top Air Force officers, all tell us that the F–27 is needed, that they want it. Yet, three civilian House conferees say no. They set themselves up as knowing more about our defense needs than do the Air Force and Pentagon officials; these three put themselves up as military experts who can brush aside the urgent advice of our key officers in the Defense setup.

There is another facet to the problem posed by the conference report. Members of this body are constantly giving attention to the matter of unemployment. The Hagerstown area will be affected seriously and adversely, if this conference report should be approved; and one entire community in Oklahoma will become a ghost town.

At a time when we are spending thousands of millions of dollars on military aircraft, and are deploring the scarcity of aircraft technicians, highly skilled and carefully trained technicians with Fairchild will be thrown out of work, and, with wives and children, will be queueing up for handouts of foodstuffs. Such a situation makes no sense at a time of high employment, when we are at work on a huge aircraft production program, and every facility and every trained hand is needed.

Why should the fine organization at Fairchild have to retrench while comparable facilities in California are expanding and preparing to expand on an even more tremendous basis?

But even more important than the economic life of this fine Maryland area and this Oklahoma town is the best interest of the Nation as a whole. Decentralization of defense production is important to our survival—and decentralization would be served by the inclusion of the F–27's in our aircraft program.

California is entitled to its just share, but is not entitled to its share plus Maryland's share, plus Oklahoma's share, plus the share of other States.

Can Senators vote against Maryland merely because we did not have a Maryland representative on the conference? Or against Oklahoma simply because no Oklahoma representative was on the conference? That would be setting a dangerous precedent. Is a State to be shunted aside and its rights neglected every time that State is not represented on a conference?

In the interest of fairness—for our safest national defense—and for what is best for all of us as Americans—I hope Senators will vote with me to reject the coonference report and to send our conferees back with instructions to insist upon reinstatement of the F–27's in the defense program.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BEALL. Certainly.

Mr. CHAVEZ. It is not the purpose of the chairman of the conference to pit one State against another. The reason why the subcommittee and the full committee in the Senate voted for this item is that it wac thought to be necessary. Let me tell the Senator what was before the committee with reference to the F–27. I am reading the justification on page 111 of the memorandum—

Mr. JOHNSON of Texas. Mr. President, will the Senator yield to me in order that I may request the yeas and nays, so that Senators may know there will be a yea-and-nay vote on the adoption of the conference report?

Mr. BRIDGES. Mr. President, is this vote to be on the adoption of the conference report, and in addition the motion to send the conferees back with instructions?

Mr. JOHNSON of Texas. It will be on the conference report.

Mr. BRIDGES. Is the Senator from Maryland making a motion not to agree to a certain part of the conference report?

Mr. BEALL. If it is in order, I should like to ask for a vote——

Mr. JOHNSON of Texas. I have no objection to the Senator having a vote; but on the question of adoption of the conference report, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CHAVEZ. I refer to page 111 of the committee memorandum. As I have heretofore stated, the subcommittee was interested in this particular item. Reading from page 111 of the memorandum:

> The Air Force testified that it has an urgent need to modernize its mission support type aircraft with newer models such as the F–27. Phased procurement over a 3-year period, of 29 or 30 aircraft such as the F–27, would permit the replacement of some of the C–47 aircraft currently in use in Europe. The proposed procurement would amount to only about a 1-percent replacement for planes in that category, i.e., C–47's and C–45's. The F–27 has a greater range, is faster, and carries a larger payload than the aircraft it would replace—the C–47. In addition, the F–27 is more economical, costing only 22 cents a ton-mile to operate, as contrasted with the C–47 which costs 56 cents a ton-mile to operate. Reprograming of fiscal year 1959 funds would allow an initial procurement of 7 to 10 F–27 aircraft and an additional $11 million is recommended for the procurement of 11 more F–27's in fiscal year 1960.

So there are plenty of reasons and justifications and much evidence indicating why this type of aircraft is a good aircraft, but we simply could not hold the item in conference.

Mr. MONRONEY. Mr. President, will the Senator from Maryland yield?

Mr. BEALL. I yield.

Mr. MONRONEY. I associate myself with the remarks of the chairman of the Subcommittee on Defense Appropriations. This plane is very necessary for replacement purposes. First, we are using as the workhorse of the European theater the DC–4 or C–54 and the C–47, which is the military version of the old DC–3. The motors are no longer made. Replacement parts must be made by hand. Service, maintenance, and repairs are costly. These obsolete planes are the only means of transportation in that theater, and they are very necessary. But they are costing the Government many, many times what new and modern turboprop planes, such as the F–27, would cost.

However, I do not believe we would profit ourselves to any degree by going back to conference and further insisting on this amendment. But I hope that those in responsible positions in the Department of Defense will take notice of what the chairman of the subcommittee and the junior Senator from Maryland have said, namely, that it is time we considered the maintenance and repair costs of the obsolete planes. They are bleeding us white in their operation, but still we are not getting any replacement aircraft.

I should like to ask the Senator from New Mexico: Would it be possible, under the terms of the money previously appropriated for the aircraft program, where it is not specifically provided, if

there is any residual money left, in accordance with the appropriations language, to permit the purchase of some of these very valuable F–27 planes before Congress comes back, and before the regular supply bill is passed in about a year from now?

Mr. CHAVEZ. There are substantial funds available to make that possible. The department could reprogram money for the purchase of this type of plane. I understand that heretofore the Department requested such approval of the Senate subcommittee, and we gave that approval. But it appears that the Department could not convince the House Members. However, it is possible to do what the Senator from Oklahoma has suggested. There are funds available without increasing appropriations.

Mr. RANDOLPH. Mr. President, will the Senator from Maryland yield?

Mr. BEALL. I yield.

Mr. RANDOLPH. The well-informed comment of the Senator from Oklahoma [Mr. MONRONEY] is appreciated. I may say to the Senator and also to the Senator from New Mexico [Mr. CHAVEZ] that there is a definite measure of assurance in the colloquy in which they have engaged. They have set forth the intent of this body.

I think it is very important to realize that the F–27 is a good plane. Not only is it a splendid aircraft—it is a needed replacement for outmoded and high cost operational equipment. I have flown in the F–27. It is a turbojet which meets the most exacting requirements of expert manufacturing and reasonable maintenance.

Let us consider what the Senator from Maryland [Mr. BEALL] has explained. He has appropriately indicated that we are not setting one State against another State. But in the matter of the expenditure of $4 billion for military aircraft we have proceeded without logic, when an item of $11 million is refused for planes to be produced at the Fairchild plant in Hagerstown, Md. We come into a situation where we begin to realize that it is more necessary now than in the past to balance the manufacturing of aircraft.

I want to be objective. Some 700 or 800 West Virginians are said to be employed at present in aircraft production at the Fairchild plant in Hagerstown. There have been times when a much greater number of West Virginians were employed in that work. They come from Martinsburg, and other communities and areas of the eastern panhandle of our State. The Fairchild plant in Hagerstown has modern and needed facilities. It has trained and skilled personnel. Those facilities and those workers should be utilized now when the continued production of a plane meeting the current needs of the military is involved, as the chairman of the subcommittee [Mr. CHAVEZ] has well said. Senator BYRD of West Virginia and I were directly interested several months ago, in a conference on the necessity to keep this factory in effective operation.

I hope we will not overlook the fact that we have a real responsibility to further decentralize the production of aircraft in the United States. I would not attempt to disparage vital manufacturing which is being done in California or in any other State. Nevertheless, I think we can ill afford to allow facilities to disintegrate and manpower to be lost in failure to produce superbly fashioned planes at the site in the section of the country on which we have very properly focused attention.

Mr. CHAVEZ. The danger lies in what the Senator from West Virginia has stated. We will lose the productivity which is so essential. If the facility does not have any business, it will close shop, and then we are going to lose a facility which is actually needed if we mean what we say about national security.

Mr. BRIDGES. Mr. President, I compliment the Senator from Maryland on the able presentation he has made.

I want him, his colleague from Maryland, and the Senate to know, however, how far the Senate conferees to a man stood for this item, fought hard for it, believed in it, and that the remarks made by the distinguished chairman of the subcommittee [Mr. CHAVEZ], and by the distinguished Senator from Oklahoma [Mr. MONRONEY], and the distinguished Senator from West Virginia [Mr. RANDOLPH] are correct, that the facility is needed. It is there, and it will be a sad day for this country when we have a complete concentration of production in a few militarily vulnerable centers. We need dispersed points of production throughout the country in various sections.

As the Senator from New Mexico has said, and as the Senator from Oklahoma has said, it is a product which is greatly needed, a replacement which is essential. The Senator from New Hampshire concurs in those statements and he hopes despite previous defeats that something can be worked out so that this productive capacity can be salvaged.

Mr. FREAR. Mr. President, do I correctly understand that the Senate conferees agreed to eliminate the plane order for the Fairchild plant?

Mr. BRIDGES. It is something they were forced to do, after having had conferences with the other body extending over two weeks. A majority of the House conferees were adamant on this particular item, and so the Senate conferees submitted the report with this provision omitted from it. The Senator from New Hampshire signed the report with the exception of amendment number 27, which included the provision for the Fairchild F–27's.

Mr. FREAR. I noticed in the report of the conferees that there was an exception, and that was on the Fairchild F–27 item.

Mr. BRIDGES. Yes.

Mr. FREAR. What will be the effect of the elimination of the item from the conference report? I assume that the report is going to be agreed to?

What will there be to prevent the closing of this important plant in Hagerstown?

Mr. BRIDGES. I should think that unless they secure some other business or some similar business, this productive facility may be lost to the defense capability of the country. Some additional business is imperative if this plant is to stay in production. It is producing an outstanding product which is vital, and essential. That was the whole point of our position.

Mr. FREAR. Will the Air Force have to do without the planes which would have come from the Fairchild plant if the report which has been signed by the conferees is agreed to?

Mr. BRIDGES. That is correct.

Mr. FREAR. Then they will be lacking needed planes. Is that the idea?

Mr. BRIDGES. That is correct. The Air Force have as the Senator knows, 13 or 14 hundred of the C–47's, the old DC–3, which are obsolete and are growing more obsolete day by day, if that is possible. They wanted to sart a program of replacing them, starting, in a very modest way, with this type of F–27 plane. Now we will have to continue the use of the old planes and postpone further the replacement of obsolete planes.

Mr. FREAR. That was to be the subject of my second question to the Senator from New Hampshire. On the basis of what the Senator from Oklahoma [Mr. MONRONEY] has said, if I understood him correctly, it is going to cost the Government more to keep the DC–3's in operation than it would be to replace them with new planes.

Mr. BRIDGES. That would be true over a reasonable period of time because the F–27's can be operated on less than one-half the cost of the old planes, and can carry a far greater payload at over 100 miles per hour greater speed.

Mr. FREAR. That does not seem like very sound economy.

Mr. BRIDGES. Besides, the F–27 has been adopted by several of the feeder airlines of the country as the most economical plane available and no other is even on the drawing board. It is a plane which will fly in and out of small airports, for instance. It would be very successful in an area such as New England. We could use some of those modern planes in that area. Improved planes of this type are essential.

If the plant is not to be kept going, there is no incentive for a commercial airline to purchase these planes. They would have a spare parts and replacement problem.

Mr. FREAR. Of course, when the Senator refers to the size of the area, I suppose Delaware could be included.

Mr. BRIDGES. Certainly.

Mr. FREAR. I am not quite clear as to what the Senator from New Mexico said. Did he say that there were available funds in this appropriation bill which could be used for the purchase of F–27's?

Mr. CHAVEZ. The Defense Department has money they can use for that purpose.

Mr. BEALL. In the 1959 budget?

Mr. CHAVEZ. They have the funds available but they will have to ask permission to reprogram, and it requires the consent of both Houses of Congress. We have given such consent, but I understand that the House refused.

Mr. SALTONSTALL. Mr. President, to answer the Senator from Delaware, there is $4,284,600,000 in the conference

report for aircraft procurement of the Air Force. That does not include these Fairchild planes, but they can be taken care of if the House would consent to a reprograming request. I do not think that could be done before the first of the year in any case, but it could be done.

Certain members of the Appropriations Committee of the House are very much against the purchase of this plane. They contend it is a very small amount, that it is not enough of a start, and they do not want to undertake it.

I concur with the Senator from New Hampshire [Mr. BRIDGES]. The Senate conferees were unanimous on the subject. They stood firm during 2 weeks of meetings. This was the last item in dispute, and we did everything we could, but very frankly I never saw a conference in which there was so little willingness to yield.

I think what is desired can be brought about by reprograming, for which there are funds available, from prior years for Air Force procurement.

Mr. FREAR. Does the Senator believe the money could be used now?

Mr. SALTONSTALL. Presumably, by reprograming of available funds. I signed the report because I did not think we could agree on a report unless we yielded on this item.

Mr. FREAR. I do not question the sincerity and earnestness of the conferees on the part of the Senate, but if I gather correctly what has been said this afternoon, the Government is going to lose money because of excessive, costly repairs on DC–3's when they could get a better plane for less money by purchasing the F–27's.

Mr. BEALL. Let me read what the cost of operation is:

> The operating and maintenance savings which the F–27 enjoys over the DC–3 while in the performance of present DC–3 or C–47 functions and use, should be stressed. U.S. Air Force figures show a ton-mile cost of 22 cents for the F–27 while the C–47 ton-mile cost is 56 cents today.

Mr. FREAR. Yes. They were similar to the figures which the Senator from New Mexico quoted awhile ago. What I cannot understand is why the Government insists upon spending more money on old planes and getting less service out of them than it could obtain by purchasing new planes.

Mr. BEALL. I cannot understand that, either. The Air Force asked for the cheaper planes to operate, and the Senate tried to give it to them.

Mr. MONRONEY. Mr. President, I should like to ask the distinguished Senator, since the $11 million for the purchase of these planes will be deleted and since both the chairman of the Armed Services Appropriations Subcommittee and its ranking minority member have expressed the view that it would be penny wise and pound foolish to fail to begin reequipment by the purchase of these necessary aircraft, if the motion of the distinguished Senator from Maryland to disagree to the conference report, with instructions, were rejected, would not and should not the House at least take judicial notice of the strong sentiment in the Senate regarding the need to begin the replacement of older aircraft?

Mr. BEALL. Yes, certainly.

Mr. President, it had been my intention to move that the conference report be rejected, with instructions.

But now that we have the assurance of the chairman of the subcommittee and the assurance of its ranking minority member, I shall not make the motion, because I am sure that the definite need for the F–27, as expressed here this afternoon, will cause the other body to proceed to consider the request of the Air Force for funds with which to procure the F–27's.

Mr. MONRONEY. Mr. President, will the Senator from Maryland yield again to me?

The PRESIDING OFFICER (Mr. MCCARTHY in the chair). Does the Senator from Maryland yield to the Senator from Oklahoma?

Mr. BEALL. I yield.

Mr. MONRONEY. I am sure the Senator from Maryland and all other Senators are aware of the fact that our workhorse plane of World War II was the DC–3, which is the present C–47.

The DC–4 became the C–54; and it is the long-legged workhorse.

It is also a fact that if during World War II these planes had not been in mass production, the United States' air strength would have been greatly diminished, and the likelihood of our Nation's winning that war would have been greatly lessened.

Mr. BEALL. There can be no question about that.

Mr. MONRONEY. Now, for the first time since approximately 1938, the American aviation industry has developed a workhorse plane which is a substitute for the old DC–3, which was laid down prior to 1935, and its design is now more than 20 years old. The aviation industry has not previously replaced the old DC–3 with a modern workhorse plane.

It certainly seems to me that it would be the ultimate of foolishness if, as a result of failure to provide $11 million, the Congress were to kill the production of this modern workhorse plane, which is so essential. After all, failure to provide the $11 million would really kill the production of the new plane, because the Fairchild Corp. has the franchise rights, from the Fokker Co., in Holland, for the production of these planes in this hemisphere. So such a failure by Congress to provide this means of putting the Air Force over the hump would also make impossible the use of the new planes by the feeder airlines, to replace the DC–3's, which have been in use for more than 25 years, for today no plane other than the F–27 is available as a replacement for the old DC–3's.

Mr. BEALL. That is correct; and I thank the Senator from Oklahoma for his contribution.

Mr. President, following the assurance which we have received from both the chairman of the subcommittee and its ranking minority member, and now that the record shows very clearly the need for the F–27's, I withdraw my motion.

The PRESIDING OFFICER. The motion of the Senator from Maryland has been withdrawn.

Mr. CHAVEZ. I thank the Senator from Maryland.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from Mississippi [Mr. EASTLAND and Mr. STENNIS], the Senator from Louisiana [Mr. ELLENDER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MURRAY], the Senator from Maine [Mr. MUSKIE], and the Senator from Virginia [Mr. ROBERTSON] are absent on official business.

I also announce that the Senator from Connecticut [Mr. DODD] and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

I further announce that, if present and voting, the Senators from Mississippi [Mr. EASTLAND and Mr. STENNIS], the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Maine [Mr. MUSKIE], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Louisiana Mr. ELLENDER] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from North Dakota [Mr. LANGER] is absent because of death in his family.

The Senator from Kansas [Mr. SCHOEPPEL] is absent on official business.

The Senator from Arizona [Mr. GOLDWATER] is absent on official business.

If present and voting, the Senator from Arizona [Mr. GOLDWATER] and the Senator from Kansas [Mr. SCHOEPPEL] would each vote "yea."

The result was announced—yeas 85, nays 0, as follows:

YEAS—85

Aiken	Frear	Mansfield
Allott	Gore	Martin
Anderson	Green	Monroney
Bartlett	Gruening	Morse
Beall	Hart	Morton
Bennett	Hartke	Moss
Bible	Hayden	Mundt
Bridges	Hennings	Neuberger
Bush	Hickenlooper	Pastore
Butler	Hill	Prouty
Byrd, Va.	Holland	Proxmire
Byrd, W. Va.	Hruska	Randolph
Cannon	Humphrey	Russell
Capehart	Jackson	Saltonstall
Carlson	Javits	Scott
Carroll	Johnson, Tex.	Smathers
Case, N.J.	Johnston, S.C.	Smith
Case, S. Dak.	Jordan	Sparkman
Chavez	Keating	Symington
Church	Kefauver	Talmadge
Clark	Kerr	Thurmond
Cooper	Kuchel	Wiley
Cotton	Lausche	Williams, N.J.
Curtis	Long	Williams, Del.
Dirksen	McCarthy	Yarborough
Douglas	McClellan	Young, N. Dak.
Dworshak	McGee	Young, Ohio
Engle	McNamara	
Ervin	Magnuson	

NOT VOTING—13

Dodd	Kennedy	Robertson
Eastland	Langer	Schoeppel
Ellender	Murray	Stennis
Fulbright	Muskie	
Goldwater	O'Mahoney	

So the report was agreed to.

Mr. CHAVEZ. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 7454, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U.S.,
August 4, 1959.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 21, 34, and 38 to the bill (H.R. 7454) entitled "An Act making appropriations for the Department of Defense for the fiscal year ending June 30, 1960, and for other purposes," and concur therein.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert ": *Provided further,* That the Army National Guard shall be maintained at an average strength of not less than four hundred thousand for the fiscal year 1960: *Provided further,* That $43,000,000 of the funds provided in this appropriation shall be available only to meet the increased expenses necessary to maintain the Army National Guard at the strength provided for in this Act."

That the House recede from its disagreement to the amendment of the Senate numbered 40, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SEC. 633. During the current fiscal year, the Secretary of Defense, should he deem it advantageous to the national defense to accelerate any strategic or tactical missile program, may transfer under the authority and terms of the Emergency Fund, an additional $150,000,000 for the acceleration of such missile program or programs: Provided, That the transfer authority made available under the terms of the Emergency Fund appropriation contained in this Act is hereby broadened to meet the requirements of this section: Provided further, That the Secretary of Defense shall notify the Appropriations Committees of the Congress promptly of all transfers made pursuant to this authority."

Mr. CHAVEZ. Mr. President, I move that the Senate concur in the amendments of the House to the amendments of the Senate numbered 8 and 40.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico.

The motion was agreed to.

Mr. CHAVEZ. Mr. President, I move that the vote by which the conference report was agreed to be reconsidered.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

INCREASE IN MAXIMUM OIL AND GAS ACREAGE LIMITATION, STATE OF ALASKA

The Senate resumed the consideration of the bill (H.R. 6940) to amend the Mineral Leasing Act of 1920, in order to increase certain acreage limitations with respect to the State of Alaska.

Mr. GRUENING. Mr. President, I move the passage of H.R. 6940, which has been fully debated.

The PRESIDING OFFICER. If there be no further amendment——

Mr. JOHNSON of Texas. Mr. President, it is my understanding that the distinguished Senator from Colorado [Mr. ALLOTT] desires to make a motion to recommit. Is that correct?

Mr. ALLOTT. Yes.

Mr. JOHNSON of Texas. It is my understanding that the Senator from Colorado desires 5 minutes to address himself to that question. Is that correct?

Mr. ALLOTT. Yes.

Mr. JOHNSON of Texas. Does the Senator want the yeas and nays on his motion?

Mr. ALLOTT. I do.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Colorado may make his motion to recommit, and that debate on the motion be limited to 10 minutes, to be controlled equally by the Senator from Colorado and the Senator from Alaska, and that, in the event consent is given, the yeas and nays be ordered on the motion.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

The yeas and nays on the motion to recommit were ordered.

Mr. ALLOTT obtained the floor.

Mr. JOHNSON of Texas. May we have order in the Chamber, Mr. President?

I invite the attention of Senators to the fact that we shall have a vote in 10 minutes.

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Colorado may proceed.

Mr. ALLOTT. Mr. President, I should like to have the attention of all Senators who are present on the floor, because we have limited ourselves in regard to this matter to a very brief explanation.

First, Mr. President, I move to recommit the bill to the committee.

The purpose of S. 1855 is to promote the development of the oil and gas resources of Alaska by liberalizing the present leasing restrictions. I should like to read to the Senate what the Acting Secretary of Interior had to say about the bill:

> We recognize that oil and gas development in Alaska continues to be more costly and difficult than in other States. Nevertheless, we do not believe that a general increase of the acreage limitation as proposed by S. 1855 would be helpful or desirable.
>
> We believe that Alaska may be appropriately divided into two areas for oil and gas purposes. The land lying between the Brooks Range and the Arctic Ocean, that is, roughly the land covered by the present Public Land Order No. 82, presents a different problem from the rest of Alaska. There is little development in it at the present time and indeed there are governmental restrictions preventing development in most of this area now. However, that area appears to give promise for future oil and gas development albeit at even greater expense than in the southern portion of Alaska. Because of the extreme weather conditions and the difficulty of access, the special inducement for its development afforded by a separate acreage limitation appears to be justified. Accordingly, we recommend that the area north of the Brooks Range be treated separately from the rest of Alaska as far as acreage limitations are concerned, and that acreage limitations be established for that area alone similar to those now imposed on the whole of Alaska.

It was also stated:

> To permit a party to hold more than 100,000 acres under lease and 200,000 acres under option with no specific requirements for development would tend, we believe, to weaken the present motivation toward entering into such plans and contracts. This would be unfortunate, and, as far as we know, there would not be compensating advantages.

At the present time a person can have in Alaska 100,000 acres under lease and 200,000 acres under option, which is a total of 300,000 acres. By placing the acreage into a unitization agreement or under development contracts, the 300,000 acres can be built up as high as 800,000 or more acres. One company already holds in excess of 800,000 acres in Alaska.

The proposal in the bill would do away with the difference between leases and options. This is a meritorious proposal, and I support it wholeheartedly. However, the bill would also give permission to have 600,000 acres of land under lease and option in Alaska, which in my opinion would tend to create a monopoly in the southern part of Alaska. It would not help the overall development of the area.

Development is the purpose of the Mineral Leasing Act. The purpose is not simply to bring in revenue, but instead to increase the development of oil and gas throughout the entire United States.

Alaska will receive 90 percent of the funds from the rentals. I know my friends from Alaska are acting in good faith, but we have before the Committee on Interior and Insular Affairs some proposals to increase the rentals, which are now only 20 cents per acre, on the average, for the first 5 years. There are some proposals to increase this amount.

If we should now pass this limitation provision, and if great amounts of acreage are taken up under the proposal before anything is done to increase the rental fee per acre, it could conceivably cost the State of Alaska and the United States almost a third of a billion dollars in the next 10 years.

I voted to report the bill from the committee. I begged my friends from Alaska to agree to some amendments. This has been refused.

I only wish to say further to my friends, that I think the proposal as worded will be bad legislation. I think we can make it good legislation. I do not know what will happen to the bill if the Senate should pass it, but the Department of the Interior has expressed grave doubts about the proposal. I therefore urge my colleagues to support the motion to recommit the bill.

Mr. LAUSCHE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MCCARTHY in the chair). The time allotted to the Senator from Colorado has expired. The Senator from Alaska has 5 minutes.

Mr. GRUENING. Mr. President, I will yield a minute of my time to the Senator from Colorado, if he desires to have me do so.

Mr. ALLOTT. The Senator from Alaska has kindly yielded me 1 minute, if the Senator from Ohio would like to ask a question. I thank the Senator from Alaska.

Mr. LAUSCHE. When was the formula established to fix the rental rate? The Senator from Colorado said that there is now under consideration the question of raising of the rental rate. If we should pass the bill, action taken now may not be consonant with what might be done in the future.

Mr. ALLOTT. I will say to the Senator that the formula was established in 1935. It was a 25-cent minimum for the first year, with the second and third years forgiven by statute. The first year rate was raised to 50 cents in the early 1940's and it remains 50 cents for the first year, with the second and third years forgiven. It is 25 cents for the fourth year and 25 cents for the fifth year; and 50 cents for each subsequent year, if the lease is extended.

Mr. LAUSCHE. The fact is, then, that the formula was established in 1935 and the rate has not been raised since that time?

Mr. ALLOTT. Except that the rate for the first year was raised from 25 cents to 50 cents.

Mr. LAUSCHE. But payments for the second and third year were forgiven?

Mr. ALLOTT. The Senator is correct.

Mr. GRUENING. Mr. President, I will only take a few seconds of my time to say that the essential difference between the position of the Department of the Interior and the proposal in my bill is that although both would permit the leasing of 600,000 acres in Alaska, which is an area where the cost of operating is 3 times as high as it is in the 48 other States, the Department of the Interior requests that 300,000 acres be taken north of the Brooks Range, which is the extreme north of Alaska, and 300,000 acres south of the Brooks Range. It is in my judgment absurd to make an issue on the basis of that difference and to attempt to kill the bill by recommittal.

The bill was reported unanimously by the subcommittee of the Committee on Interior and Insular Affairs, and unanimously by the full committee.

Mr. President, I yield back the remainder of my time.

Mr. JOHNSON of Texas. Mr. President, has all time been yielded back?

The PRESIDING OFFICER. All time has been yielded back.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. The question is on agreeing to the motion of the Senator from Colorado to recommit the bill to the committee, is it not?

The PRESIDING OFFICER. The Senator is correct.

Mr. JOHNSON of Texas. Have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. JOHNSON of Texas. A vote "yea" is a vote to recommit the bill, and a vote "nay" is a vote to reject the motion?

The PRESIDING OFFICER. The Senator is correct.

The question is on agreeing to the motion of the Senator from Colorado to recommit the bill. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from Mississippi [Mr. EASTLAND and Mr. STENNIS] the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Montana [Mr. MURRAY], and the Senator from Maine [Mr. MUSKIE] are absent on official business.

I also announce that the Senator from Connecticut [Mr. DODD] and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD], the Senators from Mississippi [Mr. EASTLAND and Mr. STENNIS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Montana [Mr. MURRAY], the Senator from Maine [Mr. MUSKIE], and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from North Dakota [Mr. LANGER] is absent because of death in his family.

The Senator from Kansas [Mr. SCHOEPPEL] is absent on official business.

The Senator from Arizona [Mr. GOLDWATER] is necessarily absent.

The Senator from Wisconsin [Mr. WILEY] is detained on official business.

The result was announced—yeas 32, nays 55, as follows:

YEAS—32

Aiken	Case, S. Dak.	Lausche
Allott	Cooper	Martin
Beall	Cotton	Morton
Bennett	Curtis	Mundt
Bridges	Dirksen	Prouty
Bush	Dworshak	Saltonstall
Butler	Hickenlooper	Scott
Byrd, Va.	Hruska	Smith
Capehart	Javits	Williams, Del.
Carlson	Keating	Young, N. Dak.
Case, N.J.	Kuchel	

NAYS—55

Anderson	Hayden	Monroney
Bartlett	Hennings	Morse
Bible	Hill	Moss
Byrd, W. Va.	Holland	Neuberger
Cannon	Humphrey	Pastore
Carroll	Jackson	Proxmire
Chavez	Johnson, Tex.	Randolph
Church	Johnston, S.C.	Robertson
Clark	Jordan	Russell
Douglas	Kefauver	Smathers
Ellender	Kennedy	Sparkman
Engle	Kerr	Symington
Ervin	Long	Talmadge
Frear	McCarthy	Thurmond
Gore	McClellan	Williams, N.J.
Green	McGee	Yarborough
Gruening	McNamara	Young, Ohio
Hart	Magnuson	
Hartke	Mansfield	

NOT VOTING—11

Dodd	Langer	Schoeppel
Eastland	Murray	Stennis
Fulbright	Muskie	Wiley
Goldwater	O'Mahoney	

So Mr. ALLOTT's motion to recommit was rejected.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 6940) was ordered to a third reading, read the third time, and passed.

Mr. GRUENING. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. BARTLETT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

TRIBUTE TO DELEGATE JOHN A. BURNS

Mr. BIBLE. Mr. President, on yesterday the junior Senator from Alaska paid a well-deserved tribute to Delegate BURNS, of Hawaii. I was necessarily absent at the time, but certainly desire to join in such tribute.

In the rough-and-tumble game of politics, sacrifices are often made to insure the realization of a goal. The career of the Delegate from Hawaii is a shining example of this point.

JACK BURNS set out to do two things. First, he directed the strategy and provided the around-the-clock leadership which brought about the admission of Hawaii as the 50th State in the Union. Secondly, in the face of almost insurmountable odds, he threw himself into the task of rebuilding the Democratic Party in Hawaii. That his efforts paid off can be seen in the results of the recent election when our new State chose a Democratic Senator and a Democratic Representative.

In devoting his time and efforts toward achieving these two goals, JACK BURNS found it humanly impossible to give equal drive to his own campaign for Governor of the State he had helped to create.

By no means, Mr. President, do I imply any disparagement of JACK BURNS' successful opponent. But I do wish to state for the RECORD that here we have a case where a man has purposely submerged his own political desires for two causes he deemed to be more important.

Whatever the future political fates hold in store for JACK BURNS, I am sure that history will record him as a true statesman—selfless, tireless, and unswervingly dedicated to the principles he so ably espoused.

CONVEYANCE OF CERTAIN LANDS TO THE STATE OF ILLINOIS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 563, Senate bill 747.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 747) to provide for the conveyance of certain lands known as the Des Plaines Public Hunting and Refuge Area to the State of Illinois.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill, which had

been reported by the Committee on Government Operations with an amendment to strike out all after the enacting clause and insert:

That (a) subject to the provisions of subsections (b), (c), and (d) of this section, and section 3, the Administrator of General Services is authorized and directed to convey, by quitclaim deed, to the State of Illinois, for wildlife conservation or recreational purposes, all right, title, and interest of the United States in and to the following described lands, together with all buildings and improvements thereon, situated in Will County, Illinois:

All that part of fractional sections 29, 32 and 33, township 34 north, range 9, east of the third principal meridian, in Will County, Illinois, described as follows: Beginning at a point of intersection of the west line of Route 66 (Federal Aid Route 77), as monumented and fenced and a line 1,000 feet south of and parallel to the north line of said section 33 (said point of intersection is 167.4 feet west of the east line of said section 33); thence south 885 feet; thence south 4 degrees 1 minute 10 seconds west 2,961.68 feet; thence south 00 degrees 15 minutes 20 seconds west 416.81 feet; thence south 1 degree 2 minutes 40 seconds west 33.42 feet to the south line of said section 33, all of the above dimensions taken on the westerly line of said Route 66 as monumented and fenced (said last point is 352.7 feet west of the southeast corner of said section 33); thence west along the south line of said section 33 and fractional section 32, 10,082.43 feet to the southwest corner of said fractional section 32; thence northerly along the west line of said fractional section 32, 4,486 feet more or less to the southeasterly edge of the Des Plaines River; thence northeasterly along the southeasterly edge of said river to a point on a line described as follows: (Beginning at a point of intersection of the west line of Route 66 and a line 1,000 feet south of the north line of said section 33; thence westerly along a line 1,000 feet south of and parallel to the north line of said section 33 and fractional section 32, 5,300 feet; thence northwesterly along a line forming an angle of 115 degrees with said parallel line from east around north to northwest 4,800 feet more or less, to the southeasterly edge of the Des Plaines River); thence southeasterly along the previously described line 4,800 feet to a point on a line 1,000 feet south of and parallel to the north line of said section 33 and fractional section 32, said point being 5,300 feet west of the west line of said Route 66; thence easterly along a line 1,000 feet south of and parallel to the north line of section 33, 5,300 feet to the place of beginning (excepting therefrom those portions lying along said river as deeded to the State of Illinois and recorded in the recorder's office as document numbered 414965, book 691, page 31; document numbered 414965, book 691, page 34, and document numbered 414965, book 691, page 35; also excepting those portions deeded to John Flom and recorded in the recorder's office as document numbered 458161, book 759, page 38; also excepting that portion deeded to Three Rivers Yacht Club and recorded in the recorder's office as document numbered 695487, book 129, page 625; also excepting therefrom that portion deeded to Robert Berglund and Hugh Black and recorded in the recorder's office as document numbered 846871, book 1698, page 303; also excepting that portion included within the lines measured 100 feet outward from the existing high bank on both sides of Grant Creek Cutoff and Grant Creek) containing 946 acres more or less.

(b) The conveyance authorized to be made pursuant to subsection (a) of this section shall be conditional upon the payment by the State of Illinois to the Administrator of General Services as consideration for such conveyance of the sum of $286,638.

(c) The land authorized to be conveyed pursuant to subsection (a) of this section shall be conveyed subject to such easements for railroad rights-of-way as shall, in the determination of the Administrator of General Services, be necessary or appropriate to provide railroad service for the purchasers of adjoining tracts of land from the United States.

(d) The instrument of conveyance authorized by this section shall expressly require (1) that in the event the property conveyed by such instrument ceases to be used for wildlife conservation or recreational purposes, all right, title, and interest therein shall immediately revert to the United States to be held in the same manner as it was held prior to such conveyance; and (2) that the reversionary interest of the United States, at the request of the State of Illinois, be relinquished to such State by the Administrator of General Services upon payment to the United States of the fair market value thereof at the time of relinquishment.

(e) The property authorized to be conveyed pursuant to subsection (a) of this Act has been declared to be surplus to the needs of the United States.

SEC. 2. (a) Subject to the acquisition by the State of Illinois of the property described in the first section of this Act, the Secretary of the Army is authorized and directed, notwithstanding the provisions of section 2662 of title 10 of the United States Code, to convey, by quitclaim deed, without consideration, to the State of Illinois, for wildlife conservation or recreational purposes, all right, title, and interest of the United States in and to the following described lands, together with buildings and improvements thereon, situated in township 33 north, range 9, east of the third principal meridian, Will County, Illinois, containing 1,500 acres, more or less:

All of section 4;

All of section 5;

All of section 8 lying north of the Kankakee River; and

All of section 9 lying north of the Kankakee River.

(b) The instrument of conveyance authorized by this section shall (1) reserve to the United States all oil, gas, and mineral rights in the property; (2) reserve such improvements, rights-of-way, easements, and other interests as the Secretary of the Army determines should be retained in the public interest; and (3) contain provisions expressly requiring that (A) in the event the property conveyed by such instrument ceases to be used for wildlife conservation or recreational purposes, all right, title, and interest therein shall immediately revert to the United States to be held in the same manner as it was held prior to such conveyance, and (B) whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this section is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including all buildings and improvements thereon, for a period not to exceed the duration of such state of war or national emergency plus six months, and upon the termination of such use by the United States, the property shall be returned to the State of Illinois, together with all buildings and improvements thereon.

SEC. 3. The authority contained in this Act shall expire one year from the date of enactment of this Act if the State of Illinois has not, during such one year period, made commitments, satisfactory to the Administrator of General Services, with respect to the acquisition by such State of the property authorized to be conveyed under the first section of this Act.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. DOUGLAS. Mr. President, the bill now before the Senate deals with the conveyance of some 2,400 acres of land in the Joliet Arsenal to the State of Illinois for wildlife conservation and recreational purposes. The Army originally purchased some 43,000 acres in connection with the Joliet Arsenal. That was far more than was needed.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MORSE. Mr. President, I should like to have the attention of the majority leader. The very important bill which is before the Senate will, I think, involve considerable debate. I should like to know the pleasure of the majority leader as to the proceedings for the remainder of the day.

Mr. JOHNSON of Texas. I am about to have drafted a unanimous-consent proposal which I wish to submit in connection with another matter. I had suggested the absence of a quorum until I could get the proposal drafted.

I was reminded by another Senator that the Senator from Illinois desired to make a statement, and that he could begin his statement while the draft of the unanimous-consent proposal was being completed. So I asked the Senator from Illinois if he would make his statement and use the time of the Senate, and then yield to me when the unanimous-consent proposal was ready. He agreed to do that.

I have no intention of seeking to have any other votes tonight. The unanimous-consent proposal may provoke a controversy. If it does, a rollcall may develop. I do not say that it will. But I do not anticipate taking any action on this bill tonight, and I anticipate no other discussion than the statement which the Senator from Illinois cares to make.

Mr. MORSE. I express my apology to the majority leader. I did not hear that colloquy because there was so much confusion on the floor of the Senate following the last vote.

Mr. JOHNSON of Texas. That colloquy did not take place on the floor.

Mr. DOUGLAS. Mr. President, the Army, as I have said, purchased some 43,000 acres in connection with the Joliet Arsenal, much more than was needed. After the war, the State of Illinois leased 2,400 acres along the Des Plaines River for a wildlife, game preservation, and hunting preserve.

Last year the Army released these 2,400 acres as surplus, and the General Services Administration asked for bids upon it. Industrial concerns offered approximately $1,300,000 for the 2,400 acres and announced that they intended to build factories along the Des Plaines River.

Since there is so little recreational area around Chicago, I then introduced a bill to turn the 2,400 acres over to the State of Illinois, to be used for this purpose. The State of Illinois then proposed a compromise, to allow 1,500 of the 2,400 acres to be used for industrial purposes along the Des Plaines, and for the southern 900 acres to be used as a game preserve and wildlife conservation area. At the suggestion of local conservation groups and the State administration, I agreed that in addition to the 900 acres, another 1,500 acres directly to the south and adjoining the Kankakee River be added to the wildlife, conservation area, to make up for the 1,500 acres to the north which were being taken for industrial purposes.

I informed the State that it would not be possible to have an outright donation of this land to the State; and I was certain the senior Senator from Oregon [Mr. MORSE] would object to such an outright donation and would insist upon the application of the Morse formula. I stated that I personally agreed with the principle of the Morse formula and that at least half the value of the land should be paid by the local authorities to whom the transfer was proposed.

The Governor of Illinois then proposed in his budget an appropriation of $286,000 as compensation for the land which was to be transferred.

This appropriation was passed by the State legislature and is available, as I understand it. The State of Illinois is ready to pay $286,638.

As I understand it, the difference between the senior Senator from Oregon and the senior Senator from Illinois is simply a matter of the definition of what the "value" of the land is. I believe in the principle of the Morse formula. I think the Senator from Oregon has performed a great public service in insisting that half the value be met by the State or the localities. This prevents a raiding of the public domain. The question is, What is the "value" upon which this half will be computed? I had assumed that the basis of valuation would be the original cost or the cost of acquisition. I can give those figures. On the northern 2,414 acres, the total acquisition cost for the land was approximately $343,000, or, to be precise, $342,700.

There was an acquisition cost of $172,400 for the improvements, but all of these improvements were on the 1,500 acres, which are now being used for industry. So of the southerly 946 acres, the average per acre cost was $141.

The U.S. Engineers have advised us today, that the acquisition costs of the 1,500 acres to the south, which are being substituted for the 1,500 acres to the north, were $245,500, or an average per acre cost of $163.

The acquisition costs of the total 2,446 acres, therefore, will come to $378,886, or an average per acre cost of $172.

The State of Illinois will pay $286,638. So on the basis of cash payment the State of Illinois is ready to spend approximately 75 percent of the land acquisition cost, and, in addition to that, during the period it was leasing the property it made improvements on the northern 2,400 acres amounting to a minimum of $300,000, and which the State Director of Conservation claims to be $500,000. Some of this State expenditure was in the form of buildings and ponds, which could not be used, but some of it was in the form of roads and improvements in the southerly 900 acres of the original lot. So if this is counted in, the State of Illinois will pay well over 80 percent of the original cost of acquisition.

As I understand, the Senator from Oregon has maintained that the return should be 50 percent of fair market value—namely, what it could bring on the market—but since the Army acquired the land there has been a great increase in the value of real estate, particularly in the area along the Des Plaines River. As I have said, General Services received a bid of approximately $1.3 million for 2,414 acres, which would be at the rate of over $500 an acre.

As I understand, the General Services Administration is not satisfied with this bid, and is going to ask for additional bids. It believes that the northern 1,500 acres are worth $2 million, and that would be at the rate of $1,300 an acre.

This is an utterly impossible price for any local government to meet. It is just more than the local government can stand, even if it pays only one-half.

If this interpretation is accepted, and I hope it will not be, we might as well call the proposal off. There are technical difficulties, as well, like the necessity for formal reappraisal, which would be time consuming; but taking the industrial value of the land would alone kill the transfer.

As I see it, the fundamental issue is whether the local governments are to be compelled to pay the increase in land values which have occurred since the Army originally acquired the land. That is really the issue, and I hope that we can take original cost of acquisition as the basis for valuation.

I conclude by saying that I do believe in the Morse formula, but I think it should be based on original acquisition cost, at least if the original acquisition was in the recent past. I would not go back to 1800, but I think it is proper to go back to 1941 when this land was purchased. As a matter of fact the State is ready to pay 75 percent of its original cost of the land and if its price investments are excessive then it is paying over four-fifths of the original value. So if the 50 percent shown is taken as a guide, the State is recognizing and is willing to pay for some of the increase in land values. But it cannot bear the full load.

Mr. LONG. Mr. President, the Morse formula is not the law, but at least the Senator from Oregon attempts to make it the law, and in some respects he probably should prevail.

The question I had in mind is, What would the Senator make the cut-off date? I know that many citizens in Louisiana, and certainly the State, would like to get back a great deal of land they sold to the Federal Government back in the depression days for $3 an acre, which I imagine now would sell for $40 or $50 an acre. I wonder what cut-off date the Senator would suggest.

Mr. DOUGLAS. I do not desire to lay down a universal rule. It so happens that I believe this land was acquired in 1941, so that in this instance we would have the cut-off date just prior to World War II plus some increases in land values then.

Mr. KERR. Mr. President, what the Senator is saying is that he does not want to implement the Douglas formula.

Mr. DOUGLAS. That is correct. I bow my head in obeisance to the Morse formula, but I insist upon a reasonable interpretation of it.

Mr. HOLLAND. Is there any condition imposed on this purchase which would provide that these lands would have to be used by the State for a wildlife refuge?

Mr. DOUGLAS. Or for recreation.

Mr. HOLLAND. Or recreation.

Mr. DOUGLAS. That is correct.

Mr. HOLLAND. Otherwise it will revert to the Federal Government?

Mr. DOUGLAS. That is correct. That is found among other provisions on page 3 of the bill:

> The Administrator of General Services is authorized and directed to convey, by quitclaim deed, to the State of Illinois, for wildlife conservation or recreational purposes.

Mr. HOLLAND. That shows clearly that that purpose is involved, but it does not show that a reverted or a revision would be placed upon the title conditioning the use of the land to those purposes only.

Mr. DOUGLAS. That is found in section 2 on page 6 of the bill, "for wildlife conservation or recreational purposes, all right, title, and interest."

I also call attention to the top of page 6:

> The instrument of conveyance authorized by this section shall expressly require (1) that in the event the property conveyed by such instrument ceases to be used for wildlife conservation or recreational purposes, all right, title, and interest therein shall immediately revert to the United States to be held in the same manner as it was held prior to such conveyance.

Mr. HOLLAND. I thank the Senator from Illinois. That certainly answers affirmatively my question, and to my mind puts this case in a much different situation from that in which it would be if the purchase were for general use and for fee simple title, to enable the State to dispose of the property in any way it wished.

Mr. DOUGLAS. I quite agree.

Mr. HOLLAND. Second, is it not a fact that the Federal Government itself is dedicated to a program of wildlife conservation, and has wildlife refuges in the same part of the country?

Mr. DOUGLAS. That is correct.

Mr. HOLLAND. So if the land is confined to the use stated in the bill, Illinois would, in effect, be cooperating with the Federal Government in a continuing program of great usefulness to the people of the Nation, and one which is recognized as such. Is not that correct?

Mr. DOUGLAS. That is correct. As a matter of fact, the Kankakee River is a flyway for birds, and, indeed, is used as

a refuge for birds on the wing from the north to the south.

Mr. HOLLAND. I should like to ask a practical question: Is it not a fact that the Kankakee River flyway is a part of the great Mississippi River flyway from the north to the south, by which wild fowl migrate?

Mr. DOUGLAS. That is correct.

Mr. HOLLAND. I thank the Senator from Illinois.

Let me say that I think those facts constitute this case as one to which there is a very real difference as compared to the ordinary case in which the purchase is for fee simple, for use for any purpose, and not particularly for the furtherance of a common purpose in which the States and the Federal Government are engaged in cooperation.

Mr. DOUGLAS. I thank the Senator from Florida. His suggestions have been very helpful.

Mr. GRUENING. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. Yes, Mr. President; I shall gladly yield to the Senator from Alaska [Mr. GRUENING], who worked on the bill as a member of the subcommittee, and who knows the situation very thoroughly, indeed.

Mr. GRUENING. I was a member of a subcommittee of two which was appointed by the chairman of the full committee. The other member is the Senator from Maine [Mr. MUSKIE], who now is absent on official business. However, the subcommittee actually had three members, rather than only two; the third member was the senior Senator from Oregon [Mr. MORSE], for throughout our entire deliberations we felt the presence, at least in spirit, of the Senator from Oregon in his advocacy of the Morse formula. We are very conscious of that, and we approved of applying the Morse formula, and we felt we had done so. If my colleague and I had not felt that we had done so, we would not have reported the bill favorably.

I hope the Senator from Oregon will agree that not only did we aspire to apply the Morse formula, of which we highly approve, but we actually succeeded in applying it.

Mr. MORSE. Mr. President, I shall make only a brief statement on this matter tonight. On tomorrow, I shall make a longer statement.

But tonight I should like at least to outline the points I shall make in connection with my position on this matter.

Mr. President, it pains me ever to find myself in disagreement with the distinguished Senator from Illinois [Mr. DOUGLAS]. My regard for him is very high, and my respect for him as a great teacher and a great economist is almost beyond description. Therefore, when I find myself in disagreement with him, I study long and hard, to make absolutely sure that I am correct.

After that long study, I reached the conclusion that the Senator from Illinois like all the rest of us, too, is human, and once in awhile makes a mistake. This is one of his few mistakes; but I believe it is so serious a one that I must oppose him here on the floor, in connection with this bill.

I have a similar high regard for my good friend, the Senator from Alaska [Mr. GRUENING]. I am only sorry that his speech has proved what a poor teacher I am, because obviously I did not teach him well in regard to the Morse formula if he says I was present in spirit at least, as they worked on this bill, because from the committee report it is obvious that I failed to get across to them the meaning of the Morse formula.

So tonight I shall try very briefly—and on tomorrow I shall do so at greater length—to present my position on this matter, because I shall continue to try to protect what I believe are the desirable objectives of the so-called Morse formula.

I would that it did not bear my name; I would that it had some other name, so it would not be connected with any individual, as such. It would be much better to call it the so-called surplus property disposal policy which usually is followed in the Senate, and always is followed in the Senate during the consideration of measures on the Unanimous Consent Calendar, although sometimes is set aside when a bill is brought up for consideration on motion. But, interestingly enough, since 1946, such actions have occurred only rarely. Certainly I hope this instance will not be another of them.

Mr. DOUGLAS. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I am delighted to yield to the Senator from Illinois.

Mr. DOUGLAS. I know the Senator from Oregon puts principle above everything else. I wonder whether he will be willing to consent to have the vote on this measure taken tonight.

ISSUANCE OF BONDS BY THE TENNESSEE VALLEY AUTHORITY

Mr. JOHNSON of Texas. Mr. President, will the Senator from Oregon yield to me? I have a unanimous-consent request to propose; and, therefore, I ask unanimous consent that the Senator from Oregon may yield to me, with the understanding that, in doing so, he will not lose the floor.

Mr. MORSE. I yield, with that understanding and under those circumstances.

Mr. JOHNSON of Texas. Mr. President, I request unanimous consent accordingly.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, the House has passed House bill 3460, to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes.

Senate bill 2471, which has the same title, has been reported by the Public Works Committee; and that bill is an amendment to House bill 3460.

I have talked to those from the TVA area who are interested and to all Senators who have an interest in the bill, so far as I know. I have also talked to the minority leader. All of them have concluded that they would desire to have Senate bill 2471 passed, if it were called up in the Senate. Senate bill 2471 would strike certain language from House bill 3460.

Therefore, Mr. President, I ask unanimous consent that when Senate bill 2471 is called up in the Senate, there be not to exceed 1 hour for debate on that bill, with the time to be equally divided.

The PRESIDING OFFICER. Is there objection?

Mr. WILLIAMS of Delaware. Mr. President, reserving the right to object, let me ask whether any points of order will be waived if the pending request is agreed to?

Mr. JOHNSON of Texas. No.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

CONVEYANCE OF CERTAIN LANDS TO THE STATE OF ILLINOIS

The Senate resumed the consideration of the bill (S. 747) to provide for the conveyance of certain lands known as the Des Plaines Public Hunting and Refuge Area to the State of Illinois.

Mr. MORSE. Mr. President——

Mr. DOUGLAS. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. Yes; and in this connection I request the attention of the Senator from Texas [Mr. JOHNSON].

Mr. DOUGLAS. Let me say that I was scheduled to go to New York, tomorrow to open the hearings on the New York money market for the Joint Economic Committee.

The Senator from Oregon has said that he will speak briefly tonight on this measure, and that he will speak on it at greater length tomorrow.

Knowing the Senator from Oregon, and inasmuch as he has said he will speak at greater length tomorrow, I rather anticipate that there is a possibility that at that time he will make a very extended speech.

So, in a sense, I am throwing myself publicly on the mercy of the Senator from Oregon—as I have previously done privately—to ask whether he will be willing to let this measure be voted on during the next hour, this evening. I have taken approximately 10 minutes, I believe, to explain my point of view. The issue involved is not a complicated one.

Mr. MORSE. Mr. President, if I may have the attention of the majority leader, I shall say now, in the Chamber, although I would just as soon say it in the cloakroom; but inasmuch as the point has been raised on the floor, I shall reply to it here—that certainly I do not want to prevent the Senator from Illinois from opening the hearings in New York, tomorrow. He said he would be willing to cancel them, but I do not want that to be done.

I should like to ascertain from the able majority leader whether we can reach an understanding that when the Senator from Illinois returns from New York, as soon thereafter as whatever measure is then the pending business is disposed of, the Senate will resume its consideration of this measure.

Frankly, the situation, insofar as I am concerned, is as follows: I am going to discuss this bill at some little length

tomorrow when we return to it—I would say for 3 or 4 hours—because it has many implications. I do not wish to be in the position here tonight of seeming to be uncooperative with one of the best friends I have, but I have my record to make, too.

It so happens I went to the majority leader late yesterday afternoon and spoke to him. He said to me he could make no commitment and would make no commitment, but it was not his plan to have a session tonight. In fact, I think he announced on the floor of the Senate today it was not his plan to have a session tonight. But the majority leader always makes clear, when he speaks to us in a matter of this kind, that he is not a free agent in the sense that he can guarantee what will happen in the Senate. I asked him if he was planning to have a session tonight, and he said he was not, with the result that I made some commitments for tonight which it would be rather difficult for me to cancel, although I could do that rather than inconvenience the Senator from Illinois, who has official business tomorrow. My commitment tonight is not on official Senate business.

Therefore, I should like to ask the majority leader to enter into a gentlemen's understanding that when the Senator from Illinois returns from New York and we finish the then pending business, we will take up, as the next item of business, this bill.

Mr. JOHNSON of Texas. Mr. President, the Senator from Massachusetts and I were discussing a parliamentary situation which might occur some days ahead.

As I understand the situation, the Senator from Illinois desires to be away from the Chamber, the Senator from Oregon desires to accommodate him, and I am anxious to please both of them. What they want the majority leader to do is bring up by motion Senate bill 747 some time after the Senator from Illinois returns. Is that correct?

Mr. MORSE. My specific suggestion was that we have a gentleman's understanding among us that when the Senator from Illinois returns from New York and we finish whatever is the then pending business, we proceed to consider this bill.

Mr. JOHNSON of Texas. I will not agree to that. I will agree to call the bill up by motion as soon after the Senator from Illinois gets back as possible. I would not want to give that bill priority over other matters. I will agree to call the bill up by motion as soon as possible.

Mr. DOUGLAS. Mr. President, I recall the old aphorism, "Bitter, indeed, are the chastisements of a friend." The Senator from Oregon is one of the best friends the Senator from Illinois has. This bill is very close to the heart of the Senator from Illinois. Yet the Senator from Oregon, from a high sense of duty, feels impelled to throw a roadblock in the way of its passage and states that he intends to discuss the subject at some length. We know what that means—it means at great length. So apparently we are balked from taking action on it tonight and are faced with postponing it to the indefinite future.

That reminds me of the action of another good friend of the Senator from Illinois, the junior Senator from Wisconsin [Mr. PROXMIRE], when the city of Chicago was pressing its claims for a greater flow of the waters of Lake Michigan. The junior Senator from Wisconsin said he had a 294-page brief he was going to read. It being the last night of the session, it killed that bill.

In view of the experience of the Senator from Illinois, I am not only reminded, in the case of friends, of the saying, "Bitter indeed are the chastisements of a friend," but also of the saying that "We can take care of our enemies, but Lord deliver us from our friends."

Mr. McNAMARA. Mr. President, if the Senator will yield, I may say that there are friends on many sides of a subject. I call attention to the fact that the senior Senator from Michigan might also be placed in the same category in which the Senator has cast the Senator from Oregon. I think it is a mistake to get the Great Lakes water diversion bill mixed up with the pending proposition. I hope the Senator will not go too far into that subject.

Mr. DOUGLAS. I was merely indicating how friendship does not seem to have anything to do with the high-minded but the mistaken attitude of the Senator from Oregon, and the junior Senator from Wisconsin.

Since the Senator from Oregon has served notice he intends to discuss the bill at some length, which means, as a practical matter, we shall not be able to get a vote on it tonight, and since he has been successful in getting it put in cold storage for some considerable period of time, I am going to make an appeal to the Senator from Oregon that he has some bowels of compassion within him and be willing to discuss the bill at moderate length, because it is not an important measure so far as world matters are concerned. I took 10 minutes to explain our side. The Senator from Oregon is much abler. He could certainly explain his side in 10 minutes. Since he is abler, he could probably do it in 8 minutes. Making a prolonged speech on this bill is only gilding the lily.

Mr. MORSE. The only comfort I can take from what the Senator from Illinois has said is that on the Great Lakes water diversion question I happened to be on his side. We were together then. But as to his comment about friends, there is certainly no motivation of bitterness or personal opposition at all in the stand the Senator from Oregon takes on this matter. The Senator from Illinois and I are really discussing differences of opinion so far as concerns the facts, as we lawyers say, involved in this case. I want the Senator from Illinois to know that in me he has a colleague who will join with him in having this bill brought up upon his return from New York at the very first opportunity we can persuade the majority leader to bring it up. I pledge to him, in open session, I shall continue to say to the Senator from Texas, day by day, I hope he will find it possible to bring up the Douglas bill next. I think that shows my good faith. I will not be a party, I pledge to the Senator from Illinois, to seeking any dilatory tactics to prevent the bill from being acted upon on the Senator's return.

Mr. DOUGLAS. Would the Senator from Oregon be willing to agree to a unanimous-consent agreement to limit discussion on the bill, when it shall be brought up, to 30 minutes to a side?

Mr. MORSE. No. I could not discuss it in 30 minutes, but I pledge to the Senator from Illinois the Senator from Oregon will not filibuster the bill.

Mr. DOUGLAS. What is the Senator's definition of "filibuster"?

Mr. MORSE. A speech discussing the implications of the bill of 3 to 4 hours would not be a filibuster; and I sincerely think it will take me a minimum of 3 hours to discuss this bill, and probably 4, because in my opinion, if we pass the bill in its present form we shall set a precedent which will bring to an end any further meaning or application of the Morse formula.

I will say to the Senator from Texas, so far as the senior Senator from Oregon is concerned I want him to know it will by my urging, upon the return of the Senator from Illinois from New York, that the Senator from Texas find the first possible opportunity to bring the bill before the Senate, in accordance with his judgment as majority leader in carrying out his duties.

Mr. JOHNSON of Texas. Mr. President, I assure the Senator I have no desire to delay action on the bill, or I would not have made the motion to consider it this afternoon. I am anxious to accommodate both of my colleagues. I will do so as soon as I can, after the Senator from Illinois returns. I do not want to say this bill will be the first bill to be considered after the Senator's return, because there may be conference reports to consider, or other bills of importance.

I think the Senate will be in session for some time yet, and I am sure we will find an opportunity to consider the bill. I am glad to give that assurance.

Mr. MORSE. Mr. President, I should like to make a very brief statement on the bill tonight, so that my statement will appear in the RECORD, alongside the explanatory statement already made by the Senator from Illinois.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield to me, so that I may make two unanimous-consent requests?

Mr. MORSE. I yield to the Senator from Texas.

ORDER FOR ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until 12 o'clock, noon, tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ISSUANCE OF BONDS BY TENNESSEE VALLEY AUTHORITY—UNANIMOUS-CONSENT AGREEMENT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when a motion is made to consider S. 2471 there be no debate on the motion to consider the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that amendments to the bill not be in order.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, as reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That a motion when made that the Senate proceed to the consideration of the bill (S. 2471) to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes, shall be decided without debate; that if and when taken up for consideration no amendment to said bill shall be in order; and that debate thereon shall be limited to 1 hour, to be equally divided between the proponents and the opponents and controlled, respectively, by the majority and minority leaders.

CONVEYANCE OF CERTAIN LANDS TO THE STATE OF ILLINOIS

The Senate resumed the consideration of the bill (S. 747) to provide for the conveyance of certain lands known as the Des Plaines Public Hunting and Refuge Area to the State of Illinois.

Mr. MORSE. Mr. President, I wish to make only a brief statement tonight. When I speak on this matter again, I propose to analyze the committee report paragraph by paragraph, because I think a consideration of the committee report itself will sustain the position I shall take on amendments.

I should like to have the Senator from Illinois and the members of the committee know that I shall offer an amendment to the bill, and ask to have it printed and lie on the desk so that it can be called up in due course.

Mr. President, I am giving serious consideration at this time—I think it is only fair to the Senator from Illinois that I serve such notice—to the thought that after we have the debate on the bill, if we cannot work out an understanding among us which will improve the bill by protecting the principle of the surplus property disposal policy which I have sought to carry out in the Senate ever since 1946, I shall move to recommit the bill for further study and committee consideration until next January.

For reasons I shall set forth in my major speech on this question, I do not think, from the standpoint of time, it is of great importance that the bill be passed now. The bill could be considered next January, unless we reach some understanding with regard to the bill by way of compromise which will protect the formula during the course of the debate.

S. 747 would authorize the Administrator of the General Services Administration to convey to the State of Illinois approximately 946 acres of land for wildlife, conservation and recreational purposes. The State, under the provisions of the bill, would pay the Federal Government a total of $286,638 at the rate of $303 per acre for the 946 acres of land declared to be surplus. As to this parcel, the bill contains a provision under which the 946 acres would revert to the United States in case the lands should cease to be used for wildlife, conservation, and recreational purposes.

Section 2 of the bill authorizes and directs the Secretary of the Army to convey to the State of Illinois, without consideration, approximately 1,500 acres of land adjacent to the 946-acre tract. The 1,500 acres of land would also be used for wildlife, conservation, and recreational purposes. The conveyance of the 1,500-acre tract of land would be contingent upon the State's purchase of the 946-acre tract. The bill contains the usual reversionary clause.

I wish to say for the RECORD, so that the Senator from Florida [Mr. HOLLAND] can consider it tomorrow, as he studies my statement on this matter, that the insertion of a reversionary clause in any particular land transfer does not in any way remove the applicability of the Morse formula to such land transfer. It needs to be kept in mind that the formula calls for payment of 50 percent of the appraised fair market value when the conveyance is for public purposes. If a piece of property has a reversionary clause attached to the conveyance, then the appraised fair market value would be considerably less than would be the case if there were a transfer in absolute fee simple.

Therefore, I could not quite follow the implied reasoning of the Senator from Florida [Mr. HOLLAND], when he raised a question as to whether the transfer contained a reversionary clause. It does, but it still follows that the Morse formula is equally as applicable as it would be in the case of a transfer in absolute fee simple.

There have been scores and scores of cases since 1946 in which we have applied the formula for transfers which contained a reversionary clause. In fact, Mr. President, though I am guessing now, I think it is a reliable guess that perhaps most of the transfers since 1946 have retained for the Federal Government mineral rights by way of a reservation clause.

In this particular type of transfer, the reversionary clause is one which would put the property back in the Federal Government if the State of Illinois, the recipient of the property, should cease to use it for the purposes for which it is being conveyed. Property with that kind of a reversionary clause has value, and the reversionary clause will be weighed by the appraiser when he appraises what the fair market value of the property is with that encumbrance attached to it.

Mr. President, as I have stated, the bill contains the usual reversionary clause, to become effective in case the land should cease to be used for wildlife, conservation, and recreational purposes.

The State of Illinois has been operating the above-mentioned area since March 29, 1948, as the Des Plaines wildlife and public hunting area through a permit granted to it by the Department of the Interior. The original authorization was for a 5-year period and was extended for another 5-year period ending in 1958. The property in question was originally part of the Joliet arsenal comprising 36,092 acres. In early 1958 the 946-acre tract of land was declared surplus. The remainder of the hunting area, consisting of approximately 1,500 acres, was retained by the Department of the Army. According to the committee report, the 1,500 acre tract is not surplus property.

The original acquisition cost of the property covered by the bill as originally introduced by the distinguished Senator from Illinois [Mr. DOUGLAS] was $615,-119. The bill as introduced by the Senator from Illinois would have authorized and directed the Administrator of the General Services Administration to convey to the State of Illinois, without consideration, 2,414 acres of surplus real property for the purposes I mentioned previously.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. The Senator from Illinois introduced the bill in order to help stay the transfer of the full 2,414 acres for industrial purposes, and did not have at hand at the time the original acquisition cost of the land. The Senator from Illinois was always prepared to have the State of Illinois and the local authorities meet their proper share of costs, and so informed the local and State authorities, and urged them to comply with the principle that half the value of the land for recreational purposes should be paid by the State. He thought that had been done. I am sure the Senator from Oregon does not wish to convey the impression that the Senator from Illinois had his hand in the cookie jar, and removed it only when he was rapped sharply over the knuckles.

Mr. MORSE. I assure the Senator from Illinois that the Senator from Oregon understands that the position of the Senator from Illinois at the beginning was just as he now explains. He will see that I so understood as I proceed with the explanation of the bill, and its history, as brought out by the committee report.

In the meantime, the General Services Administration completed plans for disposing of the property by sealed bids. The property was advertised for sale on February 2, 1959. The bids were opened on March 16, 1959 with the highest bid on the property totaling $1,345,418.

At the request of the Senator from Illinois—at least, that is the advice we obtained from the committee—the Administrator of the General Services Administration held the sale of the land in abeyance until the Senate Government Operations Committee, which was considering the bill, could reach a decision as to the best way the property could be disposed of.

Let me make it clear that I think the Senator from Illinois, in making that request of the General Services Administration, carried out what was his clear duty. He certainly owed it to the people of the State of Illinois to seek to hold up action on the disposal of the property until there could be a thorough consideration of his proposed bill by the Senate Government Operations Committee. Each of us does something similar to that time and again each year, as we seek to serve the interests of our constituents; and it is quite proper to do so.

During the course of the hearing it was pointed out by representatives of the State of Illinois that the State has invested approximately $500,000 during the past 10 years in the 2,414 acres under consideration.

The fact that the State of Illinois has invested some $500,000 during its leasehold occupation of the property, in my opinion in no way justifies the argument that, therefore, that $500,000 expenditure should be taken into account when it comes to determining the amount of money which the State of Illinois should pay for the property at the time of its final disposal.

If one of us rents a house or farm for a fixed-lease period, and proceeds to make improvements on the property, we do so in order best to serve our leasehold interest. We have no right, in the absence of any agreement, to call upon the landlord or the owner of the property to give us credit for any improvements we make on the property. I think the record is clear in this case that any improvements which the State of Illinois made in this property were for the purpose of carrying out its leasehold interest.

It is indicated in the committee report that the State of Illinois might be willing to purchase the property in question at a reasonable amount of money.

I am speaking of the 1,500 acres in dispute.

According to the report of the committee, both the General Services Administration and the Bureau of the Budget oppose the enactment of this measure on the grounds that there would be a great fiscal loss to the Federal Treasury.

I emphasize this point because I think the Senate should know that it has before it a bill, insofar as disposal of the disputed 1,500 acres is concerned, in regard to which both the General Services Administration and the Bureau of the Budget have filed adverse reports. They have filed adverse reports on the bill because they think the bill would result in great fiscal loss to the Federal Treasury.

Mr. President, I wholeheartedly support the arguments for the need for more wildlife conservation and recreational areas near Chicago and other great cities, so that people can take their families to such areas for relaxation and fun away from the cares of city life and employment.

I wish to make it very clear to the Senator from Illinois and other supporters of the bill that I come from a great State in which there are large expanses of wilderness area. There is still much open country. There are thousands upon thousands of acres of mountain areas, river basin areas, and wilderness areas, so that the people of my section of the country have easy access to areas which can be devoted to wildlife conservation and recreation.

I believe that the people in the great metropolitan area of Chicago are entitled to have, not what we can properly call a wilderness area, but an area in the category of a wilderness area—at least a conservation and wildlife area, within 45 minutes from downtown Chicago, which the committee report shows this property to be.

I say to the Senator from Illinois that I think we should not forget the fact that the citizens of Illinois are also citizens of the United States; and we should not forget the fact that the citizens of Illinois are taxpayers of the United States. They have contributed heavily, through taxes, to the development of wilderness areas and conservation areas elsewhere.

I am perfectly aware of what I consider to be a matter of social justice involved in this problem, and I wish to do what I can to serve the social justice right of the people of Chicago and of the State of Illinois, in that heavily populated area. But I think we can do it without, in effect, destroying the Morse formula.

Without mentioning any names, Senators now in the Chamber have come to me today and said, "WAYNE, are you going to yield on this matter, and then apply, as you have rather stubbornly applied in the past, the Morse formula to transfers in our States, bills concerning which we have not been able to call up for consideration?"

I must be fair to them, and I want to be fair to the Senator from Illinois at the same time. Therefore, I do not see why the State of Illinois should not pay 50 percent of the appraised fair market value for the total 2,446 acres covered by the bill.

Before I close, let me say, in regard to the so-called Morse formula amendment, that the amendment which I have submitted is the amendment which I always offer in connection with transactions of this kind, providing for payment of 50 percent of the appraised fair market value.

Let us keep in mind the important operative fact in this case. This 1,500-acre tract has not been appraised. We are talking in the dark as to the fair market value of the property, with the reversionary clause contained in the conveyance, as it would be contained. In fact, it should be emphasized that the 1,500 acres have not been declared surplus property by the appropriate Federal agency.

I have no right, as no lawyer before any bench has any right, to fail to take into account the case of the opposition and seek to do justice, as he sees justice, in the light of what he believes to be the important facts in the opposition case.

I say to the Senator from Illinois that in my judgment, under the proposal which has been put forward, it is quite possible that the State of Illinois has agreed to pay more for certain pieces of property involved in this instance than it would have to pay if the Morse formula were applied to the entire 2,446 acres.

I have no desire to exact from the taxpayers of the State of Illinois a higher price for any part of the land than the Morse formula, applied to it singly, would exact from them. However, the bad precedent involved in the bill in its present form is that if it passes the Senate in its present form, 1,500 acres will be transferred without consideration. It is so stated in the committee report. I do not think that fact is changed by saying, "Oh, but we are paying more for some land somewhere else, and nothing for this land."

As to the meaning of the Morse formula, I do not understand why I have been such a poor teacher on this point, as I stated earlier in my remarks, as to leave the impression with the Senator from Illinois, the Senator from Alaska, or anyone else, that the Morse formula applies to the original acquisition price.

It never has, Mr. President. It has never been so applied since 1946. The Morse formula applies to the appraised fair market value of the property now, based upon its present value. If the property is to be used for private purposes, then 100 percent of its appraised fair market value shall be paid for it. If it is to be used for a public purpose, as in this instance, then 50 percent of the appraised fair market value shall be paid.

One further point: I have said, ad infinitum, it seems to me, over the years, on the floor of the Senate, that when a piece of property has become surplus, or when the Federal Government is about to dispose of a piece of property, that property belongs to all the people of the country. It is the value of the property which is being disposed of. If Uncle Sam has made a good investment in a piece of property 45 or 50 years ago, and the value of the property has increased several times, that has been an increase in the wealth belonging to all the people of the country. I see no reason why the people of Oregon or the people of Illinois or the people of any other State should get the advantage of the increase in the value of the property over the years, while the taxpayers of the Nation as a whole lose that increased value.

I know of no time when I have ever failed to apply the Morse formula. I think it is pretty well known in the Senate that the Morse formula, as applied in my own State, has caused me much sadness in the past 2 years. It has been partly the cause of political repercussions in my State which sadden me very much. But that is history. I only mention it in passing, because I refused to yield on the Morse formula in connection with the disposal of the so-called Lillie Moore property in Roseburg, Oreg. I took the position then that if it cannot be applied in Oregon, then I have no right to apply it anywhere else in the Nation.

It may be argued that there was a distinction between the Lillie Moore case in Roseburg, Oreg., and other cases based upon a memorandum which had been

prepared by the Library of Congress. Unfortunately the researcher in the Library of Congress used as the example of the exception for which he argued a case which was no exception at all. He used as an example the so-called veterans' hospital case of Roseburg, Oreg., which fell within the same class as other veterans' hospital cases; to wit, when property was donated, as it has been on various occasions, to the Federal Government for the purpose of building a veterans' hospital on the property, and for that purpose only, and more property was donated than was needed by the Veterans' Administration, then the surplus property always reverted to the donor. In such a case the Morse formula is inapplicable, for the reason that the property was donated for a specific purpose, with the understanding that as much as was donated was needed; and when it was found that all of it was not needed, the remainder automatically reverted to the original owner.

The Library of Congress in that instance thought that because such a rule applied to the veterans' hospital transfers, the so-called Lillie Moore property case was an exception. The Lillie Moore property case was one in which the taxpayers of the country, through the Federal Government, had an absolute fee simple interest in the property. Therefore any attempt to give it to the Douglas County Historical Society without consideration was a clear violation of the Morse formula. So I had to object, and I objected with great sadness. I regret very much that it has played the political part it has come to play in Oregon politics. But that is another matter.

However, if I am mistaken in my understanding of the facts of this case, the Senator from Illinois will find me exceedingly cooperative in trying to reach an understanding with him. I am desirous of working out with him a modified bill which will make it perfectly clear that no property will go to the State of Illinois without payment of consideration; and that the Morse formula will apply to every acre of property which transferred. But it may be, in regard to the consideration already agreed upon, that the State of Illinois is offering to pay more than it needs to pay under the Morse formula. If by lead pencil and paper that can be shown, the Senator from Illinois will find me very desirous of working out with him a modified bill.

My primary objection to the bill in its present form is that if it is passed, we will, in my judgment, be approving the transfer of some 1,500 acres without payment of consideration. The fact that other property is being transferred elsewhere in Illinois for a consideration does not, in my judgment, change the gratuitous transfer. I could not approve the bill with that language in it.

Then there are two other points I shall discuss later, not tonight. One is the question whether some other property near by, in the same Joliet Reservation area, might be used for this purpose. The committee report is to the effect that some witnesses testified it was not suitable for conservation purposes. I have been advised that there is some doubt about that.

Furthermore, we need to keep in mind the fact that apparently even this 1,500 acres includes great stretches valuable for industrial purposes. But I am willing to come to grips with that. From the standpoint of the national interest, I would not vote to put on the market a piece of property which would bring a high price for industrial usage, even though to do so would bring a considerable amount of money in addition to what the application of the Morse formula would bring, if I became convinced that the recreational, wildlife refuge, and conservation interests of the American people would be better served by setting aside the piece of land for such conservation purposes. Quite frankly I will not put price tags on the development of conservation, recreational, and, yes, cultural interests, because many other intangibles are involved.

How can we evaluate what this land will be worth to unborn generations of American boys and girls who will live in the area of Chicago, land within easy, quick access to the Loop of Chicago? This is an area to which they can go—and I am not being sentimental—to get a little closer to their Creator, as all of us always do when we find ourselves in the bosom of nature. I think that is worth much to the Nation as a whole, as well as to the people of Illinois.

With these views in mind, I think it ought to be possible for us to find an area of agreement in regard to this matter, an agreement which will protect a principle which, not because it bears my name—as I have said, I wish it might be called the surplus property disposal formula rather than the Morse formula—is very close to my interest. We should not overlook the fact that since 1946 the application of this formula has saved the taxpayers many millions of dollars in specific bills, and we do not know how many millions of dollars more because of the fact that bills have come to the floor containing this principle. They were bills which probably would not have contained the principle had their sponsors not known there would be a debate on it in its absence. We do not know how many bills were not introduced at all, which might otherwise have been introduced, because it was known that this formula existed and would be applied.

So I say to the Senator from Illinois, that after he returns from New York, he and I and his assistants along with my assistants should sit down and see if we cannot work out an adjustment of our differences on this matter that will enable us to pass a bill which does not do, as I think this one does, such violence to the Morse formula.

Mr. DOUGLAS. I am very glad the Senator from Oregon has closed on this conciliatory note. Of course we shall be very glad to meet with him and his staff and to try to work out a mutually satisfactory arrangement.

One or two corrections I think should be made in order that the record may be clear.

The objection of the General Services Administration was directed toward my original bill. When it was modified to substitute the lower 1,500 acres for the more northerly 1,500 acres, and when it was accompanied by the offer of the State of Illinois to pay $286,638, I am informed that the General Services Administration was and is in favor of the bill in its present form, although the Bureau of the Budget has not given its approval.

The lack of approval by the Bureau of the Budget does not worry me at all, because in recent years the Bureau of the Budget has, to my mind, adopted an unduly restrictive point of view.

There is another point which I think needs to be corrected. It is true that under the technical form of the bill at present, the $286,638 to be paid by the State of Illinois covers the northerly 946 acres, and it is true that it is stated that the 1,500 acres south of this is to be transferred without consideration. This may be a verbal statement, but it is not the real situation.

The first bids for the 946 acres in question amounted to $286,638, and so to date an offer to pay $286,638 was in reality an offer to pay 100 percent for that 946 acres.

This was, I may say, a commercial bid. The groups which bid $286,638 for the so-called parcel 3 were planning to use this land for industrial purposes. No bids have been received on the lower 1,500 acres and no appraisal has been made.

So we do not know what their present appraised value would be on the basis of sales price, but on the basis of original cost of acquisition the $286,638 is much more than half of the original cost to the Government of the full 2,414 acres in question and is indeed nearer 75 percent. If to this there is added the cost of the roads installed by the State the resultant figure is appreciably in excess of this amount.

The Senator from Illinois is perfectly willing to have this bill amended by a whereas clause making it clear that the lands which the State designated in the bill passed by the legislature and signed by the Governor, be considered not merely for the northern 946 acres, but for the entire 2,446 acres. I hope such a clause as that can be drafted.

But I come back to the point which is really in question, and that is whether we are to take as the basis for value the amount which land can bring for industrial or commercial purposes, or its value for recreational purposes. If it is insisted that the market test is to be applied, then very frankly I think we shall have to give up any idea of Federal land being used by localities for recreational purposes if the land lies relatively close to a great city.

It is simply one of the facts of life that industry will pay large sums of money for land on which it can make a profit, that it will pay larger amounts than taxpayers are willing to contribute for recreational purposes, and that if we put this land up to the highest bidder and say the locality must meet the bids of factories and large industrial concerns, then we are going to price the recreational values of this land

right out of the market and the local authorities will be unable to meet the price even at one-half the rate.

So while I appreciate the sincere statements of the Senator from Oregon that he does not want to deprive the 6 million people of the metropolitan area of Chicago of this 2,400-acre recreational area, if he insists that the appraised value for commercial purposes shall be the standard to which the 50-percent formula is to be applied, it means that we will not be able to use this area for the purposes in question.

I hope that issue is now clear and that in the interval which will elapse some solution may be reached.

Mr. MORSE. Before the Senate adjourns as previously agreed upon I desire to make reference to why I stated, as I did, that the General Services Administration would not approve the bill. I took that statement from the committee report. I do not find anything in the committee report, although I may have missed it, that indicates that the General Services Administration would agree to the bill in its present form.

Mr. DOUGLAS. If the Senator will turn to page 5, the two last paragraphs, he will find that the Administrator of General Services testified that the original bill would involve a sacrifice of income on the part of the Government, and the original bill did not provide for any compensation, but in the last paragraph it is stated:

He—

Referring to the Administrator of General Services—

indicated that he believed that a compromise might be worked out under which two of the three parcels comprising the 2,414-acre tract might be disposed of for utilization for industrial purposes and the remaining parcel, comprising 946 acres of the least valuable land, might be sold to the State of Illinois at the reasonable fair market value for recreational purposes. He stated further that he was prepared to discuss the matter with officials of the State.

It is precisely this suggestion of the Administrator of General Services that we adopted in the amendment to the bill known as section 2. We adopted precisely that. We gave up the first two parcels of land to the north, comprising approximately 1,500 acres, and took instead the 1,500 acres to the south; and, instead of the State paying 50 percent of the fair market value of the 946 acres, it would pay a hundred percent on the basis of the industrial bid as of March 1959.

I am perfectly willing to have the language changed so that the two parcels of land may be considered as a whole. The point to which I object is taking the present industrial value of the land as the price which the State must pay in order to use the land for recreational purposes.

Mr. MORSE. I may say to the Senator from Illinois that in the staff conferences I have suggested I am sure we can reach an understanding as to what the facts are in regard to the General Services Administration, but I do not reach the same interpretation as he does of the language which he has read.

At the bottom of page 5 of the report, I find the following statement:

He—

Meaning the Administrator of General Services—

indicated that he believed that a compromise might be worked out under which two of the three parcels comprising the 2,414-acre tract might be disposed of for utilization for industrial purposes and the remaining parcel, comprising 946 acres of the least valuable land, might be sold to the State of Illinois at the reasonable fair market value for recreational purposes. He stated further that he was prepared to discuss the matter with officials of the State.

But that does not refer at all to the 1,500 acres which are in dispute, and for which it is not proposed that any consideration at all be paid.

At the top of page 4 of the report, the following will be noted:

By letter, dated March 24, 1959, referring to the bill as introduced, the Administrator of General Services advised the chairman of the committee as follows:

"GSA is opposed to the enactment of this measure because we are opposed in principle to the enactment of special legislation which has for its purpose the disposition of specific property when the disposal of such property could be accomplished in accordance with existing law of general application. If any portion or all of this property were determined to be chiefly valuable for wildlife conservation purposes, it could be transferred to the State of Illinois in accordance with existing law."

Mr. DOUGLAS. Of course that refers to the original bill.

Mr. MORSE. I understand that.

I read further from that part of the report:

The Bureau of the Budget advised the committee that it concurred in the views expressed by the Administrator of General Services on S. 747, as introduced, and opposed favorable action on the measure.

But the statements to be found on page 5 of the report do not refer at all to the 1,500 acres; instead, they refer to the areas to the north of the 1,500 acres, including the 946-acre tract.

But I believe that one of the differences between us is in regard to the 1,500-acre tract. I do not think the committee report, at least, bears out the statement of the Senator from Illinois that the General Services Administration favors the disposition of the 1,500 acres as he proposes. Perhaps it does; and I propose to find that out between now and the time when we have our staff conference. But in the committee report, I find nothing to so indicate.

Mr. DOUGLAS. I do not wish to prolong the debate; but the facts are that a conference was held on May 15, 1959, at which Mr. Floete was present as were a representative of the Governor of Illinois and the director of conservation for the State of Illinois; and the suggestion that the southerly 1,500 acres be substituted for the northerly 1,500 acres was Mr. Floete's suggestion.

My assistant, Mr. Brown, was present at that conference; and he tells me that that is so. Mr. Brown is a truthful man.

The present situation is that the Department of the Army already has 39,000 acres in this area, but does not want to give up the 1,500 acres to the south, and is proposing, instead, a totally unsatisfactory third 1,500 acres, approximately 1½ miles to the southeast, across from the main-traveled, north-south-traveled Highway 66. But the wildfowl could not move from one area to the other, and the people could not move from one area to the other.

The Department of the Army has so much land that it is virtually running out of its ears, so to speak.

I think the Department of the Army is pursuing a very selfish policy in this respect—one which tends to be typical of its land policy. In this case, it is attempting to "lock up" this land within reach of the metropolitan area of Chicago, and is attempting to deny the use of the land to the people of Chicago.

Certainly the Army could perfectly well conduct its maneuvers on the remaining 39,000 acres.

The Bureau of the Budget is backing up the Army.

We adopted the suggestion of the General Services Administration. There is nothing to indicate that the Administration has changed its mind in the meantime. But the Bureau of the Budget is standing between the General Services Administration and the Congress, to prevent any written document from being transmitted.

Mr. MORSE. Mr. President, I wish to assure the Senator from Illinois that I do not question either his report or that of his able assistant, Mr. Brown, as to the present position of the General Services Administration. However, I wish to point out that we have no documentation in that connection; and I wish to state for the RECORD that I think we should have documentation of it. So I want the Senator from Illinois to know that on tomorrow I shall address a communication to Mr. Floete, and shall call his attention to this debate, and shall request from him a clarifying memorandum.

Mr. DOUGLAS. I think that will be very helpful, because, very frankly, I feel aggrieved by the fact that after being pushed into one compromise by the General Services Administration, I then find myself more or less cut loose and without formal support from the group which initiated the compromise.

Mr. MORSE. I think I owe it not only to myself, but also to the Senator from Illinois, to request that an official position be taken by the General Services Administration.

Mr. President, as I close my remarks, I want the Senator from Illinois to know that I appreciate very much his objectivity and his fairness in the course of our debate regarding a problem on which I am very desirous of working with him.

PROCUREMENT POLICY OF THE DEFENSE DEPARTMENT

Mr. HART. Mr. President, as we are about to conclude the session for today, I wish to comment briefly on some of the debate which occurred this afternoon between the distinguished Senator from Maryland [Mr. BEALL] and other Senators, in connection with the conference report on the appropriation bill for the Department of Defense.

It will be recalled that the Senator from Maryland and other Senators expressed great concern regarding the F–27 aircraft procurement. As I listened to that debate, I realized that it was a "script" which I have heard before, here.

This problem seems to be a recurring one. To me, it is symptomatic of something which is very basic, and suggests a need much more pressing than any which was commented on during the afternoon. This need is not peculiar to the State of the distinguished Senator [Mr. BEALL] who led the debate on that point this afternoon.

For myself, I realize and remember the concern which was Michigan's when a major tank procurement contract for the production of the M–60 tanks was moved from Michigan to the State of Delaware. At that time, a feeling of frustration was experienced by those of us who would have preferred to see the production remain in Michigan. That frustration was complicated by a realization that the security and, indeed, the very survival of the free world were involved, because military security is precisely aimed in that direction.

What guidelines do we have when we are faced with such a problem? Not only must we have real concern for the welfare of our respective States and the activities conducted in them, but we must also have sufficient appreciation of the national considerations involved to realize that our States' short-term interests may not be the same as the long-term interests of the Nation.

So all of us have to project ourselves beyond the boundaries of our own States, and we must seek to determine the impact on the economy of the entire Nation.

The economic strength of the Nation in the long haul will determine whether we shall succeed or whether we shall fail in this contest in the 20th century.

I think the debate which took place this afternoon points up specifically the justification behind a resolution which I submitted last week. That resolution proposes the establishment of a Senate Select Committee on the Economic Impact of National Defense.

A very timely comment was written by Sylvia Porter, and was published in the Washington Star of July 30. I ask unanimous consent that her article be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[Washington Star, July 30, 1959]

PRODUCTION PEARL HARBOR?

(By Sylvia Porter)

If the Army were to be hit by a "Production Pearl Harbor" this Sunday, it—meaning the Nation—would be worse off than the Navy was on that dreadful Sunday in December 1941.

It would take the Army more time now to get its military weapons into full scale production and ready to strike back effectively than it did in 1941.

In World War II it took 12 months to get tooled up to produce the weapons we needed.

If a new emergency were to hit next week or next year, it would take 30 months or more to get tooled up.

A study of the Army's production policies by a Johns Hopkins University team reveals, that, while the Army presumably has been inventing modern models for weapons, it has been utterly neglecting to develop modern machines to turn out the weapons.

It was in the July 27 issue of the American Machinist, the magazine for the metalworking manufacturing industry, that I stumbled across the data uncovered by the Johns Hopkins study. Specifically:

The average machine to produce weapons now becomes obsolete in five years. Prior to 1940 a machine's life expectancy could be figured at 15 to 20 years, but in this era of technological development a machine becomes out-of-date in a quarter of the time.

MACHINES OUTDATED

Nine out of 10 of the critical machine tools for the Army's industrial production were built either in World War II or during Korea.

Almost 3 out of 5 of the critical machine tools are in storage—put away on the theory that if needed, they can be assembled and placed in operation quickly. This theory the John Hopkins study challenges.

The costs of producing military items are becoming prohibitive because of the rapid deterioration in the efficiency of obsolete machines, and the United States is lagging in the development of new items because of its out-of-date production equipment.

While we are complacent about this, Russia's attitude is precisely the opposite, and the Soviet Union has gone on record with the belief that new equipment must be replaced within 10 years or the "introduction of new technology will suffer intolerable delays."

While "advanced technology is available" to us, we are not using it and as a result, "we are rapidly losing the advantages in technology that we have had for many decades."

EXPLANATION SOUGHT

At this point I reached for the phone to call Burnham Finney, editor of the American Machinist to ask, "Why is this happening?"

"The explanation, I suppose is the belief that any war would be one of those '7-day affairs,'" Mr. Finney replied, "and thus it would all be over before the machines were needed. But how do we know this is the way it will be? How can we be so indifferent to other possibilities?"

"What would it cost to modernize the equipment?"

"A drop in the bucket. A mass modernization program, involving the purchase of 5,000 to 6,000 new machines of advanced design would cost only around $75 million a year over the years ahead."

Mr. HART. Mr. President, to the same point, there appeared an article by the editor of American Machinist in that McGraw-Hill publication of July 27, entitled "Can We Prevent a Production Pearl Harbor?" I ask unanimous consent to have it printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAN WE PREVENT A PRODUCTION PEARL HARBOR?

(By Burnham Finney, editor)

If the Army is to develop modern weapons and produce them at the desired rate, and if it is to keep production costs within bounds that the Nation can financially afford, it must put into effect immediately a machine-tool modernization program. This program should encompass the purchase of 5,000 to 6,500 new machines of today's advanced designs, costing around $75 million, each year for a number of years ahead.

Beyond that, if the Army is to get the modern weapons its various assignments require, military procurement costs must drop sharply the next 5 years. The only effective way to achieve such savings is massive modernization of the Nation's metalworking production facilities, not only inside the Army's own operations, but in thousands of plants that have prime military contracts or subcontracts.

LEADTIME IS GETTING SHORTER

Unless such modernization occurs, so that today's advanced production technology can be applied to manufacture of weapons, the United States will lag in development of new military items (held back by available out-of-date production equipment), costs will become prohibitive because of the rapid deterioration in the efficiency of obsolete machines, and leadtime for machine tools in the next emergency is likely to rise to 30 months or more, compared with 12 months during World War II and 24 months during Korea.

Such are the conclusions arrived at in a study of the Army's machine tool policies by a Johns Hopkins University team, reliable reports say. If present policies continue, the Army machine-tool inventory will have so many obsolete machines by 1965 that it will be virtually useless for production of 1965 weapons.

MAY BECOME DOD POLICY

The Johns Hopkins study is said to have important implications for all three of the armed services and may well become a Department of Defense document, the basis for carrying out the DOD modernization and replacement program that has been pretty much bogged down since its start a few years ago.

The study's chief conclusion is: You cannot have modern weapons without modern means of production. To support this conclusion, the study is reported to recommend that the Army's machine tools be put into tooled-up plants which would be working on current requirements rather than be stored in so-called production packages or in warehouses. Almost all of the plants would be operating at a small fraction of capacity. The sustaining equipment in the plant (machines not employed on current production) would be in the ratio of 20 to 1 to the equipment actually at work. This ratio would be based on a two-shift operation.

BASED ON AMERICAN MACHINIST INVENTORY

Basing many of its projections on the 1958 American Machinist Inventory of Metalworking Equipment, the Johns Hopkins study is reported to advocate full modernization of the U.S. production system if U.S. world leadership—politically, militarily, economically—is to be maintained. Advanced technology is available, but not used. For that reason, we are rapidly losing the advantages in technology that we have had for many decades. The Western European countries, and Soviet Russia, are outstripping us in economic growth.

U.S.S.R. REPLACEMENT CONSCIOUS

Soviet Russia, in fact, is more sensitive to the dangers of machine tool obsolescence and what that means to the economy than is the United States, the study is reputed to point out. It has gone on record with the belief that new equipment should be replaced in less than 10 years from its installation date. If that is not done, introduction of new technology will suffer intolerable delays.

SIX-YEAR TOP PERFORMANCE?

The average machine tool can be expected to work with new machine tool accuracy for about 6,000 hours, the study states. Major preventive maintenance will extend its useful life, with new machine tool accuracy, another 6,000 hours. If the machine works on a 40-hour-a-week basis, its firstline performance will not be longer than 6 years.

FASTER OBSOLESCENCE TODAY

Under the impact of technological development, according to reports of the study,

machine tools have been becoming obsolete faster. Prior to 1940, obsolescence took 15 to 20 years. For years after that, it speeded up to 8 to 10 years. By 1960 it probably will not be longer than 5 years.

The deterioration cycle of machine tools has shortened for a number of reasons, two of which are of prime importance. First, new levels of precision involving 0.0001 inch are a different matter from percision levels of 0.001 inch. Second, the ability of today's machines to remove metal involves far greater stress than operation of yesterday's machines (and frequently is 5 to 10 times more than that of machines of 1949 design). Other factors, tougher metals now being worked, much more rigid cutting materials (carbide and ceramic tools), more horsepower. As the working of metal thus becomes increasingly an operation of high power and precision, the expected life of machine tools declines sharply.

TAX HAGGLING

Yet, the study reportedly comments, the U.S. Treasury still bargains with machine tool users, for tax depreciation purposes, on the basis of a schedule of expected lives (Bulletin F) that was obsolete 20 years ago. The Defense Department's schedule of useful lives is correspondingly obsolete.

Building block developments and automatic electronic programing will be responsible for profound changes in manufacture of both civilian and military products, the study is said to claim. The rigidity that has been characteristic of mass production in metalworking will begin to disappear as building block systems make basic redesign possible.

ENGINEERING-CHANGE LEADTIMES

Engineering changes are being made frequently in almost all complex military equipment. Modern programing methods will allow such changes with least disturbance and in a shorter leadtime. Spare parts can be produced in small lots for weapons without delay, thus reducing or eliminating the problem of large surpluses. Research and development will be speeded up by automatic programing (leadtime on a 1,000-horsepower gas turbine engine was reduced by 1 year). Best of all, automatic programing offers the possibility of designing directly for production. During the next 10 years many engineering concepts will be translated directly through punched tape or through cards to the production system.

MANY NEW TECHNIQUES

Military applications of new metalworking techniques now coming into use are potentially as numerous as possible industrial applications, the study reputedly points out. These techniques will make possible operations or qualities not otherwise available. Ultrasonic cleaning already is being employed for high precision parts. Ultrasonic welding of dissimilar metals or foils has been effective in cases in which no other method is possible. The plasma gun is able to weld high-temperature materials in temperature ranges beyond the reach of other methods. Explosive forming is a fast, cheap method of forming heavy rocket nozzle plates and doing other military work. Fairly rapid extension of rotary extrusion, currently used in missile component manufacture, is ahead.

The study comments on advances in the strength of materials. In airframe materials, changes seem to have moved at a fantastic rate. The working of such metals will require continuing development of old and introduction of new machining methods. At this point, it is not clear whether the new methods will displace or merely supplement established processes.

MATERIAL IMPROVEMENTS, TOO

Many of the new methods not only work the material but change its basic properties, many times resulting in a major improvement in the quality of the material. This factor, the study asserts, is evident in the missile development programs. Requirements include increased heat and wear resistance, higher yield points and lower fatigue levels. The materials available in the early stages of the programs and conventional ways of working them did not meet design requirements. Developments of new methods has taken time and is still in process—a major factor in greatly extended missile leadtime.

NEW PRODUCTS, NEW METHODS

Production technology should progress about the same as product development, the study is reported to conclude, otherwise serious production delays will occur. Every major advance in military equipment design is almost sure to need a concurrent advance in production technology. The study is said to warn that U.S. industrial prowess no longer is assured in a time when weapons technology is moving so rapidly.

The Army has 85,000 to 90,000 machine tools, the study is purported to reveal, of which around 75,000 are of the cutting type. These machines are regarded as the critical element in the Army's industrial production base to be drawn on to break manufacturing bottlenecks in an emergency. About 9 out of 10 of these machines were built either in World War II or in the Korean period; and almost 3 out of 5 are in storage. Possibly as many as one out of four are being operated at low rates in Government-owned, Government-operated facilities.

PRODUCTION PACKAGES

A sizable proportion of the inventory is stored in "producttion packages," on the theory that all the machines in a production package could be assembled and put into operation quickly. The Johns Hopkins study is reported to challenge this theory, because shifts in products and in material require different machines and machining processes. On one major weapon, around 70 percent of the parts were changed, with corresponding changes in tooling, jigs and the basic machines. A Ford Motor Co. study of a medium tank package arrived at the same conclusion—that the theory is invalid.

Rebuilding of overage machines is not a process that can modernize an old tool, the study is said to declare. Improvements can be made but the machine cannot be brought up to modern standards. Obsolescence begins on the day the machine originally leaves the factory and its basic characteristics remain substantially unchanged, regardless of reconditioning and rebuilding. Incidentally, only around one-sixteenth of the Army's machine tools is classified as new, compared with one-third in the Navy and Air Force.

MORE NEW RESERVE MACHINES?

The Army reserve does not contain any appreciable number of machine tools less than 5 years old. This fact is critical in considering any advantage that the reserve represents in leadtime. If a number of new long leadtime machines must be procured to supplement machines from the reserve in creating a production line in an emergency, any savings in leadtime disappear. In 1957, the study states, it was possible to meet from the Army's inventory less than one-fifth of the requests for reserve machine tools for missile production.

Defense contractors are not willing to accept from Army reserves old machines that do not meet the specifications of modern machines (despite the fact that private industry itself, in most cases, has an excessive number of overage machines of its own and is slow to spend its own money to replace them).

The condition of Army reserve tools, as coded, is an unreliable and misleading basis upon which to allocate or accept tools for a particular purpose. More than that, the study charges, the feasibility of machine test procedures is questionable. Tests are expensive (25 man-hours for a machine), test facilities are limited, and there is no assurance that after being tested, a machine will reach the contractor in good condition ready for use. Most deficiencies revealed by test could be detected by detailed inspection, but there is reason to believe that routine inspection is of little value in determining the condition of a machine.

A large percentage of the Army's machine tool inventory should be classed as poor, the study asserts. Processing of machines for storage has frequently not been in accordance with instructions and damage has resulted. Many reserve machines do not have the standard accessories going with a new machine. Instructions and records have been lost. The condition of much of the inventory is such that the machines will need some kind of rehabilitation or reconditioning before they can be used at all. Since the Korean conflict, there has been a continuing decline in the quality and composition of the inventory.

Advantages of modernization and replacement can be boiled down to an increase in capacity, in versatility and in quality of work performed. In two industries—automobiles and electrical machinery—the benefits of modernization can be put into terms of increases in capacity and decreases in numbers of machine tools. The increased capacity stemming from modernized production facilities is especially important in the military sector because of the urgency of developing a reserve against any future emergency needs.

A more versatile production base, particularly one with numerically controlled machines, would contribute substantially to reduce research and development leadtime the survey is reported to state. If design is to be liberated from the limitations imposed by outmoded equipment, modernization is absolutely essential.

The Army inventory of machine tools does not represent an adequate production base. Military equipment procurement costs are rising, partly because of increasing inefficiency of available production equipment and partly as a consequence of poor use of existing machines. The pressing budgetary problems of the services are such that economies in production costs must be made or fewer weapons can be produced. These economies, the Johns Hopkins study points out, can only be achieved by modernizing and replacing overage, obsolete, and wornout machines.

A production base modernization program should be tied to classes of products, not to specific products. It also should not be tied to a given year. It should be capable of dealing with varying requirements, such as the increasing sophistication of modern weapons, the modernization of Army combat equipment, and the supply needs of our allies.

Between 750 and 2,000 machine tools must be bought each year for the next few years if the Army is to maintain its production facilities even at a minimum level of efficiency, the study concludes. When the newer machines, such as numerically controlled units, start coming in after 1960, the Army's machine tool requirements may double or triple. If leadtime is to be kept as short as possible and production delays avoided, modernization should begin in the current fiscal year 1960 to meet 1965's new-weapons needs. Planned modernization will sharply reduce the number of machine tools required, will cut drastically the number of inactive tools, and will increase greatly the production capacity in place and in reserve.

TOO MANY OVERAGE TOOLS

The Johns Hopkins study cites the inventory of machine tools in the metalworking industry as preponderantly overage, averaging 13 to 15 years and constantly getting older. These conclusions are taken from the 1958 American Machinist Inventory of Metalworking Equipment. If the annual net

retirement rate of cutting-type machines is upward of 30,000 units and the annual purchase rate of new machines is 60,000 units between now and 1965, the percentage of overage tools will rise from its present level of 60 to 67 percent.

It thus is apparent that obsolescence and wear will rule out a large proportion of the U.S. machine tool inventory, both in the military and private industry sectors, as available to meet requirements of a modern military base. Contrariwise, only a fraction of the Nation's machine tools are capable of doing an efficient job in producing today's and tomorrow's advanced weapons. For this reason the problem of securing competent subcontractors for defense work is becoming increasingly critical. Whereas the Government and the armed services have shown proper concern about weapons, at the same time they have neglected the source from which these weapons must come—the machine tools of American industry. By contrast, Russia is awake to this situation and is putting major emphasis on modernization of its productive facilities.

Full modernization of U.S. metalworking facilities, the study is said to conclude, could be met by an annual outlay of much less than 2 percent of gross sales and would provide by 1965 the modern, versatile production base needed by advancing weapons technology. The savings in metalworking costs on military items alone would more than cover the capital outlay. If there is to be a sound national defense system, there is no alternative to modernization of the U.S. metalworking industry.

Mr. HART. Mr. President, we are torn between two conflicting assertions: That we as a Nation cannot afford to arm ourselves adequately, and by the less vocal but nonetheless substantial segment who would suggest that we cannot afford to disarm.

All of us yearn for the day when we can turn off the defense expenditudes faucet, but when we suggest it there are those who realize that it will have an enormous impact on our economy. How are we to make this transition? How are we to establish a blueprint in America which will repudiate the Communist charge that America is the warmonger because America cannot afford to disarm? We have ripples in our economy when we even reduce our defense expenditures. What will happen, the Communists ask, when we turn off expenditures of $40 billion?

All of us know such enormous expenditures will not be shut off overnight, and that transitions will be made. Let us study now the methods whereby the transition should be brought about. Let us study now how the termination or modification or decrease in major defense undertakings can be accomplished without severe dislocation of the Nation's labor force and its economy. The city in Maryland which was the subject of today's debate on this point is only a symptom in this whole problem.

I hope consideration and support may be given to my resolution, which aims to provide guidelines which will enable us more confidently to return to reduced defense expenditures, which would affect a community in my own State, among others. I think Senate Resolution 150 would accomplish that purpose.

Mr. President——

The PRESIDING OFFICER. The Senator from Michigan.

MARY W. GREENE—CHANGE OF REFERENCE

Mr. HART. Mr. President, on June 24 H.R. 5350, a private bill for the relief of Mary W. Greene, was referred to the Committee on the Judiciary, following its passage by the House. I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill and that it be referred to the Committee on Finance.

Mr. KEATING. Mr. President, reserving the right to object, has that matter been cleared?

Mr. HART. Yes, it has.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, August 4, 1959, he presented to the President of the United States the following enrolled bills:

S. 577. An act to amend title 10, United States Code, section 2481, to authorize the U.S. Coast Guard to sell certain utilities in the immediate vicinity of a Coast Guard activity not available from local sources;

S. 906. An act to amend section 1622 of title 38 of the United States Code in order to clarify the meaning of the term "change of program of education or training" as used in such section;

S. 1110. An act to amend the act of August 4, 1955 (Public Law 237, 84th Cong.), to provide for conveyance of certain interests in the lands covered by such act;

S. 1367. An act to amend title 14, United States Code, entitled "Coast Guard," to authorize the Coast Guard to sell supplies and furnish services not available from local sources to vessels and other watercraft to meet the necessities of such vessels and watercraft;

S. 1694. An act to extend the existing authority to provide hospital and medical care for veterans who are U.S. citizens temporarily residing abroad to include those with peacetime service-incurred disabilities;

S. 2153. An act to authorize the Coast Guard to accept, operate, and maintain a certain defense housing facility at Yorktown, Va., and for other purposes; and

S. 2183. An act granting the consent of Congress to interstate compacts for the development or operation of airport facilities.

ADJOURNMENT

Mr. HART. Mr. President, in accordance with the previous order, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 7 o'clock and 14 minutes p.m.), under the order previously entered, the Senate adjourned until tomorrow, Wednesday, August 5, 1959, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 4, 1959:

DIPLOMATIC AND FOREIGN SERVICE

The following-named persons, now Foreign Service officers of class 2 and secretaries in the diplomatic service, to be also consuls general of the United States of America:

Byron E. Blankinship, of Oregon.
A. David Fritzlan, of Kentucky.
Max McCullough, of Texas.

Weldon Litsey, of Texas, now a Foreign Service officer of class 3 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America:

Stanislaus B. Milus, of New York.
Donald Kaye Palmer, of Michigan.

The following-named Foreign Service officers for promotion from class 6 to class 5 and to be also consuls of the United States of America:

William M. Kahmann, of Missouri.
Miss Margaret Ruth Kelley, of California.
David H. McCabe, of Maryland.
Miss Irene L. Rossi, of Pennsylvania.
Benjamin J. Ruyle, of Washington.
Charles T. Warner, of West Virginia.

The following-named persons for appointment as Foreign Service officers of class 5, consuls, and secretaries in the diplomatic service of the United States of America:

Ramón S. Alfonzo, of New Jersey.
J. Anthony Armenta, of California.
John Coffey, of Illinois.
Randolph Dickins, Jr., of Virginia.
Stanley H. Schaub, of Maryland.
Anthony E. Sega, of New York.

Julius W. Walker, Jr., of Texas, for promotion from Foreign Service officer of class 7 to class 6.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Richard B. Andrews, of Illinois.
James O. Belden, of New York.
Eugene E. Champagne, Jr., of New York.
Harold A. Church, of Massachusetts.
Ellis V. Glynn, of Pennsylvania.
Benjamin C. Goode, of Ohio.
Miss Hazel E. Gordon, of Minnesota.
John W. Haigh, of New Hampshire.
Reppard D. Hicks, of Florida.
Stanley M. Howe, of Illinois.
Samuel Karp, of Pennsylvania.
Darold W. Keane, of California.
Frederick J. Lindow, of Florida.
Miss Olga Lukashewich, of New York.
Mrs. Kathryn Z. McCoy, of Indiana.
Miss Mary E. Mellette, of South Carolina.
Mrs. Marian D. Miller, of Massachusetts.
Arthur Parolini, of California.
Miss Ruth E. Wagner, of New York.
Miss Eleanor Frances Welch, of Ohio.
Raymond S. Yaukey, of Maryland.
Miss Betty Lou Zimmerman, of Texas.

The following-named Foreign Service officers for promotion from class 8 to class 7:

Herbert Eugene Horowitz, of New York.
Nelson C. Ledsky, of Ohio.
Robert von Pagenhardt, of California.
Howard L. Worthington, Jr., of Virginia.

The following-named persons for appointment as Foreign Service officers of class 7, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Joe L. Alarid, of Colorado.
Miss Elsie C. Bell, of California.
Frank L. Berry, of Kentucky.
Miss Anne L. Carroll, of Idaho.
Ernst Conrath, of Wisconsin.
Howard B. Crotinger, of Iowa.
Miss Margot J. Fellinger, of New Jersey.
Thaddeus J. Figura, of Illinois.
Coradino E. Gatti, of Massachusetts.
John O. Grimes, of Alabama.
Thomas J. Grimes, of Illinois.
Kenneth O. Harris, of West Virginia.
Miss Lorraine C. Herron, of Minnesota.
Frank P. Irwin, of Illinois.
Don C. Jensen, of California.
Mrs. Lucy N. Johansen, of Oregon.
James Kidder, of Ohio.
Thomas R. Kresse, of Ohio.
Robert C. LaPrade, of Massachusetts.
Miss Helen H. Larson, of Minnesota.
Joaquin Mariota, of California.
Miss Clare Ree Moore, of California.

Wilbur N. Nadel, of New Jersey.
Roy C. Nelson, of New York.
William M. Nikolin, of Indiana.
Joseph E. Olenik, of Pennsylvania.
Edward B. Pohl, of Louisiana.
Robert Prieto, of Wisconsin.
Miss Mary K. Richmond, of Oregon.
Valentine E. Scalise, of New York.
Miss Constance V. Stuck, of Arkansas.
Eugene S. Szopa, of Maine.
James Richard Vandivier, of Indiana.
Louis Villalovos, of California.
Frank E. Wallace, of Pennsylvania.

The following-named persons for appointment as Foreign Service officers of class 8, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Thomas D. Boyatt, of Ohio.
Thomas Stanley Brooks, of Wyoming.
Garrett C. Burke, of Iowa.
Francis B. Corry, of Wisconsin.
John James de Martino, of the District of Columbia.
Stamps Farrar, Jr., of Louisiana.
Norman H. Frisbie, of Massachusetts.
Robert E. Fritts, of Illinois.
Joseph M. Hardman, of Oregon.
Serge P. Horeff, of New Jersey.
Arthur V. Laemmerzahl, of New Jersey.
George A. McFarland, Jr., of Texas.
Richard R. Martin, of the District of Columbia.
Thomas R. Pickering, of Pennsylvania.
Peter Andrews Poole, of New York.
Pierre Shostal, of New York.
Michael B. Smith, of Massachusetts.
John W. Stahlman, of the District of Columbia.
Miss Sara Ann Stauffer, of Rhode Island.
William O. Sugg III, of Tennessee.
Donald P. Swisher, of California.
Richard W. Teare, of Ohio.
Olin S. Whittemore, of Michigan.
Michael G. Wygant, of Massachusetts.
Joseph R. Yodzis, of Pennsylvania.

The following-named Foreign Service Staff officers to be consuls of the United States of America:

Richard T. Hamilton, of Virginia.
Abraham N. Hopman, of New York.
Walter H. Hummel, of North Dakota.
William Lipper, of Arizona.
Ralph S. Smith, of Maryland.
William H. Smith, of Maryland.

The following-named Foreign Service Reserve officers to be consuls of the United States of America:

David H. Cohn, of Florida.
Charles I. Cooper, of Massachusetts.
Harold I. Fiedler, of New Jersey.
Robert W. Hamerschlag, of New York.
Richard Linthicum, of Virginia.
Nestor D. Sanchez, of New Mexico.
Harry V. Scott, of Maryland.
Michael C. Sednaoui, of Colorado.
George W. Steitz, of Connecticut.

The following-named Foreign Service Reserve officers to be vice consuls of the United States of America:

Robert C. Bodden, of Florida.
William C. Boner, Jr., of Massachusetts.
Paul R. Brown, of Pennsylvania.
John F. Murnane, of Virginia.
William J. Murray, Jr., of Washington.
Winston C. Oliver, of Pennsylvania.
Thomas B. Peck, Jr., of Virginia.
Jonathan D. Petry, of California.
Frank Rettenberg, of New York.
Samuel H. Rickard III, of Michigan.
Robert M. Schram, of Pennsylvania.
J. Bruce Scrymgeour, of New York.
Stephen J. Shuttack, of Wisconsin.

The following-named Foreign Service Reserve officers to be secretaries in the diplomatic service of the United States of America:

William Anderson, Jr., of Virginia.
Vincent J. Augliere, of Virginia.
Roger M. Bearce, of Maine.
William L. Clark, of the District of Columbia.
Benjamin C. Evans, Jr., of the District of Columbia.
Paul V. Harwood, of Pennsylvania.
Frank W. Jones, Jr., of Connecticut.
Thomas H. Karamessines, of Virginia.
William F. Miller, of Massachusetts.
Jean M. Nater, of Connecticut.
Donald M. Richardson, of Virginia.
Robert L. Skidmore, of the District of Columbia.
James R. West, of California.
Robert P. Wheeler, of the District of Columbia.
Oscar Zaglits, of the District of Columbia.

BOARD OF PAROLE

Lewis J. Grout, of Kansas, to be a member of the Board of Parole for the term expiring September 30, 1965. Mr. Grout is now serving in this post under an appointment which expires September 30, 1959.

Gerald E. Murch, of Maine, to be a member of the Board of Parole for the term expiring September 30, 1965. Mr. Murch is now serving in this post under an appointment which expires September 30, 1959.

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 4, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Lamentations 3: 25: *The Lord is good unto them that wait for Him, to the soul that seeketh Him.*

Eternal God, our Heavenly Father, daily many deep, heartfelt needs and haunting longings impel us to wait upon Thee and seek Thy face in prayer.

We earnestly beseech Thee to lift us above all anxieties and fears into a faith that fulfills itself in a greater courage and joy.

Grant that, dedicated to the ministry of the true and the good, we may give help and hope to all who are finding the struggle of life so difficult.

May we be loyal partners with men and nations everywhere who are laboring to build a world wherein righteousness reigns and the law of love is gloriously triumphant.

Hear us in the name of the lowly man of Galilee who went about doing good. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 3322. An act to amend title 10, United States Code, and certain other laws to authorize the payment of transportation and travel allowances to escorts of dependents of members of the uniformed services under certain conditions, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 7508. An act to amend title 10, United States Code, to establish a Bureau of Naval Weapons in the Department of the Navy and to abolish the Bureaus of Aeronautics and Ordnance.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 7978. An act making supplemental appropriations for the fiscal year ending June 30, 1960, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HAYDEN, Mr. CHAVEZ, Mr. ELLENDER, Mr. HILL, Mr. MAGNUSON, Mr. HOLLAND, Mr. STENNIS, Mr. JOHNSON of Texas, Mr. BRIDGES, Mr. SALTONSTALL, Mr. YOUNG of North Dakota, Mr. MUNDT, Mrs. SMITH, and Mr. DWORSHAK to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 8283. An act making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1960, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HAYDEN, Mr. HILL, Mr. ELLENDER, Mr. ANDERSON, Mr. DWORSHAK, and Mr. HICKENLOOPER to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 6596) entitled "An act to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MURRAY, Mr. MOSS, and Mr. ALLOTT to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1590. An act for the relief of the Government of the Republic of Iceland; and

S. 1849. An act to amend the act of August 10, 1939, authorizing the Postmaster General to contract for certain powerboat service in Alaska.

ATOMIC ENERGY COMMISSION APPROPRIATION BILL, 1960

Mr. CANNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8283) making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1960, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? The Chair hears none, and appoints the following conferees: Messrs.

CANNON, RABAUT, KIRWAN, JENSEN, and TABER.

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight August 5 to file a conference report on the bill (H.R. 8283) making appropriations for the Atomic Energy Commission.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

THE LATE MRS. MARY T. NORTON

The SPEAKER. The Chair recognizes the gentleman from New Jersey [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Speaker, it is my sad duty to announce to the House the tragic passing of the late Mary T. Norton who previously served the 13th Congressional District of New Jersey, a district that I now have the pleasure to serve. I am very proud to represent the 13th District of New Jersey, which has always been referred to as Mary Norton's old district.

Today we mourn the death of this extraordinary woman. For upon her death, not only her family and her city pays her honor, but she is mourned by her Nation which she served so well.

In an era when women had just received their right to vote, Mrs. Norton served notice that not only do women enjoy the right to vote but had a right and a duty to participate on an equal basis in the Government of the United States.

She was the first woman to be elected by the Democratic Party to Congress. She headed the important District of Columbia Committee and for years served most ably in this capacity. She was chairman of the House Labor Committee which made the minimum wage-hour law part of the American scene.

She was a champion of many just causes which we now accept as part of the American way of life.

She was a woman who made a great contribution to this Congress and in so doing, made a great contribution to her country.

We mourn her passing today, but remember well her personality, her character, and her good works.

She shall always be remembered as one of the foremost women in American public life.

She served this body for 26 years. On her retirement, President Truman appointed her as a consultant in the Department of Labor.

This Nation that she served so well, I am sure, joins in a silent moment of prayer for Mrs. Mary Norton—affectionately known to all as "Aunt Mary."

She will be missed and she shall long be remembered, with the grateful thanks of the Nation she served.

Mr. Speaker, I ask unanimous consent that any Members who desire to do so may extend their remarks at this point on the life and accomplishments of this very honorable woman whose death we mourn here today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the distinguished majority leader.

Mr. McCORMACK. Mr. Speaker, Mrs. McCormack and I are deeply grieved in the death of our late friend, Mary Norton.

Mrs. Norton, our late former colleague, served in this body during a most trying period of our country, with great ability, vision, and courage. While a Member of this body she served as chairman of the District of Columbia Committee, and also as chairman of the Committee on Labor.

She was a close and valued friend of the late Franklin Delano Roosevelt and of former President Harry S. Truman.

Mary Norton, as a Member of the House, and particularly as chairman of the Committee on Labor, led many fights for the passage of progressive legislation recommended by Franklin Delano Roosevelt.

Under her able and courageous leadership many progressive measures in the best interest of our country and our people were enacted into law.

On many occasions—fighting for the people—Mary Norton showed her fighting heart. In fighting for the people she asked no quarter and gave no quarter to opponents of progressive leadership.

Mary Norton served in Congress for years. I can remember the dramatic fights she made for minimum wage legislation and other progressive measures.

I remember well when the Taft-Hartley bill was under consideration in the House her fighting statement, "The labor baiters and the labor haters at long last are having a field day."

She has indelibly left her favorable imprint upon the pages of American history.

The many thousands of her friends will always remember this fine lady, this great legislator, this outstanding American, Mary T. Norton.

To her two sisters who survive her and their loved ones I extend my profound sympathy in their bereavement.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to my colleague from New Jersey.

Mr. THOMPSON of New Jersey. Mr. Speaker, I should like to join the gentleman from New Jersey [Mr. GALLAGHER] and our distinguished majority leader in lamenting the passing of one of New Jersey's greatest citizens. Not only was Mary Norton a fine liberal and a conscientious Member of this body, but she was one of the most highly respected women on the national scene. She was, among other things, for many years vice chairman of the New Jersey Democratic State Committee. She maintained her interest in the affairs of the House of Representatives and of the Nation until a very few days before her death.

She was in constant communication with me and with my staff, some of whom had served under her, and all of whom regret her passing.

The State of New Jersey and the Nation have indeed lost a great woman.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I was deeply grieved yesterday to see in the paper a picture of, and a notice of the passing of, the late Mary Norton, Member of Congress from New Jersey, one of the handsomest, finest women I have ever been privileged to know. She was elected to Congress a few months before I was, and I found inspiration from her in our close congressional service. She was a fine and true friend.

Before coming to Congress, Mary Norton had a fine record of accomplishments, and as a Member of Congress she became a highly respected politician and national figure. She added luster to her name. She was thoroughly loyal. I do believe the cause of women never had a finer friend than she. She believed in their having their place in the sun. Mary Norton was warmhearted and strong, loyal to her family, loyal to party, loyal to her country.

Although she was a Democrat, when she went to Boston she often spoke of me. There was no party line in her friendships. We who served with her here—and there are not many left here now—know of her tremendous fight for every cause she thought was right. She wanted to help the underprivileged. Her battle for improved labor conditions will receive the gratitude of children yet unborn. It was not a political gesture in any way. She was a great patriot, always fighting for national defense. She always pushed onward and upward. She was a very religious woman, a power in her church, a power in the country.

We cannot spare women like Mary Norton. In my opinion, we cannot replace her.

My deepest sympathy goes to her sisters and brother and their children, and to the family she loved and helped so much, and to her countless friends.

The following is an article that appeared in the New York Times on Monday, August 3, 1959:

MARY T. NORTON, 84, LEGISLATOR, DEAD—JERSEY U.S. REPRESENTATIVE, 1925–50, HEADED LABOR COMMITTEE 10 YEARS

GREENWICH, CONN., August 2.—Former Representative Mary T. Norton, of New Jersey, died of a heart attack today in Greenwich Hospital. She was 84 years old.

Mrs. Norton was stricken yesterday at her home here at 52 Lafayette Place. She had moved here 3 years ago from her former home at 2400 Hudson Boulevard in Jersey City.

Surviving are two sisters, Mrs. Joseph McDonagh, of Greenwich, and Miss Anne Hopkins, of New York.

DEAN OF WOMEN IN CONGRESS

Mrs. Norton held the record for length of service by a woman Representative when she announced on her 75th birthday in March 1950 that she would not seek reelection to Congress. She served for 25 years in the House.

She was induced to enter politics by Mayor Frank Hague, of Jersey City, in 1920. Her district, the 13th of New Jersey, formerly the 12th, comprises Bayonne and part of Jersey City.

Mrs. Norton was the first woman elected to Congress by the Democratic Party. She was chairman of the House Committee on the District of Columbia for 5 years, being the first woman to head a congressional committee. She also was named to the House

Labor Committee and in 1937 became its chairman. She held the chairmanship until 1947, and then became a member of the House Administration Committee.

Her interest in labor affairs never waned, however, and when the Taft-Hartley bill was being discussed in Congress, she said:

"The labor baiters and the labor haters at long last are having a field day."

In 1945 she had met opposition from labor groups when she introduced a House bill seeking to implement President Harry S. Truman's request to Congress for authorization to set up fact-finding boards in industrial disputes.

FETED BY COLLEAGUES

In both 1945 and 1950 fellow Members in the House feted Mrs. Norton. On her 25th anniversary in Congress and her 75th birthday, Mrs. Norton, in a hospital with pneumonia and influenza, issued her announcement of retirement.

Mrs. Norton was a stanch New Dealer and helped to guide the late President Franklin D. Roosevelt's wage and hour legislation as well as to defend it later. She also championed the Fair Employment Practices Act and was instrumental in raising the minimum-wage level from 40 to 75 cents an hour.

Mrs. Norton served as State Democratic Committee vice chairman from 1921 to 1932, and as chairman in 1932 to 1935 and again from 1940 to 1944.

In 1923 she became the first woman elected a freeholder in Hudson County and the State. Mrs. Norton was named delegate-at-large to the Democratic National Conventions from 1924 through 1940 and in 1944 was a delegate serving on the platform-drafting committee. In 1944 she became a member of the Democratic National Committee. Four years later she was the convention chairman of credentials.

ALWAYS BACKED HAGUE MACHINE

She maintained her support of the Hague machine throughout her career and at the time she announced her retirement was instrumental in retaining Mr. Hague on the New Jersey State Executive Committee by outmaneuvering his enemies.

During her early years in Congress, Mrs. Norton introduced the first resolution to repeal the 18th amendment and spoke widely for repeal of prohibition. She also opposed the Gillette bill, fostering dissemination of birth-control information.

She was born in Jersey City on March 7, 1875, the daughter of Thomas and Marie Shea Hopkins. After attending public schools and a business college and working as a stenographer and secretary she was married in 1909 to Robert Francis Norton, a businessman. He died in 1934.

After the death of her infant son, Robert Francis, Mrs. Norton became active in day nurseries and was president of the Day Nursery Association of Jersey City. She received an honorary doctor of laws degree from St. Elizabeth's College in 1930 for constructive humanitarian work in welfare and politics. In 1937 she received a similar degree from Rider College.

In May 1947, she was named the outstanding Catholic woman of the year and received the Siena medal of Theta Phi Alpha, National Society of Catholic Women, at ceremonies in Norwood, Mass.

Mrs. Norton was a member of the National Business and Professional Women's League, the Queens Daughters and the Catholic Daughters of America.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. Mr. Speaker, I am one of the few left in the House who had the great privilege of serving with Mary Norton. As my colleague, the gentlewoman from Massachusetts [Mrs. ROGERS] has said, she was so deeply loyal in all phases of her life to her family, her friends, her party, and her country. A woman of great dignity, she had a delightful sense of humor, without which she could not have sustained the vicissitudes a none too easy life gave her. Courage was hers as well, and great endurance. We had many good times together, thoroughly enjoying our almost complete divergence of opinion. She was a fighter and a politician of the first water. She knew politics from the ground up as I shall never know it, and she was generous with her knowledge whenever I asked her for a judgment, an opinion. Yes, we had good times together, sharing some of our joys and some of our sorrows, getting to appreciate some of the basic values of our common experience here.

I join with all those of this House in sympathy to her bereaved family to whom she gave so much of herself and who did so much for her. Yet would I say to them that I feel sure they join with me in gratitude for her, for all she did in her determined effort to do all possible to leave this world a little better than she found it. May Heaven bless and keep her as her soul takes a broader road upon which she can continue to serve Him, who is the Infinite Father of all mankind.

Mr. GALLAGHER. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I join the distinguished gentleman from New Jersey in this word of tribute to my beloved friend, Mary Norton. Mrs. Norton was not only a great Congresswoman, she was one of the most distinguished Representatives ever to serve in this body. She served as chairman of two great committees in this House. She was a wonderful person, a great soul. Mrs. Albert and I, who met her when we first came to Washington, join in extending our deepest sympathy to her loved ones.

Mr. GALLAGHER. Mr. Speaker, I yield to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, although a member of the opposition, it was one of the many privileges that have been mine to serve under Mrs. Norton when she was chairman of the House Committee on Education and Labor. She was not only able, she was courageous, aggressive, and constructive.

Mr. GALLAGHER. Mr. Speaker, I yield to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I learned with the deepest regret of the death of Mrs. Norton. I think no Member has served in the House of Representatives more effectively than the distinguished Congresswoman, Mrs. Norton.

She was the first woman to serve as chairman of a committee in the American Congress.

She exerted a far-reaching influence not only in the House of Representatives but especially as a member of the Democratic National Committee on which she served for many years.

She brought to her service in the House of Representatives and to her service for the Nation not only exceptional ability but a woman's intuition through which all welfare legislation especially was vitally affected.

She was a leader in the early days of many of our governmental activities now taken for granted, which were at that time in the pioneering stage.

She builded better than she knew.

I join my colleagues in expressing to those nearest her my deepest sympathy.

Mr. WIER. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Minnesota.

Mr. WIER. Mr. Speaker, I could not permit this occasion to pass without expressing the feelings of us in Minnesota. I watched the career of Mrs. Norton very carefully. During the height of her legislative activity it was my pleasure to be a member of the Minnesota State Legislature and her career indeed was an inspiration to me. At the same time I was serving as a member of our legislature I was active in the labor movement, and just prior to my coming to the House of Representatives Mrs. Norton had left this body. Her retirement from Congress was a great loss to this body, and her passing today is indeed a sad day for the millions of little people in the United States, to help whom she did her utmost, trying to make their tomorrow a better day.

So I join, Mr. Speaker, the Nation and the millions of people who admired her so greatly. This is indeed a sad day.

Mrs. GRIFFITHS. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentlewoman from Michigan.

Mrs. GRIFFITHS. Mr. Speaker, Mrs. Norton had already retired from this House before I became a Member of this body, but the legend of her service had already been established. Many Members came to me and told me of the wonderful work she had done. As a woman I am grateful that she lighted the way for the rest of us to follow. She did an exceedingly good job.

I, too, extend my deep regrets and my sympathy to those of her family who remain.

Mr. GALLAGHER. I thank the Members for their kind and affectionate words.

I now yield to our beloved Speaker.

Mr. RAYBURN. Mr. Speaker, I pay tribute to the memory of Mary T. Norton by inserting in the RECORD a telegram I sent to her sisters:

Mrs. JOSEPH MCDONAGH and Miss ANN HOPKINS,
Greenwich, Conn.:

You have my deepest and sincerest sympathy in the loss of your dear sister and my good friend. She was a wonderful person and served her country nobly and with great devotion. I shall miss her along with her other loved ones.

SAM RAYBURN.

Mrs. KELLY. Mr. Speaker, it is with sorrow that I learned of the death of my former colleague, the Honorable Mary T. Norton. I extend to her family

my deepest sympathy and want them to know that I, too, will miss her.

It was a wonderful experience to have known Mary Norton, to have served with her in Congress, and it was an honor to have been included among her vast number of friends. I will always cherish her memory and always remember the dignity portrayed by her as a woman and a public servant.

One learned much from observing and knowing Mary Norton. She loved people. She tried to understand people and, much more, she respected all people. She loved life and maintained a keen interest in all events. She never lost her sense of humor. For these characteristics and for the record she established in the House, I am sure that history will record her as one of the "great" Representatives of the House of Representatives. She served the people of her district, the people of her State and this Nation, always bearing in mind the absolute principles upon which this Nation was established. It was upon these moral principles that her own life was based and, more important, that she lived.

For her, I am sure there is joy today because she lived serving God and neighbor, thus abiding by the two great commandments of God which will determine all our destinies. May her soul rest in peace.

Mr. DANIELS. Mr. Speaker, I wish to join my colleagues in this House and the many citizens of our country in expressing deep sorrow in the death of a great American, the Honorable Mary T. Norton, a former Member of this House.

Mrs. Norton represented the people of the 13th District of New Jersey with great honor and distinction. She established an outstanding record of which any Member of the House would be proud.

In her career as a Member of the House of Representatives she established a long record of firsts.

She was the first woman Democrat to be elected to Congress.

She was the first woman chairman of a committee of the House of Representatives—the Committee of the District of Columbia, and as chairman served as the District's first and only "Lady Mayor."

She was the first woman to head the Labor Committee and played an important part in the passage of new labor legislation, including the wage and hour bill.

She was a person of courage and determination devoted to her duties and responsibilities, and her action as a legislator served as an inspiration to all of her colleagues. She was indeed a dedicated public servant.

To the members of her family I extend my sincere sympathy and heartfelt sorrow at her passing.

Mr. MARTIN. Mr. Speaker, it was with keen sorrow I learned yesterday of the death of Mary Norton, who served with great distinction for many years as a Member of the House of Representatives. Mrs. Norton came to Congress the the same year that I did and consequently we established a true bond of friendship through the years.

She had the distinction of being the first woman to be elected to Congress as a Democrat. She was a woman of great ability and left a lasting impression upon the legislative program during her long service. She was a great humanitarian and worked tirelessly to advance the welfare of the needy, the deserving, and the oppressed. Her sisters may well be proud of her service to our country and to them I extend my heartfelt sympathy in their hour of sorrow.

Mrs. PFOST. Mr. Speaker, Congresswoman Norton left the House only 2 years before I was elected, and I have always regretted that I did not have the privilege of serving with her. She was the first woman elected to Congress by the Democratic Party, and her influence and sound judgment paved the way for more women to follow.

Mrs. Norton had other firsts, too. She was the first woman elected a freeholder in her native Hudson County, N.J.; first woman to head a congressional committee, and she was the author of the first congressional resolution to repeal the 18th amendment. She championed the Fair Employment Practices Act and was instrumental in raising the minimum wage level from 40 to 75 cents an hour.

Mrs. Norton's liberal and humanitarian record throughout her 25 years in the Legislative Halls in the Nation's Capitol has been a source of inspiration and emulation to those of us who followed her. Her courage and strength have been like beacons lighting the way for us.

Mr. IRWIN. Mr. Speaker, in the death of the Honorable Mary Teresa Norton this Nation has lost one of its outstanding citizens—and I have personally lost a warm and valued friend.

Mrs. Norton was in every sense a grand and wonderful woman—one who extended wholehearted encouragement to me last fall when I began my campaign for Congress against what seemed insurmountable odds.

I shall always remember the warmth of her words at that time and will always be appreciative of her suggestions and guidance.

Mrs. Norton held the record for length of service by a woman Member of the House of Representatives when she announced on her 75th birthday in March 1950, that she would not seek reelection to Congress. She served 25 years in the House.

She did not represent my congressional district, but has spent her late years in Connecticut where, until the very end, she retained a keen interest in the affairs of the world, and of the Democratic Party.

Mrs. Norton was the first woman elected to Congress by the Democratic Party. She was chairman of the House Committee on the District of Columbia for 5 years, being the first woman to head a congressional committee. She also was named to the House Labor Committee and in 1937 became its chairman. She held the chairmanship until 1947, and then became a member of the House Administration Committee.

Her interest in labor affairs never waned, however, and when the Taft-Hartley bill was being discussed in Congress, she said:

> The labor baiters and the labor haters at long last are having a field day.

In 1945 she had met opposition from labor groups when she introduced a House bill seeking to implement President Harry S Truman's request to Congress for authorization to set up fact-finding boards in industrial disputes.

In both 1945 and 1950 fellow members in the House feted Mrs. Norton. On her 25th anniversary in Congress and her 75th birthday, Mrs. Norton, in a hospital with pneumonia and influenza, issued her announcement of retirement.

Mrs. Norton was a stanch New Dealer and helped to guide the late President Franklin D. Roosevelt's wage and hour legislation as well as to defend it later. She also championed the Fair Employment Practices Act and was instrumental in raising the minimum-wage level from 40 to 75 cents an hour.

Mrs. Norton served as State Democratic Committee vice chairman from 1921 to 1932, and as chairman in 1932 to 1935, and again from 1940 to 1944.

In 1923 she became the first woman elected a freeholder in Hudson County and the State. Mrs. Norton was named delegate-at-large to the Democratic National Conventions from 1924 through 1940 and in 1944 was a delegate serving on the platform-drafting committee. In 1944 she became a member of the Democratic National Committee. Four years later she was the convention chairman of credentials.

During her early years in Congress Mrs. Norton introduced the first resolution to repeal the 18th amendment and spoke widely for repeal of prohibition. She also opposed the Gillette bill, fostering dissemination of birth-control information.

She was born in Jersey City on March 7, 1875, the daughter of Thomas and Marie Shea Hopkins. After attending public schools, a business college, and working as a stenographer and secretary she was married in 1909 to Robert Francis Norton, a business man. He died in 1934.

After the death of her infant son, Robert Francis, Mrs. Norton became active in day nurseries and was president of the Day Nursery Association of Jersey City. She received an honorary doctor of laws degree from St. Elizabeth's College in 1930 for "constructive humanitarian work in welfare and politics." In 1937 she received a similar degree from Rider College.

In May 1947, she was named the "outstanding Catholic Woman of the Year" and received the Siena Medal of Theta Phi Alpha, National Society of Catholic Women, at ceremonies in Norwood, Mass.

Mr. Norton was a member of the National Business and Professional Women's League, the Queens Daughters, and the Catholic Daughters of America.

Mr. WALTER. Mr. Speaker, I was deeply grieved and shocked to learn of the passing last Sunday, August 2, of our distinguished former colleague from New Jersey, Mrs. Mary T. Norton. This loss will be felt deeply by all of us who knew her and worked with her during

her long years of service in the House. For the people of Washington, Glenn Dale Sanitarium stands as a fitting memorial commemorating her 7 years' work as chairman of the House District Committee. For Mrs. McCormack and me, the loss is that of a close personal friend. I shall always hold Mrs. Norton in high esteem as a conscientious hard-working colleague, as we defended the wages and hours bill against opposition in May of 1940, and when she served as cochairman with me of platform and resolutions at the 1944 Democratic National Convention.

Mary T. Norton would like to be remembered, I am sure, primarily as a wife and mother, as a devoted family woman. Born in Jersey City 84 years ago, she attended the public schools and had just graduated from high school when her mother died. Her family came first and she deferred any plans of her own for 5 years while she cared for her father and managed the home. Then she felt free to take a secretarial course at Packard Business College and worked as a stenographer until her marriage to Robert Francis Norton in 1909.

The great personal tragedy of her life, the death of her only child in infancy, started her on a long and distinguished career in legislative service. To overcome her despondency and grief, she began to work for the Queen's Daughters Day Nursery. Her qualities of leadership were soon recognized by local and State officials and in 1916 she became president of the Day Nurseries Association of Jersey City. From this office to higher State and national positions were only short steps for Mary Norton as she blazed the trail with a long line of firsts. In 1923 she became the first woman elected freeholder in Hudson County and the State of New Jersey. In 1925 she was sent to the 69th Congress representing the 12th New Jersey District, becoming the first Democratic woman to be elected to Congress, and the first woman Representative of any eastern State. She became the first woman to head any House committee when she served from 1930–37 as chairman of the House District Committee, earning the affectionate title of "Lady Mayor of Washington."

Some Members of the House will remember the gala occasion in 1945 when we helped Mary Norton celebrate her 70th birthday and 20th anniversary in Congress. Similar festivities 5 years later on her silver anniversary in Congress and her 75th birthday, were somewhat saddened when she announced from a hospital bed her plans for retirement in 1951. We were pleased, however, that she elected to remain in Washington as a special consultant on manpower to the Labor Department until 1953.

Wife, mother, businesswoman, legislator—her career was varied, her life was rich and full, her heart was big and kind. When she could no longer be a mother to her own son after his death, she turned, through welfare work, to being a mother for other people's children. Her horizons broadened and soon she was working for the entire Nation. Genial and unassuming, we shall all feel the loss of her wonderful presence. Our sympathy goes out to her two surviving sisters, Mrs. Joseph B. McDonagh and Miss Anne Hopkins.

Mr. RODINO. Mr. Speaker, as one of those who had the pleasure of knowing "Aunt Mary" during her term of service here in the House of Representatives, I feel a keen sorrow over the news of her death.

I remember vividly this gracious woman, the late gentle lady from New Jersey, Mrs. Mary T. Norton. Generous of nature and character this unassuming and unpretentious, fine lady who held such a high place for many years here in the House and performed in such a distinguished manner, came to be looked upon by many of us as "Aunt Mary."

Still vivid in my mind is the memory of her help to me as a freshman Member of the House and her sincere and honest counsel and advice. For this I am and shall ever be grateful to our beloved "Aunt Mary."

Mrs. Norton was a champion of human rights and an ardent advocate of the cause of human welfare. Her service in the Congress was studded with brilliant accomplishment and worthwhile achievement. And despite the awesome responsibilities she never failed to give of herself unselfishly to many charitable endeavors, winning many awards and honors for her work in this area.

Although she retired from the Congress in early 1951, "Aunt Mary" never retired from the cause of helping others. I kept in touch with her over the years during her retirement, and from time to time learned of her continued good works.

It is sad to know that "Aunt Mary" has left the scene, but she has earned a lasting place in the lives and hearts of many whom she has helped and in the history of our country as a great humanitarian and a great public servant. She was truly a dedicated person who served her fellowman and country with a full measure of devotion.

Mr. ADDONIZIO. Mr. Speaker, it was with profound sorrow and a sense of deep personal loss that I learned of the death of the Honorable Mary T. Norton. Like all who had the privilege of knowing her, I had the greatest respect and admiration for this wise and gracious lady who made such a tremendous contribution to our national welfare during her long public service.

Mrs. Norton combined great ability and breadth of vision with a strong and courageous will. As a Member of the House, especially as chairman of important committees, she was instrumental in the enactment of numerous important measures that have been of lasting benefit to the whole country. Mrs. Norton's name will always be associated with progressive, humanitarian programs. She had deep compassion for the poor and weak, and was a stanch advocate of social welfare measures.

Mrs. Norton had many memorable firsts in her distinguished career. She was the first Democratic Congresswoman, the first woman to head a congressional committee, and the first woman chairman of a major House committee. Her accomplishments were great, and she has earned a unique place in American history.

The American people have much reason to be grateful to this dedicated public servant. She was a great lady, and her passing is keenly felt by all who knew her. I join my colleagues in expressing to her dear ones my deepest sympathy.

Mrs. DWYER. Mr. Speaker, the death this week of Mary T. Norton is a special loss to the people of New Jersey, to the women of America, and to me personally.

Mrs. Norton was not only the first woman in the Democratic Party to be elected to Congress; she was also the first woman to serve in that capacity from New Jersey. The people of the 13th District have great reason to be proud of that service.

Throughout her career, Mary Norton was a pacemaker and a precedent breaker. Her service in the House confirmed that women, indeed, have an important responsibility in the political life of our country. As the first woman chairman of a committee of the House of Representatives, in fact as chairman of both the Committee on the District of Columbia and the Committee on Labor, she exercised wise and courageous leadership, and devoted her talents to social and humanitarian legislation that even today are important influences in the welfare of working people throughout the country.

While our paths seldom crossed, it was my pleasure on a few occasions to meet and talk with Mrs. Norton. And I have always cherished the fact that the very first telegram of congratulations I received on the occasion of my first election to Congress came from that wonderful woman.

But all of New Jersey knew and loved Mary Norton for her courage and determination no less than for her friendliness, gentleness, and broad humanity. Her success, the distinction she earned in the political life of her Nation, helped pave the way for those of us who came after her. Women of New Jersey and the country who believe that women have a role to play in American Government owe a great deal to the pioneering of Mary T. Norton.

Mr. GALLAGHER. Mr. Speaker, as a tribute as to the high esteem in which the late Mrs. Mary T. Norton was held by everyone, it is best expressed in the editorial which appeared in the Jersey Journal of August 3.

I would like to make this editorial part of the record of feeling that everyone held for Mrs. Mary T. Norton.

[From the Jersey Journal, Aug. 3, 1959]

MARY NORTON

Everywhere in the Nation today, people are recalling that it was Mary Norton who first really carved out a meaningful place for women in the Halls of Congress. Jersey City and Bayonne sent her to the House of Representatives not as a woman, nor merely as the widow of a Congressman, but as a capable legislator who could hammer out the Nation's laws as well as any man, if not better.

Historically, she was just what the Nation needed when many Americans were still wary of the effects of the suffrage newly extended to women and their participation in public life. Mrs. Norton was aware of her role as a trailblazer, and she met every challenge.

In 1925, when it was generally held that women Representatives had better be seen and not heard, Mrs. Norton was outspoken, right from her freshman year. She later headed important House committees. As head of the District of Columbia Committee, she was virtually mayor of the Nation's Capital. She was the first to introduce a bill to repeal the prohibition law. She was chairman of the House Labor Committee which made a minimum wage-hour law part of the American laboring standard.

That Mary Norton's extraordinary congressional career should have originated in Jersey City is something for her hometown to boast about, even in this hour of mourning.

Mr. CANFIELD. Mr. Speaker, under leave to extend my remarks, I wish at this time to pay tribute to Mrs. Mary T. Norton, who for more than a quarter of a century represented the 12th New Jersey District in the House of Representatives. She died August 2 in a Greenwich, Conn., hospital following a heart attack at the age of 84.

I knew Mary Norton for many years. She began her service in Congress a year after I came to Washington as secretary to the late George N. Seger. I served with her in the House from 1940 until her retirement in 1951. She was a truly dedicated public servant held in high esteem by all of her colleagues.

At this time I would like to insert in the CONGRESSIONAL RECORD the following editorial tribute to Mrs. Norton from the Paterson Evening News, Paterson, N.J., of August 4, 1959:

AN ABLE WOMAN PASSES

Mary T. Norton, a great lady of New Jersey and national public life, has passed on to her eternal rest after a long and fruitful life.

Mrs. Norton, of Jersey City, amassed an impressive list of firsts in public life.

She was the first Congresswoman elected by the Democratic Party. Her tenure of 26 years—she retired voluntarily at age 75—is a record for congressional women. She was the first woman to head a congressional committee.

In addition, she was the first woman ever elected to the Hudson County Board of Freeholders, that service preceding congressional membership.

A stanch New Dealer, she supported her political preceptor, the late Mayor Frank Hague throughout her career, serving as Democratic National Committeewoman among important political posts.

An able lady with charm and grace, Mrs. Norton mixed practicalities of politics with an intuitive skill and in her trailblazing career for New Jersey womanhood, set the pattern for many others who have followed her.

Mr. McCORMACK. Mr. Speaker, in my extension of remarks, I include a richly deserved editorial on our late friend and former colleague, Hon. Mary T. Norton, appearing in the Washington Star of August 7, 1959:

MARY T. NORTON

Mrs. Mary T. Norton, dead at 84, will be long remembered in Washington for her good works in behalf of a better National Capital. Although the interests of the former New Jersey Representative were varied, she devoted much of her long career in Congress to matters related to public welfare—always giving them the human interest touch. As first woman head of a House committee, she used her chairmanship of the District Committee to demand elimination of the city's slums, to seek suffrage for the District's "second-class citizens," to obtain the Glenn Dale Hospital for tuberculosis victims and otherwise to improve the lot of those who live here. A skilled politician and legislator, she fought hard and often successfully for the things in which she believed. Washington has lost a good friend with her passing.

Mr. KEOGH. Mr. Speaker, those of us who had been privileged to serve in this body with Mrs. Mary T. Norton were deeply saddened to learn of her death on August 2. Together with the hosts of her friends and admirers in many walks of life, we are conscious of a great loss and are reminded of her outstanding character and accomplishments. Of Mrs. Norton's many virtues, I believe that devotion was the keynote of her admirable character and the mainspring from which her great accomplishments stemmed.

In her public life devotion to God and to her country activated all her endeavors, as devotion to her family directed her private life.

As the first Democratic lady ever elected to the House of Representatives, Mrs. Norton was destined to a brilliant career lasting more than a quarter of a century, during which she did many important things for which she will long be remembered. The decision to terminate her service in the House was made, not by her constituents, but voluntarily by herself on the occasion of her 75th birthday.

Even before coming to the Congress, Mrs. Norton displayed in local affairs those facets of her character that brought so much success to her efforts here. Her achievements in behalf of the children of New Jersey brought recognition when she was selected as president of the Day Nurseries Association of Jersey City in 1916.

It was as a Member of this House, however, that Mrs. Norton's abilities were given full scope, and here she achieved her greatest public successes. Because of her devotion to her duty as a Representative of all the people and to their causes, she was not deterred by any current unpopularity of those causes. For example, early in her great legislative career she courageously introduced a resolution to repeal the 18th amendment when such a move did not enjoy the tremendous public support it later gained. The ultimate success of repeal owed a good deal to Mary Norton.

One of her greatest achievements in behalf of the workingman was the enactment of the Federal Wage and Hour Act. Many legislators and workers today who share the universal recognition of the value of that legislation either have forgotten or never knew the controversy that attended its enactment.

Twice during her service in the House her colleagues honored her—on the occasion of her completion of 20 years' service in 1945 and again on her silver anniversary as a Member in 1950. Perhaps the one honor that she cherished above all others was her well-merited selection as the Outstanding Catholic Woman of the Year in 1947.

Her colleagues remaining in the House will miss her as will her sisters and her innumerable friends. Our heartfelt sympathy is extended particularly to her sisters, Mrs. Joseph B. McDonagh, of Greenwich, Conn., and Miss Anne Hopkins, of New York.

GENERAL LEAVE TO EXTEND

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks on the life, character, and public service of the late Mary T. Norton.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

MILITARY CONSTRUCTION APPROPRIATION BILL

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, Friday, August 7, to file a report on the military construction appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TABER reserved all points of order on the bill.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1960

Mr. MAHON. Mr. Speaker, I call up the conference report on the bill (H.R. 7454) making appropriations for the Department of Defense for the fiscal year ending June 30, 1960, and for other purposes, and I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 743)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7454) "making appropriations for the Department of Defense for the fiscal year ending June 30, 1960, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 5, 6, 12, 23, 33, 35, and 36.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 15, 18, 20, 28, 31, 32, and 41, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert: ": *Provided*, That $32,700,000 of the funds provided in this appropriation shall be available only to meet the increased expenses necessary to maintain the Regular Marine Corps at the strength provided for in this Act"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert: ": *Provided*, That $29,700,000 of the funds provided in this appropriation

shall be available only to meet the increased expenses necessary to maintain the Army Reserve at the strength provided for in this Act"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,075,390,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert: ": *Provided*, That $24,300,000 of the funds provided in this appropriation shall be available only to meet the increased expenses necessary to maintain the Army National Guard at the strength provided for in this Act"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert: ": *Provided further*, That $24,500,000 of the funds provided in this appropriation shall be available only to meet the increased expenses necessary to maintain the Army Reserve at the strength provided for in this Act"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,611,220,000"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert: ": *Provided*, That $5,900,000 of the funds provided in this appropriation shall be available only to meet the increased expenses necessary to maintain the Regular Marine Corps at the strength provided for in this Act"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert: ": *Provided*, That $4,500,000 of the funds provided in this appropriation shall be available only to meet the increased expenses necessary to maintain the Regular Marine Corps at the strength provided for in this Act"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,195,006,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert: ": *Provided further*, That $5,700,000 of the funds provided in this appropriation shall be available only to meet the increased expenses necessary to maintain the Army National Guard at the strength provided for in this Act"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,407,300,000"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,961,644,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,330,700,000"; and the Senate agree to the same.

Amendment numbered 26; That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$567,719,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,284,600,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,540,550,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,109,650,000"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert: "$2,650,000"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert the following:

"SEC. 631. Of the funds made available by this Act for the services of the Military Air Transport Service, $85,000,000 shall be available only for procurement of commercial air transportation service; and the Secretary of Defense shall utilize the services of civil air carriers which qualify as small businesses to the fullest extent found practicable."; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 8, 21, 34, 38 and 40.

GEORGE MAHON,
HARRY R. SHEPPARD,
CLARENCE CANNON,
GERALD R. FORD, JR., (except as to amendments Nos. 4, 7, 8, 10, 11, 14, 16, and 19),
JOHN TABER,
Managers on the Part of the House.

DENNIS CHAVEZ,
CARL HAYDEN,
RICHARD B. RUSSELL,
LISTER HILL,
ALLEN J. ELLENDER,
A. WILLIS ROBERTSON,
HARRY F. BYRD,
LEVERETT SALTONSTALL,
STYLES BRIDGES (except as to amendment No. 27),
MILTON R. YOUNG,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7454) making appropriations for the Department of Defense for the fiscal year ending June 30, 1960, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

DEPARTMENT OF DEFENSE

Title I—Military personnel

Amendment No. 1—Military personnel, Army: Language proposed by the Senate, relating to liquidation of deficiencies, is deleted. Similar provisions in Amendments Numbered 6 and 12 are also deleted.

The several provisions involved deal with deficiencies incurred in Military Personnel, Army, fiscal years 1956 and 1957, Military Personnel, Air Force, fiscal years 1958 and 1959, and Operation and Maintenance, Army, fiscal year 1958, for Medical Care. Previous requests to provide for certain of these deficiencies were also denied in connection with the Supplemental Appropriation Act, 1959, and the Second Supplemental Appropriations Act, 1959. The deficiencies in question were incurred in clear and undeniable violation of the Antideficiency Law.

The provisions dealing with these deficiencies have been eliminated for the specific purpose of forcing the establishment of fund control systems which will preclude the further recurrence of such deficiencies. It is expected that the joint study of this problem by the General Accounting Office, the Department of Defense, and the Bureau of the Budget will be completed and a full report presented to the Appropriations Committees of the House and Senate by the end of January 1960. Subsequent to such report, giving adequate assurance that future deficiencies of this nature will be avoided, estimates for the necessary appropriations should again be presented.

Amendment No. 2—Military personnel, Marine Corps: Appropriates $620,600,000 as proposed by the Senate instead of $596,900,000 as proposed by the House.

Amendment No. 3—Military personnel, Marine Corps: Permits transfer of $24,000,000 from the Marine Corps Stock Fund as proposed by the Senate instead of $15,000,000 as proposed by the House.

Amendment No. 4—Military personnel, Marine Corps: Deletes language proposed by the Senate and inserts in lieu thereof the following language: ": *Provided*, That $32,700,000 of the funds provided in this appropriation shall be available only to meet the increased expenses necessary to maintain the Regular Marine Corps at the strength provided for in this Act." It is the intent of the Committee of Conference that the Regular Marine Corps achieve an end strength for fiscal year 1960 of 200,000 and that the $32,700,000 of additional funds provided by this appropriation item shall not be available for any other purpose.

Amendment No. 5—Military personnel, Air Force: Appropriates $3,912,000,000 as proposed by the House instead of $3,892,000,000 as proposed by the Senate.

Amendment No. 6—Military personnel, Air Force: Deletes language proposed by the Senate.

Amendment No. 7—Reserve personnel, Army: Deletes language proposed by the Senate and inserts in lieu thereof the following language: "*Provided*, That $29,700,000 of the funds provided in this appropriation shall be available only to meet the increased expenses necessary to maintain the Army Reserve at the strength provided for in this Act." It is the intent of the committee of conference that the Army Reserve

shall be maintained at an average strength of 300,000 during fiscal year 1960, and that the $29,700,000 of additional funds provided by this appropriation item shall not be available for any other purpose. In deleting the strength floor proposed by the Senate, the committee of conference is relying on the assurance of the Executive Branch that the strength of the Army Reserve will be maintained at an average strength of 300,000 during the fiscal year 1960.

Amendment No. 8—National Guard personnel, Army: Reported in disagreement.

Title II—Operation and maintenance

Amendment No. 9—Operation and maintenance, Army: Appropriates $3,075,390,000 instead of $3,065,390,000 as proposed by the House and $3,085,390,000 as proposed by the Senate.

Amendment No. 10—Operation and maintenance, Army: Inserts language providing that $24,300,000 be available only to meet increased expenses of maintaining Army National Guard strength, similar to language proposed by the Senate.

Amendment No. 11—Operation and maintenance, Army: Inserts language providing that $24,500,000 be available only to meet increased expenses of maintaining Army Reserve strength, similar to language proposed by the Senate. See amendment number 7.

Amendment No. 12—Operation and maintenance, Army: Deletes language proposed by the Senate relating to validation of prior year expenditures.

Amendment No. 13—Operation and maintenance, Navy: Appropriates $2,611,220,000 instead of $2,599,320,000 as proposed by the House and $2,621,720,000 as proposed by the Senate.

Amendment No. 14—Operation and maintenance, Navy: Inserts language providing that $5,900,000 be available only to meet increased expenses of maintaining Marine Corps strength, similar to language proposed by the Senate. See amendment number 4.

Amendment No. 15—Operation and maintenance, Marine Corps: Appropriates $175,850,000 as proposed by the Senate instead of $171,350,000 as proposed by the House.

Amendment No. 16—Operation and maintenance, Marine Corps: Inserts language providing that $4,500,000 be available only to meet increased expenses of maintaining Marine Corps strength, similar to language proposed by the Senate. See amendment number 4.

Amendment No. 17—Operation and maintenance, Air Force: Appropriates $4,195,006,000 instead of $4,167,506,000 as proposed by the House and $4,222,506,000 as proposed by the Senate.

Amendment No. 18—Operation and maintenance, Army National Guard: Appropriates $151,700,000 as proposed by the Senate instead of $157,000,000 as proposed by the House.

Amendment No. 19—Operation and maintenance, Army National Guard: Inserts language providing that $5,700,000 be available only to meet increased expenses of maintaining Army National Guard strength, similar to language proposed by the Senate.

Amendment No. 20—Contingencies, Department of Defense: Appropriates $15,000,000 as proposed by the Senate instead of $30,000,000 as proposed by the House.

Amendment No. 21—Operation and maintenance, Olympic Winter Games, Department of Defense: Reported in disagreement.

Title III—Procurement

Amendment No. 22—Procurement of equipment and missiles, Army: Appropriates $1,407,300,000 instead of $1,232,300,000 as proposed by the House and $1,450,000,000 as proposed by the Senate.

Amendment No. 23—Procurement of equipment and missiles, Army: Deletes language proposed by the Senate. The Committee of Conference is in agreement that not less than $100,000,000 of the funds available to the Department of the Army for procurement of Nike-Hercules missiles and supporting equipment shall be reprogramed for Army modernization.

Amendment No. 24—Aircraft and related procurement, Navy: Appropriates $1,961,644,000 instead of $1,969,394,000 as proposed by the House and $1,950,294,000 as proposed by the Senate.

Amendment No. 25—Shipbuilding and conversion, Navy: Appropriates $1,330,700,000 instead of $1,322,000,000 as proposed by the House and $1,636,200,000 as proposed by the Senate. The Committee of Conference is in agreement that $35,000,000 of this amount is available only for long lead-time procurement for a nuclear powered aircraft carrier.

Amendment No. 26—Procurement of ordnance and ammunition, Navy: Appropriates $567,719,000 instead of $627,369,000 as proposed by the House and $564,069,000 as proposed by the Senate.

Amendment No. 27—Aircraft procurement, Air Force: Appropriates $4,284,600,000 instead of $4,165,700,000 as proposed by the House and $4,316,600,000 as proposed by the Senate. The funds approved by the Senate for procurement of F-27 aircraft have been deleted.

Amendment No. 28—Aircraft procurement, Air Force: Inserts language as proposed by the Senate.

Amendment No. 29—Missile procurement, Air Force: Appropriates $2,540,550,000 instead of $2,448,300,000 as proposed by the House and $2,552,900,000 as proposed by the Senate.

The committee of conference is in agreement that funds made available for missile procurement, Air Force, shall be available for procurement of the Mace missile, provided that prior to the obligation of funds for this purpose the Secretary of Defense shall certify in writing to the Committees on Appropriations of the House of Representatives and the Senate that this missile is essential to the military posture of this country.

Amendment No. 30—Other procurement, Air Force: Appropriates $1,109,650,000 instead of $1,104,100,000 as proposed by the House and $1,115,200,000 as proposed by the Senate.

Amendment No. 31—Other procurement, Air Force: Inserts language as proposed by the Senate.

Title IV—Research, development, test, and evaluation

Amendment No. 32—Research, development, test, and evaluation, Army: Appropriates $1,035,715,000 as proposed by the Senate instead of $1,046,515,000 as proposed by the House.

Amendment No. 33—Research, development, test, and evaluation, Navy: Appropriates $1,015,920,000 as proposed by the House instead of $970,920,000 as proposed by the Senate.

Amendment No. 34—Research, development, test, and evaluation, Air Force: Reported in disagreement.

Title V—General provisions

Amendment No. 35: Deletes language proposed by the Senate.

Amendment No. 36: Deletes language proposed by the Senate.

Amendment No. 37: Limits the availability of funds for legislative liaison activities to $2,650,000 instead of $2,900,000 as proposed by the House and $2,400,000 as proposed by the Senate.

Amendment No. 38: Reported in disagreement. The committee of conference is in agreement that the necessary functions of the legislative liaison organizations of the Military Departments and the Department of Defense in assisting Members of Congress in doing business with the Department of Defense and the Military Departments should be continued. The purpose of the limitation approved as section 630 is to require the Secretary of Defense to take positive action to curb the activities of liaison personnel which appear to be designed to seek favors for a military service or which otherwise may be considered as perpetuating interservice rivalry or military service partisan influence.

Amendment No. 39: Inserts language proposed by the House pertaining to the allocation of funds for the procurement of commercial air transportation instead of language proposed by the Senate and changes the amount allocated to $85,000,000 instead of $80,000,000 as proposed by the House and $100,000,000 as proposed by the Senate.

Amendment No. 40: Reported in disagreement.

Amendment No. 41: Changes section number.

GEORGE MAHON,
HARRY R. SHEPPARD,
CLARENCE CANNON,
GERALD R. FORD, Jr.,
(except as to amendments Nos. 4, 7, 8, 10, 11, 14, 16 and 19).
JOHN TABER,
Managers on the Part of the House.

Mr. MAHON. Mr. Speaker, Congress began work on the defense appropriation bill last January. Final action has now been agreed upon in a conference between House and Senate conferees. It is appropriate to discuss what has been done.

The bill as passed by the House was in round figures $400 million below the budget. As passed by the Senate it was $346 million above the budget. In the final version of the bill as contained in the conference report today we have given the Defense Department substantially the amount of dollars requested in the defense budget, but we have made some very significant changes in the defense program. The request was for $39,248,200,000. The appropriation is only $20 million less. The difference in dollars is not significant.

On the other hand we have taken significant actions in an attempt to improve the defense program without increasing the dollars requested. We have made reductions where we thought reductions could safely be made and we have made increases in areas where we thought an attempt should be made to accelerate programs. Within the framework of the budget we have sought to provide a better program for defense than was contained in the January budget.

The defense picture is subject to frequent change. Changes provided by Congress have not been made in a spirit of obstruction, but in a spirit of cooperation and helpfulness. Many of the changes provided by Congress have the support of responsible defense officials, civilian and military. Some of the changes have been completely endorsed by defense officials.

I should like to discuss the final draft of the bill as set forth in the conference report and make special reference to certain features. I shall first deal with significant changes and special features and in conclusion I shall supply a few

tables and general information in regard to the bill.

ARMY

Special consideration was given to the limited war capability of the Army. Funds requested in the budget for Army modernization were considered insufficient. We have provided $375 million above the budget for Army modernization, including the antiballistic missile program. In addition to this, we have provided that no less than an additional $100 million previously budgeted for the Nike-Hercules air defense missile be reprogramed for Army modernization.

ANTIMISSILE MISSILE

The Army has been assigned the task of doing the research and development work on an antiballistic missile missile, known as the Nike-Zeus. The Soviet intercontinental ballistic missile is one of the most serious long-range military threats to the security of this country. A portion of the funds provided above the budget for Army modernization are made available for the anti-ICBM missile. The Secretary of Defense indicates that $137 million of the extra funds which we have provided the Army will be devoted to the Nike-Zeus anti-ICBM missile.

NAVY

ANTISUBMARINE WARFARE

Another of the more serious military threats to the security of the United States is the Soviet submarine fleet. Our control of the seas is endangered. The long-range missile-launching submarine threatens our cities and defense establishments from both the Atlantic and Pacific.

Admiral Burke, Chief of Naval Operations, says:

> We need to improve our capability to combat submarines. Since World War II, the submarine has progressed faster than the antisubmarine warfare capability to combat it.

In an effort to accelerate our defense against the submarine we have provided funds above the budget request in the sum of $137 million. Of these extra funds provided, $45 million are earmarked for research and development. A major breakthrough in the techniques of detection and destruction of submarines is urgently required. An additional atomic submarine is also financed by the increase over the budget.

AIRCRAFT CARRIER

The budget contained a request for $260 million for a new attack aircraft carrier. Three new attack carriers are now under construction. In addition to the carriers under construction there are 23 in the active fleet, of which 14 are attack carriers and 9 are antisubmarine warfare carriers.

The defense appropriation bill as passed by the House contained no funds for a new aircraft carrier. The House, however, provided the sum of $255 million above the budget for antisubmarine warfare.

In compromising the differences between the House and Senate versions of the defense bill it was agreed that funds provided above the budget by the House for antisubmarine warfare would be reduced to $137 million and $35 million would be appropriated for the design of a nuclear-powered attack carrier and for the procurement of long leadtime items. Some Members felt that the question of providing an additional aircraft carrier should be postponed. As a compromise they considered procurement of long leadtime items for a modern nuclear carrier a wiser action than the financing of a nonnuclear ship which would, in a measure be obsolescent before it joined the fleet in about 1963 or 1964.

The estimated cost of the nuclear attack carrier is $380 million. But this is a preliminary estimate and the final cost will no doubt run to a much higher figure.

Estimates have recently gone up on the cost of the nuclear carrier now under construction. The original estimate was $314 million. The present estimate is $435 million. Additional costs are anticipated.

AIR FORCE

The bill contains additional funds, as it did when it first passed the House, for acceleration of our long-range ballistic missile programs. Extra funds above the budget estimates are provided in the amount of $172 million for the immediate procurement required toward attaining a 17-squadron Atlas missile program, instead of the 9 squadrons provided for in the budget, and for accelerating development of the Minuteman solid-propellant ICBM. These additional funds are provided in an effort to close the missile gap.

The budget contained $127 million for a tactical nonballistic missile known as the Mace. Funds for this missile were eliminated on the ground that the missile is of marginal value. However, in the final action the Air Force is authorized to use any available funds, not otherwise required, for this missile provided that prior to the obligation of funds for this purpose the Secretary of Defense shall certify in writing to the Appropriations Committees of the House and Senate that the missile is essential to the military posture of this country.

In addition, the Congress has eliminated funds for procurement of commercial-type cargo jet transports, the so-called C-jets, requested by the Air Force. Further studies as to MATS modernization need to be made.

ADDED FLEXIBILITY GRANTED FOR STRATEGIC AND TACTICAL MISSILES

To assist in assuring adequate funds for essential missile programs the committee of conference worked out language as a substitute to the Senate version of section 633 granting $150 million of additional transfer authority to the emergency fund. This authority is limited, however, to the acceleration of strategic and tactical missile programs. It cannot be used for any other purpose.

At present the emergency fund is limited to use for research, development, test, and evaluation, or procurement or production related thereto. These are the significant words in the appropriation language. The language which provides for the emergency fund carries an appropriation of $150 million plus authority to transfer an additional $150 million for the purposes specified. There is also a limitation of 7 percent on the amount which can be transferred from any single appropriation. The section 633 language in the pending measure relates to the emergency fund language and carries the same limitations except to the extent that the emergency fund language is broadened for the purpose of carrying out the intent of section 633. The intent here is, of course, the acceleration of strategic and tactical missile programs should the Secretary of Defense deem it advantageous to the national defense.

AIR DEFENSE

One of the most difficult and controversial problems before the House and Senate Appropriations Committee was the question of air defense; that is, continental air defense against possible attack by enemy aircraft.

In the hearings it was developed that over the period of the last 10 years we have spent about $29 billion on defense against manned aircraft. It was estimated that this figure by 1963 could run to $49 billion. A bitter controversy arose over the relative merits of the Nike-Hercules missile of the Army and the Bomarc missile of the Air Force. Waste and lost motion were indicated. The Committee called for a high level reevaluation of the whole problem of air defense. The House made certain cuts in appropriations for the purpose of focusing attention on the issue and securing high level decisions.

Final action on this issue was as follows: Defense officials agreed upon a master plan which provided for an overall reduction, below the budget, of $32,800,000 in the Bomarc missile program and reprograming of $76,800,000 of fiscal year 1959 funds in the Nike-Hercules program of the Army.

When the Senate passed the defense appropriation bill it reduced the Nike-Hercules and the Bomarc programs below the master plan. An additional $41 million of Nike-Hercules funds were reprogramed for Army modernization. The additional reduction in the Bomarc program was $50 million.

In conference the Senate figure on Bomarc was accepted and not less than $100 million of funds available for Nike-Hercules was made available for Army modernization. The master plan figure was $76.8 million. The original Senate bill figure was $117.8 million.

This action was probably wise but my personal view was that it would probably have been better to have approved in toto the so-called master plan agreement which was submitted by the Pentagon. However, in view of the fact that neither the Nike-Hercules nor the Bomarc affords a defense against ballistic missiles and neither program affords the ideal answer to the need for defense against manned bombers, the action of the conference can be well defended.

Congressional action on fiscal year 1960 defense appropriation bill

Title	Appropriations, 1959	Budget estimates, 1960	Recommended in House bill, 1960	House bill compared with estimates, 1960	Recommended in Senate bill, 1960	Increase (+) or decrease (−), Senate bill compared with—		Conference bill	Increase (+) or decrease (−), conference bill compared with—			
						Estimates, 1960	House bill, 1960		Appropriations, 1959	Estimates, 1960	House bill, 1960	Senate bill, 1960
Title I—Military personnel	$11,809,409,000	$11,624,924,000	$11,614,624,000	−$10,300,000	$11,618,324,000	−$6,600,000	+$3,700,000	$11,638,324,000	−$171,085,000	+$13,400,000	+$23,700,000	+20,000,000
Title II—Operation and maintenance	10,055,281,800	10,502,978,000	10,403,367,000	−99,611,000	10,485,367,000	−17,611,000	+82,000,000	10,437,367,000	+382,085,200	−65,611,000	+34,000,000	−48,000,000
Title III—Procurement	15,263,563,000	13,347,963,000	13,003,013,000	−344,950,000	13,719,113,000	+371,150,000	+716,100,000	13,336,013,000	−1,927,550,000	−11,950,000	+333,000,000	−383,100,000
Title IV—Research, development, test, and evaluation	2,759,953,300	3,772,335,000	3,827,335,000	+55,000,000	3,771,535,000	−800,000	−55,800,000	3,816,535,000	+1,056,581,700	+44,200,000	−10,800,000	+45,000,000
Total, titles I, II, III, and IV	39,888,207,100	39,248,200,000	38,848,339,000	−399,861,000	39,594,339,000	+346,139,000	+746,000,000	39,228,239,000	−659,968,100	−19,961,000	+379,900,000	−366,100,000
Distribution of appropriations by organizational component:												
Army	9,051,701,200	8,985,000,000	9,206,905,000	+221,905,000	9,428,505,000	+443,505,000	+221,600,000	9,375,805,000	+324,103,800	+390,805,000	+168,900,000	−52,700,000
Navy	11,480,310,400	11,107,775,000	11,025,103,000	−82,672,000	11,262,503,000	+154,728,000	+237,400,000	11,006,503,000	−473,807,400	−101,272,000	−18,600,000	−256,000,000
Air Force	17,982,276,800	17,767,200,000	17,228,506,000	−538,694,000	17,530,106,000	−237,094,000	+301,600,000	17,472,706,000	−509,570,800	−294,494,000	+244,200,000	−57,400,000
Office of the Secretary of Defense	1,373,918,700	1,388,225,000	1,387,825,000	−400,000	1,373,225,000	−15,000,000	−14,600,000	1,373,225,000	−693,700	−15,000,000	−14,600,000	----------
Total, Department of Defense	39,888,207,100	39,248,200,000	38,848,339,000	−399,861,000	39,594,339,000	+346,139,000	+746,000,000	39,228,239,000	−659,968,100	−19,961,000	+379,900,000	−366,100,000

PERSONNEL FLOORS

Something should be said about personnel floors. Last year the Senate placed mandatory riders on the defense appropriation bill, requiring that the Army should be maintained at an average strength of 900,000; the Marines at 200,000; National Guard at 400,000 and the Reserves at 300,000. As a compromise in conference between the House and Senate, the mandatory floors for the Army and the Marines were stricken out. The mandatory floors for the guard and the Reserves were approved. This year the Senate provided mandatory floors for the Guard, Reserves, and Marines, but not for the Army.

It is my feeling that legislative matters of this type should not be dealt with by riders on appropriation bills. I feel that these matters should be studied and handled from the standpoint of legislation by the legislative committees of the House and Senate. The executive branch raises a very serious constitutional question in regard to mandatory floors. The Committee on Appropriations has not conducted any hearings on the constitutional aspects of this issue.

I repeat, my personal feeling is that these matters can best be handled through channels other than the Appropriations Committees of the House and Senate. I would like to see the National Guard maintained on a stable basis and I would like to see similar consideration given to the Army Reserves. I think the 400,000 and the 300,000 figures are good and I support them. I have long felt that the Marines should be maintained at 200,000. In the original defense appropriation bill last year the House provided funds to support a Marine Corps of 200,000 men. In the conference with the Senate this year the House conferees agreed on funds for the additional strength above the budgeted figure.

I realize that many Members of Congress and many citizens generally feel strongly that mandatory language should be included in the bill for the Marines, as well as for the Army, National Guard, and Reserves. The next step in this direction would be a mandatory personnel floor for the Navy and for the Air Force.

I simply do not believe that it is practical at this time for the House Committee on Appropriations to fix rigid personnel floors on military personnel. Our duties in connection with a $40 billion defense appropriation bill should not include this responsibility. These issues, I again say, should be dealt with through the House and Senate Armed Services Committees. It is difficult for me to see how logical objections could be made to the course which I suggest.

Now if it ultimately appears to be necessary after a few more years of pulling and hauling on this issue for the Committee on Appropriations to take over and fix personnel floors for the Regular services and for all the Reserve forces, and if it is held within the jurisdiction of Congress to do so, then I shall be glad to do what I can to help achieve good results; but, for the time being, I should like to postpone that date and seek to resolve these issues through processes which appear more logical. I do not want to appear to be wholly inflexible in this matter.

SUMMARY OF BILL

I have inserted in the RECORD a summary tabulation of the bill reflecting the progress of the bill through the Congress, showing the changes made at various stages in the totals for the respective titles and for the respective military departments.

MAJOR FORCES PROVIDED

The true strength of our military forces can only be partially shown by numbers, organizational units and major units of equipment. Such statistics do not reflect real combat capabilities. Nevertheless, these statistics are useful for year-to-year comparisons and as an indication of the vast effort which goes into our defense program. This effort is effectively depicted in the following tabulation summary of major forces:

Department of Defense—Summary of major forces, fiscal years 1958–60

	Actual		Planned—President's fiscal year 1960 budget, June 30, 1960	Provided in the conference bill
	June 30, 1958	June 30, 1959		
Department of the Army:				
Divisions	15	15	14	14
Regiments ROT's	5	5	5	5
Armored combat commands	1	1	1	1
Brigades (infantry)	2	2	2	2
Battle groups (infantry)	[1] 6	8	8	8
Field artillery missile groups (heavy)	2	3	3	3
U.S. Army missile commands	4	4	4	4
Air defense artillery battalions	(87)	(85)	(80¼)	(80¼)
Guided missile battalions	65	73	73¼	73¼
Other	22	12	7	7
Active duty military personnel	898,192	861,294	870,000	870,000
Reserve components personnel (drill-pay status)	667,012	707,375	630,000	700,000
Army National Guard	394,329	399,427	360,000	400,000
Army Reserve	272,683	[2] 307,948	270,000	300,000
Average direct hire civilian employment	413,748	410,318	404,679	401,891
Active aircraft inventory	5,027	5,394	5,363	5,363
Helicopter	2,193	2,438	2,558	2,558
Fixed wing	2,834	2,956	2,805	2,805
Department of the Navy:				
Active ships	891	[3] 847	864	864
Warships	396	376	389	389
Other ships	495	471	475	475
Carrier air groups	17	16	16	16
Carrier antisubmarine squadrons	22	22	22	22
Patrol and warning squadrons	39	42	42	42
Marine divisions	3	3	3	3
Marine aircraft wings	3	3	3	3
Active duty military personnel	830,500	801,174	805,000	830,000
Navy	641,005	[4] 625,336	630,000	630,000
Marine Corps	189,495	[4] 175,838	175,000	200,000
Department of the Navy—Continued				
Reserve components personnel (drill pay status)	172,367	164,083	177,811	177,811
Naval Reserve	129,632	[5] 121,593	135,000	135,000
Marine Corps Reserve	42,735	[5] 42,490	42,811	42,811
Average direct hire civilian employment	371,815	359,134	359,511	357,702
Active aircraft inventory	10,533	9,649	9,117	9,117
Operating aircraft	8,424	7,562	7,200	7,200
Logistical support aircraft	2,109	2,087	1,917	1,917
Jet aircraft as percent of aircraft inventory	(42)	(44)	(45)	(45)
Department of the Air Force:				
U.S. Air Force combat wings (including missile wings)	117	105	102	102
Strategic	44	43	43	43
Air defense	28	27	25	25
Tactical (including airlift)	45	35	34	34
U.S. Air Force combat support forces:				
Air refueling squadrons	48	55	63	63
MATS squadrons	27	27	24	24
Other specialized squadrons	62	58	58	58
Active duty military personnel	871,156	840,435	845,000	845,000
Reserve components personnel (drill-pay status)	118,282	125,738	135,060	135,060
Air National Guard	69,995	70,994	74,500	74,500
Air Force Reserve	48,287	54,744	60,560	60,560
Average direct hire civilian employment	317,318	315,311	313,818	310,957
Active aircraft inventory	22,578	20,890	19,982	19,982
Operating aircraft	18,949	18,260	18,499	18,499
Nonoperating aircraft	3,629	2,630	1,483	1,483
Jet aircraft as percent of aircraft inventory	(62)	(65)	(65)	

[1] Excludes 2 reduced strength infantry battalions redesignated as battle groups for school troop training.
[2] Preliminary. Includes enlisted men undergoing 3 to 6 months active duty training.
[3] On June 30, 1959, there were also 13 ships in "shakedown" status preparatory to joining the fleet.
[4] Preliminary.
[5] As of May 31, 1959.

Some of the highlights of the foregoing table on major forces are explained as follows:

In the field of military personnel, the bill provides for standing forces of slightly over 2½ million men. This includes an Army of 870,000, a Navy of 630,000, a Marine Corps of 200,000 and an Air Force of 845,000. In addition to these regular forces, National Guard and Reserve organizations of the various services with a combined strength of 1,012,871 in a training pay status are provided for in this bill. These figures exclude some 3,350,000 military personnel now on the rolls of Reserve and National Guard organizations who would be available for military service in event of a general emergency.

Under this bill, the Army will have 870,000 personnel with which to man 14 combat divisions including 73 guided missile battalions personnel to provide training, staff, and logistic support for worldwide deployment.

The Navy will continue a 630,000 man force to handle the operation of 864 ships, and 7,200 aircraft. This is a continuation of the same force levels that existed in fiscal year 1959. The warships of the fleet will include 14 attack carriers, 14 cruisers, 238 destroyer types, and 113 submarines. The manning level of the ships will be continued at 81.2 percent.

In considering the Marine Corps, the committee of conference agreed with the action of the Senate in increasing the strength of the Regular Marine Corps from 175,000 to 200,000 for fiscal year 1960. This will enable the Marine Corps to provide combat manning for the three-division three-airwing force it is required by law to maintain.

The Air Force will have on active duty 845,000 military personnel during fiscal year 1960. These personnel will man 102 combat air wings—including missile wings—with an active aircraft inventory of nearly 20,000 planes. The combat forces are divided into 25 air defense wings, 34 tactical wings—including airlift—and 43 strategic airwings. This bill provides and encourages the orderly transition from manned aircraft to missile warfare, and Air Force personnel are being intensively trained to utilize these advanced weapons systems.

Now, let us consider briefly the Reserve and National Guard forces. This bill provides for a combined strength of slightly over 1 million for the three services, as follows:

Army National Guard	400,000
Air National Guard	74,500
Total National Guard	474,500
Army Reserve	300,000
Naval Reserve	135,000
Air Force Reserve	60,560
Marine Corps Reserve	42,811
Total Reserve	538,371
Grand total	1,012,871

These strengths are based on the budget recommendations with the exceptions of the Army National Guard and Army Reserve. The budget proposal for the Army National Guard was 360,000 and 270,000 for the Army Reserve. Again this year, however, Congress continued the strengths of these two components at the higher levels and the bill contains funds for that purpose.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I understand that $35 million is earmarked for preliminary work on a nuclear carrier, that it cannot be spent for anything else?

Mr. MAHON. The gentlewoman is correct.

Mrs. ROGERS of Massachusetts. I am disappointed at not having the larger amount, but I am grateful for this.

Mr. MAHON. In my prepared remarks I elaborate on this issue.

Mr. LANKFORD. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Maryland.

Mr. LANKFORD. I would like to ask the gentleman a question about section 631 as adopted by the conference. As the term "Commercial Air Transportation Service" is used in there, does that mean service performed by air carriers?

Mr. MAHON. When the bill passed the House of Representatives in June it contained certain provisions. Over in the other body changes were made both in the committee and on the floor of the other body in this section. In conference the language of the House was adopted in toto and the language of the other body was stricken, with this exception: The $80 million provided in the House version of the bill was raised in conference to $85 million. With this $85 million the Air Force will have authority to procure transportation. It can procure such transportation from any carrier which is regarded as adequate and competent by the Air Force.

The language is as follows:

> Of the funds made available by this act for the services of the Military Air Transport Service, $85,000,000 shall be available only for procurement of commercial air transportation service; and the Secretary of Defense shall utilize the services of civil air carriers which qualify as small businesses to the fullest extent found practicable.

I realize that the organizations of air carriers want the number of those that can participate in this program restricted to those that are certificated by the CAB as scheduled and supplemental carriers. The language in the House bill does not require this, but all carriers must meet the safety regulations which are laid down by the Federal Aviation Administration.

Mr. LANKFORD. Then the term "air carrier" has the same meaning in this bill as it has in the Federal Aviation Act of 1958?

Mr. MAHON. I believe it would not.

Mr. LANKFORD. It would not?

Mr. MAHON. Because the authority of the Air Force and the Department of Defense is a little broader. One of the reasons for this is that it gives a larger latitude for small business in this field. It just seems to me that it would probably be a good idea to study this whole thing from beginning to end and come up with a legislative bill, not an appropriation bill, that would deal adequately with this issue. It is one of the most controversial portions of the bill, and there has been a lot of pulling and hauling, but the committee has stayed with the House language, feeling that this is the best that can be done at this time.

Mr. LANKFORD. Would the gentleman say that this language means that any operator who is not qualified as an air carrier as defined in the Federal Aviation Act of 1958 is ineligible to bid on the MATS commercial organization? In other words, in order to bid in on this MATS organization, would he have to be qualified as an air carrier as defined in the Federal Aviation Act of 1958?

Mr. MAHON. I do not understand that he would have to be so qualified. I would like to elaborate a little more on this answer. We have the common carrier people. Now, the common carrier people would like to get all possible business that is available through this section, but there is wide latitude in the Department of Defense in the selection of contracts. As long as the air carrier can meet the requirements of safety laid down by the FAA and other requirements laid down by the Department of Defense, then he is permitted to undertake to get part of this business.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from New York.

Mr. ROONEY. When the gentleman uses the words "air carrier" and "transportation," the gentleman means to include cargo carriers certificated by the CAB as well?

Mr. MAHON. Cargo carriers certificated by CAB are included. The little carriers, the big carriers, the certificated carriers, the noncertificated carriers are included in this broad language.

Mr. PRESTON. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Georgia.

Mr. PRESTON. The gentleman is giving his own personal interpretation of this language. He is not adjudicating it here but giving his personal interpretation of what it means.

Mr. MAHON. That is right. This is the same language that was carried last year in the bill, and I am giving it the same interpretation that it received in the Department of Defense last year.

Mr. PRESTON. The gentleman is aware that our concern here today—that is, the concern of the gentleman from Maryland [Mr. LANKFORD] and others—is that when these MATS contracts are offered, people come in who have never been in the airline business and bid and bid down so low that they go out and buy an aircraft or two and take business away overnight, and the small operators who are trying to exist today, who are on the verge of destruction, are getting further into trouble, and that is your problem.

Mr. MAHON. The gentleman is correct that a problem lies in this area. We should not have tissue paper organizations in this operation so far as I am concerned. I think the Air Force has probably gone too far in extending the privilege of contracting to people who do not have sufficient stability and reliability. So, I think the operation needs to be tightened up. But, we did not feel that we should undertake to write a complex law with respect to air carriers in this appropriation bill.

Mr. FLYNT. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Georgia.

Mr. FLYNT. I would like to inquire of the gentleman from Texas if he feels that in the interest of providing maximum safety for the men and women of our Armed Forces who occasionally ride as passengers under this commercial service utilized by the Military Air Transport Service, the gentleman would agree with me that every item involving safety, every item involving qualification of the carrier, should and must be taken into consideration by the Department of Defense in making this determination in which the Department has been given broad latitude in this bill.

Mr. MAHON. I believe that the Department of Defense should take into consideration the reliability of the carrier and certainly the safety of the carrier. We are all aware that the major scheduled carriers of the country have had disastrous accidents and the charter-type carriers have had disastrous accidents. There is no complete assurance of safety in MATS, but the Air Force and the Department of Defense should do everything in their power to get the safest and most reliable transportation that may be available but should follow the language of this provision which gives preference to small business and gives considerable latitude in the Department of Defense.

Mr. FLYNT. But the gentleman does feel that they should be bona fide air carriers within the meaning of the definition as set out in the Federal Aviation Act.

Mr. MAHON. I would not say that. We leave a broader field of administration here for the Department of Defense. It is up to the officials of the Department of Defense to make the selection, and they have been warned before and they are warned now that they must do everything in their power, irrespective of cost, to insure reliable and safe transportation for the men and women of the armed services.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. GROSS. What is the purpose of this augmentation of MATS?

Mr. MAHON. This is an attempt to prevent any further augmentation of MATS. This does not provide additional funds for the operation of MATS. It does provide that of funds available they shall utilize the commercial carriers.

Mr. GROSS. Did not the gentleman say that they were appropriating $85 million for the purpose of contracting the services?

Mr. MAHON. This is not an appropriation here. This is an assignment of $85 million of funds to be used for contracting with air carriers for service.

Mr. GROSS. Certainly. So you are augmenting the facilities of MATS, the service of MATS, are you not?

Mr. MAHON. MATS would have the authority without this language to make contracts and to carry cargo on its own. This is taking away from MATS. This language is opposed by the Air Force. The Air Force and the Department of Defense would prefer no limitation here. This is an attempt by Congress to help small business and to help commercial airlines.

Mr. GROSS. What I am concerned about is this. Is it contemplated that there is going to be a mass movement of junketeers this fall? Is that what some of this money is necessary for?

Mr. MAHON. The movement of nondefense cargo would not be handled through this channel.

Mr. GROSS. It could be, could it not?

Mr. MAHON. This money provides for flying cargo and personnel on commercial, rather than military, aircraft.

Mr. GROSS. Members of Congress taking a junket to Europe—why would they not come in?

Mr. MAHON. They might go on the MATS fleet. This $85 million is for commercial transportation.

Mr. GROSS. But which is contracted for by MATS?

Mr. MAHON. Yes.

Mr. GROSS. So, if you were short a plane in order to take care of a plane load of Members of Congress over there, you could go out and contract for it, could you not?

Mr. MAHON. I do not think that kind of procedure has been followed or would be followed or should be followed.

Mr. GROSS. The gentleman knows that there is going to be a real exodus this fall, does he not?

Mr. MAHON. Next fall.

Mr. GROSS. No; this fall, not next fall. They will have something else to do next fall. They will be having a campaign for their lives next year.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from California.

Mr. YOUNGER. Did the committee give any consideration to treating MATS and Air Transport in the same way that we treat the merchant marine, by dividing up this Government business, so that 50 percent of it will go to the cargo carriers, certificated cargo carriers, and help to build up an air cargo fleet?

Mr. MAHON. As a reserve that we can be sure to have in the event of an all-out emergency, we need MATS. If there were no possibility of war we could dispose of MATS and turn this over to the commercial carriers. But we have to maintain the capacity of MATS at a certain level. The commercial aircraft say it should be much lower. Many in the Air Force say it should be much higher. We are caught in that kind of controversy and this is the best solution we could arrive at on this issue.

Mr. YOUNGER. That same controversy has taken place in regard to the merchant marine. The policy has been laid down by Congress on numerous occasions, in order to keep a merchant fleet available for emergency, that 50 percent of Government business must go in American bottoms. Why cannot we adopt the same policy in the air?

Mr. MAHON. We have Sea Transport, as the gentleman knows. But there is no opportunity to deal with that area at this time. I know the committee would be delighted to have the gentleman appear and outline a program which he thinks is feasible. I am sure that he would receive consideration.

Mr. YOUNGER. I thank the gentleman.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. Mr. Speaker, the gentleman has been eminently fair in trying to arrive at a solution so that we would retain the effectiveness and the capabilities of MATS and the ability of MATS to keep up its proficiency which, in time of emergency, would mean that we would have a MATS capable of carrying out its assignment. Under the present program, MATS is compelled to make certain contracts with certain commercial carriers. Now here is my question. I hope the discussion would not make it possible for an interpretation to be given to this provision of the conference report or the bill that anyone who is not completely qualified would be able to slip in under some provision of law and get business for which they are not qualified.

Mr. MAHON. No action should be taken which would permit anyone to have any business to carry cargo or personnel unless the carrier is qualified in every respect. That is the responsibility of the Department of Defense and it must carry it out.

Mr. RIVERS of South Carolina. Under the Federal Aviation Act which outlines certain financial and certain safety regulations both for freight and personnel, does not the gentleman think that the provision of law should be interpreted by the Department of Defense in the awarding of any of the contracts?

Mr. MAHON. I think the Department of Defense should take into consideration all laws and regulations, as well as commonsense, and the action of Congress in section 631, and I feel sure that such action will be taken. I hope a good job will be done. There is no doubt some room for improvement, but I do not know how we could achieve improvement in this action today.

Mr. RIVERS of South Carolina. We made a study of this problem in the Committee on Armed Services. I have heard of cases where people have bid for and have been awarded contracts to carry MATS business and yet they did not possess one airplane. The gentleman certainly would not want any condition like that to obtain whereby an unqualified man should be permitted to be awarded any contract.

Mr. MAHON. That would be shoddy business practice and indicate poor management. That is the reason I say the Department of Defense is warned to handle this business in a workmanlike, safe, and stable way.

Mr. RIVERS of South Carolina. And we would not want fly-by-nighters to get in under any possible interpretation of the law. Is that not correct?

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield.

Mr. JONAS. Would the chairman of the committee speak to amendment No. 23 briefly? That has to do with procurement. I notice you say the committee of conference is in agreement that not less than $100 million of funds available for Army procurement of Nike-Hercules missiles and supporting equipment shall be reprogramed for Army modernization. Do you mean reprogramed in fields other than the Nike-Hercules missiles?

Mr. MAHON. It would be in Army modernization. In previous appropriation bills we have provided a great deal of money for Nike-Hercules and the air defense program. This whole question has been resurveyed and restudied by the Joint Chiefs of Staff and the Secretary of Defense and others. They have come up with a master plan. That has brought about a condition wherein they have more money for Nike-Hercules air defense missiles than is required. We state that these additional funds, which we claim to be $100 million at this particular point and which the Department of Defense says is a lesser sum, that these particular sums can be reprogramed from Nike-Hercules to Army modernization.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield.

Mr. FORD. In reference to the inquiry by the gentleman from North Carolina, it should be stated that the other body wrote in a proviso which reads as follows:

Provided, That $117,800,000 of the funds available to the Department of the Army for procurement of Nike-Hercules missiles and supporting equipment shall be reprogramed for Army modernization.

In the conference we struck that legislation, which was an impounding and an earmarking, from the bill and substituted instead language in the conference report with a lesser dollar amount.

Mr. JONAS. There is nothing in the report that would restrict or impinge upon the authority of the Army to go forward with the master plan? You are not taking any money away there?

Mr. MAHON. There is a reduction of about $40 million, I believe, in the Army and about $50 million in the Air Force, a reduction which was agreed to in the other body and agreed to in the conference. That is, there is a reduction in the master plan to that extent. I do not know whether that was wise or not. I personally would have gone along with the master plan 100 percent at this time. But that was not the final decision. And of course there are two sides to this question.

Mr. JONAS. I certainly agree with the chairman. I would question the advisability of cutting this procurement.

Mr. ROONEY. Mr. Speaker, will the distinguished gentleman again yield?

Mr. MAHON. I yield.

Mr. ROONEY. I should like to commend the House conferences for their wisdom in providing funds for the commencement of construction of a new and second nuclear-powered attack aircraft carrier. Is it the fact that a commitment has been made to furnish funds in the next year for the completion of this nuclear carrier?

Mr. MAHON. I would not say any commitment has been made. This session of the Congress could not, I think, bind the next session of the Congress.

Mr. ROONEY. Why not?

Mr. MAHON. What we did was to provide $35 million for design and long-lead-time items. If the Bureau of the Budget and the President next year request funds for the completion of the carrier for which $35 million is provided in this bill and there are no important unforeseen developments, I anticipate the funds will be provided. Insofar as I am concerned the issue barring unforeseen developments has now been resolved on the second nuclear carrier. But these issues will be decided not by me but by the Congress itself in its regular procedures.

Mr. ROONEY. Are there in effect any commitments that if the executive branch asks for the balance of the funds, as we expect they will, the committee will furnish them?

Mr. MAHON. There is no committee commitment of which I know. I am expressing my own individual views.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield.

Mr. HOLIFIELD. The gentleman from Texas is aware of the fact that the Subcommittee on Military Operations made a study of the MATS operation and referred their studies and recommendations to the gentleman for his consideration during the hearings on the appropriation bill.

Mr. MAHON. The gentleman is correct. The studies and recommendations were helpful.

Mr. HOLIFIELD. I wish to compliment the conferees on their earmarking of this sum of $85 million for the commercial program by the MATS organization and I want again to call to the gentleman's attention the fact that there is what is known as the Civil Reserve Air Fleet whereby commercial carriers of personnel and cargo can by adding certain modifications to their planes apply for the Civil Reserve Air Fleet, which is a standby emergency fleet for use in time of war.

It is my hope that the committee in its deliberations in the future will take into consideration the merits of having augmented and increased capability in the Civil Reserve Air Fleet; in other words, I believe in this contracting of military procurement where it seems to be advisable. I also believe in the maintaining of a strong MATS organization, but I think the two can be worked out together into a coordinated whole for emergency use in time of war, and I hope the gentleman's committee will consider that carefully.

Mr. MAHON. I would say to the gentleman that the committee is very much concerned about this Civil Reserve Air Fleet, and we believe without exception that the Air Force should do everything reasonably possible to augment this Civil Reserve Fleet. That is one of the matters that will be given continued study by the committee.

Mr. HOLIFIELD. And one of the things that MATS can do in their contracting for services is to require these commercial organizations to make the necessary adaptations of their planes and make precontracts with their employees so that in time of war they could smoothly go into operation for the defense of the Nation.

Mr. MAHON. It does seem to me that the Air Force in making its contracts with these commercial carriers should undertake it with the idea of augmenting the Civil Reserve Air Fleet.

Mr. Speaker, I yield 10 minutes to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Speaker, if national defense is to be made effective, if the Nation is to be strengthened against the greatest threat ever made against it in history—it must be done in this national defense bill.

If this bill is deficient, if it fails to prepare the Nation to meet this unprecedented situation then we risk the wreckage of every major American city and a holocaust in which 20 to 30 millions of our people will die without a chance to strike back. Only this bill stands between us and that catastrophe.

Mr. Speaker, there is one fact which stands out like the headlight on a locomotive at midnight.

It cannot be denied. It cannot be evaded. It cannot be palliated. It cannot be hidden. It stands out stark and grim and menacing against every horizon.

Since 1945 the United States has steadily declined in relative military strength as a world power.

Do not entertain any disillusions about that. There is universal agreement by every competent disinterested authority that every year has found the United States relatively weaker in armament and less influential in world affairs. Every year the United States has been less able to defend itself and its allies. And as a result of that growing weakness we have every year less ardent friends and more aggressive enemies.

But the situation is more alarming than that.

Every year since 1945 Russia has steadily grown in relative military strength as a world power.

Today Russia has more planes than the United States; more tanks, more missiles, more modern rifles, more submarines than the United States. And vastly more men trained and equipped and ready to move at 6 o'clock tomorrow morning.

If anyone here on the floor questions that let him come forward with the proof.

The decline of the United States from a position of commanding military superiority—and the rise of Russia from a fourth-rate power to first rank among the nations of the earth in the last decade is one of the most astounding developments in ancient or modern history—and one of the most alarming.

Mr. Speaker, at the close of the Second World War we had the greatest Navy, the greatest Army, the greatest Air Fleet, the greatest scientific corps, and the greatest industrial capacity of any nation on earth.

So commanding was our position that we did not even negotiate.

We did not confer with Germany or Japan on the terms of surrender. We did not meet in any conferences at Geneva. We did not hold any meetings at the summit, we did not leave unsettled the status of any American national as a prisoner of war. We did not have brush fires kindling anywhere in neutral countries. We wrote out the terms of surrender and said, "Sign" and they signed.

How different is the situation today.

Mr. Speaker, what has brought about this remarkable change? I ask you men, sitting here as Members of the House of Representatives of the United States Congress, what has brought about this incredible change in the relative position of the United States and Russia in so short a time? What is the answer?

It is very simple. It is this bill. It has been the bill which we are now considering and the bills which preceded it in former years. It has been these bills and these conference reports.

There is no other explanation. We have failed in our military bills to keep the superiority which was ours in the beginning. We had every advantage. We initiated these weapons. We invented the airplane, we invented the submarine, we invented the atomic bomb. And then Russia, just emerging from barbarism—coming from behind—with every handicap took them away from us and through her mastery of these weapons is dictating to us today.

Never before, Mr. Speaker, in all the years of the Republic, have we been so insulted and so ridiculed before the nations of the world. Never before has an ultimatum been issued to us by a foreign power.

Our planes have been shot down and we did not even dare to inquire or investigate. Our newspapers hushed it up. Our nationals have been detained in foreign countries and we have been unable to secure their release. What a contrast with the day when Teddy Roosevelt cabled across the seas "Pericardis alive or Razuli dead." But then we were a power, and in 6 hours the American citizen was on his way home. We could not do that today.

We have received orders to withdraw every SAC base in the Arctic Circle and only the most desperate measures have held it in abeyance.

France has ordered us out of her territory. France, whom we twice reestablished as a Nation, has told us to get our bases off French soil. And we are getting out precipitately.

And now we are inviting over here a man whom we said, in every diplomatic language spoken, we would not invite; a man who from his first diplomatic utterance has said that Russia and the United States cannot exist in the same world; who has said the next world war will be fought in the United States and who has promised to bury us; a man who has ridiculed and denounced our religion, our institutions and our efforts to establish world peace, and openly used language in denouncing us released to the press in the last 2 weeks which was unprintable.

The State Department representatives said repeatedly and emphatically he would not be received in the United States.

But now we are inviting him over with a great display of friendship. We are making him respectable and rehabilitating him in the eyes of the world. We are conferring on him the recognition which he will use with neutral nations to further embarrass and exploit us. It will not placate him. It will merely make him more dangerous. He comes as the exponent, the emissary, the advocate of world communism. He is now equipped to defeat us both in the field and at the council table.

What has brought this about? What has made this debacle possible?

One thing and one thing alone.

We stand today exactly where Chamberlain stood when he met Hitler at Munich. Hitler had the planes. England was deficient in air power. Today Khrushchev has the missiles and the submarines. We are deficient in both. We have frittered away on carriers the time and attention and money we should have devoted to the missile and the submarine.

For the last dozen years our military program has paralleled the Russian program. Both nations in their race for supremacy have followed practically the same pattern—with one exception.

We have devoted money and strategic material and technicians and scientists to the carrier—the most costly and the most vulnerable military weapon ever built. Russia has been too wise to build a single carrier. They have copied every weapon we have devised except the carrier.

That has been for the last decade the only difference in the military programs of the two nations. And as result America has dropped every year in relative military power and Russia has risen every year in world priority. There can be no other explanation. It is as simple as that. It is the carrier.

If we had bestowed on missiles and submarines the emphasis, the attention and the resources we have wasted on carriers, we would today be as potent in world affairs, and our people would be as safe, as in 1945.

Mr. Speaker, we should commend the subcommittee, and especially its great chairman, the gentleman from Texas, Mr. MAHON, for the admirable way in which they have met a difficult situation and for the bill which they report today for final action.

They are alert to the trend of the times. They eliminated the carrier and they emphasized the missile and the submarine. And they did it without excessive expenditure. As has been said here before, it is not the amount of money we spend in national defense. It is how that amount is allocated and expended.

Unfortunately the other body clings tenaciously to the past. They amended the bill to include a nuclear carrier—gasoline on the flames which would still further sink American hopes and American security. We rejected the carrier in conference but had to include $35 million for planning. But undoubtedly the rapidly accelerating obsolence of surface ships will by the time the next bill is reported prevent the building of another carrier to further increase the discrepancy between American and Russian power and prosperity.

Unfortunately most of the debate on the conference report here today has been on who will get the contracts. Not a word has been said about adequate national defense.

Mr. Speaker, we are not interested so much in who gets the contracts and who gets the business and who makes the profits and the money.

All we want to do here today is to keep the Russians out of the United States.

Mr. MAHON. Mr. Speaker, I yield 10 minutes to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Speaker, this conference report basically carries out the Defense Department program recommended by the President, with modifications which I think improve the program. The total amount involved in new obligational authority is approximately what the President recommended in January.

The point should be made here today that this legislation improves the Strategic Air Command's striking ability both in aircraft and in missiles. It will implement our Air Defense Command, making it a better operation. The whole Air Force is improved in personnel and equipment.

This conference report will improve the Navy's striking power. It will provide a nuclear carrier, our second nuclear carrier. It will give added emphasis and strength to our antisubmarine warfare potential.

This conference report, on behalf of the Army, provides substantial additional funds for the Army's modernization program. All in all it can be said that this conference report adds to and implements our military strength in all three services.

Of course, as of today we are the strongest military power in the world and this program will keep us in that position. I would like, however, to talk about one or two technical parts of the legislation.

It would appear that the conference report brings about a $19,961,000 reduction in the President's recommendations for new obligational authority. Actually the conference report does reduce new obligational authority to the extent of $19,961,000. However, that will not bring

about a corresponding reduction in the expenditure figure in fiscal 1960 because the House and the Senate and the conference report make some changes in what we call transfers from the stock funds and the industrial funds. In reality, this conference report will at least maintain the President's expenditure forecasts for fiscal year 1960.

The House and Senate transferred an additional $81 million in obligational authority from the Army stock fund to the Army personnel account. This transfer of obligational authority from the stock fund to the Army personnel account will result in $81 million in expenditures in fiscal 1960, although the transfer on the surface helps to bring about this $19 million reduction in new obligational authority in fiscal 1960.

In addition, the conference report approves a $9 million transfer from the Marine Corps stock fund to the Marine Corps personnel account, above the budget estimate. The net effect of this is to decrease the apparent new obligational authority in fiscal 1960. At the same time there is no reduction in expenditures below the budget.

I just want to emphasize again that although we have apparently reduced the obligational figure below the President's budget, in effect we are not making any reduction in the expenditure program for the fiscal year.

Let me turn to the conference report and ask that you look at page 8. You will have noted there that I, as a conferee, took exception to the action by the House conferees on amendments Nos. 4, 7, 8, 10, 11, 14, 16, and 19. Those were amendments added by the Senate. As a House conferee I did not agree to the decisions of the House and Senate conferees in going along basically with these Senate amendments. They all refer to mandatory floors on the Army National Guard, or the earmarking of certain funds in various accounts for the Army National Guard, the Army Reserve, or the Marine Corps active duty strength.

The House bill did not contain any floors for the Reserve or the National Guard. I think the House bill was right and the Senate version was wrong. I am against floors on appropriation bills for any service, active or reserve. If the House Committee on Armed Services and the corresponding committee in the Senate want to write that kind of legislation they should do it. We should not do it on an appropriation bill. The Committee on Appropriations is altogether too frequently criticized for writing legislation on an appropriation bill. We should avoid that criticism by abstaining from such amendments. In my judgment we should not have this kind of legislation here before us today.

As I previously mentioned, the other body earmarked certain funds for the Marine Corps, for the Army Reserves, and the Army National Guard. They said if a portion of the funds out of a total were to be spent, they had to be spent for a specific purpose. I do not believe in the long run this is to the advantage of the Congress, to earmark funds whether it is for the active-duty forces or for the Reserve forces. For those reasons I objected to the action taken by the House conferees on those amendments which I indicated. I believe the Army National Guard should be kept at 400,000. I believe the Army Reserve should be kept at 300,000. But I am opposed to mandatory floors, and I am opposed to the earmarking of funds.

Mr. DEROUNIAN. In view of the fact that both the Senate and the House deleted $50 million for MATS, can the gentleman explain the action of the other body in putting in $30 million in the supplemental for this purpose?

Mr. FORD. I believe the gentleman from New York refers to the action by the House and by the other body in eliminating $53 million for the proposed Air Force procurement of what we call C-jets. Those are swing-tail modern jet cargo planes. The issue was not in controversy between the House and the other body in the conference because the proposed procurement had been deleted in both instances. I am now told on the supplemental appropriation bill the Appropriations Committee of the other body has included $25 million for a proposed procurement of these same aircraft. They are called C-jets. In addition, the Senate committee added $5 million for research and development in a turbo-fan aircraft. This is an unusual procedure, and it seems to be completely contrary to what the Defense Subcommittee and the House and Senate have just done and are doing. As a conferee I would certainly vigorously oppose these funds in the supplemental appropriation bill, because it is contrary to what our subcommittee in its conference report has agreed to.

Mr. DEROUNIAN. I thank the gentleman.

Mr. FORD. I have one other comment, Mr. Speaker, with reference to the long discussion that the chairman, the gentleman from Texas, had in reference to section 631. This discussion points out the problems we had in conference in trying to resolve this issue presented by amendment to section 631. I believe the House language can be interpreted properly so that the Air Force does business with reliable and responsible contractors. The Air Force has authority under the House language to impose certain responsible restrictions on those who seek business from the Department of Defense. I thought that the Senate committee language was preferable without the language which was added on the floor of the other body. However, the Senate conferees receded so there was no opportunity for the House members of the conference committee to do anything except stand by our own language, which of course is what will now be in the law. The Air Force should not do business with so-called paper organizations. I understand they have accepted bids from commercial contractors who did not hold, by title or by lease, equipment. Then these paper organizations would go out and make a contract with a commercial carrier. That kind of operation should not be condoned. I hope our subcommittee will hold some hearings in the next session to find out to what extent that practice has prevailed.

If that practice is still in existence then we should take firm action in the next session of Congress to prevent it.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. JONAS. Amendment No. 29 would indicate that the conferees added $92 million above the bill as it passed the House for Air Force missile procurement. Is any part of that $92 million for additional Bomarc missiles?

Mr. FORD. Seventy-nine million, nine hundred thousand dollars of that amount was for the purpose of bringing the Bomarc funding partway up to the amount recommended by the Secretary of Defense for the so-called master plan of air defense. The amount recommended by the Secretary was $129.9 million.

Mr. JONAS. Can the gentleman explain why the conferees added money to bring the Bomarc aspect up to the master plan and cut down on the Nike-Hercules below the master plan?

Mr. FORD. As I understand the situation, and the Chairman can correct me, under the master plan the Secretary of Defense said that in the Nike-Hercules program they could take a $76 million reduction. The Senate wrote into the bill language that they should take a $117.8 million reduction. We struck the mandatory language from the bill and said that up to $100 million could be taken from Nike-Hercules and spent for the modernization.

Mr. JONAS. The net result is that we are not up to the master plan with respect to Nike-Hercules, yet we are to bring the Bomarc plan up.

Mr. FORD. There is nothing mandatory in it, and there is a difference of $24 million.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. MAHON. The master plan on Nike-Hercules was reduced by the Senate by $41 million. The master plan on Bomarc was reduced by $50 million.

Mr. FORD. In conclusion, I would like to say that this is a good defense bill. It is basically the President's recommendations with modifications which the Congress has made, and in most cases all to the good. I have no fear that we have adequate strength militarily not only to protect ourselves but the free world from aggression wherever it might occur.

Mr. MAHON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER pro tempore (Mr. ALBERT). The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 8: Page 6, line 16, insert ": *Provided further,* That the Army National Guard shall be maintained at an

average strength of not less than four hundred thousand for the fiscal year 1960 including not less than fifty-five thousand input into the six months training program during fiscal 1960 and funded from this appropriation: *Provided further,* That $43,000,000 of the funds provided in this appropriation shall be available only to meet the increased expenses to maintain the Army National Guard at an average strength of four hundred thousand during the fiscal year 1960."

Mr. MAHON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 8, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert ": *Provided further,* That the Army National Guard shall be maintained at an average strength of not less than four hundred thousand for the fiscal year 1960: *Provided further,* That $43,000,000 of the funds provided in this appropriation shall be available only to meet the increased expenses necessary to maintain the Army National Guard at the strength provided for in this Act."

Mr. MAHON. Mr. Speaker, I yield 5 minutes to the gentleman from Florida, a member of the committee [Mr. SIKES].

Mr. SIKES. Mr. Speaker, the distinguished gentleman from Missouri [Mr. CANNON] made a very significant observation a little while ago which I hope every Member of the House heard and appreciated. He pointed to the fact that our diplomatic problems are in considerable measure stemming from the increased military stature of the Communist world. Russia is leading from strength, and she knows our every weakness. I believe that our problems in Berlin are attributable directly to the situation which the gentleman from Missouri has described.

For a number of years we have been retrenching in certain important phases of our military organization. At the same time we have been building up in others, notably in atomic weapons and atomic capability. But because of the limited numbers of superweapons, and because of delays in their development, we do not have an all-powerful force which commands the prestige of our late World War II military organization. While we do have a very strong defense, it does not overshadow the Russian military machine as our forces did in the 1940's.

Our problem has been to provide an adequate defense without a huge increase in cost. The development and procurement of modern weapons, and even the housing and maintenance of forces costs so very much that we are hard pressed to hold any reasonable level of defense with the funds that are budgeted. Even so, the costs of defense are creeping up about a billion a year.

We had thought that our allies would build up their military organizations to supplement the deficits which occur in our own military organization as the result of concentration on the superweapons, but that has not been true.

On the other side of the Iron Curtain the Russians apparently are spending whatever funds and taking whatever steps they think are necessary to insure a strong and balanced military posture to provide the backing for vigorous diplomatic and propaganda activities.

I would like, however, to point to the fact that this is the second bill which has made a material contribution toward correcting that situation. Under the very able leadership of the gentleman from Texas [Mr. MAHON], chairman of the subcommittee, our committee brought to the House last year a bill which made important strides toward better balance in our own military posture and improved strength for the free world. The bill today is a second step in the same direction, and it, too, makes extremely important contributions.

Now, these changes take time. The additional modern weapons which these bills bring to our military organization cannot be achieved overnight. They are not effective simply upon the passage of an appropriation bill. But we are moving in the right direction, and this bill is, I think, one of the best and in some fields it is the best that I have seen brought to the floor of the House.

I am pleased at some changes that the conferees have agreed to. It is important that we begin a nuclear-powered carrier. The carriers now in our fleet are getting old. They are the conventional-powered carriers which are becoming obsolete very rapidly. In order that there not be too big a gap between yesterday's carriers and tomorrow's carriers, it is important that a start be made on the nuclear carrier.

I am also very glad, Mr. Speaker, that funds have been added for Army modernization. This is one of the big weaknesses that has persisted for a number of years, and this bill makes the first significant attempt since World War II to correct that weakness.

Nothing in the bill is of greater importance than the fact that the conferees have preserved substantial funds for improvement in our posture in antisubmarine warfare measures. In view of the tremendous number of Russian submarines this undoubtedly has been the greatest single weakness in our defense program, both because of lack of emphasis and because of difficulty in making progress in this field.

I am glad to see that the conferees have insisted on keeping in the bill funds for a stepped-up missile program. Here is a weapon of today, if you please, not of tomorrow, a weapon of today against which there is no effective defense, and a weapon which Russia certainly will respect.

Mr. Speaker, it is very significant that all of this was done without exceeding the budget estimate. There is a salutary contribution, and much credit is due those who made it possible.

There is some concern as to whether the changes will be honored by the administration and the Department of Defense.

The SPEAKER pro tempore. The time of the gentleman from Florida has expired.

Mr. MAHON. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. SIKES. Mr. Speaker, of course, the Congress cannot in most instances insure that the administration spend the money provided in this bill. But I feel the documentation which accompanies these appropriations is complete and well done and thoroughly thought out and that there is every justification for full and complete support on the part of the administration and the Department of Defense for the changes in the budget proposals which the committee recommends. All of them contribute to a stronger defense for America.

Mr. Speaker, I want to focus attention upon one particular aspect of this bill, not a costly one insofar as money goes but a very important one in our defense establishment, and that is the status of the organized Reserves. In the fiscal 1960 budget it will be noted that adequate funds are provided in the bill to provide a Reserve force of 300,000 during the fiscal year.

It is significant to me, however, that mandatory language is included in this bill which will insure a strength of 400,000 for the National Guard, and there is no such insurance for the Organized Reserves. The Senate provided mandatory language for both the Guard and the Reserves, and it is disappointing to many people that this mandatory provision for the Reserves was dropped in conference.

Now, obviously this variation could be interpreted as a lesser degree of interest on the part of the Congress in the Reserves. It could even be interpreted as an invitation for the Department of Defense to cut the Reserves to a strength of 270,000, which the Department recommended in its presentation before the committee. But certainly such a step would be contrary to the wishes of Congress, which are clearly expressed in both the House and the Senate, that a strength of 300,000 be maintained in fiscal 1960 for the Reserves.

Now, there is, of course, the possibility, in order to insure that its wishes will be carried out, that the House will instruct its conferees to accept the mandatory strength language of the Senate. Fortunately, this will not be necessary. On yesterday, at the insistence of House Members for clarification of this issue, the House Subcommittee on Defense received clear assurance from the Department of Defense and the Department of the Army that the wishes of Congress will be respected and the strength of the Reserves maintained at 300,000 during the current fiscal year as set forth in the program agreed on by the House and by the Senate. There is a printed record of the hearings which brings out this fact.

I would like to say here, Mr. Speaker, that I consider this clear understanding an important contribution toward better working relations with the Department of Defense and a recognition of the fact that Congress, too, has constitutional responsibilities for the maintenance of a proper defense.

The SPEAKER. The time of the gentleman from Florida has expired.

Mr. MAHON. Mr. Speaker, I yield 5 minutes to the gentleman from Montana [Mr. ANDERSON].

Mr. ANDERSON of Montana. Mr. Speaker, I appreciate the clarification of the position of the Reserve with respect

to the 300,000-man strength situation as just outlined by the gentleman from Florida [Mr. SIKES], a distinguished member of the Army panel of the Committee on Appropriations. The amendment which is presently before the House is one which makes a slightly different arrangement for the National Guard than the conference committee proposal for the Army Reserve. I asked for this time in order that I might ask the distinguished chairman of the subcommittee two or three questions in this connection. I would ask, since the initial situation is currently identical between the Reserve and the National Guard, why the conference committee has adopted two different solutions for the same problem.

Mr. MAHON. I will say to the gentleman that in the bill which passed the House there were no mandatory floors for any of the services. In the other body mandatory floors were fixed for the Marines, the National Guard, and the Reserve. A majority of the House conferees took the position that the mandatory language with respect to floors could not suitably be included in an appropriation bill. As a compromise, mandatory language was approved only for the National Guard. Compromises may not in all cases be completely logical, but the logic behind our action in this case was that the National Guard is more of a State organization than is the Army Reserve. The Army Reserve is more exclusively a Federal force. It was in part on the basis of this difference in the two organizations that the agreement was reached. But, as far as I know, it was the unanimous feeling of all of the conferees that the Guard ought to be maintained at 400,000; that the Reserve should be maintained at 300,000, and that it was desirable that the Marines also be maintained at the 200,000 level which had been fixed in the Senate. The House agreed to the funds providing for the maintenance of the Marines at a strength of 200,000.

Mr. ANDERSON of Montana. And the chairman would agree that as the result of the House acceptance of the committee report, and of conference report it is equally the will of the Congress that the Army Reserve should be maintained at 300,000 and the Army National Guard at 400,000?

Mr. MAHON. The gentleman is exactly correct. There is no distinction in intent of the conferees as between the National Guard and the Reserve.

Mr. ANDERSON of Montana. And we have the assurance with respect to the Army Reserve that, although it is not written into this bill, it is the intention of the Department of the Army and the Department of Defense to maintain the Army Reserve at a strength of 300,000?

Mr. MAHON. We have been given that complete assurance. If that assurance had been given earlier, I think there would have been no floor on the Guard, either, and the will of the Congress would have been accomplished by that method for the fiscal year 1960.

Mr. ANDERSON of Montana. We have previously on occasion seen the Army's intentions overridden by the Bureau of the Budget many times. In the opinion of the distinguished chairman of the subcommittee on military appropriations, will the assurance that the subcommittee has received be adequate to insure that the will of Congress in this matter be assured against violation by the Bureau of the Budget?

Mr. MAHON. I cannot peer into the future and know for sure what may develop, but I have every confidence and I believe that the will of Congress with respect to the Guard and the Reserve will be respected.

Mr. ANDERSON of Montana. A further provision which has been taken out of both Senate amendment No. 7 and Senate amendment No. 8 provided for a floor under the number of 6-months trainees. This section has been taken out of both Senate amendments. Does the distinguished chairman feel that there is still a continuing pressure upon the Department of Defense and the Department of the Army to carry out the authorized program for 6-months trainees which the Army Reserve and the Army National Guard agree is essential to maintain their strengths?

Mr. MAHON. I will say to the gentleman from Montana that that is my honest belief. The language proposed by the Senate on the 6-month trainees created some difficulty with respect to whether or not it would have to be maintained at that precise level. It is my understanding that it is the intention of the Department of Defense to utilize this figure of about 55,000, more or less, depending upon the circumstances which may develop and which are not completely foreseeable.

Mr. ANDERSON of Montana. The funds are provided to train 55,000 6-month trainees for the National Guard and 44,000 for the Army Reserve. In implementing the congressional intent to maintain an Army Reserve of 300,000 and a National Guard of 400,000, it would appear that common sense and a desire to build effective civilian components would reinforce the moral obligation which the Pentagon now has to carry out to the full this 6-month trainee program. It is one military program that has had universal acclaim from the Army, the parents, and the trainees, and from Reserve commanders charged with building effective units.

Mr. Speaker, it is the clear will of Congress that the Army Reserve be maintained at a strength of 300,000 in paid drill status. Money has been appropriated for a Reserve of that size, and to provide an input of 44,000 6-month trainees. We now have the assurances of the Department of the Army and of the Department of Defense that the will of Congress in this matter will be respected and a 300,000-man Army Reserve will be maintained. I am satisfied that those assurances will be kept.

The SPEAKER. The time of the gentleman from Montana [Mr. ANDERSON] has expired.

The question is on the motion offered by the gentleman from Texas [Mr. MAHON].

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 21: On page 21, line 17, strike out "$400,000" and insert "$800,000, of which $400,000 shall not be available unless H.R. 5674 or similar authorization is enacted into law:".

Mr. MAHON. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 34: On page 30, line 9, insert ": *Provided further*, That no part of this appropriation shall be used for construction, maintenance, or rental of missile testing facilities until the fullest practical use is made of testing facilities and equipment at existing installations or those now under construction."

Mr. MAHON. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 38: On page 46, line 21, insert ": *Provided*, That this amount shall be available for apportionment to the Department of the Army, the Department of the Navy, the Department of the Air Force, and the Office of the Secretary of Defense as determined by the Secretary of Defense."

Mr. MAHON. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 40: On page 47, line 23, insert:

"SEC. 633. During the current fiscal year, the Secretary of Defense, with the approval of the Bureau of the Budget, may, whenever he deems it advantageous to the national defense to accelerate any ballistic missile program or nonballistic strategic or tactical missile programs, transfer to any appropriation for military functions under the Department of Defense available for research, development, test, and evaluation or procurement and production of ballistic missile systems or nonballistic strategic or tactical missile programs, up to 10 per centum of the amounts programed for obligation during the current fiscal year for research, development, test, and evaluation, procurement, and production or operation and maintenance of missile systems or continental air defense programs: *Provided*, That any appropriations transferred shall not exceed 10 per centum of the appropriations from which transferred: *Provided further*, That the Secretary of Defense shall notify the Appropriations Committees of the Congress promptly of all transfers made pursuant to this authority."

Mr. MAHON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 40, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SEC. 633. During the current fiscal year, the Secretary of Defense, should he deem it

advantageous to the national defense to accelerate any strategic or tactical missile program, may transfer under the authority and terms of the Emergency Fund an additional $150,000,000 for the acceleration of such missile program or programs: *Provided,* That the transfer authority made available under the terms of the Emergency Fund appropriation contained in this Act is hereby broadened to meet the requirements of this section: *Provided further,* That the Secretary of Defense shall notify the Appropriations Committees of the Congress promptly of all transfers made pursuant to this authority."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members who have spoken on this bill or participated in the discussion thereof may have permission to revise and extend their remarks; and that all Members may have permission to extend their remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

KHRUSHCHEV'S PROPOSED VISIT IS UNTIMELY

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. I do not believe that there is any valid reason for us to expect anything good from this exchange of visits. If Khrushchev demonstrates his willingness to come to some reasonable agreements in Geneva, or any other place, then a summit meeting—or his meeting with President Eisenhower—may serve a constructive purpose. Until that happens, however, we are wasting time, and in addition, we may be playing right into his hands.

The agreement to exchange Eisenhower-Khrushchev visits may lull the U.S. people into a dangerous and false sense of security; it may also cause frustration and shake the morale of our allies bordering the Communist empire, of the people of Communist-dominated countries, and of the uncommitted countries.

I have always believed that an exchange of persons, under proper circumstances, can be helpful and constructive. It aids mutual understanding of each other's way of life, position, and principles.

In this instance, however, I am very sceptical about the proposed exchange of visits between President Eisenhower and Nikita Khrushchev.

In the first place, I doubt that it signifies any change of heart on the part of the Communist chief, and that any good is going to come out of it.

I say this for the following reasons:

Our Secretary of State, and the Foreign Ministers of our allies, have been meeting with the Soviet representatives in Geneva for 2 months. They have not settled the issue of West Berlin, or the issue of security arrangements for Europe. The Communists have been adamant in obstructing any reasonable settlement. Further, Mr. Khrushchev himself has continued to denounce our country, and to threaten to blast us off the face of the earth.

If there was any change of heart on the part of the Communists—if they had any good will—it would have showed up in a concrete form at Geneva. There is no evidence, however, of a quid pro quo or that Communist aims and objectives have changed one iota.

My second reason is this:

Mr. Khrushchev is not going to learn, through his visit, anything about our country that he does not know already. His two right-hand men have been here recently. Both of them—Mikoyan and Kozlov—toured our country from coast to coast. Khrushchev certainly knows what they saw and learned here. He is not going to learn any more by coming here himself.

Thirdly, I am deeply concerned about the effect of Khrushchev's visit on our allies, on the uncommitted nations of the world, and on the peoples of the Communist-dominated countries.

What conclusions can they reach about his visit to the United States?

It may appear to our allies that we are going to deal with Khrushchev directly, and bypass them. This will not help to strengthen the unity of the free world. On the contrary, it can put some serious cracks in our ranks.

And what about the other peoples—the uncommitted nations, and the people of the Communist-enslaved countries? What will they think about our getting chummy with Comrade Khrushchev? I am sure that I need not say any more about their feelings.

Fourthly, we must also remember that Comrade Khrushchev has some serious problems on his hands. We did not back down in the face of his ultimatum on West Berlin. He lost some face there. The Communist massacre in Tibet has opened the eyes of some uncommitted nations, and they are becoming aware of the true aims and methods of communism. Mr. Khrushchev would undoubtedly like to divert attention from Tibet. What could be better for him than to bring his smiling face to the United States, and try to convince the world that he is really a nice, peace-loving fellow? His trip to the United States can help him save face, and lull the world into believing that Khrushchev really wants peace.

These, then, are the reasons why I am sceptical and deeply concerned about Khrushchev's proposed visit to the United States.

He has nothing to lose, and everything to win. And this exchange of visits may be playing right into his hands.

AERIAL MOBILITY OF GROUND FORCES CRITICALLY LACKING: NEW LEGISLATION WOULD SOLVE PROBLEM

Mr. ANDERSON of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. ANDERSON of Montana. Mr. Speaker, those who insisted that the threat of massive retaliation would assure our national security, those who would place dependence on a single type of weapon, those who said the ground soldier was obsolete, no longer persuade the public mind.

The American people realize that we must be prepared to meet, and defeat, every Communist aggression, whether political subversion, economic warfare, all-out nuclear warfare or limited war, each of which has won the Soviets victories in the past. If the Communists can defeat us in any field, with any weapon, they will. There is no one-shot defense, no easy way out, no way to cut the budget and still provide for the national security. America must be able to fight and win, no matter what the time or place or weapon of the Soviet attack, in the air, or on the sea, or on the ground.

During the past year, the Congress has faced up to the fact that a limited war is much more likely than an all-out nuclear holocaust. These limited wars, or brushfire wars, require a force in being ready for combat. That is the Seventh Army in Europe, plus the so-called STRAC—Strategic Army Corps—force, and the United States Marines. These forces have the major responsibility for dealing with the limited military outbreaks. It is these men in uniform who must be able to deal with the emergencies on the ground.

How can we meet this manpower threat posed by the Communist high command? STRAC now consists of three divisions kept in the Continental United States. STRAC was formed with the idea of being ready to go anywhere on the globe in a hurry and ready to hit hard. STRAC was planned to be the Army's thunderbolt in this atomic age when the swift extinction of a small fire is just as important as the power to expand a large one until whole continents are fried to a crisp by nuclear attack. Yet STRAC does not have enough modern equipment, it does not have enough air transport, it does not have enough sea transport.

STRAC airborne troops could be ready to move within 24 hours, but with present planning and equipment it would take 17 days to airlift a single division. By that time, the Soviet divisions could have pushed through, seized their objectives and consolidated their position.

We need to make STRAC the effective force it was planned to be. We must accept the fact that the initial stages of any conflict, at any time in the

next couple of years at least, will be between ground forces. We must be prepared to equalize the present disproportion of manpower with tactical atomic weapons. We must be prepared to win a limited war.

If we are to win, we must be able to put out troops where they are needed in a hurry. I am today introducing a bill, enactment of which would go a long way toward providing "seven league boots" commensurate to the global job that faces us. Senator STROM THURMOND is joining me with introduction of identical legislation in the Senate today.

Our legislation would authorize the purchase of 200 C–130 type combat transport aircraft, manned by the Air Force Reserve, whose mission shall primarily be for the transportation of ground combat units of the Armed Forces, such as the Strategic Army Corps.

It is recognized and acknowledged by military leaders of all services that the capacity of reserve forces to participate in combat operations figures significantly in the formulation of national strategy.

The mission of the Air Force Reserve is to provide airlift capability in support of the Tactical Air Command and the Military Air Transport Service, which in addition to their commitments with respect to highly mobile tactical air strike forces, must provide the Army with the air transportation required to move troops with the utmost dispatch to any corner of the world.

There is no question but that the Air Force Reserve has been carrying out its mission with outstanding efficiency and could handle this job. Air Force Chief of Staff, Gen. Thomas D. White, in connection with a recent joint operation remarked that "the excellent performance of the Air Reserve Forces in this exercise confirms the fact that they are members of the first team." He was speaking of a joint Army Air Force maneuver, Dark Cloud/Pincone II, just concluded last month in North Carolina, in which the Air Force Reserve dropped thousands of members of our Army's famous 82d Airborne Division with such skill and dispatch as to earn the warmest applause and thanks of our Army and Air Force Field commanders.

Maj. Gen. Henry Viccellio, commander of TAC's 19th Air Force, made a public statement following this exercise that was very reassuring—he said: "The Air Reserve components, both Air National Guard and Air Force Reserve performed right along with the regular units of MATS and TAC with the same efficiency and competence as the regulars." General Viccellio should know what he is talking about. Last year in the Lebanon crisis he was commander of all Air Force units that were utilized in that operation.

It is notable that the stature of the Reserve components with respect to the active establishment has been attained in spite of the fact that they are equipped with obsolete aircraft of restricted range and limited capacity. In effect, the Reserves are operating in the strategic environment of the nuclear age while using aircraft designed for the concepts of World War II.

Let me cite a few comparative figures both with respect to cost and capability to demonstrate what can be accomplished by providing these Reserve units with the kind of equipment they deserve—air transport similar to or better than the C–130.

The C–119 now in use has a capacity of 42 troops, or 10,000 pounds of cargo, and a materially restrictive range of approximately 1,000 miles. The C–130 mentioned can accomodate 96 troops with full field equipment, or 35,000 pounds of cargo. The inherent range of the C–130 is 3,200 miles, and this can be extended to global capability by the use of aerial refueling—a feature, incidentally, which is not included in the design of the C–119. The C–130 is the aircraft which enabled the Air Force and the Army to resolve the crisis in Lebanon last year by snuffing the spark of brush-fire war before it could burst into flame.

The C–130 combat cargo is a larger and therefore more expensive aircraft, but the figures show that for an operating cost of about one-third more per wing, the yield in usable, practical airlift is well above double.

Furthermore, military experience of recent years has demonstrated that Reserve elements are capable of responding to emergency requirements with a reaction time comparable to that of units in the active establishment. Obviously, then, their value in event of national emergency closely approaches that of active components. But the cost of maintaining a Reserve wing of C–130 or similar aircraft—fully manned, equipped, and ready for utilization—is about $8 million per year less. Is this not a factor worthy of our consideration since the combat effectiveness has been established?

There are more than 37,800 pilots and 17,300 navigators and other rated officers enrolled on the rosters of the Air Force Reserve. Here is a giant pool of aviation skill and experience which can be exploited in building the bulwark of strength which we agree is needed. These men are capable. It is our duty to provide them with the tools they need to fulfill their mission.

In summation, I should like to reestablish these main points.

The acquisition of 200 C–130 or similar combat cargo planes in the hands of the Air Force Reserve will:

First. Satisfy the Army and Marine requirement for airlift for a local or general war without jeopardizing the limited in-being capability of the Active Air Force;

Second. Provide needed postwar airlift of occupation forces and equipment;

Third. Provide a global, high-speed airplane that can accommodate a large missile or a light tank;

Fourth. Reduce maintenance costs per ton-mile over the obsolete World War II C–119; and

Fifth. Better utilize the thousands of trained Reserve air crew personnel now on our rosters.

A SOUND DOLLAR IS THE BASIS FOR FUTURE GROWTH AND SECURITY OF THE NATION

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. Mr. Speaker, I have today introduced a companion House concurrent resolution identical to the Resolution 367 introduced on July 30 by my colleague, the Honorable GLENN CUNNINGHAM, of Nebraska, which provides as follows:

Whereas the Constitution delegates solely to the Congress the power and duty to lay and collect taxes, pay the debts of the Nation, and borrow money on the credit of the United States; and

Whereas the continued appropriation of more money from the Treasury than is received by it is a primary cause of inflation; and

Whereas inflation robs the worker of his wage increase, the businessman of a just return on his investment, and the retired person of his savings; and

Whereas inflation discourages thrift and saving by lessening the value of money saved and thus is contrary to the traditional American way of saving for emergencies and future needs; and

Whereas inflation causes concern in foreign countries as to the stability of the American dollar, thus causing an adverse effect on this Nation's position in the world markets: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that a sound dollar is the basis for future growth and security of the Nation, its people, its industries and businesses, and its governments, and that in order to maintain a sound dollar it must be the duty and obligation of the Congress—

(a) to conduct its business so that income will exceed outgo from the Treasury except in time of war or other grave national emergency;

(b) to provide for systematic payments on the outstanding financial obligations of the Nation to reduce the present interest cost of the national debt and its burden on future generations; and

(c) to use every available means to reduce the rates and types of taxation on individuals and businesses in order to stimulate the growth of the economy and protect the security of the Nation.

Mr. JENSEN. Mr. Speaker, the time is far past due for Congress to stop spending more than the revenues collected by our U.S. Treasury from our already overburdened American taxpayers.

Every informed American citizen knows that, unless the reckless spending spree is stopped effectively that private as well as Federal bankruptcy will surely befall us.

I sincerely hope and pray that this resolution will be adopted before this session of Congress adjourns. We dare not do less or suffer the consequences.

THE LATE LYDIA LANGER

Mr. BURDICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. BURDICK. Mr. Speaker, I have just learned of the death of Lydia Langer. Lydia Langer was the wife of our distinguished senior Senator from the State of North Dakota.

I have known Mr. and Mrs. Langer for over the past 30 years. In fact, I was associated politically with Mr. LANGER for a great number of years. This loss will be felt by thousands of our citizens in North Dakota and outside of North Dakota.

Mrs. Langer had a unique career in her own right. At one time she was a candidate for Governor of North Dakota when her husband, because of legal obstacles, was unable to run. She stood constantly by his side all during his public life and his private life. She was a devoted wife and loving mother. She leaves four fine daughters. My sincere sympathy goes to the Senator and his four daughters.

THE DEATH OF MRS. LANGER

Mr. GLENN. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. SHORT] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SHORT. Mr. Speaker, it is not with surprise, but with a feeling of deep regret that I just received word of the death of Mrs. Lydia Langer, the wife of North Dakota's distinguished senior Senator. All of us in North Dakota have been aware for many months that Mrs. Langer was suffering from an incurable disease, and her passing was accepted as inevitable. She has made a valiant fight and from time to time it appeared that the cancer that afflicted her was being thwarted. Fate has decreed otherwise, however, and today we learn that death has taken one of North Dakota's finest ladies.

Mrs. Langer occupied an unusual place in the esteem of the people of North Dakota. While our senior Senator has been a rather controversial figure in the public eye his wife never shared any of the opposition accorded our senior Senator. Whether or not people agreed with BILL LANGER, his wife always was held in the highest possible regard and very justifiably so, in my opinion. She was a fine lady in every possible application of that term.

Words are completely inadequate to comfort a husband and family at the time of the loss of a wife and mother.

I am sure that I reflect the sentiment of every person in my State when I express my sympathy to Senator LANGER and the members of the Langer family.

THE TRIVIA ON TELEVISION: EITHER VAPID OR VIOLENT

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, the television networks do not realize the great possibilities of the medium at their command.

Maybe they in turn are the slaves of the sponsors and their advertising agencies.

In any case, the content of television programs leaves very much to be desired. The murder, mayhem, pathos, slapstick, and talking singers are keyed to the lowest common denominator in the viewing public. It is not so much that the programers seem to consider all of us as children, irrespective of age, that irritates us as much as the fact that they cater to our inclination toward juvenile delinquency that we outgrew years and decades ago.

When is television going to provide us with the wholesome and happy entertainment, and the human dramas that do not depend upon a gun or a handkerchief for a solution?

More and more Americans are disturbed by the failure of television to develop its true potentialities.

As an example of that mounting criticism, I recommend for your consideration the following forthright editorial titled "Togetherness," from the August 2 issue of the Lawrence Sunday Sun, published in Lawrence, Mass.:

TOGETHERNESS

There's a word that's beginning to grind on our nerves. It's that increasingly used and increasingly trite "togetherness."

Supposedly, it is descriptive of a cozy condition involving a family or other group in which everyone has the same objectives. That's all very well and good. We like the idea of affinity so long as it is on the proper side of the social ledger.

Togetherness has a variety of applications. In one sense, it has a most acceptable definition when it pertains to the family. It also is pertinent to community effort for the public weal.

But when you apply togetherness to industries like television, you encounter a maze of conflict.

Not of late, but for years, there has been a relentless bombardment of television programs which are anything but contributory to the welding of that tight little knot known as the family group.

There is too much glorification of crime and criminals on television. The so-called "dramatic" programs inevitably reach a climax in which the baddie gets his just desserts. But in the denouement of the story there is altogether too much instruction beamed at youth in how crimes are planned and perpetrated—no matter what the outcome might be in the last few seconds of the story.

Some of the westerns are bad enough, both in acting and plot. But the detective stories could bear a bit of cleaning up—if not in the acting division then in the mechanics of presenting a script in which the baddie is a hero until he is unmasked, disgraced and punished.

The principal audience for these crime stories is made of adolescents. Mom and Dad usually go for the song-and-dance type of entertainment, or for the tear-jerking soap operas. But to what is classed as impressionable youth, the crime yarns have the greater appeal.

What is particularly disturbing in the situation is that there does not appear to be any way of stopping pictorial descriptions of such things as Chicago infamous St. Valentine's Day massacre and other stories whether historic or imaginary, which glorify brutality.

Can you think of one evening that has gone by without some "private eye" being beaten up, gun-whipped, ambushed or otherwise shot and lacerated on your TV screen. This is fun? This is stuff for adolescents, for children, to see by the hour? Is it fun to expose them to lessons in the fine art of mayhem and slaughter?

The answer to criticism would be that "the public goes for it—look at our Hooper rating."

Who in hell—if you will pardon the expression—is Hooper? Is he, or she, or an agency under that name, the guardian of the mentality and morals of your children?

Has any Hooper or any other person ever called you to inquire whether you are watching a certain program in your home? The answer in millions of cases would be, naturally, "no." Then what hold does Hooper have on the television industry?

There must be some means by which all of us can be restored to some position of normalcy in the television field. There is a lot of complaint about the advertising. It's a necessary evil. Giving credit where credit is due, we have never seen Josephine Hennessey take a drink of the alcoholic beverage she extolls between innings of a ball game. Were it not for sponsors who pay the bills for the broadcasts there would be few of our favorite programs on our living-room screens.

But it's time we let sponsors know that we are tired of the endless blood-letting and killing that goes on, for hours on end, in these TV programs.

Somewhere, somehow, they can find writers who can whip up a spanking new technique which will give us—and our children—something of a vacation from the endless grind of battle, murder, and sudden death which causes our homes to sound like a Coney Island shooting gallery every day of the week—Sunday included.

We can thank goodness for baseball and football for lifting the pressure during their proper seasons. The rest of the time is what bothers us.

And those repeat programs. Would you sit down and read the same book twice, thrice, or four times in a year? Would you bother with your newspaper or magazine if it repeated its stories, edition after edition? Television is basically a good medium of entertainment. Let's stick with the base.

PUBLICITY DECISIVE?

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

Mr. HOFFMAN of Michigan. Mr. Speaker, recent publicity given by the press, TV, and radio to the reprehensible, illegal practices carried on by Reuther, Beck, Hoffa, and a few other professional, criminal, labor leaders has finally forced Congress to consideration of remedial legislation.

Mail now indicates that politicians whose fetish is political expediency will be forced to decide that it is politically advantageous to join the parade of the comparative few who, ever since the sit-down strikes of 1937, have been trying to give notice that the political and economic dictatorship sought by a few unscrupulous and ambitious individuals was making rapid progress toward the overthrow of our accepted economic gov-

ernmental processes. It is time to stop, look, and act.

Because labor—employees—has consistently been regarded as having less opportunity and wealth resources than those who provided jobs, labor has had the sympathy and support of legislators.

The McClellan and other congressional committees, and a few Members of Congress who have complained for years, have finally focused public attention upon abuses practiced by a few labor organizations which have been controlled and directed by individuals referred to above.

There are now in the legislative hopper many bills seeking a remedy.

The House Committee on Education and Labor reported out a weakened Kennedy-Ervin bill. Republicans on that committee, as well as three or four Democrats, sought a more comprehensive and stronger bill, but they did not, in committee, for political reasons, offer a substitute.

Later, one or two Democrats and a Republican or two secretly joined in asking legislative experts to put together a substitute bill. The result was the Landrum-Griffin bill, in the main a collection of excerpts from bills previously introduced, which was more stringent and tougher, more effective than the Elliott—formerly the Kennedy-Ervin—bill. The substitute provisions were carefully concealed from committee members and the public. Why?

The substitute carried many of the provisions of bills introduced by me years ago, but which were refused consideration by the leadership of the House, both Republican and Democrat, because it was then said they were anti-labor—a misnomer.

The substitute does not contain any provision designed to prevent monopolistic practices by unions as they are by industry. It does not prevent the closed shop where a would-be employee must pay tribute in order to earn a livelihood. It does not carry any provision similar to a Michigan statute—the Hutchinson Act—which would bar strikes against public utilities which furnish us with the necessities of life, and where an effective strike would be a complete blackout—prevent the furnishing of transportation, light, water, and power.

The foregoing is stated because this last week, due to the publicity just mentioned, which has undoubtedly made the average citizen cognizant of what has happened, many letters have come to me asking that I support the substitute bill—the writers evidently having forgotten that for more than 20 years I have been advocating—perhaps too often—every good feature it contains.

Twenty-two years and four months ago, April 5, 1937, a bill containing many of the provisions of the bill I am now asked to support was introduced by me. An amended bill, more fully defining the term "affecting commerce," was introduced on April 15, 1937.

I can only answer that I am anxious and pleased to support similar remedial legislation, to express appreciation to the publicity agencies which have brought about the changed attitude of the public, and to hope that the professional politicians and office-seekers, whose efforts I am glad to stand on the sidelines and cheer, will not have a change of mind before effective legislation is on the books.

It is also my prayerful hope that, when on the books, officers charged with the enforcement of the law—and I am thinking of the Department of Justice—will then enthusiastically and effectively enforce that legislation; that home folks will support local officers who enforce the law.

I yield back the balance of my time.

MORTGAGE RELIEF IN DISTRESSED AREAS

The SPEAKER. Under the previous order of the House, the gentleman from Pennsylvania [Mr. CURTIN] is recognized for 10 minutes.

Mr. CURTIN. Mr. Speaker, H.R. 4796 which I introduced on February 19 of this year sets forth a formula to provide much-needed temporary relief from the pressure of FHA-insured and VA-guaranteed mortgages in distress cases where extraordinary circumstances prevail. It accomplishes this by permitting a 1-year moratorium on such mortgages, with the Federal Government assuming the required mortgage payments—both principal and interest—for mortgagors. Such relief would apply only to individuals in economically depressed areas who are unemployed and unable to make payments through no fault of their own.

Millions more of our people today own homes than ever before. The strides which have been made in the field of home financing are a tribute to the administrative efficiency and dedicated work of the Federal agencies concerned with this program, as well as our private institutions.

Even while recognizing this excellent record, I think it is essential that we also keep in mind the fact that these Federal agencies work under a mandate laid down by the very legislative processes with which we are dealing at this moment. Thus it is that when we find a law too unyielding and harsh in its lack of flexibility for dealing with situations that involve human problems, it is the responsibility of Congress to correct such inequities. It is for the express intent of avoiding foreclosure of a temporarily unemployed individual's mortgage by any of our Federal mortgage agencies—assuming that the individual is unemployed through no fault of his own and is a resident of an economically depressed area—that I have introduced this bill.

This bill spells out the term "economically depressed area" on any given date to mean an industrial area in which there has existed unemployment of not less than (A) 15 percent of the labor force during the 6-month period immediately preceding such date, if the principal causes of such unemployment are determined not to be temporary in nature; or (B) 12 percent of the labor force during the 12-month period immediately preceding such date; or (C) 9 percent of the labor force during at least 15-months of the 18-month period immediately preceding such date; or (D) 6 percent of the labor force during at least 18 months of the 24-month period immediately preceding such date.

The bill further specifies that determinations of the duration and amount of unemployment, in a given industrial area shall be made by the Secretary of Labor and certified to the Federal mortgage agencies not less often than quarterly. The Secretary of Labor may also certify to such agencies, as an economically depressed area, any industrial area within the United States—even though it does not meet the requirements I have just described in my preceding remarks—which is determined by him to be an area in which there has existed substantial and persistent unemployment for an extended period of time.

H.R. 4796 defines the term "unemployed mortgagor" to mean "any individual who is a mortgagor under a mortgage securing a loan, if the appropriate Federal mortgage agency determines that such loan is—or is likely to be—in default because such individual, although willing and able to work, is unemployed through no fault of his own."

I want to underscore the fact that this bill provides a moratorium on payments for just 1 year. Said moratorium may be terminated earlier on a date on which the mortgagor ceases to be unemployed, or on a date on which the mortgagor becomes in default or with respect to a condition or covenant other than that required for payment of installments of principal and interest in specified amounts and at stated times. After any individual is permitted a 1-year moratorium, a Federal mortgage agency may not again assume or suspend the obligation of such individual under any other mortgage. In other words, relief may be obtained by any individual for just one time and is limited to 1 year. It should also be noted that the mortgagor is ultimately required to repay the obligation after the regular maturity date of the mortgage.

Mr. Speaker, this is a measure that is humanitarian in purpose. There are certain economically depressed areas in our Nation—fortunately they are few—in which reside unemployed individuals who through no fault of their own are unemployed and unable to make payments on mortgages insured under the National Housing Act or secured by home loan agreement under the Servicemen's Readjustment Act of 1944 or chapter 37 of title 38, United States Code. It should be evident that relief for just 1 year from the pressure of mortgage payments is a tender of help to a man with a family at a time when he needs that kind of help the most.

There have been some unhappy examples of mortgage foreclosures in economically depressed areas which should and could have been averted had there been legislation providing for a procedure such as my bill proposes to establish. My own district has witnessed some of these occurrences, in which the Federal mortgage agency brought foreclosure action in line with the literal and legal requirements of the law.

Because of my concern with respect to this problem, you may recall that I

proposed an amendment to S. 57 on this floor on May 20, when the housing bill was being debated. That amendment, by and large, would have accomplished a similar purpose so far as foreclosures on FHA mortgages were involved.

Events since that time have demonstrated the continuing importance of having such a provision inserted into our existing laws covering the Federal Government's underwriting of mortgages, not only by the FHA, but also by the Veterans' Administration.

This bill is not a handout; it is not a form of charity. Rather, it is a simple, uncomplicated, and humane remedy that can be accepted with dignity by the individual whom it is designed to aid.

Mr. Speaker, I call this matter to the attention of my colleagues at this time in the hope that something will be done before this session of the 86th Congress adjourns. There is still talk and rumor about further action on either the vetoed S. 57 or a new housing bill. Should the latter be decided upon and a new bill on housing come before us this session, I sincerely hope that the provisions of my bill will be incorporated therein for the FHA mortgages, or, failing that, I hope that affirmative action on my bill can be obtained in some other manner.

FEIGHAN DEMANDS NIXON REVEAL HIS TALKS WITH KHRUSHCHEV ON THE CAPTIVE NATIONS

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 30 minutes.

Mr. FEIGHAN Mr. Speaker, the resolution declaring Captive Nations Week unanimously passed both Houses of Congress.

No single act of Congress has commanded so much national and international attention in years. No single action by the Eisenhower administration has won as much acclaim or brought so much credit to our country as that which attaches to the proclamation which the President issued in response to the congressional resolution. In these results there is a lesson, indeed a startling lesson, in the power of human ideals and the rewards that can be ours as a Nation if we remain true to our political ideals and fearless in their propagation.

It was in very large measure coincidental that the passage of this resolution by the Congress, and the proclamation by the President, coincided with the visit of Vice President NIXON to Moscow to open the U.S. exhibition there. But it was a happy coincidence. It was happy because it gave real purpose to the Vice President's trip, it served notice on the Russian leaders that we, the people of the United States, would never substitute cultural exchanges—particularly those like the Kozlov-Nixon exchanges—trade fairs and exhibitions, or international cocktail parties for our political ideals. It reaffirmed our confidence in the popular will of the people of the captive nations as a certain instrument through which they will regain their freedom and national independence. It served notice that the American people will not stand for any deal, no matter how attractive propaganda may paint it to be, with the advocates of tyranny, despotism, and the dismal peace of human slavery. This is the vital message Khrushchev and company received through this action by Congress, the President concurring.

The first reaction of the Russian spokesman, Khrushchev, made upon his return to Moscow from an excursion into Communist occupied Poland, provides abundant evidence that the captive nations resolution broke up a clambake that had been prepared for the Vice President. Attacking the resolution, Khrushchev said:

> They send their Governors here—

Referring to the recent visit of nine U.S. Governors—

> They send their Vice President here. They are opening an exhibit here—and then do a thing like this.

From this it is clear that the Russians believed that we were willing to trade our political ideals for a mess of pottage of nonessentials. It is also clear that by our lack of political action during the past several years we have allowed the Russians to deceive themselves into believing that we would be willing to turn our backs on the captive nations if they would go through the motions of appearing somewhat reformed after the death of Stalin. What a tragedy it would have been if the Vice President had walked into the well-prepared Russian political clambake with his hosts laboring under this serious miscalculation. The consequences would have been far reaching and the results disastrous for the cause of human freedom. I say this because the massive propaganda machine of the Russians would have carried these miscalculations, now so apparent, to a point where it would be most difficult, if not impossible, for our country to extract itself from the trap.

So it is that the captive nations resolutions set the proper stage for the talks between the Vice President and Khrushchev. I refer of course to the private, off the record talks which took place after the scene at the Moscow exhibit. The people of the United States will await with interest a report by the Vice President as to what he told Khrushchev in private about United States intention toward the captive nations. We can be certain that this was one of the main points of discussion because Khrushchev has practically talked about nothing else since the arrival of the Vice President in Moscow. Khrushchev has been denouncing the purpose of the resolution and it will be of continuing public interest to hear from the Vice President what he said to Khrushchev on this score in their private chats. In this connection I should like to note that the Vice President has made no public statements on this basic issue up to this point of his tour of the Russian Federated Soviet Socialist Republic.

A number of erroneous statements have been made concerning the itinerary of the Vice President which I feel should be corrected. In the first place he did not tour the Soviet Union as widely reported in the American press. His tour was restricted to one nation of the Soviet Union—the Russian nation, and then he saw only carefully selected parts of this nation. To create the false impression that Mr. NIXON was on a visit of the Soviet Union is to put his trip all out of proportion to the facts, a situation which might prove embarrassing to our country at a later date. For example, the Russians could claim that they opened the doors to the Soviet Union for the Vice President—which they have not done.

It is a sad situation that the itinerary of the Vice President did not include visits to the captive nations of the Soviet Union, all of those enumerated in the congressional resolution. I speak of Estonia, Latvia, Lithuania, White Ruthenia—Byelorussia—Ukraine, Georgia, Armenia, Azerbaijan, North Caucasia, Turkestan, Cossackia, and Idel-Ural. No one can honestly claim to have visited the Soviet Union without including these captive nations on his itinerary. I realize the Russians would find many reasons for blocking a visit to these nations by the Vice President. However, Mr. NIXON could have properly challenged Khrushchev to go with him on a visit to these Russian occupied countries and there ask the people "Are you captives?" Since Khrushchev first raised the question among the Russians and got the answer he sought, it would have been an act of political wisdom for Mr. NIXON to challenge him to raise the same question among the people of the non-Russian nations of the Soviet Union. After all, they are the majority people of the Soviet Union, not the Russians, and their voice should have been heard on this critical issue.

But then Mr. NIXON may not have been properly briefed on the realities of the Soviet Union before he left. A report of his visit carried in the Wall Street Journal of July 27 indicates that he does not have an accurate picture of the Soviet Union or its people. The Journal reported that while the Vice President was campaigning in Moscow he came across a pretty girl and learned that she was Ukrainian. He promptly proclaimed to the crowd around him, "Look at this pretty Ukrainian girl. Ukraine is the Texas of the Soviet Union." The only similarity between the Ukraine and the State of Texas is that the people of both love liberty and are prepared to fight for it. There the similarity ends. There is no other major similarity between the Ukrainian nation and the great State of Texas. Texas is a voluntary political unit of the United States, whereas Ukraine is not a voluntary unit of the Soviet Union—having been forcibly incorporated therein against the will of the people. Texas is self-governing, electing its officials in free and unfettered elections whereas Ukraine does not enjoy self-government and all officials there are handpicked by the Russian Communists in Russian style elections. Texas has a voice, and I might say a powerful voice, in the Congress and in our Government whereas Ukraine has no voice in the Presidium of the Soviet Union, other than the "parrots" selected by the Russians and even

these stooges are allowed nothing more than the opportunity to acclaim whatever Khrushchev and the Russian crowd have decided in advance. The people of Texas speak English, the common language of our country, the people of the Ukraine speak Ukrainian which is not the common language of the Soviet Union because the Soviet Union is a multinational and multilingual empire. Texas has never been engaged in a state of war against the Federal Government since joining the Union, whereas the people of Ukraine have been engaged in a constant war against the Russian Communists for the past 40-odd years. I have heard no reports of the people of Texas desiring to withdraw from the Union, whereas the people of Ukraine have been attempting to do just that since they were forcibly incorporated into the Soviet Union. Perhaps the Vice President should make a get-acquainted visit to Texas after his return home or hire a better teacher than he had to prepare him for his visit to the Russian Federated Soviet Socialist Republic.

We can be sure that the organs of Russian propaganda will give full treatment to Mr. NIXON's unfortunate remarks about the Ukraine. The effect of his words is to say to the Ukrainians, "We Americans consider you a voluntary and happy part of the Soviet Union and we hope it stays that way forever." Khrushchev and company will take full advantage of this unfortunate quip by Mr. NIXON to offset the favorable impact on public opinion in the Ukraine developed by the captive nations resolution.

Another reaction by Khrushchev to the resolution was his complaint that its passage was unwarranted interference in the internal affairs of other nations. He has been blasting away at this thesis for the past several days. This reaction is reminiscent of a similar protest made by Czar Nicholas in 1905 to a resolution passed by the French Parliament. At that time the first signs of revolution were showing in the Russian Empire; the people were fed up with the despotic and psychotic rulers of the empire and were engaged in a revolt. The French Parliament passed a resolution expressing sympathy for Poland which was then enslaved by the Russians. Czar Nicholas delivered a protest at the French Government, demanding that the French Government stay out of the internal affairs of the Russian Empire. Of course, the French ignored the czar and the tempo of the revolutionary spirit increased within the Russian Empire until it collapsed in 1917 under the pressure of the non-Russian nations in their struggles for their national independence. The Russian Communists have been engaged in wars of aggression for the past 40 years in an effort to restore the old empire. Khrushchev as the new czar has adopted all the traditions of the old czarist regime, including his latest attacks on the captive nations resolution.

But there are positive values and results already apparent from this action by the Congress and the President. Speaking in Ukraine on July 30, Khrushchev had this to say about the Berlin crisis, something entirely new I might add:

> If the people of West Berlin wish to live under capitalism, let them. It is their own domestic matter. We do not intend to interfere.

What a change this is from the belligerent statements of this same character when he caused the Berlin crisis and when he attempted to frighten our allies with the threat of nuclear war unless all of Berlin was handed over to Communist control. It is no coincidence that Khrushchev makes this new proposition on the basis that he would not interfere in the internal affairs of West Berlin. His overriding fear is that we will keep the political initiative which we have won through the captive nations resolution and that pressing our cause for a just peace we will hasten the collapse of the modern day Russian Empire. Thus, he is prepared to pay a price—he will not interfere in the affairs of West Berlin if we will cease and desist in our support of the captive nations. This is the quid pro quo Khrushchev now seeks from us. A mutual pact of noninterference is his objective.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. FEIGHAN. I am delighted to yield to the distinguished majority leader.

Mr. McCORMACK. Mr. Speaker, I want to congratulate the gentleman on the able speech he is making, a very analytical speech and a very timely speech.

The passage about 2 weeks ago by the Congress of the Captive Nations Week concurrent resolution, which I had the pleasure of offering in the House, and which passed both branches by a unanimous vote, has brought about tremendous favorable reaction in the free world.

As news of the passage of this resolution has been conveyed to the peoples of satellite nations, its passage has brought to tens of millions of persons in Communist-dominated countries, and who despise Communism, intensified hope.

The best evidence that the Kremlin realizes the significance of our action is shown by the violent utterances of Premier Khrushchev of the Soviet Union. The passage of the resolution penetrated deeply the Communist world because Khrushchev and his associates in the world conspiracy know that in Europe alone over 100 million dominated persons despise them and their vicious ideology.

Khrushchev and his associates know these persons are a very weak link in Communist control of those countries, and thereby a powerful reserve and asset we have in case the Soviet Union should undertake to hurl a general war upon mankind.

They know in case of war, at least 100 million persons in Poland, East Germany, Hungary, Lithuania, Czechoslovakia, and other dominated countries, will rise against the Muscovites, and engage in armed resistance, sabotage, and other acts.

That is what you mean by the "Russians"—you mean Moscovites.

Mr. FEIGHAN. Yes, indeed; and I would add another 100 million people in the non-Russian nations of the Soviet Union itself who will rise against the Moscovites.

Mr. McCORMACK. Yes. And as I say, at least a hundred million people will rise against the Moscovites and engage in armed resistance, sabotage, and other acts.

And this is one of the strongest assets our country, Great Britain, and France have in any negotiations—if this is stressed in a firm and united manner.

And under no conditions should we enter into any agreement which would in effect constitute selling these people down the river.

For while we cannot now actively capitalize their hatred of communism and the Communists, in case of a general conflict, we could do so effectively.

And the Communist leaders, particularly the military, know that fact.

The screeching of pain by the Communist leaders is evidence of this fact.

Deputy Soviet Prime Minister Kozlov, when he was recently in the United States, had the arrogance to state those governments, Communist regimes, were freely chosen by the people of dominated European countries.

Pravda states the same falsehood.

The resolution we passed challenges the Soviet Union to permit the peoples of those countries to determine what form of government they want, in a free manner, with a secret ballot, and internationally supervised, or supervised by the United Nations.

The Soviet Union would not dare let this happen. Khrushchev and his associates well know that in a free determination of their form of government, the people of those countries would overwhelmingly repudiate, reject and denounce communism.

The resolution the Congress passed was timely. It puts the Soviet Union on the defensive. Our country, France, Great Britain, West Germany, Italy, and other free nations should follow it through by constantly reminding the Kremlin of its broken promises, and by constantly putting on any agenda of negotiations the questions of free elections to determine their own form of government of dominated nations.

The passage of the resolution has strengthened and intensified the hope of over 100 millions of persons for liberty and freedom.

We have hit the Kremlin where it is the weakest.

Mr. FEIGHAN. I congratulate the distinguished majority leader who is one of the outstanding leaders and fighters in the cause of social justice, individual liberty, human freedom, and national independence. I subscribe wholeheartedly to the excellent analysis that you have made of the present situation with reference to the captive nations and the resolution we passed regarding them.

There may well come the time when there will be a spontaneous revolt by all the non-Russian captive nations which the Russians will be unable to put down. The revolts in East Germany in 1953,

also in Poznan, Poland, and the Hungarian revolution in October 1956, are instances of separate revolts. If all the captive nations would revolt spontaneously at the same time, the Russians would not be able to keep all of them from attaining their freedom and national independence, which they previously enjoyed before the illegal occupation and takeover by the Russians. This would be doubly true in the event of war.

There is no need for us to pay any price to the Russians for justice in the world order if we remain loyal to our political ideals and vigorous in our propagation of them. The harder we press our current initiative won in the cold war by the Captive Nations Week resolution, the more ground the Russians will be compelled to give up. They have no alternative. They face internal revolution on a scale that will make the revolution of 1917 seem like a Sunday picnic and they know it. We should take new confidence in the power of our political ideals as a deterrent to war and as an instrument in the prosecution of a just and lasting peace for all nations and all men.

I look forward with interest to the return of the Vice President to the United States and his report to the people on his visit to one of the nations of the Soviet Union. No public report will be complete or acceptable by the American people unless he sets the record straight as to the position he took on the Captive Nations Week resolution in his private chats with Khrushchev. To deny that this was the main issue of the conversation would be an affront to the intelligence of the American people. To claim that his conversation on this issue must remain confidential would deprive the American people of information they are entitled to have and to judge on its merits. To withhold a frank and complete report on what he and Khrushchev had to say on this issue will place a dark cloud of doubt over Mr. NIXON's trip and give rise to grave questions about the purpose of the Vice President's visit in the first place.

Mr. MONAGAN. Mr. Speaker, will the gentleman yield?

Mr. FEIGHAN. I yield.

Mr. MONAGAN. I joined with the majority leader at the time this resolution first came up on the floor of the House, and I certainly see no reason at this time so far as I am concerned to have any different opinion now than I had then. It seems to me that the resolution was based on realities and that it represented our philosophy, our national philosophy, toward these captive nations. I do not believe for a moment that the fact that we passed a resolution here in the House of Representatives would have any substantial effect on the policies of the Communist leadership toward these countries. I wonder if the gentleman would not agree with that?

Mr. FEIGHAN. I disagree. The purpose of the resolution was not to try to change the beliefs of the Russian leaders, because as realists we ought to recognize that we cannot change the thinking of the leaders of the Communist conspiracy. It would be ludicrous and ridiculous to think we can change the minds of Khrushchev and the leaders of the Russian Communist conspiracy. The purpose of the resolution was to serve notice on the world that we are in the camp of the anti-imperialists and that we look forward to an era of self-government and national independence for all the countries of the world. This is the positive message of the Captive Nations Week resolution to all the people of the world. The resolution reassures the Russians that we will not relax our efforts to bring freedom and national independence to the nations suffering under the yoke of Russian Communist slavery. The resolution was a challenge to the Russians to permit free elections in the captive non-Russian nations to enable them to determine their own destiny as nations.

The Russians illegally occupy and control not only the non-Russian nations within the Soviet Union itself, but also other non-Russian nations of Hungary, Rumania, Bulgaria, Czechoslovakia, Albania, Poland, East Germany, North Korea, North Vietnam, and Tibet.

The Russians should realize that we are persistent in our determination to bring liberation to these captive nations. Because of our resolution the leaders in the Kremlin will not only be hesitant, they will be fearful of starting a war because they will be afraid of uprisings by the captive people.

Mr. MONAGAN. If the gentleman will yield further, it seems to me, too, that when during the NIXON visit Khrushchev was talking to him in the parks and cities about the captive nations and captive people he was pointing out to him Russian people. They saw no non-Russians at any time, no people of Hungary, Poland, or some of these other nations. It seems to me that the omission was very significant.

Mr. FEIGHAN. I certainly agree with the gentleman on that. I said earlier in my remarks that it would have been a part of political wisdom for Mr. NIXON to go with Khrushchev beyond the nation of Russia and go to these other non-Russian nations within the Soviet Union that were forcibly incorporated into the Soviet Union where they would not all be stooges as were those to whom Khrushchev addressed his remarks when he asked them: "Are you captive?"

Mr. Speaker, by unanimously passing the Captive Nations Week resolution, Congress has expressed its firm determination to stand behind the campaign promises of President Eisenhower in his 1952 campaign and his 1956 election campaign when he declared:

> The peaceful liberation of captive peoples has been, is, and—until success is achieved—will continue to be a goal of U.S. foreign policy.

I include in my remarks the Captive Nations Week resolution, which reads as follows:

JOINT RESOLUTION PROVIDING FOR THE DESIGNATION OF THE THIRD WEEK OF JULY AS "CAPTIVE NATIONS WEEK"

Whereas the greatness of the United States is in large part attributable to its having been able, through the democratic process, to achieve a harmonious national unity of its people, even though they stem from the most diverse of racial, religious, and ethnic backgrounds; and

Whereas this harmonious unification of the diverse elements of our free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of peoples everywhere and to recognize the natural interdependency of the peoples and nations of the world; and

Whereas the enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples; and

Whereas since 1918 the imperialistic and aggressive policies of Russian communism have resulted in the creation of a vast empire which poses a dire threat to the security of the United States and of all the free peoples of the world; and

Whereas the imperialistic policies of Communist Russia have led, through direct and indirect aggression, to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and others; and

Whereas these submerged nations, look to the United States, as the citadel of human freedom, for leadership in bringing about their liberation and independence and in restoring to them the enjoyment of their Christian, Jewish, Moslem, Buddhist, or other religious freedoms, and of their individual liberties; and

Whereas it is vital to the national security of the United States that the desire for liberty and independence on the part of the peoples of these conquered nations should be steadfastly kept alive; and

Whereas the desire for liberty and independence by the overwhelming majority of the people of these submerged nations constitutes a powerful deterrent to war and one of the best hopes for a just and lasting peace; and

Whereas it is fitting that we clearly manifest to such peoples through an appropriate and official means the historic fact that the people of the United States share with them their aspirations for the recovery of their freedom and independence: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation designating the third week in July 1959 as "Captive Nations Week" and inviting the people of the United States to observe such week with appropriate ceremonies and activities. The President is further authorized and requested to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world.

DISTINGUISHED TEACHERS FROM IRELAND—VISIT OF IRISH TEACHERS, LED BY A DYNAMIC YOUNG IRISH TEACHER, MR. STEPHEN DALY

The SPEAKER pro tempore. Under the previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 10 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, yesterday there came to the Capitol 15 Irish teachers who are visit-

ing the United States as guests of the Department of State and the U.S. Office of Education to learn more about American schools and America. They came to the Capitol as my guests. They watched the proceedings of the House for some time and said they were much impressed with our legislative procedures. Our distinguished leaders came to see them while they were here. Our beloved Speaker, Mr. RAYBURN, the beloved former Speaker, Mr. MARTIN, the distinguished floor leader, Mr. MCCORMACK, Mr. ROONEY, and Mr. BOLAND of the Appropriations Committee, Mrs. MARGUERITE STITT CHURCH, and others made fine talks to them.

For almost 10 years I have asked for recognition of the Irish teachers in the various U.S. cultural exchange programs. To me the rich cultural heritage of the Irish, coupled with an appreciation of their zealous devotion to freedom has made me feel that there is a spiritual tie as well as a personal tie between the Irish people and our own. We love their Tom Moore, we love the early legends, the music and the drama of the Irish, and we do appreciate that in every line of poetry, in every note of music, in every line of drama, there is written a deep appreciation of beauty, even in gray sky, of hope in adversity, of faith in a closeness to God. We need the close tie with these people because we share each other's devotion to freedom. We admire the deep courage and loyalty of the Irish people.

The teachers who came decided to come to the United States for a vacation and to study our schools, as well as various other activities in this country. They paid their own expenses, and they have been the guests of the State Department and of the U.S. Office of Education since they arrived.

They were a most delightful group, all handsome, intelligent young men and women. It was a joy to have known them.

We plan to have a group of teachers from the United States study in Ireland and have more Irish teachers come here and study with us.

I will give later a list of the names and the teachers who came here, they may have distint relatives and friends in this country. And my colleagues may have friends or relatives in Ireland that they want to send messages to. I hope that every Member of Congress will meet them while they are here. They will be here for about a week.

May God give them a safe return to their country and a happy experience with us and the hope they will come back to us.

YEGHIA JUKNAVORIAN

Mrs. ROGERS of Massachusetts. Mr. Speaker, I want to read part of a letter from the U.S. Attorney for the District of Massachusetts regarding a man named Yeghia Juknavorian who died recently, making the Treasury of the United States the beneficiary to the extent of $500 under his life insurance policy. The reasons for his doing this are set out in a handwritten document which he turned over to his attorney in 1954, and I shall simply read part of it, as follows:

I came to this country in 1910. At that time I was dreaming myself. I thought I had died in Turkey and I find myself dragged into heaven—that was my idea of the United States; in 1927, I brought my wife and my daughter from Marseilles, France, but I cannot bring in my son because he was a couple of weeks over 18 years. Then in 1928 my wife got sick. She was operated on and caught pneumonia. Every time I went to the hospital she called for our son "Come on Mike," "Come on Michael," and the next day I went to see Mrs. ROGERS. I told her the story. Mrs. ROGERS told me "I am very sorry but we cannot break the law. He is over 18 years of age. But we will try to bring him here for a 6-month vacation." I said that I was very appreciative. She told me between 3 or 4 days after "I have to go to Washington. Then I am going to telegraph to the American Ambassador in France to allow your son to come for a 6-month vacation." About 3 weeks after that time my son came out here and saw his mother alive. This is worth a million dollars, what Mrs. ROGERS has done. Now thanks to God, I have seven grandchildren—four boys and three girls. One boy is now in Korea, another one enlisted 2 months ago, the other two, 15 and 6 years old. Now this Government doing all this, help the people, save the people.

Mr. Speaker, this is a wonderful letter of appreciation of the United States, together with a gift of $500 to help keep our country strong and free.

IMPORTANCE OF EXCHANGE VISITS AT EVERY LEVEL

Mr. GLENN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. LINDSAY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I should like to voice my complete approval of the decision made by President Eisenhower to exchange visits with the head of the Soviet Union, Mr. Khrushchev. I am a firm believer in the importance of exchanges at every level. The difficult and vital problems which have confronted the United States and the other free nations of the world in dealing with the Soviet Union can only be resolved by the exploration of every possible avenue of negotiation. Our foreign policy must unceasingly be directed toward the establishment of areas of agreement and understanding between leaders of the Soviet Union and our leaders. The arrangements made for the visit of Premier Khrushchev and the return visit of President Eisenhower may possibly prove to be important preliminaries to such agreements. There are many matters as to which Premier Khrushchev is misinformed, or about which he does not want to be properly informed. Let us hope his visit here will open his eyes to our way of life, and our goals. Such an exchange as is proposed by the President can do no harm, and may do some good.

We must make it clear, of course, that the United States contemplates no retreat from its firm opposition to the ruthless expansion of the Russian Communist Empire. As I understand it, one of the principal purposes motivating the President in arranging this exchange is to make abundantly clear the firmness of our resolve to support freedom-loving and freedom-seeking peoples everywhere. At the same time the President recognizes that mutual exchange of ideas and the exploration of every area of agreement may narrow down areas of disagreement and possibly lay the groundwork for a genuine peace.

LABOR LEGISLATION

Mr. GLENN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GRIFFIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, it should be of deep interest to every Member of this body to know the concern with which small businessmen throughout the country view the state of present laws dealing with labor-management relations under which they must try to exist.

Recently I requested Administrator Wendell B. Barnes of the Small Business Administration to furnish me with his views as to the need for effective reform legislation in this field. In particular, I asked for his comments on the substitute bill which the gentleman from Georgia [Mr. LANDRUM] and I introduced last week.

Mr. Barnes' reply to my inquiry is most enlightening. The text of his letter follows:

SMALL BUSINESS ADMINISTRATION,
Washington, D.C., August 3, 1959.

Hon. ROBERT P. GRIFFIN,
House of Representatives,
Washington, D.C.

DEAR MR. GRIFFIN: I have your letter of July 30, 1959, requesting my personal views concerning the identical bills (H.R. 8400 and H.R. 8401) recently introduced by you and Congressman LANDRUM to effect the labor reforms which are so essential to correct the shocking abuses exposed by Senator MCCLELLAN'S Committee.

Some of these abuses, such as those involving the internal affairs of labor unions, are not of direct concern to the Small Business Administration. Our principal interest lies in the following: (1) the so-called jurisdictional gap; (2) the abuses presently attending organizational picketing; and (3) secondary boycotts.

Early this year, identical bills were introduced in the House by you and Congressman HIESTAND, together with other Republican members, calling for the correction of numerous defects in the labor laws. In a letter addressed to Mr. HIESTAND on June 1, 1959, I emphasized the importance to small business of the three problems described above and explained the effects which I thought his bill (H.R. 3545) would have on them. As you will note, I was satisfied with the provisions of H.R. 3545 dealing with blackmail picketing and secondary boycotts but had some reservations concerning the language of that portion of the bill dealing with the jurisdictional gap.

This is a vital matter. In view of the fact that it cannot possibly handle all labor disputes affecting interstate commerce, the NLRB has found it necessary to decline to exercise jurisdiction in cases of lesser importance. To this end, it has established yardsticks based, directly or indirectly, upon the annual dollar volume of interstate sales and purchases transacted by employers.

An aggrieved employer whose volume is below that set for the type of business in which he is engaged cannot normally obtain a hearing from the Board. Nor can he, under the Supreme Court's interpretation of the law, obtain relief from his State courts. Some 3 million small concerns are caught in this incredible situation, utterly defenseless against the wrongs inflicted upon them by labor unions. These businesses are, for all practical purposes, helpless.

It is imperative that an employer whose volume of interstate business is below that established by the Board for the type of enterprise in which he is engaged should have direct and immediate access to the courts of his State for the settlement of any labor dispute. It should not be necessary, as has been suggested, for him to obtain a specific declination from the Board before obtaining such access. Since the Board normally has a crowded docket, the resulting delay would, in most instances, bring financial ruin to the business concern involved in the dispute, even though the Board eventually declines jurisdiction and even though the small-business owner wins his case. Time is of the essence in these matters.

Section 701 of the Griffin-Landrum bill, concerning the jurisdictional gap, appears to have been drafted with this problem in mind. I prefer its provisions to those made for the jurisdictional gap in the earlier measure sponsored by you, Congressman HIESTAND and others. Similarly, section 705 of the bill deals effectively with blackmail picketing and secondary boycotts.

The introduction of the Griffin-Landrum proposal has done much to lessen the dismay felt by all friends of small business at the unbelievably weak bill (H.R. 8342) approved by the House Committee on Education and Labor. The blunt truth is that the latter measure contains nothing whatsoever to remedy, or even to alleviate, the three problems described above. That bill can be supported only by turning one's back on the small businesses of the Nation.

As I told Congressman HIESTAND, there are some 27 million people in the small-business community, owners and unorganized employees, who are the principal victims of the deficiencies in existing law. They are closely watching this legislation. They expect their interests to be protected by Congress, notwithstanding the efforts of some labor leaders to thwart remedial action.

In behalf of small business, I thank you, Mr. LANDRUM, Mr. HIESTAND and the others who are making a splendid effort to establish justice in the field of labor-management relations.

Sincerely yours,

WENDELL B. BARNES,
Administrator.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SCHERER, for August 4, 5, and 6, on account of hearings of the Committee on Un-American Activities in New York City.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. SIKES, for 20 minutes, on August 6.

Mr. FEIGHAN, for 30 minutes, today, and to revise and extend his remarks.

Mrs. ROGERS of Massachusetts, for 10 minutes, today.

Mr. RHODES of Arizona, for 60 minutes, on tomorrow.

Mr. JOHNSON of Colorado, for 20 minutes, on tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. VAN ZANDT in two instances, in each to include extraneous matter.

Mr. CORBETT.

Mr. DENT.

(At the request of Mr. GLENN, and to include extraneous matter, the following:)

Mr. SCHWENGEL.

(At the request of Mr. KING of Utah, and to include extraneous matter, the following:)

Mr. MULTER.

Mr. BARR.

Mr. EDMONDSON.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1590. An act for the relief of the Government of the Republic of Iceland; to the Committee on Foreign Affairs.

S. 1849. An act to amend the act of August 10, 1939, authorizing the Postmaster General to contract for certain powerboat service in Alaska; to the Committee on Post Office and Civil Service.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 697. An act to authorize the Secretary of the Navy to acquire certain real property in the county of Solano, Calif., to transfer certain real property in the county of Solano, Calif., and for other purposes; and

H.R. 3322. An act to amend title 10, United States Code, and certain other laws to authorize the payment of transportation and travel allowances to escorts of dependents of members of the uniformed services under certain conditions, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 577. An act to amend title 10, United States Code, section 2481, to authorize the United States Coast Guard to sell certain utilities in the immediate vicinity of a Coast Guard activity not available from local sources;

S. 906. An act to amend section 1622 of title 38 of the United States Code in order to clarify the meaning of the term "change of program of education or training" as used in such section;

S. 1110. An act to amend the act of August 4, 1955 (Public Law 237, 84th Cong.), to provide for conveyance of certain interests in the lands covered by such act;

S. 1367. An act to amend title 14, United States Code, entitled "Coast Guard," to authorize the Coast Guard to sell supplies and furnish services not available from local sources to vessels and other watercraft to meet the necessities of such vessels and watercraft;

S. 1694. An act to extend the existing authority to provide hospital and medical care for veterans who are United States citizens temporarily residing abroad to include those with peacetime service-incurred disabilities;

S. 2153. An act to authorize the Coast Guard to accept, operate, and maintain a certain defense housing facility at Yorktown, Va., and for other purposes; and

S. 2183. An act granting the consent of Congress to interstate compacts for the development or operation of airport facilities.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on August 3, 1959, present to the President, for his approval, bills of the House of the following titles:

H.R. 5674. An act to authorize certain construction at military installations, and for other purposes; and

H.R. 6769. An act making appropriations for the Department of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1960, and for other purposes.

ADJOURNMENT

Mr. KING of Utah. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 33 minutes p.m.) the House adjourned until tomorrow, Wednesday, August 5, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1269. A letter from the national commander, Veterans of World War I of the U.S.A., Inc., transmitting a copy of the minutes of the last convention of the Veterans of World War I of the U.S.A., Inc., together with the auditor's report for the fiscal year ending August 31, 1958, pursuant to Public Law 85–530; to the Committee on the Judiciary.

1270. A letter from the executive director, U.S. Olympic Association, Inc., transmitting a report covering the financial operations of the U.S. Olympic Committee as well as those of the U.S. Olympic Association for the year 1958, pursuant to the act of Congress known as Public Law 805; to the Committee on the Judiciary.

1271. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 29, 1959, submitting a report, together with accompanying papers and illustrations, on an interim report on hurricane survey of Stamford, Conn., authorized by Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 210); to the Committee on Public Works and ordered to be printed with two illustrations.

1272. A letter from the Director, National Science Foundation, transmitting a report of a violation of section 3679 of the Revised Statutes, as amended, involving appropriation 49-11X0066, "Translation of Publication and Scientific Cooperation (Transfer to National Science Foundation)"; to the Committee on Appropriations.

1273. A letter from the Administrator, General Services Administration, transmitting the report of the Archivist of the United States on records proposed for disposal under the law; to the Committee on House Administration.

1274. A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation entitled "a bill to remove geographical limitations on activities of the Coast and Geodetic Survey, and for other purposes"; to the Committee on Merchant Marine and Fisheries.

1275. A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation entitled "a bill to provide flexibility in the performance of certain functions of the Coast and Geodetic Survey and of the Weather Bureau"; to the Committee on Merchant Marine and Fisheries.

1276. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders granting the applications for permanent residence filed by the subjects, pursuant to the Refugee Relief Act of 1953; to the Committee on the Judiciary.

1277. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of the order suspending deportation in the case of Constantinos Partheniades, A-6975372, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

1278. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of the order suspending deportation in the case of Manuel Lopez, A-2753700, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

1279. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of the order suspending deportation in the cases of Nicholas Partheniades and his wife Cartherine Partheniades, pursuant to Public Law 863, 80th Congress; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BYRNE of Pennsylvania: Committee on Armed Services. S. 2210. An act to provide for the disposition of the Philadelphia Army Base, Philadelphia, Pa., without amendment (Rept. No. 758). Referred to the Committee of the Whole House on the State of the Union.

Mr. STRATTON: Committee on Armed Services. Senate Joint Resolution 24. Joint resolution authorizing the Secretary of the Army to receive for instruction at the U.S. Military Academy at West Point two citizens and subjects of the Kingdom of Thailand; without amendment (Rept. No. 759). Referred to the Committee of the Whole House on the State of the Union.

Mr. BREWSTER: Committee on Armed Services. Senate Joint Resolution 106. Joint resolution authorizing the Secretary of the Navy to receive for instruction at the U.S. Naval Academy at Annapolis two citizens and subjects of the Kingdom of Belgium; without amendment (Rept. No. 760). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Committee on Armed Services, H.R. 65. A bill to provide for the conveyance to the State of Michigan of certain land in Grayling Township, Crawford County, Mich., to be used for National Guard purposes; with amendment (Rept. No. 761). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Committee on Armed Services. H.R. 2449. A bill to authorize the Secretary of the Army to lease a portion of Twin Cities Arsenal, Minn., to Independent School District No. 16, Minnesota; with amendment (Rept. No. 762). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 3923. A bill to provide for the presentation of a medal to persons who have served as members of a U.S. expedition to Antarctica; without amendment (Rept. No. 763). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Committee on Armed Services. H.R. 2247. A bill to authorize the conveyance of certain real property of the United States to the county of Sacramento, Calif.; with amendment (Rept. No. 764). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 6269. A bill to amend section 265 of the Armed Forces Reserve Act of 1952 to define the term "a member of a Reserve component" so as to include a member of the Army or Air Force without specification of component; without amendment (Rept. No. 765). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Committee on Armed Services. H.R. 8315. A bill to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools R-I, Missouri; with amendment (Rept. No. 766). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. S. 554. An act for the relief of Argyrios G. Georgandopoulos; with amendment (Rept. No. 746). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 593. An act for the relief of Angelinas Cuacos Steinberg; without amendment (Rept. No. 747). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 967. An act for the relief of Lea Levi; with amendment (Rept. No. 748). Referred to the Committee of the Whole House.

Mr. SMITH of California: Committee on the Judiciary. H.R. 1665. A bill for the relief of Mrs. Vassiliki P. Theodorou; without amendment (Rept. No. 749). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H.R. 1701. A bill for the relief of Mrs. Ellen Leschner; with amendment (Rept. No. 750). Referred to the Committee of the Whole House.

Mr. SMITH of California: Committee on the Judiciary. H.R. 2946. A bill for the relief of Cecil E. Finley; without amendment (Rept. No. 751). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 3801. A bill for the relief of Harry and Lena Stopnitsky; with amendment (Rept. No. 752). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H.R. 5530. A bill for the relief of Peter Clemens August Grauert and Hans Herbert Grauert; with amendment (Rept. No. 753). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 5645. A bill for the relief of Christopher J. Mulligan; with amendment (Rept. No. 754). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 6886. A bill for the relief of Liliana Caprara; without amendment (Rept. No. 755). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H.R. 6954. A bill for the relief of Frol Martin Simonov; without amendment (Rept. No. 756). Referred to the Committee of the Whole House.

Mrs. ST. GEORGE: Committee on Armed Services. H.R. 1695. A bill for the relief of Lt. Col. Francis E. Resta; with amendment (Rept. No. 757). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Montana:

H.R. 8508. A bill to authorize the procurement of certain aircraft for training of the Air Force Reserve and for the transportation of ground combat units in time of war or emergency; to the Committee on Armed Services.

By Mr. BROYHILL:

H.R. 8509. A bill to amend the Internal Revenue Code of 1954 with respect to the basis of property acquired from a decedent who died before January 1, 1954; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 8510. A bill to amend the act of August 8, 1958 (72 Stat. 544), providing for the establishment of a Hudson-Champlain Celebration Commission; to the Committee on the Judiciary.

By Mr. BURDICK:

H.R. 8511. A bill to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions; to the Committee on Agriculture.

By Mr. CLARK:

H.R. 8512. A bill to provide that, during a 4-year period, revenues derived from the tax on parts and accessories and a portion of the tax on automobiles shall be deposited in the highway trust fund; to the Committee on Ways and Means.

By Mr. COHELAN:

H.R. 8513. A bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes; to the Committee on Education and Labor.

By Mr. EDMONDSON:

H.R. 8514. A bill to authorize the sale of 40 acres of land owned by the Creek Tribe of Indians; to the Committee on Interior and Insular Affairs.

By Mr. HOSMER:

H.R. 8515. A bill to incorporate the Sea Cadet Corps of America, and for other purposes; to the Committee on the Judiciary.

By Mr. PATMAN:

H.R. 8516. A bill to provide for the retirement of Federal Reserve bank stock, and for other purposes; to the Committee on Banking and Currency.

By Mr. RIVERS of South Carolina:

H.R. 8517. A bill to provide that the Department of Defense shall enter into contracts for air transportation with air carriers as defined by the Federal Aviation Act of 1958; to the Committee on Armed Services.

By Mr. ROBERTS:

H.R. 8518. A bill to amend the Federal Aviation Act of 1958 by adding thereto provisions relating to civil aviation medical research, human requirements in aircraft design and conditions of operations, and the medical causes of accidents in air commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. SAYLOR:

H.R. 8519. A bill to save and preserve, for the public use and benefit, certain portions of shoreline areas of the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TOLLEFSON (by request):

H.R. 8520. A bill to establish a joint board and to permit the filing of through routes and joint rates for carriers serving Alaska, Hawaii, and the other States; to the Committee on Interstate and Foreign Commerce.

H.R. 8521. A bill to establish a joint board and to require mandatory through routes and joint rates for carriers serving Alaska, Hawaii, and the other States; to the Committee on Interstate and Foreign Commerce.

By Mr. CONTE:

H.R. 8522. A bill to amend the act of July 17, 1952; to the Committee on Ways and Means.

By Mr. FLYNN:

H.R. 8523. A bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes; to the Committee on Education and Labor.

By Mr. FULTON:

H.R. 8524. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

By Mr. MOORE:

H.R. 8525. A bill to provide a health benefits program for Government employees; to the Committee on Post Office and Civil Service.

By Mr. THOMSON of Wyoming:

H.R. 8526. A bill to amend section 3 of the act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, relating to the trust funds of the Shoshone and Arapaho Tribes, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mrs. WEIS:

H.R. 8527. A bill to exempt certain pension and other trusts established in the District of Columbia from the laws of the District of Columbia relating to perpetuities, restraints on alienation, and accumulation of income; to the Committee on the District of Columbia.

By Mr. BOW:

H. Con. Res. 370. Concurrent resolution that it is the sense of Congress that a sound dollar is the basis for future growth and security of the Nation; to the Committee on Ways and Means.

By Mr. FULTON:

H. Con. Res. 371. Concurrent resolution expressing the sense of Congress against admission of the Communist regime in China as the representative of China in the United Nations; to the Committee on Foreign Affairs.

By Mr. JENSEN:

H. Con. Res. 372. Concurrent resolution that it is the sense of Congress that a sound dollar is the basis for future growth and security of the Nation; to the Committee on Ways and Means.

By Mr. SILER:

H. Res. 336. Resolution authorizing certain Members of the House of Representatives to use funds available to them under House Resolution 314 of the 86th Congress for the purpose of aiding certain needy school children, and for other purposes; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARENDS:

H.R. 8528. A bill to authorize the President to reappoint Elwood R. Quesada, formerly lieutenant general, U.S. Air Force, retired, to the grade of major general and retire him in the grade of lieutenant general, and for other purposes; to the Committee on Armed Services.

By Mr. HAGEN:

H.R. 8529. A bill for the relief of Aida Rabaya; to the Committee on the Judiciary.

By Mr. LANE:

H.R. 8530. A bill granting the Distinguished Service Cross to Raymond P. Finnegan, to the Committee on Armed Services.

By Mr. ROGERS of Colorado:

H.R. 8531. A bill for the relief of Anna Rosati; to the Committee on the Judiciary.

By Mr. VINSON:

H.R. 8532. A bill to authorize the President to reappoint Elwood R. Quesada, formerly lieutenant general, U.S. Air Force, retired, to the grade of major general and to retire him in the grade of lieutenant general, and for other purposes; to the Committee on Armed Services.

By Mr. WALTER (by request):

H.R. 8533. A bill for the relief of Celerina Lazalita; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Observance of Swiss Independence Day by the Swiss Rifle Club, Altoona, Pa., August 2, 1959

EXTENSION OF REMARKS

OF

HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 4, 1959

Mr. VAN ZANDT. Mr. Speaker, among the many observances in the United States of the 668th anniversary of Swiss Independence Day none was more colorful and interesting than the program conducted by the Swiss Rifle Club, Altoona, Pa., August 2, 1959.

It was my privilege to deliver the principal address to the several hundred American citizens of Swiss descent who were present for the enjoyable occasion.

My address follows:

ADDRESS DELIVERED BY REPRESENTATIVE JAMES E. VAN ZANDT, 20TH DISTRICT OF PENNSYLVANIA, FOR THE CELEBRATION OF SWISS INDEPENDENCE DAY BY THE SWISS RIFLE CLUB, ALTOONA, PA., AUGUST 2, 1959

For 668 years, August 1 has been a great day for the Swiss.

Today, we celebrate Swiss Independence Day—the anniversary of the founding of the Swiss Everlasting League for Common Defense.

On August 1, 1291, the first milestone was passed in the evolution of the modern federation of Swiss cantons.

Today in the United States, several hundred thousand Americans of Swiss origin rightfully look with pride on the achievements of their forebearers almost 700 years ago.

Throughout the United States, Americans of Swiss descent have formed over 300 organizations.

Thus a widespread celebration of this great holiday throughout the United States is assured.

These organizations—such as the Swiss Rifle Club of Altoona—make invaluable contributions to the civic, cultural, social, and recreational life of their communities.

They are a splendid example of the unique capacity of the Swiss to "live the good life," in harmony with one another and with their neighbors.

On August 1, 1291, the Everlasting League was formed as a measure of self-defense against all who might attack them.

This league was the foundation of the modern Swiss Federation.

From the very beginning, the Swiss Confederates showed a willingness to fight for independence from foreign domination.

In 1313, a valiant band of Swiss Confederates completely defeated a brilliant Austrian army on the precarious slopes of Mortgarten.

Two years later, representatives of the victorious Swiss Highlanders met at Lake Lucerne to reaffirm the everlasting league and to strengthen the unity of the confederation.

The league won great renown for its victory at Mortgarten over the Hapsburg oppressors.

As years passed, other members were admitted to the original alliance of the three cantons.

First came Lucerne.

The ancient town of Zurich followed, after receiving aid from the four confederated cantons against the threat of an attack from Austria.

Glarus and Zug were admitted in 1352, and the next year, the famous town of Berne entered the confederation.

Thus by the end of the 14th century, the threats of invasion and foreign rule and the glories of Mortgarten had impelled eight Swiss communities to join hands in collective self-defense.

While preserving their territorial integrity and independence by joint action for common defense, the Swiss confederation continued to expand.

By 1815 the confederation of Swiss States had grown into an organization of 22 cantons.

1848, when the cantons united into a federal state, was a memorable year in Swiss history.

The Constitution of 1848 added strength to the union by increasing the authority of the central government over national defense, foreign relations, internal security, customs, the postal service, and the promotion of the common welfare.

A national government with a cabinet, a federal supreme court, and a legislature was established.

Each canton retained its own legislature, executive, and judiciary for local affairs.

Thus from the formation of the Everlasting League on August 1, 1291—which we are celebrating today—the Swiss people have developed into one of the world's most stable and successful governments.

America promised broader opportunities than many of the most ambitious, adventurous, and gifted sons and daughters of Switzerland could find in the crowded, narrow valleys of their Alpine homeland.

Consequently, for nearly 350 years, a small but steady stream of immigrants from Switzerland has contributed immeasurably to the development of our own Republic.

As early as the 17th century, Swiss settlers immigrated to Colonial America.

Many of these early Swiss colonists came from communities where they were not permitted to practice their religious convictions.

The Swiss Mennonites were among these victims of religious persecution.

Large numbers of Mennonites made the decision to join in the movement that resulted in the settlement in Lancaster County.

During the 18th century, religious persecution abroad and more promising economic opportunities in the New World motivated about 25,000 Swiss people to begin a new life in the American colonies.

The Swiss settlers were warmly welcomed by the New World.

From the beginning of colonization in North America, Swiss were eagerly sought as settlers because of their mountain-bred hardihood and their rare combination of agricultural and industrial skills.

For example, Swiss craftsmen were imported to provide technical assistance to the colonists in the art of woodworking and silk production, and Swiss families were brought to America because of their expert ability in raising grapes and producing wine.

The Swiss colonists, inspired by their 500-year tradition of liberty and self-government in Switzerland, made an important contribution to the movement for American independence.

Freedom-loving colonists of Swiss origin were among the earliest and strongest supporters of the Revolutionary War.

The Reverend John Zubly of Georgia was a delegate to the Continental Congress.

Judge Emanuel Zimmerman of Pennsylvania and Henry Wisner of New York rallied support for the Revolution by their valuable service on the committees of safety in their respective States.

Wisner was one of the most farsighted leaders of the Revolution.

When the British embargoed the importation of ammunition into the colonies in 1774, Wisner—anticipating the inevitable outbreak of active warfare—boldly established a gunpowder mill in his home in New York State.

Elected to both the First and Second Continental Congresses, Wisner worked unceasingly for the adoption of the Declaration of Independence.

After the outbreak of the Revolution, Wisner built two more ammunition plants, and then, as a colonel in George Washington's army, he helped plan the defense of West Point and the Hudson Highlands.

Throughout the Revolutionary War, the Continental Army was supplied with shot and cannonballs from the iron works of John Jacob Faesch, a Swiss immigrant and a friend of Washington.

A Swiss gunsmith, Martin Meylin, erected the first boring mill in America—near Lancaster, Pa.—and trained other craftsmen in the making of rifles.

Meylin's long-ranged rifles were so effective against the Redcoats that the British Parliament hastily investigated what it called "these strange arms used with such deadly certainty by American regiments."

Many Swiss-Americans laid down their plows and tools of trade, picked up their rifles, and marched off to war in answer to the Continental Congress's call for volunteers in 1776.

Pennsylvania was asked to contribute six companies of sharpshooters, but so many volunteers stepped forward—especially from the frontier counties where hardy Swiss settlers were concentrated—that an entire battalion was formed.

In addition, many Swiss settlers fought in all the German-speaking units from Pennsylvania.

In addition, a Swiss fur trader, Charles Gratiot, sacrificed his personal fortune to provide supplies for the starving forces of George Rogers Clark during the parlous campaigns in the Northwest Territory.

These and other Swiss patriots of the American Revolution—like Emanuel Carpenter and George Zillicoffer—wrote their distinguished records into the glorious pages of U.S. history.

Swiss-Americans have been active in politics, too.

One of the United States greatest political leaders was Albert Gallatin, who left his classes in Geneva to enlist as a volunteer under Lafayette.

After the war, Gallatin became a teacher at Harvard and then moved to the Pennsylvania frontier where he surveyed land, built a gun factory and a glass works, and became a naturalized citizen of the United States.

Soon Gallatin was elected to the Pennsylvania Legislature and then to Congress.

In Washington, he distinguished himself as a dynamic political leader.

For 13 years, he served as Secretary of the Treasury.

During this term, the public debt was cut in half and the internal revenue taxes were abolished.

Later, Gallatin was one of the negotiators of the treaty which terminated the War of 1812.

Afterward he served 8 years as our Minister, first, to Great Britain and, then, to France.

This durable Swiss-American lived to the ripe old age of 88.

After his retirement from active politics at age 66, Gallatin became one of the leading American historical scholars of his time.

Following in Gallatin's footsteps, many other Americans of Swiss origin have achieved fame in public life.

Swiss-Americans have served as Attorney General, Senators, U.S. Representatives, State Governor, Supreme Court Justice, and in many other important capacities.

Former President Herbert Hoover traces his ancestry back to Swiss descendants who emigrated to Pennsylvania in 1738.

Furthermore, a large number of Swiss-Americans have risen to high posts in our Armed Forces, including Adm. Edward Eberle, the World War I Chief of Naval Operations, who exploded the old joke about "Swiss admirals."

Both Gen. Robert Eichelberger, former Army Chief of Staff, and Gen. Lewis B. Hershey, Director of Selective Service, are descended from early Swiss emigrants to Pennsylvania.

The resourceful Swiss farmers have made amazing accomplishments in tilling the soil of America.

In Switzerland, farmers were able to prosper on the sharply sloping and rocky fields only because of their ingenuity in developing new crops, better cattle feed, and improved methods of fertilization.

Therefore, when they came to America, the Swiss brought along with them not only their rugged tenacity and their love for the earth, but also their openminded willingness to experiment.

In South Carolina, for example, Swiss farmers converted the coastal swampland into flourishing and productive fields of rice.

In the Napa Valley of California, Swiss vine dressers made a highly successful experiment in grafting the choicest varieties of European grapes onto native American root stocks and thus succeeded in establishing large vineyards for the production of wines.

For over 100 years, Swiss families, such as the Delmonicos, have propagated the cult of fine cooking all over America.

Americans of Swiss ancestry have played major roles in the development of the chemical, textile, electrical, and automotive industries in the United States.

Many of our leading scientists, engineers, and doctors of medicine were born or educated in one of the several great universities in Switzerland.

Among the first Swiss settlers in Pennsylvania were a few skilled clock and watchmakers.

Many other practitioners of the trade followed these initial craftsmen.

Today, scattered all over America, the descendants of these superb technicians occupy major positions wherever fine watches or other precision instruments are manufactured.

How can one explain the vast current of contributions that have been made to the edification of America by so small a stream of immigration as that which has flowed from Switzerland?

Undoubtedly, individual talents and a high level of education were important.

Of far greater significance is the fact that the Swiss in the United States have come from a country where for many centuries the members of four language groups and several religious faiths have lived together in peace, harmony, and brotherhood.

In America, they encountered no problem of assimilation which they had not already met and overcome in their homeland.

Thus, to become Americans, the Swiss had merely to be themselves.

Swiss National Holiday

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 4, 1959

Mr. MULTER. Mr. Speaker, August 1 is the anniversary of the founding of the Swiss Confederation and is one of the oldest national holidays in all Europe. The Swiss people, keenly aware of their distinct individuality and possessing a robust character, have maintained their freedom because they proved always ready to defend their liberties against all comers. They have taken up arms innumerable times in defense of their freedom in the course of many centuries.

The Swiss people built their cherished republic in the hard way. Of course there is no easy road to national independence, but the stouthearted people of that mountainous country high up in Europe attained theirs very gradually in slow stages. Beginning with the Defensive League formed on August 1, 1291, their persistent efforts led to practical independence in 1499, and finally culminated in complete independence from the Holy Roman Empire in 1648.

Since those distant days the Swiss people have stoutly maintained their independence and their freedom of action

against all foes. This little country of just over 15,000 square miles, with a population a little over 5 million, has earned the respect and admiration of all countries, great and small, powerful and weak. No conqueror or dictator has dared to violate Swiss neutrality, which the people cherish as their most priceless possession next to their independence. As a matter of fact the Swiss feel, with considerable justification, that their very independence is in a way conditioned on their centuries-old neutrality.

Today Switzerland with its democratic government, its efficient democratic institutions, its highly developed technology, and its sound finance and stable currency, has become a living model for efficient democracy. Through their industry, ingenuity, education, and utilization of their natural gifts, the well-meaning, humane, impartial, and highly public-spirited Swiss people have made a valuable contribution to the whole world. By working together, irrespective of their French, German, and Italian origin, they have proved to the world that for the good of all concerned it is better to subdue linguistic and racial feelings and develop a higher and better type of patriotism. In this spirit they have fought their adversaries, have won their independence, and have proved always ready to fight for its preservation.

On this anniversary of their national holiday, I wish them continued prosperity and a happy and peaceful future.

New Hospital: Community Cooperation at Its Best

EXTENSION OF REMARKS
OF
HON. JOHN H. DENT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 4, 1959

Mr. DENT. Mr. Speaker, Sunday afternoon, July 19, my home town, Jeannette, Pa., celebrated the answer to many years of planning, working, and sacrificing.

It was on this date that the Jeannette District Memorial Hospital was dedicated.

As the speaker for this occasion, I was prepared to join many leaders in religious, medical, political, business, and labor fields in giving credit where due and to impress upon my peoples the need for continued effort if the hospital was to be a success.

A short chronological history of this project shows the will of the people cooperating and achieving at its best.

HISTORY

In 1947, the movement for a hospital in Jeannette was started by Mr. Joseph Cononico, of Jeannette. He assembled a group of interested citizens of Jeannette and the surrounding area to initially start Operation Hospital. During 1948 and 1949, hopes and plans for the new hosiptal were conceived. When the city of Jeannette donated a 6½-acre site in Paruco Park, concrete plans for the hospital were formulated, and a drive for funds began. You demonstrated your desire for a new hospital by pledging $435,000. Based upon the success of this first drive, the structure of the originally planned 70-bed hospital was erected, the main exterior work was completed, staircases were built in, and provisions were made for the installation of elevators.

In 1952, another drive for funds was conducted in order that the existing structure might be completed, and the drive resulted in additional pledges of $60,000. This additional amount was inadequate to complete the structure as a result construction remained almost at a standstill until 1955 due to lack of funds.

In 1955, interest was renewed, and plans were drawn up for the addition of an east wing to the existing structure which would increase bed capacity to at least 100. This addition was considered necessary due to the increased demands for hospital services in our growing area. But before going any further with construction, two great problems had to be solved. First, how could the community procure and retain the administrative staff necessary to maintain the high level of efficiency we desired for our hospital? Secondly, where were the necessary funds going to come from?

The Sisters of Charity came forth with the answer to the first problem, by agreeing to provide the administrative staff for operation. They would assume supervision, and the maintenance of the highest standards of efficiency would be definitely assured.

After provision was made for an administrative operating staff, the solution to the second problem was begun by conducting a third drive for funds in 1955, during which time pledges amounting to $535,000 were obtained. The Greensburg Diocese also volunteered a gift of $300,000 making a combined total of $835,000. The association was aware that these funds were not sufficient to complete the job. Accordingly, through the untiring efforts of several members, they were successful in obtaining Federal funds to supplement the funds from the third drive. After bids were received, the association realized that increased construction costs required greater funds. It was at this point that with the aid of Hill-Burton Federal funds, the Greensburg Diocese volunteered additional financial assistance amounting to $250,000.

These combined efforts have not been in vain, because our hopes and dreams of a new hospital have finally materialized. The total cost of the completed project is over $2 million. Your hospital is a modern and up-to-date facility consisting of 100 beds and 28 bassinets. It is understandable that the demands of industrial and personal requirements in our fast-growing area will call for the many services which our Jeannette Hospital offers.

We can all be proud of our new hospital. Its completion has only been made possible by the cooperation, sacrifice, and many hours of hard work by many devoted Jeannette and area citizens. It is to these citizens we wish to express our heartfelt thanks for a job well done.

Now that we have its doors open in the name of Christian charity, this beautiful and practical structure has already given the community a much needed lift in community pride and feeling of security.

One cannot stress too much the work of the auxiliary made up of generous-hearted, inspired women from the surrounding communities as well as the city itself. It was their example and determination through the dark days of dampened ardor and financial worries that—along with the bulldog tenacious courage of a few men—kept the project alive.

As a citizen of this community I cannot help but feel the pride that comes from living in a community where things can and are done by public-spirited cooperation.

We know our problems are not over and that the Sisters of Charity will need the continued unselfish help of all of us. This hospital is part of our town to be cared for, nurtured, protected, and serviced.

If we do this as a community, the good Sisters of Charity in turn will give us the care and protection our hospital is capable of producing.

Let us then rededicate ourselves to our original purpose "to build and maintain a hospital for the care and betterment of our community and its peoples."

Secretary Benson's Reply to Letter From Howard Hill, of the Iowa Farm Bureau Federation

EXTENSION OF REMARKS
OF
HON. FRED SCHWENGEL
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 4, 1959

Mr. SCHWENGEL. Mr. Speaker, on July 28, I caused to be placed in the CONGRESSIONAL RECORD a copy of the text of a letter which Howard Hill, of the Iowa Farm Bureau Federation, wrote to Secretary of Agriculture Benson, expressing his views with respect to the current farm program and what could be done to improve it.

This letter appears in the July 28 RECORD. It outlines several areas where the program could be modified to bring about a more realistic approach to the farm problem in the light of today's national economy. It is worthy of attention.

Equally worthy of attention is the reply which Secretary Benson sent to Mr. Hill. Because I feel that the extension of Mr. Hill's letter in the RECORD justifies a similar courtesy to Secretary Benson, I have asked for, and have been granted, permission to publish it as I see fit. Accordingly, under leave to extend my remarks, I ask that Mr. Benson's reply to Mr. Hill appear in the RECORD.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
WASHINGTON, *July 24, 1959.*

Mr. E. HOWARD HILL,
President, Iowa Farm Bureau Federation,
Farm Bureau Building, Des Moines, Iowa.

DEAR MR. HILL: May I express my sincere appreciation to you for taking the time to write me regarding the problems of agriculture. The views of a farm leader such as you, who understands the problems of agriculture and its relation to other segments of this Nation are most welcome.

In speeches, in testimony before congressional committees, and in press conferences I have tried in every way possible to point out many of the very same points which you feel should be called to the attention of the public. In some instances the publicity media have misused the implications of the facts we have been trying to present to the American people.

I believe that there are certain fundamental factors which all citizens should recognize:

(1) Farmers have done a magnificent job—outstripping industry in productivity.

(2) The American standard of living would have been at a much lower level in the absence of the high production levels generated by farmer efficiency.

(3) This increase in efficiency has enabled the rest of our society to eat better at lower costs.

(4) The farmers relative position in our society has been definitely injured by the impact of inflation. Both the cost-price squeeze and the increase in marketing margins are real and disturb me greatly. We cannot play fast and loose with the Federal budget without ultimately impairing the position of agriculture. We cannot have soft wage settlements and undue price rises without impairing the position of agriculture. Those who have posed as friends of agriculture while at the same time recommending policies which result in more creeping inflation are the enemies to agriculture. Those who say "a little inflation is inevitable, relax and enjoy it" are doing a tremendous disservice to our farm people.

Your letter makes several suggestions. I have examined these suggestions carefully. In reply, I should like to make the following comments.

The conservation reserve program has proved to be an effective attack on the source of the surplus problem. Under this program substantial amounts of farmland have been shifted out of production for periods of 3 to 10 years or more. This had led in many instances to a permanent shift of such land to uses for which it is better adapted. It achieves this adjustment without subjecting our farm people to further regimentation and without the necessity of the Government having to take ownership of the farmland.

Experience under the conservation reserve program has shown that in many instances the program has resulted in speeding up some trends generally recognized as being desirable. This includes such trends as reforestation over wide areas of deteriorated lands, particularly in the Southeast, and expansion of allied industries. Another example is the nearly 5 million acres of Great Plains land that have been included in the conservation reserve program. Nearly all of that acreage has been planted to grass, to the longtime benefit of the Great Plains area.

Up to this time 23 million cropland acres have been signed up in the conservation reserve. Much, if not most, of this land is of average or better productivity and has been retired at least temporarily from adding to our surplus problems and at lower cost than disposing of surpluses.

We have recommended that the conservation reserve authority should be extended.

But there is no point in pushing disposal programs and the conservation reserve on the one hand unless we tie it all in with realistic price support action on the other.

With respect to the utilization of surplus agricultural commodities, we have taken many steps to increase the effectiveness of utilization of our surpluses. As you know, we are moving forward steadily to implement the President's food for peace program.

In an effort to improve the position of agriculture we have recommended the Agricultural Trade Development and Assistance Act, Public Law 480. We feel that this program has been of great assistance in keeping agricultural exports at a high level. We have recommended an extension and will continue to do so as long as it is necessary.

We have held meetings with the principal wheat exporting countries to review operations under existing programs and to explore additional methods whereby agricultural abundance can be used constructively in the free world.

Expansion of exports of U.S. farm products is difficult. Although it may be uneconomic, many countries try to be as self-sufficient as possible in agriculture. To achieve protection they impose substantial import duties and other barriers to increased trade in farm commodities.

We have had some problems with respect to our efforts to increase exports under special Government programs. Most countries, even those lesser developed, take into account their own production while seeking assistance under concessional Government programs. On a total basis, for example, world production of wheat, rice and feed grains in 1958 reached an alltime high. Wheat production in 1958 is estimated at nearly 9 billion bushels, 12 percent above the 1956 record crop and 25 percent above the 5-year average for 1950–54. Obviously there is a relationship between world production of food and feed crops and the quantities of these commodities which we might program under title I and other programs.

Our best opportunities to increase food and fiber consumption and to export food for economic development purposes are in the less-developed countries. These countries, however, often have limited port, transportation, and storage facilities which place a physical restriction on their capacity to import commodities. I have not intended to belabor the problems encountered in maximizing U.S. agricultural exports. But in seeking ways to use our surpluses we must be realistic. We must recognize some of the limitations involved. However, we shall continue to do everything sound and feasible to maximize our exports.

In addition we have in operation a very substantial food donation program, both at home and abroad.

Over the past 7 years we have moved a total of 12 billion pounds of food out of CCC warehouses and onto the plates of schoolchildren and the needy, at home and abroad. In just this past year, over 14 million of our schoolchildren used this food. Almost one and a half million in the Nation's charitable institutions and millions of needy individuals in families have benefited from our donation programs.

We are reaching the areas of greatest need. Of 74 major labor market areas classified as "areas of substantial labor surplus" in March of this year, our donation program was operating in 72. The commodity donation program also reached a large number of distressed rural areas not officially designated as labor surplus areas. In many counties we have, month in and month out, been supplying food to better than 25 percent of the total population resident in those counties. In a few counties of severe economic distress, we have been supplying food to more than 40 percent of the county population.

I want to emphasize that participation in the domestic donation program is entirely at the option of State and local officials.

After requirements of domestic recipients have been met, the Department has exerted every effort to move available surplus foods to the needy abroad. In the past fiscal year, an estimated 60 million people in 85 countries benefited from these surplus foods.

This has been a striking record of achievement, at home and abroad. But, we are asked, why don't you do more? I would like to make the answer crystal clear.

The Commodity Credit Corporation is not a supermarket bulging with a fabulous variety of foods. I have seen articles and speeches citing the fruits and vegetables, the meats and fresh eggs we presumably have on hand. You know and I know that we have none of these items in our inventory.

Better than 85 percent of our inventory consists of the so-called basics, corn, cotton, wheat, rice, peanuts, and tobacco. We are processing and distributing corn, wheat, and rice—every pound that any accredited agency anywhere in the United States says it can use for needy people without waste.

We are similarly distributing dry milk. Likewise, we have distributed butter and cheese until it became necessary to reserve remaining supplies for schools and charitable institutions. And, when it became apparent that eggs faced extreme marketing difficulties, we used section 32 funds to process eggs and distribute them in dried form.

We believe we are doing everything feasible in the field of utilization of available surplus foods in the most constructive manner possible to help those in greatest needs.

We agree with you that utilization research to find industrial uses for farm products should be expanded. There have been many recommendations for crash programs which in some cases involve setting up a new agency. This would mean competing for available scientists who it is generally recognized are in relatively short supply.

During the past 6 years the budget for agricultural research has more than doubled. This is concrete evidence of our interest, and that of the Congress, in an adequate, balanced, sound research program. It is rather significant that last year our appropriation was cut below our request for utilization research. You may rest assured that such a program will have our continuing and vigorous attention with emphasis on utilization and market expansion.

With respect to the study requested regarding the European Common Market I have asked the Foreign Agricultural Service to analyze the implications.

With respect to the elimination of labor exemptions from antitrust legislation you of course recognize that this matter has been considered at some length by the Congress. You recognize it is technically outside the immediate area of the Secretary of Agriculture. I shall be glad to pass this question on to the Secretary of Labor.

In my recent testimony before the House Committee on Agriculture, I made the following statements:

"My admiration for the job farmers are doing is exceeded only by my sympathy for their problems. The cost-price squeeze and the spread in marketing margins are two economic factors in agriculture that disturb me greatly, as they do all farmers. We are trying to hold the line on inflation. Through increasing emphasis on marketing research we are constantly striving to reduce the gap between what farmers receive for their goods and what these goods sell for.

"These two fundamental problems, plus the more spectacular dilemma of the vast

surplus in a few crops, are certainly not the fault of our farmers.

"They are not to blame. I make this point because as this dilemma worsens, there is a growing public tendency to point the finger of blame at the farmer. This is unfair. Farmers are not responsible for the high costs of Government involvement in agriculture.

"These excessive costs are directly traceable to war-bred legislation continued too long in peacetime. The farmer's response to mandatory price supports at production-stimulating levels was what any reasonable person might expect. Naturally, not all the outlay of public moneys resulting from this overproduction finds its way back to farmers' pockets, as some mistakenly believe. Costs of storage, interest, and handling alone are now about a billion dollars a year."

This statement regarding the unjust criticism of farmers I am sure coincides with yours. I will do everything within my power to give publicity to these heartfelt sentiments. You are to be commended for your efforts on behalf of clarifying public misunderstanding of farmers.

Sincerely yours,

EZRA TAFT BENSON,
Secretary.

Opinion Poll Results

EXTENSION OF REMARKS
OF
HON. ROBERT J. CORBETT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 4, 1959

Mr. CORBETT. Mr. Speaker, I am reporting herewith the percentage results of my latest poll of public thinking in the 29th Pennsylvania Congressional District on 12 major national issues. I sincerely hope my colleagues in the Congress find them interesting and informative.

As background, I might point out that I have been taking these polls since first coming to Congress in 1939. They are in the form of a printed questionnaire, requiring simple "yes" or "no" answers, and they are mailed to the voters of my district, regardless of political party. The district is almost evenly divided between Republicans and Democrats.

The returns to this questionnaire were exceptionally good, and the total response virtually constitutes a referendum of the district.

The questions and the percentage replies follow without editorial comment.

	Yes	No
	Percent	*Percent*
1. Do you believe that the Federal Government should promptly start a program designed to orderly terminate farm price supports?	94	6
2. Do you think that the Congress should pass an annual appropriation of at least $1,000,000,000 for national debt retirement prior to the passage of any other appropriation bill?	85	15
3. Do you agree that if State and local officials enforced existing laws against criminal activities in labor unions that Federal laws in this field would be unnecessary?	38	62
4. Is it your impression that from a military point of view we are stronger than Russia?	51	49
5. Are you more in favor of building the Kinzua Dam than any other plan you know of for controlling the floodwaters of the upper Allegheny River?	67	33
6. Would you vote to reelect President Eisenhower if it were legally possible for him to run again?	63	37
7. Do you favor Federal funds for urban renewal projects?	30	70
8. Would you vote for Federal financial aid to public schools not limited to building construction?	33	67
9. Granting that so many dollars will be voted for foreign aid, would you favor increasing aid to Latin America and decreasing aid to western and southern Europe?	63	37
10. Do you believe that Government is more to blame for inflation than business and labor?	52	48
11. If current wage negotiations in the steel industry indicate a price increase for steel, would you favor the imposition by law of price and wage ceilings for steel and affected metal products?	59	41
12. This, the 86th Congress, has been labeled a "Can Do Congress" by some and a "Won't Do Congress" by others. Would you agree that it is a "Do Little Congress"?	71	29

Support Grows for White Fleet

EXTENSION OF REMARKS
OF
HON. ED EDMONDSON
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 4, 1959

Mr. EDMONDSON. Mr. Speaker, on July 21 the gentleman from Massachusetts [Mr. BATES] and I introduced in the House, and Senators HUBERT HUMPHREY and GEORGE AIKEN introduced in the Senate, concurrent resolutions calling for the establishment of a Great White Fleet of mercy ships to carry American surplus foods, medical aid, and supplies to disaster and distress areas throughout the world.

This bright new concept for peace, the idea of an Oklahoma naval officer, Comdr. Frank A. Manson, of Tahlequah, has inspired a tremendous outpouring of commendation, good will, and support from the American people across the length and breadth of the land. As you know, the July 27 issue of Life magazine, with a striking cover picture and its lead story and editorial column, threw its full support behind the Manson plan for a Great White Fleet as a "bold proposal for peace," and had a strong followup story in its August 3 issue.

On the day the concurrent resolutions were initially introduced in both Houses of Congress, all types of news media in America immediately showed great interest in the proposal. Radio and TV networks, news services, and independent newspapers made many inquiries and followed up with stories. Great American newspapers have endorsed the idea editorially. For example, the St. Louis Post-Dispatch of July 23 in an editorial entitled "To Relieve Human Suffering," said in part:

> It would be hard to do more good at smaller cost and we hope that Congress will look with favor on the proposal and that in turn it will be approved by President Eisenhower.

In an editorial entitled "Great White Fleet," the Christian Science Monitor of July 27 said in part:

> As a dramatic, impressive, traveling advertisement of Americans' dominant desire to be helpful, not warlike, the idea has enormous possibilities. It certainly should be seriously explored and considered.

A much smaller newspaper, which I understand publishes twice weekly, the Franklin Times, of Louisburg, N.C., in an editorial on Tuesday, July 28, called Manson's idea the "boldest, most imaginative plan offered for world peace and good will we think since the Marshall plan. We highly endorse Commander Manson's plan and would like to see it put into operation with all possible speed."

The response of the American people to this proposal for a new Great White Fleet has been terrific and overwhelming, if the reaction received in my office by telegram, letters, petitions, postal cards, telephone call, and personal calls, is any indication. More than a thousand written communications, some of them signed by 20 or more persons, have already been received on this subject alone. One letter, received from Geneva, Ill., reads as follows:

> A citywide poll was demanded and taken by the citizens of Geneva, Ill., for the promotion of the Great White Fleet. The results are as follows: Those in favor, 3,485; those against, 73; not voting, 2,345 (estimated).

The proposal of the Great White Fleet, if my mail is any criterion, touched a deep wellspring of American faith, vision, and desire to see evidence of the great American dream become more visible to the world. Of all the communications received, only a dozen were opposed to the plan at last count.

Several persons enclosed checks or cash with their letters as tangible evidence of their deep interest and strong desire to see the Great White Fleet go into action. Many, many more, including individuals, corporations, and associations, pledged financial support at the proper time. Some called for a "dollar crusade." At least one person wrote he would be willing to send $100 a year for this purpose. Another person said he would pledge 5 percent of his monthly income and said:

> With 12 to feed, it's all I can do—wish it was more.

Offers of help are being received from very strong and influential groups. Over the weekend, the initial sponsors of the resolutions in the House and in the Senate received a wire from George Killion, chairman of the Committee of American Steamship Lines, composed of major American flag steamship companies operating under contract with the Maritime Administration, offering to meet with sponsors of the project to discuss "ways and means of lending our shipping know-how to the advancement and operation of this inspired project. Our efforts would be directed to establishing experienced shipping organization on a nonprofit basis." We expect to meet with a committee soon to discuss this fine offer.

The Radio and Television Executive Society has strongly endorsed the Great White Fleet proposal. The American Board of Abdominal Surgery called the White Fleet "certainly a positive step," and offered to assist in any manner you desire to obtain the best qualified abdominal surgeons for the White Fleet, and also to provide space in the Journal of Abdominal Surgery to tell the story of the White Fleet.

The American Merchant Marine Library Association has offered its service in providing seagoing library units for the vessels of the Great White Fleet. Publishers, advertising agencies, civic organizations, and many other leaders in business and professional fields have endorsed the plan and offered help and support.

Offers to volunteer their own personal services in the Great White Fleet have been received from many persons in many professions. In addition to doctors and registered nurses, we have had letters offering personal volunteer services from dentists, medical photographers, chaplains, optometrists, licensed practical nurses, hospital dietitians, helicopter pilots, medical secretaries, teachers, physical therapists, and one licensed embalmer. Of great significance to me is the fact that many young people, in high school and in college, have written in connection with their desire to serve with the Great White Fleet, and they indicate they could let this plan be a significant part of their own planning for future education and training, and their own life's work.

Perhaps the strongest support has come from churches and church people across the Nation. Letters of strong support have come from Protestants and Catholics alike, and from people of the Jewish faith. One Buddhist group from a nearby State strongly endorses the proposal.

Because it is typical of the mail along this line which is being received, I should like to quote from a letter received from the pastor of a Congregational church in Iowa:

I am a parish pastor who wishes to commend you and thank you for supporting the idea of the New White Fleet. So long as the project continues to be a nonpartisan, unselfish effort to help peoples of the world who are in need for any reason, I shall be able to speak and work for it. Let us not turn this into a political method but rather let the strength of America speak for itself in surplus given freely, medical and teaching abilities given kindly, and service to mankind as the single aim. A nation as blessed as we are can find a new value in life when it gives to others what it has so much of itself.

He goes on to say he has asked his parish to study the proposal—something many other ministers, Sunday school teachers, and church leaders have done.

The American people who have written to me from practically every State in the Union always provide provocative ideas and are a never-failing source of original thought and great inspiration. In addition to the overwhelming sentiment in favor of the Great White Fleet, there is a strong overtone of the very profound and very urgent desire of the American people to promote the cause of peace and to be helpful to victims of suffering and disaster throughout the world.

A number of letters are concerned that the project might be considered a propaganda scheme and urge that careful precautions be taken to prevent such an eventuality. For example, one man from Illinois wrote me in part:

One reservation: The suggestion that a seventh ship might be added to exhibit U.S. culture and industry might be fraught with danger. It could give rise to the suspicion that the real reason behind the fleet is not true altruism but a desire to create good will for American industry. This would be disastrous to the fleet idea. One suggestion: If a seventh ship were to be added why not make it international in scope and have exhibits of some of the best cultural and most helpful scientific advances from all over the world? I have in mind exhibits of drugs to heal diseases, works of UNESCO, peacetime uses of nuclear energy, etc. This could do much to bind mankind together.

Other letters have suggested that the United Nations, the World Health Organization, or the Red Cross should be brought into the picture. Still others would like to see the ships of the White Fleet named for great names in medicine, for the great nurses of history, or for great scientists.

Many who write stress the urgency for immediate creation of the Great White Fleet and point out that now that it has been publicized "there would be unfavorable repercussions if it is allowed to lapse." Another concern in this connection is the fear that there is "nothing to prevent Russia from taking the idea and beating us to the field." One Tennesseean wrote in part:

With all due respect, please hurry before this turns out to be another Aswan Dam and the Little Ruskie, Mr. K., get in on the act by beating us to it.

Excerpts from some of the many other letters received provide some examples of true Americana. One such letter starts with the sentence:

My husband and I just read the Life magazine article on the Great White Fleet.

And the next concluding sentence reads:

Damn the torpedoes, full speed ahead.

Another letter says:

The newly proposed Great White Fleet could be any color as far as I'm concerned. If this plan doesn't materialize, you'll not only disillusion the American people, but also those people who have long been waiting for just such a Great White Fleet.

The text of another letter follows:

I see no point in making my views known in terms of deathless prose. Here's my vote for the Great White Fleet—enthusiastically.

Mr. Speaker, at this point I should like to convey a message to one of our esteemed colleagues by inserting in the RECORD the text of a letter received from Point Lookout, Mo., which reads:

I am not one of your constituents but would sure like to say that I am one of the many down here in these Ozark Hills who would back your bill or resolution favoring the New White Fleet completely. You might pass this letter on to our good friend CHARLIE BROWN and tell him we would like to see him back it, too.

Mr. Speaker, I might add that Mr. BROWN introduced his House Concurrent Resolution 320 calling for the creation of the Great White Fleet on July 21, the very day the initial resolutions were introduced.

Before going on to a discussion of the response from my own Second District of Oklahoma, I should like to read a few excerpts from a self-styled teenager, also from Missouri, who said she had just finished reading about the Great White Fleet. She wrote:

I am only 14 years old, but I am as concerned in our Nation's peace as anyone. The world needs more Commander Mansons. The only thing fighting accomplishes is killing people, while a fleet of mercy ships would create a "good" feeling between those nations that are not as fortunate as the United States. This is just my point of view, but maybe other people have the same idea. This is a teenager's opinion.

Mr. Speaker, the mail I have received from the Second Congressional District of Oklahoma has been overwhelmingly in support of this proposal. Only one letter has been received at last count from my district in opposition; and, of approximately 65 letters received from Oklahomans outside my congressional district, only one was opposed. The letters of support are similar to those received from all over the country, and include offers of financial support, the volunteering of professional services by physicians, television personnel, dentists, and teachers, and general strong endorsement of the Manson plan.

I am proud to say that the first written message I received on the Great White Fleet proposal came from my district. On July 21, the officers and members of Veterans of Foreign Wars, Post No. 4877, in Muskogee, Okla., wired me through their commander, Clyde Neff, as follows:

The proposed resolution of sending mercy ships to the world's disaster areas is of a vital concern to the VFW Post 4977. This

proposal would help promote peace and good will throughout the world. As one nation and one people under God, we should aid our fellow man in time of need. Therefore, we fully endorse and support this proposal and trust that every effort will be put forth for its passage into law.

John Mahoney, of Radio Station KVIN, in Vinita, Okla., sent me "a short comment on the Great White Fleet proposal of fellow Oklahoman, Commander Frank Manson," and called it the "best constructive thinking, to encourage good will and further better American interest abroad since 'Willie and Joe'."

My old and cherished friend, Dr. J. R. Graves, of Westville, Okla., wrote me that he endorsed the Manson plan 100 percent, and added:

Now Ed, you may think I am displaying a false impression, but I believe I could get 500 signatures of endorsement and not cross the Barren Fork or the Illinois.

These are two Oklahoma rivers whose confluence is near Adair County where Dr. Graves resides.

Other persons writing letters of strong endorsement from my district include James Dunn, State service officer of the State Veterans Department in Muskogee; Dr. James H. Elliott, of Nowata; Mr. Robert E. Sattler, of Bartlesville, 1st Lt. Donald R. Adair, of Pryor; Mr. Jim Nevens, of Beggs; Mr. and Mrs. Ben Terry, of Henryetta; Mr. and Mrs. Virgil Fields, of Jay; Mr. G. N. Irish, of Muskogee; Mr. Marcel Lefebvre, of Okmulgee; Mr. W. H. Wilson, of Porter; Mr. Joe Kearney, of Henryetta; Mr. Charles L. Harris, of Muskogee; and Mr. Gentry Lee, of Bartlesville.

Mr. Speaker, the vast majority of the American people from whom I have heard in connection with the Great White Fleet proposal overwhelmingly endorse it, just as do the people from my congressional district and from my State. It is my understanding that there are 45 House concurrent resolutions already introduced calling for the establishment of this Great White Fleet, and that 34 Senators are now cosponsors of the Senate concurrent resolution in the other chamber.

Mr. Speaker, I urge the earliest possible action by the Congress on these resolutions, and suggest that the President, with the authority already at his disposal, get things under way immediately so that the Russians do not, as so many Americans have pointed out they could, beat us by bringing this magnificent concept into actuality.

Mr. Speaker, as a final note and as an indication of the potential meaning to the world of this proposal, let me insert in the RECORD this one letter I have received from across our border to the north:

MONTREAL, QUEBEC, CANADA,
Tuesday, July 28, 1959.

DEAR MR. EDMONDSON: Being a young Canadian teacher I can offer you neither time nor money for the wonderful new white fleet which you are sponsoring.

The courage, ingenuity, and kindness of yourself and your fellow Americans will make this dream a reality. We are proud that the United States is our neighbor country.

In the coming season I shall explain your endeavor to my large class, and each child will offer prayers for its success.

May God bless you.

Sincerely,

ROSEMARY SAMSON.

Dedication of Maj. Frank M. Parker Army Reserve Training Center, Chambersburg, Pa., August 1, 1959

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 4, 1959

Mr. VAN ZANDT. Mr. Speaker, it was my privilege to participate in the ceremonies in connection with the dedication of the Maj. Frank M. Parker Army Reserve Training Center, Chambersburg, Pa., Saturday, August 1, 1959, and to deliver the principal address.

The dedication ceremonies were attended by hundreds of citizens from Chambersburg and vicinity as well as the military Reserve units who will use the new center for training purposes. The program was interesting and revealed the great admiration and respect that the community had for Maj. Frank M. Parker who lost his life in Korea, as well as the "citizen soldiers" who comprise the Army Reserve units in Chambersburg.

My address follows:

ADDRESS BY REPRESENTATIVE JAMES E. VAN ZANDT, 20TH DISTRICT OF PENNSYLVANIA, AT THE DEDICATION OF THE FRANK M. PARKER ARMY RESERVE TRAINING CENTER, CHAMBERSBURG, PA., AUGUST 1, 1959

It is a pleasure to be here in Chambersburg, with my wife and son, taking part in a ceremony of such great significance, both local and national, as the dedication of a new Army Reserve Training Center.

I appreciate the invitation and I share wholeheartedly in your satisfaction that the Army has honored Chambersburg, both by selecting the city for this center, and by naming it for Maj. Frank M. Parker, Jr., whose life and death reflect such glory upon his native city.

The sturdy and dignified memorial, serving so practical a patriotic purpose, and a purpose so suited to the character and career of Major Parker, must be gratifying to all who knew and loved him, and most of all to his parents, Mr. and Mrs. James M. Parker, to his wife, Phyllis, to his son, Frank M. Parker III, and to his daughter, Phyllis Kim Parker.

It is good to think that the children of Major Parker, who gave his talents and his energy, his enthusiasm and talent for leadership, to the service of his country, will live here in his city, with—ever before their eyes—this substantial evidence of the honor in which their father's name is held by his grateful country.

On this occasion, I should like to salute the Reserve organizations that are presently assigned to this Reserve training center; namely:

1. The 439th Engineer Company (float bridge), Company A, Third Battle Group, 12th Infantry, 79th Division;

2. Company C, 279th Transportation Battalion (armored carrier) 79th Division;

3. The 920th Ordnance Detachment (technical intelligence);

4. Headquarters and Headquarters Company, 2375th Engineer Group (combat) (reinforcement training).

As some of you have undoubtedly heard me say before, I look upon the work of the military Reserves as an essential patriotic duty, a sacrifice of time and effort which good citizens gladly undertake in order to do their part toward keeping their country alert and strong.

The Frank M. Parker Army Reserve Training Center is one of thousands of similar installations throughout the country authorized by the Congress of the United States to provide our Reserve forces with the necessary training facilities.

This Reserve training center will enable the local Army Reserve to continue to maintain their proficiency in the complicated art of modern warfare in this day and age.

Speaking of our Reserve forces as a whole they have not always been in the favorable position of having available adequate training facilities that the Chambersburg units will now enjoy.

Frankly, prior to World War II and also for a period of 4 or 5 years after World War II, our Reserve forces were sadly neglected, however, at that time the Congress recognizing the deplorable state of our Reserve forces enacted into law the National Defense Facilities Act of 1950.

Under the provisions of this so-called basic law—which is the keystone upon which our Reserve facilities programs operate—Congress indicated it would underwrite the construction of permanent training facilities throughout the country so as to insure the maintenance of an adequate Reserve program.

Under the provisions of the National Defense Facilities Act of 1950 armories are constructed which are 100 percent federally owned and authority is also given to contribute to the individual States for the construction of new National Guard training facilities.

In the latter case, the Federal Government contributes 75 percent of the money required for the development of the Reserve training facilities in conformance with Federal requirements.

For a moment I would like to review the actual status of the Army Reserve training program which includes at the present time nearly 2,000 Reserve training centers scattered throughout the Nation and our Territorial possessions yet only 458 of these training centers are considered by Army commanders to be adequate for continued long-range use.

As a result in the case of the Army Reserve the Department of Defense with the permission of Congress has initiated a vigorous and accelerated program of construction designed to replace existing inadequate facilities.

Thus, during 1958 there were 112 new centers under construction and 80 additional centers were programed for fiscal year 1959 and 1960 thereby resulting in a total of more than 465 newly constructed facilities for the Army Reserve by the end of fiscal year 1961.

In referring to the Army Reserve program I am not unmindful of the Reserve components of the other branches of our Armed Forces who are likewise benefiting from the National Defense Facilities Act of 1950.

These Reserves of the Air Force, Navy, Marine Corps, Coast Guard, and our National Guard play indispensable roles along with the Army Reserve in defense of this Nation in time of war.

The readiness of our Nation's military Reserves is a vital part of our national security and is best indicated by the recent assignment to the National Guard of concurrent

responsibility with Regular Army forces for the manning of Nike batteries located throughout the United States.

This sharing of military responsibility is indicative of not only the state of readiness of various Reserve components but likewise reveals the new mission of the Reserves in modern warfare.

The overall program which involves the National Guard Reserve calls for the deployment of 33 Nike battalions at 116 sites by June 30, 1962.

All 24 of the Nike batteries scheduled to go "on-site" this summer have key personnel currently training at the Army Air Defense Center at Fort Bliss, Tex. The remaining members are actually training at Nike sites under the supervision of the Active Army.

Final transfer of the responsibility of manning the Nike sites from the Regular Army to National Guard units will take place following 2 weeks of field training this summer of the National Guard personnel concerned.

My purpose in referring to the National Guard and its new role in manning Nike battery sites is to emphasize by example the constantly changing requirements of a military reserve in this missile age.

Continuing to use the National Guard Reserve as an example it may be of interest to state that these National Guard missile sites are operated in much of the same way as a volunteer fire department.

In other words, a nucleus of full-time technicians man the equipment around the clock, keeping it in constant readiness and capable of initiating effective fire on the enemy without additional help.

The remaining members of the Nike missile unit are citizen soldiers in their communities and keep up on their military skills by attending weekly drills with their units.

In the event of an emergency these members report immediately to their unit and augment the full-time technicians already manning the equipment thus providing adequate personnel to man and operate the missile unit.

This readiness of our Nation's military Reserves as exemplified by the National Guard Nike missile battery personnel is indicative of the degree of readiness that is to be found in the Reserves of the Army, Navy, Air Force, Marine Corps, and Coast Guard.

In addition the changes in the mission of the National Guard reflect similar changes in military tactics and tables of organization applicable to all Reserve components.

What I am trying to say is simply this; Historically we have had both time and space advantages after the initiation of hostilities in which to expand our forces and provide for their support.

The advent of nuclear weapons in combination with swift means of delivery has denied us these time and space advantages in the event of a general nuclear war.

These changes in military tactics and tables of organization are not only affecting the mission of the Reserves but our military forces in general.

While some may disagree with my views I can see future wars being fought from continent to continent with guided missiles carrying nuclear warheads.

This means that the type of our present-day military machine will be obsolete in a few years unless we keep abreast from day to day with the development of nuclear weapons and the resulting revolution taking place from day to day in the technique of prosecuting war.

As we pass through this transitional period, Congress will be called upon to make momentous decisions affecting military manpower and equipment together with the roles and missions of our Armed Forces.

It has been said many times that without a strong economy the military might of our Armed Forces is imperiled.

Therefore, as we face decisions in the field of national defense, we must protect our economy by getting the most for our Armed Forces out of every dollar spent for national security.

As a member of the House Committee on the Armed Services, which has legislative jurisdiction over the reserves of our country, I wish to take this opportunity to commend the officers and men of Chambersburg's Army Reserve units and at the same time congratulate and thank the citizens of this area for the support they have always given our civilian soldiers, sailors, and airmen who, in the final analysis, are the bulwark of our Nation's defense.

In conclusion it is fitting that on the occasion of the dedication of this Army Reserve training center that we recognize it now and for posterity as a monument to the career and qualities of Maj. Frank M. Parker, a military Reserve who gained undying fame in rendering service to his country as a citizen and a soldier.

Maj. Frank M. Parker will long be remembered, with grateful affection and admiration, by the people of Korea whom he aided and defended, and by the people of America, to whom he stands as an example of stalwart patriotism, untiring energy, and industry, and friendly good neighborliness.

His memory is fittingly symbolized by the Bronze Star of valor; his outstanding service in Korea; symbolized by the sturdy bridge erected in his honor over the Imjin River; and by the loved and honored family that he has left behind him here in the Chambersburg area.

Major Parker will be remembered, too, from this day forward, as his spirit is enshrined in this building and in the organizations identified with it.

May his example be honored and followed by all who are privileged to know and to use the Frank M. Parker Army Reserve Center.

The Federal Credit Union Bill

EXTENSION OF REMARKS
OF
HON. JOSEPH W. BARR
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 4, 1959

Mr. BARR. Mr. Speaker, when I came to this Congress about 6 months ago, I was assigned to the Banking and Currency Committee. Since last January our committee has been hard at work on many different bills that have dealt with the financial institutions of this country. It has been a real privilege for me to work on this legislation in committee and to defend it on the floor of the House. Our record so far has been excellent. We have passed bills concerning the International Monetary Fund, the World Bank, the Inter-American Bank, the Federal Reserve System and technical bills designed to modernize the banking laws of the United States.

There has been one big trouble with all this hard work. I am sure that it has been constructive legislation and of real value to this Nation. But all these bills have been so technical and so complicated that it has been very difficult for me to explain to the people of my congressional district just what I have been doing.

Last Friday we finally came to a bill which I defended on the floor of the House that everyone can understand. This was the credit union bill. In Marion County, Ind., there are 93 credit unions with a membership of over 60,000 people. These people have joined together in different industrial plants, offices, and agencies of government in a cooperative effort to meet their short term needs for money. While there are not too many people that I can talk to about the highly technical provisions of the Federal Reserve System, there are thousands and thousands of people who understand perfectly well just how a credit union works and what it means to them. It is for this reason that I was so pleased to be able to do my part on the committee and before the House of Representatives in defending this bill.

Basically this credit union bill is an attempt to modernize the law—to bring it up to date. This is just the same thing that we have been doing with the great financial institutions that make up the membership of the Federal Reserve System. Many of us feel that the United States is facing a drastic shortage of money and credit in the next 10 years. Our population is increasing at an explosive rate. In the next 10 years it is very probable that we will have 50 million more people in this country. It is going to take a lot of money and a lot of credit to make sure that these people have jobs, to see to it that they have houses, and that they have the opportunity to live a decent life. It is absolutely necessary that this Nation use its savings as wisely and efficiently as possible. This is the theory that we used in all our previous banking legislation, and this is the theory that we are using in the credit union bill.

Basically this is what the credit union bill does:

First of all, it permits a credit union to make a loan for 5 years instead of the 3-year limit that is now in force. Second, it permits a credit union to loan as much as $1,000 instead of the present $400 limit. Third, it makes it a Federal crime for anybody to rob a Federal credit union. The rest of the bill deals with technical parts of the law, but these three provisions are the things that will be of most interest to credit union members.

The short explanation above shows that in the credit union bill we are trying to bring existing law up to date. We are trying to use the savings of the members of these credit unions wisely and productively. I am certain that this is a good bill, and I think it is especially fitting that this legislation should come on the 50th anniversary of the credit union movement of the United States and the 25th anniversary of the Federal credit union legislation. My work toward the passage of this bill is my personal anniversary gift to the 60,000 members of credit unions back in Marion County, Ind.

SENATE

WEDNESDAY, AUGUST 5, 1959

WALLACE F. BENNETT, a Senator from the State of Utah, offered the following prayer:

Our Father in heaven, as we approach and enter the closing days of this session, we, the Members and officers of this body, are in need of many special blessings.

As individuals, we hope that Thou wilt bless us with patience, with understanding of our responsibilities, with humility, and with the ability to subordinate our personal, selfish aims to the accomplishment of our important tasks.

As Members of this body, we pray that we may be able to have and to maintain an appreciation of the necessities of this body as an entity, as an agency of the Government. Bless us, that we may be able to undertake our share of responsibility for the success of the Senate as a separate, distinct, and important organization.

We pray, too, that we may never forget our responsibilities as citizens of this country and officers of this Government, that we may keep the national interest always before us, and be willing to subordinate the less important interests and motivations to the national welfare.

Finally, we pray that as we face these serious responsibilities, we may always do so in the spirit of truth and in the spirit of dedication and devotion to principle, in order that when our work is finished, it may have been done for the best possible good of ourselves, the Senate, our country, and all men who believe and trust in freedom and principle, everywhere.

These blessings we ask in the name of Thy Son, Jesus Christ. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, August 4, 1959, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT OF COMMISSION OF FINE ARTS—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was referred to the Committee on Rules and Administration:

To the Congress of the United States:

I transmit herewith for the information of the Congress the report of the Commission of Fine Arts of their activities during the period July 1, 1948, to June 30, 1954.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 5, 1959.*

(NOTE.—Only copy of actual report was transmitted to the House of Representatives.)

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Paul C. Weick, of Ohio, to be U.S. circuit judge for the sixth circuit, which was referred to the Committee on the Judiciary.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H.R. 6940) to amend the Mineral Leasing Act of 1920 in order to increase certain acreage limitations with respect to the State of Alaska, and it was signed by the President pro tempore.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour, for the introduction of bills and the transaction of other routine business; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE LABOR-MANAGEMENT ANTIRACKETEERING BILL, AND LEGISLATIVE AND EXECUTIVE RESPONSIBILITY

Mr. JOHNSON of Texas. Mr. President, last week the President made some philosophical remarks about the necessity of defending the executive branch of the Government from legislative encroachment. His words provoked some approving editorials and articles.

Mr. President, on the desk of each Member there is a unanimous-consent agreement in connection with Senate bill 2471, which would seek to bring into agreement the views of the legislative branch and the executive branch. As majority leader, I do not expect to move to have that bill considered by the Senate unless and until a satisfactory agreement has been reached with the executive branch, and unless and until the bill which it would seek to amend becomes law. I have been informed that that would be the correct parliamentary procedure.

There is also indication that the President is going to use the prestige of the White House and nationwide facilities to discuss his ideas of what constitutes an effective antiracketeering bill; and I am informed that he will do this on the eve of the House of Representatives debate on this important legislation.

Members of the Senate will recall that last year the Senate passed, by a vote of 89 to 1, after thorough debate of several days, an effective antiracketeering bill. Members will also recall that this year the Senate, after weeks of hearings, and after 9 days of day-and-night debate, passed an effective antiracketeering bill, by a vote of 90 to 1.

Mr. President, there are very few persons I know of who do not want an effective antiracketeering bill enacted. The real difficulty is that honorable men disagree on what constitutes a bill that will be both effective and fair.

It is my opinion that this is a problem which the collective judgment of the Congress must resolve. If the President feels that he must enter the debate while the Congress is attempting to resolve the problem, and before the bill comes to him, I trust and I pray, as I know all other Americans do, that he will be able to shed light, instead of generate heat.

Mr. DIRKSEN. Mr. President, I would regard it as most timely if the President of the United States did utter his sentiments with respect to what he believes to be an adequate labor-management reform bill to meet the challeges which today are on the American horizon. As the Chief Executive of the country under the Constitution, I believe that, first of all, he has that responsibility; and I believe it would be timely for him to exercise it now.

I may say, in a personal word, that no later than yesterday morning, I urged upon the President, and recommended, that he go to the country with a message on this all-important subject. It now becomes even more timely in view of the fact that the McClellan committee's interim report was filed only yesterday—and what a document it is to awaken the American people to what is at the present time on the horizon of the country.

I should like to make one comment with respect to the one-sided vote by which the labor-management reform bill passed the Senate. I have pointed out on a number of occasions that notwithstanding the fact that we felt the bill was inadequate, in that it did not deal sufficiently with the field of blackmail picketing, secondary boycotts, no man's land, and certain enforcement provisions, we had virtually no choice except to vote for the bill, for otherwise there would have been no action at all on that subject in this Congress; a failure on the part of the Senate to act, when it was the initiatory body, would have been like notice to the House of Representatives that it might just as well stick its bill into a pigeonhole. So, in my judgment, the vote of 90 to 1 connoted very little as to the number of Members who felt that the bill was entirely inadequate for the necessities of the moment and entirely inadequate to meet what I regard as the serious and

threatening challenges which are before us at the present time.

The mail which comes to every Senator's desk evidences a tremendous and intense interest in every section of the country, among people in all walks of life.

I can only express the hope that when the bill reaches the floor of the House of Representatives, next week—as I understand it will—the Members of the House will stand up to it and will do an infinitely better job, so that when the bill goes to conference, it will contain what have been described as the requisite teeth, the necessary provisions to meet the present challenge.

Mr. SYMINGTON. Mr. President, will the minority leader yield briefly to me, for a question of fact?

Mr. DIRKSEN. I yield.

Mr. SYMINGTON. I ask my able friend, the Senator from Illinois, whether he is talking about the vote in the Senate this year or the vote in the Senate last year.

Mr. DIRKSEN. The vote this year.

Mr. SYMINGTON. This year? I thank the Senator from Illinois.

Mr. MANSFIELD. Mr. President, apropos the announcement that tomorrow night the President will speak to the Nation on labor-management legislation, I should like to state that last year the Senate passed, by a vote of 89 to 1, a very good antiracketeering labor bill, as the majority leader has already stated. That bill was not passed by the House of Representatives, because the bill was brought up in the House under a suspension of the rule, after undue delay, and the necessary two-thirds majority vote was not forthcoming. I think the record will show that at that time the great majority of the Republicans voted against the labor bill, and the great majority of the Democrats supported it. This year a labor bill was passed by the Senate by a vote of 90 to 1. All kinds of amendments were offered. I recall the distinguished minority whip [Mr. KUCHEL] had a leading part in writing into the bill a so-called bill of rights provision, which was accepted by the Senate.

I express the hope that, inasmuch as President Eisenhower is to go before the people of the Nation tomorrow night, through the media of TV and radio, the same privilege will be accorded by the networks to the author of the labor antiracketeering bill which passed this body a few months ago, the distinguished Senator from Massachusetts [Mr. KENNEDY] or to the Speaker of the House or the distinguished majority leader [Mr. MCCORMACK]. I think he or they should have equal time in this respect so that, on that basis, the American people can then make up their minds whether we have passed a sufficiently strong bill in the Senate as I think we have.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JOHNSON of Texas. I point out for the record that the great crusade came into power in 1952 with an overwhelming mandate of the American people, and the late distinguished labor expert, the beloved Senator from Ohio, Mr. Taft, became the majority leader of the U.S. Senate in the 83d Congress.

That session came and went without any labor bill of any kind. Then we had a second session of the 83d Congress. We were led in this body by that fearless and courageous American, William F. Knowland, of California. The session came and went without any labor bill.

I would remind the Republican Party, which utilizes every opportunity to become as partisan as it has been since it came into power that it was a Democratic Congress that brought into existence a Democratic committee, headed by a great American, JOHN MCCLELLAN, that exposed the racketeers and hoodlums. I shall not go into the details of which party the principal racketeers belong to. But, pursuant to the recommendation of the McClellan committee, and after full and adequate opportunity had been given to every Member of the Senate to offer every amendment that could be conjured up by any trade association or any labor organization, after full and ample and lengthy debate, the Senate passed by a vote of 90 to 1, an effective antiracketeering bill, and it did so without any pressure, it did so without any heat, it did so without any ultimatums.

I am one who believes that the House of Representatives is perfectly competent to act in its wisdom on the type of legislation the majority of its Members feel ought to be passed. I have no doubt it will be effective antiracketeering legislation.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

APPOINTMENT OF SPECIAL NONUNIFORMED POLICEMEN BY ADMINISTRATOR OF GENERAL SERVICES

A letter from the Administrator of General Services transmitting a draft of proposed legislation to amend the act of June 1, 1948 (62 Stat. 281), to empower the Administrator of General Services to appoint nonuniformed special policemen (with accompanying papers); to the Committee on Government Operations.

ADMINISTRATION OF OATHS TO WITNESSES BY CERTAIN OFFICERS AND EMPLOYEES OF GENERAL SERVICES ADMINISTRATION

A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to amend section 205 of the Federal Property and Administrative Services Act of 1949 to empower certain officers and employees of the General Services Administration to administer oaths to witnesses (with accompanying papers); to the Committee on Government Operations.

REPORT ON CONSTRUCTION, OPERATION, AND MAINTENANCE OF DELUZ DAM, CALIF.

A letter from the Under Secretary of the Navy, reporting, pursuant to law, on the construction, operation, and maintenance of the DeLuz Dam on the Santa Margarita River, in the State of California; to the Committee on Interior and Insular Affairs.

PLANS FOR WORKS OF IMPROVEMENT IN CALIFORNIA, OKLAHOMA, AND VIRGINIA

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on Marsh-Kellogg watershed, California, upper Clear Boggy Creek, Okla., and Roanoke Creek, Va. (with accompanying papers); to the Committee on Public Works.

SECOND INTERIM REPORT OF SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD (S. REPT. NO. 621)

Mr. MCCLELLAN. Mr. President, on behalf of the Senate Select Committee To Investigate Improper Activities in Labor-Management Relations, pursuant to Senate Resolution 44, 86th Congress, I am today filing another portion of the Senate Select Committee Labor-Management report on those activities during the year 1958. This report includes the factual summary on the hearings into the activities of James R. Hoffa, which support the findings which I filed yesterday with the Senate. In addition, this report contains factual summaries and findings on Teamsters Local 295 and the Detroit Institute of Laundering in Detroit, Mich.; Allen Dorfman and the Union Insurance Agency of Illinois; the Great Atlantic & Pacific Tea Co., of New York, and New York Locals 342 and 640 of the Amalgamated Meat Cutters and Butcher Workmen of North America.

The committee is still considering other reports of its 1958 activities, including those dealing with hearings involving Philadelphia Teamsters Local 107, the United Brotherhood of Carpenters; secondary boycotts, a Chicago local of the Sheet Metal Workers Union; racketeer infiltration of the restaurant industry in Chicago and the overall industry in Detroit, Mich., and the UAW strikes at the Kohler Co., Kohler, Wis., and the Perfect Circle Co. in New Castle, Ind. These reports will be issued as soon as they have won the approval of the members of the committee.

As I stated on the floor yesterday, these reports highlight the immediate need for legislation in the labor-management field.

The PRESIDENT pro tempore. The report will be received and printed.

EXECUTIVE REPORTS OF A COMMITTEE

As in excutive session,

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce:

Frederick Henry Mueller, of Michigan, to be Secretary of Commerce; and

Thomas H. Carter, and sundry other persons, for appointment in the Coast Guard.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SPARKMAN (for himself and Mr. HILL):

S. 2490. A bill to provide for the conveyance of all right, title, and interest of the United States which was reserved or retained in certain lands heretofore conveyed to the Attalla City Board of Education, Attalla, Ala.; to the Committee on Labor and Public Welfare.

By Mr. NEUBERGER (for himself, Mr. MURRAY, Mr. MCNAMARA, Mr. CLARK, and Mr. WILLIAMS of New Jersey):

S. 2491. A bill to establish a Federal Recreation Service in the Department of Health, Education, and Welfare, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. NEUBERGER when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 2492. A bill to amend section 27 of the Merchant Marine Act, 1920, in order to allow certain vessels to be used in the coastwise trade of the United States; to the Committee on Interstate and Foreign Commerce.

FEDERAL RECREATION SERVICE WOULD PROVIDE CENTRAL AGENCY TO ASSIST PUBLIC AND PRIVATE GROUPS

Mr. NEUBERGER. Mr. President, I introduce, for appropriate reference, a bill to establish a Federal Recreation Service in the Department of Health, Education, and Welfare. I am pleased to be joined in the introduction of this measure by the senior Senator from Montana [Mr. MURRAY], the senior Senator from Michigan [Mr. MCNAMARA], the senior Senator from Pennsylvania [Mr. CLARK], and the junior Senator from New Jersey [Mr. WILLIAMS].

Mr. President, in 1900, the average American worker spent 60 hours a week on the job. Today, as a result of work around the bargaining table and on the inventor's workbench, this figure has been cut to 40 hours. As our technological advances increase, we will probably have even further reductions in the average workweek, and the wonders of such home-use products as "instant potatoes" and electric floor polishers contribute still more extra time.

More spare time has created a problem, one which grows in size as our population and leisure hours increase. The greater number of spare hours has resulted in a greater demand for organized and planned recreation. Recreation programs contribute not just to the physical and mental health of a community. In providing activity of a positive nature, they help to curb crime and delinquency, encourage good citizenship and strengthen family and community relationships.

Several thousand cities and towns in the United States have established community recreation programs. Many of these programs are limited to a summer or part-time basis, however, and there is an increasing need and demand for new and expanded programs and for the planning and procedural advice to assist in implementing them.

Municipal, county, and State governments and voluntary organizations establishing recreation programs must face a host of details such as utilization of community resources, statutory, and legislative requirements and limitations, financing, organization procedures, and employment standards. The Federal Recreation Service, which would be created by my bill, would provide a centralized agency which could offer communities and organizations ready advice on these matters. Under the terms of the bill, the Service would also be able to offer technical data for improvement of existing activities in communities which already have recreation programs.

In addition, the Service would assist in training of personnel, one of the most important areas of recreation programing, through institutes, workshops, and conferences. Studies, in cooperation with other government agencies, would be authorized to aid public and nonprofit private organizations in program planning.

The bill also provides for a National Advisory Board on Recreation Services, with a Chairman and at least 24 members, appointed by the Secretary of Health, Education, and Welfare to advise and make recommendations to him.

The purposes of this bill, including establishment of a Federal Recreation Service, can easily be carried out within the framework of the Department of Health, Education, and Welfare with relatively little expense. The benefits derived from the establishment of such a Service would be great, however, both to the many public and private agencies striving to improve recreation programs and to the millions of American citizens with whose welfare these groups are concerned.

In conclusion, Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD following my remarks, and that the bill may remain on the table for 3 calendar days in order that any Senators who wish may be added as cosponsors.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from Oregon.

The bill (S. 2491) to establish a Federal Recreation Service in the Department of Health, Education, and Welfare, and for other purposes, introduced by Mr. NEUBERGER (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created in the Department of Health, Education, and Welfare, a service to be called the Federal Recreation Service (hereinafter referred to as the "Service"), the Director of which shall be appointed by the Secretary of the Department. The Service (1) shall provide public and nonprofit private agencies with information which will assist such agencies in determining and in meeting the expanding needs of the public for wholesome recreation services, and make available to such agencies technical and advisory service concerning community recreation problems; (2) shall cooperate with other Federal agencies, with the States, and recreation groups in planning for recreation services for the people of the United States; (3) shall conduct research, studies, surveys, and appraisals with respect to public recreation services, and disseminate the results of such research, studies, surveys, and appraisals to interested public and nonprofit private agencies; (4) shall assist in training recreation personnel through institutes, workshops, conferences, and any other method deemed appropriate by the Secretary of Health, Education, and Welfare; and (5) may enter into agreements or contracts with Federal or State agencies or educational or nonprofit research institutions for such services as, in the judgment of the Secretary of Health, Education, and Welfare, will promote the purposes of this Act.

SEC. 2. The Secretary of Health, Education, and Welfare shall establish a National Advisory Board on Recreation Services which shall consist of a Chairman of the Board, and at least 24 additional members, to be appointed by the Secretary without regard to the civil service laws. The appointed members shall be selected from the leaders of national standing in the fields of recreation and in related fields and shall be broadly representative of the recreation interests of the Nation. Those members of the Board who are not officers of employees of the United States, while attending conferences or meetings of the Board, or while otherwise serving at the request of the Secretary in carrying out the purposes of this Act, shall be entitled, while serving away from their places of residence, to actual and necessary traveling expenses and not more than $50 per day for subsistence expenses. The Board shall advise, consult with, and make recommendations to the Secretary of the Department of Health, Education, and Welfare on matters relating to the administration of this Act.

SEC. 3. The Service shall not duplicate any functions performed by any other agency administering recreation facilities and services; and nothing contained in this Act shall limit or impair the authority or responsibility of any other department or agency of the Federal Government under any other Act. In carrying out the purposes of this Act, the Secretary of Health, Education, and Welfare shall cooperate with and receive the cooperation of other Federal departments and agencies which perform functions in the field of recreation services.

SEC. 4. As used in this Act, the term "State" includes the several States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and the Trust Territory of the Pacific Islands.

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

NOTICE OF HEARING ON CONVENTION WITH NORWAY RELATING TO DOUBLE TAXATION

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the RECORD, a press release issued yesterday by the Committee on Foreign Relations announcing that on Tuesday, August 11, 1959, a public hearing will be held by the committee on Executive D, 85th Congress, 2d session, a convention

between the United States and Norway relating to double taxation.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

COMMITTEE ON FOREIGN RELATIONS,
U.S. SENATE,
August 4, 1959.

Senator SPARKMAN, on behalf of the chairman of the Committee on Foreign Relations, today announced that on Tuesday, August 11, 1959, the committee will hold a public hearing on Executive D, 85th Congress, 2d session, a convention between the United States and Norway relating to double taxation. This convention, which was signed at Oslo on July 10, 1958, would serve to modify and supplement the double taxation convention of June 13, 1949, between the two countries to which the U.S. Senate gave its advice and consent on September 17, 1951.

Anyone desiring to testify on the 1958 convention should contact Mr. Darrell St. Claire, chief clerk of the committee, as soon as possible.

REDUCTIONS BY CONGRESS IN THE PRESIDENT'S BUDGET REQUESTS

Mr. JOHNSON of Texas. Mr. President, with each passing day, it becomes more apparent that when the year is over this Congress will have made substantial reductions in the President's budget requests. The total will run into several hundred millions.

This is not because of any sudden change of heart on the part of Congress. It is because of carefully coordinated work throughout the session—work which began even in advance of the President's own express desire for economy.

Last November 18 I met with the President to discuss several matters. In the course of that conversation I told him that I thought Congress would cut his budget requests just as it has cut all of the annual budget requests that the Executive has made. Since that time, the congressional intent has been clear as it has been clear in every year I have been in Congress.

I ask unanimous consent that there be printed in the RECORD a table showing the cuts that have been made since fiscal 1955 in the President's budget requests and some excerpts of statements I have made concerning the budget throughout the year.

There being no objection, the table and excerpts were ordered to be printed in the RECORD, as follows:

Congress, session, fiscal year	Budget estimates	Appropriations	Decreased by Congress
83d, 2d, 1955	$60, 770, 315, 686	$58, 160, 445, 563	$2, 609, 870, 123
84th, 1st, 1956	66, 023, 089, 195	63, 947, 281, 321	2, 075, 807, 874
84th, 2d, 1957	73, 298, 859, 629	73, 041, 364, 417	257, 495, 212
85th, 1st, 1958	78, 108, 417, 112	73, 064, 958, 328	5, 043, 458, 784
85th, 2d, 1959	81, 737, 060, 999	81, 119, 818, 276	617, 242, 723
Total budget cuts by Congress in last 5 fiscal years			10, 603, 874, 716

EXCERPTS OF BUDGET STATEMENTS FROM THE CONGRESSIONAL RECORD

January 20, 1959, the majority leader stated: "This budget would spend substantially more than current income. * * * Both prudence and candor require that this budget be given a most searching study by the Congress, and each committee in it—and, I might say, comma by comma, and line by line—to determine if the needs of the people are served by it or whether it serves only the campaign needs of partisan interests. It is clear to me that this budget was not prepared to meet the needs of the people, but was prepared to create a political issue for 1960."

February 5, 1959, during the debate on the housing bill which was vetoed on July 7, Senator JOHNSON said: "I am going to work as diligently as I can, as leader of the majority, as a member of the Appropriations Committee, to get the budget in balance. I know two ways to balance the budget. One is to sit in a rocking chair and quit working, to sit and chew and go on retirement and to be paid unemployment compensation benefits and do nothing. The other way is to get up before daylight, work until after dark, do more, and build more, for the country. I am for the latter way."

During the same debate, Senator JOHNSON said: "I am going to screen these appropriations bills. I do not think we have to be lectured on spending. When this Congress shall have finished its work this year, I predict it will be found that we increased some of the recommendations of the President and cut others. This is not going to be a "me too" Congress—at least not on this side of the Capitol. When it is all over I hope we shall have a sound fiscal policy and a balanced budget."

February 9, 1959, Senator JOHNSON said: "I do not think that either party should be labeled as the party of the savers or the party of the spenders, but the record does show that the Congress as an institution has been much more saving in its appropriations than the Executive has been in its requests for appropriations."

The senior Senator from Texas later said: "I am convinced each bill will be thoroughly examined with a fine tooth comb. The President's requests will be given sympathetic and sincere consideration, fair and objective consideration."

February 16, 1959, Senator JOHNSON, in a floor discussion with Senator DIRKSEN concerning foreign aid funds, stated: "I shall be controlled by only one interest and that is the national interest. If I feel that the money requested should be appropriated in the national interest, I will vote to appropriate it. * * * I do not want to get the matter of appropriations into party politics any more than I want to get foreign relations or defense matters into party politics. I hope we shall have a yea and nay vote on each appropriation bill this year."

Senator JOHNSON later said: "The only thing I know that Congress can do about the budget is to operate on the appropriation requests. I believe if we go over each one of the requests line by line, and base our judgment on the facts, which are developed, the ultimate result will satisfy the majority of the people of this country."

February 17, 1959, the majority leader stated he felt a distorted picture was being presented of one branch wanting to hold the line on spending, and the other branch wanting to spend. He pointed out the President had asked for increases in budget estimates, such as 26 percent for foreign aid, 80 percent for OCDM, and many others, which must be considered by Congress but "it is my belief that this will be a prudent and, I trust, a cooperative Congress; and it can be helped much more by Executive cooperation than by efforts to secure a verdict before the evidence has been given and before it has been weighed. I think what the people of the country should do is wait until the testimony is in, wait until the witnesses are heard, wait until the explanations are given, and then form their judgments based upon the record, instead of propaganda."

May 28, 1959, Senator JOHNSON, following final action on the Treasury-Post Office appropriation bill for 1960, stated: "The Committee on Appropriations has made many reductions, in fact the committee has taken such action each year since the President assumed office. The President of the United States, good, kindly, economical man that he is, has never submitted to Congress a budget which Congress has not reduced."

June 8, 1959, Senator JOHNSON, in discussing the Interior Appropriation bill with Senator HAYDEN, stated that the bill as passed by the Senate provided $3,890,375 less than the amount asked for by the President.

June 9, 1959, the majority leader assured Senator BUSH that, "It is not a new-found desire of the majority leader to stay within the budget. The majority leader stated last fall that he hoped we could stay within the budget. * * * I have stated on the floor of the Senate and in public meetings all over the country that I hoped this Congress would appropriate less money than the President asked the Congress to appropriate."

June 16, 1959, Senator JOHNSON inserted in the RECORD his newsletter, dated February 10, 1959, in which he had recounted over a $10 billion budget cut by Congress during the last 5 fiscal years. The newsletter promised that: "The Senate this year will take the same hard look at the budget recommendations. In some cases, the Senate will add to the recommendations. In others, no doubt, it will reduce the amount."

June 22, 1959, Senator JOHNSON, in handling State-Justice-Judiciary appropriations bill for 1960, stated: "The bill as reported from the Senate committee is decreased by $1,472,000 under the House bill, and a decrease of $31,882,900 under the budget estimate * * * and this is the first bill to be cut below the House figure."

July 8, 1959, Senator JOHNSON in discussing mutual security stated: "The time is going to come, and it is not far away, when the cloak of hypocrisy will be torn from around some of the propaganda which is being spread over the country. It startled me to realize that an administration can ask for $4,500 million for backdoor financing for the International Monetary Fund and the World Bank and then have the audacity to criticize $100 million of financing for veterans' housing in its own country."

July 9, 1959, Senator JOHNSON, in discussing the housing veto, the possibility of a special session as suggested by the President and the legislative program generally at the White House stated: "Let me say a word about the appropriations bills. In some cases, as I stated last fall (November 18) when I met with the President, I believe the Congress will actually vote appropriations less than those the President has recommended. That prediction has been borne out by the appropriation bills passed thus far. In some instances, the appropriations recommended by the President will be increased by the Congress—as the Senate did in the case of the appropriations for the

Department of Health, Education, and Welfare, and as the Senate will do in the case of defense appropriations—because we believe it is the better part of wisdom to have a stronger defense than that recommended by the budget."

LOCAL SERVICE AIRLINE REGULATION

Mr. BARTLETT. Mr. President, last week the Association of Local Transport Airlines saluted civil aviation in Alaska by holding its regional quarterly meeting in Anchorage and Fairbanks.

Hosts for this event were ALTA's four Alaska members—Alaska Airlines, Northern Consolidated Airlines, Reeve Aleutian Airways, and Wien Alaska Airlines. During the meeting Cordova Airlines joined the association. I was privileged to be invited to attend this meeting and to address the ALTA membership twice.

The Hon. James R. Durfee, Chairman of the Civil Aeronautics Board, was the speaker at the concluding banquet in Fairbanks on July 31.

Chairman Durfee pointed out, in memorable manner, the important role air transport played in the development of Alaska into the ranks of statehood. He delivered a significant discussion of the need for a new plan of local service airline regulation and subsidy administration—a plan that would give local service carriers much more management discretion.

Mr. President, I ask unanimous consent to have Chairman Durfee's address printed in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

It is an honor for me, on behalf of the Civil Aeronautics Board, to join the local transport industry, on the occasion of its tribute to our newest State on its formal admission into the Union.

It is a special honor to be invited here by Alaska's new Governor, William Egan, who has played a prominent part in the aviation history of this great State. And it is a privilege to share the program with Alaska's Senator BOB BARTLETT, who, as a member of the Senate Committee on Interstate and Foreign Commerce, has, in a few short months, become the mentor of Alaska's aviation development and a leading figure in our Nation's aviation picture.

No tribute to Alaskan statehood is more fitting than that from the air transport industry—for no industry has played a bigger role in the development of Alaska into the ranks of statehood. The mutual growth of the Territory and aviation is the saga of Alaska's history.

As the Ohio River barge opened the American Middle West, as the covered wagon and stage opened the old West, and as the railroads opened the Great Plains and then tied West and East together, aviation and the airlines have opened our last frontier, Alaska, and linked it with the rest of the Nation.

The legend of the pony express rider, of Casey Jones, of the riverboat captains that Mark Twain made famous—those legends give way to the legend of the bush pilot in the last frontier.

The saga, the legend of Alaska's history will, I am confident, become the television western of the future, and the Wells Fargo stage, the pony express rider, of past westerns will give way to the bush pilot riding the air trails on missions of greater daring than any the conventional western hero ever faced with Indians, outlaws, or cattle stampedes. And likely as not the television hero of this future western will carry the handle of one of our hosts here at this meeting, Bob Reeve, Ray Petersen, or Sig Wien, instead of Marshal Dillon or Wyatt Earp.

The history of the United States is, in a very real way, the story of the development of transportation. Nowhere in our history is that better illustrated than in Alaska, where aviation is the backbone of all commerce.

I looked at some statistics for intra-Alaskan operations before I left Washington to get some concrete notion of the significance of air transportation up here. And the figures amazed me, even though I knew, in general, the importance of aviation here.

Not counting nonscheduled services and not counting the independent operators that we call Alaska air taxi operators, the Alaskan certificated carriers, in their scheduled services alone, carried a passenger total in 1958 which is the equivalent of about one trip per year for each man, woman, and child in the State. Back in the older States, the passenger total was equivalent to about one trip for every four people. In short, Alaskans take about four times as many air trips on scheduled airlines alone annually as their compatriots back in the old States.

On the cargo side, about one-third of the tonnage of the Alaskan certificated carriers in their scheduled services alone is freight. Back in the old States, the figure is about 10 to 12 percent. In Alaska, mail is 15 percent of the total tonnage; in the old States it is only about 3 percent.

In speeches I give to groups across the country, I often try to dramatize the development of aviation and air transportation by pointing out that airlines carry more passengers domestically than do trains and buses—and more passengers across the oceans than do the ocean liners. Here in Alaska aviation needs no dramatization because it is the basic transportation system for Alaska's commerce and the foundation of Alaska's everday life.

Despite the role that aviation has already played in your history, I think it is safe to say that your aviation development has just begun. The introduction of the new F–27—the latest in propjet air transportation—by Wien and by Ray Petersen on Northern Consolidated is just the beginning of a fast growing future. The development of Alaska Airlines system into a real competitive force under Charlie Willis and the achievement of Bob Reeve in getting his operation off subsidy are signs of real progress.

Alaska is rapidly becoming a world crossroad on the transpolar routes between the Western nations and the Orient. Northwest's new weekly service direct from New York gives Alaska a new gateway directly to the industrial east and the Nation's Capital, cutting more than 4 hours off the scheduled time through Seattle. The emphasis on the development of new, lower cost cargo planes should bring a bonanza to your cargo lifeline to the south.

I am equally confident that we shall see, in the not too distant future, the development of more economical small planes to serve other Alaska needs. In fact Alaska, because of its dependence on air transportation, may well be the model, the testing ground, for the equipment that will serve the expansion of air transportation in the rest of the States.

The Civil Aeronautics Board is proud of the part it was able to play in Alaska's progress toward statehood through the promotion and development of your aviation industry on behalf of the Federal Government. Statehood works us out of part of our job, of course, and part of our stake in Alaskan aviation. This is as it should be. But so long as the Federal Government continues to make its annual subsidy investment in the development of Alaskan air transportation, an investment currently running at about $7 million annually, the Civil Aeronautics Board will continue to have a very active interest in the development of aviation here.

We know that Alaskan aviation faces problems. None will be more difficult to resolve than the creation of a State regulatory machinery to both control and promote the development of aviation within the State. I know the State has already begun to struggle with this problem; we hear some of the rumbles as far away as Washington.

This is entirely a matter for the State, of course, and I am not here to comment on that problem at all. However, the difficulties of creating a suitable regulatory environment to both control and develop aviation are familiar to me, and they are my theme tonight. The State of Alaska is not the only Government body facing tough regulatory problems that are shared by the industry.

Over a year ago, at ALTA's Las Vegas meeting, I outlined to ALTA and the local transport industry, the Board's general dissatisfaction with the existing scheme of subsidy administration. I outlined our objective of bringing a new look to that program, a new look that we hoped would introduce management incentives, give the Government better control over subsidy, and take the CAB out of the business of second guessing management.

We've been at work on that plan for over a year. We had hoped, originally, to have it in effect by July 1 last. You have had a look, this week, at a revised version of a plan designed to accomplish the Board's objectives. The plan has its weaknesses. It will probably never be perfect. We know that we haven't reached the stage yet where the Government can regulate business by formula, by grinding out answers on a computing machine.

Nevertheless, I want to emphasize the critical importance of adopting a scheme—this one or one like it—that will begin to rationalize subsidy administration with specific standards.

Until we have a more rational scheme, there will be no financial stability in the local transport industry. Financial institutions, unable to evaluate the qualities of management—and, indeed, unable to know whether management or the Board runs the local carriers—the financial institutions will have little or no confidence in local carriers. Certainly until local carriers can give potential investors a realistic, rational forecast of their potential, there will be no investor confidence in the local carriers. Perhaps most important of all, in the absence of a rational scheme, the taxpayers of the United States and their representatives in Congress will have no confidence in the industry, and will begin to question, as they did this year, the rising subsidy bill.

I do not mean to imply that the millennium will arrive when we have subsidy standards. It is only a first step in an effort to make sense of local service regulations and promotion. The next step, which would be helped immensely by the first, would be the development of a new look in expanding and adjusting the route system. Neither the carriers, the Board, nor the public can know where the local transport industry is going without more definitive standards for the growth of local service.

A year ago I said that the success of the local service experiment could be measured in

terms of the numbers of people carried, as a measure of the public service being provided. However, it does not serve the public interest, the interest of the United States in meeting its needs for an economical and efficient air transportation system, simply to add more and more cities to the transportation network to carry more and more passengers, at greater and greater annual subsidy costs. Subsidized transportation should be an investment, not simply a drain through which dollars are poured every year with no hope of a return in the form of cheaper and ultimately self-sufficient operations in the future. Local service expansion does not serve the public interest unless there is a prospect of concurrent improvement, and substantial improvement, in amount of public service per dollar of subsidy, in the local carrier's ability to provide that service at a lower cost, and in the incentive provided the local carrier to meet the needs of its system.

I am not satisfied that our regulatory machinery, our approach to creating new routes, produces this result. I am satisfied that our regulatory machinery, as it now works, causes far too great an amount of delays, complaints, and dissatisfaction. I do know that the public and the Congress will not be satisfied to have it continue, no matter how often we explain that the Administrative Procedure Act and the hearing requirements of the law are the cause of most of our delays and dissatisfaction.

Last year I talked to you about growth in local service. It grew under the regulation of the Board and the Civil Aeronautics Act, but I still do not think a Government agency is the best body to decide how, when, and where a business should expand. I still do not think that a judicial proceeding offers the best machinery for making such management decisions, and it is certainly not the best means of planning a business future.

In the local airlines business, the Board must now make those decisions: first, because under the act we must do so as long as we award routes the way we do; second, because the local airlines business is subsidized in such a way that expansion, for expansion's sake regardless of economies, often carries with it a chance of additional subsidized profit; and, third, because the Government has to control entry and competition to assure safe and adequate service at a reasonable cost. These are all good reasons, but they do not prove that our cumbersome process is the best or even good.

If we step back for a moment and take a look at the local service business, I think we can isolate three general jobs that the Board must do under the act.

First, the Board must lay down the boundaries within which a local service airline can operate—not because it is so essential for the Government to say where or how local service should be provided, but to limit duplication that would increase costs and waste subsidy.

How can this best be done? I am increasingly attracted to this kind of an idea: An area should be permanently marked out for a local service carrier—not necessarily a geographic area, but an area of traffic flow—and this carrier should be given a monopoly for the time being, with the freedom, within that area, and subject to general rules or restrictions, to provide all needed local service, to decide which cities can economically support service within the budget allotted by a subsidy standards program, to determine routings, service patterns, schedule patterns and to make all the similar management decisions. Only with some approach like this—what we might call, by analogy, a route standards program—do I think we will ever get the full advantage of the subsidy the United States is spending. Only with some such regulatory scheme can we take the fullest advantage of private initiative within the subsidized and regulated framework.

The Board would still have to have route hearings to adjust the boundaries between carriers and to redefine the relative jobs of local and trunk carriers as conditions change. But within each area, local service, as defined by the Board and subject to its general rules and restrictions, would be the job of the carrier management.

A route program like this could only be accomplished with a subsidy standards system such as you have discussed here this week, a system that would incorporate even better subsidy control features. This is the second job of the Board, to spend subsidy so that the maximum amount of local service is provided in each area for each dollar spent, and to see that it is spent to improve the air transportation system.

The third job of the Board—providing a spur for management—has been done previously only in a negative way by imposing the so-called local service restriction on top of linear route descriptions. But, while this control assures a minimum number of stops for a certificated community, it also hobbles management—denies management in many cases the flexibility to provide the kind of service really needed by communities. I would far prefer to see the Board checking the exercise of a less restricted management discretion than prescribing these hard and fast rules.

The kind of program I am describing may seem like—and may in fact be—the unattainable millennium. I can guarantee that it is unattainable without subsidy standards.

The alternative to this kind of scheme, however, is a continuation of a scheme that has Government looking over your shoulder at every move you make, requiring prior approval of every step you take and second-guessing you on every decision, and doing this with an organization that cannot hope to grow large enough, fast enough to meet the problems that you face it with. What we want is to keep management out of the Washington hearing rooms—there aren't any passengers to be sold there.

I told you at Las Vegas that I felt our subsidy system had worked out well for the purposes it was originally designed to accomplish, the development of the trunklines. It has been patched and repatched to do today's work; but, just as the DC–3 is less and less able to do today's work, so the mail rate scheme designed for DC–3 services is less and less able to do its job of promoting and developing air transportation in a jet age. Increasingly, I feel the same about the development of local service routes. The same kind of effort that has been aimed at developing subsidy standards must be aimed at developing route or service management standards to free the development of local air service from the shackles of the past.

On every side, the local transport industry faces new, imperative challenges: new equipment, new routes, new traffic—and by that I mean new mail traffic under the recently announced Post Office proposal—and new competitive conditions, with rail service contracting more and more everyday and trunkline air service changing its scope. If these challenges are to be steppingstones to a more successful future, your industry must be allowed to meet the challenges with the most favorable regulatory climate possible.

The Board has taken some steps to provide it. Subsidy standards are the key. The use it or lose it standards are a rough, a very rough, effort to establish some guidelines for service. Even more important, those standards fix the framework for an unprecedented local promotional effort that I discussed in a message to Gwin Hick's people at Lake Central and to Frank Hulse and Southern Airways in the past few months. The area development of route systems in recent local service cases can be the framework for the kind of route management I have spoken of tonight.

Much more remains to be done. The Board cannot hope to do more than scratch the surface of these problems by itself. ALTA, under the able direction of the inimitable Joe Adams, has been a great leavening for ideas and assistance from the local transport industry in its 2 years of existence. With your continued assistance, your continued receptiveness to new ideas, the Board can hope to meet the problems of your future.

THE NEED TO CONTINUE THE HIGHWAY PROGRAM

Mr. SYMINGTON. Mr. President, I have received a telegram from the Honorable James T. Blair, Governor of the State of Missouri, with respect to the current critical situation in my State now characteristic of the highway construction program.

I ask unanimous consent that this telegram be printed at this point in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

JEFFERSON CITY, MO.

Hon. STUART SYMINGTON,
Washington, D.C.:

The Missouri State Highway Commission has discontinued receiving bids for highway construction because of the predicted delay in Federal reimbursement. The need today for an adequate continuing stabilized highway construction program is more critical than it was when Congress passed the 1956 Federal Highway Act and when it continued its approval of the highway program with the expanded 1958 Federal Highway Act. I urge that you support and work for highway legislation that will stabilize and continue the program at its present rate.

JAMES T. BLAIR, Jr.,
Governor, State of Missouri.

Mr. SYMINGTON. Mr. President, I have also received a letter from the chief engineer of the Missouri State Highway Commission, which presents clearly and concisely the grave situation in which many States will be unless the Congress acts on this matter during this session.

I ask unanimous consent that this letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MISSOURI STATE HIGHWAY COMMISSION,
Jefferson City, Mo., July 29, 1959.

Hon. STUART SYMINGTON,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR SYMINGTON: I am deeply disturbed by the present situation in Federal highway financing because, first and foremost, the States have been advised by the Bureau of Public Roads that unless "the income of the highway trust fund is increased State vouchers for both ABC and the Interstate System reimbursements of about $500 million will have to be held unpaid until the trust fund can support their payment. The holding of the vouchers would have to

begin this fall." (I now understand October 1, 1959.)

Secondly, I further understand that unless some action is taken by Congress at this session that there will be no apportionment of money for the Interstate System for the 1961 fiscal year and very little for the 1962 fiscal year, and for the year following an apportionment of $1.6 million, which is just about two-thirds of the amount which was apportioned for the 1960 fiscal year. This, of course, means a stretch out in the time that it will take to complete the Interstate System which is so critically needed now.

The first critical condition wherein the Bureau of Public Roads will not be in a position to reimburse promptly for highway work done by the States is brought about, in my judgment, by the fact that the Congress in 1958 waived the Byrd amendment which limited expenditures to the amount of money in the highway trust fund and apportioned $2½ billion for the fiscal year 1960 on the Interstate System, $925 million to the ABC system and $400 million for emergency expenditures; with the further provision that the States not able financially to match the $400 million with State funds could borrow a little over $100 million for that purpose. The States were urged to get work underway as quickly as possible. Then, just a little over 2 weeks ago, Public Law 86-88, the Department of Commerce's appropriation act in the section entitled "Federal aid highways trust fund" limited the payment of money for work done on Federal aid highways to a certain amount and provided further "or so much thereof as may be available in and derived from the highway trust fund." As a result of this wording in the appropriation bill we have been advised that reimbursements for highway work will be limited to the amount of money in the trust fund, and we have been further advised, as I indicated above, that Mr. Tallamy feels the trust fund will be depleted by early October and payments to States will be delayed thereafter.

I assure you that this puts Missouri, and I am convinced many other States, in a precarious financial situation. Yesterday we canceled the letting for Thursday of this week at which time we would have received bids on $8 million highway construction work. One job, incidentally, was the Mark Twain Expressway in St. Louis. Missouri cannot continue highway construction work without assurance that reimbursement for the Federal's share will be forthcoming on time. In fact, it is going to be nip and tuck whether or not we have enough State money together with what Federal reimbursement we can receive between now and October to be able to pay contractors' estimates for the rest of this year. It seems to me that this is a moral commitment that the Congress must meet, in that they apportioned the money in 1958 and the States, with 40 years' experience with the Federal Government on highway work, have always received reimbursement from money apportioned.

Now, in regard to the second phase of our problem about the funds for the continuing Federal aid highway program, I call your attention again to the fact that the Congress in 1958 apportioned $2½ billion to the Interstate System and increased the amount to the ABC system after it had received the States new estimates of cost of the Interstate System. Our new interstate completion estimate had increased considerably over the estimate originally used at the time the 1956 act was passed. This increase in the 1958 apportionment by the Congress assured the States, in my opinion, that the Congress intended to carry out the intent of the 1956 act, in which it stated that the Interstate System would be financed in 13 to 16 years. Now, I encounter considerable opinion that many Members of Congress are thinking the road program could be slowed up. I sincerely believe that a slowup is a mistake. The State highway departments have obtained personnel to carry out the program; contractors have increased their personnel and equipment to carry out the program; equipment people are geared to an increased program, as well as producers of necessary materials. Overshadowing all of the foregoing items is the plain fact that we need improved highways in this country in order to cut down the appalling number of killings each year on the highways, to reduce the great number of people who are injured and maimed for life, and to cut down the loss of property. These facts with the further fact that the highway program makes an overwhelming contribution to the peacetime economy of the country, as well as to the great need in times of defense, seem to justify the continuation of the present rate of highway construction.

I realize that the underlying problem of all of this is one of financing. Many suggestions have been made as to how the money should be raised. Our American Association of State Highway Officials have deliberately stayed away from suggestions on financing because of our lack of knowledge on this subject. However, I personally know that the suggestions have been all the way from a 1½-cent gas-tax increase to a complete financing from general funds. I further know that bond financing has been suggested. It, therefore, does seem to me that some compromise could be effected some way by which the critically needed highway program could be carried to a satisfactory completion within the time originally specified in the 1956 act.

I particularly appreciate this opportunity of expressing to you my thoughts on this matter.

With kindest personal regards.

Very truly yours,

REX M. WHITTON,
Chief Engineer.

Mr. SYMINGTON. Mr. President, several days ago there appeared a thoughtful and constructive editorial on this problem in the St. Louis Globe-Democrat.

I ask unanimous consent that excerpts from this editorial be printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

The Missouri Highway Department planned to receive bids this week and next month on two projects to close the gap in the Mark Twain Expressway. Chief Engineer Rex M. Whitton says the department's entire State highway program must be considered in jeopardy.

* * * * *

The 41,000-mile interstate road project was intended to give the Nation by 1972 a gigantic network of superhighways, and to provide a shot in the arm to business economy in the various States.

* * * * *

The highway fund will be down to zero by October, says a Bureau of Public Roads spokesman. This must not happen.

The gasoline tax increase is the fairest method of collecting revenue for completion of the highway program.

Mr. SYMINGTON. Mr. President, there have been various proposals for supplementing the financing of the Federal highway program.

Last June I voted for an amendment, offered by the distinguished junior Senator from Oregon, to a corporate and excise tax bill which would have provided for temporary increase in the Federal highway motor fuel tax in order to take care of this matter.

I also voted for the excise tax extension bill offered by the distinguished junior Senator from Tennessee.

As pointed out by the able Senator from Oregon, failure to act now on this highway construction program will be a serious blow not only to the prosperity but also to the security of the United States.

Therefore I urge that a highway bill which will permit the continuation of a program already underway be passed and sent to the President at the earliest possible date.

HIGHWAY CONSTRUCTION IN CONNECTICUT

Mr. BUSH. Mr. President, on Monday of this week the highway department of the State of Connecticut held in suspense all plans for further construction of Federal-aid highways, including projects on the National System of Interstate and Defense Highways.

The Department's action was reported in an article in the New Haven Register of Monday, August 3, which I ask unanimous consent to have printed in the RECORD at the conclusion of these remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BUSH. Mr. President, Commissioner Howard S. Ives is quoted as saying that his Department's action was prompted by the failure of this Congress to accept President Eisenhower's recommendation for a temporary increase of a cent and a half in the Federal gasoline tax to keep the highway program on a pay-as-you-go basis.

Mr. President, I have joined with other Senators in voting for the temporary tax increase, although it has been vigorously opposed by some people and some affected interests in my State. I did so because I believe that, unpleasant as a tax increase may be, it is the only sound and practical solution to the crisis which confronts us in the highway program. Unfortunately, we did not prevail. At least, we have not prevailed so far.

Congress must not permit the national highway program to grind to a halt. I hope that the Ways and Means Committee of the House of Representatives and the Finance Committee of the Senate will act affirmatively, and will recommend legislation to meet this problem directly, and not evade it by "robbing Peter to pay Paul" proposals that would divert funds from general Treasury receipts.

EXHIBIT 1

[From the New Haven (Conn.) Register, Aug. 3, 1959]

AID UNCERTAINTY HALTS STATE HIGHWAY PLANS—FEDERAL FUND SITUATION CAUSES DELAY OF PROJECTS—RIBICOFF URGES ACTION BY CONGRESS

HARTFORD.—State Highway Commissioner Howard S. Ives today stopped any bids on

Federal aid highway projects until he is sure Federal funds will be forthcoming. Ives said he made his ruling because of the "uncertainty of the availability of Federal aid highway funds."

The highway department, he said, is postponing award, receipt, and advertisement of any more bids on projects.

Said Ives:

"This remains in force until such time as the department is assured that reimbursement for the Federal share will be forthcoming."

Ives said the department would go ahead with planning and engineering for the projects, however.

ROUTE 91 AFFECTED

Affected is the controversial Interstate Route 91 from the Connecticut Turnpike in New Haven through North Haven, Wallingford, and Hartford to the Massachusetts line: The circumferential route around Hartford, and the rest of Interstate Route 95 from New London to the Rhode Island line. Interstate Route 95 is the Connecticut Turnpike.

Ives said his action was prompted by congressional rejection of President Eisenhower's proposal to increase the Federal gasoline tax by a cent and a half to pay the Federal share of the program.

The President's proposal ran into what is considered virtual defeat in the House Ways and Means Committee last week.

Ives said his action affects all proposed interstate routes in the State as well as the primary and secondary road projects that involve Federal aid.

The interstate projects were to be financed by the Federal Government on a 90–10 basis, with Connecticut eventually picking up a tab for only one-tenth of the cost.

The primary and second projects were to be financed on a 50–50 basis.

Ives said that any bids received from now on will be returned unopened to the contractors.

"That does not mean that they are rejected," Ives said. "They are just deferred. We are returning them unopened until the whole situation is clarified."

Meanwhile at the Governors' conference at San Juan, P.R., Gov. A. A. Ribicoff said continued congressional failure to finance Federal subsidies for the Interstate Highway System would be a serious, shortsighted mistake. He urged the conference to take a vigorous stand on the issue.

At a meeting of the conference committee on Federal-State relations yesterday, which discussed both short- and long-term Federal highway financing, Ribicoff supported a move to set up a special committee to formulate a conference stand for congressional action during the session.

He also supported a compromise resolution calling for a Federal reimbursement of State expenditures on interstate highways made prior to 1956.

Labeling present congressional inaction as harmful to Connecticut, the Governor said "it would be shortsighted if we permit the program to be stalled."

Connecticut's mammoth highway program was proposed by Democratic Governor Ribicoff and approved by the 1959 legislature.

It calls for expenditure of $522 million over the next 4 years. The interstate projects in the program are worth $380 million. The State would eventually have gotten back 90 percent of this in Federal reimbursements.

The program was to be financed immediately with a $346 million bond issue.

Highway department spokesmen could not say whether the State would go ahead with the bond issue. But it was not regarded as likely.

Such a bond issue without the guarantee of Federal reimbursement would be a heavy financial burden for Connecticut to bear.

During the legislative session Republicans objected to the proposed highway program on the ground that the Federal funds were in no way guaranteed.

The Governor was questioned at the time about the GOP charges at a news conference. He replied that the program would be cut short if the Federal aid was stopped.

But he added that it would be foolish not to go ahead with planning for the various projects and then have Congress approve the funds.

Today Representative A. Searle Pinney, Republican, Brookfield, the House minority leader, recalled the GOP warnings.

Pinney said Republicans had sought to include in the act a clause to provide reasonable assurance of Federal funds before State bonds were issued.

"Commissioner Ives is doing just what the Republicans said should have been done," Pinney said, "but the Democrats refused to accept our amendment."

The amendment was offered during debate on the highway spending bill.

"Under the Ribicoff approach to this thing the cost of the interstate program will go up tremendously because Connecticut must carry the bonds until reimbursed by the Federal Government," Pinney said.

"The Federal plan originally called for a payback in 11 or 12 years. Failure of Congress to increase the gas tax means that the payoff period will be extended to 17 or 18 years.

"This means that Connecticut faces the prospect of paying heavy interest charges for the additional 5 or 6 years."

KHRUSHCHEV'S IMPENDING VISIT

Mr. GRUENING. Mr. President, it is doubtful whether any great harm can come from the interchange of visits of Premier Khrushchev to the United States and of President Eisenhower to Russia. Some good may come out of it. But I feel a great deal of caution and reserve is highly desirable on the part of all of us before we hail this important step embodied in the exchange of visits of the two chiefs of state as the ushering in of a new era of friendliness and peace. The record of Soviet duplicity and brutality is too long and too current to justify any assumption that this would produce any alternation in the obvious policy of the Kremlin to conquer the free world.

I have recently finished reading one of the most important books on this subject that I think has ever been published. It is called "Protracted Conflict," and was written by a group of political scientists at the University of Pennsylvania. It is copyrighted by the trustees of the University of Pennsylvania, and is published by Harper & Brothers. It is one of the most scholarly analyses of the various methods by which the masters of the Kremlin hope to achieve their objectives. I would like to say that I consider it "must" reading for all Members of Congress, particularly now on the eve of Premier Khrushchev's visit. It is no less true today than it was in the days of our colonial forefathers that eternal vigilance is the price of liberty, and we have had plenty of experience to show that alternations of apparent kindliness and gestures of good will from Moscow merely mask sinister purposes. I do not wish by that to be understood in any way as disparaging what is obviously a constructive effort on the part of our President to break through the impasse that has so far resulted in many years of vain effort in lessening the tension between us, as representatives of the free world, and the totalitarian police state directed from the Kremlin. I hope time may prove me mistaken, but we had better keep our powder dry.

Incidentally, it might be well if the invitation to Premier Khrushchev included the suggestion that he travel one way, either coming or going, by way of Alaska. He has recently made a statement that the United States had shown its belligerent intent by ringing the Soviet Republics with military bases. We are acutely aware of the fact that in Alaska we can stand on the mainland of Alaska, or on several of our Alaskan islands, and view the headlands of Siberia with the naked eye.

The fact is that the numerous military bases in Siberia are as near to American soil, as near to Alaska, as any of our bases either in Alaska or in foreign countries are to the Russians.

I also think it is pertinent to call attention, at this point, to the public statement of Lt. Gen. Frank A. Armstrong, the commander in chief of the U.S. forces in Alaska, that—

> It would take only two enemy bombers to put the Alaska bases out of action, and if these attacks were followed up by paratroops, Alaska would be out of action.

And he went further to say:

> With Russians in the Fairbanks and Anchorage areas, President Eisenhower would have to decide quickly whether to bomb Alaska to save Chicago or leave the country open to close range attack.

Additionally, he pointed out that Alaska needed intermediate range ballistic missiles, and that "unless Alaska gets IRBM's soon, we are going to be in one hell of a fix."

The PRESIDENT pro tempore. The time of the Senator from Alaska has expired.

Mr. GRUENING. Mr. President, I ask unanimous consent to continue for 3 additional minutes.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. GRUENING. General Armstrong pointed out that Alaska does not need intercontinental ballistic missiles to put his forces in range of Cairo and Australia but intermediate missiles "that will allow us to nullify those 26 Red bases in Siberia."

And he added this somewhat alarming but realistic comment:

> The Nation's thinking is Northeast-oriented but the obvious and practical attack route to the United States is through Alaska. If Alaska does not get the missiles it needs soon, Alaska and the west coast are through; Seattle, Portland, San Francisco, and down the coast are done.

What he says is of the greatest pertinence, and I ask unanimous consent that the article from the Anchorage Daily Times, quoting General Armstrong's statement at a public dinner before the Association of Local Transport Airlines last Wednesday, July 29, be incorporated in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Anchorage Daily Times, July 30, 1959]

ALASKA WIDE OPEN TO ATTACK—ARMSTRONG SAYS TWO PLANES COULD DEMOLISH BASES

Two enemy bombers could put Alaskan bases out of action and leave Alaska and the west coast of the United States defenseless, Lt. Gen. Frank A. Armstrong, Jr., warned last night.

"It would take only two enemy bombers to put Alaskan bases out of action, and if these attacks were followed up by paratroops Alaska would be out of action," the commander of military forces in Alaska said as he spoke informally at a banquet of the Association of Local Transport Airlines.

The banquet was the final session of ALTA's quarterly meeting in Anchorage. The group moved to Fairbanks today to end its conference.

"With Russians in the Fairbanks and Anchorage areas, President Eisenhower would have to decide quickly whether to bomb Alaska to save Chicago or leave the country open to close-range attack," the general added.

Alaska needs intermediate range ballistic missiles, he said. "Unless Alaska gets IRBM's soon, we are going to be in one hell of a fix."

At present the Strategic Air Command can count on putting out of action only 8 of the 26 bases that threaten Alaska, the general said. Alaska has two base areas that could quickly succumb to atomic attack and leave Alaska wide open to invasion, he stated.

Armstrong said Alaska doesn't need intercontinental ballistic missiles to put his forces in range of Cairo and Australia but intermediate missiles "that will allow us to nullify those 26 Red bases in Siberia."

"The Nation's thinking is northeast-oriented but the obvious and practical attack route to the United States is through Alaska. If Alaska does not get the missiles it needs soon, Alaska and the west coast are through; Seattle, Portland, San Francisco, and down the coast are done," Armstrong stated.

The Air Force in Alaska is intended only to warn the United States of attack. Air Force fighters are expected to be able to knock down only one out of every four invading enemy aircraft.

"Alaska was built up through a series of crash programs and the next one will be when the Russians move up two squadrons of Badgers (propjet bombers) across the Bering Straits from Alaska," the general warned.

Mr. GRUENING. Mr. President, the numerous bases that we have erected around the world in Spain, in Morocco, in Saudi Arabia, in Iceland, in the Far East, at tremendous cost, are no doubt in the class of calculated risks. When the decisions were made to spend astronomical sums to establish them in a score of countries, it no doubt represented the best judgment of our military authorities at the time. But we must not delude ourselves that many of these bases are not built—figuratively speaking—on quicksand. We know that their tenure is far from secure. We know that through rampant nationalism, Communist subversion, and other factors, we are likely to be asked to withdraw these bases. Indeed, that has happened even in the case of friendly countries, and has required the utmost effort and diplomatic finesse, as well as financial compensation, to prevent these decisions from going into effect. It is not an unfair statement to say that in the case of a number of foreign countries the United States is, in effect, being blackmailed to enable us to keep our bases there. We are paying through the nose. But when we build bases in Alaska, we are building them on the solid rock of American soil, surrounded by a 100-percent militantly patriotic American citizenry. It is utter folly for us not to make Alaska not only an impregnable bastion, which, in the view of the commanding officer of Alaska it is not, by any means, but to make it a great base both for defense and offense for the protection not merely of the United States, but of the entire North American Continent, and indeed of the Western World. It is as true today, even with the change in types of weapons, as it was when Billy Mitchell uttered his great wisdom nearly a quarter of a centry ago, that: "He who holds Alaska holds the world."

I particularly urge our Armed Services Committee to investigate the Alaska military situation from the standpoint of General Armstrong's challenging statement.

PROVIDING FINANCES FOR THE NATIONAL HIGHWAY PROGRAM

Mr. WILEY. Mr. President, we recognize that the Nation's roadbuilding program is undergoing a real crisis.

Unfortunately, the failure of Congress to act early enough to provide financing for the national highway program is resulting in serious curtailment of construction.

As we know, the Ways and Means Committee has completed its hearings on the problem of highway financing. As I understand, the committee is now putting its conclusions into bill form.

I hope that the committee will not only take expeditious action in reporting a bill, but also that both the Senate and the House will follow through with early approval of an equitable method for financing the highway construction program.

Daily I am receiving an avalanche of messages from highway officials, workers, equipment suppliers, and others, stressing that the cutbacks due to lack of funds are being felt in local communities.

The Nation, I believe cannot afford to allow to stagnate such a vital program essential to providing us with a network of improved and expanded roadways for progress.

To illustrate the adverse repercussions which are now recurring as a result of lack of funds, I request unanimous consent to have a number of the messages received from individuals and officials in Wisconsin printed at this point in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

MILWAUKEE, WIS., *August 4, 1959.*

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D.C.:

The cancellation of highway contracts in Wisconsin due to lack of Federal funds is already having some far-reaching economical impact. To be specific our company has canceled a quantity of machines on order at the factories we represent and we have curtailed plans to expand our operation in the Green Bay area. This was a committed program and we along with the entire contracting industry based our plans upon it. The results of inadequacy funds could be financially disastrous to many in our industry.

MILWAUKEE, WIS., *August 4, 1959.*

Senator ALEXANDER WILEY,
Washington, D.C.:

Urge your immediate support of legislation to assure continuation of Federal highway program. Our 4,000 Wisconsin subscribers, who employ many more thousands of people in the construction industry, are very interested in your stand on this. Please wire your attitude on this vitally important legislation.

WESTERN BUILDER.

MILWAUKEE, WIS., *August 4, 1959.*

Senator ALEXANDER WILEY,
Washington, D.C.:

Failure of Congress to enact legislation to adequately finance the Federal highway program will immediately result in a general layoff of highway construction workers and seriously affect the economic condition in all fields of highway work in Wisconsin including materials and equipment suppliers. Our highway industry is now geared to do the job as scheduled. Curtailment of the work will disrupt carefully built-up personnel and plant capacity over the past several years to plan and build this Federal highway system. As of this date our construction company is faced with laying off 80 percent of its payroll.

MILWAUKEE, WIS., *August 4, 1959.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D.C.:

The daily press is carrying stories about the financial crisis in Federal aid appropriations for highway work. Milwaukee County is and has been for some time engaged in the constructions of an expressway system which will also be a part of the Interstate System.

Completion of the system on the local level is in large part a responsibility of the county board and its highway committee. If Federal funds are to be stopped as is indicated in the press it will create a crisis locally leaving many projects uncompleted with bridges standing isolated, streets partially paved, projects upon which grading has been performed and no paving placed and moving the entire schedule of expressway construction back by many months. As you no doubt realize the local reaction will not be good. Milwaukee County is not depending on Federal funds alone. The county as already provided $28 million for this project since 1956. Realizing that matters of Federal finance are subjects to be considered and determined by the Congress it is not our purpose to tell your honorable body or its individual Members how such problems

should be solved but we do wish to point out the seriousness of the situation that will develop if Federal funds for highway construction are at this time drastically reduced and we trust that the Congress and the administration will be able to arrive at some measure of financing which will permit the Federal aid road program to get back on schedule.

Respectfully submitted.

RICHARD J. WHITE,
LEON SZYMANSKI,
FRANK G. GREGORY,
WILLIAM F. O'DONNELL,
Milwaukee County Highway Committee.

MILWAUKEE, WIS., *August 4, 1959.*

HON. ALEXANDER WILEY,
Senate Office Building,
Washington, D.C.:

Eleven million dollars in highway contracts awarded at the last State highway letting have been held up due to lack of Federal funds. The next letting scheduled for August 18 has also been canceled. The impact on the contracting industry and all those allied to it will be staggering. This industry geared itself to a committed program and many contractors purchased equipment on time payments based upon a projected volume of work. It is imperative that the Federal Government stand back of their committed program and find some solution to make funds available. The savings realized in reduced loss of life and property damage alone justifies continuation of this program and, if for no other reason, its significance should outweigh partisan politics.

MADISON, WIS., *August 5, 1959.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D.C.:

The safety and welfare of all highway users is seriously affected by lack of congressional action on Federal aid highway bill. I earnestly solicit your support of the highway program and your opposition to any efforts to delay completion of the Interstate System.

THE VICE PRESIDENT'S SUCCESSFUL COMMUNIST-ORBIT TRIP

Mr. WILEY. Mr. President, today Vice President NIXON returns from one of the most successful trips in recent times by an envoy of the free world to ease East-West tensions. During the 10-day tour, the Vice President was almost continuously "under fire." In practically all circumstances, however, he gave a good account of himself.

As the Vice President arrives home, he deserves, I believe, the plaudits, congratulations, and gratitude of the country and the free world for a very difficult job well done.

During the trip, first, he handled himself admirably well in the rough-and-tumble debate with Khrushchev; second, he gave constructive refutations to repeated Soviet criticism of U.S. foreign policy; third, he succeeded in making a great many person-to-person contacts with the Russian people confirming, among other things, that a deep-seated friendship for America still exists in the Soviet Union, despite years of anti-American propaganda; fourth, he clearly laid it on the line to the Kremlin leaders—being firm but not belligerent—that we are dedicated to finding a peaceful settlement for East-West differences but, at the same time, we will not be pushed around.

Around the globe, nations are breathing a sigh of relief at the successful, peaceful, and perhaps promising conclusion of what could have been a dangerous and explosive encounter by the Vice President, not only with Khrushchev, but also with Soviet-planted hecklers on his tour.

The best evaluation of the merits of the Nixon-to-the-Communist-orbit trip probably has been the decision of the President—based on results of the Vice President's trip—to agree to an exchange visit with Premier Khrushchev.

We cannot expect, of course, that the Vice President's trip, or even the heads-of-state interchange, will automatically and miraculously resolve all East-West problems. We recognize, however, that it is better, safer, and more civilized to be exchanging words than nuclear-warheaded missiles. The ultimate objective, of course, is real, concrete progress toward peace.

As a forerunner of the Eisenhower-Khrushchev visits, the trip of Vice President NIXON may well have opened a new era of direct exchanges between the West and Communist countries.

As we proceed into this new venture, let us remain alert and "keep our powder dry."

To be mesmerized into a sleep because of a desire for peace might prove a very serious mistake. We are dealing with a dangerous force—communism—active on every continent.

On the other hand, we are hoping that the Communists will get a new viewpoint, assume a new sense of responsibility, and demonstrate, in deeds, a willingness to take concrete action to lessen world tensions.

RESULTS OF PRESIDENTIAL POLL IN WISCONSIN

Mr. PROXMIRE. Mr. President, Wisconsin has often been a critical State in presidential preference primaries. I think the foremost recent one occurred in 1944 when Wendell Willkie, who was the Republican nominee for the Presidency, ran in the primary in Wisconsin and was defeated. That defeat ended the career of Wendell Willkie.

It is very possible that similarly critical primaries may be held in Wisconsin next year. I have just concluded a questionnaire poll of Wisconsin among both parties. I received a very heartening number of replies to my questionnaire, and I am going to ask that the results of that questionnaire be included in the RECORD.

Before I do so, however, I desire to make clear that the results of this poll in no way change my determination to remain completely neutral in any contest which might develop in Wisconsin between Senator KENNEDY and Senator HUMPHREY. Both are fine U.S. Senators, excellent prospective candidates, and are well qualified for the Presidency. I wish them both good hunting and good luck.

I ask unanimous consent that a press release in connection with this poll and a copy of the tabulation of the results of the poll be printed in the RECORD at this point.

There being no objection, the press release and results of questionnaire poll were ordered to be printed in the RECORD, as follows:

Senator WILLIAM PROXMIRE announced Wednesday that the results of a poll he had just completed throughout Wisconsin showed Vice President NIXON winning overwhelming Republican support and Senator KENNEDY showing decisive Democratic strength.

PROXMIRE said, "We mailed our questionnaire to 10,000 Wisconsin citizens, selected geographically to represent every one of the 71 Wisconsin counties in precise proportion to population. We also picked a sample of urban and rural respondents to reflect the exact urban-rural population division in Wisconsin."

The Republican responses favored NIXON by more than 4 to 1 (82.1 percent) over Rockefeller. NIXON carried every one of Wisconsin's 10 congressional districts. In each of them his margin was better than 2 to 1. He received 84.4 percent of the rural vote and 81.5 percent of the urban votes. All responses counted were received before the NIXON trip to Russia.

Respondents voting for one of five leading Democrats gave KENNEDY 42.5 percent, Stevenson 29.5 percent, HUMPHREY 17.3 percent, SYMINGTON 6.5 percent, and JOHNSON 4.2 percent. KENNEDY led in each of Wisconsin's first eight congressional districts. HUMPHREY led by better than a 2 to 1 margin over his nearest competitor in the 9th and 10th. Stevenson was second to KENNEDY in each of the first seven Wisconsin Districts and second to HUMPHREY in the 10th.

KENNEDY and HUMPHREY both received 32 percent of the rural vote cast for Democrats.

PROXMIRE qualified the results of the poll in this way: "While I think the result of this poll is an accurate overall indication of relative strength today, it is likely that if a primary contest should develop both Rockefeller and HUMPHREY would do better next April 6. NIXON has the advantage of being far better known to Wisconsin voters than Rockefeller, an advantage that would at least partly fade in the event of a vigorous campaign between the two.

"The KENNEDY advantage over HUMPHREY outside of the 9th and 10th (northwestern) Wisconsin Districts might also be challenged by a vigorous campaign that widely promoted the HUMPHREY name. An interesting result of the poll, however, is the very decisive advantage KENNEDY enjoys over HUMPHREY in each of the districts in which KENNEDY leads. The KENNEDY margin varies from nearly 2 to 1 in the Third (southwestern) to more than 5 to 1 in the Fourth and Fifth (Milwaukee). Similarly, HUMPHREY leads KENNEDY by better than 2 to 1 in both the 9th and 10th Districts (Northwestern).

"This suggests that even though a campaign might change the proportionate advantage of one or the other Democratic contender, as conditions now stand it will take a very vigorous HUMPHREY campaign to prevent a KENNEDY victory by a 24 to 4 margin, assuming Wisconsin receives the same number of delegates in 1960 as in previous years, and they are distributed as before—2 to each of the 10 districts and 8 at large.

"The results of this poll in no way change my determination to remain completely neutral in any contest that might develop

in Wisconsin between KENNEDY and HUMPHREY. Both are fine U.S. Senators, excellent prospective candidates, and are well qualified for the Presidency. I wish them both good hunting and good luck."

Results of the Wisconsin poll are attached.

QUESTIONNAIRE RESULTS (QUESTION No. 3)

Whom do you favor for President in 1960 (Hubert Humphrey; Lyndon Johnson; John Kennedy; Richard Nixon; Nelson Rockefeller; Adlai Stevenson; Stuart Symington)?

I. Percent of total party vote:

Candidate	Percent of Democratic vote	Candidate	Percent of Republican vote
Kennedy	42.5	Nixon	82.1
Stevenson	29.5	Rockefeller	17.9
Humphrey	17.3		
Symington	6.5	Total	100.0
Johnson	4.2		
Total	100.0		

II. Percent of party vote by urban and rural breakdown, Democratic:

Candidate	Percent of urban Democratic vote	Percent of rural Democratic vote
Kennedy	46.7	32.0
Stevenson	31.6	24.4
Humphrey	11.3	32.0
Symington	6.5	6.5
Johnson	3.9	5.1
Total	100.0	100.0

III. Percent of party vote by urban and rural breakdown, Republican:

Candidate	Percent of urban Republican vote	Percent of rural Republican vote
Nixon	81.5	84.4
Rockefeller	18.5	15.6
Total	100.0	100.0

IV. Percent of party vote received, by congressional district:

Candidate	Percent of vote cast for top 3 Democrats [1]	Candidate	Percent of vote cast for top 2 Republicans
1st District (southeast Wisconsin; biggest city, Racine)			
Kennedy	44.1	Nixon	83.3
Stevenson	39.7	Rockefeller	16.7
Humphrey	16.2		
2d District (south central Wisconsin; biggest city, Madison)			
Kennedy	51.0	Nixon	78.6
Stevenson	38.5	Rockefeller	21.4
Humphrey	10.4		
3d District (southwest Wisconsin; biggest city, La Crosse)			
Kennedy	43.8	Nixon	93.1
Stevenson	33.3	Rockefeller	6.9
Humphrey	22.9		
4th and 5th Districts (Milwaukee County; biggest city, Milwaukee)			
Kennedy	54.2	Nixon	79.5
Stevenson	35.8	Rockefeller	20.5
Humphrey	10.0		
6th District (eastern Wisconsin; biggest cities, Oskosh and Sheboygan)			
Kennedy	46.0	Nixon	83.3
Stevenson	38.1	Rockefeller	16.7
Humphrey	15.9		
7th District (central Wisconsin; biggest city, Wausau)			
Kennedy	47.8	Nixon	80.0
Stevenson	28.3	Rockefeller	20.0
Humphrey	23.9		
8th District (northeast Wisconsin; biggest city, Green Bay)			
Kennedy	69.1	Nixon	82.4
Humphrey	16.2	Rockefeller	17.6
Stevenson	14.7		
9th District (northwest Wisconsin; biggest city, Eau Claire)			
Humphrey	57.7	Nixon	72.7
Kennedy	23.1	Rockefeller	27.3
Stevenson	19.2		
10th District (northern Wisconsin; biggest city, Superior)			
Humphrey	54.0	Nixon	91.3
Stevenson	25.4	Rockefeller	8.7
Kennedy	20.6		

[1] In computing percentage only the votes cast for the 3 Democrats receiving the largest proportion of the vote were included.

SENATORS MURRAY AND MANSFIELD AND A PROGRAM FOR CONSERVATION

Mr. CHURCH. Mr. President, on March 24, when there was transmitted to the Congress a long overdue program for the national forests, it was welcomed here in the Senate because of the great interest we have shown in developing our national forests. The Senator from Montana [Mr. MANSFIELD] with his customary wisdom, had this report referred to both the Senate Agriculture and Forestry Committee and the Senate Committee on Interior and Insular Affairs.

I have noticed a large number of editorials and stories giving recognition to the role that we in the Senate have played in bringing about this development. In particular, I am pleased that the press has noticed the hard work and constant effort on the part of the Senators from Montana [Mr. MURRAY and Mr. MANSFIELD] in seeking to promote the wise use of our forest and range resources. They are men of vision, action, and leadership.

In a 1956 report the senior Senator from Montana [Mr. MURRAY] asked all of the agencies to submit adequate long-range programs to the Congress on natural resource programs. This report pointed out that the Congress had found it necessary to increase appropriations substantially over the amounts in the executive budget. The report also pointed out that inadequate consideration was given to the business-type nature and the revenue-producing potential of the operations of our natural resource agencies. Again in 1958 the senior Senator from Montana [Mr. MURRAY] reiterated the need for full development of public resources in a report bearing that title. With his customary vigor he followed this with a special study prepared for the Montana delegation by the Forest Service on one facet of the problem, developing the forest resources of Montana. During the fall of 1958 as chairman of the committee, he directed a review of special timber-sale problems in the western regions of the Forest Service. The Senator from Montana [Mr. MURRAY] has asked Secretary Seaton to submit a long-range program for the Bureau of Land Management and the Fish and Wildlife Service.

Thus, I think it is both clear and proper to state that not only the senior Senator from Montana, but all of the members of the Interior and Insular Affairs Committee, regardless of party, have shown a constant and sincere interest in defining the goals that we should have before us in resource management.

The junior Senator from Montana [Mr. MANSFIELD] has sponsored Senate Joint Resolution 95 to accelerate the reforestation programs on public and private lands. He has helped greatly to achieve needed funds for forest roads and highways and for conservation programs. He is leading efforts to provide vitally needed funds.

As good as it is to have this long-range program, such as Secretary Benson submitted, it must be considered within the framework of the facts as they exist in the record. Programs are only statements of desire and what counts is what has been done and what will be done to fulfill these desires. We could be much further along on the road to meeting these goals if during the last 6 years Secretary Benson and his associates had earlier obtained a realistic picture of the need for national forest development. His report says that an adequate system of roads and trails is essential to proper management of forest lands. But in the 83d, 84th, and 85th Congresses he has opposed legislation which would increase the authorization level for forest roads and trails. Thus today we only have 19 percent of the roads needed to meet long-term obligations. The administration's budget for this year called for supplying only $24 million of the current $30 million road authorization.

Let us consider Operation Outdoors, the $85 million program to develop recreational facilities on the national forests. This year, according to the plan the Secretary announced, $19,500,000 should be requested to meet the mounting demand for recreation out in our forests.

His budget request is for only $8,500,000. Last year when he should have sought $15,500,000, the Secretary asked for only $8 million. Fortunately, last year with bipartisan unanimity, the Congress made $10 million available for this important program. In his report, the Secretary states that almost 6,000 dwellings and related service buildings are needed to properly serve the national forests. He says that to facilitate resource management these needs must be met "at an increased rate in the short-term period." This year's budget for this program has been cut back in the budget by $2,375,000. During the last 6 years there has been available for range revegetation and reforestation the authorization in the Anderson-Mansfield Act. In order to restore desirable vegetation and control poisonous plants on 4,400,000 acres and to seed and plant trees on 3,300,000 acres, which is called for in this report, all the Secretary had to do was to request the funds authorized by this act and we could be well on the way toward a solution.

The story is the same in each and every conservation program. The administration's response to leadership is too often a brochure followed by an inadequate budget. The Senators from Montana [Mr. MURRAY and Mr. MANSFIELD] have not been deterred—they have fought for a proper conservation budget. The scales they use balance the needs of our growing population against the condition of our natural resources.

On Monday the Senate passed by a vote of 70 to 0 a supplementary appropriation bill which includes $27 million to get the "Program for the National Forests" underway. It was pointed out when this bill was before us that the actual increase over 1959 funds was $12,500,000. The Murray-Mansfield team deserves real credit for the constructive way they worked with two other great conservation Senators—the Senator from Arizona [Mr. HAYDEN] and the Senator from Mississippi [Mr. STENNIS] to bring this about. Their statements when the bill was before the Senate demonstrate more completely than I can how they reinforce each other while complimenting others for the work that has been done.

The contributions the senior Senator from Montana [Mr. MURRAY] has made toward promoting conservation are legion. The junior Senator from Montana [Mr. MANSFIELD] has constantly stood shoulder to shoulder with him in this conservation battle.

I am pleased to see the Great Falls, Mont., Tribune of July 26 call attention to their constructive efforts. I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WESTERN SENATORS PUSH SPEEDUP OF NATIONAL FOREST DEVELOPMENT

Montana interests in many fields are directly involved in the move of western Senators to push for an immediate appropriation to start in the current fiscal year a national forests conservation development program which the Agricultural Department has recommended for 1960. Senators MANSFIELD and MURRAY, both active advocates of the earlier start, report that 22 western senators have agreed to support the speedup idea.

Whether or not this effort succeeds, the projected program seems pretty certain of passage in 1960. It includes a speedup in construction of access roads to timber and tree planting and involves most every phase of developing and conservation. It would cost the Federal Government an estimated $3,400 million over a 12-year period. This however, would be a profitmaking investment by the Government. Forest Service officials say the cost would be more than offset by revenues from timber cut alone on the Federal forests.

The impact this program will have in Montana will depend in no small part on the manner in which we prepare to take advantage of it.

As Ross A. Williams, dean of forestry school, MSU, pointed out in a Tribune guest editorial a few weeks ago, we in Montana have scarcely touched the greatest potential that lies within our timber industry.

Our present end product still is mainly lumber—plain boards, dimension stock and timbers. Dean Williams cited some Montana examples, however, which illustrate the real development potential. Several years ago one medium-sized mill decided to produce instead of plain lumber some of the essential parts used in many of our modern homes. It tripled its man-hour requirements per thousand feet of lumber handled, and the income from its product in similar manner.

There is a varied field for processing development in Montana and a need for a lot more forest research. Some of the needed research will be supplied by the Federal Government and some by private industry. The State's only forest experiment station is at the university forestry school at Missoula.

Its budget is too small for the job it could and should do.

SUPPLEMENTAL APPROPRIATION BILL, 1960—ADDITIONAL CONFEREE

Mr. HAYDEN. Mr. President, I ask unanimous consent that the Senator from New Mexico [Mr. ANDERSON] be included among the number of conferees heretofore designated to represent the Senate on the bill (H.R. 7978) making supplemental appropriations for the fiscal year ending June 30, 1960, and for other purposes.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Without objection, it is so ordered.

THE NEED FOR LABOR REFORM LEGISLATION

Mr. GOLDWATER. Mr. President, I learned a short while ago with a great deal of interest that the President intends to go on television tomorrow night to discuss with the people of the country the need for good labor reform legislation. I feel this is a very timely appeal on the part of the President.

After 2½ years of service on the McClellan committee, which has been investigating the irregularities in regard to labor and management dealings, I have come to the full conclusion that the proposed legislation now being considered, which has come from the Committee on Education and Labor in the House of Representatives, is totally inadequate. It is a much weaker bill than that which was passed by the Senate, and the Senate bill was weak enough.

Mr. President, every day I live I become more proud of the one dissenting vote which I cast, when the Senate passed a bill which completely ignored 2 years of hearings before the McClellan committee.

For instance, there was nothing in the bill to prevent a continuation of the secondary boycott, which, by the way, was prohibited by the Taft-Hartley Act. That was overruled by the National Labor Relations Board, and the decision was sustained by the Supreme Court, which has negated the clause in the Taft-Hartley law. Secondary boycotts are now allowed.

There is no effective stopping of blackmail picketing in the bill which was passed by the Senate, nor is there in the bill now before the House of Representatives.

While the House of Representatives does seek to go a step further than we dared to go in taking care of the no-man's land or the States rights cases, the bill still will not effectively meet the challenge.

Mr. President, those are only three of the areas in which the McClellan committee has disclosed the power which has been used by men like Jimmy Hoffa to force their will upon the country.

Mr. President, another thing the Senate deleted, which the House has to some measure attempted to resurrect, is the bill of rights. We destroyed the McClellan bill of rights. If Senators do not think this is important, I ask them to recall to their memories what happened in Los Angeles a short time ago, when three members of the International Association of Machinists were discharged from their union because they dared speak for the right-to-work resolution in California. The president of that international union, in sustaining the discharge, recognized the right of these men under the Constitution to freedom of speech, but he said that when it came to discussing union matters they could not be discussed if it were against union policy.

Mr. President, we had an effective declaration with regard to freedom of speech in the McClellan bill of rights but unfortunately it was destroyed by the the U.S. Senate. I hope the House will be able to remedy that situation.

Mr. President, all the proposed legislation we are discussing does not get at the real trouble. We have been discussing the symptoms and not the disease.

The other day, when I was talking on this subject before the National Press Club in Washington, D.C., I outlined some of the powers to which I refer, and I ask unanimous consent that these be printed in the RECORD at this point in my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

1. Immunity under the antitrust laws.
2. Practically full immunity to injunctions in the Federal courts.
3. Immunity from taxation.
4. Power to compel employees to join unions as a condition of employment.
5. Right to represent all the employees as exclusive bargaining agent even if only a bare majority has selected the union as such agent.
6. Power to compel employers to bargain collectively.
7. Although not required to be incorporated, their members are free from the liability for the debts of the union, unlike the members of other unincorporated associations.
8. Unions are not liable for the acts of their individual members in contrast to other types of unincorporated associations.
9. Employers are prohibited from discriminating in hire and tenure of employment against employees because of their union membership of their union activities, including participation in picketing and strikes. Employers, however, are forbidden to engage in lockouts excepts in two unimportant types of situation.
10. Unions have the right, during collective bargaining, to compel the employer in some circumstances, to disclose his financial books and records, but there is no corresponding obligation on unions.
11. Unions, in some situations, have a legal right of access to the employer's property, the right to compel him to make his property available for use by the union, and the right to invade the privacy of employees who are not union members and sometimes even against their wishes.

Mr. GOLDWATER. Mr. President, I wish to invite the attention of my colleagues to a few of these items.

The union movement today has immunity under the antitrust laws; practically full immunity to injunctions in the Federal courts; immunity from taxation; the power to compel employees to join unions as a condition of employment; and the power to compel employers to bargain collectively. Unions are not liable for the acts of their individual members, in contrast to other types of unincorporated associations.

Mr. President, until this Congress or some other Congress gets at the disease and forgets about flirting around with the symptoms, we will be only fooling the American public. I think it is high time that the President of the United States went before the people to tell them what is needed in a labor bill.

The PRESIDING OFFICER. The time of the Senator from Arizona has expired.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that I may proceed for an additional 3 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona? The Chair hears none, and it is so ordered.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. GOLDWATER. I will yield to the Senator in a moment.

Mr. President, what is needed in a labor reform bill? I know every time the junior Senator from Arizona stands up to talk on the matter he is treated as radioactive in the field of unions.

I have no interest in destroying unions. I think I have a deeper interest in the labor movement, probably, than most Members of this body, because I have been an employee and an employer all of my life, and I think I know the problems.

Mr. President, I wish to tell Senators that the union movement of this country has no more right to power above and beyond the Federal Government than had the corporate movement at the turn of the century. We must by legislation level out these powers. That is all the people ask. That is all I ask. That is all the union members and the workers everywhere ask. We all ask that the powers be equalized, so that what is good for one person is good for the other person.

The labor bill as it is now before the House of Representatives is traveling under a false name. It is not a labor reform bill. If its sponsors want to call it a labor reporting bill, I can go along with that title, because, Mr. President, its labor reporting provisions are better than those of the Taft-Hartley law. In that respect, it is a better bill. It is not a labor reform bill, however. There is nothing in the bill as it is now before the House of Representatives which in any way would prevent James Hoffa from doing what he does with the economy of the country. There is nothing in the bill to prevent Walter Reuther from doing what he does with politics in this country. There is nothing to restrain the use of power.

Mr. President, the people of the United States are awakening to the problem, thanks to the effort of Mr. Robert Kennedy, the chief counsel, who has appeared on two television shows. My colleagues know the need for effective legislation. Editorials which I receive from day to day reflect this awakening.

Mr. President, so that my colleagues may know what the press of the country think of these labor bills, I ask unanimous consent that several editorials on the subject be printed in the RECORD at this point in my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Clay (W. Va.) Merchant, July 1, 1959]

PROGRESS REPORT ON LABOR LEGISLATION

(By Ralph Robey)

To speak of progress on labor legislation may appear as unwarranted. Actually it is nothing of the kind. A bill has been passed by the Senate and the subject is now being considered by the House Labor Committee. There will be some bill reported out of the House committee, and it then will be discussed, probably at considerable length, on the floor.

The Senate measure, the so-called Kennedy bill, was passed with only one opposition vote. That was by Senator GOLDWATER, Republican, of Arizona. During the Senate debate, MCCLELLAN, Democrat, of Arkansas, the chairman of the committee investigating labor and management, offered several amendments to strengthen the bill. One, which came to be known as the bill of rights, was adopted but later was materially watered down. The bill as it came out of the Senate, therefore, was weak and far from what is needed.

The AFL–CIO has come out against the bill, claiming it is antiunion. Whether this is an independent judgment or is the result of needling by the Teamster chief, James Hoffa, is not known. At least Hoffa made the charge that Meany, president of the AFL–CIO, was not protecting labor.

The U.S. Chamber of Commerce has stated publicly that it would prefer to have no labor legislation rather than the Kennedy bill. This view is based upon the chamber's belief that the bill is so lacking in force that it could accomplish nothing significant in meeting the labor problem.

The NAM also is of the opinion that the Kennedy bill is inadequate, but it has not indicated that it would prefer nothing. Rather, the NAM has continued to emphasize that the bill needs to be strengthened, and apparently believes that this is legislatively possible.

No one yet knows, of course, what will be reported out of the House committee. But no one believes that a really strong bill can come out. This is because the House committee is strongly prolabor. The chairman, GRAHAM BARDEN, Democrat, of North Carolina, is a conservative, and knows what should be done, but there is relatively little that he can accomplish with the membership of his committee. It is generally assumed, therefore, that the bill which comes out will be about in line with the Kennedy bill, and perhaps even little less adequate.

What, specifically, is lacking in the Kennedy bill?

First, it does not deal with sufficient clarity with secondary boycotts and coercive picketing. The present Taft-Hartley Act prohibits secondary boycotts, but the prohibition has become meaningless largely as a result of decisions by the National Labor Relations Board. Much the same is true with coercive picketing.

Second, the bill does not touch the problem of compulsory union membership, which is a principal source of the monopoly power of labor union leaders and their monopolistic practices. This is a difficult problem, but it must be solved if we are to eliminate the double standard now prevailing as between labor and managament.

Third, no real answer is given to what is known as no man's land, the area where the National Labor Relations Board refuses to handle a dispute, and where the States, because of decisions of the Supreme Court, are not permitted to take action.

The original Kennedy bill met this issue by providing that the NLRB must handle all cases, but this was drastically weakened by amendments and the resulting provision will do nothing to solve this most important problem.

Finally, no mention is even made of the use of union funds for political purposes and political activities. Again, there already is a statute on the books prohibiting such use of funds by unions and by business organizatons, but the unions pay little or no attention to the prohibitions.

This does not mean that there's nothing good in the Kennedy bill. All it signifies is that a bill, as stated earlier, is inadequate to meet the labor problem.

How much can be done on the floor of the House to convert the measure which is reported out of the committee into a real labor bill is an open question. Little can be hoped for unless the public lets its Congressmen know that this is the year when we must have real labor reform. If we do not get

such legislation this year, it will be a long, long time before we have another opportunity.

[From the Springfield (Mass.) Free Press, July 4, 1959]

COURAGE NEEDED

The St. Louis (Mo.) Post-Dispatch is a famous newspaper which always has been friendly to the cause of organized labor. So something it recently said about pending Federal labor legislation is of marked significance.

"The public interest," observes the Post-Dispatch, "does not demand a union-busting bill, but it does demand a measure which effectively guarantees union democracy, makes union leaders more directly answerable to the rank and file, and corrects the abuses so impressively brought out by the McClellan investigation."

It then deals with certain loopholes and defects in the labor bill which passed the Senate. The bill's language is loose, for one thing, and leaves wide open room for evasions. The provision dealing with "blackmail" picketing is weak—much weaker, for instance, than that advocated by Secretary of Labor Mitchell. And the means the law provides for enforcing the bill of rights that it is supposed to guarantee the rank and file of union members leaves a great deal to be desired. Workers who felt their rights were infringed would have to file suit in the courts in an effort to obtain redress—an expensive and time-consuming stratagem that is obviously beyond the resources of most union people.

The Post-Dispatch concludes: "There are, no doubt, other respects in which the Senate bill could be improved without converting it into a union-busting measure. The secondary boycott, picketing and bill-of-rights enforcement clauses seem to us the most important. We hope the House will tackle them courageously despite political pressure from the unions."

This is a moderate view—and, to repeat, it comes from a long-time friend of labor. The country both needs and deserves a better, stronger bill than that passed by the Senate.

[From the Chicago American, July 19, 1959]

WHO IS MAKING LABOR LAWS?—SHOWDOWN IN CONGRESS

Having completed 2½ years of hearings with a final requestioning of James R. Hoffa, the Senate Rackets Committee chairman, Senator JOHN MCCLELLAN, Democrat, of Arkansas, expressed these unavoidable conclusions:

"No reform, cleanup, or improvement of these conditions (horrifying corruption in the Teamsters Union) can be expected while the international union remains under the leadership and dominant influence of its provisional president, James R. Hoffa.

"Notwithstanding Mr. Hoffa's promises and assurances to the committee, he has failed and still refuses to get rid of high officials in the union.

"These known criminals and disreputable characters have in many instances betrayed the trust of the membership which it was their duty to protect and faithfully represent. They have engaged in racketeering practices and committed extortion."

Ordering Hoffa to put an end to the criminality has been useless because, as Senator MCCLELLAN pointed out, Hoffa himself is the fountainhead of this corruption.

Hoffa's persistence in lawbreaking, said MCCLELLAN, "challenges the integrity and the very supremacy of our Government," which is a Senator's way of saying that Hoffa is making his own law as he goes along, and the U.S. Government has been letting him get away with it.

So now that we know so definitely where Hoffa stands, where does the U.S. Government stand?

The branch of the U.S. Government most immediately concerned is the Congress, and it stands shifting its feet in timid indecision.

The Senate has passed the Kennedy-Ervin bill, which would not get Hoffa out of the Teamsters or inconvenience him in any important way, and the House Labor Committee has been struggling to put together a bill of its own.

A sizable segment of the committee has been interested chiefly in devising a measure that would look satisfyingly tough to the general public without actually regulating labor practices.

Oddly enough, it is not Hoffa this group is afraid of primarily, it is the bosses of the AFL–CIO.

They were so disgusted with the corruption in the Teamsters Union under Dave Beck that they booted the union out of their organization, but they're still pretending to themselves, notwithstanding the rackets Committee's conclusive evidence to the contrary, that labor can do its own cleaning up.

They don't want a real labor reform bill, and Congressmen who tremble at the sound of their voices are trying to duck out of passing one.

Another segment of the House Labor Committee has been trying to make the measure strong enough to protect the union members against having their dues appropriated and their rights ignored and also to protect the public against such cynical invasions of its rights as racket picketing.

The committee agreed on a measure Friday and will send it to the House floor next Wednesday.

The evidence produced by the Rackets Committee's hearings in the last 2½ years has proved beyond argument that the labor movement has been infiltrated by gangsters, thieves, and blackmailers.

It has shown that labor leaders are armed by present law with the arbitrary power to destroy businesses that refuse to obey their orders and to prevent individual Americans from making a living.

The committee's hearings have shown that present laws make it possible for Hoffa and his criminals to flourish. They leave the way open for Hoffa and Harry Bridges, the pro-Communist boss of the Nation's longshoremen, to unite and shut down all the Nation's industries by halting transportation.

Unfortunately, the bill drawn up by the House committee seems to be even feebler than the Kennedy-Ervin bill passed by the Senate. House Members who feel it is their duty to represent the public, and not the labor bosses, must make a determined fight on the House floor to amend some real power into the bill.

If the country gets an effective labor reform law, the cost to the taxpayers of the McClellan committee hearings will have been an excellent investment. If it doesn't, the money will have been wasted.

For our part, we don't see how any Member of Congress who believes in common honesty and the protection of constitutional rights can fail to vote for a strong and just law to control labor-management relations.

[From the Chicago Tribune, July 20, 1959]

REAL LABOR REFORM

The labor reform bill passed by the Senate was a poor, weak thing, and now the House Labor Committee has completed action on a bill that is even weaker. The so-called bill of rights for union members has been watered down so that it would do little or nothing to improve internal affairs in unions. The committee refused to write stricter regulations against secondary boycotts and racket picketing.

On the whole, the bill is said to be satisfactory to union leaders, which means it will do nothing to end the evils exposed by the Senate Rackets Committee.

Republicans and southern Democrats will do their best to strengthen the bill when it reaches the House floor, probably on Wednesday. The success or failure of these efforts will show to what extent the House has been taken over by Meany, Reuther, Hoffa & Co.

It will not be sufficient to enact a law requiring union officials to file a statement with the Secretary of Labor certifying that they are not stealing much from the members. The revelations of the McClellan committee have convinced all but the dumbest union members and the most venal union leaders that some reforms are necessary. Even newspapers like the St. Louis Post-Dispatch and the Nashville Tennesseean, which are suckers for most socialist-labor ideas, are demanding a tougher labor bill.

Every citizen should watch the voting record of his Congressman on this issue.

[From the Belmar (N.J.) Advertiser, June 25, 1959]

THE PUBLIC BE DURNED

If the Congress really is interested in passing a labor bill in the public interest, it should consider the Barden bill, now bottled up in the House Labor Committee.

Unlike the Kennedy bill, GRAHAM BARDEN'S bill would deal with the problem of labor union monopoly. Monopoly is against the interest of the people, as Congress already has recognized in the antitrust laws, and monopoly is growing in labor today.

Prime example is James Hoffa's unsavory Teamsters' Union, which not only has a stranglehold on trucks everywhere, but has completed or is working on agreements with other unions which control water, air, and other land transport.

Hoffa has boasted that he has the power to bring all transportation to a halt, and so bring the country to its knees. This kind of weapon is not needed for collective bargaining—it could only be used against the Nation itself.

To obtain this power, Hoffa has had no hesitancy about allying himself with unions ruled by pro-Communists.

Other unions have brought the country to stagnation by striking entire industries, such as steel and coal. This has occurred even in wartime. There is no law to prevent strikes against the whole public, and many unions have shown that their restraint can't be counted upon.

It now appears that most Congressmen are more concerned with the political power that organized labor holds over them than they are with the monopoly power which labor leaders hold over the entire Nation.

[From the Savannah (Ga.) News, June 27, 1959]

OSTRICH TACTICS

Two labor practices—secondary boycotts and organizational picketing—are the means commonly used by racketeers in the labor field to violate the public interest. This is not speculation, it is a known fact. It has been proved time and again by newspaper articles, by hearings before congressional study committees, even by television presentations concerning the subject of labor racketeering.

What is the remedy?

It is so simple that it should have been applied long ago. Since neither of these practices is necessary to or desirable in normal organizing procedures and collective bargaining, why not outlaw them? Simply make them illegal.

But the Kennedy labor bill, passed by the Senate under the careful supervision of the bosses of organized labor, and now up for consideration in the House, fails to do a thing about this glaring need. It does make some provisions for protecting union members against racketeers in their own unions, but it does practically nothing to protect the public.

Who suffers as a result?

All of us suffer, especially the businessman who is apt to find himself subjected to abusive labor tactics. It will be too late then to say "There ought to be a law."

The time for businessmen to make their influence felt in the forums where laws are enacted is now. We regard the ostrich, who hides his head in the sand, an object of ridicule. Yet, when you mention politics to the average businessman, he is likely to say it's too risky, or too controversial, or that it might hurt business. He's behaving like the ostrich. And while he's playing it safe, those who don't mind getting involved are minding his business for him. The Walter Reuthers, Jimmy Hoffas, and George Meanys are spending money and making their influence felt from the precinct level to the White House. Too late, he discovers, "there ought to be a law."

There certainly should be a law—against secondary boycotts and organizational pickets—and the House of Representatives is considering such a law now. Why not let them hear from the businessman?

[From the Clay (W. Va.) Merchant, July 1, 1959]

GOLDWATER TALKS AGAINST KENNEDY BILL

(By James W. Douthat)

The coercive power of compulsory unionism, transformed into a massive and irresponsible political power, is described by Senator GOLDWATER, Republican, of Arizona, as the "most pressing and dangerous internal problem which we face in America today."

Senator GOLDWATER expressed his views in testifying before a joint House Labor Subcommittee that he did not believe the Kennedy bill passed by the Senate would be good for America.

The Arizonian, outspoken advocate of effective labor legislation, contends that the Senate-passed bill would not remedy the abuses spotlighted by the Senate Rackets Committee and would not strike at the actual "disease."

Then he explained in detail what he meant.

"The disease I speak of," he said, "is power, and nothing else.

"Power of the nature that allows Hoffa to threaten the entire Nation and to issue this threat with impunity and the ability to carry it through without the law being able to touch him, and in fact, protecting him.

"Power that allows Al Hayes to uphold the expulsion of three of his members because they dared to speak out against a position of the union, exercising a right which the Constitution recognizes as inherent but which the union denies.

"Power that allows Walter Reuther to carry on the brutal strike at Kohler, defying the clergy, the bar, and the public, and even exerting that power in another State to prevent for 3 years the extradition of a goon who beat up a nonstriker.

"Power that allows George Meany to openly tell the Congress of the United States just exactly what he will permit to be written into labor reform law and extending his dictates into the corridors and rooms of the Capitol where his lawyers wrote amendments to the labor bill.

"Power that allows COPE (the AFL–CIO Political Action Committee) to cross State lines to engage in politics in part with compulsory dues money taken from Republicans and Democrats alike in violation of the spirit of both the Taft-Hartley and the Corrupt Practices Act.

"Power that flaunts the laws of the land and scorns the rights and prerogatives of the people.

"Power that is denied, and properly so, to other segments of our society, but which is used by labor leaders with the knowledge they are protected by law and that their strength in Congress insures the continuance of those laws."

Explaining that under compulsory unionism, "corrupt leaders hold a clear-cut power of economic life or death over their members," Senator GOLDWATER added:

"Now let us take this compulsory unionism and go one step further—and it is a step which has already been taken. Let the union official take the overwhelming economic power he holds and transform it into compulsory political support of any party, faction of a party, candidate or issue as chosen by the union official. At a single stroke the union official can transform the union dues originally collected for economic purposes into a war chest for political purposes limited only by the size of the union treasury.

"Every union member under such a compulsory system must continue to support such political activities with his union dues. Failure to pay dues is grounds for expulsion from the union, followed by black-listing on every union job. A union member can be deprived of employment opportunities by his union official for refusing to pay political assessments, or dues which would be used for political purposes."

Mr. GOLDWATER. And, Mr. President, I ask unanimous consent that the deficiencies in the labor reform bill, which I reported to the Senate a short while ago, be printed again at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PRINCIPAL DEFICIENCIES IN PROPOSED HOUSE LABOR REFORM LEGISLATION

INTRODUCTION

The House Education and Labor Committee has approved its version of a labor reform bill. The stated purpose of this legislation is to eliminate racketeering and corruption from the trade union movement. As approved by the committee, the bill sadly fails to achieve its stated purpose.

The following brief analysis outlines the major deficiencies of the committee's bill. While this analysis is directed at the provisions of the bill as reported, it should be made clear that the committee has failed to include in the legislation certain provisions which are indispensable to effective labor reform legislation. These indispensable provisions are complete prohibitions of secondary boycotts and organization and recognition picketing.

Failure to deal with these principal tools of corruption and racketeering now is inexcusable. These tools have served Hoffa well in his drive for power. They have been among the chief reasons why he has become so entrenched.

The secondary boycott and organization and recognition picketing would not be curbed in the slightest by the House reported bill. Any labor reform legislation must deal with these matters—matters clearly revealed by the McClellan committee investigations to be the devices of the criminal and gangster elements in the trade union movement.

The committee has, moreover, failed to include adequate enforcement measures in its bill. Returning to State and local communities the authority to deal with disputes of an essentially local character would also have been a major step toward the elimination of the manifold abuses revealed by Senator MCCLELLAN'S hearings.

If the House of Representatives is given an opportunity to amend this legislation on the floor, every effort to obtain the vitally needed changes in the bill as reported must be made.

TITLE I—RIGHTS OF MEMBERS OF LABOR ORGANIZATIONS

Rights of membership

Section 101(a)(1): This section accords certain rights to members of labor organizations including the right "to participate in determining the policies, to attend membership meetings, and to vote in any election." The section then subjects these rights to "reasonable qualifications uniformly imposed."

Hence, in practice, unions may readily negate these rights by a determination of what is a reasonable qualification. The section can, therefore, be rendered meaningless.

Dues, initiation fees, and assessments

Section 101(a)(3): This section provides an exemption of federations of labor unions, such as the AFL–CIO, from the limitations imposed on increases in dues and initiation fees. This raises a question as to whether or not a parent body should be subjected to the same rule as its subordinate units.

Protection of the right to sue

Section 101(a)(4): While ostensibly conferring a right on a member to sue a union or its officials such right is effectively destroyed by the proviso requiring such member to exhaust the remedies under the union's rules before resorting to judicial action. This is required, moreover, without regard to how long the pursuit of such internal union remedies may take.

Safeguards against improper disciplinary action

Section 101(a)(5): A member of a union is denied any procedural safeguard until after disciplinary action has been taken. Moreover, the section fails to establish appeal procedures. Labor organizations are authorized to adopt and enforce rules requiring loyal observance by every member of his responsibility to the union and the labor movement as a whole. The sweeping authority thus granted would permit further emasculation of any safeguards intended to be created.

Enforcement of Bill of Rights

Section 102(a): This section denies enforcement of any right conferred in this title until internal union procedures or remedies have been exhausted or until 6 months have elapsed without a decision. To require a member to pursue internal union procedures may be futile; to require the member to wait 6 months may be fatal.

TITLE II—REPORTING BY LABOR ORGANIZATIONS, OFFICERS AND EMPLOYEES OF LABOR ORGANIZATIONS, AND EMPLOYERS

Reports by unions

Section 201(a): This section requires each union to adopt a constitution and bylaws and to file them with the Secretary of Labor. It also requires the filing of information concerning address, officers, fees, and detailed statements with respect to a number

of specifically enumerated union practices. As reporting requirements, these may be desirable provisions. However, a glaring defect exists in the complete absence of any standards with respect to the various practices upon which reports must be filed. For example, information concerning procedure for authorization for strikes is required to be filed, but nothing is said as to what those procedures must be. A simple "none" answer would satisfy the law. The section is thus defective in its failure to include obviously needed standards.

Financial reports by unions

Section 201(b): The financial information required to be reported by unions under this section is in general the type which should be reported, but again a principal objection is to be found in the failure of the bill to impose any standards on a union regarding its financial dealings. Moreover, a union need only report salaries in excess of $10,000 and loans to officers or members over $250. There could well be many instances in which revelation of payments or loans below the indicated figures could serve a useful purpose in exposing transactions of a dubious character to the spotlight of public opinion.

Access to reports by members

Section 201(c): The effect of this section is to limit the access of members to the reports filed by the union inasmuch as the union is required only to make available the "information" contained therein in any fashion the union may choose. While a member may go to court to enforce this right, it is questionable if such a remedy is realistic.

Exemption from financial reporting

Section 201(d): An exemption from the financial reporting requirements is automatically granted to any union with less than 200 members or having gross annual receipts of less than $20,000. Only by formal proceeding by the Secretary of Labor may this exemption be removed. This would effectively exempt nearly 70 percent of all unions from financial reporting. In view of the subsequent provision authorizing simplified reports from small unions, no blanket exemption appears justifiable. Under this section, Dio's paper locals would not be required to report.

Union access to NLRB

Section 201(e): This section removes the strong inducement upon a union to comply with the reporting requirements because it repeals the Taft-Hartley Act language denying access to the NLRB for failure to report. In other words, failure to file under the proposed bill would now be no bar to unions to use NLRB facilities.

Penalties for violation of reporting sections

Section 209(a): This section is deficient because it fails to provide any penalty for the violation of any rules and regulations issued pursuant to the act. Rules and regulations therefore would be unenforceable.

Personal responsibility for reports

Section 209(d): Any person required to file a report may readily avoid a penalty for a false report simply by denying he knew it to be false. This emasculates the enforcement language.

Enforcement of reporting requirements

Section 210: This section fails to permit the Secretary of Labor to seek a court order to enforce the rules and regulations he issues under the act.

TITLE III—TRUSTEESHIPS

Reports by unions imposing trusteeships

Section 301: Failure to provide any standards which unions should follow in imposing trusteeships on a subordinate union is a major defect in this section. Reports on such trusteeships are required but copies of the reports are not required to be given to members. Enforcement of this provision is rendered difficult, if not impossible, by requiring personal knowledge of falsity of any report filed. No penalty is provided for a violation of rules and regulations issued pursuant to this title by the Secretary of Labor.

Purposes of trusteeships

Section 302: This section purports to limit the imposition of trusteeships by listing the valid purposes of the trusteeship. It, in fact, imposes virtually no limitations since carrying out the legitimate objects of the union is considered to be a valid purpose. Nowhere are legitimate objects defined.

Time limitations on trusteeships

Section 304(c): The effect of this section is to render a trusteeship virtually immune from legal attack for 18 months by granting a presumption of validity for that period of time which can only be overcome by clear and convincing proof of invalidity.

TITLE IV—ELECTIONS

Election of international union officers

Section 401(a): Except for the requirement of a secret ballot, this section fails to establish any standards for the conduct of an honest election. It contains no provision for access to membership lists by candidates nor for an honest count of the ballots.

Election of officers of intermediate bodies

Section 401(c): This section relates to the election of officers for joint boards, joint councils, or other associations of unions and is as deficient as the section above on election of international union officers for the same reasons.

Nominations and voting

Section 401(d). Since this section fails to specify who shall be able to nominate candidates, the practical control of elections is left in the hands of autocratic union officials. Notice of elections need only be given to members in a general manner.

Elections in conventions

Section 401(e): This section merely provides an empty shell of protection by requiring that the constitutions and bylaws of a union be followed in electing officers. Since many constitutions and bylaws are silent on the subject the deficiency is apparent. Official records need only be maintained for 1 year. Nowhere are official documents enumerated.

Removal of officers

Section 401(g): This section permits a union member to go to court to seek a recall election to remove an elected officer guilty of serious misconduct. The deficiency rests in the failure to provide for the removal of nonelected officials or those not guilty of serious misconduct.

Enforcement of election requirements

Section 402(a): Before a member can go to court to upset a fraudulent election, this section requires that such member must first pursue internal union remedies for at least 6 months. This section would have operated as a bar to the court action instituted by the 13 teamsters resulting in the appointment by a Federal court of monitors to supervise that union.

Exclusiveness of remedies

Section 403: The effect of this section prohibits State action to supplement or complement the remedies provided in the title for a contest over an election previously held.

TITLE V—SAFEGUARDS FOR LABOR ORGANIZATIONS

Union officials as fiduciaries

Section 501(a): This section purports to make union officials financially accountable for their conflict-of-interest dealings. A major loophole is created by limiting the fiduciary duty to take into account the special problems and functions of a labor organization. Another major loophole arises from the fact that no accountability is required for profits reaped by an official who uses his office (not union funds) to his personal advantage.

Union loans to officials

Section 503(a): The permissible amount of a loan to an officer or employee of a union is fixed at $2,500. The lower amount of $1,500 specified in the Senate-passed bill may itself prove ineffective in preventing wrongdoing or financial irresponsibility.

Payment of defense costs and fines

Section 503(b): Under this section a union or an employer is permitted to pay the defense costs of any official charged with violating the act as well as the payment of any fine if the violation was not willful.

Persons ineligible for union or employer association office

Section 504: This section purports to keep the criminal and subversive element out of the labor-management scene. Its failure to do so stems from absence of provisions denying office to persons convicted of specified crimes (manslaughter, aggravated assault, kidnaping, forgery, sedition, assault with a dangerous weapon, abduction, blackmail, perjury, espionage, and a host of other serious felonies) instead of to those convicted of any felony.

Payments by employers to his employees or to union officials

Section 505: This section amends section 302 of the Taft-Hartley Act so as to make it a crime, punishable by fine and imprisonment, for an employer or his representative or anyone who acts in the interest of an employer to make certain payments to unions, union officials, or to employees for the purpose of influencing other employees in their rights to organize and bargain collectively. This section is a criminal statute. It absolutely forbids certain payments. Violation could send an employer to jail. Yet, under its provisions it could be a Federal crime for an employer to give money to an employee or a committee of employees for the purpose of holding an annual banquet, or buying uniforms for a bowling or baseball team, or to subsidize an employee dance. Each of these activities has an indirect influence on employee thinking about organization and collective bargaining.

TITLE VI—MISCELLANEOUS PROVISIONS

Investigations by Secretary of Labor

Section 601(a): This section requires the Secretary of Labor to have probable cause to believe a violation of the act has occurred before he can undertake an investigation. This virtually requires preknowledge of the facts that his investigation is designed to uncover. The Senate-passed bill, S. 1555, required only a belief that it was necessary to conduct an investigation. Moreover, the Secretary is powerless to investigate violations of the bill of rights title.

TITLE VII—TAFT-HARTLEY AMENDMENTS

No man's land

Section 701(a)(b): This section approaches the jurisdictional no man's land problem by giving sole occupancy in the area to the Federal Government. The result is to exclude the States from handling matters which are of strictly local concern and to impose on an already swollen Federal

bureaucracy the impossible task of handling thousands of additional complaints—some involving establishments of no greater size than a corner drugstore with one or two employees. With a current caseload of over 6,000 cases the Board is even now faced with a herculean task in its endeavor to keep current. The imposition of this added responsibility manifestly will create an impossible situation, even if the Board is increased to seven members as the bill proposes and its staff is vastly enlarged.

The proper approach in eliminating the no man's land problem would be to vest States and State agencies with the power to handle labor cases in a manner not inconsistent with the provisions of Federal law.

NLRB changes

Section 701(c)(d): This section would establish a seven- instead of a five-man National Labor Relations Board, the members having 7-year terms. In general, it is doubted whether this superficial attempt to reduce the backlog of NLRB cases is the answer since seven men instead of five would be required to review and consider policy cases.

This section also attempts to clarify the jurisdiction between the Board and its General Counsel. Ever since the General Counsel's Office was established in 1947, a conflict over division of authority has existed between the NLRB and its semi-independent General Counsel. Since no testimony has been presented to Congress that the suggested division of authority would eliminate this conflict, the proposal is of doubtful value.

Building trades amendments

Section 702(a): This section nullifies right-to-work laws and further weakens the present secondary boycott section of Taft-Hartley by permitting building trades unions to win recognition without showing they represent a majority of employees. Negotiation of prehire contracts permitting a 7-day union shop and requiring notification to the union of job openings is authorized. Contract clauses requiring minimum job experience and seniority priority based on employment in the industry or geographic area are permitted. Such clauses may circumvent State right-to-work laws and the guarantees of free choice contained in section 7 of the Taft-Hartley Act regarding union membership.

Secondary boycotts

Section 702(c): This section permits secondary boycotts at construction sites by permitting common situs picketing. It would remove restrictions now placed by courts and the NLRB on such picketing.

Voting rights of economic strikers

Section 703: This section rewrites the existing Taft-Hartley rules and permits lawfully replaced economic strikers to vote in representation elections.

Prehearing elections

Section 704: This section amends Taft-Hartley to permit elections after 30 days without requiring a formal hearing if there are no substantial issues of fact or law to be resolved by a preelection hearing. The section specifically prohibits elections without a hearing if the appropriate bargaining unit is in dispute. This is a return to the days of the Wagner Act. It places great power in the hands of the NLRB investigator or hearing officer to determine, without a hearing, whether or not there are substantial issues of fact or law.

Hot cargo—secondary boycotts

Section 705(a): This section cleverly nullifies the provisions of the Senate-passed bill—S. 1555—curbing hot cargo secondary boycotts by common carriers and the Teamsters. It takes a different technical approach by making it an unfair labor practice for a common carrier covered by the Interstate Commerce Act to enter into such an agreement with a union. It adds a similar unfair labor practice for a union to make such an agreement with a common carrier. The major loopholes that destroy the effort to halt hot cargo boycotts are: (1) an employee of a common carrier may refuse to provide service where a labor dispute exists, and (2) unions by contract may prohibit a carrier from discharging such an employee.

Recognition picketing

Section 705(a): This section would place an ineffective limitation on recognition picketing and does nothing about organization picketing. It would prevent picketing for recognition purposes only (1) if another union is the bargaining agent (this is already in sec. 8(b)(4)(C), of the law) and (2) where the picketing union has lost the election within the past 9 months.

Defense for recognition picketing

Section 705(d): This section is objectionable because it provides that existence of a mere charge of an unfair labor practice against an employer is a defense to obtaining an injunction against recognition picketing. As any union or employee can file a charge at any time this provision in effect would mean that an injunction could never be obtained against recognition picketing.

Unfair labor practice priorities

Section 706: A new priority for handling unfair labor practice charges of discrimination by employers and unions is created by this section. This priority is second only to the priority accorded secondary boycott and recognition picketing charges. This section relegates many other equally important unfair labor practice charges to the lowest possible priority.

Mr. GOLDWATER. I yield to my friend from Idaho.

Mr. CHURCH. Mr. President, I appreciate the remarks of the Senator from Arizona, particularly with reference to the important role of Mr. Robert Kennedy, the chief counsel of the McClellan committee, in the effort to secure labor reform legislation.

Earlier this morning our distinguished majority leader took note of the leading role of the Democratic Party in the continuing effort to secure labor reform legislation. He observed that it was a Democratic Congress which first authorized the establishment of the McClellan committee. He reminded us that the McClellan committee is responsible for the disclosures of the corruption and gangsterism that exists in certain portions of the labor movement, which has resulted in the public demand for corrective legislation. He also observed that in view of this it would be appropriate for the——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the Senator from Arizona may proceed for an additional 5 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

Mr. CHURCH. I ask the distinguished Senator from Arizona, in view of the other matters which I have heretofore pointed out, and the fact that the distinguished Senator from Massachusetts [Mr. KENNEDY] was the chief architect of the labor reform bill which was passed in the Senate by a vote of 90 to 1, whether it would not be appropriate, in the opinion of the Senator from Arizona, for equal time to be extended the Senator from Massachusetts, so that he could present the case for the labor reform bill which was passed by the Senate, in response to such remarks as the President may make in arguing a case against it tomorrow evening.

Mr. GOLDWATER. In reply to that question, I can see no earthly reason why the Senator from Massachusetts should be given time to explain his position, any more than the junior Senator from Arizona should be given time to explain his position, which was on the short end of a 90 to 1 vote.

I think it is the duty of the President to call to the attention of the people that which he feels is needed in a labor bill. While I disagree with the junior Senator from Massachusetts as to what the bill should contain, I still do not think he should be given time to answer the President. I do not believe there will be a great area of difference between their basic philosophies, as there is no serious difference between ours.

Had the Senate followed the recommendations of the McClellan committee, there would now be in the House of Representatives a good bill. I remind the Senator that a moment or two ago we heard that great man from Arkansas, JOHN MCCLELLAN, who has devoted 2½ years of real hard work to this problem. The Senator from Idaho is a member of the committee and he knows that to be so. The words of the Senator from Arkansas should awaken Members of Congress as to what is needed.

The power which has been conferred on the union labor movement by the Congress has been exercised in an arrogant manner. At the time it was conferred, it was needed, because labor unions were not able to go to the bargaining table with management on the basis of equal strength. But today that which was an infant in 1932, with 1,200,000 members, is now a giant of 18 million members, with an income of more than $700 million a year.

When organizations like that are above the law, when James Hoffa can sit and answer me as the Senator heard him answer, it is time for action. I asked him if he felt that the union movement should be under the control of the Federal Government if it did damage to the public or the country, and he said, "No."

Let no one tell me that we have a bill which will meet the arrogance of James Hoffa. We do not have. Jimmy Hoffa will be driving his trucks on his merry way, and doing what he wants to do, under the Kennedy-Ervin bill, or under the House bill.

I think the President is eminently correct in bringing the facts to the attention of the public.

Mr. CHURCH. Mr. President, I believe I am just as genuinely interested in effective reform labor legislation as is the Senator from Arizona. We may not be in agreement as to whether the bill which was passed by the Senate answers all the problems which exist. But when the Senate passes a bill by a vote of 90 to 1, it is not a bill of the Democratic Party or of the Republican Party. It represents a nearly unanimous expression of the consensus of both parties.

I believe that the chief architect of that bill, and the chairman of the subcommittee, who led the debate and was in charge of the bill on the floor, is the most appropriate spokesman to set forth the position of the Senate.

Let me say to the Senator from Arizona that nothing could happen which would be more dangerous to the interests of constructive labor reform legislation than to have it embroiled in the toils of partisanship. Last year, after the Senate, by a vote of 88 to 1, sent a labor reform measure to the House of Representatives, it was defeated there in the closing days of the session. The partisan character of the vote was most extraordinary. More than two-thirds of the Democrats in the House voted for labor reform, in support of the bill, while more than three-quarters of the Republicans voted against it.

I believe that the interests of the country would be better served if we pushed partisanship aside and tried to obtain in the House of Representatives legislation which would result in constructive and important progress in this critical field. I believe that our chances of doing so will be jeopardized if we let this important public question become involved in partisanship. That is what I should like to avoid.

I believe that the suggestion made by the Senator from Montana [Mr. MANSFIELD] is perfectly in order. Let both sides speak up. The Senator from Massachusetts [Mr. KENNEDY] certainly can speak up in behalf of the Senate, which passed the bill this year by a vote of 90 to 1.

Mr. GOLDWATER. Mr. President, I join my friend in hoping that this issue can be kept out of partisan politics. I do not for the life of me see why the President of the United States, speaking on the subject, should inject partisan politics into the issue.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Arizona be allowed 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. I see no way whereby the President, speaking on this subject, can inject partisan politics. I may say, in answer to the suggestion of the Senator from Idaho and the Senator from Montana that the Senator from Massachusetts be allowed to speak on this subject because he is the chief architect, that much of the building has been torn down since it was completed. Since the bill was introduced in January, 165 amendments have been made to it. I doubt that the architect himself could recognize the fine-line drawing he made at one time. I think he would have to bring the Harvard Law School here to start reconstruction from the foundation.

The bill is no longer the creature of the Senate. It is not even the Kennedy-Ervin bill. It is not the bill which passed this body. It does not even resemble the bill which passed this body.

If it is desired to have someone be given equal time on the air with the President, I suggest that it be a Member of the House of Representatives, because the bill which will come back to us for conference will be so unrecognizable that many Senators who voted for the Senate version will probably be sorry they did not vote against it and give the Senate a little better chance to pass something to be proud of, instead of something which history will say we were ashamed of.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. DIRKSEN. To me it has always appeared incredible that a bill of such moment to the country could languish on the desk of the presiding officer of another body for 41 days, and then be brought up under a suspension of the rules. Anyone who has served in the House knows that the debate is limited to 20 minutes to a side, and that no amendments can be offered. Then the vote is taken. That, to me, is one of the most incredible things I know of.

Constantly we hear about the 90 to 1 vote. Mr. President, the only reason why I voted for the labor bill in the Senate was that I knew it would be the death knell of labor legislation unless we sent something to the House of Representatives. Had it not been for that, I would have joined with the distinguished Senator from Arizona, and there would have been at least 2 votes against the bill, because the bill was completely inadequate for the task which is before us in the labor field.

Mr. GOLDWATER. I thank the distinguished Senator from Illinois. While this certainly cannot be used as a clincher for my position, I think the Senator will recall that at the leadership meeting the following Tuesday, the President looked at me and said, "Had I been in the Senate, I would have voted with you."

Mr. MANSFIELD. Mr. President, since the President has expressed an opinion on the bill as passed by the Senate, and it is the only bill which has been passed, I think that is all the more reason why the distinguished Senator from Massachusetts, the author of that bill, should be accorded equal time on all the Nation's networks in order to answer the President. After all, it is the Senate's bill, and no one understands its purpose better than does the Senator from Massachusetts.

I recall—and this has been said many times—that last year the Senate, by a vote of 88 to 1, passed a good bill, which was referred to the House. There, as the distinguished minority leader said, it was brought up under a suspension of the rules and was defeated. If I may amplify the remarks made by the Senator from Idaho, 77 percent of the Republicans voted against that good bill, and 70 percent of the Democrats voted for it.

This year the Senate passed another good labor bill, in my opinion, and the vote in this Chamber was 90 to 1. Senators can give all the excuses they want to, but they simply cannot erase those figures. They are there.

Mr. GOLDWATER. There is no question that the Democrats control the House of Representatives by a very handsome majority, not so handsome as in the Senate—well, I do not like to use the word "handsome"——

Mr. MANSFIELD. Not last year.

Mr. GOLDWATER. The Democrats do not control the House by so large a majority as that by which the Democrats control the Senate. But if the Democrats were sincere about this subject, they would have no trouble getting a labor reform bill through the House of Representatives. But the Republicans, joining with sincere Democrats, want a workable labor bill.

In all sincerity, had George Meany and James Hoffa sat down to write a labor bill, they could not have written a better one for organized labor than the one which was reported by the House committee.

Mr. MANSFIELD. It seems odd to me that James Hoffa, George Meany, organized labor in general, the National Association of Manufacturers, and the chamber of commerce are all against the action taken by the Senate. On that basis, I believe we passed a very good bill.

Mr. GOLDWATER. I think it is high time that Congress forgot about the National Association of Manufacturers, the chamber of commerce, the AFL–CIO, and the UAW, and began to think about the working people and the public of the Nation.

Mr. MANSFIELD. We did stop thinking about the leaders of organized labor, the National Association of Manufacturers, and the U.S. Chamber of Commerce. We were thinking about the working people of the Nation. In so doing, we passed, on our own initiative, a good labor bill.

Mr. GOLDWATER. I know the Senator from Montana is honest in his views on this subject; but we destroyed the bill of rights which was proposed as an amendment by the Senator from Arkansas [Mr. MCCLELLAN]. We destroyed it by amendments to it. We knocked the foundation out from under the house. If the workingman does not have the right of freedom of speech, if he must individually sue the union president to get records, I cannot see how freedom of speech is protected. By our own actions, we have made out of a weak bill a weaker bill.

The PRESIDING OFFICER. The time of the Senator from Arizona has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that we may have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. As I recall, the second bill of rights was a bipartisan sponsored proposal. Is my understanding correct?

Mr. GOLDWATER. Oh, certainly; I will not deny that. I am not defending my own party or the Democratic Party for making this bill a weak bill.

Mr. MANSFIELD. What was the attitude of the Senator from Arkansas on this bill?

Mr. GOLDWATER. On the amendments?

Mr. MANSFIELD. On the bill.

Mr. GOLDWATER. I think he voted for it. But if the Senator will read his statement since that time, as recently as last week at the Press Club, I believe he can find very strong indications that the Senator from Arkansas is not at all happy with the proposal with which we are confronted today.

Mr. MANSFIELD. Did the Senator from Arizona vote against the substitute bill of rights?

Mr. GOLDWATER. Yes, he did.

Mr. MANSFIELD. Did the Senator from Arkansas?

Mr. GOLDWATER. No; he voted for it.

Mr. CHURCH. I wonder if the Senator from Montana recalls that there is precedent for his request—good precedent—in that some time back, when the tidelands oil bill was before the Senate and was then as controversial a matter as the labor reform bill is today, the President of the United States, then a Democrat, Harry Truman, went on the air to condemn the bill. After the President had made his remarks against the measure, the senior Senator from Florida [Mr. HOLLAND], who was one of the chief sponsors of the bill, asked for equal time to reply to the President, in order to present the other point of view. The networks agreed to grant equal time, so that the American people could be made aware of both points of view.

I suggest that the Senator from Montana has merely asked that the same course be taken with regard to the labor reform bill. In so doing, he is acting in accordance with a well-established precedent in the Senate.

Mr. GOLDWATER. If we come to the conclusion that the Senate should be granted the right to answer, if an answer is needed, I suggest that the person to do that is the man who knows most about the subject in this body, namely, Senator JOHN MCCLELLAN, of Arkansas.

With all due respect to the junior Senator from Massachusetts, the bill which is being considered in Congress today bears no resemblance to the bill which the Senator from Massachusetts introduced. That, in itself, indicates the inadequacies of the original bill.

I suggest, if there is real seriousness about the proposal, and if it is finally agreed that equal time should be given, Senator JOHN MCCLELLAN be the person to speak.

I do not know what the President will say; I have no idea. I did not even hear about this proposal until I walked onto the floor of the Senate today. But I am certain that he will point out only one thing, and that is the need for labor reform legislation. I doubt that he will go beyond what the McClellan committee has recommended. I think he should follow the committee's recommendation. If he does that, and if the American people believe what he says is in the bill he advocates, I think the Senator from Montana will go along with the bill, because I think it will be a fair bill in his estimation.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

The PRESIDING OFFICER (Mr. RANDOLPH in the chair). Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I recognize that there is room for disagreement. I appreciate the fact that the Senator from Arizona has realized the validity of allowing equal time for discussion of this proposal. But I reiterate that the one to answer is the author of the Senate bill, because in my opinion no one knows more about the Kennedy bill than does the Senator from Massachusetts [Mr. KENNEDY]; and I believe that he would be the proper one to answer, on an equal-time basis, any charges made in this particular field by the President of the United States.

Mr. GOLDWATER. Mr. President, I have not indicated by my remarks that I believe equal time should be given. I said "if"; mine was an "iffy" comment.

In closing, I may say that if our distinguished friend, the Senator from Massachusetts [Mr. KENNEDY], wanted to talk about the labor bill he introduced, he would have to go back into the archives, in order to find it, because nothing in the bill the Senate passed resembled the Kennedy-Ervin bill as introduced.

That is why I urge—if we agree on this proposal—that the Senator from Arkansas [Mr. MCCLELLAN] be allowed to present to the public what he has found. Certainly those who have been close to the investigation are the ones to discuss the problem before the public. An example of that was to be found in Bob Kennedy's appearance on the "Jack Paar Show" and in his appearance last Sunday on the "Meet the Press" program. The widespread and general public interest in his appearances on those programs is an excellent indication of the public desire to have good legislation enacted in this field.

Certainly it is time that the AFL–CIO and other pressure groups stop pressuring the Congress.

Let us consider the needs of the people, and stop worrying about the giant pressure organizations that push us on every side.

Mr. MANSFIELD. Mr. President, in conclusion, I wish to say that I believe that the Senator who introduced and presided over the hearings on the bill last year, and introduced and presided over the hearings on the bill this year, is the one who is best qualified to answer on the television.

Mr. NEUBERGER. Mr. President, in connection with the debate which has been occurring in the last few minutes, I wish to state that I believe that the Kennedy-Ervin labor-reform bill which was passed by the Senate by a vote of 90 to 1 was sound and effective. I believe it is a better bill than the one which has now been reported to the House of Representatives.

As a Senator, I would be very much pleased to have an opportunity to vote again for the Senate version of the bill. I was one of the bipartisan sponsors of the revised bill of rights which was added to the Senate bill, and I believe the addition of that bill of rights was most essential and necessary.

Again I wish to state that I would be willing to have an opportunity to vote again, on another occasion, for the Senate bill.

WORLD REFUGEE YEAR

Mr. KEATING. Mr. President, one of the most gratifying aspects of the recently launched World Refugee Year has been the tremendous support the project is receiving from interested groups in the field. One of these, the Catholic Association for International Peace, through its committee on social questions, recently issued a statement urging full backing for the objectives of World Refugee Year.

As this outstanding organization points out: "What the refugee wants most is to cease being a refugee." That is the aim of the World Refugee Year, to find homes and security for the world's homeless.

But the CAIP group added that "the refugee year cannot be resolved in 1 year." That, of course, is true, but it must not deter us from pressing forward with aid and encouragement in the great task of settling the world's uprooted peoples.

To that end, the CAIP urged Catholics to support the World Refugee Year by contributing money and clothing to Catholic relief services—the National Catholic Welfare Conference, the International Catholic Migration Commission, and other interested groups—as well as by sponsoring refugees.

This strong backing for the World Refugee Year will do much to insure the success of this great, humanitarian crusade in this country.

I ask unanimous consent to have printed in the RECORD the complete text of the statement issued on July 24, 1959, by the committee on social questions, of the Catholic Association for International Peace.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE COMMITTEE ON SOCIAL QUESTIONS OF THE CATHOLIC ASSOCIATION FOR INTERNATIONAL PEACE ON THE WORLD REFUGEE YEAR

The General Assembly of the United Nations on December 5, 1958, passed a resolu-

tion urging governments to promote a World Refugee Year as a practical means of securing increased assistance for refugees throughout the world. In the words of the U.N. resolution, the aims of the World Refugee Year (which runs from June 28, 1959, to June 30, 1960) are:

(a) To focus interest on the refugee problem;

(b) To encourage additional financial contributions from governments, voluntary agencies, and the general public;

(c) To encourage additional opportunities for permanent refugee solutions through voluntary repatriation, resettlement, or integration on a purely humanitarian basis.

The U.N. resolution makes it clear that the World Refugee Year is to be essentially a series of national efforts. Approximately 50 governments have already indicated their endorsement of and support for the observance, and national committees are being set up in most countries. In the United States there has been formed the U.S. Committe for Refugees whose function is to assist in carrying out the aims of the World Refugee Year.

Since the beginning of World War II, 40 million men, women, and children have been displaced from their homelands. The maajority of these people have either been resettled in new countries or have managed to find a means of livelihood in their present country of asylum. There are, however, over 5 million refugees who still need international and local help of one kind or another in finding a solution to their problems. They are grouped as follows: Europe, "hard-core" and new refugees, 140,000; Algerian refugees, 180,000; Palestine Arab refugees, 1 million; Chinese refugees in Hong Kong, 1 million; Chinese refugees in Formosa (Taiwan), 250,000; Koreans, 500,000; Vietnamese, 200,000; refugees in Bengal, 1,500,000; refugees in Pakistan, 500,000; European refugees in China, 10,000.

The 10,000 refugees of European origin in Communist China are being uprooted for the second time. After the Red revolution in Russia, they fled to China and tried to reestablish their lives. Now they must face the Communist tyranny in China and try to begin again in new overseas homelands.

In Europe there are many thousands of the so-called "hard-core"—the aged, sick, and physically handicapped—among the remnants of the World War II displaced persons. The able bodied have been taken by immigration countries but these people, who deserve the pity and help of all, are languishing in camps and countryside, seeking help to spend the remaining years of their lives as self-respecting human beings. Many of these refugees are children who were born in a camp and whose entire childhood is spent in an environment dominated by apathy and despair.

Many refugees still lack the basic necessities of life and sometimes even the bare means of survival. For these help is needed in the form of food, clothing, and medicines.

For all refugees, some kind of solution is necessary, whether it be through local resettlement, resettlement overseas, placement in institutions, or by some other means. Such solutions can be brought about only through the cooperation of governments in permitting people to resettle in their lands, and through financial assistance to cover transportation costs, and resettlement expenses.

What a refugee wants most is to cease being a refugee. It is to this end that the agencies working for refugees direct their services. The refugee problem cannot be resolved in 1 year, but by focusing attention on the needs of refugees during this designated period, many thousands of people can be helped to reestablish their lives and build a future for their children.

On the occasion of the opening of the World Refugee Year, His Holiness Pope John XXIII urged the fullest cooperation on the part of governments, organizations, and individuals in supporting the aims of this observance. "What kind-hearted man could remain indfferent to that sight?" His Holiness asked. "So many men, women, and even children, are deprived, without any fault of their own, of some of the most fundamental rights of the human person. Families are divided in spite of their own wishes. Husbands are separated from their wives and children are kept away from their parents. What a sorrowful anomaly in modern society, so proud of its technical and social progress. Everybody has the duty to take this matter to heart and to do whatever is in his power in order to bring this sad situation to an end."

The social questions committee of the Catholic Association for International Peace supports the objectives of the World Refugee Year, responds affirmatively to the appeal of the Holy Father, and urges wholehearted and effective cooperation with all efforts on behalf of refugees, in particular those of the Catholic Relief Services-NCWC and the International Catholic Migration Commission. Among the types of support which suggest themselves are the publicizing of CRS and ICMC programs in club meetings, bulletins, newspapers, etc.; the contribution of money and clothing to the Catholic Relief Services and sponsorship of refugees who enter the United States under its aegis; and personal efforts of understanding and friendship toward refugees who have been resettled in this country.

THE THIRD MAJOR LEAGUE

Mr. KEATING. Mr. President, the announcement that plans are well underway for the formation of a third major baseball league is good news to all of us who love this great game. It is a sign of progress, and is another indication that the American spirit of initiative and private ingenuity is not dead. My hat is off to the entrepreneurs and leaders in the movement for a third league.

Of course, I have a somewhat selfish interest in the establishment of the Continental League, over and beyond the fact that its creation is a sign of good health in the baseball world and the American business world, for one of the teams in the new league will be located in New York City, which is literally thirsting for another big league baseball club.

It is my hope that in the years ahead another team will also come to Gotham or its environs, thus giving our Nation's largest city the three baseball teams it wants and can support.

In the meantime, Congress must play its part, by enacting legislation which will promote and encourage progress in baseball, without placing undue Federal restrictions on it. Such forward-looking legislation is Senate bill 616, which I am cosponsoring with the Senator from Missouri [Mr. HENNINGS] and the Senator from Illinois [Mr. DIRKSEN].

This bill would do much to clear up the confusion resulting from Supreme Court decisions on the status of professional team sports under the antitrust laws. It would permit baseball, football, basketball, and hockey to continue to provide the thrills and entertainment which so many sports fans want.

In particular, Senate bill 616 would not unduly upset the present practices of baseball. It would not scare investors away from the third major league. The bill would, in fact, encourage its establishment.

I hope the Antitrust Subcommittee, which recently has concluded hearings on sports bills, will see fit to report to the Senate a bill which will recognize the unique aspects of professional sports, and thus will aid the formation of the new league.

An editorial in the Christian Science Monitor reflects the sentiments of many of us as the prospect of a third league opens up. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, July 29, 1959]

THIRD LEAGUE

It will take some getting used to, but we are already looking forward to America's first round-robin World Series in 1964. That's the year the founding fathers of the new Continental Baseball League expect to send a team into championship competition.

There are a lot of stadiums still to be built or expanded before the proposed third major league goes into operation in eight new United States and Canadian cities. But we are as confident as the league founders that the time is ripe for expansion of North America's national sport.

Back in 1901 grandstanders said the young game of baseball could never sustain a second major league. But it did. And for 58 years such generally profitable and popular teams as the New York Yankees and Cleveland Indians have been confounding the early prophets of gloom.

The 1957 departure of the Giants and Dodgers for San Francisco and Los Angeles was an indication that the time was again ripe for the addition of new major league cities. Strong attendance figures show the wisdom of such moves.

So many American metropolitan areas have passed the million mark in population in the postwar period—or are about to pass it soon—that it would not be a surprise to find even fourth-league moves brewing before long.

Problems? Sure. But none that can't be solved if the current and future baseball operators apply themselves to the job. Get ready, Houston. Toronto's going to be a tough team to beat.

SERIOUS EFFECTS ON THE NATIONAL ECONOMY WILL RESULT FROM CURTAILMENT OF THE HIGHWAY CONSTRUCTION PROGRAM

Mr. RANDOLPH. Mr. President, I ask unanimous consent to proceed for 9 minutes, in addition to the 3 minutes customarily allowed during the morning hour.

The PRESIDING OFFICER (Mr. MCCARTHY in the chair). Is there objection? Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, I am deeply disturbed by the impending and,

in some cases, the immediate effects of three stalemates upon the domestic economy of this country.

Not only am I deeply disturbed, but I believe all other Members of the Senate share my concern, and certainly it is reflected in the thinking of people throughout the country.

I refer to, first, the breakdown of negotiations between management and labor in the steel industry has resulted in the prevailing strike, which, if continued, holds serious consequences. Measures applied or said to be "in prospect" to bring about a settlement of the strike are grossly inadequate. Also, Mr. President, the views of the administration and the Congress on housing legislation are at wide variance.

I reiterate a statement previously made in this Chamber, namely, that men of understanding can work toward the desired end of sensible compromise. I had felt that the Senate had already done so in the matter of the conference agreement on the housing bill. Again I say we can cooperate, when possible, with the executive branch, but we must not abdicate.

And, furthermore, I deplore the lack of positive action and apparent unwillingness or inability to compromise positions necessary to solve the perplexing problem of highway finance policy and programing. It is on this vital subject that I shall speak in some detail.

Before commenting in more specific terms on the highway program, I state categorically that there is an imperative need to bring statesmanship to bear upon the three stalemates to which reference has been given because each of these problems poses a serious and current threat to the prosperity and economic stability of our country. Indeed, some of the all too numerous depressed areas of these United States will become even more chronic centers of labor surplus and business instability. Many other such areas will be created unless prompt and effective measures are devised and implemented to settle the steel strike, bring the housing program to fruition, and dissolve the highway dilemma.

We are approaching an economic disaster period, at least in degree, when we trifle with progress in the construction industry of the United States, that industry dedicating itself to necessary programs such as highway construction.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a portion of the June 1959 column, "Straight Talk From Washington," by A. N. Wecksler, national affairs editor of the magazine Construction Equipment.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STRAIGHT TALK FROM WASHINGTON

(By A. N. Wecksler)

ROAD PROGRAM GOING BROKE

At current income-outgo ratio, the highway trust fund will be short billions of dollars next year. If Congress fails to find a source of funds, a slowdown could set in later this year.

Problem lies in the Byrd amendment. It gears the road program directly to the yield of special highway taxes. These taxes never were intended to directly match current expenditures. They were designed to pay out Federal spending over a period of time.

What is needed now is some leeway either to permit some short-term borrowing until the tax fund fattens up, or an additional source of revenue.

NEW LEGISLATION MIRED IN POLITICS

Politics may be a game, but it grows deadly serious for the construction industry.

President Eisenhower recommends that the gasoline tax be increased by an additional cent and a half a gallon. He is opposed to any action that will increase Federal spending.

Democratic Congressmen, on the other hand, are opposed to any increase in taxes. But they do not want to cross Senator BYRD, who is a leading figure in Democratic politics.

As a result, financing for the program has been drifting, and dangerously so. There is a general feeling that when the chips are down and the situation becomes desperate, something will be done. Mr. Congressman: It is getting close to the deadline.

SENATOR RANDOLPH PROPOSES REMEDY

Senator JENNINGS RANDOLPH, Democrat, of West Virginia, takes a firm position on legislation to keep the program moving.

An advocate of highway improvement throughout his career, he introduced a bill to increase the interstate authorization for 1962 from its present level of $2.2 billion to $2.5 billion, making it equal to authorization for 1960 and 1961.

In addition—and this is the crucial section of his bill—he proposes to suspend the Byrd amendment during 1961 and 1962.

Senator RANDOLPH, explaining his position to me, pointed out that "the entire future of the national highway program is in danger."

He suggests that a permanent solution to the highway financing problem be withheld until the Department of Commerce completes its study of the cost of highways to various classes of users, and determines the benefits derived by both users and nonusers.

In the meantime, the Senator wants the highway construction job to go ahead at full speed. He warns that if the program is cut back, it would have "a very serious impact on many segments of our economy."

He warns that "contractors, suppliers of equipment and materials, and their employees will be seriously affected if this program is interrupted or delayed."

Mr. RANDOLPH. Mr. President, Editor Wecksler has talked straight in his summary of the serious situation. His penetrating thoughts are emphasized in an editorial in the Charleston, W. Va., Gazette of July 18, 1959. I request unanimous permission to place this clear exposition of the problem in the RECORD at this juncture in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EISENHOWER ON WRONG TRACK ON HIGHWAYS; SIMPLE POLICY CHANGE WILL TURN THE TRICK

With a display of arrogance, President Eisenhower has again called upon Congress to enact a 1½-cent increase in the gasoline tax, stating that the two alternative financing plans proposed by Congress "would be unacceptable to me."

The plans apparently referred to by the President are (1) that the Byrd amendment be suspended, thereby making repayable advances from the general fund to the highway trust fund possible, and (2) that all road tax revenues now going into the general fund be earmarked for the trust fund.

Highway user groups in every State have formally announced their opposition to the President's tax-increase plan. Likewise, at least 29 State governments, West Virginia's among them, have expressed opposition to the increase.

In most cases highway users and a goodly number of the States have taken the position that the Federal Government should meet its recognized highway commitments from sources of general taxation or through repayable advances from the general fund or the highway trust fund.

In defense of its position the administration has repeatedly said that unless Congress acts soon, there will be no apportionment of Federal funds for the Interstate System for fiscal 1961 and only $500 million will be apportioned for fiscal 1962. Congress has already authorized $4.7 billion for these 2 years.

If, as the President says, there won't be enough money to pay for the 1961–62 building programs, we still can't subscribe to his plan of an increase in the Federal gasoline tax. The gasoline tax, in our opinion, is as much a State tax as the income tax is a Federal tax, and the States will need all they can get from this source to pay for their share of the interstate program.

As we see it, the best way to finance roadbuilding at the Federal level is to use all road user taxes for roads. We'll have more than enough money for the interstates if this simple change in tax policy is enacted into law.

Mr. RANDOLPH. Mr. President, the lack of agreement on a program of highway finance legislation and the apparent rule-or-ruin attitudes being manifested by gasoline tax increase proponents and bond-issue advocates alike are most distressing.

I do not contend that the plan incorporated in the bill, which I introduced with the cosponsorship of my colleague from West Virginia [Mr. BYRD] and 14 other Senators, is the only proper and feasible plan, but it is one reasonable method around which the framework of a compromise can be constructed by legislators of good will.

That which is important is that our highways are the links in the chain of factors which help to maintain our country's well-being and assure that all States share in the benefits of an improved network of interstate highways and supplementary road development, including farm-to-market roads.

Mr. President, I recall that on May 11, 1934, I addressed my colleagues in the U.S. House of Representatives on the necessity for an expanded network of highways throughout the country, including the important farm-to-market roads. I said on that occasion, more than 25 years ago, that the prophet Isaiah had spoken correctly when he indicated that "there shall be a highway for the remnant of his people which shall be left."

I ask unanimous consent that the remarks I made on May 11, 1934, in the House of Representatives, be included at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

[From the CONGRESSIONAL RECORD, May 11, 1934]

Mr. RANDOLPH. Mr. Speaker and Members of the House, more than 3,000 years ago the great prophet Isaiah spoke the following words: "And there shall be a highway for the remnant of His people which shall be left."

That sentiment was true then. It is doubly true today; and as we consider this splendid piece of legislation which will make available $400 million for a comprehensive highway building program for the Nation, it is well to discuss the measure from a broad viewpoint and not from the standpoint of narrow sectionalism. In my State of West Virginia, we shall receive a smaller amount than many other States, but upon passage of this bill there will be spent in West Virginia millions of dollars for roads which shall not only serve the larger cities of the State but smaller rural sections will benefit.

There was a time in West Virginia when we were more or less of a sectional people, one part of the State feeling its problems were foreign to the other regions. A man was said to come from the northern or eastern panhandles or live south of the Kanawha River. But today, because of the splendid road system which has brought West Virginia out of the mud, opened up new markets, and brought our various sections closer together, we are a united people, and a citizen who lives in our Commonwealth is simply a West Virginian. White ribboned with excellent roads, our people have become neighbors even though miles upon miles separate their own firesides.

In a discussion of this measure on the floor of the House of Representatives, I have regretted to hear opponents of the provisions remark that the great industrial States should have the most roads, and that sections not populated so densely should have little.

This to my mind is not the right type of logic to use at this time, because all sections of America will benefit directly or indirectly from the use of this money for a widespread roadbuilding program.

America gets its money's worth when funds of the Federal Government are used for highway construction. In a time when our Nation should receive back something substantial for its expenditures we will have under this bill roads which will be permanent to a marked degree and which will serve for years and years to come. In the national forests of West Virginia thousands of dollars will be also provided under provisions of this legislation which will make more accessible to tourists from other States a vast wonderland which today is just coming into its own.

I was glad to support the amendment to the bill which makes it mandatory that 25 percent of the money be used on country feeder roads. It is well to have great trunk lines, but we must remember to look after the welfare of the farming sections that they can have a year-round outlet to the markets for their products. Under this amendment this is taken care of as it rightly should be, for we must bring to the man at the forks of the roads his share of these needed improvements which makes for a happier people.

This legislation aids in taking care of the unemployed of our Nation. It is estimated that 85 percent of each road dollar expended goes into labor of some sort. It aims to cure a condition, and does it well because the results will not be temporary, but will remain to redeem and further the best interests of a progressive people.

Mr. RANDOLPH. Mr. President, I recall efforts by Members of the Congress who joined in the challenging movement to advance an adequate national highway system, and I feel strongly that our progress to date gives evidence of the importance of such construction.

The road program created jobs in the 1957–58 recession period for the building trades directly involved in construction of the highways, but that was not the whole story. Contractors geared their organizations with care and purchased equipment which, in turn, fed back to the factories and provided employment for thousands of workers in many States. Producers of cement, asphalt, coal, steel, electrical cable, paint—whole industries—felt the quick injection of demand created by this construction acceleration.

It seems to be the thinking of some persons that the road program carried us over a rough spot in our economy, and that we can now afford to slacken the construction pace. Others seem to believe that if we cut back on highways now it will be a means of reducing the pressures of inflation. A proposal which emanated a few days ago from the House Ways and Means Committee was termed a "stretchout," a drastic changing of the concept of the 1956 Highway Act, which established a schedule of authorizations for the interstate program through the year 1969. This latest proposal would require revising the 1956 Highway Act schedule to extend authorizations through 1975. This, therefore, would be a 6-year stretchout in construction. It differs from the so-called 4-year stretchout referred to by some members of the Ways and Means Committee, but which actually is a proposed 4-year extension in the life of the taxes which provide the revenue for the highway trust fund.

What, indeed, would be the effects of a drastic stretchout of the road program? Actually, however, "stretchout" is the wrong term to be applied. The term "cutback" fits the situation more appropriately. This is true because we are constantly using our roads, and unless we meet the schedule of real needs for new ones, we are actually cutting back on the highway network that will be available for use by our commerce, our industry, and our citizens in the years immediately ahead.

As a matter of fact, the House Ways and Means Committee proposal is predicated upon revision in the schedule of authorizations and calls for the most severe cutbacks to occur in the years immediately ahead. The 1961 apportionment—scheduled to be made this summer—would be reduced from $2.5 billion to $600 million; the 1962 apportionment would be reduced from $2.2 billion to $1.4 billion. In subsequent years, the annual apportionments would be increased gradually, reaching the $2 billion plateau in 1967 and going on to the peak level of $2.4 billion in 1972.

Throughout the program, the apportionments in the House Ways and Means report would run below the level established for the current fiscal year. Damaging effects of the delay could be minimized by a gradual and orderly reduction in the speed of the program, but the Ways and Means proposal involves not a gradual drop but, rather, a sharp and severe reduction in construction activity to be followed by a slow gradation rebuilding.

But let us consider for a moment a cutback and what it would do in the highway construction program. It would cut it down to a trickle as one would the flow of water from a spigot. It might be the mistaken idea of some individuals that, at a future date—perhaps a year or two from now—we might turn on the construction "spigot" again with full force and that this would comfortably provide a backlog of public spending if national employment falters.

This may sound good in theory, but the facts are far different.

From Mike Spronck, editor of Construction Equipment, a magazine published for the heavy construction industry, I borrow the observation that if we cut back severely on road construction now it very well could be even more tragic than if we had not started the program at all. He points out that construction industry units helped materially in leading the way out of the recession by hiring, buying, and investing heavily to meet their responsibilities toward what was described to them by their Government as a long-term, stable highway program.

If there is a sharp cutback now many contractors will face liquidation very rapidly. They have purchased huge quantities of heavy equipment, and they are still buying on the basis of the high level of road construction pledged on our National-States program for the years ahead. If we are to slacken the schedule by a half—or even by a quarter—they will stop buying, they will stop hiring, and some will be squeezed out of business. Many contractors have borrowed heavily to acquire equipment based on a broad program set down as public policy. If these programs are cut back, they will be unable to meet their payments. They will default—and it will be necessary because, to a degree, their Government defaulted on them.

But, Mr. President, this distressing cycle will not stop with the contractor. It will ripple into a crippling storm to engulf this country's economy. It will come as a real shock to the people of my State of West Virginia, not only to the contractors and men who have found employment with their organizations, but to other businessmen and people generally who look upon roads and other forms of modern communications as the way to a better life.

What else happens in a cutback? First, there is waste. Momentum is lost. Enthusiasm is drained, and those who fought for the road program—nursed it from an idea to a program adopted by the Congress, will feel cheated.

In practical terms, those close to the construction industry inform me that if the volume of road work is slashed in half the volume of equipment sales will be reduced by 75 percent. Then, too, the

work force in road construction will reflect any reduction which may be made in the overall road program. Dollars taken away from highway construction will mean fewer jobs, less materials purchased.

If we break faith with the workers on construction projects, with the contractors who have invested heavily in equipment, with the manufacturers of equipment and materials who have stepped up their productivity—if we force any segment of these investors in America into liquidation or bankruptcy isn't it quite likely and equally as natural that they will be very reluctant to listen to their Government when, in the near future, the decision might be made to turn the construction authorization and funding "spigot" on again?

This is not a time to be moving backward—or even sideways. Unless we build for the future there will be a void in the progress about which we talk because there is little real forward motion without a progressive road program, a program in fact and in being.

I recall that the Interstate and Defense Highway System was created with all of the fervor of a bold new venture that would insure our future economic strength. Mr. President, I cannot remain silent and be a witness to its demise without seeking to engender a struggle at least equal in intensity to the efforts of those who launched the program.

There are other important factors to be taken into account in considering the question of maintaining, stretching out or cutting back the highway program.

The American Road Builders' Association, in its ARBA news flash of August 3, 1959, notes that the organization has assembled a summary of the effects of a 6-year "stretch out" such as that proposed by the House Ways and Means Committee for the Interstate and Defense Highway System. These effects are pertinent and worthy of the careful attention and consideration of the Members of Congress.

Mr. President, I ask unanimous consent to include at the conclusion of these remarks the material which I have found most informative as presented by the news bulletin of the American Road Builders' Association, as published on August 3, 1959.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARBA NEWS FLASH

1. LOSS OF HUMAN LIFE

The National Safety Council estimates that a 1-year delay at this stage in the construction of the Interstate System would result in the loss of 5,700 lives during the period 1960–70. The 6-year stretchout plan is, of course, not the same as a 6-year stoppage of work, so the cost in lives is not 6 times 5,700. However, since the Ways and Means proposal calls for serious cutbacks during the next 3 years and less severe cutbacks thereafter, it seems reasonable to assume that 3 times 5,700—or 17,100 lives—would be a conservative approximation of the loss of life caused by a 6-year stretchout.

2. OTHER ACCIDENT LOSSES

Accident costs on U.S. highways amount to 1 cent per vehicle mile, or roughly 12½ cents for every gallon af gasoline consumed in highway travel. Accident costs on high standard controlled-access highways are reduced to about 0.4 cent per vehicle mile, or, for a completed Interstate System carrying 200 million vehicle-miles per year, an accident cost saving of $1.2 billion annually. Again using the factor of three to approximate the effect of the proposed 6-year stretchout, the cost of the stretchout in terms of accident costs would be $3.6 billion.

3. OPERATING COSTS

Savings in fuel, tires, wear and tear, wages, maintenance, etc., vary greatly depending on the kind of vehicle operated and the nature of the parallel highway with which the interstate standard highway is being compared. Preliminary studies indicate a saving in operating costs of $500 million annually for passenger cars and $750 million annually for commercial vehicles. The cost of the stretchout in potential savings lost to highway users is estimated to be not less than $3.7 billion.

4. LOSS TO THE NATIONAL ECONOMY

The effect of the stifling of the national economy cannot be assigned a dollar value. It can be said, however, that the Interstate System's function as a complete, integrated network linking the principal centers of population and industry—thus encouraging the growth and dispersal of industry and facilitating commerce—has an importance to the overall economy which is of even greater magnitude than the direct benefits to highway users. One important effect within metropolitan areas will be to improve the ability of the worker to travel greater distances to and from work in less time, thus increasing the flexibility of the labor force.

5. LOSS TO THE NATIONAL DEFENSE

The Interstate System will:

(a) Encourage the dispersal of industrial plants, making them less vulnerable to attack, and improve our means of delivering vital war materials.

(b) Provide routes in, through, and around major centers of population suitable for the mass movements of military and civilian personnel.

(c) Provide overland mobility for specific military missions.

6. DIRECT COSTS OF A CUTBACK

The immediate effects of a severe cutback on State highway departments and the highway industry would vary greatly from State to State, depending on whether there is a backlog of unobligated funds. The disruption of program schedules would mean that:

Highway departments would have to discharge trained and experienced engineering staffs, and abandon options held on right-of-way for which no purchase funds are forthcoming.

Construction would be suspended on many routes, leaving facilities already in place unconnected.

Contractors would lay off employees and suspend payment on equipment being purchased on time-purchase plans.

Manufacturers of equipment and suppliers of material would retrench and lay off workers.

The cost of remobilizing trained labor forces and reequipping contractors would add millions of dollars to the ultimate cost of the Interstate System.

Rising land values would result in rising costs in purchasing right-of-way, further increasing the ultimate cost of the system.

Mr. GORE. Mr. President, I hope my colleagues will observe in the RECORD, and will read and study, the very timely remarks of the distinguished senior Senator from West Virginia [Mr. RANDOLPH], a member of the Subcommittee on Roads, on the subject of our highway program. I suggest this because of my deep feeling that the Congress must not adjourn without preventing the proposed "stretchout" or the stoppage, as the case may be, of our important, vital national defense and interstate highway program.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. YARBOROUGH. The leadership of the distinguished junior Senator from Tennessee is well known on the subject of highway construction. The Senator is the author of the accelerated Highway Program Act of 1958.

I should like to ask the Senator to explain briefly what has caused the sudden shift by the administration, from its former position to its present position, within the space of a few months' time, so that the administration suddenly cries, "Wolf, wolf; we have to stop everything." Is it not a fact that a few months ago the Bureau of Roads was putting out to the States estimates of what amounts in contracts the States could make next year?

Mr. GORE. There are several strange and unexplained occurrences related to this subject. One of those is the compilation of the telegrams from all the State highway departments, released by the White House and inserted in the CONGRESSIONAL RECORD by the distinguished junior Senator from Illinois.

The problem is created by the diversion of revenues from the highway user taxes to purposes other than highways. Only 42 cents of each dollar of revenues from the highway user taxes are budgeted, by the President's budget, for highway construction purposes. If we would allocate even a major portion of the revenues from the highway user taxes which are not now being used for highways, the trust fund would be sufficient to keep the highway program on schedule.

As the able junior Senator from Texas knows, I proposed an amendment to do exactly that, which I believe the Senator supported, along with the senior Senator from West Virginia.

Mr. YARBOROUGH. I did. Mr. President, will the distinguished Senator from Tennessee yield further?

Mr. GORE. I yield further.

Mr. YARBOROUGH. Has the distinguished Senator from Tennessee had an opportunity to have a study made with regard to the amount of employment created by the accelerated highway program of 1958? We see many statements to the effect that the national recovery and the national employment rates simply take a turn for the better by themselves. I personally think the accelerated highway program—the housing program which was passed last year and resulted in the construction of 200,000 homes more than would have been constructed except for the liberalized Housing Act of 1958—and other democratic measures have stimulated the recovery and have largely brought about the increased employment in comparison to the unemployment of 1958.

Mr. GORE. I agree.

Mr. YARBOROUGH. Has the distinguished Senator from Tennessee made any study with regard to the new employment created by the accelerated highway program?

Mr. GORE. Yes, I have some statistics on that. I do not have them readily at hand. They are in my office.

I will say to the Senator the statistics support the thesis of the junior Senator from Texas that the highway construction program has been one of the major contributing factors toward the recovery of our national economy.

However, I wish to point out that we have not completely recovered from the recession. There is still widespread unemployment. It is entirely too widespread. A continuation of restrictive monetary policies and a continuation of restrictive economic policies will inevitably bring about a recurrence of our troubles.

Mr. YARBOROUGH. Mr. President, I should like to address a question jointly to the distinguished junior Senator from Tennessee and the distinguished senior Senator from West Virginia [Mr. RANDOLPH] with regard to this problem, since I did not have the benefit of hearing all of the speech of the distinguished Senator from West Virginia.

Does either Senator have a breakdown with regard to the highway money expended, to show the portion which was spent for wages and the portion which was spent for materials, including steel, cement, and other items—or other pertinent facts of the impact of highway construction on the economy?

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the Senator from Tennessee may be granted 3 additional minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. GORE. Mr. President, I yield to the senior Senator from West Virginia.

Mr. RANDOLPH. I should like to preface my reply to the query of the junior Senator from Texas [Mr. YARBOROUGH] by expressing appreciation to the well informed Senator from Tennessee, who knows the subject of highway legislation perhaps as well as any Member of Congress. I am grateful for his reference to the remarks which I made earlier today in this body. I was glad to support his proposal for the dedication of the user taxes, in order that funds might be provided for continuance of the program so necessary to the sustained strengthening of our economy through vital road construction.

Mr. GORE. I thank the Senator. Will he not agree that, had this amendment been enacted, the crisis in the highway program which now faces the Congress would have been met and avoided?

Mr. RANDOLPH. Of course the Senator is correct.

Specifically, in reply to my beloved colleague from Texas, I believe that the figures to which reference has been made are important. The highway construction dollar, since 1957, has been expended on an average of 27 percent for labor, 44 percent for materials, and 30 percent for equipment and overhead.

It is important to note, too, that 228 million man-hours of work have been provided, amounting to a payroll of $500 million, for each $1 billion of highway investment expenditure.

Furthermore, the figures furnished me also demonstrate that each $1 billion of highway construction contributes to gross national product as follows: 510,000 tons of steel, 995,000 tons of bituminous material, 16 million barrels of cement, 18,345,000 pounds of explosives, 76,415,000 tons of aggregate, and 122,000,794 gallons of petroleum products.

For each $1 billion in excess of the annual rate of $5.8 billion of highway construction, the gross national product has had contributed to it 345,584 pieces of construction equipment and 22,500 vehicles—cars and trucks.

The emergency highway funds appropriated in 1958—all of which were used by the States—provided 137 million man-hours of employment.

Mr. YARBOROUGH. Mr President, I wish to express my appreciation to both the distinguished Senator from Tennessee [Mr. GORE] and the distinguished Senator from West Virginia [Mr. RANDOLPH] for their contributions on this subject. It was my privilege to be a coauthor, under the leadership of the distinguished junior Senator from Tennessee last year, of the accelerated highway program; and I supported his proposal this year to finance it.

I join in the words of commendation he has for the distinguished Senator from West Virginia, for the part he played in helping to bring about a sound and accelerated highway program.

SEPARATION IN THE NATIONAL BUDGET OF EXPENSE ITEMS FROM CAPITAL ITEMS

Mr. BENNETT. Mr. President, on Monday our colleague, the senior Senator from New York [Mr. JAVITS] addressed the Senate at length. In the course of his speech he touched on an idea which has been of interest on and off to men in Government for a long time, the idea of changing the pattern of the budget to separate what might be called expense items from what might be designated capital items.

At least two bills have been introduced in the Senate this year requiring such a change in procedure.

On July 2, 1959, I addressed a letter to the Honorable Maurice H. Stans, Director of the Bureau of the Budget, commenting on these two bills, and on the basic idea of capital budgeting in light of the statement made by the Senator from New York. I think his reply would be of interest to the Senate.

I ask unanimous consent that there may be printed in the body of the RECORD following these remarks of mine my letter to Mr. Stans and the reply of the Bureau of the Budget to me on the general subject of capital budgeting.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JULY 2, 1959.

Hon. MAURICE H. STANS,
Director, Bureau of the Budget,
Washington, D.C.

DEAR MR. STANS: At least two bills—S. 1244 (Mr. MORSE and others), and S. 1560 (Mr. HUMPHREY)—have been introduced in the Senate and companion bills to S. 1244 have been introduced in the House during this session of Congress to provide for capital budgeting by the Federal Government. These proposals would require a separation of current operating expenditures from capital investments in budget reporting. For your reference, the comments of the authors of the Senate bills appear on pages 3099–3103 of the CONGRESSIONAL RECORD for March 2, 1959, and on pages 5225–5228 of the RECORD for March 25, 1959.

It seems to me that this matter of capital budgeting must have been carefully considered by students of public finance and by experts on budgeting. Though I have some initial views of my own regarding this proposal, I would like to have the views of impartial judges as to the merits of capital budgeting. What are your views?

I will appreciate your comments on this proposal.

Sincerely,

WALLACE F. BENNETT.

EXECUTIVE OFFICE OF
THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington D.C., July 15, 1959.

Hon. WALLACE F. BENNETT,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR BENNETT: I have your letter of July 2, 1959, inquiring about the merits of capital budgeting. This subject has been debated and written about by many people over a period of years, as indicated in the enclosed copy of a recent bibliography on the subject prepared by the Bureau of the Budget Library. This list, while not exhaustive, contains a representative sample of professional and other views. It is the predominant view among the experts, particularly those writing after World War II, that separate financing of capital items in the Federal budget would be undesirable and improper.

This does not imply that a separate listing of capital-type expenditures is undesirable. In fact, the budget document has included just such a listing for every year since 1949, in a special analysis in part IV. Enclosed is a reprint of that special analysis from the 1960 budget (pp. 947 to 956). You will note that in this analysis budget expenditures are divided into the following four major classes: Additions to Federal assets, expenditures for other developmental purposes, current expenses for aids and special services, and other services and current operating expenses.

Neither does opposition to capital budgeting imply that we should not segregate capital and current expenditures in analyzing program operations and costs. We have been aware for some time of the advantages of accrual accounting and, where appropriate, the use of cost-type budgets which involve separate accounts for current and capital costs. The budget document contains cost-type budgets for a number of Federal activities, and our continuing efforts to improve Government accounting should result in an extension of this practice.

However, S. 1244 and S. 1560 seem to imply much more than this. Judging from the views expressed in the CONGRESSIONAL RECORD references which you cited, S. 1244 and S. 1560 would not only provide separate listing but separate financing of capital investments. Some of the following comments are

indicative of the objections to this proposal.

Prof. Jesse Burkhead, of Syracuse University, in his book "Government Budgeting" (John Wiley & Sons, Inc., New York, 1956) says:

"The capital budget is a variety of double budget. * * * Double budgets, almost without exception, have had their origin in attempts to justify loan finance, so that the extraordinary portion, or the nonrecurring portion, or the capital portion could be identified to serve as a rationalization, sound or unsound as the case might be, for government borrowing" (p. 182).

Again on page 207 Mr. Burkhead comments: "Beyond doubt, a capital budget can serve as a satisfying ritual to support deficit financing."

Richard Goode and Eugene Birnbaum in an article on "Government Capital Budgets" (International Monetary Fund. Staff Papers, February 1956, vol. 5, pp. 23–46) point out:

"Expenditures in the capital budget may be covered to a large extent by borrowing; but, since assets are being acquired, this borrowing may not be considered a form of deficit finance. Expenditures assigned to the capital budget may therefore escape partly or entirely the usual political checks."

Senator HARRY F. BYRD wrote in the Tax Digest in 1953 (November 1953, vol. 31, p. 378) in answer to Mr. Beardsley Ruml's plan for capital budgeting ("A Budget Reform Program," the Seventh Co., Inc., New York, 1953):

"To contend that such Government expenditures [i.e., investment expenditures] may be capitalized and amortized outside the Federal budget, as in business, requires a whole series of fallacious assumptions.

"The Ruml proposal would set back budgetary disclosure 20 years, to a point where government corporations were springing up overnight as a sort of fourth branch of government, conducting so-called business-type operations by the exploitation of Federal credit completely outside of budgetary appropriations, account, or any other fiscal control."

As for my own opinion, I have already indicated that analysis of Government programs and costs with respect to capital versus current outlays can be helpful in budgeting, but that separate (or loan) financing of capital items would probably be a mistake. I expressed some additional views in a recent interview published by U.S. News & World Report, as follows:

"There would be quite a problem of definition as to what is really a capital investment. Investments made by the Government in many types of long-lived assets may nevertheless involve things that shouldn't be capitalized. Military facilities and equipment of one kind or another may never have the characteristics of assets that should be capitalized.

"You don't necessarily get a tremendous change in the budget results if you change from the single-section form of budget to the dual form, because over a period of years the items that you capitalize have to come back into the operating budget, a portion each year, as depreciation" (May 4, 1959, pp. 72–76).

We appreciate your interest in obtaining information in the important subject and we hope this letter will be of some help to you.

Sincerely yours,

MAURICE H. STANS,
Director.

THE FISCAL RECORD OF THE DEMOCRATIC CONGRESS

Mr. MANSFIELD. Mr. President, the July 28 issue of the Wall Street Journal takes exception to the view of the majority leader, the Senator from Texas [Mr. JOHNSON], that the 86th Congress will trim one-half a billion dollars from the President's budget. The editorial objects not because the Congress has cut funds sought by the Eisenhower administration, but because in the process we will also rearrange the budget. Congress has this responsibility, and the legislative branch of the Government will exercise it now, as it has in the past. Neither the Constitution nor statute—nor even legend—indicates that any officer of the executive branch has superior knowledge on the needs of the people.

I ask unanimous consent that the Wall Street Journal editorial be printed at this point in my remarks in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

REDUCING ALL OVER

Once there was this lady, and doubtless still is, who complained to her dietitian that no matter how many inches she managed to take off here she always seemed to put a like number on there. So her weight remained pretty much the same.

We were reminded of the lady when we read of Senator JOHNSON'S talk over the radio about spending. The majority leader predicted that Congress would reduce the President's 1960 fiscal budget of $77 billion by around $500 million.

Now a trim in spending of even $500 million is not to be laughed at; indeed, it might even allow the taxpayers to loosen their own belts a bit. The trouble is, though, that Senator JOHNSON'S estimated trim of the President's request is only half the story.

For Congress has a habit of cutting down on what Presidents want to spend and then putting another dish on the table just as fattening. In the end, the grocery bill is as large as ever.

In fact, Senator JOHNSON predicted that three spending requests of the President—defense; health, education and welfare; and public works—will be fattened by Congress by anywhere from $340 million to $500 million because Congress thinks more money ought to be spent in those fields.

Well, we're sure the reader gets the general idea. And we hope they won't spend any of the money Senator JOHNSON plans to save from the President's budget until he reveals how Congress budget is going to look after the weight is shifted from here to there.

Mr. MANSFIELD. Mr. President, I invite attention to the following table, which shows the record of the Democratic Congresses in removing the excess from the Eisenhower budgets for the past 4 fiscal years. The changes that were made by Congress have helped replace "fat" with "muscle." The 84th and 85th Congresses have made an impressive record in reducing the administration's request for funds as submitted to Congress.

	Reductions in budget requests
Fiscal year 1956	$2,075,807,000
Fiscal year 1957	257,495,000
Fiscal year 1958	5,043,458,000
Fiscal year 1959	617,242,000

Mr. President, I ask unanimous consent to have printed at this point in my remarks a set of statistical tables indicating the status of appropriation bills up to the present time.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

86th Cong., 1st sess., appropriation bills, fiscal year 1960—Comparison of budget estimates and bills as of Aug. 5, 1959

	Budget estimate	Amount in bill sent to White House	Increase (+) or decrease (−), conference bill compared to budget estimate
Bills sent to White House or at substantially final figure:			
Agriculture	$4,081,364,863	$3,971,362,673	−$110,002,190
Atomic Energy Commission	2,718,715,000	2,683,029,000	−35,686,000
Commerce	732,191,000	712,672,900	−19,518,100
Defense	39,248,200,000	39,228,239,000	−19,961,000
District of Columbia (Federal payment)	34,218,000	27,218,000	−7,000,000
General Government matters	13,608,500	13,463,500	−145,000
Independent offices	6,584,188,000	[1] 6,517,152,200	−67,035,800
Interior	491,101,400	481,809,100	−9,292,300
Labor-HEW	3,756,848,581	4,016,101,981	+259,253,400
Legislative	133,648,180	[2] 128,797,380	−4,850,800
State, Justice, and Judiciary	682,387,600	648,941,200	−33,446,400
Treasury-Post Office	4,688,327,000	4,643,363,000	−44,964,000
Subtotal	63,164,798,124	63,072,149,934	−92,648,190
		Amount in bill as passed Senate or House	
Bills pending in Senate and House:			
Public works	$1,185,406,259	$1,265,565,559	+$80,159,300
Supplemental, 1960	1,218,090,555	1,076,186,108	−141,904,447
Military construction	1,563,200,000		
Mutual security	[3] 4,436,277,000	[4] 3,191,782,000	−1,244,495,000
Total	71,567,771,938	68,605,683,601	

[1] One amendment in conference.
[2] In conference on language item.
[3] Includes $500,000,000 for 1961.
[4] House bill.

ST. LOUIS GLOBE-DEMOCRAT PAYS TRIBUTE TO OREGON CENTENNIAL CELEBRATION

Mr. NEUBERGER. Mr. President, the St. Louis Globe-Democrat has published an outstanding article in its edition of August 2, 1959, about the centennial celebration of Oregon's membership in the Union. Author of this fine and comprehensive article is Mr. Joseph A. Jost, travel editor of the St. Louis Globe-Democrat, who recently visited

our State. I ask unanimous consent that his article from the Globe-Democrat be printed in the RECORD.

Mr. Jost's article heralds not only the Centennial Exhibition and Trade Fair, but also the magnificent outdoor grandeur of seacoast and mountain range, which makes Oregon premier among the 50 States in these majestic essentials.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OREGON CELEBRATING ITS 100TH BIRTHDAY

(By Joseph A. Jost)

PORTLAND, OREG.—The bustling city of roses is in a festive mood inspired by the visiting throng here for the State Centennial Exposition, which opened in June and continues through September 17.

The Northwest Orient airliner that I boarded in Minneapolis after my flight from St. Louis on the Braniff line, set down on one of the most beautiful and modern airports in the Nation. Ten lines operate out of the International Airport here, which was completed in 1958.

Portland is the largest dry cargo port on the Pacific Coast. The city is rapidly growing in importance as a distribution center for the Pacific Northwest, Alaska, and Hawaii.

Mount Hood with its snow-covered peak is the highest point in Oregon, and stands like a sentinel overlooking the metropolitan area of Portland about 60 miles away.

MANY EXHIBITS

The exposition grounds that cover a 65-acre tract between the Columbia and Willamette Rivers, is just a short way from this city.

The attractions include 20 exhibits from foreign countries, emphasizing exotic goods, industrial progress, history, and art. The building representing the forest industries is the largest piece on the grounds.

The Army Engineers' 40-foot working model of a hydroelectric dam, push-button dream house of tomorrow, atomic display and a model of the Vanguard satellite are among the most interesting exhibits.

Oregon has a great variety of outdoor recreation areas, that begin at sea level on smooth, sandy Pacific beaches and stretch inland across the snow-tipped Cascade Mountains, and then wind through high central plateaus, upward to the lofty Blue and Wallowa Mountains of the northeast.

The centennial wagon train that left Independence, Mo., in the spring is due to arrive at the town of the same name in Oregon, on August 15. Independence, a community of about 2,100 persons, is about 8 miles south of Oregon's capital, Salem.

SCENE FASCINATING

One of the most fascinating sights on my itinerary was the scene at Multnomah Falls. The falls in a setting of splendor plunges 620 feet over the sheer palisades.

About midway up Mount Hood is Timberline Lodge, an impressive resort and a favorite with ski enthusiasts. Skiing is good from early fall to late June at this year-round playground. Featured is a heated swimming pool to lure guests even in the dead of winter.

Just west of Bend and near the seat of the State government, Salem, are the three Sister Mountains that are perpetually covered with snow. The McKenzie River area is famous for fishing, hunting, skiing, swimming, and other sports for every mood.

The Armitage State Park is 5 miles from Eugene. Crater Lake is one of those wonders of nature. More than 21 square miles, the lake is surrounded by towering walls 500 to 2,000 feet above the water.

Medford is in the exciting Rogue River Valley where devotees of Ike Walton may get the thrills of their lives in the lakes and streams. Majestic Mount Thielson towers above trout-filled Diamond Lake.

Mysterious Oregon Caves 50 miles from Grants Pass is just like a mountain of marble within a mountain. On the grounds is a beautiful chateau offering modern facilities to tourists who wish to stay over.

Coos Bay is the heart of the renowned recreation area of lakes, streams, mountains and beaches. It is classed as the world's largest shipping port for lumber and the center of striped bass fishing in Oregon.

Further up the coast is the recreational center of Newport. The harbor is sheltered, which makes it ideal for sun bathing, surfriding, and swimming. As in other areas, it is excellent for fishing and boating.

A 2-mile concrete promenade runs along the beach of Oregon's northern resort of Seadside. Many motels, cottages and apartments offer accommodations for the tourists.

Astoria, the northernmost town, established in 1811 as a fur trading post, is the West's first city. This is the home of Tongue Point Naval Base and Maritime Reserve Fleet.

SMALL BUSINESS ADMINISTRATION LOANS TO THE POULTRY INDUSTRY

Mr. WILLIAMS of Delaware. Mr. President, recently I have been rather critical of the fact that there were six different agencies of the Government lending money to poultry farmers to expand production at a time when the industry is already overproduced and poultry is selling at an all-time low.

One of the agencies criticized was the Small Business Administration. Mr. Barnes, the Administrator, has replied and has made an effort to justify the situation.

It should be noted that the Department of Agriculture during the past 7 months has spent about $19 million to support the prices of eggs and poultry.

First, I should like to read briefly from Mr. Barnes' reply. Later I shall ask to have the full letter incorporated in the RECORD.

The great majority of our loans to firms in the poultry industry have been made to processors of poultry and poultry products rather than to producers of these same products. To a large extent, therefore, the funds which we have loaned to the poultry industry have not contributed to the expansion of production.

Commenting on that statement, let me say that Mr. Barnes has either a complete lack of knowledge as to what is going on in his own agency or a lack of knowledge as to the operations of the poultry industry, or he is deliberately trying to confuse the issue. The Government cannot pour money into any segment of this industry without increasing production and bringing about its expansion. During recent years the poultry industry has become integrated units. In many cases the growing, processing, hatching, and feeding are all parts of one integrated unit. When money is loaned into any part of the industry, it spreads out to all segments of it.

Moreover, their list shows that many loans have gone direct into the production channels.

For instance, the list shows one loan of $235,000 in Alabama. Under the heading "Nature of Business," we find the description "Poultry."

There is also listed a loan of $60,000 in Wisconsin. Under the heading "Nature of Business" the description is "Raising Chickens."

There is a loan of $100,000 in Missouri for raising turkeys. There are various types of loans, all of which would come under "Poultry Raising."

One loan is for $225,000 and again is marked for a poultry breeding farm.

Mr. Barnes' own report discredits that which he is trying to say. I shall incorporate in the RECORD later the list as furnished by the Small Business Administration of poultry loans, an industry to which Mr. Barnes says he is not entending credit.

Quoting further from Mr. Barnes' letter:

The Small Business Act prohibits the Small Business Administration from duplicating the functions or activities of other Government agencies.

Earlier I listed in the RECORD—and the list is still available to anyone—six different Government agencies canvassing loans to poultry farmers and other farmers of America. If that is not duplication, I should like to have Mr. Barnes' definition of duplication.

Some of the farmers have loans from several different Government agencies at the same time. One of the favorite tricks is that one agency will make a loan, and another agency will come along and bail out the first agency so as to keep the loans current. Today six different Government agencies are canvassing the same area and the same type of farmers and are making the same type of loans. That statement cannot be disputed.

Continuing from Mr. Barnes' letter:

It is our position that this precludes the Small Business Administration from extending financial support to agricultural enterprises as this field has been given by Congress to the Department of Agriculture.

If the Small Business Administration is precluded from making loans in the agricultural field, why is it pouring out millions of dollars to this industry? In 2 months it poured out $2 million in this one industry. Yet Mr. Barnes says that he is precluded from making loans in the agricultural field, which comes under the jurisdiction of the Department of Agriculture.

Mr. Barnes' letter is a typical bureaucratic letter; it says one thing in one paragraph, then wobbles around for three or four more paragraphs in an effort to explain the first, and then winds up with an entirely different version. Reading further from Mr. Barnes' letter:

It appears to me, therefore, that under the Small Business Act it is my plain duty to continue to approve the extension of

credit to those eligible applicants in the poultry industry who meet our general credit requirements.

His plain duty, as he calls it, is to continue to make loans which, in the first part of the letter, he says he has not been making. At the same time, he sends along a list showing loans to the extent of several million dollars, all of which have been made during the time he says he has not been making loans to expand this industry.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks Mr. Barnes' letter of July 30, 1959, together with a copy of the list of loans which had been made after April 30, 1959.

There being no objection, the letter and list were ordered to be printed in the RECORD, as follows:

SMALL BUSINESS ADMINISTRATION,
Washington, D.C., July 30, 1959.

The Honorable JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: My attention has been called to your recent statements regarding loans approved by this agency to firms in the poultry industry. I believe I should explain our position to you.

I recently furnished you with a list of all loans we had made to firms in the poultry industry up to April 30, 1959. Your statement appearing in the July 21, 1959, CONGRESSIONAL RECORD referred to a list of loans which we had approved during a recent 60-day period. Both of these lists included all loans made to firms in the industry regardless of the nature of the business of the borrower. The great majority of our loans to firms in the poultry industry have been made to processors of poultry and poultry products rather than to producers of these same products. To a large extent, therefore, the funds which we have loaned to the poultry industry have not contributed to the expansion of production. The Small Business Act prohibits the Small Business Administration from duplicating the functions or activities of other Government agencies. It is our position that this precludes SBA from extending financial support to agricultural enterprises, as this field has been given by Congress to the Department of Agriculture. We, therefore, attempt to ascertain whether an applicant is in a commercial business or whether his operation is primarily agricultural in order to determine whether he is eligible for assistance from this agency.

We recently developed, jointly with the Department of Agriculture, with whom we have been working for some time on resolution of our mutual eligibility problems, guidelines which we believe will clarify the areas of responsibility between the two agencies. These will be furnished field employees of both agencies and should be most helpful in determining further eligibility questions.

These guidelines generally provide that applicants engaged solely or primarily in the production of agricultural commodities (normally food and fiber) will be considered agricultural enterprises while those engaged solely or primarily in the purchase and resale of commodities, the manufacture, processing or marketing of commodities or the sale of services to the public, will be considered business enterprises. A chick hatchery will be considered a commercial business under these guidelines while raising of broilers from chicks purchased from the hatchery will not. Since the primary nature of an applicant's business operations will determine his eligibility, certain applicants will be eligible for assistance from this agency although a portion of their total business is agricultural in nature.

Once the matter of eligibility for assistance from this Administration is determined, I believe the existence of overcapacity or overproduction in an industry can only be considered as a credit factor in determining whether a particular loan can be repaid from the earnings of the business. For example, where in a particular industry overproduction may have caused such a depression in prices that a borrower's earning ability has been jeopardized so as to raise a serious question as to his ability to repay a loan, then certainly we would not make the loan since under the law we must have assurance of repayment. We know of nothing in the Small Business Act or of anything in the legislative history of that act and those which preceded it which would justify the denial of credit to the members of any particular segment of the economy as a class as a result of a determination of such overcapacity or overproduction.

It appears to me, therefore, that under the Small Business Act it is my plain duty to continue to approve the extension of credit to those eligible applicants in the poultry industry who meet our general credit requirements. We shall continue to assess the repayment ability of proposed borrowers in the light of all conditions in the industry which affect their operations, including overproduction and overcapacity.

Sincerely yours,

WENDELL B. BARNES,
Administrator.

SMALL BUSINESS ADMINISTRATION RELEASE—MAY 27, 1959

Name and address	Amount of loan	Number of employees	Nature of business	Type of loan
Gilmer County Industrial Development Corp.,[1] Ellijay, Ga.	$234,000	200	Poultry processing plant.	Direct.
Tribur Poultry Co., Inc., Haleyville, Ala	235,000	3	Poultry	Do.
Howard Egg Co., Lake Charles, La	12,000	3	Wholesale eggs	Do.
Herman J. Buscher, Brainerd, Minn	35,000	2	Poultry farm	Participation.
Goodhue County Hatchery, Cannon Falls, Minn	14,500	3	Hatchery	Do.
Allstate Hatchery, Willmar, Minn	100,000	12	do	Do.
O. K. Hatchery, Zumbrota, Minn	16,000	3	do	Do.
White Oak Acres, Inc., Monroe, N.C	100,000	86	Poultry processing	Do.
Ed W. Worthington, Memphis, Tenn	14,000	5	Eggs	Direct.
Laton M. Henderson, New Richmond, Wis	60,000	2	Raising chickens	Participation.

SMALL BUSINESS ADMINISTRATION RELEASE—JUNE 23, 1959

Barber's Poultry, Inc., Broomfield, Colo	$200,000	100	Poultry processing	Participation.
Master Breeders Hatchery, Cherryvale, Kans	20,000	6	Hatchery	Do.
Menorah Products, Inc., Boston, Mass	10,000	8	Poultry processing	Direct.
Sandberg Poultry Farm, Granite Falls, Minn	15,000	4	Hatchery	Participation.
Don's Produce, Centerville, S. Dak	8,500	4	Egg and Poultry dealer.	Do.
Reneau Bros., Seguin, Tex	150,000	90	Poultry processing	Do.

[1] This type loan authorized by sec. 502 of Public Law 699, 85th Cong., 2d sess. Law attached.

Mr. WILLIAMS of Delaware. An earlier report was received from the Small Business Administration on June 10, 1959.

Again, those loans were classified by his own agency as being loans to the poultry industry. We must remember that six different agencies are still making loans to this overexpanded industry. As an example of what another agency did I should like to read from a letter signed by R. B. McLeaish, Administrator of the Farmers Home Administration, in the Department of Agriculture, dated June 22, 1954. This absurd policy has been going on for a long time. At that time I called attention to the fact that a $27,000 loan had been made to a top official in the Department of Agriculture who was working here in Washington drawing a salary of approximately $8,000 a year. In the most recent Federal Register this man was still employed by the Department of Agriculture at a salary of $10,535 annually. I quote from Mr. McLeaish's letter in which he describes the type of farmer who received this poultry loan. This was a $27,000 loan. Reading from Mr. McLeaish's letter:

This particular loan is one which should never have been made, and I am grateful to you for raising questions which brought it to my attention.

Reading further:

The loan was made on March 14, 1951, to an individual employed by the Department of Agriculture in Washington in the amount of $27,000 under title V of the Housing Act of 1949.

Some of us, when we voted for the Housing Act, did not know that we were voting for loans to the poultry industry.

The loan was made by our county office at Troy, Ohio, on a farm the individual owns in Champaign County, Ohio. With the proceeds of the loan, plus additional funds and materials which he contributed, a commercial broiler house costing $31,384 and a house costing $6,258 were constructed.

Here was a top official in the Department of Agriculture, borrowing $27,000 to build a commercial broiler house from an agency which was established to help the small farmer. That is a typical example of what is going on. And we have six different agencies trying to get rid of what they no doubt regard as surplus money of the taxpayers. They are pouring it out into an industry which the Department of Agriculture says is overproduced, and which everyone connected with the industry knows is overproduced. At the same time the Department of Agriculture is urging every segment of the industry to cut down production. Again, in the past 7 months more than $19 million has been spent by the Department of Agriculture to support the egg market. I think it is time to ask Mr. Barnes and the rest of these bureaucrats how much longer they think the American taxpayers can support any such ridiculous extravagance.

Mr. President, I ask unanimous consent that the letter dated June 10, 1959, from Wendell B. Barnes, Administrator of the Small Business Administration, together with his accompanying table, be printed in the RECORD at this point as a part of my remarks. This is their first report giving a list of poultry loans by this agency prior to April 30, 1959.

There being no objection, the letter and table were ordered to be printed in the RECORD.

SMALL BUSINESS ADMINISTRATION,
OFFICE OF THE ADMINISTRATOR,
Washington, D.C., June 10, 1959.

The Honorable JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: This is in further reply to your letter of May 22, 1959, in which you requested information concerning loans approved to concerns in the poultry industry.

The attached cumulative list prepared by our Machine Records Unit, contains all loans approved through April 1959. It will be noted that 36 of these loans were reported in a list enclosed with my letter to you dated April 24, 1957, which was cumulative through February 15, 1957, the balance of 64 loans having been approved between February 15, 1957 and April 30, 1959.

I trust that the information as submitted in this form will be satisfactory to you. If further information is desired, please do not hesitate to call upon me.

Sincerely yours,

WENDELL B. BARNES,
Administrator.

[Enclosure.]

Small Business Administration—Business loans approved to operators of hatcheries and poultry farms cumulative through April 1959

Location	Name	Interest rate (percent)	Maturity term (months)	SBA participation (percent)	Total amount approved
Alabama:					
Haleyville	The Kidd Co	5.5	60		$37,000
Heflin	Irving Bodner	6.0	60	75	15,305
Arizona:					
Phoenix	Harvey Hayes, et al	6.0	60	75	10,000
Tucson	Irven E. Gee Hatchery & Poultry Farm	6.0	60	75	10,000
Do	Milton R. Vanderkolk, et al	6.0	120	90	40,000
Arkansas:					
Cleveland	Troy Henley	4.5	60		3,000
Danville	Bakers Hatchery	6.0	120		61,000
Morrilton	Robert A. Bowie	4.5	120		[1] 10,000
Rison	Turner Feed & Poultry Co	5.5	60		40,000
Star City	Spencer Poultry Farm	4.5	60		15,000
California:					
Fontana	Austin Hatchery, Inc	6.0	60		10,000
Turlock	Mowrer Farms	5.5	120		242,429
Yucaipa	Roy D. Mauldin, et al	6.0	48		7,652
Colorado: Arvada	Colorado Egg Ranch, Inc	6.0	84	75	15,000
Connecticut:					
Pomfret Center	Idle Wild Farm, Inc	6.0	72	80	175,000
Thompsonville	Pilchs Poultry Breeding Farms, Inc	6.0	120		225,000
Florida: Keystone Heights	Erwin Paul Menzen	6.0	60	67	60,000
Georgia:					
Cleveland	Crenshaws, Inc	6.0	60	75	30,000
Cumming	G. H. Ledbetter Feed & Poultry Co	6.0	60	75	10,000
Dahlonega	Putney Farms, Inc	6.0	84	75	50,000
Do	Putney Hatchery	6.0	60	75	20,000
Hiawassee	Hiawassee Hatchery	6.0	60		15,000
Do	Youngs Egg Service, Inc	5.5	120		200,000
Do	Youngs Egg Service, Inc., et al	6.0	60		50,000
Hoschton	A. W. Thompson Hatchery, Inc., et al	6.0	120	75	[1] 125,000
Rossville	Fernwood Poultry Farm & Hatchery	6.0	62		20,000
Idaho: Twin Falls	Berties Poultry Farms, Inc	6.0	120	90	152,500
Illinois: Franklin	Nelson Poultry Service	6.0	60	75	[1] 6,200
Indiana:					
Albion	Don Smith, Inc	5.0	120	75	50,000
Goshen	Pine Manor, Inc	5.0	60	80	60,000
Grabill	Shaws Dressed Poultry	6.0	60	65	22,500
Knightstown	Diamond Hatchery	6.0	60	75	15,000
Iowa:					
Delmar	La Vern Waugh	6.0	60	75	5,000
Garrison	Garrison Hatchery	6.0	60	60	20,000
Humboldt	Bayse Hatchery & Produce	6.0	72	50	60,000
Do	do	6.0	72	50	60,000
Iowa City	Maas Enterprises, Inc	6.0	60	75	20,000
Do	do	6.0	108	75	50,000
Le Mars	Le Mars Hatchery	5.0	120	75	60,000
Lenox	Lenox Hatchery & Produce	6.0	60	75	12,000
Lytton	Lytton Hatchery	6.0	120		8,000
Northwood	Grundmeier Hatchery	6.0	60	75	10,000
Storm Lake	Vilas & Co	4.5	117	90	200,000
Wall Lake	Neppl Hatchery & Produce	6.0	60	75	13,000
Kansas:					
Alma	Carey Hatchery	6.0	60	75	10,000
Cherryvale	Master Breeders Hatchery	6.0	60	75	16,000
Hoisington	W. C. Mayfield	6.0	60	75	16,500
Newton	Berrys Hatchery	5.5	24		12,000
Wathena	Wathena Hatchery	6.0	60	50	6,500
Wichita	Quality Poultry Farms, Inc	6.0	120		25,900
Winfield	Winfield Hatchery	6.0	120	80	20,000
Maine: Lubec	Seaboard Poultry Co	5.5	96		18,000
Massachusetts:					
Seekonk	Irving L. Dickens et al	6.0	60	75	20,000
Sudbury	Featherland Farms, Inc	6.0	24	75	12,000
Michigan: Hemlock	Hess Michigolden Duck Farms	5.5	120	89	280,000
Minnesota:					
Battle Lake	Paul Deutsch	6.0	120	90	60,000
Frazee	Anderson Turkey Hatchery	6.0	120	75	35,000
Greenbush	George Burkel	6.0	60	75	[1] 30,000
Litchfield	Baumgartners Poultry Farms, Inc	6.0	72		13,000
Menahga	Dixie K Hatchery	6.0	36	75	15,000
Do	do	6.0	20	75	[1] 3,750
North Branch	Krueger Poultry Farms	6.0	120		60,000
New Germany	Dahlke Hatchery	6.0	60		8,000
Park Rapids	John W. Fuhr	6.0	72		12,000
Rochester	Rochester Turkey Hatchery, Inc	6.0	120	90	250,000
St. Cloud	Jack Frost Hatchery Co	5.5	120	75	80,000
Do	Lynch Hatchery & Poultry Farm	6.0	120	75	35,000
Mississippi: Pontotoc	Chiwappa Farms	6.0	60		25,000
Missouri:					
Clinton	Quality Chick Hatchery	6.0	58	45	10,000
Garden City	L. Dall Wright	7.5	84	75	30,000
La Plata	Hill Turkey Farms & Hatchery	6.0	96	90	100,000
Richmond	Alders Hatchery & Alders Farm	6.0	120	90	20,000
West Plains	Broadway Egg Co	6.0	60		5,000
Montana: Roundup	J. W. Sanner, et al	6.0	120		12,000

See footnote at end of table.

Small Business Administration—Business loans approved to operators of hatcheries and poultry farms cumulative through April 1959—Continued

Location	Name	Interest rate (percent)	Maturity term (months)	SBA participation (percent)	Total amount approved
Nebraska:					
Crawford	Norgard Hatchery	6.0	120	75	$45,000
Creighton	Creighton Feed Store	5.5	36		2,500
Dodge	Roland F. Werblow	5.0	60	75	[1] 16,000
York	Holcomb York Hatchery, Inc	6.0	60	50	20,000
New Hampshire: Groveton	Newsom Poultry Farm	6.0	60	75	20,000
New York: Palmyra	Hidden Acres Turkey Farm	6.0	60	75	8,000
Ohio:					
Marysville	Kemnitzer Colonial Hatchery	6.0	36	75	7,000
Do	do	6.0	60	90	[1] 7,000
Oregon: Central Point	Korner Farm	5.5	60		12,000
South Dakota: Veblen	Reviers Hatchery	5.5	60	70	10,000
Tennessee:					
Armathwaite	Irene T. Ellis	6.0	60	75	10,000
Oneida	Plateau Hatchery, Inc	5.5	60	90	36,000
Texas:					
Alanco	Russell A. Singleton & Sons	6.0	120		65,000
Gilmer	Pooles Poultry	5.5	120	90	70,000
Virginia:					
Broadway	Hilltop Hatchery, Inc	6.0	84	75	100,000
Stuarts Draft	Weaver Feed Co., Inc	6.0	120		140,000
Wisconsin:					
Chippewa Falls	Redwood Farm	6.0	120	70	38,000
Clinton	Clinton Hatchery & Implement Co	6.0	36	50	20,000
Evansville	May Bros, Inc	6.0	120	70	90,000
Do	do	6.0	60	50	6,000
Franksville	C. & D. Duck Co., Inc	5.0	120	75	100,000
Grand Marsh	Edmund L. Matczynski	6.0	120	75	30,000
Do	John Zielinski	6.0	48	65	8,500
Merrill	Merrill Hatchery	5.5	84		5,000
Thiensville	Seymour Mayor Levenson	6.5	60	50	12,000
Weyerhauser	Wrights Turkey Farm	5.0	120	67	30,000
Total (100 approvals)					4,469,236

[1] Canceled in full subsequent to approval.

WASTE IN MILITARY PURCHASING METHODS

Mr. SPARKMAN. Mr. President, I have repeatedly been bringing to the attention of the Senate and the executive branch of our Government unarguable evidence of inefficient and wasteful noncompetitive practices by the Department of Defense in its purchasing activities. Again last week I showed how more than two-thirds of the $15 billion spent by the Defense Department for goods and services in the first 9 months of fiscal year 1959 went to only a few companies as a result of negotiated contracts. The contracts were let largely without the benefit of price competition. This certainly is one explanation of the astonishing fact that just 20 corporations have managed to obtain 52 percent of the net value of all military prime contracts.

My observations of the military purchasing practices have made it necessary for me to form two opinions. The first opinion is that in its total effect upon our economy, the Department of Defense has become a prime factor in contributing to inflation. By its failure to apply sound economic principles and by its seeming indifference to the value of money, the Department of Defense has contributed substantially to the depreciation of the dollar, to increasing the cost of living, and finally, to unbalancing the budget.

One of our chief economic goals is and must be to bring the national budget into balance and bring a stop to inflation by restoring to the dollar its former purchasing power. Yet, the net effect of the Defense Department's noncompetitive buying and contracting practices is to cheapen continually the dollar and to throw the national budget further out of balance by spending unnecessarily millions upon millions of the taxpayers' money because procurement officials either lack the ability or the will to let contracts on a businesslike, money's worth, competitive bid basis.

The second inescapable conclusion to which I have been drawn is that if the public were fully informed on the wasteful noncompetitive contracting practices of the Department of Defense, the taxpayers of this country would themselves demand a change of procurement procedure.

Let me illustrate this point. On July 16, a high-ranking official of the Navy Department told a subcommittee of the House Armed Services Committee that Navy procurement officers had done, in his words, "a bad job" on 14 contracts. Just how bad a job this was may be understood when this official added that the Navy may have been overcharged by more than $12 million on these 14 contracts.

Now let us look at this regrettable situation from the point of view of an average taxpayer. The largest adjusted gross income group of taxpayers is that with incomes between $5,000 and $6,000 a year. In the most recent tax year for which data are available, the taxpayers within this biggest group paid an average tax, after credits, of $537.

Mr. President, it would take the Federal income tax payments of 22,346 such taxpayers to make up for this $12 million contract waste.

Is it any wonder that these 22,346 individuals and heads of households, many of them in debt and many of them having to go further in debt to get the money together to pay their income tax, might well feel that so far as the Federal Government getting any good from their tax dollars is concerned, they might just as well have put a match to their checks or money orders when they mailed in their tax returns.

Is it any wonder, Mr. President, that I say that the taxpayers would demand a change in procurement practices if the public but realized the full extent to which military contracting officials are spending millions and millions of their hard-earned tax dollars for goods and services because they refuse to take advantage of the savings that inevitably come from open competitive bids.

I do not want to leave the impression that the Navy Department is alone responsible for wasting money. Every week, almost like clockwork, the Comptroller General, the watchdog of the treasury, issues reports of his audits of military contracts. These reports show that each of the military services is negotiating contracts without real and meaningful price competition which result in the irreparable and unnecessary loss of millions upon millions of dollars resulting from a succession of so-called bad procurement jobs.

I regret to say, Mr. President, that the lack of true and meaningful competition in the awarding of defense contracts seems to be the result of a military agencywide policy adopted by the Defense Department's top procurement officials. I should like to believe that these gentlemen, most of whom were formerly top executives in the world of business, are sincerely interested in conducting their $21½ billion a year defense buying program in the most efficient and economical manner.

The evidence before me suggests the contrary. Again let me illustrate. Back in April I told the Senate that just one economy-minded buying office of the Navy, the Ships Parts Control Office at Mechanicsburg, Pa., had managed to save an average of 70 percent on the purchase price of some 42 products by the simple expedient of opening up these purchases to free and open competitive bidding instead of negotiating for each of these products with one supplier.

I also wrote to the Secretary of Defense, saying that this effort to achieve sensible economies by the Navy office at Mechanicsburg might well serve as a pattern to be followed by his Department's purchasing offices throughout the country.

Six weeks later I received a reply from another Defense Department official thanking me for my interest. The reply then went on to state that the instruction on which this economy campaign at Mechanicsburg was based "is designed to the particular conditions and needs of the Ships Parts Control Center and would not have general usefulness in other purchasing activities."

At that time I wondered why, if money could be saved by competitive bidding at one Navy office, it could not also be saved by the same methods at other military purchasing installations. I am still wondering.

Indeed, Mr. President, wonderment must be the dominant state of mind of anyone contemplating some Defense Department purchasing attitudes.

For example, on July 20, a representative of the Defense Department appeared before the Small Business Subcommittee of the Senate Banking and Currency Committee in opposition to S. 2032. One purpose of this bill, which I introduced on May 21, is simply to afford our smaller firms greater opportunities to bid and participate competitively in the defense procurement program at the subcontracting level. A second purpose is to strengthen further the hand of the Small Business Administration in issuing certificates of competency to small business concerns.

I should like here to say just a word about how the Small Business Administration has used the certificate of competency authority to save taxpayers money. Briefly, the SBA can certify the competency of qualified, responsible small business bidders when the contracting officials of the Defense Department tell the low bidding small businessman he is being ruled out because he is not capable of performing the contract in question.

I received only last week from the Small Business Administration a detailed report on its certificate of competency program. The report showed that since we first provided for the program, through June 30, 1959, the SBA certified to the competency of 553 small business concerns. The value of the contracts covered by these certificates was approximately $88,600,000.

The point here is that this is in essence a money-saving program. As a direct result of issuing these 553 certificates to small business concerns, the difference between the low bid of these concerns and the prices quoted by the next higher bidders, who would have received the contracts had the certificates not been issued, came to $8,200,000. This is how much the Government and the taxpayers saved.

This, of course, represents only verifiable savings. Some 220 applications for certificates with a value of $57 million were withdrawn as no longer necessary when the Defense Department contracting officials later agreed informally with the Small Business Administration that the small-business bidders were after all competent to perform the contracts in question. These also represent savings to the Government.

Now, a saving of more than $8 million as a result of competitive bids from small enterprises may not seem like much money in this day of such huge and unbalanced budgets. But I am certain that it would seem worth saving to the taxpayers who are footing our national defense bill and seeing taxes play havoc with their own family budgets.

The value of this $8,200,000 saving becomes really meaningful when we take note that it represents approximately one-half of the total amount which the Senate and House last week provided for stepping up our fight to lick our No. 1 killer, heart disease, through increased medical research and training. The administration opposed every dollar of this increase as inflationary.

I notice with great interest that certificates of competency were issued by the SBA during 1958 and 1959 to six small-business concerns in my own State of Alabama. As a result of the certificates in three verifiable cases, Alabama small-business concerns saved the Defense Department $49,955. I share the pride of these Alabama concerns in the fact that they were able to contribute this much to the fight against inflation of the dollar and toward balancing the budget.

In order that the Members may have the opportunity to observe the record of small-business savings within their own States, I ask unanimous consent, Mr. President, to have printed in the RECORD at this point as a part of my remarks a document entitled "Certificates of Competency Issued and Disposition of Cases, August 1, 1953, Through June 30, 1959," prepared by the Small Business Administration.

There being no objection, the document was ordered to be printed in the RECORD, as follows:

CERTIFICATES OF COMPETENCY ISSUED AND DISPOSITION OF CASES, AUGUST 1, 1953, THROUGH JUNE 30, 1959

(Prepared by Small Business Administration, Office of Procurement and Technical Assistance, July 24, 1959)

FOREWORD

This report is a summary analysis of the certificate of competency (COC) actions which resulted in the issuance of a COC to Government contracting officers in behalf of small business firms from August 1, 1953, through June 30, 1959, and shows by States the applicant firm and location, COC and date certified, procuring agency and bid number, item, contract amount (or bid amount if not awarded to certified firm), estimated savings to the Government, and remarks concerning disposition of COC.

During that period 1,172 COC applications amounting to approximately $240 million were received by SBA, of which 393 applications amounting to approximately $92,100,000 were declined; 219 applications amounting to approximately $57 million were withdrawn due in part to favorable SBA survey evaluations resulting in awards without requiring a COC; and seven applications amounting to approximately $700,000 were pending final action as of June 30, 1959.

A total of 553 COC's was issued during the period of August 1, 1953, through June 30, 1959, representing contracts amounting to approximately $88,600,000. This recapitulation by States shows that the estimated savings to the Government through the issuance of COC's is approximately $8,200,000. This estimate is based on the actual tabulated savings which could be determined definitely from case records, with the average percentage of savings projected to the total contract amount for all COC's issued. The asterisks in the savings column of the tabulation denote those cases for which data on actual savings were not immediately obtainable.

Analysis of the individual case performance with respect to the COC's issued by the Small Business Administration indicates that of the total number of 553 issued, 91 are active; 12 are awaiting award; 19 were awarded to other companies; 16 were terminated for default; 7 were terminated for convenience of the Government; 32 procurements were withdrawn or canceled; and 376 contracts have been completed.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
ALABAMA						
Alabama Bridge & Iron Co., Talladega, Ala.	V-115, May 18, 1959	Robins AFB IFB-09-603-59-536.	Aircraft missile engine trailer lift, plus technical data.	$328,830.00	$29,500	Contract in process.
Centre Manufacturing Co., Inc., Centre, Ala.	V-96, Oct. 15, 1958	MCTSA, Philadelphia, IFB-QM-(CTM)-36-243-59-109.	Men's cotton, tan, summer service jackets.	313,586.00	6,205	Contract completed ahead of schedule June 4, 1959.
Do	V-10 5 Feb. 12, 1959	Philadelphia Quartermaster Depot, IFB-QM-36-243-59-Neg. 330.	Overcoats	[1] 2,693,927.00	----------	Procurement withdrawn by procuring agency Apr. 9, 1959.
Choctaw Manufacturing Co., Inc., Silas, Ala.	V-26, Mar. 23, 1956	Philadelphia Quartermaster Depot, IFB-QM-36-030-56-440.	Men's cotton trousers	89,625.00	(*)	Contract completed on schedule Sept. 20, 1956.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
ALABAMA—continued						
Choctaw Manufacturing Co., Inc., Silas, Ala.	V-74, Jan. 7, 1958	Philadelphia Quartermaster Depot, IFB-QM-(CTM)-36-243-58-268.	Men's cotton khaki trousers.	$101,784.00	$14,250	Contract completed behind schedule Aug. 18, 1958. The company was directed to change labels by an unconfirmed official call. Inspection rejected the new labels. There was also a delay in receipt of Government-furnished cloth.
General Electronics Co., Inc., Montgomery, Ala.	V-110, Apr. 2, 1959	USASSA, Philadelphia, IFB-SC-36-039-59-821-C1.	Special purpose electrical cable assembly.	14,444.00	(*)	Contract in process.
Project Engineers, Inc., Birmingham, Ala.	V-89, Aug. 19, 1958	Redstone Arsenal, RFP-PE-7150-58-S1.	Engineering and drafting services through May 31, 1959.	80,046.00	(*)	Term contract completed.
Technical Services, Inc., Fairhope, Ala.	V-93, Sept. 19, 1958	Brookley AFB, IFB-01-601-58-492.	Photographic projection printer.	4,675.00	(*)	Contract completed on schedule June 4, 1959.
ARIZONA						
H & R Transfer & Storage Co., Phoenix, Ariz.	XIV-68, Apr. 8, 1959	USASSA, Fort Huachuca, IFB-SC-36-039-59-2270.	Packing, crating, storage and delivery of household goods and miscellaneous supplies.	[1] 30,000.00	----------	Procurement withdrawn June 12, 1959.
ARKANSAS						
General Paving Co., Inc., Little Rock, Ark.	X-75, Feb. 4, 1959	Little Rock AFB, IFB-03-602-59-28.	Labor and materials necessary to repair asphalt pavement on base.	8,549.00	(*)	Contract in process.
Aero Safety Equipment Co., El Monte, Calif.	XIV-26, Jan. 17, 1957	ASO-Philadelphia, IFB-383-1072-57.	Safety belts, lap type	15,473.00	----------	Contract awarded to another company Apr. 18, 1957.
Do	XIV-27, Jan. 17, 1957	ASO-Philadelphia, IFB-383-1029-57.	Safety belts and harnesses	636,239.00	----------	Do.
All American Aircraft Products, Inc., Harbor City, Calif.	XIV-55, Aug. 15, 1958	ASO-Philadelphia, IFB-383-917-58.	Bomb hoisting band	113,080.00	29,384	Contract in process.
Anchor Equipment Co, San Francisco, Calif.	XII-25, Jan. 3, 1958	GSSO, Philadelphia, IFB-155-(3)-1051-58.	Steel valves	26,224.00	(*)	Contract completed ahead of schedule May 15, 1958.
Do	XII-26, Jan. 22, 1958	GSSO, Philadelphia, IFB-155-(3)-1081-58.	Steel gate valves	19,600.00	(*)	Contract completed ahead of schedule May 27, 1958.
Ball Bearing Co., San Francisco, Calif.	XII-10, Apr. 20, 1955	Memphis Air Force Depot, IFB-40-604-55-73.	Ball bearings	2,600.00	60	Contract completed on schedule Oct. 28, 1955.
Do	XII-12, Apr. 22, 1955	Memphis AFB, IFB-40-604-55-75.	----do	2,568.00	574	Contract completed ahead of schedule July 20, 1955.
Bentley Moving & Storage Co., Concord, Calif.	XII-11, Apr. 21, 1955	Parks AFB, IFB-04-627-55-23.	Moving and crating services.	29,733.00	18,144	Contract completed on schedule Mar. 31, 1956.
Cadillac Canvas Co., El Monte, Calif.	XIV-20, June 22, 1956	GSSO, IFB-155-3-1456-56	Aluminum transom berths	23,700.00	4,376	Contract completed ahead of schedule Nov. 23, 1956.
California Laundry & Equipment Co., Oakland, Calif.	XII-30, May 6, 1958	Shipments Parts Control Center, Mechanicsburg, IFB-104-358-58.	Commercial, centrifugal-type extractors, laundry.	122,139.00	9,133	Contract in process.
Curtis Laboratories, Inc., Los Angeles, Calif.	XIV-53, June 23, 1958	Fort Monmouth, RFP-672-PM-58-93-93.	Control master, aircraft and camera LA(), and aircraft camera maintenance LA(), plus spare parts and technical data.	458,957.00	----------	Contract was canceled for convenience of Government May 29, 1959.
Engineering Associates, Los Angeles, Calif.	XIX-35, June 17, 1957	NPO, Washington, D.C., IFB-600-1588-57.	Rotary binding machines, hydraulic, pipe, and tube.	95,700.00	4,020	Contract completed behind schedule. Some development was required. About 6 weeks lost awaiting shipping instructions. Delivery was late about 2½ months total.
Charles V. Fernstrom Co., Oakland, Calif.	XII-7, Jan. 7, 1955	ASMPA, MPA-30-287-MD-55-186.	Palmer perineal board	13,650.00	(*)	Contract completed on schedule, May 26, 1955.
Hammond Manufacturing Co., Pasadena, Calif.	XIV-11, May 18, 1954	Wilkins AFB, RFP-33-602-54-3259.	Bomb trailers	543,730.00	86,734	Contract completed on schedule, Apr. 25, 1956. Contract was far ahead of schedule, but Government administrative delays in provisioning spare parts list caused a 4-month delay in final completion.
Do	XIV-13, May 18, 1954	Wilkins AFB, RFP-33-602-54-3050.	Docks	660,345.00	4,105	Contract completed behind schedule Apr. 30, 1956. Most of the delay, 5 months, was caused by waiting for procuring agency approval and inclement weather.
The Handley Co., Culver City, Calif.	XIV-9, Apr. 5, 1954	Wilkins AFB, IFB-33-602-54-72.	Extinguisher assemblies for fire extinguishers.	118,422.00	6,579	Contract completed ahead of schedule, Aug. 15, 1954.
Himalayan Pak Co., Inc., Monterey, Calif.	XII-29, May 6, 1958	QM Res. and Eng. Command, Natick, RFP-126-C.	Design, development, and fabrication of prototype alpine and arctic individual load carrying, plus drawing.	5,350.00	(*)	Contract completed on schedule Nov. 22, 1958.
Hubbs Equipment Co., Colton, Calif.	XIV-21, June 27, 1956	Norton AFB, RFP-PPRS-2-56-130.	Inspection and repair of commercial vehicles.	77,845.00	(*)	Contract completed on schedule, Mar. 5, 1957.
Industrial Design Laboratories, Inc., Culver City, Calif.	XIV-37, July 17, 1957	Tinker AFB, IFB-34-601-57-441.	Air valve assemblies	24,206.00	(*)	Contract completed ahead of schedule, May 20, 1958.
Kelly Original French Laundry, San Diego, Calif.	XIV-77, June 30, 1959	NPO, Los Angeles, IFB-123-522-59.	Laundry services for fiscal year 1960.	[1] 47,078.00	----------	Contract not yet awarded.
Los Angeles Air Service, Inc., Hawthorne, Calif.	XIV-60, Dec. 15, 1958	Scott AFB, IFB-11-626-59-3-CAB.	Air transportation services	998,832.00	(*)	Contract in process.
Oates Products Co., Inc., El Monte, Calif.	XIV-30, Feb. 28, 1957	Norton AFB, RFP-PPRS-3-57-14, Misc. 57-LP-6136.	Reclamation of hardware	32,600.00	----------	Withdrawn Sept. 18, 1957.
On Mark Engineering Co., Van Nuys, Calif.	XIV-38, Oct. 30, 1957	McClellan AFB, RFP-PR-SM-8-01A-2009.	Modification and flight test of T-33 type aircraft.	[1] 85,782.00	----------	Procurement canceled, Jan. 20, 1958.
Specht Precision Machine, Baldwin Park, Calif.	XIV-56, Sept. 22, 1958.	Brookley AFB, IFB-14-604-59-60.	Bolt, corrosion resistant, steel bolt.	5,400.00	----------	Labor and material costs underestimated by contractor, whose financial situation deteriorated. Contract terminated for default, Apr. 28, 1959.
COLORADO						
Broadway Auto Top Manufacturing Co., Denver, Colo.	XI-2, Dec. 23, 1953	NYQMPA, IFB-QM-30-280-54-96.	Tent window sashes	55,580.00	3,220	Contract completed ahead of schedule July 7, 1954.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
CONNECTICUT						
Barth Engineering & Manufacturing Co., Inc., Milldale, Conn.	II-124, Apr. 4, 1956	NPO, Washington, IFB-600-534-56.	Radiosonde receptors	$221,107.00	$26,106	Contract was completed 6 months late Nov. 28, 1958. Some delay was caused by a casting subcontractor. Other delays were caused by lack of shipping instructions and an unfamiliar inspector.
Bewley Engineering Corp., Southport, Conn.	II-255, Aug. 26, 1957	Tinker AFB, RFP-34-601-58-468.	Hydraulic reservoirs	10,232.00	(*)	Contract completed ahead of schedule, Nov. 29, 1957.
Cardwell Condenser Corp., Plainville, Conn.	II-248, June 28, 1957	Dayton AFD, RFP-33-604-57-2477.	Radio frequency tuner with variable capacitors.	116,400.00	(*)	Electrical requirements were extended by procuring agency Oct. 31, 1958. This required increased hand operation and more time for adjustment. Final delivery was made 5 months late.
Crescent Communications Corp., New London, Conn.	II-235, May 23, 1957	USASSA, Philadelphia, IFB-SC-36-039-57-2159-56.	Impedance bridges	192,484.00	(*)	The contract was reinstated 7 months after a default action for failure to deliver an acceptable first article. The contractor is currently performing, and because of other work subcontracted the entire requirement to a company acceptable to the Signal Corps.
Electro-Mechanics, Inc., New Britain, Conn.	II-146, May 15, 1956	USASSA, Philadelphia, IFB-SC-36-039-56-10828-58.	Switch assemblies	44,540.00	(*)	Contract, completed on schedule, December 21, 1956.
Engineered Wire & Cable, Inc., Winsted, Conn.	II-194, Dec. 17, 1956	USASSA, Philadelphia, IFB-SC-36-039-57-979-56.	Telephone cable	11,638.00	2,413	Contract completed behind schedule, August 2, 1957. Delays in Government inspection both at subcontractor and prime contractor's plant contributed. Carton supplier added to delay.
Metronix, Inc., Waterford, Conn.	II-185, Oct. 24, 1956	WPAFB, IFB-33-600-56-167.	Amplifier equipment and technical data.	[1] 19,475.00	----------	Procurement withdrawn Oct. 29, 1956.
Monarch Products Co., Waterbury, Conn.	II-186, Oct. 29, 1956	Topeka AFD, IFB-14-604-57-234.	Aircraft bolts	33,955.00	(*)	The company completed about ¼ of the contract when it failed after 16 years of operation. There were financial and management difficulties that were not anticipated. The contract was terminated by default Feb. 5, 1958.
New London Instrument Co., New London, Conn.	I-21, Jan. 8, 1954	USASSA, Philadelphia, IFB-SC-36-039-54-10303-36.	Control radio sets	160,868.00	11,162	Contract was completed 19 months late, Dec. 13, 1956. Much development was required and time lost in obtaining Government approval of components; improper wiring instructions, specifications for unobtainable wire, delay in approval of pilot model, a fire in the transformer plant, and subcontractor deliveries all contributed to the delay.
Park City Electronic Laboratory, Inc., Bridgeport, Conn.	II-161, June 15, 1956	USASSA, Philadelphia, PD-57/585-41468.	Resistor subassemblies	17,140.00	(*)	Contract completed ahead of schedule, Dec. 21, 1956.
Do	II-165, June 19, 1956	USASSA, Philadelphia, PD-57/526-60152.	Mounting base supports	1,590.00	(*)	Contract was late in completion due to delays in Government tooling by the contracting agency, Oct. 2, 1956. Parts of the tooling, when received, were deficient and had to be replaced.
Polycast Corp., Stamford, Conn.	II-263, Oct. 8, 1957	GSSO, Philadelphia, IFB-155-(1)-2488-57.	Acrylic plastic sheets	34,637.00	(*)	Contract completed ahead of schedule, Dec. 12, 1957.
Geo. S. Scott & Sons Manufacturing Co., Inc., Wallingford, Conn.	II-372, June 16, 1959	ASMPA, IFB-62851-662-59.	Noise-protection earplugs, medium size.	19,699.00	(*)	Contract in process.
Tecco Corp., Norwalk, Conn.	II-360, Mar. 26, 1959	Army Ordnance Corps, Springfield, IFB-Ord-19-058-59-21.	Investment casting	46,073.00	(*)	Do.
Troy Laundry & Dry Cleaners, Inc., New London, Conn.	II-265, Oct. 24, 1957	USN Submarine Base, New London, IFB-129-42-58.	Laundry services as required through June 30, 1958.	[2] 19,000.00	(*)	Term contract completed.
DELAWARE						
Delaware State News, Inc., Dover, Del.	III-102, May 17, 1957	Dover AFB, IFB-07-603-57-116.	Publication of newspaper	[1] 30,408.00	----------	Procurement withdrawn September 1957. Official notification from contracting officer Oct. 28, 1957.
DISTRICT OF COLUMBIA						
Anderson Electric Co., Washington, D.C.	IV-39, Feb. 20, 1957	Bureau of Engraving and Printing, Washington, IFB-BEP-92.	Air conditioning and refrigeration installation.	174,400.00	3,100	Contract, completed on schedule, Feb. 4, 1958.
Coen Co., Inc., Washington, D.C.	IV-71, Mar. 13, 1958	BuShips, PR-373-1	Technical writing services	20,005.00	2,144	Contract, completed on schedule, Apr. 30, 1959.
Developmental Engineering Corp., Washington, D.C.	IV-69, Feb. 21, 1958	USASSA, Washington, D.C., RFP-SC-36-039-10132-58.	Services and materials to install a horn receiving antenna.	996,954.00	(*)	Contract in process.
The Letterex Corp., Washington, D.C.	IV-51, June 25, 1957	GSA, New York, IFB-FNGN-ID-2815-A-5-22-57.	Manifold carbon paper sets	105,482.00	(*)	Contract, completed on schedule, Jan. 31, 1958.
Petroleum Equipment Co., Inc., Washington, D.C.	IV-88, Nov. 12, 1958	Bureau of Engraving and Printing, Washington, IFB-BEP-101.	Purchase and installation of 2 gasoline storage tanks, and related equipment.	6,479.00	(*)	Contract completed ahead of schedule, Feb. 18, 1959.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
FLORIDA						
Aerosonic Corp., Clearwater, Fla.	V-88, Aug. 15, 1958	WPAFB, IFB-33-600-58-261.	Pressure altimeter, type MA-1, and technical data.	[1] $274,523.00	----------	COC was withdrawn Nov. 6, 1958, following a plant resurvey. The award had been delayed pending the availability of funds.
Do	V-117, June 4, 1959	WPAFB, IFB-33-600-59-199.	Pressure altimeter, type MA-1, plus technical data.	[1] 118,200.00	----------	Procurement withdrawn, June 24, 1959.
Systems, Inc., Orlando, Fla.	V-108, Mar. 26, 1959	BuShips, IFB-600-789-59-S.	Radiac set, AN PDRO PD, plus technical data and miscellaneous extras.	[1] 465,825.00	----------	Procurement withdrawn, Apr. 17, 1959.
GEORGIA						
Aero Corp., Atlanta, Ga.	V-59, June 12, 1957	Army Transportation Corps, St. Louis, RFP-193B.	IRAN maintenance, stripping and repairing of L-19A type Army aircraft.	396,840.00	(*)	Contract completed on schedule, July 6, 1958.
Do	V-60, June 12, 1957	Army Transportation Corp, St. Louis. RFP-199B.	Overhaul of engines for E-13 aircraft.	454,341.00	(*)	Contract completed behind schedule, Aug. 19, 1958. Supplier of carburetor parts did not deliver on time.
Benedetto Laundry, Macon, Ga.	V-118, June 8, 1959	Robins AFB IFB-09-603-59-148.	Laundry and dry cleaning service.	24,598.00	(*)	Contract in process.
Georgian Furniture Manufacturing Co., Atlanta, Ga.	V-106, Feb. 12, 1959	GSA—Washington, D.C., IFB-FSC, group 71, part II.	Furniture, open end contract.	60,000.00	(*)	Do.
Jebco, Inc., Jonesboro, Ga.	V-82, June 4, 1958	Navy Elec., Great Lakes, IFB-126-430-58.	Electrical equipment cabinet, type Cy-597A/G.	98,088.00	$1,007	Contract completed behind schedule, Jan. 5, 1959. Final deliveries were delayed 2 months. The contracting officer directed shipping units built on this contract against another contract awarded the firm without a COC. Adjustments in the delivery schedule were refused, but further contracts for the item were awarded the firm without reference to this Agency.
Do	V-99, Nov. 20, 1958	USASSA, Philadelphia, IFB-SC-36-039-59-1452-A1.	Electrical equipment cabinets plus technical data.	19,173.00	(*)	Contract in process.
Do	V-107, Feb. 11, 1959	GSA, Washington, D.C., IFB-FSC, Group 71, Part V.	Gray finish sectional steel cabinets.	313,224.00	(*)	Do.
Pan-Electronics Corp., Griffin, Ga.	V-80, Apr. 30, 1958	USASSA, Philadelphia, RFP-SC-36-039-58-10118-81.	High temperature operating crystal units, plus technical data.	23,900.00	(*)	Do.
Do	V-81, Apr. 30, 1958	USASSA, Philadelphia, RFP-SC-36-039-58-10103-81.	High precision crystal units, plus technical data.	19,900.00	(*)	Do.
ILLINOIS						
American Van Lines Inc., Chicago, Ill.	VII-15, July 18, 1955	Headquarters, 5th Army, Chicago, IFB-AV-11-175-55-31.	Drayage services	170,310.00	(*)	Term contract completed.
Bullfrog Brands Inc., Chicago, Ill.	VII-55, June 26, 1957	GSA, New York, IFB-ID-2815-A.	Manifold carbon paper sets	115,435.00	(*)	Contract completed ahead of schedule, Mar. 31, 1958.
Consolidated Photo Engraving & Lithographers Equipment Co., Chicago, Ill.	VII-3, May 4, 1954	WPAFB, RFP-319474	Copying and enlarging camera.	49,750.00	9,000	Contract awarded to another company.
Diversey Engineering Co., Franklin Park, Ill.	VII-27, Oct. 19, 1955	Redstone Arsenal, ORD Proj. TU2-1033 PLB-56-23.	Proof slugs	23,333.00	(*)	Contract completed on schedule, Apr. 6, 1956.
Doraan Wire & Manufacturing Co., Mundelein, Ill.	VII-2, Mar. 30, 1954	Topeka AFD, IFB-14-604-54-304.	Wire on spools	56,789.00	100	Contract completed ahead of schedule, Sept. 28, 1954.
Do	VII-44, July 2, 1956	Topeka AFD IFB-14-604-56-951.	Zinc coated steel wire	43,032.00	(*)	Contract completed behind schedule, Mar. 1, 1957. Contract completion delayed due to nonshipment of wire on schedule. Mill rolled 40,000 pounds which did not meet specifications.
Eagle Chemical Co., Chicago, Ill.	VII-22, Oct. 13, 1955	Kelly AFB IFB-41-608-56-12.	Desiccant	27,500.00	(*)	Contract completed ahead of schedule, Feb. 10, 1956.
Do	VII-24, Oct. 13, 1955	Topeka AFD, IFB-14-604-56-71.	do	74,836.00	(*)	Contract, completed on schedule, Jan. 9, 1956.
Empire Warehouse, Inc., Chicago, Ill.	VII-48, July 30, 1956	Headquarters, 5th Army, Chicago, IFB-AV-11-175-56-66.	Moving services	34,171.00	(*)	Term contract completed.
Do	VII-49, July 30, 1956	Headquarters 5th Army, Chicago, IFB-AV-11-175-56-65.	do	13,447.00	(*)	Do.
A. R. F. Products, Inc., River Forest, Ill.	VII-58, July 19, 1957	WPAFB, IFB-33-600-57-106.	Glide slope and maintaining receivers, plus spare parts.	90,169.00	(*)	Contract completion behind schedule, Apr. 23, 1958. Delays were caused by procuring agency not issuing shipping orders for completed units.
Airborne, Inc., Chicago, Ill.	VII-36, Mar. 29, 1956	NPO-Washington, D.C., IFB-600-749-56.	Starter generators	447,557.00	----------	The aircraft generator had been a sole source item. The company failed to deliver a first article which would meet specifications. Contract was terminated for default.
Alco-Deree Co., Chicago, Ill.	VII-8, Mar. 4, 1955	Topeka AFD, IFB-14-604-55-431-Class-23A.	Sheet steel	56,393.00	----------	Contract awarded another company.
Do	VII-13, June 8, 1955	Topeka AFD, IFB-14-604-55-76B.	Structural steel	88,647.00	(*)	Contract completed behind schedule, Oct. 19, 1955. 30 days late on a 90-day contract due to delayed receipt of material.
American Automatic Typewriter Co., Chicago, Ill.	VII-10, May 26, 1955	WPAFB, PR-MIPR-R55-187-2400-ASO-SCGO.	Photofilm dryer	49,892.00	(*)	Contract completed behind schedule, Jan. 5, 1956. Final shipment about 1 month late. Primary delay caused by subcontractor of outer frame.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
ILLINOIS—continued						
American Automatic Typewriter Co., Chicago, Ill.	VII-52, Oct. 16, 1956	WPAFB, IFB-33-600-56-154.	Photographic film dryer, type EL-3, plus spare parts and technical data.	$153,693.00	(*)	Contract in process.
Do	VII-61, Oct. 30, 1957	WPAFB, IFB-33-600-57-299.	Dryer, photographic	61,870.00	$7,500	Contract completed on schedule, Dec. 18, 1958.
H. I. Garment Co., Chicago, Ill.	VII-6, Feb. 18, 1955	Wilkins AFD, RFP-33-602-55-3032.	Coveralls	260,386.00	(*)	Contract completed behind schedule, Apr. 26, 1956. Final shipment about 2 months late. Change orders by procuring service contributed to delay.
Hubbard Oven Co., Hampshire, Ill.	VII-62, Nov. 21, 1957	USN Air Station, Jacksonville, Fla., IFB-207-13-58.	Ovens electrically heated	15,600.00	(*)	Contract completed on schedule. Jan. 30, 1958.
Illini Airlines, Inc., Rockford, Ill.	VII-65, Feb. 20, 1958	USA Transportation, Supply, and Maintenance Command, St. Louis quotation No. 282-B, request No. 4.	Maintenance, repair, and flight test of L-20 type Army aircraft.	55,000.00	(*)	Unanticipated financial distress contributed to completion behind schedule, Nov. 26, 1958.
Industrial Precision Products Co., Chicago, Ill.	VII-25, Oct. 10, 1955	GSSO, IFB-155-(3)-59-56	Metal washers	904.00	(*)	Contract completed on schedule. Feb. 15, 1956.
Do	VII-46, July 9, 1956	Topeka AFD, IFB-14-604-56-1077.	Washers, key-steel	1,830.00	(*)	Contract completed Mar. 29, 1957. Final delivery about 5 months late. Concern could not obtain proper steel even with Air Force help.
Do	VII-68, Mar. 31, 1958	Navy Electrical Supply Office, Great Lakes, IFB-126-264-58.	Gear clusters	21,160.00	(*)	Contract completed behind schedule, Nov. 24, 1958. Contract delivery was 2 months late, due to delays in Government inspection at subcontractor's plants on gear assemblies.
Do	VII-69, Apr. 14, 1958	USASSA, Philadelphia, IFB-SC-36-039-58-1582-A1.	Drive rings and hanger cables.	10,166.00	(*)	Contract completed behind schedule, Dec. 31, 1958. Delivery delayed 2 months. Processing agency increased requirements by ⅓, and placed the ⅓ on a priority basis. Delivery schedule was not amended to compensate for this action.
National Multiple Products Co., Chicago, Ill.	VII-26, Oct. 17, 1955	USASSA, Philadelphia, RFP-PD-43/S75-40409.	Electric leads	20,527.00	(*)	Contract completed on schedule, Feb. 29, 1956.
L. A. Pereira & Co., Chicago, Ill.	VII-9, Apr. 15, 1955	USASSA, Chicago, IFB-SC-36-039-55-1108-59.	Reels	39,418.00	(*)	Contract completed behind schedule, June 29, 1956. Final shipment about 3½ months late. There was a 3-month delay in approval of prototype by procuring agency.
Small Motors, Inc., Chicago, Ill.	VII-73, July 1, 1958	USASSA, Chicago, IFB-SC-36-039-58-1306-C2 (51).	Motor generator, plus technical data.	23,342.00	4,864	Contract completed on schedule, Apr. 15, 1959.
Do	VII-78, Apr. 20, 1959	USASSA, Chicago, P.O.-16565-PC-59-C2-51.	Spare parts for motor generator.	[1] 3,933.00	----------	Contract not yet awarded.
South Side Iron Works, Chicago, Ill.	VII-17, Aug. 24, 1955	Chicago QMD, IFB-QM-11-009-56-7.	Paddles, food stirring	14,691.00	(*)	Contract completed behind schedule, July 23, 1956. Errors on the part of a subcontractor in stamping parts, unanticipated difficulties in satisfying inspectors on weld dressing and similar problems caused delivery delays.
Stein Bros. Manufacturing Co., Chicago, Ill.	VII-11, June 10, 1955	Philadelphia QMD, QM-36-030-55-NEG-303.	Pneumatic mattresses	1,183,267.00	(*)	Contract completed behind schedule, May 3, 1956. Final quantity was shipped about 60 days late. Delay in material approval by procuring service. Delay in obtaining valves from subcontractor.
Switches, Inc., Chicago, Ill.	VII-29, Nov. 23, 1955	Chicago QMD, IFB-QM-11-009-56-86.	Identification card holder	5,699.00	(*)	Contract completed behind schedule, May 22, 1956. Completed about 6 weeks late. Some of this delay was caused by firm waiting approval of paint.
Triumph Manufacturing Co., Chicago, Ill.	VII-38, Apr. 30, 1956	Dayton AFB, IFB-33-604-56-112 (class 17C).	Modulator units, plus spare parts.	131,541.00	(*)	Contract completed on schedule, Jan. 3, 1958.
Otto Klewer, doing business as Office Machine Service, Morton Grove, Ill.	VII-80, June 24, 1959	GSA, Chicago, IFB-CH-51830.	Repair, maintenance, and reconditioning of manual typewriters.	[1] 20,000.00	----------	Contract not yet awarded.
Arthur S. La Pine & Co., Chicago, Ill.	VII-50, Aug. 21, 1956	Robins AFB, IFB-09-603-56-282.	Fluoboric acid, technical and indium sulphate, anhydrous.	15,108.00	(*)	Contract completed on schedule, June 17, 1957.
Lumen, Inc., Joliet, Ill.	VII-43, June 18, 1956	Rome AFD, RFP-30-635-56-4603.	Electrical power switching group, plus spare parts.	1,982,706.00	(*)	Contract completed behind schedule, Oct. 25, 1957. The equipment was ready for shipment on schedule. The Government inspector rejected 2 purchased components. These parts were replaced, but caused a 2-month delay in deliveries.
Magnecord, Inc., Chicago, Ill.	VII-42, June 7, 1956	Army Signal Corps, RFP-PR-LYN-15937-56.	Research, development, and construction of magnetic recorder-reproducer equipment.	64,870.00	----------	Case closed, company became big business Nov. 30, 1956.
H. S. Martin & Co., Evanston, Ill.	VII-12, June 15, 1955	Frankford Arsenal, N-8176-A.	Tubes, image converter	287,938.00	(*)	Contract completed on schedule, Feb. 29, 1956.
McMaster-Carr Supply Co., Chicago, Ill.	VII-31, Dec. 5, 1955	Topeka AFD, IFB-14-604-56-262.	Hardware	1,525.00	(*)	Contract completed ahead of schedule, Jan. 16, 1956.
L. A. McNabb Co., Melrose Park, Ill.	VII-39, May 4, 1956	Army Signal Corps, Fort Monmouth, RFP-56-ELE/D-1854.	Miniature data recorder	126,241.00	----------	Contract terminated for convenience of Government, June 16, 1959.
Microcord Corp., Chicago, Ill.	VII-16, July 25, 1955	WPAFB, PR-159010#FN-55-452.	Reproduction of microfilm	183,458.00	(*)	Contract completed on schedule, June 29, 1956.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
ILLINOIS—continued						
Mobile Eng. Co., Inc., Chicago, Ill.	VII-47, July 19, 1956	Topeka, AFD, IFB-14-604-56-1073.	Washers	$26,685.00	(*)	Contract completed behind schedule, Feb. 11, 1957. A perforating die broke early in the production run. This was replaced. Another die failed and had to be replaced. Delivery became 41 days late on a 5-month schedule.
Triumph Manufacturing Co., Chicago, Ill.	VII-45, July 6, 1956	Dayton AFB, IFB-33-604-56-310.	Modulators, plus spare parts	225,918.00	(*)	Contract completed on schedule.
Watland Microfilm Co., Blue Island, Ill.	VII-66, Feb. 27, 1958	Army Transportation, Supply, and Maintenance Command, St. Louis, IFB-TC-23-204-58-50.	Microfilming services	2,240,940.00	(*)	Contract in process.
INDIANA						
C. K. Turk Corp., South Bend, Ind.	VII-63, Feb. 6, 1958	Raritan Arsenal, IFB-ORD-28-924-58-92.	Cotton duck truck cargo body end curtain.	46,171.00	(*)	Contract completed ahead of schedule, May 15, 1958.
IOWA						
Northwest Glove Co., Inc., New London, Iowa.	VII-76, Nov. 14, 1958	MCTSA, Philadelphia, IFB-QM-(CTM)-36-243-59-148.	Leather work-type gloves	4,852.00	(*)	Contract completed ahead of schedule, Apr. 6, 1959.
KANSAS						
Fruhauf Southwest Garment Co., Wichita, Kans.	IX-11, Mar. 1, 1955	Wilkins AFB, IFB-33-602-55-46.	Trousers	213,460.00	$2,835	Company suffered financial deterioration. Completion was accomplished by subcontracting, and final delivery was 3 months late, May 4, 1956.
Kansas Van & Storage Co., Inc., Topeka, Kans.	IX-12, Apr. 12, 1955	Army Transportation Corps, Fort Riley INV-AV-14-040-55-96.	Moving and crating services	870,000.00	10,000	Contract completed on schedule Apr. 27, 1956.
Kreonite, Inc., Wichita, Kans.	IX-21, May 15, 1956	U.S. Army Engineers Procurement Office, Chicago, IFB-DA-ENG-11-184-56-E-481-JD.	Vacuum printing frame	9,463.00	(*)	Contract completed on schedule, Oct. 2, 1956.
Padbloc Co., Inc., Wichita, Kans.	IX-29, Apr. 15, 1957	Kelly AFB, RFP-43-57-LP-130025 & 8115-57-LP-130026.	Repair of metal containers	200,000.00	(*)	Call type contract with no calls against contract.
KENTUCKY						
Irving Air Chute Co., Inc., Lexington, Ky.	VI-85, Mar. 19, 1958	Olmstead AFB, IFB-36-600-58-122.	Personnel rescue parachutes, type MT-1, and related accessories.	235,621.00	11,000	Contract completed on schedule, Dec. 31, 1958.
Period Tables, Inc., Henderson, Ky.	VI-109, Apr. 23, 1959	GSA, Washington, IFB-FN-9A-17725-A-2-24-59.	Wood furniture	116,392.00	(*)	Contract in process.
Reliance Chemical Co., Inc., Louisville, Ky. (plant in Pauline, Kans.)	VI-61, Oct. 5, 1956	Topeka AFD, IFB-14-604-57-60.	Deicing, defrosting fluid	----------	----------	Contract awarded another concern.
Vulcan-Hart Manufacturing Co., Louisville, Ky.	VI-79, Oct. 16, 1957	Army QM Purchasing Agency, Columbus, IFB-QM-33-031-58-102.	Oil burning heavy duty range.	14,190.00	6,435	Contract completed on schedule, Dec. 16, 1957.
LOUISIANA						
Picketts' Food Service, Springfield, La.	X-55, June 11, 1958	Perrin AFB, IFB-41-610-58-17.	Operation of dining halls, kitchen, and food processing facilities, at Perrin AFB.	246,450.00	(*)	Term contract completed.
Southern Aviation Corp., Shreveport, La.	X-34, Aug. 5, 1957	Army Transportation Corps, St. Louis, RFP-200-B.	Overhaul and repair, aircraft engines.	376,584.00	(*)	Contract completed on schedule, Nov. 30, 1958.
MARYLAND						
Airline Precision Instruments, Inc., Baltimore, Md.	IV-90, Nov. 20, 1958	Bureau of Engraving and Printing, Washington, IFB-BEP-115.	Brine trench tank	1,175.00	(*)	Delivery about 1 month late, due to questions on drawings, specifications, and some production difficulty, Feb. 27, 1959.
Do	IV-101, May 15, 1959	Bureau of Engraving and Printing, Washington, IFB-BEP-228.	Currency banding machine, semiautomatic.	[1] 16,000.00	(*)	Contract not yet awarded.
Carroll's Laundry, Havre de Grace, Md.	IV-83, July 3, 1958	Philadelphia Naval Shipyard, IFB-151-693-9502-59.	Laundry and dry cleaning services during fiscal year 1959.	34,039.00	(*)	Contract in process.
Eshelman Motors Corp., Baltimore, Md.	IV-79, July 15, 1958	GSA, Washington, IFB-FN-3G-9938-A-4-15-58.	Mailsters	1,261,527.00	(*)	Do.
The Instruments Corp., Baltimore, Md.	IV-74, Apr. 23, 1958	USASSA, Chicago, IFB-SC-36-039-58-912-B4-51.	Wind direction and speed indicators.	107,378.00	6,519	Contractor had difficulty obtaining acceptable meters from Westinghouse. Contract completed less than a month delinquent Mar. 6, 1959.
Alexander Milburn, Inc., Baltimore, Md.	IV-102, June 5, 1959	Rock Island Arsenal, IFB-ORD-11-199-59-123.	Oxygen-acetylene torch set for cutting and welding.	44,510.00	(*)	Contract in process.
Ordnance Products, Inc., North East, Md.	IV-14, Mar. 11, 1955	Army Chemical Processing District, Chicago, IFB-CML-11-021-55-24.	Fuses	63,020.00	38,525	Contract completed on schedule, Oct. 31, 1955.
Do	IV-17, Mar. 30, 1955	do	Igniters	33,841.00	2,778	Contract completed on schedule, Dec. 6, 1955.
Sea Light Engineering Co. Silver Spring Md.	IV-96, Mar. 23, 1959	Naval Supply Depot, Mechanicsburg, IFB-104-471-59.	Automatic floating distress marker lights.	81,662.00	(*)	Contract in process.
Suburban Research Corp., Gaithersburg, Md.	IV-38, Nov. 27, 1956	Navy Electronic Supply Office, Great Lakes, IFB-126-136-57.	RF transmission seal	17,210.00	132	Contract completed behind schedule, Aug. 9, 1957. Specifications were changed during performance of contract.
Triest Manufacturing Works, Inc., Annapolis, Md.	IV-27, June 26, 1956	OTAC, Detroit, IFB-ORD-20-113-56-1058.	Clamping rings	1,163.00	181	The required clamping rings were completed ahead of schedule, but the Government delayed acceptance 2 months, Nov. 30, 1956.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
MASSACHUSETTS						
American Cleaning Co., Inc., Cambridge, Mass.	I-82, Jan. 30, 1959	GSA, Washington, D.C., IFB-GS-03B-7614.	Janitorial cleaning service for 1-year period.	$552,000.00	(*)	Contract in process.
Andonian Associates, Waltham, Mass.	I-92, June 30, 1959	Cambridge Reserve Center, Bedford, RFP-PR-06937.	Pressure relief valves plus plus technical data.	[1] 9,374.00	----------	Contract not yet awarded.
Atlantic Equipment Co., Inc., Readville, Mass.	I-39, May 25, 1955	Army Engineers Processing Office, Chicago, IFB-DA-ENG-11-184-55-C-419-JD.	Generator sets	14,480.00	(*)	Contract completed behind schedule Oct. 31, 1955. Final shipment about 20 days late. Strikes at suppliers plant caused most of the delay.
Wm. D. Bright Enterprises, Waltham, Mass.	I-22, Mar. 17, 1954	Army Quartermaster purchasing agent, N.Y., IFB-QM-30-280-54-195.	Panel	71,817.00	$4,132	Contract completed ahead of schedule Sept. 22, 1954.
Do	I-42, Aug. 4, 1955	Army Quartermaster Depot, Philadelphia, IFB-QM-36-030-55-870.	Canteen covers	89,550.00	(*)	Contract completed behind schedule July 31, 1956. Final shipment delayed about 3 months. Firm claimed defective Government furnished materials, errors in drawings, and poor handling by Quartermaster. Case went to Armed Services Board of Contract Appeals. Final decision unknown.
Do	I-85, Apr. 21, 1959	Army Quartermaster Depot, Philadelphia, IFB-QM(CTM)-36-243-59-528.	Memorial cotton bunting flags.	17,659.00	(*)	Contract in process.
Cargocaire Engineering Corp., Amisbury, Mass.	I-76, June 27, 1958	Army Engineers Processing Office, Chicago IFB-DA-ENG-11-181-58-CF-557.	Dry desiccant type automatic dehumidifiers.	773,982.00	(*)	Contract completed ahead of schedule, Jan. 16, 1959.
Cindy Knitting Mills, Boston, Mass.	I-89, June 11, 1959	Army Quartermaster Depot, Philadelphia, IFB-QM(CTM)-36-243-59-760.	Knitted waistbands	6,895.00	(*)	Contract in process.
Documat, Inc., Belmont, Mass.	I-75, June 25, 1958	WP-AFB, IFB-33-600-58-181.	Microfilm still picture viewer with spare parts and technical data.	213,275.00	9,480	Do.
Doherty Manufacturing Co., Inc., Lowell, Mass.	I-46, Jan. 18, 1956	Hill AFB, IFB-42-600-56-81.	Tow targets	113,100.00	1,125	Contract completed behind schedule, May 28, 1956. Subcontractor delay and unanticipated financial difficulty delayed completion.
W. J. Dunn Co., Inc., Boston, Mass.	I-24, Apr. 21, 1954	BuOrd, Washington, DC., IFB-7711-0-B.	Wire rope clips	78,375.00	4,875	Contract completed ahead of schedule, Jan. 31, 1955.
L. W. Ferdinand & Co., Inc., New Lower Falls, Mass.	I-52, Apr. 17, 1956	GSSO, IFB-155-(1)-885-56	Sealing compound	9,432.00	2,593	Contract completed behind schedule, Oct. 29, 1956. Delivery delayed pending receipt of containers. Procuring service inspection caused some delay.
The First Electronics Corp., Boston, Mass.	I-58, Sept. 10, 1956	USASSA, Philadelphia, IFB-SC-36-039-57-793-43.	Modification kits	28,952.00	(*)	Contract completed ahead of schedule, Jan. 31, 1957.
General Communication Co., Boston, Mass.	I-80, Nov. 19, 1958	Dayton AFD, RFP-33-604-59-1200.	Radio frequency transmission line switch.	[1] 39,200.00	----------	Contract awarded others Dec. 16, 1958.
B. M. Harrison Laboratories, Inc., Newton Highlands, Mass.	I-53, May 8, 1956	BuShips, IFB-600-990-56-S.	Electronic multimeters	77,074.00	13,360	Contract in process.
B. M. Harrison Laboratories, Inc., Newton Highlands, Mass.	I-55, May 23, 1956	BuShips, IFB-600-1264-56-S.	Multimeters plus spare parts.	15,186.00	1,412	Do.
Reinforced Plastics Corp., Vineyard Haven, Mass.	I-81, Jan. 28, 1959	USASSA, Philadelphia, RFP-SC-039-59-10161-B3.	Electrical equipment shelter.	47,353.00	----------	Facilities liquidated shortly after award. Assignee unacceptable to Signal Corps.
Revere Glass Co., Revere, Mass.	I-79, Aug. 15, 1958	Brookley AFB, IFB-01-601-58-439.	Emergency signaling type MK-3 mirrors.	[1] 32,088.00	----------	Procurement withdrawn Sept. 24, 1958.
St. Pierre Chain Corp., Worcester, Mass.	I-83, Mar. 13, 1959	GSSO, Philadelphia, IFB-155-(1)-2139-59.	Wire rope clips	18,445.00	(*)	Contract completed ahead of schedule, June 16, 1959.
Technology Instrument Corp., Acton, Mass.	I-67, Oct. 16, 1957	Gentile AF Station, RFP-33-604-58-1014.	Variable resistors	19,359.00	1,488	Contract completed ahead of schedule, Mar. 13, 1958.
Do	I-68, Oct. 16, 1957	Gentile AF Station, RFP-33-604-58-1048.	do	20,875.00	717	Contract completed ahead of schedule, Feb. 14, 1958.
Tobe Deutschmann Corp., Norwood, Mass.	I-32, Feb. 9, 1955	Gentile AFD, RFP-33-604-55-1389.	Capacitors	845.00	153	Final shipment delayed about 2 months. Late due to lack of capital and an abnormal number of rejections during inspection.
Do	I-34, Mar. 9, 1955	Gentile AFD, IFB-33-604-55-27.	do	1,222.00	70	The contract was completed about 1 month late due primarily to financial difficulties. There was a shortage of material and difficulty meeting payrolls.
Do	I-35, Mar. 9, 1955	Gentile AFD, RFP-33-604-55-1616.	do	1,208.00	496	The contract was completed about 1 month late because of certain failures during final tests. Shipment would have been 1 week sooner, but bills of lading were not received.
Utility Metal Products, Inc., Beverly, Mass.	I-84, Apr. 7, 1959	Department of Navy, Philadelphia, IFB-155-(3)-1963-59 (lot VI).	Aluminum clothing lockers	111,661.00	(*)	Contract in process.
Worcester Shoe Co., Worcester, Mass.	I-72, Jan. 22, 1958	MCTSA, IFB-QM-36-243-58-227.	Combat boots	219,960.00	1,440	Contract completed ahead of schedule, June 11, 1958.
Worcester Automatic Machine Co., Worcester, Mass.	I-74, May 21, 1958	USASSA, RFP-SC-36-039-58-10104-81.	Engineering design and construction of automated battery assembly and soldering machine test runs and technical reports.	120,000.00	(*)	Contract in process.
MICHIGAN						
Beacon Boat Co., Holland, Mich.	VI-31, Feb. 19, 1954	Bu-Ships, IFB-7290-S	Wood boats	365,391.00	(*)	Final shipment about 4 months late, Mar. 2, 1956. Unanticipated financial difficulties developed. SBA supplied financial assistance.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
MICHIGAN—continued						
Machine Products, Novi, Mich.	XV-3, Dec. 17, 1956	OTAC, Detroit, IFB-ORD-20-113-57-674.	Bracket supports	$1,556.00	$567	Contract quantity of 1,206 brackets completed on schedule in June 1957. The 5 percent accepted overrun was shipped August 1957.
Metro Engineering & Manufacturing Co., Inc., Detroit, Mich.	XV-12, Mar. 6, 1958	USASSA, Philadelphia, IFB-SC-36-039-58-1984-B4.	Semitrailer	[1] 335,914.00	----------	Procurement withdrawn by procuring activity.
Park Industries, Inc., Melvindale, Mich.	VI-33, Mar. 31, 1954	W-PAFB, Ohio, AFB-33-600-54-14.	Gun heaters	181,243.00	(*)	Contract terminated for convenience of Government, Dec. 17, 1956.
Raubar Manufacturing Co., Detroit, Mich.	XV-10, May 22, 1957	OTAC, Detroit, IFB-ORD-20-113-57-1494.	Hull drain valves	3,192.00	205	Contract completed on schedule, Dec. 10, 1957.
Storage Tank Accessories Corp., East Jordan, Mich.	XV-1, June 26, 1956	OTAC, Detroit, IFB-ORD-20-113-56-1116.	Tank support bracket	1,352.00	(*)	Contract completed behind schedule, Oct. 22, 1956, 1 month late because of an error in shipping container order.
MINNESOTA						
G. & S. Distributing Co., Inc., St Paul, Minn.	VIII-7, Apr. 28, 1959	Army Quartermaster Purchasing Agency, Columbus, IFB-QM-33-021-59-528.	Plastic drinking cups	[1] 51,135.00	----------	Case closed June 12, 1959. Company declined to extend bid option due to contract award delay.
MISSISSIPPI						
American Tent Co., Canton, Miss.	X-29, Feb. 18, 1957	Hill AFB, Utah, IFB-42-600-57-154.	Aerial tow targets	65,527.00	6,075	Contract completed on schedule, Apr. 30, 1958. Original requirement reduced 70 percent.
Watson Laundry & Cleaners, Cleveland, Miss.	V-86, July 15, 1958	Greenville AFB, IFB-22-601-58-90.	General laundry service	20,521.00	3,760	Contract not awarded this concern. Procuring service decided that reasons other than capacity and credit caused disqualification.
MISSOURI						
Continental Hat & Cap Co., Kansas City, Mo.	IX-50, Mar. 2, 1959	Philadelphia Quartermaster Depot, IFB-QM(CTM)-36-243-59-470.	Woman's garrison wool serge caps.	[1] 5,337.00	----------	Case closed; company would not extend bid option.
Jamco Manufacturing Co., Clayton, Mo.	IX-52, Apr. 23, 1959	Philadelphia Quartermaster Depot, IFB-QM(CTM)-36-243-59-586.	Cotton duck paulin	148,810.00	(*)	Contract in process.
Metalcraft Manufacturing & Sales Corp., Kansas City, Mo.	IX-31, Apr. 30, 1957	GSSO, Philadelphia, IFB-155-(3)-1654-57.	Medical lockers and first-aid boxes.	25,871.00	(*)	Discrepancy had developed in a drawing for a gasket. Delay encountered waiting for authorization for revision. Successfully completed 1 month late.
Do	IX-37, Oct. 18, 1957	GSSO, Philadelphia, IFB-155-(3)-49-58.	Steel safe lockers	17,502.00	(*)	Contract completed ahead of schedule.
Royal Dalton Ltd., Inc., St. Louis, Mo., and Apparelcraft, Inc., Wrightsville, Ga.	IX-38, Dec. 11, 1957	Philadelphia Quartermaster Depot, IFB-QM (CTM)-36-243-58-184.	Men's blue wool trousers	1,379,885.00	15,571	Delivery on this 10-month contract was 1 month late. The applicant experienced 3 specific delays as GFP cloth was not made available on time. Some of the cloth, when received, was narrower than called for in the specifications.
Do	IX-39, Dec. 11, 1957	Philadelphia Quartermaster Depot, IFB-QM(CTM)-36-243-58-191	Men's blue wool gabardine trousers.	468,423.00	684	Contract completed ahead of schedule, June 20, 1958.
Sarmont, Inc., Caruthersville, Mo.	IX-28, Feb. 8, 1957	Shelby AFD, RFP-33-602-57-3037	Repair and recondition Government-owned canvas items.	150,000.00	(*)	Contract completed on schedule, Feb. 6, 1958.
Do	IX-36, Sept. 18, 1957	Wilkins AF Station, Ohio, RFP-33-602-57-3154.	Repair and maintenance of tents, sleeping bags, etc.	5,000.00	(*)	Contract completed ahead of schedule, June 30, 1958.
Seymour Wallas & Co., St. Louis, Mo.	IX-18, Jan. 26, 1956	Shelby AFD, IFB-33-602-56-59.	Coveralls	373,961.00	(*)	Last shipment about 30 days late, May 31, 1957. Concern produced about 1,000 units per month but other work caused the slight delay.
Do	IX-19, Jan. 26, 1956	Shelby AFD, IFB-33-602-56-20.	Cotton duck suitcases	74,050.00	(*)	Contract completed ahead of schedule, Feb. 12, 1957.
Do	IX-25, June 22, 1956	Shelby AFD, IFB-33-602-56-242.	do	265,650.00	14,053	Contract completed behind schedule, July 29, 1957. Unforeseen difficulties in finishing operations on last few suitcases caused 2 months' delay on this 12-month contract.
Society Brand Hat Co., St. Louis, Mo.	IX-15, Nov. 25, 1955	Army Quartermaster Depot, Philadelphia, IFB-QM-36-030-56-102.	Caps	100,800.00	(*)	Contract completed on schedule, July 5, 1956.
Do	IX-17, Jan. 24, 1956	Army Quartermaster Depot, Philadelphia, IFB-QM-36-030-56-358.	do	949,750.00	(*)	Contract completed behind schedule, Jan. 24, 1957. Delay in revision of original specification. Large contract for same item placed without reference to SBA during production period.
NEBRASKA						
American Sound Co., Omaha, Nebr.	IX-26, Dec. 5, 1956	Tinker AFB, IFB-34-601-57-66.	Furnish and install bell and light alert system.	17,894.00	(*)	Contract completed on schedule, July 31, 1957.
Scientific Radio Products, Inc., Omaha, Nebr.	IX-23, May 28, 1956	USASSA, Fort Monmouth, RFP-56-ELS/D-3611.	Quartz crystal units	29,842.30	(*)	Contract completed behind schedule, Sept. 30, 1957. Delay in receipt of test equipment. Unanticipated R. & D. work developed during contract progress.
NEW HAMPSHIRE						
Marion Electrical Instrument Co., Manchester, N.H.	I-64, Mar. 4, 1957	W-PAFB, IFB-33-600-57-94.	ID-525/ARN indicators	57,000.00	28,879	Contract completed on schedule, July 31, 1958.
Northeastern Eng., Inc., Manchester, N.H.	I-37, May 25, 1955	USASSA, Philadelphia, IFB-SC-36-039-55-1743-59.	Power supply units	70,344.00	7,921	Contract completed ahead of schedule, May 16, 1957.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
NEW HAMPSHIRE—con.						
Northeastern Eng., Inc., Manchester, N.H.	I-38, May 25, 1955	USASSA, Philadelphia, RE 49/55-SF-25316-(ETAL).	Spare parts for radio sets	$23,517.00	(*)	Contract completed behind schedule, Oct. 19, 1955. Subcontractor delay resulted in final shipment 6 days late.
Do	I-40, June 3, 1955	USASSA, Philadelphia, 58/55-SP-3400.	do	9,129.00	(*)	Contract completed behind schedule, Nov. 16, 1955. Subcontractor delay resulted in final shipment 15 days late.
NEW JERSEY						
Allied Allegri Machine Co., Inc., Nutley, N.J.	II-237, June 17, 1957	USASSA, Philadelphia, IFB-SC-36-039-57-2184-56.	Test sets	180,029.00	(*)	Contract completed ahead of schedule, Aug. 29, 1958.
Allied Federal Industries, Newark, N.J.	II-359, Mar. 24, 1959	Department of the Navy, Washington, IFB-600-194-59-0.	Practice depth charges	435,815.00	(*)	Contract in process.
Allied Ordnance Corp., Jersey City, N.J.	II-210, Mar. 15, 1957	Tinker AFB, IFB-34-601-57-224.	High pressure valves	85,426.00	(*)	Contract completed ahead of schedule, Nov. 27, 1957.
American Development Electronics Co., Newark, N.J.	II-238, June 19, 1957	USASSA, Philadelphia, IFB-SC-36-039-57-2152-55.	Intercommunication stations.	22,318.00	(*)	Contract completed behind schedule, Feb. 26, 1959. Production was completed on schedule, but delays in inspection and approval of drawings delayed final shipment.
Do	II-290, Apr. 10, 1958	USASSA, Philadelphia, IFB-SC-36-039-58-69-A5.	do	25,400.00	$1,600	Contract in process.
Do	II-380, June 29, 1959	USASSA, Philadelphia, IFB-SC-36-039-59-1702 A3.	Frequency meter, plus technical data.	[1] 17,500.00	(*)	Contract not yet awarded.
Ampco Manufacturing Co., Inc., Plainfield, N.J. (formerly in Morristown).	II-122, Mar. 27, 1956	USASSA, Philadelphia, IFB-SC-36-039-56-10673.	Card sets, resistors, and test facilities.	176,908.00	(*)	Contract completed behind schedule, Feb. 25, 1959. Shipment was held up awaiting inspection, revised packaging requirements, and decision on spare parts. Total delay was about 4 months.
Ampco Manufacturing Co., Plainfield, N.J.	II-348, Mar. 13, 1959	USASSA, Philadelphia, IFB-SC-36-039-59-797-C1.	Cable assemblies	[1] 14,281.00	----------	Procurement withdrawn by contracting agency Mar. 17, 1959.
Do	II-349, Mar. 13, 1959	USASSA, Philadelphia, RFP-SC-36-039-59-10372-C1.	Special purpose electrical cable assembly.	14,529.00	(*)	Contract in process.
Arcturus Electronics, Inc. Paterson, N.J.	II-48, Mar. 4, 1955	Gentile AFD, RFP-33-604-55-2547.	Electron tubes	45,954.00	660	Contract completed ahead of schedule, June 30, 1955.
Do	II-67, May 10, 1955	USASSA, Philadelphia, IFB-SC-36-039-55-1756-59.	Rectifiers	13,035.00	554	Contract completed ahead of schedule, Aug. 3, 1955.
Do	II-68, May 10, 1955	USASSA, Philadelphia, IFB-SC-36-039-55-1406-59.	Electron tubes	14,875.00	1,125	Contract completed ahead of schedule, Aug. 29, 1955.
Do	II-74, June 8, 1955	USASSA, Philadelphia, IFB-PD-5955-10872.	do	30,687.00	2,085	Contract completed behind schedule, Aug. 31, 1956. Defective components furnished by a large tube manufacture caused delay.
General Electronics Division, Arcturus Electronics, Inc., Paterson, N.J.	II-90, Aug. 4, 1955	USASSA, Philadelphia, IFB-PH-26759.	do	191,152.00	(*)	Contract completed about 2 months late, Mar. 2, 1956. Primarily due to financial difficulties.
Arnav Aircraft Associates Inc., Little Ferry, N.J.	II-256, Aug. 26, 1957	Topeka AFD, IFB-14-604-58-4.	Flared sleeves, tube fitting	15,340.00	----------	Declared nonresponsive after requirements were reduced.
Do	II-259, Sept. 18, 1957	Topeka AFD, IFB-14-604-58-41.	Aluminum anodized tees and plugs.	[1] 18,258.00	----------	Contract awarded to another company, Sept. 23, 1957.
Atomic Cutlery, Inc., Irvington, N.J.	II-120, Mar. 16, 1956	ASMPA, Brooklyn, RFP-56-546-N.	Surgical scissors	64,000.00	(*)	Contract completed on schedule, Oct. 31, 1956.
Bellaire Electronics, Inc., Red Bank, N.J.	II-249, June 28, 1957	USASSA, Philadelphia, RFP-SC-36-039-57-2372-58.	Cable termina chamber	80,980.00	----------	Contract withdrawn, Oct. 15, 1957.
Bellaire Electronics, Inc., Red Bank, N.J.	II-322, Oct. 1, 1958	USASSA, Philadelphia, IFB-SC-36-039-59-738-C4.	Chamber cable terminals	30,958.00	6,002	Contract in process.
Do	II-330, Nov. 25, 1958	USASSA, Philadelphia, IFB-SC-36-039-59-764-C4.	do	15,811.00	(*)	COC-330 and COC-337, contracts were combined into one contract, now in process.
Do	II-337, Jan. 6, 1959	do	Cable terminal, TA-89 ( )/FT chamber, plus technical data.	14,501.00	----------	See remarks under COC-330, contract now in process.
Bright Star Industries, Clifton, N.J.	II-9, May 5, 1954	USASSA, Philadelphia, IFB-SC-36-039-54-896-57.	Dry batteries	100,380.00	962	Last shipment 1 month late, awaiting bill of lading, contract completed, Feb. 15, 1955.
Do	II-13, June 2, 1954	USASSA, Philadelphia, IFB-SC-36-039-54-895-57.	do	4,582.00	8	Contract completed on schedule, Jan. 31, 1955.
Do	II-14, June 2, 1954	USASSA, Philadelphia, IFB-SC-36-039-54-908-57.	do	2,525.00	477	Contract completed ahead of schedule, Feb. 15, 1955.
Do	II-15, June 4, 1954	USASSA, Philadelphia, IFB-PH-42902 SIGSU-M5B-5-SA-16419.	do	692.00	(*)	Batteries shipped about 3 months late, Sept. 30, 1954. 2 months were lost awaiting bill of lading.
Do	II-26, June 4, 1954	USASSA, Philadelphia, IFB-PH-46715-SA-16437 and SA-16518.	do	2,352.00	847	Contract completed on schedule Dec. 31, 1954.
Do	II-17, June 4, 1954	USASSA, Philadelphia, IFB-PH-43483-SIGSU-M5-B-5-SA-16421.	do	240.00	(*)	Shipment delayed 60 days, awaiting bill of lading. Contract completed, Sept. 15, 1954.
Do	II-26, Oct. 15, 1954	USASSA, Philadelphia, IFB-SC-36-039-55-206-57.	Batteries	3,340.00	4	Contract completed on schedule, May 31, 1955.
Burmet Corp., Red Bank, N.J.	II-345, Mar. 3, 1959	Army QM Purchasing Agency, Columbus, IFB-QM-33-031-59-408.	Folding canvas bread racks	8,804.00	(*)	Contract in process.
Century Tool Co., Palmyra, N.J.	III-52, Oct. 26, 1956	NPO, Washington, IFB-600-122-57.	Automatic electrical tool kits.	34,140.00	(*)	Delivery about 2 weeks late, Feb. 19, 1957. Subcontractor's failure to deliver wrenches was the primary cause.
Do	III-53, Oct. 26, 1956	NPO, Washington, IFB-600-258-57.	Gages	1,331.00	(*)	Contract completed ahead of schedule, Mar. 8, 1957.
Do	III-54, Oct. 26, 1956	NPO, Washington, IFB-600-287-57.	Cylinder compression tester	290,784.00	(*)	Contract completed on schedule, Feb. 27, 1957.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
NEW JERSEY—continued						
Eisen Bros., Inc., Hoboken, N.J.	II-181, Sept. 25, 1956	Army QM Purchasing Agency, Columbus, IFB-QM-33-031-57-20.	Tent pins	$247.152.00	(*)	Contract completed ahead of schedule, May 16, 1957.
Frasca Machine Co., Norwood, N.J.	II-39, Jan. 19, 1955	Navy GSSO, Philadelphia, IFB-155-(3)-479-55.	Valves	9,510.00	$384	Contract completed behind schedule, May 4, 1956. Shortage of monel metal and specification change which resulted in administrative delays contributed to final delivery being 8 months late.
Do	II-40, Jan. 19, 1955	Navy GSSO, Philadelphia, IFB-155-(3)-496-55.	do	6,638.00	217	Contract completed behind schedule, July 29, 1955. Difficulty with castings from subcontractor and lack of shipping instructions contributed to late delivery.
General Electronics, Inc., Paterson, N.J.	II-151, May 17, 1956	Dayton AFD, IFB-36-604-56-277.	Electron tubes	44,900.00	(*)	Contract completed ahead of schedule, Oct. 31, 1956.
Do	II-312, July 17, 1958	Dayton AFB, IFB-33-604-58-679.	do	40,459.00	3,497	Contract completed behind schedule, Feb. 18, 1959. A fire in a subcontractor's plant and failure of an electron tube exhauster contributed to delay.
Do	II-339, Jan. 19, 1959	Dayton-Jentile AFB, IFB-33-604-59-231.	Electron tubes, type 250TH	82,350.00	(*)	Contract completed ahead of schedule, May 22, 1959.
Do	II-356, Feb. 23, 1959	USASSA, Philadelphia, IFB-SC-36-039-59-306-B1.	Electron tubes	41,828.00	(*)	Contract in process.
Do	II-363, Apr. 10, 1959	Dayton AFD, IFB-33-604-59-4.0.	do	41,480.00	(*)	Do.
H & L Tool & Machine Co., Mountain View, N.J.	II-114, Feb. 23, 1956	Watervliet Arsenal (NY) Army Ordnance Corps, IFB-ORD-30-144-56-62.	Plate for 106 millimeter gun	27,478.00	11,383	Contract completed behind schedule, June 14, 1957. The company experienced breakage of machine tools due to unexpected hardness of steel plates. Final delivery was 6 months late.
Heyer Products Co., Inc., Belleville, N.J.	II-341, Feb. 10, 1959	Rome Air Material Area, IFB-30-635-59-157.	Power supply, type B-8, plus technical data.	185,274.00	(*)	Contract in process.
ITI Electronics, Inc. (Industrial Television, Inc.), Clifton, N.J.	II-281, Jan. 28, 1958	Navy BuShips, IFB-600-234-58-S.	Multimeters, AN/PSM-4A, plus spare parts and technical data.	202,082.00	(*)	Do.
Industrial Television, Inc. Clifton, N.J.	II-110, Feb. 14, 1956	USASSA, Philadelphia, IFB-SC-36-039-56-10312-55.	Dual channel amplifier	37,058.00	(*)	Contract completed behind schedule, Nov. 21, 1957. Faulty vacuum tubes furnished by reputable manufacturers, delay in first article approval, and unanticipated financial difficulty contributed to late completion of contract.
Insulex Co., North Bergen, N.J.	II-284, Feb. 14, 1958	USASSA, Philadelphia, IFB-SC-36-039-58-1001-58.	Lighting units, ML-338(1)/UM.	13,149.00	----------	Contract awarded others May 26, 1958. The Army disregarded COC on basis that company was disqualified for reasons other than capacity or credit. Comptroller General's decision B-135144, dated Apr. 14, 1958, was used as a basis. Signal Corps was initially negative on capacity and credit.
M. J. Johnson Aircraft Eng. Co., Morris Plains, N.J. (formerly in Pottsville, Pa.).	III-18, Oct. 21, 1955	Olmsted AFB, RFP-36-600-56-5010(P).	Inspection and repair of compass transmitters.	9,320.00	----------	Contract terminated for default, Oct. 16, 1956. A Helmholtz test coil and other equipment to be furnished by the Government was received 8 months late.
Keasbey Shipbuilding & Storage Yard, Inc., Keasbey N.J.	II-42, Feb. 1, 1955	Navy BuShips, IFB-600-275-55-S.	Boats	126,225.00	4,000	Completed contract 1 month behind schedule, Oct. 31, 1956. Subcontractor's delays contributed to late completion.
Lawn Electronics, Inc., Englishtown, N.J.	II-268, Nov. 1, 1957	Dayton AFD, IFB-33-604-58-108.	Aircraft and motor generator testers, type L-1A.	53,040.00	(*)	Contract in process.
Lutz Co., Guttenberg, N.J.	II-352, Mar. 18, 1959	Army Engineer Procurement Office, Chicago, IFB-DA-ENG-11-184-59-B/E-353-JD.	Flat plotting scales	1,806.00	(*)	Do.
Marcon Manufacturing Co., Nutley, N. J.	II-278, Jan. 16, 1958	USASSA, Philadelphia, IFB-SC-36-039-58-598-58.	Switchboxes and switch levers.	48,257.00	(*)	Contract completed behind schedule, Dec. 21, 1958. Procuring agency ordered production effort diverted to another project on which extreme urgency developed.
Mead Manufacturing Co., Inc., Trenton, N.J.	III-30, Mar. 23, 1956	Tinker AFB, IFB-34-601-56-273.	Aircraft seat cushions	50,585.00	1,496	Contract completed ahead of schedule, Aug. 29, 1956.
Nanasi Co., Inc., West New York, N.J.	II-274, Dec. 19, 1957	Navy Electronic Supply Office, Great Lakes, IFB-126-145-58.	Tube shield inserts	105,775.00	24,366	Contract completed behind schedule, Apr. 25, 1958. Delays caused by lack of capacity on the part of subcontractors. This was rectified by spreading the work among additional subcontractors, but not in time to meet schedule deliveries.
Presto Recording Corp., Paramus, N.J.	II-168, June 27, 1956	USASSA, Philadelphia, IFB-SC-36-039-56-869-55.	Recorder-reproducer sets	628,400.00	----------	Case closed because company became big business and was not eligible for award under COC program, Dec. 31, 1956.
Ramsey Machine & Tool Co., Inc., Hillside, N.J.	II-180, Sept. 21, 1956	Frankford Arsenal, Philadelphia, IFB-ORD-36-038-56-G-780.	Gages	12,175.00	(*)	Contract completed behind schedule, Aug. 13, 1957. Delay in completing contracts due to specifications which required unsuitable material. Contractor not at fault.
Rolen Sportswear Co., Elizabeth, N.J.	II-202, Feb. 18, 1957	Shelby AFD, IFB-33-602-57-50.	Men's flying jackets	179,488.00	(*)	Contract completed ahead of schedule, Apr. 22, 1957.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
NEW JERSEY—continued						
Oswald Schicker Manufacturing Co., West New York, N.J.	II-87, Aug. 4, 1955	Army QM Depot, Philadelphia, IFB-QM-36-030-55-1006.	Insignia	$5,173.00		After issuance of COC, contracting agency decided not to award on the basis of negative findings other than capacity and credit.
Do	II-88, Aug. 4, 1955	Army QM Depot, Philadelphia, IFB-QM-36-030-55-904.	do	30,425.00		Do.
Do	II-89, Aug. 4, 1955	Army QM Depot, Philadelphia, IFB-QM-36-030-55-897.	do	11,000.00		Contract awarded elsewhere, Aug. 19, 1955.
Seaview Electric Co., Avon, N.J.	II-47, Feb. 25, 1955	USASSA, Philadelphia, IFB-SC-36-039-55-625-53.	Microphone sets	420,737.00	$54,860	Contract completed behind schedule, Mar. 14, 1957. Delivery delayed 4 months. Sole source of cable delayed delivery. Some financial difficulty.
Do	II-64, Apr. 22, 1955	USASSA, Philadelphia, IFB-SC-36-039-55-1197-58.	Variable attenuators	9,840.00	524	Contract completed ahead of schedule, July 22, 1955.
Do	II-69, May 18, 1955	USASSA, Philadelphia, IFB-SC-36-039-55-1002-51.	Code recorders	283,075.00	(*)	Contract completed behind schedule, Oct. 31, 1956, 1 month late. Work was subcontracted to another small business concern.
Do	II-102, Nov. 23, 1955	USASSA, Philadelphia, IFB-SC-36-039-56-446-58.	Handsets	506,019.00	99,439	Contract completed on schedule, Jan. 29, 1958.
Do	II-145, May 25, 1956	USASSA, Philadelphia, P.O.—20046-PH-55-58.	Switch assemblies	56,809.00	(*)	Contract completed on schedule, July 31, 1956.
Do	II-301, May 23, 1958	USASSA, Philadelphia, IFB-SC-36-039-58-2008-B4.	Wire splicing kits	214,899.00		Procurement withdrawn, May 29, 1958.
Do	II-354, Mar. 16, 1959	USASSA, Philadelphia, IFB-SC-36-039-59-553-B4.	Meteorological stations and psychromatic calculators.	37,220.00	(*)	Contract in process.
The Stevens Aircraft Corp., Rochelle Park, N.J.	II-240, June 20, 1957	Topeka AFD, IFB-14-604-57-1123.	Aircraft screws	49,104.00		Procurement withdrawn, Mar. 11, 1958.
Do	II-241, June 20, 1957	Topeka AFD, IFB-14-604-57-1093.	do	11,592.00		Do.
Technical Paper Co., Inc., Linden, N.J.	II-331, Dec. 11, 1958	USASSA, Fort Monmouth, IFB-SC-36-039-59-2198.	Blank chart paper	32,060.00	(*)	Contract completed ahead of schedule, May 28, 1959.
Trad Electronics Corp., Asbury Park, N.J.	II-140, Apr. 30, 1956	USASSA, Fort Monmouth, RFP-56-ELC/D-5219.	Signal generators	29,626.00	(*)	Contract completed behind schedule, Mar. 31, 1959. This R. & D. contract delayed by prolonged sporadic acceptance testing. Final delivery about 7 months late.
Do	II-214, Mar. 21, 1957	Dayton AFD, PR-628263 and PR-613450.	do	120,682.00	(*)	Contract completed ahead of schedule, July 22, 1958.
Trenton Textile Engineering & Manufacturing Co., Trenton, N.J.	III-180, Feb. 16, 1959	Brookley AFB, IFB-01-601-59-328.	Nylon body sea anchors	12,797.00	(*)	Contract in process.
Union Electric & Manufacturing Co., Inc., Jersey City, N.J.	II-58, Apr. 12, 1955	Gentile AFD, RFP-33-604-55-2564.	Test shields	16,130.00	119	The company subcontracted entire requirement to a previous producer after procuring agency asked for several changes.
U.S. Chaircraft Manufacturing Corp., Bloomfield, N.J.	II-189, Nov. 8, 1956	Navy GSSO, Philadelphia, IFB-155-(3)-556-57.	Aluminum folding chairs	19,343.00	1,555	Contract completed ahead of schedule, Feb. 10, 1957.
Vinelander Clothes, Inc., Vineland, N.J.	III-163, Aug. 18, 1958	MCTSA, Philadelphia, IFB-QM-(CTM)-36-243-58-895.	Men's cotton wind-resistant sateen overcoats with removable liners.	1,335,000.00		Procurement was withdrawn by contracting agency.
The Winslow Co., Inc., Newark, N.J.	II-36, Dec. 9, 1954	W-P AFB, RFP-33-600-55-5049.	Electrical-resistance thermometer bulbs.	9,833.00	6,657	Contract completed ahead of schedule, June 29, 1957.
Do.	II-252, July 12, 1957	Dayton AFD, IFB-33-604-57-512.	Potentiometer indicators			Procurement withdrawn by contracting agency.
Wright Equipment Corp., Milltown, N.J.	II-304, June 3, 1958	Rome AFD, IFB-30-635-58-384.	Metallic rectifier power supply.	175,753.00	(*)	Contract in process.
Zenith Instrument Co., Inc., Paramus, N.J.	II-171, July 19, 1956	Olmsted AFB, IFB-36-600-56-225.	Parachute-release assemblies.	254,822.00	4,500	Contract terminated for convenience of the Government, Dec. 2, 1957.
NEW YORK						
Adherent Specialty Co., New York, N.Y.	II-172, July 30, 1956	GSA, New York, IFB-FNN-25-0841-A.	Tape	[3] 10,000.00	(*)	Contract completed ahead of schedule, Dec. 31, 1956.
Adler Electronics, Inc., New Rochelle, N.Y.	II-245, June 27, 1957	USASSA, Philadelphia, IFB-SC-36-039-57.	Signal generators	431,445.00	(*)	Do.
Aerial Machine & Tool Co., Long Island City, N.Y.	II-287, Mar. 11, 1958	WPAFB, IFB-33-600-58-90.	Aircraft safety lap-type belts, MD-1 and MD-2.	266,400.00	(*)	Contract completed on schedule, Apr. 30, 1959.
Aircraft Hardware Manufacturing Co., Inc., Bronx, N.Y.	II-44, Feb. 1, 1955	Topeka AFD, IFB-14-604-55-385.	Bolts	20,114.00	1,131	Contract completed behind schedule, Dec. 31, 1955. Material supplier and subcontractors contributed to delay.
Do	II-45, Feb. 1, 1955	Topeka AFD, IFB-14-604-55-388.	do	688.00	116	Contract completed ahead of schedule, July 15, 1955.
Do	II-46, Feb. 14, 1955	Topeka AFD, IFB-14-604-55-434.	do	6,112.00	621	45 days late on 1 item, 30 days on another of 19 items. Most of the items were completed at least 30 days before required deliveries. Delays were occasioned by nonreceipt of materials from suppliers.
Do	II-51, Mar. 9, 1955	Topeka AFD, IFB-14-604-55-483.	do	2,339.00	288	Contract completed behind schedule, Aug. 16, 1955. Procurement covered several items of aircraft bolts. Blanks were delayed at suppliers but contract was successfully completed.
Akeley Camera & Instrument Corp., New York, N.Y.	II-62, Apr. 20, 1955	USASSA, Philadelphia, IFB-SC-36-039-55-1392-53.	Capacitors	75,344.00	13,400	Contract completed behind schedule. Voltmeters delayed at suppliers. Signal Corps expedited final delivery.
A-L Special Design Products, Inc., Amityville, N.Y.	II-10, May 19, 1954	Griffiss AFB, PR-469-498	Control indicators and spare parts.	13,770.00	7,000	Contract completed on schedule, Sept. 15, 1955.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
NEW YORK—continued						
Ameco Electronics Corp., New York, N.Y.	II-209, Mar. 27, 1957	USASSA, Philadelphia, IFB-SC-36-039-57-1685-56.	Frequency meters plus miscellaneous parts.	$355,184.00	(*)	Contract in process.
Do	II-361, Mar. 27, 1959	USASSA, Philadelphia, IFB-SC-36-039-59-1651-A-3.	do	506,025.00	(*)	Do.
American Electrical Appliance Corp., Bronx, N.Y.	II-6, Apr. 19, 1954	GSSO, Philadelphia, IFB No. 3-1870.	Electric heaters	10,280.00	$1,056	Contract completed ahead of schedule, Sept. 14, 1954.
American-Moninger Greenhouse Manufacturing Corp., Brooklyn, N.Y.	II-150, May 15, 1956	USASSA, Fort Monmouth, RFP-PR&C-56-FLC/D-4604.	Shelters for electrical equipment.	60,628.00	(*)	Contract completed ahead of schedule, June 30, 1958.
Do	II-305, June 11, 1958	USASSA, Fort Monmouth, IFB-PR&C-4054-58-SPO.	Shelters for electrical equipment plus terminal data.	217,738.00	(*)	Contract terminated for convenience of Government, May 30, 1959.
Architectural Metalcrafts Corp., Long Island City, N.Y.	II-234, May 29, 1957	AF Academy, IFB-05-611-57-69.	Valet units	369,600.00	(*)	Contract completed behind schedule. Delay in preproduction approval and design changes.
Audiosears Corp., Roxbury, N.Y.	II-338, Jan. 8, 1959	USASSA, Chicago, IFB-SC-36-039-59-24-A5-51.	Electrical chest sets plus extras.	10,259.00	(*)	Completed on schedule, June 19, 1959.
Automatic Metal Products Corp., Brooklyn, N.Y.	II-362, Mar. 27, 1959	USASSA, Philadelphia, IFB-SC-36-039-59-805-C1.	Cable assemblies	52,306.00	(*)	Contract in process.
Awl Industries, Inc., Brooklyn, N.Y.	II-142, May 4, 1956	ASMPA, IFB-MPA-287-MD-56-551.	Identification holders	8,053.00	(*)	Contract completion delayed by the plant moving to new location.
Do	II-144, May 7, 1956	Army Quartermaster Parts Center, Columbus, IFB-QM-33-031-56-230.	Check valves and washers	827.00	(*)	Contract completed ahead of schedule, Aug. 31, 1956.
Beakatron Manufacturing Corp., Brooklyn, N.Y.	II-179, Sept. 19, 1956	USASSA, Philadelphia, IFB-SC-36-039-57-112-56.	Reel equipment	14,698.00	(*)	Contract deliveries were first delayed by late receipt of Government-furnished phones. Burglary in the plant caused shortages of parts which were difficult to obtain in the small quantities required for replacement.
Do	II-258, Sept. 20, 1957	USASSA, Philadelphia, IFB-SC-36-039-58-163-56.	Portable reels	58,701.00	(*)	Contract completed behind schedule, Dec. 19, 1958. Other Government orders had higher priority. Some unanticipated production difficulty.
Browne & Bryan Lumber Co., Inc., New York, N.Y.	II-231, May 8, 1957	Griffiss AFB, IFB-30-635-57-283.	Creosoted poles	50,215.00	(*)	Contract completed ahead of schedule, Feb. 18, 1957.
Cadillac Electronics Corp., New York, N.Y.	II-18, June 17, 1954	Mallory Air Force Base, IFB-40-604-54-66.	Bearings	2,860.00	1,089	Contract completed ahead of schedule, July 30, 1954.
Do	II-19, June 17, 1954	Topeka AFB, IFB-14-604-54-656.	Blind rivets	5,580.00	(*)	Shipment about 5 months late because of difficulty with subcontractor.
Do	II-21, June 17, 1954	Gentile AFB, RFP-33-604-54-1388.	Relays and connectors	4,205.00	(*)	Several months' delay was caused by testing at procuring agency laboratory. There was also some delay by suppliers. Total delay about 5 months.
Do	II-23, June 24, 1954	Frankford Arsenal, IFB-ORD-26-038-54-1074.	Capacitors	25,300.00	1,650	Shipment delayed 25 days due to effects of hurricane on subcontractor.
Carb Manufacturing Co., Brooklyn, N.Y.	II-229, June 13, 1957	GSSO, Philadelphia, N-155-29485.	Aluminum chairs	60,443.00	173	Contract completed ahead of schedule, Nov. 18, 1957.
Do	II-266, Oct. 31, 1957	GSSO, Philadelphia, IFB-155-(3)-158-58.	Aluminum clothing lockers	100,424.00	(*)	Contract terminated for default. An extended strike contributed to the concern's difficulty.
Cargo Packers, Inc., Glendale, Long Island, N.Y.	II-303, May 26, 1958	USASSA, Philadelphia, IFB-SC-36-039-58-2008-B4.	Splice connectors	[1] 38,350.00	----------	Procurement withdrawn May 29, 1958.
Coaxial Connector Co., Inc., Mount Vernon, N.Y.	II-106, Jan. 25, 1956	USASSA, Chicago, IFB-SC-36-039-56-306-(51).	Adapters	53,187.00	9,252	Contract completed behind schedule, Feb. 24, 1958. Completion delayed by subcontractor for Teflon insulators. Company reorganization caused some delay. Final shipment of a total of 91,000 units made 4½ months late.
Do	II-107, Jan. 31, 1956	USASSA, Philadelphia, RFP-SC-36-039-56-10246-56.	Cable assemblies	20,447.00	(*)	Contract completed behind schedule, Apr. 30, 1957. Company experienced trouble with suppliers of cable and insulators, one of them a sole source. Final delivery was 6 months late.
Coil Winders, Inc., Westbury, Long Island, N.Y.	II-116, Feb. 28, 1956	Gentile AFB, RFP-33-604-56-2094.	Coils	21,883.00	(*)	Contract completed ahead of schedule, Aug. 31, 1956.
Cole Laboratories, Long Island City, N.Y.	II-75, June 14, 1955	Redstone Arsenal, IFB-ORD-01-021-55-544.	Rocket fuel	217,604.00	37,721	Contract completed ahead of schedule, Feb. 20, 1956.
Columbus Electronics Corp., Yonkers, N.Y.	II-105, Jan. 20, 1956	USASSA, Philadelphia, RFP-SC-36-039-56-10266-56.	Test sets	25,171.00	(*)	Contract completed behind schedule, June 20, 1958. Sole source of precision brass bellows could not deliver as required. Specified potentiometers failed and required correction. Completed about 6 months late.
Do	II-246, June 27, 1957	USASSA, Philadelphia, IFB-SC-36-039-57-2066-56.	Interphone controls, plus miscellaneous extras.	27,174.00	(*)	Contract completed behind schedule, July 28, 1958. Breakdown of a specified rotary switch caused delay of 1 month in final shipment.
Do	II-247, June 27, 1957	USASSA, Philadelphia, IFB-SC-36-039-57-2245-56.	Radio test sets, plus miscellaneous extras.	19,226.00	(*)	Contract completed behind schedule, July 14, 1958. Completed about 2 months late. Sole source of precision brass bellows could not deliver as required.
Concord Suppliers & Equipment Corp., New York, N.Y.	II-2, Apr. 19, 1954	Army Quartermaster Purchasing Agency, N.Y., IFB-QM-30-280-54-307.	Tents	534,977.00	41,032	Contract completed on schedule, Jan. 5, 1955.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
NEW YORK—continued						
Concord Suppliers & Equipment Corp., New York, N.Y.	II-3, Apr. 14, 1954	Army Quartermaster Purchasing Agency, N.Y., IFB-QM-30-280-54-302.	Tent liners	$484,560.00	$15,754	Contract completed on schedule, Dec. 22, 1954.
Do	II-37, Dec. 23, 1954	Gadsden AFB, IFB-01-608-55-12.	Envelopes	[1] 60,107.00		Procurement withdrawn by contracting agency Jan. 4, 1955.
Continental Electronics, Ltd., Brooklyn, N.Y.	II-153, May 23, 1956	Dayton AFD, RFP-33-604-56-3456.	Noise suppressors and capacitors.	15,900.00	(*)	Contract completed ahead of schedule, Mar. 1, 1957.
County Machine & Tool Co, Brooklyn, N.Y.	II-27, Oct. 13, 1954	Army Quartermaster Depot, Chicago, IFB-QM-11-009-55-36.	Fuel tube assemblies and valves.	13,357.00	130	Contract completed ahead of schedule, Feb. 25, 1955.
Crossbar Telephone & Signal Corp., Brooklyn, N.Y.	II-250, June 28, 1957	USASSA, Philadelphia, IFB-SC-36-039-57-2571-56.	Telephone switchboards	59,750.00	(*)	Delay of technical items at subcontractor's plant caused 5 months delay. Contract completed Dec. 24, 1958.
C.T.M. Co., Inc., Buffalo, N.Y.	II-22, June 21, 1954	WPAFB, RFP-33-600-54-5143.	Bomb racks and spare parts.	28,523.00	(*)	Contract completed ahead of schedule, Oct. 21, 1955.
Dynamic Electronics-New York, Inc., Glendale, Long Island, N.Y.	II-7, Apr. 21, 1954	Gentile AFD, RFP-33-604-54-1154.	Radar test sets and spare parts.	24,620.00	11,232	Contract completed ahead of schedule, Feb. 21, 1955.
Dynamic Electronics-New York, Inc., Glendale, Long Island, N.Y.	II-195, Dec. 27, 1956	USASSA, Philadelphia, IFB-SC-36-039-57-852-55.	Indicators	[1] 124,177.00		Procurement withdrawn, Jan. 2, 1957.
Dynamic Electronics-New York, Inc., Richmond Hill, Long Island, N.Y.	II-203, Feb. 14, 1957	USASSA, Philadelphia, IFB-SC-36-039-57-1766-55.	Azimuth and range indicators plus drawings.	116,368.00	(*)	Contract completed behind schedule, Mar. 20, 1959. Sole source would not furnish component. Modifications were made but delivery time was not extended by contracting agency.
Eastern Electronics & Tool Co., Lindenhurst, Long Island, N.Y.	II-286, Feb. 26, 1958	USASSA, Chicago, IFB-SC-36-039-58-917-(51).	Reel equipment type CE-11( ) plus technical data.	22,715.00	1,450	Tardiness in approval of preproduction model delayed completion of the contract a month, Oct. 23, 1958.
Electronic Components Co., Flushing, Long Island, N.Y.	II-275, Dec. 19, 1957	Navy Electronics Supply Office, Great Lakes, IFB-126-107-58.	Electrical cord assemblies	11,491.00	1,717	Contract completed on schedule, May 7, 1958.
Elm Manufacturing Co., Inc., Hastings-on-Hudson, N.Y.	II-327, Oct. 23, 1958	W-P AFB, IFB-33-600-58-288.	Still picture projectors plus spare parts and technical data.	329,052.00	107,644	Contract in process.
Euclid Equipment, Inc., Freeport, Long Island, N.Y.	II-24, June 29, 1954	Rome AFD, RFP-30-635-54-4057.	Generator control panels	51,952.00	3,721	Contract completed behind schedule, Jan. 5, 1956. Contractor waited for specifications, approval of first article, approval of provisioning list, and shipping instructions. Minor delay caused by supplier of voltage regulators.
Federal Television Corp., Long Island City, N.Y.	II-169, June 28, 1956	Rome AFD, RFP-635-56-5012.	Modulator-power supply, plus spare parts.	812,523.00	(*)	Contract completed ahead of schedule, Nov. 28, 1958.
Frank & Warren, Brooklyn, N.Y.	II-53, Mar. 23, 1955	Rome, AFD, RFP-30-635-55-22.	Aluminum microfilm reels	17,821.00	8,206	Contract completed behind schedule, Mar. 14, 1956. Delays caused by change orders, redesign of dies, delay in receipt of bill of lading. More than a month was taken to issue 1 change order.
Do	II-353, Mar. 18, 1959	U.S. Army Engineers Procurement Office IFB-DA-ENG-11-184-59-B/E-393.	Surveying arrow sets	1,617.00	(*)	Contract in process.
General Textile Mills, Inc., New York, N.Y., (Plant in Carbondale, Pa.)	II-101, Nov. 16, 1955	Army QM Depot, Philadelphia, RFP-QM-36-030-56-Neg.-59.	Nylon webbings	715,350.00	(*)	Contract completed ahead of schedule, July 2, 1956.
Do	II-104, Jan. 17, 1956	Hill AFB, Utah, IFB-42-600-56-120.	Nylon cords	140,045.00	(*)	Contract completed on schedule, Mar. 22, 1957.
GEN-TEX Corp., New York, N.Y. (General Textile Mills, Inc.).	II-288, Mar. 28, 1958	ASO, Philadelphia, IFB-383-268-58.	Pilot's protective type APH-5 flying helmets.	1,248,180.00	50,876	Contract in process.
G.F.C. Manufacturing Co., Inc., Brooklyn, N.Y	II-306, June 12, 1958	Army Quartermaster Purchasing Agency, Columbus IFB-QM-33-031-58-680.	Floor lamps	12,458.00	(*)	Contract completed on schedule, Nov. 18, 1958.
Do	II-319, Sept. 12, 1958	Army Quartermaster Purchasing Agency, Columbus, IFB-QM-33-031-58-709.	Light table, type VI	33,800.00	(*)	Contract completed ahead of schedule, Mar. 24, 1959.
Henry Products Co., Brooklyn, N.Y.	II-178, Oct. 4, 1956	USASSA, Philadelphia, IFB-SC-36-039-57-45-55.	Antenna supports	35,595.00	(*)	Contract completed ahead of schedule, May 2, 1957.
Do	II-184, Oct. 12, 1956	USASSA, Philadelphia, IFB-SC-36-039-57-860-56.	Reel units	10,729.00	(*)	Contract completed ahead of schedule, Dec. 28, 1956.
Hercules Food Service Equipment, Inc., Brooklyn, N.Y.	II-41, Jan. 26, 1955	ASMPA, Brooklyn, IFB-MPA-30-287-MD-55-258.	Instrument stands	23,493.00	191	Contract completed behind schedule, Nov. 30, 1955. Wildcat strike, reorganization, financial problems, and supplier trouble contributed to delay.
Do	II-55, Mar. 28, 1955	ASMPA, Brooklyn, IFB-MPA-30-287-MD-55-447.	Sterilizers	187,974.00	1,688	Final shipment 3 months late, Mar. 9, 1956.
Holmsberg Electric Co., Inc., West Islip, Long Island, N.Y.	II-158, June 6, 1956	Olmsted AFB, IFB-36-600-56-202.	Repair of oxygen trailers	3,080.00	(*)	Contract completed behind schedule, Nov. 28, 1956. Trailers were furnished late and spare parts were found after some delay.
Howal-Ronset Instrument Co., Inc., Tuckahoe, N.Y.	II-366, Apr. 14, 1959	W-P AFB, IFB-33-600-59-40.	Control panels, relay assemblies, amplifiers, and filters.	488,511.00	(*)	Contract in process.
Ideal Carbon Paper Corp., New York, N.Y.	II-218, Apr. 3,1957	GSA-New York, IFB-FN6N-20-21519-A.	Duplicating master paper	111,494.00	1,115	Contract completed ahead of schedule, July 10, 1957.
Do	II-289, Mar. 24, 1958	GSA-New York, IFB-FN6N-B-3471-A-2-25-58.	Paper sets	[4] 48,000.00	(*)	Contract completed behind schedule Nov. 30, 1958. Contract was produced on time but delayed 1 month awaiting shipping instructions.
Do	II-291, Apr. 10, 1958	GSA-New York, IFB-FN6N-L-3494-A-3-25-58.	Teletypewriter paper for spirit process duplication.	[4] 41,213.00	963	Contract completed on schedule, Nov. 30, 1958.
Do	II-293, Apr. 25, 1958	GSA-N.Y., IFB-FN6N-B-3915-A-4-3-58.	Boxes 8 by 10½ inches master duplicating paper sets w/o protective coating.	[4] 18,060.00	263	Contract completed on schedule, Dec. 3, 1958.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
NEW YORK—continued						
International Electric Industries, Inc., Brooklyn, N.Y.	II-343, Feb. 20, 1959	USASSA, Chicago, IFB-SC-36-039-59-128-C1-51.	Electrical assembly cord	$21,378.00	(*)	Contract in process.
Islip Machine Works, Inc., Central Islip, N.Y.	II-52, Mar. 24, 1955	Army Ordnance Corps, Springfield, IFB-ORD-19-158-55-77.	Rifle parts	14,133.00	----------	Contract terminated for convenience of Government.
Jeta, Inc., Yonkers, N.Y.	II-320, Sept. 18, 1958	U.S. Army Engineer District, Chicago, IFB-DA-ENG-11-184-59-AF-11.	Diesel engine driven electric 15 kilowatt generator sets.	1,354,644.00	(*)	Contract in process.
Do	II-376, June 24, 1959	U.S. Army Engineer Procurement Office, Chicago, IFB-DA-ENG-11-184-59-AF-678.	Diesel engine driven generator set.	450,160.00	(*)	Do.
Kennedy Sporting Goods Manufacturing Co., Inc., Utica, N.Y.	II-317, Sept. 5, 1958	MCTSA, Philadelphia, IFB-QM(CTM)-36-243-59-31.	Leather chipper gloves	62,360.00	(*)	Contract completed ahead of schedule, Apr. 1, 1959.
Key Book Service, New York, N.Y.	II-5, Apr. 16, 1954	Wilkins AFD, IFB-33-602-54-82.	Books, subscriptions, and other publications.	400,000.00	(*)	Contract completed on schedule, Mar. 31, 1955.
Kings Electronics Co., Inc., Tuckahoe, N.Y.	II-81, June 23, 1955	USASSA, IFB SC-36-039-55-1965-56.	Cable assemblies	14,987.00	(*)	Final delivery about 3 months late, June 28, 1956. A strike, waiting for the inspector, and difficulty with the trucking company contributed to the delay.
Do	II-187, Oct. 30, 1956	BuShips, IFB-600-6-57-S	Antenna, plus spare parts and technical data.	33,896.00	$2,184	Contract completed on schedule, Oct. 23, 1957.
Lamteck Corp. of America, Inc., Poughkeepsie, N.Y.	II-191, Nov. 21, 1956	Army Quartermaster Purchasing Agency, Columbus, RFP-CG-1-005-04-07-CG-1-0022-00-5-07.	Skis	108,879.00	(*)	Contract completed behind schedule, Oct. 31, 1958. Inspection delay by procuring service, defective GFE test equipment required 5 months to correct, time delay waiting for decision on acceptability of some skis.
Legion Utensils Co., Long Island City, N.Y.	II-177, Aug. 24, 1956	Army Quartermaster Purchasing Agency, Columbus IFB-QM-33-031-57-5.	Kettles	5,549.00	(*)	Contract completed on schedule, Jan. 28, 1957.
Madican Design Service Co., Long Island, N.Y.	II-273, Dec. 16, 1957	Army Transportation Supply and Maintenance Command, St. Louis, IFB-TC-23-204-58-26-Navy ESO.	Services, materials, and supplies to perform miscellaneous art work through June 30, 1958.	$45,000.00	(*)	Contract completed on schedule, June 30, 1958.
Manhattan Electric & Maintenance Co., Brooklyn, N.Y.	II-94, Oct. 13, 1955	NPO, Brooklyn RFP-Q-3677.	Fans	15,600.00	(*)	Contract completed ahead of schedule, Dec. 20, 1955.
L. Marino Inc., Brooklyn, N.Y.	II-182, Sept. 28, 1956	Army Quartermaster Purchasing Agency, Columbus, IFB-QM-33-031-57-39.	Liner band, helmet	61,968.00	(*)	Contract completed behind schedule. Delay caused by subcontractor failing to obtain approval on a buckle finish.
Medical Equipment Co., New Hyde Park, N.Y.	II-92, Sept. 21, 1955	ASMPA, IFB-MPA-30-287-MD-56-52.	Battery power supply	2,239.00	(*)	Contract completed behind schedule, Mar. 31, 1956. Shipments delayed 3 months by lack of shipping instructions. Production completed on time.
Donald P. Mossman, Inc., Brewster, N.Y.	II-56, Mar. 31, 1955	Gentile AFB, RFP-33-604-55-2491.	Cam lever switches	24,360.00	(*)	Contract completed behind schedule, Nov. 30, 1955. Final delivery about 3 months late. Shortage of brass caused by flood in Connecticut delayed production.
Neptune Electronics Co., New York, N.Y.	II-123, April 2, 1956	WPAFB, IFB-33-600-56-23.	Antennas	20,582.00	----------	Contract terminated for convenience of Government Sept. 5, 1956.
Octagon Process, Inc., Staten Island, N.Y.	II-167, June 19, 1956	Raritan Arsenal, IFB-ORD-28-024-56-432.	Solvent cleaning compound	12,120.00	(*)	Contract completed ahead of schedule, Mar. 12, 1957.
Do	II-173, July 27, 1956	Raritan Arsenal, IFB-ORD-28-024-56-662.	Corrosion removing compound.	99,000.00	(*)	Contract completed behind schedule, July 17, 1957. Inspection service required container redesign. Quality test procedure decision caused delay.
Do	II-208, Mar. 7, 1957	GSSO, Philadelphia, IFB-155-(4)-884-57.	Engine cleaning compound (cresal base).	23,217.00	(*)	Contract completed ahead of schedule, Apr. 9, 1957.
Do	II-221, Apr. 5, 1957	GSSO, Philadelphia, IFB-155-(4)-1519-57.	Liquid wetting agent	14,676.00	(*)	Contract completed ahead of schedule, June 28, 1957.
Pax Electronics Co., Glendale, N.Y.	II-220, Apr. 9, 1957	Redstone Arsenal, IFB-ORD-01-021-57-467.	Miscellaneous electronic parts.	16,300.00	(*)	Contract completed behind schedule, Aug. 26, 1957. Company waited for formal purchase order before proceeding. Notice of award was 30 days earlier.
Do	II-222, Apr. 9, 1957	Redstone Arsenal, IFB-ORD-01-021-57-506.	----do	10,819.00	(*)	Contract completed behind schedule, July 29, 1957. Company waited for formal purchase order before proceeding. Notice of award was 30 days earlier.
Do	II-223, Apr. 9, 1957	Redstone Arsenal, IFB-ORD-01-021-57-531.	----do	23,795.00	(*)	Contract completed behind schedule, Aug. 14, 1957. Company waited for formal purchase order before proceeding. Notice of award was 30 days earlier.
Pearl Table Corp. Brooklyn, N.Y.	II-294, Apr. 28, 1958	Army Quartermaster Purchasing Agency, Columbus, IFB-QM-33-031-58-467.	Table, card, type III under item 4B; table, dining, item 6b; table occasional, item 7b.	36,257.00	(*)	Contract completed ahead of schedule, Oct. 7, 1958.
Pellco Manufacturing Co., Mt. Vernon, N.Y.	II-8, May 5, 1954	Aberdeen Proving Ground, 54-291.	Tube and plate assembly	1,850.00	749	Contract completed behind schedule, July 29, 1954. Packaging subcontractor delayed final shipment.
Jack Picoult, New York, N.Y.	II-358, Apr. 2, 1959	GSA, Washington, D.C., project No. J.O.-80094.	Lighting improvements, partial painting, ect., USPO, Morgan Annex, N.Y.	884,000.00	(*)	Contract in process.
Pioneer Chemicals Co., Inc., Long Island City, N.Y.	II-199, Jan. 28, 1957	Redstone Arsenal, IFB-ORD-01-021-57-433.	Starting fluid	74,840.00	(*)	Contract completed ahead of schedule, May 3, 1957.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
NEW YORK—continued						
Precision Associates, Inc., Brooklyn, N.Y.	II-163, June 14, 1956	USASSA, Philadelphia, RFP-PD-43/S16-15119.	Modification kits	$92,160.00	$373	Contract completed on schedule, Aug. 28, 1957.
Precision Video Recording Co., New York, N.Y.	II-323, Oct. 2, 1958	Armed Forces Radio and Television Service, Los Angeles, IFB-IE-04-296-59-2.	Labor, materials, and engineering for recording (kinescoping) television programs in New York area.	[6] 15,000.00	(*)	Contract completed on schedule, June 20, 1959.
Production Paints & Coatings, Inc, Brooklyn, N.Y.	II-206, Feb. 28, 1957	GSSO, Philadelphia, IFB-155-(4)-832-57.	Enamel, outside, gray	15,857.00	(*)	Contract completed behind schedule, June 28, 1957. Completed 18 days behind schedule. At least 60 days passed while waiting for procuring service approval of test sample.
R. E. C. Corp., New Rochelle, N.Y.	II-253, July 25, 1957	GSSO, Philadelphia, IFB-155-(2)-57-2519.	Studs, continuous thread, alloy steel.	12,230.00	(*)	Contract completed ahead of schedule, Nov. 1, 1957.
Do	II-254, July 25, 1957	GSSO, Philadelphia, IFB-155-(2)-2280-57.	do	22,274.00	(*)	Do.
Recessed Screw Co., Inc., New York, N.Y.	II-29, Nov. 18, 1954	Topeka AFD, IFB-14-604-55-118-Class 29.	Screws	4,786.00	(*)	Contract completed ahead of schedule, Mar. 31, 1955.
Do	II-30, Nov. 24, 1954	Topeka AFD, IFB-14-604-55-136-Class 29.	do	4,647.00	21	Contract completed behind schedule, June 18, 1955. Delays in final inspection by the contracting agency contributed to the delay. Time also was lost awaiting shipping instructions.
Do	II-31, Nov. 24, 1954	Topeka AFD, IFB-14-604-55-139-Class 29.	do	1,726.00	262	Contract completed 1 month behind schedule, May 31, 1955.
Relays, Inc., New York, N.Y.	II-11, May 19, 1954	Gentile AFD, RFP-33-604-54-1661.	Electrical relays	29,570.00	9,205	Contract completed ahead of schedule, Aug. 31, 1954.
Do	II-226, Apr. 10, 1957	Dayton AFB, RFP-33-604-57-2187.	Miniature relays	22,080.00	(*)	Contract completed ahead of schedule, June 14, 1957.
Roanwell Corp., Brooklyn, N.Y.	II-108, Feb. 20, 1956	Rome AFD, RFP-30-635-56-4190.	Headsets	246,900.00	(*)	Contract completed on schedule, Feb. 20, 1958.
Rubber Dipt Products, Inc., Port Chester, N.Y.	II-113, Feb. 24, 1956	Rome AFD, IFB-30-635-45-79.	Latex rubber microphone shields.	16,636.00	(*)	Contract completed behind schedule, May 28, 1958. Production contract evolved into R. & D. Agency representatives disagreed on design. Delay in approval by laboratories.
Sanitary Sleep Products Corp., Brooklyn, N.Y.	II-313, July 22, 1958	MCTSA, Philadelphia, IFB-QM(CTM)-36-243-56-290.	Cotton field caps	496,034.00	----------	Contract terminated by default, June 18, 1959. Union jurisdictional dispute resulted in nonperformance and eventual termination for default.
Schaffer Air Industries, Inc., Brooklyn, N.Y.	II-137, Apr. 27, 1956	ASO, Philadelphia, IFB-383-833-56.	Preservation units	75,789.00	(*)	Contract completed behind schedule, June 27, 1957. Changes in specifications and delay in packaging inspection caused procuring service to extend delivery date. Final shipment only 20 days late.
Do	II-309, June 26, 1958	ASO, Philadelphia, IFB-383-694-58.	do	18,990	(*)	Contract completed ahead of schedule, Feb. 11, 1959.
Seneca Industrial Machine Co., Buffalo, N.Y.	II-325, Oct. 17, 1959	BuShips, IFB-600-1-59-S	Hydraulic telemotor system controls plus technical data.	[1] 36,000.00	----------	Procurement withdrawn, Nov. 12, 1958.
Silver Refrigeration Manufacturing Corp., Brooklyn, N.Y.	II-128, Apr. 9, 1956	BuShips, IFB-600-700-56-S.	Refrigerators	8,303.00	(*)	Contract completed behind schedule, Oct. 31, 1956. Delay in receipt of bill of lading caused final shipment to be 1 month late.
Do	II-129, Apr. 9, 1956	BuShips, IFB-600-703-56-S.	Frozen food cabinets	23,812.00	(*)	Contract completed behind schedule, Oct. 31, 1956. Delay due to inspection approval of sample. Completed about 2 months late.
Do	II-176, Aug. 15, 1956	Ships Parts Control Center, Mechanicsburg, IFB-104-403-56.	Refrigerators	65,688.00	(*)	Contract completed behind schedule, Mar. 25, 1957. Delivery about 2 months late; resulted from delivery of incorrect control. Some delay encountered waiting for inspection approval.
Sintercast Corp. of America, Yonkers, N.Y.	II-131, Apr. 11, 1956	WPAFB, RFP-PR-11239	Services	43,961.00	(*)	Contract completed on schedule, May 27, 1957.
J. Sklar Manufacturing Co., Inc., Long Island City, N.Y.	II-318, Sept. 9, 1958	AMPSA, IFB-62851-32-59 (set-aside portion).	Suction and pressure apparatus for surgical mobile unit.	23,814.00	(*)	Contract completed ahead of schedule, Mar. 31, 1959.
Spring Chemicals, Inc., Bronx, N.Y.	II-35, Dec. 8, 1954	Rome AFD, RFP-30-635-55-11.	Photostat developer	14,199.00	1,254	Contract completed ahead of schedule, Feb. 15, 1955.
Stanley Transformer Co., Long Island City, N.Y.	II-54, Mar. 22, 1955	USASSA, Philadelphia, 58/5-SF-29630 and58/5-SF-29476.	Transformers	24,200.00	1,229	Contract completed behind schedule, Apr. 2, 1956. Transformer laminations received from regular supplier failed test. Alternate supplier on strike. Final shipment 4 months late.
States Textile Co., New York, N.Y.	II-109, Feb. 17, 1956	NPO, Brooklyn, IFB-N140-853-56.	Men's cotton undershirts	704,814.00	(*)	Contract completed behind schedule, May 25, 1957. Final shipment about 1 month late. Subcontractor's shipment of cloth caused delay.
Stayfast Corp., New York, N.Y.	II-300, May 26, 1958	GSA, New York, IFB-FN6N-R-3930-A-4-16-58.	Boxes, fasteners, paper, file, metallic, type I.	[4] 25,500.00	(*)	Contract completed on schedule, Jan. 19, 1959.
Harry Stewart Co., New York, N.Y.	II-159, June 13, 1956	Dover AFB, IFB-07-603-56-179.	Mechanics' hand tools	10,189.00	(*)	Contract completed behind schedule, Apr. 8, 1957. Special parts delayed from subcontractor.
Systems Associates, Inc., Huntington Station, Long Island, N.Y.	II-316, Aug. 26, 1958	WPAFB, RFP-PR-09609	Development of shutter for high speed aerial cameras, plus technical data.	49,972.00	(*)	Contract in process.
Taffet Radio & Television Co., Bronx, N.Y.	II-57, Mar. 31, 1955	SCSA, Philadelphia, IFB-SC-36-039-55.	Reel equipment	87,938.00	(*)	Contract completed ahead of schedule, Oct. 8, 1956.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
NEW YORK—continued						
Taffet Radio & Television Co., Woodside, Long Island, N.Y.	II-115, Feb. 24, 1956	USASSA, Philadelphia, IFB-SC-36-039-56-481-58.	Racks	$119,063.00	$29,684	Contract completed on schedule, Mar. 1, 1957.
Do	II-148, May 16, 1956	Dayton AFD, RFP-33-604-56-1569.	Oscillators and spare parts	557,533.00	7,000	Contract completed on schedule, Mar. 31, 1958.
Do	II-243, June 27, 1957	Dayton AFD, IFB-33-604-57-373.	Audio oscillators, plus miscellaneous extras.	213,850.00	(*)	Contract completed ahead of schedule, July 17, 1959.
Do	II-260, Sept. 20, 1957	USASSA, Philadelphia, IFB-SC-36-039-58-175-56.	Hydrogen generators, ML-303( )ITM.	16,896.00	(*)	Contract completed ahead of schedule.
Do	II-297, May 20, 1958	USASSA, Philadelphia, IFB-SC-36-039-58-2228-C4.	Cable chambers, terminal, TA-91 O/FT.	396,446.00	(*)	Contract completed ahead of schedule, June 30, 1959.
Teletronic Laboratories, Inc., Westbury, Long Island, N.Y.	II-310, June 26, 1958	USASSA, Philadelphia, IFB-SC-36-039-58-2415-A3.	Oscilloscope, USM-50( ), plus technical data.	238,157.00	(*)	Contract in process.
Telectro Industrial Corp., Long Island City, N.Y.	II-162, June 13, 1956	USASSA, Philadelphia, IFB-SC-36-039-56-879-55.	Rectifiers, plus miscellaneous extras.	138,000.00	(*)	Contract completed behind schedule, Feb. 21, 1958. Components such as meters and transformers were received late from reputable suppliers. Also some changes in specifications were involved. The delivery requirements were extended, but not sufficiently to make up for delay.
Tensor Electric Development Co., Inc., Brooklyn, N.Y.	II-285, Feb. 10, 1958	BuShips, IFB-600-405-58-S.	Control amplifiers, power amplifiers, accessory kits, and related items.	30,530.00	(*)	Contract completed on schedule, May 29, 1959.
Therm-Air Manufacturing Co., Peekskill, N.Y.	II-280, Jan. 28, 1958	Army Engineers district, New York, IFB-ENG-30-075-58-122.	3-ton air conditioning units	44,252.00	12,748	Contract completed behind schedule, May 28, 1958. A strike at a vital supplier's plant delayed final delivery 2 months.
T. L. G. Electric Corp., New York, N.Y.	II-4, Apr. 19, 1954	Rome AFD, PR-406185, PR-406942.	Patching bays, cabinets, and spare parts.	[1] 61,131.00	----------	Contract awarded another supplier.
Do	II-38, Jan. 19, 1955	Rome AFD, RFP-30-635-55-019.	Monitor and power supply units.	41,240.00	3,906	Contract terminated for default, approximately Aug. 15, 1956. Case went to ASBCA. GFE provided late, difficulty encountered obtaining detailed specifications, and other administrative delays contributed to failure to perform.
Transdyne Corp., Marpeth, Long Island, N.Y.	II-154, May 17, 1956	Dayton AFD, RFP-33-604-56-3273.	Test shields	10,445.00	(*)	Contract completed on schedule, Oct. 29, 1957.
Tru-Craft Clothes, Inc., Brooklyn, N.Y.	II-98, Nov. 10, 1955	Army QMD, Philadelphia, IFB-QM-36-030-56-NEG-33.	Toxicological boots	20,760.00	2,740	Contract completed behind schedule, Apr. 4, 1958. Complicated inspection procedures and specifications changes caused completion delay.
Twentieth Century Paint & Varnish Corp., Brooklyn, N.Y.	II-230, May 2, 1957	GSSO, Philadelphia, IFB-155-(4)-1746-57.	Enamel, synthetic	675,850.00	(*)	Contract completed on schedule, Apr. 1, 1958.
United Microwave Co., Valhalla, N.Y.	II-373, June 10, 1959	Navy Electronics Supply Office, Great Lakes, IFB-126-1030-59.	Fitting transmission line fitting.	[1] 5,400.00	(*)	Contract not yet awarded.
Universal Transistor Products Corp., New York, N.Y.	II-244, June 26, 1957	Frankford Arsenal, IFB-ORD-36-038-57-SP-477.	Power supplier	11,760.00	7,440	Contract awarded another supplier.
Universal Pin Co., Brooklyn, N.Y.	II-355, Mar. 23, 1959	Department of the Navy, IFB-600-211-59-0.	Pallet adapters	363,744.00	(*)	Contract in process.
Worthy Chemical Corp., Brooklyn, N.Y.	II-76, Oct. 28, 1955	Rome AFD, IFB-30-635-56-4398.	Photo chemicals	9,886.00	(*)	Contract completed on schedule, Mar. 31, 1956.
Worthy Chemical Corp., Brooklyn, N.Y.	II-96, Nov. 16, 1955	Raritan Arsenal, IFB-ORD-28-024-56-31.	Cleaning compound	19,198.00	(*)	Contract completed behind schedule Mar. 31, 1956. Final shipment about 6 weeks late. There was about 1 month delay because concern did not receive bill of lading. There was also a 2-week delay by inspection services.
Do	II-100, Nov. 16, 1955	Raritan Arsenal, IFB-ORD-28-024-56-70.	-----do	12,462.00	(*)	Contract completed behind schedule, Apr. 17, 1956. Final delivery about 60 days late. Subcontractor did not furnish containers as promised. There was also inspection delay, and about 1 month delay waiting for bill of lading.
Do	II-138, May 1, 1956	Rome AFD, IFB-30-635-56-291.	Photographic developer	8,758.00	(*)	Contract completed behind schedule, Aug. 20, 1956. Containers were delayed at subcontractor's plant.
Do	II-139, May 8, 1956	Rome AFD, IFB-30-635-56-208.	-----do	7,282.00	(*)	Contract completed behind schedule, Aug. 20, 1956. Containers were delayed at subcontractor's plant.
20th Century Paint & Varnish Corp., Brooklyn, N.Y.	II-230, May 2, 1957	GSSO-Philadelphia, IFB-155-(4)-1746-57.	Enamel, synthetic	675,850.00	(*)	Contract completed on schedule, Apr. 1, 1958.
United Microwave Co., Valhalla, N.Y.	II-373, June 10, 1959	Navy Electronics Supply Office, Great Lakes, IFB-126-1030-59.	Fitting transmission line fitting.	[1] 5,400.00	(*)	Contract not yet awarded.
Universal Transistor Products Corp., New York, N.Y.	II-244, June 26, 1957	Frankford Arsenal, IFB-Ord-36-038-57-SP-477.	Power supplier	11,760.00	7,440	Contract awarded another supplier.
Universal Pin Co., Brooklyn, N.Y.	II-355, Mar. 23, 1959	Department of Navy, IFB-600-211-59-0.	Pallet adapters	363,744.00	(*)	Contract in process.
Worthy Chemical Corp., Brooklyn, N.Y.	II-76, Oct. 28, 1955	Rome AFD, IFB-30-635-56-4398.	Photo chemicals	9,886.00	(*)	Contract completed on schedule, Mar. 31, 1956.
Do	II-96, Nov. 16, 1955	Raritan Arsenal, IFB-Ord-28-024-56-31.	Cleaning compound	19,198.00	(*)	Contract completed behind schedule, Mar. 31, 1956. Final shipment about 6 weeks late. There was about 1-month delay because concern did not receive bill of lading. There was also a 2-week delay by inspection services.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
NEW YORK—continued						
Worthy Chemical Corp., Brooklyn, N.Y.	II-100, Nov. 16, 1955	Raritan Arsenal, IFB-ORD-28-024-56-70.	Cleaning compound	$12,462.00	(*)	Contract completed behind schedule, Apr. 17, 1956. Final delivery about 60 days late. Subcontractor did not furnish containers as promised. There was also inspection delay, and about 1 month delay waiting for bill of lading.
Do	II-138, May 1, 1956	Rome AFD, IFB-30-635-56-291.	Photographic developer	8,758.00	(*)	Contract completed behind schedule, Aug. 20, 1956. Containers were delayed at subcontractor's plant.
Do	II-139, May 8, 1956	Rome AFD, IFB-30-635-56-208.	do	7,282.00	(*)	Do.
NORTH CAROLINA						
Allen Overall Co., Monroe, N.C.	IV-103, June 12, 1959	Philadelphia Quartermaster Depot, IFB-QM(CTM)-36-243-59-654.	Men's flying overalls	439,880.00	(*)	Contract in process.
Young Manufacturing Co., Inc., Norwood, N.C.	IV-68, Feb. 20, 1958	GSA, Washington, IFB-#FN-II-11068-A-1-2-58.	Furniture	175,995.00	$6,936	Contract completed behind schedule. Furniture production was diverted to contract issued without COC. Official delivery extension never issued.
OHIO						
Ace Laboratories, Lakewood, Ohio.	VI-74, May 15, 1957	GSSO, IFB-155-(4)-1753-57.	Interior deck paint	20,043.00	(*)	Contract completed ahead of schedule, Oct. 8, 1957.
Apco Fabricating Co., Inc., Columbus, Ohio.	VI-82, Feb. 20, 1958	USASSA, Philadelphia, IFB-SC-36-039-58-756-58.	Clutch, plastic-bronze clutch shoe.	10,553.00	788	Contract completed ahead of schedule, July 28, 1958.
The Brown-Brockmeyer Co., Dayton, Ohio.	VI-91 May 8, 1958	Ships Parts Containment Center, Mechanicsburg, IFB-104-335-58.	Motor, ac, ½ horsepower, plus drawings.	[1] 9,748.00	----------	Procurement withdrawn Aug. 7, 1958.
Burg Machine Co., Miamisburg, Ohio.	VI-40, Sept. 22, 1954	Olmsted AFB, IFB-36-600-55-1.	Platform assemblies	54,644.00	3,520	Contract completed behind schedule, Dec. 30, 1955. SBA supplied financial assistance. Delay caused by heat-treating subcontractor. Delay in receipt of Government bill of lading.
The Busch & Thiem Co., Sandusky, Ohio.	VI-105, Feb. 10, 1959	Post Office Department, Washington, IFB-464.	Steel timecard racks	23,898.00	(*)	Contract completed ahead of schedule, May 22, 1959.
Clark Cable Co., Cleveland, Ohio.	VI-92, June 17, 1958	Tinker AFB, IFB-34-601-58-644 (OCPTS).	Cable assembly	21,300.00	227	This contract was completed 3 months late, Jan. 14, 1959; 4 months delivery required. The contracting officer did not furnish necessary drawings to permit manufacture and assembly until 3 months after the award. A compensatory 90-day delivery extension was requested, and the company was advised this was turned over to the Judge Advocate General's Office. No further data available to SBA on this action.
The Dickey Manufacturing Co., Oakwood, Ohio.	VI-68, Jan. 17, 1957	Philadelphia Quartermaster Depot, IFB-QM-36-030-57-471.	Blankets, roof section, complete for tent.	19,681.00	642	Contract completed ahead of schedule, Apr. 24, 1958.
Firth Machine & Tool, Inc., Fostoria, Ohio.	VI-56, Apr. 4, 1956	Frankford Arsenal, Philadelphia IFB-ORD-36-038-56-366.	Initiators	120,650.00	----------	Contract terminated for default, Feb. 18, 1957, because of excessive rejections in inspection and because subcontractor failed to submit satisfactory components.
Fluid Power Co., Macedonia Summit, Ohio.	VI-51, Oct. 5, 1955	Brookley AFB, IFB-01-601-56-47.	Cylinder valve body	36,682.00	(*)	Contract completed behind schedule, Sept. 30, 1956. A usually reliable supplier of brass forgings made errors in tooling causing late delivery.
The Russel R. Gannon Co., Inc., Cincinnati, Ohio.	VI-57, May 21, 1956	Topeka AFD, IFB-14-604-56-666.	Cartridge oxygen purifier	32,060.00	(*)	Contract completed ahead of schedule, Oct. 5, 1956.
Do	VI-93, June 25, 1958	Army Corps of Engineers, Chicago, IFB-DA-ENG-11-184-58-CF-557.	Dehumidifier, dry desiccant type, plus spare parts and parts kit.	774,727.00	(*)	Contract completed behind schedule, Mar. 26, 1959. Schedule 6 months, delivery in 9 months. The contracting agency rejected prototype, necessitating redesign. The company expected a delivery extension because of this. It was not granted. The company also lost time due to floods shutting down the plant.
The Hickok Electrical Instrument Co., Cleveland, Ohio.	VI-69, Feb. 6, 1957	Dayton AFD, IFB-33-604-57-151.	Portable ammeters	14,656.00	(*)	Contract completed ahead of schedule, Aug. 29, 1957.
Highway Products, Inc., Kent, Ohio	VI-94, June 24, 1958	GSA, Washington, IFB-FN-3G-9938-A-4-15-58.	3-wheel, gasoline driven, mail-delivery, ¾-ton vehicle.	(1)	----------	July 15, 1958, decision made that Highway was not low bidder and that Eshelman Motors Corp. was the low bidder on part of procurement.
Kapac Co., Columbus, Ohio.	VI-62, Oct. 17, 1956	Robins AFB, RFP-MPC-57-36-Q.	Repair of equipment	11,837.00	(*)	Contract completed behind schedule, Sept. 4, 1958. Contract was delayed because of inability to receive approval of repairs, inability to receive permission to purchase repair parts, instructions to ship only in carload lots, and awaiting administrative decisions by contracting agency. Some laxity on the part of the company was alleged. The contract was completed about 17 months after scheduled completion.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
OHIO—continued						
Kamen Soap Products Co., Inc., Barberton, Ohio.	VI-58, June 12, 1956	Philadelphia Quartermaster Depot, IFB-QM-36-030-56-699.	Laundry soap	$123,149.00	(*)	Contract completed behind schedule, Apr. 15, 1957. Final shipment about 6 months late. A boiler failure, difficulty with tallow suppliers and financial troubles all contributed to the delay.
Lion Uniform, Inc., Dayton, Ohio.	VI-34, Mar. 26, 1954	Dayton AFD, IFB-33-602-54-37.	Coveralls for flying suits	412,526.00	----------	COC canceled May 13, 1954. Contracting agency would not allow progress payments.
Mercer Metal Corp., Celina, Ohio.	VI-30, Dec. 2, 1953	W-PAFB, IFB-33-600-54-2	Adapter assemblies	116,830.00	$31,290	Contract completed ahead of schedule, Nov. 7, 1955.
Perry Rubber Co., Massillon, Ohio.	VI-43, Jan. 13, 1955	Armed Services, Medical Procurement Agency, Brooklyn, IFB-MPA-30-287-MD55-228.	Rubber gloves	48,294.00	(*)	Contract completed behind schedule, Aug. 17, 1955. Final shipment about 3 months late. About 60 days were lost awaiting procuring service approval.
Platt Manufacturing Co., Dayton, Ohio.	VI-83, Mar. 5, 1958	USN Airbase, Philadelphia, IFB 156-68-58.	Stanchion assembly, flush deck type and winch assembly.	61,917.00	18,582	Contract completed ahead of schedule, Dec. 29, 1958.
Starck Van Lines of Columbus, Inc., Columbus, Ohio.	VI-78, Sept. 17, 1957	Lockbourne AFB, IFB 33-617-57-31.	Packaging and crating household goods and personal effects.	[1] 27,965.00	----------	Procurement was withdrawn by the contracting agency after the COC was issued.
Typo Machine Co., Cleveland, Ohio.	VI-35, May 13, 1954	Shelby AFD, RFP-33-602-54-3048.	Bomb handling slings	101,143.00	----------	Contract terminated by default, Oct. 15, 1954. A $25,000 SBA loan was approved for this company. It was never disbursed because it was subsequently learned that the applicant withheld certain information. As a result, the firm was unable to produce the prototype due to lack of funds. The case was presented to the Armed Forces Board of Contract Appeals in June 1956.
OKLAHOMA						
Allan Edwards Manufacturing Co., Inc., Tulsa, Okla.	X-52, May 23, 1958	Tinker AFB, IFB-34-601-58-444-(PLS).	Call type contract, to modify, repair, and service fire extinguishers.	14,363.00	2,294	Contract completed, call type contract.
Mid-States Manufacturing Co., Inc., Oklahoma City, Okla.	X-37, June 28, 1957	Memphis AFD, RFP-40-604-57-1317.	Overhaul, repairs and modification of class 52E equipment.	19,425.00	(*)	Contract completed ahead of schedule, June 12, 1958.
Do	X-71, Dec. 11, 1958	Robins AFB, Ga., RFP-PR-WR-9-MAINT-54, 55, 56.	Service to restore to serviceable condition miscellaneous AF maintenance equipment.	54,916.00	(*)	Contract in process.
Midwest Engineering & Construction Co., Tulsa, Okla.	X-43, Feb. 19, 1958	Army Engineer Procurement Office, Chicago, IFB-ENG-11-184-58-D-193.	Metal buildings	1,126,500.00	(*)	Do.
Do	X-48, Apr. 18, 1958	Army Engineer Procurement Office, Chicago, IFB-DA-ENG-11-184-58-F-196.	30-kilowatt Diesel engine driven portable skid mounted generator sets.	1,318,084.00	(*)	Contract terminated for default, Apr. 24, 1959.
OREGON						
B. & M. Welding Co., Portland, Oreg.	XIII-7, June 22, 1959	GSA, Seattle, IFB-SES-1491.	Restoration of engine castings by fusion. Term contract through Mar. 1, 1960.	[1] 10,000.00	(*)	Contract not yet awarded.
PENNSYLVANIA						
Acme Coppersmithing & Machine Co., Oreland, Pa.	III-2, Jan. 8, 1954	Dayton AFD, RFP-33-604-53-1413.	Fuel meter calibrating tanks	442,696.00	40,231	Contract completed ahead of schedule, Sept. 1, 1955.
Action Manufacturing Co., Philadelphia, Pa.	III-16, Sept. 23, 1955	Army OTAC, Detroit, IFB-ORD-20-113-55-1414.	Pump, gunner control	77,262.00	----------	Procurement withdrawn Nov. 4, 1955.
Do	III-194, May 7, 1959	Olmsted AFB, RFP-36-600-59-5229.	Repair and overhaul aircraft instruments.	21,282.00	(*)	Contract in process.
Aero-Fab Corp., Philadelphia, Pa.	III-29, Mar. 20, 1956	Philadelphia QMD, IFB-QM-36-030-56-338.	Men's cotton trousers	334,282.00	(*)	Contract completed behind schedule, Mar. 28, 1957. Delivery was to be extended 45 days by the contracting officer due to delay on his part in supplying correct data on sizes required. The schedule adjustment had not been made upon completion of the contract, 2 months late.
Do	III-41, June 27, 1956	Philadelphia QMD, IFB-QM-36-030-56-667.	Cotton utility caps	50,749.00	(*)	Contract completed behind schedule, June 18, 1957. Completed 8 months late. Inspection by procuring service and Government administrative delays absorbed 6 months of this time.
Do	III-42, June 27, 1956	Philadelphia QMD, IFB-QM-36-030-56-640.	----do	83,384.00	(*)	Contract completed behind schedule, Jan. 10, 1957. Two months late on 5-month schedule. Delays in production arose because of communication problems between top management at Philadelphia and the plant at Olive Hill.
Do	III-56, Nov. 16, 1956	Philadelphia QMD, IFB-QM-36-030-57-128.	Trousers	318,000.00	(*)	Contract completed ahead of schedule, June 6, 1957.
Aircraft Products Co., Bridgeport, Pa.	III-96, Apr. 15, 1957	Dayton AFD, IFB-33-604-57-318.	Pitot static test sets	96,768.00	(*)	Contract completed ahead of schedule, Feb 28, 1958.
Airdesign Corp., Upper Darby, Pa.	III-190, Apr. 8, 1959	USASSA, Philadelphia, IFB-SC-36-039-59-1100-C2.	Charger, battery, plus technical data.	180,694.00	(*)	Contract in process.
Do	III-200, June 19, 1959	USASSA, Philadelphia, IFB-36-039-59-1100-C2.	Battery charger	228,940.00	(*)	Do.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
PENNSYLVANIA—continued						
American Industrial Devices, Harrisburg, Pa.	III-143, Mar. 26, 1958	Army OTAC, Detroit, IFB-ORD-20-113-58-272.	Cable assemblies	$29,940.00	$9,080	Contract completed behind schedule, June 17, 1959. Final shipment about 9 months late. Company encountered financial trouble. An SBA loan assisted the company to complete.
Avionics Corp., Horsham, Pa.	III-199, June 24, 1959	USASSA, Philadelphia, IFB-SC-36-039-59-1848-A4.	Interphone controls, plus technical data.	[1] 30,892.00	----------	Contract not yet awarded.
Bayard Electronics Co., Inc., Philadelphia, Pa.	III-8, Oct. 15, 1953	Army OTAC, Detroit, IFB-ORD-20-113-54-101.	Vehicle, interconnecting cables.	82,236.00	2,866	Contract completed ahead of schedule, July 19, 1954.
Bellair Metal Products Corp., Kingston, Pa.	III-92, Apr. 5, 1957	GSSO, Philadelphia, IFB-155-(3)-1526-57.	Cabinets and drawers, aluminum.	138,343.00	6,608	Contract completed on schedule, Dec. 11, 1957.
Do	III-100, May 16, 1957	GSSO, Philadelphia, IFB-155-(3)-1327-57.	Folding cots	11,326.00	1,672	Contract completed behind schedule, Nov. 19, 1957. An epidemic of flu curtailed production. Completed 11 days behind schedule.
Bright Sign Co., Philadelphia, Pa.	III-170, Dec. 12, 1958	Army General Depot, Schenectady, IFB-QM-30-127-59-63.	Stencil marking, packages with paper adhesive backing.	11,100.00	(*)	Contract completed ahead of schedule, Mar. 9, 1959.
Burke Manufacturing Co., Southampton, Pa.	III-15, Aug. 25, 1955	Ships Parts Containment Center, Mechanicsburg, IFB-104-256-55.	Vegetable cutters and dicers	60,945.00	(*)	Contract terminated by default, Feb. 21, 1957. Initial delay experienced in obtaining approval of design and engineering drawings. Aluminum castings supplier then had a strike. Navy requested modifications on the 1st units built to Navy-approved drawings. Finish problems developed, and the Navy finally terminated the contract for default.
Joseph J. Campalong trading as JBC Co., Madera, Pa.	III-134, Nov. 26, 1957	Philadelphia Quartermaster Depot, IFB-QM(CTM)-36-243-58-109.	Wool men's trousers	355,653.00	(*)	Contract completed on schedule, Sept. 30, 1958.
Canoe Underwear Co., Pine Grove, Pa.	III-112, June 27, 1957	Philadelphia Quartermaster Depot, IFB-QM(CTM)-36-243-57-40.	Men's cotton drawers	62,167.00	(*)	Contract completed behind schedule, Feb. 7, 1958. Delivered 5 weeks late on 6 months delivery requirement. Initial production of 34,410 units was ready on schedule, but held up awaiting contracting agency approval of thread, grippers, and other components. An additional delay of a week or so occurred when 65 percent of company's employees were out in flu epidemic.
Cooper Electronics, Inc., Philadelphia, Pa.	III-99, May 15, 1957	USASSA, Philadelphia, IFB-SC-36-039-57-1976-56.	Audio level output meters	86,890.00	(*)	Contract in process.
Craftsman Business Forms, Inc., Pittsburgh, Pa.	III-176, Jan. 15, 1959	GSA, New York, IFB-FN6N-B-4675-A-11-25-58.	Manifold carbon paper sets	197,826.00	(*)	Do.
Crown Manufacturing Co., Philadelphia, Pa.	III-3, Mar. 9, 1954	Watervliet Arsenal, IFB-ORD-30-144-54-30.	Pullover gage kits	52,255.00	4,210	Contract completed behind schedule, Dec. 31, 1955. Delayed due to rejection of parts manufactured by subcontractor, and because final shipment did not pass inspection.
Do	III-5, Dec. 7, 1954	Frankford Arsenal, IFB-ORD-36-038-55-110.	Contact rings	7,102.00	106	Contract completed behind schedule, May 7, 1956. Defective Government-furnished tooling and delay in acceptance by Government contributed to a final delivery 8 months late.
Decker Aviation Corp., Philadelphia, Pa.	III-113, June 27, 1957	Olmsted AFB, Middletown, RFP-36-600-57-5248.	Automatic flight controls system components.	27,538.00	(*)	Contract completed on schedule, Apr. 3, 1958.
The Decker Corp., Philadelphia, Pa.	III-139, Feb. 5, 1958	Olmsted AFB, Middletown, RFP-36-600-58-5084.	Services and materials to repair components of MA-4 auto pilots.	9,090.00	(*)	Contract completed on schedule, Feb. 4, 1959.
Drexel Engineering Co., Philadelphia, Pa.	III-162, Aug. 14, 1958	Memphis AFD, RFP-40-604-58-597.	Service and materials necessary to overhaul, repair, and modify equipment.	[1] 44,709.00	----------	Procurement withdrawn Oct. 14, 1958.
Electronics of Clearfield, Division of Progressive Publishing Co., Clearfield, Pa.	III-108, June 10, 1957	BuShips, IFB-600-1048-57-S.	Antenna coupler	133,535.00	(*)	Contract in process.
Do	III-151, June 17, 1958	Redstone Arsenal, Huntsville, Ala., RFP-DA-01-021-RSA-IDP-A-58-2.	Design, development, and production of proved electronic multimeter.	98,113.00	51,314	Do.
Do	III-160, June 27, 1958	USASSA, Philadelphia, IFB-SC-36-039-58-2408-A-3.	Radio frequency wattmeter tests sets TS-118 ( )/AP, plus technical data.	101,276.00	(*)	Do.
Emeco Corp., Hanover, Pa.	III-24, Feb. 20, 1956	NPO, Washington, IFB-600-566-56.	Aerological display equipment.	119,030.00	(*)	Contract completed behind schedule, Sept. 16, 1957. Several related items required individual inspection. Delay in a few caused late completion.
Do	III-31, Mar. 29, 1956	BuOrd, Washington, IFB-600-845-56-0.	Cavity liners	45,500.00	2,100	Contract terminated for default. Delays in tooling caused contract to fall far behind schedule and production never reached acceptable level.
Do	III-136, Dec. 17, 1957	NPO, Washington, IFB-600-435-58.	Production of various types of aerological display equipment.	[1] 80,027.00	17,995	Contract awarded others Mar. 6, 1958. COC invalidated when undisclosed financial liability to the Government became known. SBA cooperated with the Navy in this case.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
PENNSYLVANIA—continued						
Estrich & Co., Philadelphia, Pa.	III-168, Dec. 11, 1958	Naval Air Material Center Philadelphia IFB-156-042-59.	Seal, cylinder gap	$5,703.00	(*)	Contract in process.
Do	III-172, Dec. 11, 1958	Naval Air Material Center Philadelphia IFB-156-049-59.	Nut flange bolt	3,200.00	(*)	Contract completed behind schedule, May 21, 1959. Final delivery about 3 weeks late because of unexpected rejections.
Do	III-173, Dec. 11, 1958	Naval Air Material Center Philadelphia RFP-156-20180-59.	Lower coupling exhaust valve.	1,229.00	(*)	Contract completed behind schedule. Machining error required correction and delayed final delivery.
Do	III-174, Dec. 11, 1958	Naval Air Material Center, Philadelphia, RFP-156-20251-59.	Machined castings plus 1 set pattern equipment.	1,428.00	(*)	Contract completed behind schedule, May 1, 1959. Delivery was delayed by a request of the contracting officer. New shipping instructions were issued, but the contract completion date was not corrected by amendment.
Fleetwood-Airflow, Inc., Wilkes-Barre, Pa.	III-148, June 3, 1958	Army Quartmaster Purchasing Agency, IFB-QM-33-031-58-618.	Steel clothing lockers	317,446.00	----------	Contract terminated by default, Mar. 3, 1959. Company encountered initial difficulties with the finishing materials furnished by a reputable manufacturer. Banks withdrew support and the contract was defaulted for nondeliveries.
Do	III-158, June 24, 1958	Army Quartermaster Purchasing Agency, Columbus, IFB-QM-33-031-58-618.	do	317,446.00	----------	Contract was terminated by default, Mar. 3, 1959. See remarks COC-III-148. This was a concurrent contract for the same item, covering the set-aside portion for surplus labor areas.
Fort Pitt Packaging International, Inc., Pittsburgh, Pa.	III-76, Jan. 2, 1957	Memphis AFD, RFP-40-604-57-1067.	Repair, overhaul, winterize, etc., of vehicles.	191,777.00	(*)	Contract completed on schedule, July 31, 1958.
Franklin Smelting & Refining Co., Philadelphia, Pa.	III-171, Dec. 30, 1958	Philadelphia Naval Shipyard, IFB-151-123-59.	Blasting grit	[1] 37,650.00	----------	Procurement withdrawn June 15, 1959.
General Design, Inc., Philadelphia, Pa.	III-32, Apr. 6, 1956	Raritan Arsenal, Metuchen, N.J., RFP-56-39122 & 56-39124-(1a).	Technical manuals	9,384.00	(*)	Contract completed on schedule, May 23, 1957.
Hol-Gar Manufacturing Corp., Clifton Heights, Pa.	III-138, Jan. 7, 1958	WPAFB, IFB-33-600-58-44.	Generator sets, plus spare parts and technical data.	428,400.00	(*)	Contract in process.
Hunter-Bristol Corp., Bristol, Pa.	III-122, Aug. 21, 1957	NPO. Washington, IFB-600-1913-57.	Radio receivers	[1] 143,418.00	----------	SBA withdrew COC Sept. 4, 1957, due to adverse financial status of certified firm.
Ideal Manufacturing Co., York, Pa.	III-44, July 26, 1956	Army OTAC, Detroit, IFB-ORD-20-113-56-1298.	Cushions	4,685.00	(*)	Certificate canceled, Oct. 1, 1956.
Do	III-49, Sept. 12, 1956	Army OTAC, Detroit, IFB-ORD-20-113-56-1546(57).	do	11,890.00	(*)	Contract completed behind schedule, June 25, 1957. Final shipment about 1 month late. Delay in obtaining rubber stock, possibly caused by financial difficulties.
Do	III-140, Feb. 6, 1958	Army OTAC, Detroit, IFB-ORD-20-113-58-191.	Pads, crash, driven, door hatch, front pads.	2,555.00	(*)	Contract completed ahead of schedule, May 26, 1958.
Jowil Electronics, Inc., Philadelphia, Pa.	III-106, June 13, 1957	USASSA, Philadelphia, IFB-SC-36-039-57-2129-55.	Interphone controls	264,393.00	$6,177	Contract completed ahead of schedule, July 31, 1958.
Kane Manufacturing Corp., Kane, Pa.	III-12, June 15, 1955	USASSA, Philadelphia, IFB-36-039-55-1649-58.	Cabinets	342,793.00	(*)	Contract completed behind schedule, Apr. 30, 1956. Final shipment was 60 days late. Firm waited approximately this time for procuring service to initiate inspection of 1st article.
Kegelman Bros., Huntington Valley, Pa.	III-185, Mar. 20, 1959	Army Ordnance Missile Command, Huntsville, IFB-IDP-X-ORD-01-021-59-10217.	Drive potentiometer	14,339.00	(*)	Contract in process.
Lockley Machine Co., New Castle, Pa.	III-144, Apr. 16, 1958	Kelly AFB, San Antonio, IFB-41-608-58-94.	Bombs, practice profile-type MD-6, plus spare parts.	2,657,929.00	(*)	Do.
Lucifer Furnaces, Inc., Neshaminy, Pa.	III-50, Sept. 24, 1956	Robins AFB, Ga., IFB-09-603-56-505.	Heat treating, electric furnace.	68,000.00	2,380	Contract completed behind schedule, July 26, 1957. Changes requested by the contracting agency in packing and in instruction manuals halted production until clarification was obtained. No compensation was made in official schedule to cover the lost time.
Nuclear-Electronics Corp., Philadelphia, Pa.	III-35, Apr. 13, 1956	USASSA, Philadelphia, RFP-SC-36-039-56-10896-55.	Power supply	51,857.00	(*)	Contract completed behind schedule, Apr. 30, 1958. Contract was 4 months late on a total schedule of 20 months. Strikes in supplier's plants and failure of a transformer manufacturer to meet his commitments delayed performances.
J. A. Plasterer & Son, Highspire, Pa.	III-8, May 6, 1955	Olmsted AFB, Middletown, RFP-36-600-55-5185.	Repair of air compressors	7,615.00	183	Contract completed behind schedule, Mar. 29, 1956. Final delivery made 5 months late. Delay was encountered with subcontractors and inspection by procuring service. Contractor claimed that inspectors made demands in excess of specification.
The Siltronic Co., Pittsburgh, Pa.	III-164, Aug. 25, 1958	USASSA, Philadelphia, RFP-SC-36-039-59-10502-A2.	Switch boxes	44,038.00	(*)	Contract completed on schedule, Oct. 31, 1958.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
PENNSYLVANIA—continued						
Universal Electronic Laboratory Corp., Wyoming, Pa.	III-177, Jan. 26, 1959	USASSA, Philadelphia, IFB-SC-36-039-59-1818-A4.	Discriminator	$18,772.00	(*)	Contract in process.
George Voron & Co., Philadelphia, Pa.	III-110, June 12, 1957	USASSA, Philadelphia, IFB-36-039-57-2141-55.	Shelters, S-44( )/G	86,656.00	(*)	Contract completed behind schedule, June 1, 1959. Certain wood components were delayed at a subcontractor causing the final shipment to be 60 days late.
PUERTO RICO						
Antonio Santisteban & Co., Inc., Hato Rey, P.R.	V-52, Jan. 25, 1957	Philadelphia Quartermaster Depot, IFB-36-030-57-416.	Men's cotton drawers	137,341.00	(*)	Contract completed ahead of schedule, Aug. 13, 1957.
Commonwealth Furniture Corp., Hato Rey, P.R.	V-97, Oct. 27, 1958	Ramey Air Force Base, IFB-66-600-59-14.	Furniture	348,561.00	$83,310	Contract in process.
SOUTH CAROLINA						
A.A.A. Janitor Service Co., Columbia, S.C.	IV-86, Oct. 27, 1958	Fort Jackson, IFB-FJPUR-38-042-59-12.	Janitorial services	20,567.00	14,368	Contract in process.
TENNESSEE						
Dura Finish of Memphis, Division of Arrow Office Supply Co., Memphis, Tenn.	V-104, Feb. 9, 1959	Memphis General Depot, IFB-QM-40-110-59-28.	Services and materials to restore field safes to serviceable condition.	64,763.00	(*)	Contract completed on schedule, May 29, 1959.
Patterson Lift Truck Co., (Olive Plan Branch, Miss.), Memphis, Tenn.	V-70, Dec. 11, 1957	NPO, Washington, D.C., IFB-600-414-58.	Hardwood pallets	21,600.00	540	Contract completed on schedule, May 6, 1958.
Precision Tool Co., Inc., Memphis, Tenn.	V-36, June 22, 1956	Memphis AFD, RFP-40-604-56-14505.	Repair and overhaul of gasoline engines.	11,337.00	(*)	Contract completed ahead of schedule, Oct. 22, 1956.
Tennessee Glove Co., Inc., Tullahoma, Tenn.	V-95, Oct. 6, 1958	MCTSA, IFB-QM(CTM)-36-243-59-105.	Cotton drill cloth mattress covers.	219,154.00	(*)	Contract completed on schedule, Apr. 15, 1959.
Tennessee Overall Co., Tullahoma, Tenn.	V-112, Apr. 24, 1959	Philadelphia QM Depot, IFB-QM(CTM)-36-243-59-500.	Men's cotton, uniform twill uniform trousers.	415,213.00	(*)	Contract in process.
TEXAS						
Alamo Automotive Service, San Antonio, Tex.	X-10, July 19, 1955	Kelly AFB, RFP-PR-50-56-LP-110001.	Repair and maintenance of vehicles.	100,000.00	(*)	Contract completed on schedule, Aug. 31, 1956.
Do	X-21, July 12, 1956	Kelly AFB, RFP-50-56-LP-110226.	do	220,000.00	30,000	Contract completed on schedule, Aug. 31, 1957.
Do	X-59, July 1, 1958	San Antonio Air Material Area, RFP-50-58-LP-78-001.	Services and materials for repairs and maintenance of Government general purpose vehicles.	[4] 268,000.00	(*)	Call-type contract, now in process.
Aeroaffiliates, Inc., Fort Worth, Tex.	X-13, Jan. 13, 1956	Shelby AFD, RFP-PR-#WL-547716.	Bomb hoist tube sets	1,213,512.00	(*)	Contract completed on schedule, Dec. 9, 1958.
Aero-Test Equipment Co., Inc., Dallas, Tex.	X-56, June 16, 1958	Air Force Academy, Denver, IFB-05-611-58-78.	Instrument control panels for test calls and thrust stands.	149,868.00	(*)	Contract completed ahead of schedule, Apr. 2, 1959.
Do	X-64, Aug. 21, 1958	Brookley AFB, IFB-01-601-58-335.	Fuel control assembly	35,829.00	6,406	Contract completed ahead of schedule, Apr. 15, 1959.
The Cal-Tex Co. of Tyler, Tyler, Tex.	X-44, Feb. 28, 1958	MCTSA, Philadelphia, IFB-QM-(CTM)-36-243-58-424.	Paulin vestible top for tent and paulin wood arch for tent.	3,388.00	(*)	Contract completed ahead of schedule, May 14, 1958.
Do	X-45, Apr. 23, 1958	MCTSA, Philadelphia, IFB-QM-(CTM)-36-243-58-462.	Pyramidal, 3 to 4 man type tent with pins and poles.	100,161.00	236	Contract completed on schedule, Dec. 13, 1958.
Do	X-50, Apr. 30, 1958	MCTSA, Philadelphia, IFB-QM-(CTM)-36-243-58-544.	Insulated sectional frame-type guy band complete for tent.	73,472.00	10,978	Contract completed ahead of schedule, Sept. 9, 1958.
The Cal-Tex Co. of Tyler, Tyler, Tex.	X-70, Oct. 28, 1958	MCTSA, Philadelphia, IFB-QM-(CTM)-36-243-59-152.	Canvas cover for engine compartments of high speed tractors.	9,779.00	376	Contract completed behind schedule, Apr. 30, 1959. Contractor delayed in starting production because duck cloth furnished by the Government did not meet specifications. Further delays were encountered when the inspector, by letter, ordered resewing a seam. This weakened the cloth, causing more delays in acceptance. Result was the canvas covers were delivered in 6 months rather than in 4 months.
Do	X-73, Jan. 22, 1959	Philadelphia Quartermaster Depot, IFB-QM-(CTM)-36-243-59-426.	Canvas covers	91,737.00	(*)	Contract in process.
Castle Hauling Service, Borham, Tex.	X-53, June 5, 1958	Perrin AFB, IFB-41-610-58-20.	Collection and disposal of refuse (July 1, 1958, through June 30, 1959).	14,400.00	343	Contract completed on schedule, June 30, 1959.
Dunlap Sales & Service, Abilene, Tex.	X-38, July 12, 1957	Topeka AFD, RFP-14-604-57-5765.	Repair and overhaul of class 17A equipment.	100,000.00	(*)	Contract completed on schedule, Aug. 18, 1958.
Immel Engineering & Development Co., Dallas, Tex.	X-77, Mar. 6, 1959	Army Ordnance Corps, Texarkana, IFB-ORD-41-117-59-133-B.	Rebuild track shoe link assembly.	1,254,000.00	(*)	Contract in process.
International Aerial Mapping Co., San Antonio, Tex.	X-90, June 10, 1959	Army Map Service, Washington, D.C., IFB-ENG-49-018-59-66.	Finalization of color separation manuscript and preparation of full drawings and reproduction negatives of maps.	16,051.00	(*)	Do.
Lewis Motor Co., Marshall, Tex.	X-40, Nov. 29, 1957	Shelby AFD, RFP-33-602 58-3014.	Repair and modification of oxygen trailers and miscellaneous related equipment.	[4] 84,128.00	(*)	Contract completed on schedule, Mar. 24, 1959.
McCann Construction Co., Fort Worth, Tex.	X-86, May 13, 1959	Sandia AFB, IFB-S-29-044-59-51.	Modification and repair of housing units.	[2] 2,007,689.00	148,562	Contract awarded company before COC issued.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
TEXAS—continued						
Mid-State Construction Co., Dallas, Tex.	X-78, Mar. 2, 1959	Missile Range, N. Mex., IFB-ORD-29-040-59-67.	Labor, equipment, and materials to construct telephone cable plant.	[1] $237,151.00		Contract awarded another company Apr. 16, 1959. SBA found the applicant technically competent. The contracting agency disregarded the certification. The company appealed to the Comptroller General, who declared that the COC was conclusive as to technical capacity and that the contracting agency must justify a turndown for other reasons. (See Comp. Gen. Dec. B-139377, June 30, 1959.)
Photographic Manufacturing Co., Houston, Tex.	X-9, July 13, 1955	Kelly AFB, RFP-PR-SA-546016.	Magnetos	5,653.00	(*)	Contract completed on schedule, Sept. 30, 1956.
Sidran Sportswear, Dallas, Tex.	X-17, Jan. 13, 1956	Army Quartermaster Depot, Philadelphia, RFP-QM-36-030-56-Neg.-140.	Men's cotton trousers	68,052.00	(*)	Contract completed on schedule, July 7, 1956.
Southwest Aviation & Exploration Corp., Lockhart, Tex.	X-27, Jan. 25, 1957	Kelly AFB, RFP-PR-19A-57-LP-130068.	Repair of hydraulic hand jacks.	1,067.00		Company did not extend bid option. Awarded another company.
A. E. Stevenson Waste Disposal Co., Weatherford, Tex.	X-87, May 19, 1959	Perrin AFB, IFB-41-610-59-30.	Collection of refuse for 12 months.	11,900.00	(*)	Contract in process.
Terry Industries, Inc., San Antonio, Tex.	X-41, Dec. 24, 1957	Kelly AFB, IFB-41-608-58-35.	Chrome plating of aircraft engine cylinders.	322,820.00	$31,663	Contract completed behind schedule, Jan. 23, 1959. Additional labor, for which no provision was made, caused contract delay.
Do	X-66, Sept. 22, 1958	Kelly AFB, IFB-41-608-58-240.	----do	[1] 220,430.00		Contract awarded another company, Oct. 24, 1958. After issuance of the COC, the contracting officer rejected this company for bad business practices, which was not within the scope of the SBA certification.
Dave Williams & Sons, Inc., Dallas, Tex.	X-92, June 29, 1959	Office of Quartermaster General, Washington, D.C., IFB-QM-49-056-59-3.	Flat granite grave markers	[1] 118,080.00	(*)	Contract in process.
UTAH						
Service Theatre Supply, Salt Lake City, Utah.	XI-9, Mar. 6, 1958	Brookley AFB, IFB-01-601-58-200.	Services and supplies to repair viewfinder, model VF-36.	5,850.00	(*)	Contract completed on schedule, May 23, 1958.
VIRGINIA						
Air-A-Plane Corp., Norfolk	IV-10, June 24, 1954	Army Chemical Procurement District, New York, IFB-CML-30-070-54-175.	Smoke generators	591,545.00	80,932	Contract completed on schedule, Feb. 29, 1956.
Carter Aviation, Richmond	IV-55, July 26, 1957	Army Transportation Corps, St. Louis, Mo., RFP-193-B.	IRAN maintenance of Army aircraft.	92,020.00	46,256	Contract completed ahead of schedule, June 23, 1958.
Consultants & Designers, Inc., Arlington, Va.	IV-65, Dec. 13, 1957	BuShips, Washington, D.C., IFB-600-182-58-S.	Supplies and services in connection with revisions to damage control diagram plastics and reproduction of positives, negatives, and color guides through September 1958.	85,000.00	34,000	Contract completed ahead of schedule.
Jeffries Rubber Stamp Co., Inc., Arlington, Va.	IV-89, Nov. 17, 1958	GSA, Washington, D.C., FSC-FSC, Group 75, Office Supplies, Part IV.	Office supplies, 12 month contract, rubber stamps, type III and repair parts.	52,000.00	(*)	Contract in process.
Kraftwood, Inc., Richmond, Va.	IV-95, Mar. 19, 1959	Post Office Department, Washington, D.C., IFB-1987.	Single lobby desk, wood, 4 feet long and single lobby desk, wood, 3 feet long.	43,500.00	(*)	Do.
Rapidan Manufacturing Co., Inc., Gordonsville, Va.	IV-72, Apr. 11, 1958	NPO, Washington, D.C., IFB-600-938-58.	Steel shipfitters toolbox	12,180.00	32	Company had difficulty in producing toolboxes that could meet a water submersion test. Delivery was about 1 month late on revised schedule.
Do	IV-82, June 30, 1958	Navy Electrical Supply Office, Great Lakes, IFB-126-423-58.	Blank aluminum panels	11,084.00	2,049	Final shipment 1 month late. Management changed hands and 1 subcontractor contributed to the delay.
WASHINGTON						
Henry L. Doolittle Co., Seattle, Wash.	XIII-1, Dec. 30, 1954	Army Transportation Corps, DA-45-145-860-TS4; DA-45-045-861-TS5; and DA-45-045-863-TS7.	Stevedoring	31,436.00	446	Term contract completed satisfactorily.
WEST VIRGINIA						
The Advance Machine & Manufacturing Co., Beckley, W. Va.	IV-12, Oct. 8, 1954	W-P AFB	Splicer and rewinder for film.	29,105.00	(*)	First article was approved but company ran into financial trouble even with SBA loan. Contract was terminated for default.
Carol Electronics Corp., Martinsburg, W. Va.	IV-16, Mar 31, 1955	USASSA, Philadelphia, IFB-SC-36-039-55-1272-59.	Vibrators	483,158.00	3,917	Delay by metal case and electron tube suppliers resulted in 2-month completion delay.
Do	IV-18, June 7, 1955	USASSA, Philadelphia, IFB-SC-36-039-55-1444-55.	Rectifiers	106,326.00	(*)	There was administrative delay by the inspecting service causing a 3-month delivery delay. However, the procuring service of its own volition increased the quantity purchased after the COC was issued.
Do	IV-20, June 14, 1955	USASSA, Philadelphia, IFB-SC-36-039-55-1631-58.	Transformers	14,343.00	(*)	Accidents and personnel changes in the transformer department resulted in a 2-month delay of final shipment.

See footnotes at end of table.

Company, city, and State	COC No., date certified	Procurement agency and procurement No.	Item	Contract amount	Savings	Remarks
WEST VIRGINIA—continued						
Polan Industries, Inc., Huntington, W. Va.	IV-26, June 25, 1956	USASSA, Philadelphia, RFP-SC-36-039-56-11326.	Infrared filters	$53,279.00	(*)	Contract completed on schedule.
Do	IV-32, Nov. 8, 1956	USASSA, Philadelphia, RFP-SC-36-039-57-10500.	Rehabilitation of equipment	326,417.00	$93,977	Completed ahead of schedule, Oct. 7, 1957.
Standard Business Machine Manufacturing Corp., Kenova, W. Va.	IV-9, June 29, 1954	Rome AFD, RFP-30-635-54-4026.	Sound recorder-reproducer	476,152.00	(*)	COC canceled July 15, 1954.
Universal Machining & Manufacturing Co., Huntington, W. Va.	IV-11, July 22, 1954	Army Ordnance Corps, Springfield, IFB-ORD-19-058-54-130.	Grenade launchers	34,875.00	15,750	Company was unable to produce acceptable first articles and suffered financial difficulty. Contract terminated by default.
WISCONSIN						
Badger Leather Products Co., Inc., Shawano, Wis.	VII-64, Feb. 19, 1958	MCTSA, Philadelphia, IFB-QM-(CTM)-36-243-58-359.	Brown leather brief cases	2,895.00	(*)	Contract completed behind schedule, July 3, 1958. Delivery was delayed by inspector calling at plant at irregular intervals.
Slater Bros. Auction Co., Eau Claire, Wis.	VIII-3, July 31, 1957	McClellan AFB, IFB-04-606-57-776.	Auctioneering services	4,000.00	----------	Contract issued independently of COC on same day.
The Superior Welding Co., Milwaukee, Wis.	VII-72, June 20, 1958	U.S. Army Transport Supply and Maintenance Communication, St. Louis, IFB-TC-23-204-58-88.	56½-inch gage, 70-ton, 8-wheel domestic service steel railway hopper car.	215,300.00	(*)	Contract in process.
HAWAII						
Melim Service & Supply Co., Ltd., Honolulu, T.H.	XII-33, Aug. 5, 1958	Hill AFB, Utah, RFP-00-9-2620-2100.	Repair, recapping and retreading of aircraft casings.	225,000.00	(*)	Do.

[1] Bid amount.
[2] Estimated minimum.
[3] Maximum.
[4] Estimates.
[5] Not to exceed.
[6] Approximately.

Mr. SPARKMAN. The important thing to keep in mind with respect to these small business certificates of competency is that in each of the 553 contracts cited, military contracting officials said the small firms could not perform the contracts and the Small Business Administration, after diligent investigation, found and certified that they could perform. Had this not been done by the small business agency, the cumulative out-of-pocket cost to the taxpayers would have amounted to $8,200,000.

In some areas of military procurement, Mr. President, there seems to be a sort of cold war going on between the Department of Defense and the Small Business Administration. At stake in the matter of a more sensible procurement practice is the success or failure of thousands of small business concerns to participate in military purchasing programs, the further feeding of the fires of inflation, and a further unbalancing of the budget. It has been demonstrated time and time again that competitive bids from qualified small business concerns have the effect of reducing the cost of military supplies and services compared with the prices which the Defense Department pays when the element of competition is absent.

We hear much these days of the desirability of a summit conference. It might not be amiss for the President to call a little summit conference of his own department heads right here in Washington. The purpose of such a top-level meeting would be for him, as Commander in Chief, the Secretary of Defense, the Administrator of the Small Business Administration, and other appropriate agency heads to work out an effective competitive procurement system so as to promote economy in defense spending through greater employment of the talents and resources of our willing, able, and efficient community of small business concerns.

It appears that only the President himself has the power to make certain that efficient business principles are adopted as standard practice throughout the Government. By doing so, he would give a greater note of sincerity to his oft-proclaimed desire to promote efficiency in Government and to control inflation.

I earnestly believe that something needs to be done in order that small businesses throughout the country may receive fair treatment, and that our basic economy may remain strong.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

PROMOTION OF PEACE THROUGH REDUCTION OF ARMAMENTS

Mr. HILL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 573, Senate Concurrent Resolution 48.

The PRESIDING OFFICER. The concurrent resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A concurrent resolution (S. Con. Res. 48) to promote peace through the reduction of armaments.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alabama?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. HUMPHREY. Mr. President, it is appropriate today to consider Senate Concurrent Resolution 48 which will reaffirm the Senate's interest in and desire for an end to the armaments race. Only yesterday did we approve the conference report on the Defense Department appropriation bill, providing $39.2 billion for military security for the fiscal year beginning July 1, 1959. The Senate, by passing this resolution, will say that if the world can reach agreement on reducing armaments the United States should set aside a portion of the savings resulting therefrom for works of peace throughout the world.

Senate Concurrent Resolution 48 not only states that it is the opinion of the Senate that any saving resulting from disarmament should be used for works of peace programs. It also declares that these works of peace programs should be continued and expanded, such programs as economic and technical assistance to less developed countries, development of natural resources, international cooperation to combat hunger and disease, exchange programs, development of atomic energy for peaceful purposes, and the construction of new schools, universities, hospitals, and other essential facilities.

I am hopeful, Mr. President, that the message of this resolution can be realized, that soon the major powers, at least, will be able to resolve their differences sufficiently to permit some positive step to be taken to reduce the burdens of an armaments race. This past year the nuclear powers temporarily stopped their tests of nuclear weapons. What might have happened, in the spirit of the resolution now before us, would have been to use the money saved on the part of the United States, the Soviet Union, and the United Kingdom for international development projects. This money would only have been in the millions, but nonetheless it would have been substantial enough to make a contribution to the betterment of mankind in many parts of the world.

In closing, I should like to call to the attention of my colleagues the provision of the resolution which directs that its contents be submitted to all member governments of the United Nations. It is important to have the contents of this resolution before the United Nations

when the next General Assembly convenes. At that time a major discussion of the arms control problem will take place and the interest of the United States Senate should be known to the various nations represented at the U.N. as they debate and discuss this crucial subject.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HILL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OPPOSITION TO THE DUMPING OF RADIOACTIVE WASTE IN THE GULF OF MEXICO

Mr. YARBOROUGH. Mr. President, on several previous occasions I have stated my opposition to the proposed dumping of radioactive wastes in shallow, inshore waters of the Gulf of Mexico, and my support of a bill introduced by Representative CLARK W. THOMPSON, of Texas, in the House of Representatives.

Hearings have been held before the Joint Committee on Atomic Energy on a proposal to require that such dumping be at least 200 miles offshore and be in waters at least 1,000 fathoms deep; also that the waste be placed in containers of a type which will prevent the radioactive waste from readily escaping into the sea.

Groups of citizens, civic and conservation organizations, and city, county, and State governments have joined in opposition to the proposed licensing of the dumping in the Gulf of Mexico of radioactive waste.

I wish to call the attention of the Congress to other opposition to the present proposal to make such dumpings 29 miles from shore, rather than 200 miles or more from shore, as provided in the Thompson Act.

I request unanimous consent to have printed at this point in the RECORD a resolution adopted on July 15, 1959, by the South Texas Chamber of Commerce, at a special, called meeting in San Antonio, Tex.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION RE PROPOSAL FOR DISPOSAL OF RADIOACTIVE WASTE MATERIAL IN THE GULF OF MEXICO

Whereas the South Texas Chamber of Commerce represents the commercial, agricultural, and recreational interests of 52 south Texas counties, including those counties adjacent to and extending along the coastline of the Gulf of Mexico from Brazoria to Willacy Counties; and

Whereas this organization recognizes the economic significance of the marine and wildlife resources harbored in the waters of the Gulf of Mexico and the bays, inlets, and tidal waters connected therewith; and

Whereas this organization is dedicated to the protection and preservation of said waters, and the marine and wildlife resources contained therein; and

Whereas the Industrial Waste Disposal Corporation has filed application to the United States Atomic Energy Commission under docket 27-9 for permission to dispose of radioactive waste material in the Gulf of Mexico: Now, therefore, be it

Resolved by the board of directors of the South Texas Chamber of Commerce, meeting July 15, 1959, in San Antonio, Tex., That said board of directors voted unanimously in opposition to said proposal to dump radioactive waste material in the Gulf of Mexico, based upon the premise that such disposal conceivably could: (1) Destroy the economic and recreational values of said waters through dangerous contamination; (2) create a menace to the health, welfare and rights of the people of Texas and the United States; (3) contaminate the beaches and bays, inlets and lower reaches of rivers and streams by tidal washing of radioactive waste material or radiation resulting from such material onto the beaches and into said bays, inlets and lower reaches of rivers and streams entering the Gulf of Mexico; and, be it further

Resolved, That copies of this resolution be transmitted to U.S. Senators LYNDON B. JOHNSON and RALPH YARBOROUGH, Members of the House of Representatives from south Texas, and to the Atomic Energy Commission.

Mr. YARBOROUGH. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD an editorial from the Victoria (Tex.) Mirror for Thursday, July 23, 1959. In connection with this editorial, I point out that the Atomic Energy Commission has agreed to hear further protests from groups along the coast, before carrying out its decision to issue a license to the Texas firm for the dumping in the Gulf of Mexico of radioactive waste.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DUMPING ATOMIC WASTE IN GULF SHOULD BE PROHIBITED BY LAW

This newspaper has carried several articles regarding the disposal of atomic waste material in our oceans and in the Gulf of Mexico and our Congressman, CLARK W. THOMPSON, has introduced a bill that would prohibit dumping this material at any point less than 200 miles from shore and in water that is at least 6,000 feet deep.

This bill, if adopted and if it could be established that there would not be repercussions from dumping this material in the Gulf of Mexico, should at least demand of the Atomic Energy Commission that a constant analysis of the coast waters, checking for radiation, should be made regularly.

The further this subject is delved into and discussed, the more it appears there is not too much assurance that we could be safe by such a disposal process and in fact, we might find ourselves with contaminated water all around us. The Atomic Energy Commission has already granted a license to a Texas company authorizing them to dump atomic waste material 150 miles out in the Gulf of Mexico, even in spite of the fact that the testimony of their own experts has shown considerable doubt about the program and its effects upon the water.

There seems to be a great deal of confusion and a lack of real knowledge on this subject and a marine scientist and consultant to the AEC, Dr. Allen Seymour, has recently testified that the currents in the Pacific Ocean carried radioactive material 3,000 miles after the atomic tests were made in 1954. This radiation was carried clear across the Pacific and he said the amount of the radioactivity was minor; however, that would certainly indicate that the material does get around and could become dangerous in larger quantities. Another prominent AEC biologist, Dr. I. E. Wallen, has also testified according to reports, that more studies should be made to accurately assess the level of radioactivity that could be absorbed in the ocean before creating detrimental conditions. This would certainly indicate, too, that the AEC does not know just what effect could or would take place.

A member of the House subcommittee, holding hearings in Washington on this matter, Representative BOB CASEY, of Houston, is reported to have called attention to the fact that the National Academy of Sciences has actually contradicted itself on the subject, after they had recommended 28 sites in the Atlantic Ocean and Gulf of Mexico, claim to be suitable for dumping low level radioactive waste material. It would be the opinion of many people that the AEC would not be having these studies made and some of them even right here in Texas by Texas A. & M. College, if they knew what the actual effects were of dumping the atomic waste materials into the Gulf of Mexico. Most people seem to think that before any dumping of this material takes place, complete studies should be made and the facts well known before any such material is placed in our Gulf of Mexico and, for that matter, any other waters.

Mr. YARBOROUGH. Mr. President, if the license is granted, I hope the dumpings will be made at least 200 miles offshore, and in waters at least 1,000 fathoms deep.

DANGERS OF A VISIT TO THE UNITED STATES BY PREMIER KHRUSHCHEV

Mr. JOHNSTON of South Carolina. Mr. President, I bring to the attention of the Senate an editorial entitled "Enter, Czar Nikita," written by Mr. David Lawrence, the editor of U.S. News & World Report.

In the editorial Mr. Lawrence outlines the dangers of a visit to this country by the Soviet Premier.

I agree fully with Mr. Lawrence's contentions in the editorial. As I told the press yesterday, one who plays with a rattlesnake is likely to be bitten; and when we play with Mr. Khrushchev, we are playing with a rattlesnake, in my opinion.

As Mr. Lawrence points out in his editorial:

A convict who returns to society rehabilitated in mind may or may not be received in his community as an equal. But Nikita Khrushchev would be coming to America unrepentant, arrogant, dictatorial, and without abandoning a single one of his threats to our safety.

I agree with Mr. Lawrence that Mr. Khrushchev's record of arrogance and dictatorship and the record of his country's murder of Hungarians and other nationals makes him one whom the American people should not hail when he lands on American soil.

As Mr. Lawrence so aptly puts it:

Yes; if Czar Nikita wants to come to visit our shores, the U.S. Government can only say "Welcome" in an official sense; but the American people reserve the right to say that no tyrant or murderer can ever be "welcome" in free America.

I feel we are doing the wrong thing in inviting Mr. Khrushchev to this country, because the invitation will be taken to mean, by countries behind the Iron Curtain and those now being threatened around its perimeter, that America is softening to the Soviet line.

I hope some good will come out of the exchange of visits by these leaders, but I earnestly pray that nothing that could provoke a war will happen while the two leaders are visiting each other's country.

I certainly hope the American people will give no honor to Mr. Khrushchev when he comes to America, for they should not honor one who, as much as any other Soviet leader, directed the slaughter of people behind the Iron Curtain and the violation of practically every agreement ever made between our Nation and Russia.

What we need to show Mr. Khrushchev, when he comes, is our military might. The only thing the Russian dictator or any other dictator will ever understand is military might.

I am asking that the President arrange for the mightiest armada of airplanes and military might ever shown any foreign national in our history. I think this would be the most important thing America could show Mr. Khrushchev, to convince him to leave us alone.

We can show him all the beautiful homes, television, and other advantages of American living that we want to show him, but they will have no effect whatsoever on him. Mr. Khrushchev will only be jealous of our high standards of living, and such displays will only further deepen his fear of our system. What we really need to do is display our military might to him; and I hope the leadership in the Senate and in the House will join me in bringing pressure to bear on the President, to convince him that we must display our military might to Mr. Khrushchev and to the entire world, at the time of his visit to Washington.

Mr. President, I ask unanimous consent that the editorial entitled "Enter, Czar Nikita" written by David Lawrence, and published in the August 10, 1959, issue of U.S. News & World Report, be printed in the RECORD, together with my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ENTER, CZAR NIKITA

(By David Lawrence)

Officially the Government of the United States cannot decline to permit any member of a foreign government to come to this country for a visit as a tourist. Nor can the Government in Washington deny our own citizens the right to say what they please to any visitor, whoever he may be. Freedom of speech is the rule in America.

If, therefore, as is being widely discussed, the Soviet Premier comes to the United States, our officials will have to be courteous. But this does not require cheers of applause from the resentful among us who see in Nikita Khrushchev the man who has ordered the murder or exile of tens of thousands of men and women in Hungary, East Germany, and the other capive nations, as well as inside the Soviet Union itself.

A convict who returns to society rehabilitated in mind may or may not be received in his community as an equal. But Nikita Khrushchev would be coming to America unrepentant, arrogant, dictatorial, and without abandoning a single one of his threats to our safety.

The hope of those Americans who favor his trip is that he will become educated about this country and its economic strength as well as its spirit of peacefulness. It is optimistically assumed that, when he gets to know America better, he will lose his misconception of our purposes and will be more flexible in negotiations.

This, however, is a fallacious theory. The leopard doesn't change his spots when he emerges from the jungle. Khrushchev is just another Hitler. He has gotten to be boss of the Soviet Union by trampling over his opposition and by distorting truth. He has threatened to "bury" the people of the United States under an avalanche of atomic missiles. He has issued an ultimatum to force us out of West Berlin. He has instructed his Foreign Minister to make no agreement at Geneva that substantially alters his previous position. He wants no reunification of Germany. He insists that our troops withdraw altogether from Europe and that we give up our plane and missile bases there.

Some misguided Westerners think there is logic in his demands—that we ought not to encircle the Soviet Empire. But they forget that, once our forces withdraw from bases overseas, we cannot instantly get them back, whereas it would take the Soviets just a few hours to send their troops and planes to conquer Germany, France, and Britain.

It is imperative that the United States and its allies maintain their psychological as well as their military position. To yield to Khrushchev means discouragement to the peoples of the captive countries and, indeed to the hopes of freedom-seeking peoples everywhere.

Why should we yield? To make money out of trade? Khrushchev thinks we are addicted to materialism and that the businessmen of the West place the pursuit of money above all else.

But the Soviet leader is mistaken. While the allies in the 1930's did allow trade in strategic materials to go on almost to the time of Hitler's attack in September 1939 we shall not make that same error again.

Things have not changed too much with respect to autocratic rule in Russia over the years. In 1951 there was published a translation of a book originally written in 1839 by the Marquis de Custine entitled "Journey for Our Time." It is a journal of his travels in Russia 120 years ago. Walter Bedell Smith, former American Ambassador to Moscow, in an introduction says:

"A change in nomenclature has not altered the character of Russia's rulers or of its institutions. Whether it is Stalin or the Czar, it is still 'the little father' of the Russian people and it is still merciless despotism. * * *

"The privileged class is today as remote from the mass of citizens as was Nicholas' court. The rank and position of the individual derives from the new Soviet 'czar' as surely as it did in the days of Nicholas I or in the days of Peter the Great. The ruler continues to be the most powerful and least accessible of all the world's sovereigns. * * *

"But like his czarist predecessors, he is omnipresent, dominating the lives and thoughts of his subjects in every city, village, and hamlet across one-sixth of the world's surface. In Custine's words: 'All must strive scrupulously to obey the thought of the sovereign; his mind alone determines the destiny of all.'"

Essentially, there is little difference between the Russian Czars of yesteryear and the Soviet "Premier" of today. Czar Nikita's rule is just as absolute. The people live under a reign of terror, and there is no limit to his tenure. He is the Czar of all the Russias—the Soviet Empire. This now includes the neighboring countries in Eastern Europe, which are kept in a state of subjugation by the presence of Soviet troops.

Yes; if Czar Nikita wants to come to visit our shores, the U.S. Government can only say, "Welcome," in an official sense, but the American people reserve the right to say that no tyrant or murderer can ever be "welcome" in free America.

PERMANENT AUTHORITY FOR SECRETARY OF AGRICULTURE TO MAKE LOANS UNDER BANKHEAD-JONES FARM TENANT ACT

Mr. HOLLAND. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives in regard to House bill 7629.

The PRESIDING OFFICER (Mr. MCNAMARA in the chair) laid before the Senate the bill (H.R. 7629) to make permanent the authority of the Secretary of Agriculture to make loans under section 17 of the Bankhead-Jones Farm Tenant Act, as amended, and for other purposes, which was read twice by its title.

Mr. HOLLAND. Mr. President, by direction of the Senate Committee on Agriculture and Forestry, I ask unanimous consent that the bill now be taken up by the Senate, for action.

The PRESIDING OFFICER. The question is on agreeing to the request of the Senator from Florida. Is there objection?

There being no objection, the Senate proceeded to consider the bill.

Mr. HOLLAND. Mr. President, by direction of the Senate Committee on Agriculture and Forestry, I offer an amendment to strike out all after the enacting clause of House bill 7629 and substitute in lieu thereof the substance of the Senate bill on the same subject, S. 1941, which passed the Senate some time ago.

Mr. KEATING. Mr. President, may I ask if this matter has been cleared?

Mr. JOHNSTON of South Carolina. Mr. President, I may say to the Senator from New York this action was unanimously recommended by both Democrats and Republicans.

Mr. HOLLAND. I wish to assure the Senator from New York I have just conferred on this matter with the Senator from Vermont [Mr. AIKEN] and the Senator from Louisiana [Mr. ELLENDER], and that the Senator from South Carolina [Mr. JOHNSTON] this morning presided over our meeting. All are agreeable to this action.

Mr. KEATING. I thank the Senator.

The PRESIDING OFFICER. The amendment proposed by the Senator from Florida will be stated.

The LEGISLATIVE CLERK. It is proposed to strike out all after the enacting clause and insert:

That section 17 of the Bankhead-Jones Farm Tenant Act, as amended, is amended by striking out "June 30, 1959" and inserting "June 30, 1961."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HOLLAND. Mr. President, I ask that the bill, as amended, be passed.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 7629) was read the third time and passed.

The title was amended so as to read: "An act to extend section 17 of the Bankhead-Jones Farm Tenant Act for 2 years."

Mr. HOLLAND. Mr. President, I move that the Senate insist on its amendment, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ELLENDER, Mr. HOLLAND, Mr. TALMADGE, Mr. AIKEN, and Mr. MUNDT conferees on the part of the Senate.

THE CURRENT STEEL STRIKE

Mr. CLARK. Mr. President, I am happy to join the junior Senator from Missouri [Mr. SYMINGTON] in sponsoring Senate Concurrent Resolution 69. I commend him for submitting the resolution expressing the sense of the Congress that the President take certain actions in the national security and welfare to settle the current steel strike.

The resolution calls for the President to use his prestige and influence, to meet with the principals involved, and if a settlement is not effected by an early date set by him, to appoint an impartial board to bring the facts before the public and submit recommendations for the settlement of the dispute in a way which will best serve the national interest and be fair and equitable to both parties.

I have introduced a measure which would establish a basis for fact-finding procedures to protect the public interest in circumstances such as now exist in the steel industry.

A similar measure was also introduced in the House of Representatives by Representative HENRY REUSS, of Wisconsin. Hearings have been held on it in that body.

I had hoped hearings could be held in the Senate committee, and perhaps a bill reported and passed during this session, but I find, to my chagrin, the administration is firmly opposed to the Clark-Reuss measure, as it indeed seems to be opposed to the somewhat more stringent measures sponsored by the Senator from Tennessee [Mr. KEFAUVER], the Senator from Wyoming [Mr. O'MAHONEY], and other members of the Senate Committee on the Judiciary.

Accordingly, it seems to me in these last days of the session we had better take what we can get. For that reason I am happy to cosponsor the resolution of the junior Senator from Missouri [Mr. SYMINGTON].

Mr. President, the steel strike has already caused widespread unemployment, reduced national production, and resulted in great financial loss to steelworkers, steel companies, and related industries. In the Commonwealth of Pennsylvania, as of July 28, 147,800 steelworkers were directly involved in the strike, and accordingly they are not presently at work, and are therefore unemployed. This number is added to an unemployment roll of approximately 350,000 Pennsylvanians—a very substantial percentage of our labor force. It makes conditions in our already chronically depressed areas very much more difficult.

Workers who are indirectly involved by the strike total about 27,000 Pennsylvanians. The Federal Government is, of course, sustaining a heavy loss of much needed revenues.

Accordingly, I urge early adoption of the resolution of the junior Senator from Missouri, and I urge positive action by the administration.

Mr. President, it is not enough merely to ask the Secretary of Labor to conduct a one-man factfinding investigation and to issue statements from the White House calling upon the parties to behave, to get together, and to stop the strike. Such efforts will not bring results. We have to have something considerably more effective.

I suggest it may well be that the mood of the Congress is such that the resolution of the junior Senator from Missouri can be favorably reported and passed. I hope it will be, because in no other way can the full force of public opinion be brought to bear to facilitate an early and equitable settlement of this dispute; and, Mr. President, after all, that is the objective which we all seek.

Mr. President——

The PRESIDING OFFICER. The Senator from Pennsylvania.

THE VICE PRESIDENT'S RUSSIAN TRIP

Mr. CLARK. Mr. President, I should like to make a brief effort to place into perspective the Nixon trip to Russia and to the Eisenhower-Khrushchev agreements for conference. A great deal of praise has been heaped upon the Vice President in this Chamber during recent days, some of it, to my way of thinking, extravagant. Yet, at the same time, I would be the first to admit that the Vice President has conducted himself with dignity in Russia; that he has forcefully and publicly stated the American case. One has no reason to think that he did not do equally well in his private conversation with Mr. Khrushchev. His visit to Poland has been an obvious success.

The Vice President seems to have been met with friendly gestures by the people both of Russia and Poland, and I for one would not want to take any credit away from him for what is clearly a successful effort. And yet I think we should put all this in perspective.

One of the very best of our political reporters in America, in my judgment, is Mr. James Reston, of the New York Times. He was in Russia with Mr. NIXON, and he wrote a series of articles which, in my judgment, should be called to the attention of all Senators and all those who read the CONGRESSIONAL RECORD.

I turn first to an article which appeared in the New York Times of August 1, and was entitled "Survey on Nixon Trip."

I ask unanimous consent that the article may appear in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 1, 1959]

SURVEY ON NIXON TRIP: REPORTERS FEEL TOUR HAS BEEN SUCCESS, FAVOR EISENHOWER-KHRUSHCHEV TALKS

(By James Reston)

Moscow, July 31.—A survey of the reporters traveling in the Soviet Union with Vice President RICHARD M. NIXON indicated almost unanimous agreement today on these points:

The Vice President's mission has been a success. It has not resulted in any change in Soviet policy, but it has served U.S. interests well and enhanced Mr. NIXON'S chances of nomination for the 1960 Republican presidential nomination.

Despite all the difficulties, a meeting between President Eisenhower and Premier Nikita S. Khrushchev is a gamble that should be taken. Most of the correspondents thought the meeting should be held in the United States.

The Soviet Union is less advanced industrially than the correspondents thought, though most of them made the point that they had not been shown the men and the facilities that made possible the Soviet success in rocketry and atomic energy.

The Soviet people are more friendly to the United States, better fed, better and more colorfully clothed than the visitors expected them to be.

SURVEY HELD ON PLANES

The survey was conducted among the more than 50 reporters traveling in 2 Soviet jetplanes this afternoon between Sverdlovsk and Moscow on the last leg of the Vice President's 5,000-mile trip to Leningrad, Siberia, and the Urals.

They were asked whether they had modified their views as a result of their visit to the Soviet Union, what they thought of Soviet technical skills as a result of their trip, how they had reacted to the Soviet people and officials, how they thought Mr. NIXON had handled his mission and whether they thought it would be useful to have a meeting between the President and Premier Khrushchev.

On this last point, five correspondents said they had changed their minds about the advisability of an Eisenhower-Khrushchev meeting. These five testified that they had come here thinking nothing but trouble would result from such a meeting.

They added that they were now inclined to believe that Mr. Khrushchev was probably more willing to talk openly and try to reach an accommodation, and that he was perhaps less dictatorial than any other possible Soviet Premier. Consequently, they said that on balance a meeting was probably worth a try, preferably in the United States.

One correspondent said he was leaving there even more alarmed by the combination of Mr. Khrushchev's power and erratic personality then he had been when he arrived.

William Randolph Hearst, head of the Hearst newspapers, said he thought any decision of this sort should await the final analysis of the Soviet Government's policies at the Geneva meeting of the Foreign Ministers' Conference, and three other correspondents agreed with this position.

Four correspondents, while favoring an Eisenhower-Khrushchev meeting, thought the risk of demonstrations against the Soviet Premier in the United States was too great and suggested it be held in a neutral country or on the high seas.

VALUE OF MEETING CITED

But the majority felt that the main point of such a meeting should be to let Mr. Khrushchev see the United States for himself in the hope that this might correct some of his misconceptions about American society.

The reaction of the visitors to what they saw of Soviet industrial and construction activities was interesting. Most of them came here after more than a year of constant publicity about Soviet scientific and engineering skills, and after a great deal of Soviet propaganda about how the U.S.S.R. was going to surpass the United States in the production of consumer goods within a decade.

All testified to the vast potential of Soviet natural resources and to the vitality and progress of the Soviet people, but they found many things on their trip that made them think that perhaps Soviet capabilities had been overestimated in the United States in the last year and a half.

Mr. CLARK. Mr. President, to my mind, the key sentences in this article are as follows:

The Vice President's mission has been a success. It has not resulted in any change in Soviet policy, but it has served U.S. interests well and enhanced Mr. NIXON's chances of nomination for the 1960 Republican presidential nomination.

This article I think helps us to realize that perhaps the most valuable part of Mr. NIXON's trip was the education which Mr. NIXON himself received as a result of having met with Russian officials and having had an opportunity to travel widely in that country and to allay a number of misconceptions about Russia, its power, its strength, the character of its people, their attitude toward ourselves, which, in my judgment, the Vice President had when he left this country. Therefore, I say that this is all to the good.

Mr. NIXON is a successful politician. All of us in this body are at least to some extent sucessful politicians or we would not have arrived in this body. So it is in no invidious sense that I say that naturally as a politician Mr. NIXON was not unaware of the fact that a successful trip to Russia would enormously enhance his chances of obtaining the Republican nomination and perhaps his chances of being elected President. I do not blame him a bit for taking that into account, but I do think it is important that we should all realize that this was one of the primary reasons for the visit. There were other reasons, too, but let us appreciate that what has been going on has been primarily the education of Mr. NIXON, his fine conduct under difficult circumstances, and perhaps most important of all the enhancement of his chances for the Republican nomination.

Another article written by Mr. Reston entitled "NIXON's Other Mission: His Personal Encounter With People May Be the Enduring Gain of His Visit," emphasizes what I have just said, and I ask unanimous consent, Mr. President, that this article may appear in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, July 31, 1959]

NIXON'S OTHER MISSION: HIS PERSONAL ENCOUNTER WITH PEOPLE MAY BE THE ENDURING GAIN OF HIS VISIT

(By James Reston)

PERVOURALSK, U.S.S.R, JULY 30.—When Vice President RICHARD M. NIXON was bumping along a rough, dusty road between here and Sverdlovsk this morning, he came suddenly on a small crowd gathered on a sunny hillside before a solitary stone memorial resembling a miniature Washington Monument.

"This," explained his interpreter, "is the dividing line between European and Asiatic Russia." On the hillside were faces from the two continents: old men in their best clothes, magnificent old women in white headcloths, young and middle-aged husbands and wives, some Nordic blond and blue-eyed, some dark and Asiatic, with shy and lovely children at their side.

The NIXON caravan stopped. Solemn young women moved through the crowd of visitors with trays of Soviet champagne and chocolates. A severe, square, young official welcomed the guests from overseas. After a brief response from the Vice President the caravan moved on.

SIMPLE INCIDENTS STAND OUT

Mr. NIXON is not likely to forget this charming incident. In fact, the enduring things about his visit to the Soviet Union are not likely to be the big splashy newsworthy events, the rather obvious aggressive and dutiful official questioners in the crowds, or even Premier Nikita S. Khrushchev in one of his calculated tantrums, but rather the simple, natural things Mr. NIXON has seen along the way.

The Vice President has really had two missions to the Soviet Union, one to the Government and one to a limited number of people in widely dispersed areas. There is no evidence that he has affected Soviet policy, despite efforts by his spokesmen to give this impression.

The Soviet officials have kept their promises to him to let him talk and to publish his statements. They have also tried to undermine his statements when they were published. They are operating on the assumption that he might be President of the United States, and therefore they have been careful not to offend him.

Yet they have been careful also to see that he was heckled and that his arguments were answered in the monolithic Soviet press.

That is the main point: On a government-to-government level the mission has been a standoff. But in personal terms, which, alas, are not very important these days, his experience has been quite different.

He has seen, or at least has had an opportunity to see, a number of very poignant things.

The look of wonder and then of joy in the faces of the crowd in the closed Siberian city of Novosibirsk at the sight of strangers from beyond the prairie horizon.

The surprise and inexpressible gratitude of an old peasant woman at the Asiatic-European boundary this morning upon seeing a picture of her grandson taken only a minute before by one of the Vice President's aids.

The evidence of immense natural resources in Siberia and of human vitality, pride, and yearning, all working for a better life.

The sight of prairies reaching to the horizon and big skies, and log cabin villages right out of Lincoln country, complete with picket fences crying for Tom Sawyer, and swimming holes populated by swarms of naked Huckleberry Finn youngsters.

No one in the Vice President's party thinks any of this is very important, and yet the scenes Mr. NIXON saw today ring a bell somewhere in the American mind. They were right out of the romantic agrarian tradition that our urban, industrial society has left behind but which it still glorifies.

Mr. NIXON reacted almost unconsciously today to this similarity between the 19th-century United States and the modern Soviet Union.

Everywhere he went, almost by ritual, the local officials gathered in the townhall, served bubbly water and pop on tables covered with green baize, and explained with patient pride what their city had been at the time of the Soviet revolution in 1917, and what it was today, and particularly what it was going to be in the future.

No U.S. Chamber of Commerce ever followed the "bigger and better" tradition of local pride more faithfully. The Vice President responded to this by recalling his humble beginning in the United States West cataloging the similarities between the two continental countries.

ENERGY NOTICED EVERYWHERE

He talked about the "wonderful" building program going on in every city he had seen and the feeling of energy everywhere. He was partly right and partly wrong.

The building is going on all right, but it is quickly and poorly constructed by unskilled workers with inferior materials. But he was right in saying there is energy and movement.

The Russians are dreaming dreams of glory. The dominant sounds here are of puffing trains laboring and hooting in the night and politicians planning and boasting by day.

This is something all American visitors here respect. Their meetings with the Soviet Government officials begin in argument and end in frustration. But their visits among the Soviet people are hopeful and even wistful experiences.

Mr. CLARK. The key sentences in this article, Mr. President, are:

The Vice President has really had two missions to the Soviet Union, one to the Government and one to a limited number of people in widely dispersed areas. There is no evidence that he has affected Soviet policy, despite efforts by his spokesmen to give this impression.

And again:

On a government-to-government level the mission has been a standoff. But in personal terms, which, alas, are not very important these days, his experience has been quite different.

Then the article goes on to point out a number of facts about the Russian economy, the organization of Russian life, the attitude of the Russian people, which were forcibly brought to Mr. NIXON's attention, and he points out how helpful that must have been to Mr. NIXON.

Mr. President, the third article written by Mr. Reston appeared in the New York Times on the 3d of August of this year. It is entitled, "NIXON and Foreign Policy." I ask unanimous consent that this article may appear in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NIXON AND FOREIGN POLICY—LAST NEWS PARLEY IN SOVIET FINDS HIM WELL PREPARED AND FAST ON HIS FEET

(By James Reston)

MOSCOW, August 2.—Vice President RICHARD M. NIXON's long years of political controversy are beginning to pay off. He has

been in the center of so many battles in the last decade, usually as the principal target, that he has learned to control his temper, his voice and even his facial expressions. This much, at least, he proved today when he held a full-dress news conference here under trying and even dangerous circumstances.

The conference was held in the ballroom of Spaso House, the residence of the U.S. Ambassador, which is a vast, ornate structure built in czarist Moscow by a sugar baron.

Mr. NIXON opened the conference to Soviet correspondents. To guard against charges of favoritism, he used an interpreter from the Soviet Foreign Ministery, Yuri Lepanov, a tense and eager young man. He let in the television cameras, Soviet and American, and took his chances.

The Russians seized upon every opening. They preceded their questions with their own official opinions and charges. They condemned U.S. military bases overseas. They criticized U.S. trade policy as "discriminatory." They badgered the Vice President about U.S. nuclear policy. They even accused him of failure to give Soviet reporters an even break with American reporters in asking questions.

He waited them out patiently. He let their harangues go on. He went out of his way to recognize them, even when they taunted him, and answered back, not brilliantly but just briefly enough and generally enough to avoid the traps they had obviously been told to lay for him.

This was not an easy exercise. The element of accident was great. Mr. NIXON had to answer in terms that would not be misunderstood either in the Soviet Union or at home.

HIGHLY EXPLOSIVE QUESTIONS

He had to be fair to his hosts, mindful of his responsibilities to both President Eisenhower and Secretary of State Christian A. Herter and responsive to a wide range of highly explosive questions. All this he managed to do with considerable skill.

He refused to discuss the substance, or even the subject matter, of his talks with Premier Nikita S. Khrushchev before reporting to the President.

He avoided getting entangled in the maze of delicate and controversial topics Secretary Herter is trying to negotiate in Geneva.

Yet he did not hesitate to express his personal opinion on an Eisenhower-Khrushchev meeting, which was that it would be useful, particularly if it could be arranged in such a way as to minimize or remove some of the Soviet Premier's misconceptions about the United States.

It was perfectly clear today that the Vice President had prepared himself carefully on the issues that divide the United States and the Soviet Union. At no time during the news conference or, indeed, in his conversations in the Soviet Union, did he show any originality in developing possible solutions for the problems harassing the two countries. But he knew the State Department's policy well enough to stay out of trouble.

The Vice President is not a policymaker or innovator. He is still essentially a tactician and a debater, a master of the obvious and of the sweeping generalization. But he has spent a lot of time making his way through the political minefields, and he is not easily trapped.

OLDER AND MORE SERIOUS

On this trip, perhaps because he has been working night and day, he looks older and more serious. The two lines running from the nose to the mouth are now deep crevices and the eyebrows seem even darker and thicker.

There is no doubt that he has come out of this experience with much more confidence. His previous oversea missions, to Latin America, Africa, and Asia, were largely ceremonial. This one has dealt more with substance, which has pleased him.

For some time he has wanted to get deeper into the formulation, administration, and negotiation of policy. He has been conscious of the fact that, despite his considerable experience in the House and Senate and in the Vice Presidency, he has had little opportunity to work on the kind of decisions he would have to take in the Presidency.

In private conversation, he has repeatedly said—though he has been careful to avoid any political discussion during this trip—that, in his judgment, the American people would choose for the Presidency the man they thought best qualified to deal with the dangerous and intricate questions of foreign policy.

In this sense, he has enhanced his opportunities on this trip. The likelihood is that on the basis of his record here he will get more executive responsibility in the future.

Mr. CLARK. Mr. President, the key sentences in this article are these:

It was perfectly clear today that the Vice President had prepared himself carefully on the issues that divide the United States and the Soviet Union. At no time during the news conference or, indeed, in his conversations in the Soviet Union, did he show any originality in developing possible solutions for the problems harassing the two countries. But he knew the State Department's policy well enough to stay out of trouble.

The Vice President is not a policymaker or innovator. He is still essentially a tactician and a debater, a master of the obvious and of the sweeping generalization. But he has spent a lot of time making his way through the political minefields, and he is not easily trapped.

This article emphasizes again, Mr. President, what I said a few minutes earlier, that Mr. NIXON's trip has been a success from his own point of view, that it certainly has done nothing to hurt the interests of the United States, and that it has made no impact whatever on the relationships between our Government and Russia.

The fourth article written by Mr. Reston appeared in the New York Times this morning, August 5. It is entitled "Bilateral Talks Prevail." I ask unanimous consent that the article may appear in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BILATERAL TALKS PREVAIL—NIXON MISSION SHOWS HOW STRAIGHT DISCUSSION CAN PIERCE PROPAGANDA

(By James Reston)

WARSAW, August 4.—The mission of RICHARD M. NIXON to the Soviet Union and Poland ended tonight in a garden back of the U.S. Embassy with the Vice President discussing Chopin, piano lessons, and Harry Truman; Adm. Hyman G. Rickover talking philosophy with the Polish Premier, Jozef Cyrankiewicz, and Dr. Milton S. Eisenhower arguing education problems with the rector of the University of Warsaw. None of this was any more important than the stimulated conversation of a Washington cocktail party, and yet it illustrated a fundamental point about this whole mission.

This was that it is possible to break through the arid stereotypes of official cold war diplomacy and propaganda and get down to straight talk about East-West differences.

For the last 2 years, aside from some plain talk between President Eisenhower and Prime Minister Harold Macmillan, of Britain, there has been very little honest discussion among the responsible allied leaders on allied problems or East-West problems.

Serious differences have developed over this period between Washington and Paris, without any real effort by President Eisenhower and President Charles de Gaulle of France to get together to resolve them. Relations between Washington and Moscow have steadily deteriorated while each side shouted at the other over its official radio.

The Geneva Conference of Foreign Ministers has been a tedious battle of debating points in which neither side has been willing to concede anything of substance.

Now, at least, a new field of negotiation has opened up at the highest level. President Eisenhower and Nikita S. Khrushchev, the Soviet Premier, have agreed to exchange visits to each other's country. The President has agreed to go to Paris to see General de Gaulle and to London and Bonn to talk with Mr. Macmillan and Chancellor Konrad Adenauer.

The experiment in multilateral negotiation has, for the time being, been put aside after innumerable disappointments, and is being replaced at least temporarily by a return to bilateral discussion among the highest responsible leaders.

This may prove to be no more profitable than the multilateral talks among ambassadors and foreign ministers, but at least it opens up a new phase of international conversation and keeps the dialogue going.

In the narrowest terms, the Russians have come out of this last phase ahead. Mr. Khrushchev has said all along that debates among the foreign ministers were a waste of time, and it is hard to prove by the Geneva Conference that he was wrong.

He has wanted not multilateral conversations but direct talks with President Eisenhower and Washington has now agreed not to one but to two.

Washington had consistently refused to agree to a summit meeting unless the Soviet threats on Berlin were removed and genuine progress was made at Geneva. The threats have not really been removed and no substantial progress has been made at Geneva, but a limited summit meeting has been arranged under the most dramatic circumstances.

DOUBT ON KHRUSHCHEV TALKS

Incidentally, while everyone in the Nixon entourage is being very polite about all this, nobody here is really very pleased about the way the Khrushchev meetings were arranged.

President Eisenhower, of course, had long reports from both Mr. NIXON in Moscow and Secretary of State Christian A. Herter in Geneva—1 of 20 pages from Mr. NIXON alone—but the feeling here is that it might have been wiser to wait 2 or 3 days for careful personal conversations with the Vice President and Mr. Herter in Washington before agreeing to two conversations with Mr. Khrushchev in Washington and Moscow.

Nevertheless, the President has decided to make another personal effort to break the stalemate, as most observers felt confident he would do at some time before the end of his second term.

In doing so he has gone back on a variety of statements he has made and of positions his Secretary of State has taken with his approval, and of course the Communist press here is now proclaiming this as a great victory for the Soviet Premier.

The whole story of the NIXON visit has not been told even in the detailed official reports to Washington. It is now known that Mr. Khrushchev was much tougher with Mr. NIXON than the press reports from Moscow indicated. There was an extremely hard and useful exchange of views but no evidence even of the vaguest sort of any new Soviet approaches or concessions or compromises.

In general terms, what has clearly happened is that, since the death of former Sec-

retary of State John Foster Dulles a little more than 2 months ago, the United States has moved closer to the British approach to the Soviet problem.

Before, the President was hesitant either to accept the Soviet postwar gains or to negotiate personally. Now he is at least ready to talk.

Left to himself, without the strong will of Mr. Dulles at the State Department, the President would probably have done so long ago.

He came to the pinnacle of U.S. national political figures not as a powerful advocate of policy but as a mediator among men. And he is apparently determined not to go out of office without trying once more to apply these qualities personally to the international scene.

POLISH PAPER COMMENTS

"Naturally the [Eisenhower-Khrushchev] meeting alone does not mean as yet that everything will run smoothly afterwards," the Peasant Party newspaper Dziennik Ludowy of Warsaw said today.

"But the mutual invitation of both statesmen already signifies a great success of the idea of peaceful coexistence and, let us admit, the personal success of Premier Khrushchev, who is the initiator of the policy of coexistence and peaceful competition and is its ardent executor."

Mr. CLARK. Mr. President, this article discusses the Nixon trip in the light of the Eisenhower-Khrushchev exchange of correspondence with the resulting agreement that Mr. Khrushchev will come to this country and that President Eisenhower will this fall go to Russia. Incidentally, the President has made it abundantly clear that Mr. NIXON had nothing whatever to do with arranging this exchange of visits.

I think the key sentences in this article are the following:

In the narrowest terms, the Russians have come out of this last phase ahead. Mr. Khrushchev has said all along that debates among the foreign ministers were a waste of time, and it is hard to prove by the Geneva Conference that he was wrong.

He has wanted not multilateral conversations but direct talks with President Eisenhower, and Washington has now agreed not to one but to two.

Washington had consistently refused to agree to a summit meeting unless the Soviet threats on Berlin were removed and genuine progress was made at Geneva. The threats have not really been removed and no substantial progress has been made at Geneva, but a limited summit meeting has been arranged under the most dramatic circumstances.

In discussing further the position of the President Mr. Reston points out that perhaps as a result of the unfortunate death of Secretary Dulles the President finds himself freer in the foreign policy field than he had been before, and that he found these meetings desirable. I agree with him. I think he is right now. I thought he was wrong before.

When a man changes his mind we have to give him credit for it. He now believes that he ought to promote these person-to-person discussions with Khrushchev, and the article says:

In doing so he has gone back on a variety of statements he has made and of positions his Secretary of State has taken with his approval, and, of course, the Communist press here is now proclaiming this as a great victory for the Soviet Premier.

Then a little later Mr. Reston says:

In general terms, what has clearly happened is that, since the death of former Secretary of State John Foster Dulles a little more than 2 months ago, the United States has moved closer to the British approach to the Soviet problem.

Finally, Mr. President, there appeared in the Washington Post this morning an article by Joseph Alsop entitled "Khrushchev's Dividend." I ask unanimous consent that this article may appear in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 5, 1959]

KHRUSHCHEV'S DIVIDEND

(By Joseph Alsop)

President Eisenhower's invitation to visit the United States is Nikita S. Khrushchev's latest and most substantial dividend from the Berlin crisis.

Everyone is rejoicing over the great things to be gained by exposing Khrushchev to our own ineffable, all-inspiring charm and might. Hence, one does not want to be a spoilsport. But the fact had better be faced that Khrushchev has got the American Government to do what he has long wanted, although the American Government, until very recently, did not want to do this in the very least.

The record on this point is all too plain. From the beginning of the Soviet agitation for a second meeting at the summit, Khrushchev has made it almost comically clear what kind of summit he preferred. What he has always pressed for is just the kind of summit he is now going to enjoy—a face-to-face meeting with President Eisenhower, with no lesser nations represented at the table.

As will be recalled, the official Soviet pressure for a second summit meeting started when poor Nicolai Bulganin was still Premier of the U.S.S.R. Officially, with one eye on the so-called neutrals like India, Bulganin repeatedly proposed an enormous and impossibly unwieldy rally of a score or more of chiefs of state.

Unofficially, meanwhile, Khrushchev, who already had most of the real power in his hands, was telling all and sundry a quite different story. He was saying that the only way to settle anything was for him and the President to get together alone in a corner.

Khrushchev first put this proposition to certain eminent foreign personalities, like Mrs. Franklin Roosevelt and Aneurin Bevan, who were visiting Russia. They were of course expected to pass the word on to the State Department and they duly did so. When there was no response to these feelers, Khrushchev came out into the open at the Kremlin reception of New Year's Day 1958. In the toast he then offered in the presence of the whole diplomatic colony, he again urged a bilateral meeting between himself and Mr. Eisenhower.

Even this blunt, overt approach got no answer from Washington. Khrushchev was not even informally asked just what he wished to discuss. Secretary of State John Foster Dulles was then unshakably opposed to any summit meeting. Dulles furthermore disliked the idea of a bilateral summit most of all. At that time, too, the President fully shared the views of Dulles, as he continued to do until just the other day.

The first shift from this Dulles-Eisenhower position took place when Khrushchev first pressed the Berlin lever. As Berlin was threatened, Secretary Dulles himself was forced to agree that a summit conference might possibly be desirable. He added, however, that such a conference would first have to be justified by some progress at a meeting of the foreign ministers. He did not even bother to add that a bilateral summit was out of the question.

For the record, it is still the American Government's position that a summit conference is desirable, but must first be justified by progress at the foreign ministers' level. But at Geneva, there was no progress at all. The second meeting of the foreign ministers was worse than the first, if anything. And if the meeting dissolved in frustration a second time, no one could tell what would happen at Berlin.

In these circumstances, when all hope was fading at Geneva in mid-July, the idea of a White House invitation to Khrushchev acquired all sorts of new attractions. It would reinsure the Berlin position, at least for the time being. It would give Khrushchev what he has always desired—a bilateral summit. It would avoid the appearance of any American climbdown from the position that a summit must be justified, because the invitation could be presented as personal, informal, and devoid of summit overtone. In this manner, Khrushchev got his dividend.

Sober realism requires all the foregoing facts be borne in mind. When the American Government abandoned long-held views under Soviet pressure, it is an event worth noting. At the same time, these facts do not necessarily mean that the original Dulles-Eisenhower views about a second summit meeting were correct views, even in 1957.

Many very able men have always held other views. For instance, the American Ambassador to Moscow, Llewellyn Thompson, has all along maintained that Khrushchev had something important to say, which he wished to say only in person and to Mr. Eisenhower alone. What this new Monster of Glamys may be, no one can be sure. But many others feel as Ambassador Thompson feels; and if Khrushchev has this special something that he wants to say, it is surely worth hearing. That alone justifies what has now happened.

Mr. CLARK. Mr. Alsop is well known to many of us who count him as our friend as one who tends on occasion to be a prophet of doom and gloom. Mr. Alsop is not what might be called a ruddy-cheeked optimist, and yet on many an occasion Mr. Alsop's warnings, to my way of thinking, have been most useful to the American people.

Mr. Alsop here is cutting through the fuzz and the propaganda and the fog and the ballyhoo of the Madison Avenue buildup and getting to the essential facts of the matter. So I think Mr. Alsop's comment about the Eisenhower-Khrushchev exchange is very pertinent for us to consider, and I quote his first sentence:

President Eisenhower's invitation to visit the United States is Nikita S. Khrushchev's latest and most substantial dividend from the Berlin crisis.

Then he goes on in general to the same line of thinking as Mr. Reston, and then coming toward the middle of the article:

As Berlin was threatened, Secretary Dulles himself was forced to agree that a summit conference might possibly be desirable. He added, however, that such a conference would first have to be justified by some progress at a meeting of the foreign ministers. He did not even bother to add that a bilateral summit was out of the question.

Mr. Alsop continues to point out the obvious that:

The second meeting of the foreign ministers was worse than the first, if anything.

And if the meeting dissolved in frustration a second time, no one could tell what would happen at Berlin.

In these circumstances, when all hope was fading at Geneva in mid-July, the idea of a White House invitation to Khrushchev acquired all sorts of new attraction.

Then Mr. Alsop after discussing that point for a moment continues:

Sober realism requires all the foregoing facts be borne in mind. When the American Government abandoned long-held views under Soviet pressure, it is an event worth noting. At the same time, these facts do not necessarily mean that the original Dulles-Eisenhower views about a second summit meeting were correct views, even in 1957.

Mr. President, I bring these matters to the attention of the Senate not in any critical sense, not for the purpose of denigrating anything the Vice President has done, and not for the purpose of criticizing the President for having agreed to a meeting with Mr. Khrushchev. I will say again, in a spirit of complete nonpartisanship, I think Mr. NIXON'S trip on the whole was a success, and I think on the whole the President was wise to invite Mr. Khrushchev to the United States and to agree to go to Russia.

However, it is extremely important that we should keep our heads in this matter and not be rushed into a national feeling of over-rosy optimism and the thought that all the problems will now be solved if the two "great white fathers" can get together and talk casually in Washington, D.C., or in Moscow. I think it is of great importance that our friends on the other side of the aisle, in their natural enthusiasm over the political success which has resulted from the Vice President's trip to Russia and the enormous wave of relief which has crossed the country, since word came out that the President had abandoned the Dulles policy and was going to sit down and talk with Mr. Khrushchev, keep this in mind. I think it is very important indeed that we should not fail to remember this is a limited success, if it is a success at all. This is what the Russians wanted all the time. We are not one step further ahead in the solving of the difficult problems we have with Russia, as a result of the Vice President's visit. We have the same need we had before to tighten our belts, to strengthen our defenses, to start working in the field of disarmament, and to push ahead with more initiative than we are doing in terms of trying to create the basis for world peace through enforceable world law.

In other words, Mr. President, let us not use Mr. NIXON'S trip and the Eisenhower-Khrushchev exchanges as the excuse to sit down under a tree and go to sleep.

Mr. President, I yield the floor

PROMOTION OF PEACE THROUGH REDUCTION OF ARMAMENTS

The Senate resumed the consideration of the concurrent resolution (S. Con. Res. 48) to promote peace through the reduction of armaments.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The question is on agreeing to the concurrent resolution.

ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, I am informed that a number of my colleagues have other engagements this afternoon. I therefore move that the Senate now stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 2 o'clock and 33 minutes p.m.) the Senate adjourned until tomorrow, Thursday, August 6, 1959, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate August 5, 1959:

U.S. CIRCUIT JUDGE

Paul C. Weick, of Ohio, to be U.S. circuit judge for the sixth circuit, vice Florence E. Allen, retiring.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 5, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Proverbs 16: 3: *Commit thy works unto the Lord and thy thoughts shall be established.*

O Thou God of all grace, we thank Thee for this moment of prayer, calling us together in the fellowship of adoration and praise, of penitence and confession, of supplication and intercession.

Grant that we may eagerly desire, rightly understand, and wisely pursue those ways of life which are well pleasing unto Thee.

Help us to aspire and strive continually to achieve that which is highest and best in character and conduct.

Inspire all men and nations to find their joy and blessedness in walking the highways of righteousness and peace, of good will and mutual trust.

Hear us in the name of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On July 31, 1959:

H.R. 322. An act for the relief of Monmouth County, N.J.;

H.R. 1605. An act for the relief of Harry F. Lindall;

H.R. 6134. An act to amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years, and for other purposes;

H.J. Res. 323. Joint resolution to facilitate the admission into the United States of certain aliens;

H.J. Res. 353. Joint resolution to facilitate the admission into the United States of certain aliens; and

H.J. Res. 475. Joint resolution amending a joint resolution making temporary appropriations for the fiscal year 1960, and for other purposes.

On August 4, 1959:

H.R. 306. An act to amend the Federal Crop Insurance Act;

H.R. 836. An act to amend the code of law for the District of Columbia by modifying the provisions relating to the attachment and garnishment of wages, salaries, and commissions of judgment debtors, and for other purposes;

H.R. 1631. An act for the relief of Joseph B. Kane, Jr.;

H.R. 3088. An act to amend sections 353 and 354 of the Immigration and Nationality Act;

H.R. 3117. An act for the relief of Albert J. Hicks;

H.R. 3249. An act for the relief of William S. Scott.

H.R. 4060. An act to eliminate all responsibility of the Government for fixing dates on which the period of limitation for filing suits against Miller Act payment bonds commences to run;

H.R. 4524. An act extending the time in which the Boston National Historic Sites Commission shall complete its work;

H.R. 4538. An act authorizing El Paso County, Tex., to construct, maintain, and operate a bridge across the Rio Grande at or near the city of El Paso, Tex.;

H.R. 5927. An act to authorize the conveyance to the city of Warner Robins, Ga., of about 29 acres of land comprising a part of Robins Air Force Base;

H.R. 6955. An act for the relief of Sallie B. Dickens; and

H.R. 7631. An act to amend the act of July 3, 1956 (70 Stat. 492), entitled "An act to authorize the Secretary of the Interior to cooperate with Federal and non-Federal agencies in the prevention of waterfowl depredations, and for other purposes."

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 6940. An act to amend the Mineral Leasing Act of 1920 in order to increase certain acreage limitations with respect to the State of Alaska.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7454) entitled "An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1960, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to Senate amendments Nos. 8 and 40 to the foregoing bill.

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled

"An act to provide for the disposition of certain records of the U.S. Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 60–2.

The message also announced the appointment of the Senator from New Mexico [Mr. ANDERSON] as an additional conferee on the bill (H.R. 7978) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1960, and for other purposes."

MY HOUR WITH HOFFA

Mr. PORTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, last night at the Woodner Hotel I talked with Jimmie Hoffa for an hour. This morning's Washington Post reported the event:

> So far as could be determined only one [Congressman] showed up at the Woodner, Representative CHARLES O. PORTER, Democrat, of Oregon. PORTER arrived after the meal had been served and sat at the head table next to Hoffa.
>
> "I'm not at all ashamed to be here," said PORTER. "Mr. Hoffa is a very important public figure and I have been looking forward to a chance to talk to him."

The story goes on to say I said there were many teamsters in my congressional district and that I had been invited to the affair, where about 180 were present, by two secretary treasurers of locals there.

It is true that I told the Post reporter, "I am not the least bit ashamed to be here," but by itself that statement sounds as though I thought someone might think I should be ashamed. Someone apparently did think so but this did not appear in the story.

The someone was Hoffa. When the reporter came to the table at the end of the meal, he asked Hoffa if any Senators or Representatives were present. Without hesitation Hoffa told him none were there. I was sitting beside him and had been talking with him for more than an hour. He knew I was a Member of Congress and that my constituents who invited me were sitting across the table from me.

Apparently he thought I did not want the press to know that I was there and that I would sit quietly and condone his barefaced, however well-intentioned, lie. Instead I introduced myself to the reporter by name and office.

I am sure Hoffa's motives were friendly and that he had reason to think a Congressman might not want to be identified as the only legislator present on such an occasion, given the present feeling about Hoffa and his cronies.

My two constituents, Teamster officials from Oregon, had told me in my office late yesterday afternoon that I was listed as anti-Teamster and that they would appreciate my coming to the Teamster meeting. The fact is, I am not anti-Teamster but I am anti-Hoffa in many respects.

I told them I had a dinner meeting I could not cancel but that I would drop by the Woodner later. I had no idea it would work out that I would be seated by Hoffa himself and have a chance to talk with him for more than an hour, but I welcomed the opportunity.

My first question was, "Are you discouraged?" I thought he might have reason to be. He emphatically denied that he was. "I do everything I can, then I see what happens and live with it," he told me.

Consulting his lawyer, Sidney Zagri, and his international vice president, Harold Gibbons, who were sitting beside us, he said their latest count showed that the Landrum-Griffin bill had enough votes for passage. They did not regard this as final and thought they would have a better count today.

I said I had been to six different meetings of Congressmen trying to learn about the legislation and its alternatives. I volunteered that I did not intend to vote for the Landrum-Griffin but for the Shelley bill, if offered as a substitute amendment, and, unless my close attention to the debate changed my mind, for the committee bill, assuming the Shelley amendment failed. The question, it seemed to me, was whether the committee bill did or did not do more harm than good.

"It will set labor back 15 years," Hoffa said, but he admitted that labor could live with the hot-cargo provision of the committee bill if the parenthetical words "other than his own employer," appearing on pages 69 and 70, were removed, a matter which I understand will be attempted in conference if it is not done first on the floor of the House.

Hoffa's real objection to the bill apparently is with reference to its provision on organizational picketing. He says an employer who recognizes as few as two members of a union in a plant of, say, 125 employees is protected from organizational picketing for 9 months. Zagri backed this contention. Congressman O'HARA, Democrat, of Michigan, however, tells me this is not true.

To my surprise Hoffa said he had no objection to the internal reform part of the committee bill, that is, the part that might be said to be dedicated to Jimmie Hoffa.

He did not bluster. The closest he came to threatening was his statement that all the Democratic Congressmen who voted for Taft-Hartley failed to win reelection except one, who was beaten the next time around.

"When the workingman gets hit here," he said, slapping his pocket, "he'll make his feelings known at the polls." I agreed with him on that and pointed out that this was the way our system was supposed to work.

In answer to a reference of mine to the disrepute of himself and his top colleagues he blamed it all on the newspapers and the commentators. He said he would be answering the Senate report issued yesterday. "Do you believe that the Department of Justice is honest?" he asked. While I was still considering my reply he told me of a report he said they had just issued stating that most of the perjury cases referred by the McClellan committee were without basis. Hoffa told Gibbons to send me a copy.

I mentioned that his office—finally, after three requests of mine to Teamster officials—had sent me a copy of all their officers, elected or appointed, who had been convicted of felonies along with data as to what varieties and on what dates. He said he sent me the same list he gave the McClellan committee and that they had never criticized it. Senator KENNEDY wrote me the other day I would soon get an answer to my query to him, several months ago, about the veracity and completeness of the Hoffa list.

The great majority of teamsters are men trying to earn a living and trying, as they have every right to do, to improve and defend their lot in life. Aggressive, unscrupulous men like Hoffa come to the fore because the circumstances of their battle with employers call for his type.

Many people tend to forget that this is a labor-management reform bill, that the McClellan committee brought out a lot that was malodorous about employers. This is an area where Congress has to set up rules. We represent the people of the United States. We must see that the public interest prevails over the interests of any other group, whether it be big labor, big business, big military, or big Government.

A REASONABLE COMPROMISE ON THE LABOR-MANAGEMENT REFORM BILL

Mr. UDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Speaker, I note by the press wires that the politicians have prevailed, and that the President will address the country tomorrow evening on the labor bill. I am informed also that the president of the AFL–CIO, Mr. Meany, will state his point of view on the airwaves tomorrow. In order to have a rounded picture of this issue, it seems to me the middle ground proposal, drafted by the House committee, should also be presented. I think everyone in this room agrees—and everyone in Washington knows—that there is one man in this city who knows full well that all vital legislation is the product of reasonable compromise by reasonable men. This man, too, knows a reasonable compromise when he sees one. I refer, of course, to Speaker RAYBURN, and I am demanding today that the networks grant him equal time to present the case for committee compromise—or to designate someone to speak on his behalf. Let us have all points of view presented to the country before this question reaches the House floor next week.

ADDITIONAL $600 STATIONERY ALLOWANCE

Mr. SILER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SILER. Mr. Speaker, on July 27, House Resolution 314 was adopted, allowing each Member of the House an additional stationery allowance of $600, retroactive to January 7, 1959.

Many of us were taken by surprise on this and would not have favored this increased compensation for ourselves if we had known the resolution was coming up.

I am now introducing my own resolution, House Resolution 336, that would allow any Member coming from a surplus labor or depressed economy area, like certain parts of my own district, to direct the Clerk of the House to draw on the extra $600 allowance of July 27 by vouchers in favor of not more than three county school superintendents of the Member's district so that the entire extra allowance might be used to buy shoes or clothes for indigent schoolchildren in those counties of the Member's district and with no tax to be charged upon the amount of this allowance so used.

This is not a screwball proposal and I am in dead earnest on the subject and in complete sincerity about this entire matter. As soon as we pass my resolution, if I can prevail on you to do so, I will issue a written order directing the Clerk of the House to draw a voucher for $200 out of my $600 allowance in favor of the superintendent of schools of Harlan County, Ky., for shoes and clothes for indigent schoolchildren of that particular county and will immediately direct other vouchers for the remaining $400 to be used in similar manner in other counties.

I was motivated to introduce my resolution by a very recent letter I received from a humble man, probably an unemployed coal miner of Harlan County, as follows:

> Dear sir thought wood drop you a few lines concerning the school children in harlan county an in my home dist there will not bee many children that will bee able to go to school for the need of food and clothing So thought wood ask you for help an information how to get these children of the road an in school.
>
> Yours truly
>
> JOHN PATTERSON.
>
> CRANKS, KY.

Mr. Speaker, I cannot imagine Congressmen from depressed areas like mine being indifferent to the serious needs of their children back home. Neither can I imagine Congressmen voting themselves $600 extra compensation when so many lack so much right here in our own country. I would like to call on all depressed-area Congressmen to introduce resolutions similar to mine, and I would like to request the House Administration Committee to become as interested now in giving favorable consideration to my resolution as that same committee gave to House Resolution 314, allowing Members $600 additional compensation on July 27.

THE LABOR BILL

Mr. KILBURN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KILBURN. Mr. Speaker, I will vote for any strong labor bill. I feel that the big corporations of this country 60 years ago were running the country for their own benefit. Now the big labor unions are doing the same thing, and I want to curb their power. They have obtained from the hard-working, honest, labor union members an awful lot of money, and they are trying to swing elections with it for their own benefit.

The abuses that have been exposed are perfectly terrible for not only the people of this country, but for the honest, hard-working union member himself.

In talking to the labor leaders up in my section, I think they feel the same way. They are honest, hard-working men trying to improve the lot of their own members. They don't want any racketeering, and they don't like to see their own members milked for political benefit.

Of course, the Democrats are in control of this Congress by nearly 2 to 1, and this is a big problem facing our country. I hope that enough of them will recognize the welfare of our country and put a stop to the racketeers and the unfair practices engaged in by many labor leaders.

It has gotten to the point where the honest, hard-working union member who pays his dues and contributes his money should be protected from the arrogant, power-hungry people at the top.

I will vote for any bill that protects them and the country, but I certainly will vote against any watered-down, slap-on-the-wrist kind of a bill which the Democrats with their power and votes may possibly bring before the House.

ACREAGE HISTORY AND ALLOTMENTS

The SPEAKER. The unfinished business is the question: Will the House suspend the rules and pass the bill (H.R. 7740) to amend the Agricultural Adjustment Act of 1939, as amended, with respect to the preservation of acreage history and reallocation of unused cotton acreage allotments, as amended?

The Clerk read the title of the bill.

The SPEAKER. The question is: Will the House suspend the rules and pass the bill, as amended?

The question was taken; and on a division (demanded by Mr. HAGEN), there were—ayes 53, noes 7.

Mr. HAGEN. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify the absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 309, nays 90, not voting 35, as follows:

[Roll No. 123]

YEAS—309

Abbitt	Dollinger	Lankford
Abernethy	Dorn, S.C.	Latta
Adair	Dowdy	Lennon
Addonizio	Downing	Lesinski
Albert	Doyle	Levering
Alexander	Duiski	Libonati
Alford	Durham	Loser
Alger	Edmondson	McCormack
Allen	Everett	McDowell
Andersen, Minn.	Evins	McFall
Anderson, Mont.	Fallon	McGinley
Andrews	Fascell	McGovern
Anfuso	Fenton	McIntire
Ashley	Fisher	McMillan
Ashmore	Flood	McSween
Aspinall	Flynn	Macdonald
Avery	Flynt	Mack, Ill.
Ayres	Forand	Mack, Wash.
Bailey	Ford	Madden
Baker	Forrester	Magnuson
Barden	Frelinghuysen	Mahon
Barrett	Friedel	Matthews
Bass, Tenn.	Gallagher	May
Bates	Garmatz	Meader
Baumhart	Gary	Metcalf
Becker	Gathings	Meyer
Beckworth	George	Michel
Belcher	Giaimo	Miller, Clem
Bennett, Fla.	Glenn	Mills
Betts	Granahan	Mitchell
Blatnik	Grant	Montoya
Boggs	Gray	Moorhead
Boland	Green, Pa.	Morgan
Bolling	Griffin	Morris, N. Mex.
Bolton	Griffiths	Morris, Okla.
Bonner	Gross	Multer
Bow	Haley	Murphy
Boykin	Hall	Murray
Brademas	Hardy	Natcher
Bray	Hargis	Nelsen
Breeding	Harmon	Nix
Brewster	Harris	Norblad
Brock	Harrison	Norrell
Brooks, La.	Hays	O'Brien, Ill.
Brooks, Tex.	Healey	O'Brien, N.Y.
Brown, Ga.	Hechler	O'Hara, Ill.
Brown, Mo.	Hemphill	O'Hara, Mich.
Broyhill	Henderson	O'Konski
Budge	Herlong	O'Neill
Burdick	Hoeven	Oliver
Burke, Ky.	Hoffman, Ill.	Ostertag
Burke, Mass.	Hogan	Perkins
Burleson	Holifield	Pfost
Byrne, Pa.	Holland	Pilcher
Byrnes, Wis.	Holtzman	Pirnie
Cannon	Huddleston	Poage
Carter	Hull	Poff
Casey	Ikard	Preston
Cederberg	Irwin	Price
Celler	Jarman	Prokop
Chelf	Jennings	Quie
Chenoweth	Jensen	Rains
Chiperfield	Johnson, Colo.	Randall
Clark	Johnson, Md.	Reece, Tenn.
Coad	Johnson, Wis.	Rees, Kans.
Coffin	Jonas	Reuss
Cohelan	Jones, Ala.	Riehlman
Colmer	Jones, Mo	Riley
Cook	Judd	Rivers, Alaska
Cooley	Karsten	Rivers, S.C.
Cramer	Karth	Roberts
Cunningham	Kasem	Rodino
Curtis, Mass.	Kastenmeier	Rogers, Colo.
Curtis, Mo.	Kearns	Rogers, Fla.
Daddario	Kee	Rogers, Mass.
Dague	Keith	Rogers, Tex.
Daniels	Kelly	Roosevelt
Davis, Ga.	Keogh	Roush
Davis, Tenn.	Kilday	Rutherford
Dawson	Kilgore	Santangelo
Delaney	King, Calif.	St. George
Dent	Kitchin	Saund
Denton	Kluczynski	Schwengel
Diggs	Kowalski	Scott
Dingell	Laird	Selden
Dixon	Landrum	Shelley
	Lane	Sheppard
	Langen	Shipley

Short	Thomas	Weaver
Sikes	Thompson, N.J.	Weis
Siler	Thompson, Tex.	Wharton
Slack	Thomson, Wyo.	Whitener
Smith, Iowa	Thornberry	Whitten
Smith, Kans.	Toll	Widnall
Smith, Miss.	Trimble	Wier
Smith, Va	Tuck	Willis
Spence	Udall	Winstead
Springer	Van Pelt	Withrow
Staggers	Vinson	Wolf
Steed	Wainwright	Wright
Stubblefield	Wallhauser	Young
Sullivan	Walter	Zablocki
Teague, Tex.	Wampler	Zelenko
Teller	Watts	

NAYS—90

Baldwin	Green, Oreg.	Moss
Barr	Gubser	Mumma
Barry	Hagen	Osmers
Bass, N.H.	Halpern	Pelly
Bennett, Mich.	Hess	Philbin
Bentley	Hiestand	Pillion
Berry	Hoffman, Mich.	Porter
Bosch	Holt	Pucinski
Boyle	Horan	Quigley
Broomfield	Hosmer	Ray
Brown, Ohio	Johansen	Rhodes, Ariz.
Bush	Johnson, Calif.	Rhodes, Pa.
Cahill	Kilburn	Robison
Chamberlain	King, Utah	Rostenkowski
Church	Knox	Saylor
Collier	Lafore	Schenck
Conte	Lindsay	Simpson, Ill.
Corbett	Lipscomb	Sisk
Curtin	McCulloch	Smith, Calif.
Derounian	McDonough	Stratton
Derwinski	Mailliard	Taber
Devine	Marshall	Teague, Calif.
Dooley	Martin	Tollefson
Dorn, N.Y.	Merrow	Ullman
Dwyer	Miller,	Vanik
Farbstein	George P.	Van Zandt
Feighan	Miller, N.Y.	Wilson
Fino	Milliken	Yates
Foley	Minshall	Younger
Fulton	Moeller	
Gavin	Monagan	

NOT VOTING—35

Arends	Frazier	Patman
Auchincloss	Goodell	Powell
Baring	Halleck	Rabaut
Blitch	Hébert	Rooney
Bowles	Jackson	Scherer
Buckley	Kirwan	Simpson, Pa.
Canfield	Machrowicz	Taylor
Carnahan	Mason	Thompson, La.
Donohue	Moore	Utt
Elliott	Morrison	Westland
Fogarty	Moulder	Williams
Fountain	Passman	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Frazier and Mr. Williams for, with Mr. Fogarty against.

Mr. Arends and Mrs. Blitch for, with Mr. Jackson against.

Mr. Halleck and Mr. Carnahan for, with Mr. Taylor against.

Mr. Kirwan and Mr. Buckley for, with Mr. Simpson of Pennsylvania against.

Mr. Hébert and Mr. Fountain for, with Mr. Utt against.

Mr. Machrowicz and Mr. Morrison for, with Mr. Scherer against.

Mr. Rooney and Mr. Thompson of Louisiana for, with Mr. Auchincloss against.

Until further notice:

Mr. Baring with Mr. Canfield.
Mr. Powell with Mr. Westland.
Mr. Bowles with Mr. Moore.
Mr. Elliott with Mr. Mason.
Mr. Moulder with Mr Goodell.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The doors were opened.

Mr. GLENN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. BROOMFIELD] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BROOMFIELD. Mr. Speaker, I voted against H.R. 7740 because I am convinced that it will help perpetuate a situation in agriculture which is essentially wrong if this bill is permitted to become law.

What we need is a complete overhauling of our Nation's policies in respect to agriculture, not a patchwork job to try and correct one of many danger points.

We need to take a close look at our entire price support and farm subsidy operation. We need to start reducing our huge piles of surplus stocks which are growing larger by the minute. We need to stop the multi-billion-dollar annual outlays of tax money to pay for subsidies, price supports, and storage of goods which no one seems to want.

Only through elimination of the present progam can this be accomplished. To attempt to hang on to an agriculture program simply because it is with us is folly.

We have ignored the fact that our farmers are producing more and more goods on less and less land. We are still tied to acreage restrictions as a means of holding down our surplus stocks. They have not worked, and they cannot work simply because the efficiency of the farmer has increased at least as rapidly in the past two decades as other portions of our economy.

We are dealing with streamlined farmers, with up-to-date methods of producing crops. We are dealing with new seeds, new fertilizers, new and revolutionary farm equipment.

To cope with this problem, we are using antiquated machiney of government which simply cannot by its very nature keep pace with these new developments. We are using restrictions and controls by Federal regulation when freedom should be our goal. We pile restriction on top of restriction when we should be trying to provide our farmers with the right to produce what he wants to the best of his ability.

We have seen valuable Federal projects curtailed because of the huge expenditures we must make just to keep this patchwork system of controls operating. We have seen our national debt increase and our interest payments rise. We have seen the price we must pay for storage and handling of our agriculture commodities alone rise to $3,500,000 a day with the prospect that the cost will rise to $4 million a day by 1963.

H.R. 7740 is another way of admitting that our present farm price support program does not work. Yet, instead of looking for a new solution to this problem, we are asked to compound this problem, to put up with another useless appendage on a monster which seems quite capable of spending money, creating surpluses, but nothing else.

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk a similar Senate bill, S. 1455, strike out all after the enacting clause of the Senate bill and insert the language of H.R. 7740 as passed.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 344 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof a new subsection as follows:

"(o) (1) Notwithstanding any other provision of law, the owner or operator of a farm for which a farm acreage allotment for upland cotton of ten acres or less is established under the provisions of this section may rent, as provided in paragraphs (1) and (2) of this subsection, such allotment, or any portion thereof, to any other owner or operator of a farm in the same county for use in the same county on a farm for which the acreage allotment for upland cotton does not exceed fifty acres. As used in the foregoing sentence, the term "allotment" includes the allotment for the farm as increased by allotments rented under this subsection, but does not include any increase resulting from the election of choice (B) under section 102 of the Agricultural Act of 1949. When the operator of any farm on which a rented allotment is to be used has elected choice (A) or choice (B) with respect to any allotment for any year, that choice shall be applicable to all allotments used on all farms operated by him for such year, without regard to any election made by the operator of the farm from which any such allotment was rented. If the operator of the farm on which a rented allotment is to be used shall not have notified the county committee of his election within the time prescribed for such notification for farms within the county, he shall be deemed to have chosen choice (A).

"(2) Any such rental agreement shall be made on such terms and conditions, except as otherwise provided in this subsection, as the parties thereto agree: *Provided,* That no such agreement shall cover allotments made to any farm for a period in excess of one crop year, renewable each year.

"(3) No rental agreement shall be effective until a copy of such agreement is filed with the county committee of the county in which the acreage allotment is made.

"(4) The rental of any acreage allotment, or portion thereof, shall in no way affect the acreage allotment of the farm from which such acreage allotment, or portion thereof, is rented or the farm to which such acreage allotment, or portion thereof, is rented; and the amount of acreage of the acreage allotment rented shall be considered for purposes of future State, county, and farm acreage allotments to have been planted on the farm from which such acreage allotment was rented in the crop year specified in the lease.

"(5) Any farm acreage allotment, or portion thereof, rented under this subsection shall be multiplied by the per centum which the normal yield of the farm from which the acreage allotment, or portion thereof, is rented is of the normal yield of the farm to

which the acreage allotment, or portion thereof, is rented.

"(6) The acreage of crops requiring annual tillage on the farm from which any allotment is rented shall be reduced during the period covered by the rental agreement below the acreage normally devoted to such crops on such farm by an acreage equal to the acreage allotment transferred. The acreage normally devoted to such crops and the amount of the reduction therein required by this paragraph shall be determined by the county committee after taking crop rotation practices and other relevant factors into consideration, and the reduction shall be agreed to in writing by the owner and operator of the farm from which the allotment is rented before the rental agreement may be filed with the county committee. Any producer who knowingly and willfully harvests an acreage of crops requiring annual tillage in excess of that permitted by this paragraph shall be subject to a civil penalty equal to 150 per centum of the rental provided for by the rental agreement filed with the county committee. Such penalty shall be recoverable in a civil suit brought in the name of the United States.

"(7) This subsection shall apply to the crop years of 1959, 1960, and 1961 only.

"(8) The Secretary shall issue such regulations as are necessary to carry out the provisions of this subsection."

The SPEAKER. The Clerk will report the amendment offered by the gentleman from North Carolina.

The Clerk read as follows:

Amendment offered by Mr. COOLEY: Strike out all after the enacting clause of S. 1455 and insert the provisions of H.R. 7740 as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. COOLEY (by unanimous consent), the title was amended so as to read: "A bill to amend the Agricultural Adjustment Act of 1939, as amended, with respect to the preservation of acreage history and reallocation of unused cotton acreage allotments, as amended."

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

REPORT OF COMMISSION OF FINE ARTS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on House Administration:

To the Congress of the United States:

I transmit herewith for the information of the Congress the report of the Commission of Fine Arts of their activities during the period July 1, 1948, to June 30, 1954.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 5, 1959.*

LEGISLATIVE PROGRAM—ADJOURNMENT OVER

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HOEVEN. Mr. Speaker, I have asked for this time in order to inquire of the distinguished majority leader as to the program for the remainder of this week and next week.

Mr. McCORMACK. There is no further program for this week. The House will meet tomorrow in order to adjourn over until Monday. Mr. Speaker, if the gentleman will yield for that purpose, I ask unanimous consent that when the House adjourns tomorrow, it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I understand there may be a conference report on the atomic energy bill. The conferees have until midnight tonight to file a report, and in that event it may be brought up tomorrow.

The program for next week is as follows:

Monday is District Day. I understand there are six or seven bills to be reported out of the Committee on the District of Columbia, and they will be announced tomorrow, or in any event they will be in the RECORD and in the whip notice to the Members.

On Monday the military construction appropriation bill for 1960 will be considered.

If a rule is reported out on management-labor legislation, that bill will come up Tuesday next. That is the bill H.R. 8342. I think there is a strong probability that the rule will be reported out so that the bill will be in order, in which event consideration of the bill will start on Tuesday and continue on through until it is disposed of.

On Tuesday, the Private Calendar will be called. Of course, the Private Calendar will be called before the rule on the labor bill is called up.

Of course, the usual reservation is made that any further program will be announced later, and that conference reports can be called up at any time.

Mr. HOEVEN. I thank the gentleman.

REFERENCE OF H.R. 8437

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from the further consideration of the bill (H.R. 8437) to provide for the reinstatement and validation of the United States oil and gas lease BLM 028500, and that the bill be referred to the Committee on Interior and Insular Affairs.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

REREFERENCE OF H.R. 6860

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce be discharged from the further consideration of the bill (H.R. 6860) to amend section 5(B)4 of the Federal Alcoholic Administration Act, title 27, United States Code, section 205(b)(4), and that the bill be rereferred to the Committee on Ways and Means.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS NEXT WEEK

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SOUTH DAKOTA NEEDS DROUGHT ASSISTANCE

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, large sections of the State of South Dakota are gripped by severe drought conditions. A developing feed shortage poses a direct threat to farmers who may be forced to dispose of their herds unless assistance is forthcoming.

Gov. Ralph Herseth and the State disaster committee have requested that parts of the State be designated a disaster area so that Federal assistance may be available. We are now awaiting agreement by the Secretary of Agriculture, Mr. Benson, that South Dakota needs assistance.

I have urged the Secretary to make available at reduced prices surplus Government-held grain that is bulging from CCC bins and local storage facilities in the drought area. If the ever-normal granary program has any validity, this is certainly a clear-cut instance of where it should be fully used. It does not make sense to deny hard-pressed farmers feed stocks that are now deteriorating in bins at the public's expense.

The Mitchell Daily Republic has stated the case for drought assistance very well in an editorial of September 30, 1959, which I include at this point in the RECORD:

CCC CORN CAN HELP MEET DROUGHT CRISIS

For the third time in less than 2 months Gov. Ralph Herseth has appealed to Washington to have parts of South Dakota declared a drought disaster area.

The first application, made after it became obvious that hay and grass crops would be the poorest in years, was rejected. The second was made after a big share of the small grain crops became almost total losses. This time the verdict was that the Department wasn't quite ready to act.

Now, with our corn prospects shriveling with each hot, dry day he again has asked for relief. It should be granted and granted immediately or this State's economy may suffer a blow that will take years to regain.

The loss of a grain harvest, although a severe blow any year, need not be a long-range catastrophe. There's always another year and though debts may be piled up in the drought year they can be repaid in the immediate future.

The greatest threat to the economy is loss of livestock herds and if our farmers are forced to strip their stock holdings to the capacity of this year's harvest it will be many years before this segment of the wealth of the State can be brought back to present levels.

Few farmers want out-and-out grants from the Federal Government. Even fewer need such grants for most have the credit to carry their animals if the Government will make concessions on CCC stored grain held right here in the State.

An astute friend of ours—and a man who probably has sufficient feed and roughage to carry his stock for at least another year—suggested that this CCC grain could be made available on a basis of the current cash price here in South Dakota less freight to Minneapolis or Sioux City.

A look at the market page this morning shows that the current cash price No. 2 corn in Mitchell is approximately $1.14. The freight between Mitchell and Minneapolis on a bushel of corn is approximately 18 cents and if our friend's formula were applied that would mean that under disaster provisions corn could be purchased on a need basis at 97 cents from the CCC bins.

Corn at this price would permit holding livestock and particularly the basic herds. In addition, some of the CCC commercial storage could be emptied at a savings to the Government of approximately 16 cents per bushel per year storage costs.

Such a program should have its safeguards. Need for the grain at this disaster price would have to be proved and individual sales be limited to immediate demand to prevent profiteering.

To us the proposal seems just and simple—probably too simple for Washington to accept even though it could save an economy from a long-range blow.

LABOR LEGISLATION

The SPEAKER. Under previous order of the House, the gentleman from Arizona [Mr. RHODES] is recognized for 60 minutes.

Mr. RHODES. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, if the schedule set forth is carried out next week, the House will be called upon to vote on a labor reform bill. It has been many weeks, Mr. Speaker, since first the proposition of a labor reform bill was considered. Many hearings have been held on the subject. On the other side of the Capitol, there was a special committee holding hearings on racketeering aspects of union operations and racketeering aspects of the relationship between labor and management and the manner in which the general public and the United States was being injured by improper practices in organized labor. As a result the other body has reported out and has passed a so-called labor reform bill. This bill does not have many of the features in it which many of us feel it should have; it does not have many of the features in it which are indicated as a result of the hearings of the McClellan committee. However, the bill was passed by the other body with but one dissenting vote and was sent to the House of Representatives and referred to the Committee on Education and Labor.

After voluminous hearings, the Committee on Education and Labor has reported out a bill introduced by the very able gentleman from Alabama [Mr. ELLIOTT].

Two equally able members of that great committee have also introduced a bill, they being the gentleman from Georgia [Mr. LANDRUM] and the gentleman from Michigan [Mr. GRIFFIN]. When the subject is brought up before the House next week, Mr. Speaker, the Griffin-Landrum bill will be offered as a substitute for the Elliott bill.

It is my purpose today to try to discuss some of the needs for labor legislation and some of the features in these two bills in order that perhaps with the participation of other Members here present it will be possible for us to shed a little more light on a subject which certainly has received the glaring light of publicity for the past several months.

It was my privilege to be a member of the Committee on Education and Labor for the first 6 years of my congressional career. I want to pay tribute to the chairman of the committee, the gentleman from North Carolina [Mr. BARDEN], and to the gentleman from Pennsylvania [Mr. KEARNS], ranking minority member, and to all of the hard-working members of that fine body who have done so much and who have tried so hard to come up with a bill which will meet the needs of the country.

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. KEARNS. I would like to tell the committee and the House that we miss the gentleman from Arizona very much on the Labor Committee. He was highly efficient and we always valued his services. We expect his support on the floor when the bill comes up.

Mr. RHODES of Arizona. I thank the gentleman from Pennsylvania and wish to assure him and other members of the Committee on Education and Labor with whom I worked so long that I miss their company and I will be with them when the labor legislation comes to the floor of the House.

The Griffin-Landrum bill actually has the support of more members of the Committee on Education and Labor than does the bill which was reported by the majority, if it is true that those who signed the various reports actually are in favor of the bill and report which they signed. It will be seen by the report that only five members of the Education and Labor Committee signed the majority report. Perhaps this has happened before in the Congress, but it has not happened at least as far as I know during the time I have been here.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield for a question?

Mr. RHODES of Arizona. I yield.

Mr. PUCINSKI. The gentleman is aware of the fact, is he not, that the gentleman and one of the sponsors of the Landrum-Griffin bill voted to report out the committee bill.

Mr. RHODES of Arizona. There were a great many Members who voted to bring out the committee bill, the Elliott bill, in order to get some labor legislation before the Congress. I certainly have no intention of castigating or even casting any aspersions on any Member who voted to bring out the committee bill. Certainly that is their right and their prerogative. It was an effort to get the bill to the floor for certainly we must pass some legislation on this subject before we adjourn.

Mr. PUCINSKI. I certainly agree with the gentleman on that.

Mr. RHODES of Arizona. I thank the gentleman.

Mr. Speaker, the Griffin-Landrum bill and the Kennedy-Ervin bill from the other body are characterized by some as harsher bills than the committee bill; and yet, Mr. Speaker, the leaders of organized labor do not even support the committee bill.

The committee bill is a watered-down version of the Kennedy-Ervin bill passed by the other body. It is primarily a bill which will require reporting of certain financial activities of unions, and not even all unions. There is a limitation which would exclude 70 percent of all the locals in the United States from even reporting their financial transactions if this bill becomes law. I do not know why, Mr. Speaker, it was felt that there is more evil in a big union than there is in a little union, or that all evil or all misdeeds must be confined to a big union. I think it is pretty well known that the president of the Teamsters Union, Mr. Hoffa, rose to power largely because of his manipulation of ghost unions, ghost locals, locals which were set up out of thin air to give the votes which were required for his rise to power. I think this certainly indicates that if it is necessary to regulate the affairs of one local in this country it is necessary to regulate the affairs of all locals. It is impossible to do away with many of the practices which have been exposed by the McClellan committee unless all locals are regulated equally and alike.

Another thing which the head of the Teamsters Union, and indeed I think many of the leaders of organized labor, is doing by the course he has taken, whether it is intended or not, is to make the committee bill look like a real tough, rough labor bill. It is not any such thing. In fact, I might say that Mr. Hoffa is trading on his own unpopularity. He is capitalizing on the unsavory things attached to his name in the public nostril. The public says that Hoffa is against the House labor bill, then this bill must have merit if Hoffa opposes it. I am amazed at how many people, even veteran members of the press, have fallen for this Hoffa strategy.

Mr. Hoffa knows that the Congress is not going to pass the Shelley substitute which he is pushing and which has been tagged by every newspaper as a Teamster-sponsored bill; yet his people are

walking through the Halls of Congress advocating its passage. Hoffa is casting the image of compromise and middle of the road on the House labor bill, an appellation which it does not deserve.

I can say right now, Mr. Speaker, if Mr. Hoffa had set out to cause the committee bill to be adopted by this House, he has taken a course of action which, in my opinion, is most likely to succeed in doing that very thing. Do not let him fool you. The committee bill is too weak to be distasteful to the leaders of labor. The bill which has been reported by the House Labor Committee represents a compromise, a compromise of the union members' rights. The union member is sold down the road by provisions which would allow no punishment for many criminals who are oppressing him at this time. He is completely ignored by provisions which would exempt 70 percent of the unions from reporting. It has been said, I think it is true, that if we pass this committee bill it will be a victory for the very people who have demonstrated by their actions in the past that they need regulation. This would be a light slap on the wrist for the people who for their own purposes are causing the great organized labor movement in this country to mean something which it never should have meant. It will be an indirect approbation of the activities of those people who have abused the laboring man and the organizations which were designed to protect and further his interests. It will be tacit condonation of blackmail picketing, illegal secondary boycotts, and hot-cargo clauses, because these ills are not corrected by the committee bill. It will be a mere frown in the direction of those who have converted the substance and the rights of the laboring man to their own uses. I hope it is not the best bill we can get.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. The gentleman just remarked that 70 percent of the unions were exempt under the committee bill. Would it not be a little more accurate to say that all the unions in the country are covered by the bill, but there were some phases regarding reporting or accounting procedures and amounts that exempt a large number of the smaller locals? However, the Secretary of Labor can incorporate any of the locals into the reporting provisions of the committee bill if he wishes to do so.

Mr. HIESTAND. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from California.

Mr. HIESTAND. What the gentleman from Oklahoma states is literally correct. The bill has been so worded that those unions are exempt unless the Secretary of Labor with a lot of restrictions and a lot of investigations decides that he shall investigate someone. In other words, they are exempt unless.

Mr. EDMONDSON. I am informed by a committee member that 90 percent of the membership of organized labor in the United States is covered by the reporting procedure, that what you have in the statistics furnished by the gentleman does not indicate 70 percent of the membership are excluded at all, but it does establish the fact that a number of the smaller locals in the United States are not required to make these regular audit reports unless the Secretary of Labor finds that their members are being deprived of information they are entitled to, at which time he can order them also to report.

Mr. HIESTAND. The statement of 90 percent is incorrect. The percentage is different. Although the larger number of membership would be definitely covered, the racketeering, the vast majority of it, which the gentleman from Oklahoma wants to help us cut out, is largely in these little unions, paper unions, and fake unions, and those would be clearly exempt.

Mr. EDMONDSON. I want to ask the gentleman if he is prepared to deny the statement which I made a moment ago that the Secretary of Labor can require reports from any union, of any size, anywhere in the United States under the terms of the committee bill if it is found that the members are not able to get the information regarding the books and the accounting of that union.

Mr. RHODES of Arizona. As far as the bill is concerned, and as far as the present general law is concerned, certainly the Secretary of Labor, if he feels that the rights of members are being tampered with, has the right to demand, by the laws already on the books, a report from the union members and the union locals concerning the matter.

Mr. EDMONDSON. The gentleman from California said that the gentleman from Oklahoma is interested in controlling this racketeering problem and to have a bill to do that. He is certainly right on that. Does the gentleman want to deny the statement the gentleman from Oklahoma made about the 90 percent membership being required to report under the committee bill? The gentleman did not give any figure himself. Is the gentleman prepared to contradict the figure that is in contention, of 90 percent, which I understand was the amount given to the committee?

Mr. HIESTAND. Mr. Speaker, if the gentleman will yield, the testimony showed 70 percent, not 90 percent.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield further on that point?

Mr. RHODES of Arizona. Yes.

Mr. EDMONDSON. As to the percentage of members required under the committee bill?

Mr. PUCINSKI. Mr. Speaker, if the gentleman will yield, I think that was misleading. Under the committee bill 70 percent of the organized labor would be excluded from the reporting provision, that is true, because the bill excludes unions under 200,000 or $20,000 annual gross. And, I want to state here that the Secretary of Labor may lift that exclusion at his discretion, but that 70 percent of locals represents only between 10 and 12 percent of the total 17 million people in the unions in this country.

Mr. RHODES of Arizona. Does the gentleman from Illinois agree with me that all evil is not confined to large locals and that there can be evil in small locals?

Mr. PUCINSKI. The committee bill recognizes that fact. The committee bill provides that whenever the Secretary of Labor feels that the exclusion does not apply, he may lift that exclusion and force that union, with only 10 members, to comply with the law.

Mr. RHODES of Arizona. The gentleman is a member of the Committee on Education and Labor. How is the Secretary supposed to know that he ought to rescind these exclusions as regards a particular union? Is there any provision in this bill which directs locals to report to him information from which he can glean facts to base such a rescission?

Mr. PUCINSKI. The committee bill excludes the small unions. However, anybody can call the Secretary's attention to any violation going on in the small unions, and then he moves in and moves in very swiftly.

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Pennsylvania.

Mr. KEARNS. I know you will agree with me that I introduced the administration bill. Secretary of Labor, Mr. Mitchell, I think is the prime factor in drafting the bill, which excluded nobody. He wanted all members of unions with 200 or less to report, and any finances over $20,000. Then they had to report if they had more than $20,000 in their treasury; is that not correct?

Mr. PUCINSKI. The gentleman from Pennsylvania will recall when the Secretary testified before our committee he did make clear to the committee the tremendously difficult task that would confront him in trying to carry out the provisions of this act. On the other hand, the committee bill says that the small unions are excluded, but their exclusion can be lifted at his discretion whenever he feels there is grounds for it.

Mr. KEARNS. The Secretary was willing to take this responsibility and to execute the duties of his office as Secretary.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Michigan.

Mr. CEDERBERG. Mr. Speaker, it seems to me that with the passage of the committee bill we are going to leave the illusion before the public that we are really doing something in this area of labor racketeering when, in fact, we are not. I know that we reported a bill providing for reporting on welfare and pension funds. Those reports are coming in by the hundreds of thousands. We are going to have hundreds of thousands of other reports coming in under the reporting provisions of this legislation. We are going to have to have a file for them down in the office of the Secretary of Labor. As a matter of fact, I am a member of the Appropriations Subcommittee that handles that office and we are having trouble finding space for them. We have got to buy new files. There will not be enough men in the United States who can possibly go

through and look at all these reports. It will be impossible.

So, before we delude the American people into thinking that we have really done something in this area of racketeering that has been so forcefully brought out by Senator McCLELLAN and his committee in the other body, I think we are going to have to get some of the basic fundamentals of those things that are wrong in labor in the area of racketeering.

I notice that the gentleman is shaking his head. One case in my district is in the area of blackmail and organizational picketing. Until we face those issues, in my opinion, we might just as well have no labor bill at all.

Certainly no one denies, no thinking person denies the economic benefits that have accrued because of active and good and honorable union membership. If I were working in any of these areas I would belong to one of them myself. I think they have made a large contribution. But, just as we have had in industry antitrust provisions, we have got to have some kind of honest and sincere legislation.

I hope the gentleman will permit me to say this. I think in your district, and in your district, and I know in my district, there are organizers from these various unions going around. I think one of the problems today in organized labor is that these organizers are being hired like salesmen. They go out on a commission basis, almost; the more you sign up, the more money you make. That, in my opinion, does not constitute good unionism. They come to an employer and they say—and they do not even go to the employees—"We want to sign up your employees." I had an example of that about a month ago. In my district there is one man who has one company on one side of the road and an interest in another company on the other side of the road. This company had seven employees. What did he make? He made tile so that farmers could tile their front yards. About a year ago, a union came in and tried to organize them. It is my understanding that only one indicated any favor toward that particular union. About a year later, or some time later, another union came in and did organize them. So, immediately after that organization took place, a picket line went up. And it went up for what purpose? Assumedly for informational purposes. Are you going to tell me that is against the law?

Mr. PUCINSKI. If the gentleman will yield to me, I will not tell you that.

Mr. RHODES of Arizona. I yield to the gentleman.

Mr. PUCINSKI. On that very point that the gentleman raised, this committee bill is very explicit. It provides that where a union is recognized by an employer, with a bona fide contract, another union may not go in there and engage in organizational picketing. On the point of picketing, I would like to call the gentleman's attention to the fact that the committee bill does provide a very severe penalty in dealing with extortion picketing. It provides a $10,000 fine or 20 years in jail for extortionist picketing. Can the gentleman list any number of laws in this country that provide a 20-year jail sentence, for any crime? This bill deals very severely with extortionist picketing.

We hear a lot of speeches by people who apparently have not taken the trouble to read this bill.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield further?

Mr. RHODES of Arizona. I yield.

Mr. CEDERBERG. Extortion is illegal in any field. I am saying that any labor legislation that does not correct these abuses misses the mark. It is my understanding that this bill in the area of organizational picketing—and I am not a member of the committee, but I know that some abuses are taking place in some areas around the country, where people come in, even where they have a union, the first thing they do is to put up a picket line, assumedly for informational purposes, so that no one can come into the plant to deliver supplies or anything else. So that in effect, that business is out of business.

Let me say to the gentleman, don't worry about big unions. Don't worry about big business. General Electric, General Motors, Ford, anybody else of that kind, will take care of themselves. They will get along fine and they do get along fine in these areas. But it is the small businessman who is really having problems in this area, the man who employs 10 or 50 or 100 people. They are the ones who are really having the problems.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield further?

Mr. RHODES of Arizona. I yield.

Mr. PUCINSKI. Mr. Speaker, I should like to read to the gentleman a statement made by the counsel for the Senate Racketeering Committee on the "Jack Paar Show." He was asked:

> Question. Management's guilty too?
>
> Answer. There's not any question—management—some of the biggest companies and corporations in the United States set Dave Beck in his various financial deals.

Mr. CEDERBERG. I do not think two wrongs make a right. I deplore that just as much as I deplore anything else. If your law does not correct that, then it is not a good law either. I think you have to go into this whole area. As far as personalities are concerned whether it is Dave Beck or Jimmy Hoffa or whoever it might be, personalities come and go. This legislation to protect the average rank and file will be here a long time after we go and there is not one of us here who is not indispensable.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. EDMONDSON. I am not a member of the committee either, but it is my understanding that the substantial difference on the point of organizational picketing between the Landrum-Griffin bill and the committee bill is a matter of 3 months. You have a requirement that where there has been recognition of a union and a contract, under the committee bill there is a 9-month period that has to transpire before there can be organizational picketing. The Landrum-Griffin bill imposes a 12-month period. Would the gentleman not say that that is a rather small difference on the question of organizational picketing?

Mr. LANDRUM. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Georgia.

Mr. LANDRUM. I want to see if I understood the gentleman from Oklahoma correctly when he said the only difference between the alleged committee bill and the Landrum-Griffin bill on the point of organizational picketing was a matter of 3 months. Is that what the gentleman said?

Mr. EDMONDSON. My understanding as to the period involved in which organizational picketing is prohibited is that it is a 9-month period after a contract has been concluded, that is, in the committee bill. And there is a 12-month period under the Landrum-Griffin bill.

Mr. LANDRUM. If that is the gentleman's understanding, then he is completely misinformed about both bills.

Mr. EDMONDSON. Will the gentleman enlighten me on this point then.

Mr. LANDRUM. If the gentleman from Arizona will yield to me further, I will do so.

Mr. RHODES of Arizona. I yield.

Mr. LANDRUM. On the question of organizational picketing, the alleged committee bill restricts picketing in only one instance, and that is for a period of 9 months following a valid election. To that extent, the gentleman is correct in his information. The committee bill does restrict organizational picketing for a period of 9 months following a valid election. The present law restricts it for 12 months so the committee bill weakens the present law. Now as to the Landrum-Griffin substitute, the restriction against organizational picketing is effective in four instances. And these are the instances:

First. Organizational picketing is restricted by our substitute for a period of 12 months, just as the law does, following a valid election.

Second. It restricts it also, or rather it prohibits it also when the law has required the employer to recognize another union.

Third. It further restricts it when the picketing union cannot show a sufficient interest of employees, that is, where it has failed to gather at least 10 percent, or 3 out of 10 of the members cards.

Fourth. It prohibits it for a reasonable time, and we are bold enough to try to define what reasonable time is by saying that there shall be no picketing for a reasonable time, not to exceed 30 days, unless the petition for an election has been filed.

That is the difference between the two bills.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. CEDERBERG. I would just like to say it is a rare instance when I follow very many Democrats, but I want to follow the gentleman from Georgia [Mr. LANDRUM]. I want to say this further. The gentleman from Arkansas,

the head of the committee in the other body, who has done such a tremendous job, made a speech and I read his speech before the Press Club. If I read his speech correctly and I understand he is the authority for your party in this area, he knows about it and he has been handling this whole racketeering business for a long time, and he came out in favor of the bill of the gentleman from Georgia. He says it is a good bill. I am going to follow him. I think he knows what it is all about and I think the American people who have followed the news comments on this particular piece of legislation want it, and that is good enough for me.

Mr. RHODES of Arizona. Mr. Speaker, another field of picketing which the committee bill does not take into account and does nothing about is the field of so-called organization from the top. Organizing from the top occurs when a labor leader or a person who is an employee of a labor union goes to an employer and says in effect, "I want to organize your plant." Perhaps, the employer will say, "Then go see my men." The reply in the stock case is, "No, you go see them. You go sign up your men, and if you do not do it, we will picket your plant or we will use some of the other well known weapons." That is organization from the top. That is one of the most insidious pieces of labor machinations which could possibly be imagined. As I understand it, and as I read the committee bill, it does nothing whatsoever in this field.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. THOMPSON of New Jersey. Is the gentleman not talking about extortion picketing?

Mr. RHODES of Arizona. No, not the way I read the bill.

Mr. THOMPSON of New Jersey. I suggest that my distinguished friend, whose presence we miss very much on the committee, read the bill again because that is extortion picketing.

Mr. RHODES of Arizona. Then let us read the bill together.

Mr. THOMPSON of New Jersey. And with reference to the secondary boycott, the secondary boycott is already outlawed by the Taft-Hartley Act and the only loophole in it is covered in the committee's bill.

Mr. RHODES of Arizona. Let us read this extortionate picketing provision together. It reads:

> It shall be unlawful to carry on picketing on or about the premises of an employer for the extortionate purpose of, or as part of any extortionate plan or conspiracy for the purpose of, taking or obtaining any money or other thing of value from any employer.

Mr. THOMPSON of New Jersey. What is the gentleman's hypothesis?

Mr. RHODES of Arizona. The hypothesis is that if you are taking money from an employer you may be extorting it from him. But that is not organization from the top. The organizer does not go to the employer and say, "Give me a thousand dollars"; he goes to the employer and says "You organize your employees for me." No law on extortionate picketing could touch a situation such as this.

I do not think the gentleman wants to say that this language covers the case which I mentioned.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. PUCINSKI. On the point of organizational picketing, we have given it great consideration in our committee. I call the gentleman's attention to the fact that the National Labor Relations Board has ruled that where there is not a sufficient number of employees in the factory and a picket line is thrown around the factory this is no longer an expression of free speech but rather economic coercion.

This was the rule laid down by the NLRB. It was appealed. The U.S. Appellate Court threw the thing right out of the window and said that this is in line with the Constitution, that this is an expression of free speech.

Is the gentleman suggesting that we rewrite the Constitution, at least the way it is being interpreted by the courts of this country? That is the suggestion I leave with the gentleman.

Mr. RHODES of Arizona. I suggest that when substantially no one working in a plant wants it organized, the employer should not be pressured into insisting that his employees join any union.

Mr. THOMSON of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Wyoming.

Mr. THOMSON of Wyoming. I am just wondering if there is an effort to confuse being made here. If the gentleman does not mind, let us get back to this matter of the exemption of small unions. I am not a member of the committee, and yet some of the statements made gave the impression, at least to me, that all the individual union member in a small union had to do was to contact the Secretary of Labor and if he felt something ought to be looked into he would look into it promptly.

I suggest that this is a very important matter out in my area because we have a lot of people who are interested in protection by law, and a large number belong to small local unions of under 200 membership.

I have obtained a copy of the bill and this is the provision.

The small union is exempt "unless the Secretary determines after due notice and opportunity for hearing that the exemption of such labor organizations should be withdrawn, permanently or conditionally, because the membership of that labor organization has been denied the substantial equivalent of information required by subsection (b)"—that is a lawyer's dream. You are getting this involved in a field day for lawyers. This is very confusing. It is not a question of the Secretary feeling that something must be looked into. It is a provision for a legal hearing. No individual union member will have the resources or time to take it up. If he does he will be worn down and finally cut off and stopped by redtape, as happened in the Roy Underwood case which I intend to mention later.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. EDMONSON. I have the complete text of the committee bill before me, H.R. 8342. I hope the gentleman from Georgia [Mr. LANDRUM] is here at this moment, because he was positive in his statement that the only situation in which recognition picketing was dealt with in the committee bill was in a situation where an earlier election had been held, and for 9 months thereafter it was prohibited.

I read from page 70 of the committee bill, line 14, this provision:

> Where the employer has recognized in accordance with this act any other labor organization.

That comes pretty close to being one of the situations that is covered by the Landrum-Griffin bill, so while I will admit to this body that I oversimplified and was partly in error in distinguishing between the two, I think my good friend from Georgia is also slightly in error, I am sure by inadvertence, in not giving the complete picture about the provisions on recognition picketing in the committee bill.

Mr. RHODES of Arizona. I do not pretend to defend the gentleman from Georgia, because he requires no defense from me or anyone else. However, I certainly would like to point out to the gentleman from Oklahoma that as I recall the remarks of the gentleman from Georgia they were not inconsistent with the provision the gentleman from Oklahoma mentioned.

I might point out to the gentleman that the section which he mentioned is a situation in which there is already a bargaining agent set up for a plant, and this is a provision of law or will be a provision of law which prohibits picketing in such a case. In other words, this would be a fight between two unions, and I am sure the RECORD will show that the gentleman from Georgia referred to this section in his remarks.

Mr. GUBSER. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. GUBSER. I wonder if the gentleman could clear up this question for me: Assume that an organizational picket line exists in the case of a small business which would be illegal under either the committee bill or the Landrum-Griffin bill. Where could that small businessman go for relief from that illegal picket line? Is it true that under the committee bill he would have to go to the National Labor Relations Board? We know that under present circumstances he must wait 2 or 3 years for a hearing, whereas under the Landrum-Griffin bill he would have other avenues he could pursue.

Mr. RHODES of Arizona. The gentleman is speaking of the no man's land. That is brought about by extension of the preemption doctrine by the Supreme Court. The gentleman has stated the case as it is. Under the case which he gives, the small businessman now probably would have no form of relief

whatsoever because of the preemption doctrine. The committee bill is better than the present situation because it does give him some forum to go to, although it is an expensive one and far, far away. The Landrum-Griffin bill is much better, in that it provides a more accessible and readily available remedy.

Mr. GUBSER. The gentleman states the committee bill is an improvement. Does he not mean it is an improvement in the sense it defines jurisdiction, but as a practical matter if the NLRB cannot handle the case today how can it handle it tomorrow?

Mr. RHODES of Arizona. The gentleman is correct. That was the doctrine of the NLRB. It has been said that justice delayed is justice denied, which is true. For all practical purposes, the gentleman from California has stated the situation accurately.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I was interested in the point raised by the gentleman from Wyoming with regard to the exemption of unions. Is the gentleman aware of the fact that in one international union 86 percent of the total membership belongs to only 11 percent of the locals? In other words, 11 percent of the locals are so large that they encompass 86 percent of the membership. The other locals are extremely small. The officers are unpaid. They do the work on union affairs and union books at the kitchen table with the help of their wives or whoever they can get.

The committee faced realities and the consensus was at least there ought to be some reason before setting up a bureaucracy so large that there could not be any possible enforcement of the law. I might point out parenthetically, too, it is of interest to note that the committee bill that has been attacked here so vehemently by these people, and which was supposed to have been improved by the Landrum-Griffin bill, the Landrum-Griffin bill encompasses 88 of the 102 amendments adopted in the committee. It therefore seems to me that those who helped write the bill have been paid a large tribute by the authors of the Landrum-Griffin bill and by the present proponents of it. The fact of the matter is that there are three points of view in the House at the moment. There are those who would want perhaps too little legislation, there are those represented by the gentleman from Arizona, whose opinion I respect, who want too much; then there is the middle group who want a reasonable and effective bill. Anyone can stand up here and criticize technically these 72 pages, but the fact of the matter is that the committee did a prodigious job on this bill. It is a workable bill. It is not perfect. I doubt even the authors of the Landrum-Griffin bill, distinguished and unnamed though they are, contend that they have a flawless piece of legislation.

Mr. RHODES of Arizona. I thank the gentleman from New Jersey. I certainly hope he will realize in any remarks already made I have no intention of derogating from the long hours of work which the committee put in or from their honesty and sincerity in attempting to bring a piece of workable legislation to the floor. My only purpose is to try to explore the area and to hold the cloth up against the form, if you will, to see whether or not it fits.

Mr. THOMPSON of New Jersey. I meant no inference that the gentleman was attacking any of us personally. The gentleman was a member of the Committee on Education and Labor for a long time. The fact he is not on it at the moment does not mean that he is not a student of this subject. I recognize that, but I am sure the gentleman realizes that the differences here are differences in degree, essentially. I have heard a lot of talk about the fact that in analyzing the committee's vote on the reporting of the bill, with the great number of additional and supplemental facts reflected in it, the fact was a majority of the committee did not vote for the bill. That is simply a point of view. I might suggest, too, that the Landrum-Griffin bill was not offered to the committee, and had it been, under no circumstances or by any combination that I am aware of could it possibly have gotten the 16 votes that the committee bill received. That does not mean that it does not have some merit. As a matter of fact, it might have. It is taken entirely from the committee bill. And, I love that. But I do not like the small percentage which is added.

Mr. RHODES of Arizona. The gentleman states that the difference between these bills is largely a difference of degree. The secondary boycott problem, and there is a problem, in spite of the fact that Taft-Hartley tried to cover it, is not mentioned in this bill. Now, I doubt if you could call the difference between nothing and something a difference of degree. In other words, my main quarrel with the committee bill is not what it does, but what it does not do.

Mr. THOMPSON of New Jersey. You say that the secondary boycott is not mentioned in the bill. In the first place, it is incorporated in the Taft-Hartley Act, and repetition of it in the bill would be redundant. In the second place, on page 68 of the committee bill, line 22, section 705, there is a reference to section 8(a) of the National Labor Relations Act, as amended, which relates to secondary boycott. That closes the loophole by eliminating the hot cargo, and it eliminates it effectively.

Mr. RHODES of Arizona. Is this the committee bill you are speaking of, or the Griffin-Landrum bill?

Mr. THOMPSON of New Jersey. Oh, not the Griffin-Landrum bill; the committee bill.

Mr. RHODES of Arizona. What page of the bill eliminates the hot cargo problem?

Mr. THOMPSON of New Jersey. Page 69, line 10, section 8(b), which is the secondary boycott section of the National Labor Relations Act, as amended, is amended by striking out, and so on:

(7) To enter into any contract or agreement, expressed or implied, with any employer who is a common carrier subject to part II of the Interstate Commerce Act, whereby such employer ceases or refrains or agrees to cease or refrain from handling, using, or transporting any of the products of any other employer, or to cease doing business with same: *Provided*, That nothing in this paragraph shall be construed (A) to require any employee to enter upon the premises of an employer (other than his own employer) where such employer is engaged in a primary labor dispute, or (B) to invalidate a collective bargaining agreement which provides that such refusal shall not be cause for the discharge of such employee.

That is the hot cargo clause.

Mr. RHODES of Arizona. The gentleman from New Jersey knows that this is only a part of the hot cargo situation. In the hot cargo situation, as I understand it, a classical case would be where a union signed a contract with an employer stating that if the union so advised the employer, that the employer would not make his employees work on material from a plant which, for some reason, the union has blacklisted.

Mr. THOMPSON of New Jersey. Those clauses are in labor-management contracts.

Mr. RHODES of Arizona. That is true.

Mr. THOMPSON of New Jersey. And they would be outlawed.

Mr. RHODES of Arizona. I am sorry I must differ with the gentleman because obviously this wording deals only with contracts involving interstate commerce carriers.

Mr. THOMSON of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. RHODES or Arizona. I yield to the gentleman from Wyoming.

Mr. THOMSON of Wyoming. I think the gentleman used the term "interstate carrier." In so doing, does he mean "common carrier"?

Mr. RHODES of Arizona. I mean common carrier in interstate commerce.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Florida.

Mr. CRAMER. Would the gentleman say that it is "nit picking" to reiterate the position that Senator McCLELLAN took with regard to the committee bill? Is it "nit picking" to say that the Landrum-Griffin bill more closely approximates the findings of the McClellan committee with regard to the areas of need for legislation in this field? Or would the gentleman say it is "nit picking" to suggest that the President of the United States said that he felt, in effect, that the Landrum-Griffin bill was a stronger bill and more closely approximated the recommendations of the President and the McClellan committee? Or would the gentleman say that it is "nit picking" to suggest that 70 percent of the paper local unions are not even covered under the committee bill when it comes to the matter of the making of financial reports? And I ask the gentleman if he thinks that the differences that have been expressed, particularly by Senator McCLELLAN, who has for so long had this matter under consideration, represents "nit picking"?

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield on that point?

Mr. RHODES of Arizona. I certainly do.

Mr. THOMPSON of New Jersey. Mr. Speaker, I do not think the gentleman from Florida [Mr. CRAMER] is aware of the fact that the Senator appeared before the joint subcommittees and in his testimony said categorically that even section 7, in his opinion, was not entirely necessary and could be eliminated. Section 7 is what the concentration of effort is on. Apparently there is a studious effort here to avoid the fact that the real essence of this bill is in the central sections of it which we will get to in debate on the floor. But the Senator from Arkansas appeared before the committee and said, "Let us take section 7 out, if you want to."

Mr. CRAMER. I am sure the gentleman from New Jersey read the statement that the Senator made, that a Member of the other body made——

Mr. THOMPSON of New Jersey. Which one?

Mr. CRAMER. The statement before the Press Club. Certainly the gentleman cannot say that the distinguished Senator, a Member of the other body, is not fully familiar with the subject and does not know what he is talking about, when he properly criticized the weak committee bill.

Mr. THOMPSON of New Jersey. With reference to the Member of the other body, I am not going to characterize him, but I do not think he nor any other individual is the repository of all knowledge on this subject. As a matter of fact, I would much rather listen to him before the committee of the House of Representatives than before television cameras up at the Press Club.

The SPEAKER. The Chair desires to interpose at this point and say that there is wide enough scope to discuss the various bills that will come before the House. I understand there will probably be two substitutes offered to the committee bill. I rather think it would be better to keep the names of Members of the other body out of this discussion. We have always tried, in the House at least, to preserve the comity between the two bodies and if we get to discussing individuals of the other body and their views, that will not be conducive to maintaining that comity between the two Houses, which we have had for a long, long time.

Mr. RHODES of Arizona. I thank the Speaker. Of course, the Speaker is absolutely correct in that when this bill or any other bill comes before the House, it is going to be a question of which is the better bill and a question for each Member to decide in the vote that he will cast.

Mr. HECHLER. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman.

Mr. HECHLER. Mr. Speaker, I want to congratulate my friend from Arizona who I think is making a great contribution in attempting to throw light on this complicated issue. In an attempt further to throw light on the issue I should like to quote from a statement made by Robert F. Kennedy when interviewed on a program on which I appeared. Mr. Kennedy's remarks were made on a television broadcast which was filmed for various West Virginia stations and released this week. He said:

> Well, I think that the bill that has been reported by the House committee is a very strong piece of legislation. I think, obviously, there can be some improvements on it, as there can be improvements on any legislation. But I think that it will deal in the six or seven major areas in which we have spent the most time in the 2½ years of investigations we have been conducting, so I think it is a strong piece of legislation.

This statement, coming as it does from the chief counsel of the committee which has investigated improper activities in labor-management relations, demonstrates conclusively that the House Labor Committee bill—the Elliott bill—is strong, effective legislation, which deserves the support of Congress.

I appreciate the courtesy of the gentleman from Arizona in yielding to me for the purpose of inserting this statement in the RECORD.

Mr. RHODES of Arizona. Mr. Speaker, I want to close with a few words concerning this general subject. If my mail is any criterion, the people of this country want a labor bill and they want a bill which will accomplish certain things. It is not going to be enough to go back home to your districts and say to the people, "We passed a labor bill." The people back home know of some of the abuses which exist under the present laws and which the present laws do not touch. If we pass a bill which is not effective and which does not operate in such a manner as to end these abuses, then each of us who is a Member of this body will be subject to criticism, and I think rightly subject to criticism. If any phase of American life has been held up to the harsh glare of publicity and of probing, then this particular phase has. There is not a Member of this body who can justly say that he does not have at his disposal the means of finding the truth about the need for legislation in this field.

I hope, Mr. Speaker, we will bring this bill to the floor of the House. I know there will be a debate, a good debate, and finally I hope the Members of the House will work their will. When they do so, I hope they will remember that there are a lot of people back home, some of whom have written letters but many of whom have not written letters, but all of whom are watching the results of this vote very carefully.

Mr. THOMSON of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. THOMSON of Wyoming. I would like to commend the gentleman from Arizona. The gentleman is rendering a very valuable service and is making a very definite contribution. All of us have not had the opportunity to study this as much as we should like, and, of course, we will do so before the bill comes up for consideration. But, I think we must be really careful that we do not give rights to union members in big print and take them away in the fine print, as the saying goes. In this connection, I have again had very forcefully called to my attention the necessity of really serious consideration of this matter in the recent article that appeared in the Reader's Digest calling the attention of the Congress to consider the death of Roy Underwood.

Mr. Speaker, "Attention, Congress. Consider the Death of Roy Underwood." This is the title of the lead Reader's Digest article for August 1959. The article asks:

> Is there no way to curb the powers of an evil union when they are turned against the members themselves? For 14 bitter, frustrating years this valiant union man tried to fight back—and finally gave up.

Roy Underwood, a crane operator, fought the corrupt union bosses of the Operating Engineers to gain individual rights for the rank and file of his union. What did Underwood want? Merely what you and I would want: the right to assemble, to speak freely; the right to elect those who will levy the dues; the right for redress against wrong.

Underwood even formed a committee for liberation of union members. When the Reader's Digest article's author, Lester Velie, first met Underwood in those early days, Underwood was full of fight and hope and crusading spirit. He even was not defeated when the international union president, Joe Fay, had his toughs beat up the committee joiners.

As a result of a courageous suit for self-rule, Underwood got to be head of his local. Then he was a marked man. Fay determined to get him and his free local. Fay was still all powerful even though he was now directing the union from prison.

During a strike, one of the big union bosses named Maloney grabbed local control out of Underwood's hands.

The big union board tried and fined Underwood $3,500. Determined to crush out the last vestige of independent spirit, the board cracked down on the other dissenters in the local. It was like Hitler in Germany. Nevertheless, Underwood's crusaders spent great sums of their pay to take the fight to the NLRB. The union bosses were forcing management to fire many of Underwood's followers. But there was no way to prove it. So they gave up on the NLRB.

Underwood turned to the Federal courts. For 5 years he fought the $15 million treasury of the big union. More and more, his financially destitute followers returned to the corrupt union to recant.

The upshot of the trial broke Underwood's heart. The judge sympathized, but concluded:

> The courts do not look with favor upon interference by the courts in the internal workings of any * * * labor organization.

When Underwood came home, his wife said he looked like a licked man. The fight was gone from him. The bad men, the union gangsters, won in the long run.

Fay was out of prison, living on a $10,000 union pension.

So, 14 years after Roy Underwood started his crusade for a labor bill of rights, he gave this advice to his young

son: "Never fight the rackets as I did. You cannot win." Later he wrote a note to his wife.

And then he shot himself.

"Attention, Congress," Mr. Velie entitled this article.

And he closed the article this way:

AFL–CIO leaders argue that no written guarantees are needed to protect the rights of the union man. His own union constitution, enforceable as a contract in court, protects him, they say. This the life and death of Roy Underwood contradict.

A bill of rights for the union man is urgently needed. How long will Americans stand by without establishing this protection?

Mr. Speaker, do our honest laboring men, like Roy Underwood, live under Soviet justice or American justice?

This Congress must decide.

On the one hand, there is the House committee labor bill. It would not provide the type of bill of rights that the senior Senator from Arkansas sponsored in the other body. Roy Underwood did not fight for a sweetener for the Fays, the Hoffas, and the Dios.

The committee bill would require a union member to exhaust union remedies for a 6-month period before bringing court action for relief.

Now, just what existing remedies were there in the operating engineers for the late Roy Underwood? None. Only punishment for seeking justice.

The committee bill loophole is that after the 6-month period, under the Taft-Hartley limitation rule, the NLRB bars charges.

So, the committee bill, in fact, allows no forum for relief—only red tape civil investigations against future violations. Even worse, the committee bill nullifies individual rights by removing penalties for their denial.

The bipartisan Landrum-Griffin substitute, on the contrary, provides the bill of rights teeth for which Underwood fought. A union member could seek immediate redress of basic rights, if not satisfied, after 4 months of union channels. The bill spells out the rights to vote, to free speech, to sue, to fair dues, to even-handled rules of discipline. The bill provides stringent criminal penalties for persons willfully violating members' rights by force and violence.

Mr. Speaker, the choice this Congress must make is between rights under Landrum-Griffin and no rights under the committee bill for those workers Underwood left behind.

Dare we choose "no rights" and prove that the late Roy Underwood's last disillusioned words to his son were, in fact, true?

Mr. Speaker, I think this entire situation certainly demands our most serious attention in the days and weeks ahead, and I intend to give it that attention and I am sure the other Members of the House will also. Much is at stake and most important along with the public interest are the rights of the individual workers of America. I again commend the gentleman from Arizona for his contribution.

Mr. RHODES of Arizona. I thank the gentleman.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. CEDERBERG. Mr. Speaker, I, too, want to commend the gentleman from Arizona for taking this time this afternoon to speak on this very important subject. Certainly, every Member of this body is going to give this matter very serious consideration. No one is going to impugn the motives of anyone else as to the action that anyone takes on this legislation. I just want to say that one other thing that disturbs me a little bit is when I read in the press that there are these prounion forces and antiunion forces and so forth. So far as I am concerned, I yield to no one as far as being prounion. I think unions have a very vital place on our economy, and they ought to stay here. But, there are certain regulations that should be promulgated for the best interests of the membership of these very unions. I think it is fitting to recall, as I was not here at that time, that when the Taft-Hartley Act was enacted, a great hue and cry went up about the damage that it was going to do to the honest trade union movement in this country. But, certainly, the facts are that since the Taft-Hartley law was enacted the unions have grown greater and have grown more powerful and they have gained for their members greater benefits than any other time in the history of the United States. Certainly, we should not be deluded into believing that legislation that is going to be considered by this body is going to do any damage to our trade union movement because I believe it is going to get to those areas that the hearings have brought out which need attention, and I think it is going to be in the best interest of management and labor and of the American people as a whole. We should face this thing honestly and squarely whichever way it comes up.

Mr. RHODES of Arizona. Mr. Speaker, I have heard it said that we have a government by minorities. I hope that is not true, and I believe it is not true. A minority is capable sometimes of making so much noise that it sounds like a majority. However, I think it behooves all Members of the House, as this question comes before us, to remember that there is a very great silent majority out in the country which will be watching this vote very carefully. They will also be watching the results obtained from any bill that we pass, their interest will continue not only next week or next month but for the years to come.

The majority is composed of all sorts of people. It is the rank and file members of the labor unions. It is composed of shopkeepers. It is composed of farmers. It is composed of housewives. It is composed of the wives of people who have been called out on strike whether they wanted to go out on strike or not. It is composed of a lot of just good, hard-thinking Americans who are getting sick and tired of having racketeers run roughshod over a very large segment of the population. They want us to do something constructive about it. I trust we will.

The SPEAKER. The time of the gentleman from Arizona has expired.

Mr. RHODES of Arizona. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HIESTAND] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

WHERE ARE THE LIBERALS?

Mr. HIESTAND. Mr. Speaker, liberals are supposed to be for liberty. But the counterfeit liberals of the 86th Congress oppose liberty by opposing the Landrum-Griffin bill which would liberate millions of laboring men from labor bosses.

The House Labor Committee bill H.R. 8342 prescribes a sort of code of ethics for workingmen's rights, and then neatly arranges to nullify these rights by removing penalties for labor boss violators.

It would have been a low day in American history had the framers of our constitutional Bill of Rights added an 11th amendment nullifying the first 10.

The bipartisan Landrum-Griffin substitute H.R. 8400 follows the traditions of our constitutional Bill of Rights by spelling out rights and insuring that those rights can be enforced. Under the Landrum-Griffin bill the labor bosses cannot make a mockery of the workingman's rights of free speech, to vote, to sue, to fair dues, and to fair rules of discipline.

This bill defends the workingman by providing salutory criminal penalties against persons who willfully violate union members' rights.

Why are the counterfeit liberals against legislation which would protect working men and women against the power and intimidation of the labor bosses?

Can it be because of party politics? No—because the Landrum-Griffin bill is a bipartisan measure. Both sponsors have clearly placed country above party in writing this bill. They ask us to follow suit. They have emplored all Members not to entangle this measure of statesmanship in partisan considerations. Thus we must look elsewhere to learn why the counterfeit liberals are selling out workingmen.

I suspect the reason is that they think labor boss financial support in the next election is more important than a bill of rights for the workingman. These liberals say they are prounion, prolabor. By that they really mean they are prolabor boss, prolabor boss campaign money, and antirank and file.

American traditions are robbed when these so-called liberals use the word. The hallmark of the patriotic liberals during our War for Independence was courage and sacrifice. They crusaded against the tyranny of George III. They did not become Benedict Arnolds and sell out to the richest buyer.

When the vote on the labor bill comes, millions of Americans can tell who are the Benedict Arnolds who have crossed over to the labor dictators and ignored

the welfare of millions of union men and women.

Mr. CRAMER. Mr. Speaker, the House Labor Committee bill would aid three times convicted labor racketeer, Johnny Dioguardi, alias Johnny Dio, in his ruthless drive to become the Hitler of the New York City Teamsters taxicab locals. The antireform, reactionary measures of this bill would weaken the Taft-Hartley Act by excluding about 70 percent of unions, including Dio's racket locals, from any financial reporting.

Passage of such a provision by the 86th Congress which would shelter this notorious criminal would be an outrage to the public.

Dio, close personal friend and lieutenant of Jimmy Hoffa, has served 5 years in Sing Sing Penitentiary. Recently, he was indicted for the acid blinding of labor news reporter, Victor Riesel. From a family marked by criminality, Dio's brothers have been arrested for assault, robbery, rape, and concealed weapons. Dio himself has become expert in crushing union democracy by manipulating phony paper locals and by passing Negroes and Puerto Ricans from one labor boss to another—as serfs were shipped about in medieval times.

To conduct his campaign of blackmail, extortion, hoodlumism, and persecution of even victims' families, Dio has collected some of the Nation's meanest criminal minds. Even Dave Beck was disgusted. Jimmy Hoffa, though, has been unswerving in support of Dio and was anxious to have him and his ilk in the Teamsters in the first place.

Dio's thug subordinates read like a rogues gallery.

Samuel Zakman was Dio's front man in getting his first union charter. Dio would consider Zakman a really high class criminal. Not only has he been convicted for conspiracy, extortion, and coercion, he was a former Communist Party member, a commissar during the Spanish Civil War, and Marxist trained in brutal methods.

Next in the gallery is Max Chester. He has pleaded guilty to charges of extortion and conspiracy. But perhaps Dio admires him the most for his unscrupulous ability to terrorize contracts out of employers by helping them to visualize their children being run over.

A Brooklyn machine shop owner, Paul Claude, described to the McClellan committee how Chester kept pushing him for a bigger and bigger payoff. Claude pathetically explained how Chester's every second sentence was "How are your children?" This was followed by the statement how children playing in the streets "get run over and things like that."

Claude fearfully talked to the police.

Replied the captain: "You have got to make a deal with them; you have to make some kind of deal with them because they are legitimate."

Mr. Speaker, let me break this astonishing dialog by saying that the House Labor Committee bill would keep the Chesters legitimate.

Soon Chester came back to visit Claude. Claude was terrified. Who would not think of moving to another part of New York to escape the mental torture of this monster who demanded more and more money?

Putting his arm around Claude, Chester said: "You have got to pay us off because you are mine. No matter where you are going to move, you are mine."

Another notorious associate of Dio is "Tony Ducks" Corallo, described by the McClellan committee as a longtime kingpin in the New York narcotics and labor rackets. You might call "Tony Ducks" Dio's personnel manager who strove to add to his staff only men with exceptionally long criminal records. According to the McClellan report, Corallo, working with Dio, brought into positions of labor trust 40 men who represented a remarkable total of 178 arrests and 77 convictions. Naturally, this unsavory group, once installed in union jobs, immediately turned to extortion, bribery, and collusion with whatever management they could blackmail or tempt. Soon, 25 of them had racked up additional convictions or indictments for extortion, perjury, bribery, and forgery.

Now, let us observe how another Dio associate, when Dio was still in the UAW–AFL, handled financial matters. This rogues gallery member is fast-talking, devious Anthony Doria. When the McClellan committee questioned him on missing funds, Doria explained how he carried thousands of union dollars around in a little black box which he someway lost in the Arizona hills. The committee felt that Doria was responsible for allowing known racketeers to abscond with $396,000 of UAW–AFL funds.

When Dio left the UAW–AFL, Doria generously gave him a $16,000 going-away present of union money. Dio graciously accepted.

Once Dio, backed by Jimmy Hoffa, calls from his entourage select crooks to rig elections, the union movement, instead of becoming the servant of the worker, flips into a Frankenstein monster to chain that worker an inescapable tyranny. Even though Dio supposedly resigned from the UAW–AFL in 1954, he retained control over many locals. Two years later, an election important to Jimmy Hoffa arose in New York Teamsters Joint Council 16. Hoffa saw a sure way for his candidate to win if some phony locals were suddenly chartered, since each local, regardless of membership, could cast seven votes.

Johnny Dio was on hand to furnish the ghost locals' officers from his practically defunct UAW–AFL locals. Five of the seven locals Dio transferred had no members, and some of the officers—many of whom had substantial criminal records—were not even told about their new positions. The whole fix has been described as a game of chess—with union members having no voice, no vote, only the dictatorial requirement to pay dues and the warning to ask no questions about the use and abuse of union funds.

These corrupt union bosses who control small locals and who have connived with unprincipled management to depress working conditions for the union members in return of payoffs—this racketeering scum would be exempt from making financial reports under the House Labor Committee bill.

Mr. Speaker, we need legislation to stop Jimmy Hoffa, who, in order to get the Nation's economic hub, New York City, in a teamster vice, welcomed Dio's thugs into the labor movement. We need legislation to stop Dio—who is the suspected instigator of the blinding of Victor Riesel, and who is partner in crime to Hoffa's designs against the American public.

The House Labor Committee bill would allow these racketeers to enlarge their corruption. The bipartisan stop-Hoffa Landrum-Griffin bill, although a compromise measure, will require these racketeers to report on their union financial transactions and provide new methods of putting a halt to their activities. Although this would not clean up union racketeering entirely, it would furnish leverage to begin that cleanup.

Letters to this Congress clearly demonstrate that the public will is to stop Hoffa and Dio. The biopartisan and compromise Landrum-Griffin measure is the only measure before this body which will accomplish the will of the public.

The House Labor Committee bill will merely extend the reign of the Hoffa's and the Dio's.

And what American would not be outraged, astounded, and terrified when these racketeers threaten his children?

Mr. RHODES of Arizona. Mr. Speaker, I ask unanimous consent that all Members may have the privilege of extending their remarks at this point if they so desire.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

FISCAL RESPONSIBILITY

The SPEAKER. Under previous order of the House, the gentleman from Colorado [Mr. JOHNSON] is recognized for 20 minutes.

Mr. JOHNSON of Colorado. Mr. Speaker, on the 23d of July I was back in my district, where we have a serious problem involving possible destruction of competition in the dairy industry through monopoly practices. I was, therefore, unable to be present during the floor discussion on fiscal responsibility by the gentleman from Missouri [Mr. CURTIS], or else I should have enjoyed hearing him and would have answered him directly, because his remarks specifically invited an answer and because his remarks specifically included comments with respect to my views.

The gentleman's argument proceeded along this line:

First. He supports the Treasury's request for an increase in the interest rate.

Second. Those of us who oppose the Treasury's request are making a political issue out of the matter.

Third. He believes that the Federal Reserve's policy of support for the Federal bond market resulted in inflation when it was tried and, therefore, if tried again it would result in inflation now, and, therefore, it would be disastrous.

Fourth. He further accuses us of encouraging deficit financing, because he charges it would mean more control for the Federal Government, and he seems to believe that that is what we want.

Fifth. Not content to end the argument there, he proceeds to argue that we who oppose the Treasury's request to raise interest rates are, in fact, advocating a controlled economy and suggests, therefore, that persons who oppose his view are Socialists, and he then suggests that we have been less than honest with the people. Indeed, says he:

> The issue before us gets down to a fundamental question between those who believe in the private-enterprise system and those who believe in a system of socialism or Government planning, planned economy and Government control of these economic things.

Mr. Speaker, I cannot help but note the incongruity of my position. At a time when I am home defending the competitive free-enterprise system from being strangled by those enterprises who seek monopoly, I find that I am being attacked on the floor of the House with the false charge that I am a Socialist.

I regret that the gentleman indulged in personalities and did not give me the courtesy of an advanced warning of his intention to do so. I have given him notice of my intention to reply today. Let us review in turn the questions he has raised and quickly summarize my comments and views:

First. As to his support for the Treasury position, I would, of course, expect leading members of the minority party to support their administration's policy. We can, however, agree to disagree without indulging in name-calling and without challenging motives. But since the gentleman does challenge our motives and asks that we contradict him if this is not our motive, I am now flatly contradicting his imputation of motive.

Second. As to the controversy being political, one cannot debate a major issue of governmental policy advanced by the Republican administration before a Democratic Congress without having differences which can be said to be political. Inasmuch as the gentleman belongs to the minority party, and I belong to the majority party, one might say our differences are political. But it would be a gross misreading of the significance of the difference, to view this as merely partisanship. As an economist, I have sought the best that I know how to argue the merits of this issue regardless of politics. I would like to have replies to my views to be based on the merits of the argument not on our party labels.

Third. The charge that Federal Reserve support of a Federal bond market resulted in inflation or disaster is likewise a gross misreading of the history of the Federal Reserve and Treasury practice from 1940 to 1951. It is regrettable but true that wartime Congresses did not vote for taxes as high as hindsight would now indicate that they should have. Many of us who were there on the administrative side of Government strongly supported higher taxes at the time. However, Federal Reserve policy together with other economic stabilization policies held the fort very well from October 1942 to V–J Day.

There was, to be sure, postwar inflation resulting from the piling up of family and business holding of Government bonds, which were near money, together with the removal of rationing and price controls in advance of the relaxation of inflationary pressures. These pressures had largely spent themselves by 1948 when Congress voted a sharp tax cut and overrode the President's veto, thus reinforcing inflation for one more year.

The mild recession of early 1949 was well on the way to recovery when the Korean incident began. In the 7 months following the crossing of the 38th parallel, there was created by the banks a billion dollars a month in new consumer credit. Congress had withdrawn from the Federal Reserve its previous power over consumer credit. Congress was home fighting the 1950 political wars. Congress did not give the Federal Reserve and other stabilizing powers the necessary powers until February 1951, by which time a new wave of wartime inflation was moving well along the road.

This history must be recited because it was against this backdrop of historic fact that the 1951 Federal Reserve-Treasury accord about support of Government bonds was reached. Federal deficits were not particularly high during the Korean incident, but private deficit spending was proceeding very rapidly, largely because the Federal Reserve and other monetary credit authorities could not or did not adequately inhibit the expansion of private deficit spending. The accord was therefore a relatively easy and quick way by which a change in Federal Reserve policy could be used to help stem an inflationary bank credit condition arising out of the hostilities in Korea. Reserve requirements were already high, and reducing Federal Reserve purchase of Government bonds was needed to help control bank credit expansion.

I submit that the charge that the policy followed from 1942 to 1951 resulted in disaster is not supported by the evidence and can only mislead those who are ignorant of American economic history. It will not mislead those who understand American economic history.

What about public deficit financing? The Subcommittee on Monetary, Credit, and Fiscal Policies of the Joint Economic Committee suggested in its report of January 23, 1950, what the policy ought to be:

> We recommend that Federal fiscal policies be such as not only to avoid aggravating economic instability but also to make a positive and important contribution to stabilization, at the same time promoting equity and incentives in taxation and economy in expenditures. A policy based on the principle of an annually balanced budget regardless of fluctuations in the national income does not meet these tests; for, if actually followed, it would require drastic increases of tax rates or drastic reductions of Government expenditures during periods of deflation and unemployment, thereby aggravating the decline, and marked reductions of tax rates or increases of expenditures during periods of inflationary boom, thereby accentuating the inflation. A policy that will contribute to stability must produce a surplus of revenues over expenditures in periods of high prosperity and comparatively full employment and a surplus of expenditures over revenues in periods of deflation and abnormally high unemployment. Such a policy must, however, be based on a recognition that there are limits to the effectiveness of fiscal policy because economic forecasting is highly imperfect at present and tax and expenditure policies under present procedures are very inflexible.

This report was signed by the gentleman from Texas, [Mr. PATMAN], on the part of the House. Thus his position was also misrepresented by the gentleman in his attack upon us.

Fourth. During a period of recession only the Federal Government can have an effective kind of countercyclical fiscal policy. The action of business and consumer will necessarily reinforce the cycle in whatever direction it is moving. Public deficits are therefore a constructive way of fighting a recession. Similarily, public surpluses are an effective and desirable way of fighting inflation. I do and always will support public surpluses during a period of inflation.

The present time is indeed a time to be helping to pay off part of the Federal debt assuming that the present recovery continues at its present rate. I was opposed to the tax cut in 1948. I was opposed to the tax cut in 1954; and I would oppose a tax cut now. I profoundly regret that the gentleman has seen fit to suggest in total error, that this Member of Congress advises deficits on all occasions.

I also regret that some of the people on the other side, who oppose deficits when we need them, are the same people who vote tax cuts when we should not have them. Members of the minority party were glad to vote for a tax cut on this floor just a few months ago and were glad to do so without a rollcall vote so that their budget-busting action would not be on their voting records.

Fifth. As to Government control, perhaps the essential difference between the Republican and Democratic Parties is that the Democratic Party is not ashamed to use government as a piece of machinery created by the people that can properly be used upon proper occasion to resolve certain essential problems of the human race. It should be noted that the Republican Party upon occasion is also willing to use government, but they are always a little ashamed to have to do so.

If I were truly an Anarchist, I would join the Republican Party, but I believe in government. That is why I am a Democrat, but that does not make me a Socialist and it does not make any other Democrat a Socialist. And I am not a Socialist.

It seems to me that reasonable men should be able to differ with respect to how much and what kind of government action should be taken in a given situation without stooping to name-calling.

Mr. Speaker, I regret that I have been forced to set the record straight in this manner. I would prefer that the orderly processes of the debate on the merits of each issue would be the manner in which each of us would proceed. I have sought

in the past, and will seek in the future, to confine myself to a discussion of the rationale and the merits of issues facing this Government.

On this particular occasion, however, the gentleman in making his remarks, at several points specifically requested that if we disagree, we should speak up in order that the record may be clear. Let the record, therefore, be clear.

I am for combatting inflation. I am for fiscal integrity. I am concerned that prices be kept down, including the price of money. I will support a full-blown anti-inflation program, not only by my vote but by my voice, but I will not be deceived, deluded, or driven into supporting the wrong half of an anti-inflation program by wild or reckless charges.

WHAT'S ALL THE HURRY ABOUT?—LET'S TAKE TIME TO PLAY FAIR WITH OUR RESERVE AND REGULAR NAVY, MARINE CORPS, AND COAST GUARD OFFICERS

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. STRATTON] is recognized for 10 minutes.

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, I desire to speak for just a few moments in behalf of some of our Regular officers, and more particularly in behalf of our loyal Reserve officers who constitute the real strength of our military power.

Last week this House adopted with virtually no debate a revised version of the so-called Navy hump legislation, originally adopted by this House and subsequently amended and adopted by the other body. As a member of the Committee on Armed Services of this body I have had the honor to be a member of the subcommittee which originally considered this Navy hump legislation. Like other members of the committee, I faced this legislation as an unpleasant but necessary responsibility because it involved forcing into retirement many loyal officers who had served our country well in time of war and who had previously been given to understand, under the Officer Personnel Act, that they could look forward to some specified period of military service. As was mentioned in the debate on the floor at the time, this hump legislation represented at least to some extent a breaking of faith with these officers by our Government. True enough, our action was taken in the best interest of the service; and yet we recognized that we were working a hardship on these officers by including in the legislation a cash bonus for those forced to retire prematurely under its provision.

Some of those officers who were likely to be affected by the hump legislation at least consoled themselves with the thought that in addition to this small separation bonus which had been made available by the House, there was also the prospect of promotion upon retirement to the next higher grade under the provisions of the Navy's long-standing so-called tombstone promotion arrangement whereby officers who have been specially commended for performance in actual combat are allowed to accept promotion on retirement to the next higher grade with the proviso that no increase in pay be included.

Mr. Speaker, when this hump legislation came up in the other body, they not only made a substantial reduction in the separation bonus provided for officers who were to be separated, but they also took away from the Navy, the Marine Corps and the Coast Guard this tombstone promotion feature which has been a part of the basic law since 1925. Almost overnight, a tradition of 34 years' standing, which has been a part of the thinking and the planning of Navy and Marine Corps officers over the years, Reserve officers as well as regulars, was wiped out by the other body, effective November 1 of this year. In other words, the Reserve officers as well as the regulars were told, "either forget about your tombstone promotion, or get out of the service before November 1." It was just as blunt as that in the bill.

Now, since promotion must be processed and approved at least a month in advance of the effective date, this means that a basic career decision must be made within the next few weeks by officers affected, including hundreds of Reservists not connected at all, Mr. Speaker, with the original hump legislation, a decision that could very well affect their whole lives.

Mr. Speaker, this provision deleting the tombstone promotion arrangement so abruptly is unnecessary and unfair, and it was not even discussed in the subcommittee of the Committee on Armed Services when we originally considered the hump legislation. In fact the matter had scarcely any debate on the floor when it came back the other day from the other body. Indeed, the other body had only adopted the legislation the night before we acted.

At the present time, Mr. Speaker, this hump legislation is on the President's desk awaiting signature into law. I know how urgently the Navy feels about the need for the hump legislation, and I fully appreciate the tenor of this body and of the other body in regard to any indefinite continuation of this so-called tombstone promotion feature. Personally I think we would have been a lot wiser to allow this provision of law to taper off gradually, while those who are directly affected as a result of their combat service in World War II move up toward retirement. But I recognize that this is no longer possible. Nevertheless, I do feel very strongly that we have acted too hastily in fixing a deadline only some 3 months in the future for a law that has been in effect and in operation for the past 34 years. I appeal to Members of this House therefor to support the legislation which the gentleman from Alabama [Mr. HUDDLESTON] and I have just introduced to provide for a fair and reasonable extension of this November 1 deadline until July 2, 1960.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I yield to the very able and distinguished gentleman from South Carolina, the chairman of the Subcommittee on Reserve Activities of the House Armed Services Committee.

Mr. RIVERS of South Carolina. Mr. Speaker, I want to compliment the gentleman for his observations and his efforts with regard to righting this wrong which I think was unwittingly forced on this body. Our committee was in the unfortunate position of having an ultimatum tendered us on this hump legislation. We were in a very tough position, as the gentleman understands. I do not know what else we could do. But the fact remains that what we did do—this body and the other body—was not right.

It may not have been tenable for the Navy to have a tombstone concept and the Army and the Air Force not to have it. But the way we repealed it was not in keeping with what these men and women thought was coming to them. The effect on the morale of the Regular Marine and Regular Navy officer and the Reserve Marine and Reserve Navy officer will be very serious. I have not discussed this with many people, but I have enough experience to know that the way we went about this was not right; we cut these people off by saying to them, "You have come to a hump as a result of World War II and the Korean conflict and we have got to phase you out with this hump legislation overnight." Not only that, but we said to them, "We are going to deny you your hump promotion."

I call that giving them the one-two punch. And I hope there may be some way whereby we can phase them out in an orderly way. I realize that if we cannot give it to all the services we should not give it to any one service. But the way we went about it was a mistake; I am convinced of that. I think we did not keep faith with the officers, the way it was done. I think the gentleman from Texas [Mr. KILDAY], who handled the bill, had no alternative because of the ultimatum that was delivered to the committee, and because of the urgency of this hump legislation. But I, like the gentleman from New York, lament the way it was done. I am sorry that we had that ultimatum given to us, and if I have the opportunity I shall do what I can to see that this phasing out, if it has to be done, is done in a more orderly fashion.

I think the gentleman is rendering a great service.

Mr. STRATTON. Mr. Speaker, I thank the gentleman from South Carolina for his remarks, because I know that he is an expert in this field, and I welcome his support of the legislation which the gentleman from Alabama [Mr. HUDDLESTON] and I have introduced. I know that the gentleman from South Carolina is a very highly respected and and influential member of this body, and whenever it comes to matters affecting

our armed services and their Reserve components his suggestions and recommendations carry great weight and influence, not only in this body but also in the other body at the other end of the Capitol, where the decision to eliminate the so-called "tombstone" promotion feature first originated. His support will be most helpful to our cause.

Mr. Speaker, this action of Congress in adopting such an abrupt termination date for the so-called tombstone promotion arrangment has been not only an unfair and unexpected blow for our loyal Regular and Reserve officers, but, judging from the information that has come to my attention, the effect of this action could well be disastrous to our Regular and Reserve forces alike. Indeed I predict that it will create a wholesale scramble for retirement among both Regular and Reserve officers within the next 2 months that could seriously impair the effectiveness and morale of our seagoing forces as well as our able and efficient Reserve components. Many of our Naval, Marine Corps, and Coast Guard officers are serving at sea or at distant posts overseas. It will take them some time even to get the word with regard to this latest action taken by the Congress. In some cases they will be unable to come home to consult with their wives and their families before making a momentous career decision. In those cases where officers elect to retire prior to the November 1 deadline, there is a likelihood that key officers will be lost in important establishments on shore or at sea at a time when the seagoing services can ill afford to lose them and before trained replacements can be found.

The same thing will be true of our Reserve units. Officers who have loyally remained on duty with Reserve organizations to provide the leadership and training needed for younger officers coming in may now be prompted to retire hastily from their Reserve units rather than lose this small bit of recognition which they have been looking forward to as representative of their service during time of war. Indeed many of our reservists may not even learn of this action by Congress in time to take appropriate action of their own on it, because the word travels slowly when you are not on active duty. Some of them may not even know in fact whether they qualify for such promotion at all.

Let us remember, too, Mr. Speaker, that those who are now being directly affected by this hasty action of the Congress are in most cases the real combat heroes of our wartime operations, thousands of them our reservist citizen sailors and marines of World War II. Those who have retired previously and have already taken advantage of the tombstone law are in many cases officers who held high rank at the time of their wartime duty. But those who are today looking forward to retirement in the future are the ones who won their commendations as ensigns or as lieutenants in the Navy or the Naval Reserve or as lieutenants in the Marine Corps. That is to say, these are the men who really flew the planes and moved into battle face to face with the enemy. These, my friends, are the very men that we have now repudiated by our hasty action. Let us think about that.

In the words of the Washington Post, which commented editorially on this subject yesterday:

> The system has been in effect for 34 years, and so abrupt an end to it seems quite unfair. * * * Perhaps it is not too late for some remedial action either Presidential veto or reconsideration by Congress on its own. * * * No one could be hurt by allowing the practice to linger and die later when few would be affected; many may be hurt by the precipitate, unheralded change in the rules which Congress has decreed.

Mr. Speaker, the legislation offered by the gentleman from Alabama [Mr. HUDDLESTON] and myself would, as I have said, only extend the November 1 deadline adopted by this body so abruptly and with so little discussion a few days ago to July 2, 1960. Our bill does not perpetuate the tombstone provision unduly, and so we meet the objection of those in other services who have felt that this provision for the sea services exclusively was unfair. At the same time it does the very least that we ought to do to recognize the complex nature of the problem of those officers who will be affected by this decision and who have every right to expect the Congress to treat them fairly. It gives the services ample time to inform their Reserve officers of their rights under the law and gives these officers in turn reasonable time to make their important decision. By this legislation we can at least cushion the heavy impact of the legislation not only on the regular Navy but especially on our Reserve forces which we have worked so hard in the past to build up.

I therefore urge in the interest of orderly and fair procedure, that this corrective and remedial legislation which we have introduced today be enacted quickly into law. Since there is no need for haste in dealing with the tombstone matter let us play fair with our Reserves who are not even involved in the hump proposal but who now stand to suffer from it unless Congress acts promptly to right the wrong we have done.

Mr. Speaker, under leave to extend my remarks, I include an article from the Washington Post, dated August 3, an editorial from that same newspaper, dated August 4, a resolution adopted last year by the Naval Reserve Association, a letter from the Naval Reserve Association and a telegram which the Naval Reserve Association dispatched yesterday to the President of the United States:

[From the Washington Post and Times Herald, Aug. 3, 1959]

RETIREMENT PROMOTION BAN AROUSES NAVY MEN

Legislation, quietly slipped through Congress last week, abolishing future "tombstone promotions" for combat-decorated Navy, Marine Corps, and Coast Guard senior officers, has stirred up a hornet's nest of official and personal problems.

More than 4,000 officers commended for performance of duty in combat during World War II will lose the right to an advancement in rank on retirement, effective November 1, and an expected flood of applications to get in under the wire already has started.

The replacement of a sizable number of key officers afloat and ashore in coming weeks can mean administrative headaches and confusion. But the real troubles are morale and personal and interservice problems.

Hundreds of ranking Navy and Coast Guard captains and Marine colonels who have been looking forward to retirement within the next 2 or 3 years, and honorary advancement to rear admiral or brigadier general under a 34-year-old law, now must make a quick decision.

Shall they take their promotion and quit now, or pass it up and serve as long as they can?

If they retire immediately, that "tombstone promotion"—so-called because no added pay goes with it, only the prestige of being called admiral or general and putting it on a headstone—might help in getting a job.

But few of those affected have job offers waiting or have made the countless other financial and family readjustments that retirement brings. On top of this dilemma, there is a great deal of bitterness about what is considered bad faith on the part of the Government.

Men who have proudly served their country feel the sudden withdrawal of what they consider an earned promotion right is a shabby reward for long and faithful service.

Along with it is resentment against the Army and Air Force, which is not helping unification or interservice relations. For rightly or wrongly, most people in the Navy blame some of their brother officers in the land and air arms for what happened. The "tombstone" law has never applied to the Army and Air Force, despite long efforts by individuals to make it generally applicable.

But top Pentagon officials opposed its extension, and Navy men believed Army-Air Force officers lobbied for its repeal.

During the very brief Senate hearing on the repeal amendment, Assistant Navy Secretary Richard Jackson agreed that the law was discriminatory but urged that it be allowed to expire by passage of time, when all World War II battle-commended officers retire.

Data furnished Senators indicated that there were more than 4,000 officers now on the active list who might qualify for a promotion under the "tombstone" law, of which perhaps 1,300 might reach the rank of rear admiral or brigadier general that way.

It was brought out that 1,222 of the 1,680 Navy retired flag officers are "tombstone admirals," and that 169 of 287 retired Marine generals never served as such in active service.

Opponents declared that many of those advanced or eligible for it were not authentic war heroes, but qualified by reason of winning lesser awards for performance of duty in combat.

Adding to the present Navy difficulties about the bill, now awaiting expected Presidential approval, is the short deadline allowed. Congress thought it was allowing a 3-month period of grace by making it effective November 1, but a quirk of existing retirement laws apparently requires all application for retirement to be made and fully processed by September 30. Personnel officials have asked for a legal ruling on whether this can be extended.

Officials say that about two dozen officers put in for retirement in the first couple of days after congressional action. Under the Navy-sponsored bill to which the repealer was attached—providing for the weeding out of older officers to make way for the delayed advancement of younger ones—a "plucking board" will meet here this month. Applications for voluntary retirement may step up greatly after this board determines who can stay and who must go.

[From the Washington Post, Aug. 4, 1959]

WHAT'S THE RUSH?

Arbitrary, if not capricious, is the word for the hasty congressional action which would deny some 4,000 combat-decorated Navy, Marine, and Coast Guard officers the usual honorary promotion (without pay) upon their retirement from the service. These tombstone promotions, so called, may be worth very little to most of the recipients except for the prestige, although some believe they can land a better civilian job with the title of say, "Admiral" or "General" in place of "Captain" or "Colonel." Moreover, Air Force and Army officers do not receive retirement promotions of this kind—and it appears that these gentlemen may have had something to do with pushing the repeal of the privilege for their brother officers through Congress. But the system has been in effect for 34 years, and so abrupt an end to it seems quite unfair.

We agree that the discrimination ought not to be perpetuated. Certainly if there were a situation which created new eligibles for tombstone honors, all officers ought to be treated equally. But might it not have been less harsh to let the present practice die out naturally, as the Navy urged? Perhaps it is not too late for some remedial action—either Presidential veto or reconsideration by Congress on its own. Wisely or not, many officers are said to be contemplating earlier retirement to get in ahead of the repeal, and the result can only be to disrupt and inconvenience the lives of many who have served their country long and well. No one could be hurt by allowing the practice to linger and die later when few would be affected; many may be hurt by the precipitate, unheralded change in the rules which Congress has decreed.

RESOLUTION ADOPTED OCTOBER 25, 1958, AT THE FIFTH ANNUAL CONFERENCE OF THE NAVAL RESERVE ASSOCIATION, FORT WAYNE, IND.

NRA RESOLUTION NO. 24–58—ADVANCEMENT IN RANK UPON RETIREMENT TO OFFICERS HOLDING COMBAT COMMENDATIONS OR DECORATIONS

Whereas a decoration received for action in combat is the most prized and usually the most deserved; and

Whereas the promotions which have been made after retirement of all officers who received combat decorations are honorary promotions and carry no increase in retired pay; and

Whereas it is discretionary whether officers called to active duty are given the rank held immediately prior to retirement or the rank advanced after retirement; and

Whereas it has recently been suggested and recommended by various groups, both in and out of the military, that legislation be introduced into the next Congress which, if enacted, would prohibit the advancement of officers upon retirement who hold combat decorations to the next higher grade: Now, therefore, the Naval Reserve Association in conference assembled at Fort Wayne, Ind., this 25th day of October 1958, does upon motion duly made, seconded, and carried, resolve that the Naval Reserve Association does strongly support the advancement after retirement of all officers holding combat commendations or decorations and vigorously opposes any attempt or effort to amend the present law so as to deny such advancement upon retirement to any officer holding a combat commendation or decoration.

NAVAL RESERVE ASSOCIATION,

Washington, D.C., July 28, 1959.

To all Members of the Armed Services Committee, U.S. House of Representatives, House Office Building, Washington, D.C.:

Your committee chairman holds the following night letter dated July 27, 1959:

"The Naval Reserve Association has been informed that H.R. 4413 has been amended by the Senate Armed Services Committee to repeal the authority now granted the Navy to advance in rank upon retirement officers holding combat commendations or decorations. The association unalterably opposes any change in this provision of the present law which neither affects rank structure of the Navy nor entails any increase in retired pay. To repeal this authority at this time will create an inequality of treatment to Regular and Reserve naval officers whose contemporaries have achieved this signal recognition of their service during wartime merely through the circumstances of an earlier date of retirement. We strongly urge and solicit your opposition to this amendment. The foregoing is consistent with our Resolution 24–58 forwarded to you on January 30, 1959."

Your support of our position is solicited and recommended.

Sincerely yours,

A. WINFIELD CHAPIN,
Commander, U.S. Naval Reserve, National President.

TELEGRAM OF NAVAL RESERVE ASSOCIATION TO THE PRESIDENT, DATED AUGUST 4, 1959

The Honorable DWIGHT D. EISENHOWER,
The White House,
Washington, D.C.:

The Naval Reserve Association respectfully calls to your attention a provision in H.R. 4413 now awaiting your action which will terminate on November 1, 1959, the Navy, Marine Corps, and Coast Guard's authority to promote on the retired list those officers specially commended for performance of duty in actual combat prior to January 1, 1947. This portion of H.R. 4413 applies equally to Regular and Reserve officers and its effect will be to deny this 34-year-old promotional opportunity to those officers, particularly Reserves on inactive duty, who do not get the word in time to act and those, who having the word are unable to make the personal decision with this time limitation. It is respectfully suggested that in approving and signing this needed legislation you call the attention of the Congress to this peremptory early cutoff date and to the desirability of immediate corrective action.

A. WINFIELD CHAPIN,
Commander, U.S. Naval Reserve, National President, Naval Reserve Association.

INTERNATIONAL COMPETITIONS WORK TOWARD PEACE

Mr. GLENN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BARRY] may extend his remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BARRY. Mr. Speaker, it is my great honor to be a life member of the Eldorado Country Club at Palm Desert, Calif., which, this year, is host to the Ryder Cup International Golf Matches, which have been played between the representatives of the Professional Golfers Association of America and Great Britain since 1926.

It is indeed the only competition of this type which is played between representatives of two major nations on a team basis with match play. The respective teams consist of eight members each and the competition is held alternate years in this country and in Great Britain. International events such as the Ryder Cup matches have done much to promote understanding between sportsmen of the world; and I have recently heard from Mr. Thomas W. Crane, executive secretary of the Professional Golfers Association of America, who said:

The Ryder Cup matches have been a highly successful competition since their inception. Not only have they featured golf's masters and brought forth the best that there is in golf competition, but they have likewise been a tremendous factor in the promotion of international friendship and good will. In fact, they have been so highly successful in this latter connection that those interested in the promotion of international peace have taken up the promotion of other international golf competitions. As these and others have so aptly put it, "If more golf were played behind the Iron Curtain, there would be fewer wars and rumors of war."

TVA

Mr. GLENN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SAYLOR] may extend his remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SAYLOR. Mr. Speaker, in 1789 when this Government was formed three separate and distinct branches were established: the executive, the legislative, and the judicial. Under the Constitution each branch was charged with certain responsibilities. For many years each branch was very zealous of its responsibilities and protected them with every ounce of strength that they could muster. But sad to say within the past generation there has been a great laxity on the part of first the legislative and to a lesser degree the executive in preserving their prerogatives.

The Congress has passed laws and left them so open ended that the executive could interpret them to their own liking. The result is that now the Congress has become so beholden to the executive it must come on bended knee to the bureaus and ask them for little favors under the laws that it has created. It must do this instead of demanding things to which it is justly entitled under these laws and demanding that agencies of Government administer the laws as intended by the Congress. But to go even farther if someone does not like the laws as created by the Congress or administered by the Executive he takes them to the Supreme Court of the United States and it legislates in its decisions instead of passing upon the constitutionality as was originally intended. States rights have become a farce. We are no longer a confederation of sovereign States, we are 50 States kowtowing to Washington begging a little bit of aid for this and a little for that because our paternalistic Central Government has taken such a huge cut out of the tax potential that there is no longer enough tax money left for State and local governments to carry out functions that should be theirs.

All of this may seem far afield from the question under consideration, Mr. Speaker, but to me it is very germane to any discussion of TVA. Some good

friends of mine on both sides of the aisle have talked at great length about back door financing from the Treasury and the necessity of guarding the appropriations procedure of the House. But what are we talking about doing here, Mr. Speaker? We are talking about further weakening a weak TVA bill that, in my opinion, never should have been passed in the first place. Talk about back door spending out of the Treasury, here it is. TVA is being authorized to issue revenue bonds but if it does not like the terms offered in the money market it is authorized to issue them to the Treasury up to the amount of $150 million and the Treasury has to take them. What do you call that but back door financing?

But, Mr. Speaker, I am not going to take up the time of the House discussing the many bad features of H.R. 3460, I want to talk about this new gimmick that someone has dreamed up, this Senate bill 2471. H.R. 3460 as it passed the House and the Senate had practically no Presidential and very little congressional control in it. Now all you have to do is pass S. 2471 and there will be none of either in it.

Under H.R. 3460 as amended by the Senate the President at least got to see the TVA budget. Although he was instructed to transmit it on to Congress without change he was graciously permitted to make his comments on it. If we pass S. 2471, TVA will not even have to show him its budget. How can we expect the Chief Executive of the United States to maintain supervision over a Federal agency under such conditions? Under H.R. 3460 as it passed the House and Senate the Congress at least had a chance for a 90-day period of telling TVA it could not do something, but when we pass this S. 2471 that chance is gone.

All congressional and all Presidential control will be gone, Mr. Speaker. H.R. 3460 says at the bottom of page 6 that in issuing and selling bonds and spending the proceeds thereof that TVA "shall not be subject to the requirements or limitations of any other law." That means it is not subject to any law except that prescribed under H.R. 3460. So when we fail to provide congressional or Presidential control under H.R. 3460 there just is not any.

Mr. Speaker, it has been evident for some time that this big experiment in socialism was a sacred cow, but I never realized just how sacred it was. I never expected to see the day that the Congress of the United States would become so derelict in its duties, so irresponsible in its obligations to those it represents as to free a multi-billion-dollar agency of Government that has been financed by the taxpayers, one that proudly claims it belongs to all the people, from all control by its owners.

You can rest assured that this is only a beginning, Mr. Speaker. We will have other agencies of Government coming before us, one after another, wanting the same freedom. If we are going to give it to one, the others are just as entitled to it. But if we are going to turn these agencies that we create loose to do as they please, then the President becomes a figurehead and the Congress a rubberstamp. There is no use for us to stay around Washington all summer if we are going to convert our Government to one of the bureaucracy. We might just as well come here for a month or two after the first of the year; that should be sufficient time for us to do our "rubberstamping" and then spend the rest of our time back home trying to explain to our constituents why we have relinquished or delegated the power invested in us to a bunch of Government bureaus. It would take me a lot of time to explain that up in my district.

I have a sick feeling in the pit of my stomach, Mr. Speaker, and a heavy heart when I sit here in Washington year after year and see what is happening to our Government. I see the Ways and Means Committee, charged with the responsibility of raising revenues, bypassed; the Appropriations Committee, charged with the responsibility of determining Federal expenditures, bypassed by all sorts of laws permitting back-door entry to the Treasury—and this TVA bill is another back-door approach—and by a law such as this permitting a Federal agency to raise its own revenues and spend them as it pleases; the rights of sovereign States utterly disregarded by laws we pass and by Supreme Court decisions; the Supreme Court no longer confining itself to interpreting the law but actually legislating decisions in accordance with the ideology of its membership; and we are increasing the number of and strengthening bureaus by laws that we pass and the interpretation of the laws by the bureau to suit their wishes to the extent that the bureaus now rule the Congress instead of the Congress ruling the bureaus.

Mr. Speaker, I have enumerated only a few of the things that are taking control of the Government out of the hands of the people. We, the Congress, are supposed to be the voice of the people. How can the people retain control of their Government if we, their chosen representatives, are going to abdicate the authority invested in us to Government agencies. These things are being done a little at a time. The people do not realize what is happening to them and I sometimes wonder if we in the Congress fully appreciate what we are doing. One of these days we are going to wake up and find out that we are no longer even a rubberstamp.

During my service in the House I have seen us approve many pieces of legislation that whittled a little authority away from the Congress, the Executive, or both; but this TVA legislation is the worst example I have ever seen. We have quit whittling; we have just cut TVA completely free of all control. If we did not know what we were doing we would at least have the excuse of ignorance but we do know what we are doing. Both the sponsors and the opponents of S. 2471 freely admit that the bill relinquishes all Executive and congressional control over the financing and spending of three-quarters of a billion dollars by this Federal agency.

Mr. Speaker, we will live to regret this action. It will go down in history as one of the most irresponsible acts we have ever committed—a truly black day in legislative history.

CENTRAL VALLEY PROJECT

Mr. GLENN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. UTT] may extend his remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. UTT. Mr. Speaker, a recent hearing by the House Interior Subcommittee on Irrigation and Reclamation disclosed some startling testimony concerning the disposition of Government power in California's great Central Valley project. During consideration of the Trinity River joint development proposal Under Secretary of the Interior Bennett pointed out that 81 percent of the Bureau power was going to one non-Federal "preferred" customer.

The Central Valley project was authorized over 20 years ago primarily for the purposes of irrigation and reclamation, to be financially assisted by power revenues. The Federal Government has already expended some $500 million on the Central Valley project with over an additional $1 billion committed to complete further authorized California water developments.

In response to a question by Congressman RANDALL, Secretary Bennett stated:

> To begin with, at the present time, 81 percent of all the power that we are delivering to preference customers, and that includes Federal agencies, goes to the Sacramento Municipal Utility District, 81 percent.

Since a few other municipal systems are served out of the remaining 19 percent, it is apparent that Federal installations, largely military and scientific, are receiving only about one-sixth of the total Government-produced energy. It is quite obvious, from the Bureau's own figures, where the great bulk of this bargain-rate power is going—certainly not to Federal agencies or to the power company, but to the Sacramento Municipal Utility District.

Opponents of Trinity joint development have repeatedly held that Trinity power would be needed for project pumping, but the testimony, as corroborated by the Bureau of Reclamation's engineers, was that ample energy was available to satisfy project pumping. Therefore, this idle charge was also exploded.

I submit, Mr. Speaker, that the water users, as the intended beneficiaries of the CVP, can hardly be receiving much financial aid and assistance through power revenues when 81 percent of the Bureau power is being sold at taxpayer-subsidized rates to the city of Sacramento, which comprises only 7 percent of the electric power consumers of northern and central California—the area which Trinity energy would serve. Is it unreasonable to spare the Nation's taxpayers the $60 million cost of constructing the Trinity power facilities, or must all budgetary considerations of

fiscal responsibility be thrown out the window because a private company is involved?

Our colleagues on the Appropriations Committee, and the membership of this body on the floor, commendably withheld funds for needless Government construction of these generators in view of the willingness and availability of investor capital to do the job. The conferees on the public works appropriation bill should uphold the will of the House, and refuse to accede to a demand by the Senate for a Federal expenditure for this purpose.

H.R. 5068

Mr. GLENN. Mr. Speaker, on behalf of by colleague, the gentleman from New York [Mr. DORN], I ask unanimous consent that he may have until midnight tonight to file a minority report on the bill H.R. 5068.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. FOUNTAIN (at the request of Mr. WHITENER) for today, August 5, 1959, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. STEED, for 1 hour on Monday.

Mr. STRATTON, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. DENT.

Mr. DOYLE and to include extraneous matter.

Mr. PELLY and to include extraneous matter.

(At the request of Mr. GLENN, the following Members were granted permission to extend their remarks and include extraneous matter.)

Mr. GUBSER.

(At the request of Mr. QUIGLEY, and to include extraneous matter, the following:)

Mr. BOWLES in two instances.

Mr. SANTANGELO.

Mr. RODINO.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 6940. An act to amend the Mineral Leasing Act of 1920 in order to increase certain acreage limitations with respect to the State of Alaska.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on August 4, 1959, present to the President, for his approval, bills of the House of the following titles:

H.R. 697. An act to authorize the Secretary of the Navy to acquire certain real property in the county of Solano, Calif., to transfer certain real property to the county of Solano, Calif., and for other purposes; and

H.R. 3322. An act to amend title 10, United States Code, and certain other laws to authorize the payment of transportation and travel allowances to escorts of dependents of members of the uniformed services under certain conditions, and for other purposes.

ATOMIC ENERGY COMMISSION APPROPRIATION BILL, 1960

Mr. CANNON submitted a conference report and statement on the bill (H.R. 8283) making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1960, and for other purposes.

ADJOURNMENT

Mr. QUIGLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 8 minutes p.m.) the House adjourned until tomorrow, Thursday, August 6, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1280. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 29, 1959, submitting a report, together with accompanying papers and illustrations, on an interim report on hurricane survey of Pawcatuck, Conn., authorized by Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 212); to the Committee on Public Works and ordered to be printed with two illustrations.

1281. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation entitled "A bill to amend section 205 of the Federal Property and Administrative Services Act of 1949, to empower certain officers and employees of the General Services Administration to administer oaths to witnesses"; to the Committee on Government Operations.

1282. A letter from the Under Secretary of the Navy, transmitting a report relating to the authority to construct, operate, and maintain the DeLuz Dam on the Santa Margarita River in the State of California, and is supplementary to the report made on August 30, 1958, pursuant to section 7 of the act of July 28, 1954, Public Law 547, 83d Congress; to the Committee on Interior and Insular Affairs.

1283. A letter from the Secretary of the Army, transmitting a report of claims settled by the Department of the Army, required by section 2673, for the fiscal year 1959, pursuant to the Federal Tort Claims Act, as codified and amended (28 U.S.C.); to the Committee on the Judiciary.

1284. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting the following plans for works of improvement at Marsh-Kellogg watershed, California; Upper Clear Boggy Creek watershed, Oklahoma; and Roanoke Creek watershed, Virginia, which have been prepared pursuant to section 5 of the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1005), and delegated to the Director of the Bureau of the Budget by Executive Order No. 10654 of January 20, 1956; to the Committee on Public Works.

1285. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation entitled "A bill to amend the act of June 1, 1948 (62 Stat. 281), to empower the Administrator of General Services to appoint nonuniformed special policemen"; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 2565. A bill to promote effectual planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation in military reservations; with amendment (Rept. No. 767). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 5067. A bill to repeal section 217 of the Merchant Marine Act, 1936, as amended; without amendment (Rept. No. 768). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 5431. A bill to provide a further increase in the retired pay of certain members of the former Lighthouse Service; without amendment (Rept. No. 769). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 5421. A bill to provide a program of assistance to correct inequities in the construction of fishing vessels and to enable the fishing industry of the United States to regain a favorable economic status, and for other purposes; with amendment (Rept. No. 770). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 7045. A bill to authorize the establishment of the Arctic Wildlife Range, Alaska, and for other purposes; without amendment (Rept. No. 771). Referred to the Committee of the Whole House on the State of the Union.

Mr. CANNON: Committee of conference. H.R. 8283. A bill making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1960, and for other purposes (Rept. No. 772). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL (by request):

H.R. 8534. A bill to provide for a Resident Commissioner from the Virgin Islands, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. O'BRIEN of New York (by request):

H.R. 8535. A bill to provide for a Resident Commissioner from the Virgin Islands, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR (by request):

H.R. 8536. A bill to provide for a Resident Commissioner from the Virgin Islands, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WESTLAND (by request):

H.R. 8537. A bill to provide for a Resident Commissioner from the Virgin Islands, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HARRIS:

H.R. 8538. A bill to amend paragraph (10) of section 5 of the Interstate Commerce Act so as to change the basis for determining whether a proposed unification or acquisition of control comes within the exemption provided for by such paragraph; to the Committee on Interstate and Foreign Commerce.

By Mr. HOFFMAN of Michigan:

H.R. 8539. A bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses by labor organizations, and for other purposes; to the Committee on Education and Labor.

By Mr. KARTH:

H.R. 8540. A bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes; to the Committee on Education and Labor.

By Mr. LANE:

H.R. 8541. A bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes; to the Committee on Education and Labor.

By Mr. MURRAY:

H.R. 8542. A bill to authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. REES of Kansas:

H.R. 8543. A bill to authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. O'BRIEN of New York:

H.R. 8544. A bill to amend the act entitled "An act to establish a memorial to Theodore Roosevelt in the National Capital" to provide for the construction of such memorial by the Secretary of the Interior; to the Committee on House Administration.

By Mr. SIMPSON of Pennsylvania:

H.R. 8545. A bill to amend the act entitled "An act to establish a memorial to Theodore Roosevelt in the National Capital" to provide for the construction of such memorial by the Secretary of the Interior; to the Committee on House Administration.

By Mr. PIRNIE:

H.R. 8546. A bill to amend the Agricultural Adjustment Act (as reenacted by the Agricultural Marketing Agreement Act of 1937) to require that prices stated in milk orders issued thereunder be expressed on a per quart basis; to the Committee on Agriculture.

By Mr. RAY:

H.R. 8547. A bill to amend the Legislative Branch Appropriation Act, 1948, to place certain restrictions on the use of the stationery allowance of Members of the House of Representatives; to the Committee on House Administration.

By Mr. REUSS:

H.R. 8548. A bill to authorize the sale by the Postmaster General of stamped envelopes bearing in the return addresses thereon titles indicating occupations, professions, and businesses; to the Committee on Post Office and Civil Service.

By Mr. STRATTON:

H.R. 8549. A bill to continue until July 2, 1960, authority to promote upon retirement certain officers of the Navy, Marine Corps, and Coast Guard who have been specially commended for performance of duty in actual combat; to the Committee on Armed Services.

By Mr. HUDDLESTON:

H.R. 8550. A bill to continue until July 2, 1960, authority to promote upon retirement certain officers of the Navy, Marine Corps, and Coast Guard who have been specially commended for performance of duty in actual combat; to the Committee on Armed Services.

By Mr. YOUNGER:

H.R. 8551. A bill to amend the Legislative Branch Appropriation Act, 1948, to place certain restrictions on the use of the stationery allowance of Members of the House of Representatives; to the Committee on House Administration.

By Mr. BENNETT of Florida:

H.R. 8552. A bill to amend title 38 of the United States Code to prohibit the award of contracts by the United States to certain persons; to the Committee on Veterans' Affairs.

By Mr. FISHER:

H.R. 8553. A bill to amend sections 1461, 1462, 1463, and 1465 of title 18 of the United States Code to provide mandatory prison sentences in certain cases for mailing, importing, or transporting obscene material; to the Committee on the Judiciary.

By Mr. KING of California:

H.J. Res. 486. Joint resolution extending an invitation to the International Shooting Union to hold the 38th world shooting championship in the United States in 1962; to the Committee on Foreign Affairs.

By Mr. BOWLES:

H. Con. Res. 373. Concurrent resolution to invite friendly and democratic nations to consult with countries of south Asia; to the Committee on Foreign Affairs.

By Mr. FINO:

H. Con. Res. 374. Concurrent resolution that it is the sense of Congress that a sound dollar is the basis for future growth and security of the Nation; to the Committee on Ways and Means.

By Mr. LAFORE:

H. Con. Res. 375. Concurrent resolution that it is the sense of Congress that a sound dollar is the basis for future growth and security of the Nation; to the Committee on Ways and Means.

By Mr. BENTLEY:

H. Res. 337. Resolution providing for the holding, before any future summit conference, of free elections in the Communist-controlled countries of Central and Eastern Europe; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FINO:

H.R. 8554. A bill for the relief of Wladyslaw Kisiel; to the Committee on the Judiciary.

By Mr. HÉBERT:

H.R. 8555. A bill for the relief of Miss Rosa Torres-Alverez; to the Committee on the Judiciary.

By Mr. CLEM MILLER:

H.R. 8556. A bill for the relief of Gerardo Majella Rangel de Almeida, his wife, Aurea Melina Rangel de Almeida, and their two minor children, Leovigilda Maria Rangel de Almeida and Jaime Jose Rangel de Almeida; to the Committee on the Judiciary.

By Mr. WALTER:

H.J. Res. 487. Joint resolution relating to the deportation of certain aliens; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Public Opinion Has Shaped the Record of Accomplishments of This Session of the 86th Congress

EXTENSION OF REMARKS
OF
HON. THOMAS M. PELLY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 5, 1959

Mr. PELLY. Mr. Speaker, we are close enough to adjournment to be able to evaluate the record of this 1st session of the 86th Congress.

In this connection, recently the question was directed to me in a press interview as to whether the record of accomplishment was good or bad.

My reply was, "Not bad."

Then I was asked whether the credit for this record should be given to the Democrats or the Republicans.

"The credit should go to the public" was my answer, because, as I said, it was public opinion, most of all, that wrote the record of this Congress and kept it from being bad. I also attributed great credit to President Eisenhower for his leadership and the fact that by his press conferences and otherwise he stimulated discussions in the press and the expression of public opinion.

The question was raised following this remark as to whether the 86th has been a budget-busting Congress, and with proper and due recognition of the efforts of the House Appropriations Committee, I said we could have a balanced budget in fiscal 1960, especially if the present high rate of prosperity continues so that the Federal revenue from taxes will exceed $80 billion.

Also, I expressed the belief that, thanks to public opinion favoring the President's "hold the line" on Federal spending programs, the threat of inflation has diminished. I responded also by stating my opinion that the best bulwark against inflation is public ownership of U.S. Savings Bonds.

Mr. Speaker, recently on the NBC radio and television program "Meet the Press" the distinguished former President of the United States, the Honorable

Herbert Hoover, expressed the opinion that our country is in more imminent danger from internal causes than from the cold war.

He cited inflation, unbalanced budgets, and overspending by Congress as being some of the domestic dangers.

Mr. Speaker, I agree with Mr. Hoover that those are dangers, and that is why I have constantly resisted pressures to increase Federal spending. Moreover, as I have just inferred, I believe the net result of the efforts of those of us in Congress who have opposed new programs calling for excessive expenditures have been successful overall in this Congress.

Herbert Hoover was on the eve of his 85th birthday at the time of that TV interview. His appraisal of the domestic situation is worth noting. He mentioned the dangers from within, but he was not pessimistic; and we can all take a lesson of courage and faith out of his experience and words of wisdom

He was asked:

Have these things weakened us so much that we can't stand out strong against Russia?

To which he replied:

No, I wouldn't want anybody to think for a moment that the American people are not capable of solving any crisis. As a matter of fact, this Nation is now in its 183d year, and it has lasted longer than any representative Government. It has gone through seven wars, has gone through three great depressions.

Mr. Hoover mentioned that we have had some bad administrations in Washington, and we have had evil days on account of wars which produced a series of crises. But he concluded as follows:

And yet, after all that, we still have of the original heritage of the American people a very large part of what the forefathers established. We still have a freedom of religion, freedom of press, freedom of assembly, freedom of enterprise within the limits of some socialistic tack; freedom of speech within the limits of very mild laws on the subject. Generally we possess today the same vitality that gave us the initiative and the ability to solve these crises that we have had in the past.

Mr. Speaker, like Mr. Hoover I have faith in the American people. Perhaps sometimes I feel Congress is not acting wisely. However, as this session of Congress indicates, generally the thinking of the public prevails and I believe the judgment of the people, where they are given the facts, is sound. Yes, I give credit for the accomplishments and record of this Congress and this session to the force of public opinion. As to partisan credit or criticism, I think Republican and Democratic Members of Congress alike can be counted on to debate that issue after adjournment. Instead, I conclude these remarks with the personal comment that service in this House this session, as it always is, has been a privilege and challenge. Individually and collectively we are honored beyond measure to be Members of the greatest legislative body in the world. For that honor I am grateful and only hope my service has merited and justified the judgment of the fine friends and people who sent me here.

Public Interest Can Best Be Served by a Cut in Steel Prices With No Change in Wage Rates

EXTENSION OF REMARKS
OF
HON. CHESTER BOWLES
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 5, 1959

Mr. BOWLES. Mr. Speaker, under leave to revise and extend my remarks, I include the text of a letter which I sent to President Eisenhower yesterday concerning the steel situation:

AUGUST 5, 1959.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: As wartime Price Administrator and Director of Economic Stabilization, I was deeply involved on a week-to-week basis with the complex interrelationship of prices, wages, and profits in the steel industry. Over the years since then, I have been increasingly disturbed in watching the operations of this key industry which has such widespread influence on employment and manufacturing costs throughout our economy.

In these 14 years, the steel industry has been shut down six times by labor-management differences. One hundred and ninety days of production have been lost. As a result, an estimated 45 million tons of steel production that might have been produced were not produced and, of course, the losses in wages and profits run into hundreds of millions of dollars.

The present impasse is now moving into its fourth week. Unless some agreement can be reached soon, the implications for our economy as a whole are decidedly disturbing.

We are now emerging from our third recession in 10 years. This series of setbacks has slowed our average annual rate of growth to the lowest levels in several decades.

Continued loss of steel production and steelworker purchasing power will curtail our prosperity still further. Moreover, as steel stocks dwindle, almost every industry in America will become affected. Bitterness between the workers and management, which already is distressingly great, will become greater.

If a labor-management settlement is followed by a price rise, the adverse effect on our economy as a whole will be increasing still further. Already the price of steel has risen from the OPA ceiling of $54 a ton in 1945 to $155 in 1959. This is four times the increase in the wholesale price level in this 14-year period.

Of the 9-percent rise in average wholesale prices since 1953, 7 percent has been directly due to increases in steel and steel-using products.

If it had not been for a drop in the wholesale prices of farm products which have gone down 9 percent since 1953, the inflationary pressures generated primarily by the steel industry would have been even more evident. This means that sagging food prices have been balancing skyrocketing steel prices.

When asked to explain its repeated and extensive price increases, the steel industry has invariably pointed out that hourly wage rates have also tripled. Continued repetition of this explanation has led many people to assume that the blame for high prices belongs exclusively to labor. This, however, leaves out a critically important point—the relation between hourly wage rates and labor productivity.

Corporate profits are determined by many things. To the degree that labor cost is a factor, it is not the price of labor per hour but the cost of labor per ton of steel produced that is important. Although this precise figure is one of the world's best kept secrets, the external evidence indicates that the increase in wage rates has to a considerable extent been offset by the increases in labor productivity.

Mr. President, I realize that you have recently directed the Secretary of Labor to extend his one-man factfinding role to an 18-month study of the basic problems of the steel industry since the end of World War II. This study will be valuable in casting badly needed light on these complex cost-profit relationships.

However, the situation which now confronts us is urgent. Further drift will slow down our economy and endanger both jobs and profits at a critical point in our general recovery.

Viewed strictly as a contest between management and labor, it seems clear that steel wages, in view of recent increases in labor productivity, could and should be increased with no increase in prices. Operating at high capacity, the steel industry could continue to set record profits.

Yet I believe the public interest can best be served by a cut in steel prices with no change in wage rates. The evidence seems clear that the steel industry could take this important step and still maintain record profits.

Naturally such a proposal is not being pursued enthusiastically by either management or labor. However, there are times when we must all look beyond special group interests in the broader public interest. I deeply believe that we have now arrived at such a point in regard to the steel industry.

A reduction of $10 per ton in steel prices could be reflected this fall in lower prices of automobiles, washing machines, refrigerators, and other home appliances. It could reduce the cost of our highway program, industrial construction, machine tools, and other essential items.

It could also help restore to our economy as a whole the vitality which can only come when our productive facilities are being used to capacity and when our people are fully employed. In regard to the steel industry itself, it could serve to increase sales, assure steadier and larger employment and improve our competitive position in regard to steel imports.

In recent months we have heard much about the danger of inflation, but in my opinion too little about economic growth. I submit that both problems are closely interrelated and that both could be partially met by a reduction in steel prices.

For this reason I respectfully suggest that you call on the steel industry to take this bold, creative action for the long-term good of our country and our economy.

May I add that no one should understand this need for such action better than former Secretary of the Treasury Humphrey, now president of the National Steel Corp. On many occasions Mr. Humphrey has called upon various segments of our economy—and particularly upon labor—to place the Nation's welfare before lesser group interests.

Although half of his steel corporation is not union-organized, and therefore still in production, Mr. Humphrey is now in a unique position to initiate moves for the general reduction in steel prices. I can think of no action which would be more helpful in reversing the inflationary pressures to which he so frequently refers.

I am therefore taking the liberty of sending Mr. Humphrey a copy of this letter.

With my personal respect and regards,

Sincerely,

CHESTER BOWLES.

Blacklisting

EXTENSION OF REMARKS
OF
HON. JOHN H. DENT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 5, 1959

Mr. DENT. Mr. Speaker, in these days of labor-leader hatemongering and antiunionism near hysteria on the part of some diehard predatory profiteering organizations and persons, it is important to sane and sensible legislation to know the real truth about matters of such grave concern as the article that appeared in the CONGRESSIONAL RECORD repeating a Twin Falls, Idaho, newspaper editorial.

This reported item charged bluntly that organized labor's political action committee was operating a blacklisting operation within its official activities.

First of all, the word "blacklist" brings to me one of the most dreaded and disgusting memories of my youth.

I was born in a coal-mining community and have a bitter and blind opposition to the use of the term on the practice of blacklisting.

Recently, during our subcommittee hearings on the ill-disguised antilabor bill parading as a reform measure, we heard the story of a young retail clerk.

This worker lost her job through a series of company-engineered court and NLRB rulings. Her dismissal was and is clearly and irrefutably traced to her union activities in trying to help form and maintain a union in one of the all-too-many places of employment who profess to like unions; but the point I am leading up to is that by the simple expedient of having all other cooperating employers in the Duluth area demand a letter of recommendation before hiring, this girl has been blacklisted for life.

She has two alternatives—move away, change her name, find a reasonable employer—and you can hardly find this kind around here anymore—or become antilabor—shout it from the house tops and be welcomed back into lower standard working conditions employment.

Now, Mr. Speaker, you can understand partly my deep-seated opposition to blacklisting and especially resent its use by labor unions, the members of which have too many times been its victims.

I am happy to be able to put into the RECORD correspondence between myself and the director of COPE, a longtime friend, James McDevitt, formerly president of the Pennsylvania Federation of Labor.

In passing, I would like to say that Jim McDevitt is a respected and respecting union official, and any insinuations to the contrary are false and unfair.

The letters follow:

JULY 29, 1959.

Mr. JAMES L. MCDEVITT,
National Director, Committee on Political Education, Washington, D.C.

DEAR JIM: In reading the CONGRESSIONAL RECORD for July 23, I note an extension of remarks by the Honorable H. H. BUDGE, of Idaho.

He included in his remarks an editorial from a local newspaper from Twin Falls, Idaho, dated July 15, 1959. In case you missed his remarks, I am enclosing same.

It appears to me as though the extension is a direct charge that COPE has prepared, and is preparing, a "blacklist" on Members of the Congress based upon their voting records. Having known both yourself as a person, and COPE as an institution, I am disturbed by this allegation. I have always believed in the fundamental right of any organization to publish its views on the voting records of members of any legislative body. This right, to me, is fundamental and, needless to say, one of the privileged rights of our Constitution.

Personally, I do not see it as this article attempts to make it appear as a threat, nor do I see it as any violation of the prerogatives enjoyed not alone by COPE, but by all other free institutions in this country.

I do not believe that charges such as those should go unchallenged or unannounced, and I would appreciate it very much if you would give me, at your convenience, the story behind COPE's listed analysis of voting records.

With kindest regards, I remain,
Sincerely yours,

JOHN H. DENT,
Member of Congress.

COMMITTEE ON POLITICAL EDUCATION,
Washington, D.C., August 3, 1959.

HON. JOHN H. DENT,
House of Representatives, Congress of the United States, Washington, D.C.

MY DEAR CONGRESSMAN: I thank you for your inquiry concerning the insertion in the CONGRESSIONAL RECORD of an editorial from the Twin Falls (Idaho) Times-News, of July 15, 1959. Certainly, if editorial writers and others were as scrupulous as you are in seeking information, the labor movement would not now be subjected to the calumny that is being heaped upon it.

The Times-News editorial is based on a completely twisted account, distributed to its clients by the United Press International News Service a few weeks ago. UPI, on the basis of an article appearing in our weekly publication, Political Memo From COPE, dated July 6, 1959, stated COPE had issued its first blacklist of the 1960 campaign. In truth and fact the article merely reported three rollcall votes in the Senate on amendments sponsored, respectively, by Senators MCCARTHY, CLARK, and DOUGLAS, which related to the tax laws.

As you are well aware, taxes are a subject of utmost concern to all citizens these days and particularly to those in the middle and lower income groups who bear the heaviest share. We felt, and still feel, that they are entitled to know which Senators voted for these amendments, which, in our view, would have plugged some gaping loopholes in the tax laws, and which Senators voted against these amendments.

To say that this reporting of a vote constitutes a blacklist is the most arrant nonsense comparable only to the statement in a recent article by Paul Martin of the Gannett News Service straight-facedly reporting, "It is estimated unions spent $510 million on political activities in the 1958 congressional campaign."

I can tell you categorically and without qualification that COPE has no blacklist or purge list or anything remotely resembles these items. It never has had and, so long as I am its director, never will have.

My feelings on this subject of a blacklist are strong, because I have known too many honest union men and women who have trudged from employment office to employment office, in search of work, only to be told that there was none for them because they were union members. You know, I am sure, of the blacklists that were so prevalent in the coalfields and steel mills of our Commonwealth of Pennsylvania in the pre-Wagner Act days. No more despicable instrument was ever devised nor was there anything so destructive of men's dignity.

COPE has published and will continue to publish the voting records of the elected representatives of the people both at the time of the vote and in summary form at the end of the session. Our parliamentary system is unique among the world's parliaments in that such a vote is provided for in the rules of Congress and published in the official RECORD of Congress. Certainly it must have been the intention of our forefathers to give the widest currency to the votes cast there, and I have always been puzzled by the reluctance of some to have their votes made known.

Sincerely yours,

JAMES L. MCDEVITT,
National Director.

Retired Military Officers' Influence on Defense Contracts

EXTENSION OF REMARKS
OF
HON. ALFRED E. SANTANGELO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 5, 1959

Mr. SANTANGELO. Mr. Speaker, last June 3 I introduced an amendment to the defense appropriation bill which would deny funds to defense contractors who employed retired general officers who are on active service within the last 5 years. By one vote, the House rejected it, but the chairman of the Defense Appropriation Subcommittee assured the members that an Armed Services Subcommittee would investigate influence peddling by general officers in procurement contracts.

The subcommittee under the chairmanship of Congressman F. EDWARD HÉBERT, Democrat, of Louisiana, has been investigating this matter. I had the privilege of testifying before the committee and was interrogated by the chief counsel and the members. I made no accusations against particular officers, but highlighted the inherent dangers of general officers obtaining employment with defense contractors and the possible added cost to our defense appropriation bill. It appears that I have stepped on the toes of a "sacred cow," the military officers, and the great defense contractors. Their apologists and protectors in various magazines and newspapers are disparaging my attempts because I dared to criticize this relationship between our retired general officers and defense contractors.

It must be remembered that our annual appropriations for national security totals $45 billion this year and approximately $14 billion goes to aircraft and procurement of military equipment. Financial reports indicate that profits of these aircraft companies and electronic companies are soaring. These companies, through their magazine editors, are seeking to belittle my attempts and congressional attempts to find the facts and eliminate the influence in defense contracting.

If the President of the United States would end the authorization for negotiated and letter contracts and would have the Defense Department grant defense contracts through competitive bidding, we could eliminate in a large measure the military influence on defense contracts, reduce our cost, and retard inflation. However, our President, our Commander in Chief, and a military general, seems disinclined to interfere with his former colleagues, and the Defense Department, which is under his jurisdiction, continues to negotiate contracts without competitive bidding and on a negotiated and on a letter basis.

Several attempts to belittle the Hébert investigation and to "pooh-pooh" my efforts have come to my attention. In the August 1959 issue of the magazine, Air Force and Space Digest, the senior editor of the magazine, which is published by the Air Force Association, has attempted to ridicule my testimony before the Hébert committee. The Navy News, in a screaming headline by a feature writer, claims that the investigation by the Hébert committee is a waste of time, that "I am an expert in wasting time," and that the only result of the committee hearings would be to rebut my claim of military influence on defense contracts.

Of course, these magazines and newspapers fail to mention supporting testimony, such as that of Adm. Hyman Rickover, who indicated that there were pressures put on him by military men, but it did not influence his decisions. To an extent Admiral Rickover agreed with me that there should be a timelag between retirement from military service and employment by a defense contractor. Other witnesses have indicated that a timelag is necessary. Others have suggested a code of ethics and a requirement to report overtures and attempts to influence.

The San Francisco Chronicle, which is interested in protecting California defense industries, in a July 10 editorial, has come to the defense of the military officers and takes serious issue with me.

What the Hébert committee has found out will be reported in due time. I have given the Congress and the Armed Services Subcommittee the benefit of my views. I am not in charge of the investigation, but will give information as it comes to my attention. I know that the Hébert subcommittee is acting in a responsible manner, is not destroying reputations, and is trying to extract facts from embarrassed and reluctant officers who receive lucrative salaries while enjoying retirement benefits.

In this morning's Washington Post, August 5, 1959, Marquis Childs in his column made some discerning observations. I submit this article as a partial answer to those magazine critics and military apologists who are belittling me in order to defend a system in which they are peculiarly interested. I am sure my colleagues and readers will find this article interesting and informative. It follows:

OLD SOLDIERS FIND IT PAYS TO RETIRE

(By Marquis Childs)

Why do firms with huge defense contracts from the Government hire retired admirals and generals at five-figure salaries? Is it because they know the right people in the Pentagon and can lobby through big contracts? Are they merely front men? Or do they have real ability worth $50,000 or $75,000 a year?

These are questions which a House committee, headed by Representative F. EDWARD HÉBERT, is trying seriously to answer. Behind the inquiry is a supercharge of resentment and frustration not only in Congress but, judging from congressional mail, in the country as well.

One source of resentment is the fact that if the ordinary citizen, trying to live on his social security retirement pension, to which he has contributed throughout his working life, makes more than $100 a month, he loses the pension. Yet an admiral or a general, retiring with a pension of $12,000 a year, to which he has not contributed, can take a salary with private industry up to any amount, including the bonanza of stock options in the company, and still keep his Government pension.

Reflecting this resentment, the House came within a few votes of adopting an amendment which would have forbidden officers to take defense jobs for 5 years after their retirement.

HÉBERT frankly admits that his committee finds it difficult to pin down just what it is that the generals and admirals do for their salaries. But he says, too, that in trying to get the facts he is also trying to be fair. Inevitably, the inquiry spills over into the munitions lobby and the part played by the admirals and generals.

Last week the committee looked into the Aerospace Industries Association, maintained by the companies producing aircraft, missiles, and rockets. Eighty percent of their business is with the Government and they contribute in proportion to their sales to a fund that last year totaled $1,419,115. The biggest companies, such as Douglas, Boeing, Convair, and Lockheed, contributed $75,000 each.

Orval R. Cook, a retired Air Force major general, is president of Aerospace at an annual salary of $49,999.92. He testified that besides research and educational projects, Aerospace does some lobbying. One goal was the contract renegotiation act, with Aerospace undertaking, as Cook tactfully put it, to clarify the "definition of excessive profits. This effort, which failed, would have meant millions in cold hard cash to the big contractors."

What startled HÉBERT and the other committee members is that Aerospace is listed, for income tax purposes, as a nonprofit organization. In questioning Cook, it developed that the company's $75,000 contribution is charged to the Government as a contract expense and then the company, on its income tax return, deducts it because it goes to a nonprofit organization.

"In other words," said HÉBERT commenting on Cook's testimony, "the taxpayer is paying to fight himself under this setup, and paying it two ways. The taxpayer has to pay for that contract against which $75,000 is charged. So it is an expense item. The company is then allowed a tax deduction because it has contributed to a nonprofit organization and the nonprofit organization takes that money to advance the interests of the contract."

Asked how he thought he would come out if he were playing poker with a man who was using his money, Cook laughingly replied, "I would lose." He stressed in his testimony that lobbying is only a small part of the function of Aerospace, some of whose members have 100 percent of their business with the Government.

Pressure looking to big headlines has been on to subpena Gen. Douglas MacArthur, whose salary as chairman of the board of Sperry-Rand is $68,000. MacArthur was given five-star rank during World War II under a special act providing that five-star generals and admirals remain on active duty for life at a total compensation of about $20,000 a year.

It is hardly necessary to add that these are the exceptions. Down below the generals and the admirals the great number of retired officers live frugally on relatively small pensions they justly feel they have earned. But they will also come under provisions of the legislation almost certain to come out of the inquiry.

Trinity Power Facilities

EXTENSION OF REMARKS

OF

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 5, 1959

Mr. GUBSER. Mr. Speaker, on page 5 of the House report accompanying the 1960 Atomic Energy Commission appropriation bill—

The committee notes that the Atomic Energy Commission is currently negotiating with the Duquesne Light Co., a private utility, to increase the electrical generating capacity and efficiency of the Shippingport Atomic Power Station at Duquesne's expense. Such continued cooperation by a private utility with the Government is encouraged and it is hoped that a successful agreement will be quickly worked out.

This excerpt from the Appropriations Committee report is illustrative of the advantages to the Government accruing from an electric company's participation in the joint development of Government projects. The proposal of the Pacific Gas & Electric Co. to construct the power facilities on California's Trinity River, if accepted by the Congress, would provide another case of the Government and business cooperating in a mutually successful enterprise.

The House has rightly refused to appropriate for needless Federal construction of the Trinity generators in view of the company's offer to spend its own money to do so; and the House Interior Subcommittee on Irrigation and Reclamation recently heard testimony on the proposed legislation to permit the utility to build and operate the plants, and pay the Government over $4.6 million a year for the use of the Trinity falling water to turn the turbines.

The House conferees should not accede to the Senate on this item, presently included in the Senate public works appropriation bill; for, as quoted above, the same House Appropriations Committee stated on July 17 that "cooperation by a private utility with the Government is encouraged." Trinity now presents another splendid opportunity to encourage cooperation by a different private utility with the Government, which would then be spared the cost of constructing the powerplants and would receive over $230 million in falling-water payments and $83 million in taxes. The gain to the Government and to the taxpayers generally under joint development of the Trinity power facilities certainly justifies the company's participation in this project.

I submit, Mr. Speaker, that "such continued cooperation by a private utility with the Government" should be "encouraged and it is hoped that a successful agreement will be quickly worked out" in this instance also. There should be no appropriation for needless Government construction at Trinity.

Report of the Board of Visitors to the U.S. Air Force Academy, 1959

EXTENSION OF REMARKS
OF
HON. CLYDE DOYLE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 5, 1959

Mr. DOYLE. Mr. Speaker, by reason of unanimous consent heretofore granted me so to do, I am pleased to present the full text of the 1959 Report of the Board of Visitors to the U.S. Air Force Academy, at Colorado Springs, Colo.

Because I had the great benefit of the information and inspiration of being a member of that Board and attending on all of its sessions at the Academy beginning on May 11, 1959, and completing as of May 15, 1959, I have particular pleasure in presenting this text for the benefit of all the Members to read.

This was the first meeting of the Board of Visitors after the move of the Academy from its temporary site at Denver, Colo.

Now that I have had a similar experience of visiting two other academies during the last dozen years, I feel it appropriate to urge that all Members of Congress become as well acquainted as may be with the program and functioning of each and every of these Government Academies for the training of our youth.

The report follows:

REPORT OF THE BOARD OF VISITORS TO THE U.S. AIR FORCE ACADEMY, 1959

MISSION

The mission of the Air Force Academy is to provide instruction, experience, and motivation to each cadet so that he will graduate with the knowledge and the qualities of leadership required of an officer in the U.S. Air Force, and with a basis for continued development throughout a lifetime of service to his country, leading to readiness for responsibilities as a future air commander.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House,
Washington, D.C.

Appointment to the Board of Visitors

The Board of Visitors to the U.S. Air Force Academy was appointed under the provisions of 10 U.S.C. 9355.

Preliminary data

Senator GORDON ALLOTT replaced Senator THOMAS H. KUCHEL. Lt. Gen. Bryant L. Boatner and Dr. Robert L. Stearns replaced Gen. Carl Spaatz and Dr. John A. Hannah. Senator HOWARD W. CANNON was named by Senator RICHARD E. RUSSELL to make the visit in his behalf. Representative CLYDE DOYLE was nominated by Representative CARL VINSON to make the visit in his behalf. Mr. Edward P. Curtis visited the Academy April 24. Neither Mr. Curtis nor Mr. Victor Emanuel were able to visit at the time the rest of the Board did, because of previous commitments.

Convening of the Board

The Board convened at 9:30 a.m., May 11, 1959, and completed its inspection at 11:30 a.m., May 13, 1959. This was the first meeting of the Board since the move of the Academy to its permanent site near Colorado Springs, Colo., in September 1958.

Chairman of the Board

The Board elected Senator GORDON ALLOTT as its chairman.

Procedure

The Board made part of its inspection as a committee of the whole. Some aspects of the Academy's operation were examined by subcommittees of the Board.

Comments of the Board

Morale: The Board found a high state of enthusiasm and morale prevalent in the cadet wing and among the staff and faculty of the Academy. The sincerity and dedication of the first graduating class speaks well for their motivation toward lifetime service careers.

Discipline: The Board noted that discipline was excellent in all phases of cadet training. Cadets were alert and responsive. Their individual initiative and maturing sense of responsibility are coupled with high concepts of honor and duty.

Curriculum: The Board was impressed with the opportunities offered by an enrichment program which permits each cadet to develop his individual knowledge and competence in accordance with his talent and his capacity for work. The Board was happy to note that the Academy has inaugurated a department of astronautics program and recommends it be continuously expanded to keep pace with the changing security needs of the Nation. All aspects of cadet education—academic, military, and physical development are well integrated to produce a graduate of which the Air Force and the Nation can be proud.

Academic methods: The methods used in teaching are designed to make best use of the cadet's time for classroom learning and individual study. The small classes permit the cadets to participate extensively and they are challenged to their best efforts. Section assignments are based on class academic standings to enable instructors to gear their teachings to the levels of students in their classes. It is suggested that the time and methods of examination be reviewed by a competent committee of the faculty with a view to avoiding interference with class instruction and discussion.

Instruction: By visits to classes in session and inspection of classroom, library, and laboratory facilities, members of the Board observed the effectiveness of teaching methods. In comparison with civilian colleges and university students on recognized tests of academic proficiency, the evidence shows that the cadets have responded favorably to the instruction as given.

Faculty: Members of the faculty are academically well-qualified officers on active duty with the Air Force. Thus, they bring to their classes both military and academic backgrounds that help them provide cadets with a high motivation for education and lifetime service careers. The Board reiterates the vital importance of Air Force personnel policies giving top priority to the assignment of high caliber faculty members to the Academy. The Board is happy to learn of the approval by the Department of the Air Force of a proposal from the Academy which will permit, under appropriate circumstances, Sabbatical leaves for professors. This policy, if pursued, will serve to revitalize and stimulate permanent members of the faculty.

Accreditation: The Board was gratified to learn that the North Central Association of Colleges and Secondary Schools had now accredited the Academy to grant degrees. This is a unique achievement for an educational institution that was yet to graduate its first class, and is a fitting recognition of a sincere, able, and effective institution of higher education.

Airmanship training: The Board was briefed on the various phases of the airmanship program. This includes military, flying, physical, and command training—as well as the cadet way of life. These are the environmental factors, which, with the academic training, are calculated to develop the cadet into a professional Air Force officer, prepared and motivated for a lifetime career of service to his country. The navigation training and the course in astronautics are designed to give graduates pertinent skills and understanding of aerospace navigation.

The Board was also briefed on the current status of planning for pilot training of cadets. The Board regrets that the recommendations of previous Boards have not been carried out. At the time the Academy was authorized, pilot training was envisioned and contemplated as an integral part of the cadet training program. Such training would add materially to the motivation of individual cadets and to their future value as officers. The land for the airstrip was included in the original land acquisition program and is now available on the Academy site. The Board again strongly urges that the Academy be authorized to construct a suitable airfield at the earliest possible date to carry out primary pilot training. The cadet time required for primary pilot training is available from that now devoted to the extensive navigation program.

Cadet life: The complete life of the student is integrated into his course of training. The functioning of the cadet wing, the dormitory life, and the cadet honor code are all part of the cadet's education and motivation for a career as an Air Force officer. The Board feels that the leadership and administration of this program are excellent. Especially to be commended is the well-phased program of increasing the freedom and responsibility of upperclassmen to make the transition to the life of a junior commissioned officer a gradual one.

Religious activities: Cadets are required during the first 2 years to attend services with the cadet wing—Protestant, Roman Catholic, or Jewish. During his third year he may attend one service per month in a church of his own choice off base in lieu of attendance with the cadet wing. In the first half of his fourth year he must attend services but all attendance may be off base, in lieu of attendance with the cadet wing. During his last half year, attendance is voluntary on his part. In addition, there is considerable voluntary participation in such religious activities as the choirs, Sunday school, and religious instruction classes. Besides conducting these religious activities, the chaplains play an important part in the Academy's counseling program.

Physical equipment: The construction of congressionally approved buildings at the permanent site of the Academy is substantially complete, except for some of the dependent housing, the hospital, and the cadet chapel. Progress by last September was sufficient for the Academy to move from the interim location at Lowry Air Force Base at Denver. Further progress has continued throughout the school year.

Library: The center of any educational institution is its library, and the Board desires to commend the administration on its effective operation of a select and growing library and the extent to which it is used by the cadets.

Planetarium: A unique feature of the Academy is the planetarium which is an effective agency in the instruction of men not

only in astronomy and navigation, but in an appreciation of three dimensional interplanetary space essential to the operational understanding of new weapons and techniques.

Fiscal affairs: The Board finds that the Superintendent has maintained a continuing personal knowledge of fiscal affairs of the Academy. The Board has taken cognizance of the recent report of the Comptroller General. However, it is the opinion of the Board that such issues as are raised should be resolved between the construction agency, the Secretary of the Air Force, and the respective appropriate Committees of Congress.

Date of the 1960 meeting of the Board

The Board set the dates of April 6–10, 1960 for its annual visit to the Academy in 1960.

Remarks

The Board commends Maj. Gen. James E. Briggs and his entire staff on the highly successful operation of the Academy during his service as Superintendent. This is particularly outstanding in view of the move to the permanent Academy site in the past year, the academic accreditation by the North Central Association of Colleges and Secondary Schools, and the preparation of the first graduating class. It is recognized that such success is the result of a great effort by a well-balanced team, under General Briggs' leadership.

Recommendations

1. The Board reiterates that primary pilot training should be added to the curriculum of the Air Force Academy. Such training at the Academy should be given all physically qualified cadets and would constitute an essential step in the military pilot instruction of future career fliers.

2. Lack of a flying field at the Academy site introduces numerous difficult problems in the conduct of Academy flying operations. The Board again recommends that suitable flying facilities, built to proper Air Force standards, be provided at the Air Force Academy. Time and distance factors, plus extensive civilian and other military flying operations in the Denver-Colorado Springs area make any other facilities unsuitable and uneconomical.

3. The Board recommends that the curriculum of the Academy be continually reappraised to insure that it remains sound with respect to changing technologies and world conditions.

Respectfully submitted.

Gordon Allott, U.S. Senate; Henry Dworshak, U.S. Senate; Howard W. Cannon, U.S. Senate; Byron G. Rogers, House of Representatives; J. Edgar Chenoweth, House of Representatives; Clyde Doyle, House of Representatives; Dr. Arthur H. Compton, Dr. Robert L. Stearns, Bryant L. Boatner, Lieutenant General, USAF, Retired; James McCormack, Jr., Major General, USAF, Retired.

National Citizens Committee for Columbus Day Planning Conference

EXTENSION OF REMARKS
OF

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 5, 1959

Mr. RODINO. Mr. Speaker, more and more, free governments are learning to recognize the need for building bridges of mutual understanding and friendship between peoples in order to bring governments and free nations together in their common quest for peace.

Many years ago, a fearless navigator of immense spiritual faith and indomitable courage sailed the seas to link the Old World with the New. His bold historic act has served as an inspiration for men of ideas and vision, and the name Columbus is a symbol for all of the Americas.

Because there is so much ferment in the world today, and especially in the Latin Americas where our brothers feel so fiercely the surge for freedom it is my hope that the symbol of Columbus and the theme "Americans All" may be significant factors in establishing closer ties between the peoples of the Americas.

As national chairman of the Columbus Foundation, it was my privilege to convene a planning conference of the National Citizens Committee for Columbus Day at the Press Club on June 30, 1959. Among those who addressed the conference were, U.S. Senator WAYNE MORSE, of Oregon; Representative THOMAS MORGAN, of Pennsylvania; and Representative ARMISTEAD SELDEN, of Alabama.

Since all of these distinguished gentlemen have dealt with Latin American affairs, their remarks are particularly noteworthy. It is important to point out here that Senator MORSE serves as chairman of the Senate Subcommittee on Latin American Affairs, Representative MORGAN is chairman of the House Foreign Affairs Committee, and Representative SELDEN is chairman of the Subcommittee on Inter-American Affairs of the Foreign Affairs Committee.

Under leave to extend my remarks, I wish to include herein the speeches of Senator MORSE, Representative MORGAN, and Representative SELDEN:

SPEECH OF SENATOR WAYNE MORSE BEFORE NATIONAL CITIZENS COMMITTEE FOR COLUMBUS DAY PLANNING CONFERENCE AT THE NATIONAL PRESS CLUB, JUNE 30, 1959

Mr. Chairman, it is a real pleasure and honor for me to be here with you today to participate in this 1959 Columbus Day Planning Conference.

Jack and Ruth O'Brien, through their very active work with the National Citizens Committee for Columbus Day, are fulfilling the role of true citizenship. Too many times, people with good ideas and good intentions think that only government can carry out some worthwhile program, particularly when it involves international relations or policies. It is easy to forget that in a free country, government policies often follow, as well as lead. Here is one instance where a group of private citizens, acting on their own behalf, are giving leadership to the U.S. Government in an area where leadership has been sadly lacking, and the progress you are making is in no small part due to the vigor and public-spirited manner which Jack and Ruth have displayed. They have been of great assistance to me, too, in my work as chairman of the Latin American Affairs Subcommittee of the Senate.

POTENTIAL VALUE OF COLUMBUS DAY

Columbus Day celebrations and observances could become the instrument for a rebirth of the good-neighbor relationship which characterized our policy toward Latin America in the 1930's and 1940's. Columbus Day is, after all, the common heritage we share with our neighbors to the south. It does not depend for its existence upon an artificial act of government; and even if it were never marked or celebrated anywhere, it would still exist in history as the common denominator of all the people of the New World, the Western Hemisphere.

That is why Columbus Day has many advantages. It presents us with an opportunity we should not miss. It unites people of varying races, religions, and national origins as no declaration of any government or national official can do. It is our common heritage, and in marking it, we have a great opportunity to stress and emphasize the many other heritages we share with the people of Canada and of Central and South America.

It is even more appropriate that we should do so when we are seeing in Latin America a steady rise in the tide of freedom and liberty and a steady decline in the domination of human beings by dictatorships.

RISE OF FREEDOM IN WESTERN HEMISPHERE

The force of freedom in Latin America is not a transitory thing. True, it began a long time ago and has languished from time to time, even during its modern phase which began about the turn of the century. Yet when one contemplates the record of the past 7 years, it is truly remarkable. No less than eight countries—Argentina, Bolivia, Colombia, Cuba, El Salvador, Honduras, Peru, and Venezuela—took the long step toward democracy, mostly by revolution. The combined population of these countries is about 55 million—and I wish to remark, parenthetically, that if we fully understood the significance of the struggle for freedom of this huge sector of humanity, we would put aside 1 day in all of America, call it the "Day of Liberty," and forever commemorate the acquisition of freedom by the people of America.

The number of men and women who so recently gained their freedom represents the crescendo in freedom's force in Latin America. But it is not alone the number—striking as it is—which tests this force of the surge of freedom. The test is found in two facts, often overlooked. One is that the tyrannies which were overthrown were not isolated tyrannies. They constituted a system, a network, a sinister apparatus aiding one another, so that what was destroyed and put to rout was an international system of despotism. The second fact is that the people who won their freedom, won it by their own efforts, by their own sacrifices. Thus, while the extent of the force of freedom is signified by the numbers involved—and this number can be increased if we go back a few years before 1952—the strength of the force of freedom is revealed by the international strength of the apparatus it has destroyed, and the durability of the force of freedom is revealed by the fact that it was achieved by the people themselves. I know that the people of the United States applaud this effort, and that in their achievement the people of Latin America have won a position of lasting dignity in the minds and in the hearts of the people of the United States.

Let me turn now to the future and to the question of how we can improve on what we have done, and how we can devise among ourselves more friendly acts which will match the friendly words which one still hears around the hemisphere and also drown out the unfriendly words which have come in increasing volume in the last year.

What is the significance of freedom's powerful surge for the future of Latin America? The consequences I see for the future are deep and overwhelming in their impact.

First, is the now inevitable trend toward democracy. What has been revealed during the past decade or so is the instability of dictatorship, which is another way of saying, the instability of governments not founded on the will and consent of the people. I may be accused of excessive optimism, but instead of a past in which occasional experiments in democracy interrupted a general practice of dictatorships, in the future I

see dictatorships, if they reappear at all, as momentary interruptions in the inevitable and irresistable growth of democratic government.

Second, the force of freedom carries with it a profound popular will for economic development. When economic and business activity is in the hands of a dictator supported by a small aristocracy, the rhythm of development is slow, erratic, and incomplete. Where people are free, the will to develop is comprehensive and strong. Economic development is inevitable for Latin America, at a faster pace than ever before and on a broader scale.

Third, the fruits of economic development are bound to be better distributed. Economic development requires careful planning, the proper selection of objectives, the training of people and the exercise of self-discipline. In the free community, the support of the people must be solicited for the Nation's program. It can only be done by giving the people a permanent stake in the community's welfare. The people of Latin America have already demonstrated that their struggle for liberty has been won in the midst of widespread poverty. They will not again easily surrender their liberty for bread alone. But the demand for economic development which originates with the people must promise a rise in the standards of living. It must promise widespread education and technical training. It must promise the increased application of modern science and technology in all avenues of life. When it is the popular will from which development springs, the riches of development must return to the people in increasing measure.

FREEDOM WILL LEAD TO FRIENDSHIP

Finally, I foresee an eventual development of a new level of friendship and understanding between the United States and Latin America. Friendship between nations must ultimately rest upon the deepest sense of dignity, of self-respect, which nations feel about themselves. As freedom is acquired, as development occurs, as stability and progress are achieved, a nation's self-respect grows. The extremes of popular nationalism, so widespread at the beginning of the journey of progress, are converted into self-confidence as nations acquire the mastery of self-government. And when self-confidence begins, so does the possibility of friendship and understanding. I foresee, thus, as the product of the present surge for freedom, a new level of friendship—a friendship between the United States and its neighbors based upon equality in freedom and equality in our confidence to master and employ for the good of all, the instruments of progress.

These are the possible future products of the force of freedom. They constitute altogether a vast change in the New World, from the pessimism of Simon Bolivar about the possibilities of freedom in America, to the optimism of freedom's own conquest. There are many obstacles yet to be overcome, but the people of this hemisphere will conquer these obstacles. Communism is one of them. At this very time the forces of communism are attempting to link themselves to Latin America's march to freedom. But what has communism to offer? It offers this hemisphere a formula on how to lose freedom. Whichever way one looks at communism, at bottom its fundamental doctrine is revealed: That the only way a community can progress is to surrender its freedom to a dictatorship of self-styled pundits—the so-called leadership of the proletariat—who arrogate to themselves the final wisdom about the laws of mankind's development. Dictatorship is the heart of the Communist matter; but Latin America already knows more about freedom and how to acquire it than does Soviet Russia.

The whole question of inter-American relations and its role in all these areas is currently the subject of a thoroughgoing study by a subcommittee, of which I have the honor to be chairman, of the Foreign Relations Committee of the U.S. Senate. This subcommittee has been diligently at work for almost a year; it has another year's work still ahead of it. We have called in some of the outstanding universities and research institutions in the United States to study various aspects of the problem and report to us. Those reports, which are not yet complete, will be followed by hearings and further exploration by the subcommittee itself. We are determined to do a thoroughly objective, nonpartisan job, and we hope that we can make useful, constructive recommendations. It would be premature at this point for me to try to anticipate what those recommendations will be, and I shall not do so. I think I can, however, lay down certain general principles.

I want to speak particularly of economic development which is the modern expression for Roosevelt's freedom from want and which is by all odds the major problem of inter-American relations.

There are, it is said, many ways to skin a cat, and there are also many ways to achieve economic development. I am distrustful of anybody who picks out one way, and says this is the only road to salvation.

I do, however, have some suggestions to make regarding economic policy for all the American countries, my own included.

ECONOMIC NEEDS OF LATIN AMERICA

There are three elements in economic development, and each is as important as one of the legs on a three-legged stool. These elements are people, resources, and capital.

Much of the current discussion of inter-American economic problems, I think, centers too much on the need for capital to the neglect of the development of human resources, but I do not underestimate the need for capital, so let me talk about that first.

At this particular point in time, it is in the national interest of the United States to export capital, just as it is in the national interest of most of the other American Republics to import capital. And this is exactly what has been happening to the tune of several million dollars a year. It has occurred largely in the private sector, and on balance, it has made a great contribution to economic growth.

But it is mainly equity capital, looking for a profit. There is nothing wrong with this, as far as it goes. The trouble is it doesn't go far enough. It doesn't go into the kind of nonprofit development which is essential to economic growth. A great many developments of this kind have been financed through the International Bank for Reconstruction and Development, the Export-Import Bank, and the Development Loan Fund. I hope more will be done through the forthcoming inter-American Development Bank. But I wonder if all of this is being done in the most effective way possible.

Better results would follow, in my judgment, if greater use were made of line-of-credit arrangements under which credits are established and drawn on, as needed, for a variety of specific projects. In certain circumstances, it might even be possible and desirable to work out provisions for these lines of credit to revolve—that is, for repayments automatically to replenish the total amount of credit that could be drawn.

Greater use of such line-of-credit arrangements, it seems to me, would make it easier for all the peoples of this hemisphere to develop their own resources in their own way.

I think it must be frankly realized that all of the investments and all of the technology of the United States will not by themselves bring about the kind of economic development which we are seeking in the American Republics. That can only be done by the people of these Republics themselves. We in the United States can help, but we cannot do the whole job.

If it is fundamental that people have the right to develop their own resources in their own way, it is equally fundamental that they are the ones who must do the developing. A 20th century economy cannot exist in an 18th century social structure. Education is of paramount importance in this respect, and so far as I am aware, not a single country in the Americas is making a sufficient investment in its own people.

It takes capital to develop resources, but it also takes people; and the people come first. This is a field in which the activities of Columbus Day and the Organization of American States could well be expanded.

POSSIBILITY OF COMMON MARKET DESERVES STUDY

Another field for great OAS concern is that of economic cooperation. In considering the economic problems of this hemisphere, we ought, in my judgment, to pay more attention to Adam Smith's doctrine of natural advantage. That is, each of us ought to concentrate on doing that which we can do best. No nation of this hemisphere, not even the United States, is big enough to be a self-contained economic unit. If any nation tries to become self-sufficient, it is not only doomed to failure; worse, it wastes resources which are more badly needed in other lines of endeavor.

From this, it follows, in my judgment, that we should think more along the lines of moving toward economic unity just as we have moved toward political unity. I realize that this will be difficult, that it will involve some possibly painful adjustments for all and that it cannot be done overnight. But I think its benefits will make all its difficulties and adjustments worthwhile. I am hopeful that the Central American Economic Union will point the way toward larger groupings.

An American common market would not only lead to more efficient use of resources; it would also contribute to the formation and growth of the institutions which are indispensable to economic development. It would, for example, make possible larger financial institutions and more extensive markets for securities.

HEMISPHERIC DEFENSE AND DISARMAMENT

Finally, it seems to me that the OAS could make a historic contribution in the field of intra-hemispheric defense. We have seen how the OAS has already made great and encouraging progress in the pacific settlement of disputes among its members. I suggest the time has come to build upon this progress and explore the possibilities of arriving at a regional agreement, within this hemisphere, for the reduction, or at least the limitation, of armaments. Such an agreement would have several obvious and imediate advantages.

For one thing, it would at once free very considerable resources which are now going into armaments and which are more badly needed for schools and other aspects of socio-economic development.

For another, it would tend to diminish the influence of the military and increase the influence of the civilian branches of Government. This would have a very salutary effect, especially in those few countries which still suffer under military or quasi-military dictatorships.

Finally, it would, I think, set a good example for the rest of the world.

As many of you know, I hold to the position in the Senate of the United States that the United States should not grant military aid to dictatorships anywhere in the world, including Latin America. I am willing to support some military aid to free nations in Latin America for hemispheric defense, but even here I think it is preferable to develop a hemispheric police force under the

jurisdiction and direction of some international organization such as the Organization of American States.

I am a strong supporter of increasing economic aid programs for Latin America, preferably on a line-of-credit loan basis related to specific economic projects that will help bring direct economic benefits to the people of Latin America.

A distinguished Brazilian pointed out a few months ago that the relations between the United States and Latin America are perturbed, on both sides, by the prevalence of psychological behavior complexes. As a consequence, he added, the instrumentality of inter-American cooperation has increasingly become a mechanism for juridical and political coexistence rather than a system for mutual understanding.

Our biggest piece of unfinished business is to repair our mutual understanding. This is what the members of this audience are peculiarly well equipped to do. Whatever your vocation may be, I ask you to make this your avocation. I ask you to take it seriously.

REMARKS OF REPRESENTATIVE MORGAN, OF PENNSYLVANIA

Mr. Chairman, I appreciate the opportunity to meet with representatives of the National Citizens Committee for Columbus Day. My distinguished colleague, PETER RODINO, has kept me informed of the committee's past activities, and I welcome the opportunity to be brought up to date concerning its future program.

It is particularly appropriate for the committee to undertake to broaden the traditional observation of Columbus Day to emphasize the heritage which all of the nations and peoples of the Western Hemisphere share in common as a result of the discoveries of Christopher Columbus.

Columbus Day has in the past been celebrated in part as a reminder of our indebtedness to the older nations of Europe and of the ties which continue to bind us to them. It seems to me to be highly desirable that in addition to looking back across the Atlantic toward the Old World, those of us in the United States as well as those in our sister Republics should look around us within this hemisphere. If we pause and look around us and remember how much the date 1492 means to every one of us, it will bring home to us again the unique relationship which exists between the peoples of our hemisphere.

There is a tendency for nations as well as for individuals to become so preoccupied with their own day-to-day problems that they give too much emphasis to their differences. Anything we can do to reemphasize the things we have in common and our obligations to each other should make things better for us all.

Rather than taking more of your time, I am very happy and fortunate to be able to call on the Honorable ARMISTEAD I. SELDEN, who is chairman of the Foreign Affairs Subcommittee on Inter-American Affairs. I am glad to be able to transfer to him responsibility for further discussion of the relations of the American Republics with each other. I am sure that you will find that he understands the problems of our hemisphere and that he is very much interested in the work of your group.

Chairman SELDEN and his subcommittee have recently issued a "Report on U.S. Relations with Latin America" which has been widely read and has received many favorable comments. He is a thoughtful and well-informed observer of the Latin American scene. It gives me the greatest pleasure to present to you the Honorable ARMISTEAD I. SELDEN, of Alabama.

REMARKS OF REPRESENTATIVE SELDEN OF ALABAMA

Mr. Chairman, as has been pointed out, last May the Subcommittee on Inter-American Affairs of the Foreign Affairs Committee (of which I am chairman) issued a report on U.S. relations with Latin America. In our examination of inter-American relations prior to the report, we were particularly concerned with the climate of misunderstanding which we found. Bitterness and antagonism were showing up as unwelcome guests even at inter-American conferences.

As long as the atmosphere is charged with grievances and recriminations, we will make little headway in resolving the very real conflicts of interest which are bound to crop up among nations of dissimilar stages of development and of wealth.

In the past, serious problems have confronted us without straining the entire fabric of inter-American relations. The difficulties brought about by the depression of the thirties and by dislocations due to World War II were probably greater than those which confront us today. We asked ourselves why it was then possible to reach friendly understandings, even to disagree on issues, without engendering intense antagonisms; and why today, on the other hand, even minor irritations seem to give rise to downright hostility.

The subcommittee's conclusions and recommendations are set forth in a 10-page report. Dr. MORGAN and I brought along a handful of copies for those of you who might be interested. Other copies are available from the House Foreign Affairs Committee. Also, the committee has authorized the printing in Spanish of a number of copies of the report, and it is hoped these copies will be off the press by the end of the week.

In our report, you will find no discussion of such substantive problems as what might be done about the instability of Latin America's markets, or ways to promote economic development. Rather, the subcommittee concerned itself in this report with underlying misunderstandings which are impairing efforts to work out solutions to such questions.

I have been deeply impressed by the efforts of the National Citizens Committee for Columbus Day and the Columbus Foundation. Their work has been directed toward creating the very atmosphere of inter-American understanding that the subcommittee found to be indispensable to effective Hemisphere cooperation. There is no better road to inter-American respect and understanding than by individuals' getting to know each others problems and aspirations.

The Columbus Foundation's initiative in setting up its sister-city program is exactly the kind of approach the subcommittee had in mind when it recommended, and I quote from our report:

"We believe that nongovernmental contacts between people of all the American Republics are an essential avenue toward better understanding. Such organizations as the Inter-American Bar Association, the Inter-American Press Association, and the Inter-American Regional Organization of the International Confederation of Free Trade Unions have contributed enormously toward the basic component of strong inter-American ties—an appreciation of each others' problems and aspirations. Moreover, personal contacts between private citizens remove any lurking suspicions of ulterior motives which sometimes attach to a Government-instigated program, no matter how altruistic might be the intention.

"We urge more professional and other groups to undertake similar relations with their Latin American counterparts."

One final word from the congressional point of view. It is extremely gratifying to find groups of private citizens making foreign policy their business. Previously we have noticed tendencies which might be described as "leave it to the State Department" or "leave it to Congress." These are mighty poor substitutes for the kind of strong inter-American bonds that can be forged when a growing circle of Americans, north and south of the Rio Grande, join hands to make the New World the land of peace and plenty our Founding Fathers envisioned.

SENATE

THURSDAY, AUGUST 6, 1959

Rev. James R. Adams, Curate, St. John's Episcopal Church, Georgetown Parish, Washington, D.C., offered the following prayer:

Almighty God, who declarest Thy power by calling forth peoples to be nations and by scattering them abroad at Thy pleasure, we beseech Thee, as for the people of the United States in general, so especially for their Senators in Congress assembled, that Thou wouldst be pleased to grant them in all their consultations and deliberations the grace to ask what Thou wouldst have them to do, that the spirit of wisdom may save them from all false choices. Make them ever mindful, we pray Thee, of their calling to serve this people in Thy fear alone, that the Nation may be led in the way of truth and righteousness, justice, and compassion, to the end that when called to account for the stewardship of Thy blessings, we not be found wanting, and in the day of tribulation be spared Thy wrath at the hands of our enemies; through Him who came to be our judge, Jesus Christ, Our Lord. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, August 5, 1959, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 1455) to authorize the rental of cotton acreage allotments, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8283) making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1960, and for other purposes.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 7454) making appropriations for the Department of Defense for the fiscal year ending June 30, 1960, and for other purposes, and it was signed by the President pro tempore.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

RESOLUTIONS OF LEGISLATURE OF MINNESOTA

Mr. HUMPHREY. Mr. President, I ask unanimous consent that two resolutions adopted by the Minnesota State Legislature during the 1959 extra session be inserted at this point in the RECORD and referred to the appropriate committees.

There being no objection, the resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Public Works:

"'RESOLUTION 1

"'Resolution memorializing the Congress of the United States to take whatever action is necessary to secure the apportionment of Federal aid for highways on the Federal aid primary, secondary, and urban systems for the 1961 fiscal year

"'Whereas the State of Minnesota has obligated all of its Federal aid allotments on the Federal aid primary, secondary, and urban systems; and

"'Whereas Federal aid allotments have not been made for fiscal year 1961; and

"'Whereas there are sufficient funds in the Federal highway trust fund to make the allotments on the Federal aid primary, secondary, and urban systems; and

"'Whereas if the allotments are not made forthwith, it will be necessary for the Minnesota Department of Highways to eliminate from its letting on July 24, 1959, all projects on the primary system; and

"'Whereas the elimination of such projects amounting to approximately $7,200,000 will have serious and adverse effects on the economy of the State: Now, therefore, be it

"'*Resolved by the Legislature of the State of Minnesota,* That the Congress of the United States be requested to take the necessary action to secure the 1961 Federal aid highway allotments for the primary, secondary, and urban systems in such time that the Minnesota Department of Highways will not have to eliminate projects on the primary system from its July 24 letting; be it further

"'*Resolved,* That the secretary of state of the State of Minnesota be instructed to transmit copies of this resolution to each Member of Congress from the State of Minnesota.'

"KARL ROLVAAG,
"President of the Senate.
"E. J. CHILGREN,
"Speaker of the House of Representatives.

"Passed the senate the 30th day of June 1959.

"H. Y. TORREY,
"Secretary of State.

"Passed the house of representatives the 30th day of June 1959.

"EDWARD A. BURDICK,
"Chief Clerk, House of Representatives, pro tempore.

"Approved July 2, 1959.

"ORVILLE L. FREEMAN,
"Governor of the State of Minnesota.

"Filed July 2, 1959.

"JOSEPH L. DONOVAN,
"Secretary of State."

To the Committee on Agriculture and Forestry:

"'RESOLUTION 2

"'Resolution memorializing Congress, the President, and the Secretary of Agriculture to enact legislation enabling producers of agricultural products to benefit from the Great Lakes-St. Lawrence Seaway

"'Whereas the Great Lakes-St. Lawrence Seaway has opened a vast area of shipping and commerce to the Northern and Western States;

"'Whereas the Great Lakes-St. Lawrence Seaway is providing low-cost efficient shipping of agricultural products;

"'Whereas the low shipping cost should inure to the benefit of the producer of agricultural products in the form of higher selling prices for the producer of agricultural products: Now, therefore, be it

"'*Resolved by the Legislature of the State of Minnesota,* That the Congress of the United States, the President, and the Secretary of Agriculture be requested to study and explore and to enact suitable legislation to enable the producers of agricultural products in the northern and western areas of the United States to share in the savings of shipping costs by reason of the use of the Great Lakes-St. Lawrence Seaway; be it further

"'*Resolved,* That the Secretary of State be instructed to send a copy of this resolution to each Member of Congress from the States of Minnesota, Iowa, North Dakota, South Dakota, Nebraska, Montana, and Wyoming, to the President, and to the Secretary of Agriculture.'

"KARL F. ROLVAAG,
"President of the Senate.
"E. J. CHILGREN,
"Speaker of the House of Representatives.

"Passed the senate the 1st day of July 1959.

"H. Y. TORREY,
"Secretary of the Senate.

"Passed the house of representatives the 1st day of July 1959.

"EDWARD A. BURDICK,
"Chief Clerk, House of Representatives, pro tempore.

"Approved July 2, 1959.

"ORVILLE FREEMAN,
"Governor of the State of Minnesota.

"Filed July 2, 1959.

"JOSEPH L. DONOVAN,
"Secretary of State."

RESOLUTIONS OF MINNESOTA FEDERATION OF POST OFFICE CLERKS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that two resolutions adopted by the Minnesota Federation of Post Office Clerks at its annual convention this past June be printed in the RECORD, and appropriately referred.

There being no objection, the resolutions were referred to the Committee on Post Office and Civil Service, as follows:

EMPLOYMENT OF RETIRED CLERKS AND CARRIERS AT CHRISTMAS

Whereas the Post Office Department must of necessity employ additional help during the month of December; and

Whereas retired postal clerks and carriers would be a considerable asset to the postal department during the month of December because of their experience in post office operations and knowledge of the schemes: Now, therefore, be it

Resolved, That the MFPOC in convention assembled at Bemidji, Minn., June 25, 26, 27, 1959, go on record favoring the enactment of legislation permitting the Post Office Department to employ retired clerks and carriers during the month of December without forfeiture of retirement benefits; and be it further

Resolved, That copies of this resolution be sent to all Members of Congress from Minnesota, the national resident officers and the Postmaster General.

LEGISLATION: VOLUNTARY PAYROLL DEDUCTIONS FOR UNION DUES

Whereas legislation has been introduced in past sessions of Congress to provide for voluntary additional payroll deductions on Federal employee paychecks to buy life, health, accident, hospital, and medical insurance; and

Whereas we believe that the voluntary deduction of union dues should be authorized by law and would be of tremendous value in reducing the cost and work involved in the collection of such dues; and

Whereas the aforementioned provision would stimulate and maintain a consistent membership, organizationally in the MFPOC: Therefore be it

Resolved, That the MFPOC in convention assembled in Bemidji, Minn., June 25, 26, 27, 1959, go on record in favor of such legislation authorizing voluntary deduction of union dues; and be it further

Resolved, That copies of this resolution be sent to the Minnesota congressional delegation and our national officers urging the introduction and enactment of such legislation into law.

RESOLUTION OF UNITED SPANISH WAR VETERANS, DEPARTMENT OF MINNESOTA

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a resolution which I have received from the United Spanish War Veterans, Department of Minnesota, as adopted at its convention this past June in Duluth, be printed in the RECORD, and referred to the appropriate committee.

There being no objection, the resolution was referred to the Committee on Labor and Public Welfare, as follows:

UNITED SPANISH WAR VETERANS,
DEPARTMENT OF MINNESOTA,
St. Paul, Minn., June 25, 1959.

Hon. HUBERT HUMPHREY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: At the 55th annual encampment of the Department of Minnesota, United Spanish War Veterans, held at Duluth, Minn., June 14, 15, and 16, 1959, the following resolution was introduced and passed:

"Whereas the present law pertaining to the admission of veterans to Veterans' Administration hospitals does not apply to veterans of the Spanish-American War, the Philippine Insurrection, and the China Relief Expedition; and

"Whereas veterans of the Spanish-American War can only be admitted if there are vacancies: Therefore, be it

"*Resolved by the United Spanish War Veterans, Department of Minnesota, meeting in convention in Duluth, Minn., June 14, 15, and 16, 1959,* That H.R. 2412 corrects the admission qualification of the present laws and establishes service connection for hospitalization purposes for veterans of the Spanish American War, Philippine Insurrection, and China Relief Expedition on the same basis as veterans of other wars regarding admission to Veterans' Hospitals; and it be further

"*Resolved,* That a copy of this resolution be sent to all the members of the Minnesota delegation to the House and Senate, Washington, D.C."

Respectfully yours,

CHARLES E. HILL,
Department Adjutant and Quartermaster.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCOTT, from the Committee on Interstate and Foreign Commerce, without amendment:

H.R. 2398. An act to provide for the establishment of a fish hatchery in the northwestern part of the State of Pennsylvania (Rept. No. 622).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, without amendment:

S. Res. 152. Resolution to provide additional funds for the Committee on Interstate and Foreign Commerce; referred to the Committee on Rules and Administration.

By Mr. COTTON, from the Committee on Interstate and Foreign Commerce, without amendment:

S. Res. 151. Resolution to authorize a study of transportation problems in rural areas.

By Mr. GOLDWATER, from the Committee on Interior and Insular Affairs, with amendments:

S.J. Res. 25. Joint resolution to change the name of Roosevelt Dam in Arizona to Theodore Roosevelt Dam (Rept. No. 623).

By Mr. HENNINGS, from the Committee on Rules and Administration, without amendment:

S. Con. Res. 41. Concurrent resolution to accept the statue of the late Senator Patrick A. McCarran for placement in Statuary Hall (Rept. No. 624);

S. Con. Res. 42. Concurrent resolution to place temporarily in the rotunda of the Capitol a statue of the late Senator Patrick A. McCarran (Rept. No. 624);

S. Con. Res. 43. Concurrent resolution to print proceedings of the presentation and acceptance of the statue of the late Senator Patrick A. McCarran for placement in Statutary Hall (Rept. No. 624);

S. Con. Res. 55. Concurrent resolution to place temporarily in the rotunda of the Capitol a statue of Esther Morris, of Wyoming, and authorizing ceremonies on such occasion (Rept. No. 625);

S. Con. Res. 56. Concurrent resolution accepting the statue of Esther Morris, of Wyoming, for placement in the Statuary Hall collection (Rept. No. 625);

S. Con. Res. 59. Concurrent resolution amending S. Con. Res. 2, continuing the existence of the Joint Committee on Washington Metropolitan Problems (Rept. No. 626);

S. Res. 143. Resolution to increase the amount of funds for the investigation of matters pertaining to immigration and naturalization (Rept. No. 627);

S. Res. 144. Resolution to increase the amount of funds for the investigation of antitrust and antimonopoly laws and their administration (Rept. No. 628);

S. Res. 147. Resolution authorizing additional expenditures by the Committee on Interior and Insular Affairs; and

S. Res. 149. Resolution authorizing additional expenditures by the Committee on Foreign Relations.

By Mr. HENNINGS, from the Committee on Rules and Administration, with an amendment:

S. Con. Res. 38. Concurrent resolution to print for the use of the Committee on the Judiciary additional parts of certain hearings on administered prices (Rept. No. 629);

S. Con. Res. 39. Concurrent resolution to print for the use of the Committee on the Judiciary additional copies of certain reports submitted by it and the Subcommittee on Antitrust and Monopoly (Rept. No. 630); and

S. Res. 154. Resolution authorizing the printing of additional copies of part 1 of the second interim report of the Select Committee on Improper Activities in the Labor or Management Field.

S. Con. Res. 57. Concurrent resolution to print as a House document the proceedings incident to the acceptance of the statue of Esther Morris, presented by the State of Wyoming (Rept. No. 625);

By Mr. HENNINGS, from the Committee on Rules and Administration:

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without amendment:

S. 2130. A bill to authorize a payment to the Government of Japan (Rept. No. 631).

MARY VERNON BEALE, JOSEPHINE F. MILLER, AND ADRIAN C. MILLER

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 157) to pay a gratuity to Mary Vernon Beale, Josephine F. Miller, and Adrian C. Miller, which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Mary Vernon Beale and Josephine F. Miller, sisters of Theodora Miller, and Adrian C. Miller, niece of Theodora Miller, an employee of the Senate at the time of her death, a sum to each equal to two and one-sixth months' compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

ELLA M. SHEFFEY

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 158) to pay a gratuity to Ella M. Sheffey, which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Ella M. Sheffey, widow of Matthew Sheffey, an employee of the Architect of the Capitol assigned to duty in the Senate Office Building at the time of his death, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

AMENDMENTS TO MUTUAL DEFENSE ASSISTANCE CONTROL ACT OF 1951—AMENDED REPORT

Mr. JOHNSON of Texas. Mr. President, on behalf of the Senator from Massachusetts [Mr. KENNEDY], I wish to make the following statement:

In reporting the amendments to the Mutual Defense Assistance Control Act of 1951—S. 1697, Calendar No. 596—there was inadvertently omitted from the report, which is Senate Report No. 599, the so-called Cordon Rule version of the existing law. This would show the changes in existing law made by the bill which is the subject of the report.

I ask unanimous consent to file an amended report containing the statement required by the Cordon Rule, so that any printing of the report may include that statement.

The VICE PRESIDENT. Without objection, it is so ordered.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CASE of South Dakota:

S. 2493. A bill to provide for the crediting for retirement purposes of certain service performed by John R. Richardson; to the Committee on Post Office and Civil Service.

By Mr. BARTLETT:

S. 2494. A bill to validate the homestead entries of Leo F. Reeves; to the Committee on Interior and Insular Affairs.

By Mr. GORE:

S. 2495. A bill to promote the foreign relations of the United States by providing for the establishment of a National Foreign Service Academy; to the Committee on Foreign Relations.

By Mr. HART:

S. 2496. A bill for the relief of Kraemer Mills, Inc.; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 2497. A bill for the relief of Jose Ramon Pineiro; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey (for himself, Mr. CLARK, Mr. DODD, Mr. DOUGLAS, Mr. HUMPHREY, Mr. MCCARTHY, Mr. MORSE, Mr. MURRAY, Mr. NEUBERGER, Mr. PROXMIRE, and Mr. YOUNG of Ohio):

S. 2498. A bill to provide for the registration of contractors of migrant agricultural workers, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. MCNAMARA:

S. 2499. A bill for the relief of Halina Konik Wojtusiak; to the Committee on the Judiciary.

By Mr. SALTONSTALL (for himself, Mr. BRIDGES, Mr. MAGNUSON, Mr. SCHOEPPEL, Mr. MONRONEY, Mr. SYMINGTON, and Mr. ALLOTT):

S. 2500. A bill to authorize the President to reappoint Elwood R. Quesada, formerly lieutenant general, U.S. Air Force, retired, to the grade of major general and to retire him in the grade of lieutenant general, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. SALTONSTALL when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 2501. A bill to provide for the reinstatement and validation of U.S. oil and gas lease BLM 028500; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 2502. A bill to provide for the development of a comprehensive family farm program, to bring the production of agricultural commodities into balance with demand therefor, to enable farmers to secure fair prices, to better utilize agricultural abundance in the Nation's interest at home and abroad, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE:

S. 2503. A bill to amend the act entitled "An act to define the real property exempt from taxation in the District of Columbia," approved December 24, 1942, so as to authorize the Commissioners of the District of Columbia to waive certain tax liabilities imposed pursuant to such act; to the Committee on the District of Columbia.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND (for himself, Mr. JOHNSON of Texas, Mr. DIRKSEN, Mr. MANSFIELD, Mr. KUCHEL, Mr. ANDERSON, Mr. ALLOTT, Mr. BARTLETT, Mr. BEALL, Mr. BIBLE, Mr. BRIDGES, Mr. BYRD of West Virginia, Mr. CARLSON, CASE of New Jersey, Mr. CHURCH, Mr. COOPER, Mr. CURTIS, Mr. KERR, Mr. DODD, Mr. DWORSHAK, Mr. ELLENDER, Mr. ENGLE, Mr. FREAR, Mr. GREEN, Mr. GRUENING, Mr. HARTKE, Mr. HAYDEN, Mr. HRUSKA, Mr. KEATING, Mr. LONG, Mr. MARTIN, Mr. MCCLELLAN, Mr. MCGEE, Mr. MONRONEY, Mr. MORSE, Mr. MURRAY, Mr. NEUBERGER, Mr. O'MAHONEY, Mr. PASTORE, Mr. RANDOLPH, Mr. SALTONSTALL, Mr. SCHOEPPEL, Mr. SCOTT, Mr. SMATHERS, Mr. WILEY, Mr. YARBOROUGH, Mr. KEFAUVER, Mr. MCNAMARA, Mr. MCCARTHY, Mr. WILLIAMS of New Jersey, Mr. BUSH, Mr. MORTON, Mr. PROUTY, Mr. YOUNG of North Dakota, Mr. LAUSCHE, Mr. MAGNUSON, Mr. JACKSON, Mr. CANNON, Mr. CLARK, Mr. HUMPHREY, and Mr. CAPEHART):

S.J. Res. 126. Joint resolution proposing an amendment to the Constitution of the United States, relating to the qualifications of electors; to the Committee on the Judiciary.

(See the remarks of Mr. HOLLAND when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. HILL (for himself, Mr. CLARK, Mr. KEFAUVER, Mr. KENNEDY, Mr. SALTONSTALL, Mr. STENNIS, Mr. SYMINGTON, and Mr. WILEY):

S.J. Res. 127. Joint resolution to help make available to those children in our country who are handicapped by deafness the specially trained teachers of the deaf needed to develop their abilities and to help make available to individuals suffering speech and hearing impairments those specially trained speech pathologists and audiologists needed to help them overcome their handicaps; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HILL when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTIONS

NATIONAL CONSERVATION SPORTS TOURNAMENT

Mr. MARTIN submitted the following resolution (S. Res. 156); which was referred to the Committee on Labor and Public Welfare:

Whereas for the past two years the Davenport, Iowa, chapter of the Izaak Walton League of America has sponsored annually a National Conservation Sports Tournament for the benefit of the Boy Scouts and Explorer Scouts of America; and

Whereas the purpose and effect of the holding of such tournaments is to encourage physical fitness and sportsmanship on the part of the participants as well as to develop their competitive abilities and inspire in them an interest in and appreciation of outdoor sports; and

Whereas the holding of such tournaments also has the worthwhile effect of imparting to the participants a basic understanding of the importance of the conservation and wise use of the Nation's soil, woods, water, and wild life resources; and

Whereas, in August of 1959, the Davenport, Iowa, chapter of the Izaak Walton League of America will sponsor its Third National Conservation Sports Tournament in which more than five hundred Explorer Scouts from throughout the country will participate: Now, therefore, be it

Resolved, That there is hereby extended to the Davenport, Iowa, chapter of the Izaak Walton League of America the recognition and commendation of the Senate for the praiseworthy activities of such chapter in the sponsoring of its National Conservation Tournament.

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 157) to pay a gratuity to Mary Vernon Beale, Josephine F. Miller, and Adrian C. Miller, which was placed on the calendar.

Mr. HENNINGS also, from the Committee on Rules and Administration reported an original resolution (S. Res. 158) to pay a gratuity to Ella M. Sheffey, which was placed on the calendar.

(See the above resolutions printed in full where they appear under the heading "Reports of Committee.")

REAPPOINTMENT OF ELWOOD R. QUESADA TO GRADE OF LIEUTENANT GENERAL, REGULAR AIR FORCE, RETIRED LIST

Mr. SALTONSTALL. Mr. President, on behalf of myself, and Senators BRIDGES, MAGNUSON, SCHOEPPEL, MONRONEY, SYMINGTON, and ALLOTT, I introduce, for appropriate reference, a bill to authorize the President to reappoint Elwood R. Quesada to the grade of lieutenant general of the Regular Air Force, on the retired list, effective not before the end of his service as Administrator of the Federal Aviation Agency. I ask unanimous consent that the bill and a letter, dated August 3, 1959, from Secretary of the Air Force Douglas transmitting the bill to the Congress and explaining its purpose, be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 2500) to authorize the President to reappoint Elwood R. Quesada, formerly lieutenant general, U.S. Air Force, retired, to the grade of major general and to retire him in the grade of lieutenant general, and for other purposes, introduced by Mr. SALTONSTALL (for himself and other Senators), was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President, by and with the advice and consent of the Senate, is hereby authorized to reappoint Elwood R. Quesada to the grade of major general in the Regular Air Force and thereafter immediately to place him on the retired list of the Regular Air Force in the grade of lieutenant general with all the pay, allowances, emoluments, perquisites, rights, privileges, and benefits provided, at the time of such reappointment and thereafter, for an officer of that grade and with his length of service who was on that retired list on May 31, 1958. Effective upon the date he occupies office under such reappointment as provided in section 2 of this Act, and upon his subsequent retirement, Elwood R. Quesada shall be deemed for all purposes to have continued to occupy or hold the office, status, rank, and grade which he occupied or held as lieutenant general, United States Air Force, retired, on October 30, 1958, as though he had not resigned therefrom on that date: *Provided*, That any period of time during which he holds or has held any Federal civil office shall not be credited to him as military service: *And provided further*, That no back pay or allowances shall become due as a result of the passage of this Act or of his reappointment hereunder for or on account of any period of time between October 31, 1958, and the effective date of his occupancy of office under such reappointment.

SEC. 2. The reappointment and retirement authorized by this Act may be made at any time following the enactment of this Act, and, notwithstanding any other provision of law, shall not affect the status of Elwood R. Quesada as Administrator, Federal Aviation Agency: *Provided*, That he shall not occupy or hold office under such reappointment, or have military status pursuant thereto, earlier than the day following the date upon which he ceases to hold office of Administrator, Federal Aviation Agency: *And provided further*, That in the event he dies while holding the office of Administrator, Federal Aviation Agency, he shall, for the purposes of all laws of the United States, be deemed to have occupied and held office pursuant to such reappointment and retirement from and after the day before his death.

The letter presented by Mr. SALTONSTALL is as follows:

DEPARTMENT OF THE AIR FORCE,
Washington, D.C., August 3, 1959.

Hon. SAM RAYBURN,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: There is forwarded herewith a draft of legislation "To authorize the President to reappoint Elwood R. Quesada, formerly lieutenant general, U.S. Air Force, retired, to the grade of major general and retire him in the grade of lieutenant general, and for other purposes." The Bureau of the Budget has advised that it has no objection to the submission of this proposal for the consideration of the Congress. The Department of the Air Force has been designated as representative of the Department of Defense for this legislation. It is recommended that this proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The purpose of this legislation is to authorize the President to reappoint Elwood R. Quesada to the grade of lieutenant general of the Regular Air Force and to place him upon the retired list, such appointment not to affect his status as Administrator of the Federal Aviation Agency notwithstanding the provisions of section 301(b) of the Federal Aviation Act of 1958.

Section 301(b) of the Federal Aviation Act of 1958 (72 Stat. 744) provides in part:

"QUALIFICATIONS OF ADMINISTRATOR

"(b) * * * At the time of his nomination he shall be a civilian and shall have experience in a field directly related to aviation. * * *"

In September 1958 the President gave Mr. Quesada a recess appointment as Administrator of the Federal Aviation Agency effective November 1, 1958. On October 30, 1958, Mr. Quesada resigned his commission as a lieutenant general on the retired list of the Regular Air Force in order to qualify under the provisions of section 301(b) of the Federal Aviation Act. Mr. Quesada's resignation represents a sacrifice which, in his case, it is felt the Congress did not intend.

Mr. Quesada has been active in the field of aviation for 35 consecutive years. After 27 years of active service in the Air Force and its predecessors, he was placed on the

retired list of the Regular Air Force in 1951. Thereafter he engaged in civilian activities in private industry, and from June 1957 until he qualified as Administrator, Federal Aviation Agency, he served as Special Assistant to the President for aviation matters. His duties included, among other things, the processing, within the executive branch of the Government, of the legislation which established the Federal Aviation Agency. He has clearly demonstrated his unique knowledge of the complexities and needs of civilian and military aviation in the present age.

The main objective of the legislation is to reinstate Elwood R. Quesada to the military status which he enjoyed at the time of his resignation on October 30, 1958, without causing any advantage or disadvantage to accrue to him by reason of such reinstatement other than the mere restoration of his previous status.

While the purpose and wisdom of the applicable language of section 301(b) of the Federal Aviation Act of 1958 is appreciated by this Department, it is felt that it was not the intention of the Congress that in Mr. Quesada's case his additional public services should deprive him of the honors and status acquired during his years of service to his country in the Military Establishment.

COST AND BUDGET DATA

Enactment of this legislation would have no budgetary effects.

Sincerely yours,

JAMES H. DOUGLAS,
Secretary of the Air Force.

P.S.—An identical letter has been sent to the President of the Senate.

Mr. SALTONSTALL. Mr. President, in connection with S. 2500, a bill making provision for reinstatement of Mr. Elwood R. Quesada to his former retired rank as lieutenant general in the Regular Air Force, there are several things I would like to say at this time.

First, I personally and firmly believe that Mr. Quesada should not be left with the consequences of his personal sacrifice in resigning his military status. He should not have to go forever without the fruits of a long and distinguished career in the military service of our country in order to perform an urgent public service as Administrator of the Federal Aviation Agency.

Second, I point out that the proposed bill has been painstakingly prepared to eliminate even the slightest advantage to Mr. Quesada which could accrue through his reinstatement, beyond mere restoration of the military status he would have continued to enjoy had he not resigned from the military. Moreover, the same extreme care has been taken to deny him any connection with the military, or any military status whatsoever, for the remainder of his time in office as Administrator of the Federal Aviation Agency. I believe these points should be crystal clear in the minds of all. The bill represents no real favor to Mr. Quesada, but merely provides for what is fitting and proper for us to do.

Since what appears to be an inadvertently inaccurate news item on this legislation appeared in the Evening Star of August 5, 1959, I request permission at this time to have inserted in the CONGRESSIONAL RECORD the article from the Star and an analysis of the inaccuracies contained in the article. I think we are all distressed by a mistake of this kind, especially when those who have favored this legislation have bent over backward to stay completely within the bounds of propriety and to seek for Mr. Quesada only what it would not embarrass him to receive.

There being no objection, the article and analysis were ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, Aug. 5, 1959]

CONGRESS URGED TO VOTE QUESADA PENSION RISE

Proposed legislation to retire Elwood R. Quesada at a higher rank and to give him benefits of a military pay increase voted last year has been forwarded Congress by Air Force Secretary James H. Douglas.

Secretary Douglas said the bill would restore to General Quesada status he voluntarily relinquished to become Administrator of the Federal Aviation Agency.

Specifically, the President could reappoint Mr. Quesada as a major general and immediately place him on retired lists in the grade of lieutenant general with all pay due an officer of that rank retired May 31, 1958.

Actually, General Quesada resigned his commission as a lieutenant general and was retired as a major general October 30, 1958.

His present retirement pay as a major general is based on an old $1,021 monthly pay scale, figured percentagewise with his years of service. His new retirement pay would be based on a revised active salary scale of $1,350 a month, related percentagewise with his years of service, plus a 6-percent increase for officers who retired before June 1, 1958.

General Quesada has been active in the aviation field for 35 consecutive years, Secretary Douglas pointed out. He said 27 of those years were in the Air Force. General Quesada served as special assistant to the President for aviation before his appointment as Federal Aviation Administrator.

He resigned to comply with a law demanding that the Administrator, at the time of his nomination, be a civilian.

"His resignation was a sacrifice which, in his case, it is felt Congress did not intend," Secretary Douglas wrote in a letter of transmittal accompanying the legislation proposal.

The suggestion was referred to the Senate Armed Services Committee.

ANALYSIS OF INACCURACIES IN STAR NEWS ITEM ON LEGISLATION TO REINSTATE MR. QUESADA TO HIS FORMER RETIREMENT RANK AS LIEUTENANT GENERAL

STATEMENT	TRUE SITUATION
"Proposed legislation to retire Elwood R. Quesada to a higher rank and to give him benefits of a military pay increase voted last year has been forwarded Congress by Air Force Secretary James H. Douglas."	The legislation would not accord Mr. Quesada higher rank or give him benefit of the military pay increase voted last year. Mr. Quesada has no status whatsoever as a military officer at the present time. The legislation would merely reinstate him to the rank he had at the time he resigned to become Administrator of the Federal Aviation Agency, and is carefully worded to eliminate any benefit to him not enjoyed by others in the same retired rank on May 31, 1958, which was the day before the effective date of the military pay increase of last year.
"Secretary Douglas said the bill would restore to General Quesada status he voluntarily relinquished to become administrator of the Federal Aviation Agency.	The legislation would not itself restore Mr. Quesada's military status. It would merely authorize reappointment as a major general by the President, with the advice and consent of the Senate, and retirement as a lieutenant general. Moreover, his military status could not be restored under the bill until he ceases to serve as Administrator of the Federal Aviation Agency, or dies in that office.
"Specifically, the President could reappoint Mr. Quesada as a major general and immediately place him on retired lists in the grade of lieutenant general with all pay due an officer of that rank retired May 31, 1958."	When Mr. Quesada resigned on October 30, 1958, to accept appointment as Administrator of the Federal Aviation Agency, he was on the retired list as lieutenant general and his resignation totally severed all connection with the Military Establishment. In other words, his last rank in the Military Establishment was lieutenant general; and he no longer holds any office in the armed services whatsoever.
"Actually General Quesada resigned his commission as a lieutenant general and was retired as a major general October 30, 1958."	He receives no retirement pay whatsoever at the present time, since he has no connection with the Military Establishment. Moreover, even if he now had retired status with a service, he would be forbidden by law to accept retirement pay so long as he receives his salary as Administrator of the Federal Aviation Agency. In addition, the proposed legislation goes to extreme lengths to eliminate any possibility that Mr. Quesada would receive any payment or other benefit from the Air Force or enjoy any of the privileges of military status until he ceases to be Administrator of the Federal Aviation Agency, or dies while in that office. The bill expressly provides that Mr. Quesada shall have no military status for the remainder of his term as Administrator. It is painstaking in this regard, even to the point of making certain that his civilian service as Administrator will not be counted as military service in computing the retirement pay he would begin to receive only after completing his term as Administrator.
"His present retirement pay as a major general is based on an old $1,021 monthly pay scale, figured percentagewise with his years of service. His new retirement pay would be based on a revised active salary scale of $1,350 a month, related percentagewise with his years of service, plus a 6 percent increase for officers who retired before June 1, 1958."	

SPECIALLY TRAINED TEACHERS FOR CERTAIN HANDICAPPED PERSONS

Mr. HILL. Mr. President, on behalf of myself and Senators CLARK, KEFAUVER, KENNEDY, SALTONSTALL, STENNIS, SYMINGTON, and WILEY, I introduce, for appropriate reference, a joint resolution designed to help resolve a very serious problem afflicting 30,000 deaf children of school age in the United States and the 8 million Americans who suffer from serious speech and hearing impairments.

The problem which affects our deaf children lies in the critical shortage of teachers specially trained to educate such afflicted children. To meet the educational needs of these children, who, of course, have the same aptitudes and intellectual potentialities as have children with normal hearing, we should be graduating 500 teachers of the deaf annually. Instead of 500, we have less than 150 in training this year. Six of the institutions accredited for the training of teachers of the deaf do not have a single student enrolled for training this year. The situation is critical and it is national in scope.

The problem adversely affecting those 8 million Americans who suffer from speech and hearing impairments of such a nature as to seriously handicap many of them in their efforts to become independent, self-supporting, taxpaying members of their communities, is an identical one. Whereas we need some 20,000 speech pathologists and audiologists to diagnose and correct speech and hearing impairments and to train and rehabilitate the afflicted, there are at present only some 2,000 certified speech pathologists and audiologists and 5,000 noncertified specialists in this field in the United States. We should be graduating at least 1,500 trained specialists a year. We are graduating only 400. Here, too, the problem is critical and nationwide in scope.

The joint resolution would establish parallel programs in the Office of Education and in the Office of Vocational Rehabilitation which, through the grant mechanism, will, we hope, encourage a sufficient number of young people to undertake training to become teachers of the deaf, speech pathologists, or audiologists. The numbers of individuals involved in these programs would be relatively small and the cost, estimated to be less than $3½ million a year, would be far less than the dividends which would be paid to the Government as a result of these programs. These dividends to be gained from the development of the abilities of those afflicted with speech and hearing impairments or deafness would include not only increased strength and productivity for our Nation but dividends in dollars—in the increased tax returns which would be paid by the many thousands of individuals who, as a result of these programs, would become independent rather than dependent, employed rather than unemployable, taxpayers rather than tax consumers.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 127) to help make available to those children in our country who are handicapped by deafness the specially trained teachers of the deaf needed to develop their abilities and to help make available to individuals suffering speech and hearing impairments those specially trained speech pathologists and audiologists needed to help them overcome their handicaps, introduced by Mr. HILL (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

COMMISSION ON DEPARTMENT OF SCIENCE AND TECHNOLOGY—AMENDMENTS

Mr. HUMPHREY submitted amendments, intended to be proposed by him, to the bill (S. 1851) for the establishment of a Commission on a Department of Science and Technology, which were ordered to lie on the table and to be printed.

AMENDMENT OF NATIONAL DEFENSE EDUCATION ACT OF 1958, RELATING TO EMPLOYEES OF DEPARTMENT OF STATE AND U.S. INFORMATION AGENCY—ADDITIONAL COSPONSORS OF BILL

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the names of the junior Senator from West Virginia [Mr. BYRD], the junior Senator from Texas [Mr. YARBOROUGH], and the senior Senator from West Virginia [Mr. RANDOLPH], may be added as cosponsors of the bill (S. 2304) to amend the National Defense Education Act of 1958 in order to promote an adequate supply of qualified individuals to serve the Federal Government in foreign countries as employees of the Department of State and the U.S. Information Agency, introduced by me, for myself and other Senators, on June 29, 1959.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, and so forth, were ordered to be printed in the RECORD, as follows:

By Mr. JAVITS:

Statement made by Hon. Arthur S. Flemming, Secretary of Health, Education, and Welfare, at a news conference on July 28, 1959, relating to the status of the student loan program under the National Defense Education Act.

By Mr. WILEY:

Article entitled "Foreign Ministers' Talks Communique," published in the Washington Post and Times Herald of August 6, 1959.

NOTICE OF HEARING ON NOMINATION OF CARL A. WEINMAN TO BE U.S. DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF OHIO

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for 2:30 p.m., Monday, August 17, 1959, in room 2300, New Senate Office Building, on the nomination of Carl A. Weinman, of Ohio, to be U.S. district judge for the southern district of Ohio, vice Lester L. Cecil, elevated.

At the indicated time and place all persons interested in the above nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

William B. Jones, of Kentucky, to be U.S. attorney for the western district of Kentucky.

James R. Duncan, of Virginia, to be a member of the Subversive Activities Control Board.

Lewis J. Grout, of Kansas, to be a member of the Board of Parole.

Gerald E. Murch, of Maine, to be a member of the Board of Parole.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Thursday, August 13, 1959, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

ISSUANCE OF BONDS BY THE TENNESSEE VALLEY AUTHORITY—UNANIMOUS CONSENT AGREEMENT

Mr. JOHNSON of Texas. Mr. President, I would like to have the attention of the distinguished minority leader.

I ask unanimous consent that it be in order for the Chair to place before the Senate bill 2471, and that after the clerk states the bill by title, it be in order to strike the following language from the bill: Beginning with the comma on line 5, page 1, through "1959" on line 7, page 1; that when that amendment shall have been agreed to, the bill shall be temporarily laid aside.

The VICE PRESIDENT. Is there objection to the request?

The Chair hears none, and the agreement is entered.

The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 2471) to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes.

The Senate proceeded to consider the bill (S. 2471) to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I offer an amendment, which is covered in the unanimous-consent agreement, to strike the language following the comma in line 5, of page 1, all of line 6, and through "1959" in line 7.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. JOHNSON of Texas. It is my understanding that no amendment or motion is in order and that a point of order will not lie against S. 2471 in view of the unanimous-consent agreement previously entered. We shall have 1 hour's debate on it, but no amendment or motion is in order and no point of order will lie against the bill. I wish to make that clear for the RECORD.

The VICE PRESIDENT. The Senator is correct.

Mr. JOHNSON of Texas. Mr. President, for the information of the Senate, I should like to say that neither the executive nor the legislative branch of the Government is interested in transgressing or usurping the authority or privileges of the other. In view of the opinion held by the Executive concerning the provisions referred to in S. 2471, as soon as the original bill, H.R. 3460, is acted upon, it is the intention of the leadership in the Senate, under the unanimous consent previously agreed to, to call up by motion S. 2471, and there will be not to exceed 1 hour's debate on it.

I should like all Senators to be on notice of that.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Illinois.

Mr. DIRKSEN. I may say, for the information of the Members of the Senate, the language of S. 2471 was drawn in anticipation of the action taken by the President on the bill which is presently on his desk. I am informed this is actually a technical change, and nothing more, for the purposes of clarification. So that when this bill is enacted finally, it will be in good form, and will conform procedurally and also with the language that is necessary. I think it was done at the suggestion of the Parliamentarian and others who looked into this question.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to my friend from South Dakota, but first I may say to the Senator from Illinois that he is correct.

Mr. CASE of South Dakota. That statement confirms my understanding and that of the members of the Public Works Committee. This is purely a technical clarification, and does not affect the substance of the bill.

WELCOME HOME TO THE VICE PRESIDENT

Mr. SCOTT. Mr. President, may I ask the majority leader if he will yield so I may say two words?

Mr. JOHNSON of Texas. Surely. I have a brief statement to make.

Mr. SCOTT. My two words are, "Welcome home" to the Vice President.

Mr. DIRKSEN. Mr. Vice President, we are glad you are home. I was delighted to see that great concourse of people at the airport to welcome you back to your native soil. We think you did a great job.

We followed the press accounts. We gloried in your courage, as you stuck your chin out, put your best foot forward, and spoke the piece for your country, as we expected you to do.

So thrice welcome, Mr. Vice President. We are glad to have you back, and we are delighted indeed about what you said abroad, about the great impact of your remarks, about your decorum and your conduct, and about the effect upon the Soviet people and upon people everywhere in the world, which has been so extremely wholesome. Welcome back, Mr. Vice President.

[Sustained applause, Senators rising.]

Mr. DIRKSEN. Mr. President, I yield the floor.

Mr. WILEY. Mr. President, I wish to join in the fine welcoming speech of the minority leader. This morning I was privileged to talk to one of the distinguished citizens of my State, and he said the impression in the farm area, from the way the information was carried over the television and over the radio, was exactly as stated by the distinguished minority leader. David stood up against Goliath. You, Mr. Vice President, were David. He said the impression among the common people was such that he had no doubt about where Wisconsin would stand. I am very pleased to relate the conversation.

As to myself personally, I was privileged on two different occasions, Mr. Vice President, to observe over the television your conduct with Mr. Khrushchev and the wonderful way the common people of Russia received you, and the way you reacted to their reception. It was great, Mr. Vice President, and you were tremendous.

I compliment you also for your remarks yesterday after you landed at the airport. It was one of the finest down-to-earth talks I have listened to. It was one that every American citizen could understand and comprehend. When you spoke, advising America of the fine treatment you received from the citizens of Russia, it was very, very touching. Then you suggested that no matter how we have felt, we in America, in like form, should receive Mr. Khrushchev. So I congratulate you, and I say we are mighty glad that both you and your dear wife are back where you will probably get a little rest.

Mr. NEUBERGER subsequently said: Mr. President, I desire to join in the welcome to the distinguished Vice President upon his safe return to the United States from behind the Iron Curtain. I particularly wish to concur in what was said by the able senior Senator from Wisconsin [Mr. WILEY] concerning the remarks of the Vice President last night at the airport.

I think the Vice President was well advised to remind us that Premier Khrushchev will be the guest of the United States next month as our Vice President was the guest of the Soviet Union. The Vice President cautioned us that we must treat our guest with courtesy, with decorum, and with fairness.

I have been disturbed about some of the hostile and inflammatory statements which have been made in Congress about the forthcoming visit of Mr. Khrushchev. I ask the authors of those statements, How would we in the United States have felt if similar speeches had been made in the Supreme Presidium of the Soviet Union just prior to the arrival of the Vice President of the United States in Moscow and other cities of Russia and of Siberia?

It seems to me that the Vice President gave the country some very sound and sage advice when he arrived at the airport last night. I trust it will be taken to heart by some Members of both Houses of Congress and by the general public, as well.

Mr. CASE of South Dakota subsequently said: Mr. President, I wish to join the other Senators who have expressed their appreciation of the splendid representation given by Vice President NIXON to the people of the United States and to our country generally in the course of his recent trip overseas. The other day, I made some comment on his trip.

On yesterday, when I was at the airport, I was again impressed by the great, human qualities of the President of the Senate, the Vice President of the United States, Mr. NIXON. I thought that on yesterday he demonstrated in several ways his great qualities which endeared him to the people he met in the course of that trip. His reference to the status of the Washington baseball club was one indication of those human qualities; and I noted with some satisfaction that last night the Washington baseball club promptly ended its slump, and really went to town, with a nine-to-nothing victory.

But above all that, Mr. President, I wish to state that the Vice President's statement that the people of Poland and the people of Russia have a heartbeat in common with the people of the United States, in their desire for peace, was the outstanding statement in his remarks and demonstrated the outstanding lesson to be learned from his recent trip overseas.

In that connection, Mr. President, I am reminded of the fact that the turning point in World War I was considered by many to be the time when President Wilson demonstrated the difference be-

tween the people of Germany and the government which at that time attempted to speak for the people of Germany. I thought that was a very great landmark in the course of World War I.

Likewise, Mr. President, I believe this people-to-people approach is a landmark in the cold war.

CONGRESSIONAL SPENDING

Mr. JOHNSON of Texas. Mr. President, it is a well-established principle of propaganda that if a falsehood is repeated often enough and loud enough it will be believed.

On the basis of this principle, there have been many times in our history when the people have been sold whoppers. And the biggest of them all is the fantastic picture of the executive branch standing like Horatius at the bridge to stem the onrush of the congressional spenders.

I want to address myself briefly to this picture today. I do not intend to dispute the concept of the President as a kindly, frugal man who wishes to pinch the taxpayers' pennies. But I do intend to raise some stubborn facts which cannot be disputed.

To repeat, the President is a kindly, simple man who is frugal with the taxpayers' dollar. It is unfortunate that he has had to preside over the largest peacetime budgets of any President in the history of the United States.

It is fortunate that his frugality is matched by the prudence of a Congress which during the past 5 fiscal years has been able to reduce his budget estimates by $10,600 million.

I ask unanimous consent to insert in the CONGRESSIONAL RECORD a table describing these reductions in detail.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Total budget cuts by Congress in last 5 fiscal years

Congress, session, fiscal year	Budget estimates	Appropriations	Decreased by Congress
83d, 2d, 1955	$60,770,315,686	$58,160,445,563	$2,609,870,123
84th, 1st, 1956	66,023,089,195	63,947,281,321	2,075,807,874
84th, 2d, 1957	73,298,859,629	73,041,364,417	257,495,212
85th, 1st, 1958	78,108,417,112	73,064,958,328	5,043,458,784
85th, 2d, 1959	81,737,060,999	81,119,818,276	617,242,723
Total budget cuts by Congress in last 5 fiscal years			10,603,874,716

Mr. JOHNSON of Texas. Mr. President, of course, there are those who seek to deride the efforts of Congress and the President to be frugal by sly references to back-door financing. They insist that Congress is slipping spending in through the back door and that the President is helpless to stop it.

Mr. President, I have not had too much experience with back doors. I leave such preoccupations to my friends across the aisle who apparently have more experience with such matters, since they talk about it more.

But the question arose so persistently that I went to the man who I thought had the most experience in Government financing. I am referring to the President's Budget Director.

In my own simple understanding of the governmental process it was difficult for me to see how there could be back-door financing which had not been requested or approved by the President when his vetoes had not been overridden.

We have not overridden any vetoes. The President, according to the best-informed columnists, keeps his veto pistol well oiled, halfcocked, and ready to fire at the drop of a bill on his desk.

The Budget Director confirmed my suspicions. He said there had been no back-door financing which had not been requested or approved by the President. He also supplied me with some figures that were very interesting.

For example, so far in this session, the President has requested a total of $6,400 million in back-door financing. The Congress has cut this $6,400 million to $6,076 million. And since the housing bill was vetoed, the actual amount approved is $4,776 million.

Let me restate the situation. The President, head of a party which abhors back-door financing, requested $6,400 million. The Congress cut this to $6,076 million.

The President then vetoed a bill, and the total now is $4,776 million. And I predict that when the Congress adjourns there will be satisfactory adjustments which will leave the total still well below the President's requests.

Mr. President, I ask unanimous consent that the Budget Director's letter and the figures he furnished me be printed in the RECORD at this point.

There being no objection, the letter and figures were ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C.

Hon. LYNDON B. JOHNSON,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR JOHNSON: At the request of Mr. Max Lehrer of your staff there is attached a tabulation of new authority requested of and initiated by the Congress outside the appropriation process; the material covers bills on which such action was completed during the 85th Congress and the 1st session of the 86th Congress to date. Information on the 83d and 84th Congresses will be sent to you as soon as possible.

The tabulation is limited to instances where new obligational authority was requested or enacted in other than appropriation acts. Generally, this is accomplished by the Congress granting authority to borrow from the Treasury and authority to award contracts (so-called contract authority). The lists do not include authority granted to borrow from the Treasury, where such authority is given in appropriation acts.

It should be noted that these data differ from the tabulations sent to Senator DIRKSEN on February 13, 1959, which covered all appropriation acts, and substantive legislation necessitating future requests from the executive branch to the Congress, as well as new authority specifically provided in legislation.

Sincerely yours,

MAURICE H. STANS,
Director.

Amounts requested of and enacted by the Congress outside the appropriation process—New obligational authority

[In millions]

	Requested	Enacted	Congressional change	Presidential action
86th Cong., 1st sess. (to date):				
Requested by the executive branch:				
Public Law 86-48, amendment to Bretton Woods Agreement Act.	$4,550	$4,550	----------	Approved.
S. 57, Housing Act of 1959:				
College housing	200	300	+$100	Vetoed.
Urban renewal grants:				
1959-61	600	900	+300	
1962-65	850	0	−850	
FNMA cooperative housing	----------	385	+385	
College classrooms	----------	625	+625	
Total, Housing Act of 1959	1,650	1,300	−350	
Public Law 86-72, aid to airports:				
1960	65	63	−2	Approved.
1961	55	63	+8	
1962	45	----------	−45	
1963	35	----------	−35	
Total, aid to airports	200	126	−74	
86th Cong., 1st. sess—Continued				
Initiated by the Congress: Public Law 86-73, veterans housing loan act.	----------	$100	+$100	Approved.
Totals, 86th Cong., 1st sess.:				
1959-61 authorizations	$5,470	6,076	+606	
Future years authorizations	930	----------	−930	
85th Cong., 2d sess.:				
Requested by the executive branch:				
Public Law 85-364, Emergency Housing Act.	90	1,900	+1,810	Do.
Public Law 85-424, Export-Import Bank, 1958 borrowing authority.	2,000	2,000	----------	Do.
Public Law 85-748, farm tenant-mortgage insurance.	5	5	----------	Do.
S. 4035, Housing Act of 1958 (resubmitted as S. 57 above).	----------	----------	----------	
S. 4162, writeoff of losses under Defense Production Act, borrowing authority (resubmitted in 86th Cong. as appropriation request).	----------	----------	----------	

Amounts requested of and enacted by the Congress outside the appropriation process—New obligational authority—Continued

[In millions]

	Requested	Enacted	Congressional change	Presidential action
85th Cong., 2d sess—Continued				
Initiated by the Congress:				
Public Law 85-699, small business investments.		$28	+$28	Approved
Public Law 85-740, Navaho-Hopi rehabilitation.		20	+20	Do.
Public Law 85-381, Highway Act of 1958.		235	+235	Do.
Public Law 85-895, Capitol Power Plant.			+6	Do.
Public Law 85-672, Maritime Academy Act of 1958.		3	+3	Do.
S. 3502, aid to airports		437	+437	Vetoed.
Total, 85th Cong., 2d sess	$2,095	4,634	+2,539	
85th Cong., 1st sess.:				
Requested by the executive branch:				
Public Law 85-10, 1957 borrowing authority for Federal National Mortgage Association.	$450	$450		Approved.
Public Law 85-104, Housing Act of 1957.	875	1,990	+$1,115	Do.
Public Law 85-108, St. Lawrence Seaway Development Corporation.	35	35		Do.
Initiated by the Congress: Public Laws 85-93 and 95, Old and New Senate Office Buildings.		5	+5	Approved.
Total, 85th Cong., 1st sess	1,360	2,480	+1,120	

Mr. JOHNSON of Texas. Mr. President, of course, it is still possible to deride the efforts of the kindly President and the prudent Congress to hold down spending. There are those who will still add authorizations to appropriations and then point with horror.

Mr. President, to add authorizations is like adding apples to oranges and coming out with baloney. We all know that there are billions in authorizations available. But not one red cent can be spent until Congress appropriates the money.

We can spend from debt receipts or we can spend from appropriations. But even the most wild-eyed, radical spender that can be imagined cannot find a way of spending from authorizations alone.

Mr. President, it is now clear that this Congress—like all its predecessors—will also save hundreds of millions of dollars from the President's budget requests. I submit a table to this effect, and ask that it be printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

86th Cong., 1st sess., appropriation bills, fiscal year 1960—Comparison of budget estimates and bills as of Aug. 5, 1959

	Budget estimate	Amount in bill sent to White House	Increase (+) or decrease (−), conference bill compared to budget estimate
Bills sent to White House or at substantially final figure:			
Agriculture	$4,081,364,863	$3,971,362,673	−$110,002,190
Atomic Energy Commission	2,718,715,000	2,683,029,000	−35,686,000
Commerce	732,191,000	712,672,900	−19,518,100
Defense	39,248,200,000	39,228,239,000	−19,961,000
District of Columbia (Federal payment)	34,218,000	27,218,000	−7,000,000
General Government matters	13,608,500	13,463,500	−145,000
Independent offices	6,584,188,000	[1] 6,517,152,200	−67,035,800
Interior	491,101,400	481,809,100	−9,292,300
Labor-HEW	3,756,848,581	4,016,101,981	+259,253,400
Legislative	133,648,180	[2] 128,797,380	−4,850,800
State, Justice, and Judiciary	682,387,600	648,941,200	−33,446,400
Treasury-Post Office	4,688,327,000	4,643,363,000	−44,964,000
Subtotal	63,164,798,124	63,072,149,934	−92,648,190
		Amount in bill as passed Senate or House	
Bills pending in Senate and House:			
Public works	1,185,406,259	1,265,565,559	+80,159,300
Supplemental, 1960	1,218,090,555	1,076,186,108	−141,904,447
Military construction	1,563,200,000		
Mutual security	[3] 4,436,277,000	[4] 3,191,782,000	−1,244,495,000
Total	71,567,771,938	68,605,683,601	

[1] One amendment in conference.
[2] In conference on language item.
[3] Includes $500,000,000 for 1961.
[4] House bill.

Mr. JOHNSON of Texas. Mr. President, this achievement is the product of the collective judgment of Congress without regard to party affiliations.

For some reason, my friends across the aisle do not wish to claim credit for this achievement. They seem bent on convincing the public that they are Members of a body which is riding high to waste the taxpayers' money.

Mr. President, I intend to defend my friends across the aisle from the charges they are making against themselves. The facts and the figures should extricate them from their own predicament.

Madison Avenue may be determined to brand Congress as a spending body. But the facts—the stubborn, unshakeable facts—make it clear that this is not the case, and I have inserted in the RECORD, and I urge each Member of the Senate to read them carefully, tables to substantiate the statements I have made.

These facts make it clear that it is the executive agencies which spend money and the legislative body which exercises restraint. And I do not believe that all the ballyhoo in the world can obscure that point.

LABOR TRIALS END IN OREGON

Mr. MORSE. Mr. President——

Mr. JOHNSON of Texas. I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I have an editorial I wish to insert in the RECORD, with a very brief comment on it.

A little over 2 years ago the Oregon delegation was very much disturbed and somewhat put on the defensive in Congress because of the alleged disclosures of hoodlumism, racketeering, corruption, and criminality within organized labor in the State of Oregon. The CONGRESSIONAL RECORD will show that on the floor of the Senate at that time I said that, whatever basis of fact there may be for such charges, the senior Senator from Oregon wanted them brought to the light of day, thoroughly considered and investigated, and let the chips fall where they may. I also said in that speech, Mr. President, that the final judgment on such charges must rest in the jury box and in the courtroom, in keeping with the judicial processes of the land. I made clear that I did not feel, and I still do not feel, that the issue of innocence or guilt in connection with any charges of crime can be settled properly, fairly, and judiciously in the committee rooms of Congress unless the Congress goes so far as to set up the same committee procedural safeguards as exist in the courtrooms of America when a person is charged with crime. If a Senate committee is going to turn itself into a crime investigation body then those brought before it and charged with crime are entitled to the protection of fair procedures. In that speech I listed the basic procedures that should be made available to any person brought before any Senate committee and charged with crime. The procedures I mentioned are the basic procedural guarantees of Anglo-Saxon jurisprudence. Here they are again: First, the right to be served with a bill of particulars setting forth in specific detail the criminal acts charged; sec-

ond, the right to have the necessary time to prepare one's defense; third, the right to be confronted by those making the accusations; fourth, the right to cross-examine the accusers; fifth, the right to present in orderly fashion without harassment and heckling one's defense; sixth, the right to make an orderly rebuttal; and, seventh, the right to appeal.

We should never forget that congressional committees are not criminal courts. They should not be allowed to function as kangaroo courts either.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial which appeared in a recent issue of the Portland, Oreg., Journal, entitled "Curtain Drops on 'Vicecapades.'" This editorial gives a review of what has happened in the courtrooms of Oregon in respect to some of the charges which were brought out before the McClellan committee.

The editorial points how in case after case, in keeping with the procedural safeguards of our criminal jurisprudence, jury after jury brought forth a verdict of not guilty. I hope that in this we will find a lesson for future action in Congress in respect to needed reform of Senate committee rules. I shall continue to stand back of the McClellan committee in carrying out its duty to investigate racketeering, dishonesty, and corruption within the field of the American labor movement. At the same time I shall continue in the Senate to urge changes in the rules of the Senate in connection with the rules of procedure of Senate investigations in any case where a charge of crime is levied against any American, I care not from what economic walk of life he comes. Fair rules of procedure for determining guilt or innocence should be available at all times before a Senate committee irrespective of whether the accused is a bank president or a teamster. When we bring before a Senate committee an American, whether he be a teamster or the president of a bank, and proceed with an allegation of criminal conduct, then I think immediately all the safeguards of criminal procedure available to him in the courtrooms of America should automatically come to his protection before a congressional committee that for the moment has turned itself into a guilt-finding tribunal.

Mr. President, that is in part the lesson to be found in this editorial which I now ask unanimous consent to have printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CURTAIN DROPS ON "VICECAPADES"

The "vicecapades" are over. After more than 3 long years, the creaking spectacle has litigated its way to a final curtain.

It was a play without a climax. When the Oregon Supreme Court dismissed the last Crosby indictment this week, it simply cleared the cluttered stage. The house lights went up and a few weary spectators went home.

Admittedly, the play had its moments. It opened with a brassy fanfare that was impressive. A second act, set in the Nation's Capital, produced a few elements of drama. But the third act was tedious, anticlimactic and inconsistent with the plot laid down by the producers. The players set down as villains suddenly became heroes. The good guys created by the script writers refused to be good.

From time to time, those responsible for the flimsy sets, the gossamer trappings and the bad casting tried to doctor their brainchild. But no amount of play doctoring could save this ill-conceived tragicomedy. Once packed houses dwindled until they were virtually empty. The public walked out and left the denouement to the few lawyers, union leaders and newspapermen who still held a modicum of interest in the outcome.

What went wrong? Critics of the theater realize the importance of star-billing and timing in showmanship. The timing, in this instance, was as inopportune as the producers were opportunistic. Instead of letting the Oregon State police complete their complex investigations, they hurriedly splashed their billboards across their front pages. And on the marquees, in lights, they raised the name of their star.

Opening night was scarcely over when firstnighters began wondering about the identity of this unknown, elevated to stardom. Who was this Big Jim Elkins? The exploitation sheets called him a "nightlife bankroller," a patriotic citizen and a reformed gambler. But more discerning playgoers began to see him for what he was—thug, hoodlum, gunman, narcotic addict, liar and criminal psychopath. The pressagentry was good, but not good enough to make the public swallow the myth of a former racketeer emerging from a cocoon of self-righteousness to denounce his fellow bad actors.

And so the bubble burst. Juries began bringing in acquittals. Indictments went down the drain. The "vicecapades" were fatally ill and only the final drop of the curtain remained.

And now that the 1956–59 extravaganza is over, who is there to take the bows? Who will come to the footlights? We hear no shouts of "Author."

With 115 indictments out of 117 in the refuse barrel of legal history there is little likelihood that Attorney General Robert Y. Thornton will ever clip his press notices. Handed what could have been the stellar role, he played it like a repertory walk-on.

In all fairness to Thornton, it should be pointed out that few prosecutors have ever proceeded under more difficult circumstances. From the beginning, the Oregonian attempted to dictate the course of the investigation, badgering Thornton and his aids and seeking to influence grand jury deliberations. Added to this harassment were the activities of Arthur G. Kaplan and Ralph Wyckoff, former assistant attorneys general. These men wrested from Thornton the control of a runaway grand jury, issued indictments on a wholesale basis and finally issued a grand jury report condemning their own boss. Kaplan ended his ignominious reign over the investigation by taking his flair for dramatics elsewhere, leaving the prosecution of his hatful of indictments to others.

By any index, the vice investigation was a virtual failure. It cost the taxpayers an estimated $200,000 and left few tangible results. One can cite the removal of former District Attorney William M. Langley from office as an act in the interests of good government. But what of the guilty who went unindicted? What of the corruption in city and county government that was never explored? And, surely, most shameful of all, what of the persecution of the innocent?

Far greater than the monetary cost of the vice probe was the damage it did to the reputations of honest men and to the name of Portland. This proud, staid city was branded with the undeserved stigma of vast wickedness. Men of good repute were hounded, indicted, pilloried in print and subjected to mental torture as well as to great personal expense.

Happily, the mills of justice, like the mills of the gods, grind both slowly and exceedingly fine. Those wronged in most instances have won acquittal both at court and in the eyes of their fellow citizens. And there is still hope that some of the real wrongdoers will yet go to prison.

Throughout the long course of the vice probe and subsequent legal proceedings, the Journal clung to a consistent editorial policy of let the chips fall where they may and of a demand for a complete, thorough airing of the vice scandals. It takes no satisfaction in the collapse of the investigation and its rather ridiculous conclusion. It merely points out that a ship badly launched is a ship too often built to founder.

Repeatedly, this newspaper pointed out that when the probe was finished Vice Czar Elkins would probably prove the greatest rogue of all the defendants. As of today, this hoodlum and one of his henchmen are the only principals under prison sentence.

As this is written thanks to a vigilant mayor and his police administration, Portland is a cleaner city, almost free of vice and underworld influences. But there are ominous stirrings of a resurgence of such activity just outside the city limits. This newspaper fervently hopes that our elected city and county officials can "keep the lid on." We have no quarrel with proper grand jury investigations. But we believe Portland has seen enough of "vicecapades."

Mr. CASE of South Dakota. Mr. President, reserving the right to object, would the Senator have any objection to my asking permission to have printed in the RECORD, following the printing of the editorial to which the Senator refers, an article from the August issue of the Farm Journal, which deals with a fight between the Teamsters and the farmers which took place at Tillamook County, Oreg., written by Glenn Lorang, which relates the tactics which have been used against the Creamery Association by the Teamsters.

Mr. MORSE. Mr. President, I am sure the Senator from South Dakota knows that the senior Senator from Oregon would never object to his inserting in the RECORD whatever he wants to insert.

Mr. JOHNSON of Texas. Mr. President, I yield to both Senators for those purposes.

Mr. MORSE. Mr. President, I want to say to the Senator from South Dakota that I have already publicly condemned any action upon the part of the Teamsters Union or any other union which seeks to carry on any action in any labor dispute that results in destroying perishable commodities. That has always been my position in labor disputes involving perishable farm products. As I said just last week in the Senate, I think such disputes should be settled by voluntary arbitration.

Mr. President, I have no objection to the request of the Senator from South Dakota.

Mr. JOHNSON of Texas. Mr. President, I will yield to the Senator from South Dakota for the purpose of the Senator propounding his request, and I ask unanimous consent that at the conclusion thereof I may be granted additional time, so that I may yield to the Senator from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. President, I ask for recognition in my own right.

Mr. JOHNSON of Texas. Mr. President, I have no desire to avoid having the Senator recognized. I thought perhaps the Senator might want to ask me a question or two.

Mr. President, I yield the floor.

Mr. CASE of South Dakota. Mr. President, in view of the comments of the distinguished Senator from Oregon, I thought the article published in such a nationwide publication as the Farm Journal, dealing with secondary boycotts and blackmail picketing, in regard to the Teamsters Union actions in the Oregon County of Tillamook, would be very much in order, and I ask unanimous consent that the article may be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

The country has just had a chance to see what happens when a group of determined dairy farmers take on the Nation's largest labor union. The setting was this:

The 900 dairymen who make up the Tillamook County (Oreg.) Creamery Association have been getting 25 percent less for butterfat than they got 10 years ago.

The Teamsters Union members who deliver bottled milk got $1.40 an hour in 1949, $2.24 by 1957, and were demanding $2.58.

In addition to wage boosts since 1949, the Tillamook Teamsters had won $1,000 a year or so of fringe benefits from their farmer employers—10 cents an hour for pension, $11.35 a month for health and welfare, 3 weeks' vacation with pay (after 10 years' employment), etc., none of which farmers enjoy.

Tillamook farmers had settled with other union employees, but 17 milk handlers wanted more. The farmers couldn't see it, and the strike was on.

It lasted 69 days and was settled last week when both sides accepted a compromise of $2.45 an hour.

What had happened in the meantime is interesting:

Fifteen minutes after striking workers first failed to show up for work, farmers started driving to the plant, yelling and honking their horns. "Three times they almost ran over me," Carl Schaeffer, Teamster business agent, told Farm Journal. Farmers operated their grade A dairy plant and their cheese plant for 69 days without a letup and claim they never lost a drop of milk. Picket lines meant nothing to them.

Seeing they couldn't cripple the manufacturing, the Teamsters tried another tactic—one that hurt.

They went to owners of grocery stores up and down the Pacific coast, asking them not to sell Tillamook cheese. If the store manager wouldn't agree, the Teamsters put pickets on the sidewalk. By appealing to the customer, rather than threatening the store, the strikers could not be charged with a secondary boycott.

Many stores quietly complied, among them giant Safeway. The Carnation Co. stopped taking 42,000 pounds of grade A milk from Tillamook. Five Portland distributors, one in Seattle and one in Spokane stopped selling Tillamook products. Tillamook lost 10 percent of its cheese sales in May, 20 percent in June—up to $80,000 a month. While it had never sold cheese to the Government, that step now appeared imminent.

At this point the Oregon Farm Bureau jumped into the fracas with a counterboycott idea. It urged its members to buy no groceries from any store that had dropped Tillamook. Workers, said Gerald Detering, State farm bureau president, weren't the only ones who could boycott a store.

The fight ended with both sides claiming victory, but as usual both sides had been hurt.

"HORATIUS AT THE BRIDGE" EISENHOWER

Mr. DIRKSEN. Mr. President, at some later time I shall devote myself to the observations of the majority leader. I noticed he referred to the President as Horatius at the Bridge. I have not looked at that little old story of Etruscan days for many years, but it seems to me that standing with Horatius was one Herminius and one Spurius Lartius. So there have been standing with the President a Republican contingent in the Senate and in the House of Representatives, to help him hold the line. And may it be said for Horatius Eisenhower and Herminius and Spurius Lartius that they did not fall back from the line. There has been no Operation Fallback. There has been no Operation Retreat. We did not have to retreat from our position on the airport bill. We did not have to retreat from our position on the housing bill. We did not have to retreat from our position on the distressed areas development bill. And there are other bills on which we did not have to retreat from our position. And because we did not retreat, Mr. President, there has been no Operation Fallback. I am delighted that this came about in the interest of economy and frugality, and in the interest of the taxpayers of the country. But I will save my comments for another time.

HIGH GOVERNMENT SPENDING

Mr. GOLDWATER. Mr. President, it is always amusing to me, and somewhat educational, to hear the distinguished majority leader try to get the monkey of high spending off the backs of the Democrats. When he makes such attempts I suggest that he should have a little conference with some of his colleagues in the House of Representatives, particularly the chairman of the House Committee on Appropriations, Mr. CANNON, of Missouri. I think if there were more unanimity on the Democratic side as to how that monkey got on their backs the people of the United States might agree with some of the remarks of the distinguished majority leader.

On June 5 Mr. CANNON made some remarks in the House of Representatives, and if my colleagues have not read the speech I suggest they do. Mr. CANNON said, in parts:

We have continued to spend money we did not have until our credit is bad. No one wants Uncle Sam's paper. Since the public debt started on this last spree.

It used to be that foreign nations wanted our dollars. They were eager for hard currency. But now they are getting a little uneasy. They are beginning to say they will take the gold instead of the paper dollars or the bonds. So the gold at Fort Knox is dropping every day.

Who is responsible for this distressing development? No one but ourselves. I am talking right now to the gentlemen who have brought this situation about. Why are we behind Russia in war armament today? Why are we a second-rate power? Because Congress voted the bills that provided the second-rate armament. We cannot shirk the responsibility. We cannot say, "the administration" or "the Bureau of the Budget" or "the War Department" or "the Pentagon" or "they."

Congress has the last word. Congress can reject any advice or recommendation or proposal and control any expenditure. Congress can approve any policy and provide the money to implement it.

We cannot escape the responsibility for the situation as we find it today. Congress spent the money and increased the national debt and brought on the inflation. The responsibility is right here on this floor. We cannot offer an alibi. We cannot pass the buck. And the reason we can no longer sell bonds at 2 percent is because we have steadily and stubbornly and continuously refused to retrench expenditure and begin systematically and methodically to reduce the national debt and stop inflation. Congress did it and let no one try to make the people back home believe any different.

I read that to my colleagues merely to remind them and my good friend from Texas that there is a lack of unanimity on the part of the opposite side of the aisle. If the distinguished majority leader were to confer with Mr. CANNON, I think they could write a speech which would be more in keeping with the compromising attitude the Democratic Party takes toward all our problems.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. JOHNSON of Texas. Mr. CANNON no doubt was referring to the fact that this administration was responsible for the highest peacetime deficit in our history.

I ask unanimous consent to have printed in the RECORD at this point the RECORD vote on each appropriation bill passed during this session of the Congress, in order to show that there was practical unanimity in the passage of each of those appropriation bills. The sum total amounts to hundreds of millions of dollars less in appropriations than the President urged us to appropriate.

That will be even more true when we take up the mutual security bill during the next few weeks. The Executive is asking us to appropriate an increase of more than 25 percent over last year in that fund.

Mr. GOLDWATER. I have no objection to the insertion which the distinguished majority leader requests.

The VICE PRESIDENT. Is there objection to the request of the Senator from Texas?

There being no objection, the list was ordered to be printed in the RECORD, as follows:

APPROPRIATION BILLS

Second supplemental for 1959: Appropriated $2,764,500,380 (conference figure). Final passage, 80 to 1.

AEC for 1960: Appropriated $2,683,029,000 (conference total). Final passage, 79–0.

Agriculture and farm credit for 1960: Appropriated $3,971,362,673 (conference figure). Final passage, 74 to 10.

Commerce Department for 1960: Appropriated $712,672,900 (conference figure). Final passage, 89 to 4.

Defense Department for 1960: Appropriated $39,228,239,000 (conference figure). Final passage, 90 to 0.

District of Columbia: Federal contribution $27,218,000 (conference figure). Final passage, 68 to 0.

General government matters for 1960: Appropriated $13,463,500 (conference figure). Final passage, 79 to 2.

Independent offices for 1960: Appropriated $6,559,348,600. Final passage, 89 to 1.

Interior Department and related agencies for 1960: Appropriated $472,717,100 (conference figure). Final passage, 82 to 0.

Labor-HEW-related agencies for 1960: Appropriated $3,950,938,981 (conference figure). Final passage, 84 to 10.

Legislative for 1960: Appropriated $128,797,380. Final passage, 80 to 1.

Public works for 1960: Appropriated $1,256,836,300. Final passage, 82 to 7.

State-Justice-Judiciary for 1960: Appropriated $643,934,700 (conference figure). Final passage, 90 to 0.

Treasury-Post Office-Tax Court for 1960: Appropriated $4,643,363,000 (conference figure). Final passage, 53 to 3.

Supplemental for 1960: Appropriated $1,076,186,108. Final passage, 79 to 0.

Mr. GOLDWATER. Mr. President, I ask unanimous consent, on my own account, that the yea-and-nay votes on amendments offered to cut expenditures be inserted in the RECORD following the list which the majority leader asked to have inserted.

Mr. JOHNSON of Texas. Mr. President, reserving the right to object, I am referring to specific appropriation bills. If the Senator desires to insert the yeas and nays on any specific amendments, I have no objection.

Mr. GOLDWATER. I am referring to amendments offered by Members on both sides of the aisle to cut appropriations.

Mr. JOHNSON of Texas. Also authorizations, such as the mutual security bill?

Mr. GOLDWATER. Anything.

Mr. JOHNSON of Texas. Will the Senator be specific?

Mr. GOLDWATER. I was just as specific as was the Senator from Texas. I mean all amendments to cut any spending bill that came to the floor, whether it was an appropriation bill or anything else.

Mr. JOHNSON of Texas. I merely wish to understand what the Senator is requesting. I referred specifically to appropriation bills which have passed this body.

Mr. GOLDWATER. I believe the distinguished occupant of the chair knows what the Senator from Arizona is referring to. The information will appear appropriately in the RECORD.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arizona?

There being no objection, the list was ordered to be printed in the RECORD, as follows:

RECORD VOTES IN SENATE ON REPUBLICAN AMENDMENTS TO SAVE MONEY ON SPENDING BILLS

Vote No. 6, February 4, 1959: Omnibus housing legislation (S. 57). Capehart amendment to substitute the administration bill for the committee bill. Estimated savings: $1.3 billion.

ANALYSIS OF VOTE

	Total	Republicans	Democrats
Yeas	32	25	7
Nays	58	7	51
Not voting	8	2	6

Vote No. 7, February 4, 1959: Omnibus housing legislation (S. 57). Capehart amendment to strike out provision for new public housing units. Estimated savings: $21 million.

ANALYSIS OF VOTE

	Total	Republicans	Democrats
Yeas	37	24	13
Nays	50	7	43
Not voting	11	3	8

Vote No. 8, February 5, 1959: Omnibus housing legislation (S. 57). Capehart amendment to reduce new public housing authorization. Estimated savings: $20 million.

ANALYSIS OF VOTE

	Total	Republicans	Democrats
Yeas	39	24	15
Nays	53	6	47
Not voting	6	4	2

Vote No. 9, February 5, 1959: Omnibus housing legislation (S. 57). Capehart amendment to reduce annual grant authorization for urban renewal. Estimated savings: $600 million.

ANALYSIS OF VOTE

	Total	Republicans	Democrats
Yeas	34	20	14
Nays	56	9	47
Not voting	8	5	3

Vote No. 13, February 6, 1959: Federal Airport Act amendments (S. 1). Schoeppel (and others) substitute amendment to continue for 4 years, beginning with fiscal year 1960, the annual authorization of $63 million provided on a matching fund basis by present law for airport construction. Estimated savings: Would run into the millions.

ANALYSIS OF VOTE

	Total	Republicans	Democrats
Yeas	35	28	7
Nays	53	2	51
Not voting	10	4	6

Vote No. 14, February 6, 1959: Federal Airport Act amendments (S. 1). Cotton (and others) "gate to gate" amendment, to exclude use of Federal funds for airport construction items not directly connected with flight, such as parking lots, and airport terminal buildings, except where space was required to house traffic control, weather, and communications activities; and to strike section 5 (which dealt with the same subject) from the bill. Estimated savings: More than $20 million.

ANALYSIS OF VOTE

	Total	Republicans	Democrats
Yeas	33	28	5
Nays	53	2	51
Not voting	12	4	8

Vote No. 15, February 6, 1959: Federal Airport Act amendments (S. 1). Morton (and others) amendments to reduce from $95 million to $65 million authorized grants for fiscal years 1960 through 1963, to reduce from $5 million to $4.5 million authorized grants for Alaska, and the Territories, and to reduce the discretionary fund from $65 million to $30 million. Estimated savings: More than $30 million.

ANALYSIS OF VOTE

	Total	Republicans	Democrats
Yeas	37	29	8
Nays	48	1	47
Not voting	13	4	9

Vote No. 25, March 23, 1959: Area Redevelopment Act (S. 722). Dirksen amendment to substitute the administration bill for the committee bill. Estimated savings: Upward of $200 million.

ANALYSIS OF VOTE

	Total	Republicans	Democrats
Yeas	43	29	14
Nays	52	5	47
Not voting	3	0	3

Vote No. 26, March 23, 1959: Area Redevelopment Act (S. 722). Scott amendment to substitute S. 268 for the committee bill. Estimated savings: About $100 million.

ANALYSIS OF VOTE

	Total	Republicans	Democrats
Yeas	24	21	3
Nays	70	12	58
Not voting	4	1	3

Vote No. 27, March 23, 1959: Area Redevelopment Act (S. 722). Javits amendment to prohibit loans for machinery and equipment, and Bush amendment to prohibit any loan to assist industries relocating from one area to another; both amendments considered en bloc. Estimated savings: Many millions.

ANALYSIS OF VOTE

	Total	Republicans	Democrats
Yeas	33	31	2
Nays	60	3	57
Not voting	5	0	5

Vote No. 73, June 3, 1959: Agriculture appropriations (H.R. 7175). Mr. Williams' of Delaware amendment reducing the total yearly authorization for soil bank payments from $450 million to $375 million. Estimated savings: $75 million.

ANALYSIS OF VOTE

	Total	Republicans	Democrats
Yeas	37	25	12
Nays	48	7	41
Not voting	13	2	11

Vote No. 78, June 15, 1959: Federal Airport Act amendment (S. 1). Dirksen amendment to Monroney substitute amendment to limit Federal share of cost of airport facilities to air traffic control, weather reporting, communications, or other safety activities. Estimated savings: Millions.

ANALYSIS OF VOTE

	Total	Republicans	Democrats
Yeas	27	26	1
Nays	54	2	52
Not voting	17	6	11

Vote No. 80, June 17, 1959: Department of Commerce appropriations (H.R. 7349). Williams modified amendment to committee amendment to reduce from 2,600 voyages in any 1 calendar year, to 2,265 voyages on which operating-differential subsidy may be paid. Estimated savings: At least $10 million.

ANALYSIS OF VOTE

	Total	Republicans	Democrats
Yeas	23	17	6
Nays	42	5	37
Not voting	33	12	21

Mr. GOLDWATER. Mr. President, I also ask unanimous consent to have printed in the RECORD a table showing the estimated cost of selected bills, if they were enacted.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Estimated cost if selected bills were enacted by the Democratic-controlled Congress

20 BIG SPENDING BILLS INTRODUCED IN THE HOUSE

Bill	Sponsor	Title	Estimated cost
H.R. 22	Metcalf	Aid to education	$16,100,000,000 (for 5 years).
H.R. 77	Patman	Old-age pension	$63,000,000,000 (for 5 years).
H.R. 424	Roosevelt	Farm bill	$21,000,000,000 (for 5 years).
S. 1186	Byrd (West Virginia), Randolph	Social security	$27,000,000,000 (for 5 years).
H.R. 851	Morgan		
H.R. 6484	Zelenko	Reimbursement to States for road construction	$1,100,000,000 (for 5 years).
H.R. 2357	Rains	Housing	$2,800,000,000 (for 5 yerrs).
H.R. 2150	Burdick	Milk distribution	$2,250,000,000 (for 5 years).
H.R. 778	Mrs. Griffiths	Food stamp plan	$5,000,000,000 (for 5 years).
H.R. 252	Rooney	World War I pension	$9,000,000,000 (for 5 years).
H.R. 837	Machrowicz	Public works	$3,000,000,000 (for 5 years).
H.R. 1249	Gray	Area redevelopment	$600,000,000 (for 5 years).
H.R. 5048	Cohelan	Nursing education	$200,000,000 (for 5 years).
H.R. 5462	Roosevelt	Health insurance	$40,000,000,000 (for 5 years).
H.R. 4516	Miller (California)	Youth Conservation Corps	$1,100,000,000 (for 5 years).
H.R. 1011	Harris	Airport construction	$500,000,000 (for 5 years).
H.R. 3610	Blatnik	Sewage treatment plants	$250,000,000 (for 5 years).
H.R. 3299	George	Direct housing loans	$300,000,000 (for 5 years).
H.R. 4651	Roosevelt	College scholarship provisions	$600,000,000 (for 5 years).
H.R. 430	do	Civil rights	$200,000,000 (for 5 years).
H.R. 5631	Metcalf	Manganese production subsidy	$100,000,000 (for 5 years).
House total			$194,100,000,000. (for 5 years).

20 BIG SPENDING BILLS INTRODUCED IN THE SENATE

S. 1	Monroney	Airport grants	$565,000,000 (for 5 years).
S. 2	Murray	School Support Act	$15,000,000,000–$16,200,000,000 (for 5 years).
S. 722	Douglas	Area redevelopment	$400,000,000.
S. 57	Sparkman	Housing	$2,200,000,000.
S. 791	Kennedy	Unemployment reinsurance grants	$1,000,000,000 to $2,000,000,000 (for 5 years).
S. 881	Morse	Social security health insurance	$6,100,000,000 (for 5 years).
S. 1056	Murray	Health insurance	$40,000,000,000 (for 5 years).
S. 1186	Byrd (West Virginia), Randolph	Social security	$27,000,000,000 (for 5 years).
S. 1087	Humphrey	Student Aid Act	$966,000,000 (for 5 years).
S. 1138	Yarborough	Peacetime ex-servicemen's benefits	2,600,000,000.
S. 1776	Neuberger	Income tax rebate to States	$2,200,000,000 (per year).
S. 812	Humphrey	Youth Conservation Act	$1,200,000,000 (for 3 years).
S. 256	Magnuson	Services for older persons	$16,500,000 (for 4 years).
S. 8	McNamara, Hart	School construction	$2,000,000,000 (for 2 years).
S. 1779	Byrd (West Virginia), Randolph	Community redevelopment	$125,000,000 (for 5 years).
S. 2098	Humphrey, Symington	Food stamp plan	$2,500,000,000 (per year).
S. 1406	Hartke	World War I pensions	$9,000,000,000–$10,000,000,000 (for 5 years).
S. 1090	Humphrey	Juvenile delinquency	$75,000,000 (for 5 years).
S. 1322	Randolph, Byrd (West Virginia)	Food for distressed areas	$200,000,000 (for 2 years).
S. 2170	Neuberger	Medical, dental, and public health facilities	$300,000,000 (for 5 years).
Senate total			$132,200,000,000.
Grand total			$326,300,000,000.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that following the two insertions just made in the RECORD, there be printed the list of requested projects, inserted in the RECORD by Mr. CANNON, appearing on pages 10015 to 10025, inclusive.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arizona?

Mr. JOHNSON of Texas. Mr. President, reserving the right to object, does that list include the aircraft carrier which the President recommended, and which Mr. CANNON opposed?

Mr. GOLDWATER. If it was recommended in the House of Representatives, it must be included.

Mr. JOHNSON of Texas. The President submitted a budget request for a carrier. Mr. CANNON opposed it as a waste of money. I point out to the Senator that a good many amendments to reduce various appropriations have been condemned by the administration itself.

Mr. GOLDWATER. I am quite sure the carrier is in that list. If it is not, the Senator can have it inserted. The $16 billion school bill is here, too. About $200 billion in bills could be passed, further to upset the budget.

I believe the list includes everything which the Democrats enacted to raise hob with our currency and fiscal situation.

Mr. JOHNSON of Texas. But the Senator does not deny, and cannot deny, that the President's appropriation requests have been reduced by many hundreds of millions of dollars. No authorization for any money has been passed by the Congress and put into effect which the President has not either requested or approved. There has been no backdoor financing by this Congress, except at the request of the President, or with his approval.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arizona?

There being no objection, the list was ordered to be printed in the RECORD.

REQUESTED PROJECTS

State and project	Benefit-cost ratio	Total cost	Budget			Requested			Agency capability	Requested by—
			G.I.	Advance planning	Construction	G.I.	Advance planning	Construction		
ALASKA										
Chena River at Fairbanks	1.7	$10,790,000		0			$300,000		$300,000	Hon. Ralph Rivers.
Dillingham Harbor	1.3	412,000			0			$406,000	406,000	Do.
Douglas Harbor	1.2	370,000		0			12,000		12,000	Do.
Harbor and Rivers of Alaska (Navigation)	Not applicable	400,000	$30,000			$79,000			79,000	Do.
Harbors and Rivers of Alaska (flood control)	do	850,000	25,000			51,000			51,000	Do.
Homer small boat basin	1.5	553,000			0			545,000	545,000	Do.
Juneau Harbor	1.05	1,970,000		0			36,000		36,000	Do.
Kodiak	Not applicable	25,000	0			20,000			20,000	Do.
Matanuska River	do	1,000	0			1,000			1,000	Do.
Naknek River	1.7	23,000			0			21,000	21,000	Do.
Ninilchik Harbor	1.3	202,000			0			197,000	197,000	Do.
Petersburg Harbor	Not applicable	18,000	0			18,000			18,000	Do.
Rampart Canyon	do	[1] 130,000	0			100,000			100,000	Do.
Seldovia Harbor	1.5	840,000			0			816,000	816,000	Do.
Seinard	Not applicable	25,000	0			15,000			15,000	Do.
Skagway	0.9	960,000			0			937,000	937,000	Do.
Wrangell Narrows	1.1	735,000			0			733,000	733,000	Do.
ALABAMA										
Holt lock and dam	1.1	33,000,000		0			150,000 (By transfer from Jackson lock and dam)		200,000	Hons. Armistead I. Selden, Jr., George W. Andrews, and Albert Rains; Senator John Sparkman; Hons. Frank Boykin, Carl Elliott, Kenneth A. Roberts, and George Huddleston, Jr.; Senator Lister Hill; Hons. George M. Grant, Robert E. Jones, and Frank W. Boykin.
Millers Ferry lock and dam	1.1	52,300,000		0			200,000		200,000	Hons. George W. Andrews, Albert Rains, and Frank W. Boykin, and entire Alabama delegation.
ARKANSAS										
Arkansas River bank stabilization [3]	1.1 [2]	[3] 102,800,000			[4] 84,000,000			9,500,000	[5] 9,500,000	Hon. W. F. Norrell and Senator Mike Monroney.
Beaver Dam	1.1	50,500,000			0			1,500,000	[5] 1,500,000	Hon. James W. Trimble.
Benton Dam survey		5,000	0			5,000			5,000	Hon. W. F. Norrell.
Clarksville seawall	1.6	273,000			0			259,000	259,000	Hon. James W. Trimble.
DeGray Dam	1.2	32,000,000		0			$150,000		150,000	Hon. Oren Harris.
Gillham Reservoir	1.4	10,100,000					150,000		80,000	Hons. Otto Passman, Carl Albert, and Oren Harris.
Ouachita River, 9-foot channel	1.3 (July 1957)	[6] 21,700,000		0			150,000		[7] 150,000	Hons. Oren Harris and Otto Passman.
Red River	1.3	9,880,000			700,000			1,000,000	700,000	Hons. Oren Harris, Overton Brooks, Harold B. McSween, and Carl Albert.
CALIFORNIA										
Bodega Bay (O. & M.)								481,000	481,000	Hon. Clement W. Miller.
Bolinas Channel		25,000				15,000			15,000	Do.
Black Butte Reservoir	1.4	18,300,000						5,500,000	5,500,000	Hons. John E. Moss and Harold T. Johnson.
(R) Central Valley project, water study of San Felipe division.			50,000			50,000			50,000	Hon. Charles S. Gubser.

See footnotes at end of table.

REQUESTED PROJECTS—Continued

State and project	Benefit-cost ratio	Total cost	Budget			Requested			Agency capability	Requested by—
			G.I.	Advance planning	Construction	G.I.	Advance planning	Construction		
CALIFORNIA—continued										
(R) Chowchilla irrigation loans					0			$2,633,000	$2,633,000	Hon. B. F. Sisk.
Dry Creek resurvey (Russian River)		$150,000				$50,000			50,000	Hon. Clement W. Miller.
(R) Georgetown Divide Public Utilities District	Not available				0			3,878,000	3,867,000	Hon. Harold T. Johnson.
Humboldt Harbor resurvey		25,000				25,000			25,000	Hon. Clement W. Miller.
(R) Jackson Valley irrigation	Not available				0			1,091,000	1,320,000	Hon. Harold T. Johnson.
Los Banos Creek Study		30,000				10,000			10,000	Hon. B. F. Sisk.
Merced Stream group study		80,000				20,000			20,000	Do.
Mill Creek levees	2.1	1,740,000						500,000	500,000	Hon. Harry R. Sheppard.
Mormon Slough survey		40,000				20,000			25,000	Hon. John J. McFall.
New Hogan Dam	1.7	19,300,000						1,500,000	1,500,000	Hons. John J. McFall, Harold T. Johnson and Senator Clair Engle.
New Melones Dam	1.2	80,600,000					$600,000		600,000	Hon. Harold T. Johnson.
Noyo breakwater	1.2	2,250,000					56,000		300,000	Hon. Clement W. Miller.
Red Bank and Fancher Creeks		25,000				10,000			10,000	Hon. B. F. Sisk.
Redwood City Harbor	1.6	1,380,000						1,378,000	1,378,000	Hon. J. Arthur Younger.
Sacramento River deep water channel	1.2	45,600,000			$7,500,000			11,500,000	11,500,000	Hons. Harold T. Johnson and John E. Moss.
Sacramento River, Chico Landing to Red Bluff	1.2	1,760,000					50,000		50,000	Hon. Harold T. Johnson.
Sacramento River and major and minor tributaries	1.2	23,000,000			1,100,000			2,000,000	1,200,000	Do.
San Francisco Bay study		3,760,000	$400,000			750,000			900,000	Hons. John F. Shelley, William S. Mailliard, and Charles S. Gubser.
San Francisco Bay to Stockton		150,000	25,000					46,000	46,000	Hon. John F. Baldwin.
San Lorenzo Creek	1.2	6,240,000			1,200,000		1,700,000		1,700,000	Hon. George P. Miller.
San Luis (Obispo) Harbor		60,000	15,000			30,000				Hon. Charles Teague.
Santa Clara River	3.0	2,930,000			1,300,000			1,500,000	1,500,000	Do.
Santa Cruz Harbor	1.6	1,740,000						500,000	500,000	Hon. Charles S. Gubser.
Santa Maria River	2.2	11,400,000			2,200,000			2,500,000	2,500,000	Hon. Charles Teague.
Sausalito Irrigation District (loan)	Not available				0			4,384,000	4,384,000	Hons. Harlan Hagen and B. F. Sisk.
Soquel Creek		52,000				3,000			10,000	Hon. Charles S. Gubser.
Stewart Can on debris basin	1.4	1,670,000		$62,000			Increase budget somewhat.		62,000	Hon. Charles Teague.
Success Dam	1.3	14,200,000			4,000,000			4,500,000	4,500,000	Hon. Harlan Hagen.
Sweetwater River		75,000				75,000			40,000	Hon. Bob Wilson.
(R) Trinity River Division	2.38	262,000,000			37,128,723			42,128,723	37,128,723	Hon. Wayne N. Aspinall.
(R) Trinity River power facilities	Not available	59,607,000			0			2,500,000	2,415,000	Hon. Clair Engle, Senator Thomas Kuchel, Hon. Harold T. Johnson.
(R) Trinity River power facilities (opposition)										Hon. James B. Utt, Hon. Charles S. Gubser.
Whitewater River		320,000	20,000			40,000			40,000	Hon. D. S. Saund.
Public Law 685, new projects								4,000,000		Hon. John F. Baldwin.
COLORADO										
Purgatoire Dam, Colo. (Trinidad)	1.2	19,200,000		75,000			75,000		75,000	Hon. J. Edgar Chenoweth.
(R) Smith Fork, Colo	1.2	4,420,000			0			740,000	730,000	Hon. Wayne N. Aspinall.
Do								750,000		Hon. Henry Dixon.
Do								750,000		Hon. David S. King.
(R) Curecanti Storage Unit	1.23	72,450,000						2,000,000	1,400,000	Hons. David S. King and Henry Dixon.
CONNECTICUT										
Baltic (project not yet authorized; to be considered in survey report on Thames River).									0	Hon. Chester Bowles.
East Branch dam at Torrington	1 3	2,010,000		0			150,000		250,000	Senator Thomas J. Dodd.

See footnotes at end of table.

REQUESTED PROJECTS—Continued

State and project	Benefit-cost ratio	Total cost	Budget			Requested			Agency capability	Requested by—
			G.I.	Advance planning	Construction	G.I.	Advance planning	Construction		
CONNECTICUT—continued										
Hall Meadow Brook Reservoir	2.4	$2,210,000		$75,000			$150,000		$250,000	Senator Thomas J. Dodd, Hon. Chester Bowles, and Hon. John S. Monagan.
Mad River Reservoir	1.2	5,970,000		75,000			252,000		275,000	Do.
West Thompson Reservoir (project not yet authorized; recommended in survey report).								$409,000	(2)	Hon. Chester Bowles.
Surveys:										
Connecticut River navigation study, vicinity of Essex		7,500	0			$7,500			7,500	Do.
Poquonnock River navigation study		10,000	0			10,000			10,000	Do.
Thames River navigation study		9,500	0			9,500			9,500	Do.
FLORIDA										
Apalachicola Bay, East Point Channel (reimbursement)	Not applicable	39,100			0			39,100	39,100	Hon. Robert L. F. Sikes.
Apalachicola Bay, St. George Island (reimbursement)	do	43,000			0			41,900	43,000	Do.
Cedar Keys harbor and channel survey		15,200	0			15,000			0	Hon. Billy Matthews.
Cross-Florida Barge Canal	1.1	165,100,000		0			160,000		160,000	Hons. Charles E. Bennett, Billy Matthews, and A. S. Herlong, Jr.
Intracoastal Waterway, Caloosahatchee River to Anclote River.	1.3	6,860,000			0			1,400,000	1,400,000	Hons. Paul G. Rogers, William C. Cramer, Carl Elliott, and James A. Haley.
Intracoastal Waterway, Jacksonville to Miami	Not evaluated	19,200,000			$1,130,000			1,230,000 ($100,000 for planning below Fort Pierce.)	1,530,000	Hons. Charles E. Bennett, William C. Cramer, Dante B. Fascell, A. S. Herlong, Jr., Billy Matthews, Paul G. Rogers, Robert L. F. Sikes, and James A. Haley.
Central and southern Florida flood control	3.8	237,500,000			9,000,000			20,371,800	13,000,000	Do.
Ybor Channel and Port Sutton study						27,000			27,000	Hon. William C. Cramer.
Port Everglades	2.2	6,740,000			0			1,250,000	1,250,000	Hon. Paul G. Rogers.
Suwannee River project survey		100,000	0			57,000			40,000	Hon. Billy Matthews.
Port Tampa Channel and turning basin								2,014,000	2,014,000	Hon. William C. Cramer.
Intracoastal Waterway, St. Marks River to Tampa Bay		100.000	0			60,000			60,000	Hon. Robert L. F. Sikes.
GEORGIA										
Altmaha River investigation		76,000	$26,000			100,000			26,000	Hon. Iris Blitch.
Brunswick Harbor	1.5	2,030,000			1,150,000			1,350,000	1,350,000	Do.
Savannah turning basin		4,000	0			4,000			4,000	Hon. Prince H. Preston.
HAWAII										
Kahului Harbor	2.9	963,000						945,000	[10] 945,000	Hon. John A. Burns.
IDAHO										
Bruces Eddy (opposition to)										Hon. William H. Meyer, of Vermont.
(R) Palisades project, preserve appropriation for reregulating reservoir (carryover).					(500,000)			(500,000)		Hon. Hamer H. Budge.
ILLINOIS										
Big Muddy River		260,500	30,000			124,000			124,000	Hon. Kenneth J. Gray.
Calumet Union Drainage District	1.8	716,000			0			716,000	250,000	Hon. Edward J. Derwinski.
Degognia-Fountain Bluff Drainage and Levee District		39,000	0			39,000			39,000	Hon. Kenneth J. Gray.
Drury Drainage and Levee District	3.7	1,520,000			0			540,000	540,000	Hon. Robert B. Chiperfield.
England Pond levee	0.5	660,000		0			10,000		10,000	Hons. Edna Simpson and George E. Shipley.
Fort Chartres-Ivy Landing Drainage and Levee District		30,000	0			30,000			30,000	Hon. Kenneth J. Gray.
Grand Tower Drainage and Levee District		28,000	0			38,000			28,000	Do.

See footnotes at end of table.

REQUESTED PROJECTS—Continued

State and project	Benefit-cost ratio	Total cost	Budget			Requested			Agency capability	Requested by—
			G.I.	Advance planning	Construction	G.I.	Advance planning	Construction		
ILLINOIS—continued										
Henderson River diversion	2.8	$1,750,000			0			$550,000	$550,000	Hon. Robert B. Chiperfield.
Hunt and Lima Lake Drainage Districts	1.8	5,420,000			0			1,000,000	1,000,000	Hon. Edna Simpson.
Indian Grave Drainage District	1.5	5,420,000		0			$100,000		100,000	Do.
Little Calumet River Basin study		48,000	0			$98,000			20,000	Hon. Edward J. Derwinski.
Miller City		63,100	0			35,000			35,000	Hon. Kenneth J. Gray.
Prairie du Rocher Drainage and Levee District		40,000	0			40,000			40,000	Do.
Shelbyville Reservoir	1.6	17,600,000		$50,000			125,000		125,000	Hon. Peter F. Mack.
Stringtown Drainage District		20,000	0			20,000			20,000	Hon. Kenneth J. Gray.
Subdistrict No. 1 of Drainage Union No. 1 and Bay Island Drainage and Levee District No. 1.	2.5	4,180,000		0			100,000		100,000	Hon. Edna Simpson.
Wabash River at and above White River		292,000		25,000			40,000		40,000	Hon. George E. Shipley.
INDIANA										
Brookville Reservoir	1.3	19,300,000		0			25,000		25,000	Hon. Earl Hogan.
Cannelton Lock	4.2	65,900,000		0			150,000		150,000	Hon. Winfield K. Denton.
Clinton levee	Pending restudy	93,000		0			5,000		5,000 (restudy)	Hon. Fred Wampler.
Crooked Creek		35,000	0			25,000			25,000	Hon. Earl Hogan.
Monroe Reservoir	2.3	4,960,000		75,000			100,000		100,000	Do.
Patoka River study		76,200	0						Combined with Wabash River study.	Hon. William G. Bray.
Sugar Creek levee	1.5	370,000		0			15,000		15,000	Hon. Fred Wampler.
Terre Haute L.P.P. (Conover levee)	Pending restudy	240,000		0			2,000		2,000 (restudy)	Do.
Uniontown lock	3.2	52,500,000		0			250,000		250,000	Hon. Winfield K. Denton.
Wabash River Basin above White River		292,000	$25,000			40,000			40,000	Hon. Fred Wampler.
West Terre Haute L.P.P.	1.2	473,000		0			30,000		30,000	Do.
Whitewater Basin study		70,000	0				25,000		25,000	Hon. Earl Hogan.
Huntington Reservoir	1.3	14,200,000		25,000			25,000		25,000	Hons. William T. Murphy (Ill.), Roman C. Pucinski (Ill.), Melvin Price (Ill.), Peter F. Mack (Ill.), and William L. Springer (Ill.).
Mississinewa Reservoir	1.2	22,000,000		150,000			150,000		150,000	Hons. William T. Murphy (Ill.), Roman C. Pucinski (Ill.), Melvin Price (Ill.), Peter F. Mack (Ill.), and William L. Springer (Ill.).
Salamonie Reservoir	1.6	15,500,000		150,000			150,000		150,000	Hons. William T. Murphy (Ill.), Roman C. Pucinski (Ill.), Melvin Price (Ill.), Peter F. Mack (Ill.), and William L. Springer (Ill.).
IOWA										
Floyd River	1.7	9,100,000		100,000					150,000	Hon. Charles B. Hoeven.
Green Bay Levee and Drainage District No. 2	1.7	1,570,000		0			75,000		75,000	Hons. Edna Simpson and Fred Schwengel.
Iowa River-Flint Creek Levee District No. 16	1.4	7,920,000		100,000			100,000		750,000	Hon. Edna Simpson.
Mississippi River at Clinton:										
Repair of damages	Not available	155,000			0			147,000	154,000	Hon. Leonard G. Wolf.
Improvement of Beaver Slough	4.0	267,000			0			241,000	262,000	Do.
(E) Missouri River power and transmission lines for Iowa.	Not available	8,888,000			0			1,000,000	800,000	Hons. Steven V. Carter, Merwin Coad, Neal Smith, Charles B. Hoeven, H. R. Gross, Fred Schwengel, and Leonard G. Wolf.
Rathbun Dam	1.1	21,000,000					130,000		130,000	Hon. Steven V. Carter.
Red Rock Reservoir	1.5	71,400,000		113,000				2,000,000	2,000,000	Hons. Fred Schwengel, Neal Smith, Steven V. Carter, and Merwin Coad.
Saylorville Reservoir	1.2	47,000,000		0			200,000		200,000	Hons. Fred Schwengel, Steven V. Carter, and Merwin Coad.

See footnotes at end of table.

REQUESTED PROJECTS—Continued

State and project	Benefit-cost ratio	Total cost	Budget			Requested			Agency capability	Requested by—
			G.I.	Advance planning	Construction	G.I.	Advance planning	Construction		
KANSAS										
(R) Cedar Bluff	2.02	$18,313,600			0			$700,000	$700,000	Hons. Wint Smith and J. Floyd Breeding.
Cedar Point Reservoir	1.8	6,450,000					$25,000		25,000	Hon. Newell A. George.
Council Grove Reservoir	1.8	12,700,000						300,000	300,000	Do:
Cow Creek, tributary of Arkansas River		35,000				$35,000			25,000	Hon. J. Floyd Breeding.
Elk City Dam	1.3	25,000,000						500,000	400,000	Hon. Denver D. Hargis.
Fort Scott Dam	1.1	16,800,000					25,000		25,000	Hon. Newell A. George.
(R) Glen Elder	1.32	57,222,000		$73,000			225,000		73,000	Hons. Wint Smith and J. Floyd Breeding.
Hays		28,000				25,000			25,000	Hon. Wint Smith.
Hillsdale Dam	1.1	9,400,000					25,000		25,000	Hon. Newell A. George.
Marion Reservoir	1.8	7,540,000					25,000		25,000	Do.
Melvern Dam	1.1	21,000,000					25,000		25,000	Do.
Milford Reservoir	1.5	45,700,000		170,000				1,200,000	1,200,000	Hons. Newell A. George, Edward H. Rees, and Richard Bolling.
Neosho-Cottonwood (Mud Creek at Marion) (not authorized).		40,000				27,000			[11] 27,000	Hon. Denver D. Hargis.
(R) Norton-Almena	1.03	15,420,000			0			1,000,000	1,000,000	Hons. Wint Smith and J. Floyd Breeding.
								1,120,000		Hon. Wayne N. Aspinall.
Perry	1.6	18,500,000		125,000					225,000	Hons. Newell A. George and Richard Bolling.
Tuttle Creek Reservoir—land purchase amendment	1.7	85,900,000						23,600	Language required	Hon. William H. Avery.
Wilson Dam	1.2	18,100,000		161,000				1,000,000	1,000,000	Hons. Newell A. George, Wint Smith, and Richard Bolling.
KENTUCKY										
Barren River Reservoir	2.3	23,500,000			0			500,000	1,000,000	Hon. William H. Natcher.
Big Sandy River		217,600	$10,000			35,000		1,000,000	10,000	Hon. Carl D. Perkins, OVIA, and Hon. W. Pat. Jennings.
Bunches Creek (study not authorized)						35,000			0	Hons. Eugene Siler and William H. Natcher.
Cannelton lock and dam	4.2	65,900,000		0			150,000		150,000	Hons. William H. Natcher and Frank W. Burke.
Fishtrap Reservoir	1.6	39,400,000		200,000			300,000		300,000	Hon. William H. Natcher, OVIA, Hons. Carl D. Perkins and W. Pat Jennings.
Green River No. 2 Reservoir	2.0	8,470,000		0			50,000		50,000	Hon. William H. Natcher.
Haysi Reservoir	Restudy underway	18,400,000		0			250,000		0	Hons. Carl D. Perkins and W. Pat Jennings.
Kinniconick River		33,000	0			10,000			10,000	Hon. William H. Natcher.
Licking River Basin		85,000	0			20,000			20,000	Hon. William H. Natcher, OVIA, and Hons. Carl D. Perkins and W. Pat Jennings.
Locks and dams Nos. 3 and 4 (Green River)	O. & M.							100,000 (O. & M.)	100,000	Hon. William H. Natcher.
Lock and dam No. 3 (Big Sandy)	O. & M.							100,000 (O. & M.)	100,000	Do.
Middlesboro flood control project extension	Restudy underway	1,080,000			0			1,200,000	[12] 0	Hon. Eugene Siler.
No. 2 Green River Reservoir	2.0	8,470,000		0			50,000		50,000	OVIA, Hons. Carl D. Perkins, W. Pat Jennings, and William H. Natcher.
Nolin River Reservoir	1.3	14,400,000			$1,800,000			3,400,000	3,400,000	Do.
Ohio River Basin review		1,710,000	400,000			800,000			800,000	Do.
Panther Creek, Daviess County		47,500	20,000			32,500			32,500	Do.
Pound Reservoir (see also Virginia)	1.2	17,700,000		194,000				2,500,000	2,500,000	Do.
Rockcastle River		50,000	0			40,000			25,000	Do.
Sturgis local protection	1.1	708,000		0			10,000		10,000	Do.

See footnotes at end of table.

REQUESTED PROJECTS—Continued

State and project	Benefit-cost ratio	Total cost	Budget			Requested			Agency capability	Requested by—
			G.I.	Advance planning	Construction	G.I.	Advance planning	Construction		
LOUISIANA										
Intracoastal Waterway from Barataria, La., to gulf	3.5	$2,400,000			0				$1,000,000	Hon. Hale Boggs.
Jefferson Drainage District [13] (Reimbursement)		1,420,000						$1,420,000 (O&M)	1,420,000 (O&M)	Do.
McGee Bend Dam, Tex	1.6	55,400,000			$5,800,000			5,800,000 plus	7,000,000	Hon. Overton Brooks.
Parish Line Canal		15,000	0			$15,000			15,000	Hon. Hale Boggs.
Port Allen Indian Village cutoff (Plaquemine-Morgan City route).	1.7	27,300,000			5,951,000				7,925,000	Hon. James H. Morrison.
Red River levees and bank-stabilization below Denison Dam.	1.3	9,880,000			700,000			1,000,000	700,000	Hons. Overton Brooks and Harold B. McSween.
MAINE										
Monhegan Harbor		11,000	0			2,500			2,500	Hon. Frank Coffin.
MASSACHUSETTS										
Boston Harbor, reserved channel	2.3	829,000			0			720,000 to 800,000	825,000	Hons. John McCormack and J. A. Burke.
East boat basin	1.2	465,000			0			460,000	460,000	Hons. Thomas P. O'Neill and Hastings Keith.
East Brimfield Dam	1.4	6,570,000			1,102,000			1,712,000	1,102,000	Hon. John McCormack.
Hodges Village Dam	2.0	4,810,000			0			50,000	[14] 50,000	Do.
Provincetown breakwater	1.1	2,260,000			0				600,000	Hon. Hastings Keith.
Town River channel dredging, Quincy	5.0	690,000			0				([14])	Hon. James A. Burke.
Town River survey		16,500	0			10,000			9,000	Hon. John McCormack.
Westville Dam	1.1	7,450,000			0			1,800,000	1,800,000	Hons. John McCormack, Philip J. Philbin, and Chester Bowles.
MARYLAND										
Baltimore Harbor, deepen and widen channel	3.1	30,000,000			0			7,000,000	5,000,000	Hons. George H. Fallon and Edward Garmatz.
Chesapeake & Delaware Canal (pt. II)	1.3	94,150,000		$180,000				2,000,000	500,000	Hon. George H. Fallon.
MICHIGAN										
Cedar River Harbor study						10,000			(Not authorized).	Michigan Waterways Commission.
Cross Village-Good Hart	([15])								(Not authorized).	Do.
Frankfort Harbor (O. and M.)					20,000(O&M)			350,000	254,000	
Grand Marais Harbor	([15])	965,000			0			965,000	360,000	Hon. Victor A. Knox and Michigan Waterways Commission ($320,000).
Great Lakes connecting channels	1.8	146,500,000			27,000,000			32,000,000	29,000,000	Michigan Waterways Commission.
Hammond Bay Harbor of Refuge	([15])	1,100,000						400,000	20,000(PL)	Do.
Holland Harbor: Lake Michigan-Lake Macatawa channel		13,500	0			13,500			13,500	Hon. Gerald Ford.
Les Cheneaux Channel		13,000	0			13,000			13,000	Hon. Victor A. Knox.
Little Lake Harbor of Refuge	([15])	815,000						400,000	500,000	Michigan Waterways Commission.
Ludington Harbor (O. and M.)					30,000(O&M)			280,000	308,000	
Manistee Harbor (O. and M.)					25,000(O&M)			700,000	325,000	
New Poe lock	1.6	40,100,000		367,000				750,000	750,000	Do.
Port Sanilac Harbor (O. and M.)								60,000	6,000	
Red Run-Clinton River		60,000				10,000			10,000	Hon. James G. O'Hara.
Traverse City Harbor of Refuge		36,000				14,500			10,000	Michigan Waterways Commission.

See footnotes at end of table.

REQUESTED PROJECTS—Continued

State and project	Benefit-cost ratio	Total cost	Budget			Requested			Agency capability	Requested by—
			G.I.	Advance planning	Construction	G.I.	Advance planning	Construction		
MISSISSIPPI										
Pascagoula Harbor	1.8	$1,248,000			0			$1,189,000	$422,000	Hon. Wm. M. Colmer.
FLOOD CONTROL—MISSISSIPPI RIVER AND TRIBUTARIES										
Mississippi River levees	6.8 [16]	221,000,000			[17] $2,500,000			3,740,000	4,096,000	Hon. Paul C. Jones, Mississippi; Valley Flood Control Association and State delegations.
Bank stabilization	6.8 [16]	468,000,000			22,500,000			25,000,000	29,850,000	
Vicksburg Harbor	3.0	4,520,000			1,500,000			2,000,000	1,600,000	
Greenville Harbor	4.1	2,490,000		0				100,000	60,000	Hon. Frank Smith.
St. Francis Basin	2.4	84,400,000			3,500,000			4,000,000	4,070,000	Hon. E. C. Gathings.
Tensas River Basin	3.5	[18] 21,700,000			[18] 920,000			1,000,000	[18] 1,000,000	
Yazoo Basin:										
Lower auxiliary channel	2.7 [19]	12,100,000			1,075,000			1,275,000	1,225,000	
Tributaries	2.7 [19]	27,600,000			125,000			225,000	225,000	
Yazoo backwater	2.2	30,900,000			0			500,000	500,000	Hon. Frank Smith.
Atchafalaya Basin	6.8 [16]	119,000,000			5,290,000			6,900,000	6,910,000	
Lake Pontchartrain	1.8	6,190,000			500,000			700,000	700,000	
West Tennessee tributaries	2.9	8,400,000			0			300,000	200,000	
Wolf River	1.2	2,025,000			0			300,000	300,000	
General investigation			$110,000					117,500	125,000	
Advance engineering and design, lower White River [20]	3.5	10,810,000			0			110,000 (110,000)	107,000	Hon. E. C. Gathings.
Maintenance					17,000,000			18,500,000	18,300,000	
Baton Rouge improvement program	2.1	2,800,000			0				[21] 0	Hon. James H. Morrison.
MISSOURI										
Chariton River		25,000	0			$50,000			25,000	Hon. Morgan M. Moulder.
Des Moines and Mississippi Levee District No. 1	2.7	1,050,000			0			500,000	500,000	Hon. Edna Simpson.
Kasinger Bluff Reservoir	[22] 1.1	102,000,000		$150,000				300,000	250,000	Hon. Morgan M. Moulder.
Marion County Drainage District	1.04	960,000		0			$73,000		73,000	Hon. Edna Simpson.
Meramec River Reservoirs (Cedar Hill, Meramec Park, and Union) (deferred for restudy)	1.4	62,700,000		0			150,000		150,000	Hons. A. S. J. Carnahan and Thomas B. Curtis.
Pomme de Terre Reservoir	1.6	16,700,000			4,000,000			5,000,000	4,200,000	Hon. Morgan M. Moulder.
Archeological investigations			172,800			249,500			249,500	Hon. Morgan M. Moulder ($10,000 for Missouri).
MONTANA										
(R) East Bench unit	2.07	20,597,000			0			1,000,000 650,000	1,000,000	Hon. Lee Metcalf. Hon. Wayne Aspinall.
Libby Dam	2.0	308,000,000		0			500,000		387,000	Hon. Lee Metcalf.
(R) Yellowtail Dam	1.71	109,300,000			0			6,000,000 5,000,000	6,000,000	Hon. LeRoy Anderson. Hon. Lee Metcalf. Hon. James E. Murray. Hon. Wayne Aspinall.
NEBRASKA										
Gering and Mitchell Valleys	1.8	1,463,000		50,000				350,000	350,000	Hons. Phil Weaver and Donald McGinley.
(R) Red Willow Dam	[23] 1.87	6,597,000		150,000	0			525,000	675,000	Hon. Phil Weaver.
Salt-Wahoo (Salt Creek and tributaries)	1.4	16,890,000		90,000				400,000	400,000	Hons. Phil Weaver and Lawrence Brock.
NEW JERSEY										
New Jersey Meadowlands		500,000	0			25,000			25,000	Hons. Frank Osmers, Dominick V. Daniels, and Cornelius E. Gallagher.
Newark Bay-Passaic River Channel		50,000	0			30,000			15,000	Hons. Cornelius E. Gallagher, Hugh J. Addonizio, Peter W. Rodino, Jr., Albert H. Bosch, Frank Osmers, and Seymour Halpern.
Sandy Hook Inlet (Shrewsbury River, N.J.)		50,000	0			50,000			25,000	Hon. James C. Auchincloss.

See footnotes at end of table.

REQUESTED PROJECTS—Continued

State and project	Benefit-cost ratio	Total cost	Budget			Requested			Agency capability	Requested by—
			G.I.	Advance planning	Construction	G.I.	Advance planning	Construction		
NEW MEXICO										
Abiquiu Dam (wants uncontrolled outlet)	1.2	$18,000,000			$3,300,000		$1,800,000			Hons. Thomas G. Morris and J. T. Rutherford.
(R) Hammond	2.1	3,280,000			0			$500,000	$500,000	Hons. Henry Dixon, David S. King, Joseph M. Montoya, and Thomas G. Morris.
Rio Grande floodway between Cochiti and Rio Puerco	1.2	4,400,000						2,000,000	2,000,000	Hon. Wayne N. Aspinall ($400,000), Hon. Joseph M. Montoya.
								2,000,000		Hon. Thomas G. Morris.
Two Rivers	1.2	6,900,000						250,000	75,000	Hons. Joseph M. Montoya and Thomas G. Morris.
Middle Rio Grande	2.9	31,500,000			1,400,000			3,000,000	1,400,000	Hon. Joseph M. Montoya.
NEW YORK										
Buffalo Harbor (Ohio Street Bridge)								1,000,000	2,000,000	
Buttermilk Channel survey		19,000	0			$10,000			10,000	Hons. Albert H. Bosch and Seymour Halpern.
Buttermilk Channel	Safety	2,910,000			0			1,550,000	1,551,000	Hon. Seymour Halpern.
Great Lakes-Hudson River Waterway:										
Lowering lock sills	3.2	38,950,000			730,000			403,000	730,000	Hons. K. B. Keating, C. A. Buckley, Jacob K. Javits, and Albert H. Bosch.
Replacement of Waterford guard gates	5.5							1,000,000		
Great Lakes-Hudson River Waterway Survey		25,000	0			10,000			10,000	Hon. Albert H. Bosch.
Hudson River, 32-foot channel to Albany	1.9	36,300,000			0			1,550,000	640,000	Hon. Leo W. O'Brien.
Hudson River siltation		550,000	0			114,000			114,000	Hons. K. B. Keating, C. A. Buckley, Jacob K. Javits, Seymour Halpern, and Frank Osmers.
Little Neck Bay		13,000	0			13,000			13,000	Hons. Albert H. Bosch and Seymour Halpern.
New Jersey pierhead channel and anchorage	1.4	5,740,000			0			500,000	1,311,000	Hon. Seymour Halpern.
New York Harbor deep-water anchorage		31,000	0			20,000			10,000	Hons. Albert H. Bosch and Seymour Halpern.
Tonawanda Creek		32,000				25,000			25,000	Hon. Harold C. Ostertag.
NORTH CAROLINA										
Morehead City Harbor	1.9	1,382,000						1,197,000	1,370,000	Hon. Graham A. Barden.
Pantego and Cucklers Creek	1.5	536,000		$40,000				413,000	51,000	Hon. Herbert C. Bonner.
Wilkesboro Reservoir	1.2	8,350,000						1,000,000	1,000,000	Hons. A. Paul Kitchin, Sam J. Ervin, Jr., and B. Everett Jordan.
OHIO										
Belleville L. & D., Ohio and West Virginia	2.7	54,400,000		0			125,000		125,000	Hon. John E. Henderson.
Erie RR. bridge No. 19 (Cleveland Harbor)	4.5	16,900,000		0			200,000		250,000	Hons. Charles A. Vanik, Michael A. Feighan, Frances P. Bolton, and William E. Minshall.
Mad River drainage basin		22,000	0			22,000			22,000	Hon. C. J. Brown.
Muskingum River Reservoirs (Black Fork, Mohican River channel).	Not applicable	523,000			0				523,000	Hon. Robert W. Levering.
Sandusky River Basin		131,000	0			60,000			60,000	Hons. A. D. Baumhart, Jr., and Jackson E. Betts.
Scioto River Basin		110,000	$30,000			55,000			55,000	Hon. Jackson E. Betts.
West Branch Reservoir, Mahoning River	1.3	6,940,000		229,000	0		0	525,000	525,000	Hon. Michael J. Kirwan.

See footnotes at end of table.

REQUESTED PROJECTS—Continued

State and project	Benefit-cost ratio	Total cost	Budget			Requested			Agency capability	Requested by—
			G.I.	Advance planning	Construction	G.I.	Advance planning	Construction		
OKLAHOMA										
(R) Mangum	Not available	Not available	$19,300			$34,300			$19,300	Hon. Toby Morris.
Pine Creek Reservoir		$15,400,000					$200,000		80,000	Senator Mike Monroney.
							150,000		80,000	Senator Robert S. Kerr.
										Hon. Carl Albert.
										Hon. Oren Harris.
Recreation facilities (Denison Dam)	Not available	Not available			$75,000			$250,000		Senators Robert S. Kerr and Mike Monroney.
OREGON										
Blue River	1.9	15,800,000		$105,000			200,000		200,000	Hon. Charles O. Porter.
Green Peter	1.4	60,800,000						2,500,000	2,500,000	Hon. Charles O. Porter and Senator Richard Neuberger.
Hayden Island	1.5	598,000					25,000		25,000	Hon. Edith Green, Senator Wayne Morse, and Hon. Al Ullman.
Hills Creek	1.7	40,000,000			8,300,000			9,800,000	9,800,000	Senator Richard Neuberger and Hon. Charles O. Porter.
Hood River small boat basin	2.3	380,000					18,000		18,000	Hon. Edith Green, Senator Wayne Morse, and Hon. Al Ullman.
John Day lock and dam	1.8	387,000,000			20,000,000			25,000,000	25,000,000	Senator Wayne Morse, Senator Richard Neuberger, and Hon. Edith Green.
Lower Columbia bank protection	1.4	7,690,000						600,000	600,000	Senator Wayne Morse, Hon. Al Ullman, and Hon. Edith Green.
Malheur	2.3	423,000						353,000	353,000	Do.
Rogue River	1.2	1,500,000			1,500,000			2,000,000	2,000,000	Hon. Charles O. Porter.
Sauvies Island	1.7	439,000						150,000	150,000	Senator Wayne Morse, Hon. Al Ullman, and Hon. Edith Green.
Siuslaw Harbor	1.3	1,900,000						21,000	21,000	Hon. Charles Porter.
Upper Snake		400,000			46,500	76,500			76,500	Senator Wayne Morse, Hon. Al Ullman, and Hon. Edith Green.
Willamette River bank protection	1.4	12,100,000			500,000			800,000	800,000	Senator Richard Neuberger.
Willow Creek		28,300				18,400			18,400	Senator Wayne Morse, Hon. Al Ullman, and Hon. Edith Green.
Yaguina Bay and harbor	1.3	22,300,000					100,000		100,000	Hon. Walter Norblad.
PENNSYLVANIA										
Connoquenessing Creek (Project not authorized—Recommended in Survey Report).							500,000		35,000	Hon. Frank Clark.
French Creek		120,000	25,000			25,000			49,900	Hon. Carroll D. Kearns.
Shenango River Reservoir	1.7	28,000,000		150,000				500,000	500,000	Do.
Walnut Bottom Run		33,000	0			33,000			15,000	Hon. Frank Clark.
Allegheny River Reservoir (Kinzua dam)	1.3	113,000,000						5,000,000	2,000,000	Hons. Robert J. Corbett, James G. Fulton, William S. Moorhead, James M. Quigley, Thaddeus J. Dulski, Leon Gavin, and Senator Joseph Clark.
Sandy Lick Creek at Dubois						49,300			20,000	Hon. James E. Van Zandt.
Tyrone	1.2	9,949,000		85,000			90,000		125,000	Do.
PUERTO RICO										
San Juan Harbor	2.3	7,000,000		0			400,000		70,000	Dr. A. Fernós-Isern.
SOUTH DAKOTA										
Missouri River, N. Dak., S. Dak., and Nebr.		15,000	0			15,000			15,000	Hon. George S. McGovern.

See footnotes at end of table.

REQUESTED PROJECTS—Continued

State and project	Benefit-cost ratio	Total cost	Budget			Requested			Agency capability	Requested by—
			G.I.	Advance planning	Construction	G.I.	Advance planning	Construction		
TEXAS										
Arkansas-Red River pollution survey						$75,000			$75,000	Hon. Sam Rayburn.
Big and Little Vince Bayou		$21,000	0			21,000			21,000	Hons. Albert Thomas and Robert Casey.
Buffalo Bayou	1.4	51,531,000			$1,650,000			$2,150,000	2,150,000	Hon. Robert Casey.
Colorado River survey		500,000	$75,000			75,000+			150,000	Hon. O. C. Fisher.
Gulf Intracoastal Waterway: Colorado River Channel	1.5	1,310,000			0			500,000	500,000	Hon. Clark Thompson.
Houston ship channel	2.1	8,420,000			1,150,000			[24] 5,000,000 6,000,000	1,400,000	Hons. Albert Thomas and Robert Casey.
Lavon Reservoir, survey (East Fork—Trinity River)		100,000	37,500			50,000			50,000	Hon. Sam Rayburn
Matagordo ship channel	1.4	11,300,000		0			$150,000		150,000	Hon. Clark Thompson.
Navasota River survey		150,000	60,000			100,000			100,000	Hon. Olin E. Teague.
Neches River survey		285,000				25,000			25,000	Hon. Lindley Beckworth.
Port Aransas-Corpus Christi: Waterway channel to La Quinto. (Reimbursement)	5.4	959,000			0			[25] 954,000	[25] 954,000	Hon. John Young.
Proctor Reservoir	1.4	17,100,000			0			300,000	300,000	Hons. Omar Burleson and Frank Ikard.
Sabine River survey		320,000				25,000			25,000	Hon. Lindley Beckworth.
San Jacinto River survey		15,000	0			15,000			15,000	Hons. Albert Thomas and Robert Casey.
Trinity River survey		675,000	200,000			450,000			414,000	Hons. John Dowdy and Bruce Alger.
Waco Reservoir	1.4	39,750,000			4,000,000			4,600,000	4,600,000	Hon. W. R. Poage.
West Fork-Double Bayou		2,000				2,000			2,000	Hon. Clark Thompson.
VIRGINIA										
Pound Reservoir	1.2	17,700,000		$194,000				2,500,000	2,500,000	Hon. W. Pat Jennings.
Potomac River Study (and D.C.)		1,501,500	500,000						712,000	Opposed by Hon. Howard W. Smith and Senator Robertson. Supported by Hons. Lankford, Foley, Broyhill.
Dismal Swamp (opposes discontinuance of lock O. and M. on Dismal Swamp Canal).										Hon. Watkins M. Abbitt.
WASHINGTON										
Bellingham Harbor	1.8	117,000			0			83,700	109,000	Hon. Jack Westland.
Chief Joseph Dam project, Greater Wenatchee Division	7.0	10,280,000			0			700,000	724,000	Hon. Walt Horan.
Chehalis River Basin	Not available	Not available	66,500			5,000,000			66,500	Do.
Edmonds Harbor	do	35,000	0			35,000			25,000	Hon. Jack Westland.
Hoquiam and Chehalis Rivers		20,000	0			20,000			10,000	Hon. Russell V. Mack.
Oak Harbor		36,000	0			36,000			36,000	Hon. Jack Westland.
Sammamish River Channel	2.0	1,050,000		0			88,000		88,000	Hons. Thomas M. Pelly and Jack Westland.
Swinomish Slough		12,000	0			14,000			14,000	Hon. Jack Westland.
Wynoochee River		99,500	25,000			46,000			46,000	Hon. Russell V. Mack.
WEST VIRGINIA										
Belleville lock and dam	2.7	54,400,000		0			125,000		125,000	Hon. Ken Hechler.
Cheat River		210,000	20,000			80,000			80,000	Hon. Harley O. Staggers.
Deckers Creek		41,000	0			15,000			15,000	Hon. Cleveland M. Bailey and OVIA.
Do		41,000	0			40,000			15,000	Hon. Harley O. Staggers.
East Lynn Reservoir	Pending restudy	10,900,000		0		10,000			0	Hon. Ken Hechler.
East Rainelle	2.0	840,000			0			500,000	500,000	Hon. Cleveland M. Bailey and OVIA.
Opekiska lock and dam	1.8	21,900,000			0			2,000,000	1,000,000	Hon. Harley O. Staggers.
Princeton	1.8	1,085,000			0			500,000	500,000	Hon. Cleveland M. Bailey and OVIA.
Summersville Reservoir	2.6	46,800,000			0			2,000,000	2,000,000	Do.
Twelvepole Creek, W. Va		20,000	0			10,000			10,000	Do.

See footnotes at end of table.

REQUESTED PROJECTS—Continued

State and project	Benefit-cost ratio	Total cost	Budget			Requested			Agency capability	Requested by—
			G.I.	Advance planning	Construction	G.I.	Advance planning	Construction		
WISCONSIN										
Eau Galle River	1.1	$7,250,000					$150,000		$150,000	Hons. Alexander Wiley and Lester Johnson.
Colorado River storage (advance planning)	Not available	Not available		$818,000			1,800,000		818,000	Hons. Joseph M. Montoya and Henry Dixon.
Colorado River storage going work	1.3	615,687,107		[26] 1,538,000 (Total, 77,035,000)	$75,497,000			[27] $87,035,000	77,035,000	Hon. Wayne N. Aspinall.
WYOMING										
(R) Seedskadee	1.5	37,885,000			0			1,500,000	1,554,000	Senators Joseph C. O'Mahoney, Gale W. McGee, Hons. Keith Thomson, Joseph M. Montoya, Henry Dixon, and David S. King.

[1] To initiate study.
[2] Multiple purpose plan.
[3] For emergency bank stabilization and regular stabilization program.
[4] For emergency bank stabilization.
[5] Use of these funds are dependent upon completion of additional studies by the Department of Interior to determine whether power revenues can repay the cost allocated to power.
[6] For authorized plan, based on July 1957 prices. The modified plan, being developed in the review report is expected to cost more.
[7] Could be used on modified plan only, if authorized by Congress.
[8] Study complete.
[9] $100,000 of authorized.
[10] Pending authorization, no work can be accomplished. After authorization, planning and construction of the project could be accomplished in 1 year with an amount of $945,000. Project recommended for authorization by Chief of Engineers in H. Doc. 109, 86th Cong.
[11] Study not authorized.
[12] No capability pending completion of restudy and furnishing of local assurances of cooperation.
[13] Payment to local interest for Plaquemine Parish pumping station. Payment will be from "Operation and maintenance appropriation." No funds included in budget.
[14] Funds for completion are already available.
[15] Not evaluated. Benefits for safety to navigation.
[16] Composite for main stem.
[17] Includes New Madrid, Mo.
[18] Boeuf, Tensas River, etc. only.
[19] For Yazoo Basin.
[20] For White River backwater levee only.
[21] First increment has been completed. Second increment dependent on need for same.
[22] System benefit-cost ratio.
[23] For Frenchman-Cambridge Division including Red Willow Dam.
[24] 40-foot channel.
[25] Repayment to local interest for work accomplished by them.
[26] Includes $720,000 preconstruction work on transmission division.
[27] For general acceleration of going work.

Mr. GOLDWATER. I congratulate the majority leader and the leader of his party in the House for having engaged in "Operation Retreat," or whatever one may wish to call it. I am very happy that public opinion finally got through to the two great leaders from Texas, and that they now recognize that the public did not want to see spending on the scale which the Democrats, at the beginning of the session, determined upon.

Mr. JOHNSON of Texas. I am glad that, like a kitten, the Senator is finally getting his eyes open.

Mr. GOLDWATER. The Senator from Arizona has consistently spoken out against high spending, all over the country.

Mr. JOHNSON of Texas. So has the Senator from Texas.

On November 18 of last year the Senator from Texas was in the great city of New York, represented in part by the able junior Senator [Mr. KEATING] who is now in this Chamber, and he received a call from the White House. He was informed that the President would like to have him stop in Washington on his way back to Texas, to discuss budget matters with the President.

I did so, in company with the Secretary of the Treasury and other fiscal experts. The President told me that he intended to submit a tight budget, and that he felt we had to be very careful and prudent in our expenditures.

The Senator from Texas observed, on November 18, 1958, in the presence of the President, the Secretary of the Treasury, and others, that in his opinion this Congress would reduce the President's budget requests, just as every other Congress had reduced President Eisenhower's budget requests. The Senator from Texas stated that same thing in January of this year, in February of this year, in March of this year, in April, May, June, and July of this year; and those statements appear in the CONGRESSIONAL RECORD.

So "Operation Retreat" is another slick Madison Avenue phrase intended to mislead and hoodwink the people. But such slogans do not work any more. The cold, hard facts speak for themselves. We face the highest peacetime budget in the history of the Government. A great crusade was organized to balance the budget; yet we have just experienced a budget deficit of $12½ billion. The Congress has reduced every budget the President has submitted to it, and the Congress ought to be proud of that fact.

Mr. GOLDWATER. The Senator happily forgets housing and airports. I suggest to my good friend that he get together with Mr. CANNON. Somewhere between Mr. CANNON's position, that the Congress is responsible, and my good friend's position, that the administration is responsible, he ought to be able to find some place to dump the monkey off the back of the Democratic Party. As of now, he is riding high, clapping his little hands, and saying, "Spend more; spend more."

I say that the Senator from Texas should spread among his colleagues his zeal for economy, so that we would not have bills introduced calling for such fantastically high spending. I hope the Senator from Texas will spend several years of his life in educating his colleagues to the fact that in order for the country to remain stable fiscally, it must be put on the road to economy.

Mr. SCOTT subsequently said: Mr. President, statements have been made concerning two matters to which continual reference is made in this body. The statements are based upon fallacies which ought to be obvious. The first is the reference to the greatest peacetime deficit in the history of the country. In the first place, it is not a peacetime deficit; it is a cold war deficit. We all know who is responsible for that. In the second place, it is not a peacetime deficit by any fair definition, since the deficit is due, very largely, to the fixed charges which are incurred in paying the cost of past and future wars.

A peacetime deficit, moreover, can be created only by the action of Congress. The action of Congress can be created in at least two ways: first, by appropriation; second, by withholding revenues.

That brings me to the second point. The statement was made just a moment ago on the floor that Congress will cut the budget of the President substantially. This statement simply is not correct, because the withholding of revenue asked for by the President will in itself create a deficit. This Congress, rather than reducing the President's budget, has itself created a deficit, because the President's budget for 1960 proposed a $70 million surplus. To date, the action in the other body has turned this into a deficit of $918 million. The Senate action has created a deficit of $1,010 million, a part of which is due to the spending action of this Congress, which is not in the control of my party, and a part of which is due to the $676 million in much needed revenue proposed by the President in his request that Congress enact motor fuel and aviation gasoline taxes and an increase in the postal rates.

Therefore, when Senators assert on the floor that the Senate and the other body will cut the President's budget, they are not candidly revealing to the people of the country that the deficit arises in the budget either through appropriations or through the denial by the leadership of Congress of favorable action on revenue bills which the President has requested.

Finally, no budget can go to the President, and no deficit or surplus can arise under our constitutional system, save by the action of Congress. Congress generally accords on revenue and appropriation bills to what its majority leaders and majority party wish it to do.

The record of the Congresses in the past shows that in 23 of the last 27 years, Congress has been in the control of the Democratic Party, and that the deficits, when they occur, are cumulative; that surpluses have to be hard fought for and hard won.

The deficit to which the distinguished majority leader has referred is due to the cumulative action of Democratic Congresses in appropriating money which the Executive is directed to spend, and in withholding needed revenues.

If we have a deficit this fiscal 1960 year—and we do have one as of now—of approximately $1 billion—it will be due to the action of the Democratic leadership of both Houses of Congress.

I am a little tired of the business of claiming budget cuts when the budget is not being cut, and when Congress is withholding revenues, which would balance the budget. This is a sort of back-door argument. I am tired of hearing the deficit called a peacetime deficit, when it is a cold war deficit and is based upon the necessity for paying for wars which we got into, and for protection against future wars.

A statement has been made about the monkey being on the back of the party of the distinguished Senator from Texas, and as to how high that monkey has gone. I suggest that it is a space monkey, and that the space monkey is carrying our dollars with him in piles so high that if they have not yet pierced the atmosphere and reached outer space, they certainly will if the policies of the Democratic Party in the Senate and in the other body are continued.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement relative to action on the President's budgets as of June 28, 1959.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ACTION ON PRESIDENT'S BUDGETS AS OF JUNE 28, 1959

Since the report of June 14, the House passed a veterans' pension bill calling for $208 million more than the President's budget, and the Senate passed a veterans' housing loan bill of $100 million over the President's figure.

Furthermore, Senate actions on the 1960 budget now create a $1,010 million deficit, $89 million more than 2 weeks ago.

The President's budget for 1960 proposes a $70 million surplus. To date, House action turns this into a $918 million deficit. Senate action to date would create a deficit of $1,010 million.

	Effect on President's budgets (1959 and subsequent years)
House of Representatives:	
The President proposes that Congress enact motor fuel and aviation gas taxes and increase postal rates, all of which would provide $676,000,000. Congress has taken no action and the Democratic leadership indicates none is planned.	Denies $676,000,000 in needed revenues.
The House has passed a voluntary pension plan for self-employed persons which would reduce receipts by $365,000,000..	Reduces Government's revenues by $365,000,000.
On the other hand, the House has taken the following spending action:	
Passed Veterans Housing Loan Act for $100,000,000. (Status: Enrolled bill.)	$100,000,000 more than President's budget.
Passed $126,000,000 aid-to-airports bill. (Status: Law.)	$6,000,000 more than President's budget.

	Effect on President's budgets (1959 and subsequent years)
House of Representatives—Continued	
Extended temporary unemployment compensation for remainder of this fiscal year, adding $75,000,000 to 1959 expenditures. (Status: Law.)	$75,000,000 more than President's budget.
Passed Housing Act. (Status: Enrolled bill.)	$590,000,000 more than President's budget.
Passed Federal Water Pollution Control Act. (Status: Senate Public Works Committee.)	$840,000,000 more than President's budget.
Passed veterans' pension bill. (Status: Senate Finance Committee.)	$208,000,000 more than President's budget.
Appropriation actions have reduced new obligational authority by $667,000,000	$667,000,000 less than requested.
Senate:	
Failure to act on President's proposed postal rate increase and certain tax increases	Denies $676,000,000 in needed revenues.
Passed Housing Act. (Status: Enrolled bill.)	$590,000,000 more than President's budget.
Passed aid-to-airports bill. (Status: Law.)	$6,000,000 more than President's budget.
Area Redevelopment Act. (Status: House Banking and Currency Committee.)	$337,000,000 more than President's budget.
Extended temporary unemployment compensation for remainder of this fiscal year, adding $75,000,000 to 1959 expenditures. (Status: Law.)	$75,000,000 more than President's budget.
Passed grants to States for education TV. (Status: House Interstate and Foreign Commerce Committee.)	$50,000,000 more than President's budget.
Passed extension of school milk program for fiscal years 1960 and 1961. (Status: House Agriculture Committee.)	$10,000,000 more than President's budget.
International medical research: $50,000,000 annually. (Status: House Interstate and Foreign Commerce Committee.)	$50,000,000 more than President's budget.
Passed Veterans' Housing Loan Act. (Status: Enrolled bill.)	$100,000,000 more than President's budget.
Appropriation action has increased new obligational authority by $42,000,000	$42,000,000 more than requested.
Summary:	
After 6 months of this session of Congress, the House of Representatives has taken actions that increased the President's requests by $2,193,000,000.	Plus $2,193,000,000.
All Senate action to date has increased the President's requests by $1,936,000,000	Plus $1,936,000,000.

Mr. CASE of South Dakota subsequently said: Mr. President, the debate regarding back-door financing which already today has taken place on the floor suggests to me that at this time it would be well to have printed in the body of the RECORD—and I so request, in connection with these remarks—an excerpt from the hearings on the budget for 1960, as held before the House of Representatives Appropriations Committee. Therefore, I submit an excerpt from pages 84, 85, and 86 of the hearings, which includes a colloquy betweeen Representative GARY, of Virginia, and Representative CANNON, the chairman of the committee, and includes a letter by Representative GARY to the Secretary of the Treasury, Mr. Anderson, and his reply. That exchange of letters sets forth the real problem in public debt issues which are essentially back-door financing.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

BYPASSING THE ANNUAL APPROPRIATIONS PROCESS

Mr. GARY. You will recall that last year a resolution was introduced to change the rules to take care of that situation and to require that all money bills be sent to the Appropriations Committee. At that time I had some correspondence with the Secretary on the subject; and if the Secretary has no objection, I would like to ask permission to insert at this point in the record my letter to the Secretary and his reply.

Secretary ANDERSON. I have no objection.

Mr. FORD. I think the record which we have developed here this morning indicates that if all money bills, including direct obligational authority and these others, were channeled through this committee, this condition would not prevail.

Mr. GARY. That is exactly the point. All money bills should be channeled through this committee, but a tendency has grown up to bypass the committee. It would seem now that a clarification of the House rules is necessary. I hope that proper action will be taken this year to correct the situation. In fact, I have intended to introduce a resolution myself on that subject.

Mr. Chairman, I have asked that correspondence between the Secretary and me be inserted in the record at this point.

Mr. CANNON. Without objection, it will be inserted at this point.

(The information referred to follows:)

AUGUST 6, 1958.

Hon. ROBERT B. ANDERSON,
Secretary of the Treasury,
Washington, D.C.

DEAR MR. SECRETARY: As you know, Congress has from time to time authorized expenditures from public debt receipts to conduct specified programs of Government. The increasing frequency with which this device is being used, particularly in the present Congress, has been a matter of considerable concern. On more than one occasion it has been the subject of debate on its merits as a means of raising and appropriating public funds as well as on its parliamentary and constitutional characteristics.

It has been suggested that, when under such authority you cause Government securities to be sold, the proceeds of such issues are not "in the Treasury." It has been suggested further that, when such proceeds are used to purchase notes or other evidence of indebtedness from the administrative agency authorized to issue such notes, the subsequent expenditure of such proceeds by the agency does not constitute the use of public funds for the support of the general functions of Government.

It appears to me that both of these suggestions are in error, and I would first refer to the Constitution of the United States, article I, section 9, paragraph 7, which states:

"No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time."

This language makes no distinction as to the source of the money in the Treasury. It clearly provides that money in the Treasury can lawfully get out in only one way—by appropriation made by law. It must necessarily follow that a legislative enactment permitting money to be drawn from the Treasury is an appropriation, the form, method, or the words used being immaterial.

Next, I would expect that in the ordinary course of events the proceeds of public debt issues are commingled in the general fund balance of the Treasury with other receipts such as tax receipts, customs, and miscellaneous income. I take it to be the fact that, in periods of deficit financing, when current tax collections fail to meet daily expenditure needs, the whole range of Government functions is financed from public debt proceeds, at least in part. In short, the day-to-day operation of Government has been met to some extent by borrowed funds, else we would not have a public debt. This debt represents money borrowed, placed in the Treasury, and subsequently expended for functions of Government pursuant to appropriations made by law—mostly, I might add, pursuant to appropriations carried in the regular appropriation bills over the years. I cannot but conclude that public debt receipts have been used, and are being used, to support all manner of Government activities.

Since you are the one official having authoritative knowledge as to the public moneys, I would appreciate from you a statement of the facts as they pertain to my conclusions just cited. I would like to have your response to the following specific questions:

1. Are the proceeds of public debt issues placed "in the Treasury"?

2. If "in the Treasury," are they commingled in the general fund balance with other receipts such as tax and miscellaneous income?

3. In the Treasury statements of receipts and expenditures, are not the expenditures made under authority of the public debt transaction device reflected as expenditures just as are expenditures under other forms of appropriations? That is, are they not shown as withdrawals from the Treasury in the same sense as are withdrawals pursuant to the more common form of appropriating language?

4. Is it not a fact, particularly in periods of deficit financing, that the general fund balance on any given day is a mixture of funds in the Treasury derived from many sources, including the proceeds of public debt issues, and that such balance is impossible of differentiation or distinction as to its derivation?

I would appreciate your early advice and comment on the matter.

With kindest regards.

Sincerely yours,

J. VAUGHAN GARY,
Member of Congress.

OFFICE OF THE SECRETARY
OF THE TREASURY,
Washington, August 12, 1958.

Hon. J. VAUGHAN GARY,
House of Representatives,
Washington, D.C.

MY DEAR MR. GARY: This is in reply to your letter of August 6, 1958, which contains a number of specific questions and observations regarding authorizations made by Congress to expend from public debt receipts to conduct specified programs of the Government.

The answers to your questions, which follow, are presented in the same order as in your letter:

1. The proceeds of public debt issues are placed "in the Treasury." In other words,

receipts from public debt issues are covered into the Treasury the same as all other receipts of the Federal Government.

2. Public debt receipts are commingled in the general fund balance with other receipts such as taxes and miscellaneous income. The Treasury maintains one general cash account to which all receipts of the Federal Government are credited and from which all expenditures of the Federal Government are made.

3. In Treasury statements of receipts and expenditures, the expenditures made under authority of the public debt transaction device are reflected as expenditures just as expenditures under other forms of appropriations. They are shown as withdrawals from the Treasury in the same sense as withdrawals pursuant to the more common form of appropriation language.

4. The general fund balance on any give day is a mixture of funds in the Treasury derived from many sources, including the proceeds of public debt issues. Such balance is impossible of differentiation or distinction as to its derivation. This is true regardless of whether there is a budgetary surplus or a deficit.

In conclusion, I agree with your opinion that a legislative enactment permitting money to be drawn from the Treasury is an appropriation.

Sincerely yours,

ROBERT B. ANDERSON,
Secretary of the Treasury.

Mr. CASE of South Dakota. Mr. President, in that connection, I should like to observe that the $12½ billion deficit to which reference was made by the majority leader was undoubtedly a reference to the spending budget of the Government for the fiscal year which just closed on June 30. There is no $12½ billion deficit prospectively in the budget for the current fiscal year for which appropriations are now being made by the Congress. The $12½ billion deficit in the expenditures of the Government for the fiscal year 1959 was caused in large part by so-called back-door financing. It was not due to the appropriations voted in the appropriation bills by this Congress. It was due to the commitments, to the bills which came due, by reason of authorizations and directives to the Secretary of the Treasury to hand over certain funds to spending agencies in the fiscal year just ended.

So we should not, in our thinking, mistake the difference between an appropriation bill budget and a spending budget; and we certainly should not confuse the expenditures of fiscal 1959, which closed on June 30 last, with the prospective demands on the Treasury occasioned by appropriation bills for the fiscal year 1960.

LABOR REFORM LEGISLATION

Mr. GOLDWATER. Mr. President, tonight the President of the United States is speaking to the people on the need for effective labor reform legislation. In order to give my colleagues the opportunity to see what the editors of the country are saying about this need, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a number of editorials on the subject.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arizona?

Mr. JOHNSON of Texas. Mr. President, reserving the right to object—and I shall not object—I should like to read into the RECORD at this point a statement from Mr. CANNON.

WHO PREPARES THE BUDGET?

Let us concede right here that all fiscal recommendations start with the President. Congress does not make the budget. That is the duty and exclusive prerogative of the President. The law is clear and specific. He is directed by the statute to make such tax, spending, and appropriation recommendations as in his judgment are necessary. The President is in complete command in making the budget. He does not have to recommend bigger appropriations. He does not have to recommend extension of war tax rates. He does not have to urge new taxes—as he does in this budget. He is at complete liberty to recommend a cut of 5, 10, 15, 20 billion or any other amount. So when the administration talks economy and hope of tax reduction but submits record budgets that is the President's action, not that of the Congress. He cannot escape that responsibility because the law places it on him.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arizona?

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Ames (Iowa) State Daily, July 16, 1959]

EFFECTIVE LABOR BILL NEEDED NOW

We believe that the actions of James Hoffa and his Teamsters Union points out the need for labor legislation which will be effective. We hope that Congress recognizes this need and passes such legislation this session.

Hoffa has made a mockery of the courts and has conveniently been unable to remember several incriminating facts in an alleged bribe attempt when questioned by the Senate Rackets Committee. And he has threatened that, should effective labor legislation be passed, he would have all Teamster contracts expire on one day, violating the intent of the law.

When it was suggested that secret voting be introduced in the Teamsters, Hoffa replied, "In the Teamsters every man stands up to vote, and God help him if he votes the wrong way."

In 1957 a lawyer told the Senate Rackets Committee that Hoffa had given him $1,000 and offered him more if he would get a job on that committee and spy for him. The FBI had evidence that Hoffa gave the lawyer $2,000 in cash in a cab.

During the trial Teamsters' lawyer, Edward Williams, "packed" the jury with eight Negroes. Then an advertisement appeared in a Negro newspaper suggesting that the chief Government witness was anti-Negro.

Later during the trial the Teamsters paid former heavyweight champion Joe Louis' expenses to Washington, where he paid Hoffa a visit in the courtroom during the noon recess to "see what they're doing to my good friend Jimmy." Hoffa was acquitted.

Earlier this week the Senate Rackets Committee heard testimony from a New York lawyer that Hoffa promised to pay $150,000 in back fees to a court-appointed monitor on the condition that the monitor resign and someone friendly to the Teamsters replace him.

A three-man board, appointed by a court, is monitoring the Teamsters as part of a cleanup attempt on the part of the courts. At present two of the board members are fighting Hoffa, with the other backing the Teamsters.

Hoffa, however, told the Senate committee that he could not remember discussing the alleged bribe attempt or any of several conversations trying to pack the monitoring board.

Hoffa has threatened to tie up the country with a strike. He has been unable to remember incriminating evidence. He has not known that Teamsters officials have been paid while in prison. He is opposed to a bill guaranteeing union members freedom from arbitrary dues and assessments and protection of the individual's right to sue to secure union freedoms.

The many abuses of his power which he has committed illustrate the fact that the present union system is inherently susceptible to corruptible, power-seeking men. Neither the overall union organization nor the courts have been able to clean up the Teamsters Union.

The responsibility then falls upon the Congress to pass legislation which will enable courts to oust the Jimmy Hoffas from unions. Congress surely cannot fail to recognize this responsibility. We hope that, having recognized it, Congress rises above the petty pressure groups and the campaign fund pressure and passes a strong labor legislation bill.

[From the Norman (Okla.) Transcript, July 7, 1959]

GIANT UNIONS TAKE OVER CULPRIT ROLE

Big labor, meaning the ruling cliques of the gigantic industrial unions, is today in much the same position with respect to the country as big business was 75 years ago. It comes close to having a stranglehold on the Nation's throat.

The abuses of big business in developing monopolies and engaging in other unfair practices led to such widespread public resentment that an antimonopoly political party was formed in 1884, the Interstate Commerce Act was passed in 1887, the Sherman Antitrust Act in 1890, and the Federal Trade Commisison Act, and several other laws regulating business practices followed in later years.

But throughout those years, the laws and the courts were protecting the rights of workers to organize unions and bargain with their employers. The Clayton Act of 1914 specifically exempted labor unions from the antitrust laws. The Norris-LaGuardia Act of 1932 limited the injunction powers of the courts in labor cases.

Then in 1935 Congress enacted the National Labor Relations Act which barred all interference with employees' freedom to organize and bargain collectively and compelled employers to bargain with the unions.

These comprehensive legal immunities have contributed greatly to growth and power of unions until today they are just about the most powerful groups in the country, politically as well as economically.

The NLRB law has been construed as forbidding industry to obtain relief from union abuses in State courts while giving NLRB itself discretionary power to refuse to take jurisdiction in such cases. In many cases, therefore, a business firm has no remedy anywhere.

One such abuse is organizational picketing. Here the employer is approached by a union organizer and asked to compel his employees to join the union. If he refuses and his workers are not interested, a picket line is established and the business is damaged. If he seeks redress in local courts, he often is told to go to the NLRB, and that body often refuses to accept jurisdiction. That leaves him with little choice but to sign up or go broke.

The Taft-Hartley Act of 1947 was the first law which gave recognition to labor union abuses and attempted to curb them. The unions protested bitterly that it would lead to "slave labor," but that has not happened. In fact it did little to stop abuses because

loopholes were found and union officials have continued their wide range of evil practices as brought out by the McClellan Labor Rackets Committee.

Today the mammoth AFL–CIO unions with more than 13 million members can throw their entire weight against a single industry, or even a single company. They can and do conspire and combine to gain benefits from single companies that later can be expanded to all industry.

The AFL–CIO has turned increasingly to political power to gain its ends. It claims to have been influential in electing more than 200 Congressmen and Senators in the 1958 elections. And its power also is felt in State and local government.

Outside the AFL–CIO is the powerful Teamsters Union which, because of weakness in labor laws, could call a nationwide strike and shut down virtually all industry, stop the delivery of milk and food in most large cities, and cut off supplies of coal and other fuel which is transported by truck. In fact James Hoffa, Teamsters president, was quoted as making a threat of such a strike only a few weeks ago.

And so, as the people once feared monopoly powers by big business they now fear the power of the big industrial labor unions and their control over the Nation's economy.

Exposures by the McClellan committee showed urgent need for stopping such abuses as extortion, organizational picketing, rioting, secondary boycotts, and featherbedding. The latter practice, industrial leaders contend, costs the American people billions of dollars each year in higher prices.

Despite the need for stern action, the Senate passed the weak Kennedy bill, leaving out most of the bill of rights for labor proposed by Senator MCCLELLAN. That bill is now before a House committee.

Because so many House Members owe their election to the AFL–CIO, the House is likely to either pass the Kennedy bill unchanged or kill it and leave things like they are. The only thing that can prevent that is widespread demand from the public for stronger legislation.

[From the Watertown (S. Dak.) Public Opinion, July 10, 1959]

FROM A FRIEND OF LABOR

The St. Louis (Mo.) Post-Dispatch is a famous newspaper which always has been friendly to the cause of organized labor. So something it recently said about pending Federal labor legislation is significant.

"The public interest," observes the Post-Dispatch, "does not demand a union-busting bill, but it does demand a measure which effectively guarantees union democracy, makes union leaders more directly answerable to the rank and file, and corrects the abuses so impressively brought out by the McClellan investigation."

It then deals with certain loopholes and defects in the labor bill which passed the Senate. The bill's language is loose, for one thing, and leaves room for evasions. The provision dealing with "blackmail" picketing is weaker, for instance, than that advocated by Secretary of Labor Mitchell. And the means the law provides for enforcing the bill of rights that it is supposed to guarantee the rank and file of union members leaves a great deal to be desired. Workers who felt their rights were infringed would have to file suit in the courts in an effort to obtain redress—an expensive and time-consuming stratagem that is obviously beyond the resources of most union people.

The Post-Dispatch concludes: "There are, no doubt, other respects in which the Senate bill could be improved without converting it into a union-busting measure. The secondary boycott, picketing and bill-of-rights enforcement clauses seem to us the most important. We hope the House will tackle them courageously despite political pressure from the unions."

This is a moderate view, and, it comes from a longtime friend of labor.

[From the Battle Creek (Mich.) Enquirer-News, July 19, 1959]

LABOR REFORM BILL HAS NO TEETH

Senator MCCLELLAN and his committee have ended 2½ years of investigating charges of labor racketeering against Teamster Union President James Hoffa. Calling Hoffa a "fountainhead of corruption," MCCLELLAN demanded that Congress enact a strong labor reform law.

Almost simultaneously, the House Labor Committee tentatively approved a watered-down version of a Senate labor reform bill devised to protect the rights of union rank and file against corrupt leadership. The bill's provision for a blanket 2-year jail term and a $10,000 fine for violating rank-and-file rights was knocked out by the House committee.

The House committee's action is extremely difficult to understand. Its version of the bill would guarantee a union member's right to participate in union meetings and elections, to vote on union dues and assessments, to have safeguards against unfair disciplinary action, and to sue union officers. However, before a union member could seek court action in his behalf, he would be required to exhaust his union's own remedies for settling grievances.

Without specific penalties for violations, the bill is virtually impotent. A union member's only recourse would be a request for a court injunction against the same offense taking place again. If the injunction were violated, a contempt-of-court charge could be lodged, and, if a jury convicted the accused, penalties would follow.

Under such a law, union attorneys could have a field day threading their clients—and labor bosses—in and out of its loopholes.

We repeat, the House committee's action is puzzling. In the 2½ years of Senate investigation millions of words have appeared in newspapers and magazines on the charges against Hoffa. There is no doubt that corruption and racketeering do exist in some labor groups. Certainly every Member of the House must have read some of these stories and must have pondered their significance to the average workingman.

Why, then, was the Senate bill—designed to correct these malpractices revealed by the hearings—emasculated?

Do those who pulled its teeth fear that labor may become hostile to them at the polls? If this is true, then perhaps they had best work out a bill to prevent labor intimidation of our lawmakers. If our Congressmen are sincere in their efforts to protect the rank-and-file union member from corrupt bosses, they should have no fear of defeat.

A strong labor bill could remove coercion and intimidation from the rank and file, leaving them free to vote for those who have liberated them.

[From the Casper (Wyo.) Tribune-Herald, July 19, 1959]

SHABBY PRETENSE

The Senate-approved labor reform bill went a little, but not much, further than Senator KENNEDY'S original mild proposals. Added were curbs on some hot-cargo contracts and organizational picketing, along with a toothless version of Senator MCCLELLAN'S bill of rights to correct the abuses exposed in his select committee's investigation of racketeering.

Efforts to write a stronger measure were repeatedly blocked, with the explanation, more in the nature of excuse, that the mild bill represented the most that could get through Congress. Better some reform, said the bill's sponsors, than no legislation at all.

The other day the House Labor Committee announced that it had completed its own version of the measure, after 5 weeks of closed-door efforts, and would report it this week. Making the announcement, Chairman GRAHAM A. BARDEN, of North Carolina, let go a blast at "brazen outside influences" which he said have attempted to dictate to the committee.

He refused to name names, but neither was it necessary. It is no secret that labor leaders have exerted every possible pressure to block genuine and effective labor reform legislation, nor are they hesitant to remind Congressmen that there is an election next year in which labor is well organized to take part.

The House committee's version of the Senate bill is not available at this writing. However, information from the committee during its deliberations indicates a maintained pressure to weaken the measure. At one point the committee beat down a move to eliminate all proposed changes in the Taft-Hartley Act, including boycotts and organizational picketing. Whether it entertained a subsequent proposal to impose stiffer curbs remains to be learned when the bill is reported.

Apparently the five-point bill of rights for union members was altered by providing for enforcement through injunctions. The Senate version carried a blanket criminal penalty for union leaders who deny members any of the rights.

However written the bill will precipitate a furious floor fight, and then it will be possible to see how Congress stands up under pressure. For there is no question as to the public interest. It is to curb the abuse of power by labor leaders already given too much power, over their own members as well as over those with whom they bargain. The right to bargain should not include the right to injure an innocent third party in an effort to put pressure on an employer involved in dispute, which the secondary boycott does. Neither should it include the right to picket an employer as a means of getting at his employees for purposes of organization.

Nor is there anything of "union busting" nature in procedures to make union officials accountable to their memberships.

It is time to tear away slogans and look at the content of labor reform legislation. If it doesn't affect reform then it is no more than shabby pretense.

[From the Des Moines (Iowa) Register, July 21, 1959]

LABOR BILL WEAKENED

The House Labor Committee appears to have handed labor leaders a major victory in its rewriting of the Kennedy bill.

The bill as it passed the Senate contained a section defining the rights of union members in the determination of union policies, the conduct of elections and the administration of union affairs. This section was written into the bill for the purpose of encouraging rank-and-file members to break the grip of dictatorial bosses and strong-arm cliques that have gained control of some unions.

The bill-of-rights section was intended to provide a basis for court action if members were unable to secure a voice in union affairs through regular union procedures. The section provided fines and jail penalties for persons convicted of violating or interfering with the rights of union members as they were defined. This penalty section had the effect of bringing the Federal law enforcement machinery to the assistance of union members if they could show reasonable grounds for a complaint being filed.

The bill reported by the House Labor Committee, as it is described in news reports,

strips union members of this additional help. In reality, it removes from the bill the major tool for enabling either union members or the Federal Government to take effective action to oust dictatorial bosses and gangster strong-arm cliques from control.

The provision for civil injunction action in the bill is only slightly better than that now available to any union member. It does define by law the rights of a member on which he may base his petition rather than compelling him to rely solely on those defined by the union's constitution and by-laws.

But before civil action may be instituted in the courts, the House bill requires that a member must first spend 6 months trying to get redress through regular union procedures where the cards may be already stacked against him.

A comparison of the Senate bill and the bill reported out by the House committee illustrates why some union officials and their lobbyists have been so vigorous in their opposition to the bill-of-rights section of the Senate bill.

[From the Houston (Tex.) Chronicle, July 17, 1959]

HOFFA INSOLENCE SHOWS NEED FOR MORE THAN THE KENNEDY BILL

The announcement by the McClellan committee counsel, Robert S. Kennedy, that he plans no further questioning of Teamster boss, James R. Hoffa, probably means the curtain is being drawn on one of the most amazingly successful demonstrations of contempt of Congress in our history. Periodically over the past 2½ years, this associate of racketeers and alleged Reds has appeared before the McClellan rackets probers either to answer pertinent questions with insolence or to have subordinates called who take the fifth amendment. Yet he still rides high.

The final session was typical. Asked for details on a contract the committee holds has secret illegal clauses, Hoffa highhandedly directed the committee to call on Roland McMaster, business agent for the Teamsters. Yet when McMaster went up to testify, Hoffa coached him openly: "Take five," he said, signaling by holding up his open right hand. And McMaster obediently "took five." Three times this procedure was repeated with three different witnesses.

But why is Hoffa permitted to show this disdain for lawfully constituted authority? Others, including the industrialist, Bernard Goldfine, have been penalized for less, yet Hoffa continues not only to defy Congress but to rule the largest independent union in the world. There may be a clue in the observation of Kennedy that the board of monitors appointed by U.S. District Judge F. Dickinson Letts to oversee Hoffa's administration of Teamsters affairs is preparing to move against Hoffa, to request the court to oust him as president.

The board of monitors has a file of 263 charges against Hoffa. Among these is the evidence provided by Pierre Salinger, committee investigator, that, under terms of his own Teamsters constitution, the vote electing Hoffa president was 56.2 percent illegal. The monitors need merely to submit their information to the court upon which Judge Letts would appoint a referee to act.

But even with Hoffa out, there is no guarantee of a cleanup in the Teamsters. Hoffa was the power behind the throne when the bumbling Dave Beck was nominal head. Ousted at this time, he would still rule by indirection as surely as Lucky Luciano rules the Mafia from his banishment in Naples. By the same system through which Hoffa was elected, one of his tainted henchmen would go in. The ctench of this situation is simply one more reason we must have a strong labor reform bill and not the simple palliative of the Kennedy-Ives bill. The American people must understand this and must make their demands on Congress. Otherwise nothing ever will be done.

FROM ROCKS TO ROSES—THE STORY FROM CARACAS TO WARSAW

Mr. MUNDT. Mr. President, I was one of the thousands of people who on yesterday crammed the National Airport, when Vice President NIXON and his charming wife, Pat, returned to this country from their historic tour of Russia and Poland.

Perhaps no one who has ever traveled to a foreign country, to meet the citizens of an alien land who live under a political philosophy directly opposite to ours, has more completely won the hearts of those people with frankness and friendliness, than has our Vice President NIXON.

As Vice President NIXON spoke briefly, on yesterday, to the crowd at the airport, one thought ran through my mind. He spoke most eloquently of the friendly reception he had received in Warsaw. He said that people threw bushels of roses into the pathway of his automobile, and he said that the people all along the streets exuded friendship.

I contrasted that reception with the reception he received when he toured certain South American countries. There, he and his wife were spat upon and were stoned by crowds of hostile, Communist-led people.

The contrast I thought of was this: In Warsaw, where the people live under Communist rule, the Vice President was enthusiastically and warmly greeted as a representative of our free way of life. In Venezuela, where the people do not have communism, but only sit around and talk about what a wonderful system of government communism is, the people were unfriendly.

To me, that contrast indicates most dramatically that theoretical communism, which the people of Venezuela know about, is much more desirable than the actual communism which the people in Warsaw have. Some of our own fellow travelers and Communist sympathizers in this country might well ponder very carefully that comparison, Mr. President, because I believe that if Communist sympathizers in this country were to do so, they might well conclude, with people living under communism elsewhere, that communism is a more attractive theory than it is a working formula. In practice it produces disillusionment.

Mr. President, I believe that several lessons can well be learned from the short interval of history which took the Vice President of the United States on the big jump from rocks in Venezuela to roses in Warsaw, on his good will missions for the people of the United States.

I think the first lesson is clearly this: Communism has its greatest appeal to the people who live farthest from it.

The second lesson is that to people living under communism, but once enjoyed freedom—as is true in the case of the people of Poland—the existence of freedom and its demonstration anywhere in the world, as exemplified by Vice President NIXON's visit to Warsaw and to Russia, is a cause of great rejoicing.

The third lesson is, I believe, that the more one knows about communism, the closer he lives to it, and the more intimate his connections with it become, the more he detests and abominates it both as a philosophy and as a way of life.

Mr. President, I believe that if those lessons will be reflected upon, as they have been demonstrated so vividly by the experiences of one great American, Vice President NIXON, in the course of his visits to South America and to Russia and to Poland, all encompassed within the past year or two, everyone in the world can be a better citizen and can look forward with more hope to a world of freedom and tolerance as a consequence of the lessons to be drawn from Vice President NIXON's experiences.

SENATOR RANDOLPH'S VIEWS ON THE PROSPECTIVE EXCHANGE OF VISITS BETWEEN PRESIDENT EISENHOWER AND PREMIER KHRUSHCHEV

Mr. RANDOLPH. Mr. President, on Tuesday, August 4, following President Eisenhower's announcement that he would exchange visits with the Premier of the Soviet Union, I received a telegram from the West Virginia office of the Associated Press, Charleston, W. Va., stating:

> Appreciate your concise views on exchange of visits by American-Russian heads of state for inclusion in West Virginia roundup. Thanks and regards.
>
> ASSOCIATED PRESS.

My reply was:

AUGUST 4, 1959.

ASSOCIATED PRESS,
Charleston, W. Va.

In response to your telegram: The arrangement to exchange visits between the President of the United States and the Premier of the Soviet Union is, in my considered opinion, a further affirmative approach to a better understanding not only between the top level leadership of the two countries but between their peoples. We can work with other nations and other peoples in the constant pursuit of peace. We must beware of possible propaganda entrapments, but the search for mutual understanding must be explored vigorously. Informal discussions oftentimes can accomplish the meetings of minds that formal conferences fail to achieve.

JENNINGS RANDOLPH.

RECESS AT GENEVA

Mr. MANSFIELD. Mr. President, I ask unanimous consent, with the approval of the distinguished Senator from New York, who has been so patient, that I may proceed for 2 minutes in addition to the 3-minute limitation.

The PRESIDING OFFICER. (Mr. BYRD of West Virginia in the chair). Is there objection to the request? The Chair hears none, and the Senator may proceed.

Mr. MANSFIELD. Mr. President, the foreign ministers completed their work at Geneva yesterday. I understand that these meetings, which have been in prog-

ress since last May, have gone into recess rather than into actual adjournment.

Whatever the precise form of the termination, it is apparent that the search for reasonable agreement between the Soviet Union and the Western nations is now moving into other channels. It would be easy to pass off the Geneva Conference of Foreign Ministers as a futile, time-consuming exercise leading nowhere. In my opinion that ld be an erroneous interpretation, a ..ous underestimation of its importance. I think it is entirely reasonable to say that we might well be, at the present time, in the midst of another costly Berlin blockade or harassment had this conference not been held. True, we still have to face that possibility for the future. For the moment at least, the Geneva Conference has put off the crisis and paved the way for a further search for agreement.

Without the Geneva Conference, moreover, it is also reasonable to say that there would have not been a trip by the Vice President to Moscow, or certainly not a trip as constructive and useful as his has proved to be. Nor would there have been, in any likelihood, the coming exchange of visits between the President and Mr. Khrushchev.

So, let me repeat, it is, in my opinion, a smug and carping injustice to depreciate the efforts put forth by the Secretary of State at Geneva and, indeed, other ministers at that meeting. Mr. Herter did the spadework, so to speak, which had to be done if there is to be any lasting constructive results from the Vice President's recent mission and the impending Eisenhower-Khrushchev exchanges.

The Secretary of State set forth at Geneva a fresh and cogent expression of U.S. policy with respect to Germany. It was an expression which made clear for the first time that there exists a basis for reasonable agreement in our policy, derived from the realities of the situation with which we must live in 1959. I would hope that Mr. Khrushchev, when he confers with President Eisenhower, will see that such is the case, as his foreign minister at Geneva apparently did not. There may be at least some ground for this expectation because Mr. Khrushchev characterized as "sober and sensible" nine essentials of policy on Germany and a divided Europe, which I listed in a speech on February 12. And the proposals put forth by Mr. Herter at Geneva do not differ, in great degree, from these nine points.

One would hope that geometry in the Soviet Union is the same as in the United States, and that the theorem applies that "things equal to the same thing are equal to each other."

Let me recall in summary form at this point these nine suggested essentials of policy, as they were stated on February 12 and developed in subsequent speeches.

First. Stand fast in Berlin, not as a slogan, not as an end in itself, but as the basis for a Western initiative for peace in Europe.

Second. Call upon the German leaders of the East and West Berlin communities to begin serious negotiations for unifying the public services and municipal government of that city.

Third. Enlist the conciliatory services of the Secretary General of the United Nations in the effort to bring about the interim unification and neutralization, not just of West Berlin but of all Berlin; guarantee by U.N. or other international means the free use of the routes of access to the entire city until such time as it became once again the capital of a unified Germany.

Fourth. If this or a similar approach to interim unification and neutralization of all Berlin is not obtained, then continue the Western presence in West Berlin, whether or not the Russians chose to leave the other sector of the city.

Fifth. If forced to maintain the Western presence in West Berlin in such circumstances, however, consider seriously withdrawing the garrisons of French, British, and American forces from the city and replacing them with West Germans supported by NATO guarantees.

Sixth. Call upon the Germans in authority in West and East Germany to talk, to talk a great deal on the whole range of problems involved in harmonizing the political, economic, and military systems of the two zones as an essential preliminary step to the unification of Germany.

Seventh. Call upon the East German Communists and the Russians to permit the exercise, without the threat of terror, of basic political freedoms in the Eastern zone, as a preliminary to reunification.

Eighth. Seek agreements between the Soviet Union and the Western allies to guarantee for a period of years the kind of unified Germany which might emerge from German discussions, and see to it that a reunited Germany is neither subjected to military pressures by its neighbors nor becomes a source of aggressive military pressure on them.

Ninth. To that end, consider agreements for the control and limitation of armaments in Germany and central Europe along the lines of the Eden plan, the Rapacki plan, and similar plans, predicating them on satisfactory agreements being reached at the Geneva Conferences on the Prevention of Surprise Attacks and the Suspension of Nuclear Testing.

Mr. President, when these proposals were advanced initially, there was a great deal of comment on them both at home and abroad. Some of it was critical and some of the criticism was little short of an expression of shocked disbelief. But since that time, we have, in fact, witnessed an evolution of United States and Western policy with respect to Germany in the direction of these proposals.

This Nation went into the present Geneva Conference with a general approach which represented a sharp modification of the policies to which we had clung for years. The new approach has made it evident that, while we would stand fast in Berlin, we would do so not as an end in itself, but as the basis for moving toward a reasonable settlement of basic Berlin, German, and European problems. Beyond standing fast, we have suggested at Geneva specific plans for bringing about negotiations for the reunification of the public services and municipal government of that city. We have called for a phased reunification of all Germany based upon extensive contact and extensive talk on the part of the German authorities of the East and West prior to free, all-German elections. We have sought the restoration of the right of open political activity for all Germans, free of terror and legal reprisals, in both zones. We have expressed our willingness to seek agreements between the Soviet Union and the Western nations to guarantee a unified Germany and its neighbors against aggression. We have noted our willingness to consider limiting the level of armaments in both parts of Germany and a reduction in foreign forces in that country—a position which seems to me to encompass the basic philosophy of the Eden and Rapacki plans.

In more recent weeks, moreover, there have been indications that the Western nations are prepared to consider bringing the United Nations Secretary General into the situation at Berlin, and we have also given assurances that we are willing to refrain from arming our forces in Berlin with nonconventional weapons and that we are ready to limit our forces in that city if it will help to achieve agreement. In short, Mr. President, on the eight points of the nine essentials—and only eight are applicable at this time—there have been significant changes of direction or expression in U.S. foreign policy in an effort to bring about a thaw, to end the rigidity.

So I repeat, Mr. President, a basis for reasonable agreement has been set forth at Geneva by the Western nations. That had needed doing for a long time. It has now been done, in a highly effective manner by the Secretary of State. From this achievement has flowed the highly successful mission of the Vice President to Russia and Poland. From it, too, is derived such hope as may be reposed in the coming Eisenhower-Khrushchev meetings. The Secretary of State and his staff have performed a distinguished public service at Geneva. I do not think that the Senate should lose sight of it in the dazzling new developments which are now taking place.

AMENDMENT OF FEDERAL FARM LOAN ACT, RELATING TO TRANSFER OF RESPONSIBILITY FOR MAKING APPRAISALS

Mr. HOLLAND. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to Senate bill 1512.

Mr. FULBRIGHT. Mr. President, are we still in the morning hour?

The PRESIDING OFFICER. The Senate is still in the morning hour. The matter referred to by the Senator from Florida is a privileged matter.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1512) to amend the Federal Farm Loan Act to transfer responsibility for making appraisals from the Farm Credit Administration to the Federal land banks, and for other purposes, which

was to strike out all after the enacting clause and insert:

That this Act may be cited as the "Farm Credit Act of 1959".

TITLE I—FEDERAL LAND BANKS

SEC. 101. Section 3 of the Federal Farm Loan Act, as amended, is amended—

(a) by changing the paragraph thereof relating to the appointment of registrars, appraisers, and examiners (12 U.S.C. 656) to read:

"The Farm Credit Administration shall appoint a farm loan registrar for each farm credit district to receive applications for issues of farm loan bonds and to perform such other services as are prescribed by this Act, and may appoint a deputy registrar who shall during the unavoidable absence or disability of the registrar perform the duties of that office. It shall also appoint as many farm credit appraisers and farm credit examiners as it shall deem necessary. Such farm loan registrars, deputy registrars, farm credit appraisers, and farm credit examiners shall have no connection with or interest in any institution, association, or partnership engaged in banking or in the business of making land mortgage loans or selling land mortgages but they may perform such duties as are authorized by the Farm Credit Administration in connection with the business of the banks and associations it supervises: *Provided,* That this limitation shall not apply to persons employed by the Farm Credit Administration on a temporary basis.";

(b) by deleting the paragraph thereof relating to the compensation of appraisers and inspectors (12 U.S.C. 658);

(c) by deleting the paragraph thereof relating to the employment of certain personnel by the Farm Credit Administration (12 U.S.C. 659); and

(d) by deleting the second sentence of the third paragraph from the end thereof (12 U.S.C. 662).

SEC. 102. (a) The second paragraph of section 9 of the Federal Farm Loan Act, as amended (12 U.S.C. 742), is amended to read:

"Any person desiring to secure a loan through a Federal land bank association under the provisions of this Act may, at his option, borrow from the Federal land bank through such association the sum necessary to pay for shares of stock subscribed for by by him in the Federal land bank association. Any such sum for the purchase of stock shall be made a part of the face amount of the loan and such sum shall for all purposes be additional to the 65 per centum of the normal value of the farm as specified in any provision of this Act."

(b) Section 10 of the Federal Farm Loan Act, as amended (12 U.S.C. 751–757), is amended to read:

"SEC. 10. (a) Whenever an application for a mortgage loan is made to a Federal land bank association, the loan committee provided for in section 7 of this Act shall cause to be made such investigation as it may deem necessary as to the character and solvency of the applicant and the sufficiency of the security offered. When it appears that a loan may be approved, the loan committee shall obtain a written report on the security by an appraiser designated or appointed by the Federal land bank of the district and such appraiser shall investigate and make a written report upon the security offered. Such appraisal, investigation, and report shall be made in accordance with appraisal standards prescribed by the Farm Credit Administration and may be made by any competent person (including an employee of a Federal land bank association) when designated for that purpose by the Federal land bank of the district. The loan committee shall cause a written report to be made of the results of such investigations of the applicant and the security and shall, if it concurs in such report, approve the same in writing. After the loan committee has reached an agreement as to the amount and terms of the loan which may be offered to the applicant, if such amount is not in excess of 65 per centum of the normal value of the security offered as determined by said appraiser, the association may notify the applicant of the amount and terms of the loan approved by the loan committee: *Provided,* That any such notice shall contain a statement that the amount and terms of the loan offered to the applicant are subject to and conditioned upon subsequent approval or disapproval by the Federal land bank.

"(b) The written report of the loan committee and the report made by an appraiser designated or appointed by the Federal land bank shall be submitted to the Federal land bank with the application for the loan, and the land bank shall examine said reports when it passes on the loan application which they accompany. No loan shall be made unless the report of the loan committee and the report of the appraiser are favorable.

"(c) All appraisal reports shall be made on forms approved by the Farm Credit Administration.

"(d) No farm credit appraiser and no appraiser designated or appointed by a Federal land bank shall make any appraisal in connection with a loan in which he is interested, directly or indirectly. No member of a loan committee or of a board of directors of a Federal land bank association shall participate in the consideration of or action on any loan in which he is interested, directly or indirectly.

"(e) Each Federal land bank shall conduct studies in such manner and to such extent as the Farm Credit Aministration deems necessary in connection with the appraisal standards prescribed for the district.

"(f) Notwithstanding the foregoing provisions of this section—

"(1) appraisal reports made by appraisers heretofore or hereafter appointed by the Farm Credit Administration pursuant to section 3 of this Act may be used as a basis for Federal land bank loans;

"(2) the Farm Credit Administration may, in its discretion and in such circumstances and for such periods as it deems necessary, direct that any or all appraisals in connection with loans by any Federal land bank, or appraisal standards studies required by subsection (e), shall be made by farm credit appraisers appointed pursuant to section 3 of this Act; and

"(3) for purposes of paragraph (2) of this subsection, the Farm Credit Administration is authorized to employ additional farm credit appraisers, including such appraisers as it may select who have been designated or appointed by a Federal land bank, and to require that the salaries and other expenses of all such additional appraisers be paid by the Federal land bank served by them in such manner as the Farm Credit Administration shall determine.

"(g) Farm credit appraisers appointed pursuant to section 3 of this Act shall make such reviews and investigations as the Farm Credit Administration determines to be necessary to assure compliance with the appraisal standards prescribed by it pursuant to subsection (a) of this section; make such additional reviews and investigations concerning the quality of first mortgages securing farm loan bonds as the Farm Credit Administration shall direct; and perform such other duties as may be prescribed by the Farm Credit Administration. Any first mortgage which is found not to conform to the appraisal and loan standards prescribed by the Farm Credit Administration shall not be credited toward meeting the amount of bond collateral which a Federal land bank is required to maintain with a farm loan registrar except in such amount as the Farm Credit Administration shall approve."

SEC. 103. On the effective date of this title each land bank appraiser shall be transferred from the Farm Credit Administration to the Federal land bank served by him immediately prior to said effective date, without reduction in salary and accumulated leave, unless the Farm Credit Administration, in its discretion, determines that individual appraisers shall be retained as farm credit appraisers. The selection of personnel for transfer, or for retention as farm credit appraisers, shall be without regard to section 12 of the Veterans' Preference Act of 1944, as amended (45 U.S.C. 861). Land bank appraisers shall be subject to the same employment conditions as other bank employees after transfer under this section. At least sixty days prior to the effective date of this title the Farm Credit Administration shall notify each land bank appraiser that he is to be transferred to a Federal land bank or that he is to be retained in the Farm Credit Administration. Any land bank appraiser who notifies the Farm Credit Administration in writing at least thirty days before the effective date of this title that he does not desire to accept employment as stated in the notice from the Farm Credit Administration shall be separated from employment on said effective date and such separation shall be deemed involuntary.

SEC. 104. (a) Section 12 of the Federal Farm Loan Act, as amended (12 U.S.C. 771), is amended by (1) changing the last proviso of paragraph "Second" thereof to read: "*And provided further,* That any land bank may make loans on an unamortized or partially amortized basis, under rules and regulations issued by the Farm Credit Administration."; (2) striking out of paragraph "Seventh" thereof "loans to any one borrower shall in no case exceed a maximum of $200,000, but".

(b) Section 20 of the Federal Farm Loan Act, as amended, is amended by deleting the second sentence thereof (12 U.S.C. 861, second sentence) and by inserting the following immediately before the period at the end of the last sentence thereof (12 U.S.C. 864, last sentence): ", except that, with the approval of the Farm Credit Administration, an issue of bonds may be limited to bearer or coupon bonds.

(c) The first and second sentences of section 23 of the Federal Farm Loan Act, as amended (12 U.S.C. 901), are amended by substituting "at the end of each fiscal year" for "semiannually" therein.

(d) The first and second sentences of section 24 of the Federal Farm Loan Act, as amended (12 U.S.C. 911), are amended by substituting "at the end of each fiscal year" for "semiannually" therein.

(e) The seventh paragraph of section 29 of the Federal Farm Loan Act, as amended (12 U.S.C. 967), is amended by changing "land bank appraiser" in the second and third sentences thereof to "farm credit appraiser".

(f) Section 202(c) of the Federal Farm Loan Act, as amended (12 U.S.C. 1033), is amended by changing the period at the end thereof to a comma and adding the following: "and any Federal intermediate credit bank may in its discretion purchase such loans or discounts with or without such endorsement.".

(g) Section 208(c) of the Federal Farm Loan Act, as amended (12 U.S.C. 1093), is amended by changing "Land bank appraisers" in the first sentence thereof to "Farm Credit appraisers".

(h) The Federal Farm Loan Act, as amended (12 U.S.C. 641 et seq.), and any other Act of Congress in which the words appear, are amended by changing "national farm loan association" and "national farm loan associations" to "Federal land bank association" and "Federal land bank associations", respectively.

(i) The Federal Farm Loan Act, as amended (12 U.S.C. 641 et seq.), and any other Act of Congress in which the words appear, are amended by changing "secretary-treasurer" and "secretary-treasurers", when used

to mean the secretary-treasurer of a national farm loan association (herein renamed "Federal land bank association"), to "manager" and "managers", respectively.

(j) The first sentence of section 5(d) of the Farm Credit Act of 1953 (12 U.S.C. 636 (d)) is amended by inserting immediately before the period at the end thereof ": *Provided*, That the salary of not more than three positions of deputy governor shall each be fixed by the Board at a rate not exceeding $17,500 per annum."

(k) This title shall become effective December 31, 1959.

TITLE II—STATUS OF FARM CREDIT BANKS AND EMPLOYEES

SEC. 201. Notwithstanding any other provision of law, and in order to encourage and facilitate increased borrower participation in the management and control of institutions operating under the supervision of the Farm Credit Administration in accordance with the policy declared in section 2 of the Farm Credit Act of 1953 (12 U.S.C., supp. IV, 636a), section 6 of the Farm Credit Act of 1937, as amended (12 U.S.C. 6401), is amended—

(a) by inserting "(a)" immediately following "SEC. 6.", by redesignating subsections "(a)" and "(b)" as paragraphs "(1)" and "(2)", respectively, and by deleting subsection "(c)";

(b) by adding the following at the end of paragraph (1) of subsection (a) thereof (as redesignated herein): "The employment, compensation, leave, retirement (except as provided in subsection (e) hereof), hours of duty, and all other conditions of employment of such joint officers and employees employed by the district farm credit board, and of separate officers and employees of the Federal land bank, Federal intermediate credit bank, and bank for cooperatives of the district employed by the board of directors of such banks, shall be determined by the respective boards without regard to the laws from which exemption is granted in this section, but all such determinations shall be consistent with the laws under which such banks are organized and operate. Appointments, promotions, and separations so made shall be based on merit and efficiency and no political test or qualification shall be permitted or given consideration. The district farm credit board shall, under rules and regulations prescribed by the Farm Credit Administration, provide for veterans' preference and limitations against political activity for such officers and employees substantially similar to the preference and limitations to which such officers and employees were subject upon enactment of this sentence."; and

(c) by adding the following new subsections after subsection (a) thereof (as redesignated herein):

"(b) The provisions of section 1753 of the Revised Statutes (5 U.S.C. 631) and the Act of January 16, 1883, entitled 'An Act to regulate and improve the civil service of the United States', as amended (22 Stat. 403; 5 U.S.C. 632 et seq.), any laws supplementary thereto, including but not limited to the Act of August 24, 1912, as amended (5 U.S.C. 652), section 1 of the Act of November 26, 1940, as amended (5 U.S.C. 631a), and section 1310 of the Supplemental Appropriation Act, 1952, as amended (5 U.S.C. 43, note), and any rules, orders, or regulations promulgated for carrying such Acts or laws into effect, shall not apply to a Federal land bank, Federal intermediate credit bank, or bank for cooperatives, or to its directors, officers, or employees.

"(c) The Federal Employees' Compensation Act, as amended (5 U.S.C., ch. 15), shall not be applicable in respect to the injury, disability, or death of any employee of a Federal land bank, Federal intermediate credit bank, or bank for cooperatives unless such injury, disability, or death (or cause thereof) occurred before January 1, 1960.

"(d) Section 9 of the Hatch Act, as amended (5 U.S.C. 118i), and the Veterans' Preference Act of 1944, as amended (5 U.S.C. 851–869), shall not be deemed to apply to a Federal land bank, Federal intermediate credit bank, or bank for cooperatives, or to its directors, officers, or employees.

"(e) Each officer and employee of a Federal land bank, Federal intermediate credit bank, or bank for cooperatives who, on December 31, 1959, is within the purview of the Civil Service Retirement Act, as amended (5 U.S.C., supp. IV, ch. 30), shall continue so during his continuance as an officer or employee of any such banks without break in continuity of service. Any other officer or employee of such banks and any other person entering upon employment with any such bank after December 31, 1959, shall not be covered under the civil service retirement system by reason of such employment, except that (1) a person who, on December 31, 1959, is within the purview of the Civil Service Retirement Act, as amended, and thereafter becomes an officer or employee of any such banks without break in continuity of service shall continue under the civil service retirement system during his continuance as an officer or employee of any such banks without break in continuity of service and (2) a person who has been within the purview of said Act as an officer or employee of such banks and, after a break in such employment, again becomes an officer or employee of any such banks may elect to continue under the civil service retirement system during his continuance as such officer or employee by so notifying the Civil Service Commission in writing within thirty days after such reemployment.

"(f) Each Federal land bank, Federal intermediate credit bank, and bank for cooperatives shall contribute to the civil service retirement and disability fund, for each fiscal year after June 30, 1960, a sum as provided by section 4(a) of the Civil Service Retirement Act, as amended (5 U.S.C. 2254(a)), except that such sum shall be determined by applying to the total basic salaries (as defined in that Act) paid to the employees of said banks who are covered by that Act, the per centum rate determined annually by the United States Civil Service Commission to be the excess of the total normal cost per centum rate of the civil service retirement system over the employee deduction rate specified in such section 4(a). Each bank shall also pay into the Treasury as miscellaneous receipts such portion of the cost of administration of the fund as is determined by the United States Civil Service Commission to be attributable to its employees.

"(g) Any Federal land bank, Federal intermediate credit bank, or bank for cooperatives may, subject to the approval of the Farm Credit Administration, establish a retirement system for its officers and employees either separately or jointly with any other corporation under the supervision of the Farm Credit Administration. In determining eligibility for or the amount of any benefit under any such retirement system, there shall not be taken into account any service which is creditable under the Civil Service Retirement Act, as amended, but service which constitutes employment as defined in section 210(a) of the Social Security Act, as amended (42 U.S.C., supp. IV, 410 (a)), may be so taken into account notwithstanding section 115 of the Social Security Amendments of 1954 (42 U.S.C., supp. IV, 410, note) or any other provision of law.

"(h) Subsections (b), (c), (d), (e), (f), and (g) of this section shall apply to the Central Bank for Cooperatives and its personnel and the board of directors of the Central Bank for Cooperatives shall have all the authority and responsibility with respect to personnel of such central bank as is vested in the farm credit board of a district or the board of directors of a district bank for cooperatives with respect to personnel of any such district bank under subsection (a)(1) of this section."

SEC. 202. (a) Section 210(a)(6)(B)(ii) of title II of the Social Security Act, as amended (42 U.S.C. supp. IV, 410(a(6)(B)(ii)), and section 3121(b)(6)(B)(ii) of the Internal Revenue Code of 1954, as amended (26 U.S.C., supp. IV, 3121(b)(6)(B)(ii)), are each amended by inserting "a Federal land bank, a Federal intermediate credit bank, a bank for cooperatives," immediately before the words "a national farm loan association" therein.

(b) Section 2680 of title 28, United States Code, is amended by adding at the end thereof the following new subsection: "(n) Any claim arising from the activities of a Federal land bank, a Federal intermediate credit bank, or a bank for cooperatives.".

(c) Section 102(b) of the Federal Employees Pay Act of 1945, as amended (5 U.S.C. 902(b)), is amended by striking out "and" immediately preceding "(6)" therein and by inserting before the period at the end thereof "; and (7) officers and employees of a Federal land bank, a Federal intermediate credit bank, or a bank for cooperatives".

(d) Section 303 of the Government Employees Incentive Awards Act (5 U.S.C., supp. IV, 2122) is amended by inserting within the parentheses after the words "the Tennessee Valley Authority" the words "or the Central Bank for Cooperatives".

(e) Section 205(e) of the Annual and Sick Leave Act of 1951, as added by section 4(b) of the Act of July 2, 1953 (5 U.S.C., supp. IV, 2064(e)), and section 1 of the Act of December 21, 1944, as amended by section 4(a) of the Act of July 2, 1953 (5 U.S.C., supp. IV, 61b), are each amended by substituting "(C), (H), or (I)" for "(C), or (H)" therein.

SEC. 203. (a) Nothing in this title shall be deemed to amend, alter, repeal, or restrict the application of (1) section 190 of the Revised Statutes (5 U.S.C. 99), relating to the prosecution of claims against the United States by former employees; (2) the Act of August 26, 1950 (5 U.S.C. 22–1, 22–2, 22–3), relating to the suspension and separation of employees for security reasons; (3) section 710(e) of the Defense Production Act of 1950, as amended (50 U.S.C., app., supp. IV, 2160 (e)), relating to the authority of the President to provide for an executive reserve training program; or (4) any Act of Congress the violation of which is punishable by a fine or imprisonment, or both.

(b) Any Act of Congress enacted after the effective date of this title and which states that it shall be applicable to agencies or instrumentalities of the United States or to corporations controlled or owned, in whole or in part, by the United States, or to officers and employees of the United States or such agencies or instrumentalities or corporations, shall not be applicable to a Federal land bank, Federal intermediate credit bank, or bank for cooperatives, or to its directors, officers, or employees unless such Act specifically so provides by naming such banks.

(c) This title shall become effective January 1, 1960.

Mr. HOLLAND. Mr. President, the situation involving the House amendment, in which I am going to ask the Senate to concur, is as follows: Some time ago, the Senate passed S. 1512, relating to the Farm Credit Administration, which was a carefully studied bill reported from the Senate Committee on Agriculture and Forestry unanimously, and representing the reduced request of the Federal Farm Credit Board.

Two or three of their requests, which were minor, the committee felt should

be denied because of some controversy having arisen.

When the bill went to the House, the House proceeded to pass its own bill with one amendment, that amendment being the only part of the House bill which differs in any substantial way at all from the Senate bill.

I have had counsel for the Senate committee carefully check the House bill, and in a written statement from Mr. Harker T. Stanton, counsel for the Senate committee, he states there is no substantial difference other than this one amendment to which I shall refer, the other differences being matters of punctuation and the like.

The one amendment is a substantial amendment, and before we decided what to ask the Senate to do about it, I followed this course: Serving as chairman of the subcommittee which had handled the bill, I conferred with the chairman of the full committee, the Senator from Louisiana [Mr. ELLENDER], and with the ranking minority member, the Senator from Vermont [Mr. AIKEN], both of whom, after some study, decided, as I had decided, that it would be advisable for us to concur in the House amendment.

I may say that the Board of the Farm Credit Administration asked us in writing to concur in the amendment. I shall ask that their letter be included in the RECORD.

Mr. President, both the Senate bill and the original House bill were addressed to the single objective of trying to bring about more grower-borrower ownership and control of the units of the Farm Credit Administration, and particularly the Federal land banks and their associations. As to the substance of the amendment, both original bills provided that all the civil service laws and regulations and requirements applicable to the employees of these institutions, from 1,500 to 1,600 in number, should be canceled, except the one having to do with their retirement privileges. Since all the employees up to this time have vested interests in the retirement fund, some of them of long duration, the Senate bill provided simply that the retirement privilege should be continued exactly as in the case of its earlier application; that is, by the employees paying 6½ percent of their salaries and the employers out of their own funds paying 6½ percent.

When the bill reached the House, both the Civil Service Commission and the chairman of the Civil Service Committee in the House of Representatives, after study, decided that the Senate provision did not go far enough in its requirements of the employers—that is, the units of the Farm Credit Administration—because of the fact that the program is not entirely self-supporting at present, but is operating with some deficit, so that it does not completely carry itself. So the amendment proposed in the House and adopted in the House provided, in substance, what the House believed the employers should pay.

I ask unanimous consent that the amendment be printed in the RECORD at this point.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

AMENDMENT TO H.R. 6353

Page 14, strike out lines 8 to 17, inclusive, and insert in lieu thereof the following:

"(f) Each Federal land bank, Federal intermediate credit bank, and bank for cooperatives shall contribute to the civil service retirement and disability fund, for each fiscal year after June 30, 1960, a sum as provided by section 4 (a) of the Civil Service Retirement Act, as amended (5 U. S. C. 2254 (a)), except that such sum shall be determined by applying to the total basic salaries (as defined in that act) paid to the employees of said banks who are covered by that Act, the per centum rate determined annually by the United States Civil Service Commission to be the excess of the total normal cost per centum rate of the civil service retirement system over the employee deduction rate specified in such section 4 (a). Each bank shall also pay into the Treasury as miscellaneous receipts such portion of the cost of administration of the fund as is determined by the United States Civil Service Commission to be attributable to its employees."

Mr. HOLLAND. Mr. President, the amendment provides that instead of paying 6½ percent, the employers shall pay whatever percent is found in each year by the Civil Service Commission to be necessary to carry the normal cost of the program. For this first year it is estimated at 7 percent rather than 6½ percent. It may be more in the future. Indications are that it probably will be. Whatever it is, the banking institutions will have to pay it.

In addition, as provided by both the Senate bill and the House amendment, they must pay their fair share of the cost of the administration of the program as reported by the Civil Service Commission from year to year.

Mr. President, it is with that amendment that we are dealing, and it is that amendment in which I ask the Senate to concur.

I may say that I have conferred, as a matter of course, and as a matter of trying to do the right thing, with the distinguished chairman of the Committee on Post Office and Civil Service, the Senator from South Carolina [Mr. JOHNSTON], and with the distinguished ranking minority member, the Senator from Kansas [Mr. CARLSON], so that they would have full opportunity to apprise themselves of what has been done.

I have also conferred in some detail with my distinguished colleague the Senator from Delaware [Mr. WILLIAMS], a member of the Agriculture and Forestry Committee and a member of the subcommittee which had considered this bill.

After full notice and with those Senators present, I am asking the Senate to concur in the House amendment.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Delaware?

Mr. HOLLAND. May I yield first to the distinguished Senator from South Carolina? I have conferred with him at some length. He is the chairman of the Senate Post Office and Civil Service Committee, and I understand he has had contact with the Civil Service Commission, and perhaps with the House committee, although I am not sure of that. So I think it would be appropriate for the Senator from South Carolina to make his statement first, and I yield to him, if I may.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to invite attention to the fact that certain provisions of title II of S. 1512 violate accepted principles of a good staff retirement system. I refer to the provisions which would continue coverage under the Civil Service Retirement Act for present bank employees after they cease to be employees of the United States.

The Civil Service Retirement Act comes within the jurisdiction of the Committee on Post Office and Civil Service, of which I have the honor to be chairman. This Retirement Act establishes a staff retirement plan for civilian employees of the United States. All of its benefits, and likewise all its obligations, are based on the existence of an employer-employee relationship between the Government and the individual. In other words, coverage applies, and retirement credit is allowed, only for periods in which the Government is the employer. Worded another way, credit for retirement purposes accrues only when the individual is an employee of Uncle Sam.

By the terms of S. 1512, employees of the Federal land banks, Federal intermediate credit banks, and banks for cooperatives will cease to be Federal employees on December 31, 1959.

This was made quite clear by the distinguished Senator from Florida [Mr. HOLLAND], the floor manager of the bill, when he stated as follows on July 16 when the bill was first before the Senate for consideration:

> The personnel of such banks are, therefore, more like private business employees than Government employees. However, they are subject to numerous statutes as Government employees, and it is the purpose of this bill to correct that situation by making such statutes inapplicable to these employees. The specific statutes are set out and described on pages 7, 8, and 9 of the committee report. Employees already covered by the Civil Service Retirement Act would continue subject to that act, while the Social Security Act would be made applicable to new employees. It is intended that such new employees would also be covered by District retirement plans.

The Senator from Florida [Mr. HOLLAND] continued:

> Mr. President, it is quite obvious that this is but another step in carrying out the general intent of Congress as made plain back in 1953, that these institutions shall not only become borrower owned and borrower managed, but that their employees may be regarded as employees of private institutions rather than as Government employees.

Mr. President, this statement certainly makes it clear that these employees will in the future be private employees and not Federal employees. Yet notwithstanding this, under the terms of the bill they will continue to receive credit for future service for retirement purposes.

In the future they are employees of the banks, and the banks as their employers should assume responsibility for retirement benefits for service from and after January 1, 1960. The bill, however, continues these present employees under the Civil Service Retirement Act until they eventually retire or are otherwise separated. This action for the first time in history grants retirement credit and gives coverage to individuals who are not Federal employees.

Mr. President, this action should not be considered as a precedent for the future or with respect to any other group.

Mr. President, I do not know why the report on this bill, filed in the Senate on June 5, failed to contain the adverse report of the Civil Service Commission with respect to this particular provision. The report of the Commission is dated April 23, 1959. Certainly, it should have been made a part of the report so that the Senate would have had the full picture. While it does little good to now lock the barn door, I ask unanimous consent that the report of the Commission be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. JOHNSTON of South Carolina. Mr. President, I notice in one paragraph the statement is made:

> The Commission endorses the basic purposes of the bill, but objects to the provisions which would permit employees of these organizations to continue under the Civil Service Retirement Act.

Mr. President, my purpose in making these comments at this time is simply to establish for the record that the action taken in respect in this bill will in no wise establish a precedent for the future, when there is a transfer of employees from the Federal Government to private industry or from the Federal Government to State governments.

I think the financial integrity of the civil service retirement system must be protected, and this can be done only if coverage thereunder is limited strictly and without exception to bona fide Federal service.

Mr. President, I am not objecting, but I want to make sure this will not be considered a precedent. We have to be sure of what we do, for the protection of the civil service retirement fund.

EXHIBIT 1

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., April 23, 1959.

Senator ALLEN J. ELLENDER,
Chairman, Senate Agriculture and Forestry Committee, U.S. Senate, Washington, D.C.

DEAR SENATOR ELLENDER: At the request of a member of your committee's staff, we are submitting herewith the views of the Civil Service Commission on S. 1513, a bill "to clarify the status of the Federal land banks, the Federal intermediate credit banks, and the banks for cooperatives and their officers and employees with respect to certain laws applicable generally to the United States and its officers and employees, and for other purposes."

The principal purpose of the draft bill is to provide that officers and employees of the lending institutions under the supervision of the Farm Credit Administration shall no longer be considered as Federal employees for all personnel purposes other than retirement. With respect to retirement, the bill provides: (1) those officers or employees subject to the Civil Service Retirement Act on December 31, 1959, would retain such coverage as long as they remained in bank employment without break in service; (2) persons having civil service retirement coverage in other employment on December 31, 1959, and subsequently appointed to bank positions without a break in service would remain under the Retirement Act; (3) persons who were once subject to the Retirement Act as bank employees could, after a break in service and upon later appointment to bank positions, elect to secure retirement coverage; and (4) officers and employees not having retirement coverage on December 31, 1959, and those appointed after that date, would not acquire such coverage.

The Commission endorses the basic purposes of the bill, but objects to the provisions which would permit employees of these organizations to continue under the Civil Service Retirement Act.

Because we concur with the position that employees of these institutions are to be considered as non-Government employees, we cannot agree with the proposal that some of them continue to be covered by the Civil Service Retirement Act. The Civil Service Retirement Act establishes a staff retirement system as part of the personnel program of the United States. The system is designed solely for the retirement of Federal and District of Columbia employees. It is intended to provide benefits as an award for faithful service to the Government. All of its obligations and all of its benefits stem directly from the employer-employee relationship which exists between the United States and the employee. Annuity benefits are given only for periods of service in this employer-employee relationship.

To depart from this concept would necessitate the substitution of some other criterion as to when the United States should be obligated to provide retirement coverage and benefits for periods of non-Federal employment. We do not believe any line could be drawn which would in fairness distinguish between different groups of non-Federal employees.

We do not believe that our position in this matter would be unfair to the employees of these institutions. The Retirement Act vests in an employee with at least 5 years' civilian employment a right to an annuity beginning at age 62, thus fulfilling any reasonable obligation the Government might have to provide retirement benefits to an individual who spends only a part of his working career in the Federal service. Employees with 30 years of service who attain the age of 55 could receive immediate annuities under the act. Furthermore, since separation from the Federal service (resulting from passage of S. 1513) would be involuntary, employees who had served 25 years or who had reached age 50 and completed 20 years of service would be eligible for immediate annuity. These annuities would be payable regardless of whether the individual later becomes entitled to social security benefits and benefits under the bank's retirement system.

If the banks desire to guarantee that a possible loss does not occur, their retirement plans could incorporate a provision whereby the benefit, when combined with social security and civil service retirement benefits, could not be less than what would have been payable to the employee had he remained under the Civil Service Retirement Act.

The Bureau of the Budget advises that although it has no objection to the submission of this report to your committee, the Bureau cleared for transmittal to Congress the Farm Credit Administration's draft bill which has been introduced as S. 1513 and which provides for Retirement Act coverage for these employees after their Federal status is terminated.

By direction of the Commission.

Sincerely yours,

———,
Chairman.

Mr. HOLLAND. Mr. President, I fully recognize the importance of the matter, and the accuracy of the statement made by the distinguished Senator from South Carolina.

Mr. President, I should like to have printed in the RECORD at this point in my remarks the letter to which I referred to in my earlier remarks, from Earl H. Brockman, Chairman of the Federal Farm Credit Board, requesting acceptance of the House amendment.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FARM CREDIT ADMINISTRATION,
Washington, D.C., August 3, 1959.

Hon. SPESSARD L. HOLLAND,
Chairman, Subcommittee on Agricultural Credit and Rural Electrification, Committee on Agriculture and Forestry, U.S. Senate.

DEAR SENATOR HOLLAND: The House of Representatives today passed, with an amendment, the farm credit bill (S. 1512) which the Senate passed on July 16. The amendment, offered by Congressman MURRAY, chairman of the Post Office and Civil Service Committee, would require the farm credit banks to contribute to the civil service retirement and disability fund an additional amount estimated at one-half of 1 percent of payroll for the approximately 1,500 employees who will remain under the civil service retirement system under the terms of the bill. The banks now contribute 6½ percent of payroll to that fund, a percentage which is matched by the employees of the banks. Therefore, in the future, the banks would contribute to the fund a sum equal to some 7 percent of payroll which, together with the 6½ percent paid by the employees, would cover the normal cost of the fund for the future for all of the bank employees affected.

The Federal Farm Credit Board, at its meeting today, voted to recommend Senate approval of the Murray amendment adopted by the House and respectfully requests your assistance in obtaining Senate concurrence in this amendment as soon as possible. There is enclosed a copy of the amendment, together with an explanation thereof, which was sent to us by members of the staff of the House Post Office and Civil Service Committee.

Except as explained above, the bill as passed by the House is identical in substance to the bill passed by the Senate on July 16.

On behalf of the Board, I wish to express to you our sincere appreciation of your efforts in the passage of this legislation and your continued interest in the farm credit system.

Very truly yours,

EARL H. BROCKMAN,
Chairman, Federal Farm Credit Board.

Mr. HOLLAND. Mr. President, I also ask unanimous consent to have printed in the RECORD the memorandum from Harker T. Stanton, counsel for the Senate Committee on Agriculture and Forestry, reporting on the substance and meaning of the amendment.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM FOR SENATOR HOLLAND

Except for the amendment proposed by Congressman MURRAY and accepted by the House, the House amendment to S. 1512 is identical in substance to the bill as passed by the Senate.

The Murray amendment requires the 37 farm credit banks in the future to pay into the civil service retirement fund with respect to those employees retained under civil service retirement the amount by which the total normal cost for retirement coverage for these employees exceeds the amount contributed by the employees, while the Senate bill requires the banks to pay an amount equal to that paid by the employees (that being the amount required by sec. 4(a) of the Civil Service Retirement Act to be paid out of agency funds). On the basis of present normal costs the banks would, under this amendment, pay an estimated 7 percent of payroll instead of 6½ percent.

Under both the Senate bill and the House amendment the banks, in addition, would pay their fair share of the estimated cost of administration of the fund.

There are a number of minor technical differences between the Senate bill and the House amendment, none of which appear to be significant.

Respectfully,

HARKER T. STANTON,
Counsel, Senate Committee on Agriculture and Forestry.

AUGUST 4, 1959.

Mr. HOLLAND. Mr. President, I earlier asked unanimous consent to have printed in the RECORD a copy of the amendment. For the situation presented it is not easy to find a completely satisfactory answer. We are considering some 1,500 to 1,600 employees, some of whom are on the verge of retirement and some of whom have been in employment for many years, though some have been employed only a short while. We cut off all that group from later employees, and we provide for their equities in the civil service retirement program to be continued, but it seems to me we do so on the soundest basis from the Government standpoint that would be possible; that is, by specifically requiring, under the House amendment, that whatever is the cost it must be met by increased payments by the employers, payments greater than those which the Government is making, and also that the fair part of the administrative cost shall be paid, in addition.

Except for that kind of handling, Mr. President, a grave injustice could be done one way or another.

First, there is a possible injustice to the employees themselves.

Second, if the employees should elect to leave these concerns and go to other Government agencies, a hardship would be sustained by the employers, who would be deprived of their long time and experienced employees.

Third, I wish to point out that there will probably be no other program exactly like this, because these companies, which are not new at all, are simply being gradually taken away from their former Federal links financially, in that the companies are reducing and retiring their obligations to the Federal Government. The Federal land banks have completely retired their obligations and are completely grower- and user-owned. The other institutions are partly so, and the Federal Government still has a substantial interest in them, and still has, through the Directors of the Farm Credit Administration, very sizable jurisdiction over them. As a matter of fact, the Federal Government has some jurisdiction and always will have some jurisdiction over the Federal land banks and over their associations, so it cannot be really said these groups are completely being divorced from the Government as, for instance, a contractor would be, or a private business would be, or a lawyer going out into practice from former employment in the Government would be, because there will always be this link with the Government. This is recognized by the fact that the President appoints 12 of the 13 Directors, and the Secretary of Agriculture appoints the other one. It is also recognized by the fact that considerable regulatory power is continued under the permanent legislation on the part of the directors of the Farm Credit Administration over all of the unit institutions.

I do not know of any more fair solution of this matter than that which has been worked out by the House of Representatives. I am very frank to say I think it is a more fair solution for the matter than the one which was offered in the Senate bill we originally passed. I am glad the amendment has been adopted, and I am more than happy to support its acceptance by the Senate.

Mr. CARLSON rose.

Mr. HOLLAND. Mr. President, if I may, I should now like to yield to the ranking minority member of the Committee on Post Office and Civil Service, the Senator from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. President, I wish to thank the distinguished chairman of the committee handling this proposed legislation. I support the motion to concur in the amendment, but I do so with some reservations.

I think the record ought to be made absolutely clear, and the distinguished chairman of the Committee on Post Office and Civil Service has already done so. While this might be considered to be a precedent, we must not let it become a precedent for future legislation. There is no question about it being a new phase of taking care of our employees.

I think it might be well for the RECORD to give a little history in regard to this particular legislation and in regard to the retirement of these employees.

In 1942 the Retirement Act was amended to cover all employees in the excepted civil service. The farm credit district employees were but a small segment of that large group.

Sometime prior to that, farm credit banks had engaged an actuarial consultant at a cost of $5,000 to develop a private retirement program for their employees. The program developed was an excellent one with benefits substantially equal to those of the Retirement Act at that time. The plan provided that the total cost of prior service of employees would be funded, either immediately or on an installment basis.

The districts were on the verge of installing the program when the 1942 amendment to the Retirement Act was reported in both Houses of Congress.

In other words, the districts had made plans originally to take care of their employees, but then the Retirement Act was passed, and those employees were included under the Retirement Act of 1942.

Since the Civil Service Commission would have authority to administer the amended act, farm credit attorneys questioned the Commission on the effect the amendment would have on district employees if it became law. The Commission replied that the amendment would apply to the wholly Government-owned banks and corporations, but not to the others. The Commission also advised that there was no choice in the matter and that retirement deductions were mandatory. This decision did two things. First, it split the organization in each district as far as retirement benefits were concerned, providing coverage under the act to the employees of the Federal intermediate credit banks and the production credit corporations and denying this coverage to employees of the Federal land banks and the banks for cooperatives. Secondly, it made it impossible to proceed with the proposed private retirement program.

About a year later, the Farm Credit Administration pointed out the administrative difficulties arising from split coverage of district employees. The Civil Service Commission then extended the benefits of the Retirement Act to employees of the Federal land banks and the banks for cooperatives, ruling that deductions for these employees would have to be made retroactively to date of the amendment.

Thus the record clearly shows that present civil service retirement coverage of farm credit bank employees was not at its inception attributable to any voluntary action on the part of the farm credit system, and that in fact the employees were blanketed under the Retirement Act at the very time a private retirement program was to be instituted in their behalf. Under these circumstances, it would be particularly unfair to change their retirement program in any way other than that proposed in the bill.

I wish that statement to be in the RECORD as a part of the history. We are confronted with a difficult situation today. Here was a Government agency which offered to set up its own retirement program. When these employees were blanketed in, the Civil Service Commission extended coverage to two additional agencies which had not been included; so all four of them were included. For that reason. I think it would be most unfair to those employees if we did not concur in the amendment of the House.

The distinguished chairman of the Committee on Post Office and Civil Service, Mr. JOHNSTON of South Carolina, placed in the RECORD—and I am glad he did—a letter from the Civil Service Commission, written to the chairman of the House Civil Service Committee, Mr.

MURRAY, opposing this provision. Therefore, I think it is important that the RECORD show that while I approve the House amendment, which I hope will be concurred in, it does not set a precedent for the future transfer of agencies from the Federal Government.

Mr. HOLLAND. Mr. President, I express my appreciation to the Senator from South Carolina and the Senator from Kansas for their understanding attitude. I believe they would agree that no exactly comparable situation is likely to arise in the future. So we cannot create much of a precedent, because of the continuing relationship between the Federal Government and the entire Farm Credit Administration, and because of the past history, which has been so fully described by both Senators, who are interested in this subject.

Mr. WILLIAMS of Delaware rose.

Mr. HOLLAND. I shall be glad to yield in a few minutes to the Senator from Delaware, who is concerned about this situation.

First, I should have said earlier that it is now estimated that it will cost these 37 institutions $48,000 in the first year, by reason of the excess of the actual going cost over the 6½ percent required of the Government as a contribution under the civil service law, which will mean that this part of the whole system will certainly be solvent. That amount may be increased in later years. That possibility is fully within the knowledge of the 37 companies concerned, and of the Farm Credit Administration itself. They accept that responsibility.

I am sure that it will not do the Senate any harm to realize that the civil service retirement program, which is a very important part of the Government program relating to its many employees, is not as soundly financed as it should be, in its average application. As one Senator, I assure my distinguished friends on the Post Office and Civil Service Committee that I shall be glad to support them and their committee in an effort to make the civil service program sounder in its general application.

I now yield to the Senator from Delaware [Mr. WILLIAMS], or I shall be glad to yield the floor, as the Senator may wish.

Mr. WILLIAMS of Delaware. Mr. President, I desire to be recognized in my own time.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. WILLIAMS of Delaware. Mr. President, I point out that should we adopt this amendment we shall be establishing an entirely new precedent. I agree with the Senator from Kansas that we may not want to do that, but we cannot escape the fact that when this provision becomes law we shall have established a precedent under which employees of a privately owned company will be allowed to continue to qualify for civil service retirement benefits—a retirement system which was established solely for the benefit of employees of the U.S. Government. I do not think we can escape that fact. I am sure the Senator from Florida will agree that that is exactly what we are doing.

I now yield to the Senator from Florida, to see if there is any disagreement on that point.

Mr. HOLLAND. Mr. President, I certainly agree that these employees, by other provisions of the bill, are being designated as not under the Civil Service Commission, in that various acts, such as the Hatch Act and numerous others listed in our report, including a blanketing of other acts under general terminology, applying to civil service employees, are made inapplicable to them.

This is a part of the general effort to make these institutions as nearly grower- and user-owned and managed as possible. But we have the problem of doing equity to this limited group of employees now in the firms. All the others will be under the private retirement plan. We have the problem of protecting these firms against employees leaving wholesale in order to keep themselves under civil service, as they would have the right to do, of course, by going to some other governmental agency.

The two Senators who have commented on the subject have brought into the picture another real equity, in that these employees were apparently blanketed into the civil service, which fact was not known to the Senator from Florida until just now, notwithstanding the fact that the institutions, foreseeing what would happen in the future, preferred to set up a retirement program of their own, and were engaged in so doing when their employees were all blanketed into the civil service.

I now yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I thought I had the floor.

The PRESIDING OFFICER. The Senator from Delaware has the floor.

Mr. WILLIAMS of Delaware. Mr. President, I get back to my original statement. We cannot escape the fact that we are establishing a precedent. These companies were formerly agencies of the U.S. Government, owned by the U.S. Government, and operated as such. Therefore, the employees were properly classified as employees of the Government. The agencies, however, have been sold. The arrangements have already been made even though they may not be entirely paid for.

These agencies were sold, just as we sold the rubber plant, and just as we sold the inland waterways years ago. They were formerly owned by the Government. In those instances when we sold the property belonging to the Government, the employees working for the particular agency became employees of the private company which bought the property, just as these employees will be employees of this particular company. If they built up a retirement credit under the civil service retirement fund, they can retain it. That protection is afforded all Government employees who leave Government service. But these employees are no longer working for the U.S. Government. They will no longer be subject to such restrictions as are provided in the Hatch Act, and so forth. They are not employees of the U.S. Government; yet we are conferring upon the private company to which we have sold these establishments the authority to continue some of their employees as though they were Government employees so far as retirement benefits are concerned. This would be the first time in the history of the country that such a thing has been done.

It is a bad precedent and will prove very costly to the Government should it be adopted.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CASE of South Dakota. If it is the first time, it clearly establishes a precedent. However, it occurs to me that in enacting much legislation we have recognized a principle of equity which has come to be described as "grandfather rights." The other day I heard a discussion of the veterans' benefits bill which has been proposed by the administration, I believe. It was pointed out in that connection that while it would change some things in the future, it would not disturb awards which had been made theretofore. Those who had received awards on some particular basis would be entitled to continue to receive the benefits.

We have recognized the so-called grandfather rights in connection with other forms of governmental activity. We do so in connection with the licensing of air lines, and in granting licenses to common carriers. In that respect, we would not be establishing an entirely new principle.

Mr. WILLIAMS of Delaware. The Senator from South Dakota is in error, because no matter what action we take, the rights of every one of these former employees of the Government are protected; they are in no way reduced. They are already taken care of under the law. For instance, if they have 15 years of credit under the civil-service retirement system, they can maintain full credit. No one is proposing to take any of it away. The Senator from South Dakota and I, as well as other employees of the Government today are building up retirement benefits. When we reach retirement age and have retired, we will be eligible for benefits based upon our period of service and our contribution to the fund. But when we leave the Government for private employment, we cannot continue to build up credit as if we were employed by the Government of the United States.

This bill gives to these private employers the right to make contractual arrangements with the Civil Service Commission to continue retirement benefits for their employees. Why?

For example, suppose one of these employees has already built up 25 years of credit as an employee of the U.S. Government. The retirement benefits are

based on the highest 5-year average salary, and suppose his average salary was $5,000 a year. Now, that employee gets employment for 5 years in this private company, and suppose he gets an increase to a $10,000 salary. If he works 5 years at that salary with this private company, he can double his retirement benefits. The Government cost would be doubled if this bill passes.

This may be an extreme example, but it could happen. The retirement credits earned while an employee of the U.S. Government would be doubled in this case.

What is proposed here today is something which has never been done before. If we are not careful, we will break down the whole principle of the retirement system for employees of the U.S. Government. To my knowledge this is the first time it has ever been proposed that the Government extend the benefits of the civil service retirement system to employees other than those of agencies of the U.S. Government.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CARLSON. I would not in any way wish to challenge the statement made by the Senator from Delaware. I think he has made an accurate statement. But I desire the RECORD to show very definitely that this proposal applies only to employees who are now under the civil service program.

Mr. WILLIAMS of Delaware. That is correct.

Mr. CARLSON. From now on, the Farm Credit Administration must set up its own retirement program. So the proposal affects only employees who have been on the rolls and who were blanketed in in 1942.

Mr. WILLIAMS of Delaware. That is correct. But my position is that the Farm Credit Administration and other properties which have been sold by the Government and are now private organizations should establish their own retirement systems for the benefit of their employees. Then when those employees reach retirement age, they can claim retirement credit for the amount which they built up as employees of the U.S. Government plus any retirement credits they have built up in the private company.

The question we must decide today is, Shall we extend the right to retirement benefits to employees of establishments and businesses which were once owned by the U.S. Government but which have been sold to private companies? I should like to see the Government get out of those businesses.

Should we allow the employees of those companies and agencies to continue to be classified for retirement purposes as employees of the U.S. Government?

The Government during and after the war owned rubber plants. Naturally, those employees were working for agencies or plants owned by the U.S. Government. In the sale of such plants, should we continue to consider their employees as employees of the U.S. Government?

The Government owns the Alaska Railroad. No one advocates the Government ownership of railroads, but the Government must operate it because a buyer cannot be secured. But certainly if the time comes when it is possible for the Government to dispose of the Alaska Railroad should we allow the employees of that railroad to continue to be employees of the U.S. Government for retirement benefit purposes?

The question is not only, What shall we do about this situation? But, How shall we consider the employees of the numerous business establishments which were once owned and later sold by the Government? How shall we treat those employees who are no longer employees of the U.S. Government?

Mr. CASE of South Dakota. Does the Senator from Delaware regard the transfer of the ownership of the Farm Credit Administration as desirable?

Mr. WILLIAMS of Delaware. Yes; I questioned at the time the manner in which it was to be transferred. I did not think the Government was properly compensated for it, but that is a matter of opinion. That question has been decided by Congress in legislation previously enacted.

Mr. CASE of South Dakota. Does the Senator from Delaware think it was a desirable objective to have the Government get out of that business?

Mr. WILLIAMS of Delaware. Yes, I do, but I want the buyer to accept his responsibilities.

Mr. CASE of South Dakota. Does the Senator think the provision here proposed to recognize the continuing rights of the older employees facilitated the disposition of the Farm Credit Administration?

Mr. WILLIAMS of Delaware. I do not think it affected it at all.

Mr. CASE of South Dakota. I rather think it did. I think the attitude of some of the employees has been more friendly to the liquidation of the business by the Government since they felt that the security which was accorded them in their positions will not be jeopardized.

Mr. WILLIAMS of Delaware. That thought might have been in the minds of one or two employees, but I do not think it would have influenced the sale of these properties one single iota.

These properties during the course of their operation had built up several million dollars in surplus. I know that one agency had built up a $180 million equity for the U.S. Government. When it was sold the Government gave away its rights to this surplus. I opposed this as a giveaway at the time. Whether the properties were sold too cheap or too high is a matter which has been decided by Congress. It is not in issue here.

The question now before us is, shall we allow an agency or a company which was once Government-owned and which has been sold by an act of Congress to permit its former employees to continue to secure benefits under the Civil Service Retirement Act, while working for this new privately owned company?

As the Senator from Kansas has pointed out, the bill affects only the employees having service prior to the sale. It is proposed to allow them to continue to build up retirement credits under the civil service retirement system, a system which has heretofore been operated exclusively for the benefit of employees of the U.S. Government.

I do not think this is so much a question of the amount of money involved as it is a matter of principle and of what its effect will be on the retirement system tomorrow and in the days to come.

I am one who does not think the Government should socialize our economy. Are we to place the Government in the position where it cannot sell a business to private enterprise unless it continues the employees under the civil service retirement system?

Perhaps it was necessary for us to start the synthetic rubber plants and some of the other businesses in which the Government engaged during and after the war, but later I think it was proper that they be sold to private enterprise. If every time we sell such a business we are going to raise a question as to whether its employees should be continued on the civil service retirement rolls, we had better ask ourselves how far we are going. Shall we extend the principle to all other businesses and plants which the Government may hereafter sell?

I hope this is only the beginning of an effort by the U.S. Government to get out of businesses which should properly be privately operated. A moment ago I specifically mentioned the railroad in Alaska. I look forward to the day when the Government can dispose of that railroad as well as of many other businesses. But when the time comes to dispose of them, shall we say that those employees must be retained under the civil service retirement system and will be recognized as employees of the Government for retirement purposes?

I shall vote against this proposal.

Mr. JOHNSTON of South Carolina. Mr. President, there are two or three reasons why I agree to this proposal instead of object to it. It will be noted that the number of employees affected is between 1,500 and 1,600. That is all the bill amounts to.

Some of these persons have been in the Government service a long time and are probably within 1 year of their retirement. I doubt whether, from the standpoint of equity, it is right for the Government to change their status and the agreements with them, and to block them out when they are so close to the retirement stage at this time. That is one reason.

Another reason is that the proposal cannot in any way jeopardize or make the retirement fund any more insolvent than it is at present. In a way, the bill says to the Civil Service Commission, "We need to pay more funds, and we will pay more funds." We do not say that to the employees. That is another reason why we should agree to the measure.

This is not a situation which is like some other ones. Sixty percent of the

civil service workers in the United States at present have been blanketed into the civil service, and have been given credit without 1 cent being paid by the Government or by the employee. They are men and women who were in the military service during the war. Such things will, I believe, call for some attention.

But the enactment of this bill will not make the retirement fund insolvent; instead, it will make the fund more solvent than ever.

Mr. HOLLAND. I thank the Senator from South Carolina, and I thank the Senator from Delaware.

In view of the caution the Senator has expressed I believe it very appropriate to remind him that in various respects the enactment of this bill would not establish a precedent which would operate in the case of the sale of a business and the outright severance of any connection with it.

We shall always have the Farm Credit Board, with 12 members appointed by the President and one member appointed by the Secretary of Agriculture; and up to the time when these institutions are fully paid out, we shall have a very special control. For instance, in the case of the Farm Credit Administration, a certain number of directors of institutions down the line are named by the Farm Credit Administration, as the Senator knows, so long as there is a continuing obligation to the U.S. Government; and other powers and other supervisory privileges and requirements exist in the case of the Federal agencies until the debts to the United States are finally paid off.

I remind my distinguished friend that only in the case of the land banks—but not in the case of either the regional banks for cooperatives or the Central Bank for Cooperatives, or the intermediate credit banks—have the obligations been paid off.

So there will be, for many years—and my present estimate is for 20 years or more, in the case of some of these institutions—special supervisory powers by the Federal Government, resulting from the fact that Federal funds are still invested in these institutions.

Therefore, Mr. President, I do not regard this measure as establishing a precedent in any sense. I am perfectly willing to join the Senator from Delaware in expressing very strongly the belief that we should not permit the enactment of this measure to be regarded as establishing a precedent, because this action is being taken, not at the request of the employees, but in the carrying out of a policy, adopted here in Congress—a policy which those employees could not have affected, either one way or the other—which will provide an opportunity for private enterprise to return again and to take the Government out of too important a place in connection with the management of these agricultural credit institutions.

I hope the Senate will concur. I believe this is the fairest arrangement that could be worked out.

I have already stated that I think the House amendment is preferable to the Senate bill, which was reported in the best of faith by the Senator from Delaware, myself, and the other Members. But I believe we overlooked one point—although not a big one—which has been taken care of by means of the House amendment; and I am always glad to admit error when I find we have committed it. That is why I ask the Senate to concur in the House amendment.

Mr. President, I call for a vote on the question.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may yield temporarily to the Senator from Arizona [Mr. GOLDWATER], without losing the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. I thank my distinguished friend.

Mr. FULBRIGHT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arkansas will state it.

Mr. FULBRIGHT. Is the Senate still proceeding in the morning hour?

The PRESIDING OFFICER. Yes.

Is there further morning business? If not, morning business is concluded.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. JAVITS. Have I been recognized?

The PRESIDING OFFICER. The Senator from New York has been recognized.

Mr. JAVITS. I ask unanimous consent that at this time I may yield temporarily to the Senator from Arizona [Mr. GOLDWATER], and then to the Senator from Arkansas [Mr. FULBRIGHT], and thereafter to any other Senators who may seek recognition for the submission of morning business.

The PRESIDING OFFICER. Is there objection? The Chair hears none. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, at this time I yield to the Senator from Arizona.

WHO WILL REPLY TO PRESIDENT EISENHOWER'S BROADCAST ON THE LABOR BILL?

Mr. GOLDWATER. Mr. President, as my colleagues know, this evening the President of the United States will address the American people, on the television and the radio, and will urge them to support the efforts of the Members of the House of Representatives who want a really effective labor reform bill passed and enacted into law this year.

It has been suggested in the House of Representatives, by no less than my distinguished colleague, Representative UDALL, that Representative RAYBURN answer the President.

It has been suggested in this body by the Senator from Montana [Mr. MANSFIELD] that the Senator from Massachusetts [Mr. KENNEDY] answer the President.

Mr. President, if someone has to answer the President, I wish to suggest who should answer him. On yesterday I suggested that the distinguished Senator from Arkansas [Mr. MCCLELLAN] answer the President because I think the Senator from Arkansas knows more about this matter than does any other Member of the Senate. I stated that if it is decided that someone should answer the President, the Senator from Arkansas should be the one to answer him.

However, at this time I should like to suggest someone whom the Senator from Massachusetts [Mr. KENNEDY] must agree should be the one to answer the President, if an answer is to be made. I suggest George Meany and his lawyers.

In that connection, I read a portion of a speech which the distinguished Senator from Massachusetts [Mr. KENNEDY] delivered not long ago in Oregon before the State of Oregon AFL–CIO:

> Certainly I share their regret that the reasonable, fair, and responsible bill reported by the Senate Labor Committee, and worked out carefully with President Meany and his lawyers, and supported by the executive council, was altered undesirably and unfortunately altered on the floor of a supposedly friendly Senate.

So, Mr. President, finally we have, from the supposed architect of that supposed great bill, the admission that George Meany and his lawyers and the executive council of the AFL–CIO had a great deal to do with the writing of that bill.

Therefore, I suggest that Mr. Meany and his lawyers be asked to reply to the President, if we think the President should be replied to—although I do not think he should be. However, I have that offer to make.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, will the Senator from New York yield to me?

Mr. JAVITS. I yield.

Mr. JOHNSON of Texas. I ask unanimous consent that the Senator from New York may yield, for the purpose of calling up, by unanimous consent, the conference report on the Atomic Energy Commission appropriation bill for 1960, with the understanding that when action on the conference report is concluded, the Senator from New York will hold the floor.

Mr. JAVITS. I thank the Senator from Texas.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, at this time I yield to the Senator from Arizona.

ATOMIC ENERGY COMMISSION APPROPRIATION BILL, 1960—CONFERENCE REPORT

Mr. HAYDEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8283) making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1960, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today, p. 15303, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HAYDEN. Mr. President, at this time I ask the Senator from Alabama to restate the policy of the Senate in regard to the procurement of aluminum from the stockpile inventories.

Mr. HILL. Mr. President, the Appropriations Committee made its position on this matter very definite and clear in its report on the bill to the Senate.

In the report, the Senate Committee on Appropriations made the following statement:

> While in accord with the purpose of the House committee language, insofar as it reflects a desire on the part of the House to stimulate efforts to liquidate Government-owned holdings of metals and similar materials, the committee cannot concur in the House recommendation.

Then the Appropriations Committee proceeded to set forth its reason why it cannot and could not concur in the House recommendation.

I ask unanimous consent that a portion of the report on that point be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> PROCUREMENT OF MATERIALS FROM STOCKPILE INVENTORIES
>
> The committee expresses concern over the various plans thus far advanced toward orderly liquidation of the strategic and similar stockpiles of critical materials, including the Defense Production Act inventory. In this regard, the committee notes that the House committee has directed in its report that procedures be established whereby fiscal year 1960 aluminum requirements for the Atomic Energy Commission would be furnished from the Defense Production Act inventory rather than being procured from industry.
>
> While in accord with the purpose of the House committee language, insofar as it reflects a desire on the part of the House to stimulate efforts to liquidate Government-owned holdings of metals and similar materials, the committee cannot concur in the House recommendation.
>
> As an indication of the complexities encountered in this area, the general manager of the Atomic Energy Commission has pointed out that the Defense Production Act inventory of aluminum is in fairly basic form, i.e., pigs, ingots, or their equivalent, while "Atomic Energy Commission requirements for materials in this particular form are relatively minor, the bulk of (our) needs being for finished, fabricated, or semifabricated shapes."
>
> The committee fears that any piecemeal approach toward the liquidation of stockpile and Defense Production Act inventory acquisitions could adversely affect domestic and world metals markets, and perhaps the national defense.
>
> Testimony before congressional committees by officials of the executive branch indicates that substantive legislation concerning the problems of Defense Production Act inventory disposals, along with liquidation of critical and related stockpile holdings, is presently under consideration by the executive branch. Consequently, the committee feels that the Atomic Energy Commission should take no action relative to the utilization of Government-owned aluminum until Congress has had an opportunity to consider this legislation.
>
> The committee expects the executive branch to submit legislation to accomplish these purposes to the Congress as soon as practicable.

Mr. HILL. I may say that the position of the Senate Committee on Appropriations is today exactly as it was at the time it filed the report and made the statement which I have just had included in the RECORD. We cannot and we do not concur in the House recommendation.

Mr. McCLELLAN. Mr. President, I should like to ask the Senator whether the conference report provides for stockpiling of manganese.

Mr. HILL. The question did not arise in connection with this bill.

Mr. McCLELLAN. I may be mistaken as to whether the item is in the bill now before the Senate, but there was a discussion about aluminum and bauxite.

Mr. HILL. We discussed aluminum.

Mr. McCLELLAN. The item could be in another bill.

Mr. HILL. It is in the supplemental bill, and not in this bill.

Mr. McCLELLAN. Very well. I shall interrogate the Senator about it at the appropriate time.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have included in the RECORD a brief address on behalf of the chairman of the Joint Committee on Atomic Energy, the Senator from New Mexico [Mr. ANDERSON].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. JOHNSON of Texas. This statement is submitted on behalf of the Senator from New Mexico [Mr. ANDERSON]:

> As one of the conferees on H.R. 8283, the AEC appropriations bill, I must say that I am disappointed in some of the cuts that have been made in the requested AEC budget for fiscal year 1960. In conference, it was necessary to make some concessions to the House conferees which had passed a lower figure than the Senate, but I believe that more concessions and cuts were made than advisable for our important program to develop new uses for the atom.
>
> For example, the physical research program was cut $5,280,000 below the AEC request, which was already lower than the amount recommended by the AEC's General Advisory Committee and the Joint Committee on Atomic Energy. The cut was aimed at the important work done under contract by the AEC with various universities. Also, the $1,300,000 cut in training, education, and information might adversely effect the program to train additional nuclear scientists and engineers. I hope that the Commission will be able to make savings in other portions of its budget in order to transfer funds to the Physical Research and Educational programs. During the hearings, AEC Chairman John McCone described the physical research program as "the very foundation and the hard core of our whole atomic program."
>
> In summary, I was disappointed at certain of the cuts. I do not wish to oppose the conference report, but I hope that the Commission will be able to make savings in other portions of its budget so that the Physical Research and Training and Education programs will not suffer.

Mr. HAYDEN. Mr. President, I move the adoption of the conference report, which is below the budget estimate by $35,686,000.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. HAYDEN. Mr. President, I ask unanimous consent to have printed in the RECORD a table comparing estimates with the appropriations made by the bill.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

H.R. 8283, Atomic Energy Commission appropriation bill, 1960 comparison of estimates with action taken on the bill

Item	Appropriations, 1959	Budget estimate, 1960	House bill	Senate bill	Conference agreement
ATOMIC ENERGY COMMISSION					
Operating expenses	$2,397,406,000	[1] $2,417,300,000	[1] $2,374,114,000	[1] $2,410,414,000	[1] $2,389,114,000
Plant acquisition and construction	249,929,000	[2] 270,000,000	[2] 255,000,000	[2] 270,000,000	[2] 262,500,000
Total, direct appropriations	2,647,335,000	2,687,300,000	2,629,114,000	2,680,414,000	2,651,614,000
Add: Indefinite appropriations of receipts	28,720,000	31,415,000	31,415,000	31,415,000	31,415,000
Total available	2,676,055,000	2,718,715,000	2,660,529,000	2,711,829,000	2,683,029,000

[1] In addition, reappropriation of $133,100,000 available.

[2] In addition, prior year unobligated balance of $152,216,000 available.

Distribution of amounts for operating expenses

Program	Appropriation, 1959	Budget estimate, 1960	House allowance	Senate bill	Conference agreement
Raw materials	$702,100,000	$738,600,000	$738,000,000	$738,000,000	$738,000,000
Special nuclear materials	545,000,000	568,000,000	563,000,000	565,000,000	563,000,000
Weapons program	480,000,000	495,000,000	495,000,000	495,000,000	495,000,000
Reactor development	342,000,000	407,400,000	397,400,000	407,400,000	402,400,000
Physical research	119,000,000	153,280,000	143,000,000	151,000,000	148,000,000
Biology and medicine	43,242,000	49,000,000	49,000,000	49,000,000	49,000,000
Training, education, and information	13,700,000	14,800,000	13,500,000	13,700,000	13,500,000
Civilian applications of isotopes and nuclear explosives	5,700,000	14,100,000	9,000,000	14,100,000	12,000,000
Community	16,792,000	15,666,000	15,666,000	15,666,000	15,666,000
Program direction and administration	49,803,000	52,000,000	52,000,000	52,000,000	52,000,000
Security investigation	7,506,000	7,390,000	7,390,000	7,390,000	7,390,000
Other costs	6,585,000	5,673,000	5,673,000	5,673,000	5,673,000
Selected resources	36,408,950	60,906,000	50,000,000	59,000,000	50,000,000
Less revenues applied	−28,720,000	−31,415,000	−31,415,000	−31,415,000	−31,415,000
Total obligations	2,339,116,950	2,550,400,000	2,507,214,000	2,541,514,000	2,520,214,000
Adjustment for unobligated balances	+58,289,050	−133,100,000	−133,100,000	−133,100,000	−133,100,000
AEC appropriation required	2,397,406,000	2,417,300,000	2,374,114,000	2,408,414,000	2,387,114,000
Added by Senate for transfer to National Science Foundation				2,000,000	2,000,000
Total amount in Senate bill				2,410,414,000	2,389,114,000

APPROPRIATION FOR NATIONAL FORESTS PROGRAM

Mr. FULBRIGHT. Mr. President, the Senate by approving an appropriation of $22 million in the supplemental appropriation bill to implement the program for the national forests, has taken a far-reaching step toward preserving our Nation's natural resources. I congratulate the chairman and the members of the Appropriations Committee for including these funds in the bill. The committee deserves for its action a vote of thanks from conservationists throughout the country.

The forest resources of our Nation have been neglected too long. The Forest Service has always been prevented, by lack of funds, from carrying out needed projects to improve the resources and the utilization of our national forests. We in Arkansas are acutely aware of the importance of our national forests, since the Ouachita and Ozark National Forests lie almost wholly within the State. We are familiar with the economic benefit derived from forestry research work. We also appreciate the many recreational opportunities afforded in our forests. The program for the national forests, announced earlier this year, was welcomed by all of us who are interested in obtaining maximum benefits from our forestry resources. Regardless of whether any of the money from the recent appropriations will be spent in Arkansas forests, the State will ultimately benefit through the knowledge gained from other areas.

Since I have been in the Congress I have stressed the need for more emphasis on our forestry programs, and forestry research in particular. I have always looked upon expenditures for these purposes as an investment in the Nation's future. Experience has shown that funds expended for forestry research ultimately are repaid to the Government many times over through stimulation of the lumber industry. There has been much discussion in recent years about the increase in the demand for wood products. Many of us have pointed out the urgency of the problem and the need for research to bring about improvements in the Nation's timber inventory. The two forestry research stations in my State, located at Harrison and Crossett, have uncovered many promising leads which could, if developed, greatly improve the outlook for timber production in our region. Many of these leads have not been pursued because of lack of funds. For example, I have been told that each of the stations could have effectively utilized at least $50 thousand this year in addition to the amount allocated under the President's budget request. I am, of course, hopeful that some of the money included in the supplemental bill will be allocated to these stations to expand their activities.

A short time ago, I pointed out to Members of the Senate the need for a brush control research project in the Ozarks region. I mentioned at that time the unusual potential of what is now brushland for conversion to growth of shortleaf pines. There are millions of acres of this waste land in Arkansas, and indeed in many other States, which are adaptable to commercial timber production. Converting such lands to timber would help us meet the future demands for wood products. I am hopeful that the Department will give serious consideration to initiating the proposed research project with a portion of the funds included in the supplemental bill.

The funds voted by the Senate are only a start on implementing the program for the national forests. It is merely the beginning of work which should have been completed years ago. I am confident that the Nation as a whole will benefit from this work. I sincerely hope that even greater steps will be taken next year to bring about proper development of our forestry resources.

THE NATIONAL HIGHWAY PROGRAM

Mr. JAVITS. Mr. President, before speaking about the main subject on which I wish to address the Senate, I should like to make a few remarks on the national highway program.

Mr. President, grave hardship will be suffered by reason of the fact that it has been necessary for the Superintendent of Public Works of the State of New York to announce the prospective cancellation of letting of highway construction contracts scheduled for today and August 27 because of the unavailability of Federal aid funds to finance proposed construction. Civic organizations, chambers of commerce, and private firms in New York have joined in protesting.

Mr. President, my most detailed information comes, of course, from the State of New York, but I believe that the same situation prevails over the rest of the country. The hardships which will be imposed as the result of the necessary abrupt cancellation of this program, hardships to the local communities, to individual companies, and to their employees which have planned on these highways, can hardly be estimated. Some way to deal with this problem, which is comparatively small when compared with the scope of most of the fiscal problems of the country, can and must be found.

The announcement in New York was based on notice to the State last week by the Federal Bureau of Roads that no Federal payments could be guaranteed for State contracts let after August 1. This notice in turn was based on the fact that the President has been unable to take action to replenish the Highway Trust Fund because the Congress has not acted. I believe that it would be a tragedy for our Nation if this important program which contributes so much to our security and economic well-being should come to a halt. At the time the Senate considered the excise tax extension bill, I supported the proposal to increase the gasoline taxes by 1½ cents a gallon as the President had requested in order to keep the highway program alive. Unfortunately, this amedment was defeated. The House Ways and Means Committee is now considering other proposals to supply funds for the highway program and has announced tentative approval of a bond issue as well as the allocation of part of the automobile excise taxes to the fund.

So many plans have been made and so many commitments have been entered into on the basis of the continuance of this program that we owe a moral obligation to those who are concerned to carry it forward on a reasonable basis. The expectations of the country, and its

needs, must not be frustrated. I shall support an increase in the gasoline tax as requested by the President, as I did before, in order to continue the national highway program, but if this be defeated I will support alternate measures to continue the national highway program.

Mr. President——

The PRESIDING OFFICER. The Senator from New York.

FREEDOM OF TRANSIT THROUGH THE SUEZ CANAL

Mr. JAVITS. Mr. President, I have taken the floor this afternoon to discuss a situation which has just arisen in the Near East and which may involve a very serious threat to the peace, a situation which has been much too little noticed because of the fact that we are so taken up with the crisis of Berlin, with Mr. Khrushchev's impending visit here, and with the distinguished and great performance given by our Vice President in the Soviet Union and Poland recently.

Mr. President, one of the difficulties with our diplomacy—and we learn only the hard way in that respect—is that it lacks a sense of anticipation. We face the stern reality that no sooner are we heavily engaged in another part of the world, as we are now in Berlin, than a Mideast crisis boils up to tend to distract us from the main issue. Also, our aid program, which is involved, should not be conditioned to the rise and fall of crises in this area, as it is today. For these reasons, in view of the increase in tensions in the Near East, I believe it is essential, first, that the facts be spelled out and that our Government determine them and deal with the present crisis about the transit of shipping through the Suez Canal, and not temporarize with it.

Several months ago President Nasser of the United Arab Republic resumed his blockade of the Suez Canal barring the passage of cargoes bound to and from Israel. During the last 10 days the U.A.R. leader has hurled the most violent threats against Israel in a new and startling demonstration of belligerency. The ostensible reason for President Nasser's outburst is given as some provocative statements by Brigadier General Dayan, former Chief of Staff of the Israeli Army and now a candidate for public office; but his statements obviously do not purport to speak for the Government of Israel. Hence President Nasser's reaction must be written down as the desire to seize a pretext for a declaration of his own, which gives the matter its foreign policy connotation. It must, however, be made clear at the same time that provocations from whatever source only exacerbate and make more difficult maintenance of the peace and pose the danger of a recurrence of the events of 1956 and 1957 which should certainly be avoided.

All these events have occurred at a time when we have been increasing our assistance to Egypt and when we have been bending our every effort to bring about mutual cooperation with President Nasser. Here is a disconcerting paradox in our Mideast diplomacy. On all sides we have been assured President Nasser wants better relations with the West; all agencies of our Government seemingly are moving to improve those relations. Yet, at almost the same time President Nasser openly threatens the peace of the Mideast. I submit that these matters should be of grave concern to those who are charged with the formulation and execution of our policy in the Middle East.

Let us take a brief review of the facts, Mr. President, which brought about this most recent occurrence. I do not like to call it a crisis yet, but it may very well become a crisis.

I would like to go back to the spring of 1957. It will be recalled that at that time there was great pressure on Israel to withdraw its forces from the Sinai Peninsula. Many of us in this Chamber, however, believed that Egypt should at the same time be asked to give guarantees against the resumption of the raids and blockades to which Israel had been subjected at the hands of her Arab neighbors. There was a widespread view—indeed, I believe almost all Members of the Senate concurred—that an international force should guarantee against border raids on the Gaza strip and that Israel's shipping should be permitted to pass unmolested through the international waters of the Straits of Tiran and the Suez Canal.

While there were no explicit commitments, it was made clear to Israel that if she withdrew, she could look for a cessation of the intense and intolerable siege to which she had been exposed for so long. When President Eisenhower urged the Israelis to withdraw from Sinai on February 20, 1957, he declared:

> We should not assume that, if Israel withdraws, Egypt will prevent Israeli shipping from using the Suez Canal or the Gulf of Aqaba. If, unhappily, Egypt does hereafter violate the armistice agreement or other international obligations, then this should be dealt with firmly by the society of nations.

And a few days later, when the Israelis agreed to withdraw, President Eisenhower sent a message to Prime Minister David Ben-Gurion to the effect that:

> Israel will have no cause for regret having thus conformed to the strong sentiment of the world community * * *. It has always been the view of this Government that after the withdrawal there would be a united effort by all the nations to bring about conditions more stable, more tranquil, and more conducive to the general welfare than those which existed heretofore.

Israel's Government withdrew its forces, and for the next 2 years there was a measure of serenity on Israel's frontiers.

Israel's own ships passed through the Straits of Tiran. Incidentally those straits, Mr. President, are between Egyptian territory and Saudi Arabia at the entrance to the Red Sea. Israel's own ships passed through the Straits of Tiran, opening up that country's trade with Asia and Africa, and Israel's cargoes were permitted to transit the Suez Canal—though not Israel's shipping.

But this state of comparative calm came to an end early this year. After permitting some 40 ships to pass through the Suez Canal carrying cargoes to and from Israel, President Nasser suddenly halted two ships in the canal in the spring of this year. In both cases, cargoes were seized. A few weeks later a Greek ship was allowed to pass, but on May 21 Egyptian authorities halted the *Inge Toft*, a Danish freighter, as it attempted to carry an Israel cargo of cement, potash, and other goods to Hong Kong, Manila, and Japan. This ship is still in Port Said. President Nasser will not let it pass.

Mr. President, I point out in this connection that at no time had Israel's ships passed through the Suez Canal, that Israel has not complained about that, though she had a right to do so under international law and under the particular convention which regulates the Suez Canal, accepting, as it were, a practical arrangement by which business could be done. It is this practical arrangement which has now been disrupted by the action of President Nasser which brings about the present difficulty.

In this blockade of Israel's shipping, President Nasser is running counter to the 1888 Constantinople Convention which provided that the Suez Canal "shall always be free and open in time of war as in time of peace to every vessel of commerce or of war, without distinction of flag. The canal shall never be subjected to the exercise of the right of blockade." Despite the plain language of that convention, President Nasser has contended that he may close the Suez Canal to Israel shipping because Egypt has been in a state of war with Israel since 1948. However, on September 1, 1951, the United Nations Security Council refused to accept Egypt's interpretation of the convention and the United Nations Armistice Agreement. That is the armistice agreement made to end the Arab-Israeli War of 1947 and 1948.

The Security Council held that Israel's ships had the right to traverse the canal and called upon Egypt "to terminate the restrictions on the passage of international commercial shipping and goods through the Suez Canal wherever bound and to cease all interference with such shipping beyond that essential to the safety of shipping in the canal itself and to the observance of the international conventions in force."

Our Government took a firm position on this question when it came before the United Nations Security Council. But, unfortunately, after Egypt refused to comply with the Security Council's order, no action was taken to enforce it, and when the issue came before the Security Council once again in 1954 it was no longer possible to do so because the Soviet Union, which had already begun its cynical pursuit of Arab favor, vetoed a resolution to reaffirm the 1951 decision.

In July 1954, when our Government was assisting in negotiations to bring about the British withdrawal from Suez, we might have pressed for an undertaking by Egypt to comply with international law. It will be recalled that that is the time when the British withdrew from their great base on the Suez. At that time a group of us in the Congress appealed to the Department of State for action because we believed that these negotiations presented a historic oppor-

tunity to dispose of that blockade. At that time, Senators SALTONSTALL and DODD—then a Member of the House of Representatives—joined in these recommendations. Again, when President Nasser nationalized the Suez Canal in 1956 and promised to maintain the international character of that waterway, many of us urged it as the time for firm guarantees against illegal blockade.

All of us will recall how our Government came to President Nasser's aid, insisting on withdrawal from Sinai and the Suez Canal area by the United Kingdom, France, and Israel in 1956. On May 17, 1959, the New York Times in an editorial recalled the solicitude with which the West treated President Nasser in that crisis. The Times correspondent wrote:

> One of the unsolved mysteries of the Suez affair of 1956 is the fact that the General Assembly allowed Mr. Hammarskjold to clear the canal, with the United Nations paying the $8,376,000 bill without requiring Colonel Nasser to comply with the Security Council resolution upholding the right of free passage for all nations.

The United States, on its part, advanced $5 million through the United Nations for the purpose of reconstructing the Suez Canal; $1.2 million of this has already been repaid. President Nasser has reciprocated poorly.

Our deep concern with the economic well-being of the Mideast was evidenced in dramatic fashion again when the President, in his address before the U.N. General Assembly on August 13, 1958, proposed the establishment of an Arab development institution on a regional basis to accelerate progress in such fields as industry, agriculture, water supply, health, and education. The Arab Development Bank, as it has become known, would provide loans to the Arab States as well as the technical assistance required in the formulation of development projects, would be managed by the Arab States themselves and would serve also to attract needed private investment funds to the area as well.

While much has been said, and while preliminary plans have been drawn, no great progress has yet been made by the Arab States in the organization of an Arab Development Bank and it has not yet come to fruition. Such a regional economic development organization, based on self-help and mutual cooperation, could advance immeasurably the progress of the region, raise individual living standards, and apply itself to the nettling problems of health, communications, education, and primitive agriculture affecting the Mideast and, very importantly, in providing for the settlement of the Arab refugees.

One of the primary aspects of a positive Mideast policy by the United States would be in respect of a regional economic plan for the area. Indeed, there is every assurance that other allied governments will cooperate in the financing of such a plan; notably the United Kingdom, Italy, and Germany have already indicated their interest, and so has the International Bank for Reconstruction and Development.

Mr. President, how sad it is, therefore, that with all this help, with all this aid from the United States and from other countries, and with all this promise for the Mideast, the rather extreme statement of President Nasser promises us only more and more crises, exacerbation of tempers, difficulty and tension in that area.

Mr. President, it is noteworthy in this connection that the United States resumed large-scale economic assistance to President Nasser last fall. In December 1958, again in May 1959, and now on July 29, 1959, only a few days ago, our Government has approved the sale of agricultural commodities to the United Arab Republic for a total of $105 million in exchange for local currency. In addition, we have resumed technical and economic assistance in the last fiscal year, and this totals $10,233,000. The Export-Import Bank has made a $5 million loan for a fertilizer plant. And within the last few months the World Bank has been considering a loan to Egypt to deepen and widen the Suez Canal.

On June 24 a group of 25 Senators joined in a telegram addressed to President Eisenhower expressing our concern over the matter I am discussing, shipping in the Suez Canal. Nine days later, on July 3, we received a reply from Assistant Secretary of State William B. Macomber, which was made public, in which we were reassured that our Government clearly and unequivocally adhered to its original position in opposition to any restrictions on the use of the Suez Canal.

Mr. President, I ask unanimous consent that the letter of Assistant Secretary of State Macomber be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, D.C., July 3, 1959.

The Honorable JACOB K. JAVITS,
U.S. Senate.

DEAR SENATOR JAVITS: In connection with the joint telegram which 25 Senators, including yourself, sent to the President on June 24, 1959, expressing concern over the recent detention by the United Arab Republic of cargoes bound from Israel on Israeli chartered ships, I have been asked to furnish you with details regarding the Department's position with respect to the Suez Canal transit issue.

As your telegram to the President indicates, the U.S. Government's position with respect to the unrestricted use of the canal is clear and unequivocal. The United States joined with France and the United Kingdom to sponsor a resolution before the Security Council in September 1951, which called upon Egypt to terminate restrictions on the passage of international commercial shipping and goods through the canal. This position was reaffirmed by a majority of the Security Council in voting in favor of a draft resolution, subsequently vetoed by the Soviet Union, on March 27, 1954, which called upon Egypt to comply with the 1951 resolution. Further statements by U.S. officials, including one by Ambassador Lodge in the Security Council on April 26, 1957, have maintained the position that there should at all times be free and nondiscriminatory passage through the canal for all countries. The United Arab Republic and all other members of the United Nations are fully conversant with the U.S. position.

The recent seizures of several cargoes bound from Israel aboard non-Israeli ships, and the current detention of a Danish flag vessel chartered on behalf of Israel interests, have again raised the issue of free transit through the canal after a period of apparently satisfactory transit of cargoes originating in Israel. The United Nations and the parties concerned are currently engaged in trying to resolve the problem which had been created by these recent difficulties. The Secretary General of the United Nations is now visiting Cairo where he will be discussing a number of questions, including the Inge Toft case.

It is hoped that the transit problem may be resolved between the parties immediately concerned, and we are encouraging and supporting the continuing efforts on the part of Mr. Hammarskjold. The U.S. Government has already discussed the Suez transit question in various foreign capitals, including Cairo and Tel Aviv. While the efforts at settlement currently being undertaken by the United Nations, supported by the United States and other powers, would appear for the present to constitute the most effective means of seeking a satisfactory solution, you may be assured that we will continue to take every appropriate measure which may contribute to a resolution of this problem.

The U.S. Executive Director of the International Bank for Reconstruction and Development is aware of developments in this matter and is also conversant with our long-standing policy in support of the principle of freedom of transit through the canal.

If I can be of any additional assistance to you with regard to this problem, please do not hesitate to communicate further with me.

Sincerely yours,
WILLIAM B. MACOMBER, Jr.,
Assistant Secretary.

Mr. JAVITS. Mr. President, it is gratifying that the administration has not been deflected from our Government's traditional position as a maritime power. We are vigilantly concerned with freedom of the seas. But I would like to invite the attention of the Senate to the fact that the Secretary General of the United Nations, Mr. Dag Hammarskjold, was entrusted with primary responsibility in this matter. Mr. Macomber's letter points out that Mr. Hammarskjold was in Cairo and that we are encouraging and supporting his efforts. It continues:

> The U.S. Government has already discussed the Suez transit question in various foreign capitals, including Cairo and Tel Aviv. While the efforts at settlement currently being undertaken by the United Nations, supported by the United States and other powers, would appear for the present to constitute the most effective means of seeking a satisfactory solution you may be assured that we will continue to take every appropriate measure which may contribute to a resolution of this problem.

Since that letter was written, Mr. Hammarskjold has been to Cario and has visited with President Nasser. There has been no official statement from any of the parties. No one is in a position to say whether Mr. Hammarskjold elicited commitments from President Nasser. It has been reported in the press that the Egyptian President refuses to return to the policy he followed in 1957 and 1958, of allowing Israel's cargoes to pass through the Suez Canal.

On the contrary, he now refuses to permit any ships or cargoes owned by Israel to traverse the canal. However, it is said that he will make one concession—this is the report—canal authorities will not interfere with cargoes if

they are not the property of Israel or Israel firms at the time they pass through the canal. This means that cargoes leaving Haifa would have to become the property of the purchaser at the time they left that port while cargoes going through the canal and bound for Israel would have to remain the property of the seller until they reached Haifa.

Furthermore, it has been reported that canal authorities would seize any ship where there had been publicity. I do not know whether anything will result from this speech, but in this way of running a canal who knows? It might. I do not know whether any of these arrangements are workable.

I do not know whether the Israel Government could accede to any such arrangement, but I do submit that such an arrangement cannot be acceptable to the world community at large, for it permits President Nasser to operate the canal as his own private waterway and it permits him to discriminate between users. In this connection, I would recall two of the six principles about operation of the canal which President Nasser accepted in 1956. They provided: First, there should be free and open transit through the canal without discrimination overt or covert—this covers both political and technical aspects—and, second, the operation of the canal should be insulated from the politics of any country.

All members of the United Nations, whether they be big or small, are entitled to protection from aggression, and all members of the United Nations owe an obligation to that body to help it discharge its responsibilities. We will not carry out our responsibilities to meet and solve the problem of transit through the Suez Canal by an airy reference of the issue to Mr. Hammarskjold or the U.N. I use the word "airy" in that regard as being one of those buck-passing operations.

The United Nations, to be effective, must be backed up as it was in regard to the original Palestine partition issue, because the U.N. is no stronger than its members, and we are one of the strongest. This is not an issue to be decided by asking little Israel to accept some abridgement of its rights, and by pressuring Israel to live under imposition, blockade, and siege. The premise upon which the United Arab Republic predicates its course is untenable. No member nation of the United Nations has the right to assert that it is in a state of war with its neighbors in the face of a United Nations Security Council resolution making a contrary finding. The U.N. Charter requires it to work for peace and to live in peace.

I know there are some who will say that it is regrettable that this dispute between Israel and the United Arab Republic should have flared at a time when President Nasser, disillusioned by his flirtation with Moscow, should be courting the West. It may be argued that nothing should be allowed to embarrass or impede the rapprochement between Cairo and Washington. But this viewpoint serves neither convenience nor conviction.

We cannot accept the substitution of one kind of intolerable conduct for another kind of intolerable conduct. In one breath the flirtation of Egypt with the Communists is intolerable to the free world, yet in another breath the effort to impose discriminatory conditions on the use of the Suez Canal is also intolerable to the free world. These matters of intolerability are questions of degree only. The point is that both kinds of conduct are such that we cannot live with them in the free world.

Mr. President, editorial comment upon this matter has certainly borne out what I say. The Washington Post and Times Herald reflects on these matters in a penetrating editorial in its issue of August 2. I would like to quote from that editorial which emphasizes above all that unless the freedom of transit of the Suez Canal is confirmed soon there will be no alternative but to bring the matter again before the Security Council or the General Assembly. It says:

> The world has learned to judge President Nasser less by what he says than by what he does; and conceivably he believes he needs this issue to bolster his prestige. Ordinarily it would be preferable to settle such questions through quiet negotiation, in the hope that the generally more amicable relations with the United Arab Republic would not be disrupted. But unless the freedom of transit of the Suez Canal is confirmed soon, there will be no honorable alternative but to bring the matter again before the Security Council, or the General Assembly, for public discussion and action—including the imposition of sanctions if necessary. The painful experience of 1956 argues strongly for a check on such abuses before they erupt into major international trouble.

Mr. President, that is the whole purport of my speech today. The experience of 1956 argues strongly for a check on such abuses before any of them erupt into major international trouble.

Mr. President, I would conclude with a reference to the angry statements that have erupted in Cairo in the last few days. On July 22 President Nasser declared:

> Israel * * * is a threat to the Arab people in every Arab country, and its conspiracies against Egypt, Syria, Lebanon, Jordan, and against all the Arab countries are constant. * * * Today we also observe that Israelis infiltrating Africa and then Asia under the guise of financial and technical aid. * * * Its infiltration represents a spearhead of imperialism.

I may interject parenthetically that one of the most constructive jobs being done in the free world is the help Israel is giving to African nations such as Ghana, Nigeria, Guinea, and others, in the ways of modern technology and industrial ideas in the field of sanitation, health, and similar activities. Thus not involving a great power whose motives are always under suspicion in that area of the world which is emerging from colonialism.

Resuming the statements made in Egypt, the following day, General Abdul Hakim Amer, commander of Egypt's armed forces, had this to say:

> I do not think it is any secret that our submarines form the largest fleet in the surrounding seas. * * * Because of the unity of the armed forces, Israel has lost the ability to move swiftly and to strike at each country separately from inside the borders of the usurped area. * * * Israel now faces one armed force which lies in wait for it in the north and in the south. It realizes that if it moves against any front, it will have to prepare to face a full war on both fronts at the same time.

Inside Israel, General Moshe Dayan, former commander of the Israel army, wrote a newspaper article in which he argued Israel should return hostility for hostility.

These bellicose utterances are attributed, it is said, by the Egyptians to this newspaper article. General Dayan said that Egypt should know that "any policy of increased hostilities against us will cause us to reactivate the policy which brought about the Sinai campaign," whereupon President Nasser in Alexandria on July 26 issued an angry threat, "Moshe Dayan threatens to invade Sinai; let him come—we are waiting for him. I announce from here on behalf of the United Arab Republic people that this time we will exterminate Israel." This intemperate and demagogic utterance from the leader of a government brought a sharp rebuke from the New York Times.

I emphasize that I do not condone any provocative utterance from any source, but General Dayan, notwithstanding his high standing, is not the Government of Israel. He is only a candidate for public office. I am sure President Nasser knows this.

I am putting the Times editorial of July 28 into the RECORD.

I call attention to its concluding statement:

> The question keeps arising as to whether a person who talks as irresponsibly as President Nasser is a worthy representative of people, a good subject for international credit, or a guaranty of something representing peace and civilization in the Middle East.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the editorials from the Washington Post and the New York Times to which I have referred.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, July 28, 1959]

THE TWO NASSERS

President Gamal Abdel Nasser, of the United Arab Republic, showed himself at his best and at his incredible worst in a speech in Cairo on Sunday celebrating the seventh anniversary of the abdication of King Farouk. President Nasser could be proud of his own part in the revolution of 1952. He could also pose as a statesman, at least in words, when he told his people that "the basis of everything is work," and revealed plans to double Egypt's production and income within the next 10 years.

Not so much could be said for his assertion that the U.A.R. would soon be making guns, armored cars, tanks, and airplanes. Down to now the Republic has had to import these things, and one can think of nothing much more foolish than using the resources of a poverty-stricken country to produce them at home.

Finally, President Nasser rose to the height of foolishness when he misrepresented the history of October-November 1956, and distorted a statement made by Brig. Gen. Moshe

Dayan, former Israeli Chief of Staff, as a threat against Egypt. The President told his cheering but not well-informed auditors that Egypt had "defeated Britain, France, and Israel 3 years ago"; he said "all the Arabs want a decisive battle"; and declared that if there were more trouble the U.A.R. would "exterminate Israel."

This is the kind of tosh offered the unhappy people of the UAR on one of their great holidays. They have a right to celebrate the absence of King Farouk, which is in itself a blessing to Egypt. But the question keeps rising as to whether a person who talks as irresponsibly as President Nasser is a worthy representative of his people, a good subject for international credit, or a guarantee of something representing peace and civilization in the Middle East.

[From the Washington Post and Times Herald, Aug. 2, 1959]

CANKER ON CONSCIENCE

Why has President Nasser, of the United Arab Republic, chosen this time to renew his muscle-flexing against Israel. Ostensibly his warlike talk was in response to an article by Moshe Dyan, former Israeli chief of staff and now a political candidate, advocating a tougher stand against U.A.R. interference with shipping bound to and from Israel. But General Dyan's article, imprudent or not, was based upon the hostile U.A.R. action last March in seizing the Danish freighter *Inge Toft* with an Israeli cargo. The real issue is freedom of transit in the Suez Canal.

For the world community these ought to be storm warnings. Nations which helped to restore the Suez Canal can scarcely be indifferent to a Cairo decision that some countries are more equal than others in use of the canal. The unresolved state of theoretical war between the Arab States and Israel—an unrealistic condition that has existed for more than 10 years—does not alter the basic situation. The United Nations Security Council has explicitly recognized the right of Israel to use the canal. The present controversy does not even concern ships of Israeli registry. Evidently, however, the Nasser government regards capricious interference as a weapon of economic warfare against Israeli commerce.

The world has learned to judge President Nasser less by what he says than by what he does; and conceivably he believes he needs this issue to bolster his prestige. Ordinarily it would be preferable to settle such questions through quiet negotiation, in the hope that the generally more amicable relations with the United Arab Republic would not be disrupted. But unless the freedom of transit of the Suez Canal is confirmed soon, there will be no honorable alternative but to bring the matter again before the Security Council, or the General Assembly, for public discussion and action—including the imposition of sanctions if necessary. The painful experience of 1956 argues strongly for a check on such abuses before they erupt into major international trouble.

Mr. JAVITS. Yet despite Nasser's menacing threats against his neighbor, the West is pouring the most lavish assistance into Cairo. Just about the time he made this speech, the World Bank's technical mission arrived in Egypt to study the Suez Canal widening, and on July 29, 3 days after President Nasser made his speech, we announced that we had provided him with $57 million in U.S. meat and flour which he can purchase with Egyptian pounds which are then loaned back to finance and develop the United Arab Republic's industry.

I wish to emphasize that I feel deeply that Egypt should be helped and developed. I had hoped very much that all the Arab States would cooperate to that end. I have favored, and will continue to favor, the most generous kind of assistance, financial and otherwise, by the United States in furthering those efforts.

Such efforts do not have to involve Israel, either. The mere fact that that region will be prospering as a region is reason enough for the United States to render such assistance, in the interest of world peace.

I think it is a serious question whether these activities are justified, if we are to have another threat to the peace from that area, especially when the threat is based upon no factual crisis which justifies it. The action of the United States, of course, is its own; and in my opinion it should be heavily influenced by the degree of cooperation on the part of the United Arab Repubic and other countries, in terms of maintenance of the principles of the United Nations Charter.

The International Bank for Reconstruction and Development, the World Bank, is a specialized agency of the United Nations. It makes its own decisions. It is independent. It decides who shall receive its loans. Everyone understands that if it decides to make a loan to Egypt, notwithstanding the present saber rattling, that will be its decision, and no one will ask the United States to withdraw from the World Bank. But the Bank, like any other responsible lender, owes some obligations to the international community by which it is sponsored.

Does the World Bank propose to lend large sums to one of its stockholders to improve a waterway which is used in violation of a U.N. decision and in illegal action against other stockholders?

I understand the difficulties which are involved. As I stated at the beginning, the difficulty with our foreign policy—and, indeed, with the foreign policy of world institutions by the United Nations—and the policy of great establishments for help, like the World Bank, is that they raise the question as to whether we look far enough ahead in our own interest.

It is very sad to reflect that after 11 years the Arab-Israel conflict is just as far from solution as it ever was. We have not been able to bring the parties closer together. We cannot hope to bring about peace and concord between Israel and Egypt now, but we can hope to pursue a consistent policy, which in this area we have already inaugurated in 1956 and 1957, and insisting on respect for international law. Our policy has been often criticized for failure of consistency in its application; this is a situation in which such consistency is both practical and needed. Hence, on this step-by-step basis we should insist now that illegal restrictions on the use of the Suez Canal must be lifted and the *Inge Toft* case settled; otherwise we cannot give aid or fail to protest aid proposed by international agencies.

Mr. KEATING. Mr. President, will my distinguished colleague yield to me?

Mr. JAVITS. I am happy to yield to my colleague.

Mr. KEATING. I commend my colleague for focusing our attention once more on the very serious problem involving illegality in the actions of a sovereign power. Illegality, wherever it raises its ugly head throughout the world, is something of which our Nation cannot fail to be cognizant.

As the Senator knows, I have been very much interested in this problem. I joined with him in the telegram which was sent to the President on June 24, 1959. I was happy to receive a rather complete reply, dated July 3, 1959, from Assistant Secretary of State William B. Macomber, Jr., which has been placed in the RECORD by my colleague.

The reply called attention to the fact that as far back as April 1957 Ambassador Lodge, in the Security Council, had maintained the position that at all times there should be free and nondiscriminatory passage through the Suez Canal for all countries.

Mr. Macomber's letter went on to indicate, as has been pointed out, that the Secretary General of the United Nations was then visiting Cairo, and that he would be discussing the *Inge Toft* case, among other matters. He has come and gone.

I agree entirely with my colleague that we cannot leave this problem only to Mr. Hammarskjold. It strikes me that the time has come when we should again, in a formal way, bring up this matter in the United Nations. It may be thought by some persons to be a problem affecting only the courageous State of Israel. It is decidedly of more importance than that. There is no color of legality for the procedure under which the President of the United Arab Republic seeks to prevent, in this case, a Danish ship—simply because it is carrying a cargo to the Far East, which has nothing to do with military affairs—from passing through an international waterway.

Israel is a growing nation. It has wrought miracles of progress in the short span of its existence. But it must trade in order to continue its progress. Israel can be completely starved out, and it may be, if it cannot sell its goods on foreign markets.

But the problem goes far beyond the State of Israel and the interests of many citizens of our country who do business in that nation, because it has been the experience in international affairs that illegality in one area feeds upon itself and may involve illegality in another area.

I think it is most timely that the senior Senator from New York has called attention to the matter. I hope that those in the administration, including specifically the President of the United States, will assume the responsibility to see to it that our representative in the United Nations does everything within his power to bring the Suez Canal problem to a head.

I share the view that so long as any country is acting illegally, we should be very loath to give that country aid to further its illegal purposes.

Mr. JAVITS. I thank my colleague. I close by emphasizing that my reason for speaking at this time is that it is so easy to become distracted by other international crises when one such crisis may

be boiling up under our very noses. I do not want it to boil up. Anyone who is in his right mind is not looking for a crisis in this area.

The time to nip it in the bud, in an effort to get the matter straightened out, is when there are such bellicose statements as we have heard emanating from the Near East.

Israel is not asking for the impossible. If she is, she should be stopped, just like anyone else. But Israel apparently is satisfied with the way the cargoes are being handled. It is not insisting on the letter of the law that they be shipped in her own ships. That was the situation for 2 years. We must see to it that President Nasser does not strengthen his position in the Arab world by restricting the use of the canal. We must know the reason for his suddenly rocking the boat now. I appeal to our Government to see to it that the boat is not rocked.

MIGRANT AGRICULTURAL LABOR CONTRACTOR REGISTRATION ACT OF 1959

Mr. WILLIAMS of New Jersey. Mr. President, on behalf of myself and the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Illinois [Mr. DOUGLAS], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Oregon [Mr. MORSE], the Senator from Montana [Mr. MURRAY], the Senator from Oregon [Mr. NEUBERGER], the Senator from Wisconsin [Mr. PROXMIRE], the Senator from Ohio [Mr. YOUNG], the junior Senator from Michigan [Mr. HART], and the senior Senator from Michigan [Mr. MCNAMARA], I introduce, for appropriate reference, a bill for compulsory registration of migrant labor contractors who recruit, transport, supervise, feed and—too often—exploit many of the 800,000 men, women, and children who cultivate and harvest the perishable crops of our Nation. Protection at a Federal level is the only way to correct many of the abuses now faced by these farmhands; the bill being introduced is intended to fill a gap which would, in my opinion, still be left open even if all pending legislation were to be passed within the near future.

The problems of the migrant worker follow him throughout the United States. The majority of the migrants winter in three States; Florida, Texas, and California. But during the spring, summer, and fall months they can be found in any State of the Union. The Florida migrant travels up the east coast to the peach, strawberry, bean, and other crops in Georgia and the Carolinas; then to the bean, potato, and tomato crops on the eastern shore of Virginia, Maryland, and Delaware; from there he moves northward into New Jersey, Pennsylvania, New York, Connecticut, and sometimes even to Maine to cultivate and harvest our fruits and vegetables. The Texas migrant might follow the cotton harvest northward through Oklahoma, Arkansas, and Missouri; or he might seek work in the sugar beet and vegetable fields of the Mountain, Great Plains, or Great Lakes States. Sometimes he heads to the Northwest, to the sugar beet fields of Idaho, and then into Oregon and Washington to harvest the hops, the peas, and the apples. The California migrant moves northward following the cotton, the tomato, the grape, and the peach and pear harvest work in California, and some then push on to Oregon and Washington to engage in the harvest of fruits and hops.

In 1957 the widely separated States of Texas, with 79,000 employed migrants; Michigan, with 62,000; California, 60,000; New York, with 46,000; and Florida, with 24,000 led in the employment of migrant workers. The States of Oregon, Washington, Arizona, Wisconsin, New Jersey, Kansas, and Colorado were next in order. The Department of Labor has published a map of the United States showing 251 important areas where substantial work is available for migratory workers. These areas can be found in all States but Vermont and West Virginia. In short, to a greater or lesser extent, the problems of the migrant worker are nationwide.

These problems will not disappear. The trends in American agriculture have been toward larger holdings, mechanization, and crop specialization. The consequent result is a critical need for large numbers of harvesting workers for relatively brief periods of time. These trends and the consequences of these trends will continue to become accentuated in the foreseeable future. It is time for Congress to give serious thought to this urgent aspect of the American economy. To quote Secretary of Labor Mitchell:

> It is intolerable and indecent for a society to produce by overworking and underpaying human beings. Even if the product may cost more, we, in this country, usually accept the difference in cost because it is the man that counts—not the thing.

As these workers move from State to State, from farm to farm, and back again, few ordinary citizens concern themselves about the fate of these migrants. There is some alarm when an overloaded vehicle crashes and kills many of these workers. We are shocked when we hear reports of unbelievable living conditions in some camps. We read of new methods of exploitation every year, and occasionally we wonder. Usually we are convinced that the worst kind of abuses do not exist in our own home State. But here is a clear area for general concern; and here is an area for Federal action. Until a clear-cut Federal policy and program is developed, we cannot expect the problems—which are described in more detail in a statement which I shall submit—to solve themselves.

Yesterday, the creation of the Special Senate Subcommittee on Migratory Labor was announced. I hope that the subcommittee's study, which will be the first congressional inquiry of its kind since 1951, will help to focus attention on the difficulties now facing these workers. We know that the pay of the migrant workers is often away below all decent minimum wage standards. Many of the youngsters receive no education to speak of. Proposed legislation has already been introduced to deal with some of these conditions. I am certain that the subcommittee hearings, which will begin tomorrow at 10 a.m., will lead to other worthwhile legislation. I am particularly hopeful that we shall find methods to cope with the problem of elementary and high school training for the children. The first witnesses before the subcommittee will be members of the Departments of Labor and Agriculture. They will discuss legislation already introduced this year. The subcommittee will deal with the overall picture. The bill I introduce today, as I have already mentioned, deals with the contractor—the man who so often is the link between the grower and the worker who moves from farm to farm.

My bill, like one already introduced by the Senators from New York [Mr. JAVITS and Mr. KEATING], requires the registration of those who in the East are generally called crew leaders, and in other parts of the country are known as migrant agricultural labor contractors. The two terms are often used interchangeably, but I have chosen to use the term "migrant agricultural labor contractor" because it is more inclusive. I shall outline briefly the functions of a migrant agricultural labor contractor, or crew leader, and shall explain why he exists.

The migrant labor market has many special characteristics which set it apart. The grower needs large numbers of employees, for brief periods of time, at wages which are not competitive with those generally paid in the area. This requires him to recruit workers from long distances, transport them to his farm, and provide shelter, food, and supervision while there employed.

The migrant worker in the East, winters in Florida, where work is available in the citrus fields through June, and in the fruit and vegetable fields through March, April, or May. Then no work is available in Florida until late fall; and in the meantime he must go northward, following the crops. A given migrant, ideally, could find continuous year around employment by working respectively in Florida citrus, in North Carolina strawberries, in Virginia strawberries, in Maryland tomatoes, in New York tomatoes, in Virginia apples, and then back to Florida citrus.

The migrant labor contractor is the bridge between the northern grower and the Florida migrant. Florida workers join a crew, usually between 45 and 75 in number. The crew is led by a man who usually owns a truck or trucks, and has some degree of education. In March or April of each year, representatives of the east coast employment services—who ascertain from the growers within their States the approximate need for labor during the coming season—meet in Florida with crew leaders, and work out with them a series of work commitments for the summer. These commitments cover a considerable proportion of the migratory workers who leave Florida.

With this cursory outline, I shall focus my further discussion on the labor con-

tractor, as dealt with by various sections of my bill.

The bill applies only to labor contractors who recruit, transport, and so forth, 10 or more workers. In Florida, the smallest crew found numbered 13, with the average size between 45 and 75.

An Oregon survey disclosed the presence of 13 crews from Texas, none smaller than 80 in number. One contractor was handling 3,000 workers, through 8 subcontractors and 40 crew leaders.

These labor contractors differ among themselves in the types of operation they perform. Some contractors contract with a grower to do the harvest work at a rate fixed in advance, and further agree to recruit, transport, house, feed, supervise, and pay the workers. The profit of these contractors consists of the difference between the contract price with the operator and the operational costs in connection with the harvest.

Other labor contractors perform only one, two, three, or more of the above functions, and are paid in various ways. Some are paid according to the number of workers they recruit and deliver. Others are paid by being given a concession to manage the housing facilities, or the commissary privileges, or a contract to haul produce from the farm to the packing shed. The bill defines the term "migrant agricultural labor contractor" so as to include those persons who perform any of the major functions now customary. Excluded from my definition are Federal and State employment agencies, foremen or supervisors who are employed on a permanent basis, and nonprofit organizations which engage in some of the functions described above.

The essence of the bill is that is seeks by registration requirements to eliminate the relatively few migrant labor contractors who are dishonest and immoral, and who exploit migrant workers and growers.

Some labor contractors exploit the workers by misleading promises of high paying employment, when they know such employment does not exist. The bill seeks to end this practice, by making such misrepresentation a ground for revocation or refusal of a license, by requiring all representations concerning farm employment to be reduced to writing, and by requiring the migrant labor contractor who seeks registration to disclose the names and addresses of those who were in his crew in former years. The Secretary of Labor is thus afforded easy opportunity to ascertain whether the migrant labor contractor has engaged in exploitation.

Some migrant agricultural labor contractors exploit their crews by promising cheap or free transportation, housing, or commissary services, when, in fact, the crew member, once signed up, is charged high prices for these services. The bill requires that the prices for these services be made known in advance, and in writing. Misrepresentations can then be easily proven, and the license revoked.

Some migrant agricultural labor contractors mislead the members of their crew as to the hours worked, the amount produced, and the wages due them. Disputes generally are won by the migrant labor contractor, because agreements are oral.

Some migrant agricultural labor contractors withhold social security payments from the wages of their crew members, and then pocket them. Some do not pay their crew members when their wages are due; and some leave shortly before the last payday of the season, and leave their crew members broke and stranded. This bill requires labor contractors who make payments to keep accurate accounts and to pay each worker the amount due him. Failure to comply will be ground for revocation or refusal to renew a license.

Some migrant agricultural labor contractors transport their crew in trucks dangerous to the occupants and to others who use the highway. The bill seeks to solve this problem by requiring all labor contractors, prior to licensing, to produce evidence that their vehicles are insured.

Some migrant labor contractors purposely recruit wetbacks; and the latter, being here illegally, can be exploited without danger of protest. Some crew leaders, for a cut of the profits, bring professional prostitutes and gamblers to the camps under their control, and permit the sale of habit-forming drugs. This bill makes all of these activities a reason for revoking or refusing to issue a license.

Some labor contractors exploit the growers by leaving them high and dry when the easy and profitable work is done. For example, a migrant labor contractor may agree to pick all the growers' apples on a piece-rate basis. When the apples at the bottom of the trees are picked, the workers must then use ladders—which reduces the productivity of the laborers and the profits of the labor contractor, since he often is paid according to the amount of work done by those in his crew. The contractor then breaches his contract, and moves on. This makes it difficult for the grower to get the rest of his apples picked, and may result in financial stress. The bill requires revocation of a migrant labor contractor's license when this occurs. Enforcement of this provision is made easy, by requiring the applicant in each annual application to list the names and addresses of the farmers with whom he contracted in the past two seasons.

Mr. President, I also ask unanimous consent to insert in the RECORD a descriptive statement on other general problems in this area. I believe that only when we consider the overall problem can we judge the need for action on any individual part of the problem.

It will be noted that the statement includes a description of several clear-cut signs of growing interest in the problems of the migrant worker. This is a healthy and, I hope, continuing trend. Americans have proven in the past that they are deeply concerned about our undone business—the social problems we have not yet solved. The families and individual wanderers who would be affected by this bill form no great voting bloc. There is no powerful pressure group to speak for them, although many individual national associations have taken great pains to publicize their plight. This lack of strength is all the more reason why the migratory workers should be considered here, and I am sure that they will be.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and without objection, the statement will be printed in the RECORD.

The bill (S. 2498) to provide for the registration of contractors of migrant agricultural workers, and for other purposes, introduced by Mr. WILLIAMS of New Jersey (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The statement presented by Mr. WILLIAMS of New Jersey is as follows:

STATEMENT

The migrant laborer is a living testimonial to the neglect that is possible in a wealthy and aggressive democracy which prides itself on the protection of the individual.

The migrant is poorly paid. This evidence comes from all corners. Mexicans cannot enter this country to work unless they are paid the prevailing wage rate in the community as determined by the Secretary of Labor. And yet the July 9, 1959, issue of the Wall Street Journal reports that Texas farm operators are balking at a Labor Department regulation requiring piece rates at an amount which will guarantee 90 percent of Mexican crews an hourly wage of 50 cents. A recent survey of Puerto Rican migrants on the farms and nurseries in the New Haven, Conn., area discloses that 80 percent of them earned 65 cents an hour or less, some as little as 51 cents an hour. The Sugar Act of 1948 requires sugar producers, as a condition to obtaining certain Government benefits, to pay wages determined by the Secretary of Agriculture to be fair and reasonable. The Secretary determined that the 1959 fair and reasonable wage rate for thinning, hoeing and weeding sugar beets in the Imperial Valley of California was 70 cents an hour unless done by workers between 14 and 16 years of age, in which case the rates could be reduced by one-third. Wage rates and weekly earnings vary depending on the age, skill, sex, and experience of the worker, the State or the particular crop in which he worked, and many other variables. Two things, however, stand out. First, that the migrant neither receives nor contributes his fair share to the blessings of America. Second, some sort of minimum wage protection is necessary.

The migrant is underemployed, as well as poorly paid for the work he does. A Department of Agriculture survey of migrants who winter in the Belle Glade area of Florida discloses that they, although available and willing, went without work on almost 1 out of every 4 days they spent in my own State of New Jersey. A Department of Agriculture survey of migrants who winter in south Texas discloses that male heads of households lost an average of 89 days of worktime when they were available for work. Steps are now underway to improve this situation. Federal and State agencies recently have undertaken what is known as the annual worker plan whereby workers are directed crop by crop, area by area, to continuity of employment for periods ranging up to 7 months.

Closer attention to planning is certainly necessary to reduce the number of lost work days. Some days of work must inevitably be lost, due to such unforeseen factors as failure of crops to mature when expected. The question I raise, however, is whether the migrant must inevitably shoulder the loss

when blight of some form hits a crop and reduces profit for the farmer, and work opportunity for the worker. Long ago we solved the problem for the industrial worker in the form of unemployment compensation laws. Perhaps a similar remedy can be shaped to fit the problems of the farmworker.

The migrant is poorly housed. The Migrant Missionary Fellowship, which operates in the areas of Pompano Beach, Fla., and Traverse City, Mich., reports that most camps are dilapidated shacks with large families living in one room with no windows. The toilet facilities are the outside privy type that are so filthy many use the ground. The President's Commission on Migratory Labor reported in 1951 that good on-job housing for a family of 4, 5, or 6 members (and less than half the camps inspected were good) might consist of an unpainted cabin, 9 by 12 feet, one in a row of such cabins. The cabin could have running water, but this would be unusual. Characteristically, water suitable for drinking would be obtainable from centrally located faucets. Cooking facilities, if existent, would probably be central. Sanitary facilities would be central and in the exceptional case, there would be flush toilets; more often, there would be privies. As noted, this is a description of the good on-the-job housing.

In 1958 an Oregon legislative committee visited many of the major labor camps in that State and saw excellent conditions and also saw vile, filthy places crowded with migrants which were unfit for human habitation. The Oregon State Board of Health inspected housing sanitation facilities in 10 Oregon counties, and reported that the sewage disposal, toilet facilities, and handwashing and bathing facilities were unsatisfactory from the point of public health in almost 50 percent of the camps visited.

A many-pronged attack has been made on the migrant housing problem. The Secretary of Labor now requires the farmer to provide housing meeting minimum requirements before he will permit that operator to hire a laborer from Mexico. The government of Puerto Rico requires that operators utilizing labor from that area must provide adequate and hygenic housing at no cost to the workers. New York, New Jersey, Pennsylvania, California, and some other States require that migrant labor camps be registered and meet certain minimum standards. Whether these measures will suffice is unknown. The migrant housing is used only for brief periods of each year, and all housing is expensive to build and maintain. Oregon proposed a solution in 1958 by permitting the operator to deduct the cost of new housing from his tax returns to an amount up to 25 percent of his income. The United States might well study this and other proposals in the field of migrant housing.

The migrant is poorly educated. The report of migrants who winter in south Texas states that "one-third of them had no education and only 5 percent have had any education above the grade-school level. The usual situation is for them to have had 3 to 6 years of schooling or, for the older workers, no schooling at all."

The report of migrants who winter in Florida states that "Median years of school completed by those in survey households was 4.8 years."

A survey of children in Oregon migrant camps in 1958 discloses that between 60 to 80 percent of those entering adolescence (13 and 14 years old) were behind their proper grade in school. Twenty-six percent were more than 3 years behind their proper grade.

The reasons for this are clear. Families leave their winter quarters a month or two before school ends and return a month or two after school begins.

Many States are concerned about the child whose lack of education might well bar him from the more desirable types of occupational opportunities. My own State of New Jersey has instituted pilot summer school projects for migrant children, as have the States of Oregon, Washington and some others. The State Universities in Michigan, Illinois and others have instituted studies toward seeking the dimensions and some cure of this area of concern. Church, civic and other public-spirited groups have investigated and attempted small-scale solutions for many years. The results of these efforts should be of interest to us all. As Secretary of Labor Mitchell recently put it: "Look beyond the screen of statistics at a child behind in school, in poor health, housed in a coop, whose father works for 131 days a year for 50 cents an hour. That child hasn't much of a chance to develop his talents, to be fully useful to himself or to his country. This is the ugliest kind of human waste."

The migrant is transported for long distances in cramped and unsafe conditions in vehicles which are often a menace to the safety of all who use the highways. The U.S. Government requires that livestock (cattle, pigs, sheep, etc.) be transported under safe and sanitary conditions. The U.S. Government annually appropriates funds to provide rest areas for wild migratory birds in transit. Foreign Mexican migrant workers are protected, for the standard work contract requires that all growers utilizing Mexican labor provide free transportation in trucks with fixed seats, adequate protection against inclement weather, and with the same safety requirements that are applicable to common carriers.

But the U.S. Government has long withheld benefits afforded animals, birds, and Mexican laborers from the U.S. citizens who form the basis of our migrant-labor farm-operations work force.

Some action is now under way. In 1957 the Interstate Commerce Commission issued safety regulations governing the interstate transportation of migrants, and at least six States have adopted regulations governing intrastate migrant transportation. What further action is required by Congress is a question which requires some investigation and study.

The migrant, although recently brought within the coverage of the Social Security Act, is generally excluded from social legislation such as that relating to minimum wages, child labor, unemployment compensation, disability compensation, and the right to join unions of his own choosing and bargain collectively. Mexican workers within the United States fare somewhat better; they are guaranteed "the right to elect their own representatives who shall be recognized by the employer as spokesmen for the Mexican workers." The grower utilizing their services is required to obtain an insurance policy or give bond guaranteeing medical care and compensation for personal injury and disease contacted on the job. It might also be pointed out that American migrant workers are often denied the benefits of public welfare because of an inability to meet residence requirements.

I would like to conclude by reviewing recent manifestations of interest in this overall problem.

President Eisenhower has established, at Cabinet level, a committee on migratory labor.

The Interstate Commerce Commission has begun to investigate and regulate the interstate transport of migrants.

Secretary of Labor Mitchell recently proposed the establishment of certain labor standards which employers must meet before they can recruit out-of-State workers through the facilities of the U.S. Employment Service.

Since 1954, 14 States have established migratory labor committees; the Council of State Governments has established a committee on migrant farm problems, and the Governors of 12 eastern seaboard States from New York to Florida have created the Committee of Officials on Migratory Farm Labor of the Atlantic Seaboard States to examine the situation and determine what the States can and should do about it.

The AFL–CIO recently announced a program to end 19th century poverty in 20th century rural America. This group has proposed bills which would alleviate and improve certain aspects of the migrant laborer.

Senators McNAMARA and CLARK have introduced S. 1085 which seeks to establish a minimum wage for workers on large corporate farms. Senator McNAMARA and 15 others have introduced S. 2141, of which I am a cosponsor, which seeks to prohibit child labor in agriculture during school hours. And I have already mentioned S. 1778, introduced by Senators JAVITS and KEATING, which relates to regulation of crew leaders.

Each one of these manifestations of interest is certainly welcome. I hope that interest continues to grow as the Senate subcommittee presses its study of this problem. Many individual groups have studied the difficulties facing migratory workers throughout the years. To them and others who are interested in the problem I extend an invitation to participate in and cooperate with the workings of the subcommittee.

Mr. WILLIAMS of New Jersey. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD an article, published today in the Washington Post, in regard to the proposal of the Maryland Commission on Migratory Labor for a housing code for itinerant farmworkers; and also an article, published today in the New York Times, which indicates the concern of New York for meeting some of these problems.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 6, 1959]

MIGRANT LABOR CODE SOUGHT FOR MARYLAND

(By Laurence Stern)

BALTIMORE, August 5.—Maryland's Commission on Migratory Labor today proposed a housing code designed to improve living conditions for the State's 8,000 itinerant farmworkers.

Commission Chairman Paul E. Nystrom unveiled the draft code as the first step in a broad survey of health, welfare, and transportation conditions of migratory workers.

He said the commission will ask that the new housing regulations be adopted before next year's harvesting season. Public hearings will first be conducted on the Eastern Shore and in western Maryland's fruit growing regions.

Migrant camp operators would have to meet the new minimum standards in order to qualify for operating permits. The code would be policed by the State department of health.

At present there are no health or housing standards for Maryland's estimated 135 labor camps. Pennsylvania, Delaware, and New York have enacted housing codes for migrants.

As outlined by Nystrom, the code proposes a minimum space requirement of 100 square feet per person. Other provisions would require sanitary water supply, toilet and sewage disposal facilities.

Last month the Commission, appointed by Gov. J. Millard Tawes, made an on-the-spot survey of migratory camps in Somerset

County. "Things weren't as bad as we anticipated," Nystrom said.

Two years ago the State department of health made an exhaustive inspection of labor camps throughout the State. It reported that "housing is generally unsound and in a dilapidated condition. Very little protecttion is provided against flies and other insects.

"Washing, bathing, and laundry facilities are inadequate to meet the needs of the campers."

Health inspectors also reported that 66 percent of the water supplies and 72 percent of sewage disposal systems were unapproved.

The State department of health can adopt the proposed new code without legislation after public hearings.

Nystrom reported that reaction among the growers was favorable.

He noted that the Federal Department of Labor also is considering migratory camp regulations. "The growers realize that any State's standards would be easier to live with than Federal standards," Nystrom said.

Most of Maryland's migrant workers are Negroes from Florida and the West Indies and Puerto Ricans.

[From the New York Times, Aug. 6, 1959]

CALIFORNIA TO COMBAT ABUSES OF MIGRANT FARM LABOR LAWS

(By Gladwin Hill)

LOS ANGELES, August 5.—California is starting a long-awaited crackdown on abuses in the system of importing migrant Mexican farm labor.

The importation of up to 500,000 men annually has been under incessant criticism of organized labor and other organizations on these major counts:

That it deprives domestic farm labor of employment.

That it has led to exploitation of the Mexicans themselves.

The State has begun two inquiries into the farm labor field, one by the Attorney General's office and the other by the State Department of Employment in the new administration of Gov. Edmund G. Brown.

Representatives of the U.S. Department of Labor have also been studying the abuses.

TWO STATE AIDS OUT

These moves have resulted within the last few days in the dismissal of a high-ranking State employment officer for alleged corrupt practices; the resignation under fire of another; and the revocation of the labor importation permit of a large Coachella Valley rancher for alleged discrimination against domestic farmworkers.

The developments reflect increasing concern by James P. Mitchell, the Secretary of Labor, over enforcement of laws dealing with imported labor.

The use of Mexican labor is an outgrowth of the manpower shortage in World War II.

Southwestern farmers contend that, despite a pool of up to 1 million migrant U.S. farmworkers, they cannot depend on domestic labor entirely to produce their crops.

Under Public Law 78, the United States and Mexico have agreed that Mexican workers may be imported by farmers for 6-month periods if the farmers certify that domestic labor was not available.

The Mexicans are supposed to be paid a prevailing wage in the area where they work. More than 150,000 are used annually in California whose $2,750 million yearly farm production is the State's largest industry.

William N. Cunningham, assistant State farm placement chief in Los Angeles, was dismissed last week, 4 days before his retirement, for allegedly taking gratuities from several large farming concerns and assigning State employees to personal missions.

Don R. Park, State farm placement supervisor in San Diego and Imperial Counties, resigned this week as his activities came under official scrutiny.

Yesterday, the Federal officials revoked the Mexican labor permit of Joseph Munoz, a member of the Coachella Valley Farmers Association on the ground that he had ignored repeated warnings against refusing work to available U.S. citizens.

OREGON A LEADER IN PROTECTING MIGRANT WORKERS

Mr. NEUBERGER. Mr. President, I am pleased to cosponsor the bill introduced today by the distinguished junior Senator from New Jersey [Mr. WILLIAMS] to provide for the registration and regulation of contractors of migrant agricultural workers.

I think this is needed legislation, and I hope that it will receive serious consideration by the 86th Congress.

Mr. President, my own State of Oregon has been a leader in enacting legislation to protect migratory farmworkers.

During the last session of the Oregon State Legislature, five major bills were passed to aid in insuring that the men, women, and children who come to Oregon annually to help us harvest our crops, live and work under decent conditions.

The five measures established minimum standards for housing and sanitation, safety inspection of motor vehicles, a pilot program for education of children, licensing of farm labor contractors, and an interagency committee of State government agencies to coordinate the programs.

Mr. President, passage of these laws was stimulated by the work of many dedicated public officials and private citizens.

REPORT BASIS FOR LEGISLATION

When the Oregon State Legislature met in January of 1959, it had available, as a basis for action in this field, an exhaustive and detailed report on migratory labor conditions in Oregon, prepared by the Legislative Interim Committee on Agricultural Labor, whose members included Representative Don Willner, of Portland, chairman; Senator Truman A. Chase, of Eugene, vice chairman; Daniel Wessler, Corvallis, Secretary; Senator G. D. Gleason, Portland; Representative George J. Annala, Hood River; Representative Arthur P. Ireland, Forest Grove; Hoyt Franchere, Portland; Lawren King, Ontario; and Dean Holmes, Sheridan, editor of the Sheridan Sun.

The report presented by this group was described by the executive secretary of President Eisenhower's Committee on Migratory Labor as the most extensive and comprehensive study of migrant labor ever undertaken by a State. The report indicated that there were both good and bad conditions in our State. It showed that the bad conditions were not widespread, but that corrective action was required to protect transient labor. Specific legislative recommendations were submitted.

Late in 1958, the Oregon Committee on Migrant Affairs was formed. This group—formed with the assumptions that migrant labor is essential to Oregon, and that the migrant deserves greater understanding and attention—swung its support behind the interim committee recommendations.

CITIZENS' COMMITTEE PROVIDES SUPPORT

Members of the group include Dr. Roy E. Lieuallen, chairman; Roger Buchanan, vice chairman; Mary Kay Rowland, secretary; Robert Richter, treasurer; Earl A. Holmer, executive director; Rev. Earl W. Riddle, Mike Mischke, Sister Jean Marie, W. J. Mishler, and Dr. Louis Feves, district chairmen, and Rt. Rev. Benjamin D. Dagwell, J. W. Forrester, Jr., editor of the Pendleton East-Oregonian; Dr. Dorothy O. Johansen, Tom Lawson McCall, and Hon. Charles A. Sprague, State advisory committee. Mr. Sprague is an ex-Governor of Oregon.

Church, farm, PTA, and other groups interested in the problems of migrant workers also gave their support.

The result of these joint efforts was the enactment of legislation to assist in the elimination of mistreatment of transient laborers and their families.

Charles A. Sprague, former Governor of Oregon, and editor of the Oregon Statesman, pointed out recently that the job is not yet done. "A more comprehensive program of work with migrants is desirable," he declared. He suggested instruction in English, for the many Spanish-speaking migrants; some instruction in health, in sanitation, and in home economics; and some effort to relate the transients to the settled life of the community. He stated in the latter regard:

> Education is needed among the permanent residents, too, for they are apt to wash their hands of any responsibility and be relieved when the migrants pile into their jalopies and go on to the next harvest.
>
> So long as we depend on migratory labor for gathering of our crops, we must plan to give such workers fair treatment and decent conditions for living. Camps for migrants should not become festering social sores.

Mr. President, I am proud of the fact that Oregon has established the most complete and balanced program of any State in the Union with respect to the protection of migratory labor. Those who contributed to this achievement deserve high praise.

I think that we in Congress can well look to the action of my State as an example. I believe we have been negligent in tackling this problem at the Federal level. The bill introduced today in the Senate by the junior Senator from New Jersey [Mr. WILLIAMS], is a step in the right direction. Consideration should also be given by the Federal Government to migrant housing needs. Such a move was made when there was inserted in the modern housing bill, which was vetoed by the President, language directing the H.H.F.A. Administrator to study this problem. Furthermore, proposed legislation which has been introduced in the House of Representatives would aid farmers in the financing of migrant labor housing.

Mr. President, one of the most vigorous supporters of programs to end abuses of migrant laborers has been Oregon's able commissioner of labor,

Norman O. Nilsen. Recently Commissioner Nilsen sent me an extremely cogent letter describing the need for effective legislation to deal with difficulties created by migrant labor housing demands and certain crew leader activities. I ask unanimous consent that his letter be printed in the RECORD at the conclusion of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STATE OF OREGON,
BUREAU OF LABOR,
Portland, Oreg., June 15, 1959.

DEAR MR. NEUBERGER: In April of 1958, I had occasion to call to the attention of the Oregon congressional delegation a bill introduced by Mr. ROGERS of Florida to authorize Federal low-interest farm housing loans for migrant housing. The bill was apparently late in appearing or met with some opposition and it was not passed. I was greatly appreciative, however, for the interest given to the bill by the Oregon delegation.

At this session, there are four bills affecting migrant labor, and I once again am requesting your help in securing constructive action on the problems which the bills are aimed to correct.

There are two bills which are directed toward the problem of migrant farm housing. H.R. 422, introduced by Mr. ROGERS of Florida, referred to the Committee on Banking and Currency, creates a program in the Farmers Home Administration to insure farm labor housing loans from private lenders, in addition to the existing program of direct Federal farm housing loans under title V of the Housing Act of 1949.

H.R. 1247, introduced by Mr. FASCELL, of Florida, referred to the Committee on Banking and Currency, authorizes low-interest farm housing loans (up to 90 percent of cost) to associations of farmers for migrant housing, in addition to the insurance program proposed in H.R. 422 and the existing program under title V of the Housing Act of 1949.

Many individuals and groups throughout the country have been concerned about the inadequacy of housing for migratory farm workers. The International Association of Governmental Labor Officials and the Council of State Governments, among other organizations, have worked for a treatment of the problem comparable to H.R. 422 and H.R. 1247.

While we are greatly concerned with the condition of such housing, we feel that the farmers who provide the housing do so under some handicap. One of the handicaps apparently is the lack of availability of loan funds for this purpose. In most cases the housing is used for a relatively short period of time and, of course, is not directly productive. It also has a tendency to deteriorate more rapidly than other farm buildings. For these and other reasons it is sometimes difficult for the farmer to arrange financing for adequate migrant housing.

In all candor I must admit that when I asked publicly for support for the Rogers bill in 1958, I did not arouse much enthusiasm around the State. Since that time, however, several surveys have tended to support my contentions. The Oregon Board of Health survey, above all, certified the need for improvement in the housing for migrants. The Oregon State Employment Service survey tended to show the problem in the economic context upon which we must direct some attention.

With 1,017 farm operators with migrant housing answering the employment service questions, only 15.5 percent of their family units and 14.6 percent of their barracks units have been built since 1952. There is some doubt that the percentage is this high with respect to number of workers accommodated, although the only available figure was on the barracks type—of the 14.6 percent of barrack units house only 6.3 percent of the total worker capacity of all barracks reported. (Table XVII and XVIII, 1958 State of Oregon Farm Operator Survey, Oregon State Employment Service.)

These statistics are dramatized by the most common estimate of these farm operators that the life expectancy of their migrant housing is between 10 and 14 years (table XX). With 85 percent of the present housing units already over 7 years old, it is obvious that new construction is not keeping pace with the need.

Furthermore, of the 4,273 farm operators reporting (1,017 of whom now have some housing), only 53 are planning any expansion (table XXI).

Right on point in terms of the two bills before Congress, the farm operators were asked if they had in the last 5 years applied for a loan to build migrant housing. Only five reported that they had done so. The interesting thing is that all five answered "yes" to the question of whether they had had any difficulty in securing the loan (table XXI).

What do these statistics mean? Certainly, we can conclude that since hardly any of the farm operators sought loans to build their housing, most migrant housing is entirely paid for out of current operating revenues, i.e., the cash from that year's crop.

How many businesses would progress as fast as everyone wants migrant housing quality to progress, if the owner had to purchase major capital investment items out of 1 year's cash receipts?

After paying off crop loans and ordinary operating expenses, the farmer budgets his remaining cash among the needs of his family, home and farm building improvement or maintenance, machinery which will add to profits in future years and capital outlay for migrant housing from which he receives no direct production profit. Is it surprising that some farmers let their migrant housing go in the face of this unequal contest for his cash dollar?

If this is the problem, the agricultural industry must find ways to pay for migrant housing needs over a period of several years as do businesses of all other descriptions who have capital needs, and as farm operators do for their other capital investment needs.

A pertinent question may relate to the attitude of the farm operators toward the various solutions which might be suggested. Again the employment service survey is a handy reference (table XXIII). Of the 1,381 farm operators who said that they needed housing (or that housing was needed for their workers), the following were their choices on how to provide housing (no distinction being made on the finer points of insurance, loans, or ownership):

TABLE XXIII

Housing should be provided by:	*Percent*
The farmer	28.8
The association	20.1
The Government	12.6
The farmer and Government	5.3
The association and Government	3.3
The farmer and association	3.6
All three	1.3
No method suggested	25.0
Total	100.0

The only thing these figures prove, probably is that a substantial number of the 1,381 farm operators are having difficulty in finding a way to secure satisfactory housing. Some significance might be attached to the fact that 22.2 percent mention a role for Government, this in view of the reluctance of many nonsubsidy farm operators to have anything to do with Government.

It appears to me that H.R. 422 and 1247 have merit. Virtually all surveys, in Oregon and elsewhere, prove conclusively that the agricultural industry is not, and perhaps, without some governmental assistance cannot provide the uniformly satisfactory housing which most would agree is the minimum necessary.

Lastly, I would like to call your attention to two more bills before the current session of Congress—H.R. 5930, introduced by Mr. KEARNS, of Pennsylvania, referred to the Committee on Education and Labor, and S. 1778, introduced by Senators JAVITS and KEATING, of New York, referred to the Committee on Labor and Public Welfare.

Both of these bills provide for the registration of crew leaders in interstate agricultural employment and both begin as follows:

"CONGRESSIONAL FINDING AND DECLARATION OF POLICY

"(a) The Congress hereby finds that interstate commerce and the channels and instrumentalities of interstate commerce are being used by certain irresponsible crew leaders to spread and perpetuate the exploitation and abuse of workers for interstate agricultural employment.

"(b) It is declared to be the policy of this Act, through the exercise by the Congress of its power to regulate commerce among the several States, to correct the conditions above referred to by requiring a person to obtain a certificate of registration from the Secretary of Labor before engaging in the activities of a crew leader with respect to interstate agricultural employment."

Every investigation of which I am aware has found incontrovertible evidence that the above finding is true. Crew leaders (called farm-labor contractors in our report) were found to be practicing deplorable abuses of law and ethical standards in Oregon.

I must say that from the information I have received from informed persons in a number of States there is no major difference among the States, except in the degree to which it has been brought to public attention.

There is a very simple explanation for the presence in unwholesome quantity of irresponsible and unethical conduct on the part of crew leaders or farm-labor contractors. The following excerpt is taken from my testimony before the Oregon Legislative Interim Committee on Migratory Labor last summer:

"LABOR CONTRACTOR ABUSES

"Because of the opportunity of abuse of a peculiar position of trust by a farm-labor contractor or a private employment agency, many States have enacted regulatory legislation. Some such statutes, however, apply to employment agencies only, but more and more States are enacting farm-labor contractor registration laws.

"The Bureau of Labor report of July 19, 1958, dealt with some of the abuses of trust that have come to our attention. We regard these abuses as an understandable outcome of the position of power achieved by a farm-labor contractor (often called crew leader) because of the complete dependence of crew members for jobs, transportation, housing arrangements, wages, and even food sometimes. The cultural, lingual, and/or transient status of the migrant who is a member of such a crew further solidifies the control of the contractor.

"INEFFECTIVENESS OF PRESENT LEGISLATION

"Some of the abuses mentioned in the Bureau of Labor report are contrary to present legislation (general). Because of the secluded location of most migrant installations and activities, because of the fear of law enforcement officials on the part of some migrants, because of the dependence on the farm labor contractor, and because of related factors, few prosecutions have resulted

under general legislation. Civil remedies are almost totally unused for the same reasons."

The 1959 Oregon legislative session passed a farm labor contractor licensing act, I am proud to report. We are now one of several States with such legislation.

This is not to say, however, that even those States with such a law can cure this problem which is characterized by rootless, highly mobile interstate movement. We can help, and in the absence of Federal regulation we must try. We cannot, however, regulate at all what the Federal Government could regulate with relative ease, i.e., the total pattern of the individual farm labor contractor movement from the State in which he recruits his crew to the last State on the summer harvest trail in which he works his crew.

Unlike the regulation of the private employment agency, with its stationary office and character, all States must look to the Federal Government for help on this more elusive problem. For the good of the farmers, who often have sad experiences with contractors, and for the good of the migrants and the public welfare, the business of farm labor contracting (or crew leading) must be regulated sufficiently to promote respectable and ethical conduct.

If improvement is not forthcoming the agricultural industry and the migrants will be completely caught in an untenable position—they won't be able to live with the farm labor contracting business and they won't be able to live without it.

On all four of the bills mentioned in this letter, I most urgently request that you consider their merits and actively participate in securing some effective legislation. Copies of the Oregon State Employment Service report from which I quoted at length can be obtained from their Salem office in the Public Service Building. Our reports are available at either our Portland office at 1216 SW. Hall Street or our Salem office in the State Office Building. Please let me know if I can be of assistance, and thank you for your consideration.

Cordially yours,

NORMAN O. NILSEN,
Commissioner of Labor, State of Oregon.

WORLD CONFEDERATION OF TEACHERS

Mr. HUMPHREY. Mr. President, Washington, D.C., has been host this week to approximately 700 educators representing over 100 national teacher organizations from 70 countries. These education leaders represent collectively over 3 million members of the teaching profession.

The World Confederation of Organizations of the Teaching Profession was formally organized 8 years ago, though there were years of preliminary groundwork, led in part by the National Education Association of the United States.

This is the first time the group has met in the United States. Previous meetings have been held in Copenhagen, Oxford, Oslo, Istanbul, Manila, Frankfurt, and Rome. This year's meeting includes members from countries in Africa, Asia, Australia, Europe, North and South America. Simultaneous translation in four languages—English, French, German, and Spanish is provided for the delegates. General sessions are held in the beautiful new headquarters building of the National Education Association, whose executive secretary, Dr. William Carr, is secretary general of the world confederation.

The people of the United States and especially my colleagues in the Senate should be impressed, as I am, with the dedication of these teachers in their efforts to improve the effectiveness of their work on behalf of their millions of students and the well-being of the world of the future. I know that my colleagues will join in paying tribute to these dedicated educators whose efforts to bring knowledge, understanding, and mutual respect to their fellow teachers—and through these teachers to the future citizens of the world—are of such vital importance to all mankind.

Sir Ronald Gould, of England, president of the World Confederation of Organizations of the Teaching Profession, in his keynote address, July 31, made many statements which I feel will be most heartening to all who believe in education and world peace. In order to share his ideas with Members of Congress, I ask unanimous consent that excerpts of his remarks be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

THE MUTUAL APPRECIATION OF EASTERN AND WESTERN CULTURAL VALUES

(Address of Sir Ronald Gould, president of the World Confederation of Organizations of the Teaching Profession, July 31, 1959, Washington, D.C. (Excerpts from keynote address.))

EASTERN AND WESTERN CULTURAL VALUES

The theme of this year's conference is the same as that of the UNESCO major project—the mutual appreciation of Eastern and Western cultural values. What a title and what a target for the scoffer and the hypercritical.

Why East-West? it may be asked. What is East and what is West? Is Turkey East or West? Is Africa East or West? Or is it divided, and if so, where? Seach for such precise definitions will prove singularly unrewarding. What really matters is not whether this or that country is in the East or West, but whether each country appreciates the achievements, the ideas, the values, the hopes, and the fears of others.

WHY CULTURE?

But, it may be asked, why the highfalutin language? Why that detestable word "culture"? You will remember that Goering remarked that whenever culture was mentioned he felt for his revolver. I have a sneaking sympathy for him, for what often passes as culture is but social snobbery—"U" as opposed to "non-U," "in" as opposed to "out," pretentious, arty-crafty, and phony. But if culture is what I believe it to be, the sum total of ideas, values, social and political forms of society; if culture is a measure of how far we have sought for and found beauty, truth and moral worth; if it is an indication of how civilized a society has become, culture is not irrelevant, trivial, snobbish, pretentious, arty-crafty, or phony. It determines a society's spiritual, mental, and material well-being.

But, the cynic may reply, why is it necessary to appreciate other people's culture? Why doesn't each country look after its own? And the short answer is that it can't. The world is too small; countries are too interdependent. There is no purely indigenous culture, none that does not owe something to others, none that can remain unaffected by others.

Take, for example, my own country. We owe the introduction of printing and the consequent spread of learning to the Chinese, much of our mathematical knowledge to the Arabs, ideas about democracy to the Greeks, our law to the Romans, and our knowledge of the world of the spirit to the Jews.

Or take, as another example, the United States. Inspired by political and religious ideas from England, Holland, Switzerland, Germany, and elsewhere, a colony became independent. National advantages have been exploited by means devised in many countries, and a high standard of living has been achieved. Yet these advances have been made while maintaining and giving deeper and richer meaning to human rights. Ideas about human rights were derived from many sources and particularly from some of the early settlers, who came here to escape from religious or political persecution, but these ideas have here been enlarged and refined.

Was it not one of America's greatest statesmen, Franklin Roosevelt, who, during the war, urged us to fight not alone for material things but for human dignity, for the four freedoms inseparable from human dignity—freedom of speech, freedom of religion, freedom from want, and freedom from fear?

Thus the culture of the United States is an amalgam of many cultures; but all who aspire to independence, high living standards and a concept of human dignity will look to it for inspiration and guidance.

Or take, as another example, Asia. In those remarkable articles, "Reality in Asia" and "The Destiny of Asia", written by Dr. Welty, our Assistant Secretary General (the most penetrating articles on this topic I have read, and which I advise you to read and reread), he showed how Asia's aspirations, Asia's values, Asia's ideas are being modified by Western ideas. Like Western countries, Asia wants food, clothes and homes. Asia believes poverty is caused by man and can be prevented by man, that man is greater than material forces and he can control them, that if he wishes, he can become master of his fate. Like Western countries, Asia seeks independence and freedom from oppression by its own leaders and by outside forces. Asia is endeavoring to destroy family despotism, raise the status of women, and kill the notion that some races are superior to others. These reforming ideas have come from many sources, and they need further reinforcement.

There is then no pure culture. All culture is affected by that of others, and national cultures can be improved and refined by contact with the best in others. Is this important to ordinary people? It is. Let me take a simple illustration. Many parts of the world know the meaning of real poverty. Asia is poor; with more than half the world's population it consumes less than one-fifth of the food the world produces. Millions are hungry; tens of thousands die of starvation. And what will enable the East to provide more food? Technology, know-how, the use of that knowledge which is power, the harnessing of science to production, the transfer to Asia of Western ideas, or if you like, of scientific culture. And then, if this know-how is introduced from outside, note what will happen. More food will be produced and since international trade is really barter, Asia will get more from other countries and other countries will get more from Asia. Appreciation and understanding of the cultures of others, then, is not mere altruism; it is the way to a better material life for all.

And note this, too. Unless ideas about human dignity and human freedom prevail everywhere, there will continue to be international tensions, international incidents and even war. This, then, is no academic subject. It is vital to human well-being and even to human survival.

But what has all this to do with education? The teachers' task is to transmit to their pupils the best in their national culture. They can play a part in refining that culture by leading their pupils to appreciate

some of the worthwhile in other cultures, and this must be done if the world is to be wiser, more prosperous, and free from the tensions which lead to war. Whatever else education may do for children, it must free them from ignorance, prejudice and parochialism. Anything less is insufficient for today's needs.

BETTER PURPOSES

And how is this to be done? Do we add another subject to the time table or use a few new visual aids? This is but tinkering with the question, when fundamental rethinking is required. What is really needed is an education actuated by better motives, with better content, given in a better way, under better conditions by better people.

Let us look at each in turn. First, education should be devoted to better purposes. An American university (I am told) chose as its motto "Pep without purpose is piffle." Regretfully I must admit that some education is piffle, for it is all pep and no purpose. I have no particular objection to pep, but I insist purpose is important. Said Abraham Lincoln: "If only we knew what we were about perhaps we should get about it better." It is clear to me that some of our educational problems arise from the fact that some teachers are but dimly aware, or even oblivious of what they are really about.

This is dreadful some will say; education needs no purpose; it is an end in itself and it is advocating a biased education, an education committing people to social ends. Unashamedly, I plead guilty. I am advocating a purposeful education, for to me education is a social dynamic. I am advocating a biased education, but biased toward the best. I want teachers committed to the production of good citizens of their country and of the world. I want them to combat ignorance, suspicion, and prejudice whenever it may be found. I want them committed to the pursuit of truth, beauty, and moral excellence.

There is little risk, I think of any of our countries committing themselves to ignoble educational purposes. But there is a real risk we may be muddled in our aims or pursue ends that are too narrow. Some, for example, appear to be concerned about otherworldly ends. They readily become airborne. The sordid business of earning a living, they think, must not be mixed up with education.

What nonsense. I readily concede man has a right to a personal life, even an abundant personal life. But he also has to work, for we all belong to the working classes now. He has to live in a real world, not a dream world, but the world as it is. He has to spend his leisure in this real world and become a citizen of it. And children should be educated for this real world.

I know man does not live on bread alone, but he can't live without it, or, as Mark Twain remarked, "A man does not want Michelangelo for breakfast."

Yet this isn't the biggest risk in education today. When the sputnik was put into orbit, many rushed to the conclusion that education should be revolutionized and devoted to technological ends. And indeed the emphasis today is almost exclusively on education as the means by which individuals and the country generally achieve a higher material standard of living. I am all in favor of higher living standards, but other things need emphasis, too. A. N. Whitehead rightly reminded us that "A man may know all about the laws of light and yet miss the radiance of the sunset and the glory of the morning sky." Education must produce not only better scientists, but men who are aesthetically and spiritually alive.

Again, since half the world is illiterate, it is not surprising that in some countries the main educational purpose is to make people literate. Yet that purpose needs widening, too. We must not forget other things, and particularly what Plato called the science of good and evil, or, if you like, the pursuit of moral worth.

I must admit I cannot define the purposes of education for you. Purposes must vary between country and country and even school and school, because history, traditions and aspirations vary. Each school must define its own purposes. This is all the advice I can give: First, define purposes as best you can and make them worthy purposes; secondly, avoid, like the plague, narrow aims; thirdly, relate to the purposes all that is taught and how it is taught; fourthly, constantly reflect on what you and the pupils are doing and how this relates to your purposes. You will then find that method and content will more and more fulfill the purposes, and the purposes themselves will be clarified.

BETTER CONTENT

In preparing curriculums, then, only that relevant to the purposes should be included; all else should be excluded, and if in your enthusiasm, you are tempted to attempt too much, take note of Gould's law, which runs as follows: "If more is added to a pot which is already full, a mess is created." Don't therefore, add, unless you are prepared to take away.

And don't, I beg you, change everything, and abandon the traditional as being useless and old fashioned. People who do this are just as dangerous as those who want to leave everything alone.

Gustav Holst, an English musician, remarked there were two kinds of musical Philistine—he who believes musical history to have begun at a definite date and he who believes musical history to have finished at an equally definite date. Dean Inge, an English theologian, said there were two kinds of fool—those who say, "This is old and therefore good" and those who say "This is new and therefore better."

In education the Philistine and the fool are out of place. The worthwhile is not necessarily old or new. It could be either or both. So if we are going to improve the curriculum, we should make selections of old or new material, but all must be relevant not only to the capacities of children but to the purposes to be pursued.

BETTER METHODS

And then we must examine our methods to make sure they help to fulfill our purposes. I am no pedagogical expert but I see colleagues falling into the error of regarding methods as of little or of no importance or alternatively all important.

Let me give two examples of the devaluing of methods. Here is No. 1. Moral conduct, it is assumed, is merely a matter of knowledge. Teach the right things and children become moral. This is a fallacy. In moral education content and method are both important. For virtues and powers are developed not just by knowing of them but by practicing them. I submit that in the classroom unselfishness, courtesy, toleration, cooperation and appreciation of others' efforts and achievements need to be practiced just like reading, writing, and arithmetic.

Here is example No. 2. Scientific education, it is said, is too narrow, so humane and liberal studies must be added to make the scientist liberal minded. This, too, is a fallacy. In these days of increasing specialization, I doubt the practicability of adding much in the way of the humanities to science courses. But is it true that the study of science is illiberal and the study of the arts liberal? I know liberal-minded scientists and illiberal arts men. The fact is that science teaching can be liberal if it is constantly related to life, to its effects on men, to its social consequences. Indeed it has freed many men from prejudice and parochialism, and enabled them to work more readily with their fellows.

Of course, literature and history ought to be liberal studies, for they deal with men's hopes and fears, loves and hates. But sometimes these subjects have been taught in an illiberal way with no suggestion that they bear on personal relationships. Even literature and history can become a mere matter of assimilation and regurgitation with no liberalizing effect. Thus there are no liberal or illiberal subjects; there are only liberal and illiberal ways of teaching and learning. Liberal methods are needed in history, literature, science, and all subjects. All that is taught should be related to man, his needs and his aspirations.

But the worst error of all and the most prevalent is to regard content as unimportant and method all important. The teacher's task, it is said, is to create the conditions within which a child can be happy, and happiness is derived from doing what one pleases. Thus content is of no great importance. This, too, is a fallacy. It misunderstands the nature of children and the nature of happiness. At all costs, so some have suggested, the child must avoid strain or he will become anxious and something dreadful will happen to his psyche, his ego, his libido, or whatever is the current word. Education, they infer, demands no effort. It is an experience, like falling in love, joy, or the state of grace. It is not achieved. It is given. This is contrary to my own personal experience, and all I know about children. Real and abiding happiness does not spring from ease and idleness. Happiness comes from strain, tension, struggle, from grappling with difficulty and succeeding. Music, I may remind you, comes from taut strings, not slack ones. No education worthy of the name is possible without effort. Sweat has pedagogical and character-building merit.

You will therefore see I have no sympathy with those schools where the rights of children are cherished and where teachers have none to cherish; where intellectual content has little importance; where projects and methods that ought to be means to further the ends of learning have become ends in themselves, and where teachers are never allowed to raise their voices in anger and the children never lower theirs except from exhaustion.

I have admiration only for those who regard methods as important means of serving great ends, and who realize that every new burden cast on the school, and every widening purpose to be followed, demands a new valuation to ensure that methods serve the determined ends.

BETTER CONDITIONS

At previous conferences we have discussed how education is hampered because teachers, buildings, and money are in short supply. We have agreed that what is chiefly wrong with the schools is their poverty. This must be constantly stressed. Half of the 500 million children of school age in this world (that is under 14) are getting no education at all.

Even in wealthier countries classes are often overcrowded and buildings are inadequate. Institutionalized teaching, mass production, factory techniques, leave little time for anything but assimilation, and the lack of individual attention and the inadequate time given for reflection can easily lead to political and social irresponsibility.

No doubt some countries have the will to provide good education facilities, but lack the means. I am told that if the whole local authority and national revenues in India were devoted to education, they would be insufficient to provide primary education for every child. But some countries have the means yet lack the will.

The fact is, substantial natural backing and substantial national resources are needed for modern education. Without them, even

in countries like the United States of America and Canada, phrases like "equality of opportunity" have a hollow ring. Teachers can determine the purposes of their work, work out curricula, and devise suitable methods, but the help of others is needed. In particular, governments must learn to give priority to the things of the mind and spirit.

BETTER TEACHERS

Now may I add what is generally overlooked? Schools need not only enough teachers, but teachers of the right sort. And what are they? Obviously, they must be academically qualified, though standards must vary from place to place. Yet we need more than this. Teaching is not just a job. It is a vocation, a profession, which involves dedication to ideals and causes greater than ourselves.

Schools need teachers with a real sense of vocation and a true professional spirit for many reasons. Heavy responsibilities like those I have enumerated demand high-quality teachers. And if we are going to wage war on prejudice and suspicion and be successful, we must not rely alone on textbooks describing toleration, unselfishness, and sacrifice, but on toleration, unselfishness, and sacrifice incarnate in teachers. What is taught, why it is taught, and how it is taught may all be important, but what the teacher is, is most important of all.

WHAT ABOUT IT?

Thus, you will see that the appreciation of Eastern and Western cultural values is a real challenge to our thinking, to our educational practices, and to the quality of our renowned lives. It reminds us we are educating children in a tough world, where suspicions and misunderstandings, intolerance and stresses abound. It reminds us we must learn to live together, not alone for altruistic reasons, but because the alternative is too unpleasant to contemplate. And an education suited to such a world must not be soft, slipshod, or spineless. It must make big demands on teacher and child.

You remember what Kipling wrote:

"Oh, East is East, and West is West, and never the twain shall meet,
Till Earth and Sky stand presently at God's great Judgment Seat.
But there is neither East nor West, border nor Breed nor Birth,
When two strong men stand face to face though they come from the ends of the Earth."

Note what he says: Your ideas are impossible of achievement. Eastern and Western minds cannot meet in understanding; ignorance and misunderstanding are inevitable, and may result in conflict.

But the twain have met. In schools, children of different races work together and play together with complete absence of racial tensions. The childlike have no racial, sex or language prejudices. The childlike, of whatever age, are of the kingdom of heaven. In them east and west can and do meet.

And in WCOTP there has been neither east nor west, border, nor breed nor birth. And we have not stood face to face in conflict, but side by side in common purpose. UNESCO's theme now presents us with a fresh challenge. Let us accept what is fundamental to it, that education is the great transforming power, that it can work a material, intellectual, and spiritual revolution. I know schools have their failures and partial failures, for human nature is unreliable. But despite this, if the world is to make moral and spiritual progress we must rely upon education.

Let us then take this message back to the 3 million teachers we represent in our own countries. Let us urge our colleagues to reexamine their theories and their practices. Let us encourage them to dispel ignorance and misunderstanding, to root out fear and suspicion in all of the many millions of children entrusted to their care. For the challenge of a world divided and subdivided by indifference, misunderstanding, fear, selfishness and greed can only be met by making men better. To that supreme task let each of us today dedicate himself afresh.

WHITE FLEET

Mr. HUMPHREY. Mr. President, the reaction to the proposal made by myself and the senior Senator from Vermont [Mr. AIKEN], together with 33 other Senators, that a White Fleet be established for disaster relief and technical assistance, has developed wide public support.

Last week the Committee of American Steamship Lines offered to meet with the sponsors of the Senate and House resolutions and to discuss ways and means of implementing the idea. I am particularly gratified to have this offer of technical assistance from the leaders of our great maritime industry.

A very fine editorial appeared in the Christian Science Monitor of July 27, 1959, entitled, "Great White Fleet."

Mr. President, I ask unanimous consent that this editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GREAT WHITE FLEET

In 1907 President Theodore Roosevelt sent 16 American battleships on a cruise around the world. The Great Whte Fleet (American warships were then painted white in peacetime) carried its intended message: that the United States was emerging from an era of preoccupation with recovering from its own great civil conflict and with developing a continent under a network of railroads—from an era of taken-for-granted security behind the British Navy—and that it now was a world power.

Today an idea initiated by a young Navy commander, Frank Manson, and now sponsored by Senators HUMPHREY and AIKEN and Representatives BATES and EDMONDSON—a bipartisan group—is being framed into a resolution asking President Eisenhower to recommission from ships now in mothballs a modern Great White Fleet. This would carry aid to disaster-stricken areas throughout the world and technical assistance to nations which welcome it.

There are, of course, practical problems to be solved. Except for emergency rescues, care of the injured, food and shelter, the needs arising from disasters vary greatly. And the fleet could be a long way off from the place it would be needed. But these difficulties are not wholly insuperable. Even tardy, partial aid would not necessarily be futile. And technical assistance (instruction) could be a continuing service.

As a dramatic, impressive, traveling advertisement of Americans' dominant desire to be helpful, not warlike, the idea has enormous possibilities. It certainly should be seriously explored and considered.

Mr. HUMPHREY. Mr. President, I am hopeful that in the coming weeks hearings may be scheduled on Senate Concurrent Resolution 66. In the meantime, it has been most gratifying to have the many offers of assistance from individuals and organizations interested in developing the idea for a White Fleet into a concrete, operating organization. On behalf of the sponsors of the resolution, may I say that all of these ideas are being considered, and it is hoped that gradually details can be worked out for a specific organizational structure.

HIGHWAY FINANCING

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a statement prepared by me regarding highway financing.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HARRY F. BYRD, CHAIRMAN, SENATE FINANCE COMMITTEE, IN RE HIGHWAY FINANCING

I am vigorously and unequivocally opposed to the billion dollar bond issue currently proposed in the House Ways and Means Committee to supply additional funds for the Interstate Highway System.

I was one of those who actively opposed the Clay Committee report which in 1954 proposed borrowing more than $20 billion against future revenue from Federal highway user taxes to build this Interstate System.

I said then that road bonds issued in anticipation of revenue from Federal gas taxes, etc., was totally unrealistic. I repeat that statement now.

Bond issue financing for such a highway system is unrealistic because mileage and construction costs constantly increase, and invariably the time is hard to find when it is convenient to use available funds for redeeming the bonds. The result is that the debt plus interest continues indefinitely.

After prolonged debate, the Clay committee bond issue recommendations for the interstate highway system were rejected in the Senate by a 2-to-1 vote.

In 1956 Congress enacted an interstate highway financing plan, including the Byrd-Bennett pay-as-you-go amendment limiting apportionments to estimated receipts available to the trust fund derived from highway user taxes fixed in the act.

The Byrd-Bennett amendment was suspended last year as a so-called antirecession measure. I protested against the suspension and predicted that the highway trust fund would be bankrupt under the suspension. This happened quickly when 2 years' apportionments were made against 1 year's receipts.

Now the House Ways and Means Committee is proposing bond issue financing again temporarily to supply additional funds for the interstate road system.

Besides the basically unsound nature of such financing, bond issue for this purpose would be backdoor financing of the worst kind. It would authorize expenditure of Federal funds outside of appropriation process control and it would pile up an additional billion dollars of fully guaranteed Federal debt outside of the statutory debt limit.

In view of the constantly increasing costs of the interstate system, it is foolhardy to believe this debt would be repaid at any time in the reasonably near future. Approval of such a bond issue at this time would be an invitation to issue more bonds as time goes on. The debt plus the cost of continuing interest would go on for years.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, will my friend, the Senator from New York [Mr. KEATING], who has been expecting to take the floor, permit me to

occupy the floor very briefly for two purposes? One is to enable the Senator from Florida [Mr. HOLLAND] to propose a constitutional amendment and the other is to call up the TVA bill.

Mr. KEATING. I yield for that purpose.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from New York be recognized, and that he may yield to me for those purposes, and then regain the floor at the conclusion of the transaction of that business.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from New York is recognized.

Mr. KEATING. I yield to the Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PROPOSED CONSTITUTIONAL AMENDMENT RELATING TO THE QUALIFICATIONS OF ELECTORS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may yield to the Senator from Florida for 5 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. HOLLAND. Mr. President, in the 81st Congress and in every succeeding Congress I have introduced for several other Senators and myself a joint resolution proposing an amendment to the Constitution of the United States relating to the qualifications of electors participating in the election of elective Federal officials, including electors for President or Vice President, and Senators and Representatives in Congress. Hearings were held by a subcommittee of the Senate Judiciary Committee on this proposal in the 81st, 83d, and 84th Congresses, and the printed record is available on two of the three hearings.

The joint resolution, in substance, has proposed that the Constitution be amended so as to forever end the poll tax problem in Federal elections by prohibiting the imposition of a poll tax or any other tax or any property qualification as a prerequisite for qualifying to vote for electors for President or Vice President, or for Senators or Representatives in Congress. The control of State and local elections is left to the States.

I am glad to announce that in reintroducing this joint resolution today, I am joined by many distinguished Senators as cosponsors.

I ask unanimous consent that the list of cosponsors be included in full at this point in the RECORD.

There being no objection, the list of cosponsors was ordered to be printed in the RECORD, as follows:

Mr. JOHNSON of Texas, Mr. DIRKSEN, Mr. MANSFIELD, Mr. KUCHEL, Mr. ANDERSON, Mr. ALLOTT, Mr. BARTLETT, Mr. BEALL, Mr. BIBLE, Mr. BRIDGES, Mr. BYRD of West Virginia, Mr. CARLSON, Mr. CASE of New Jersey, Mr. CHURCH, Mr. COOPER, Mr. CURTIS, Mr. KERR, Mr. DODD, Mr. DWORSHAK, Mr. ELLENDER, Mr. ENGLE, Mr. FREAR, Mr. GREEN, Mr. GRUENING, Mr. HARTKE, Mr. HAYDEN, Mr. HRUSKA, Mr. KEATING, Mr. LONG, Mr. MARTIN, Mr. MCCLELLAN, Mr. MCGEE, Mr. MONRONEY, Mr. MORSE, Mr. MURRAY, Mr. NEUBERGER, Mr. O'MAHONEY, Mr. PASTORE, Mr. RANDOLPH, Mr. SALTONSTALL, Mr. SCHOEPPEL, Mr. SCOTT, Mr. SMATHERS, Mr. WILEY, Mr. YARBOROUGH, Mr. KEFAUVER, Mr. MCNAMARA, Mr. MCCARTHY, Mr. WILLIAMS of New Jersey, Mr. BUSH, Mr. MORTON, Mr. PROUTY, Mr. YOUNG of North Dakota, Mr. LAUSCHE, Mr. MAGNUSON, Mr. JACKSON, Mr. CANNON, Mr. CLARK, Mr. HUMPHREY, and Mr. CAPEHART.

Mr. HOLLAND. Mr. President, at this point I call clear attention to the fact that our proposed amendment is completely bipartisan in character as well as nonsectional. It is supported by Senators of both political parties, and from every area of the Nation, and it has the sponsorship and support of the majority leader and the majority whip, as well as that of the minority leader and the minority whip.

We sponsors of this joint resolution strongly believe that the proposed constitutional amendment should be speedily submitted by this Congress to the States for ratification, and, if so submitted, we believe it will be quickly ratified by at least the required 38 States. Because we are so sure that the requisite number of States would speedily ratify the proposed amendment, we are quite agreeable to the allowing of any reasonable period of time for its consideration and ratification by the various States. I suggest a limitation of 2 years. The ratification of the 17th amendment, which was in some respects comparable to our proposed amendment, was completed in a little less than 1 year.

The poll tax requirement, now limited to five States, namely Alabama, Arkansas, Mississippi, Texas, and Virginia, has been accorded far greater importance than it deserves. The fact of the matter is that the amount of poll tax required to be paid in the several States is so small as to impose only a slight economic obstacle for any citizen who desires to qualify to cast a ballot. This requirement operates, of course, equally on citizens of all races and colors and is generally subject to important exemptions which limit its application, such as the exemption of veterans, of women, and of citizens beyond a certain age. Nevertheless, the question has remained a vexing one, which ought to be settled.

Many good citizens have indicated their feeling that this subject matter should be dealt with by the passage of a Federal statute rather than through the adoption of a Federal constitutional amendment. The sponsors of this resolution feel very strongly that the Federal Government is without any authority whatsoever to deal with this subject matter except by the submission for ratification of a Federal constitutional amendment. Our position is concurred in by many able constitutional lawyers from every section of the Nation, who believe and contend that the only legal way to deal with this question, other than through action by the States themselves, is by Federal constitutional amendment, and that action through Federal statute would clearly violate the provisions of section 2 of article I and also the provisions of the 17th amendment of the Federal Constitution, by both of which provisions the qualifications of electors, as prescribed under the laws of each State for the election of members of the most numerous branch of the State legislature are adopted as the qualifications of electors to vote upon Federal officials.

The introducers of the proposed amendment are exceedingly anxious that it be acted upon speedily and favorably by the Congress so that this subject matter, which has been the source of such long controversy and fruitless debate, may be quickly submitted to the States, where we believe that it will be promptly ratified. We feel that such a conclusion of this long-standing controversy is decidedly in the interest of sound democratic government and stronger unity among all of the people of our Nation.

For myself and on behalf of the other Senators who are cosponsors, I now introduce a joint resolution proposing the constitutional amendment, and I ask unanimous consent that it be printed in the RECORD at this point as a part of my remarks.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 126) proposing an amendment to the Constition of the United States, relating to the qualifications of electors, introduced by Mr. HOLLAND (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. The right of citizens of the United States to vote in any primary or other election for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax or to meet any property qualification.

"SEC. 2. Nothing in this article shall be construed to invalidate any provision of law denying the right to vote to paupers or persons supported at public expense or by charitable institutions.

"SEC. 3. The Congress shall have power to enforce this article by appropriate legislation."

Mr. JOHNSON of Texas. Mr. President, this amendment is in accord with a philosophy which I have followed all my life. It is that government is at its finest peak not when it just helps peo-

ple, but when it helps people to help themselves.

I am delighted to join with the distinguished senior Senator from Florida, the minority leader, and forty-odd other Members of this body in cosponsoring this joint resolution.

In a democratic society, the best way to help people to help themselves is to place the fewest possible burdens on their right to vote.

From a practical standpoint, the only experience I have had with poll taxes is in my native State of Texas. As a young Congressman, many years ago, I urged my fellow Texans to repeal the tax.

I do not believe the poll tax in Texas is any great barrier to voting. But it is still a burden on voting, and I have remained consistent in stating that it should not be in force.

The right to vote is the most precious heritage we have. Any man who has a vote has a potent instrument for helping himself. The vote should not be conditioned upon a poll tax or any other kind of a tax.

I am aware of the fact that there is a dispute over whether Congress can repeal the poll tax by a simple law or whether a constitutional amendment is required.

I have my own feelings on this subject. But I do not believe we have any reason to linger over the argument.

We have every reason to believe that, if Congress acts in this field, the State legislatures will follow quickly. Any delay would be negligible.

As the Senator from Florida has already reminded the Senate, the poll tax as a prerequisite for voting is effective in only five States.

Consequently, I do not see any reason for risking court suits by seeking to pass a simple law.

A simple law would be resented by the people of the States. It would certainly be tested, and there are strong reasons to believe that the results could be adverse.

But if we act by the constitutional amendment route, the results are virtually certain, as certain as anything can be in this uncertain world. We will have a foolproof achievement which will have behind it a double force.

It will have been approved by the Congress. It will have the sanction of the States themselves.

Mr. President, there are today five States which have the poll tax, including my own State of Texas. The trend over the years has been against placing such a burden on the right to vote.

But trends can be reversed. By acting now, we can settle this issue through the most stable aspect of our Government, the Constitution itself.

Mr. President, I supported the Civil Rights Act of 1957, because its enforcement provisions were directed to the basic right of voting. This would be yet another step in helping to safeguard that right.

I do not believe that any reasonable man or woman in this day and age will argue with the right to vote. All of our citizens who are not felons or incapacitated for mental reasons should have that right.

And whatever limitation is placed upon the right, such as an age limitation, should apply equally to all. Any financial limitation obviously cannot be made to apply equally.

We offer this amendment in the belief that it is time to act. And we hope that action will be swift and in accordance with the American tradition.

Mr. President, I yield to the Senator from California.

Mr. KEATING. I thought I had the floor.

Mr. ENGLE. The Senator from Texas yielded to me.

Mr. JOHNSON of Texas. I had asked the Senator from New York to permit other Senators to be recognized for the purpose of introducing a joint resolution proposing a constitutional amendment and to act on the TVA bill, and then the Senator from New York would be recognized.

Mr. KEATING. I wanted to be sure.

Mr. JOHNSON of Texas. I yield to the Senator from California.

Mr. ENGLE. I thank the distinguished majority leader.

Mr. President, I am happy to join with my distinguished friend and colleague, the Senator from Florida, as a coauthor of this joint resolution. I hope that it will be enacted into law.

I agree with the majority leader that the course taken in this instance is the proper course to take and one which will result in the most expeditious elimination of the poll tax as a bar to voting. I am pleased to have the opportunity to join as a coauthor of this resolution.

This subject should be dealt with by the adoption of an amendment to the Federal Constitution rather than by the enactment of a Federal statute.

Article I, section 2 of the Federal Constitution provides that the electors of Representatives, in each State, shall have the qualifications requisite for electors of the most numerous branch of the State legislature. The 17th amendment contains the same provision with regard to the qualifications of electors of Senators from each State.

Article II, section 1, provides that, as regards the election of President and Vice President, each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, who shall meet in their respective States and vote by ballot for President and Vice President.

It is evident from these provisions that the Federal Constitution has committed to the several States the power to determine the qualifications of voters in Federal elections, by adopting as qualifications to vote in Federal elections the qualifications prescribed under the laws of the several States for voting for the members of the most numerous branch of the State legislatures.

The poll tax is now a prerequisite for voting in five States—Alabama, Arkansas, Mississippi, Texas, and Virginia—each of which considers the payment of this tax as a qualification for voting. Should we enact a Federal statute prohibiting the poll tax from being considered a qualification for voting, we will be met with the charge that such a statute is unconstitutional as being in conflict with the above-mentioned sections of the Federal Constitution.

While it is true that, among other amendments, the 15th amendment to the Constitution limits this power of the several States to establish qualifications for voting, in that this amendment prohibits the denial of the right to vote because of race, color, or previous condition of servitude, it cannot be charged that the poll tax is a discriminatory measure. It operates equally on citizens of all races and colors, and was held to be constitutional. *Breedlove* v. *Suttles* (1937), 302 U.S. 277, the Court pointing out that "the payment of poll taxes as a prerequisite to voting is a familiar and reasonable regulation long enforced in many States."

The discussion on any proposed Federal statute will veer off on a tangent and the real issue of the poll tax will be drowned by the question of Federal and State relations. It is therefore apparent that the constitutional amendment method is the only proper one through which this subject should be approached.

ARGUMENTS AGAINST THE POLL TAX

While the citizens of the United States, generally, do not have to pay any sum of money in order to be able to vote for Federal officers, the citizens of the United States who reside in these five States do have to make a payment for the privilege of voting. These five States which continue to require a poll-tax payment for voting have softened that requirement through the years by exempting older people reaching a certain age, by exempting persons in military service, and by exempting persons with certain physical handicaps. But the fact remains that hundreds of thousands of American citizens, both white and colored, still must pay for the privilege of voting in Federal elections. There is proof in the record of voting in the Southern States which have abolished the poll-tax requirement that both Negroes and whites have voted in much greater numbers and in a much greater percentage of the mature adult population after the repeal of the poll-tax requirement.

This amendment would extend the franchise to these disfranchised persons to vote for Federal officers, without interfering with State and local matters. At this point, other phases of the amendment should be emphasized. It will apply to primary elections and special elections as well as to general elections. It will apply to election of Federal officers only and will not affect State or local elections. It would apply to Federal legislation as well as State legislation, so that at some future time Congress could not impose a tax for the privilege of voting. It would apply to any tax for the privilege of voting, whether called a poll-tax or by some other name. Several States both in the North and in the South have had such taxes under different names, but have since repealed them. Neither the United States nor any of the several States would ever be able to set up a property qualification as a prerequisite for voting in a Federal election.

The amendment would not affect the disqualification of paupers and persons supported at public expense or in charitable institutions. Twelve States have laws disqualifying such persons from voting. These States are Delaware, Louisiana, Maine, Massachusetts, Missouri, New Hampshire, Oklahoma, Rhode Island, South Carolina, Texas, Virginia, and West Virginia. These laws would not be affected.

The five States which still have a poll-tax requirement would probably ratify this amendment for in 1951 when a similar amendment was proposed—Senate Joint Resolution 12, 82d Congress—the four Senators of two of these States joined eight other Southern Senators in sponsoring it. They were Senators BYRD and ROBERTSON, of Virginia, and MCCLELLAN and FULBRIGHT, of Arkansas. This gesture of solving the question by an amendment to the Constitution would be an admission by Congress that qualification of voters is now within the province of State not Federal legislation, and would allow the several States the possibility of ratifying the amendment with the assurance that it was not a challenge to their remaining rights to regulate the qualifications of voters.

Mr. JOHNSON of Texas subsequently said: Mr. President, I ask unanimous consent that the resolution submitted earlier today by the distinguished senior Senator from Florida [Mr. HOLLAND] on behalf of himself, the minority leader, myself, and other Senators, remain at the desk for the remainder of the day in order that any Senators who desire to join the senior Senator from Florida and the other cosponsors of the resolution to submit a constitutional amendment to repeal the poll taxes in Federal elections may have the opportunity to join as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

ISSUANCE OF BONDS BY THE TENNESSEE VALLEY AUTHORITY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate bill 2471.

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2471) to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, there are two technical amendments that should be made to S. 2471.

I should like to inform the Senate that the President has now signed H.R. 3460. Therefore I ask unanimous consent that line 3, page 1, of S. 2471 be amended by striking out the words "H.R. 3460, an," and inserting in lieu thereof the word "the".

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. JOHNSON of Texas. I also ask that on line 5, page 1, the words "passed by the House of Representatives on May 7, 1959, and the United States Senate on July 9, 1959" be deleted, and to insert in lieu thereof the words "approved on August 6, 1959."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Oklahoma.

Mr. KERR. Mr. President, the bill which was H.R. 3460 and which has now been signed into law by the President, is a bill to provide the financing for the expansion of the TVA in its area of operation, to set up a more realistic method of reimbursement to the Federal Government for appropriations advanced to TVA, to provide for the payment of interest on appropriated investment in TVA by the Corporation, and to prescribe definite limits and restrictions with reference to territorial expansion by the TVA.

In working that bill out in the committee, certain provisions were included for the transmission of construction programs by the corporation through the Office of the President to Congress, with a directive that the President shall transmit the construction programs with his budget messages to Congress. It was felt by the President that that particular phase of the legislation restricted the Executive as to his constitutional authorities and prerogatives. That certainly was not the intention of the authors to the bill or of the committee or of Congress. To remove the objectionable feature from the bill, S. 2471 was introduced and reported to the Senate by the committee. It is corrective in reality, Mr. President, and in no way impairs the general functions and purposes of the bill, H.R. 3460, which is now a law, but is calculated to guarantee the maintenance of the constitutional position of the power both of Congress and of the President, and therefore the passage of S. 2471 is urged.

Mr. JOHNSON of Texas. Mr. President, I am prepared to yield back part of my time. I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I am very happy that after a 4-year struggle, events are transpiring today which will enable the Tennessee Valley Authority to finance its power needs, by the issuance of bonds.

The President has signed today H.R. 3460, the TVA bill which was passed by the Senate on July 9. And now with the enactment of this amendment, the legislative process will be completed.

In 1954, I recommended that TVA financing be accomplished by the issuance of bonds, rather than by appropriations. In 1957, I introduced a bill to permit the financing of the facilities of the Tennessee Valley Authority. H.R. 3460 which has been developed will avert a power deficit in the TVA service area that would have occurred in the winter of 1960–61, and it will permit the orderly financing of the growth needs of the Tennessee Valley Authority service area.

The Tennessee Valley Authority serves a part of the State of Kentucky. It has been the primary source of power for some cities of Kentucky, and H.R. 3460 makes Paducah, Glasgow, Fulton, Hickman, Princeton, and Monticello eligible for TVA power. TVA supplies primary power to our rural electric cooperatives. It provides exchange power and stand-by power for the Eastern Kentucky Rural Electric Cooperatives, which supply 16 local cooperatives and 84 counties in my State. Because of the large interest of the people of Kentucky I have been very much concerned in this legislation. I add also that TVA supplies exchange power to the private utilities in Kentucky.

I congratulate the able chairman of the subcommittee of the Committee on Public Works, the Senator from Oklahoma [Mr. KERR], who had charge of this legislation. It is due chiefly to his leadership that we have been able to get a TVA bill this year.

I also thank the Senator from South Dakota [Mr. CASE], who, although not a resident of the area, is aware of its problems and has given his best efforts to work out agreements which have led to this successful conclusion. The amendment we vote on today is another of his contributions.

To all of those, to our minority leader [Mr. DIRKSEN], the majority leader [Mr. JOHNSON], to my colleagues from the TVA States, and all others who have worked to bring this bill to a successful culmination I know I speak the gratitude of my State. And I particularly thank the President of the United States for his consideration and interest in this problem.

Mr. JOHNSON of Texas. I yield to the Senator from Tennessee.

Mr. KEFAUVER. Mr. President, I wish to join the Senator from Oklahoma, the Senator from Kentucky, the majority leader, and other Senators in expressing gratification that, after a long effort and a long time of anxiety, there is now to be a satisfactory provision for the self-financing program of the Tennessee Valley Authority.

It has been 7 years since money has been appropriated for the construction of a hydroelectric facility or steam plant. The Tennessee Valley Authority and the area it serves are faced with a power shortage of 2 years which may be relieved, however, by the early issuance of bonds and the building of facilities, which can be done now under the provisions of this bill.

I am glad the President has signed the bill which was before him, and that this amendment will remove the objection he had to it.

I am sorry it has been necessary to have territorial limitations which do take away to some extent the freedom of the TVA to make its own decisions and to operate its own business in the public interest. I am advised that the Directors of the TVA feel they can live with this action and can carry out the great program of the TVA under the provisions of the bill which has been signed, with the amendment upon which we are to act. That being the case, I go along with others in support of the proposal.

The TVA has made a great record. It will continue to do so. It is one of the great showplaces of our developments in the United States.

As a Senator from Tennessee, I wish to say we are proud of the fact that there is interest in the TVA and that it has support from all sections of our country. I especially wish to express our thanks and gratitude to the distinguished Senator from Oklahoma [Mr. KERR], the chairman of the subcommittee, for the interest, leadership, and thought he has given to the problems affecting the Tennessee Valley Authority. I also wish to thank the Senator from South Dakota [Mr. CASE], the majority leader, and other Senators.

I yield back the remainder of my time.

Mr. JOHNSON of Texas. Mr. President, I yield such time as he may desire to the Senator from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. President, I wish only to say that a rare amount of patience, restraint, and effort has gone into this matter, in order, first of all, to procure the President's signature and at the same time to perfect the deficiency in the bill to which the President so emphatically objected.

I only express my delight that this has ended as it has, and that the bill has been signed, with the point made by the executive branch with respect to a diminution of executive power, which will be cured by our action today.

Mr. JOHNSON of Texas. Mr. President, I am prepared to yield back my time, with the understanding that the minority leader do the same.

Mr. CASE of South Dakota. Mr. President, if the Senator will yield, I should like to say a few words.

Mr. JOHNSON of Texas. I yield 1 minute to the Senator from South Dakota.

Mr. CASE of South Dakota. If ever there was a bill which illustrated the old truth that legislation is the art of the possible, the TVA bill does. Many, many points of view had to be accommodated. Probably the bill is not identical with the way any one person might have written it. I refer to the basic bill, which the President signed today. This modification is an accommodation of viewpoints.

As I said at the time the major bill was originally before the Senate, it provides better legislation and a better TVA law than we now have. The balance is in favor of the bill. I am glad the President signed it.

I express my appreciation to all who cooperated in getting this result. The bill never would have been passed and would not be law today, I will say to all friends of TVA, if it had not been for the leadership of the Senator from Oklahoma [Mr. KERR]. He had more patience than I had. Many times I was reay to quit, but we had a practical situation to meet. We were not legislating in a vacuum. The TVA is a going concern.

The bill which will become law today will improve the basic Tennessee Valley Authority law and will permit the TVA to do the job for which it was created.

Mr. JOHNSON of Texas. Mr. President, I yield myself 30 seconds.

The PRESIDING OFFICER. The Senator from Texas is recognized for 30 seconds.

Mr. JOHNSON of Texas. Mr. President, I think the action we are about to take will be a great tribute to the dedicated and devoted efforts of the Senator from Oklahoma [Mr. KERR] and the cooperation which he has received from the Senator from South Dakota [Mr. CASE] and the other members of the Committee on Public Works. I applaud them and congratulate them for the fine achievement which has been accomplished. I trust this body will speedily and unanimously approve the bill.

Mr. President, I am prepared to yield back the remainder of my time.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from New Mexico.

Mr. CHAVEZ. Mr. President, the Committee on Public Works has been considering legislation to permit self-financing for TVA by the use of proceeds from revenue bonds for the past 5 years. Extensive hearings were held during the 84th and 85th Congresses, and again during the present session. A bill to accomplish this purpose was passed by the Senate during the 85th Congress but did not pass the House.

On May 7 of this year, the House passed H.R. 3460. The Senate passed the bill on July 9 of this year with amendments. The House accepted the Senate amendments and the bill did not go to conference.

The Senate amendments were adopted after consideration of the testimony of many witnesses. Many conferences were held, every amendment proposed was carefully studied, the executive branch was consulted, and at one point after the bill was first reported to the Senate by the Committee on Public Works, it was recommitted to the committee for further study and consideration of other desirable amendments.

As passed by the Senate, H.R. 3460 would permit TVA to issue revenue bonds in an aggregate amount of $750 million outstanding at any one time to assist the Corporation in expanding its electric power facilities. Thus TVA would be self-supporting and not rely on appropriations by Congress each year for their construction needs. For the first time, distribution of TVA power would be limited to a prescribed geographic area. This limitation was provided to allay the fears of many that TVA would expand their service area and distribute electric power to cities or areas now served wholly by private companies.

The bill also contains provisions for interim financing if the time of issuance of revenue bonds was not believed desirable. It would also remove certain restrictions and limitations on TVA which the committee felt would not permit efficient and economical operation.

It was believed that the Board of Directors of the Corporation should be free to conduct its activities on a business-like basis, with sufficient flexibility to meet the needs of the area, yet protect the interests of the Federal Government, as the owner of the assets of the Corporation.

The bill was sought to be in the public interest, as under its provision the Corporation would return to the Federal Treasury over $2.2 billion in 53 years whereas under present law there would only be returned $1.2 billion, the present appropriation investment, in 40 years.

H.R. 3460 included provisions that with the budget estimates submitted to Congress, the President would transmit the power construction program of the Corporation, as presented to him, with any recommendations he deemed advisable. In the absence of modifying legislation by concurrent resolution within 90 calendar days of a single session of Congress, the projects would be considered as having congressional approval.

H.R. 3460 was presented to the President for approval. We noted in the press and by conferences with representatives of the executive branch, that the President has voiced his reluctance to approve the act as presented.

His objection was in the manner of approval or disapproval of the power construction program by the Congress by concurrent resolution, over which he has no veto power. He considered that procedure an abrogation of power by the legislative branch, a disruption of the time-honored separation of powers between the three branches of Government established by the Constitution, and as weakening the Office of the President.

S. 2471, the bill now under consideration, would delete from H.R. 3460 the language found objectionable by the President.

It would remove some of the restrictions placed on TVA by the language that would be deleted, and would eliminate the scrutiny of the power construction program of the corporation by the President and the Congress, and approval of the power construction program of TVA by congressional action over which the President would have no control.

Deletion of the language from H.R. 3460 would have no effect on the other provisions of the act, nor on the use of revenue bond proceeds, and such deletion would not place TVA under the Bureau of the Budget any more than H.R. 3460 now places that corporation.

I am glad that H.R. 3460 will become law. It is financially advantageous to the Federal Government and essential to the future operations of the TVA.

Enactment of S. 2471 will preserve the separation of powers between the executive and legislative branches, and I recommend its approval by the Senate.

Mr. KERR. Mr. President, I must not let this opportunity pass, after the nice things which have been said about me by distinguished Members of this body, without publicly acknowledging the deep personal gratitude I feel to the meny Senators who participated in the development of the legislation for the Tennessee Valley Authority. I must place high on that last the distinguished Senator from South Dakota [Mr. CASE],

who was a sponsor with me of the original bill, and who is the original author, with whom I am a cosponsor, of S. 2471.

The Senator from South Dakota very kindly said that without my efforts the bill would not have come to fruition. Mr. President, without the efforts of the Senator from South Dakota the bill never would have survived the many rugged experiences of the legislative hammering and compromise to which it was subjected.

The friends of the TVA in the valley were tremendously cooperative. The members of the committee on both sides, Democrats and Republicans alike, could be named individually. I would name one or two, but I must not do so because there are so many who worked hard and time does not permit the naming of all of them. All gave of their time, effort, and sincere devotion to the development of the legislation which has now been signed by the President, the last main objection to which will be removed when the House passes S. 2471.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time, with the understanding that the minority leader will do likewise.

Mr. DIRKSEN. Mr. President, I yield back the time remaining to me.

The PRESIDING OFFICER. All time has been yielded back.

The question is on the engrossment and third reading of the bill.

The bill (S. 2471) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 15d(a) of the Act to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes, approved on August 6, 1959, is hereby amended by deleting therefrom the following:

"*Provided,* That, with the budget estimates transmitted by the President to the Congress, the President shall transmit the power construction program of the Corporation as presented to him and recommended by the Corporation, together with any recommendation he may deem appropriate.

"Neither bond proceeds nor power revenues received by the Corporation shall be used to initiate the construction of new power producing projects (except for replacement purposes and except the first such project begun after the effective date of this section) until the construction program of the Corporation shall have been before Congress in session for ninety calendar days. In the absence of any modifying action by a concurrent resolution of the Congress within the ninety days, such projects will be deemed to have congressional approval."

Mr. HILL subsequently said: Mr. President, I ask unanimous consent to have printed in the body of the RECORD immediately following the debate on Senate bill 2471, amending the Tennessee Valley Authority Act of 1933, as amended, excerpts from the report of the Senate Committee on Public Works. I call particular attention to the following language in the report of the committee:

It is the understanding of the committee that the proposed deletion of the language from H.R. 3460 will have no effect on the procedure of operation by the TVA; that revenue bond proceeds will be used under the same procedures as current revenues are now used; that such deletion does not alter the relationship between the TVA and the Bureau of the Budget as otherwise established by H.R. 3460; and will have no effect or deterrence on the issuance of bonds or on the remaining provisions of H.R. 3460.

I ask unanimous consent that extracts from the report may appear in the body of the RECORD.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 2471 is to delete certain language from H.R. 3460, an act to authorize the Tennessee Valley Authority to issue and sell revenue bonds to assist in financing needed additions to its power system; to provide for payments to the Treasury; to establish a geographic limitation on the area within which TVA power can be distributed; and including necessary administrative provisions in connection with the proposed bond issues. The language that would be deleted from the act is the proviso relating to the transmission of the power construction program of the Corporation to the Congress by the President with the budget estimates and with any recommendation he deems appropriate; the withholding of initiation of construction of new power-producing projects until the construction program of the Corporation has been before Congress in session for 90 calendar days; and the considered congressional approval of such projects in the absence of modifying action by concurrent resolution of Congress within the 90 days.

GENERAL STATEMENT

The provisions of H.R. 3460, as amended by the Committee on Public Works, are fully set forth in Senate Report 470, 86th Congress, 1st session, with a discussion of such provisions. The matter of revenue bond financing by the TVA has been under consideration by the committee for the past 5 years. The committee made an earnest endeavor to provide the Board of Directors of the Tennessee Valley Authority with a means to assist them in financing additions to power facilities required to meet the anticipated needs of the area, to make the Corporation self-supporting and self-financing, and, at the same time, preserving sufficient flexibility to permit them to conduct the power operations of the Corporation on a businesslike basis, unhampered by restrictions that would affect the marketability of the revenue bonds, or cause undue delay in their issuance or the prompt construction of power-producing projects. The act also included provisions for review of the power construction program of the Corporation by the President, transmission of the program to the Congress with his recommendations, consideration of the program by the Congress, and provision for modification by concurrent resolution if deemed advisable.

The President has indicated his reluctance to approve H.R. 3460 in its present form, objecting to language included in the act by the Senate which permits modification of the TVA power program by concurrent resolution. He considers this method of legislation as usurping the powers of the executive branch, since such legislation would not be subject to his approval.

S. 2471 would meet the objections of the President by deleting from H.R. 3460 the following:

"*Provided,* That, with the budget estimates transmitted by the President to the Congress, the President shall transmit the power construction program of the Corporation as presented to him and recommended by the Corporation, together with any recommendation he may deem appropriate.

"Neither bond proceeds nor power revenues received by the Corporation shall be used to initiate the construction of new power-producing projects (except for replacement purposes and except the first such project begun after the effective date of this section) until the construction program of the Corporation shall have been before Congress in session for ninety calendar days. In the absence of any modifying action by a concurrent resolution of the Congress within the ninety days, such projects will be deemed to have congressional approval."

RECOMMENDATIONS

The committee believes that this bill removes certain restrictions from H.R. 3460, and also removes from that act provisions for congressional scrutiny and approval of the power construction program of TVA which the President himself did not have, thus maintaining the constitutional concept of power among the branches of the Government. It is the understanding of the committee that the proposed deletion of the language from H.R. 3460 will have no effect on the procedure of operation by the TVA; that revenue bond proceeds will be used under the same procedures as current revenues are now used; that such deletion does not alter the relationship between the TVA and the Bureau of the Budget as otherwise established by H.R. 3460; and will have no effect or deterrence on the issuance of bonds or on the remaining provisions of H.R. 3460. The committee further believes that H.R. 3460 is financially advantageous to the Federal Government; that it is essential to the future operations of the TVA; that deletion of the proposed language from the act preserves the separation of powers between the executive and legislative branches; and recommends enactment of S. 2471.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT OF FEDERAL FARM LOAN ACT, RELATING TO TRANSFER OF RESPONSIBILITY FOR MAKING APPRAISALS

The Senate resumed the consideration of the motion of Mr. HOLLAND that the Senate concur in the amendment of the House in the nature of a substitute for S. 1512.

Mr. HOLLAND. Mr. President, I ask that the Senate take action upon my motion with regard to the House amendment to S. 1512, which is pending at the desk.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida that the Senate concur in the amendment of the House in the nature of a substitute for S. 1512. [Putting the question.]

Mr. DIRKSEN. Mr. President, Mr. President——

The PRESIDING OFFICER. The "ayes" have it, and the motion is agreed to.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. The Senator from Illinois was on his feet requesting recognition when the vote was taken.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, I wanted to observe that action on the House

amendment to the conference report was held up for a time at my request. I had in mind checking with the Bureau of the Budget and also with the Civil Service Commission. I find in one case the bill was supported, and in the other case it was opposed because of the retirement provision.

I still believe that the kind of retirement provision provided for is faulty and bad. If we can apply this procedure to 1,500 or 1,600 persons who are on a private payroll—if they can be insinuated into or kept in the retirement system of the Federal Government—we can do it with regard to 100,000 persons. I am afraid the proposed action would establish a bad precedent. However, I am not insensible to the difficulties which confronted the committee in this matter, because it is very desirable to dispose of these institutions and to put them into private hands.

The question is how to do it without too much injustice to the personnel involved. It is one of those questions which requires the wisdom of a Solomon; but I have an idea that the case will rise up to haunt us.

Under the circumstances, the Budget Bureau having in the first instance approved, and the Civil Service Commission having opposed, I am left rather betwixt and between. Someday we shall have to come to grips with the residual question which will not have been solved by concurrence in the House amendment.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HOLLAND. I appreciate the statement of the Senator from Illinois. The delay in the proceedings was due to his request—which I was glad to grant—for time to confer with the Civil Service Commission. I want him to know that every Senator advocating the acceptance of the House amendment, and every Senator supporting the bill, has made it quite clear that this case is not considered as a precedent, for many reasons, but particularly because the Federal Government will have a continuing interest in and connection with each of these institutions. The fact of owing money to the Federal Government in the case of most of them will exist after the retirement date of the present employees.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida [Mr. HOLLAND] that the Senate concur in the House amendment in the nature of a substitute for Senate bill 1512.

The motion was agreed to.

THE PROPOSED CONSTITUTIONAL AMENDMENT TO REPEAL POLL TAX

Mr. JOHNSON of Texas. Mr. President, I should like to ask the Senator from Florida [Mr. HOLLAND] a question.

As I understand, the Judiciary Committee has held hearings twice on the so-called constitutional amendment repealing the poll tax, and the hearings have been printed.

Mr. HOLLAND. The subcommittee of the Judiciary Committee headed by the late Senator Miller, of Idaho, later by the Senator from North Dakota [Mr. LANGER], and still later by the Senator from Tennessee [Mr. KEFAUVER], conducted hearings. Two of the hearings have been printed, and are available in the form of documents at this time.

The distinguished Senator from Tennessee [Mr. KEFAUVER] is present in the Chamber. He is one of the cosponsors of the resolution. I am sure he will recall having conducted hearings on this proposal.

Mr. KEFAUVER. Mr. President, the Senator is correct. There was a substantial hearing upon an identical resolution providing for a constitutional amendment.

Mr. HOLLAND. The resolution is identical.

Mr. KEFAUVER. Hearings were held in the last Congress, and perhaps in the Congress before that.

Mr. JOHNSON of Texas. As I understand, the hearings during the last session were printed.

Mr. KEFAUVER. My impression is that they were.

Mr. HOLLAND. They have been printed twice.

Mr. KEFAUVER. Mr. President, at the present time I am chairman of the Constitutional Amendments Subcommittee of the Committee on the Judiciary. If action is desired upon the resolution in this Congress, we can expedite further hearings and will do so if the chief sponsor of the amendment wishes that to be done.

Mr. JOHNSTON of South Carolina. Mr. President, I think that would be a matter for consideration and decision by the chairman of the Judiciary Committee, and not the chairman of the subcommittee.

Mr. JOHNSON of Texas. We are not asking for a decision of any kind. We are asking for information. The Senator from Florida stated to me in private conversation that hearings were held in the last Congress.

Mr. JOHNSTON of South Carolina. I think it would be a matter for the chairman of the Judiciary Committee.

Mr. JOHNSON of Texas. Certainly, the resolution would be referred to the Judiciary Committee; and I hope the committee will give it consideration at an early date.

Mr. KEFAUVER. Mr. President, I have no desire to interfere with the prerogatives of the chairman of the committee. I stated that, as chairman of the subcommittee, so far as I am concerned, I will do everything possible to expedite hearings on the resolution, if the members of the committee and the chief sponsor of the resolution wish that that be done.

Mr. HOLLAND. Mr. President, it is not my purpose at all to try to deprive the Committee on the Judiciary or its chairman, or any of its members, of any of their powers or prerogatives. I am too proud and happy over the assiduous attention which the committee has given to certain legislation ever to try to do so.

Mr. DIRKSEN. Mr. President, I have only one thing to add to the discussion of the proposal for the constitutional repeal of the poll tax provision as it applies to the election of Federal officers.

On three occasions I was a Member of the House when we undertook, by legislation, to effectuate this result, but the action was never consummated.

I recall many discussions with the late distinguished Senator Taft, of Ohio. It was always his contention that it had to be done by a constitutional amendment. I am confident that this resolution will receive appropriate and expeditious attention.

Mr. KEATING. Mr. President, I should like to add to what the distinguished majority leader has said that it is my personal opinion as a lawyer that the Federal Government could accomplish the desired result by a law, rather than by constitutional amendment. But certainly we should get on with the task.

I have been very happy to cosponsor the joint resolution, and I shall do everything in my power to urge that early hearings be held, and that the proposed constitutional amendment be reported from the committee at this session of the Congress.

RENTAL OF COTTON ACREAGE ALLOTMENTS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1455) to authorize the rental of cotton acreage allotments, which were, to strike out all after the enacting clause and insert:

That section 377 of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"SEC. 377. In any case in which, during any year beginning with 1956, the acreage planted to a commodity on any farm is less than the acreage allotment for such farm, the entire acreage allotment for such farm (excluding any allotment released from the farm or reapportioned to the farm and any allotment provided for the farm pursuant to subsection (f)(7)(A) of section 344) shall, except as provided herein, be considered for the purpose of establishing future State, county and farm acreage allotments to have been planted to such commodity in such year on such farm, but the 1956 acreage allotment of any commodity shall be regarded as planted under this section only if the owner or operator on such farm notified the county committee prior to the sixtieth day preceding the beginning of the marketing year for such commodity of his desire to preserve such allotment: *Provided*, That beginning with the 1960 crop, except for federally owned land, the current farm acreage allotment established for a commodity shall not be preserved as history acreage pursuant to the provisions of this section unless for the current year or either of the two preceding years an acreage equal to 75 per centum or more of the farm acreage allotment for such year was actually planted or devoted to the commodity on the farm (or was regarded as planted under provisions of the Soil Bank Act or the Great Plains program): *Provided further*, That this section shall not be applicable in any case, within the period 1956 to 1959, in which the amount of the commodity required to be stored to postpone or avoid payment of penalty has been reduced because the allotment was not fully planted. Acreage history credits for released or reapportioned acreage shall be governed

by the applicable provisions of this title pertaining to the release and reapportionment of acreage allotments."

SEC. 2. Section 344 of the Agricultural Adjustment Act of 1938, as amended, is amended as follows:

(1) Subsection (f) is amended by changing paragraph (8) thereof to read as follows:

"(8) Notwithstanding the foregoing provisions of paragraphs (2) and (6) of this subsection, the Secretary shall, if allotments were in effect the preceding year, provide for the county acreage allotment for the 1959 and succeeding crops of cotton, less the acreage reserved under paragraph (3) of this subsection, to be apportioned to farms on which cotton has been planted in any one of the three years immediately preceding the year for which such allotment is determined, on the basis of the farm acreage allotment for the year immediately preceding the year for which such apportionment is made, adjusted as may be necessary (i) for any change in the acreage of cropland available for the production of cotton, or (ii) to meet the requirements of any provision (other than those contained in paragraphs (2) and (6)) with respect to the counting of acreage for history purposes: *Provided,* That, beginning with allotments established for the 1961 crop of cotton, if the acreage actually planted (or regarded as planted under the Soil Bank Act, the Great Plains program, and the release and reapportionment provisions of subsection (m)(2) of this section) to cotton on the farm in the preceding year was less than 75 per centum of the farm allotment for such year, in lieu of using such allotment as the farm base as provided in this paragraph, the base shall be the average of (1) the cotton acreage for the farm for the preceding year as determined for purposes of this proviso and (2) the allotment established for the farm pursuant to the provisions of this subsection (f) for such preceding year; and the 1958 allotment used for establishing the minimum farm allotment under paragraph (1) of this subsection (f) shall be adjusted to the average acreage so determined. The base for a farm shall not be adjusted as provided in this paragraph if the county committee determines that failure to plant at least 75 per centum of the farm allotment was due to conditions beyond the control of producers on the farm. The Secretary shall establish limitations to prevent allocations of allotment to farms not affected by the foregoing proviso, which would be excessive on the basis of the cropland, past cotton acreage, allotments for other commodities, and good soil conservation practices on such farms."

(2) Paragraph (3) of subsection (g) is hereby repealed.

(3) Subsection (i) is amended by adding the following at the end thereof: "Notwithstanding any other provision of this Act, beginning with the 1960 crop the planting of cotton on a farm in any of the immediately preceding three years that allotments were in effect but no allotment was established for such farm for any year of such three-year period shall not make the farm eligible for an allotment as an old farm under subsection (f) of this section: *Provided, however,* That by reason of such planting the farm need not be considered as ineligible for a new farm allotment under subsection (f)(3) of this section."

(4) Paragraph (2) of subsection (m) is changed to read as follows:

"(2) Any part of any farm cotton acreage allotment on which cotton will not be planted and which is voluntarily surrendered to the county committee shall be deducted from the allotment to such farm and may be reapportioned by the county committee to other farms in the same county receiving allotments in amounts determined by the county committee to be fair and reasonable on the basis of past acreage of cotton, land, labor, equipment available for the production of cotton, crop rotation practices, and soil and other physical facilities affecting the production of cotton. If all of the allotted acreage voluntarily surrendered is not needed in the county, the county committee may surrender the excess acreage to the State committee to be used for the same purposes as the State acreage reserve under subsection (e) of this section. Any allotment released under this provision shall be regarded for the purposes of establishing future allotments as having been planted on the farm and in the county where the release was made rather than on the farm and in the county to which the allotment was transferred, except that this shall not operate to make the farm from which the allotment was transferred eligible for an allotment as having cotton planted thereon during the three-year base period: *Provided,* That notwithstanding any other provisions of law, any part of any farm acreage allotment may be permanently released in writing to the county committee by the owner and operator of the farm, and reapportioned as provided herein. Acreage released under this paragraph shall be credited to the State in determining future allotments. The provisions of this paragraph shall apply also to extra long staple cotton covered by section 347 of this Act (7 U.S.C. 1344(m))."; and to amend the title so as to read: "An act to amend the Agricultural Adjustment Act of 1938, as amended, with respect to the preservation of acreage history and the reallocation of unused cotton acreage allotments."

Mr. JORDAN. Mr. President, S. 1455 deals with the acreage history and allotments for crops in the operation of production adjustment programs.

All corps subject to acreage allotments are affected by the first section of the bill which provides that, beginning with the 1960 crop, the entire current farm allotment shall be regarded as planted if during the current year, or either 1 of the 2 preceding years, the acreage actually planted or devoted to the commodity on the farm—or regarded as planted because of participation in the soil bank—was 75 percent or more of the farm allotment. Acreage history credited to the farm under this provision also would be credited to the State and county.

The automatic preservation of history for allotment purposes expires with the 1959 crops. Unless S. 1455 or some other legislation is enacted, producers of allotted crops beginning with the 1960 crops must plant each year in order to maintain the acreage history for their farms, county, and State. Thus, if no action is taken, the result would be an increased production of crops already in surplus.

Other sections of the bill relate specifically to the orderly transfer of unused cotton acreage allotments.

The purpose is to require that a farmer holding a cotton acreage allotment plant it, voluntarily release it to retain the acreage history on his farm, or gradually forfeit it to other farmers who want to use it.

The unused cotton allotments would be transferred to other farms, first, within each county, and then within the State. Allotted acreage not used within the State would become available for distribution in other States.

The original version of S. 1455 provided for the transfer of county acreage allotments within county lines through leasing agreements reached between individual farmers.

As a result of strong objections by the Department of Agriculture, a new approach was written into the present version of S. 1455.

Extensive hearings have been held by both the House Committee on Agriculture and the Senate Committee on Agriculture and Forestry on the problem of transferring unused acreage allotments.

The bill before us today meets with the approval of the Department of Agriculture and with a vast majority of the cotton producers of the United States. These amendments are recommended by the chairman of the Committee on Agriculture and Forestry. I handled the bill.

I move that the Senate concur in the House amendments to S. 1455.

Mr. STENNIS. Mr. President, S. 1455, as amended by the House, provides a sound approach for protecting acreage history for all allotted crops. This legislation is critically needed to protect allotted acreage at the State, county, and farm levels. It is one of the most important farm bills that has come before the Congress during this session and offers a permanent solution to our acreage history problem.

This bill is, in effect, a modified version of S. 62, which I introduced in January of this year, and carries out the primary objectives which I emphasized in a Senate speech on July 15.

Under the provisions of this bill, every farmer with an allotment is given a chance to fully protect his acreage history by planting 75 percent of his allotment, or by planting a measurable amount of his allotment in any 1 of 3 years and releasing the balance to the county committee for reapportionment to other farms.

The county allotment is fully protected when 75 percent of the farm allotment is planted every third year. This bill provides desirable flexibility of acreage allotments between farms and at the same time establishes necessary safeguards for those who want to protect their acreage history permanently. In past years many inequities have resulted in acreage shifts at the farm and county level, and as a result many farmers have hesitated to release their allotments to the county committee for fear of losing their acreage history credit.

For the past several years the allowable planted acreage for basic crops has been reduced to an uneconomical level. In the case of cotton, I see no real hope in the next few years for increasing the national allotment materially above the minimum 16 million acres. This will have a serious impact on local farm economy and we must get every available acre into the hands of farmers who will plant the full amount. Only in this way can the acreage allocated to the county be protected.

It is essential that we retain a formula to encourage the planting of maxi-

mum county acreage while we provide safeguards for individual farm allotments.

Since 1957 we have been operating under a temporary formula which automatically protects allotted acreage regardless of whether acreage is planted. This provision will expire at the end of 1959; and if this bill, S. 1455, is not adopted, procedures for preserving history will revert back to a formula which will be detrimental to county acreage history. Under the old formula each individual farm allotment can be fairly well protected, but at the expense of county acreage. Even by fulfilling complicated requirements, valuable acreage will be lost at the county and State levels. Farmers must be encouraged to release unplanted allotments to the county committee. This is especially true when acreage is critically needed on other farms for efficient production, thereby making a greater contribution to the local economy.

In 1958 almost one-half of all cotton farmers in the United States did not plant cotton. More than 95 percent of these farmers were small farmers with allotments of 15 acres or less. It is here that S. 1455 will make its greatest contribution in protecting acreage history in such a way as to benefit the individual county's rights to retain their historical share of allotted cotton acreage.

While I strongly feel that my bill, S. 62, would fully protect history in future years, I fully support the amendment adopted by the House and hope that this bill will receive the full support of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from North Carolina [Mr. JORDAN].

The motion was agreed to.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports were submitted:

By Mr. ANDERSON, from the Joint Committee on Atomic Energy:

John H. Williams, of Minnesota, to be a member of the Atomic Energy Commission.

By Mr. FULBRIGHT, from the Committee on Foreign Relations, with reservations and declarations:

Executive G, 86th Congress, 1st session, Telegraph Regulations (Geneva Revision, 1959) with final protocol to those regulations, signed for the United States at Geneva on November 29, 1958; Executive Report No. 9.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

U.S. ATTORNEYS

The legislative clerk proceeded to read sundry nominations of U.S. attorneys.

Mr. JOHNSON of Texas. Mr. President, I ask that the nomination of U.S. attorneys be considered and confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

U.S. MARSHAL

The legislative clerk read the nomination of M. Frank Reid to be a U.S. marshal for the western district of South Carolina.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

ADVISORY BOARD OF THE ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The legislative clerk read the nomination of Frank A. Augsbury, Jr., to be a member of the Advisory Board of the St. Lawrence Seaway Development Corporation.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

CALIFORNIA DEBRIS COMMISSION

The legislative clerk read the nomination of Col. Howard A. Morris, Corps of Engineers, to be a member and secretary of the California Debris Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DEPARTMENT OF COMMERCE—NOMINATION PASSED OVER

Mr. JOHNSON of Texas. Mr. President, I ask that the nomination in the Department of Commerce be passed over temporarily.

The PRESIDING OFFICER. The nomination will be passed over.

U.S. COAST GUARD

The legislative clerk read sundry nominations in the U.S. Coast Guard.

Mr. JOHNSON of Texas. Mr. President, I ask that the nominations in the U.S. Coast Guard be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Coast Guard are confirmed en bloc.

SECRETARY OF COMMERCE

Mr. JOHNSON of Texas. Mr. President, I had asked that the nomination of Frederick Henry Mueller, to be Secretary of Commerce, be passed over until the distinguished senior Senator from Washington could come to the floor. I now yield to the Senator from Washington.

The PRESIDING OFFICER. The nomination in the Department of Commerce will be stated.

The legislative clerk read the nomination of Frederick Henry Mueller, of Michigan, to be Secretary of Commerce.

Mr. MAGNUSON. Mr. President, Mr. Mueller appeared before the Committee on Interstate and Foreign Commerce on Wednesday and testified at some length. Immediately after his testimony and the many questions asked by members of the committee with respect to the policies of the Department of Commerce, the committee unanimously approved Mr. Mueller's nomination.

Normally, the nomination would lie over one legislative day, but there is some doubt in the Department of Commerce whether certain papers which must be signed this weekend can be signed by Mr. Mueller in his capacity as Secretary without the confirmation of his nomination following his appointment by the President. So this doubt has necesitated our acting on the nomination now.

Mr. Mueller was before the committee approximately 5 weeks ago when the committee was considering his nomination to be Under Secretary of Commerce. At that time, also, the committee questioned him at great length on many matters involving the policy of the Department of Commerce and the relations of the Department with Congress. At that time, Mr. Mueller's nomination to be Under Secretary of Commerce was unanimously confirmed. The committee felt that there was not much difference with respect to the ability of Mr. Mueller to handle either the position of Under Secretary of Commerce or Secretary of Commerce. He made a very favorable impression upon the committee on both occasions.

Mr. Mueller has been connected with the Department of Commerce for some time. He served with distinction in various capacities as an Assistant Secretary. He knows well the work of the Department, and he has cooperated to the fullest with Congress. He has worked hard for many projects in which Congress has thought the Department of Commerce should participate.

Mr. Mueller has a wide background of business experience. In fact, he is one of the few so-called small businessmen who have been able to take time out to serve in a top governmental capacity. I think that as Secretary of Commerce he will render outstanding service, as he has done in the other branches of the Department. I hope the Senate will unanimously confirm his nomination, as did the Committee on Interstate and Foreign Commerce in voting to report it.

Both Senators from Michigan sent letters to the committee in commendation of Mr. Mueller. The distinguished senior Senator from Michigan [Mr. MCNAMARA], who is now on the floor, said that he had no objection to the confirmation of the nomination of Mr. Mueller.

Mr. Mueller has been a distiguished citizen of Michigan for many years. He has served in various civic capacities, and in important posts in the business world, as well. Also, he has been honored by national organizations in his own field of business, which is furniture manufacturing, in Grand Rapids. I am certain that he will be an excellent Secretary of Commerce.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield to the Senator from Ohio.

Mr. LAUSCHE. As a member of the Committee on Interstate and Foreign Commerce, I heard Mr. Mueller when he appeared before the committee yesterday morning. I was pleasantly surprised by his extensive knowledge of the various activities of the Department of Commerce. I am quite certain that he made a most favorable impression upon all who heard him present his cause yesterday.

Mr. JAVITS. Mr. President, this occasion should not go by so quietly as it is going. Today's action on the pending nomination marks the end of a chapter. The Senate had quite a battle over the nomination of Lewis L. Strauss to be Secretary of Commerce. There were some violent disagreements. The action we are about to take will mark the confirmation of the nomination of his successor.

I do not believe it would be fair to a man who served our Government creditably for 42 years, as did Lewis Strauss, simply to let this occasion roll by and forget about his record. The achievements of Mr. Strauss should be reiterated. In my opinion the Senate made a mistake in rejecting his nomination. But whatever may have been the reasons for turning down the nomination of Lewis Strauss, the record would not be complete unless it was emphasized that Mr. Mueller is succeeding a man who served our Government well and honorably for 42 years. The circumstances under which the confirmation of his nomination was denied were not such as to involve any discredit on him or in any way to invalidate his more than four decades in the service of the Government of the United States.

I wish Mr. Mueller all the luck in the world. I am certain that his nomination is deserving of confirmation.

Mr. COOPER. Mr. President, I associate myself with the statement of the Senator from New York. I am happy that the nomination of Mr. Mueller to be Secretary of Commerce is about to be confirmed.

Like the Senator from New York, I, too, say that, in my judgment, it was very unfortunate that the Senate did not confirm the nomination of Mr. Strauss, because he had an excellent record of service to the country and is a man of character and integrity. I still am very sorry that his nomination to be Secretary of Commerce was not confirmed.

The PRESIDING OFFICER. The question is: Will the Senate advise and consent to the nomination of Frederick Henry Mueller, of Michigan, to be Secretary of Commerce?

The nomination was confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be immediately notified of all nominations this day confirmed.

The PRESIDING OFFICER. The President will be immediately notified of the confirmation of the nominations.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I ask the majority leader to inform the Senate as to the possible program for tomorrow.

Mr. JOHNSON of Texas. Mr. President, I anticipate that we will finally get around to calling the calendar this afternoon. When the call of the calendar has been completed, there may be some brief statements to be made by Senators.

Because of the death of the gracious and charming Mrs. Langer, the wife of the beloved senior Senator from North Dakota, I have agreed to have the Senate adjourn early tomorrow. We expect no yea-and-nay votes tomorrow. It is planned to have the Senate convene at 12 o'clock and to remain in session for a few minutes, and then to adjourn, so that Senators who desire to attend the funeral of Mrs. Langer may be in a position to do so.

Mr. DIRKSEN. I thank the Senator from Texas.

ORDER FOR ADJOURNMENT UNTIL NOON TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand adjourned until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I give notice that it is not expected that there will be any yea-and-nay votes tomorrow. So far as the leadership is concerned, we will do our best to protect all Senators in the matter of votes.

ANNOUNCEMENT OF CALL OF THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, will the Senator from New York yield further to me?

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). Does the Senator from New York yield to the Senator from Texas?

Mr. KEATING. I yield.

Mr. JOHNSON of Texas. Mr. President, the staffs of the calendar committees have been waiting all day for the call of the calendar, which will take less than 5 or 10 minutes.

I wish to announce, for the information of all Senators, that we hope it will be possible to call the calendar today, at the conclusion of the very brief address to be made by the Senator from New York [Mr. KEATING], who has been so patient and so understanding with us.

So I should like to have the attachés of the Senate request the two calendar committees to be available shortly for the call of the calendar.

PROSPECTIVE EXCHANGE OF VISITS BETWEEN PRESIDENT EISENHOWER AND PREMIER KHRUSHCHEV

Mr. KEFAUVER. Mr. President, will the Senator from New York yield briefly to me?

Mr. KEATING. I yield.

Mr. KEFAUVER. Mr. President, without a doubt, one of the most important developments in Washington and in the world today is the decision of President Eisenhower to exchange visits with Nikita Khrushchev, the Premier of Soviet Russia.

When this was announced, it precipitated a flood of speculation and opinion which have ranged from full approval of the idea all the way to outright indignation and opposition.

Some feel that this country is letting down the people of the free nations who have sided with us against the threat of world communism.

Some argue that the people in captive nations behind the Iron Curtain will be discouraged, and even feel that they have been "sold down the river" by this agreement to invite Mr. Khrushchev to visit the United States.

There is also concern that some incident which might occur while Mr. Khrushchev is in our country would make matters worse in the tense relationship which now exists between the free world and the world of Soviet Russia. All of us are fully aware of all these viewpoints and anxieties; but I have faith in the sound common sense of our people and our leaders.

I do not think Mr. Khrushchev's visit to this country will pull the wool over anybody's eyes. I do think that this chance to show Mr. Khrushchev the strength and prosperity of America is a golden opportunity to give the leader of Soviet Russia a sober second thought if he is laboring under any delusions about our material strength and our spiritual stamina.

I think the peoples of all the nations of the world are acutely concerned with the nuclear threat that hangs over their heads.

Our Nation will spend more than $40 billion this year for missiles and military defenses.

The cold war requires Russia, too, to divert tremendous outlays from its economic development into support of gigantic military commitments.

The vision of destruction and death that a nuclear attack and counterattack would mean is a sober and terrifying one.

The cold, hard fact that there is no alternative to peace becomes more inescapable every day. Any avenue that can turn Nikita Khrushchev and the world away from the deadly march toward war is an avenue we must explore. His visit to the United States and President Eisenhower's visit to the Soviet Union constitute one of those avenues.

It will be noted that our President intends to visit first the Western European nations. I think that is good. I think it will ease any anxieties by our allies that any major policy decisions or commitments will be made without consulting them.

After all, this is a new course for the United States, and it should be explained to our allies and the friends we seek in the uncommitted nations.

No great settlement will come from the visits of Mr. Khrushchev and President Eisenhower. Such cannot result without the participation of our allies.

But if nothing more results than a relaxation of the tensions that have been generated over the latest Berlin crisis, certainly we will be able to say that progress has been made.

As long as we are talking, we are not fighting or dying.

So I welcome the opportunity our people now have to show Mr. Khrushchev our wonderful country.

I have urged President Eisenhower to include in Mr. Khrushchev's list of American highlights the Tennessee Valley Authority's dams and lakes and powerplants. These are outstanding, living examples of democracy in action, and they are a unique demonstration of what can be done to enrich the economy and lives of the people of an entire region.

I have also agreed to help arrange for a visit to our State capital at Nashville, to the rich farmlands of our State, and for a performance of the Grand Old Opry, which is typical of our American music and folklore.

When Mr. Khrushchev tours our countryside, let us remember that we are proud of what we have. But let us labor under no delusions that he is a great, friendly Santa Claus of some sort. He is a shrewd and tough opponent. We must be very alert when the talking takes place.

But we, as Americans, should never fear a free and open display of our institutions and strengths.

I have no fear that we shall ever give away our freedom for peace; but I am certain that we should never "slam the door" on any avenue that might lead to the peace all of us desire.

THE CRIME RATE AND CIVIL RIGHTS LEGISLATION

Mr. KEATING. Mr. President, in the absence of other Members who desire that I yield to them, I wish to address myself briefly to some remarks which were made last Tuesday by the distinguished senior Senator from South Carolina [Mr. JOHNSTON], who for the second time spoke on the crime rate in New York.

I am glad to note the continued keen interest of our colleague in New York's problems. It serves to demonstrate that law enforcement is truly a matter of national, and not just sectional, concern. I have been of this view for many years, and have long advocated—both in the other body and here in the Senate—Federal legislation to help us meet the constantly increasing national crime menace.

Until I heard the Senator from South Carolina expound his theories on the cause of the crime problem, I had thought, and I still hope, that I could count on him to support some of the measures I have proposed to improve our fight against the criminal elements of our society. But now I learn from the Senator's speech that his view is that all we have to do to meet the serious crime problem in this country is to cease our efforts to—in his words—"ram civil rights legislation through the Congress." I had always believed that a more constructive way of meeting the crime problem would be by the passage of laws which would make it easier to get the criminals off our streets and behind bars. I must admit that I have considerable difficulty in following the subtle logic of the Senator's theory; but, be that as it may, I hope that I shall have him as an ally in my proposals for direct action against the rapists, the murderers, the Communists, and the other felons who constantly threaten the peace and security of our people.

Mr. President, I want to make clear my position on this issue. I believe that our fight to secure for all our citizens their constitutional rights to equal protection under the law will help to make Americans more, not less, law abiding. We cannot condone violations of any citizen's civil rights, without creating a climate in which the violation of all personal and property rights will be more likely to flourish. Respect for law and order go hand in hand with respect for the dignity of each man, woman, and child in this country, regardless of race, color, or creed. I do not doubt the sincerity of the convictions of the Senator from South Carolina. I realize that he speaks out of a depth of experience in his own State. But I speak with equal sincerity, Mr. President, when I say that I believe that no one of us can rest secure if liberty and equal justice are denied to our fellow citizens, because of the color of their skin.

I want to ask the Senator from South Carolina which of the civil rights bills he thinks will promote crime in this country. For example, does he think that the bill, which has been introduced, to provide for the education of children of members of the Armed Forces in communities in which the public schools are closed, is likely to make these children into criminals? Or does he think that provision for the retention and preservation of Federal election records is going to lead to an increase in the number of rapes and murders in this country? Or does he perhaps feel that further study of the many problems in this area by the Civil Rights Commission will encourage a fresh outbreak of homicides and bank robberies?

Just one more point, Mr. President, before I conclude. As I have tried to indicate, I believe that it is utterly fallacious to relate the effort to obtain effective civil rights legislation with any increase in the crime rate. It may be of interest to the Senator from South Carolina, however—since he apparently does not join in my analysis of the situation—to study some actual comparisons between the rate of crime in New York and his own home State. If he is interested in such comparisons, he will find, according to the official reports of the Department of Justice for 1957—the last year for which official reports are available—that South Carolina crime rates top New York State in all types of serious crime except robbery. South Carolina has 3 times as many murders per 100,000 of population, twice as high a burglary rate, and twice as high larceny rate. One hundred and four assaults occur in South Carolina for every 100,000 in population, whereas the comparable figure for New York is 96 assaults for every 100,000 in population.

I ask unanimous consent, Mr. President, that a table showing the comparative serious crime rates for New York and South Carolina be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparative crime rates, New York and South Carolina, 1957, per 100,000 population

	New York	South Carolina	U.S. average
Murder	3.2	9.1	5.1
Robbery	45.9	32.8	64.3
Assault	96.1	104.6	90.2
Burglary	381.4	613.5	502.9
Larceny	874.7	1,612.4	1,317.8
Auto theft	167.1	195.9	254.7

Mr. KEATING. Mr. President, crime in any part of the country is a distressing thing. We live in a wonderful land. It is pitiful to realize that law-abiding citizens in any part of the country—for instance, indeed, as we know, sometimes in the city of Washington—may be afraid to stroll in a park at night, because of the fear that some depraved hoodlum will cut short their enjoyment of nature's wonders. There is no greater denial of human rights than the denial exacted by a criminal from his victim. This is a concern which all of us must share. This is a matter upon which we should act in unison. Let us not be distracted by fallacious explanations and misconceived remedies for dealing with the threat of crime. To confuse this problem with the challenge of securing the enjoyment of civil rights for all our citizens can only serve to divide the forces against the evil of

crime and make more difficult any ultimate solutions of this awful problem.

Mr. JOHNSTON of South Carolina. Mr. President, since the Senator from New York has brought this matter up, I notice he said in his statement:

I must admit that I have considerable difficulty in following the subtle logic of the Senator's theory—

Referring to me—

but, be that as it may, I hope that I will have him as an ally in my proposals for direct action against the rapists—

Rapists have no business in the Federal courts, and there has been no Federal law passed concerning them. It is a State matter entirely.

the murderers—

That is a matter for the States to deal with—

the Communists—

The question of Communists is one for the Federal Government, and no one has fought the Communists more than OLIN D. JOHNSTON has.

Quotations have been made from reports of arrests by the FBI and of people going into prison.

I hold in my hand National Prisoner Statistics for 1958, closing in December. In chart No. 2 in this report by the Bureau of Prisons, it is seen that South Carolina had, per 100,000 population, 94 prisoners. In New York, there were 109 per 100,000 population.

I am quoting the figures from the Bureau of Prisons report for last year.

Then I ask my colleagues to consider what has been happening. I have statistics on the rate of crime and the indication of crime in New York versus crime in South Carolina, crime in other States, crime in the South, and crime in the North.

I am speaking of convictions. I am not speaking of records of arrests and making that a part of crime statistics.

These statistics show that the Negro rate of prison admissions for felonies is over 6½ times greater in Northern States than in Southern States.

Taking the Southern States as a whole, the rate of prison admissions for felonies is only 2½ times greater than that for the white rate.

It may surprise some to know that the rate of Negro admissions to prisons on felony charges is much higher in Northern States of large Negro population than it is in Southern States. For example, in Michigan the Negro rate is 7 times the white rate, while in Mississippi, for example, only 2½ times as many Negroes as whites were sent to prison in proportion to the population.

In New York the Negro rate exceeds the white rate by almost 9 times, while in my own State of South Carolina the white rate actually exceeds the Negro rate by 1½ times.

This certainly proves there is no persecution of Negroes in my State, and in the South generally. South Carolina is the only State having a sizable Negro population where white admissions to prisons on felony charges exceeds Negro admissions.

To me, this all indicates that the crime rate among Negroes is vastly greater in the large northern cities where integration is being forced upon people than it is in the southern areas of the Nation where we practice segregation.

If this matter is stirred up and talked about too much, certain persons will find they will have trouble.

Mr. President, I wish to have included in my remarks, and ask unanimous consent to have printed in the RECORD at this point, a table which I now send to the desk showing various States with the felony rates based on population and racial proportions between the white and colored.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

CHART 2.—*Sentenced prisoners confined in State institutions per 100,000 of the civilian population: Dec. 31, 1958*

	Prisoners confined as of Dec. 31, 1958	Prisoners per 100,000 population			
		Up to 50	51 to 100	101 to 150	151 to 200
New Hampshire	144	25	-----	-----	----
Rhode Island	272	32	-----	-----	----
Massachusetts	1,906	40	-----	-----	----
North Dakota	293	45	-----	-----	----
Delaware	226	-----	51	-----	----
Minnesota	2,128	-----	63	-----	----
Utah	570	-----	66	-----	----
Wisconsin	2,617	-----	67	-----	----
South Dakota	467	-----	68	-----	----
Connecticut	1,565	-----	68	-----	----
Maine	647	-----	69	-----	----
New Jersey	3,996	-----	70	-----	----
Pennsylvania	7,945	-----	72	-----	----
Iowa	2,167	-----	77	-----	----
Tennessee	2,712	-----	79	-----	----
Vermont	295	-----	80	-----	----
Nebraska	1,210	-----	84	-----	----
Oregon	1,524	-----	86	-----	----
Missouri	3,673	-----	87	-----	----
Illinois	8,606	-----	88	-----	----
Idaho	587	-----	89	-----	----
South Carolina	2,200	-----	94	-----	----
Montana	645	-----	95	-----	----
Mississippi	2,066	-----	95	-----	----
Kansas	2,001	-----	96	-----	----
Washington	2,623	-----	97	-----	----
Arkansas	1,849	-----	-----	106	----
United States	184,094	-----	-----	107	----
New York	17,552	-----	-----	109	----
Texas	10,531	-----	-----	114	----
Kentucky	3,531	-----	-----	116	----
Indiana	5,296	-----	-----	116	----
Colorado	1,972	-----	-----	118	----
Louisiana	3,636	-----	-----	119	----
Wyoming	384	-----	-----	122	----
Ohio	11,365	-----	-----	122	----
West Virginia	2,406	-----	-----	122	----
Oklahoma	2,754	-----	-----	122	----
Arizona	1,392	-----	-----	125	----
New Mexico	1,060	-----	-----	130	----
North Carolina	5,804	-----	-----	130	----
Michigan	10,334	-----	-----	132	----
California	19,202	-----	-----	137	----
Nevada	380	-----	-----	147	----
Florida	6,374	-----	-----	147	----
Virginia	5,719	-----	-----	-----	151
Maryland	5,037	-----	-----	-----	174
Alabama	5,543	-----	-----	-----	174
Georgia	6,824	-----	-----	-----	182
District of Columbia	2,064	-----	-----	-----	257

Mr. JOHNSTON of South Carolina. Mr President, I ask unanimous consent to have printed a table showing the rate of prison admissions in various States by population and race.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

State	Rate of white felony prisoners per 100,000, 1950	Percent of population, Negro, 1950	Percent of felony prisoners, Negro 1950	Negro rate over white rate
California	25	4.0	19.0	516
District of Columbia	26	35.0	80.0	608
Illinois	15	7.0	32.0	660
Indiana	25	4.0	17.0	432
Kentucky	39	7.0	21.0	338
Maryland	51	16.0	60.0	757
Michigan (1952)	31	7.0	37.0	761
Missouri	31	8.0	27.0	448
New Jersey	19	7.0	35.0	789
New York	*13*	*6.0*	*37.0*	*877*
Ohio	23	6.0	35.0	778
Oklahoma	44	7.0	19.0	325
Pennsylvania	9	6.0	35.0	855
West Virginia	32	6.0	13.0	253
Total	22	6.8	33.3	659
Alabama	35	32.0	52.0	229
Arkansas	27	22.0	41.0	244
Florida	41	22.0	41.0	249
Georgia (1952)	33	30.0	55.0	297
Louisiana	29	33.0	55.0	248
Mississippi	19	45.0	70.0	279
North Carolina	21	26.0	50.0	281
South Carolina	32	39.0	30.0	[1] 145
Tennessee	25	16.0	32.0	252
Texas	32	13.0	30.0	275
Virginia	35	22.0	54.0	366
Total	30	25.0	45.0	250

[1] White over Negro.

State	Negro population, 1950 census	Negroes admitted to prison on felony charges, 1950	Rate of Negro felony prisoners per 100,000, 1950	White population, 1950 census	Whites admitted to prison on felony charges, 1950
California	462,172	596	129	9,915,173	2,472
District of Columbia	280,803	444	158	517,865	136
Illinois	645,980	639	99	8,046,058	1,225
Indiana	174,168	189	108	3,758,512	944
Kentucky	201,921	277	132	2,742,090	1,088
Maryland	385,972	1,484	386	1,954,975	993
Michigan (1952)	442,296	1,058	236	5,917,825	1,834
Missouri	297,088	413	139	3,655,593	1,133
New Jersey	318,565	478	150	4,511,585	888
New York	918,191	1,051	114	13,872,095	1,818
Ohio	513,072	922	179	7,428,222	1,729
Oklahoma	145,503	208	143	2,032,526	892
Pennsylvania	638,485	493	77	9,853,848	933
West Virginia	114,867	93	81	1,890,282	609
Total	5,539,083	8,345	145	76,096,649	16,694

State	Negro population, 1950 census	Negroes admitted to prison on felony charges, 1950	Rate of Negro felony prisoners per 100,000, 1950	White population, 1950 census	Whites admitted to prison on felony charges, 1950
Alabama	979,617	790	80	2,079,591	719
Arkansas	426,639	282	66	1,481,507	403
Florida	603,101	620	102	2,166,051	895
Georgia (1952)	1,062,762	979	92	2,380,577	799
Louisiana	882,428	642	72	1,796,683	515
Mississippi	986,494	530	53	1,188,632	222
North Carolina	1,047,353	622	59	2,983,121	633
South Carolina	822,077	183	22	1,293,405	420
Tennessee	530,603	334	63	2,760,257	691
Texas	977,458	867	88	6,726,534	2,125
Virginia	734,211	941	128	2,581,555	800
Total	9,052,743	6,790	75	27,437,879	8,222

Mr. JAVITS and Mr. KEATING addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield, and if so, to whom?

Mr. JOHNSTON of South Carolina. I yield to the senior Senator from New York.

Mr. JAVITS. Mr. President, I should like to make a comment, if I may, with the Senator's indulgence, upon this whole matter. There are many aspects of this problem which relate to different States and their crime rates. I am very grateful to my colleague [Mr. KEATING] for taking the matter from the point where the Senator from South Carolina first made the statement, and now pursuing it.

I think the criminologists and others who study crimes could give us reasons for convictions or imprisonments or crime rates. On this point we have to ascertain first what we in our country are willing to pay as the price of order. It is possible to have very low crime rates in a community if a person feels if he steps out of line he may be lynched. I would say that is the implication——

Mr. JOHNSTON of South Carolina. I object to that statement. I invite the Senator to point out when there has been a lynching in South Carolina. We have not had a lynching in 20 years.

Mr. JAVITS. I posed that as strictly a hypothetical situation as an influence which might affect a crime rate.

Certainly, the crime rate in South Carolina is infinitely better than it is in many Southern States. If we are going to compare crime rates without any of the side issues which go into these matters, we are not going to get anywhere in fixing attention on the main point, which I think is this: While we respect fully the sincerity of persons like the Senator from South Carolina [Mr. JOHNSTON] and the social situation in Southern States, we can neither condone it as being consistent with the Constitution of the United States nor can we allow red herrings to be drawn across the trail. In short, it is no answer to a deprivation of civil rights to say the crime rate is higher where such rights are granted than where they are not, though in South Carolina the record is better than it is in many Southern States. It is not what it ought to be, but it is better than most. But we cannot get our gaze distracted from the main issue, because if the Constitution is to be observed in this country, as the junior Senator from New York [Mr. KEATING] has pointed out, then it will have to be preserved also in a historically great and important section of the country. If the Constitution is flouted in an important section of the country, then it has an effect on the whole moral condition of the entire country.

We do not doubt the sincerity of the Senator in referring to the crime statistics. The important thing is that the public mind should not be distracted in this hassle from the main point. The fact is that the Constitution requires us to give equality of opportunity in every area, to wit, civil rights to every citizen, regardless of race, creed, or color. We should not permit ourselves to be distracted either by the fact that the distinguished Senator can say that the crime rate is greater in New York than it is in South Carolina, because we cannot start locking people behind a compound, as they do in South Africa, in order to deal with crime in our country. We must deal with crime in a constitutional way.

I thank my colleague for yielding. He is much beloved. He is one of the most accommodating and friendly Senators. We happen to have this fundamental difference. In fairness, my colleague has taken up the cudgels, quite properly. What we are seeking to avoid is having a red herring drawn across the trail. That is the reason why I thought this matter should be nailed down.

Mr. JOHNSTON of South Carolina. Mr. President, I am not drawing a red herring across any trail at this time. If I had wanted to do so, I would have brought up the question of Communists, which were mentioned in the speech of the Senator from New York. If the Senator will go to South Carolina, he will find probably 1,000 percent fewer Communists there. We could go to some other sections and probably point out a different situation. But I am not going into the question. The Senator mentioned Communists, and asked me a question about Communists, so he can can go into that question if he wants to. I welcome anybody to stack the record in his State against that in South Carolina so far as Communists are concerned.

Mr. KEATING. Mr. President, will the distinguished Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. KEATING. I hope there was nothing in my remarks which indicated that my reference to Communists, whom the Senator from South Carolina abhors as much as I do, had any particular reference to South Carolina or to any other State in the Union. The reference to crimes which I made in my original address was an appeal to the Senator from South Carolina, which I feel quite certain will fall on willing ears. Knowing the distinguished Senator as well as I do, I know his militancy against communism and against crime.

My appeal was for him to join with me in a program of legislation which I have introduced which will make a direct attack upon the crime question by making use of interstate facilities in a conspiracy to commit State crimes a Federal offense. It is a program directed at all kinds of interstate conspiracies which perpetrate felonies. That is the program to which I referred.

I feel sure that the Senator from South Carolina would not feel that I would charge any area with breeding more Communists than any other area, nor that I would make any attack upon his fine State or any other State in the Union. I was simply seeking to set straight in the RECORD the intimations in his prior address that there was greater crime in New York and that the reason for that was that New York had integration whereas his State had segregation.

Mr. JOHNSTON of South Carolina. I think such an inference could be put on this sentence in the Senator's speech:

> I must admit that I have considerable difficulty in following the subtle logic of the Senator's theory, but, be that as it may, I hope that I will have him as an ally in my proposals for direct action against rapists, murderers, and Communists, and other felons who constantly threaten the peace and security of our people.

I am glad to have the Senator from New York explain what he meant, but I want it plainly understood that so far as I am concerned, my record as Governor will show that I have been against murderers. I have been for trying them in the State courts. I have been for trying rapists in the State courts and not in the Federal courts.

When it comes to Communists, I think we have a right to look into those cases. In many instances Communists are crossing State lines, and therefore they come within interstate commerce and apparently they fall into the category of Federal legislation.

Mr. KEATING. Will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield to the Senator from New York.

Mr. KEATING. Not only in his record as Governor but in his record as a member of the Committee on the Judiciary, on which I have the honor to serve, I know of the strong views of the Senator from South Carolina against all kinds of crime, against communism, and against all of the things which I deprecate in my

address. I think I said that in presenting this matter. I not only hoped that I would have his support, but I was confident I would have his support in any move which he considered sound to deal directly with crime or with the Communist problem in our great country.

ERRONEOUS ESTIMATES OF COST OF CERTAIN PROPOSED LEGISLATION

Mr. PROXMIRE. Mr. President, I rise reluctantly but vigorously to disagree with the distinguished senior Senator from Delaware [Mr. WILLIAMS]. Incidentally, I informed him today, and I have telephoned his office twice to say that I was going to comment on the speech he delivered last Monday; and I also called other Senators who were involved in this situation, as well as Representatives, to advise them that I was going to speak on bills they have introduced.

Mr. President, I wish to make it clear that I have the greatest regard for the distinguished senior Senator from Delaware. He has performed a great service for the country as well as for this body by constantly calling attention to excessive spending and by setting an outstanding example of being fiscally responsible himself.

At the same time, I feel I simply cannot let the speech he made on last Monday, including the material which he put in the RECORD, pass without comment, because I think it is necessary to make corrections in it.

Mr. President, I agree that there are statements in this excellent speech by the Senator from Delaware with which I agree emphatically.

He said:

> If today, in a period of the highest prosperity that our country has ever known, we cannot live within our income and make payments toward the reduction of this debt, it may well be asked, "When will we do it?"

I think that is correct.

He went on to say:

> We all recognize that our tax rates are too high, and we should work toward the position where we can reduce these rates; but it is time that we tell the American people that this debt has got to be paid and that the sooner we start making payment the better. Tax reductions should follow, not precede, the beginning of an orderly reduction of our debt.

I think this is a responsible, sensible position to take. However, Mr. President, I feel very strongly on this issue, because when I was running for reelection to the U.S. Senate in Wisconsin during the last campaign, charges were made against me that I had introduced proposed legislation in this body which would have cost the American taxpayer a fantastic amount of money.

On the basis of the most responsible and authoritative and honest estimates I can obtain, this was simply untrue, and I think it is necessary, when this kind of charge is made in the CONGRESSIONAL RECORD, which will go all over the country and is certain to enter into the campaigning of candidates for reelection to the House or reelection to the Senate, that the record should be straight, just as straight as it possibly can be.

In my last campaign the issue arose on a farm bill I had introduced. This was a bill which was introduced with the greatest care. I consulted the former Secretary of Agriculture, who is a distinguished Member of this body, the Senator from New Mexico [Mr. ANDERSON], who assured me that my bill would save money, and would cost far less than the present farm program.

I consulted the Library of Congress. Their farm expert came up with exactly the same assurance, and did so in writing.

But during the course of the campaign the Secretary of Agriculture came to my State and said that the bill would cost several billion dollars and that it would be enormously extravagant and expensive.

Mr. President, I think it is very important when this kind of charge is made that we insist on chapter and verse. I have done everything I possibly can to elicit from the Secretary of Agriculture support for his statement.

As compared with a careful section-by-section, clause-by-clause, word-by-word analysis of my proposed program by the Library of Congress, the Department of Agriculture has not given me a word of justification for their estimate. As a matter of fact, when the Secretary of Agriculture came before the Committee on Agriculture and Forestry this year, I again asked him, and he told me that he would come forward with an analysis of my bill, showing me how he arrived at the charge that it would cost so much money. Actually, I am convinced it would save money. I feel it would do so.

Mr. President, I rise today because there are under consideration a series of bills which, as I say, are important to the distinguished senior Senator from Minnesota [Mr. HUMPHREY], who is present on the floor; the distinguished senior Senator from Oregon [Mr. MORSE], with whom I talked recently; the distinguished junior Senator from Massachusetts [Mr. KENNEDY]; and a number of other Senators, including the distinguished Senator from Connecticut [Mr. BUSH]. These bills have been discussed by the Senator from Delaware [Mr. WILLIAMS] on a basis which I think I can show is not accurate.

First, Mr. President, I should like to consider the bill introduced by the distinguished senior Senator from Oregon [Mr. MORSE], S. 881. The charge made by the Senator from Delaware in the speech he made last Monday was that S. 881, the bill introduced by the Senator from Oregon [Mr. MORSE], would cost the Treasury, over a period of 5 years, $6.1 billion. In the course of his remarks the Senator from Delaware said:

> What proposals have been made by the sponsors of these bills to pay for these additional expenditures? Have there been any suggestions for increased taxes? None whatever.

I invite to the attention of the Senate the fact that this is simply not true, for S. 881, the bill introduced by the Senator from Oregon, is a self-financing bill. The Senator from Oregon was very careful to provide, to the very best of his ability, that his bill would be self-financing.

In order to double check the matter, I consulted with the Chief Actuary of the Social Security Administration, to find out whether the Morse bill would be self-financing. I was informed that he had told the Senator from Oregon last year that it would be, that it would pay for itself, that it would not unbalance the budget, that it would not cost the Treasury a nickel. However, this year, apparently after a further study, the Chief Actuary of the Social Security Administration had to make another estimate, and on the basis of the new estimate he states that there might be a cost to the Federal Treasury, as a result of passage of the Morse bill, of some $530 million. Mr. President, this is a possibility, but I should like to invite the attention of the Senate to the fact that $530 million is far different from the $6.1 billion which the Senator from Delaware has asserted S. 881 would cost, if passed.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I want the Senator from Wisconsin to know I appreciate very much the statement he has just made in regard to S. 881, which is my bill in the Senate. It is a companion bill to the Forand bill in the House of Representatives, which seeks to provide medical care for aged persons, after they reach the age of 65, based upon social security payments which these persons make during the period of their working years.

Mr. President, as the Senator from Wisconsin has pointed out, the Senator from Delaware [Mr. WILLIAMS] includes my bill in a list of bills which he inserted in a table in the RECORD of the Senate on August 3, 1959, to be found on pages 14984–14985. In the Senator's discussion of the table, he is reported in the RECORD as having said:

> What proposals have been made by the sponsors of these bills to pay for these additional expenditures? Have there been any suggestions for increased taxes? None whatever.

I can understand how a mistake can be made by any of us, Mr. President, but this mistake certainly was not based upon any reading of my bill. My bill makes perfectly clear that the payments in social security taxes by both employers and employees shall be raised to the amount necessary to cover the cost of passage of the bill.

Before I introduced the bill, I checked with the Social Security Administration and I asked for the social security tax figure necessary to cover the cost of my bill. That is the figure which was used in drafting the bill.

Now, a year later, I understand there has been a further study made, and, as reported by the Senator from Wisconsin, the actuary is not sure whether the percentage increase which I provided in my bill will cover every cent of the cost, although it is pointed out in the memorandum to which the Senator from Wis-

consin has referred that under the operation of the bill, on the basis of the tax increase for which my bill provides, there will be years when there will be collected more than the anticipated cost of the bill.

I want to say for the RECORD, Mr. President, I am going to leave the figures in my bill for this session of Congress as they are at present, because we know that there will undoubtedly not be any action taken on the bill until sometime in the next session of Congress. When the time comes that the bill is taken up by the Senate committee, the Senator from Oregon will recheck into the matter, and if a greater percentage increase in the social security taxes is needed in order to cover the cost of the bill, I will modify the bill accordingly.

I want the RECORD to show that the bill was offered on the basis of the report which I received from the Social Security Administration, that the percentage figure for the increase in social security taxes contained in the bill would be sufficient to make it a pay-as-you-go bill. This is my intention, Mr. President, because we all know it is not the policy to have social security paid for in any way by the Federal Government itself.

Even if there is a slight deficiency resulting from my bill in its present form, based upon the increase in social security taxes which I provided in the bill, as reported to me by the Social Security Administration about a year ago, the deficit would be far different from the figure used by the Senator from Delaware which, as I interpret the figures, would be $6.1 billion.

Mr. PROXMIRE. The Senator is correct.

Mr. MORSE. $6.1 billion, Mr. President. There is no basis in fact for that figure whatever, because it is based apparently on the calculation as to what the bill would cost if no social security taxes were assessed against either the employer or the employee.

The bill very specifically states, Mr. President, that the taxes for social security shall be raised to the figure which is necessary in order to have the beneficiaries and the employers pay for the cost of the medical care.

I did not know this discussion was going to be held today, Mr. President, or I would not have said on the floor of the Senate what I said yesterday about the matter of medical care for the aged. I would have incorporated that speech in my remarks today.

I say to the Senate, I did discuss this great issue briefly yesterday on the floor of the Senate, and I will summarize my remarks today.

First, I would have the American Medical Association keep this information in mind, because the American Medical Association is the chief lobbyist against my bill with its false propaganda, that the carrying out of our moral obligation to the aged of this country by providing for a social security tax which will make it possible for them to be supplied with the medical care which they will need in their declining years is going to lead to socialism in American medicine. That is "poppycock," and every doctor knows it.

Let me say to the doctors of America, I am not worried about any danger of socialism in American medicine, but I will tell the doctors of America what I am worried about. I am worried about undue commercialization in American medicine.

I care not what the political effects may be on the senior Senator from Oregon as a result of these remarks. If the doctors think they can defeat me, I ask them to come to Oregon and try. They are going to discover that the people are with me.

Increasing millions of people in America are going to be with those of us who recognize the great moral obligation to the aged of this country as the years go by. We must take away from the doctors of America the right to tax, which they now exercise. They exercise it under the guise that they think they should be allowed the right to impose certain fees upon those who they think are better able to pay higher medical fees, in order to take care of the medical cost to patients the doctors serve who cannot pay such fees.

That principle being followed by the medical profession in America has no place in America. I deny that the Government should tolerate the kind of medical fee tax policy practiced by the American medical profession. The American medical profession should charge reasonable fees—and I want them to have reasonable fees. They will find that no Member of this body can be counted upon more certainly to protect the right to the private practice of medicine than the Senator from Oregon. There is not a syllable in my bill that infringes upon the right of doctors to engage in the private practice of medicine free of any threat of socialized medicine. What my bill proposes is to see to it that the aged people have the wherewithal to pay the private doctor of their own selection to treat them in their declining years. That is not socialism. That happens to be putting to work the great religious principles that we profess, but, too frequently, I am afraid, do not practice.

There is house-top after house-top, by the thousands in our country today, covering the heads of millions of old people over 65, who are living under the gnawing fear that a serious illness will wipe out such little earnings as they have been able to save, and impose a tremendous financial burden upon their children or other relatives to take care of them in years of illness.

I happen to believe that the time has come to face up to this issue in America, and proceed to recognize that there is a responsibility on the part of the people of the Nation as a whole to provide legislation which is necessary, such as the bill I propose, to pay for the expenses of such illness through social security. There is needed legislation which will make it clear to the medical profession that we will protect them in the right to the private practice of medicine and at the same time protect the American people from undue commercialism in medical costs.

I think we should draft a bill along the lines of the bill I am now offering, which leaves no room for doubt that we are protecting the private practice of medicine, but also makes it perfectly clear that we have the responsibility to enact legislation which will assure the aged in this country that they do not have to look forward to the declining years of their life under a gnawing fear that they will not be able to get the medical attention they need.

Although reactionary doctors will not approve, nevertheless I take the position—and let us take the issue to the crossroads of America—that the medical profession does not have the moral right to charge whatever fees it chooses to charge. On the contrary, the Government has the duty to impose restrictions upon the medical profession similar to the restrictions we have imposed upon other economic groups whenever an economic group takes advantage of the people.

In my judgment we must face up to the question of medical costs. I have been at work for months in preparation for the hearings to be conducted by my subcommittee of the Committee on the District of Columbia, in regard to medical costs in the District of Columbia. I had hoped, and I still hope, that we may be ready for those hearings before Congress adjourns this month. But if we are not, we will proceed with them this fall, or at the beginning of the next session of Congress.

I believe that the doctors themselves are drawing this issue. I am for meeting the issue, and for placing in effect Government regulations necessary to give to the people of the country the protection which I have come to believe they are entitled to, from excessive medical costs and hospital costs.

So I am glad that the distinguished Senator from Wisconsin raised this question this afternoon and gave me an opportunity to explain the purposes of my bill, and to serve notice that I will modify my bill come next January by increasing the social security tax by whatever fraction of 1 percent may be necessary in order to remove any doubt as to whether or not my bill will raise enough from social security taxes to pay for its costs.

Mr. PROXMIRE. Mr. President, I thank the Senator from Oregon. If I accomplish nothing else this afternoon, I am happy to have provoked the Senator from Oregon into one of his brilliant speeches. I am delighted to be present to hear it.

What can any Senator do except what the Senator from Oregon has done? He has gone to the administration and asked, "How much would this bill cost?" He has written into his bill what the administration says it would cost.

The distinguished Senator from Delaware [Mr. WILLIAMS] said that there has been no suggestion whatever for increased taxes. The Senator from Oregon, in introducing Senate bill 881, did everything he could to make his bill self-financing, and to provide for the taxes to pay for it.

I turn now to Senate bill 1056, which the Senator from Delaware says would cost $40 billion, on the same basis. I

agree that Senate bill 1056 is in a different situation. It is true that there are no self-financing provisions in the bill. On the other hand, at the time the bill was introduced the author of the bill, the Senator from Montana [Mr. MURRAY], was very careful to say that he intended to make it self-financing. Let me read what he said:

> Financing the insurance system would be similar to that under the old age and survivors insurance program. Employers and employees would share the cost of the program on an equal basis. Each would pay 1½ percent of earnings up to $6,000 per year. The amount of contribution would vary, but could in no case be more than $90 per year for complete health care for both the employee and members of the family. The self-employed, recipients of old age, survivors, disability, and civil service retirement benefits would be included in the program.

I can well understand why the senior Senator from Montana did not attempt to incorporate in his bill a self-financing provision when he introduced it. Obviously it is a long-range bill. Conditions change, as the senior Senator from Oregon has remarked; and it is wise to do as the Senator from Oregon says he intends to do. That is, to wait until a bill is likely to come to the floor of the Senate for action, and then to provide the most accurate kind of self-financing provisions.

But the intention of the author is clear. He wants it to be fiscally responsible. I do not know what the author can do except to say that before the bill comes to a vote, he will see to it that it is made self-financing.

The next bill, H.R. 1301, was introduced by Representative GEORGE MCGOVERN, an outstanding Member of Congress from South Dakota. I spoke to him on the telephone not more than an hour ago.

The Senator from Delaware says that this bill would cost $36.5 billion. I asked Representative MCGOVERN on what basis the bill could cost $36.5 billion. It reminded me of my own unfortunate experience with the Secretary of Agriculture.

Representative MCGOVERN told me that he designed the bill for 2 reasons: First, to improve farm income, but, also to reduce the enormous cost of the farm program. He had been assured by farm experts, with whom he had consulted in the drafting of the bill, that it would be the least expensive kind of farm program, too. In order to support that position, he pointed out what the bill provides is a quota system under which the farmer who receives benefits does not receive them until he has reduced his production, and reduced it to within the limits of the quota system. Furthermore, the bill provides that no farmer can receive more than $3,500 in benefits.

He said that in his judgment, because of the quota provisions in the bill, the cost would be approximately nothing, or very little, because the whole purpose of the bill and the whole method of quotas would be to require the farmer to reduce his production, so that the production and the demand would be in balance. Thus there would not be necessity for a surplus disposal program, and there would not be the colossal waste and the high interest costs which are involved in the present farm program.

I am convinced that the bill in the way in which it is drafted may be criticized on the basis of its being too restrictive. I would not do so. It may be that farmers will have to limit their production, although I think that is necessary. But I do not think the bill can be denounced on the basis of fiscal irresponsibility, when the Secretary of Agriculture in this administration has administered the present farm program in such a way that it is costing the taxpayers $6 or $7 billion, far more than any farm program in history. The program proposed in the bill, it seems to me, under any kind of fair, wise, and prudent administration, would cost far less than this.

Therefore, the $36.5 billion additional cost is certainly subject to question. It is fantastitc. It is wrong. There would, in fact, almost certainly be a saving.

I come next to Senate bill 791. Incidentally, this is the one bill in which I have a personal interest, because I am a cosponsor of it. It was introduced by the junior Senator from Massachusetts [Mr. KENNEDY]. According to the Senator from Delaware, the bill will cost a billion dollars over 5 years. At the time it was introduced, the Senator from Massachusetts assured the Senate it would cost nothing. He made that statement with complete sincerity and on the basis of his own thoughtful, careful, able analysis. It is conceivable that there are circumstances under which S. 791 might cost money, but those circumstances would be unusual. The fact is that the bill provides that there will be no appropriation and no authorization. It also provides that under certain unusual circumstances, when the unemployment compensation rate in a State goes above 2.2 percent, then it will be possible for the State to procure, from the three-tenths percentage it pays to the Federal Government, to replace its depleted fund.

At the depth of the recession, State unemployment compensation funds amounted to $7 billion. Today they are $8 billion. There is very little likelihood that a situation will arise in which many States will rely in any wholesale way on this provision. Occasionally a State might. Rhode Island and Oregon, perhaps, might qualify at present. But I have been assured that under present circumstances, and under the situation which has prevailed in this country over the past 5 years, the bill would cost the Federal Treasury virtually nothing.

I turn now to Senate bill 863, authored primarily by the Senator from New York [Mr. JAVITS]. My office was in touch with the office of the Senator from New York and was advised that while the Senator from Delaware [Mr. WILLIAMS] is correct in saying that the bill would cost the Treasury some funds, the amount, in their judgment, is overstated. The tabulation in the bill says that S. 863 would cost $3.6 billion over a period of 5 years. The author of the bill says that he and his staff have gone over the bill very carefully and scrutinized every title, clause, and word in it. Their best judgment is that the bill would not cost $3.6 billion, but $3.1 billion at the outside. They are careful to point out the various authorizations and the various possible costs in the bill. The best they can say is that it will cost $3.1 billion. Therefore, the amount in this bill is overstated by half a billion dollars.

The next bill is S. 1087, a student aid bill, introduced by the Senator from Minnesota [Mr. HUMPHREY]. The bill provides for a series of authorizations: In the first year, $46 million; in the second year, $92 million; in the third year $138 million; and in the fourth and fifth years, $184 million. This adds up to $644 million.

The office of the Senator from Minnesota has checked the bill very, very carefully and have concluded that they do not see how the bill could possibly cost the $966 million which the Senator from Delaware says it would cost. Therefore, the amount in this bill seems to be overstated by $276 million.

I come next to Senate bill 2162, which is the Johnston-Neuberger bill. I have checked with the persons who were responsible for the work done on this bill. They have told me their best estimates are that the bill would not cost $1,200 million, but, on the basis of present Federal employment would cost $725 million. They say it is true that if we sustain a substantial increase in the number of Federal employees, as has happened in the past—and perhaps the Senator from Delaware was thinking of this—then it is possible the cost may increase. It is conceivable that in 5 years the cost may reach $1.2 billion. But if we assume that we will have the same number of employees, the cost will not be $1.2 billion, but $725 million. So the amount in this bill is overstated by $475 million.

Finally, I come to the bill introduced by the senior Senator from Connecticut [Mr. BUSH], S. 570. The bill authorizes reimbursement to the States for certain free and toll roads on the Interstate Highway System. On this bill, I consulted with Colonel Sneed, of the Committee on Public Works. He said he cannot see how the bill could cost more than $225 million annually. It calls for an annual authorization of $225 million. So the amount in this bill is overstated by $1,075 million.

These amounts add up to an overstatement of more than $85 billion. I have made no mention at all of duplications. It is perfectly obvious that if the Murray bill passes—this is the bill supported by the National Education Association and is the most generous of the school support bills—then it is very conceivable and very likely that the Senator from New York [Mr. JAVITS] would not press his bill, which is a bill for the construction of classrooms and would tend to accomplish the same purpose.

It is also clear that if the Murray health insurance bill should pass, then the Morse bill would not be necessary, because those bills seek to do the same thing. As a matter of fact, there are four duplicating bills, which are aimed at health insurance, all tallied by the Senator from Delaware: H.R. 77, S. 881, H.R. 208, and S. 1056. All those bills

attempt to do what the senior Senator from Oregon set forth so eloquently when he spoke to the Senate this afternoon, and pointed out the tremendous, desperate need of our older people for adequate health insurance.

It is clear that if one of these major bills passes, then the other bills, because they would duplicate it, would not be pressed, and therefore would not constitute a drain on the taxpayers.

I asked the Senator from Delaware in the course of our colloquy whether these were grant programs or loan programs, because if they were loan programs, they would result in repayments to the Federal Treasury. He said that they were grant programs, or were very largely grant programs. In that, he is correct.

But I should like to point out that at least one of the bills—the one to provide facilities for a public works program—will involve a loan program; and it would not result in a loss to the Federal Treasury. Instead, the taxpayers would be repaid.

I conclude by saying, as I did when I commenced my remarks, that I do not think any Member of the Senate has contributed more to the awareness of the country of the importance of economy in Government than has the Senator from Delaware [Mr. WILLIAMS]. He has set a wonderful example to this body, and he has also lived up to that example. No Member has been more responsible fiscally than he; and I have been delighted to follow his example as often as I could—which has been quite often, in this session.

But because I have seen the consequences of misinformation in elections—we had that experience in Wisconsin, in the last election—I believe that when a misstatement is made in the RECORD, I have both the right and, indeed, the duty to correct it.

Mr. President, I yield the floor.

Mr. WILLIAMS of Delaware obtained the floor.

Mr. BARTLETT. Mr. President, can the Senator from Delaware inform us how long he will speak? A number of us have waited since noon for the call of the calendar.

Mr. WILLIAMS of Delaware. I shall speak for only 4 or 5 minutes.

Mr. BARTLETT. Very well.

Mr. WILLIAMS of Delaware. Mr. President, I cannot allow to go unanswered the challenge which has been made to the figures which I placed in the RECORD of last Monday. Those figures were furnished by the Budget Bureau, and while they may be embarrassing to some, they were correct.

As I listened to the Senator from Wisconsin [Mr. PROXMIRE], I was reminded of the comment made by the player queen in Shakespeare's play, "The Tragedy of Hamlet, Prince of Denmark." The player queen had been vowing that if her husband died, she would never, never remarry. When Hamlet asked, "Madam, how like you this play?" the Queen replied, "The lady doth protest too much, methinks."

As I listened to all the supporters of the many bills to which I referred, and as I heard them defend them as bills which would not cost the taxpayers anything, I wondered how they arrived at the conclusion that someone can be given something without any cost.

I heard several of the bills described as being self-financing and it was said that they would not cost anyone anything.

Just what miracle in financing has been discovered I do not know; but, at least as far as I am concerned, the only means of financing will be by making charges to the American taxpayers. Thus, the enactment of such bills will result in cost to the American taxpayers.

Who else? I am sure the sponsors do not propose to pay for them.

In the course of my statement last Monday, I said that I had selected 15 bills. The figures I submitted in regard to the cost of those bills were not prepared by me. Neither did I pick out those particular 15 bills on the basis of any opposition by me to them. I may favor some of them, and I may be against some of them. Similarly, some of them may be favored by the administration, and some of them may be opposed by the administration. But that point is immaterial.

When I spoke, I made clear that I was not commenting in any way or manner on either the merits or the demerits of any of those bills. Instead, I simply submitted a list of the bills to the Bureau of the Budget, the official agency of the Government for the compilation of fiscal figures, and asked them for the projected or estimated cost of the bills, if enacted, for a period of 5 years.

I have before me the reply from the Bureau of the Budget. It is dated April 2; and I shall have the reply incorporated in the RECORD along with their report showing the cost. Every figure included by me in the RECORD last Monday was submitted to me by the Bureau of the Budget.

I have respect for both the Senator from Oregon and the Senator from Wisconsin, but if they think they are able to compute more accurately than can the Director of the Bureau of the Budget the cost of running the Government, I am sure the Director of the Bureau of the Budget would appreciate having their help.

It has been said here today that some of the bills would not cost anything. Mr. President, how can someone be given something without having any cost involved? Either the bill will be a complete farce and will not accomplish its objective, or it will have a price tag attached.

The Director of the Bureau of the Budget made no comment as to whether the Bureau of the Budget either favored or opposed the bills. I specifically asked him to avoid any references to the merits of the bills or any comments as to whether the bills should or should not be passed. My question was solely what the bills, if enacted, would cost the American taxpayers.

The figures I placed in the RECORD were the exact figures the Bureau of the Budget submitted.

But when there is such talk about self-financing programs and when there is discussion as to whether taxes will be raised before or after such bills are passed, I point out that the time of raising the taxes has nothing to do with the question of whether the bills will involve cost to the American taxpayers. The point is that in any event there will be a cost to the taxpayers, and the taxpayers will have to pay that cost now or later.

The three bills which I said would reduce revenue are likewise pending before this Congress. Two of them are now before the Ways and Means Committee of the House of Representatives, awaiting action by it; and one of the bills which would reduce taxes has been passed by the House of Representatives and is awaiting action by the Senate Finance Committee.

Again, without commenting on either the merits or the demerits of those bills, I said that if those three bills were enacted they would reduce the revenue of the U.S. Government during the next 5 years by an average of $10 billion a year. The figures in that connection were not originated by me. Instead, those figures were obtained from the Treasury Department.

Again I say, with all due respect to the loud wailing and weeping which goes on here out of sympathy for the American taxpayers, that when it comes to considering the cost of the bills I still keep my confidence in the accuracy and the validity of the figures and the estimates of the Bureau of the Budget and the Treasury Department. I have confidence in their ability to provide us with reasonable figures in regard to the cost of any bill, and I will continue to regard the figures they submit as just as accurate as the figures submitted by the advocates of the bills.

Mr. PROXMIRE. Mr. President, will the Senator from Delaware yield to me?

Mr. WILLIAMS of Delaware. I yield.

Mr. PROXMIRE. Does the Senator from Delaware still stand by the statement he made on Monday, that "What proposals have been made by the sponsors of these bills to pay for these additional expenditures? Have there been any suggestions for increased taxes? None whatever."

Is that an accurate statement, in view of the speech I made a moment ago?

Mr. WILLIAMS of Delaware. Yes, if you will read the rest of my statement.

Mr. PROXMIRE. Is it accurate in regard to the Morse bill?

Mr. WILLIAMS of Delaware. I ask the Senator from Wisconsin to read my full statement. I am speaking of the tax bills which have been advocated here by the leadership; and in that connection there are no bills to raise taxes. Certainly the enactment of those 15 bills which I said would cost $187 billion in the next 5 years would increase the cost of running the Government and would, if enacted, raise taxes. That is the point, only it has not been emphasized enough.

I also commented on the need to close loopholes in the tax laws. But at the same time I said that even if those bills to close tax loopholes were passed—and I, myself, sponsored some of those bills

to close tax loopholes—they still would not make up for, or offset, the cost of the other bills to which I referred—the 15 bills. Certainly new spending programs of $187 billion in the next 5 years would require more taxes. At this time I am not discussing either the merits or the demerits of those bills; that is not the issue. We are discussing the cost, and I do say that if the 18 bills—the 15 spending bills and the 3 tax-reducing bills—which I selected and referred to last Monday were passed by the Congress, they would, over the next 5 years, increase the cost of running the Government by $187 billion and would reduce our revenue at the same time by $10 billion annually. My statement was based on cost figures submitted by the Director of the Bureau of the Budget; and I certainly think that even the Senator from Wisconsin, with all his confidence in his own ability, would admit that the Director of the Bureau of the Budget is just as well qualified as he to arrive at the cost figures.

I repeat, the figures submitted by the Director of the Bureau of the Budget show that those 15 spending bills would cost the American people $187 billion during the next 5 years, and that an additional $40 billion would have to be raised by means of taxes.

If the three bills calling for tax reductions, to which I referred, were enacted they would reduce the revenue—and again these figures are on the basis of estimates made by the Treasury Department and are concurred in by the Director of the Bureau of the Budget—during the next 5 years by $50 billion, or by $10 billion a year.

Although each of those bills may have merit, yet, as I have stated many times, *no proposal* can be considered by itself, entirely apart from other measures or apart from our ability to pay. Remember that for 24 of the past 30 years we have lived beyond our income.

We have reached the point where most of the American people realize we are living beyond our income. We have piled up a debt today which will have to be paid by future generations. That is why I made a statement and put in the RECORD the cost of some of these many spending porgrams. I think it is time all of us in the Congress and all the people back home realize that we cannot continue to drain the Federal Treasury of money which we do not have and which we are even having difficulty in borrowing.

This deficit financing is the key to inflation. There may be some here who feel that there is no danger in an unbalanced budget. I happen to be one who feels it is essential that our Government live within its income, particularly at a time when we have the highest level of prosperity we have ever had in this country. If we are not going to live within our income at a time when we have the highest level of prosperity, I ask, When we are going to be able to do so?

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. PROXMIRE. I am not going to discuss the merits of the measures referred to. There are bills included that I would not support, that should not pass. What I want to say is that the speech of the Senator was largely based on the unwillingness of Senators to call for taxes to pay for the spending programs they are proposing. I would say some of the measures the Senator listed are fiscally responsible, and I have proven they are. They may be right or they may be wrong on their merits, but I do not think anyone should be accused of being irresponsible, fiscally or otherwise, or of not being willing to call for taxes to pay for the services they offer. Obviously the entire context of the Senator's remarks was to charge exactly this.

I think any reading of the speech of the Senator from Delaware last Monday will indicate that the whole burden of it was that all these measures cost the U.S. Treasury money, and will contribute to an unbalanced budget and are inflationary. I agree that some may do so; some may be inflationary; but I think there are also some measures, and I am in favor of some of them, which are self-financing, provide for revenues as well as services, and simply do not fit into that group which the Senator characterizes as inflationary. That is my whole point. Incidentally of all of these 15 bills I was the principle author of none of them. I cosponsored only one. That was the Kennedy unemployment compensation bill which the Senator from Massachusetts [Mr. KENNEDY] assured the Senate would cost nothing under most circumstances. I have gone to considerable pains to explain exactly why this bill and other bills would not be costly. I challenge the Senator from Delaware to show that the Kennedy bill—the only one of these bills of which I am cosponsor—would under any reasonable likely circumstances cost $1 billion in 5 years. Let us see the evidence.

Mr. WILLIAMS of Delaware. I cannot guide the conscience of the Senator from Wisconsin and I cannot stop him from feeling as he does—guilty—when he reads the cost estimates of some of his spending proposals. However, at no point in my speech will anyone find the word "dishonest" or the words "fiscal irresponsibility" as charges made against sponsors of bills. The Senator from Wisconsin is the only one using such reference to the authors of the bills. I do not think the Senator will find I have brought any charges against the authors of bills. I was merely speaking of the fact that we, as a Government, cannot continuously go along the road of deficit spending.

Whether it is the conscience of the Senator or his imagination as to what he thinks may be between the lines I do not know.

Mr. President, I placed the figures in the RECORD the other day as representing the cost of 15 bills over a 5-year period. Since they have been questioned as to accuracy I shall place that same report in the RECORD here again today, followed by the letter from the Director of the Budget dated April 2, 1959, in which these figures are confirmed.

At this point I ask unanimous consent to have incorporated in the RECORD as a part of my remarks this report on the 15 bills followed by the letter of April 2, 1959, received from the Director of the Budget, in which every figure I used the other day in my remarks of last Monday is confirmed.

There being no objection, the report and letter were ordered to be printed in the RECORD, as follows:

Bill and description	Present status	Estimated cost over 5-year period as furnished by the Bureau of the Budget	Bill and description	Present status	Estimated cost over 5-year period as furnished by the Bureau of the Budget
		Millions			*Millions*
S. 2; H.R. 22: School Support Act	Reported in House June 8, Union Calendar.	$15,000	S. 722: Area Redevelopment Act	Passed Senate Mar. 23, reported in House May 14, Union Calendar.	$400
S. 1087: Student Aid Act	No action	966,000			
H.R. 1031: Emergency program of grants for public works.	do	2,500	H.R. 1301: Farm income	No action	36,500
H.R. 1030: Community facilities and public works.	do	2,500	S. 570: Authorize reimbursement to States for certain free and toll roads on the Interstate Highway System.	do	2,200
H.R. 77: Old-age pensions of $75 per month for all over 65.	do	66,000	S. 805: Amend Federal Water Pollution Act; H.R. 3610.	Passed House June 9	500
S. 791: Unemployment insurance grants	do	1,000	S. 1056: To provide a program of national health insurance.	No action	40,000
H.R. 102: Pensions for World War I veterans.	do	9,000	S. 863: Construction of classrooms to provide increased amounts for teachers salaries.	Hearings on general subject have been held; pending before subcommittee.	3,600
H.R. 208: Federal employees health insurance.	House holding hearings.	1,200			
S. 2162: Same	Passed Senate July 16				
S. 881: Social Security Health Insurance	No action	6,100			
H.R. 4700	House holding hearings.		Total		187,466

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C. April 2, 1959.

Hon. JOHN J. WILLIAMS,
U.S. Senate, Washington, D. C.

MY DEAR SENATOR WILLIAMS: This is in response to your letter of March 17, 1959, requesting an estimate of the 5-year cost of the following bills:

S. 722, Area Redevelopment Act: $400 million.

H.R. 2357, Housing Act: $1.623 billion over 4¼ years (as reported by the House).

S. 2 and H.R. 22, School Support Act: $15 to $16.2 billion.

S. 1087, Student Aid Act: $966 million.

H.R. 1031, emergency program of grants for public works: $2.5 billion appropriation authorization.

H.R. 1030, community facilities and public works: $2.5 billion public debt authorization.

H.R. 77, old-age pensions for all over 65: $66 billion.

S. 791, unemployment reinsurance grants: $1 to $2 billion.

H.R. 102, pensions for World War I veterans: $9 to $10 billion.

H.R. 208, Fedral employees health insurance: $1.2 billion.

S. 881, social security health insurance: $6.1 billion.

S. 1, airports grants (as passed by the House): $297 million.

H.R. 1301, farm income: $36.5 billion.

S. 1094, amend Bretton Woods Agreements Act: $1.4 billion for 1959.

(NOTE.—S. 1094 provides new obligational authority totaling $4.6 billion. One and four-tenths billion dollars for the International Monetary Fund will be paid out soon after passage of the bill. Three and two-tenths billion dollars involves a commitment to purchase additional shares of stock of the International Bank for reconstruction and development. This commitment is needed only as a guarantee for loans made by the Bank, and there is no reason to believe an expenditure of funds will be required, either in the next 5 years or beyond.)

S. 423, amend Highway Act to provide additional construction: $90 million (1-year program).

S. 931, to amend TVA Act to provide for construction of power facilities by sale of revenue bonds.

(NOTE.—Method of financing other than through appropriation; therefore, would reduce cost by amount of private financing obtained.)

S. 570, authorize reimbursement to States for certain free and toll roads on the Interstate Highway Syster..: $2.2 billion.

(NOTE.—$440 million available each year up to the total cost of the bill, $4.4 billion. Not specifically authorized; subject to change; States may not request.)

S. 805, amend Federal Water Pollution Control Act (this bill is substituted for S. 605, listed in your letter on the assumption that the latter number is a typographical error): $500 million.

S. 57, housing bill (as passed by Senate): $939.97 million for 4¼ years.

S. 879, provide financial assistance for construction of public community colleges: $250 million.

S. 877, 4-year program of Federal assistance for school construction: $2.2 billion.

S. 863, construction of classrooms to provide increased amounts for teachers' salaries: $3.6 billion.

S. 1017, assist institutions of higher education to accelerate constructon of academic and residential facilities: $70 million.

S. 1056, provide a program of national health insurance: $40 billion.

S. 14, Central Valley project; S. 44, Snake River Valley; S. 72, San Juan-Chama: See attached table.

The estimates cover a 5-year period, except in those instances where, as indicated, the life of the proposed legislation is for a lesser period of time. Forecasts 5 years in the future are, of course, somewhat speculative, particularly so in circumstances where legislation has not been more fully considered than have some of these bills.

Sincerely yours,

ELMER B. STAATS,
Acting Director.

[In thousands of dollars]

Bill	Project	Estimated total cost	1st year	2d year	3d year	4th year	5th year
S. 14	Auburn unit, American River division, Central Valley project, California	138,705	2,000	4,275	12,981	21,305	25,000
S. 44	San Luis unit, Central Valley project, California	290,443	2,649	9,735	25,328	32,826	40,000
S. 72	Navajo irrigation project, New Mexico	126,800	2,000	8,500	10,400	11,400	15,000
S. 72	San Juan-Chama project, Colorado-New Mexico	85,955	1,000	10,000	20,000	20,000	15,000
S. 281	Burns Creek (Palisades reregulating reservoir), Upper Snake River Valley, Idaho	46,616	[1] 100	[1] 400	4,217	13,824	17,922

[1] $500,000 appropriated by 85th Cong. Initiation of construction subject to authorization of project.

NOTE.—Above information from Interior public works programs (6-year program—Schedule B: Unauthorized Projects).

Mr. WILLIAMS of Delaware. Mr. President again I state that I stand by those figures. There is no $85 billion error as suggested by the Senator from Wisconsin. There is not even an $85 error in my figures. It may have been in the back of the minds of some of the sponsors of these bills to raise $85 billion in new taxes to pay for some of the services; but if so, does not that still represent cost to the taxpayers? All that has been said is that of the $187 billion projected cost they would later plan to raise taxes to pay for $85 billion of the cost.

The only comment made by the Director of the Budget on any of these bills was the cost. I did not ask for a comment on the merits or demerits of the measure. I did not ask him whether the Bureau was for or against them. Some may have the endorsement of the administration. I may vote for some of them or against some of them. That is not the point. I merely put a price tag on them so that the American people may know what they cost when the merits of the bills are considered.

I say again, the price tag I put on these bills the other day was accurate according to figures furnished by the Director of the Budget.

Mr. PROXMIRE subsequently said: The argument between the Senator from Delaware and myself is very simple. Both of us believe in economy in Government. Both of us recognize that an unbalanced budget in periods of peace and prosperity is inflationary and therefore wrong. My argument is that any fair-minded reading of the original speech of the Senator from Delaware last Monday, August 3, will show that the burden of his address was that bills totalling $187 billion have been introduced and in the words of the Senator from Delaware authors of the bills had provided "none whatsoever" taxes to pay for them. My speech today shows the Senator from Delaware was wrong; and at least some of the estimates fantastically extravagant. The Senator from Delaware has provided not a scintilla of evidence to support his position except the unexplained bald figures of a partisan Budget Bureau. What is more a number of the bills duplicated each other completely. For instance, there were four health insurance bills to add the total cost of each of these bills and imply that all might be enacted simply does not tell the truth. They will not be. There is no possibility they will be.

I have spoken out on this exactly because I feel so strongly on the importance of fiscal responsibility and a balanced budget. I honestly want to work as closely with the Senator from Delaware on this as I can. But I am determined to work for this purpose with all the honesty I can summon.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendments of the Senate numbered 1 and 2 to the joint resolution (H.J. Res. 354) for the relief of certain aliens, each with an amendment, in which it requested the concurrence of the Senate.

EXTENSION OF SPECIAL MILK PROGRAM FOR CHILDREN

Mr. HUMPHREY. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to Senate bill 1289.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1289) to increase and extend the special milk program for children, which was, on page 1, line 6, strike out all after "for" down through and including "$80,000,000," in line 7, and insert "the fiscal year beginning July 1, 1959, not to exceed $81,000,000, and for the fiscal year beginning July 1, 1960, not to exceed $84,000,000,".

Mr. HUMPHREY. Mr. President, I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to.

ORDER OF PROCEDURE—ORDER FOR CONSIDERATION OF CERTAIN MEASURES ON THE CALENDAR

Mr. BARTLETT and Mr. ALLOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. ALLOTT. Mr. President, I rise to a point of order. I believe I am next on the list of Senators I see present on the floor, with the exception of the Senator from Minnesota [Mr. HUMPHREY].

The PRESIDING OFFICER. The regular order governs. The Senator from Alaska has been recognized.

Mr. ALLOTT. Mr. President, I appeal from the ruling of the Chair.

Mr. HUMPHREY. Mr. President, I ask for the regular order.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. KEATING. Mr. President, will the Senator yield for an inquiry?

Mr. BARTLETT. I yield.

Mr. KEATING. Will both Senators yield to me to make an inquiry?

Mr. ALLOTT. I do not have the floor.

Mr. BARTLETT. I will gladly yield.

Mr. KEATING. My inquiry is this: I was requested by the distinguished majority leader to note the absence of a quorum at the conclusion of my remarks, and it slipped my mind before the Senator from Wisconsin [Mr. PROXMIRE] was recognized. I want to carry out my obligations to the majority leader. I do not want to interfere with what is being said here, but I feel I am committed to note the absence of a quorum. May I do so?

Mr. BARTLETT. Mr. President, will the Senator yield so I may make a unanimous-consent request?

Mr. KEATING. I am making the inquiry on behalf of the majority leader.

Mr. BARTLETT. I am glad the Senator is.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. BARTLETT. I should like to put this unanimous-consent request: That the Senate proceed to consider bills on the calendar to which there is no objection, beginning with Order No. 581, Senate bill 2026, to establish an Advisory Commission on Intergovernmental Relations, to conclude with Order No. 604, House bill 4120, for the relief of Dr. Raymond A. Vonderlehr and certain other officers of the Public Health Service, but that the Senator from Colorado may have the floor before the call of the calendar begins.

Mr. ALLOTT. Mr. President, reserving the right to object——

Mr. HUMPHREY. Mr. President, I object.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. What is the pending business before the Senate?

The PRESIDING OFFICER. It is Senate bill 747, the Des Plaines public hunting and refuge area bill.

Mr. DIRKSEN. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. It is my understanding that bill was laid aside on yesterday. Is that correct?

The PRESIDING OFFICER. After the privileged matter was acted upon, that bill came before the Senate.

Mr. DIRKSEN. It automatically became the pending business after adjournment last night. Is that correct?

The PRESIDING OFFICER. Yes.

Mr. DIRKSEN. So presently Senate bill 747, the bill dealing with the Des Plaines area, is the pending business before the Senate. Is that correct?

The PRESIDING OFFICER. Yes.

Mr. DIRKSEN. Mr. President, it becomes necessary to lay that bill aside by unanimous consent, in order to consider the calendar.

The PRESIDING OFFICER. Or a motion may be made to take up another bill.

Mr. KEATING. Mr. President, pursuant to my obligations to the distinguished majority leader, I suggest the absence of a quorum.

The PRESIDING OFFICER. Has the Senator from Alaska yielded to the Senator from New York for that purpose?

Mr. BARTLETT. Mr. President, I move that the pending business be laid aside and that the calendar be called for the consideration of unobjected-to measures, commencing with Order No. 581 and ending with Order No. 604.

The PRESIDING OFFICER. The two requests cannot be embodied in the same motion.

What is the first request?

Mr. BARTLETT. Mr. President, I ask that the pending business be laid aside.

The PRESIDING OFFICER. Is there objection to the request? The Chair hears none, and it is so ordered.

Mr. BARTLETT. I ask unanimous consent that the Senate proceed to consider measures on the calendar to which there is no objection, beginning with Order No. 581 and ending with Order No. 604.

The PRESIDING OFFICER. Is there objection? Without objection——

Mr. ALLOTT. Mr. President, do I understand that the unanimous-consent proposal is to proceed with the call of the calendar?

The PRESIDING OFFICER. That is correct.

Mr. ALLOTT. Then, reserving the right to object, I should like to make an inquiry. The senior Senator from Minnesota [Mr. HUMPHREY] is on the list of speakers at the desk, and I know he is entitled to recognition before the Senator from Colorado. I should like to inquire how it occurred that the Senator from Alaska was recognized when both the Senator from Minnesota and the Senator from Colorado were seeking recognition.

The PRESIDING OFFICER. The list which is at the desk is certainly unofficial, and the Chair recognized the Senator from Alaska who was on his feet prior to the Senator from Minnesota.

Mr. ALLOTT. Reserving the right to object, I call the attention of the Chair to the fact that the Senator from Colorado was on his feet before the Senator from Delaware was recognized, that he was seeking recognition, that he had addressed the Chair prior to the time the Senator from Delaware was recognized.

I do not wish to come ahead of the Senator from Minnesota, but these lists are either going to be recognized in the Senate or they are going to be thrown out the door. We have agreed many times that we were going to proceed according to these lists.

The PRESIDING OFFICER. Prior to the appearance of the name of the Senator from Colorado on the list, the majority leader had indicated that the calendar call would be made following the remarks of the Senator from New York [Mr. KEATING].

Mr. ALLOTT. The rules provide that the Chair shall recognize the first Senator who addresses the Chair.

The PRESIDING OFFICER. I think that is a proper statement of the rules.

Mr. ALLOTT. This has been modified for the convenience of the Senate by the placing of a list before the Presiding Officer. I placed my name on that list after waiting for some 2 hours before I did so. I do not wish to prolong the discussion if the Senator from Minnesota wishes to have the calendar called; since he precedes me on the list, I shall not object.

Mr. HUMPHREY. It would be my desire that the calendar call should be undertaken, since it will expedite our business.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. The Chair has recognized the Senator from Alaska. Does the Senator from Alaska yield to the Senator from Tennessee?

Mr. BARTLETT. I yield.

Mr. GORE. Mr. President, I did not ask the Senator to yield. I sought recognition.

The PRESIDING OFFICER. The Senator from Alaska has the floor, and has yielded to the Senator from Tennessee.

TENNESSEE VALLEY AUTHORITY

Mr. GORE. Mr. President, earlier today the President signed into law a bill providing authority for the Tennessee Valley Authority to sell bonds to provide for the building of additional generating capacity for the TVA. This represents a great accomplishment. It is the result of a very long effort. It was a necessary action in order that the 5 million people who must depend upon the Tennessee Valley Authority, and who do depend upon the Tennessee Valley Authority as the source of their electrical energy, may grow in their economy as the people of other regions are growing.

I am grateful for the action of the Congress. I am grateful for the leadership and for the bipartisan support which has brought the bill to enactment.

I wish particularly to mention the senior Senator from Oklahoma [Mr. KERR], the senior Senator from New Mexico [Mr. CHAVEZ], the senior Senator from South Dakota [Mr. CASE], the majority leader, the Senator from Texas [Mr. JOHNSON], the minority leader, the Senator from Illinois [Mr. DIRKSEN], and

other Senators who have contributed time, interest, effort and understanding to the problems of the people of the Valley.

It is remarkable that in the final analysis the understandings and the agreements which culminated in the signature of the President to this bill enacting it into law, on the part of the Senator from Oklahoma, a Democrat, the Senator from South Dakota, a Republican, the majority leader, a Democratic Senator from the State of Texas, the minority leader, a Republican Senator from the State of Illinois and the Speaker of the House, Mr. RAYBURN, now from Texas but a native of Tennessee, played most prominent parts. This is what makes America great. This is what has brought about development of our natural resources in one important instance after another.

Unless Members of the Senate show a concern and an interest in the people of regions other than those of their own direct constituencies, then we cannot be a great Nation.

The fact that this bill has been written into law is a compliment to the bipartisan consideration it has received, a compliment to the cooperation between Democrats and Republicans on the Public Works Committee and also the cooperation between the majority and minority leaders.

I appreciate, too, the approval of the bill by President Eisenhower.

THE CALENDAR—BILL PASSED OVER

The PRESIDING OFFICER. Without objection, the Senate will proceed with the call of the calendar, beginning with Order No. 581, Senate bill 2026.

The bill (S. 2026) to establish an Advisory Commission on Intergovernmental Relations, was announced as first in order.

Mr. BARTLETT. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

FRANCISZEK ROSZKOWSKI

The bill (S. 1702) for the relief of Franciszek Roszkowski was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Franciszek Roszkowski shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

PACIFICO A. TENORIO

The bill (S. 1731) for the relief of Pacifico Tenorio was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Pacifico A. Tenorio shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

PETER SERGEEVICH DERYABIN, ALSO KNOWN AS THEODORE STANLEY OREL

The bill (H.R. 4243) for the relief of Peter Sergeevich Deryabin, also known as Theodore Stanley Orel, was considered, ordered to a third reading, read the third time, and passed.

NETTIE KORN AND MANFRED KORN

The Senate proceeded to consider the bill (S. 1071) for the relief of Nettie Korn and Manfred Korn which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Nettie Korn and Manfred Korn shall be deemed to have been born in Austria.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALLEN HOWARD PILGRIM AND OTHERS

The Senate proceeded to consider the bill (S. 1557) for the relief of Allen Howard Pilgrim, Cheryl Ann Pilgrim, Robb Alexander Pilgrim, and Jocelyn Marie Pilgrim, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 8, after the word "fees", to insert a colon and *"Provided,* That the natural parents of Allen Howard Pilgrim, Cheryl Ann Pilgrim, Robb Alexander Pilgrim, and Jocelyn Marie Pilgrim shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Allen Howard Pilgrim, Cheryl Ann Pilgrim, Robb Alexander Pilgrim, and Jocelyn Marie Pilgrim shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fees: *Provided,* That the natural parents of Allen Howard Pilgrim, Cheryl Ann Pilgrim, Robb Alexander Pilgrim, and Jocelyn Marie Pilgrim shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KENZO HACHTMANN, A MINOR

The Senate proceeded to consider the bill (S. 2238) for the relief of Kenzo Hachtmann, a minor, which had been reported from the Committee on the Judiciary, with an amendment, in line 7, after the word "States", to insert a colon and *"Provided,* That the natural mother of Kenzo Hachtmann shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Kenzo Hachtmann, shall be held and considered to be the natural-born alien child of Charles W. Hachtmann, a citizen of the United States: *Provided,* That the natural mother of Kenzo Hachtmann shall not, by virtue of such parentage, be accorded any right, privilege, status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

IRENE MILIOS

The Senate proceeded to consider the bill (S. 2021) for the relief of Irene Milios, which had been reported from the Committee on the Judiciary, with amendments, in line 6, after the word "of", to insert "Mr. and Mrs."; in the same line, after the name "Milios", to strike out "a citizen" and insert "citizens", and in line 7, after the word "States", to insert a colon and *"Provided,* That the natural parents of Irene Milios shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Irene Milios, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Nicholas Milios, citizens of the United States: *Provided,* That the natural parents of Irene Milios shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONCURRENT RESOLUTION PASSED OVER

The concurrent resolution (S. Con. Res. 11) to invite friendly and democratic nations to consult with India, was announced as next in order.

Mr. KEATING. Over by request, Mr. President.

The PRESIDING OFFICER. The resolution will be passed over.

SELECTION OF LEASED LANDS BY ALASKA

The bill (S. 1412) to amend the act of July 7, 1958, providing for the admission of Alaska into the Union, relating to selection by the State of Alaska of certain lands made subject to lease, permit, license, or contract, was announced as next in order.

Mr. BARTLETT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 613, H.R. 5849.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 5849) to amend the act of July 7, 1958, providing for the admission of the State of Alaska into the Union relating to selection by the State of Alaska of certain lands made subject to lease, permit, license, or contract.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alaska?

Mr. KEATING. Mr. President, is this an identical bill?

Mr. BARTLETT. The Senator is correct.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alaska?

There being no objection, the bill (H.R. 5849), was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, S. 1412 is indefinitely postponed.

LEASING OF COAL LANDS IN ALASKA

The bill (S. 1723) to amend the act providing for the leasing of coal lands in Alaska in order to increase the acreage limitation in such act, was announced as next in order.

Mr. BARTLETT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 612, H.R. 6939, that all after the enactment clause be stricken out, and that the text of S. 1723 as reported be substituted for the text of the House bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 6939) to repeal the act of October 20, 1914 (38 Stat. 741), as amended (48 U.S.C., secs. 432–452), and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alaska?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Alaska.

The amendment was agreed.

The bill (H.R. 6939) was read the third time and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes", approved October 20, 1914 (38 Stat. 741), is repealed.

SEC. 2. The first sentence of section 2 of the Act of February 25, 1920 (41 Stat. 437, 438), as amended (30 U.S.C. 201), is further amended by the deletion of the words "outside of the Territory of Alaska".

SEC. 3. The first six sentences of section 27 of said Act of February 25, 1920, as amended (30 U.S.C. 184), are amended to read as follows:

"SEC. 27. No person, association, or corporation, except as herein provided, shall take or hold coal leases or permits during the life of such lease in any one State, except Alaska, exceeding an aggregate of ten thousand two hundred and forty acres and, with respect to Alaska, twenty thousand four hundred and eighty acres: *Provided,* That a person, association, or corporation may apply for coal leases or permits for acreage in addition to said acreage, which application or applications shall be in multiples of forty acres, not exceeding a total of five thousand one hundred twenty additional acres in such State or ten thousand two hundred and forty acres in the State of Alaska and shall contain a statement that the granting of a lease for such additional lands is necessary for the person, association, or corporation to carry on business economically and is in the public interest. On the filing of said application, the coal deposits in such lands covered thereby shall be temporarily set aside and withdrawn from all forms of disposal under this Act. The Secretary of the Interior shall, after posting notice of the pending application in the local land office, conduct public hearings on said application or applications for additional acreage. After such public hearings, to such extent as he finds to be in the public interest and necessary for the applicant in order to carry on business economically, the Secretary of the Interior may, under such regulations as he may prescribe, permit such person, association, or corporation to take or hold coal leases or permits for an additional aggregate acreage of not more than five thousand one hundred and twenty acres in such State or ten thousand two hundred and forty acres in the State of Alaska, as the case may be. The Secretary may, in his own discretion or whenever sufficient public interest is manifested, reevaluate the lessee's or permittee's need for all or any part of the additional acreage. The Secretary may cancel the lease or leases and permit or permits covering all or any part of the additional acreage, if he finds that such cancellation is in the public interest or that the coal deposits in the additional acreage are no longer necessary for the lessee or permittee to carry on business economically or if the lessee or permittee has divested himself of all or any part of the original ten thousand two hundred and forty acres, or, with respect to the State of Alaska, twenty thousand four hundred and eighty acres or no longer has facilities which in the Secretary's opinion enable him to exploit the deposits under lease or permit.

The PRESIDING OFFICER. Without objection, S. 1723 is indefinitely postponed.

BILL PASSED OVER

The bill (S. 1697) to amend the Mutual Defense Assistance Control Act of 1951, was announced as next in order.

Mr. KEATING. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

ALICJA ZOFJA BATUKIEWICZ

The bill (S. 1152) for the relief of Alicja Zofja Batukiewicz was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Alicja Zofja Batukiewicz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

MAGDALENO V. DEL ROSARIO

The bill (S. 1429) for the relief of Magdaleno V. del Rosario was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Magdaleno V. del Rosario shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ARSHALOUIS SIMEONIAN

The Senate proceeded to consider the bill (S. 1081) for the relief of Arshalouis Simeonian, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 6, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of paragraph (6) of section 212(a) of the Immigration and Nationality Act, Arshalouis Simeonian may, if he is found to be otherwise admissible under the provisions of such Act, be issued a visa and be admitted to the United States for permanent residence, under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States, deems necessary to impose: *Provided,* That a suitable or proper bond or undertaking, approved by the Attorney General, shall be given by or on behalf of the said Arshalouis Simeonian in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such Act: *Provided further,* That this Act shall apply only to grounds for exclusion under paragraph (6) of section 212(a) of such Act known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the bill (H.R. 4242) for the relief of certain aliens, which had been reported

from the Committee on the Judiciary, with an amendment, on page 1, at the beginning of line 5, to strike out "Marie, Rowena (daughter of Marie) and Plarim D-Mar Shimum, and Elishwa, Sulty, Paul, Sophia, Surma, Eshaya, Virginia, George, Mersina, D-Mar Shimum, and Mrs." and insert "Marie, Plarim, Elishwa, Sulty, Paul, Sophia, Surma (daughter of Paul and Sophia), Eshaya, Virginia, George and Mersina D-Mar Shimum and Mrs."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H.J. Res. 405) for the relief of certain aliens, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 4, after the word "Act", to strike out "Maria Lagomarsino Rosasco,"; in the same line, after the name "Andrew Rosasco", to strike out "Sister Eucharia (Miss Philomena Iannucci), Sister Marie Bernard (Miss Nicolina Ossa), Sister Alphonsus Marie (Miss Mary Grace Padovano), Sister Mary Dulcis (Miss Mary Teresa Di Ioia),"; in line 8, after the name "Ordonio", to strike out "Priscilla Sook Chur Chiang,"; on page 2, line 14, after the name "Godlewska", to strike out "Jose Guadalupe Magdaleno Acosta,"; in line 16, after the name "Machargo", to strike out "Maria Angelidou,"; on page 3, at the beginning of line 3, to strike out "commended" and insert "commenced", and on page 4, line 2, after the word "That", to insert "in the case of Rosa Angarica".

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

INCLUSION OF CERTAIN RECEIPTS IN POSTAL REVENUES

The bill (H.R. 4644) to credit to postal revenues certain amounts in connection with postal activities, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

DR. RAYMOND A. VONDERLEHR AND OTHERS

The Senate proceeded to consider the bill (H.R. 4120) for the relief of Dr. Raymond A. Vonderlehr and certain other officers of the Public Health Service, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That the following-named retired officers of the United States Public Health Service are hereby relieved of all liability for payment to the United States of the following stated sums, such sums representing overpayments of retired pay as a result of unauthorized recomputations of their retired pay under the provisions of the Career Commission Act of 1949: Doctor Charles V. Akin, $9,705.12; Doctor Richard H. Creel, $10,928.94; Doctor Marshall C. Guthrie, $10,928.94; Doctor John W. Kerr, $10,928.94; Doctor Allan J. McLaughlin, $10,928.94; Doctor John McMullen, $10,928.94; Doctor Roy P. Sandidge, $10,039.74; Doctor Frederick C. Smith, $10,928.94; Doctor Walter J. Treadway, $10,928.94; Doctor Clifford E. Waller, $8,701.22, and Doctor Mark J. White, $10,928.94.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act for the relief of certain officers of the Public Health Service."

CONSTRUCTION OF BULLY CREEK DAM, OREG.

The bill (H.R. 968) to provide for the construction by the Secretary of the Interior of the Bully Creek Dam and other facilities, Vale Federal reclamation project, Oregon, was announced as next in order.

Mr. BARTLETT. Mr. President, in my unanimous-consent request I asked that the call of the calendar be terminated with Calendar No. 604, House bill 4120.

The PRESIDING OFFICER. The call of the calendar is terminated.

COMMENDATION OF SENATORS

Mr. JOHNSON of Texas. Mr. President, I wish to express my appreciation to the distinguished and able Senator from Alaska [Mr. BARTLETT], the distinguished and able Senator from New York [Mr. KEATING], and the distinguished and able Senator from Vermont [Mr. PROUTY] for their patience, understanding, and cooperation today. I regret that it was necessary for them to wait until late in the evening to take care of what could have been done in 10 minutes.

Mr. KEATING. Mr. President, will the distinguished majority leader yield?

Mr. JOHNSON of Texas. I yield.

Mr. KEATING. I express my thanks to the distinguished majority leader for expressing his thanks. It is very pleasant to have such recognition of actions taken, and I am very grateful.

Mr. JOHNSON of Texas. Mr. President, I find that my colleagues in the Senate always try to go more than half way to meet me, and I am grateful for all that has been done. We have very few bills left on the calendar. I do not expect any yea and nay votes tomorrow. The Senate will go over from tomorrow until Monday or Tuesday of next week.

Mr. President——

The PRESIDING OFFICER (Mr. HARTKE in the chair). The Senator from Texas.

USE OF GREAT LAKES VESSELS ON THE OCEANS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 378, S. 990.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 990) to authorize the use of Great Lakes vessels on the oceans.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Interstate and Foreign Commerce with an amendment.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PEACE THROUGH THE REDUCTION OF ARMAMENTS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent for the present consideration of Senate Concurrent Resolution 48, Calendar No. 573. I understood there is no opposition to the concurrent resolution.

The PRESIDING OFFICER. The concurrent resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A concurrent resolution (S. Con. Res. 48) to promote peace through the reduction of armaments.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a statement relating to the purposes of Senate Concurrent Resolution 48, and reaffirming the position of the Senate, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PURPOSE

Senate Concurrent Resolution 48 resolves that the Congress reaffirm that upon the achievement of an agreement on the reduction of armaments, the United States is prepared to join with other signatories of the agreement to devote a substantial portion of any resultant savings to expand its works of peace throughout the world.

The resolution also reaffirms the belief of the Congress that the participating governments should continue and expand the works of peace, such as economic and technical assistance to less developed countries; development of natural resources; international cooperation to combat hunger and disease; scientific, cultural, and educational exchange programs; development of atomic energy for peaceful purposes; and the construction of new schools, universities, hospitals, and other essential facilities.

The PRESIDING OFFICER. The concurrent resolution is open to amendment. If there be no amendment to be

proposed, the question is on agreeing to the concurrent resolution.

The concurrent resolution (S. Con. Res. 48) was agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States reaffirm that upon the achievement of an agreement on the reduction of armaments, which it fervently desires, the United States is prepared to join with other signatories of the agreement to devote a substantial portion of any resultant savings to expand its works of peace throughout the world; and

That the participating governments should continue and expand the works of peace, such as economic and technical assistance to less developed countries; development of natural resources; international cooperation to combat hunger and disease; scientific, cultural, and educational exchange programs; development of atomic energy for peaceful purposes; and the construction of new schools, universities, hospitals, and other essential facilities; and

That copies of this resolution be transmitted to the President of the United States and the Secretary of State, and that the President make known the sense of this resolution to the heads of all member governments of the United Nations.

The preamble was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the concurrent resolution was passed.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

DEVELOPMENT OF WATER RESOURCES, RED RIVER, TEX.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 609, House bill 4405.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 4405) to authorize and direct the Secretary of the Interior to conduct studies on the feasibility of developing the water resources of the Salt Fork and the Prairie Dog Town Fork of the Red River in the State of Texas.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an excerpt from the report of the committee.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXCERPT FROM COMMITTEE REPORT ON H.R. 4405

The objective of H.R. 4405 is to reemphasize the existing authority of the Secretary of the Interior to prosecute the investigations authorized. The estimated cost would not exceed $165,000.

DESCRIPTION OF PROPOSAL

Prairie Dog Town Fork rises in the northern part of the State of Texas, southwest of the town of Amarillo, and flows almost due east from there into Oklahoma where it joins the Salt Fork and the North Fork and becomes what is known as the Red River. The Salt Fork lies to the north and parallel to the Prairie Dog Town Fork and is a tributary of that stream.

Water resources in this part of Texas are very limited. At the same time there is an urgent need for additional suitable water supplies for municipal and industrial purposes, as well as for irrigation. The two streams involved in this study offer the only opportunity for impounding surface water for beneficial consumptive-use purposes.

Limited information on the area is available as a result of limited studies by local agencies and by the Federal Government in connection with the Arkansas-White-Red River Basin investigations and the Mangum project investigations. Before the feasibility of development on these two streams can be determined, more detailed study and investigations are required.

Information is needed on the quantity, occurrence, and quality of the surface and ground water supplies; the potential requirements of water by municipalities, industries, and irrigation projects; the location, capacity, and other characteristics of the dam or dams which would be required; and the cost, benefits, and repayment which might be expected. H.R. 4405 provides for developing this needed information and, on the basis thereof, for determining the feasibility of developing the water resources.

The studies and report would be valuable in connection with negotiations presently under way among representatives of the States of Texas, Oklahoma, Arkansas, and Louisiana with respect to a Red River Basin compact. This would assist in completing the basic data necessary to an equitable allotment of water among the States and would provide Texas with a plan for using the Red River Basin water allotted to it.

Cooperation with the Corps of Engineers, the Geological Survey, the Fish and Wildlife Service, the State, and the local agencies that have already initiated studies in the area will be carried out.

DEPARTMENT REPORT

The report of the Department of the Interior favoring the enactment of this legislation follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 27, 1959.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. ASPINALL: This responds to your request for the views of this Department on H.R. 4405, a bill to authorize and direct the Secretary of the Interior to conduct studies and render a report on the feasibility of developing the water resources of the Salt Fork of the Red River in the State of Texas.

We favor the enactment of the bill.

H.R. 4405 would direct this Department to undertake an investigation and report to the Congress on the feasibility of developing the waters of the Salt Fork and Prairie Dog Town Fork of the Red River within the State of Texas for municipal, industrial, and other uses. We have some limited information with respect to the area covered by the bill which was acquired in connection with the Arkansas-White-Red River Basins studies and other matters. This information indicates that there is a need for the development of additional, suitable water supplies for municipal and industrial uses as well as for irrigation. We understand that, at least in partial response to such need, two local agencies—the Greenbelt Water Control and Improvement District and the Collingsworth County Water Control and Improvement District—have employed private engineering firms to investigate the possibility of developing water supplies at two prospective reservoir sites.

If the bill should be enacted, we would propose to undertake, first, a general reconnaissance survey of the Salt Fork Basin and Prairie Dog Town Fork Basin areas lying in the State of Texas, to gather and coordinate all available information with regard to the water potential of the area, including both ground and surface waters, and possibilities of developing usable water supplies for irrigation and for municipal and industrial uses, taking into account the investigations being made for the districts mentioned above and their results. On the basis of the reconnaissance survey, we could then determine which possible developments would warrant the feasibility studies called for in the bill to be undertaken thereafter.

The Bureau of the Budget has advised that there would be no objection to the submission of this report to your committee.

Sincerely yours,

FRED G. AANDAHL,
Assistant Secretary of the Interior.

USE OF GREAT LAKES VESSELS ON THE OCEANS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate resume the consideration of Calendar No. 378, Senate bill 990.

There being no objection, the Senate resumed the consideration of the bill (S. 990) to authorize the use of Great Lakes vessels on the oceans.

The PRESIDING OFFICER. The amendment of the committee will be stated.

The amendment of the Committee on Interstate and Foreign Commerce was in line 9, after the word "be", to strike out "operated" and insert "permitted to operate", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of the Merchant Ship Sales Act of 1946, as amended (60 Stat. 41; 50 U.S.C. 1735, as amended by Public Law 856, Eighty-first Congress), and contracts executed thereunder, vessels purchased from the United States for exclusive use on the Great Lakes, including the Saint Lawrence River and Gulf, and their connecting waterways, may be permitted to operate in any trades and in any manner permitted to other vessels documented under the laws of the United States.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILLIAMS of Delaware. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Delaware will be stated.

The LEGISLATIVE CLERK. At the appropriate place it is proposed to insert:

TITLE II

No common carrier by water subject to the Shipping Act of 1916, as amended; the Merchant Marine Act of 1936, as amended; or any other Act; shall directly or indirectly issue any ticket or pass for the free or reduced-rate transportation to any official or employee of the United States Government

(military or civilian) or to any member of their immediate families, traveling as a passenger on any ship sailing under the American flag in foreign commerce or in commerce between the United States and its Territories and possessions; except that this restriction shall not apply to persons injured in accidents at sea and physicians and nurses attending such persons, and persons rescued at sea, and except that this restriction shall not apply to persons referred to in section 405(b) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1145(B)), relating to steamship companies carrying mails of the United States: *Provided further*, That nothing in this Act shall prevent the United States Government from entering into contractual arrangements with said companies for reduced transportation rates involving the traveling expenses of those Government employees (military or civilian) when such transportation costs are paid for by the United States Government.

SEC. 2. Any person or corporation who knowingly violates this Act shall upon conviction thereof be fined not less than $500 nor more than $10,000 at the discretion of the Court for each such violation.

Mr. McNAMARA. Mr. President, I ask that this amendment be voted down.

There is before the Senate a measure on which hearings were held by the Committee on Interstate and Foreign Commerce. No one appeared in opposition to the bill, and there was no opposition otherwise. The bill before the Senate is properly a calendar measure. It involves one ship, a landlocked ship from the Great Lakes. It involves a very minor consideration.

The amendment offered by the Senator from Delaware involves thousands of ships. He proposes a mountainous amendment to a molehill bill. I hope the Senate will reject the amendment. The amendment is thousands of times greater than the bill to which it is sought to be attached. I hope the Senator from Delaware will give consideration to this aspect.

The bill before the Senate has been considered by various agencies, including the Maritime Administration, the Treasury Department, the Department of Commerce, the Departmet of Defense, the Department of the Navy, and the Comptroller General. No one has any opposition to it. It is properly calendar business, and I hope the Senator from Delaware will be reasonable and not try to add this tremendous amendment to a comparatively minor piece of legislation.

Mr. WILLIAMS of Delaware. Mr. President, first I thank the Senator from Michigan for endorsing my amendment and recognizing the fact that it is many times more important for the Senate to adopt the amendment than to pass the bill itself.

I had intended to offer some explanation of the amendment, but frankly the statement of the Senator from Michigan is the best endorsement possible. I was surprised, however, that he wound up his endorsement with the statement that he intended to vote against it.

All the amendment provides is that operators of any passenger ships flying the American flag may not give free transportation or reduced rates to any Government employee. That includes Government employees in general, as well as Members of Congress.

Similar legislation has been enacted with regard to railroads. Many years ago the situation in that regard became disgraceful. American railroads were giving free transportation to top Government officials and later were voted large Government subsidies.

Under the Civil Aeronautics Act, the airlines are barred from giving reduced rate transportation to any Government official.

With respect to the merchant marine, there is no law against it. The merchant marine can, and often does, give reduced rate transportation, free transportation, or various other concessions, to public officials. At the same time, we in Congress are voting hundreds of millions of dollars annually in subsidies to this segment of the American economy, and such subsidies are being recommended by the administration downtown.

When the ships are built in American shipyards the operators get about one-half the cost of the ships in the form of a subsidy paid by the American taxpayers. The subsidy is based upon the differential between what it costs to build the ship here and what it would cost to build the ship in a foreign shipyard. After the ships have been built, they sail the high seas with subsidies paid by American taxpayers.

Public officials, whether they be in Congress or in the executive branch, who are to determine the amount of such subsidies should not accept gratuities from the operating companies.

Much was said a few years ago—properly so, I believe—in criticism of the fact that a member of the executive branch has been accepting from an outside taxpayer subsidized hotel facilities. A great furore was raised in Congress. Yet, sometimes some of us may be beneficiaries of the same sort of subsidies if this bill is not passed. It is my understanding that the bill has the endorsement of every agency of Government involved. The Federal Trade Commission states that it has no objection to the bill. The Department of the Interior has no objection to the bill. The Department of Agriculture has no objection to the bill. The Department of Health, Education, and Welfare has no objection to the bill. The Civil Aeronautics Board has no objection to the bill. I have here copies of letters from the Office of Civil and Defense Mobilization, the Justice Department, the Treasury Department, the Department of State, the Comptroller General, and others to the effect that there is no objection to the bill from their departments. I notice that even my good friend from Michigan, the author of the bill before us, says there is no objection to the bill. Everyone is for it. If everyone is for it, why do we not adopt the amendment and pass the bill?

Mr. McNAMARA. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. McNAMARA. There may be some confusion in the RECORD, because we are dealing with an amendment to a bill, but the Senator from Delaware keeps repeating that there is no objection to the bill.

Mr. WILLIAMS of Delaware. The amendment is about what I am speaking. This amendment was previously introduced as a bill. I understood the Senator from Michigan to say that he was in favor of the principle of the amendment. Did I misquote him?

Mr. McNAMARA. The Senator from Delaware did not correctly understand. The reason he does not understand is that the bill before us, in my estimation, is properly a calendar measure. I understand that the amendment the Senator from Delaware has offered to the bill is the same as the text of a bill introduced by him, which has been before the Committee on Interstate and Foreign Commerce for some time. The committee has held hearings on it. It finds little merit in the proposal. It has not even reported the bill of the Senator from Delaware.

Those are the facts. Therefore, I am not in a position to say that I would be for the Senator's bill, and I am not in a position to say that I would not be for it. The committee has not reported the bill. We have a report on Calendar No. 378, Senate bill 990. We have no report on the Senator's amendment.

Mr. WILLIAMS of Delaware. Is the Senator a member of the Committee on Interstate and Foreign Commerce?

Mr. McNAMARA. I am not.

Mr. WILLIAMS of Delaware. Every agency of the Government which is involved has endorsed the bill which is now being offered as an amendment to the pending bill.

All my amendment does is to state that companies which are being subsidized by the American taxpayers may not offer the Senator from Michigan, or me, or any other Government official a free trip to Europe, perhaps with the hope that they may receive a little bigger subsidy. The Senator is either for it or against it.

Mr. McNAMARA. Only one ship is involved. It makes no trips to Europe. There is no principle involved at all. The Senator is talking about an extraneous subject; it has nothing to do with the pending bill at all. I think the Senator from Delaware ought to be a little fairer in his statement. The pending bill concerns one ship and involves no trips to Europe.

Mr. WILLIAMS of Delaware. This amendment prohibits subsidized transportation for Government officials even on the Great Lakes.

Let us understand about what ship it is we are talking. From where did the ship come? The ship which the bill affects was built by the Bethlehem Shipyards in Baltimore at a cost of around $7 million. When it was about 4 years old and had hardly been used at all it was sold for $102,000. If that is not a subsidy, what are we talking about? The ship was sold to a company for operation on the Great Lakes. Now it is proposed to have this ship, which has been converted to passenger service, sail on the high seas during the winter months. I do not object to that. But certainly this is a subsidized ship. It once cost the taxpayers $7 million and was soon sold for $102,000. At the time

that was done, I denounced the transaction as a giveaway. Therefore, I want to make certain that anyone who endorsed that proposal will not be able to get a free trip on the Atlantic Ocean or while it is in the Great Lakes.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. KEATING. In effect, does not the amendment of the distinguished Senator from Delaware simply put maritime travel on the same basis as air travel, railroad travel, or bus travel today? The bus lines, railroads, and airlines are not able to offer special deals to those who might be passing on their problems. Am I not correct?

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. KEATING. Does not the Senators amendment extend that principle to the maritime field?

Mr. WILLIAMS of Delaware. That is all it does.

Mr. KEATING. To me, that is something eminently fair; it is something to which none of us ought to object. I see no reason why it is not perfectly appropriate to adopt such an amendment as a part of the bill. It seems to me the Senator from Delaware has performed a constructive service by raising this question and that his amendment deserves support.

Mr. WILLIAMS of Delaware. I thank the Senator from New York. I do not for one minute question the sincerity of the Senator from Michigan. I do not want my remarks to be construed as casting any reflection on the Senator from Michigan. He was not a Member of the Senate at the time the construction of this ship was authorized. Nor when it was sold at this price. Certainly I am not directing any of my criticism at him, but I am asking for his support of a good amendment.

At the time these ships were sold I protested. I felt that the sales price was too low.

But right or wrong, the ship has been sold. It is now being operated on the Great Lakes. Now it is proposed to move the ship and to allow it to be sailed during the winter months along the Atlantic coast. I have no objection to that. I simply say that the operator of any ship flying the American flag—and that is as far as we can legislate—should never be allowed to offer a subsidized trip to any public official. Remember these companies are heavily subsidized by the taxpayers.

Mr. McNAMARA. I think the Senator from Delaware has made a very good case. If he will let his amendment apply only to this bill, I will be happy to accept it. If the amendment applies only to the ship to which this bill relates, I will be glad to accept it. As I understand, the amendment provides that no government official shall ride on this one ship. But if the Senator intends to include numerous other ships which operate in the foreign trade, then I will not agree to the amendment. Will the Senator change his amendment so that it will apply only to this one ship?

Mr. WILLIAMS of Delaware. Oh, certainly not. We do not legislate that only one airplane or one train may carry public officials.

Mr. McNAMARA. But the bill concerns only one ship.

Mr. WILLIAMS of Delaware. My position is that this condition must be corrected in the same way as it has been corrected in the aviation industry and the railroad industry. I think the amendment is sound legislation and should be adopted.

Mr. President, I urge the adoption of the amendment and ask for a division.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Delaware [Mr. WILLIAMS].

Mr. WILLIAMS of Delaware. Mr. President, I ask for a division.

On a division, the amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 990) was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. McNAMARA. Mr. President, the House has passed H.R. 4002, a similar bill. I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 536, H.R. 4002, and that the text of Senate bill 990, which was just passed, be substituted for the language of the House bill.

The PRESIDING OFFICER. The House bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 4002) to authorize the use of Great Lakes vessels on the oceans.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan?

There being no objection, the Senate proceeded to consider the bill.

Mr. McNAMARA. Mr. President, I move that all after the enacting clause of H.R. 4002 be stricken, and that the language of S. 990, as amended, be substituted.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KUCHEL. Do I correctly understand, according to the request just made by the senior Senator from Michigan, that an identical House bill will be substituted for the Senate bill, plus the amendment offered by the Senator from Delaware to the Senate bill, and adopted by the Senate?

The PRESIDING OFFICER. The Senator from Michigan proposes to substitute the text of the Senate bill for the House bill.

Mr. WILLIAMS of Delaware. Including my amendment adopted to the Senate bill.

The PRESIDING OFFICER. That is correct.

Mr. KUCHEL. I thank the Chair.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 4002) was read the third time and passed.

Mr. WILLIAMS of Delaware. Mr. President, I move that the Senate reconsider the vote by which H.R. 4002 was passed.

Mr. KUCHEL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Without objection, Senate bill 990 is indefinitely postponed.

REMOVING LIMITATION ON RECLAMATION INVESTIGATION APPROPRIATIONS IN ALASKA

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar 610, S. 1514.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1514) to amend the act of August 9, 1955 (69 Stat. 618).

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill.

THE FAMILY FARM PROGRAM DEVELOPMENT ACT

Mr. HUMPHREY. Mr. President, I introduce for appropriate reference, a bill to provide for the development of a comprehensive family farm program, to bring the production of agricultural commodities into balance with demand therefor, to aid underdeveloped countries of the world by making available to them agricultural commodities produced in the United States, and for other purposes.

I ask unanimous consent that the complete text of the bill be printed at this point in the RECORD, in connection with my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2502) to provide for the development of a comprehensive family farm program, to bring the production of agricultural commodities into balance with demand therefor, to enable farmers to secure fair prices, to better uti-

lize agricultural abundance in the Nation's interest at home and abroad, and for other purposes, introduced by Mr. HUMPHREY, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the Family Farm Program Development Act.

TITLE I—POLICY OBJECTIVE

SEC. 101. The objective of this Act is to provide for the orderly development of a comprehensive family farm income and supply stabilization program that will (1) assure consumers in the United States an adequate, varied, and nutritious supply of food, fiber, and timber in the immediate future and in years to come, (2) bring the supply of farm products into balance with requirements for domestic use and export, (3) enable farmers who are willing to participate in and cooperate with orderly marketing and production adjustment programs for agricultural commodities to secure fair prices that will enable them to secure returns on their labor and invested capital comparable to earnings in comparable nonfarm occupations, and (4) better utilize the Nation's abundance of food and fiber products in support of United States international policies by assisting people in underdeveloped countries of the world to develop their economies, to modernize and expand their training and educational systems, and to avoid famine and malnutrition.

TITLE II—DOMESTIC FOOD AND NUTRITION PROGRAM

SEC. 201. (a) The Secretary of Agriculture (hereinafter called the Secretary) is authorized and directed to formulate annually and submit to the Congress on or before February 1 of each year a domestic food and fiber program for the United States, both immediate and long range, together with budgetary estimates for carrying out such program in the first year and in subsequent years of operation.

(b) Any food and fiber program submitted by the Secretary pursuant to subsection (a) shall include provisions for—

(1) expanding and liberalizing the national school lunch program (carried out under the National School Lunch Act) and the special milk program for children (carried out under the Act of July 1, 1958 (72 Stat. 276));

(2) a food allotment program under which the nutritional needs of low income persons, the unemployed, the aged, and the handicapped will be more adequately fulfilled; and

(3) a national security reserve of food and fiber products designed to protect people of the United States against shortages of such products in the event of war or other national emergency.

TITLE III—INTERNATIONAL FOOD AND FIBER PROGRAM

SEC. 301. (a) The Secretary is authorized and directed to cause a study to be made for the purpose of determining the annual fiber, food and nutritional deficiency in the world and submit a report of such study to the Congress annually on or before February 1 of each year. He shall include in such report—

(1) recommendations as to the fair and feasible share of that deficiency which should be met from food products produced in the United States;

(2) recommendations for making food and fiber products produced in the United States available to aid in meeting such deficiency; and

(3) estimates of the annual cost of carrying out such program.

(b) The program specified in subsection (a) shall be planned as a long-term program in order to facilitate the effective use of food products made available in the recipient countries. Such programs shall be planned in such a manner as to be consistent with the international objectives of the United States and so as not to interfere with the commercial trading activities of friendly exporting countries; but planned so as to afford maximum economic benefit to the recipient countries.

TITLE IV—ADJUSTING SUPPLY AND DEMAND

SEC. 401. (a) Whenever the Secretary determines that the supply of any agricultural commodity exceeds effective demand at a fair price, he shall establish for each such farm commodity a Farm Commodity Program Development Committee to be composed of representative producers of such commodity. Each such committee shall be composed of members elected from their own number by the producers of such commodity and shall be established and operated in accordance with regulations prescribed by the Secretary.

(b) Whenever any such Farm Commodity Program Development Committee recommends it, the Secretary is authorized to conduct a referendum of the producers of such commodity to determine whether they favor a national marketing quota for such commodity as outlined by the Secretary after the consultation and guidance of the commodity committee. If two-thirds or more of the producers voting in any such referendum vote in favor of such a program, the Secretary shall submit to the Congress a national marketing program for the commodity concerned in conformity with principles hereafter outlined in this title, together with estimates of the annual costs of each such program.

(c) The national marketing quota for any marketing year in the case of any farm commodity for which a marketing program is effectuated pursuant to subsection (b) shall be an amount of such commodity which will move in domestic and foreign markets in such marketing year, as determined by the Secretary, at a fair price for such commodity, taking into account the amount of such commodity to be utilized pursuant to any program effected under title II and III of this Act.

(d) With respect to any national marketing quota program submitted to the Congress under subsection (a), the Secretary shall—

(1) establish the necessary production adjustment and orderly marketing control procedures for the commodities concerned, including the necessary incentives or penalties to effect compliance with the program;

(2) establish procedures for transferring sales quotas among producers in the same area, and among different areas; and

(3) utilize, as may be necessary for the effective administration of such program, any alternative income stabilization methods, individually or in combination, including but not limited to crop loans, marketing premium payments, marketing agreements, marketing orders, surplus diversion purchases, purchase agreements, export incentive payments, export equalization payments, stabilization pools, or income deficiency or compensatory payments direct to farmers, in order to achieve the fair price objectives of this legislation at the lowest possible cost to consumers and taxpayers: *Provided, however,* That in no instance shall any individual farm operator receive total Government payments more than $5,000 for such purposes in any one marketing year, or more than $25,000 in crop loans.

(e) The term "fair price" as used in this section means, with respect to any commodity, the price which will yield returns on capital and labor (on representative family farms) comparable to nonfarm earnings, as determined by the Secretary on the basis of costs and returns collected and published annually by the United States Department of Agriculture for typical family-operated commercial farms.

(f) If the Secretary determines that the fair price for any commodity encourages competition from synthetics or tends to otherwise significantly reduce domestic consumption or export of such commodity, or in the case of oilseeds the products thereof, he may allow the commodity to move through the market at a competitive price and pay the difference between the competitive price and the fair price as a compensatory payment directly to the producer.

(g) Unless any such marketing program submitted to the Congress under provisions of this title is disapproved by concurrent resolution of the Congress after 60 days after submission by the Secretary, it shall be placed into operation; and all other previously existing price support provisions for such commodity shall be suspended for the period for which such program is in effect.

(h) The Secretary shall use funds of the Commodity Credit Corporation for the purposes of implementing this title.

TITLE V—LONG TERM AGRICULTURAL PROGRAM

SEC. 501. (a) In order to facilitate the adjustment of the supply of agricultural commodities to the demand therefor and to effect a healthy and balanced growth in agriculture, the Secretary is authorized and directed to formulate and submit to the Congress within six months after the enactment of this Act, a comprehensive program dealing with long term adjustments in agriculture in the United States, together with a long term budget setting out the estimated costs of carrying out such program.

(b) Any program submitted by the Secretary pursuant to subsection (a) shall include, but not be limited to—

(1) plans for an expanded agricultural resources conservation program, including incentives to encourage land-use adjustment and temporary retirement of land not needed for production;

(2) plans for a review and appraisal of the total research effort, public and private, in the field of agriculture with a view to determining the need for increased research in the production patterns, marketing, and uses of agricultural production.

TITLE VI—LOW PRODUCTION FARMS

SEC. 601. (a) The Secretary is authorized and directed (1) to review and report to the Congress the progress of the rural development program in solving the production and income problems of low-production and low income family farms, and (2) to submit to the Congress, within six months after the date of enactment of this Act, further recommendations for dealing more effectively and more rapidly with these problems, and (3) to submit estimates of the costs of carrying out such recommendations.

(b) The Secretary shall, with respect to any recommendation submitted pursuant to subsection (a), consider, but not be limited by—

(1) the use of increased supervised credit to help speed farm reorganization and to help achieve more efficient sized and better organized farm units;

(2) the establishment of special services, including individual farm and home management guidance;

(3) the feasibility of payment of special grants to assist families with poor economic futures in agriculture who may desire to seek more gainful opportunities; and

(4) better protection for the benefit of families or persons who gain their living primarily as hired farm workers; and

(5) stimulation of further industrial development in underdeveloped rural areas; and

(6) the desirability of extending the United States Employment Service to rural areas and providing counseling service to people living in rural areas.

Mr. HUMPHREY. Mr. President, I offer this bill as the answer of the Congress to Secretary of Agriculture Benson's complaint that Congress has never given him the kind of a farm program he could properly administer. For 6 years, administration forces have marched up Capitol Hill and have offered proposals based on one overriding purpose—namely, to drastically weaken and, in my opinion, ultimately destroy the Federal farm programs that were designed to provide equality of opportunity for America's farm families. For 6 years the administration forces, by adroit use of the veto weapon, have been successful in getting legislative changes that weakened, distorted, and made mockery of the historic purpose of farm programs.

Mr. President, I call the attention of the Senate to a news story which appeared in the Christian Science Monitor on June 13, 1959. The story was written by a staff correspondent of the Christian Science Monitor, Helen Henley. The headline of the article reads as follows:

Law Limits Secretary's Discretion. Benson Outlines Ideal for U.S. Farm Program.

The article lays down the fallacious proposition that current law has limited the authority and the power of the Secretary of Agriculture properly to manage and direct a sensible farm program. Of course I reject that thesis; there is ample authority and ample power, as I shall point out. But today it is my purpose to make even that law and even that authority more precise, more obvious, and more direct.

FARM PROGRAM OBJECTIVES

All of the legislative history confirms that the objective and purpose of Congress in developing the farm programs has been to assure the American people a continued abundance of food and fiber, to offer America's farmers an opportunity to achieve economic equality with other segments of our economy, and to preserve and protect America's traditional pattern of family-owned, family-operated farms as the type of agriculture best adapted to our democratic way of life.

In more recent years, a new objective has been added in the interest of the entire Nation; namely, the purpose of using our abundance as a useful and effective humanitarian arm of better international relations.

EXECUTIVE BRANCH FAILS TO COOPERATE

These objectives have been kept firmly in mind, as year after year new legislation has been proposed. The senior Senator from Minnesota has been joined by many of his colleagues in introducing and pushing for the passage of legislation in all areas of farm programs. A listing of some of these proposed changes in this session shows clearly that any claim that Congress has been lax or remiss in discharging its duty is simply not based on fact. It is the duty of Congress to legislate, with the advice and cooperation of the Executive. We have attempted to fulfill that duty, but the vacuum of administration leadership and cooperation has blocked us. Executive resistance, plus the threat and the exercise of veto, has prevented constructive action.

To all constructive proposals, the Secretary has given the historic thumbs-down signal which, from the days of the Roman circus, has meant death. The committee calendars list hundreds of bills that carry the succinct statement, "Adverse report submitted by Department of Agriculture," or, even more disheartening, an empty space after the statement, "Referred to the Department of Agriculture for report," which indicates that the Department of Agriculture did not even give Congress the courtesy of a reply.

Let me briefly indicate some of the measures which have been brought before this Congress, with the aim of improving farm programs.

The senior Senator from Minnesota has not stood alone in sponsoring these proposals. He has joined with, and been joined by, many of his colleagues in these attempts to get constructive action. Some of these measures were aimed at improved administration of existing programs.

TO STRENGTHEN FARMER COMMITTEES

We introduced Senate bill 662, to insure that democratic election procedures would be used in electing the farmer committees that administer farm price-support programs on the local level, and to strengthen true grassroots farmer representation at all stages of administration. The Department of Agriculture made an adverse report on the bill.

However, I am happy to state that on yesterday the Committee on Agriculture and Forestry ordered Senate bill 662 reported. Last year, the Senate passed a similar bill; but at that time the bill failed of passage by the other body. But, Mr. President, what report do we have from the Department of Agriculture on that bill, this year? We have an adverse report, instead of help by the Department of Agriculture in connection with my efforts to have the Senate pass the bill.

TO STRENGTHEN REA

Senate bill 144 would have returned to the Administrator of the Rural Electrification Administration the full loan-making authority that has been turned over to a political appointee in the Office of the Secretary of Agriculture. But on that bill we received from the Department of Agriculture an adverse report and active—very active—opposition. As all of us know, this Congress-approved bill was vetoed by the President. We here in the Senate overrode that veto; but the other House was not so successful, for it failed by four votes to override the veto.

TO EXPAND FARM CREDIT

Farmers caught in the vise of low farm prices and high production costs turned to Congress with pleas for more readily available credit. The legislative proposal that would solve many of the problems of our hard-pressed farmers is in Senate bill 1211, the family farm yardstick credit bill. This bill would transform the Farmers Home Administration from the existing minimum operation into a truly constructive credit program. But the Department of Agriculture made an adverse report on the bill.

TO STUDY CHANGING RURAL SCENE

We have expressed our concern with the failure to appraise in any thorough, comprehensive manner the impact of technological changes on rural life, by the introduction of Senate bill 2031, to establish a bipartisan Commission on Country Life. This Commission could and would inaugurate studies of the changing rural scene, and could and would pin-point the most pressing problems of rural life, and would come up with suggested solutions. There was a neutral report from the Department of Agriculture on that bill; the Department was neither in favor of nor opposed to the bill.

TO EXPAND RESEARCH IN INDUSTRIAL USES

In the same spirit of attempting to meet the changing needs of agriculture, we have proposed, and the Senate has passed, Senate bill 690, to expand research in industrial uses of agricultural products. I was a cosponsor of the bill, along with the Senator from South Carolina [Mr. JOHNSTON]; and it was my privilege to report the bill from the Committee on Agriculture and Forestry.

What was the attitude of the Department of Agriculture toward that worthy bill, which twice was passed by the Senate? The Department made an adverse report on the bill.

TO EXPAND SCHOOL MILK PROGRAM

More children in more schools would benefit from additional supplies of good, wholesome milk. Therefore, I introduced Senate bill 1289, to extend and expand the special school milk program. That bill has been passed by both Houses of Congress; and today the Senate concurred in the amendments of the House to the bill, thus taking final congressional action on the bill. But what was the attitude of the Department of Agriculture in regard to the bill? It did not submit any report on it.

TO FEED THE NEEDY

There have been many proposals that would provide for the distribution of more nutritious foods to the needy in this country. In June the Senate Committee on Agriculture and Forestry held extensive hearings that proved conclusively the great need that exists. It is clearly shameful that there should be around 5 million undernourished and even hungry people in this country at a time when we hear so much about agricultural surpluses. Whether or not we shall get any action on legislation in this area is still uncertain.

I am happy to say, however, that a bill has been reported from the Senate Committee on Agriculture and Forestry and is presently on the calendar of the Senate. This particular bill was acted upon favorably by the Senate Committee on Agriculture and Forestry as of yesterday, and will soon be before the Senate for action. It is the result of extensive hearings, but, again, the Department of Agriculture had an adverse report. No uncertainty in the Department of Agri-

culture or the administration about all these bills—just thoroughgoing opposition.

TO BALANCE FEED GRAIN PRICE SUPPORTS

Congress has not turned its back on the producers of individual commodities as price difficulties have engulfed them. Our efforts have been unsuccessful because of the lack of cooperation and, of course, the strong opposition of the Executive. Early in the session we introduced a bill, S. 1343, which would have brought balance into the feed grain picture by letting the price supports on oats, rye, barley, and grain sorghums bear the same ratio to the price support on corn as the feed value of each grain bears to the feed value of corn.

The position of the Department of Agriculture on this important and worthy piece of legislation was, as one might expect, adverse. I say "as one might expect" because of the repeated opposition to these demonstrated constructive and helpful programs.

TO AID MILK PRODUCERS

The senior Senator from Minnesota was joined by other Senators in sponsorship of the Dairy Marketing Act, S. 1821. This bill proposed a self-financing program which would improve the income of milk producers at much less cost to the Government than the existing program. This proposal was met by silence from the Department of Agriculture.

WHEAT LEGISLATION VETOED

The legislative action on wheat is fresh in our memories—kept green, I might say, through the daily insistence of the minority leader in his attempts to point the finger of blame at the majority Members of this body. Congress passed a bill that would have cut back drastically on the acreage of wheat to be seeded this next year—just as the President requested. Congress passed a bill that would have prevented the further buildup of wheat in the inventory of Commodity Credit Corporation, and thus reduced Government costs—as the President requested. Congress passed a bill that would have given income protection to the wheat farmers in return for the drastic production cutback. This is not a principle upon which administration requests are based. The Secretary of Agriculture opposed the bill. The President vetoed the bill. The record is clear. Congress fulfilled its responsibilities. If there were any spirit of cooperation evidenced by the Department of Agriculture or by the President, there would be no question of where the blame should be placed, for there would be no blame. The failure of the wheat program to reduce production follows the pattern of failure set for 7 years by the Secretary of Agriculture and this administration.

The Department's farm program management failure is most dramatically shown by the mountainous supplies of feed grains in the hands of the Commodity Credit Corporation and the predicted 4.2 billion bushel corn crop anticipated this fall.

I add that at the time the most recently proposed corn legislation was acted upon in the Senate I vigorously opposed it. I voted against it. I led the fight against it because I felt it would contribute to greater surpluses and to a depressed market condition. There is no doubt it has contributed to greater acreage, greater production, and greater surpluses. There may be one saving factor—the drought in many parts of America. In Minnesota this year we have had the worst crop of oats in 67 years, and the same is true of grain sorghums. So possibly, by an act of nature, or by an accident of nature, some of the tremendous overproduction of corn may be utilized as a substitute feed for other feed grains which in certain parts of our country have been affected by drought conditions.

TO FIRM HOG PRICES

The Congress knows that this supply of feed grain leads inevitably to price trouble for the hog producers. The June 15, 1959, average price received for hogs was $15 per hundredweight. The July 15, 1959, price was $13.30 per hundredweight. What will the price be 2 months from now? Under the weight of increased marketings, where will it be a year from now? I predict it will be substantially below $12 a hundredweight; and when prices go below $14 a hundredweight, farmers take a licking in the economic marketplace.

Last week the Senators from Minnesota, Mr. McCARTHY and myself, introduced a proposal that attempts to look into the future so that we here in Congress may, by timely legislative action, forestall the hog price collapse. This bill, S. 2453, asks that a plan immediately be put into effect which will reduce the total amount of pork going to market, and thus bolster the market price.

This plan, which has been recommended by the National Planning Association after long study, calls for payments to be made to producers as an incentive to market hogs at lighter weights—at from 180 to 200 pounds instead of the usual higher weights. Not only would this strengthen the market, but consumers would be able to secure the leaner cuts of pork which they prefer.

The Department of Agriculture has not yet had time to report on this proposal. It is my hope that the Secretary will in this instance have enough foresight to cooperate with Congress in the interests of the hog producers and the public.

TO BRING STABILITY TO POULTRY

Next week the senior Senator from Minnesota plans to introduce a bill which will give to the producers of eggs, poultry, and turkeys the right to establish a program that will bring order into the production and marketing of these commodities. These producers have been going through a series of price ups and downs, with the downs becoming more accentuated. These producers have asked again and again for Government assistance to enable them to gain some price stability. For this reason, I shall introduce a bill that presents a positive program, and expect to be joined by colleagues who feel a similar responsibility. That bill is prepared for introduction next week.

FOOD FOR PEACE

I have reviewed these proposals as a refutation of charges that Congress has not borne its proper responsibility toward farmers.

There is another area of responsibility where Congress has forged ahead of the administration in the face of opposition and adverse reports from the Secretary of Agriculture. This is in the use of our agricultural abundance as a positive arm of international relations. The senior Senator from Minnesota was joined by 15 Senate colleagues in introducing S. 1711, the Food for Peace Act, which would expand existing operations under Public Law 480 into a constructive, long-term program to use American surpluses to build peace. I expect action that will bring this proposal before the Senate.

I am happy to state tonight that the Senate Foreign Relations Committee, to which the bill was referred, has acted favorably upon the food for peace bill and will report it to the Senate favorably.

Mr. MORSE. Will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Oregon.

Mr. MORSE. I am glad the Senator from Minnesota has mentioned that bill of which he is the author with regard to which the Senator from Minnesota has done such wonderful work for a good many years past.

I should like to say for the Record tonight, Mr. President, that this great humanitarian bill would not be coming to the floor of the Senate were it not for the foresight and the leadership and the statesmanship of the Senator from Minnesota. It was my privilege to work on the committee with him and it has been an inspiration to follow his leadership in reporting and in bringing this bill to the floor of the Senate.

Stop to think, Mr. President, what political effects a food for peace program could have. Suppose we placed food in storage in India, Pakistan, Burma, Thailand, Laos, Vietnam, in fact, in any place in the world where people are living in underdeveloped countries, living under the fear that they may be confronted with a famine. Suppose we could place in those countries a few million bushels of American surplus food in storage under terms and conditions that they could be used to meet famine needs. What would be the effect on the political life of such countries? What would be the effect of such a storehouse of food for peace on lessening the dangers of communism? It defies imagination.

This is the kind of foresight the Senator from Minnesota possesses.

I was pleased and privileged to join him. I am not saying that this is the main feature of this particular bill, but it is within the framework of its goal. Much better that the food be in storage, for example, in India than in the United States where such a large percentage of it will be unfit for human consumption by the time it is ready to come out of the bins.

I hope, Mr. President, before Congress adjourns this bill known as the food for peace bill will pass both Houses of Congress and become a law.

Mr. HUMPHREY. Mr. President, I thank the senior Senator from Oregon for his comments. I wish to state publicly that his assistance in reporting this bill and in support of it was of great value and of great help.

It is a good piece of legislation. It was reworked by the members of the committee so that it is a much more constructive piece of legislation than it might well have been in its original form, and I hope the Senate will act favorably upon it.

SECRETARY BENSON PRESENTS NO FARM PROGRAM

Mr. President, many more constructive legislative proposals have been made that could have been tailored to meet head-on the farm problems that exist. I have not reviewed all of them, nor have I attempted to do so. I am confident that a strong, foresighted Secretary of Agriculture could have used these proposals as building blocks to erect a strong edifice of agricultural prosperity.

Furthermore, these proposals are proof that the Congress has not wavered in its determination to develop sound farm programs. But Congress has operated, I regret to say, without the coeperation of the executive branch. We have been handicapped by the shadow of the unstated, secret policy that has motivated all of the actions, demands, and recommendations of the adherents to the Benson way.

Repeatedly, the committees charged with the responsibility of formulating legislation in the interests of the Nation's farmers have requested, insisted, begged, that the Secretary of Agriculture submit an overall legislative plan, a complete farm program that would meet the changing forces in agriculture. We have pleaded for a full honest statement of intention.

Mr. President, there has never been an honest reply to these requests. As late as this spring, another sincere attempt was made in the Senate Committee on Agriculture and Forestry to get from the Secretary of Agriculture a clear statement of his overall policy and intentions. We all know our colleague from Missouri [Mr. SYMINGTON] has informed us again in these past few days of the devious manner in which the Secretary of Agriculture evaded this last request, just as he has evaded the intent of Congress in the administration of farm programs.

Mr. President, the Senator from Missouri [Mr. SYMINGTON] has been extremely diligent in his work as a member of the Committee on Agriculture and Forestry. Time after time he has urged upon the Secretary of Agriculture, as have others of us on the committee—I joined with him on several occasions—that he submit to us an overall, comprehensive farm program rather than to have a piecemeal approach. The Senator from Missouri has stated on the floor the result of his requests; namely, no reply.

The time is at hand to put an end to subterfuge, evasion, and misdirection in this matter of farm policy. It is time to put an end to this blind stumbling in the dark, goaded by the administration's panic cry of "haste."

THE FARM PROGRAM DEVELOPMENT ACT

The bill I have introduced surely should not arouse the administration to charges of "wasteful," "regimentation," "outmoded," and all the other trick words they overwork.

This bill will give to Secretary Benson a whole agricultural policy toolkit, laboratory, and factory—everything he needs to do the job he ought to be doing in behalf of America's farm families.

He is always asking for more authority. This bill gives him all of the authority anyone could want to put the house of agriculture in order. Its basic request is that the Secretary work with and consult with the farm producers on program development and action.

The proposal directs the Secretary of Agriculture to employ the abundant resources at his command—the technicians, economists, and other agricultural production, marketing, conservation, and research specialists—to make a complete, detailed exhaustive review of the many interrelated forces in both domestic and foreign agriculture. Based upon the findings of this study, he shall bring before Congress immediate and long-term practical plans that will assure the consumers of this Nation a continued full, adequate supply of food and fiber while assuring family farmers the opportunity to employ their capital and labor in earning their livelihood without the waste of priceless soil, water, and human resources.

DOMESTIC FOOD AND NUTRITION PROGRAM

The Secretary of Agriculture is directed to submit to Congress a plan for an overall food and nutrition program for the United States, a program that will expand and liberalize the national school lunch program; a program that will more adequately meet the nutritional needs of low-income persons, the unemployed, the aged, and the handicapped; a program that will set up a national security reserve of food and fiber products designed to protect the people of the United States from want in case of war or national emergency.

This is not to be a minimum, halfhearted, "all is well" type of plan. We want the facts and we want the figures. We want to know whether Americans are nutritionally prepared to contribute to a productive, expanding economy. If our fellow citizens are ill-fed and ill-clothed, we want to know who they are, and where they are, and what can be done to correct the situation.

We want to face up to the hard facts of what we should do to prepare for a national emergency—not necessarily and only war, for there are other perils and natural disasters that often cripple broad areas of our country. We want to know that our abundant supplies are safely held as a cushion, a protection against unexpected need. Our previous stores of food and fiber served us well in the last great national emergency. Let us not, in the name of false economy and false economics, destroy this potential treasure. Instead, let us have a plan. How many bushels of wheat do we need to have in ready supply? How many bales of cotton? How many tons of feedstuff? What commodities should be placed in a safety reserve? Where should they be kept to be of maximum value? We have ships in a kind of safety reserve. We even have a mothball fleet of Pullman cars. Let us now plan for a food and fiber safety reserve. Let us face up to the problems and have some complete, honest answers. In previous Congresses, I have repeatedly asked for such a program and information. Always the answer has been "no."

STUDY OF WORLDWIDE NEEDS

The Secretary of Agriculture is directed in this bill to submit to Congress by February 1, 1960, and annually thereafter, a report on worldwide needs for food and fiber. The study to be made should go to the heart of the matter by determining the nutritional deficiencies existing in the world as well as those areas of such need that the people live out their brief lives in a starving condition.

In addition to a determination of the amount and the location of the world's need for food and fiber, the Secretary shall present a positive program that details the fair and feasible share the United States should have in filling this need. A plan for cooperating with other countries which are also in a position to aid in meeting the world's food and fiber deficiency should be part of this program.

This is not to be a short-term dumping type program. This is to be a long-term program, based upon the most effective use of the food and fiber in the recipient countries and based also upon proper production adjustments in this country. Safeguards shall be taken to insure that the program is consistent with the international objectives of the United States and that there is no interference with the commercial trading activities of friendly exporting countries.

ADJUSTING SUPPLY AND DEMAND

This bill provides the Secretary with all of the means and authority necessary to halt the buildup of surplus commodities in Government warehouses, and to adjust the supplies of any commodity to the demand.

When the true needs of this country are determined, taking into account the programs for schoolchildren and our own needy; the supplies of food and fiber needed in the safety reserve; the fair share of the United States in filling the fiber, food, and nutritional deficiency in the friendly nations of the world—then the Secretary may exercise the authority given in this act to adjust supplies with this total demand.

This bill gives the Secretary the right to ask producers of any commodity that is in surplus supply if they favor a national marketing quota. If two-thirds or more of the producers vote "yes" in a referendum for a national marketing quota program, then the Secretary shall develop such a plan and submit it to the Congress. The Secretary is given very broad authority in administering the program. He is to determine the control and adjustment procedures and the necessary penalties. Guidelines are provided in my bill for the use of alternative methods of assuring the farmer of a fair price in return for his compliance.

The Secretary may use the method best adapted to achieve this end. This might be by means of income equalization payments to producers, marketing orders, and agreements, orderly marketing loans and direct purchases, compensatory, or incentive payments, diversion programs, marketing premium payments, or special marketing programs. I have no fear of the Secretary failing to find people who can work out details of the programs chosen. The Department of Agriculture is overflowing with fine, dedicated, intelligent, able career public servants, people who would be more than able and happy to make a decent farm program work.

Yet just in case the Secretary needs any help, the bill provides for farmers themselves having a voice in telling him their needs and in assisting in program formulation.

The bill directs the Secretary, whenever he determines an agricultural commodity is being produced in abundance beyond effective demand in the free markets, to establish producer-chosen commodity committees for any such commodity, to consult with and to help guide the Secretary in developing a national production adjustment and marketing program.

Whenever any national production adjustment and marketing program for a given commodity has been approved by the producers and submitted by the Secretary to the Congress, it shall go into effect automatically unless disapproved by congressional resolution within 60 days—similar to the reorganizational authority already given the executive branch under Hoover Commission recommendations.

By this method maximum authority, maximum discretion, maximum trust is given the Secretary to work with producers in developing more effective programs, yet the right of the Congress to protect the public interest is retained.

What we have done in the bill, Mr. President, after weeks and weeks of consultation with people all over the Nation, is to design a proposal, working in consultation and in cooperation with farm producers, whereby the producers of any commodity which is in surplus will be able to enter into a program for production adjustment and orderly marketing. That program, if it is approved by two-thirds of the producers of said commodity, will be presented to the Congress. If the Congress does not act in opposition within 60 days, or does not reject the program, the program will become law.

Mr. President, the senior Senator from Minnesota feels that we have prepared something which is new, which approaches this problem on a scientific and objective basis, which involves both farm producers and the experts and technicians in the Department of Agriculture, to utilize all the economic and production information we can obtain in order to protect the interests of the taxpayers, the interests of the consumers, and the interests of the Nation. If two-thirds of the producers accept the program, it will become a working program, unless the Congress overrules it.

Mr. HARTKE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). Does the Senator from Minnesota yield to the Senator from Indiana?

Mr. HUMPHREY. I am happy to yield to the Senator from Indiana.

Mr. HARTKE. I should like to say, in regard to the proposal made by the Senator from Minnesota, as usual it is of the highest caliber and looking to the future. One of the things we younger Members of the Senate feel about the leadership of the Senator from Minnesota in the farm program is that he does not walk in the shadow of the farmers, nor do the farmers walk in his shadow. The Senator from Minnesota and the farmers walk side by side, looking to welfare of the farmers and to the future of America as well, considering the overall thinking of experts in the field, for I know the Senator has consulted the experts.

I thank the Senator from Minnesota for the great help he has been to us new Members, by leading the way toward better and sounder practices in agriculture.

I should like to invite the attention of the Senator to the fact that the Secretary of Agriculture, on the 4th of August, suggested to the farmers that they should sell hogs at weights averaging 6 pounds less than the present 240-pound average. I come from an area in which the farmers raise hogs. I have seen many hogs. Most farmers I know have a little bit of difficulty judging a weight within 20 or 30 pounds, let alone trying to guess when the hog is going to be exactly 234 pounds at the marketplace.

Mr. HUMPHREY. The Senator's comments, as usual, are most relevant and pertinent. I thank the Senator for his generous remarks relating to the senior Senator from Minnesota. It has been a privilege and a pleasure, as I said earlier today, to work with the Senator from Indiana, who, when he came to this body, came with a determination to do all that he possibly could in behalf of our farm producers and our family farmers—to do what is just and to do what is fair.

That is the purpose of our proposals. I thank the Senator.

FAIR PRICE STANDARD

For the guidance of the Secretary and individual commodity groups that may be established, the bill establishes a new fair price standard geared to current economic conditions, not frozen to periods of the past. A fair price is defined as that price which will yield returns on capital and labor, on representative family farms, comparable to nonfarm earnings, as determined by the Secretary of Agriculture on the basis of costs and returns collected and published annually by the U.S. Department of Agriculture for typical family operated commercial farms.

Mr. President, the Department of Agriculture has all this information. What is a fair price for an agricultural commodity? What is a fair return for a farmer? This is to be based not on guesswork, not on some yardstick of yesterday or of years gone by, but instead on the current economic trends. In other words, it is to be based on returns on capital and labor, on representative family farms, comparable to nonfarm earnings, based upon the economic materials and facts in the possession of the Department of Agriculture.

In the guidelines established by Congress under this bill, direct payments to an individual farm operator would be limited to $5,000 a year maximum, and crop loans would be limited to $25,000 as an aggregate total for any and all crop loans. We have placed definite limitations as to the amount of assistance to be granted. This is a family farm program. The program envisioned under the bill I have introduced is not designed to directly benefit corporate agriculture. It is designed to be of assistance to that great bulk of the farm producers known as the family farm operators of the Nation. It has restraints and limitations. It has definite cutoffs in terms of benefits.

This is a protection, Mr. President, for the taxpayers. This is a protection for the consumers. Let us hear no idle talk from the administration about the extravagant costs involved. The costs of this program are to be determined, Mr. President, by the rulings and the policies laid down by the Secretary, except that we are not going to permit large payments to any one producer. We shall not permit large crop loans to any one producer.

The measure proposes seeking cooperation of producers themselves in achieving the fair price standard by adjusting supply to overall demand, yet safeguards participating farmers with the assurances of alternate available devices for income stabilization in order to encourage compliance. Government assistance for income stabilization is conditioned on the acceptance of production adjustments and orderly marketing.

LONG-TERM LAND USE

The Secretary is also directed to formulate and submit to the Congress a program dealing with long-term adjustments in agriculture in the United States, after first giving Congress his findings on the domestic and international food and fiber use potential and needs so we will have something factual upon which to make decisions about production adjustments that may be needed.

As guidelines, the bill asks the Secretary to include plans for an expanded agricultural resources conservation program, including incentives to encourage land-use adjustment and temporary retirement of land not needed for production, as well as plans for a thorough review and appraisal of the total research effort, public and private, in the field of agriculture, with a view to determining the need for increased research in production patterns, marketing, and new uses of agricultural commodities.

LOW PRODUCTION FARMS

The measure recognizes the unique and separate problems of our low production, low income farms, and directs the Secretary not only report to the Congress on progress toward solving these problems, but also submit recommendations for dealing more effectively and

more rapidly with them, offering our own guidelines for his consideration.

NEW WAYS TO MEET NEW CHALLENGES

Mr. President, this measure is no panacea, nor does it profess or pretend to offer all the answers. Rather, it is a practical, sensible, well-thought-out approach toward seeking new and better answers to new challenges.

All of these are things the Secretary of Agriculture could and should have already accomplished. Instead of waging his ceaseless battle against the established farm programs, he should have been finding new ways to meet new challenges.

I suggest most respectfully that had the Secretary spent more time in Washington supervising the operations of his Department, counseling and consulting with Members of Congress, and listening to the advice of farm groups and farm representatives, rather than addressing chambers of commerce, Rotary clubs, or whatever fine groups he may appear before, as to the evils of an agricultural policy with which his own administration had so much to do, the farm producers of America would be much better off today. I say, without fear of contradiction, that the Department of Agriculture has spent more time in its political attacks upon the current agricultural program than it has spent in trying to design a better one.

I am but one U.S. Senator, with a limited staff and limited resources. The bill which I introduce can be only my own handiwork, and surely it will have its limitations. I do not have 80,000 people to draw upon for information. Today the Department of Agriculture has 17,500 more employees than it had in 1952, even though there are fewer farmers and very many fewer farms than in 1952.

It is exceedingly difficult to obtain cooperation from the Department, even on a technical subject. But I have felt it my duty and responsibility, as one who has served on the Committee on Agriculture and Forestry for almost 6 years, to present a program which offers at least some constructive suggestions and proposals for the consideration of my colleagues in the Congress.

I repeat, my program may very well have weaknesses and limitations which careful study will reveal, but it has as its one purpose to provide the Department of Agriculture, and whoever may be the Secretary of Agriculture, with the entire agricultural policy toolkit to do the job for American agricultural equality of opportunity.

My bill contains limitations which will protect the taxpayer. It contains guidelines which will assure the consumer of adequate supplies of food at all times. It lays down guidelines and standards which will permit the United States to do a constructive job in the field of international relations. It calls upon farmers to participate with Department experts. It gives Congress the final authority to protect the public welfare.

The Secretary of Agriculture claims that his hands are tied, that he cannot move without a directive from Congress. This is a weak and unjustified alibi for inaction and mismanagement. But if he needs a more comprehensive grant of authority—and apparently he says so—then here it is.

In the bill which the senior Senator from Minnesota has introduced today is the directive, the authority to do the constructive job of agricultural policy formulation and administration that the current situation requires.

Here is the blueprint for immediate and long-term constructive action.

Here is the reaffirmation of the intent of Congress to bring agriculture into a harmonious and equitable relationship with the rest of our economy.

Mr. President, here is a program which all of us who really care about the well-being of family farmers can wholeheartedly support.

We hope that the present Secretary of Agriculture will see that here is a golden opportunity. We hope that we will receive that rare object, a "favorable report from the Department of Agriculture" on this bill.

If the present Secretary of Agriculture does not see fit to accept this challenge, perhaps a future Secretary of Agriculture will.

Mr. PROXMIRE subsequently said: Mr. President, earlier today the senior Senator from Minnesota [Mr. HUMPHREY] introduced his omnibus farm bill. I think that makes August 6, 1959, a very significant day, because I think this farm bill, introduced by the senior Senator from Minnesota, eventually—it might take a year or it might take 3 or 4 years—will become the farm law in this country.

Mr. President, there is simply no question at all that the No. 1 victim of economic injustice in this country is the American farmer. I expect to discuss the bill in more detail at a later date. I realize the hour is late.

I wish to say, in conclusion tonight, that the bill is a good bill because it hits at the No. 1 farm problem, low farm income, in a practical, sensible way, that will reduce the astronomical cost of the present farm program by effectively reducing farm production so it will come down to demand, and these enormously expensive surpluses will be eliminated.

LABOR AND AGRICULTURE

Mr. HUMPHREY. Mr. President, there has been for many years a concerted attempt to drive a wedge between wage earners and farmers and to play one against the other. Farmers are told that the high cost of living is due to the excessive wages of working people, and workers are told that their rising food bills are due to the excessive prices obtained by the farmers.

As I have pointed out so often the objective of this campaign is not to benefit the farmers or the wage earner. It is rather to divide and conquer and thereby to prevent enactment of legislation designed to raise the living standards of all our people.

It is heartening to note, however, that this campaign has in large measure failed. Workers and farmers are more and more coming to realize that they have mutual interests.

Only this week two labor journals came across my desk which contained articles emphasizing the common bond between workers and farmers. The first is an editorial from the Minnesota Union Advocate of July 30 entitled "Farmers and Workers"; the second is from the Machinist of August 6 also entitled "Farmers and Workers."

I commend both of these fine union papers for their keen awarenes of the common bond between those who till the soil and those who work for wages in plants, mines, stores, and in construction and service trades.

Mr. President, I ask unanimous consent that these two articles to which I have referred be inserted in the RECORD at the conclusion of my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Minnesota Union Advocate, July 30, 1959]

FARMERS AND WORKERS

The average worker may not be able to follow all the intricacies of the Nation's farm problems—especially in view of the fact that they have been further complicated by the Eisenhower-Republican administration and the Department of Agriculture under the fumbling of Ezra Taft Benson—but this we can all understand:

America's farmers are under attack just as the labor movement is, and while the specific goals of the worker and the farmer are not the same, our opponents are the same. The politicians and the groups who blast labor unions also oppose the aspirations of those who own and work a family-size farm.

Recently, by an overwhelming majority, particularly in the spring wheat States, farmers voted "yes" in a wheat referendum in an effort to improve farm-price supports.

This action should strengthen the hand of farm-State Congressmen who are seeking to pass legislation for better farm-price supports.

Space does not permit going into an explanation of the wheat referendum, but the overwhelming "yes" vote shows that the Nation's farmers know what the score is.

Among other things, they know that in our modern legislated economy there can be no sensible farm program without some control of production and price.

Similarly, most informed union members know that there is practically no connection at all between the price a farmer gets for his products and the prices a worker pays for the food and fiber he uses.

In commenting on the victory for farmers in the wheat referendum, a group of officials including M. W. Thatcher, general manager of Farmers Union Grain Terminal Association, and officials of various farm organizations, included this significant statement:

"No farmer will voluntarily cut his own income any more than any salaried person will vote to cut his own pay."

That's a sentiment that every wage earner can understand—and approve.

Farmers buy many of the products that wage earners make, so they must prosper if they are to continue to be customers, and thus assure full employment for nonfarm people.

And, by the same token, wage earners and their families consume by far the greatest amount of the things that farmers produce, and farmers know that wage earners must make enough money to pay for all the things they and their families need.

In Minnesota and elsewhere, farmers and union workers have cooperated in the past. We must continue to do so to even a greater

extent in the future, because we need each other like bacon needs eggs and bread needs butter.

[From the Machinist, Aug. 6, 1959]

FARMERS AND WORKERS

(Union members have a twofold interest in America's farm problem. We want to pay the lowest possible prices for the food we buy. But we also want to help all those who work on farms maintain a high standard of living. This article, based on a new AFL–CIO pamphlet, explains organized labor's long-standing interest in both of these goals.)

American trade unionists have a vital stake in higher living standards for all who work on the Nation's farms whether as owners, tenants, or hired hands.

When farm people enjoy good times, their increased spending means more and better jobs for city people. When city families are well off, they spend more for the food and fiber our farms produce so abundantly.

But since the end of World War II most of the people who work in agriculture have failed to share in our rising national income.

PRODUCTION UP, INCOME DOWN

Real income from farming actually has been going down at the same time that agricultural output has been going up. In 1958 total farm production was 29 percent higher than in 1947, but the net income of farmers—including government payments—was down 25 percent.

More than a million farms were vacated between 1947 and 1958. A falloff in farm income, rising output per manhour on the farm that even exceeds the rise in industry, and the hope of many families for better times and security elsewhere led to this development.

With a million less farmers to do the work, agricultural output still rose almost one-third between 1947 and 1958. But net income per farm dropped 7 percent in current dollars and 25 percent when figured in terms of real purchasing power.

Even these figures understate the extent of the farm crisis. Despite a temporary rise in some agricultural prices in 1958 which helped push total farm income up, prices are now heading down again.

The emergency in agriculture is not of the farmer's making unless it is charged that he works too hard and too well.

For 25 years it has been a recognized Government responsibility to shape broad economic policies that will help encourage the use of our abundant food and fiber by the millions at home and abroad who need it, and to help secure a better return for the farmers who produce it.

The present national administration has not provided this kind of leadership. Policies to adequately support farm family income have been lacking. The biggest Government subsidies continue to go to the owners of large commercial farms who don't need aid. In the same spirit tax benefits are granted the wealthiest corporations and individuals. The administration's tight money policy with its high interest rates cripples farmers, small businessmen, and consumers while greatly benefiting the moneylenders.

Workers on the land and in industry share many common problems. City wage earners face high living costs and job insecurity due to automation and idle economic resources. Farmers and small businessmen are caught on a treadmill of high costs, mounting output, and lower selling prices. Furthermore, the threat of being driven into corporation dominated farm-factory assembly lines looms ahead for many farmers.

Propaganda is circulated among city people that farmers are responsible for high food prices and farmers are told that union workers seeking to protect the living standards of their families are the cause of the cost-price squeeze on the farmer. Neither charge is true.

The future of those who work in agriculture and in industry depends alike on national policies that insure a rapidly expanding economy. We need expanding job opportunities for those displaced by mechanization on the farm and automation in commerce and industry. And we must have expanding markets so that all who work can obtain a fair return for their contribution to abundance.

American trade unionists are proud of their long effort to lend a helping hand to farmers. Many AFL–CIO members were raised on farms and have relatives and friends who still are farming. For many years the American labor movement has supported legislation to aid farm cooperatives, extend rural electrification, expand farm credit facilities, and to build an adequate system of farm price supports.

Labor has given wholehearted backing to soil conservation efforts, the development of crop insurance, the inclusion of farm operators and hired workers under social security, and to every other measure to improve the housing, health, and educational facilities available to all who live and work on farms.

AID FAMILY FARMS

By recent convention action labor resolved that—

"The American Federation of Labor and Congress of Industrial Organizations will continue to vigorously support corrective measures to restore and to raise the income of all who work in agriculture.

"We seek an American standard of living for the farm proprietors who by their skill, labor, and investment produce our food and fiber.

"In particular, we wish to aid the family operated farm through measures to increase its efficiency and its income so that the independent farmer may efficiently compete with corporation farming and may remain the dominant producer in American agriculture.

"Furthermore, we must raise the living standards of those who work in industrialized agriculture for sweated wages under inhuman conditions, today the most exploited segment of the American labor force.

"Surely this great Nation can and must assure to all who toil on its farms a full partnership in the unlimited promise of the United States."

INTERACTION OF GOVERNMENT AND THE PRESS

Mr. HUMPHREY. Mr. President, the interaction of the Government and the press is a matter of serious concern to me.

As it has always been the job of Congress to formulate and enact the laws of the land, so has it also been the job of the press to communicate intelligibly the laws to the land.

While the interests and works of the Government have expanded over the decades, the methods of the press have equaled this expansion in speed, scope, and efficiency. However, what has come to be a matter of concern to me recently is a fourth dimension of challenge in this era of expansion. This challenge lies in the search, in the insistence, on accuracy—and no less than accuracy. Accuracy of news reporting stems from a self-recognition by the press that it is in a responsible position as an opinion shaper.

The story of the family farm shows the lack of effort on the part of the press to meet this challenge of accuracy. This is visible on too many pages—in the banner headline, "Farm Program Fails," with its followup, "Surplus Mounts"—the ads testify to the rising costs of food, the editorials to the tax dollars spent in controlling surplus.

The sobering reflection is this: Seldom is there a spokesman for the farmer. Seldom are we shown the other side of the coin in the unbiased picture of statistical facts.

I do not say this does not happen sometimes. Occasionally the facts sift through. And I want to commend those responsible for this occasional break for the farmer. Last week I received a newsletter which spotlighted a newspaper poll taken in South Dakota, which asked approximately the same questions as did an overly publicized farm magazine poll recently. The results were quite different when operating farmers answered the questions.

I ask unanimous consent to have this newsletter printed in the RECORD, not only for the tabulation of the South Dakota poll, but for the comments on that poll made by a knowledgeable firm.

There being no objection, the newsletter was ordered to be printed in the RECORD, as follows:

COMMODITY LETTER

In our letter of March 26, 1959, we called attention to a poll of farmer opinion about agricultural price supports that was completely loaded to get agreement with the editorial opinion of the publication conducting the poll. This was the poll that purported to show that 78 percent of farmers favored the immediate or gradual elimination of all farm price and income support.

We branded the poll as nonsense. Now we have proof to back up our position. A poll was conducted by three newspapers in South Dakota without any accompanying editorializing. The vote for different kinds of plans was as follows:

	Percent
The present program of flexible supports	5.7
A system of direct payments to compensate farmers for the difference between the market price and a fair price. This plan would be accompanied by production controls	22.6
Price supports fixed at 90 percent of parity with strict bushel and pound quotas instead of the present acreage approach	24.5
90 percent of parity with no specific crop restrictions but a reduction of 15 percent of each farmer's historical acreage base	18.9
No Federal crop controls of any kind and no price supports of any kind	28.3

From this tabulation it is perfectly clear that 71.7 percent of farmers want a workable system of supports and controls; 66 percent favored higher price supports and stricter controls than the present programs provide.

The difference in results between the recent poll and the previously cited poll is not a matter of geography. The earlier poll showed only 36 percent favoring high supports and production payments in South Dakota. The results are very different when the bias is taken out.

In our letter of March 26, we said that if farmers were given an opportunity to do so they would overwhelmingly say "I think the Government has a responsibility to see that farmers get a fair share of the national income; that the best way to get a fair income is to adjust production to the market size

just as industry does." The South Dakota poll proves that we were exactly right.

In the South Dakota poll, farmers were specifically asked whether they favored stricter controls and higher supports or less control and lower supports. A majority favored stricter controls and high supports. Farmers know that the price of higher supports is production control and are willing to pay the price.

Farmers voted overwhelmingly to get the Government out of the grain business. Twenty-one percent favored a deeper involvement of Government in the storage, merchandising, and handling of grain and 79 percent favored withdrawal from this type of operation. Farmers are clearly aware of the damage that the badly run programs of the USDA are doing to their prices and want this merchandising competition stopped.

Farmers were asked "Do you believe that farmland retirement, either under the soil bank or some similar program, should be employed as a means of controlling production of farm commodities"? Thirty-six percent voted yes and 64 percent voted no. The soil bank was recognized as a failure and farmers do not approve of failure. Farmers clearly recognize that programs have to have some teeth in them.

Farmers were asked to rate Ezra Benson as Secretary of Agriculture. The results were as follows:

	Percent
Excellent	11
Good	8
Fair	32
Poor	49

This result was obtained in traditionally Republican South Dakota.

Three main conclusions must be reached from this poll:

1. Current price-support programs are unsatisfactory.

2. The present Secretary of Agriculture is disapproved of by the people that he is supposed to represent.

3. Farmers believe that they are entitled to fair prices and incomes and are willing to accept the governmental restriction necessary to get them.

This mandate to the Congress should be perfectly clear. Present programs are not satisfactory when judged by farm prices and income and by the surplus problem. Farmers understand and want a sound, workable program. The Congress is doing nothing about getting one for them. We are watching the spectacle of another session of Congress roll by without any agricultural accomplishment.

In exasperation and frustration we again ask, Why? Why? Why?

DANIEL F. RICE & Co.

Mr. HUMPHREY. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a copy of a letter which I have received from Roy Hickman, of Morton, Tex., which he wrote to the editor of the Fort Worth, Tex., Star-Telegram, together with a copy of my reply; also a letter from Mrs. Burton Miller, of Maple Park, Ill., enclosing a letter which she had written to the editor of Newsweek magazine, relating to the agricultural policies as discussed by certain writers in Newsweek magazine.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MORTON, TEX., *July 3, 1959.*

EDITOR, STAR TELEGRAM,
Fort Worth, Tex.

GENTLEMEN: I do not know to whom I should address these remarks, but insist that Mr. Carter read them and call them to the attention of the individual who wrote the editorial I am hereafter referring to "Farm Aid Nostrums Alienate the Consumer," which was published in the morning publication of the Star Telegram, dated May 13, 1959.

This is the second time I have written you about your editors being so poorly advised on the farm problems, and this isn't unusual for Associated Press writers. They should make some thorough study of this subject before attempting to write about it; after all, many of your readers are farmers—who know better, but many of the city and urban readers do not. It isn't fair to the farmers and ranchmen.

Why not try and answer some of the following questions in some of your editorials:

(a) Why has food to the consumer gone up continually since the prices to the farmers have gone down since 1948?

(b) Why don't you say something about the millions of CCC farm commodity dollars which have been paid Fort Worth firms for storing farm products much of which could be marketed at prices above the loans and stop the CCC storage costs? A summary of this (just for your city) would be very interesting to the city and urban readers, and they would know who were getting the bigger portion of the farm subsides, and why consumer costs are high.

(c) How about watching the price of bacon and ham at your markets and compare them with the 9-cent drop in hog prices during the last 12 months?

(d) Explain why the retail prices of bread have jumped 5.4 cents per pound loaf or 39 percent since 1948, while the price of wheat was dropping.

(e) How about the farmers receiving from $25 to $41 for cottonseed in 1958 and the mills getting about $80 per ton for cottonseed meal or cake, and then be out except for small amounts when the farmers and ranchmen wanted to buy; a good article could be prepared on how the processed products were channeled through the commercial feed interests in preparation of mixed feeds for the farmers and ranchmen, thereby hooking them going and coming.

(f) Farmers out here advertised in local papers for people to come to their farms on certain days and get all the onions and potatoes they wanted free—and the farmers plowing them up for them. Is that "higher farm prices created by high supports"?

(g) Practically everything the farmer buys is produced on a supported market, and could you expect him to not enjoy some of the supports? When have we had higher labor supports? His interest rates have increased.

(h) Mr. SYMINGTON is very correct in his analysis of the price and production situation for agriculture. Do you remember the early thirties? Low prices, high production, and low farm income.

(i) Why do you suggest no farm supports, no Government aid to farmers, while you admit we are having one of our highest periods of inflation and Government control, and subsidies for labor and industry?

I am not saying the present farm program is in any way an answer to our problems; it isn't. The program which Mr. Benson has been tearing apart since 1952 was not perfect either, but it was a much better program than the one he has made of it, for the producers and consumers and the taxpayers. Wish you would check to see how much the CCC lost in the 20 years it operated before Mr. Benson took office and the amount it cost the taxpayers since 1952. He has lost more in 1 year than the program costs in 20 years.

The CCC program now operates for the warehousemen, exporters, and mills, and not for the producers, operating for the same favored group Mr. Benson's farm program operates for. We farmers do not prefer that the Government monkey with our business, but if we are going to have to operate in a Government-controlled and Government-subsidized economy we feel that we are entitled to a fair share and a like protection with industry, labor, and transportation.

The American consumers and taxpayers are entitled to true and unbiased information on the farm program and the amount of money charged to farm programs and farm subsidies the farmers actually receive.

I believe that your editors would see the farm picture differently if they would make a broad study of the farm programs and use their efforts to improve them instead of misrepresenting them to your readers. I suggest that they have a conference with Representative W. R. POAGE; this would give them an opportunity of catching up quickly and efficiently.

Your readers would be interested in seeing in print the amount of postal subsidy the Star Telegram receives each year.

Yours very truly,

ROY HICKMAN.

JULY 20, 1959.

Mr. ROY HICKMAN,
Morton, Tex.

DEAR MR. HICKMAN: I want to thank you on two counts; first, for writing the fine letter you did to the Star-Telegram of Fort Worth, and second, for sending me a copy of the letter.

If more farmers wrote such letters to the many magazines and newspapers which are currently presenting such an inaccurate picture of American agriculture, some of the true facts might be presented to the general public. Because of the amount of faulty publicity concerning the farm situation recently, I hope to find occasion to mention this to my colleagues in the Senate quite soon. In doing so, I would like to refer to your letter and others I have received regarding this matter. If I do, I shall of course, send you an excerpt from the CONGRESSIONAL RECORD, of my floor remarks.

With all best wishes, I am,

Sincerely yours,

HUBERT H. HUMPHREY.

MAPLE PARK, ILL., *July 8, 1959.*

The Honorable HUBERT H. HUMPHREY,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR: I have been pleased to listen and view various newscasts of your recent committee meetings. From a farmer's viewpoint you seem to be the only one in Washington who evinces an interest and a knowledge of the problems confronting the American farmer today.

I have been struck by the utter lack of knowledge shown by most writers and commentators, particularly those who should be informed.

Recently, I wrote the attached copy of letter to Newsweek which sets forth my disgust with such writers and publications which distort the true facts involved.

Only recently I heard you say that the farmers of your State were being paid 12 cents a dozen for eggs retailing in stores for four or five times that amount. Consequently, it is evident that you know the score.

It is my belief that the vast majority of farmers are in agreement on this matter but for some reason they are not articulate and are unable to get the true facts to the entire public, for we are all in this together, for the failure of one large segment of the population to prosper will react on all.

I want to congratulate you on the stand you have taken and I am sure the rightness of your position will become increasingly clear to many citizens.

Sincerely yours,

MRS. BURTON MILLER.

MAPLE PARK, ILL., *June 26, 1959.*

EDITOR, NEWSWEEK MAGAZINE,
New York, N.Y.

Re Messrs. Hazlitt and Moley and "Perspective."

DEAR SIR: As you undoubtedly have heard "the pen is more deadly than the sword," actually "mightier than the sword." This I believe.

I have never seen the time when newspaper and magazine writers seemed to take such gleeful delight in promoting antagonism between the farmer and the city dweller. The city man is always referred to by the press as "the consumer" and "the taxpayer."

Now my husband and son operate two very fine farms of 415 acres and we, too, are taxpayers (believe me) and we are also consumers. We do not pick loaves of bread, butter, etc., off the trees. Neither do we bake bread nor churn butter "as of yore"—no more than your wife has a kitchen without water or electricity.

These so-called experts may have studied economic trends and patterns but I doubt very much if they understand farm situations and conditions. Therefore, why write about a subject on which they are so obviously uninformed?

As a farmer's wife, I feel I may be competent to expound on a few of the highlights of our department.

In regards to Mr. Moley's article, "Defiance to Omnipotence," it may amaze this gentleman to know that no farmer of my acquaintance cares about subsidies or soil bank. We have never received one dime. Mr. Moley's "Perspective," and I quote, "Those scattered farmers who because he had put the price so high had planted as never before * * *" not only shows an utter lack of perspective and knowledge of the subject bordering on stupidity.

This, Mr. Editor, is the situation. They are not planting as never before on account of greed. They are doing it in order to keep their income up to the place where we can maintain our standards of living at current costs and prices we sell for. Do you think a farmer can buy a $4,000 tractor with $16 to $17 hogs? And very few bring the price. They are not lean enough or finished enough or the good Lord knows what else. Eggs sell here for 18 to 20 cents a dozen. What do you pay? Who gets the big deal between? As a responsible editor, you should start a crusade against bigtime operators and monopolies who buy and sell in such large quantities that they make millions, not for the sake of being a crusader, but to tell the American people the truth.

Does our pious Mr. Benson or the press bring to the attention of the consumer and taxpayer that magazines, railroads, power companies, etc. are subsidized? You fellows aren't very consistent. Let's get with it.

All we ask is the rightful heritage from the soil we till. Equality for all, malice toward none.

We need production controls, not in acres, but limitations to market over and above certain quotas. Incidentally, my husband feeds cattle. If we need extra feed, with all the surplus corn, etc. in bins, do you think he can buy it? No. It's harder to buy than it is to find a needle in a haystack. The Government wants surplus—so do bin operators. Why does Mr. Benson pay subsidies to the wool growers—they're out in Utah, incidentally.

We are not racketeers. Farming is a way of life, a business. "Do away with inefficiency" is a big deal now. Isn't that a laugh?

Most farmers must be darned efficient, or why the tremendous surplus?

I was amused by Mr. Hazlitt's statement that some farmers deliberately produced inferior wheat to get Government generosity. Why would they? It costs no more to plant and harvest good wheat than bad wheat. Surely the good wheat would yield more, make the "old glutton" more dole money out of the trough.

We do not plant 200 acres of corn, get 90 bushels to the acre, making $18,000. We pay for seed, hundreds of dollars for gasoline, dollars and dollars for labor. The crop must be planted, tilled, etc. The equipment required for this is costly. We must buy fertilizer.

If we feed this corn to livestock, we buy the feeder stock. The markets fluctuate. we sell for 26 cents, a good-to-choice beef—you pay $1.15 for steak. We do not fatten livestock on corn alone—it takes protein at hundreds of dollars. And hogs require many vaccinations and veterinarian attention.

Why does not an editor of a national magazine, alive to the facts of life, find someone just once to write something in defense of the farmer, instead of picturing him as an ogre living off public funds? This, I can assure you, would be of more interest to many people than the fulminations of "on again—off again" writers like Moley and Hazlitt.

For farmers to subscribe to Newsweek and be exposed to such drivel and lack of understanding is not only a travesty but a waste of money. Conversely, assuming these two "name" writers receive compensation, Newsweek is very careless with its money if you are interested in building circulation in the rural areas of this Nation.

Very sincerely yours,

MRS. BURTON MILLER.

THE GREAT WHITE FLEET—ADDITIONAL COSPONSOR

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the name of the junior Senator from Colorado [Mr. CARROLL] be added as a cosponsor to Senate Concurrent Resolution 66, calling for establishment of a White Fleet of aid and mercy, which I submitted on July 21, 1959, on behalf of myself and 33 other Senators.

The name of Senator CARROLL was inadvertently left off the original list of cosponsors of the concurrent resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

RED LAKE WORK PROJECTS

Mr. HUMPHREY. Mr. President, I note with keen interest and attention the efforts towards self-help being undertaken by the Red Lake Band of Chippewa Indians, with headquarters at Red Lake, Minn., through their attempt to secure additional industry and work projects in their northern Minnesota tribal area.

Recently a report was prepared by the industrial specialist of the Bureau of Indian Affairs in the Minneapolis, Minn., area office, and with this survey as a basis, active steps are being taken to solicit new industry to establish itself in the area.

I wish to commend the Red Lake Band for its initiative in its efforts to provide additional employment for members of the band who wish to remain on or near their tribal lands.

INCREASE IN MAXIMUM OIL AND GAS ACREAGE LIMITATION, STATE OF ALASKA

Mr. ALLOTT. Mr. President, on August 4 the Senate passed H.R. 6940, a bill providing for the increase of acreage limitations upon oil and gas leases in Alaska. Ordinarily, it is not the disposition of the senior Senator from Colorado to rake over old coals. But because of certain facts which have developed since the bill was passed, and because of certain publications which have been made, I feel it absolutely necessary to make this statement. For that reason, I have remained on the floor for 5 hours continuously in order that I may make the record perfectly clear.

It must be understood, first of all, that the present oil lease limitation in Alaska is 100,000 acres. In addition, any individual may secure options for an additional 200,000 acres, making a total of 300,000 acres.

The bill passed by the Senate 2 days ago, H.R. 6940, raises the 300,000-acre limitation to 600,000 acres and does away with the differences between leases and options, so far as the individual who holds them is concerned. In other words, there is now no limitation, whether a person holds leases or options, or whether a company holds leases or options, or whether they hold all of one or all of the other.

I spoke at some length on the floor of the Senate in opposition to the bill. I point out for the record, so that it will be perfectly clear, that when the bill came up in the subcommittee of the Committee on Interior and Insular Affairs, I spoke in opposition to the bill, as did a member of the other party. To make the record further clear, at the time the bill came up for consideration before the full committee, I spoke in opposition to it, as did a member of the other party, and I reserved specifically for myself the right to take any action I thought fair or just or equitable when the bill came before the Senate, and to speak upon it, although I said that I would vote for the bill in committee merely that it would be before the Senate. That is what I did, with a complete reservation as to the action I would take. I thought the bill was bad then; and the more I look at it, the worse it appears to be.

There are in Alaska 46 million acres at present under lease, or as to which leases have been applied for. This is approximately 72,000 square miles. It is more area than is comprised by all the surface of Rhode Island, Delaware, Connecticut, New Jersey, New Hampshire, Vermont, Maryland, and West Virginia.

In other words, there is under lease in Alaska today more acreage than the total acreage in all those States.

It is contemplated that the raising of the acreage limitation from 300,000 to 600,000 will at least double the acreage under the 10-year reserve of the various oil companies. This doubling is more than the land surface of Montana, which was until recently the third largest State. It is more than the combined areas of Rhode Island, Delaware, Connecticut, New Jersey, New Hampshire, Vermont, Maryland, West Virginia, South Carolina, Maine, and Indiana. One is prompted to ask: Just how much do these people want?

I have had a very careful analysis made of the summary of lease rentals,

which are statutory minimums set by section 17 of the 1920 act, as codified in 30 U.S.C. 226.

One of the chief arguments I used with the proponents of the bill the other day was that they were making a grave error in increasing the acreage limitation from 300,000 to 600,000, for the reason that the present rentals of public oil lands, lands rented from the U.S. Government, are grossly inadequate. The Department of the Interior has suggested certain minimums, and the Senator from New Mexico [Mr. ANDERSON] has introduced a bill providing for the raising of the minimums. At present, the lease rental is 50 cents for the first year and nothing for the second or third years. The situation is that the statutory waiver for the second and third years is a matter of law. The Secretary of the Interior can do nothing about it. If the proposed changes are made lawful, he can then adjust the rentals for those years, as he might adjust them for the others.

So we end up with a lease for the fourth and fifth years of 25 cents an acre each year, or a total gross rental for the first 5 years of $1 an acre. I say without fear of contradiction that it is impossible today to rent any land from any private individual in the United States for less than a dollar an acre a year—not to speak of 5 years.

The result of the present law is that a man can pay 50 cents an acre the first year, nothing for the second and third years, and then relinquish his lease, after having paid a total of 16⅔ cents an acre a year for the 3 years.

If he goes into the next 5 years, he pays 50 cents an acre, so the total average amount paid per acre is a 10-year gross of $3.50 an acre.

The minimum rentals suggested by the Department of the Interior, which compare favorably with those contained in the bill to be proposed by the Senator from New Mexico, provide that a person will start by paying $1 an acre, and then a straight 50 cents an acre after that time, and that in the second 5-year period he will pay $1 an acre a year.

What is the reason for this? The purpose of the Mineral Leasing Act, according to its title, is for the development of mineral lands. Ninety percent of the money which the Federal Government receives from the leasing of the rental lands in Alaska goes to the State of Alaska. A part of that money is committed to schools and a part to roads, according to the disposition of the Alaska Legislature. The rest may be used for any other purpose to which the legislature sees fit to devote it. So it is to the interest of Alaska to get the maximum amount of rental from this acreage, consistent with development.

If we consider the present rentals as against the suggested rentals—and I contemplate that Congress may well act upon this proposal at this session—we find that the gross rental for an acre for 10 years is $3.50. Based upon the suggested minimum rental per acre per annum, the gross rental would be $8. The gross difference, then, in a 10-year period, between what the 600,000 acres are being rented and leased for today, and what will be received if the amount is raised to a decent level, is $4.50 an acre over a 10-year period.

On the basis that Alaska will receive 90 percent of this amount, the figure is $4.05 an acre over a 10-year period. So the very coffers of the State of Alaska itself would have been increased if the Senate had not taken the action it took the other day, but had deferred action until such time as the rental provisions were considered.

We are now in the position of having raised the rental provisions to 600,000 acres per individual a year. That is being done upon the old scale, when a new scale is recognized as imminent and coming.

The Department of the Interior has repeatedly pointed out that with 46 million acres of land under lease or applied for lease in Alaska, the only discovery drilling activity which has occurred in the past 2 years or is now indicated has occurred—with perhaps two exceptions—under the unit plan or under cooperative agreement or under development contract.

In view of the 300,000 acres allowed under the previous law and the 600,000 acres allowed under the new measure—and either amount seems to me to be a great deal of land—I have compared the acreage in Alaska with the acreage in various other States—not for the purpose of belittling any of the other States, but in order that we may have a better grasp of what is involved. The peculiar thing is that under the 300,000-acre limitation, one who has that much land under either option or lease can place part or all of the land in a unit agreement or in a cooperative agreement or in a development contract; and when he does any one of those three, the acreage which is used in that way no longer applies against his minimum—previously 300,000 acres, and now 600,000 acres. I shall give one example of how that works out: The other day, one company, which prior to the passage of the new measure had a total limitation of 300,000 acres, already controlled far in excess of 800,000 acres of land in Alaska, although it had drilled only two wells in order to hold that land.

The new law would permit any company to hold 600,000 acres for 5 years, at an average rental of 20 cents an acre.

Inasmuch as witnesses who testified before the Committee on Interior and Insular Affairs stated that it costs as much as $180,000 to $200,000 just to get a crew on the ground in Alaska, it is only proper to allow a greater incentive for development there, as compared to development in the rest of the States.

Three hundred thousand dollars in rentals for 600,000 acres during the first 3 years, for example, for contingency or reserve, and not for development purposes, would not be very great. Mr. President, I think we may safely assume that the acreage would double in the near future, and probably would increase to 96 million.

I wish to address myself to the impact which this will have on the economy of Alaska and what I believe was the very shortsighted policy of Congress in passing the bill. Assuming the doubling of the acreage, which the bill contemplates, and relaxation of the acreage limitation, as the bill provides, the State of Alaska would be deprived of at least $81,800,000 in the next 5 years. It follows that during the same period the revenue lost to the United States would be $9,200,000.

The present gross rentals for 10 years aggregate $3.50 an acre. Under the proposed increases, they would be $8. Under these circumstances, the revenue loss to the State of Alaska, because of increased leasing activity as a result of relaxed acreage limitations, and without attendant adjustments—so the Department of the Interior has argued, and I believe it is correct—would amount to at least $186,300,000 over the 10-year period.

So the total threatened revenue loss to Alaska—based upon a doubling of the amount of land leased and based upon any reasonable increase in the rentals—over a 10-year period following the enactment of this measure will be $289,800,000; and during the same period the revenue loss to the people of the United States will be approximately, but not quite, $30 million.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, in connection with my remarks, a tabulation of the present rentals, the suggested minimum rentals, the gross difference per acre, and the potential Alaska loss per acre resulting from the enactment of House bill 6940.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Summary: Lease rentals

[Statutory minimums set by sec. 17 of 1920 act, codified: 30 U.S.C. 226]

	Present annual minimum rental per acre per year	Suggested minimum rental per acre per year	Gross difference per acre	Potential Alaska loss per acre (90-percent total)
Lease year 1	$0.50	$1.00	$0.50	$0.450
Lease year 2	(1)	.50	.50	.450
Lease year 3	(1)	.50	.50	.450
Lease year 4	.25	.50	.25	.225
Lease year 5	.25	.50	.25	.225
Total, gross, 1st 5 years	1.00	3.00	2.00	1.800
Average per year, 1st 5 years	.20	.60	.40	.360
Lease year 6	.50	1.00	.50	.450
Lease year 7	.50	1.00	.50	.450
Lease year 8	.50	1.00	.50	.450
Lease year 9	.50	1.00	.50	.450
Lease year 10	.50	1.00	.50	.450
Total, gross, 2d 5 years	2.50	5.00	2.50	2.250
Average per year, 2d 5 years	.35	.80	.45	.450
10-year gross	3.50	8.00	4.50	4.050
10-year average	.35	.80	.45	.405

[1] Statutory waiver.

Mr. ALLOTT. Mr. President, in conclusion, I wish to state that in my opinion a very grave error has been made. The purpose of the Alaska Leasing Act is to secure development. But I have shown that only one company has gotten in excess of 800,000 acres, by means of the drilling of two wells.

Certainly it is time for Congress to take a good look at this situation. The

Senate cannot do so now, because the Senate has passed the House bill. But I hope appropriate action will be taken to save for the people of Alaska and the people of the United States this money which justly belongs to them.

Mr. President, the Senator from Kentucky desired to be on the floor at the time when I concluded; and he had asked that I suggest the absence of a quorum.

Mr. MORSE. Mr. President, I shall be glad to do so; but in the meantime I shall speak for not more than 5 minutes.

Mr. ALLOTT. Will the Senator from Oregon suggest the absence of a quorum, at the conclusion of his remarks?

Mr. MORSE. Yes, I shall be glad to do so.

Mr. ALLOTT. I thank the Senator from Oregon.

SUCCESSFUL COMPLETION OF UNIVERSITY OF OREGON EDUCATIONAL CONTRACT IN NEPAL

Mr. MORSE. Mr. President, I hold in my hand an article entitled "Oregon Group Sets Up University in Asia Nation." The article was published in the Coos Bay (Oreg.) World on the 23d of July, and points out that a group of Oregon educators connected with the University of Oregon has been conducting a very worthwhile experiment in higher education in Nepal during the past several years.

One of the great educational statesmen of Oregon is the former chancellor of the Oregon system of higher education, Dr. Charles D. Byrne. I have known him for a great many years. He has made outstanding contributions to higher education in the State of Oregon. Following his retirement as chancellor of our State system of higher education, he continued his interest in the field of education, and was at the head of the American group of educators who set up in Nepal a system of education. He was assisted by a group of very distinguished Oregon educators, including Dr. Hugh B. Wood, professor of education, who also has made a very remarkable record in Oregon education; Dr. Francis E. Dart, associate professor of physics; Dr. Paul B. Jacobson, dean of the Oregon College of Education; Dr. Clarence Hines, professor of education; Thomas O. Ballinger, associate professor of art education; and other members of the faculty of the University of Oregon.

Mr. President, it is a very dramatic record that these educators from my State have made in Nepal. It is a great monument to their educational statesmanship; and, as a Senator from the State of Oregon, I consider it a great honor to be privileged this afternoon to ask unanimous consent to have printed in the CONGRESSIONAL RECORD this newspaper story, which tells about the fine work they have done and makes the announcement of a successful completion of the University of Oregon's educational contract in Nepal which was realized this month with the establishment, on July 8, of a national university.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Coos Bay World, July 23, 1959]

OREGON GROUP SETS UP UNIVERSITY IN ASIA NATION

UNIVERSITY OF OREGON.—Successful completion of the University of Oregon's educational contract in Nepal has been realized this month with the establishment, on July 8, of a national university.

Tribhuvan University is the name of the new institution, which is located in Kathmandu, and which will administer all higher education in Nepal.

Establishment of the new university concludes the work of the Oregon University in Nepal and the remaining members of the contract party, which has been working in Nepal since 1954, will return to Eugene in September.

Oregon, under the direction of Dean Paul B. Jacobson, of the school of education, has administered $640,000 in Nepal in setting up teacher training, bringing educators to this campus for further education, and paving the groundwork for the new university. The contract under which the university worked was between the U.S. State Department's Foreign Operations Administration and the Government of Nepal.

SIMILAR TO OURS

The new university in Nepal is described by Dr. Charles D. Byrne, former chancellor of the Oregon State system of higher education and now a member of the university's education school, as being parallel in some ways to Oregon's state system.

Dr. Byrne, who spent 2 years in the Asiastic country advising on the organization of the university and developing its charter, points out that all the existing colleges of Nepal will be brought together under the single administration of Tribhuvan University. As soon as buildings can be built, the colleges in the Kathmandu Valley will be moved to the university site.

The three branch colleges outside the valley will be affiliated with the university and accredited with it. These colleges are at Dharan, Biergunz, and Biratnagar.

FIRST PARLIAMENT

The new Kathmandu site as a college center had been planned and the ground was broken for it on July 8, just a little more than a week after the first Parliament convened in Kathmandu, on June 30, and the first American Embassy was opened on the same date.

The university is named in memory of the late King Tribhuvan, who in 1950–51 led the revolution that overthrew the century-old tyrannical rule of the Rana family and is now known as the father of his country.

The University of Oregon is probably the only American university, according to Dr. Byrne, that has actually started a new university in a foreign country.

PROFESSORS HELP

University personnel assisting in the establishment of Tribhuvan, in addition to Dr. Byrne and Dr. Jacobson, have been Dr. Hugh B. Wood, professor of education, who was adviser to the first national commission that drafted the general framework and determined the need for the university and has been adviser to the university commission since 1958; Dr. Francis E. Dart, associate professor of physics, now en route home from Nepal, who served 2 years as higher educational adviser and assisted in bringing about improvements in the existing college; Thomas O. Ballinger, associate professor of art education; and Dr. Clarence Hines, professor of education, who with Ballinger assisted in the establishment of a national college of education and 10 mobile normal schools for training teachers.

The new Tribhuvan University has colleges of liberal arts, science, commerce, education, law and Sanscrit. Planned for future development are colleges of agriculture, home science, and engineering, and eventually, a college of medicine and hospital.

TEACHERS TO UO

Nepal will continue to send teachers to the Oregon campus for advanced training. Seven new teachers will come this fall, and four of those who have been here for the past year will remain. Of these 11, 5 will be studying for doctorates.

Completion of the education here of this year's 11 teachers will bring to 44 the number of college professors trained on the Oregon campus. These will form about one-third of the complete staffs of the Nepal University setup, Dr. Byrne estimates.

The University of Oregon's educational work in Nepal is one of the most successful efforts made by the United States in Nepal, according to Guilford Jameson of the International Coooperation Administration.

REAL PROPERTY EXEMPTION FROM TAXATION IN THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, I send to the desk and ask for the appropriate reference of a bill designed to provide the Commissioners of the District of Columbia with discretionary authority to waive the penalty upon the failure to file a report in accordance with the provisions of section 3 of the act entitled "An act to define the real property exempt from taxation in the District of Columbia," approved December 24, 1942, when the Commissioners find that failure to file the report required under existing law was not willful.

The need for this legislation, Mr. President, was brought to my attention by an unfortunate situation in which a local church group found itself liable for the payment of real estate taxes although under the statute it was tax exempt, because of the fact that the responsible officer of the congregation was ill and therefore unable to file the report by the deadline contained in law. There is no question that it completely slipped his mind, as one appreciates can easily happen when a man is sick in the hospital.

I have been assured by the District government that the terms of the statute preclude the exercise of discretion in such cases. I, therefore, have had this remedial legislation drafted and it is my hope that early committee action may be taken upon my proposal.

Believe it or not, the Congress passed a law which very rightly exempts churches and similar groups from District taxes; but there is in that law no language which requires that the tax form must be filed by the church, and that failure to file it as of a certain deadline date means the church will have to pay the taxes.

Mr. President, I am willing to take judicial notice that there was no such intention on the part of the Congress; that what the Congress had in mind was that the church would have to pay taxes if it did not cooperate by filing the form; but, certainly, if there was good cause why the form was not filed, and if there was no willful intent to refuse to file the form, it was not the intention of Congress that the church would have to pay

the taxes. However, that is certainly what the District tax officials feel they are bound by under the language of the act.

Therefore, I am introducing proposed remedial legislation in the hope that there will be early committee action on it and that it will pass the Congress.

I have, as the last part of the proposed act, put in the bill language which makes it clear that the authority of waiver on the part of the District of Columbia tax officials shall be retroactive, covering the taxable year of 1958, so that the particular case which is now pending can have the benefit of the waiver which I provide for in the bill.

Mr. President, I think what I seek is only simple justice. We certainly should not hold the congregation of the church liable for the 1958 taxes which are due this year simply because their finance officer was sick in a hospital and it completely slipped his mind that the tax form filing was due.

I ask unanimous consent that the text of the bill be printed at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2503) to amend the act entitled "An act to define the real property exempt from taxation in the District of Columbia," approved December 24, 1942, so as to authorize the Commissioners of the District of Columbia to waive certain tax liabilities imposed pursuant to such act, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to define the real property exempt from taxation in the District of Columbia," approved December 24, 1942 (56 Stat. 1089), is amended by adding immediately after the period at the end thereof the following: "Any tax liability imposed on any such institution, organization, corporation, or association for failure to file a report in accordance with the provisions of this section may be waived by the Commissioners if, in their opinion, such failure was not willful and said authority of waiver shall be applicable to any tax liability beginning with the taxable year 1958."

THE SAVING TO TAXPAYERS BY USE OF COAL IN FEDERAL INSTALLATIONS IN WASHINGTON

Mr. COOPER. Mr. President, during this session of the 86th Congress much public attention has been focused on the cost of Government operations here in Washington. In particular, there has been a great deal of comment on construction and operational costs of Government buildings, an example being the New Senate Office Building.

Today I should like to point out the other side of the economy coin by calling attention to a Government operation which is saving the taxpayers nearly half a million dollars annually. I refer to the economical and efficient system used to heat Federal Government buildings in the District of Columbia area.

Since the Capital City first converted from wood, the primary fuel used to heat our Federal installations has been bituminous coal. Current yearly purchases amount to some 315,000 tons at an approximate rate of $3,027,360.

The equivalent amount of energy, in terms of No. 6 fuel oil, the lowest priced industrial oil on the market, would cost $3,440,630 a year. This means that the approximate savings per year through the use of coal instead of oil amount to $413,270. This, I might add, is a conservative estimate since the 6-cents-per-gallon price used for comparison represents a currently existing "soft" oil market.

Now, as for the possible use of gas to heat local Government facilities: It should be noted that gas is not available for Government heating needs here, so that any cost comparison is theoretical. Nevertheless, Government engineers have frequently priced the cost of gas to get a complete operation picture. The comparison of gas and coal costs, though theoretical, is rather startling.

Priced at industrial rates during the heating season, gas would cost approximately $7,347,360 to heat the area's Federal installations. The cost would be $4⅓ million more than is currently being spent.

These cost comparisons must certainly be of interest to everyone concerned with economy in Government. They should come as a revelation to those under the mistaken impression that bituminous coal is an old-fashioned fuel, unable to meet the demands of the mid-20th century energy market.

Bituminous coal heats the White House, the Nation's number one residence. The Capitol is coal heated. The Supreme Court Building, the Library of Congress, and the offices of our Senators and Representatives are coal heated. The Pentagon, said to be the world's largest office structure, is coal heated.

These important structures, as well as all other major Government buildings in the District area, are furnished heat through underground pipelines emanating from four main heating plants. The central plant, largest boiler plant in the country, and possibly in the world, supplying steam for space heating, serves Federal buildings in the downtown Washington area. The Capitol plant heats this building and others in the Capitol Hill area. West central plant supplies the western section of the city, and Federal facilities across the Potomac are served by the Pentagon plant.

The Capitol plant is under the supervision of the Capitol Architect and his engineering staff, while the other three plants are operated by the General Services Administration.

The entire operation is, as I have said, efficient and economical. As Mr. Robert R. Galloway, area manager of the public building branch of GSA, explains, operational cost sheets are regularly reexamined to keep efficiency high and costs low. The results show not only that coal is more economical than competing fuels, but, through modern coal engineering know-how, additional savings are always possible. As an example, let me cite the experience of the Pentagon plant last winter.

A study was made of the coal-burning specifications used by the plant. Mr. Galloway, working with Mr. James B. Coleman, Chief of GSA's Fuel Branch, and engineering experts of the National Coal Association, found a way to effect a change in the specifications that would save from $50,000 to $75,000 annually over and above the regular savings made possible by coal heating.

I quote now from a letter written last January, following the change, from Mr. Coleman to Mr. Tom Pickett of the National Coal Association. Mr. Coleman said:

> The contract price of the coal is less, the plant is operating more efficiently, our handling problems have been licked, we had no smoke problems last fall or during this severe cold spell, and the plant personnel are all happy. The engineer told me that the coal purchased under the revised specifications was the smoothest operating and most economical that had ever been used at the Pentagon heating plant.

Let me point out that the example I have given does not merely illustrate the value of modern coal engineering, but of the value of alert, cost-conscious public servants. While we are free with our criticism, we are too often grudging in our praise of Government employees who are earnestly seeking ways to save the taxpayers' dollars. I believe Mr. Galloway, Mr. Coleman, and the other officials and engineers responsible for this additional saving deserve credit and commendation.

The Pentagon then is a satisfied coal customer, and the taxpayer is the chief beneficiary. Mr. Coleman writes of economy, efficiency, and yet another attribute of modern coal equipment which should correct some misconceptions about coal's place in today's energy picture.

I quote again, in part:

> We had no smoke problem last fall or during this severe cold spell.

Consider now that over 300,000 tons of bituminous coal are used each year by the Pentagon plant and the other three Government heating plants. Yet the Nation's Capital, as we all know, is recognized as one of the cleanest, most beautiful cities in the world. Of all major metropolitan areas, Washington suffers least from smog, fumes, and the air pollution problems which plague other cities.

There can be no better refutation of the spurious old dictum that coal is a dirty fuel. The Nation's Capital itself is the proof of the pudding, and I for one can think of no prouder example of the success of modern coal technology and equipment.

The example of our Capital City might well be considered by Government officials and engineers responsible for heating Federal installations throughout the country, particularly those of the executive branch and the Department of Defense.

As William W. Bayfield of the American Coal Sales Association recently pointed out:

> Coal today represents the best buy on the American industrial counter for installations of this type because the industry has spent vast sums and thousands of man-hours in research and development programs to make modern coal utilization a convenient, efficient, and economical process.

One of the results of this research and development is the practicability and use of modern scientific devices, such as the electrostatic precipitators which efficiently capture and dispose of the products of combustion which lead to air pollution. These precipitators are used in our Washington heating plants.

Still another result is increased productivity at the mine. Coal's economy and market price stability are the results of the technological advances made in coal production methods. To quote from recent speech by Mr. Joseph E. Moody, president of the National Coal Policy Conference:

> In 1948, the output per miner per day was 6.32 tons. Today, it is close to 12 tons per man. Our price at the mine in 1948 was $4.99 a ton. Today, it is $5 a ton. The price of coal at the mine has risen 1 cent in 11 years.

Considering that the past decade has been one of spiraling high costs, we can agree with Mr. Moody that coal can well be termed America's number one anti-inflation commodity.

Government experts and engineers in the Washington area have taken advantage of this economy, and they are supported in their judgment by the experts of private industry. The electric utilities have long recognized the savings possible with coal-fueled power. Bituminous coal's place in our local energy picture therefore does not end with the passing of winter.

I have considered that the midst of a typical Washington summer is not the most appropriate time to discuss our local heating system, regardless of the economy story involved. But coal has its place in Government building air conditioning as well.

The electricity which operates air-conditioning compressors and machinery in our Government buildings is provided by a local utility. The fuel used to power the electrical plant is bituminous coal. We have discussed coal heating, but we might well think in terms of coal cooling, for the coal industry serves an ever-increasing number of Americans—in public buildings, in plants, in homes—through furnishing power for electricity.

It is appropriate then that this Capitol, the White House, and the other centers of Government in the Nation's Capital are meeting their fuel needs through coal, America's basic energy source of yesterday, today, and tomorrow. It is a tribute to the coal industry that, by adapting to modern energy demands, it has kept pace with the fuel needs of the Nation's Capital. And it should be some comfort to the Nation's taxpayers, beset as they are by high taxes and Government operational costs, to learn that Washington has its share of persevering Government officials who can and are achieving economy in Government by studying all the facts about fuel engineering and guiding their decisions accordingly.

Mr. President——

The PRESIDING OFFICER. The Senator from Kentucky.

TRIBUTE TO MRS. LYDIA CADY LANGER

Mr. COOPER. Mr. President, I know I voice a sentiment that is held by all in this body when I say that I was saddened when I learned of the death of Mrs. Langer, the wife of our friend and dear colleague, the senior Senator from North Dakota [Mr. LANGER.]

I shall never forget that I met Mrs. Langer when I first came to the Senate in 1947. It was the day the new Members of the Senate were sworn in. The gallery was crowded, and it seemed that Mrs. Langer was unable to secure a seat in the gallery. So the Senator from North Dakota [Mr. LANGER] had brought her to the floor of the Senate.

Some one raised a point of order about non-Members of the Senate being on the floor of the Senate, and I shall never forget that the Senator from North Dakota rose and said, on that occasion, when he was being sworn in again, that he wanted to have by his side the one who had been his inspiration throughout the greater part of his life.

In the years which have passed I came to know Mrs. Langer's beautiful qualities of mind and spirit and heart. We know of her devotion to her husband. We know of his devotion to her.

As I have said, I know that all of us are saddened by Mrs. Langer's death. We are saddened at the loss to our colleague from North Dakota and I extend to him and to his family my own sympathy.

ADJOURNMENT

Mr. PROXMIRE. Mr. President, pursuant to the order previously entered, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 7 o'clock and 29 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Friday, August 7, 1959, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 6, 1959:

U.S. ATTORNEYS

Francisco A. Gil, Jr., of Puerto Rico, to be U.S. attorney for the district of Puerto Rico, for a term of 4 years.

Edward G. Minor, of Wisconsin, to be U.S. attorney for the eastern district of Wisconsin, for a term of 4 years.

U.S. MARSHAL

M. Frank Reid, of South Carolina, to be U.S. marshal for the western district of South Carolina, for a term of 4 years.

ADVISORY BOARD OF THE ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Frank A. Augsbury, Jr., of New York, to be a member of the Advisory Board of the St. Lawrence Seaway Development Corporation.

CALIFORNIA DEBRIS COMMISSION

Col. Howard A. Morris, Corps of Engineers, to be a member and secretary of the California Debris Commission, under the provisions of section 1 of the act of Congress approved March 1, 1893 (27 Stat. 507; 33 U.S.C. 661).

DEPARTMENT OF COMMERCE

Frederick Henry Mueller, of Michigan, to be Secretary of Commerce.

U.S. COAST GUARD

The following-named persons for appointment in the U.S. Coast Guard:

To be lieutenant commander

Thomas H. Carter

To be lieutenants

Kenneth D. Urfer
Howard E. Mickelson

To be lieutenants (junior grade)

Richard L. Burns
Francis J. Flynn

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 6, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Hebrews 10: 22: *Let us draw near unto God with a true heart in full assurance of faith.*

Almighty God, we have come from Thee, and belong to Thee and our lives only have reality and value as we live in Thee and Thou in us.

Help us to feel that we cannot attain unto the more abundant life, which Thou hast ordained for us, until we surrender and commit ourselves completely to Thy guidance and control.

Grant that in all our relations and contacts with our fellow men may we manifest the spirit of our blessed Lord who came to heal the hurts and heartaches of humanity.

May we have more of His sympathy and compassion, more of His trust in Thee and more of His burning passion to break down the barriers which separate the members of the human family from Thee and from one another.

Hear us in His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 7629. An act to make permanent the authority of the Secretary of Agriculture to make loans under section 17 of the Bankhead-Jones Farm Tenant Act, as amended, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. HOLLAND, Mr. TALMADGE, Mr. AIKEN, and Mr. MUNDT to be the conferees on the part of the Senate.

WATERSHED PROTECTION WORK PLANS

The SPEAKER laid before the House the following communication, which was read and, together with the accompanying papers, referred to the Committee on Appropriations:

HOUSE OF REPRESENTATIVES, U.S.,
COMMITTEE ON AGRICULTURE,
Washington, D.C., August 5, 1959.

Hon. SAM RAYBURN,
The Speaker,
U.S. House of Representatives.

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Agriculture, on August 4, 1959, considered the work plans transmitted to you by Executive Communication 1239 and referred to this committee and unanimously approved each of such plans. The work plans involved are:

STATE AND WATERSHED
Indiana: Boggs Creek.
Maryland: Gilbert Run.
Ohio: Marsh Run.
Texas: Martinez Creek.

Sincerely yours,

HAROLD D. COOLEY,
Chairman.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 338, Rept. No. 796) which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8342, a bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed six hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

That after the passage of H.R. 8342, the Committee on Education and Labor shall be discharged from the further consideration of the bill S. 1555; that it shall then be in order in the House to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H.R. 8342 as passed; that it shall then be in order to move that the House insist upon its amendment to said Senate bill S. 1555 and request a conference with the Senate; and that the Speaker shall thereupon appoint the conferees on the part of the House.

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, this is the rule on the very controversial labor bill. There were a number of bills and substitutes on this subject. The committee has endeavored the best it could to get as wide open a rule as possible, and we have had the assistance of the Parliamentarian in this regard.

The rule is so drafted that the committee bill is the one reported, but it is wide open under the general rules of the House, and every germane substitute or amendment will have its opportunity to be presented and amended and voted upon.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Indiana.

Mr. HALLECK. Is the right of the minority to offer a motion to recommit with or without instructions preserved?

Mr. SMITH of Virginia. The rule states that there shall be one motion to recommit, with or without instructions; and it further provides for 6 hours of general debate.

The concluding paragraph of the rule provides that after all this is done, the resulting action of the House, is transferred to the bill S. 1555, which is the Senate bill, so that the action of the House will go out under the number of the Senate bill in order that the bill may go to conference and the rule provides for the appointment of conferees.

Mr. HOFFMAN of Michigan. Mr. Speaker, will be gentleman yield?

Mr. SMITH of Virginia. If I have any time remaining I yield.

Mr. HOFFMAN of Michigan. I understood, or I thought I understood, the gentleman to say that any substitute might be offered. May I offer as a substitute the bill I offered way back in 1937? Would it be germane under this rule?

Mr. SMITH of Virginia. If it is germane to the pending bill.

Mr. HOFFMAN of Michigan. It carries many of the same provisions.

Mr. SMITH of Virginia. The Parliamentarian will have to pass on that.

Mr. HOFFMAN of Michigan. The age of it would not stop it?

Mr. SMITH of Virginia. No; there is no limit on age.

RELIEF OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 354 for the relief of certain aliens, and concur in the amendment of the Senate, with an amendment.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendment, as follows:

Page 3, line 4, after "Wong" insert ", Sirijo Tanfara and Zee Yung Wong".

Page 3, line 10, strike out "one" and insert "three".

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WALTER moves that the House concur in the amendment of the Senate, with an amendment, as follows: In section 6 of the joint resolution, strike out the following: ", Sirijo Tanfara".

Strike out the last word "three" of section 6, and substitute in lieu thereof the word "two".

The motion was agreed to.

The Senate amendment, as amended, was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON ARMED SERVICES

Mr. KILDAY. Mr. Speaker, I ask unanimous consent that Subcommittee No. 2 of the Committee on Armed Services may have permission to sit during general debate next week.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. MACK of Illinois. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tonight to file a report on the bill H.R. 7985.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. BONNER. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may have until midnight tonight to file reports on the bills H.R. 6888 and 6815.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

FOREIGN SERVICE ACADEMY

Mr. RIEHLMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, in last Sunday's issue of This Week magazine a Member of Congress from the other body proposed that we establish an academy for the training of Foreign Service personnel in the ways of the cold war in much the same fashion as West Point, Annapolis, and the Air Force Academy prepare our officers for the hot war.

At present, a great many of our Foreign Service officers are inadequately

trained for their positions. The barriers of language and culture often prove insurmountable to our representatives in foreign lands. Lack of proper preparation for this most important task has resulted in the loss of both money and friends for the United States.

In contrast, the Russians have cultivated advanced and highly successful training techniques for their diplomatic corps. We must vastly improve our training program if we are to prevail in the cold war.

Without commenting further on the desirability of a Foreign Service Academy, I should like to point out to my colleagues that Syracuse University's Maxwell Graduate School of Citizenship and Public Affairs has long seen the need for a highly trained diplomatic corps and has taken successful steps to meet that need. Syracuse offers the Foreign Service aspirant an intensive and well-rounded course of training in languages, economics, geography, social customs, and training in diplomacy. Syracuse offers an extremely able and experienced staff. It is an acknowledged leader in preparation for foreign service.

I point out these attributes for two reasons. First, although our needs remain severe, there are schools that have made great strides toward meeting these needs. Second, if Congress ever decides to establish a Foreign Service Academy, an excellent case can be made for locating such an academy at Syracuse University.

ATOMIC ENERGY COMMISSION APPROPRIATION BILL, 1960

Mr. CANNON. Mr. Speaker, I call up the conference report on the bill (H.R. 8283) making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1960, and for other purposes, and I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 772)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8283) making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1960, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,389,114,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$262,500,000"; and the Senate agree to the same.

CLARENCE CANNON,
MICHAEL J. KIRWAN,
BEN F. JENSEN,
JOHN TABER,
Managers on the Part of the House.

CARL HAYDEN,
LISTER HILL,
ALLEN J. ELLENDER,
CLINTON P. ANDERSON,
HENRY C. DWORSHAK,
B. B. HICKENLOOPER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8283) making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1960, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Amendment No. 1—Operating expenses: Appropriates $2,389,114,000 instead of $2,374,114,000 as proposed by the House and $2,410,414,000 as proposed by the Senate. The amount agreed to is distributed as follows:

Raw materials	$738,000,000
Special nuclear materials	563,000,000
Weapons program	495,000,000
Reactor development	402,400,000
Physical research	148,000,000
Biology and medicine	49,000,000
Training, education and information	13,500,000
Civilian application of isotopes and nuclear explosives	12,000,000
Community	15,666,000
Program direction and administration	52,000,000
Security investigations	7,390,000
Other costs	5,673,000
Selected resources	50,000,000
Less revenue applied	−31,415,000
Transfer to National Science Foundation	2,000,000
Total obligations	2,522,214,000
Adjustment for unobligated balances	−$133,100,000
New appropriation	2,389,114,000

The reduction in the amount budgeted for the reactor development program, of $5,000,000, is to be allocated by the Agency.

In physical research, of the $5 million increase over the House allowance, $2,400,000 is for the Cambridge electron accelerator, $1,900,000 is for the Princeton-Penn accelerator, and $700,000 is for allocation to offsite contracts by the Agency.

Of the amount provided for civilian application of isotopes and nuclear explosives, $4 million is for isotope development work and $8 million is for peaceful uses of nuclear explosives.

Amendment No. 2: Provides for the transfer of $2,000,000 to the National Science Foundation, as proposed by the Senate, for research reactor grants.

Amendment No. 3—Plant acquisition and construction: Appropriates $262,500,000 instead of $255,000,000 as proposed by the House and $270,000,000 as proposed by the Senate. Of the amount provided, $3,000,000 is for design and advance procurement for an advanced reactor making use of superheat.

ALUMINUM PROCUREMENT

The House managers direct that procedures be implemented as rapidly as possible for drawing the aluminum requirements of the AEC from the Defense Production Act inventory administered by the General Services Administration.

CLARENCE CANNON,
MICHAEL J. KIRWAN,
BEN F. JENSEN,
JOHN TABER,
Managers on the Part of the House.

Mr. CANNON. Mr. Speaker, there was complete agreement on the part of the conferees on this bill. Because of the great importance of the subject considered, I am glad to say that the conference was very amicably conducted and that we have reached a decision that was generally agreeable to everybody.

The bill as finally agreed to totals $2,683,029,000, an increase over 1959 of $6,974,000 but is under the budget estimate for the current year by $35,686,000. As between the House and the Senate, it was $22.5 million more than the House bill and $28.8 million less than the Senate bill.

The Atomic Energy Commission estimates that it will use a total of 16,303,000 pounds of aluminum during the fiscal year 1960. As there is now in Government inventory six times the maximum defense stockpile objective, the House managers have directed that procedures be implemented as rapidly as possible for drawing the aluminum requirements of the AEC from the Defense Production Act inventory administered by the General Services Administration. Funds are available for reimbursing the Defense Production Act revolving fund for any aluminum so transferred.

We also fully support the efforts of the Commission to avoid unnecessary stockpiling of uranium by balancing acquisition of materials as nearly as possible with requirements. With the increasing supplies of uranium that are becoming available, it is only through strict control of purchase contract commitments that the Government can avoid the deplorable situation which has developed during the past several years in respect to many other strategic materials where Government inventories valued at over $4 billion have been acquired in excess of the maximum stockpile objectives.

Mr. Speaker, I now yield 2 minutes to the distinguished gentleman from North Carolina [Mr. DURHAM], Vice Chairman of the Joint Atomic Energy Committee, who, in my opinion, is as familiar with this subject as any man in the Congress or in the Nation.

Mr. DURHAM. Mr. Speaker, I want to thank the chairman of the conference committee, Mr. CANNON, for his kind remarks here on the floor in my behalf.

Also, I take this opportunity to congratulate the committee on the action taken in the conference. We are all aware of the complex and technical matters involved in the appropriated funds for the Atomic Energy Commission program. The Appropriations Committee has, in my opinion, through the years realized the importance of providing the necessary funds, and the appropriations have grown immensely over the years, as is shown in the conference report, due

primarily to two things: The development of weapons for the security of our country and also of the free world. You will notice from the report that more than two-thirds of the funds provided are for this purpose, and also many other related items, such as physical research, contribute to the weapons program.

The second cause of increased appropriations is that we are trying—and the committee has recognized this—to go forward with the development of other programs for peaceful purposes in trying to place them in our economic life for the benefit of humanity and the welfare not only of our own country but of other countries as well.

I am somewhat concerned about the physical research program, and I think we should take a very good look at this in the future. Involved now in this program are 100 or more universities whose contribution can be a major item not only for defense purposes but for peaceful purposes as well, such as biology and medicine and many other related fields. I hope that we may not in any way curtail this program, and I feel that the committee is conscious of the contribution that can be made in the field of research by the institutions throughout this country.

As I have said before, the major portion of these funds goes directly into the development of weapons, and necessarily so in my opinion under present world conditions. I am sure we are all aware of the necessity at the present time. Over the past several years the Appropriations Committee and the Joint Committee on Atomic Energy, working together, have authorized and appropriated funds for security interests. The chairman of this committee, Mr. CANNON, along with Mr. TABER, Mr. JENSEN, and Mr. KIRWAN, and others, has had long experience and has recognized the importance of having available atomic weapons. Certainly all of us hope and pray for the day when we can devote our time and our funds to programs for peaceful purposes. This conference report which is here before you today is for the security of the free world. Today we have in the White House as Commander in Chief a great soldier, one who understands and can appreciate what strength means, if needed. This act, and former acts of Congress, will provide him with strength which in my opinion will enable him to negotiate with confidence. Mr. Khrushchev is coming to this country to negotiate serious problems and this measure before you here today will give the President the backing of the Congress that we intend in no way to compromise our position, that we intend to remain a free people, and that in no way will we subject ourselves to an ideology that is completely alien to our beliefs and to our national heritage.

I have no time for politics when it comes to a matter of the security of our way of American life, and I believe this applies not only to the members of this great committee but also to the Congress as a whole.

I want to supply the Commander in Chief with whatever is necessary to carry out by negotiations or any other action and achieve what I am sure he believes in—a free people. I believe in negotiations at all levels, but I do not believe in compromise to appease individuals who are trying to foist upon the world an ideology that is completely repugnant to all free people.

I believe this conference report will carry out the determination of the Congress and the country to show to the world that we expect to remain in a strong position.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, I want to say that this conference report comes back to the House with the unanimous approval of the minority members of the committee. Also I think it is right and proper to say that at least I, and I think the majority of the members of the Atomic Energy Appropriation Subcommittee, are quite proud of the progress that has been made in the field of atomic power for military purposes and especially for peacetime purposes. It is quite interesting to note all of the great advances and the new scientific methods which the Atomic Energy Commission has been successful in developing for peacetime purposes. It will all tend toward great benefits for America.

In addition to the amount in this bill, $2,683,029,000, there is the reappropriation of $133,100,000 and prior unobligated balances of $152,216,000 which will be available to the Atomic Energy Commission for expenditure during the fiscal year 1960, making a total fund available in 1960 of $2,968,345,000. I am sure that this amount of money will permit the Atomic Energy Commission to go forward with all of their responsibilities that they have for military purposes and for peacetime purposes which, after all, are enormous and of great moment and of great value to America.

Mr. PRICE. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, before final action is taken on the AEC appropriation bill as it has emerged from conference, I would like to express the concern which my colleagues and I on the Joint Committee on Atomic Energy feel over the decision to cut back operating funds for the AEC physical research program, particularly as it applies to research work going on in our universities.

The amount of the cut, some $5 million from the figure requested, is not a large item when it is compared to the total $2½ billion in the bill. Yet this reduction will have the most serious repercussions for existing research projects in our universities, especially in the fields of chemistry and metallurgy. The net effect of this reduction will be that a number of these existing research projects, which are vital to the future success of our atomic energy program, will have to be cut back severely and in some cases eliminated. This is not economy. It is, rather, a dead loss to the Nation of invaluable scientific resources.

It is true that a substantial increase in operating funds was requested over last year for the AEC physical research program. But the essential point which seems to have been misunderstood is that the great bulk of this increase must be applied to fixed costs of operating the high energy accelerators which have been provided for in previous years.

I share the view of my colleagues here and in the other body regarding the importance of our high energy physics program and the need for giving our scientists the kind of expensive research tools they need to compete effectively with the Soviet Union. At the same time, we must face up to the fact that these large accelerators are going to require increasingly large operating costs annually, which are in a sense mortgages against the rest of the physical research program.

A graphic illustration of this trend is found in the table printed on page 262 of the House Appropriations Committee hearings on the AEC appropriation bill. For example, a total of $8.6 million must be spent to cover operating costs of the Argonne, Brookhaven, Cambridge, and Princeton accelerators; $2.2 million is to be spent on design studies associated with new accelerators; $1.7 million is earmarked for increased utilization of existing accelerators; and $900,000 is to be spent on the purchase of two generators for Van De Graaff accelerators. The swell balance of $1.8 million goes for isotope and computer research and for special projects.

It is clear on the face of it that unless the overall total of operating funds allows for these large increases in operating costs of accelerators, the other important areas of chemistry and metallurgy will inevitably be starved for funds and the research program will become seriously unbalanced, reducing its overall effectiveness. Moreover, failure to provide adequate overall funds for the physical research program will mean that our large existing investment in scientists and equipment will not produce maximum returns and that we will actually be wasting costly scientific resources.

Perhaps the most unfortunate feature of the $5 million cut in operating funds for the physical research program is the fact that it is to be applied against the off site, or university, part of the program. If cuts are to be made, this is undoubtedly one of the worst places to apply them because of the critical role which our universities are playing in pioneering the frontiers of scientific research. There are other areas in the program which are far less critical and which could at least help to absorb the reduction.

It seems to me, Mr. Speaker, that the least we can do in this situation is to give the AEC sufficient flexibility to apply any free unobligated balances which accrue during the coming year to the off site, or university program. In this way at least

some of the damage that has been done can be repaired.

Mr. VAN ZANDT. Mr. Speaker, I hope that the cuts made in the AEC appropriations bill will not adversely affect the atomic energy program. I do not wish to oppose the conference report, but I do wish to say that I am concerned about the cuts in the physical research, and the training and educational programs. I hope that the Commission will be able to make savings in other parts of its budget in order that our important basic research program will receive the necessary funds to keep us exploring the frontiers and looking for new ideas and new ways to develop the atom.

The Subcommittee on Research and Development of the Joint Committee, under the chairmanship of my colleague, MEL PRICE, held hearings on the AEC basic research program 2 years ago, and have followed it closely ever since. We appreciate the importance of this program and we hope that the Commission will be able to adjust its budget and use any savings that may be made in order to keep the basic research program moving ahead.

Mr. CANNON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight tomorrow night to file certain reports. The committee is meeting now. I am unable to state what bills will be reported out, and I ask unanimous consent that I may extend my remarks to include a statement of the bills that will be reported out.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I am glad to yield.

Mr. GROSS. Would one of those bills be the stadium bill, by any chance?

Mr. McCORMACK. I have no knowledge of that. All I know is that they are meeting now. Of course, we know that the gentleman made a point of order on the bill and the bill went back to the committee. But I am unable to answer the gentleman's question at this moment.

The SPEAKER. Without objection, the unanimous consent requests of the gentleman from Massachusetts are agreed to.

There was no objection.

Mr. McCORMACK. Mr. Speaker, the bills reported out by the Committee on the District of Columbia, and which will be considered on Monday, are as follows:

H.R. 8392, with reference to parking areas, District of Columbia Stadium.

H.R. 8225, a bill to amend the Uniform Narcotic Drug Act.

H.R. 8527, a bill to exempt certain pension and other trusts.

S. 1371, with respect to fees, death certificates.

S. 746, with regard to parental rights, child placing agencies.

H.R. 6585, a bill to amend the Teachers' Salary Act of 1955.

Senate Joint Resolution 52, which is a resolution providing for the study of heliports.

UNITED SPANISH WAR VETERANS

Mr. O'HARA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it has long been the policy of local governments of our country to exempt from taxation the headquarters of veteran organizations used solely for the patriotic purposes of such organizations. This has been consistent with the policy to exempt churches. I doubt if anyone would question the soundness of this policy.

Special acts of Congress from time to time have exempted from real estate taxation the properties in the District of Columbia, not used for commercial purposes, of the American Legion, the Amvets, the Disabled American Veterans, the Jewish War Veterans and the Veterans of Foreign Wars. Congress also has voted tax exemption to the Daughters of the American Revolution, the Sons of the American Revolution, the Society of the U.S. Daughters of 1812, and the Society of the Cincinnati.

The oldest veteran organization in the Nation still functioning, the United Spanish War Veterans, never asked for the exemption. When money was coming in the USWV, in the idealistic spirit of '98, took pride in paying its taxes the same as anyone else.

The average age of its members now is 82. Its membership is dropping like leaves in November. Dues that come in are scant, scarcely sufficient to keep ends together, none to provide any retirement to the three faithful woman workers who have given 30 and more years of their lives in the service of the organization.

So this year the USWV has come to the Congress asking what doubtless long ago would have been its for the asking, in conformance with the policy toward other veteran organizations.

It owns the small property on which its national headquarters is located. S. 1921, passed by the other body July 6, 1959, grants a tax exemption on this property. The amount involved is slightly over $600. This $600, small though it is, is almost the difference between life and death with the oldest functioning veteran organization in our country, a gallant little band struggling to keep going on when the average age of its members is 82 but determination and pluck and patriotism still are running high.

I respectfully suggest to the District Committee that S. 1921 is in a different classification than other tax exemption measures. Its enactment would set no precedent, rather it would conform to the long-established policy of the Congress and of local governments throughout the country.

I earnestly urge favorable action by the committee and the House.

FRANK HOLEMAN OF THE WASHINGTON BUREAU OF THE NEW YORK DAILY NEWS

Mr. RAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RAY. Mr. Speaker, Frank Holeman of the Washington bureau of the New York Daily News is one of the correspondents who accompanied Vice President NIXON on his recent trip to Russia. He has proved that he is a well-informed and careful observer and a thoughtful and precise commentator.

In this morning's edition of the News, he presents a clear, concise, and vigorous statement of his impressions and convictions resulting from the Vice President's trip and experiences. I am glad to present it in the RECORD and hope that it will be widely read and carefully considered.

REPORTER FINDS RED MIGHT REAL

(By Frank Holeman)

WASHINGTON, August 5.—We waved goodby to a lot of friendly people in Warsaw, Poland, this morning on the way to the airport with Vice President NIXON. They laughed and clapped and some threw bunches of carnations and gladioli.

Here and there along the way, though, you'd see a man or a woman wave, smile, then suddenly turn sad. I saw one man wiping his eyes after we passed.

There was really something pathetic about the whole episode. In 12 hours, with our big jet transport planes, we would be in a different world, the free world. The poor Poles would still be right there in the Communist world, which many obviously detest.

We learned a lot of new things about that Communist world in our 2 weeks with NIXON. It may not sound like a long time to you, but 2 weeks behind the Iron Curtain can be a lifetime.

The Russians gave us the most extensive tour of their country any big group of westerners has ever had. Granted that we saw only the cities and factories they selected, we still saw more than anybody else.

Impressions differ, of course. Here are the very strong convictions I brought back:

1. We have badly underestimated Russia, particularly its vigorous economic growth.

2. Prime Minister Khrushchev is so cocky over Russia's recent achievements and potential expansion that he underestimates us, too. That's the real reason for his being invited to the United States.

3. President Eisenhower was dead right when he said we can lose the struggle between free enterprise and a managed economy—and thus lose our freedom—unless all groups in the United States begin to exercise a lot of self-discipline.

PRIDE, ENTHUSIASM WANTED

4. Worse than that, we can lose the economic and political hold if we keep raising prices. We can become a second-class power

while we're gaily paying each other higher prices and wages unrelated to the real cost of production. In a few years, the Communists will be flooding world markets at rock-bottom prices, or below.

5. As much as anything else, we need to reawaken our deep national pride, which seems to sleep between wars. Many Russians have enthusiasm for their way of life, believe it or not. All over the country are signs, "Work for the victory of communism." We need the same kind of enthusiasm, or more, for freedom.

6. Make no mistake about it, it would be better to die in an all-out atomic war than to live the way the Russians do, in a police state ruled by men instead of laws. Patrick Henry was right when he said: "Give me liberty or give me death."

I know this sounds grim and gloomy, but the time has come to face the hard facts. The margin of superiority we have over the Russians is narrowing so fast we can't afford to scoff at them any longer. They are on our heels and closing fast.

WORLD RULE OF LAW: THE TIME HAS COME

Mr. PORTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, the attainment of an honorable and stable peace is not a partisan issue. It is a goal man has sought for ages but never with such urgency as now. This explains why I, a Democrat am inserting into the body of the RECORD, following these remarks, under unanimous consent previously granted, a speech by Arthur Larson, a Republican.

Arthur Larson is no ordinary Republican. Some of his credentials: Former dean of Pittsburgh Law School, former head of the U.S. Information Agency, former Under Secretary of Labor, former speechwriter for President Eisenhower, author of the modern Republican's guidebook, "A Republican Looks at His Party," and presently director of the Duke University World Rule of Law Center and special consultant to the President.

Mr. Larson is the President's special adviser in matters having to do with attaining world peace through rule of law.

I met him for the first time last month in North Carolina. His address concerning world rule of law at the World Affairs Institute deeply impressed me as being the right mixture of the practical and the idealistic. No world rule of law will be advanced very far by anyone who is starry-eyed, fuzzy-minded, or weak-hearted. Mr. Larson is none of these. Read the remarks below and judge for yourself.

If any member wants to meet Arthur Larson and talk with him informally, he has but to see that Senator CLARK's office is notified of his intention to attend a breakfast in the family dining room on the Senate side Tuesday, 8 a.m., August 11. Mr. Larson will be there then to meet informally with the organizing Committee of Members of Congress for World Peace Through Rule of Law.

Senator CLARK was elected Secretary of the group at its first meeting July 15.

Here is the text of Arthur Larson's remarkable speech on the occasion of the second annual Law Day observances of Howard Law School, May 1, 1959:

WORLD RULE OF LAW: THE TIME HAS COME

Once in a great while we observe a phenomenon in the world of ideas which reminds us of what happens when the critical mass is achieved in an atomic reactor. An idea, which for many years has been gathering strength because of the efforts of a few lonely prophets, suddenly fires the imaginations of hundreds of thinkers and leaders at the same time. A sort of chain reaction sets in, and almost at once a tremendous amount of energy is released.

Something like this has happened to the idea that the rule of law must be achieved in relations between sovereign states. For many years pioneers in legal thought have been telling us that we must create a system of law between nations comparable to that between individuals—and this audience does not need to be reminded that an unusually large proportion of these pioneers were here at Harvard, including such men as Manley Hudson and Dean Roscoe Pound.

But in the last couple of years, this smoldering idea has begun to burst into flame all over the world. The London meeting of the American Bar Association had a great deal to do with this, what with speeches stressing this theme by such people as the then Attorney General, Herbert Brownell, Winston Churchill, Harold Macmillan, and many others.

Perhaps the best way to sum up and highlight the activity in this area is simply to recall the major speeches given by outstanding lawyers, publicists, and governmental leaders in the last couple of years. The very names of the speeches and articles, and the names of the people who gave them, are an index of the vigor of this movement.

I would begin with the address of Dean Roscoe Pound in 1957: "Toward a Law of the World." I would then add, as only a partial list, the following: Henry R. Luce, "Our Great Hope: Peace Is the Work of Justice"; Judge John J. Parker, "We Must Go Forward: Law in the World Community"; Charles S. Rhyne, president of the American Bar Association last year and tireless champion of this idea, "World Peace Through Law"; Dean Erwin N. Griswold, "Law and Peace"; Thomas E. Dewey, "A Sacred Goal: Peace Under Law." Then, in the last few months, at the highest governmental level we've had the following: William P. Rogers, Attorney General of the United States, "International Order Under Law"; John Foster Dulles, then Secretary of State, "Peace Through Law"; and most recently, Vice President RICHARD M. NIXON's "The Rule of Law." President Eisenhower has repeatedly spoken on this theme, notably in his Law Day statement last year, and in his 1959 state of the Union message in which he said he was going to redouble his efforts in this direction and send forward specific proposals including reexamination of our relations with the International Court.

In view of all this, it seems to me we are entitled to recall the words of Victor Hugo:

"An idea whose time has come is more powerful than any army."

What is the explanation of this phenomenon?

I would suggest that, in considerable measure, it is this: In the past the greatest mistake we have made in our struggle for peace is to go at the matter too negatively. We have concentrated on getting rid of war, getting rid of tensions, and getting rid of armaments.

But you cannot just get rid of them and leave a vacuum. You will succeed in getting rid of them only to the extent that you put something else in their place. What is that something? In the human story, it has always been law.

The concept of rule of law as a step toward peace has thus provided a positive idea around which we can rally the imaginations and hopes of people everywhere. Law is something everyone understands and practically everybody respects. Law is a concept that has not been spoiled by word distortion, as have such words as "peace" and "democracy." Law is everywhere known to be the familiar, the normal—indeed the only—alternative to force in society.

But an idea, no matter how powerful and how widely acclaimed, cannot exert its force by merely floating about disembodied in some intellectual sky. An idea can be more powerful than an Army only because it takes hold of the minds of men and impels them to action.

If there are any people here today who are wondering whether this movement is a matter of nothing but fine words and speeches, I want to make it emphatically clear that this is not the case. The entire movement has proceeded into what might be called the action phase.

A friend of mine who has been phenomenally successful in business gave me his formula for success the other day. It is this: "Apply pressure simultaneously at all key points." This is what is happening now. Pressure is being applied simultaneously at three major points: The bar association front; the governmental front; and the university and research front.

I realize that there have been in the past isolated and sometimes valiant efforts launched on one or another of these fronts. Progress has been fragmentary and disappointments have been many. But it seems to me that the reason we have some cause to hope for success now where there have been so many setbacks before is that for the first time pressure is being applied simultaneously at all key points.

On the bar association front, a special committee headed by Thomas E. Dewey made a report last year recommending a number of action items for consideration. Now another special action committee on world peace through law, headed by Charles Rhyne, has set out to launch an action program. We have just concluded the holding of five regional meetings of leading lawyers throughout the country. Several meetings in different parts of the world are being scheduled now. All these efforts are looking toward a great international conference of lawyers on world peace through law which will probably take place in 1961. The committee has engaged Mr. Edgar Turlington, one of the country's outstanding international lawyers, as its staff director, and thousands of lawyers and experts have already been consulted in the planning of these conferences. The preparation of materials is already in progress. At the international level, the International Bar Association in successive meetings has emphatically lent its support both to the basic idea and to the procedures being adopted.

On the governmental front, the President last fall appointed a Special Consultant on Rule of Law between nations, and an action program is now in preparation. On one of the key governmental action items, stressed recently by the President, Vice President, Secretary of State, and Attorney General, Senator HUMPHREY has introduced a resolution in the Senate to enlarge our acceptance of International Court jurisdiction.

Today, however, I want to talk mostly about the third front, which is the responsibility of the universities and research centers. This is particularly fitting because I

am speaking in a university whose leadership in this field both in the past and in the present is well known.

There may be skeptics who wonder whether, in a world of tension and power politics, there is any significant role for the kind of work that can be done from the vantage point of the university. I want to say emphatically right at the outset that of all the public causes I have encountered, I know of none in which success is so heavily dependent on planned, systematic, and purposeful research as it is in this area of striving for world legal order.

To indicate why this is so, let us begin by asking an elementary question: What is the total job to be done if we are to have a world legal system worthy of the name? What are the normal ingredients of a working system of law for the settlement of disputes? It seems to me that there are four: A body of law to apply; machinery to apply the law; acceptance of that law and that machinery by the persons affected; and compliance with the decisions after they are rendered.

1. THE BODY OF WORLD LAW

One of the first things you run up against is a persistent tendency of some cynics to deny that there even is such a thing as real law governing international affairs. There is an inclination to think of international law as something remote and mysterious practiced by a few shadowy persons according to unknowable rituals. It is difficult to think of international law as being as real as the traffic laws that govern when you drive your automobile. And yet, a moment's reflection would show that there must be traffic laws to govern the operations of ships upon the high seas and to tell them whether they should keep to the right or to the left. The true fact is that international law, including the administrative activities of a number of international agencies, is ordering the everyday activities of governments, corporations, and individuals in a thousand ways, large and small.

One of the main troubles with the rules of international law is not so much that they do not exist as that they are so widely scattered and so inaccessible and incompletely analyzed that the totality of international law on a particular point cannot be readily and convincingly demonstrated in the same way that a demonstration of domestic law can be made by anyone with access to a reasonably good library. International law is a mosaic whose patterns must be pieced together out of thousands of evidences of international custom, diplomatic usage, judicial and arbitral decisions, treaties, municipal decisions, writings of publicists, diplomatic correspondence, and so on.

If we aspire to have a system of world law at all comparable with domestic law, plainly one of the first requisites is to have a reasonably complete and ongoing set of materials of international law including reports, digests, indexes and commentaries. Efforts in this direction have been made from time to time in the past, some of the most notable right here at Harvard. The story has frequently ended in frustration, or at best in only fragmentary achievement.

Moore's International Adjudications survived for only seven volumes. De la Pardelle's "Recueil General Periodique" lasted 5 years. Smith's "Great Britain and the Laws of the Nations" went only to two volumes. In the literature of international law one encounters everywhere the same emphatic refrain: the system desperately needs a regular reporting and digest system which is not dependent on the life or inspiration of a single individual. Ten years ago, in 1949, the International Law Commmission of the United Nations published a report emphatically documenting this need, but 10 years have passed and the all-out effort has still not been made. Here then is a piece of work that could challenge the best talents and energies not only of the universities and foundations, but also of international and national organizations, in a great cooperative effort to achieve this first essential of a world legal system.

It is a highly attractive analogy to say, as Wilfred Jenks does in his remarkable recent book entitled "The Common Law of Mankind," that we are now standing at a stage in the evolution of a common law between nations comparable to the early stages of the common law in England. However, if this analogy is to work itself out, we must remember one thing: the very nature of a common law system presupposes that decisions as they unfold are known and accessible.

For these reasons we are driven to recognize a fact which is both startling and challenging; this is a case in which research can not only illuminate but may indeed actually create a system of law.

There is a second, and if anything more exciting, new way in which research can actually have the effect of creating a system of law.

In the statutes of the International Court of Justice there is listed as one of the major sources of international law to be applied by the Court, "the general principles of law recognized by civilized nations."

This phrase, if it means what it says, seems to indicate that if there can be found a common thread of principle running through the internal legal principles of the world's different legal systems, these essentially internal principles become raised to the status of international law. If this is so, the range and richness of available international law principle reaches an entirely new dimension. This potential storehouse of international law, which for various reasons has seemed to be neglected in the past, may be able to provide solutions for some of the mosts stubborn legal problems of the past.

For example, it is frequently said that, in our nationalistic age, the chief roadblock to world law is the notion that every national sovereign has a right to insist that he is not under the law but is the source of law. However, an examination of the world's major legal systems seems to indicate that the general principle recognized by the traditional jurisprudence of most civilized nations is that the sovereign of any particular state is not above the law. This is not surprising when it is remembered that most great legal systems have their roots in some kind of religious tradition so that, for example, no petty temporal ruler could claim to be above the law of Islam or above the Hindu law or above the Jewish law.

Many other examples could be given of how essentially internal legal principles, if they could be transposed to the international scene, might bring fresh aid to the solution of some very troublesome problems. Defining aggression, for example, is one of our most difficult and frustrating problems. Perhaps the key here might be the widespread legal principle that there are limitations on an individual's right of self-defense. Aggressors almost invariably allege that they were acting in self-defense. When they do so, perhaps we could accept this for the sake of argument and then point out that in their own legal system the amount of force used in self-defense must be proportioned to the real or threatened harm. This would immediately expose the illegality of some of the violent suppressions that have been undertaken in the name of self-defense.

Similarly, internal principles on the sanctity of contracts and the broad rules by which they are interpreted and discharged, can serve to strengthen and clarify the status and interpretation of international treaties, a problem which now causes constant tension and recrimination.

The peculiar virtue of building the common law of nations upon the internal principles recognized by countries around the world lies in the fact that the principles so arrived at are not imposed from the outside but spring from the indigenous soil of the very countries whose acceptance of world legal order is most vital. One of the greatest stumbling blocks to a world legal system lies in the fact that dozens of the newer countries of the world are inclined to view 19th-century international law as the private preserve of Western and colonial powers. However, a world common law based upon the common elements of Islamic, Hindu, Chinese, Japanese, African, Latin American, and Soviet law, as well as common and civil law, would have a much better chance of claiming the support of the countries whose legal traditions have their roots in these systems.

As one small example of an attempt to apply these techniques to a specific legal problem, I might mention a pilot project we have started at the Duke center on illegal propaganda.

A couple of years ago I had a long talk with the late Premier of Iraq, Nuri es Said. Nuri was asking for equipment to jam Radio Cairo, although he knew that we on principle did not support jamming. He was very impatient with such scruples, and to make his point he told me that not long ago Radio Cairo had broadcast a completely false report that Nuri had murdered four Moslem holy men right in the holy mosque. Needless to say, severe rioting and bloodshed were the result.

We have also heard of demands by foreign radio that people murder their own king. Incitement to revolution, false stories designed to stir up hatred and bloodshed—these are not uncommon occurrences on the international scene.

Now, is the law to stand helpless before this kind of thing? If a country lobbed its explosive shells across the border with intent to kill, we instantly brand the act illegal. Is it any less illegal to send electronic impulses across the border with intent to kill?

In searching for an answer, we are looking, not only into all possible rules and analogies in international law, but also into the internal legal principles of four of the world's major systems, with the aid of experts in each system, to see what we can find on their own rules as to the causing of injury by words, the illegality of incitement to violence, and the like.

Many other specific research projects of this kind could be listed, some of them already in progress here at Harvard or at other places. One of these topics is of such unusual importance that it deserves special mention. That is the subject of the legal framework for international investment. We know that orderly economic progress in the newly developing countries would greatly increase the prospects of peace. We know that this progress is severely impeded by lack of capital. We also know that the principal reason for this obstruction to the flow of capital is both fear and ignorance on the part of investors of what their legal position will be, as to possible expropriation, taxation, harassment, and the like. Here there is a tremendous part for research to play. Essentially there are two jobs to be done. The first is the facilitation of investment. Many investors now become so discouraged by the sheer difficulty of finding out what the laws and regulations of problems of some distant country might be that they simply throw up their hands and decide to keep their money closer to home. The second problem is protection of investment. Here the big job is to work out some formula for the reasonable safeguarding of the rights

both of investors and of the recipient countries—an arrangement which will at the same time give investors the assurance they need and also respect the pride and national interests of the receiving country.

If these problems could be solved, there could be released a veritable Niagara of private capital, and the contribution toward increased standard of living, stability, and peace in the world would be immeasurable.

A few weeks ago I had a long talk with Prof. Julius Stone, who is no stranger to this law school. He pointed out that one of the reasons, lurking somewhere beneath the surface, which has made the countries of Asia and Africa hold back from accepting international court jurisdiction and international law generally is the unspoken feeling of these countries that one of these days they may want to have the necessary leeway to take unilateral action in respect to foreign investments and other relations with the older countries which they are afraid would not stand up in court.

This perceptive analysis poses a problem which is subtle but not insurmountable. It seems to me that the plain answer is to convince the leaders of these countries that, while the right to have a free hand in respect to the relatively small amount of existing investment might seem to be in their self-interest, this is as nothing compared with the potential future investment and prosperity which will come their way if they accept a genuine framework of reliable law. The entire history of the commercial and business prosperity of the Western World from earliest times is one long eloquent testimonial to the fact that maximum commercial and industrial growth only comes about when there exists at its base a firm foundation of law.

Asian and African leaders have often said to me: "We want change; the law preserves the status quo."

This fallacy is, of course, the result of a habit of assuming that change is brought about primarily by government action. Again, the story of the modern world, from the time of the Romans to the present, demonstrates that real change comes about when a dependable legal framework exists within which great economic and social forces can work out change in their own way. Thus, a single rule of law, the sanctity of contracts, has led to more explosive and expansive change than all the governmental appropriations and expropriations that have ever occurred in history.

Many other topics could be mentioned which are of particular interest and value in supporting peace in the world: The law of international waters, the law of the sea, air law, space law, law of atomic energy, laws of the Antarctic, and such topics as the responsibility of States for illegal harm and other studies of the kind now taking place under the Harvard study being done for the International Law Commission.

One thing is clear: There is plenty of work for everyone.

2. THE MACHINERY OF INTERNATIONAL JUSTICE

The second requisite of a world legal system is the organizational structure to administer it.

The principal international court is now the International Court of Justice at The Hague, which is an arm of the United Nations. This court has a magnificent setting in the beautiful Peace Palace. It has 15 distinguished jurists, including some of the world's leading international lawyers. Indeed, it has practically everything except business. Due to the failure of member nations to use the court, it has decided less than one case per year since it was founded.

Obviously something is wrong. One of the things that appears to be wrong, and one of the things that research can play a great part in correcting, is the actual structure and procedures of our international court system.

With only one international court in the world, it is as if, on the domestic scene, we had to go to the Supreme Court in Washington for every negligence suit and will contest. One of the most fruitful projects for research, then, must be the study of the optimum form of organization of international tribunals. A wealth of ideas has already been put forward on possibilities for improvement, many of which may be found in Clark and Sohn's monumental work, entitled "World Peace Through World Law." Perhaps we should have a series of related regional courts around the world easily accessible to every country. Perhaps the International Court and the regional court should ride circuits so as to increase their availability even more. Perhaps a procedure should be worked out in which the International Court of Justice becomes a court of appeal on international law questions from the domestic courts of various countries. It has been suggested that clerks of the Court might have permanent offices around the world to make it easy to initiate a case. A branch of the Court sitting in New York to give advisory opinions to the U.N. has also been suggested.

At the same time, measures to improve the quality and independence of the courts might be studied.

As matters now stand, the International Court can hear disputes only between nations. Should this be changed to permit individuals and corporations to appear as parties? Should a new set of tribunals be created in the form of regional claims courts subordinate to the International Court, in which individuals and private corporations can sue and be sued?

One of the brightest spots in this picture is the success of the Court of Justice created to dispose of disputes arising within the European Community framework. Perhaps an extension of this pattern should be considered, with special courts assigned to particular tasks or areas of subject matter.

Now, we all recognize that, while law will solve many of the world's tension-producing problems, it will not solve them all. Some disputes remain nonlegal and political. To illustrate the difference, one might look at the current Berlin crisis. The question whether the Soviet Union has the right unilaterally to disclaim certain obligations under the Four Power Treaty is a legal question of the clearest sort. The statute of the International Court of Justice specifically lists as one of the major areas of its jurisdiction the question of existence of a fact which if proved would establish the breach of an international obligation. On the other hand, the question of the entire future of Berlin and the entire future of Germany is a diplomatic and political question which must be worked out by negotiation. However, it does not follow that, merely because some questions are nonlegal and political, there is no alternative but force and power politics.

There is also the possibility of mediation and arbitration techniques. Perhaps we should perfect a permanent Mediation Commission, and a permanent Court of Arbitration. In addition, ad hoc commissions of all kinds are a promising development. We are beginning to learn that an agreement is about as good as the machinery for its administration. A well-known example is the Canadian-American Joint Commission which deals with all kinds of problems arising out of our common boundary with Canada.

With this variety of tribunals, there would scarcely be any kind of dispute, large or small, that could not be dealt with by peaceful means.

3. ACCEPTANCE OF WORLD LAW

Now, say we have a workable body of substantive world law, and say we have a working system of tribunals—what good are they if nobody will use them?

This brings us to our third requisite: acceptance of world law.

Of the 82 nations that are members of the United Nations, 51 have not yet accepted the compulsory jurisdiction of that Court under any circumstances. Of the remaining 31, 14, including the United States, Britain, and France, have qualified their acceptance by severe reservations.

The reservation interposed by the United States consists of a statement that the International Court is not to have jurisdiction over any essentially domestic matter—which is all right as far as it goes—but the reservation goes on to say that we ourselves will be the sole judge of what is domestic and what is international. Our example has led several other countries to interpose a similar reservation.

There is every indication that a reconsideration of this reservation will become a lively issue in the period just ahead. The President, the Vice President, the Secretary of State, and the Attorney General have all called for a reexamination of our position. Senator HUMPHREY has introduced a resolution to repeal the reservation. It is therefore of the highest importance that the central facts on which the discussion rests should be crystal clear.

The most important fact is this: the question is not whether the United States should yield up jurisdiction over some portion of its domestic affairs, such as tariffs or immigration, as is so often alleged. The question is simply whether the International Court shall have the right to decide what is international, or whether the United States as one of the parties to a controversy will continue to insist on the right to make that determination for itself.

It is as if I were arrested for driving on the wrong side of the street and then turned up in court and said: "I was not in the public street. I was in my own driveway. I have just decided this fact and therefore hold that this court has no jurisdiction. Good day."

There is a valuable function for research performed in connection with this controversy, to show the background and facts surrounding the issues, to show what the effect has been on our interests because of the reciprocal right of other nations to invoke this clause against us, and to consider the specific jurisdictional areas that opponents of this change are most concerned about. When this reservation was first passed by the Senate, it was done to a considerable degree on a simple misconception of the facts and issues, and whatever the outcome, we must be very sure that this time the facts and the issues are clear.

4. COMPLIANCE WITH WORLD LAW

The fourth ingredient of world law is compliance with the decisions and awards of international tribunals once they are handed down.

Curiously enough, although this is the problem that most people seem to regard as the chief stumbling block, in actual fact it is probably the least worrisome of all.

I have heard it said on good authority that with the possible exception of Albania in the Corfu Channel case, there is no case in which a nation in modern times has deliberately flouted the decision of a duly constituted international tribunal once the decision was handed down. This fact, particularly, if it were thoroughly established by exhaustive research, would serve to put the primary emphasis where it belongs. It seems to indicate that the real problem is to get nations to constitute appropriate tribunals and submit their disputes to them, since when they have done so they are by that time so deeply committed that they could not, in the face of world opinion, try to back out of the resulting decision.

In addition, however, there is much important research to be done on the possibilities of enlisting diplomatic and economic pressures, world public opinion, strengthened enforcement powers of international organizations, and strengthened internal enforcement of international decrees, as means to insure compliance with valid decisions.

Internally, there is one important point of law that must sooner or later be cleared up by judicial action. This would be the clear recognition in an appropriate case by our own Supreme Court that, in international as distinguished from domestic affairs, world law takes precedence over national law when the two are in conflict. Our courts have never had occasion to go this far. Early in our history they seemed to be headed in that direction. Then we went through a period when the decisions seemed to point the other way. In the asmosphere of today's world, it would be a great step toward a genuine system of world law to have this principle of the ultimate ascendancy of world law established once and for all.

5. HOW PRACTICAL IS ALL THIS?

There remains the question: Is all this within the reaim of practical possibility? Will nations really accept a system of world law?

If we look back a little way in history, we shall find some reassuring evidences of the fact that nations can and sometimes do voluntarily subordinate their national interests to achieve international harmony under law.

In 1794 the Jay Treaty between England and the United States provided for the arbitration of certain issues arising at the end of the Revolutionary War, including the boundary between Maine and Nova Scotia. The arbitrations were successful and the results were accepted. In the hundred years that followed, a total of 177 disputes between nations were resolved by arbitration, and the United States was involved in 79 of them.

Do not suppose that these disputes were trivial or unemotional. We all recall the 1844 campaign slogan: "54.40 or fight." Violent emotional and political excitement was generated, as the slogan makes clear. Yet the dispute was settled peacefully by arbitration. We did not get "54.40," and we did not fight. We got "49."

Again, in the famous *Alabama* arbitration, Britain was required to pay, and did pay, $15,500,000 damages for the depredations of the vessel *Alabama*.

But, although many of us can conceive of a large part of the world placing its faith in law, the objection is certain to be raised that you cannot hope to bring the Communists within any such system.

Let us concede that, at the moment, the difficulties seem formidable. Still, let us see what we have to work with.

Recently Dean Rostow, of Yale, returning from an International Conference on Rule of Law in Warsaw, reported that the speakers from Communist countries declared as strong a devotion to the rule of law as anyone—under a different name. They called it Socialist legality, and said that it must ultimately conform to the standards of what they called humanism.

And what are these standards? Protection of the civil rights of individuals. Derivation of legal authority only from the consent of the people. Subjection of the state itself to law. The correction of actions of administrators by independent judges.

In short, whether they knew it or not, these Communist spokesmen were giving voice to the deepest traditions of Western law, going back to Roman law and beyond. They were demonstrating the immensely significant fact that Marxism has produced no alternative to this Western tradition of rule of law.

Some will say that this is only lipservice. But it is important that the Communists think it necessary to pay lipservice to these ideas. There was a time when this was not so.

Wilde said that hypocrisy is the tribute vice pays to virtue. In the same way, perhaps Socialist legality is the tribute that communism pays to rule of law. With all its deficiencies, it is still something to build upon.

Now, if the greater part of the world joined in a system of world law, the pressure upon the Communists to go along would be terrific. Remember, one of the keys to Communist Russian psychology is the desperate desire of the Russians to belong—to prove that they too are a big, modern, cultured, civilized nation. They would be very unhappy about being exposed as an uncivilized, outlaw, backward nation when it comes to respect for law.

Of course, we cannot expect the Soviet Union to accept a full-blown system of world law overnight. But Vice President NIXON has made a concrete proposal which would be a very significant, reasonable first step. His proposal is that in all future treaties with the Soviet Union, including such agreements as might emerge from a summit conference, there be incorporated a clause which binds the parties to submit any disputes about interpretation of the agreement to the International Court of Justice, and to accept the results of the Court's decisions. When you consider that a very high proportion of our current difficulties with Russia arises out of the interpretation of such treaties as Potsdam and Yalta, and when you consider how unreasonable a country would appear to be if it refused to let an impartial tribunal resolve differences in the interpretation of an agreement voluntarily made, the practical potentialities of the plan become apparent.

As to Communist China, one can only say that the same difficulties exist here in even greater degree, that we can only hope that the same kind of pressures and the same kind of measures might ultimately also operate here.

Above all, when people raise questions about what Russia or China or some other country will do, I am constrained to come back to this theme: Before we complain too much about the difficulties to be expected from others, let us take a good, hard look at ourselves and put our own house in order.

Here are some of the things we, ourselves, can do.

We can reexamine our reservations to the jurisdiction of the International Court.

We can make a parallel reexamination of a similar reservation under the Bogotá Pact for settlement of the disputes among the American Republics.

We can press for inclusion of the Vice President's clause in all future agreements with Russia and with other countries.

Through executive discretion we can make greater use of the International Court, both in bringing and accepting claims, even within the present framework of our exception of jurisdiction.

We can reconsider our refusal to submit to private arbitration disputes to which the United States is a party.

We can consider the revision of our International Cooperation Administration policy, in which our nationals can insist on arbitration against other governments, but in which nationals of other countries have no corresponding right against our Government, on questions arising out of the economic aid program.

So far as our courts are concerned, a clear decision at an opportune time on the superiority of international law obligations to national legislation within the proper province of international law would be of great value.

In addition, we should take the lead in launching a number of big jobs of research and codification, reporting and digesting of international law material, encouraging codification of troublesome areas of international law through United Nations action, stimulating U.N. Charter revision to create an effective legal order, and in every other possible way helping to establish a world legal system which will command respect.

My friends, we have our work cut out for us right here at home. It is our move. Let us not try to evade our responsibilities by pointing to possible obstacles from abroad.

Remember, the obligation of leadership is ours. It is ours for two reasons. One is that we are the center of power of the free, law-respecting world. The other is that we have been blessed with the rich tradition of rule of law among free men.

Of course, we are going to try to set on foot similar movements in all the countries in the world, through such measures as the international conference of lawyers on world peace through law. But the leadership must come from us—and it must be a leadership of actions, not just words and ideas. There used to be a European wisecrack to the effect that the United States had given two things to the world: the League of Nations, and cocktails, and had then promptly denied itself the use of both. I hope this will never be said of the world rule of law.

The ordering of world affairs and the settlement of disputes through a world rule of law is something that must come, sooner or later. I believe that it is an idea whose time has come—right now.

If this appears to be expecting the impossible, let us remember that there is one force at work that has never existed before. The shadow of the hydrogen bomb is over us all. Perhaps the uncompromising necessity of finding an alternative to force will enable us to compress history and produce advances in international cooperation that normally would take many times as long.

Rousseau, in his book on education, "Emile," wrote:

"The best way to teach Emile not to lean out of the window is to let him fall out. Unfortunately, the defect of this system is that the pupil may not survive to profit by his experience."

The world has been learning about international relations for centuries by a process of periodically falling out of the window. The injuries have been serious, but never quite fatal. One more fall, however, will be our last. We must profit by our experiences of past international conflict, for we will not be given another chance.

I would like to close with a Brer Rabbit story on this theme of doing the seemingly impossible.

Uncle Remus was telling the little boy the story about the time Brer Rabbit climbed a tree. The little boy spoke up and said, "But Uncle Remus, you know that rabbits can't climb trees." Uncle Remus replied: "Yes, that's right, I know that rabbits can't climb trees. But Brer Fox was right behind Brer Rabbit, and Brer Rabbit just pleased to climb that tree."

In the same way, in the presence of appalling danger, we too can and must do the impossible and bring about that rule of law between nations which is the last, best hope of earth.

LABOR REFORM LEGISLATION

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to revise and extend

my remarks and include a newspaper story from the Chicago Tribune of this morning.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, this morning's—August 6—issue of the Chicago Daily Tribune, under the byline of William Moore, who has been doing an excellent job reporting the activities of the McClellan committee, carried an item, dated August 5, which stated:

James Hoffa was accused Wednesday of turning over the multimillion-dollar welfare insurance of his Teamsters Union to the Dorfman family to pay off a debt to the Chicago underworld and to the man the committee said introduced Hoffa to the underworld—Paul Dorfman.

The charge was made in a report to the Senate by the Senate Rackets Committee that said:

"There does not exist in the record of the committee a more shocking or flagrant story of betrayal of union members and their families than those involving the activities of James R. Hoffa and Allen Dorfman and the two giant Teamster Union health and welfare plans in the Midwest."

To convince the Members of the House and members of the public who may be interested that labor legislation has long been overdue, permit me most humbly to call attention to the fact that witnesses appearing before a subcommittee of the House Committee on Education and Labor, in November 1935—22 years and 10 months ago—called attention to the fact that the Dorfmans, through Hoffa's influence, had, on one policy costing $2½ million in premiums, netted Allen Dorfman $250,000 in commissions, and that the "take" as a whole was more than $2 million.

During those hearings held on November 25, 1953, Paul Dorfman, the father, took the fifth amendment 38 times, while on the 23d of November the son, Allen, took the fifth 61 times, on the same and similar issues.

If someone speculates why attention is now called to these old hearings, it may be said that the purpose is to show that the public has either been ignorant or indifferent to abuses or illegal practices by labor leaders, which they now demand be corrected, a remedy the Congress has long neglected.

As to the reason for the Congress' neglect, the hearer or the reader may draw his own conclusions. Was the Congress unaware of the need? Was it ignorant of the abuse? Or was Congress lacking in courage? To show that the Congress has been cognizant of the situation, reference need only be made to the CONGRESSIONAL RECORD of 1937, and to statements there made by me. Especially one on June 1, 1937.

That the Congress has also had opportunity to, by legislation, make it possible, by enforced legislation, to correct many of these illegalities, there is here cited H.R. 8539, introduced yesterday, and which is but a reintroduction of H.R. 6456 introduced by me on April 5 and again on April 15, 1937.

If question is raised as to why H.R. 6456 is now introduced, the answer is that it is my purpose to rebutt any presumption or statement that the Congress was not aware of what was transpiring.

That old, old bill, among other things, called for the legislation of labor organizations. It called for an application for permission to operate as a labor organization, or the filing of applications and agreement to comply with and enforce, as far as possible—

First. Compliance by its members with the provisions of the act and any amendment.

Second. Copies of its constitution, rules, regulations, and bylaws.

Third. An agreement to furnish the Secretary of Labor with copies of any amendments to such constitution, rules, regulations, or bylaws forthwith upon their adoption.

Fourth. The name of the organization, the names of officers, place of headquarters, and such other information as the Secretary of Labor may by rules and regulations require as being necessary or appropriate in the public interest or for the protection of the public.

Fifth. An agreement to furnish the Secretary of Labor with changes of officers or headquarters forthwith upon the happening of the event.

Sixth. An agreement to file with the Secretary of Labor annually a copy of the report of the auditors of the accounts of the applicant, which audit shall show the receipts and expenditures, duly itemized, showing the sources from which the receipts came and the person or persons to whom payments were made and also showing the balance on hand at the close of the fiscal year.

The bill also required that the constitution show how the organization was operated and that the constitution and rules should provide for an annual audit and report to the membership of the accounts of the labor organizations, that such audits should show the receipts and expenditures, duly itemized, showing the sources from which receipts came and the person or persons to whom payments were made, and the balance on hand.

Other provisions made it unlawful to take or hold possession of the property of an employer for the purpose of enforcing its demands.

The bill itself but covered 6½ pages.

Form your own opinion as to why that and similar bills introduced by me were ignored until recently.

In my humble judgment, the Congress is now acting because, and only because, of a public demand brought about by publicity given the present situation, by press, radio, TV, and the hearings of the McClellan and other congressional committees and letters for compliance with the requests made by the press that constituents write Members of Congress. That politicians and office-seekers have at long, long last finally heard and yielded to the demands for legislation needed in 1937 is further supported by the fact that the Senate passed a bill by a vote of 90 to 1, that the House has now reported out a bill, and the Committee on Rules has scheduled it for hearing next week.

True, the House Committee on Education and Labor wrote 10 reports on the Elliott bill, H.R. 8342, which it reported out by a vote of 16 to 14, and but 5 of the 16 explicitly approved that bill.

It appears to be evident now that the House, which has H.R. 8342 scheduled for debate next Tuesday, under an open rule will eventually report out labor legislation, and it is my hope that it will be effective legislation, and that neither office-seekers, professional politicians, nor lobbyists, will prevent the enactment of legislation needed to protect all whose interests are at stake.

The news story from the Chicago Tribune to which I referred reads as follows:

EIGHT MILLION COMMISSIONS

Principals in the report, who the committee said have received $3 million in commissions from the Teamsters in the last 8 years are:

Hoffa, who snapped "To hell with them" Tuesday when told of a section of the report that said he believed himself above the law, commented on the developments Wednesday:

"The committee's policy of releasing parts of its report each day in order to keep the pressure on for a union-busting labor bill is just as dishonest as the hearings themselves were.

MORE REPORTS COMING

"You can't dignify by an answer the rumors, hearsay, innuendo, and false witness, which are the tools of this committee.

"The McClellans and the Kennedys are trying to fool the American worker into accepting a law that will destroy both his union and his standard of living."

The committee filed with the Senate Tuesday a portion of the report dealing with Hoffa after some parts of it had been obtained by reporters. This portion was incorporated in the lengthy report filed Wednesday. Senator JOHN MCCLELLAN, Democrat, of Arkansas, committee chairman, said additional reports will be filed after they are approved by all members of the committee.

Paul Dorfman, named by the committee as an associate of Chicago gansters, including Tony Accardo of the Capone mob, and of Abraham Teitelbaum, former attorney for the Capones.

Allen Dorfman, Paul's son and coowner of the Union Insurance Agency of Illinois.

Mrs. Rose Dorfman, wife of Paul and mother of Allen, the other coowners of the agency, who the committee said shares her profits with her husband.

The committee said that of the wealth the Dorfmans drained from the welfare funds, $1,650,000 was in excess commissions.

HOFFA'S NAME THROUGHOUT

Both Paul and Allen Dorfman have refused to answer questions of the committee, headed by Senator JOHN MCCLELLAN, Democrat, of Arkansas, on the ground that an honest answer might tend to incriminate them.

The welfare funds concerned are those of the Central States, southeast, and southwest areas of the Teamsters, and the Michigan conference of Teamsters.

The two funds, the report said, have totaled $86 million in premiums, from which the Dorfmans have drawn $3 million in commissions.

"All through the investigation," the report said, "in the hundreds of documents assembled in the committee files on the Dorfman case and in the testimony, the name of James Hoffa appears again and again, as his influence is shown as an integral part of the Dorfman insurance operations."

BETRAYAL OF MEMBERS

Backing up its charges of betrayal of the union members, the committee said:

"Starting in April of 1952, Hoffa agreed to increases in premium rates for both of the Teamster funds. Concurrently, increases in commissions and service fees were paid to the Dorfmans.

"Around the same time, Hoffa also agreed to drastic cuts in benefits payable under the plans.

"Thus the captive Teamster members found themselves paying more for less insurance. Hospital benefits were first cut from $160 to $120, and obstetrical benefits cut from $75 to $50.

STILL GETS HIS CUT

"Then maximum surgery benefits were slashed from $300 to $200, with a corresponding one-third cut in all other surgical fees.

"It must be noted here that the added financial remuneration to the Dorfmans was over and above the commissions and fees which were already excessive."

The committee said Allen Dorfman's activities were so brazen that the State of New York revoked his insurance license in 1954.

"Yet through cunning subterfuge, combined with the friendship of Jimmy Hoffa," the committee said, "Allen Dorfman continues to draw his commissions and service fees on the Teamster business."

GOT SWEETHEART CONTRACTS

"Who is Paul Dorfman that Jimmy Hoffa should feel so obligated to him?" the report asked. "What manner of labor leader is this close friend of Jimmy Hoffa?"

Answering its own question, the committee said that Dorfman is an associate of the underworld whom the AFL–CIO expelled when he was boss of the waste handlers' union in Chicago.

"Dorfman not only negotiated sweetheart contracts with the waste trade industry of Chicago," the committee reported, "but assisted in negotiating a sweetheart contract with another labor union, Independent Teamsters' local 705 of Chicago."

KEPT WORKERS' $51,461

"For this the employers were understandably grateful and hired solicitors to drum up business for Allen Dorfman's insurance agency."

Commissions were not the only source of Allen Dorfman's revenues, the committee said. From 1954 to 1957, it charged he deposited in his personal account $51,461 which he should have turned over to the underwriter.

This was money, the report said, which members paid after being laid off in the belief that it would continue their insurance while they were out of a job.

This matter, the committee said, has been turned over to the internal revenue service for a study as to possible tax fraud.

The report said that Chicago local 1031 of the Brotherhood of Electrical Workers is the third largest source of income for the Dorfmans, who from it and the two teamster organizations have received the bulk of a total of $4 million in revenue in the last 8 years.

TRACES DORFMAN ENTERPRISE

The history of the Dorfman enterprise, the committee said, began with Dr. Leo Perlman, an executive of an underwriting firm, the Union Casualty Co., now the Northeastern Life Insurance Co. of New York.

"Joe Jacobs, a prominent attorney in Chicago, introduced Paul Dorfman to Dr. Leo Perlman in about 1945 or 1946," the report said, "and contrived with them to put Allen Dorfman in the insurance business. Also he was instrumental in the appointment of Allen Dorfman as Union Casualty's first general agent in Chicago.

"He served concurrently as attorney to the Dorfmans, the Waste Material Handlers' Union, local 1031 (of the electrical workers) and Perlman's two insurance companies.

ENTERTAINS LAVISHLY HERE

"Dr. Leo Perlman, while executive vice president of both the Union Casualty Co. and the United Public Service Corp., helped get Allen started in the insurance business.

"He entertained lavishly in Chicago and made gifts to a number of Teamster officials in 1950 and 1951, immediately before the award of the Central States and Michigan conference insurance to Union Casualty, among them James R. Hoffa, Owen (Bert) Brennan, Don Peters, and Paul Dorfman."

Brennan, Detroit Teamsters' vice president, is Hoffa's gambling and business partner. Brennan is one of the numerous Teamster officials who have refused to answer questions on the ground that answering truthfully might tend to incriminate them.

"A Maxwell Kunis," the report continued, "then principal actuary for United States Life, in collusion with Perlman, manipulated the life premium rate in connection with the Union Casualty bid on the Central States insurance in 1950. He is intimately linked with the Dorfmans, Hoffa and a large number of Teamster unions; he is serving concurrently as actuarial consultant for Northeastern Life, Republic National Life, the Central States pension fund and other Teamster groups; and he was a financial interest in a Dorfman business venture—a tax lien operation.

HOFFA IS JUDGE AND JURY

"Philip D. Goodman, a Chicago attorney, concurrently represents Allen Dorfman, the Dorfman entities, the waste trade industry of Chicago and Northeastern Life. He has been a business partner of Hoffa, Brennan and the Dorfmans in a number of noninsurance operations."

The committee said Hoffa was chairman of the negotiating committee that awarded the Teamster business to the Dorfmans.

The committee recalled testimony that an official of the Pacific Mutual Insurance Co., the low bidder, protested at losing the award and asked Hoffa if he were the judge and jury, to which Hoffa replied:

"I am the judge and jury."

The committee said the Dorfmans have 11 insurance companies in addition to the one that deals with the Teamsters, and a financial interest in 10 other companies, including one that deals in tax liens, one that is a Chicago slum dwelling enterprise, and one that has a resort hotel in the Virgin Islands.

THE GREAT WILDCATTER'S CREDO

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. HECHLER] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER. Mr. Speaker, the death last month of Mr. Michael Late Benedum—known as "The Great Wildcatter"—left the citizens of two great States, West Virginia and Pennsylvania, with a keen sense of sorrow and loss.

This philanthropist and benefactor of mankind, who was one of the real trail blazers in the giant oil industry in our Nation, leaves many visible monuments to his charity and kindness. His millions have gone into many structures and scores of good causes, particularly in his hometown of Bridgeport, W. Va.

A look into the spirit which motivated these generous deeds is contained in Mr. Benedum's will, the codicil to which contains a statement of Mr. Benedum's philosophy and a discussion of the responsibilities borne by possessors of great wealth.

He also recounts his reasons for allocating a larger share of his wealth to his birthplace of West Virginia than to his adopted State of Pennsylvania.

I am proud that Mr. Benedum has chosen to honor the State of West Virginia and its institutions in this manner, and I know that every citizen of our State is conscious of the thanks which this great benefactor deserves.

I believe, further, that this codicil offers rare insight into the warm, vivid personality of this man who led such a rich, full, adventurous life, and I heartily recommend its words of wisdom to my colleagues in this House:

FROM THE LAST WILL AND TESTAMENT OF MICHAEL LATE BENEDUM

The disposition of a not inconsiderable estate is never an easy assignment. It has been a thorny and laborious problem for me because, recognizing my frailty and inadequacy, I have not been able to lose sight of the awesome responsibility involved.

If I could have looked upon my material goods as personal property, belonging to me alone, my task would have been immeasurably lighter. But I have never regarded my possessions in that light. Providence gives no fee simple title to such possessions. As I have seen it, all of the elements of the earth belong to the Creator of all things, and He has, as a part of the divine purpose, distributed them unevenly among His children, holding each relatively accountable for their wise use and disposition.

I have always felt that I have been only a trustee for such material wealth as providence has placed in my hands. This trusteeship has weighed heavily upon me. In carrying out this final responsibility of my stewardship, I have sought to utilize such wisdom and understanding of equity as the Creator has given me. No one with any regard for his responsibility to his God and his fellow man should do less. No one can do more.

I will not attempt to deny that in certain provisions of this last will and testament, I have been swayed to some extent by the tender sentiment that I have for the land of my birth and by my affection for those who are nearer and dearer to me than life itself. While I may seem to have been generous to these loved ones who are the blood of my blood, I know from experience that I am in reality merely passing a responsibility to them.

The book is not closed. The responsibility is merely lessened and divided. It is, nonetheless, fearful. I hope that these loved ones of mine will bear with me in this last word of counsel, as I again remind them of the obligation that goes with their material heritage. I have unlimited confidence that they will be faithful to this trust.

As I have seen it, life is but a proving ground where providence tests the character and mettle of those He places upon the earth. The whole course of mortal existence is a series of problems, sorrows, and difficulties. If that existence be rightly conducted, it becomes a progress toward the fulfillment of human destiny. We must pass through the darkness to reach the light.

Throughout my adult life, day by day and year by year, I have been instilled with the conviction that wealth cannot be measured in terms of money, stocks, bonds, broad acres, or by ownership of mine and mill. These cannot bear testimony to the staple of real

excellence of man or woman. Those who use a material yardstick to appraise their wealth and foolishly imagine themselves to be rich are objects of pity. In their ignorance and misanthropic isolation, they suffer from shrinkage of the soul.

All of us aspire to a higher and better life beyond this, but I feel that the individual who seeks to climb the ladder alone will never find the way to Paradise. Only those who sustain the faltering ones on the rungs above and extend a helping hand to the less fortunate on the rungs below, can approach the end with the strength of sublime faith and confidence.

At the end of life each of us must face the great teacher that we call death. Stern, cold, and irresistible, it walks the earth in dread mystery and lays its hands upon all. The wealth of empires cannot stay its approach. As I near my rendezvous with this common leveler of mankind, which takes prince and pauper alike to the democracy of the grave, I do so with resignation to the will of God and with faith in His eternal justice.

Life has been sweet to me—sweet in the loved ones that have been mine, sweet in the friends who have surrounded me, and rewarding in the opportunities that have come my way. I could not leave this earth with any degree of happiness or satisfaction if I felt that I had not tried to bring some of these joys to those less fortunate than I have been.

We know not where seed may sprout. In the poorest and most unregarded child who seems to be abandoned to ignorance and evil, there may slumber virtue, intellect, and genius. It is our duty to sow and to nurture, leaving it to others to harvest the fruits of our efforts.

While I am conscious that my love for the land that gave me birth has been an influence in guiding the disposition of my estate, there are other practical reasons why I have favored my native State of West Virginia. It is not that I am unmindful or unappreciative of my adopted home of Pennsylvania, but rather that I have sought to appraise and balance the needs of each and the available potential for supplying those needs.

I cannot close my eyes to the realistic consideration that Pittsburgh and Pennsylvania abound in riches, having a citizenship in which men of great wealth are more common than rare. West Virginia is in a less fortunate position. There can be no question but that its needs are much greater than those of my adopted home. Consequently, in making specific provisions for West Virginia institutions, I have done so in good conscience, with a sense of equity and with recognition of a responsibility to distribute my estate in a way that will bring the greatest good to the greatest number. This decision was not made lightly or impetuously.

Conscious that in this codicil to my last will and testament, I am figuratively speaking from the grave, and that the great book of my account with the Creator has been closed beyond change or amendment, I submit my soul to His tender mercy, and my memory to the generosity and compassion of my fellow man.

PROBLEMS AFFECTING THE U.S. SHRIMP INDUSTRY

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. SIKES] is recognized for 20 minutes.

Mr. SIKES. Mr. Speaker, it has been said that a Member of Congress is seldom at a loss for words or lacking in an explanation for any given situation. I trust that some of my more learned colleagues can provide the answer or answers to the problems of the shrimp industry in the United States which I shall discuss today. I have given careful thought to the problems of this industry and I have discussed the industry's problems with each of the agencies of Government who might be expected to be expert in these matters. The shrimp industry does have serious problems and there appears to be no ready answer or solution to these problems.

In recent months shrimping fleets have been tieing up at the docks and making no effort to produce because the price of shrimp has plummeted to ridiculously low levels. In some instances prices as low as 10 cents per pound have been reported. Obviously, operators cannot hope to produce for such low prices. Out of curiosity, I recently made telephone calls to several seafood establishments in the Washington area to determine the cost of shrimp to the consumer. Now, I did not attempt to call all the seafood establishments in the Washington area. Neither did I single out any one section of the seafood establishments to call. I simply looked in the telephone directory and made several random selections. I found that green shrimp on the date of my inquiry was selling at 89 cents to $1.29 per pound. Spiced shrimp were selling at about $1.75 per pound. Boiled and cleaned shrimp were selling at $1.75 to $3.25 per pound. In each case these were medium shrimp. Quite obviously there is a tremendous spread between 10 cents a pound to the shrimper and $3.25 per pound for cooked and cleaned shrimp in the market. I realize there are handling and transportation charges which must be met but by no stretch of the imagination can I justify a spread such as this.

The shrimp industry along with other component parts of the seafood industry is of great interest and economic importance to the United States. My own State of Florida is most fortunate in its geographical location with extensive coastal waters which yield an abundance of sea life. A substantial segment of our economy is dependent directly upon the prosperity of our fishing fleets. My district has been hard hit by generally low prices of seafood to the producer and, in particular, by the unparalleled drop in the price of shrimp. Consequently, I have today introduced legislation to provide for an ad valorem duty of 35 percent on the importation of shrimp.

I recognize full well the problems in securing the enactment of legislation of this type. The hurdles which are thrown in the way of efforts to protect American industry from foreign competition may prove insurmountable. Therefore, I have also requested that the Tariff Commission, the Bureau of Commercial Fisheries, Department of the Interior, the International Cooperation Administration and the House Committee on Merchant Marine and Fisheries each make an immediate investigation into the problems confronting the shrimp industry with a view in mind to provide corrective measures if it is possible. And, I certainly intend to follow through on these requests by frequent contacts with the appropriate agencies in an effort to obtain helpful results.

I am rather amazed that no governmental agency or department appears seriously concerned over the situation. There is interest in each case in being helpful, but the suggestions which are advanced do not appear to be of a nature which will provide an early and positive solution to the problems of the shrimpers. A number of suggestions are offered which can be helpful, but most of these are long range in nature, and I am not sure that the shrimp industry can survive present problems while long-range benefits are being considered.

Perhaps it will be interesting if I quote from some of the comments made to me. A letter from Mr. William B. Macomber, Jr., Assistant Secretary, Department of State, says:

> We understand domestic producers consider that increased imports are the primary source of their difficulties. We appreciate that there are many problems confronting our fishermen, some of which stem from competition with imports. Others flow from competition with other foods produced within our own country; the per capita consumption of fish is small in relation to that of competing foods. Still other problems confront our fishermen because of adverse weather conditions and long-term or short-run variations in fishing stocks. Changes in cold storage stocks may be a consideration. A number of factors may therefore contribute to the problems of our fishing industry at any particular time.

I can appreciate the fact that consumption of shrimp per capita is low. However, I am confident that were the price of shrimp more nearly within the reach of the average household budget, we would find that consumption by the American public woud show a decided upturn. And I repeat that it decidedly is not prices to the producer that are responsible for high prices on the consumer market.

Mr. Macomber also states:

> Historically, the Congress has provided for the duty-free entry of shrimp in the Tariff Acts of 1913, 1922, and 1930. Shrimp is not subject to a trade agreement concession.
>
> We note that the domestic catch has declined from 268 million pounds in 1954 to 204 million pounds in 1957 and then increased to 212 million pounds in 1958. This decline took place despite generally higher prices for shrimp. The domestic catch during the first 5 months of 1959 was below the level of the corresponding period of 1958.
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> During this same period, the trend of imports has been upward. Prices for imported shrimp have also increased. Imports totaled 85 million pounds in 1958. They were higher in the first 5 months of 1959 than in the comparable period of 1958. Imports have helped to meet requirements resulting from reduced supplies of domestically caught shrimp.

As my colleagues well know, Mexico is the principal source of U.S. imports, supplying 65 percent of the total from other countries. I have noted that there are also large increases from Panama and Japan and that nearly all countries which supply the United States with shrimp are shipping larger amounts to us now than they have ever done before. This certainly indicates to me that foreign shrimp produced at lower prices than ours are cutting into the market which is available for the domestic catch and I think I am on sound ground in

asking for a tariff to be placed on imported shrimp.

In this connection, I shall quote from a letter from the Bureau of Commercial Fisheries, Department of the Interior, to me on July 15:

In 1958, shrimp imports were 85 million pounds, heads off weight, which was more than double the amount imported in 1954. Yet, despite increasing imports of shrimp, the available supply of shrimp in the United States during 1958 was only 4 percent higher than during 1954. Imports for January, February, and March of 1959 were 60 percent greater than that for the same months of 1958.

Imported shrimp may be a contributory factor to the present difficulties of the shrimp industry, but other factors also contribute to these difficulties. Due to intensive fishing of the resource, the average catch per vessel is declining. This means a higher cost of production. During the period of increasing catches, there was a marked increase in the number of shrimp vessels. More vessels and falling catches since 1954 have resulted in lower catches per vessel.

Let me say for the Bureau that the following proposals also were advanced in their letter to me:

The shrimp catch by U.S. fishermen increased from 143 million pounds in 1938 to over 200 million pounds annually since 1951. Landings reached a peak of 268,334,000 pounds in 1954, but since then have declined. Most of the domestic production of shrimp has been from the Gulf of Mexico area. Production in this area ranged from a low of 73 percent of the U.S. catch in 1949 to a high of 88 percent in 1954.

The increase in the U.S. catch has been accomplished as a result of the discovery of new shrimp grounds. Some of these grounds are in waters off the coast of other countries. In 1957, 27 percent of the U.S. landings in gulf ports were from catches off the coast of Mexico.

Current prices paid for shrimp in gulf ports are substantially below the comparable 1958 prices. The average price per pound for shrimp in 1958, however, was 54 percent above the record catch year of 1954 and 30 percent above the average price per pound for 1949–58.

The question has been raised whether through the foreign aid program we are assisting other countries to compete in our domestic markets in this field. It is well known that there are many fields in which American producers are slowly being forced to the wall by goods produced abroad with machinery and factories donated by the United States and through know-how taught to foreign producers by the United States. However, in the case of shrimp, a report I received from the International Cooperation Administration states:

ICA is engaged in cooperative technical assistance projects in the marine fisheries field in a few countries in the Far East and in Asia. These projects are general in nature and include, according to the need of the individual country, assistance in rehabilitation or modernization of the fisheries fleet, demonstration of improved fishing gear and techniques for its use, training of fishermen and fisheries officials, and improvement of shore installations, including landing wharves, fish markets, cold storage, and related facilities. The primary objective of these projects is to help increase supplies of fisheries products badly needed for local consumption. There are no projects specifically for increasing shrimp catches, although it is not impossible that minor increases might occur as an indirect result of these general fisheries projects. As there are no cooperative activities specifically on shrimping, it is not possible accurately to assess the influence these projects may be having on imports into the United States. There is reason to believe, however, that it has been insignificant. Nearly all of the development of shrimp exports has been by private enterprise, some of it with assistance from U.S. importers.

The fact remains that importations of shrimp are steadily increasing and that the percentage of foreign shrimp on the domestic market is now higher than ever before. This does no good to the domestic producer and the situation certainly should be taken into consideration by the Congress and by the administration.

I would like to point out, Mr. Speaker, that we do subsidize a great many of the producers of America. We subsidize the newspaper and magazine publishers, the airlines, the ship operators, the farmers, and a great many others. I do not propose a subsidy for seafood producers, though it might be well to cease all subsidies in this country to determine if all industries might not operate more equitably without Government help. I do say that something must be done to help commercial fishermen to help themselves. Otherwise, we shall find more and more of them unable to continue to operate and more and more American workmen without a source of livelihood.

I would like to read you a portion of a letter I received from one of the shrimpers in my area:

I am a shrimp fisherman and have followed the water all my life, connected with the seafood industry in one way or another. I have seen the seafood business at its best and worst. Up until now a person could understand why the prices were good or bad—the condition of the country had a bearing on the prices and sales. However, now the demand for shrimp and fish seem to be as good as ever and the condition of our country isn't too bad, yet we people that produce the seafood find that our prices are far below normal and seem to be getting lower. I carried my catch of shrimp to the fishhouse to sell them and the operator told me that he would take them and try to sell them and if he could he would give me my money for my shrimp. Now, that just doesn't sound right to me with the demand for shrimp and the prices what they are in the stores today. There is something wrong somewhere and we people that produce the seafood are suffering very badly. We are told that it is caused by the imported seafood but we don't have any way to find out and couldn't help it if we could. That is the reason I am writing to you. Please investigate this problem from the little man's side and help us if you can.

Mr. Speaker, I have tried to focus attention upon the problem and to show that it is a serious one. I have tried to cast as much light on the varied aspects of the problem as this short period of time will permit. I sincerely hope each of my colleagues will give this matter careful study and lend his voice to the insistence that the necessary steps be taken to find a solution to the overall situation. I hope that we may avoid the delays which so often accompany proposals of this sort. I hope, too, that the Congress and the administrative agencies will join forces in order to obtain early action. An effective step, which I strongly urge, would be passage of legislation to impose import duties as would be provided in the bill I have introduced today, and this I strongly recommend. More drive and initiative in attacking this problem are needed all along the line. Surely the welfare of an important American industry and the livelihood of thousands of Americans justifies such action.

SPEECH AND HEARING BILL

Mr. McGINLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the body of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. FOGARTY. Mr. Speaker, one of the most rewarding experiences of my 18 years in Congress has been the opportunity it has given me to fight for increased appropriations to improve the health conditions and medical care for all Americans. For 12 years it has been my privilege to bring before Congress, either as chairman of the Health Subcommittee on Appropriations or as the ranking minority member, the annual appropriations bill for the Department of Health, Education, and Welfare. And it has been a gratifying experience to observe the enthusiastic response of people throughout the Nation to increasing allocations for medical research in a major effort to find answers to unsolved medical problems.

Now that we realize at last the tremendous gains which can come to all the citizens of this great land through medical research, we must not fail to consider some of the related fields of education and rehabilitation of the handicapped. Not only must our research aid the ill and protect future generations from a variety of disorders, but we must be certain that each handicapped American is now able through education and rehabilitation to live the most productive life possible.

I would like to bring to your attention a group of our citizens—8 million in number and all ages—who suffer from speech and hearing defects which seriously handicap them in their efforts to become self-supporting, self-sufficient members of their communities. Many of these are children who have never heard a bird sing, or children laugh, or even the voice of their own mother. Unable to hear, these children are also unable to speak. Others who are handicapped have already rendered a great service to the Nation and now suffer serious hearing loss due to war experiences, specialized aviation service, or industrial work which has brought a loss of hearing.

Eighty percent of these 8 million could be rehabilitated if the necessary speech pathologists, audiologists, and teachers were available to diagnose, train, teach, and rehabilitate them. Yet they have received little attention from the public because their plight is not as dramatic as many other disorders. More than 8 million persons, therefore, desperately need our help. We cannot fail them.

With our help, a large percentage can become gainfully employed, taxpaying citizens. Without help, our various States and communities must continue to support many of them, and the burdens on their families and communities is immeasurable.

To meet the educational needs of some 30,000 deaf children of school age requires the training of some 500 teachers of the deaf annually. At the present time, however, we are training less than 150 per year, not even one-third of the number we need.

To properly diagnose, train, and rehabilitate the 8 million handicapped by speech and hearing defects, 20,000 speech pathologists and audiologists are needed. At the present time, there are only about 2,000 certified speech pathologists and audiologists in the Nation. Therefore, instead of graduating 400 specially trained speech pathologists and audiologists a year, we should be graduating 1,500 a year in order to begin to cope with the problem.

Teachers of the deaf, speech pathologists, and audiologists are needed in all States to staff our schools, hospitals, and community service centers. The States, however, cannot and should not undertake what would be a wasteful duplication of faculties and facilities needed to train these teachers, speech pathologists, and audiologists. This is a critical problem and a national problem. It is a problem which this Congress should face and upon which it should take some positive action.

To meet this tremendous national need, a need which we have delayed much too long in meeting, I have today introduced a bill which could provide the help needed. Since the need is so great, it will probably take 10 years of concerted action to solve the problem. The bill, however, only requests an appropriation for the next 2 years. The total amount requested is $3½ million a year, a small sum to bring a happy, productive life to 8 million Americans.

To aid in filling the need for more teachers for the deaf, the bill provides for grants-in-aid to public and nonprofit institutions engaged in training teachers of the deaf. These grants may be used by the institutions to assist in recruiting and training teachers, covering the cost of training and study, and for establishing and maintaining scholarships. Grants will be approved by an advisory board of 12, established in the Office of Education. The advisory board members will be appointed by the Commissioner of Education with the approval of the Secretary of Health, Education, and Welfare.

To aid in filling the need for more speech pathologists and audiologists, to diagnose, train, and rehabilitate those with speech and hearing defects, the bill provides for grants-in-aid to assist public and other nonprofit institutions of higher education in recruiting and training speech pathologists and audiologists. Such grants-in-aid will be approved by an advisory committee of 12, established in the Office of Vocational Rehabilitation. These grants will be made only to institutions of higher education which have been approved as offering programs of such nature and content to enable students who have successfully completed them to qualify for an advanced certificate in speech pathology or audiology from a recognized national accrediting body. These grants may be used by such institutions to assist in covering the cost of courses of graduate training and study and for establishing and maintaining graduate fellowships with stipends to be determined.

If the Nation's speech- and hearing-handicapped children of school age are to be helped, more and more young men and women must be well trained to give them the instruction they require. This bill which I have introduced would make this possible.

At the present time, scarcely more than one in five of school-age children who need the attention of a speech correctionist or hearing specialist are receiving it. This means not only that there is a great unfilled need for these specially trained teachers but that there is a marvelous opportunity for young men and women to make careers for themselves in a profession which is highly rewarding in the true satisfaction of humanitarian service.

I have talked with a number of speech therapists concerning their work and some of their experiences I shall long remember. One concerned a girl, 18, with a cleft palate. She had had an operation for this condition but the roof of her mouth was still open. She had graduated from high school in spite of a serious speech handicap. She was a good typist but could not get a job as no one could understand her. At last her case was brought to the attention of a speech therapist who recommended an appliance for the roof or her mouth and special speech correction lessons. The girl applied herself diligently to the program and within the short space of 6 weeks people could understand what she was saying. Within 3 months she had a secretarial job which required considerable telephone answering. And now at the end of 1 year she is studying French and may become quite a linguist.

Some teachers tell me that many discipline problems arise because of the inability of children to hear. Some children can hear enough to give the impression that they hear but actually they only partially hear what has been said. Many times then they fail to do what they are told to do and come to be known as problem children. Many times this is the beginning of delinquency.

Also, it has been found that many children who have hearing and speech difficulty are mistaken for retarded children. A speech teacher told me of a little boy who had tested 47 in an IQ test and had been sent to a school for retarded children. There a speech therapist worked with the child and found the problem was one of speech. Within 3 months the boy had learned to communicate and had passed the IQ test at 89 and was returned to the regular school.

Some speech and hearing problems can be remedied much more readily than others. Sometimes it is a problem of stuttering which can, perhaps, be overcome quite easily. Without this help, however, the child may become unusually self-conscious and withdrawn. And if not corrected in childhood, the adult may find this problem a real handicap to earning a living.

Other speech impairment may be associated with cerebral palsy or brain damage which has affected the speech centers of the brain. A considerable number of speechless children are victims of aphasia. Aphasia is due to a disorder of the central nervous system which interferes with either the child's ability to speak or to understand what is said. This is a more difficult problem to overcome than many others, but great progress is now being made in this field both from the standpoint of research and rehabilitation.

Aphasia, incidentally, not only affects children but many times follows stroke. The progress which we have made in teaching the aphasic child to speak is now being applied to the stroke patient and many who had been unable to speak are now overcoming this difficulty.

I am, indeed, proud to present this bill for your careful consideration. We have an unusual opportunity by voting for a small appropriation to bring speech and hearing to 8 million Americans, to make it possible for these persons to be self-sufficient, to fill regular jobs and take pride in their work. Were we to see these 8 million seriously handicapped men, women, and children walk slowly by us now and know that with our help they could again hear and speak and take their rightful place in society I am sure we would not hesitate a moment to make this possible. Therefore, as you consider this bill which I have introduced, I hope that you will thoughtfully and prayerfully consider the opportunity which is ours to add to the fullness of life.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. CLARK (at the request of Mr. MCGINLEY), for 45 minutes, on Tuesday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. MCGOVERN, with regard to the White Fleet proposal and to include extraneous matter.

Mr. BRADEMAS and to include extraneous matter.

Mr. LEVERING in one instance and to include extraneous matter.

Mr. FRELINGHUYSEN and to include extraneous matter.

(At the request of Mr. GLENN, the following Members were granted permission to revise and extend their remarks in the RECORD and to include extraneous matter:)

Mr. DAGUE in one instance.

Mr. OSMERS in one instance.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 7454. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1960, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on August 5, 1959, present to the President, for his approval, a bill of the House of the following title:

H.R. 6940. An act to amend the Mineral Leasing Act of 1920 in order to increase certain acreage limitations with respect to the State of Alaska.

ADJOURNMENT

Mr. McGINLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 29 minutes p.m.), under its previous order, the House adjourned until Monday, August 10, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1286. A letter from the Secretary of Health, Education, and Welfare, transmitting a report covering personal property made available for distribution to public health and educational institutions and civil defense organizations, covering the calendar quarter April 1 through June 30, 1959, pursuant to the Federal Property and Administrative Services Act of 1949, as amended; to the Committee on Government Operations.

1287. A letter from the Acting Secretary of Commerce, transmitting the quarterly report of the Maritime Administration of this Department on the activities and transactions of the Administration under the Merchant Ship Sales Act of 1946, from April 1 through June 30, 1959; to the Committee on Merchant Marine and Fisheries.

1288. A letter from the Attorney General, transmitting a draft of proposed legislation entitled "a bill to amend section 8 of the Clayton Act, relating to interlocking directorates; to the Committee on the Judiciary.

1289. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered under the authority contained in section 13(b) of the act as well as a list of the persons involved, pursuant tc the act of September 11, 1957; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Virginia: Committee on Rules. House Resolution 338. Resolution for consideration of H.R. 8342. A bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes; without amendment (Rept. No. 796). Referred to the House Calendar.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 57. A bill to require pilots on certain vessels navigating U.S. waters of the Great Lakes, and for other purposes; with amendment (Rept. No. 797). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 5068. A bill to amend the Shipping Act, 1916, to provide for licensing independent foreign freight forwarders, and for other purposes; with amendment (Rept. No. 798). Referred to the Committee of the Whole House on the State of the Union.

Mr. PILCHER: Committee on Foreign Affairs. H.R. 8499. A bill for the relief of the Government of the Republic of Iceland; without amendment (Rept. No. 799). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 8388. A bill to amend the Merchant Marine Act, 1936, to provide further requirements for applicants for and contractors under operating-differential subsidy contracts; with amendment (Rept. No. 800). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALTER: Committee on the Judiciary. H.R 8461. A bill to amend the act of September 2, 1958, establishing a Commission and Advisory Committee on International Rules of Judicial Procedure; without amendment (Rept. No. 801). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 7985. A bill to amend the Communications Act of 1934 with respect to facilities for candidates for public office; with amendment (Rept. No. 802). Referred to the House Calendar.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 6815. A bill to amend title 46, United States Code, section 601, to clarify types of arrestment prohibited with respect to wages of U.S. seamen; with amendment (Rept. No. 803). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. S. 162. An act for the the relief of Henri Polak; without amendment (Rept. No. 773). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 539. An act for the relief of Mrs. Joyce Lee Freeman; without amendment (Rept. No. 774). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1053. An act for the relief of Rosa Maria Montenegro; without amendment (Rept. No. 775). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1104. An act for the relief of Pak Jae Seun; without amendment (Rept. No. 776). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1135. An act for the relief of Alice Kazana; without amendment (Rept. No. 777). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1407. An act for the relief of Mrs. John M. Cica; without amendment (Rept. No. 778). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1442. An act for the relief of Kim Fukata and her minor child, Michael (Chaney); without amendment (Rept. No. 779). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1500. An act for the relief of Yee You Gee; without amendment (Rept. No. 780). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1533. An act for the relief of Ho Rim Yoon Holsman; without amendment (Rept. No. 781). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1558. An act for the relief of Theopi Englezos; without amendment (Rept. No. 782). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1601. An act for the relief of Mrs. Erika Elfriede Ida Ward; without amendment (Rept. No. 783). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1611. An act for the relief of Adeodato Francesco Piazza Nicolai; without amendment (Rept. No. 784). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1669. An act for the relief of Evagelia Elliopulos; without amendment (Rept. No. 785). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1684. An act for the relief of Mr. and Mrs. Carl Skogen Woods; without amendment (Rept. No. 786). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1705. An act for the relief of Ivan (John) Persic; without amendment (Rept. No. 787). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1719. An act for the relief of Lushmon S. Grewal, Jeat S. Grewal, Gurmale S. Grewal, and Tahil S. Grewal; without amendment (Rept. No. 788). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1724. An act for the relief of Tse Man Chan; without amendment (Rept. No. 789). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1773. An act for the relief of Alan Alfred Coleman; without amendment (Rept. No. 790). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1828. An act for the relief of Kum Hung Seeto and Kum Wo Seeto; without amendment (Rept. No. 791). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1829. An act for the relief of Herman Luchner; without amendment (Rept. No. 792). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1946. An act for the relief of Vicente Soliva Empleo; without amendment (Rept. No. 793). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. House Joint Resolution 477. Joint

resolution relating to the exclusion of certain aliens; without amendment (Rept. No. 794). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. House Joint Resolution 478. Joint resolution relating to permanent residence and deportation of certain aliens; with amendment (Rept. No. 795). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DULSKI:

H.R. 8557. A bill to provide for the issuance of a national health research stamp for the support of the National Institutes of Health; to the Committee on Post Office and Civil Service.

By Mr. KOWALSKI:

H.R. 8558. A bill to amend title 10, United States Code, to provide that enlisted men of the Army, Navy, Marine Corps, or Air Force, who have completed 20 years of service may retire if they served as commissioned officers during World War I and either World War II or the Korean conflict, or during World War II and the Korean conflict; to the Committee on Armed Services.

By Mr. LENNON:

H.R. 8559. A bill to confer jurisdiction on the U.S. District Court for the Eastern District of North Carolina to hear, determine, and render judgment on the claims of the town of Kure Beach, N.C., for damages arising out of the acquisition of certain real property by the United States; to the Committee on the Judiciary.

By Mr. McGOVERN:

H.R. 8560. A bill to amend the Internal Revenue Code of 1954 to extend by 1 additional year the time within which a minister may elect coverage as a self-employed individual for social security purposes; to the Committee on Ways and Means.

H.R. 8561. A bill to assure orderly marketing of an adequate supply of hogs and pork products; to encourage increased domestic consumption of pork and pork products; to maintain the productive capacity of the hog-farming industry; to avoid the feeding of hogs to less desirable weights; and to stop further declines in liveweight prices received by hog producers; to the Committee on Agriculture.

By Mr. MACDONALD:

H.R. 8562. A bill to repeal section 502(d) and a portion of section 509 of the Merchant Marine Act, 1936, which requires bids by Pacific coast shipbuilders be approved under certain circumstances; to the Committee on Merchant Marine and Fisheries.

By Mr. RIVERS of South Carolina:

H.R. 8563. A bill to amend the Merchant Marine Act, 1936, in order to eliminate the 6-percent differential applying to certain bids of Pacific coast shipbuilders; to the Committee on Merchant Marine and Fisheries.

By Mr. RIVERS of Alaska:

H.R. 8564. A bill to establish a joint board and to require mandatory through routes and joint rates for carriers serving Alaska, Hawaii, and the other States; to the Committee on Interstate and Foreign Commerce.

H.R. 8565. A bill to establish a joint board and to permit the filing of through routes and joint rates for carriers serving Alaska, Hawaii, and the other States; to the Committee on Interstate and Foreign Commerce.

By Mr. SIKES:

H.R. 8566. A bill to provide for an ad valorem duty on the importation of shrimp; to the Committee on Ways and Means.

By Mr. THOMSON of Wyoming:

H.R. 8567. A bill to revise the boundaries and change the name of the Fort Laramie National Monument, Wyo., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CHELF:

H.R. 8568. A bill to amend title 7, section 42, of the Canal Zone Code, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. FOGARTY:

H.J. Res. 488. Joint resolution to help make available to those children in our country who are handicapped by deafness the specially trained teachers of the deaf needed to develop their abilities and to help make available to individuals suffering speech and hearing impairments those specially trained speech pathologists and audiologists needed to help them overcome their handicaps; to the Committee on Education and Labor.

By Mr. OSMERS:

H.J. Res. 489. Joint resolution authorizing and requesting the President to designate a week in August of each year as "National Food Service Week"; to the Committee on the Judiciary.

By Mr. BOSCH:

H. Con. Res. 376. Concurrent resolution that it is the sense of Congress that a sound dollar is the basis for future growth and security of the Nation; to the Committee on Ways and Means.

By Mr. OLIVER:

H. Con. Res. 377. Concurrent resolution providing for certain priorities for the temporary employment of civilian personnel to conduct the decennial census; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO:

H.R. 8569. A bill for the relief of Erika Lysakowski; to the Committee on the Judiciary.

By Mr. BAILEY:

H.R. 8570. A bill for the relief of Madison E. Bailey; to the Committee on the Judiciary.

By Mr. BOYKIN:

H.R. 8571. A bill for the relief of Jesse W. Clark; to the Committee on the Judiciary.

By Mr. HEMPHILL:

H.R. 8572. A bill for the relief of Charles John Short; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H.R. 8573. A bill for the relief of Argyro A. Logothetis; to the Committee on the Judiciary.

By Mr. MILLER of New York:

H.R. 8574. A bill for the relief of Mrs. Varsen Jafarjian; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

249. By Mr. WESTLAND: Petition of members and friends of the Woman's Christian Temperance Union of Ferndale, Wash., petitioning Congress to fight (1) communism, by putting into effect the recommendations made by the American Bar Association, and (2) inflation; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

White House Conference on Aging

EXTENSION OF REMARKS
OF

HON. FRANK C. OSMERS, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1959

Mr. OSMERS. Mr. Speaker, on September 2 of last year, the President signed into law a White House Conference on Aging Act which had been passed in the closing days of the 2d session of the 85th Congress. In passing this legislation, the Congress felt that public interest required the enactment of legislation to formulate recommendations for immediate action in improving and developing programs to permit the country to take advantage of the experience and skills of the older persons in our population, to create conditions which would better enable them to meet their needs, and to further research on aging.

Since the enactment of that law, the White House Conference on Aging staff has been appointed and is working with the Department of Health, Education, and Welfare special staff on aging to plan and prepare for the Conference to be held in January 1961.

I am happy to point out that a former colleague of ours, the Honorable Robert W. Kean, of New Jersey, has been named Chairman of the Advisory Committee for the White House Conference on Aging.

In recent weeks the public has become more and more aware of the responsibilities toward our rapidly growing population of older people. Wide press coverage has been given to the recently completed House hearings on the Forand bill, and also to the present hearings in the Senate before the McNamara committee. Life magazine at present is concluding a four-part article dealing with the field of aging.

Last week I had the occasion to read a report to the people from the gentlewoman from New Jersey's Sixth District, Congresswoman FLORENCE P. DWYER, which I feel painted a most complete picture of some of the things which are presently being done in the field of aging and some of the things which are in the planning stage. Certainly, we will all agree that one of our major concerns in the Nation today is the question of how best to meet our responsibilities toward our older people.

Since I feel that Congresswoman DWYER's report was so complete in the field of aging, I would like at this time to insert this report in the RECORD and to commend its reading to my colleagues in the Senate and the House of Representatives.

The report follows:

WHITE HOUSE CONFERENCE ON AGING

(By FLORENCE P. DWYER)

This past week has been a particularly significant one in a field of the highest im-

portance—the question of how best to meet our responsibilities toward our rapidly growing population of older people.

Among the events that made it significant were these: The opening of hearings on the Forand bill, a proposal to include medical and hospital insurance for retired persons through the social security system; reconsideration of the vetoed housing bill with its proposed new program of low-interest loans for housing for the elderly; continued progress in arranging for the huge White House Conference on the Aging scheduled for 1961; and introduction of a bill to liberalize the restrictions on earnings of people receiving social security and for widowed mothers who must work.

Coincidence is not the only explanation for so much attention in one week to the needs of our older people. Consider these facts, for instance. Within 10 years the number of Americans over 65 years old will reach 10 percent of the total population. During that same period of time, the key productive age group—those from 20 to 65 years, from whom almost all the working force is drawn—will be reduced to only one-half our population. This represents an increase for the over-65 group of twice the rate for the population as a whole.

DEPRESSION AND WAR

It is also true that our senior citizens have lower and often declining incomes, with less opportunity than fully employed people to meet the higher costs of the care and services they need. Then, too, our present older generation was severely handicapped in preparing for retirement years by the worst depression and the most expensive war in our history. The collapsed incomes of the 1930's and the debased dollars of wartime and postwar inflation left very little for their futures.

The fact that a minority of our population will shortly be supporting the majority poses several difficult questions:

How can the income produced during their working lives more adequately support the needs of retired persons—the need for housing, medical care, recreation, and living conditions generally, at a level above that of bare subsistence?

How can senior citizens retain the sense of being needed, the feeling of accomplishment and of participation in the life of the community—in other words, how can they be spared the devastating impact of neglect in their advanced years?

What changes should we make in our educational system to prepare younger people for the sometimes unexpected demands of older age?

What practical improvements in our social security, employment, housing, and welfare laws can be made to help relieve old age of insecurity, boredom, neglect, and disillusionment?

CONFERENCE ON AGING

These and related questions will soon receive the most extensive consideration in history, as the planning and organization proceed for the nationwide White House Conference on the Aging. I was reminded of this the other day when I saw an old friend of Union County, former Congressman Robert Kean, of Livingston, here in Washington. Congressman Kean, you may remember, was recently appointed by President Eisenhower as Chairman of the White House Conference. In that capacity, he is a frequent visitor here, meeting with his national committee, establishing State committees, and preparing to mobilize available talents and experience so that the White House Conference in 1961 can offer the Nation an effective program of action.

Meanwhile, Congress has certain immediate responsibilities in this field. One of them is housing for the elderly. While the President unquestionably had good reason to object to certain provisions in the housing bill he vetoed, there is every reason to hope that any compromise housing bill will include at least the $50 million program of direct loans for low-rent, specially designed houses for older people. This is a field where private financing has not been able to do the job at rents retired people can afford. Conventional financing of these houses, for example, require monthly rents about $20 higher than would be true of units built under the proposed new program.

EARNINGS LIMIT UNFAIR

Another immediate obligation of the Congress—and one I consider especially urgent—is to lift the unwise and unfair ceiling on the amount of income which people receiving social security are permitted to earn without forfeiting their social security benefits. The present limit is $1,200 a year or $100 a month, completely inadequate for people who cannot live on their social security alone and yet who cannot earn enough more to afford to sacrifice their old-age benefits.

This is a terrible dilemma for older people forced to live on the edge of subsistence. To help remedy it, I introduced a bill last week which would raise the earnings limit to $2,400, and for widowed mothers of children under 18 to $3,600 a year.

To my mind, this is simple justice. Since the $1,200 limit was first imposed, prices have greatly increased and purchasing power, especially for those on fixed incomes, has diminished. Furthermore, this limitation discriminates against those who do not have large savings or extensive investments, since income from these sources is not subject to the limitation. In recent years, too, medical authorities have come to recognize that part-time employment is of positive value for the health and emotional welfare of many older people. The present earnings limit discourages such employment.

CHALLENGE TO DOCTORS

Closely related to this is the question of medical care for the elderly, on which subject the House Ways and Means Committee last week opened public hearings. While there are major objections to the solution proposed by the Forand bill, there is no escaping the fact that a very real and serious problem does exist.

In an extensive study last year, the Department of Health, Education, and Welfare found that older persons have two-and-a-half times as much need for medical and hospital care as have persons under 65, and yet have only 40 percent as much private health insurance to pay for it.

These circumstances, I believe, constitute a tremendous challenge to the medical profession and to all those concerned with preserving the private nature of medical practice in the United States.

These are not isolated matters. They are interrelated and given high priority by the value we place on age. The mature years of our people can enrich and vitalize our whole society—if we take steps now to free our elders and learn to use their judgment, experience and invincible spirit.

Student Loan Program a Success

EXTENSION OF REMARKS

OF

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Thursday, August 6, 1959

Mr. JAVITS. Mr. President, the 85th Congress enacted, upon the President's recommendation, the National Defense Education Act wherein provision is made for loans to deserving college and university students. It shows the program to be widely acceptable and utilized. Much has been said as to whether students would seek after and would assume such debts to be repaid after their studies have been completed at a time when they are commencing their careers. The fact that American young men and women are eager in such numbers to undertake these obligations in order to secure an education which might be otherwise unobtainable is an encouraging index of our national vigor. Hon. Arthur S. Flemming, Secretary of Health, Education, and Welfare, made a statement at his news conference on July 28, reporting on the status of the student loan program under the National Defense Education Act:

I ask unanimous consent to have this statement printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY ARTHUR S. FLEMMING, SECRETARY OF HEALTH, EDUCATION, AND WELFARE

On the basis of a preliminary review of loan fund applications made to the Office of Education, colleges and universities across the country expect nearly 121,000 students to apply for loans under the National Defense Education Act during the 1959–60 school year.

These students represent about 5.5 percent of the total anticipated full-time enrollment of approximately 2,200,000 at the participating institutions, and they are expected to apply—on the average—for loans of about $500 to help them continue their education during the forthcoming school year.

The estimated number of student borrowers and the amounts they are expected to apply for are taken from loan fund applications received by the Office of Education from 1,372 colleges and universities planning to participate in the student loan program this year.

This will be the first full year of operation for the student loan program, since the bulk of the money appropriated for the 1958–59 fiscal year was not available until last May 20.

Institutions applying for loan funds this year—180 more than participated last year and representing nearly 88 percent of the total full-time college enrollment in this country—have estimated that their student loan needs during 1959–60 will total about $60.5 million.

These institutions have on hand about $15 million from the $30.5 million distributed last year, thus leaving an additional requirement of about $45.5 million this year. The institutions are required to contribute one-tenth of their total student loan funds under the National Defense Education Act.

Thus, of the $45.5 million estimated to be needed this year, the institutions would be required to contribute $4.5 million. This would leave $41 million to be provided by the Federal Government.

The pending appropriation for student loans this year is $30 million, thus leaving a possible deficit of $11 million.

In this connection, however, it should be borne in mind that the applications have not yet been reviewed for reasonableness. Also, our experience so far would indicate that the actual need for loans will be less than the estimated demands. Taking these two factors into consideration, I am confident that the pending appropriation will meet, or come close to meeting, the actual needs of students for the coming academic year.

It is too early to say, of course, with any certainty what the actual situation will be. We will have a much clearer picture by the latter part of this year. If, during the course of the first semester, the Federal appropriation turns out to be inadequate we will consider submitting a request for a supplemental appropriation at the beginning of the next session of Congress.

I should like to call particular attention to a new procedure which has been worked out for reviewing applications from individual institutions which is designed to improve distribution of funds within the State.

Funds are allotted among the States on the basis of their share of the total college enrollment and proportionately within each State on the basis of the amounts requested by the individual institutions.

Under the new procedure developed by the Office of Education with the assistance of leaders in higher education, an amount equal to $20 for each full-time student enrolled has been adopted as a guide for determining the reasonableness of applications.

Institutions requesting more than $20 per full-time student enrolled have been required to submit detailed justifications. These justifications will be examined critically by a recently appointed panel of college administrators.

When the necessary reviews have been completed, funds will be prorated within each State against the State's total allocation.

The student loan funds are administered by the colleges and universities. College students and high school graduates must apply directly to the institution for a loan.

The loan repayment period begins 1 year after the student has completed full-time study. The loan carries interest of 3 percent on unpaid balances over a 10-year period.

Student borrowers who teach in public elementary and secondary schools will be eligible for cancellation of up to 50 percent of the loan if they teach full time for 5 years or more. The cancellation is at the rate of 10 percent per year based upon the amount of the loan outstanding when they begin teaching.

The National Defense Education Act requires that special consideration be given to students with superior academic backgrounds who intend to teach in elementary or secondary schools or those whose academic backgrounds indicate superior capacity or preparation in science, mathematics, engineering, or a modern foreign language.

Attached to this statement is a table with additional details, by States, on the student loan program for 1959–60.

Applications for student loan funds for 1959–60 under the National Defense Education Act

State or Territory	Number of institutions participating	Full-time enrollment	Estimated number of borrowers	Estimated average loan	Funds now on hand	Federal funds requested	State allotments
Total	1,372	2,195,173	120,644	$501.22	$15,064,706	$41,127,586	$30,000,000
Alabama	24	35,569	5,409	216.24	207,382	851,095	429,412
Arizona	7	22,885	926	611.12	110,721	409,661	240,687
Arkansas	18	22,195	1,050	455.11	59,908	378,330	252,747
California	95	191,906	7,109	550.51	1,419,353	2,380,451	2,871,350
Colorado	18	32,251	1,144	620.60	173,877	482,872	406,661
Connecticut	18	29,053	1,577	417.39	290,013	356,724	404,077
Delaware	3	3,375	196	274.49	22,921	26,965	51,988
Florida	19	42,451	2,979	433.65	110,545	1,056,156	540,475
Georgia	34	39,569	1,816	507.33	182,132	666,224	456,743
Idaho	7	13,126	422	697.70	143,521	137,829	117,876
Illinois	58	105,795	5,782	531.07	737,791	2,094,725	1,501,629
Indiana	28	67,239	3,697	475.66	281,932	1,328,912	842,286
Iowa	41	44,079	2,130	539.49	278,276	785,453	575,064
Kansas	33	36,771	2,442	529.47	147,912	1,034,310	501,474
Kentucky	26	29,915	2,112	451.70	88,052	779,811	403,894
Louisiana	15	44,039	2,251	573,52	272,229	916,891	538,582
Maine	12	9,293	531	461.51	36,655	187,566	123,763
Maryland	20	26,307	1,258	561.05	130,765	517,661	392,747
Massachusetts	61	81,881	4,674	557.05	861,183	1,574,197	1,223,665
Michigan	41	102,488	3,701	649.07	575,138	1,628,783	1,332,763
Minnesota	31	56,800	4,047	444.10	210,232	1,415,368	678,452
Mississippi	30	26,622	1,863	397.36	98,646	578,980	329,300
Missouri	40	54,753	4,225	550.83	216,716	1,904,623	725,715
Montana	9	10,744	378	670.64	79,297	157,664	123,215
Nebraska	19	22,568	1,028	559.39	206,061	332,098	284,856
Nevada	1	2,277	50	700.00	22,100	11,610	25,269
New Hampshire	7	9,300	957	$312.46	$79,209	$197,829	$115,631
New Jersey	23	35,538	1,342	612.51	218,532	543,327	564,178
New Mexico	9	10,858	903	404.80	22,526	308,704	138,617
New York	99	185,503	11,772	531.73	2,081,361	3,782,085	2,954,351
North Carolina	50	56,089	3,672	419.07	294,991	1,146,163	701,646
North Dakota	11	13,012	699	542.51	97,147	254,565	138,199
Ohio	57	106,803	5,531	508.16	676,065	1,911,494	1,404,049
Oklahoma	29	46,655	3,043	485.36	231,538	1,122,873	558,317
Oregon	18	28,613	907	647.15	238,152	313,719	362,596
Pennsylvania	80	117,558	7,000	502.47	841,587	2,437,751	1,757,848
Rhode Island	9	13,053	943	439.05	109,551	274,028	156,355
South Carolina	26	21,933	1,396	443.05	155,989	416,819	330,435
South Dakota	14	12,941	808	433.17	42,020	277,181	159,670
Tennessee	41	48,144	3,157	427.30	296,393	944,030	580,598
Texas	62	112,783	5,329	546.86	1,080,163	1,647,736	1,677,719
Utah	9	16,883	563	641.66	124,793	212,817	315,516
Vermont	13	8,361	905	313.38	85,243	178,528	96,523
Virginia	20	32,530	1,848	487.05	305,629	534,994	472,968
Washington	19	44,040	1,602	545.66	306,462	581,307	544,351
West Virginia	18	21,789	1,089	477.34	66,420	423,162	267,783
Wisconsin	30	54,335	2,067	605.12	435,554	715,782	685,866
Wyoming	3	4,850	280	382.86	5,657	91,389	55,368
Alaska	1	700	30	500.00	7,583	6,675	3,433
District of Columbia	10	17,901	979	685.65	148,948	470,074	322,264
Hawaii	3	5,615	65	940.95	55,326	5,252	77,949
Puerto Rico	3	15,435	960	485.42	94,509	334,343	180,045
Guam							1,188
Canal Zone							1,827

Source: Department of Health, Education, and Welfare, Office of Education, July 1959.

Senator Kennedy Declares Passage of Landrum-Griffin Bill Would Jeopardize Enactment of Labor Reform Law and Urges Passage of Elliott Bill

EXTENSION OF REMARKS
OF
HON. JOHN BRADEMAS
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 6, 1959

Mr. BRADEMAS. Mr. Speaker, I should like to insert in the CONGRESSIONAL RECORD the text of the comment of the distinguished Senator from Massachusetts, the Honorable JOHN F. KENNEDY, concerning President Eisenhower's television speech of August 6, 1959, on labor reform legislation.

Senator KENNEDY, as we all know, by his diligent work on the McClellan committee and in guiding a labor-management reform bill through the Senate, speaks with knowledge and authority in this field.

Senator KENNEDY's statement follows:

The President is wholly misinformed about the contents of the bill which passed the Senate by a 90-to-1 vote and about the House committee bill. Both of these measures would eliminate racketeering and the abuses disclosed by the McClellan committee in trade unions but, unlike the Griffin-Landrum bill, would not wreck the legitimate union movement. Passage of the Griffin-Landrum bill by the House would definitely jeopardize enactment of labor reform legislation at this session of Congress.

Mr. Speaker, in a filmed interview this week, Senator KENNEDY told me he supported the bill reported by the House Education and Labor Committee and introduced by the distinguished gentleman from Alabama [Mr. ELLIOTT]. Said Senator KENNEDY:

I hope that the Elliott bill will be accepted. I think we can get quick agreement between the Senate and the House on such legislation and go home feeling that we've done an important job in protecting union funds and the democratic rights of all union members.

The Senator went on to say that the bill sponsored by the gentleman from Georgia [Mr. LANDRUM] and the gentleman from Michigan [Mr. GRIFFITH] "would not concentrate, as the Elliott bill does, on the shortcomings of a few racketeers and hoodlums but is instead an effort to limit the legitimate rights of all unions to bargain for their members."

Mr. Speaker, I should like also to insert in the RECORD the text of Senator KENNEDY's statement of August 3, 1959, concerning the need for labor reform legislation.

The statement follows:

This Congress must pass a labor-management reform bill. We cannot go home without enacting a responsible, effective measure that will strike hard at racketeers without penalizing honest union members—a bill that will carry out all the recommendations of the McClellan committee.

The Griffin-Landrum bill now offered as a substitute for the Elliott bill is not such

a measure, and its adoption would endanger final passage of any reform legislation by complicating the chances for a conciliation of the Senate and House version.

The Griffin-Landrum bill seeks to undo the conscientious efforts of the House committee members by substituting a punitive measure—restricting the rights of all honest union members—for a responsible measure aimed at the Hoffas, the Dios, and the Sheffermans, based on the McClellan committee reports and compatible with the strong, workable bill which passed the Senate 90 to 1.

The hodgepodge substitute bill, on the other hand, goes far beyond the recommendations of the McClellan committee—threatening to restrict the antiracketeering efforts of honest unions, to bog down small unions, and the bill's administration in a welter of redtape, and to weaken labor's legitimate rights at the bargaining table. Far more than that, it strengthens the grip of racketeers. I am hopeful that it will be promptly rejected by all those truly interested in passing a strong antiracketeering bill during this session of Congress.

Results of Poll

EXTENSION OF REMARKS
OF

HON. PETER FRELINGHUYSEN, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1959

Mr. FRELINGHUYSEN. Mr. Speaker, under leave to extend my remarks I should like to include a tabulation of responses totaling over 7,000, to my questionnaire recently mailed to some 35,000 constituents in my congressional district, seeking their views on current political issues.

I should particularly like to call attention to the fact that an overwhelming majority of those replying feel that legislation should be enacted in the labor field, and that to be effective, provisions should be included to restrict secondary boycotts and blackmail picketing.

With respect to choices for presidential candidates, this poll indicates a strong preference for Vice President NIXON over Governor Rockefeller and on the Democratic side, a slight lead for Senator KENNEDY over Adlai Stevenson. The tabulation was made prior to the Vice President's recent trip to the Soviet Union and Poland:

TABULATED RESPONSES TO 1959 QUESTIONNAIRE MAILED BY CONGRESSMAN FRELINGHUYSEN

1. On the subject of a balanced budget do you favor:

(a) Curtailing our domestic programs, if necessary, to balance the budget? Yes, 68.4 percent. No, 19.6 percent. No opinion, 12 percent.

(b) Cutting defense spending, if necessary, to balance the budget? Yes, 24.4 percent. No, 58.4 percent. No opinion, 17.2 percent.

(c) Balancing the budget regardless of defense or domestic considerations? Yes, 25.4 percent. No, 47.9 percent. No opinion, 26.7 percent.

2. On the subject of labor legislation do you believe:

(a) Legislation is needed to curb abuses by certain labor unions? Yes, 94.7 percent. No, 2.2 percent. No opinion, 3.1 percent.

(b) If labor reform legislation is enacted, should provisions be included to restrict secondary boycotts and "blackmail" picketing? Yes, 88.4 percent. No, 4.5 percent. No opinion, 7.1 percent.

3. Which form of Federal aid to education, if any, do you favor?

(a) Aid in school construction programs to needy areas? Yes, 57.5 percent. No, 19.9 percent. No opinion, 22.6 percent.

(b) Aid for teachers' salaries as well as school construction? Yes, 32.3 percent. No, 44.2 percent. No opinion, 23.5 percent.

(c) No Federal aid? Yes, 28.2 percent. No, 32.2 percent. No opinion, 39.6 percent.

4. In our foreign aid program would you favor a shift in emphasis from military assistance to economic aid? Yes, 48.8 percent. No, 30.8 percent. No opinion, 20.4 percent.

5. On the subject of farm subsidies:

(a) Should we reduce Government price supports and attempt to return to a free market system? Yes, 84.3 percent. No, 6.1 percent. No opinion, 9.6 percent.

(b) Should we cut off all farm subsidies? Yes, 47.6 percent. No, 30.6 percent. No opinion, 21.8 percent.

6. (a) Whom would you prefer as the Republican presidential candidate in 1960?

Name:	*Percent*
Nixon	55.4
Rockefeller	24.4
No opinion	20.2

(b) Whom would you prefer as the Democratic candidate?

Name	*Percent*
Kennedy	21.6
Stevenson	17.1
Johnson	8.1
Symington	7.9
Humphrey	4.5
Kefauver	3.8
No opinion	36.4

What REA Means to America

EXTENSION OF REMARKS
OF

HON. ROBERT W. LEVERING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1959

Mr. LEVERING. Mr. Speaker, last Friday night it was my pleasure to speak to more than 800 customers of the Tuscarawas-Coshocton Electric Cooperative, Inc., at the fairgrounds in Coshocton, Ohio, in my congressional district. I talked on the subject of "What REA Means to America" and pointed out that since the Rural Electrification Administration was established, 95 percent of the farms in America have been electrified, which all demonstrates how free enterprize and Government can work together for progress.

Mr. Speaker, under unanimous consent, I include the remarks which I made on this occasion in the RECORD.

WHAT REA MEANS TO AMERICA

Mr. Manning, Reverend Wells, Mayor Leach, President Darling, other distinguished officers of Tuscarawas-Coshocton Electric Co-op, ladies and gentlemen, I am honored to have this opportunity to be with you this evening and to think with you on an important agency of our Federal Government. It is my earnest, honest hope, in speaking to you, that something I might say, some thought I might express, will stimulate in you the desire to help me, and others in our Government, to do our jobs a little better, a little more efficiently, a little more energetically, so that all of us can make more progress. As you know I am a co-op user myself. Our home and farm in Knox County is served by the Morrow Rural Electric Cooperative.

We live, as we all know, in a challenging period in world history. While every generation has produced its own problems, and they have been many, I feel sure that, no matter what former period of human history you could choose, you would encounter no more churning, no more explosive situations, than we know exist in our world today.

At home, and abroad, we, as a free people, face problems of great magnitude. Tom Paine wrote, during the American Revolution: "These are the times that try men's souls. * * *" You and I, as we become aware of all the potential peril points on this old globe, can repeat those words and put an exclamation point after them.

And yet, as Emerson once remarked: "The years teach much that the days never know."

As we get a little older, and a little more experienced, we can look back and see that progress is being made, in this or that field of endeavor. Let us realize that there is nothing automatic about progress, however. All of human history—all of life—all the recorded teachings of mankind—teach us that every step of progress that has been made has been one long and constant battle. Men who wanted to progress, individually or in groups, have found that they must battle against inertia, greed, stupidity, human cruelty, as well as against all the forces of nature, from decay and depreciation to the onslaughts of the elements.

Let us bear in mind that all progress is an uphill fight, not only against people who do not want to move, but against all the impediments placed in our paths by life and nature.

William James said, and I quote: "If this life be not a real fight, in which something is eternally gained for the universe by success, it is no better than a game of private theatricals from which one may withdraw at will. But it feels like a real fight."

You who have been active in the REA movement know, from the history of the agency, that rural electrification has been a real fight, all during its history, and even before the Rural Electrification Administration was born. I did not know the men, but I knew of them, who had a hand in opening up rural America to electricity, and I should like to pay tribute to them. Foremost among them was Senator George W. Norris, the Independent of Nebraska, who for 25 years reigned supreme in the Senate as the man who thought the most about the future of his country. Among those early fighters there was a Congressman named John E. Rankin, of Tupelo, Miss., who no longer sits in the House of Representatives but still is remembered by the oldtimers there. John Rankin will always be numbered among the founders of the REA. And then there was Judson King, who died only a few months ago in his home outside of Washington. Judson King was a public relations man for the people. For most of his life, he battled, through his writings, for projects that would benefit all the people of this country, as opposed to ideas and ideals that were designed to help the few at the expense of the many. And, I am happy to report, my father-in-law, Representative Usher L. Burdick, was in that valiant and limited group that originally fought the battles for rural electrification. I'm also happy to report that Usher Burdick, although he retired

from Congress at the end of the 85th Congress, still is alive and happy and as rambunctious as ever. While, as I noted, I did not know many of these men personally, I know them by reputation, and I am sure that there is tonight, among us, several individuals who may have known one or the other of them. It behooves us, I believe, to remember these stalwarts of other days, for we can gather strength from their struggles and their victories for the battles that may lie ahead.

These men lived, as we do, in a period of great change. But they never allowed the distractions, and the deliberate tactics of their enemies to divert them from the paths they knew they must take. We, too, must learn not to be diverted from our legitimate aspirations by the little, petty, picayunish things of life. We must keep our minds and our hearts on the larger goals, and push on, regardless of the disruptions which constantly will be placed in our paths.

The Rural Electrification Administration program demonstrates, I think, how free enterprise and a sympathetic government can work together to solve a vexing and difficult problem for human beings.

In 1935, before the REA came into being, only 1 farm in every 10 in the United States had electricity. For all practical purposes, rural America was in the dark. Of course, there were kerosene lamps, there were hand-operated waterpumps, and there were Chic Sales outhouses behind every farmhouse. If you drove into the countryside after dark, in those days, the only possible lights you would see, besides the headlights of your own automobile, would be the dim and flickering lamps that would be burning in one or two rooms of the farmhouses.

Today, due principally to the foresight of the men who worked for the REA to become enacted into law, 95 percent of all farms in the United States have central station electric service. In less than 25 years, we have seen electricity transform the rural home into a modern, convenient place to live.

As we know, the REA made it possible for groups of local farms and other individuals to organize into cooperatives and to borrow long-term loans at low interest for the purpose of generating and distributing electricity, as well as building and operating rural telephone companies. In the past 23 years, some 1,000 of these REA cooperatives—completely owned and operated by local people in as many communities—have borrowed and used about $3 billion from the Federal Government to build modern electric power systems to serve rural areas.

I doubt seriously if $3 billion of Federal funds ever has been used more economically or with more lasting benefit to the comfort and welfare of as many people in the whole history of Government anywhere on earth. There is no telling how many elderly people have been able to turn on the water spout in subzero weather, instead of having to walk out into bitter cold to get water from the well. There is no computing how many women with child, alone and unattended on isolated farms, have been able to do their necessary household chores, more or less in the comfort of their homes, without having to strain themselves by pumping water outside, or injure themselves by other manual labor they might have had to do if they had not had electricity.

If there were any way that we, tonight, could look into the hundreds of thousands of homes that have been served through the years by electric power, made available because of the REA program, I am sure that we would see a story that would make all the miracles of ancient writ pale into insignificance. Electricity, we know, is a miracle in and of itself. The fact that, in the mid-thirties, our leaders of those days could be farsighted enough to see the challenge and to meet the challenge and make Federal money available to local groups, represents another miracle. And every home that has enjoyed a transformation as a result of the electricity represents another miracle.

These rural electrification systems today are operating in 47 States and in Puerto Rico. They have brought electricity to more than half of all the electrified farms of America, and because they have made this great service possible to half the homes, they have provided the competitive stimulus necessary to obtain service for most of the other homes of the country.

Back in 1935, when the REA experiment was just beginning, it was argued that all farmers who wanted electricity had it and that there was no market for power out in the country. Experience in the last 23 years has demonstrated how wrong this contention was. Rural people are using electricity at an ever-increasing rate, doubling their use of power every 5 to 7 years.

The success of the rural electrification program has been so overwhelming that many opponents no longer try to attack it openly. Instead, they are coming forth with proposals to improve the program. The President's budget message, with its proposals for REA, illustrates this point.

For 2 years in a row the administration has asked Congress to jack up the REA interest rate. This is being done despite the fact that all evidence indicates that such an increase would necessitate higher electric bills for all the consumers served and many co-ops, especially those in the thinner territories, would be driven out of business. As you know, REA is prohibited by law from serving towns with a population of more than 1,500, which means that it is barred from participating in the cream of the electric industry market.

For 2 years in a row the administration has also asked Congress to change the REA Act so as to permit the Secretary of Agriculture to turn a part of the loan business over to the Wall Street bankers. This proposal was so drastic that in the last session of Congress not a single Member was willing to put his name to the bill and sponsor its introduction.

In the budget message the President also asked for a tax on co-ops and he recommended a slowdown for the Federal power program upon which nearly half of the co-ops depend for their wholesale power.

The President is not the only member of the administration who has been harassing REA. The Secretary of Agriculture has extended his domination over the REA Administrator and drastically clipped his authority. All new loans, and all major loans, as a result of the Secretary's directive, must now be cleared with his office before they can be approved.

During this session of Congress a drive has been made to end the Secretary's domination and to restore to the Administrator the loanmaking authority that Congress gave him originally. Committees in both the House and the Senate gave prompt consideration to the bill, which was known as the Humphrey-Price bill, and by April both Houses had taken action, voting overwhelmingly for the measure which had been vigorously supported by rural electric systems in all parts of the country.

First the Senate, and then the House, gave their approval. However, when the bill reached the President's desk, he vetoed it. The Senate promptly overrode his veto, with several votes to spare. The scene changed to the House; and in the last hours before the rollcall the administration decided to make the Humphrey-Price bill a straight party-line issue. The President called upon all the Representatives who had voted for the bill in the earlier vote. He succeeded in getting enough of them to switch that on the final rollcall the veto was sustained by a slim four-vote margin. The House, in the biggest turnout for any rollcall in history, fell just four votes short of the two-thirds majority needed to make the bill a law.

The rural electric systems were defeated in their efforts to reestablish the authority and prestige of the REA Administrator; but it is to be hoped that the overwhelming vote will prevent the Secretary of Agriculture from interfering with the loan procedure in the future.

Another vital issue developed last summer, when the Comptroller General issued a ruling that if allowed to stand will seriously damage the REA program. The Comptroller General, Mr. Joseph Campbell, who served on the Atomic Energy Commission at the time of the Dixon-Yates scandal, and who was appointed Comptroller by President Eisenhower on December 15, 1954, in his ruling ordered an unprecedented restriction on the REA Administrator's loanmaking authority. This ruling completely reversed congressional intent as set forth in the REA Act and completely ignored 23 years of successful administration.

The Comptroller has still not reversed his ruling, although he has said he did not intend to enforce it. There are bills in Congress to investigate this damaging and disruptive procedure.

The big challenge of the future in the REA program is to complete the extension of service to the remaining 2 million rural residents, and to provide the necessary power capacity to service constantly growing needs.

The use of electricity from REA-financed lines increased from a monthly average of 134 kilowatt-hours per farm in 1949 to about 291 kilowatt-hours in 1957. Farmers are coming to depend more and more upon electricity as a production tool. About 400 farm uses for electricity are known; at least 250 of them increase production or make farming more profitable.

Farmers already use more electric energy for more farm tasks than was expected when the original lines were built. As a result, power distributors are faced with the necessity of heavying up the lines and substations to keep abreast of demand. A program of system improvements has been a major activity of most REA electrification borrowers in recent years.

An important result of the expanding rural electrification program is the increased business it brings into rural communities. It stimulates private business, both locally and nationally. I confirm what Mr. Erman said. Surveys indicate that for every dollar invested in rural power facilities, the farmer invests $3 to $4 in wiring, plumbing, and electrical appliances. Also, when power is available, the establishment of industry in rural areas is encouraged.

It has been a great pleasure for me to be with you this evening, and to think with you on this important subject. As you all know, I am pledged to work for the REA in every good way, consistent with the finest democratic principles of our country.

Richard Nixon, Statesman

EXTENSION OF REMARKS

OF

HON. PAUL B. DAGUE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1959

Mr. DAGUE. Mr. Speaker, no one—not even the most rabid partisan—could have experienced anything but swelling pride as the Vice President and his charming helpmate came down the ramp at National Airport yesterday afternoon.

Here were two returning Americans who a few days previously had sallied forth to meet on his own heath the man who has threatened to bury us. Here were two plain Americans with as humble backgrounds as any among us and yet who by the very persuasiveness of their charm had melted the hostility of people behind the Iron Curtain and perhaps in 10 short days had contributed more to the cause of peace than has any other person in the last decade.

Over the past several years we have seen many Western diplomats, including some of our own legislators, try to beard the Russian bear in his den and in nearly every case they have come slinking home to tell us the Communists are 10 feet tall and invincible. Well, DICK NIXON in a few short hours dispelled that myth and standing toe to toe with Mr. K. handed him back better than he gave. As a matter of fact, I surmise that by talking up to the Soviet boss and showing him that Americans have the courage of their convictions, and that bluster and bluff are not potent tools with which to turn aside truth and logic, Mr. NIXON has caused Mr. K. to reevaluate his previous estimates of just how far he can go before running up against the solid wall of American determination.

In his televised address to the Russian people the Vice President laid it on the line and firmly but without rancor reaffirmed the basic desire of all the West; namely, that we have no aggressive designs on anybody and that all we want is to live at peace with all nations and races. A much-admired columnist, Mr. Gould Lincoln had this comment in Wednesday's Evening Star:

Mr. NIXON's address to the Russians included a frank invitation to the Russian Communists to lay aside their announced program of world communism and world domination, the ultimate result of that program. He told the people quite flatly that as long as their leaders persist in their drive for communizing the world, including the United States, they must expect the United States and its allies of the free world to maintain their military bases within easy striking distance of the U.S.S.R. Further, he said that this country will continue to increase its military strength. Mr. NIXON'S whole tone was firm, but distinctly he engaged in no saber rattling. His warm appreciation of the Russian people and their hospitality to himself and Mrs. Nixon was a strong overlying theme.

And then Mr. Lincoln sums up in these words:

Mr. NIXON has again shown himself a master at grasping the essentials of the most vital problems which confront the United States, the U.S.S.R. and the whole world. His whole bearing during his momentous visit to Russia at a tense moment, with the East and West in virtual deadlock over the problems of West Berlin and all of Germany, was a credit to himself and to his country. Whether he was engaged in rough-and-tumble debate with Russia's Khrushchev, or whether he was being heckled by persons in the throngs which greeted him, Mr. NIXON never lost his dignity and he was never at a loss in meeting the situations as they developed.

Mr. Speaker, the American people have the right to be proud of this great American and we should humbly thank an all-wise Creator for having blessed our side in this cold war with this ablest champion of the course of freedom. Indeed, we might well echo the warm-hearted cheers of the Polish people as they pelted him with flowers and shouted, "Thank you, thank you, thank you, Mr. NEEXSON."

Closing of Geneva Conference

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Thursday, August 6, 1959

Mr. WILEY. Mr. President, yesterday we witnessed the closing of the Big Four Foreign Ministers Conference at Geneva.

Unfortunately, the Conference did not yield any substantial progress toward resolving East-West differences.

The significance of the Geneva meeting, however, should not go unnoticed.

During the 65-day Conference—broken by an interim recess—Secretary of State Christian Herter, his associates, and representatives of our allies, carried out their duties in a dedicated manner—under extremely difficult circumstances.

We recognize, however, that success in such a conference depends upon readiness to obtain agreement by both the participating parties. Unfortunately, the Soviet delegation—under direction from Moscow—of course were unwilling to engage in the kind of negotiations which would result in resolution of problems. However, this should not unfairly reflect on the statesmanlike work of our representatives at the Geneva meetings.

Rather, it again reveals the adamancy of the Soviet delegates against any kind of agreement that would do other than serve their own aims of Communist expansionism.

In wrapping up the Conference, however, the door has been left open—as I believe it should be—for further sessions if deemed advisable. As often noted, it is better to be exchanging words than bombs. As yet, no date for reconvening has been agreed upon.

I ask unanimous consent to have the Big Four communique published in today's Washington Post and Times Herald printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOREIGN MINISTERS' TALKS COMMUNIQUE

GENEVA, August 5.—Text of the concluding communique of the Big Four Conference:

"Communique of the Geneva Conference of Foreign Ministers, 1959.

"The Conference of Foreign Ministers met in Geneva from May 11 to June 20 and from July 13 to August 5, 1959.

"The Conference considered questions relating to Germany, including a peace treaty with Germany and the question of Berlin.

"The positions of the participants in the Conference were set out on these questions.

"A frank and comprehensive discussion took place on the Berlin question.

"The positions of both sides on certain points became closer.

"The discussions which have taken place will be useful for the further negotiations which are necessary in order to reach an agreement.

"Furthermore, the Conference provided the opportunity for useful exchanges of views on other questions of mutual interest.

"The Foreign Ministers have agreed to report the results of the Conference to their respective governments.

"The date and place for the resumption of the work of the Conference will be settled through diplomatic channels."

The Great White Fleet: A Mission for Humanity

EXTENSION OF REMARKS
OF
HON. GEORGE S. McGOVERN
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 6, 1959

Mr. McGOVERN. Mr. Speaker, as one of the sponsors of a concurrent resolution calling for the use of some of America's idle warships in a worldwide mission to transport surplus food, medical assistance, and technical aid to distressed peoples, I am deeply moved by the manner in which the American people have opened their hearts and minds to this proposal. My own South Dakota constituents who have written to me on this theme have endorsed the Great White Fleet idea without exception.

The deep humanitarianism of the American people and their basic religious faith in the brotherhood of man shines through the letters coming to me and to other sponsors of the mercy fleet proposal.

I am grateful to Commander Manson of the U.S. Navy who conceived of the idea, and to Life magazine for so effectively publicizing it.

Here is an idea in which all Americans can share by modest voluntary contributions. It will dramatize America's material and spiritual strength for all the world to see. It will give us a powerful instrument in the competition with communism for the uncommitted masses of the globe. Most of all, it will be good for the soul of America to thus heed the admonition of the Great Teacher that we feed the hungry, clothe the naked, and minister to the afflicted.

The Navy has many ships lying idle in American harbors—including four completely equipped hospital ships. We have other ships filled to overflowing with surplus farm commodities that are beginning to deteriorate. We have a host of the world's finest doctors, nurses, and technicians. We have millions of citizens who would contribute dimes, quarters, and dollars to finance the staffing and supplying of the mercy fleet.

Why should we delay in activating a small portion of our mothball fleet and devote it not to the science of killing, but to the science of healing? This idea may well be grabbed up and put into operation by the Soviet Government if we do not hasten to implement it.

The finest minds in the United States have deplored the unfortunate tendency

of American foreign policy to react in a negative way to Soviet moves. There is a widely felt need for a more positive, imaginative U.S. foreign policy that would give America the initiative. We desperately need to hold up to the world the image of an America that has a positive faith and a constructive foreign policy of its own.

Who can cite a more effective device to dramatize to disaster and distressed sectors of the globe that America is concerned about all of God's creatures?

Listen to some of the letters I have received in reply to my White Fleet newsletter of July 25 which I will ask to have printed at the close of my remarks today.

A successful insurance man, who is a long-time fellow townsman and friend of mine, M. A. Hoellwarth of Mitchell, S. Dak. writes:

The Great White Fleet is the most important idea that has come across the brain of Christian man in a long while. Let's do it, as it is an opportunity to show the people in our world that Americans are unselfish and love their fellow man wherever he may be. One hundred percent endorsement.

A banker from Huron, S. Dak., Mr. Arlo Swanson, said:

I just finished reading your Washington report of July 25 in connection with the Great White Fleet for promoting peace and better relations between our Nation and less fortunate nations in the world today. I can see no better way to promote good will and peace than using our surplus grains and some of the ships that are in mothballs in giving food and medical care to the underprivileged of the world. I wholeheartedly support this movement and certainly encourage you to back it up.

Mr. and Mrs. Elmer Heide, who live at Canton, S. Dak., which is also the residence of my mother and my sister, have written:

We are especially interested in the Great White Fleet and sincerely hope it will become a reality soon. Certainly, a project like this is in harmony with the great commission of Jesus Christ. How can we make disciples if we neglect these crying needs?

Charles O'Neill, telephone manager of the city of Brookings, S. Dak., observed:

It is my sincere hope and prayer, that the idea of the White Fleet will very soon become a reality, as I am fully convinced that such a gesture by the American people and their Government can do nothing but good wherever applied. I surely would hope that there are enough intelligent men in the Congress to vote such a measure into existence. Direct humane relief is, as you have many times mentioned, our best defense against communistic aggression, especially in India, Greece and the other disease- and poverty-besieged countries.

A most enthusiastic response comes from H. R. Brekke of Madison, S. Dak., who said:

The idea of the White Fleet is the greatest idea of the century. In my opinion, it is a fulfillment of scripture of "Do unto others as you would have them do unto you."

One of my fellow World War II comrades who is also a resident of my hometown, Arthur Buehler, of Mitchell, wrote:

I wish to express my opinion about your supported idea of a new White Fleet. I, too, saw firsthand, as a soldier in Europe during World War II, such hunger and misery as you have described. I want to say that I am wholeheartedly in favor of the proposed idea.

I believe that Mr. Fred Becker, a jeweler from Mobridge, S. Dak., has expressed the reaction of many Americans when he observed:

People have been wondering why the Government has not been doing this for many years. It is a good plan.

A treasured friend of mine from Yankton, S. Dak., Emma Meistrik, has told me that:

Most persons are in sympathy with your program of disposing of U.S. surpluses to needy persons overseas.

Another Yankton resident, an attorney and businessman, Mr. John E. Walsh, has written:

As a citizen, I believe this would be a marvelous program and one which would be extremely meritorious. You should have the support of all of your constituents. I trust that it will be successful.

Rev. Einar Michaelsen, pastor of the Congressional Church at Brentford, S. Dak., has raised a most interesting question with regard to the White Fleet proposal that deserves careful consideration. A portion of his letter follows:

I was pleased to read in the Aberdeen-American News that you also are advocating U.S. sponsorship of a White Fleet. You are to be congratulated for taking a forthright stand for the cause of peace; I want you to know that you have my most hearty support.

I wonder, however, if the fleet might be better handled under the sponsorship of the United Nations rather than flying the U.S. flag. Such a procedure, it seems to me, would eliminate any criticism of using the enterprise for propaganda reasons and also give other nations an opportunity to share their peculiar gifts with the rest of the world.

Many people are eager to play a personal part in implementing the mercy fleet idea as indicated by the following statement from Ernest C. Wirth of Vermillion, S. Dak.:

I am in full accord as to the mercy fleet and would welcome suggestions what to do to promote any more toward the realization of this hope. * * * Do write and state what I can do to help any further.

Mrs. Margaret McIntosh, the able public relations director of Yankton College, has written:

The Great White Fleet sounds like a most excellent idea. Would not the giving of surplus wheat for seed as well as for bread solve—or help solve—the surplus problem as we all hope it can be solved someday freeing the billions of dollars that the storage costs and, at the same time, demonstrating, as you say, our good will toward the hungry nations?

The J. C. Penney Co. manager, Harold Dufelmeier of Chamberlain, S. Dak., writes:

Your Washington Report dated July 25 has just arrived. I am one of the many folks back home who wish you great success in your attempt to establish a Great White Fleet.

Alec McDonald, an old friend from Wilmot, S. Dak., writes:

Your newsletter came today. The idea contained is new to me, but nonetheless praiseworthy. What a great world it would be if we spent half as much for construction as we do for destruction.

Rev. Roger Grow, minister of the First Congregational Church of Beresford, S. Dak., writes:

I think that the White Fleet idea which is written up in the current Life magazine deserves the attention of the Congress. This seems to me to be a most wholesome idea, worth while—and the kind of thing that should meet with your approval.

My friend, Ivan Brewick, Mitchell insurance man, writes:

I was very much impressed with your newsletter about the Great White Fleet. When a person sees all of the sickness and suffering that goes on even in our land of plenty, and then hears all about the surpluses we have, it makes a person wonder if there isn't something that can be done to alleviate this misery and hunger in a lot of places.

A 16-year-old boy from Huron, S. Dak., Dennis Lyle, wrote:

I believe that if more ideas like the idea of the new White Fleet were forthcoming from the people of both Russia and the United States, our problems would be solved. I sincerely think that the new White Fleet would help us more overseas than some of our aid programs.

George Holbosen of Willow Lake, S. Dak., has presented his views in slogan form:

Let's feed with the fleet, rather than fight with the fleet.

Judge William M. Potts of Mobridge writes:

I am very much in favor of promoting the Great White Fleet. Not only will this enterprise accomplish a great deal of good for poor people of the world, but it will also make it impossible for other nations to criticize the motives of the United States.

Other South Dakotans who have written me, and their comments follow:

Thomas Rowlands, Aberdeen, S. Dak.:

I think this is the best ever.

Earl Buhler, Aberdeen, S. Dak.:

I just finished reading your recent report concerning the Great White Fleet. In short, I think it is a tremendous idea.

Dr. P. O. Dickinson, Aberdeen, S. Dak.:

Just a note to tell you that I think the Great White Fleet idea is one of the best to come before Congress in my memory.

Wilbur Tiohct, Meckling, S. Dak.:

I think your proposal is the thing; get the surplus grain we have into the mouths of the starving people of the world.

Clem Heiberger, Spencer, S. Dak.:

I am in favor of putting the White Fleet into service. In talking with Ewald Osterberg of Salem last evening, he voiced the opinion that it was a very good thing.

Truman D. Elder, Miller, S. Dak.:

Received your interesting newsletter, and think your White Fleet idea an excellent one, as it serves many purposes. * * * I served in the Southwest Pacific area in World War II, and, too, noticed many cases of starvation, where a lot more good could be done with kindness, understanding, and supplying of more material comfort than mere cold dollars could bring.

B. J. Buisker, Britton, S. Dak.:

The Great White Fleet is a great idea. Push it all you can.

Barney Van Hatten, Conde, S. Dak.:

I approve of this proposal 100 percent. That would do more good than all the guns and bombs we could send.

Esther C. Rieck, Waubay, S. Dak.:

I think the new White Fleet idea is a wonderful idea.

Frank Egan, Sioux Falls, S. Dak.:

I am in recept of your last report sent out July 25, 1959, and I approve of all this good work you speak of, and are trying to get set up relative to the White Fleet. I think that if we could get this material and food surpluses direct to the people, without some smart guy cashing in on it as in most of our past attempts to get through to the common people. Anyway, GEORGE, I'm for any attempt it might be to get our surpluses into the hands of these poor people, as I noticed Sunday while in the country a lot of our stored corn is not in too good shape now; and if it is not moved before the winter sets in, won't be much good.

Mr. Speaker, there is one South Dakotan I would like to single out for special praise in connection with the Great White Fleet. I refer to Mr. August Kludt of Mount Vernon, S. Dak., who suggested a similar idea to me in a letter dated June 13, 1959. Mr. Kludt presented his suggestion a full 6 weeks before the article by Commander Manson appeared in the July 27 Life magazine. It indicates the vision and common sense thinking that characterizes the people who live close to the soil in the rural heartland of America. I include a portion of Mr. Kludt's June 13 letter at this point:

I have often thought how it would be if we would use one of our old aircraft carriers for this job. If such a ship were outfitted with a complete flour mill and large baking oven (which most already have) and put such a ship in a foreign harbor where there is much need for empty stomach and give them ready-baked fresh bread, I think we would hit the spot where it counts most.

A load of wheat does not help much in the raw because the poor cannot buy it, and the rich don't need it, besides it lays in foreign bins too long and is again used to make money for the rich. This should not be.

Our ships should supply this floating bakeshop, thus putting many men to work and moving our wheat to where it belongs, to the hungry. I think this would cost less than paying a million dollars a day to keep our grain under lock and key from year to year.

I think there is too much howling about our surplus; it seems some think it is a curse instead of a blessing.

Under unanimous consent, Mr. Speaker, I include my newsletter of July 25, a regular report which I send to constituents who request it, at this point in the RECORD:

WASHINGTON REPORT

(By Congressman GEORGE MCGOVERN)

JULY 25, 1959.

DEAR FRIENDS: "The idea of organizing a new White Fleet grew out of things I witnessed at the close of World War II. Like thousands of U.S. servicemen, I saw diseased, destitute, and poverty-stricken peoples living on the Asiatic rimland and in parts of Europe and Africa. In some areas I saw people actually dying on the streets of starvation and disease. Such sights made deep and lasting impressions on me."

The author of the above observation is U.S. Navy Comdr. Frank Manson, 38-year-old World War II veteran now on duty with the Navy in London.

THE GREAT WHITE FLEET

He is the originator of a proposal which has been presented to the Congress by several Congressmen and Senators including myself. His idea is to take out of idle storage a few of America's warships, paint them white as a symbol of peace, load them with surplus grains, food, and medicine, and send them on a globe-circling mission of mercy to the disaster areas of the world.

Fifty-two years ago, President Theodore Roosevelt dramatized America's emergence as a world power by sending 16 of our battleships fully armed around the world. Commander Manson's proposed fleet would be for an entirely different purpose: To demonstrate to hungry, disease-ridden people that the American people want a world of peace and that we stand ready to help other nations achieve better standards of life.

Commander Manson's impressions of the impoverished areas of the globe calls to my mind the destitute people of southern Italy with whom I lived for a year as an American bomber pilot in World War II. This was my first experience with human starvation, untended sick people and grinding misery. It was during those days of war and tragedy that I first resolved to work for a happier and more peaceful world. Commander Manson speaks for every thoughtful American who wants his country to do everything humanly possible to build a world where peace can be maintained with honor and dignity. This is no easy task, but it is the most important task of mankind.

COMMUNIST ECONOMIC THREAT

No one can doubt that America is everywhere challenged by a ruthless Communist threat which is not only militarily strong but which has every intention of beating us in economic and ideological competition. Khrushchev has bluntly told American visitors to Russia: "We declare war on you in the field of economics."

Highly trained teams of Russian technicians of all kinds, skilled in foreign language and the culture of the countries to which they are sent, are fanning out from Moscow into the underdeveloped areas of the world. They are telling the people that for centuries the Western Powers have exploited them, that communism provides a formula for a better life.

THE CHALLENGE TO AMERICA

America dare not ignore this highly organized Communist challenge. Great masses of people are grasping in desperation for some instrument to break the bonds of hunger and misery. They are no longer content to suffer in silence.

The contest between the free world and the Communist bloc for the allegiance of these uncommitted masses of the world will doubtless be the most significant global struggle of the next century.

The Great White Fleet is one dramatic device that we can use to demonstrate both the good will and the technical prowess of the American people. Such a fleet would be supported by voluntary contributions from the American citizenry.

MERCY FLEET LESS COSTLY, MORE EFFECTIVE

The cost would be much smaller and the results much greater than many of the questionable aid programs in which we are now engaged. The White Fleet would include one of the Navy's idle hospital ships manned by doctors and nurses who could not only minister to the most seriously ill or wounded, but who could demonstrate modern medical techniques to native doctors.

Stocks of surplus food and clothing would be carried on another ship. Still another would be a floating technical school capable of teaching natives techniques for improving their standard of living. Once established, the fleet could add a ship carrying exhibits of American agriculture, industry, education, and culture.

Resolutions introduced by myself and other Congressmen call upon the President to put the White Fleet into service. I would appreciate learning your views on this proposal.

Your friend and Representative in Congress.

GEORGE MCGOVERN.

(If you know of persons who are not now receiving this regular newsletter and would like to be on our mailing list, please send me their names and addresses.)

SENATE

FRIDAY, AUGUST 7, 1959

Rev. Wilson R. Lanpher, minister, First Church of the Nazarene, Washington, D.C., offered the following prayer:

Eternal God, our Heavenly Father, with gratitude and a deep sense of need we turn to Thee for Thy guidance and strength this day.

There are so many voices clamoring for our attention that ofttimes the still, small, inner voice is lost in the rush. We know from experience, our Father, that we cannot fulfill our duties at our best till first we seek Thy face.

We thank Thee for the responsibilities, as well as the privileges, of freemen. Our lines have fallen in pleasant places, and we have a goodly heritage.

And now, Heavenly Father, we pray for these Senators, upon whom heavy burdens rest. We pray Thee also to bless their families, for they, too, serve their country, as they adjust to enforced absences and upset schedules.

We pause to thank Thee this day for the traveling mercies Thou hast given to the President of this body, our Vice President, and to his wife. And we thank Thee for Thy help in giving him insight, courage, and poise in his recent journey.

Our times are troubled, so we seek Thy peace.

Our minds are finite, so we seek Thy wisdom.

In the deepest sense, help all of us to be good stewards of Thine, as we serve our Nation, our fellow men, and our God.

In the name of Christ our Lord. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 6, 1959, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Foreign Relations Committee was authorized to meet during the session of the Senate today.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule there will be the usual morning hour for the transaction of routine business; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

RESOLUTIONS OF 44TH ANNUAL CONVENTION OF KIWANIS INTERNATIONAL

Mr. KEATING. Mr. President, Kiwanis International, the fine men's service organization comprising some 250,000 business and professional leaders in nearly 5,000 communities in the United States and Canada, recently adopted a number of important and interesting resolutions at its 44th annual convention in Dallas.

I am proud to be an honorary member of this outstanding organization which over the years has made tremendous contributions to the welfare of people everywhere and which has done much to promote world friendship and understanding. I ask unanimous consent that the resolutions adopted on June 17, 1959, be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

KIWANIS INTERNATIONAL RESOLUTIONS AS ADOPTED BY THE 44TH ANNUAL CONVENTION OF KIWANIS INTERNATIONAL, JUNE 17, 1959

BY OUR LABORS WE MOLD

Man, who is created in the image of God, must in these times have faith, abundant hope, and most of all, charity. Charity is a virtue of the heart and is the concern of all mankind.

Effective charity demands action, and the activity of yesterday is meaningless unless we perform new deeds of service today.

We who have lofty ideals which inspire ideas, by our labors mold them into acts.

The work we have done is as naught unless we go ever forward and redouble our efforts, and God would have it so.

All men are not gifted with the same talents, but each in his own way and with earnest heart can work sincerely for his God, his community, and his Nation.

Not every man can be a statesman, or a scientist, or a warrior, nor did God intend it so; but each as a child of God can be the best of whatever he is as he builds.

CANADA-UNITED STATES RELATIONS

The rapid rise of Canada to the status of a power of significance at the council tables of the world has focused attention on the fine relationship that has existed between the United States and Canada.

Over the many years Kiwanians everywhere are fully aware that we need to use common sense, mature judgment, and understanding of our long-term interests to insure that this presently complex relationship between our two Nations will consolidate and strengthen, rather than weaken our close association.

The stress of commercial activities relating to production and moving material and finished products across our borders has led to important conferences between the representatives of our two nations for the purpose of better understanding the intricate diplomatic and business activities that arise as the intensity of competitive action grows.

The building of the St. Lawrence Seaway, the development of water power, the International Mutual Defense Pact and Dew Line installations are evidences of mutual cooperation equaled by no other countries similarly situated: Therefore be it

Resolved, That the long existing practice of friendly relationship built through Kiwanis service programs be fitted to these current problems, and to this end we urge all Kiwanians to support actions such as:

1. Educational programs in our schools directed toward creating a complete and full understanding of our interdependence and a better understanding of the history, geography, and government of our respective nations.

2. A more enthusiastic participation in Canada-United States Good Will Week.

3. The effective study of the existing relationship by Kiwanis clubs.

4. Promotion of exchange students between Canada and United States.

5. Active support of all governmental measures to cement our relations.

6. Wider exchange and dissemination of news and informative material between our two nations.

WORLD PEACE

The blessings of peace are paramount in the thinking of the freedom-loving peoples of the United States and Canada, and as God-fearing nations each believes in the basic principles of the Golden Rule among the nations of the world in their relationships each with the other: Therefore be it

Resolved, That Kiwanis clubs in the United States and Canada concentrate their efforts toward the promotion of a permanent basis for world peace by:

1. Fostering the exchange of students and teachers between other nations and the United States and Canada.

2. Helping to bring together the youth of foreign nations with those of our two countries.

3. Conducting educational programs to inform the people of foreign countries of the way of life of the peoples of Canada and the United States.

4. Developing within our two nations a better understanding and support of the principles of the United Nations.

WORTHY PUBLIC SERVICE

Man's contribution in history is measured by opportunity and achievement. Many are given the opportunity to serve their fellow men, but few are able to reach their zenith in accomplishment.

The members of Kiwanis International in convention assembled, from a profound sense of gratitude for their devoted and selfless service rendered the world in its quest for peace, hereby extend our prayerful tribute to the memory of John Foster Dulles and Sidney Smith, Secretary of State of the United States and Secretary of State for External Affairs of the Government of Canada, respectively, who served not only their own governments, peoples, and causes but also peace-loving and free peoples over all the world—and in so doing, molded a pattern of public service to be emulated for all time.

WELCOME TO ALASKA AND HAWAII

Over the years Kiwanis has urged the granting of statehood to the Territories of Alaska and Hawaii, which have long demonstrated their capacity for self-government under the provisions of American democracy: Therefore be it

Resolved, That Kiwanis International extend a warm welcome and assurance of good will to Alaska and Hawaii and call upon our members to study and know both States and their peoples; be it further

Resolved, That a copy of this resolution be forwarded to the Governor of each State.

PEOPLE TO PEOPLE

When Kiwanians, in cooperation with CARE, Inc., distributed tools and equipment to the needy Filipinos, it was proved that the importance of this link in the perimeter of the free world's defense was thoughtfully recognized. This help aided in the efforts of restoration and reestablishment of a sound economy as a free people by the Filipinos, whose progress in this and other activities as an independent democracy is closely watched by all of Asia.

This activity on the part of Kiwanians was begun and completed as an independent, dignified, and nonpolitical project at no governmental expense, hence no cost to the taxpayers as such.

The expansion of this program, a people-to-people project to help the needy help themselves, is necessary as it is the very cornerstone of the structure of freedom, free enterprise, and dignified independence: Therefore be it

Resolved, That Kiwanians, individually and through their organized clubs, both in Canada and the United States, determine the needs of similar areas through CARE, Inc., or any other reputable agency, and give support thereto.

SUPPORT OF CHURCHES IN THEIR SPIRITUAL AIMS

In a world of confusion and uncertainty with the resultant effect on the moral and spiritual thinking of our peoples—the disturbing influence on their faith in the future and their faith in Almighty God—Kiwanians of the United States and Canada must strive to emphasize the faith of our founders, a religious heritage, important and vital in the lives of the peoples of our two nations: Therefore be it

Resolved, That Kiwanis International reaffirm its strong faith in the true and ever-loving God and the religious concepts of Canada and the United States; and be it further

Resolved, That we reiterate our faith in the future of our homes, churches, and our schools and that we rededicate our efforts to maintain high spiritual ideals in our lands; and be it further

Resolved, That Kiwanis Clubs continue their active support of churches and their programs devoted to raising the spiritual level of our peoples.

OUR GREATEST POSSESSION

Kiwanis International has long recognized that the future of our nations depends upon the youth of today, who will take over the responsibilities of leadership tomorrow. For more than two score and four years Kiwanis International has concentrated its activity on educating youth in the principles of our way of life and in character, leadership, and moral training as engendered by such youth organizations as Circle K Clubs and Key Clubs.

Kiwanis International realizes that youth must also be defended against threats to their sound physical, mental, and spiritual growth.

Kiwanis further recognizes that participation in sports by the youth of our countries is conducive to the development of a sportsmanlike character and good citizenship and that the ultimate goal of any sports-minded youth is to represent his nation in the Olympic games: Therefore be it

Resolved, In defense of youth we denounce the publication of salacious and corrupting literature and urge a program promoting the reading of wholesome literature by the publication and distribution of lists of suitable reading material. We invite the cooperation and active assistance and participation of all public groups and institutions disseminating such information; and be it further

Resolved, That we urge the recognition by all news mediums and public and civic groups of juvenile decency and examples of good ciitzenship as opposed to the undue emphasis given to the small minority of our youth who are branded as juvenile delinquents; and be it further

Resolved, That the Kiwanis Clubs of Canada and the United States be alerted to the opportunity of supporting the Olympic Games to be held in 1960 in Rome, Italy, and Squaw Valley, Calif., and lend both their moral and financial support for the promotion of said games.

EDUCATION

In view of the apparent shortage of adequately trained men and women in many fields and particularly in the fields of education, engineering, and science, it is necessary that our educational system be expanded and strengthened to aid the development and preservation of our two nations: Therefore be it

Resolved:

1. That every Kiwanis Club keep its membership informed on critical school problems and cooperate with other local groups in recruiting and supporting the best qualified citizens for membership on boards of education and also support school legislation designed to improve the quality of education.

2. That Kiwanis Clubs continue to develop teacher-recruitment and vocational guidance programs and assist in providing gifts, loans, employment, and scholarships for deserving students.

3. That we recognize that progress in education cannot be gained at the expense of subjects that are basic and elementary.

4. That every Kiwanis Club urge the development through education at the appropriate school level of respect for the basic laws and institutions of Canada and the United States.

GOVERNMENT BY LAW

Kiwanians, by precept and example, should give due and proper recognition to the fact that our nations basically are governed by rule of law, as distinguished by antagonistic nations' rule of men.

The Constitution of the United States and the British North America Act are the bases of law of our two countries, subject always to efforts of a few to undermine entirely or to weaken to the point of being ineffectual, and being further subject to ignorance of or indifference to their cardinal pronouncements of freedom.

It is and should be the solemn, personal, and patriotic challenge to each Kiwanian to suffer or permit nothing to occur within his sphere of influence to dilute the power, assurance, and protection of these charters our our independence: Therefore be it

Resolved, That each club in Kiwanis International establish a program of enlightenment of the significance and importance of the Constitution and British North America Act to the peoples of our countries; and be it further

Resolved, That each Kiwanian renew his knowledge of and interest in the applicable document and to acquaint himself with the solemn and important power, force, and significance of the corresponding basis of law on the other side of the unguarded border between our countries.

UNIFORM TRAFFIC LAWS

The operation of motor vehicles on the highways of the United States and Canada continues to increase and, with the growth of motor travel, the need for a uniform set of laws regulating their use becomes more obvious as a deterrent to accidents: Therefore be it

Resolved, That Kiwanis International recommends that steps be taken in the United States and Canada to standardize the traffic laws within the various States and Provinces by the adoption of a code of uniform traffic laws.

LABOR-MANAGEMENT

Intelligent, aggressive, and serviceable citizenship requires the assumption of equal responsibility by all, and Kiwanians recognize a duty to help preserve and maintain our basic system of free enterprise: Therefore be it

Resolved, That Kiwanis Clubs constantly strive to help in the development of friendly, efficient, and cooperative relationships between management and labor, and plan and carry out activities which will demonstrate the value of the free enterprise system and tend to emphasize the importance of full cooperation and assumption of equal responsibility between these two interdependent factors in our economic system.

CONTINUITY OF GOVERNMENT

The establishment of emergency lines of succession of government officials, in all three branches and at all levels, is the initial step for assuring perpetuation of our democratic form of government.

The preservation of vital records is essential in the preservation of private rights and continued operation of government.

The creation of emergency relocation sites for government is essential for continuing operation of government in emergency.

Government must make full use of all its resources—manpower, facilities, and equipment—augmented by nongovernment volunteer resources as needed: Therefore be it

Resolved, That the clubs and members of Kiwanis International support this continuity of government program; and be it further

Resolved, That Kiwanians and clubs in Kiwanis International urge the early adoption of the essential enabling State legislation in order that this program may be implemented with least delay.

NATIONAL SHELTER POLICY

The Office of Civil and Defense Mobilization has conducted exhaustive studies and tests with respect to protective measures to safeguard our citizens against the effects of nuclear weapons.

These several analyses have indicated that there is a great potential for the saving of life by fallout shelters.

In the event of nuclear attack on this Nation, fallout shelters offer the best single nonmilitary defense measure for the protection of the greatest number of people: Therefore be it

Resolved, That Kiwanis International support the National Shelter Plan by drawing public attention to this program and by urging citizens to prepare their homes against the threat of fallout.

To effectuate this program, it is recommended that the facilities of the Office of Civil and Defense Mobilization be fully employed.

INTERNAL SECURITY

Adequate national internal security will materially increase the protection of the United States and Canada and will aid in the preservation of our freedoms. Constant attention to the revision of existing legislation and the enactment of new and uniform laws is ever needed: Therefore be it

Resolved, That Kiwanis International recommends to the members of the legislative bodies of the United States and Canada that such legislation be enacted as is necessary to strengthen and standardize the internal security of the citizens of our two nations and to protect and preserve the individual freedoms of our citizens.

GOVERNMENT WASTE

The terrifying totals in cost of government, at all levels, has long since ceased being a mere topic of discussion. Individuals, groups, and associations in practically all phases of our economy have decried the mounting costs, but they continue.

The Hoover Commission recommended specific measures by which the cost of government could be lowered and efficiency raised. For the most part, these proposals have been relegated to the stockpile of shameful disuse.

From within our countries, increasing demands emanate from groups of political significance, but from groups whose motives justifiedly give rise to a genuine question of a fair understanding of the true and correct position of government and who, either from selfish greed or ill-advised promptings, labor under the misapprehension that that which is given or doled out by government is free.

It is recognized and accepted that legitimate demands upon government, when accompanied by conscientious and efficient servicing of such demands, do constitute primary functions; but these legitimate demands have been inundated by watered disguises of governmental functions at costs which have raised the national debt to a record high.

Moreover, certain recently acquired functions of government have given emphasis to the debasement of the monetary base of our economies by permitting, if not encouraging, continuing inflation, statements to the contrary notwithstanding.

Waste in and by government, inflation, socialization of workers, earbending to powerful but selfishly motivated blocs and groups, ill-conceived and ill-executed aid programs within and without our countries are proving to be imbued with death-dealing qualities to our free enterprise system—our way of life: Therefore be it

Resolved, That under well-planned, organized, and efficiently executed programs, Kiwanians in our countries, both on an individual basis and through legal means under the constitution and bylaws of Kiwanis International, should:

1. Assume direct responsibility to match their interest in our basic freedoms against the avarice of those who are seeking beneficence without obligation.

2. Express themselves to their governmental representatives by demanding a return to soundness of freedom's principles proven to be capable of providing dignified growth to those willing to share responsibility with opportunity.

3. Steadfastly resist further encroachment upon these principles by action of government at any level.

4. Forever clear the path for continuation of good government, sound fiscal polices, and good money by the employment of sound political and economic principles.

WIDENING HORIZONS

Gratifying as has been the growth in Kiwanis membership and clubs, the real measure of our progress is in the broadening of

activities implementing the ideas and constitutional objects of Kiwanis International.

If, "by their works ye shall know them," then Kiwanis today is known not for its numbers but for the contributions made to the life of our communities in the name of Kiwanis.

Over the years many activities have become an integral part of the organization's program: Therefore be it

Resolved, That we hereby rededicate ourselves to the sponsoring of activities relating to agriculture and conservation, blood donor services, senior citizens, safer living, citizenship responsibility, and mentally and physically handicapped and pledge our continuing and ever-expanding efforts in their promotion.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MUNDT:

S. 2504. A bill to authorize the sale at market prices of agricultural commodities owned by the Commodity Credit Corporation to provide feed for livestock in areas determined to be emergency areas, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. MUNDT when he introduced the above bill, which appear under a separate heading.)

By Mr. SYMINGTON:

S. 2505. A bill to amend the Federal Food, Drug, and Cosmetic Act to permit the temporary listing and certification of F.D. & C. Yellow Nos. 3 and 4 for coloring edible fat under tolerances found safe by the Secretary of Health, Education, and Welfare, so as to permit continuance of established coloring practices in the edible fat industries pending congressional enactment of general legislation for the listing and certification of food color additives under safe tolerances; to the Committee on Labor and Public Welfare.

By Mr. HENNINGS:

S.J. Res. 128. Joint resolution to establish a commission to formulate plans for a memorial to James Madison; to the Committee on Rules and Administration.

(See the remarks of Mr. HENNINGS when he introduced the above joint resolution, which appear under a separate heading.)

FEED FOR LIVESTOCK IN EMERGENCY AREAS

Mr. MUNDT. Mr. President, I introduce, for reference to the appropriate legislative committee, a bill designed to amend the Agriculture Act of 1949, authorizing the sale at market prices of agricultural commodities owned by the Commodity Credit Corporation, to provide feed for livestock in areas determined to be emergency areas, and making certain changes in the Soil Bank Act, to allow hay harvest on reserve acres for livestock feeding purposes.

This bill has been drafted to provide the Secretary of Agriculture with the necessary statutory authority to meet a critical feed situation which currently exists in many counties throughout my home State of South Dakota. South Dakota has been hit by severe drought conditions, and it appears certain that the production of corn and other feed grains is going to be far below the normal annual volume. Feed grain producers, anticipating this low harvest, are holding in storage corn and other feed grains, which would normally be moving into the market. This retention of feed from the market is occurring for at least two reasons. First, many South Dakota feed grain producers are also engaged in livestock production. Normally these farmers feed a portion of their crop, and move the remainder into the grain markets. However, this year the portion of last year's crop that would normally be marketed is being held, for it will be required to meet their own feeding needs. Second, other commercial feed grain producers are, undoubtedly, holding a portion of last year's crop in storage, awaiting a more favorable market price.

The unfortunate result of this retention of feed by producers is that there is simply no feed available for purchase in many drought-stricken areas at the normal markets. Thus, livestock feeders and producers who are not diversified and who do not raise their own feed are not able to purchase their feed requirements.

I have received numerous letters from livestock men and farmers who request that the surpluses owned by the Commodity Credit Corporation be made available for purchase at the existing market prices. I am advised that Commodity Credit Corporation has approximately 44 million bushels of corn in storage in South Dakota. I have been in conference with officials from the Department of Agriculture, and I have been urging the Department to make available this feed for purchase by bona fide livestock producers. The Department indicates that under the present law the Secretary is prohibited from complying with our request, since such action on his part would be contrary to the statutory requirements contained in section 407 of the Agriculture Act of 1949.

Section 407 contains the statutory restrictions on sales by the Commodity Credit Corporation. This section generally provides that the Corporation cannot sell any basic agricultural commodity or storable nonbasic commodity at less than 5 percent above the current support price for such commodity, plus reasonable carrying charges. There are certain specific exceptions to this general restriction, permitting sales at lower prices; however, I am advised that the conditions in South Dakota do not meet the prerequisite criteria for the invocation of these exception procedures. It is patently obvious that livestock producers and feeders cannot afford to pay the premium prices for feed, which are required under the existing statutes. It is equally obvious that the current feed shortage cannot persist much longer without causing irreparable damage to the livestock industry in South Dakota. The feed shortage is so severe in some areas of the State that producers are sincerely fearful of depredation of foundation herds. Should this tragedy occur, it would be a matter of years before the South Dakota livestock industry would be fully recovered.

To meet the urgent needs of the South Dakota livestock industry, resulting from the market shortage of feed, I am introducing this bill, which is designed to give the Secretary of Agriculture the necessary powers to make feed available for purchase at existing market prices and to allow livestock producers who have conservation reserve contracts to harvest hay from reserve acres.

Section 1 of the bill authorizes the Secretary of Agriculture to sell at market prices any wheat, corn, oats, barley, rye, or grain sorghums owned by the Commodity Credit Corporation, to provide feed for livestock, including hogs, in any area determined by him to be an emergency area. Section 2 of the bill defines an emergency area for the purposes of this bill as any area where flood, drought, hurricane, tornado, or other catastrophe results in a shortage of feed for livestock feeding purposes.

Section 3 provides that before the Secretary can sell feed grains at market prices, as allowed by this bill, the Secretary must be satisfied that the buyer is unable to obtain sufficient feed through normal market channels, without undue financial hardship. Section 3 further requires that the buyer must agree to use the feed grains only for livestock feeding purposes. This agreement is to insure that the feed will not be used in a manner that would subvert the emergency purposes of the act.

In order to further protect against misuse of this feed, section 4 of my bill contains a penalty provision. This section allows the Secretary to take action against any buyer who abrogates his agreement, and to recover in a civil suit a penalty equal to, but not in excess of, the market value of the feed grains involved.

Section 5 of my bill provides another means by which livestock producers and feeders can help themselves during a period of feed shortage caused by drought. This section amends the Soil Bank Act, so as to give the Secretary of Agriculture the authority to allow the harvesting of hay on reserve acres which are under contract. This permission could be granted by the Secretary, following a certification by the Governor of the State that the hay harvest is required in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster. This provision is by no means a giveaway program, for I am advised that the Secretary already has the authority to require a corresponding diminution in soil bank payments, in return for allowing hay harvesting from reserve acres. In other words, the decision would rest with the producer as to whether to accept the payments and purchase his feed elsewhere, or to surrender a portion of his payments and harvest the hay on his reserve acres.

This section is identical to the provisions contained in Senate bill 2323, recently introduced by the able agricultural authority from North Dakota, Senator YOUNG. Senator YOUNG has received enthusiastic support for his bill from many farmers in North Dakota. His bill is a perfect complementary provision to the first four sections of my bill, for it pro-

vides an additional and entirely different program by which livestock producers can protect themselves from the stark ravages of drought.

It is not the objective of my bill to overturn carefully considered congressional policy with respect to sales of Commodity Credit Corporation stocks. Neither is it the intention or purpose of this measure to disrupt or adversely effect normal marketing channels. This bill provides a strictly extraordinary procedure which may be employed by the Secretary of Agriculture to protect the livestock industry during times of emergency such as that which exists in the drought-stricken counties of South Dakota. This bill is carefully limited in scope and operation.

I have purposefully restricted my comments on the drought and the feed shortage to conditions in South Dakota, because I have firsthand knowledge of, and am intimately acquainted with, the critical situation in my home State. But the problems I have discussed are certainly not presently restricted to the State of South Dakota. They have not been in the past, and they will not be in the future. These problems have confronted, and will continue to confront, all areas of the Nation which have heavy livestock production. I am certain that the dreadful ravages of drought are still fresh in the memories of my able colleagues from the great livestock-producing States of Texas and Oklahoma. Had Congress previously amended the law as I now propose, much of the depredation of the southwestern cattle herds could have been prevented. Therefore, I make this plea, not for South Dakota alone, but in behalf of every livestock-producing area in the United States.

I feel certain that when Congress enacted the Agriculture Act of 1949, it was intended that the Secretary of Agriculture should have the authority to ignore the general statutory restrictions on Commodity Credit Corporation sales when emergency conditions demanded the release of CCC surpluses at normal market prices. Unfortunately, this congressional intent was not clearly enough spelled out in 1949. It is vitally important that we act now to remedy this deficiency in the law. Enactment of this bill, which vests this extraordinary authority in the Secretary of Agriculture, is urgently needed by the South Dakota livestock industry. I hope the 86th Congress will not ignore this emergency situation, but will move quickly to enact this legislative proposal.

Mr. President, while the present critical feed shortage situation is limited to South Dakota, it is obvious that legislation such as that which I am now proposing is needed because at various times as these problems affect many other parts of the country, including the great States of Texas and Oklahoma. So, Mr. President, in introducing this bill, I am doing so not only in behalf of my own State of South Dakota, but also in behalf of every livestock-producing area in the United States.

Mr. President, at times the legislative intent of Congress runs contrary to the caprices of nature. But certainly the legislative intent in connection with the Agricultural Act of 1949 was to be of benefit to agriculture generally in the United States, and not to be detrimental to any segment of American agriculture in time of emergency or drought. So I think the enactment of a bill of the kind I have today introduced will make positive that when we enact legislation to be of benefit to the overall agricultural industry, it will not do injury to areas suffering from drought, flood, or other natural disasters. I hope Congress will approve my emergency bill before we adjourn this month or next.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2504) to authorize the sale at market prices of agricultural commodities owned by the Commodity Credit Corporation to provide feed for livestock in areas determined to be emergency areas, and for other purposes, introduced by Mr. MUNDT, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

COMMISSION TO FORMULATE PLANS FOR A MEMORIAL TO JAMES MADISON

Mr. HENNINGS. Mr. President, an appropriate memorial for James Madison, scholar, patriot, author of our Bill of Rights, and fourth President of the United States, is long overdue. For his outstanding efforts in the formulation of our Constitution, and for his dedication to the protection of individual freedom and rights, this Nation owes him the deepest gratitude.

I therefore introduce, for appropriate reference, a joint resolution providing for a commission to formulate plans for a Madison Memorial to be located in the Nation's Capital. The commission is to give particular study to utilizing the majestic columns which have been removed from the old east front of the Capitol.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 128) to establish a commission to formulate plans for a memorial to James Madison, introduced by Mr. HENNINGS, was received, read twice by its title, and referred to the Committee on Rules and Administration.

AMENDMENT TO CONSTITUTION RELATING TO QUALIFICATION OF ELECTORS—ADDITIONAL SPONSOR OF JOINT RESOLUTION

Mr. JOHNSON of Texas. Mr. President, yesterday, as a result of an error made by the majority leader, the name of the senior Senator from Missouri [Mr. HENNINGS] was not listed as a cosponsor of Senate Joint Resolution 126, which was introduced by the senior Senator from Florida [Mr. HOLLAND], on behalf of himself and a number of other Senators.

I discussed this matter in some detail with the senior Senator from Missouri, and I thought I had listed his name with one of the aides of the Senate who was preparing the list of the names of the sponsors, to accompany the joint resolution. But I find, upon inquiry, that I did not list his name. That is an error which I regret, and I am solely responsible for it.

Therefore, I ask unanimous consent that the name of the senior Senator from Missouri [Mr. HENNINGS] be added as a cosponsor of Senate Joint Resolution 126 and, further, that his name so appear on the joint resolution at its next printing.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SYMINGTON. Mr. President, I should like to associate myself with, and be a cosponsor of, Senate Joint Resolution 126, which the distinguished Senator from Florida [Mr. HOLLAND] has introduced, but the details of which I did not know about, because I was not on the floor yesterday when it was introduced.

The PRESIDENT pro tempore. Without objection, the name of the junior Senator from Missouri will be added to the list of the names of the cosponsors of the joint resolution.

Mr. HOLLAND. Mr. President, let me state that I am very happy to have the distinguished junior Senator from Missouri [Mr. SYMINGTON] as a cosponsor of Senate Joint Resolution 126.

Let me say that I am also very happy to have his colleague, the distinguished senior Senator from Missouri [Mr. HENNINGS], as a cosponsor of the joint resolution.

We are very glad to have both of their names added to the joint resolution, as cosponsors of it.

Mr. SYMINGTON. I thank the Senator from Florida.

SETTLEMENT OF PENDING STEEL STRIKE—EXTENSION OF TIME FOR HOLDING CONCURRENT RESOLUTION AT DESK FOR ADDITIONAL COSPONSORS

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the time during which the concurrent resolution with reference to the steel strike (S. Con. Res. 69) which was submitted by me on last Tuesday, may lie on the table, be extended until Tuesday next, August 11, so that additional Senators may join in cosponsorship.

The PRESIDENT pro tempore. Without objection, it is so ordered.

DANGERS INHERENT IN THE DOMESTIC SALE OF FOREIGN-PRODUCED STEEL

Mr. KEATING. Mr. President, an editorial in today's New York Times, entitled "If It Should Be a Long Strike," makes an important point which I should like to emphasize.

The point is one which I think has been largely overlooked. In recent months, the sales in the United States of foreign-produced steel have increased at an alarming rate. Should the strike continue beyond the point at which existing inventories of domestic steel are

exhausted, then we might well be in for some real trouble. Strike-caused inroads of foreign producers on the American market for steel would represent a permanent and irreparable loss to the industry, the union, and the Nation as a whole. I think this is an important factor in the present steel tieup. It must not be treated lightly.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IF IT SHOULD BE A LONG STRIKE

The nationwide steel strike, the sixth of its kind since World War II, entered its fourth week on Wednesday with no evidence of an early end to the deadlock.

It was common knowledge, of course, that the old contract between the industry and the Steel Workers Union was due to expire on June 30. The expiration date was subsequently put off an additional 2 weeks at the request of the President. That this would be an occasion for another shutdown of production by the major producers, moreover, was accepted as a strong possibility if not a probability by those familiar with the record of this strike-ridden industry. Users of steel acting on this assumption therefore started building up inventories early this year in anticipation of its July 1 deadline. According to the official figures of the American Steel Warehouse Association such stocks amounted to 3,700,000 tons the day the strike took effect in mid-July. This figure, which represents a tying up of $750 million, is the highest on record.

It is also reported that when considered by types of steel these inventories are in most cases well balanced with respect to potential demand. What this means in terms of the impact of the strike is that if the latter is of comparatively short duration it should be confined largely to the industry itself and its satellite activities such as the trains, trucks, and barges that haul ore and steel products and the miners who dig coal used in the making of steel. It seems to be widely agreed that the effect will be confined to this area unless the strike should pass the 60-day mark (about 5 weeks from now) and that it would have to run fairly close to 90 days before it would threaten a national crisis.

Should the shutdown approach this longer duration its result could be extremely serious for the economy. This is particularly true in the present case because of the vulnerability of the economy by virtue of two special factors. The first of these is the fact that at the time the strike was called we were just emerging from the most serious of the three postwar recessions to date. The economy had regained all the ground lost in the 1957–58 period of contraction and was setting new all-time highs in such key areas as industrial production and employment. Widespread cutbacks in production and employment could, many fear, by breaking the continuity of this rise, conceivably break the back of the present incipient boom.

The second is more of a long-term factor. Some persons are apprehensive about a trend of events that had been in progress for several months previous to the recent steel walkout and which they feel could become more widespread and more permanent as a consequence of the strike. This has been the recent invasion of the American market for steel by foreign producers accompanied by a falling off of American exports. Exports of steel-mill production for the first 5 months of 1959 totaled 850,000 tons, down 37 percent from a year earlier. At the same time the imports rose by 224 percent to a figure of 1,500,000 tons.

This runs counter to all historical experience. A country's buying habits are slow to change but once they change the previous pattern is not easily restored. The danger that the strike poses is that it could have the effect of stimulating these changes in buying habits—to the lasting detriment of the industry and of those who depend upon it.

CANADIAN SUPPORT FOR CAPTIVE NATIONS WEEK

Mr. KEATING. Mr. President, the General Assembly of the Mutual Cooperation League of Canada, comprising representatives of nations now enslaved behind the Iron Curtain, recently drew up a declaration praising the action of Congress and President Eisenhower in proclaiming Captive Nations Week.

In their statement, these groups emphasized the truth that in order to achieve peace with justice, we must continue to work and pray for the liberation of the enslaved peoples now under the boot of the Soviets. It is not enough simply to proclaim and observe a special week devoted to their interests.

All of us in the free world must keep alive in our minds and hearts all year long the ideals and inspiration of Captive Nations Week. In this way, we shall remain true to the noble people trapped behind the Iron Curtain and we shall speed the day when they will once more walk in the sunlight of freedom.

Mr. President, I ask unanimous consent to have this declaration printed in the RECORD.

There being no objection, the declaration was ordered to be printed in the RECORD, as follows:

DECLARATION OF MUTUAL COOPERATION LEAGUE

We, undersigned, on the behalf of the named organizations, express our gratitude to the President of the United States and to the Members of the Senate and the House of Representatives of the United States of America, who initiated and proclaimed 1 week a year as the Week of Captive Nations. If the idea in democracy and freedom and belief in God is going to survive, not to be doomed by the dynamic Communist creed based on violence, the proclamation has to be supported and expanded in deeds on a more wide scale by the politicians and intellectuals in every free country and beyond them in the world; but

"Whereas many people glorify the framework of the United Nations Organization, yet, they do not strive to implicate the very contents of that Organization—the declaration of human rights, they even cooperate with the exporters of the oppression; and

"Whereas many people are sent by big prophets to propagate compassion, charity, humanity, and brotherhood, yet, they are callous to the cry for help; and

"Whereas many people are urging 'to settle all difference by talks,' yet, they are silent when it comes to talk; and

"Whereas many people aggrandize the achievements of brain, arms, and legs of the Soviet man, yet, they hide the prize paid for it and the inner feelings of a man."

Silence and misstatements at the time of crisis are equivalent to treason of the principles we cherish.

Therefore, celebrating the Week of Captive Nations is not enough to achieve peace with justice. The idea of human rights, the dignity of man, national independence, and freedom for every nation enslaved by the cruel dictatorship of Communist suppression must be put on the agenda of big-power talks and solved by the representatives of freedom's creed for their own sake too.

To advance or to fade out.

With the adherence to the principle of government of the people, by the people and for the people we are not alone. With us are those to whom the idea of democracy and freedom and belief in God is truly at heart. Most of all—on our side are the very Communist captive people and nations.

General Assembly, Mutual Cooperation League of Canada: M. Jakuberg, President; Enn Salurand, Secretary, Estonian Central Council in Canada; Vitalis Mukts, President, Latvian Relief Society in Canada; Bruno Saplys, Secretary, Lithuanian Association in Canada; Wasil Bruch, Secretary, Association for the Liberation of Ukraine; Nikolajs Amber, Representative, Latvian National Federation; Sergei Chmara, President, Committee for Free Byelorussia; Alexander Koteinikov, Secretary, Cossack National Federation; Louis Buncak, Executive Officer, Slovak Legion, Reg. Union in Canada; Mircea Petrini, President, Romanian Christian Movement; Ante Marcovic, President, United Croatians of Canada; Eugene Tömöry, President, Hungarian Rakoczy Association; Vasil Tkachenko, Secretary, Ukrainian Hetman Organization; Alexander Petrenko, Publisher, Our Homeland Ukrainian Weekly.

EXCHANGE OF VISITS BY HIGH OFFICIALS OF THE UNITED STATES AND RUSSIA

Mr. CLARK. Mr. President, a few days ago I took the opportunity to attempt to place in perspective the visit to Russia by the Vice President and the Khrushchev-Eisenhower agreements for conferences. In that effort, I was aided, I thought, by illuminating columns written by Mr. James Reston and Mr. Joseph Alsop.

This morning there is an editorial in the Washington Post entitled "Mr. NIXON and the Curtain," which, in my judgment, very fully and very clearly assesses the implications of the Vice President's trip. The views of the editorial are in accord with my own, and accordingly, I ask unanimous consent that it may appear in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MR. NIXON AND THE CURTAIN

Vice President NIXON would be the first to warn that the effects of his trip to the Soviet Union must not be overestimated. He did not solve the Berlin crisis or transform the cold war into a chess game. For all his straight and earnest talk he did not win Mr. Khrushchev to Western views. To some extent his tour, and the news of the impending Eisenhower-Khrushchev exchange, overshadowed the hard work at Geneva where Secretary Herter had been laboriously trying to move a stone wall. Yet most Americans would agree that the Nixon visits to the Soviet Union and Poland were a great success even though the ultimate benefits can only be guessed.

In the first place, Mr. NIXON obtained an intimate appraisal of Mr. Khrushchev and was able to talk up to him in a way that few private citizens could equal. The Vice President was a well-briefed and articulate advo-

cate. No doubt he found the Soviet leader a tough and unyielding customer who can be impressed chiefly with American strength and power. Mr. NIXON's experience can be helpful in gaging future American conduct. Likewise it is useful to have his judgment about the competence and dedication of Mr. Gomulka in Poland.

In the second place, as the first high American official to make such a trip since World War II, Mr. NIXON did manage to reach some way through the Iron Curtain. He and Mrs. Nixon talked with hundreds if not thousands of people in Moscow, Leningrad, and Novosibirsk; they were seen and heard by millions of others. At least some of what the Vice President had to say, with restraint but conviction, must have permeated to challenge propaganda stereotypes about Americans. In Warsaw the Vice President evoked a genuinely warm response by speaking and doing the right things.

If, in the process, Mr. NIXON advanced his political ambitions, no one can reasonably object. In some ways it is an odd contrast for a man who won initial political victory with charges that his opponents were soft on communism to be an agent of the attempt to find a working relationship with the Soviet Union; but Mr. NIXON has grown in office. Performance is the best sort of politics. He and Mrs. Nixon were competent representatives of the United States under close scrutiny throughout a trip that must have been physically and mentally grueling. All credit to them both for their performance.

Perhaps the sole result that can be expected in official Soviet-American relations at this point is some moderating of tone. But the unofficial contacts with the people behind the Iron Curtain are bound to have some residual dividend, if only in changed images of America. The existence of the curtain is one of the largest single obstacles to better relations, and the fact that Mr. NIXON managed to pierce it was enough in itself to make the trip worth while.

Mr. CLARK. Mr. President, also this morning there is in the Washington Post another column by Mr. Joseph Alsop, entitled "Behind the Khrushchev Invitation." I ask unanimous consent that the column may appear in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BEHIND THE KHRUSHCHEV INVITATION

(By Joseph Alsop)

The way Nikita S. Khrushchev's visit to this country was arranged makes an interesting story, with a good deal of significance.

Taking the facts first, it can now be disclosed that President Eisenhower decided to ask Khrushchev to pay him a visit on the advice of Secretary of State Christian A. Herter, prior to Herter's departure on July 11 for the second round of the Foreign Ministers' meeting at Geneva.

The invitation to Khrushchev was verbally extended by Secretary Herter, when he and Soviet Vice Premier Frol Kozlov had their farewell talk, before Kozlov's return to Moscow. Speaking for Mr. Eisenhower, Herter asked Kozlov to take a message to Khrushchev that the President would be pleased to receive him if Khrushchev wished to visit the United States.

This message is described as having stirred visible delight in Kozlov, and equally visible astonishment in Soviet Mikhail Menshikov who was also present.

Apparently Kozlov actually carried the message back with him as suggested, instead of telegraphing the news in the more normal manner. If not, there must have been hesitation, either in Khrushchev's own mind or in the Kremlin, about the right tone to take in the reply. In any case, there was no answer for several days after Khrushchev went to Poland on July 15.

Altogether, approximately 9 days elapsed between Secretary Herter's transmission of the President's message to Kozlov, and Ambassador Menshikov's arrival at the State Department with a personal letter from Khrushchev to the President. This letter, written during Khrushchev's Polish tour, accepted the President's invitation and asked Mr. Eisenhower to pay a return visit to Russia.

There is some reason to believe that the President's acceptance of Khrushchev's counterinvitation was a condition of Khrushchev's acceptance of the President's invitation. A further exchange of letters followed, making detailed arrangements for both visits. It was Khrushchev himself who insisted on an extended trip to this country—a plan not warmly welcomed by the White House and State Department because of the grave security problem.

The time needed to make the arrangements, the time consumed by letters in transit, the fear of a last-minute hitch, and the faint American hope of last-minute concessions at Geneva to sweeten the atmosphere of the impending Khrushchev visit—all these factors helped to delay the announcement. It was not to have been made until the Geneva breakup, but in the end the President's and Khrushchev's hands were forced by the rumors of the visit current in Europe.

These bare facts make an enlightening study in modern diplomatic procedures. Their implications are even more enlightening. To begin with, Secretary Herter had plainly abandoned any real hope of accomplishing much at the Foreign Ministers' level when the first round at Geneva ended. Otherwise, he could never have decided to give away his only potential trump—Khrushchev's desire for a meeting with Mr. Eisenhower—before the second round at Geneva even began.

This being Herter's sensible assessment, he was confronted by an ugly question: What to do if the Foreign Ministers failed to justify a summit meeting, and the Geneva rally therefore ended with the threat to Berlin more acute than ever? Among his advisers, at least one, Ambassador to Moscow Llewellyn Thompson, had always believed that an Eisenhower-Khrushchev meeting would be a useful experiment.

Such a meeting, too, was a way out of the American Government's commitment not to go to the more conventional kind of summit rally without previous "justification." Finally, Herter's allied colleagues, Selwyn Lloyd, Maurice Couve de Murville, and Heinrich von Brentano, all indicated their approval of this escape from the Geneva dilemma. Thus Herter returned to this country with his mind pretty well made up.

The whole thing was then settled between Herter and Mr. Eisenhower, with Vice President RICHARD M. NIXON somewhat conspicuously omitted from the consultations despite his own impending Russian journey. As the President himself went out of his way to announce, the Vice President was merely warned of what was afoot before his departure for Moscow. In the dispatches from the reporters traveling with NIXON, one can even detect a bit of pouting about not being brought directly into the act. Yet it seems that Khrushchev will be accompanied on his American tour, not by NIXON, but by Herter or another high State Department official. Apparently this is to be an Eisenhower-Herter party to the finish.

Mr. CLARK. Mr. President, the burden of Mr. Alsop's column is that Mr. Khrushchev's visit was originally suggested to the President by Secretary of State Herter; that it was as a result of Mr. Herter's strong recommendations that the invitation was issued; that when Mr. Khrushchev comes to this country he will probably be accompanied on the tour by Mr. Herter.

I for one, speaking from this side of the aisle, would like to express my own strong admiration for the dignity, the courage, and the high sense of diplomacy with which our Secretary of State has conducted himself under most difficult circumstances at Geneva, and to state my own view that we are indeed fortunate in having so able and so dedicated a public servant in the office of Secretary of State.

WHAT SHOULD PREMIER KHRUSHCHEV SEE WHEN HE VISITS AMERICA?

Mr. NEUBERGER. Mr. President, all of us have been inundated with suggestions as to what Premier Nikita S. Khrushchev should see when he visits the United States next month. Most of these suggestions have been motivated by local pride and are more designed to promote some chamber of commerce than to alleviate the likelihood of nuclear war in our time.

I have been trying to think what the ruler of the Soviet Union should view on this historic visit. What sights might possibly move him to a greater interest in world peace and brotherhood? These are my recommendations:

First. The National Institutes of Health at Bethesda, Md., where skilled medical researchers are seeking the answer to diseases which afflict Russians as well as all other members of the human race.

Second. A typical American grammar school anywhere in the land, so that he may know for himself that American children are not different from the children of his own vast nation.

Third. The Grand Canyon of the Colorado, because no human being can see this spectacle without feeling awe at the handiwork of Him who created Russians and Americans and all other peoples.

Fourth. A religious service at some small rural church in the American hinterland, so that he may at least experience the spiritual atmosphere which moves the people of the United States.

Fifth. A town meeting in which all the citizens of an American community are equal participants in the local government.

Somehow, Mr. President, I believe these things might move our powerful visitor from Moscow a whole lot more than the sight of belching factories, roaring missiles, and mighty machines. He has seen such things in his own far-flung land. He knows what they are like, and he knows that America has them, too. Let us show him the gentler, more compassionate, and more human side of America. I believe Premier Khrushchev might be more moved by American schoolchildren or by an American seeking an answer to the grim riddle of cancer than by a panorama of American weapons and factories.

TEMPORARY ADDITIONAL DIVERSION FROM LAKE MICHIGAN

Mr. PROXMIRE. Mr. President, I have just completed making a statement before the Subcommittee on Flood Control, Rivers, and Harbors of the Senate Committee on Public Works in hearings on H.R. 1, the Chicago water diversion bill. In the course of that statement I released a letter from the Public Health Service which asserts that it will be possible to conduct a complete study—an effective study—of this whole controversial issue of Chicago's diversion of even more Lake Michigan water into the Mississippi watershed.

It will be able to make this study without the additional 1,000 cubic feet per second diversion for a year, which is the basis of the red-hot controversy between Chicago on the one hand, and Wisconsin, Michigan, Ohio, Pennsylvania, New York, and Canada on the other, and which H.R. 1 calls for. As I stated before this committee this letter completely, fully, and finally demolishes whatever case was left for the Chicago proponents of H.R. 1.

I suggest that those of my colleagues who are interested in this bill and in this controversy that has engaged Congress in 1954, 1956, 1958, and 1959 will be interested in reading this statement, and I ask unanimous consent that it be included in the body of the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR WILLIAM PROXMIRE, OF WISCONSIN, BEFORE SUBCOMMITTEE ON FLOOD CONTROL, RIVERS, AND HARBORS, COMMITTEE ON PUBLIC WORKS, ON AUGUST 7, 1959, RELATING TO H.R. 1, TEMPORARY ADDITIONAL DIVERSION FROM LAKE MICHIGAN FOR PURPOSES OF A STUDY

Mr. Chairman, members of the committee, H.R. 1 should be rejected because its proponents have failed to provide any evidence that the diversion of a thousand cubic feet of water from Lake Michigan for a 1-year period is necessary to the study which is the purpose of the bill.

Here is a temporary diversion which is strenuously opposed by the States of Wisconsin, Michigan, Ohio, Pennsylvania, and New York through their elected representatives. It has been emphatically opposed by our good neighbor to the north—Canada.

Here is a temporary diversion which those of us who represent the Lake States other than Illinois are convinced will lead through precedent and momentum to a permanent diversion and resultant navigation and power losses that have been definitely established by the Corps of Engineers.

Now it would be logical to presume that the extraordinarily able men who support this legislation, and there are few in Congress who can match them in ability and ingenuity, would have been able to build some kind of a case for this temporary diversion as an essential element of the study—if such a case could possibly be built.

I have read every one of the more than half a million words of testimony of 1954, 1956, 1958, and 1959 before the House and Senate, and I have come to the conclusion that, indeed, we should have a study of all alternatives to the solution of this perplexing problem of sanitation for Chicago; but I have found very few words by the proponents asserting that they need the diversion in order to make a meaningful study and when I have found this assertion it has crumbled when I inquired into it.

Here is a the crux of this bill. The whole case comes down to this issue: In order to make a study of alternative solutions to the Chicago sanitation problem do you or do you not need to divert an additional thousand cubic feet per second? Wisconsin won't object to a study without diversion and I'm sure our sister Lake States won't and Canada won't either.

Now where in all this ocean of testimony is there evidence that the Public Health Service or the Corps of Engineers cannot give the Congress answers on the effects of permanent diversions without a temporary 1-year diversion.

I think I can say without fear of serious contradiction that no member of this expert committee has been able in 5 long years to elicit a word from any member of the Corps of Engineers to show that this diversion will provide one bit of information necessary for the corps to tell with assurance what the effect of diversion on power and navigation will be.

Imagine that. Not a paragraph, a sentence, a word in all this testimony from the qualified experts to show that this temporary diversion to which five States and our great neighbor vehemently object will provide one bit of information of value that would permit the experts to make a better informed estimate of the consequence of diversion.

The engineers are certain now that the consequence of permanent diversion on power and navigation would be adverse. They believe they know accurately enough to give us a precise monetary estimate. They don't need the study. There isn't a word, a phrase in this Niagara Falls of words poured over the committee for 5 years to show that they do. If there is one I challenge the resourceful, able Senators and Congressmen supporting this bill to show it.

What does that leave, Mr. Chairman? If there is no navigation or power justification for this study, all that is left is sanitation—public health. Here is the only area on which this study could possibly shed any additional light. And I am convinced that the proponents of this bill know in their hearts that the only area in which this study can provide any enlightenment is in the effect of additional diversion on the sanitary quality of the Illinois Waterway.

This means the issue now boils down to whether or not additional diversion is necessary to determine the effect of permanent diversion on sanitation. Is it necessary? Here is the crux. Well now exactly what have the proponents done to show additional diversion is necessary one way or the other? Where in their tons of argument can you find the answer to the crux of the problem, Mr. Chairman? Certainly in view of the vehement objection of five States and Canada, the burden of the proof that this strenuously opposed temporary diversion is necessary should be on the proponents.

Their answer is on pages 17 and 18 of the original transcript of the hearings before this committee on July 13 of this year where Congressman YATES says and I quote:

"I point out that the Department of Health, Education, and Welfare has stated that while it is true they could conduct this test and come to certain conjectures, it would be necessary that the results of their estimates be tested by an actual diversion. In support of that I cite the aide memoire written by the Department of State to the Government of Canada seeking Canada's position prior to the hearings on this bill in the last Congress. And in the course of that aide memoire, it was stated as follows:

"The proposed legislation, among other aspects, would enable the U.S. Public Health Service to make new field studies over a 3-year period in the Illinois Waterway in order to evaluate the water quality conditions, changes in chemical and bacteriological content, the existence of aquatic life and other related subjects"—and this is the important sentence "The temporary increased flow would be an indispensable element to a fully effective Public Health Service investigation."

Now, Mr. Chairman let us note carefully who is saying that a temporary diversion is indispensable. Is it the Department of Health, Education, and Welfare? Is it the Public Health Service? Is it any representative of the Public Health Service, or any qualified public health official?

No. It is the Department of State. Mr. Chairman, why didn't the proponents ask Secretary of Agriculture Benson or Attorney General Rogers? Cookie Lavagetto or Marilyn Monroe or Bob Kennedy or Jack Paar might have had an interesting opinion. Casey Stengel has shown he has good judgment. Why not ask them? It would make as much sense. To find out what the Public Health Service thinks about the desirability of an additional diversion the able Congressman from Chicago quotes from an opinion of the State Department.

This is a high tribute to the ingenuity of the able proponents of this bill. But, Mr. Chairman, it reminds me of a popular song of a few years ago entitled "I Only Heard." The lyrics went something like this:

"Oh I heard. I only heard.
Now it wasn't told to me! I only heard.
He said that she said that she didn't know where she got it.
But he said that she said that the law was going to stop it.
Oh I heard. I only heard. No it wasn't told to me,
I only heard."

This—the strongest testimony that the proponents of this bill can find to support their position in the crux of this controversy is that the State Department once told Canada that this diversion is an indispensable element to a Public Health Service investigation. This is hearsay—pure unadulterated hearsay and nothing more.

Now, Mr. Chairman, why didn't the proponents of this bill ask the Public Health Service this pointblank question: Do you or do you not have to have an additional 1-year diversion to make this study? I don't know why. I won't speculate on why. But, Mr. Chairman, I did exactly this. I have written to the official in the Public Health Service who is best qualified to answer this question. He is Mr. Gordon McCallum, chief of the Water Supply and Water Control Pollution Branch, Department of Health, Education, and Welfare, Public Health Service. Here is the letter I wrote him yesterday:

"In the course of hearings before the Senate Public Works Committee on H.R. 1, the Lake Michigan water diversion bill, it was asserted that in an aide memoire written by the Department of State to the Government of Canada the following paragraph occurred:

" 'The proposed legislation, among other aspects, would enable the U.S. Public Health Service to make new field studies over a 3-year period in the Illinois Waterway in order to evaluate the water quality conditions, changes in chemical and bacteriological content, the existence of aquatic life and other related subjects. The temporary increased flow would be an indispensable element to a fully effective Public Health Service investigation.'

"Have you, or to the best of your knowledge, has any representative of the Public Health Service at any time stated that a temporary increase in diversion would be an indispensable element to a fully effective Public Health Service investigation?

"I would also very much appreciate it if you can tell me whether it would be feasi-

ble for the Public Health Service to conduct an investigation of the health implications of permanent diversion from Lake Michigan without the benefit of a temporary diversion. I have reference to a letter dated February 16, 1959, from Dr. Burney, the Surgeon General, to Congressman SIDNEY R. YATES which says:

" 'The Illinois Waterway situation at Chicago affords an opportunity to develop, under controlled conditions, reliable information on the complex interrelationships involved in the disposal of large quantities of municipal wastes in limited quantities of flowing water.

" 'A growing number of communities, despite the fact that they may be providing substantial sewage treatment, lack sufficient natural dilution water to assimilate effluents from treatment plants without nuisance and hazard to health.

" 'Information developed on the pollution control value of dilution waters on treated municipal and industrial wastes certainly would be of value to other urban communities having like problems and similar possibilities for solution.'

"Because hearings on H.R. 1 are expected to conclude before the Senate Public Works Committee tomorrow (Friday, August 7), I would very much appreciate a reply at your earliest opportunity.

"Thank you for your cooperation."

Now Mr. Chairman, here was the answer I have just received from this top Public Health expert:

"This is in reply to your letter of August 6, 1959, regarding the statement in an aide memoire by the Department of State to the Government of Canada pertaining to the Lake Michigan water diversion bill that—'the temporary increased flow would be an indispensable element to a fully effective Public Health Service investigation.'

"In reply to your specific question, I have not, nor to the best of my knowledge, has anyone in the Public Health Service, stated that the temporary increase in diversion would be an indispensable element to such an investigation. The Public Health Service and the States do conduct investigations of this nature routinely under whatever conditions may prevail in the waterway at the time the studies are made. Such surveys pertaining to pollution and the sanitary quality of streams under varying conditions of flow provide background which could serve to appraise the effects on public health. Consequently, we would consider such a survey feasible."

Now, Mr. President, I think anyone who can read the English language understands what that answer means.

I asked two questions in my letter: First I asked and I quote: "Has any Public Health Service spokesman at any time stated that a temporary increase in diversion would be an indispensable element to a full effective Public Health Service investigation?"

The answer was: "I have not nor to the best of my knowledge has anyone of the Public Health Service stated that the temporary increase in diversion would be an indispensable element to such an investigation. So not from the State Department but from the horse's mouth, the answer is 'No.' " And it's about as definite and explicit as it can be.

My second question was whether the Public Health Service could conduct an investigation of the health implications of permanent diversion without temporary diversion and the answer was:

"The Public Health Service and the States do conduct investigations of this nature routinely under whatever conditions may prevail in the waterway at the time the studies are made. Such surveys pertaining to pollution and the sanitary quality of streams under varying conditions of flow provide background which could serve to appraise the effects on public health. Consequently we would consider such a survey feasible."

So the answer in the plainest kind of English is "Yes."

And Mr. Chairman, with that answer the case of the proponents of this bill is shattered. It's smashed to smithereens so that there's nothing left of it.

The fact is Mr. McCallum told me on the phone—the Public Health Service can calculate precisely how much an additional flow of 1,000 cubic feet per second will improve the biochemical oxygen deficiency. They know now. This additional diversion won't contribute a scintilla of evidence to it. And as Senator DOUGLAS conceded on the floor of the Senate last year, oxygen deficiency is the primary problem.

So, Mr. Chairman, what all this adds up to is that we have a bill that calls for a study of alternative solutions to the sanitation problem of the Chicago Metropolitan District. One of the possible alternative solutions to this problem is an additional permanent diversion of 1,000 cubic feet per second from Lake Michigan. There are other alternatives which are, as I understand it, to be studied in the bill as the proponents have agreed to amend it. No one objects to the study. But, and here is the core of the controversy, the proponents are also asking to divert 1,000 cubic feet per second from Lake Michigan for 1 year while they are making this study. To this additional diversion there is emphatic and vehement objection from Wisconsin, Michigan, Ohio, Pennsylvania, New York, and from Canada.

The issue has become this: Is the additional diversion necessary to the study? The proponents, and very able men they are, have had all the time in the world—all the opportunity in the world—to show that the study requires additional diversion. No committee, to my knowledge, has ever been more generous or cooperative with its time than this one. But in all this time the proponents have failed to come up with a word of expert qualified testimony that will stand up to show that this additional diversion is necessary.

Indeed, Mr. Chairman, it would be just as sensible and just as completely justified for those of us who oppose this bill to ask for a 1-year trial for diffused oxygen—actually do this for a full year, put in the pipes diffused oxygen where the deficiency is greatest—to study whether that alternative solution is best; or an actual 1-year infiltration with full experimentation with chlorine to get empirical answers on that alternative. Why not? Why should not these alternative solutions be given precisely the same equal opportunity to prove their worth as the 1-year temporary diversion permits for additional diversion?

Mr. Chairman, the answer is that this additional 1,000 cubic feet per second of diversion is not needed. If it were—heaven knows the proponents could have proven it to this committee by now—they have not done so. For that reason, as long as H.R. 1 contains a provision for 1,000 cubic feet per second of diversion for 1 year, it should be rejected. Amend the temporary diversion out of the bill, since there is no established need for it, and I will support it.

THE REAL FACTS ABOUT SO-CALLED BIG SPENDING BILLS

Mr. NEUBERGER. Mr. President, yesterday the junior Senator from Arizona [Mr. GOLDWATER] inserted in the RECORD a table entitled "Twenty Big Spending Bills Introduced in the Senate."

This partisan presentation was, of course, only part of the continuing effort of the Republican Party to tag the Democratic Party with the false label "spenders" in the hope that such tactics will aid the GOP in the elections of 1960.

However, since two of the bills listed were measures which I introduced myself, S. 1776 and S. 2170, I should like to make two brief comments concerning them.

First, the cost figures assigned to my two bills are erroneous or misleading.

S. 1776 would authorize an annual rebate to the States of 5 percent of the individual income taxes collected within that State. The junior Senator from Arizona stated that the cost of the proposal would amount to $2.2 billion annually. Figures supplied me today by the Internal Revenue Service for 1957—the most recent year for which complete statistics are available—show that $34.5 billion was collected by the Federal Government in individual income taxes. Multiplying this times 5 percent, we arrive at a figure of $1.7 billion—not $2.2 billion.

S. 2170 would allow Federal matching grants for construction or expansion of medical, dental, and public health educational facilities. The table submitted by the junior Senator from Arizona showed that cost of the program would be $300 million. However, my bill is merely an authorization bill. It sets maximum amounts that may be appropriated in a single year of $50 million for improvement grants, for a 5-year period, and $100 million for use over a 10-year period for aid in construction of new facilities. I happen to believe that the full amounts which would be authorized could be effectively utilized. But an appropriation bill would be necessary before any funds at all could be allocated.

This brings me to my second point. I did not introduce these two bills because they involve large sums of money. I introduced them because I believe they represent programs which should be implemented to aid us in meeting effectively certain demonstrable needs we face in this country.

If the distinguished junior Senator from Arizona wishes to judge Federal programs solely on the basis of what they cost, then I am surprised that he found himself able to vote for the $39.2 billion defense appropriation bill just approved by Congress. Cost of our military program is over 130 times greater than that of 5 years of the health program which I have suggested. I am sure that the junior Senator from Arizona would agree that the military programs which these funds support are needed. So is an adequate supply of doctors, dentists, and public health experts.

Similarly, my suggestion for a tax rebate to the States was introduced as one approach to the problems created by the grave and growing financial crisis faced by State governments. This proposal is similar to a program which has been successful in Canada for a good many years.

Mr. President, I ask that a brief summary of the purpose and provisions of these two bills of mine appear at this point in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

S. 1776

The States face major financial difficulties in their efforts to supply an adequate level of public service. S. 1776 is an attempt to aid the States in meeting their responsibilities.

My bill recognizes:

First. The requirement of the States for additional revenue to support expansion of existing services and creation of new programs to meet current and projected need.

Second. The special political and legal difficulties which face State officials seeking to obtain revenues adequate to sustain the optimum level of expenditures.

Third. The ability of the Federal Government to tax more effectively and more equitably than the individual State governments.

Fourth. The desirability of providing the States with a Federal grant which offers certainty of revenue and insures autonomy in expenditure.

Although my bill does not provide a final answer, I believe it would effectively aid in solving some of these problems, by making available to the States revenues realized through progressive taxation, to be utilized in providing needed public services. A block grant such as I propose offers the advantages of assured revenue availability and guaranteed independence in expenditure. It would free the States, to an important extent, from apprehension that some other, economically competitive neighbor State might attract wealth by means of regressive taxation and skimpy social-service budgets.

In the past 6 years we have heard repeated expressions by the administration of its desire to abandon Federal responsibilities to the States. These statements are always accompanied by exhortations to the States to assume the functions discarded by the Federal Government and the assertion that Federal taxes would be reduced more than State taxes would be raised. When we get down to cases, it is always the Federal programs in the fields of human welfare and social needs which would be abandoned to the States, and rarely those which are of financial importance to business and industry.

PRESIDENT OVERLOOKS VITAL FACTS

The viewpoint which President Eisenhower and members of his administration have so frequently emphasized fails to consider two vital facts:

First. The States, when looked at collectively, in contradistinction to the Federal Government, cannot assume responsibility for social programs to relieve the Federal Government of that responsibility. Each individual State may or may not do so. The alternative to having the Congress enact a program of national significance is, not to have it enacted by some mythical substitute called the States, but to have it enacted by 49 separate State legislatures, each of which is far more vulnerable to the pressures of the special economic interests within itself than is the National Congress.

Second. Even if all States were to agree on identical goals, the fiscal resources and capacity of the several States often make it impossible for them to carry out, uniformly and successfully, functions which may be important to the whole Nation. Within any one State, each proposed increase in the budget for new or improved programs of social progress is certain to be met with the scare cry that business and industry are being driven to other States which subordinate such programs to fiscal conservatism and economy.

STATES NEED NEW REVENUE SOURCE

I submit that an important step in the solution of the financial problems presently confronting our State governments is to give all States a new source of revenue which each may use for any governmental purpose of its choice. Abandonment of Federal revenues along with Federal responsibilities would only be a backward step in meeting this challenge to the States to assume new programs and to meet enlarged demands in connection with existing services.

The Federal Government has a responsibility to adopt particular programs designed to deal with nationwide problems which affect the operation of State and local governments, with their widely varying needs and fiscal capacity. These include programs to implement policies of full employment, maximum economic growth, and price stability.

But if we are to maintain the effectiveness of our State governments, I think that we must simultaneously move in the direction of assisting the States to realize needed general revenue.

Today, there is in existence good precedent to which the President and the Congress can study in considering my bill. Other countries with Federal forms of government confront the same conditions which we do, such as the absorption of revenue by growing national needs and the wide disparity among the fiscal resources left to local government.

CANADA SUPPLIES EXAMPLE

Thus, Canada since World War II has had a system of tax rebates from the National Government to the governments of the several Provinces. Known as tax-rental agreements, the Canadian system offers these tax rebates to individual Provinces, in return for their giving up to the National Government certain sources of taxation. Australia, which also has a Federal Government, has met the problem similarly.

These systems are different from my proposal, which is simpler. It involves no shift of wealth among the States. I propose no limitation whatever on the freedom of action of the individual States. Each may maintain whatever tax structures it desires. It may use the additional revenue for any public purpose its legislature may wish. My purpose is exclusively to strengthen, not to impair, the role of the States in meeting the needs of modern governments. But the Canadian tax-rebate system might well be studied as a precedent for what can be done with tax transfers to solve the fiscal problems of modern governments of divided sovereignty.

S. 2170

My bill is a companion measure to H.R. 6906, introduced in the House of Representatives by Representative JOHN E. FOGARTY, of Rhode Island, for many years a vigorous leader in the field of medical legislation.

Despite the well-recognized status of our academic institutions as the roots from which medical progress stems, circumstances have been allowed to develop which, if not remedied, may seriously curtail the supply of trained people which must be provided to meet projected demand for medical care, research, and teaching. Funds are urgently needed for construction of medical and health education facilities and incentive programs to encourage entrance by young men and women into training in these fields.

NEW NEEDS PRESS MEDICAL SCHOOLS

Without expanded facilities, our medical schools cannot graduate enough qualified doctors to maintain the present U.S. ratio of 130 physicians to every 100,000 persons. Broken down, that amounts to 1 doctor for every 750 people. It is clearly not in the public interest for this ratio of physicians and patients to decrease. To maintain it, the output of doctors will have to reach 8,700 by 1970. This would be a 1,900 increase over the present annual graduation rate.

By 1970 there will be 220 million people in the United States. Of those, 110 million will be over 65 or under 20 years old. This group of young and advanced in age will account for nearly three-quarters of the 26 percent population increase in the next 10 years. These are the age groups that are so often victims of the yet to be conquered diseases at which basic research grants are aimed.

With a rising percentage of older people in our population, pressures will continue to mount for increased emphasis on research and treatment in chronic and degenerative diseases. Medical research supported by tax funds is necessarily and properly influenced by such needs. But if we hope to meet these demands, our research facilities must be adequately staffed. It is primarily through our medical school graduates that we can expect to find the key to continued progress in these fields. Research and education are inseparable twins.

EDUCATIONAL DEMAND ALSO RISES

Along with the increased demand for medical care and research, we can expect the demand for medical education and training to grow. By 1970, the Bayne-Jones report suggests that the college age population will jump from its present 15 million to 26 million. Motivated by strong social and economic incentives, at least 6.4 million of these young people can be expected to reach college. This, compared to our 1958 college enrollment of 3.5 million, will surely place added admission burden on the medical schools unless more teaching and lab space is provided. Earlier this year I introduced legislation which would amend the National Defense Education Act of 1958 to permit forgiveness of up to 50 percent, of loans granted under the program to persons who enter medical research. Success of this program would mean not only an addition to the number of trained researchers but also a larger student load for the Nation's medical schools.

The bill is based on the premise that the Nation's standard of health and medical research effort is intrinsically interlocked with the ability of our institutions of higher learning to produce trained personnel in the field of medicine. Without provision of adequate facilities, the schools will be unable to support the enlarged medical framework required to meet new needs.

TWO PRINCIPAL PROGRAMS OFFERED

Like all other elements of higher education, the medical schools are finding it increasingly difficult to live on their endowments, State aid, and gifts. If the Federal Government can finance research in cattle disease and crop conditions, it seems only reasonable to believe that equal consideration should be given to helping to educate the men and women who, in effect, may control our lives.

Here is how the proposal would assist in carrying out this goal.

First, it would create a $50 million a year, 5-year program of matching grants for expansion, improvement, and modernization of medical, dental, and public health schools already in operation.

Existing facilities can be improved. This is at best a stopgap expedient. Experiments are now in progress involving a shift of teaching responsibilities between universities and medical schools which may help reduce the time required to produce physicians. If these experiments germinate, the basic preclinical courses such as anatomy, biochemistry, microbiology, and pathology could be taught in the universities, thus providing students to fill the existing clinical facilities

of the medical schools, which are too often not fully utilized.

By improving existing medical school facilities and teaching methods, we can increase the present output of physicians by about 700 annually.

PROVIDES $100 MILLION FOR NEW FACILITIES

Second, the bill authorizes expenditure of $100 million in a 10-year program of grants for construction and maintenance of new medical schools.

As previously pointed out, 1,900 more physicians than are presently being graduated will be needed in 1970, according to projections made by the authoritative Bayne-Jones report. If existing medical schools can provide only 700 of that number, about 1,200 additional doctors must be produced by new schools of medicine, dentistry, and public health.

The average medical school graduates about 90 students a year; a minimum of 14 and as many as 20 new medical schools will have to be built to maintain present standards of medical excellence.

To meet this need, and with the knowledge that about 10 years typically elapse between the planning of a school and production of its first graduates, it is clear that construction of these new schools will have to begin in the immediate future. Similar reasoning applies in the case of dental and public health training institutions. Moreover, the specialized facilities required for health education must be viewed in the perspective of the much larger total demand for construction of all kinds of facilities for higher education.

A new medical school requires a capital investment of from $35 to $50 million. The total cost of new medical school construction required to sustain today's population-physician ratio would range between $500 million and $1 billion. The $100 million of aid this bill provides is not a panacea, but without it we may face the severe danger of a decline in our medical services.

NOTICE OF INTENTION TO CALL CERTAIN MEASURES ON CALENDAR TODAY

Mr. MOSS. Mr. President——

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The Senator from Utah is recognized.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MOSS. I yield to the majority leader.

Mr. JOHNSON of Texas. It was our intention to have a call of the calendar this morning. I will see, at the conclusion of the statement of the Senator from Utah, whether we will have time between then and 12:30, to have the calendar called, and if so, the calendar will be called.

I thank the Senator from Utah for yielding to me.

FINANCING FOR HIGHWAY TRUST FUND

Mr. MOSS. Mr. President, as we are all very much aware, the Nation's road-building program is in crisis. Highway departments throughout the country are holding in suspense all plans for further construction of Federal aid highways, and especially projects on the National System of Interstate and Defense Highways, until they can be assured that funds to finance them will be forthcoming.

In my own State of Utah, the State highway commission has canceled receipt and advertisement of any more bids on interstate projects. Every mail brings an avalanche of letters from individuals and from officials of our cities and of the State expressing alarm.

I have given a great deal of thought to this problem—and I know other Members are equally concerned.

Mr. President, when the Congress authorized the freeway program, it very carefully labeled it "The National System of Interstate and Defense Highways." I stress the word "defense." In it may lie the key to financing the program.

The Interstate System establishes a network of roads over which men and material could be moved with dispatch in a mobilization effort. It is a system which is essential to the protection of America in a national emergency.

It seems, therefore, both logical and right that at least a part of this freeway program should be financed from funds allotted to the Department of Defense for our military operation. It seems only fair that some of the money used should be defense money.

Congress has completed work on a $39 billion Department of Defense budget for the fiscal year 1960. I know how many hours of concentrated effort went into a study of this budget by members of both the House and Senate Military Appropriation Subcommittees. I know with what care they weighed each appropriation request in an effort to buy the greatest amount of protection for the American people for each dollar spent. Since I am not a member of the Appropriations Committee and did not have the advantage of participating in these sessions, I do not have the background information, nor do I presume to be wise enough to say that funds appropriated for any single program were too large and could be cut. I know all too well the dangers of uninformed cutting in the defense field.

But I do know that past experience has shown conclusively that not every dollar of defense funds appropriated has proved essential to every branch of the services, and that a number of practices followed by the military establishments result not in military muscle, but in military waste.

As an example, I point to the well-documented statements on military purchasing methods made in the Senate last week and again the day before yesterday by the able chairman of the Senate Small Business Committee [Mr. SPARKMAN].

Evidently the military establishments, by their failure to let contracts on a businesslike, competitive-bid basis, by their insistence on making them on a negotiated contract basis primarily with large firms, have spent unnecessarily millions of dollars of the taxpayers' money. I am sure there are many other areas in which it could be demonstrated that indifference and maladministration have resulted in indefensible waste.

I suggest, therefore, that the Senate give consideration to legislation which would put directly on the shoulders of our defense chiefs and establishments the responsibility of finding sufficient money in the military operation budget to finance at least a part of the highway program.

The following approximate appropriations are necessary to prevent highway trust fund deficits on the basis of estimated income for the trust fund:

	Million
1960	$490
1961	815
1962	817
1963	979
1964	844

This means that only 1.3 percent of the $39 billion military budget the Congress has authorized would have to be utilized to make up the $490 million highway deficit in this fiscal year, and keep the highway program on schedule. Only a little over 1 percent of our military funds would keep the contractors busy and the road crews at work and prevent a stoppage in a program which is important in every State, town, and hamlet in the country.

There are several arguments which can be offered for securing these funds from appropriations for the Department of Defense.

The Federal Aid Highway Act of 1956 for the first time provided a long-term program for building a system of key superhighways and authorized funds for this system over a 13-year period. From the beginning, the national defense implications of this system were recognized, as I have pointed out, since the system was named the "National System of Interstate and Defense Highways." The Department of Defense participated with the Bureau of Public Roads and the States in the designation of the routes comprising the system. This permitted selection not only on the basis of civilian needs, but also assured adequate highway transportation to areas which have strategic, if not commercial, value.

The standards established for the Interstate System have also been closely related to defense needs. Undoubtedly most important are the provision of at least four traffic lanes on all but 7,000 miles of the 41,000-mile system and the control of access to these highways. This permits rapid transportation of military personnel and supplies without the delays of grade crossings or slower-moving vehicles. Not only do these highways have standby value, but they should be able to bear up under an extraordinary volume of traffic during a period of national emergency where there would be no time to make repairs.

The Interstate System will serve the military effort directly by permitting fast transportation of military personnel and supplies. It also has great military significance in the services it will supply to industry. Companies supplying military parts and weapons for defense preparedness are largely dependent on good highway transportation, and indeed the growth of America's overall industrial

might has been intimately connected with the expansion of its transportation facilities, not the least of which have been its highways. The specialization and scope of our civilian industrial capacity measure to a great extent our strength, should a military crisis occur. In this sense the military usefulness of the Interstate System will be immeasurable.

A precedent for turning to military funds for additional Interstate System financing might be found in the field of maritime transportation. The subsidies given to the American merchant marine are financed through the Department of Commerce budget, but it is the military importance of this transportation agency which has been behind the subsidy program. If national defense dictates a governmental subsidy to private shipping companies, then it seems to me an argument can be made that the military significance of the Interstate System justifies inclusion of a part of its financing in the Department of Defense budget. From a military standpoint, this system is important to all Americans, and not just to one segment of the population, the highway users.

I realize that legislation relating to taxes and appropriations originates in the House of Representatives, and that the House Ways and Means Committee has had the financing of the highway program under consideration for some time. This idea should be considered by that committee in its efforts to find a solution to our problem. It is recognized also that a legal question is raised in diverting part of an appropriation to another function. While the Executive legally may refuse to spend money appropriated by the Congress, can he, or can the Congress, direct money to be spent for a purpose not contemplated by the budgetary appropriation? Despite these questions, I sincerely urge serious consideration of the basic idea.

Mr. President, I believe the method I have suggested for financing the Interstate Highway System is one which might profitably be explored. I offer it for the consideration of the Senate. To allow the Interstate Highway program to grind to a halt would be a body blow to both our prosperity and our security.

CALL OF THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that it be in order to call the calendar now, beginning with Calendar No. 606.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

The clerk will state the first measure on the calendar.

BILLS PASSED OVER

The bill (H.R. 968) to provide for the construction by the Secretary of the Interior of the Bully Creek Dam and other facilities, Vale Federal reclamation project, Oregon, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. KEATING. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1221) to amend the act authorizing the Crooked River Federal reclamation project, Oregon, in order to increase the capacity of certain project features for future irrigation of additional lands, was announced as next in order.

Mr. KEATING. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1216) to approve an order of the Secretary of the Interior adjusting certain irrigation charges against Indian-owned lands under the Wind River Indian irrigation project, Wyoming, was announced as next in order.

Mr. KEATING. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1514) to amend the act of August 9, 1955 (69 Stat. 618), was announced as next in order.

The PRESIDING OFFICER. This bill is the unfinished business, and will be passed over.

The bill (S. 1136) to provide for transfer of title to irrigation distribution systems constructed under the Federal reclamation laws upon completion of repayment of the costs thereof, was announced as next in order.

Mr. JOHNSON of Texas. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

REDUCTIONS IN REIMBURSABLE CONSTRUCTION COST, YAKIMA PROJECT, WASHINGTON

The Senate proceeded to consider the bill (S. 258) to provide certain reductions in the reimbursable construction cost of the Kittitas division of the Yakima reclamation project, Washington, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 1, line 3, after the word "Interior", to strike out "shall reduce the reimbursable construction cost of the Kittitas division of the Yakima reclamation project, Washington, in the following amounts:

"(1) $158,558, or such amount as represents the construction costs, as determined by the Secretary of the Interior, against the land removed from an irrigable status as a result of the construction of the Ellensburg Airport by the United States Army; and

"(2) $1,468,156, or such amount as represents the construction costs, as determined by the Secretary of the Interior, against the twelve thousand one hundred and fifty-one acres of nonproductive land in such division.

"SEC. 2. Any amendments to the repayment contract with the Kittitas reclamation district made necessary because of the provisions of this Act may be made in accordance with the provisions of the Reclamation Project Act of 1939." and, in lieu thereof, to insert "shall deduct from the repayment obligation of the Kittitas Reclamation District, Washington, and from the cost of the Kittitas division of the Yakima Federal reclamation project, $158,558, or such portion thereof as he shall determine properly represents canal and distribution system costs associated with one thousand two hundred and ninety-three and four-tenths acres of Kittitas division lands utilized for the Ellensburg Airport.

"SEC. 2. The amount deducted as provided in section (1) shall be charged off as a permanent loss to the reclamation fund, but no adjustment shall be made by the United States by reason of such deductions with any individual landowner by way of refund of, or credit on account of, sums heretofore paid, repaid, returned, or due and payable to the United States, by way of exchange of land, or by any other method.", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall deduct from the repayment obligation of the Kittitas Reclamation District, Washington, and from the cost of the Kittitas division of the Yakima Federal reclamation project, $158,558, or such portion thereof as he shall determine properly represents canal and distribution system costs associated with one thousand two hundred and ninety-three and four-tenths acres of Kittitas division lands utilized for the Ellensburg Airport.

SEC. 2. The amount deducted as provided in section (1) shall be charged off as a permanent loss to the reclamation fund, but no adjustment shall be made by the United States by reason of such deductions with any individual landowner by way of refund of, or credit on account of, sums heretofore paid, repaid, returned, or due and payable to the United States, by way of exchange of land, or by any other method.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

APPORTIONMENT OF CERTAIN COSTS OF THE YAKIMA FEDERAL RECLAMATION PROJECT

The Senate proceeded to consider the bill (H.R. 3335) to provide for the apportionment by the Secretary of the Interior of certain costs of the Yakima Federal reclamation project, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, at the beginning of line 9, to insert "The difference between the amounts previously authorized by such 1914 and 1940 statutes to be appropriated and credited to the reclamation fund and the amount of the cost assigned to the Wapato Indian irrigation project pursuant to this Act is hereby authorized to be appropriated out of any funds in the Treasury not otherwise appropriated, and to be credited to the reclamation fund. Such difference shall be made available in amounts not to exceed $20,000 annually.", and on page 2, at the beginning of line 7, to strike out "If the remainder" and insert "If the amount not assigned to the Wapato Indian irrigation project pursuant to this Act".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

REVISION OF BOUNDARIES, ZION NATIONAL PARK, UTAH

The Senate proceeded to consider the bill (S. 713) to revise the boundaries of the Zion National Park in the State of Utah, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, line 16, after the word "from", to strike out "end" and insert "and", and in line 22, after the word "land", to strike out "an" and insert "and", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundaries of the Zion National Park are hereby revised to include the following described lands:

SALT LAKE MERIDIAN

Township 39 south, range 10 west: Section 30, those portions of lots 1 to 7, inclusive, lying south of Kolob Creek and lots 8 to 32, inclusive; section 31, lots 1, 2, 3, 15, 16, 17, 18, 31, and 32.

Township 41 south, range 10 west: Section 28, northeast quarter, that portion of the northwest quarter lying east of the North Fork of the Virgin River and lot 9 of the O. D. Gifford survey, the ownership of which is recorded on page 247 of deed book U12 in Washington County, Utah; section 29, west half; section 31; section 32 (partly surveyed), northeast quarter northwest quarter and west half northwest quarter.

Township 39 south, range 11 west: Section 13, southeast quarter southeast quarter; section 32, north half and southeast quarter.

Township 40 south, range 11 west: Section 5, lots 1 and 2 and south half northeast quarter.

Township 38 south, range 12 west: Section 29, those portions of lot 2 and of the southwest quarter lying east of the easterly right-of-way line of United States Highway 91, identified as project numbered I-01-1(1), Washington County, Utah, said line being 150 feet from and parallel to the centerline of such highway, as constructed.

SEC. 2. Privately owned land, or interests therein, within the aforesaid revised boundary may be acquired by the Secretary of the Interior by purchase, donation, with donated funds, or by such other means as the Secretary may consider to be in the public interest. When acquired, such land and interests in land shall be administered as part of the Zion National Park in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended.

SEC. 3. The Secretary of the Interior is authorized to convey to the Utah State Road Commission under such terms and conditions as he may deem necessary such lands or interests in land in lot 3, section 29, township 38 south, range 12 west, Salt Lake meridian, containing approximately four and one-half acres, as are required by the Commission for the realinement and construction of United States Highway 91: *Provided,* That, in exchange, the State of Utah constructs an interchange of design, type, and location acceptable to the Secretary which will provide vehicular access between the said highway and Zion National Park. Such conveyed lands shall thereafter be considered as excluded from the Zion National Park and the easterly righ-of-way line of United States Highway 91, identified as project numbered I-01-1 (1), Washington County, Utah, shall become the westerly boundary of the Zion National Park in lot 3, section 29, township 38 south, range 12 west, Salt Lake meridian.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ABRAHAM LINCOLN'S BIRTHPLACE

The Senate proceeded to consider the bill (S. 1448) to change the name of the Abraham Lincoln National Historical Park at Hodgenville, Ky., to Abraham Lincoln's Birthplace, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 4, after the word "as", to strike out "Abraham Lincoln's Birthplace" and insert "Abraham Lincoln Birthplace National Historic Site," and in line 10, after the word "of", to strike out "Abraham Lincoln's Birthplace" and insert "Abraham Lincoln Birthplace National Historic Site", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Abraham Lincoln National Historical Park at Hodgenville, Kentucky, shall hereafter be known as Abraham Lincoln Birthplace National Historic Site, and any law, regulation, document, or record of the United States in which such historical park is designated or referred to under the name of Abraham Lincoln National Historical Park shall be held to refer to such historical park under and by the name of Abraham Lincoln Birthplace National Historic Site.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to change the name of the Abraham Lincoln National Historical Park at Hodgenville, Kentucky, to Abraham Lincoln Birthplace National Historic Site."

EXTENSION OF GROUNDS OF CUSTIS-LEE MANSION, ARLINGTON NATIONAL CEMETERY

The bill (H.R. 5138) to extend the grounds of the Custis-Lee Mansion in Arlington National Cemetery was considered, ordered to a third reading, read the third time, and passed.

PROCESSING OF CERTAIN APPLICATIONS UNDER THE SMALL TRACTS ACT

The bill (H.R. 3682) to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the act of August 14, 1958, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 2398) to provide for the establishment of a fish hatchery in the northwestern part of the State of Pennsylvania, was announced as next in order.

Mr. KEATING. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

ACCEPTANCE OF STATUE OF THE LATE SENATOR PATRICK A. McCARRAN

The concurrent resolution (S. Con. Res. 41) to accept the statue of the late Senator Patrick A. McCarran for placement in Statuary Hall was considered and agreed to, as follows.

Resolved by the Senate (the House of Representatives concurring), That the statue of Senator Patrick A. McCarran, presented by the State of Nevada, to be placed in the Statuary Hall collection, is accepted in the name of the United States, and that the thanks of the Congress be tendered such State for the contribution of the statue of one of its most eminent citizens, illustrious in the field of law and government; and be it further

Resolved, That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of Nevada.

PLACING OF STATUE OF THE LATE SENATOR PATRICK A. McCARRAN IN ROTUNDA OF CAPITOL

The concurrent resolution (S. Con. Res. 42) to place temporarily in the rotunda of the Capitol a statue of the late Senator Patrick A. McCarran was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the State of Nevada is hereby authorized to place temporarily in the rotunda of the Capitol a statue of the late Senator Patrick A. McCarran, of Nevada, and to hold ceremonies in the rotunda on such occasion; and the Architect of the Capitol is hereby authorized to make the necessary arrangements therefor.

PRINTING OF PROCEEDINGS AND ACCEPTANCE OF STATUE OF THE LATE SENATOR PATRICK A. McCARRAN

The concurrent resolution (S. Con. Res. 43) to print proceedings of the presentation and acceptance of the statue of the late Senator Patrick A. McCarran for placement in Statuary Hall was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the proceedings at the presentation, dedication, and acceptance of the statue of Senator Patrick A. McCarran, to be presented by the State of Nevada in the rotunda of the Capitol, together with appropriate illustrations and other pertinent matter, shall be printed as a Senate document. The copy for such Senate document shall be prepared under the supervision of the Joint Committee on Printing.

SEC. 2. There shall be printed three thousand additional copies of such Senate document, which shall be bound in such style as the Joint Committee on Printing shall direct, and of which one hundred copies shall be for the use of the Senate and one thousand six hundred copies shall be for the use of the Members of the Senate from the State of Nevada, and five hundred copies shall be for the use of the House of Representatives and eight hundred copies shall be for the use of the Member of the House of Representatives from the State of Nevada.

PLACING OF STATUE OF ESTHER MORRIS, OF WYOMING, IN ROTUNDA OF THE CAPITOL

The concurrent resolution (S. Con. Res. 55) to place temporarily in the rotunda of the Capitol a statue of Esther Morris, of Wyoming, and authorizing ceremonies on such occasion was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the statue of Esther Morris, presented by the State of Wyoming, to be placed in the Statuary Hall collection, is accepted in the name of the United States, and that the thanks of the Congress be tendered such State for the contribution of the statue of one of its most eminent citizens; and be it further

Resolved, That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of Wyoming.

ACCEPTANCE OF STATUE OF ESTHER MORRIS, OF WYOMING

The concurrent resolution (S. Con. Res. 56) accepting the statue of Esther Morris, of Wyoming, for placement in the Statuary Hall collection was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the State of Wyoming is hereby authorized to place temporarily in the rotunda of the Capitol a statue of Esther Morris, of Wyoming, and to hold ceremonies in the rotunda on such occasion; and the Architect of the Capitol is hereby authorized to make the necessary arrangements therefor.

PRINTING AS HOUSE DOCUMENT PROCEEDINGS OF ACCEPTANCE OF STATUE OF ESTHER MORRIS, OF WYOMING

The Senate proceeded to consider the concurrent resolution (S. Con. Res. 57) to print as a House document the proceedings incident to the acceptance of the statue of Esther Morris, presented by the State of Wyoming, which had been reported from the Committee on Rules and Administration, with amendments, on page 1, line 6, after the word "a", to strike out "House" and insert "Senate"; in line 7, after the word "such", to strike out "House" and insert "Senate", and in line 11, after the word "such", to strike out "House" and insert "Senate"; so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That the proceedings at the presentation, dedication, and acceptance of the statue of Esther Morris, to be presented by the State of Wyoming in the rotunda of the Capitol, together with appropriate illustrations and other pertinent matter, shall be printed as a Senate document. The copy for such Senate document shall be prepared under the supervision of the Joint Committee on Printing.

SEC. 2. There shall be printed three thousand additional copies of such Senate document, which shall be bound in such style as the Joint Committee on Printing shall direct, and of which one hundred copies shall be for the use of the Senate and one thousand six hundred copies shall be for the use of the Members of the Senate from the State of Wyoming, and five hundred copies shall be for the use of the House of Representatives and eight hundred copies shall be for the use of the Member of the House of Representatives from the State of Wyoming.

The amendments were agreed to.

The concurrent resolution, as amended, was agreed to.

ADDITIONAL EXPENDITURES BY COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

The resolution (S. Res. 147) authorizing additional expenditures by the Committee on Interior and Insular Affairs was considered and agreed to, as follows:

Resolved, That the Committee on Interior and Insular Affairs is hereby authorized to expend from the contingent fund of the Senate, during the Eighty-sixth Congress, $10,000, in addition to the amount, and for the same purposes specified in section 134(a) of the Legislative Reorganization Act, approved August 2, 1946.

ADDITIONAL EXPENDITURES BY COMMITTEE ON FOREIGN RELATIONS

The resolution (S. Res. 149) authorizing additional expenditures by the Committee on Foreign Relations was considered and agreed to, as follows:

Resolved, That the Committee on Foreign Relations is hereby authorized to expend from the contingent fund of the Senate, during the Eighty-sixth Congress, $10,000, in addition to the amount, and for the same purposes specified in section 134(a) of the Legislative Reorganization Act, approved August 2, 1946.

PAYMENT OF GRATUITY TO MARY VERNON BEALE, JOSEPHINE F. MILLER, AND ADRIAN C. MILLER

The resolution (S. Res. 157) to pay a gratuity to Mary Vernon Beale, Josephine F. Miller, and Adrian C. Miller was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Mary Vernon Beale and Josephine F. Miller, sisters of Theodora Miller, and Adrian C. Miller, niece of Theodora Miller, an employee of the Senate at the time of her death, a sum to each equal to two and one-sixth months' compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

PAYMENT OF GRATUITY TO ELLA M. SHEFFEY

The resolution (S. Res. 158) to pay a gratuity to Ella M. Sheffey was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Ella M. Sheffey, widow of Matthew Sheffey, an employee of the Architect of the Capitol assigned to duty in the Senate Office Building at the time of his death, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

PRINTING OF ADDITIONAL COPIES OF SECOND INTERIM REPORT OF SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

The Senate proceeded to consider the resolution (S. Res. 154) authorizing the printing of additional copies of part 1 of the second interim report of the Select Committee on Improper Activities in the Labor or Management Field, which had been reported from the Committee on Rules and Administration, with an amendment, in line 3, after the word "Field", to strike out "four thousand" and insert "three thousand three hundred", so as to make the resolution read:

Resolved, That there be printed for the use of the Select Committee on Improper Activities in the Labor or Management Field three thousand three hundred additional copies of part 1 of the second interim report of that committee, made pursuant to S. Res. 44.

The amendment was agreed to.

The resolution, as amended, was agreed to.

CONTINUING EXISTENCE OF JOINT COMMITTEE ON WASHINGTON METROPOLITAN PROBLEMS

The concurrent resolution (S. Con. Res. 59) amending Senate Concurrent Resolution 2 continuing the existence of the Joint Committee on Washington Metropolitan problems was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That S. Con. Res. 2, Eighty-sixth Congress, agreed to February 5, 1959 (continuing the existence of the Joint Committee on Washington Metropolitan Problems), is amended as follows:

(a) The first section is amended by striking out "September 30, 1959" and inserting in lieu thereof "January 31, 1960"; and

(b) Section 2 is amended by striking out "September 30, 1959, which shall not exceed $30,000" and inserting in lieu thereof "January 31, 1960, which shall not exceed $55,000".

INCREASE OF FUNDS FOR INVESTIGATION OF IMMIGRATION AND NATURALIZATION

The resolution (S. Res. 143) to increase the amounts of funds for the investigation of matters pertaining to immigration and naturalization was considered and agreed to, as follows:

Resolved, That S. Res. 55, Eighty-sixth Congress, agreed to February 2, 1959 (to investigate matters pertaining to immigration and naturalization), is hereby amended by striking out "$96,000" and inserting in lieu thereof "$116,000".

INCREASE OF FUNDS FOR INVESTIGATION OF ANTITRUST AND ANTIMONOPOLY LAWS

The resolution (S. Res. 144) to increase the amount of funds for the investigation of antitrust and antimo-

nopoly laws and their administration was considered and agreed to, as follows:

Resolved, That S. Res. 57, Eighty-sixth Congress, agreed to February 2, 1959 (authorizing an investigation of antitrust and antimonopoly laws and their administration), is hereby amended by striking out "$395,000" and inserting in lieu thereof "$425,000".

PRINTING OF ADDITIONAL PARTS OF HEARINGS FOR COMMITTEE ON THE JUDICIARY

The Senate proceeded to consider the concurrent resolution (S. Con. Res. 38) to print for the use of the Committee on the Judiciary additional parts of certain hearings on administered prices, which had been reported from the Committee on Rules and Administration, with an amendment, in line 3, after the word "Senate", to strike out "five thousand" and insert "two thousand five hundred", so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on the Judiciary, United States Senate, two thousand five hundred additional copies each of parts 1, 2, 3, and 4 of the hearings conducted by the committee during the Eighty-fifth Congress, first session, on administered prices.

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

PRINTING OF ADDITIONAL COPIES OF CERTAIN REPORTS FOR THE COMMITTEE ON THE JUDICIARY

The Senate proceeded to consider the concurrent resolution (S. Con. Res. 39) to print for the use of the Committee on the Judiciary additional copies of certain reports submitted by it and the Subcommittee on Antitrust and Monopoly, which had been reported from the Committee on Rules and Administration, with an amendment: In line 3, after the word "Senate", to strike out "five thousand" and insert "two thousand five hundred", so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on the Judiciary, United States Senate, two thousand five hundred additional copies each of the following reports: S. Rept. 1378 (Eighty-fifth Congress, second session) of the Committee on the Judiciary, entitled "Administered Prices—Steel"; and three reports of the Subcommittee on Antitrust and Monopoly entitled, respectively, "Concentration in American Industry" (Eighty-fifth Congress, first session), "Administered Prices—Automobiles" (Eighty-fifth Congress, second session), and "Case Study of Incipient Monopoly in Milk Distribution" (Eighty-fifth Congress, second session).

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

JOINT RESOLUTION PASSED OVER

The joint resolution (S.J. Res. 25) to change the name of the Roosevelt Dam in Arizona to Theodore Roosevelt Dam, was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, I ask that the resolution go over.

The PRESIDING OFFICER. The resolution will be passed over.

STUDY OF TRANSPORTATION PROBLEMS OF RURAL AREAS

The resolution (S. Res. 151) to authorize a study of transportation problems of rural areas was considered and agreed to, as follows:

Resolved, That the Committee on Interstate and Foreign Commerce, or any duly authorized subcommittee thereof, is authorized and directed, in carrying out the study of transportation policies in the United States authorized by S. Res. 29, Eighty-sixth Congress, agreed to March 5, 1959, (1) to include a study of the adequacy of transportation service to and from rural communities in the United States, and the effects of the curtailment of such service in recent years upon the economy of such communities and of the Nation as a whole and upon the national defense and security; and (2) to include in the report required to be filed pursuant to such resolution its recommendations concerning the matters referred to in this resolution.

BILL PASSED OVER

The bill (S. 2130) to authorize a payment to the Government of Japan was announced as next in order.

Mr. KEATING. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

THE FOOD-FOR-PEACE BILL (S. 1711)—ADDITIONAL COSPONSOR AND AUTHORIZATION FOR COMMITTEE ON FOREIGN RELATIONS TO FILE REPORT

Mr. HUMPHREY. Mr. President, today the Committee on Foreign Relations has reported favorably S. 1711, the food-for-peace bill.

Mr. President, I ask unanimous consent that the name of the Senator from Kansas [Mr. CARLSON] be added to the list of sponsors of S. 1711.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, I also ask unanimous consent that the Committee on Foreign Relations may file its report on this bill between now and Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUGGESTED VISIT TO ALASKA BY PREMIER KHRUSHCHEV

Mr. GRUENING. Mr. President, on August 5 I sent a telegram to President Eisenhower urging that a suggestion be made to Premier Khrushchev that either coming or going he travel to the United States by way of the 49th State.

I ask unanimous consent that my telegram to President Eisenhower and his reply to it, which I received yesterday, be printed at this point in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

AUGUST 5, 1959.

President DWIGHT D. EISENHOWER,
The White House,
Washington, D.C.:

I venture to urge that the invitation to Premier Khrushchev include a suggestion that he travel one way, either coming or going, by way of Alaska. It might be useful for him to be able to see the contrast between what was once Russian America and what Alaska has become under our free society as a sovereign State of the Union.

ERNEST GRUENING,
U.S. Senator.

THE WHITE HOUSE,
Washington, D.C., August 6, 1959.

The Honorable ERNEST GRUENING,
The U.S. Senate,
Washington, D.C.

DEAR SENATOR GRUENING: Thank you for your telegram of yesterday, and for your suggestion that Mr. Khrushchev visit Alaska.

We shall, of course, do our best to conform to the expressed wishes of Mr. Khrushchev as to the areas and types of American activities that he is most desirous of seeing. I shall ask the State Department to pass along to him your suggestion, as well as a reminder that Alaska was once Russian territory.

With best wishes.

Sincerely,

DWIGHT D. EISENHOWER.

ADJOURNMENT UNTIL TUESDAY NEXT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate stand in adjournment until noon on Tuesday next.

The motion was agreed to; and (at 12 o'clock and 30 minutes p.m.) the Senate adjourned until Tuesday, August 11, 1959, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 7, 1959:

IN THE ARMY

The following-named officers under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in rank as follows:

Maj. Gen. Emerson Charles Itschner, O15516, Chief of Engineers, U.S. Army, in the rank of lieutenant general.

Maj. Gen. John Honeycutt Hinrichs, O17174, Chief of Ordnance, U.S. Army, in the rank of lieutenant general.

Maj. Gen. Robert Frederick Sink, O16907, U.S. Army, in the rank of lieutenant general.

Maj. Gen. Leonard Dudley Heaton, O16960, the Surgeon General, U.S. Army, in the rank of lieutenant general.

REGULAR ARMY OF THE UNITED STATES

The following-named officers for appointment in the Regular Army of the United States to the grades indicated, under the provisions of title 10, United States Code, sections 3284, 3306, and 3307:

To be major generals

Maj. Gen. Walter Bernard Yeager, O29464, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William Everett Potter, O17098, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Ralph Robert Mace, O17578, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Derrill McCollough Daniel, O29500, Army of the United States (brigadier general, U.S. Army).

To be major general, Medical Corps

Maj. Gen. Jack William Schwartz, O17823, Medical Corps (brigadier general, Medical Corps, U.S. Army).

To be brigadier general

Col. Raymond Russell Ramsey, O29470, U.S. Army.

To be brigadier generals, Medical Corps

Brig. Gen. Francis Willard Pruitt, O17812, Medical Corps (colonel, Medical Corps, U.S. Army).

Brig. Gen. Carl Willard Tempel, O18284, Medical Corps (colonel, Medical Corps, U.S. Army).

Maj. Gen. Thomas James Hartford, O18330, Medical Corps (colonel, Medical Corps, U.S. Army).

IN THE NAVY

The following-named officers of the line and staff corps of the Navy for temporary promotion to the grade of rear admiral, subject to qualification therefor as provided by law:

LINE

Samuel B. Frankel	Joseph A. Jaap
William T. Nelson	Louis A. Bryan
Edward A. Wright	Allen M. Shinn
Edwin B. Hooper	Alfred R. Matter
Henry A. Renken	Richard S. Craighill
Morris A. Hirsch	Daniel F. Smith, Jr.
Charles B. Brooks, Jr.	Thomas F. Connolly
William B. Sieglaff	Waldemar F. A. Wendt
Joseph W. Leverton, Jr.	Edwin S. Miller
	Bernard M. Strean
James C. Dempsey	Francis J. Blouin
John W. Byng	Arthur R. Gralla
Joseph D. Black	John J. Hyland
Andrew J. Hill, Jr.	Henry L. Miller
Frederick J. Becton	John M. Lee
Francis T. Williamson	Robert E. McC. Ward
Frederick J. Brush	Rhodam Y. McElroy, Jr.
Floyd B. Schultz	

MEDICAL CORPS

James L. Holland
Cecil L. Andrews
Cecil D. Riggs

SUPPLY CORPS

James S. Dietz
Herschel J. Goldberg

CIVIL ENGINEER CORPS

Norman J. Drustrup
James R. Davis

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 10, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalm 16: 7-8: *I will bless the Lord who hath given me counsel; He is at my right hand, I shall not be moved.*

O Thou Supreme Lord of our lives, Thou knowest the difficult tasks and heavy responsibilities which, during these days, lie before our President, our Speaker, and the Members of Congress.

May they be conscious of the sacred trust, which Thy divine providence has committed unto them, to establish and maintain the spirit of unity and concord among all the citizens of our beloved country.

Inspire their minds and hearts with special gifts of wisdom and understanding, of counsel and impartial judgment, that they may uphold courageously that which is right and fair and follow faithfully whatever is honest and true.

We pray that Thou wilt abate and abolish every selfish ambition and unworthy motive and all feelings of envy and ill will among the various classes in our social order, healing the divisions and discord, and strengthening the desires for mutual benefit.

Hear us in Christ's name. Amen.

The Journal of the proceedings of Thursday, August 6, 1959, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 3682. An act to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the act of August 14, 1958;

H.R. 4243. An act for the relief of Peter Sergeevich Deryabin, also known as Theodore Stanley Orel;

H.R. 4405. An act to authorize and direct the Secretary of the Interior to conduct studies and render a report on the feasibility of developing the water resources of the Salt Fork and the Prairie Dog Town Fork of the Red River in the State of Texas;

H.R. 4644. An act to credit to postal revenues certain amounts in connection with postal activities, and for other purposes;

H.R. 5138. An act to extend the grounds of the Custis-Lee Mansion in Arlington National Cemetery; and

H.R. 5849. An act to amend the act of July 7, 1958, providing for the admission of the State of Alaska into the Union, relating to selection by the State of Alaska of certain lands made subject to lease, permit, license, or contract.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H.R. 3335. An act to provide for the apportionment by the Secretary of the Interior of certain costs of the Yakima Federal reclamation project, and for other purposes;

H.R. 4002. An act to authorize the use of Great Lakes vessels on the oceans;

H.R. 4120. An act for the relief of Dr. Raymond A. Vonderlehr and certain other officers of the Public Health Service;

H.R. 4242. An act for the relief of certain aliens;

H.R. 6939. An act to repeal the act of October 20, 1914 (38 Stat. 741), as amended (48 U.S.C., secs. 432–452), and for other purposes; and

H.J. Res. 405. Joint resolution for the relief of certain aliens.

The message also announced that the Senate had passed bills and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 258. An act to provide for certain reductions in the reimbursable construction cost of the Kittitas division of the Yakima reclamation project, Washington;

S. 713. An act to revise the boundaries of the Zion National Park in the State of Utah, and for other purposes;

S. 1071. An act for the relief of Nettie Korn and Manfred Korn;

S. 1081. An act for the relief of Arshalouis Simeonian;

S. 1152. An act for the relief of Alicja Zofja Batukiewicz;

S. 1429. An act for the relief of Magdaleno V. del Rosario;

S. 1448. An act to change the name of the Abraham Lincoln National Historical Park at Hodgenville, Ky., to Abraham Lincoln Birthplace National Historic Site;

S. 1557. An act for the relief of Allen Howard Pilgrim, Cheryl Ann Pilgrim, Robb Alexander Pilgrim, and Jocelyn Marie Pilgrim;

S. 1702. An act for the relief of Franciszek Roszkowski;

S. 1731. An act for the relief of Pacifico A. Tenorio;

S. 2021. An act for the relief of Irene Milios;

S. 2238. An act for the relief of Kenzo Hachtmann, a minor;

S. 2471. An act to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes;

S. Con. Res. 38. Concurrent resolution to print for the use of the Committee on the Judiciary additional parts of certain hearings on administered prices;

S. Con. Res. 39. Concurrent resolution to print for the use of the Committee on the Judiciary additional copies of certain reports submitted by it and the Subcommittee on Antitrust and Monopoly;

S. Con. Res. 41. Concurrent resolution to accept the statue of the late Senator Patrick A. McCarran for placement in Statuary Hall;

S. Con. Res. 42. Concurrent resolution to place temporarily in the rotunda of the Capitol a statue of the late Senator Patrick A. McCarran;

S. Con. Res. 43. Concurrent resolution to print proceedings of the presentation and acceptance of the statue of the late Senator Patrick A. McCarran for placement in Statuary Hall;

S. Con. Res. 48. Concurrent resolution to promote peace through the reduction in armaments;

S. Con. Res. 55. Concurrent resolution to place temporarily in the rotunda of the Capitol a statue of Esther Morris, of Wyoming, and authorizing ceremonies on such occasion;

S. Con. Res. 56. Concurrent resolution accepting the statue of Esther Morris, of Wyoming, for placement in the Statuary Hall collection;

S. Con. Res. 57. Concurrent resolution to print as a House document the proceedings incident to the acceptance of the statue of Esther Morris, presented by the State of Wyoming; and

S. Con. Res. 59. Concurrent resolution amending S. Con. Res. 2, continuing the existence of the Joint Committee on Washington Metropolitan Problems.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1289. An act to increase and extend the special milk program for children;

S. 1455. An act to authorize the rental of cotton acreage allotments; and

S. 1512. An act to amend the Federal Farm Loan Act to transfer responsibility for making appraisals from the Farm Credit Administration to the Federal land banks, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing

votes of the two Houses on the amendments of the Senate to the bill (H.R. 8283) entitled "An act making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1960, and for other purposes."

TENNESSEE VALLEY SELF-FINANCING

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2471) to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes.

The Clerk read the title of the bill.

Mr. HALLECK. Mr. Speaker, reserving the right to object—and as far as I am concerned, I shall not—I think the RECORD should be very clear as to what we are doing here today. The President has been recommending self-financing legislation for TVA since 1954. H.R. 3460 substantially complied with the recommendations which the President had made on numerous occasions. The President was deeply concerned, however, about one section of the bill which not only had confusing language, but which additionally established a mechanism for the approval of new power producing projects which would allow the Congress to act directly on recommendations of the TVA, a subordinate agency to the President, regardless of Presidential desires and without opportunity for Presidential review of such congressional action.

S. 2471 eliminates this language. Its main substantive effect is to prohibit the TVA from dealing directly with the Congress concerning new power producing projects. It does not and could not change the relationship between the President and the members of the Tennessee Valley Authority who are his appointees and who are subject to his general directions. It is the opinion of the President, as well as of all his legal advisers, as well as of the Board of the Tennessee Valley Authority, that TVA still is subject to the budgetary sections of the Government Corporation Control Act, and as such will be required to submit to the President for his review and modification their annual financial program for the use of bond revenues and power proceeds. The President will submit his revised program to the Congress as part of his regular budgetary submission. It will be up to the Congress to determine whether any action is to be taken upon the President's recommendations for the ensuing fiscal year.

While H.R. 3460 gives directly to the Tennessee Valley Authority certain authority with reference to the use of revenue bond proceeds, it does not and cannot change the relationship of the TVA Board to the President and their basic responsibility to him as the Chief Executive of this country.

Mr. Speaker, I would also like to read from a letter addressed to the President of the United States by the Tennessee Valley Authority Board.

DEAR MR. PRESIDENT: We greatly appreciated the opportunity to meet with you on July 29 and present to you our views concerning the pending TVA financing bill, H.R. 3460, and the urgent need for its enactment.

Following our meeting with you, we had a further discussion with members of your staff. At this subsequent meeting we presented a one-page memorandum, representing the opinion of our general counsel relative to the meaning of H.R. 3460. The first paragraph of that memorandum is as follows:

"H.R. 3460 does not exempt TVA from the budgetary provisions of the Government Corporation Control Act. TVA will continue to submit its budget program to the President; and the President will continue to submit such program, as modified, amended, or revised, to the Congress as part of his annual budget. H.R. 3460 provides that the issuance and sale of bonds and the expenditure of bond proceeds shall not be subject to the requirements or limitations of any other law, but the budgetary provisions of the control act do not relate to the issuance and sale of bonds or the expenditure of bond proceeds and are therefore not affected by this provision."

Mr. FENTON. Mr. Speaker, reserving the right to object, may I ask the author of the bill just what is meant by the bill that was introduced in the Senate, and I would ask for a detailed explanation if the gentleman will give it.

Mr. DAVIS of Tennessee. Mr. Speaker, I think a reading of the exact language will answer the gentleman's question. The President found objection to this language in H.R. 3460. The distinguished minority leader has made a very excellent statement.

When the President objected to the language, assurance was given the White House by the representatives of both Houses that this language to which he objected would be deleted. On last Thursday the other body unanimously removed this language.

The bill today would keep the promise of this House to the President of the United States and remove that language. This is the language to which he found objection:

Provided, That with the budget estimates transmitted by the President to the Congress, the President shall transmit the power construction program of the Corporation as presented to him and recommended by the Corporation, together with any recommendation he may deem appropriate.

Neither bond proceeds nor power revenues received by the Corporation shall be used to initiate the construction of new power producing projects (except for replacement purposes and except the first such project begun after the effective date of this section) until the construction program of the Corporation shall have been before Congress in session for ninety calendar days. In the absence of any modifying action by a concurrent resolution of the Congress within the ninety days, such projects will be deemed to have congressional approval.

The President thought that that removed some Executive power to which he was entitled. Acting on the assurances given him by the leadership in both Houses, I am asking that this bill S. 2471 be approved by the House.

Mr. FENTON. Mr. Speaker, I appreciate very much the statement given by my distinguished colleague from Tennessee [Mr. DAVIS]; but in view of the fact the hearings before our Subcommittee on Appropriations for the TVA discloses an entirely different viewpoint, in my opinion, from what the General Counsel of TVA thinks, I am forced to object at this time.

Mr. RAYBURN. Mr. Speaker, will the gentleman withhold that for a moment?

Mr. FENTON. I withhold it for the time being.

Mr. RAYBURN. Mr. Speaker, I was called to the White House last week to discuss this very matter with the President of the United States, and he said that he objected to this provision of the bill because he thought it was an invasion of his executive authority. I agreed with this before I met the President. He said if we would agree—I told him I would insofar as I could speak for the House of Representatives—that if he signed the bill we would immediately pass a bill repealing that section of the bill that he signed into law. The Senate has already acted.

The President has kept his word with me, and I want to keep mine with the President of the United States, and I do trust that nobody will object to this proposition that the President so urgently requests the Congress of the United States to do.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. I yield to the gentleman from Indiana.

Mr. HALLECK. I realize the concern that many Members of the Congress have had in respect to continuing control of the Congress of the TVA and its operations. Of course it will continue to be a Government corporation. By what I read into the RECORD I tried to make it clear that congressional control will remain if this legislation is adopted.

The SPEAKER pro tempore (Mr. WALTER). Is there objection to the request of the gentleman from Tennessee?

Mr. FENTON. Mr. Speaker, further reserving the right to object, this is a very, very serious matter to my people. We have gone through this problem for a number of years in connection with the TVA. While I appreciate the wonderful work they have done for the people of that area, I think the time has long since passed since they have arrived at a point which was the intent of the Congress back in 1933 to help rehabilitate the TVA area. The Congress has done its duty. The people of the country have cooperated to the fullest extent, and I object to certain literature being put out by the TVA people asking industry to go to the TVA area for the purpose of getting cheap electric power and interfering with the establishment of industry in Pennsylvania, particularly. I regret very much that the Senate has seen fit, in the matter of a few minutes in debate—and I read the debate very carefully—to pass a bill such as has been offered to placate even the President of the United States. I appreciate the Speaker's interest in the matter. He has kept his word.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. FENTON. I yield to the gentleman from Texas.

Mr. RAYBURN. This proposition did not originate in the House. The bill went over to the Senate and this language was inserted, and the members of

the conference, the gentleman from Tennessee [Mr. DAVIS] and the gentleman from Alabama [Mr. JONES] were very much opposed to this provision ever being inserted in the bill, because they felt it was outside of what they should do. Now they are convinced that this provision should come out of the law. The President has agreed, and he thought that it encroached upon the prerogatives of the Executive. This does not change the action of the TVA Board. Further, every one of them has been appointed by President Eisenhower, every one of them, all three of them, since he came in. And, it would appear to me that if anybody could have any influence with that Board, it would be the President of the United States. I think under the law that we are passing here it stops the TVA from expanding beyond certain limits. The President felt that the language which had been inserted invaded the jurisdiction of the Executive and should come out, and we ought to do it now.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. FENTON. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The gentleman from Pennsylvania addresses his remarks to the TVA bill itself, which is law. The President has signed the bill. And, I understand and respect thoroughly the views of my friend from Pennsylvania on TVA legislation in general, but that is really not the question that confronts us today. The question is a limited amendment. If this is not acted upon today, the TVA bill signed by the President is law. This amendment would carry out an understanding and agreement made by the Speaker, by Senator JOHNSON—and I do not know how many others were present. Certainly any agreement made by the Speaker would be binding upon me, and certainly the minority leader has also expressed his position. My friend, the gentleman from Pennsylvania, has expressed his views not only today but in the past on TVA legislation in general, and while I disagree with my friend, I profoundly respect his views. But, that is not the question today. This is a very limited question. The President feels that certain language of the bill invades the jurisdiction of the Executive. I might have my own opinions on that, but I am not expressing them or exercising them today. I think we should act in accordance with the agreement made, and I hope my friend from Pennsylvania, recognizing that this is a limited matter, not a general matter, in relation to TVA, will not object to the consideration of the bill.

Mr. FENTON. Mr. Speaker, inasmuch as the Speaker has spoken the way he has, and has cooperated with the President; inasmuch as the minority leader, the gentleman from Indiana [Mr. HALLECK], has made his statement; and inasmuch as the distinguished majority leader has explained the position on his side, I am going to accept the views of these gentlemen in the House as to the validity of this particular piece of legislation that is before us. However, I am doubtful, because there are other provisions in that legislation beyond the scope of this particular bill that is being brought up today, that I think will come back to haunt us.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BALDWIN. Mr. Speaker, reserving the right to object, several Members who are not on the floor at this moment asked me, if this matter were called up and they were not present, they being members of the Committee on Public Works, to register an objection until there could be a clearance of it on our side of the Committee on Public Works. This matter was called up immediately. I have checked this with one of the Members. I have not yet been able to check with one or two of the others. I am faced with the problem that, unless I can clear with those other Members, I shall have to register an objection to protect them, since they are not here.

Mr. Speaker, would it be possible for the gentleman to defer this matter until we have gotten clearance from our side of the Committee on Public Works?

Mr. DAVIS of Tennessee. Mr. Speaker, if the gentleman will yield to me, I most respectfully suggest that this matter was unanimously passed by the other body last Thursday. Certainly ample time has been accorded everybody. Notice has been given. We have heard from the distinguished minority leader on the gentleman's side. The Speaker has made a very firm statement concerning his commitment to the President of the United States. I cannot see how anybody could say that this matter is being rushed.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman.

Mr. HALLECK. I think probably at this juncture I should make it very clear that I was not present when these negotiations were started. However, that does not affect their validity in any way. Inasmuch as the gentleman from California [Mr. BALDWIN] has made certain commitments, which everybody can understand, may I suggest to the gentleman from Tennessee [Mr. DAVIS] that even if objection were now made to his unanimous-consent request, it could be renewed later in the day at which time I should hope that no objection would be made to the request.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BALDWIN. Mr. Speaker, I shall have to object.

The SPEAKER. Objection is heard.

PRESIDENT EISENHOWER URGED TO VISIT WEST BERLIN BEFORE EXCHANGING VISITS WITH KHRUSHCHEV

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, I was very pleased to read in the paper this morning that President Eisenhower has altered his itinerary in visiting NATO leaders later this month, prior to making an exchange of visits with Soviet Premier Khrushchev, to include the capital of the West German Republic. Last Friday I urged the President, as a part of his itinerary, to include a visit to the city of Berlin, so that, prior to the Khrushchev visit we could make clear in a dramatic way the fact that our visit to Khrushchev does not represent any slackening in our determination to stand firm in Berlin. If my suggestion to the President played a part in his decision to include the city of Bonn in his visit, I am happy indeed, because I believe that many of our people are concerned that the forthcoming Khrushchev visit may involve some slackening in our determination to hold the line against the Communist aggression. I am delighted that the President has decided personally to visit the West German capital, but I would again urge him, in connection with this visit, also to make a personal appearance in the city of West Berlin to show the Soviet Government in clear and unmistakable terms that our position there has not changed in spite of all the pressures, threats, or ultimatums that might be directed against us.

INTEREST CEILING ON THE NATIONAL DEBT

Mr. REUSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, a month ago the House Committee on Ways and Means reported favorably on the so-called sense resolution, in connection with the interest ceiling on the national debt, whereby the Federal Reserve is given the recommendation of the Congress that when it is increasing the money supply, it do so by purchasing U.S. securities.

There has been much misunderstanding of this sense resolution. Since I believe deeply that it is a sensible resolution, I have just secured time later on this afternoon for a special order, when I hope to explain it fully and to answer any questions from any Members who may be present and who have any questions to ask about it. May I say, if Members are not able to be present and would write out interrogatories which they would like to submit to me, if they will just call my office, I will see that we get those questions and I will attempt to answer them. That will take place later on this afternoon.

Mr. DORN of South Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN of South Carolina. Mr. Speaker, Gov. Fritz Hollings, of South Carolina, was the only southern Governor who opposed Khrushchev's visit to the United States. Governor Hollings' dissenting vote at the southern Governors' conference thrilled many patriotic Americans everywhere. Governor Hollings is a man of courage. He will not compromise a basic fundamental principle. He does not believe appeasement is the road to peace.

Mr. Speaker, I am shocked and depressed over the coming visit of the Russian Communist antichrist dictators and bullies.

It is a terrible thing to invite Khrushchev to the United States. He has been desperately seeking this invitation for years. He needs this trip to show the world he is accepted by Christian America. He hopes by such love feasts and pow-wows with our leaders to make the world forget Hungary, Tibet, East Germany, and Korea. He is the gangster seeking decent recognition. This will give him the dignity and prestige he can get in no other way. Khrushchev was Stalin's hatchetman in Moscow and the Ukraine. His hands literally drip with the innocent blood of thousands. He believes in the liquidation of all who do not agree with him.

Our President, Governors, and mayors do not seek summit conferences with bank robbers. They do not seek peaceful coexistence with murderers. Yet on the international level we are doing just that.

What will the neutral peoples of the world think? What will our friends think? Those to whom we give foreign aid to fight communism. One day we give a people arms and bullets to stand up to Russian aggression—the next day these same people see Khrushchev holding hands with the President of the United States, feasting and drinking toasts. You know and I know these neutrals and friends will put our money in their pockets, sell our equipment on the black market and forget the fight against communism.

We should not forget that Chamberlain had a summit conference with Hitler and Mussolini. The Japanese were conferring with Secretary Hull when Japan attacked Pearl Harbor. We had conferences at Yalta and Potsdam. I am afraid history will prove such conferences make war more likely. The bloody dictator always becomes bolder and more aggressive believing the hospitality of free peoples indicates fear and weakness.

We are not going to impress Khrushchev with cars, corn, and luxury. He knows much more about America than most of us. He has studied us from every angle. He knows what we are going to do before we do it. He has a powerful underground in the United States who keep him constantly informed. An American Communist Party of many thousands.

The only decent policy for the United States is to refuse to see these bloody dictators until they withdraw from Hungary, Poland, Czechoslovakia, East Germany, North Korea and many other nations. We should put them on the defensive daily by demanding that they live up to sacred treaties and give captive nations the right to vote and determine their own destiny.

BENSON TO BUY LARD

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, it has been called to my attention that the Secretary of Agriculture now proposes to spend money to buy lard to boost sagging hog prices instead of buying meat products. This is another example of spending money in such a way that we receive the least possible benefit for money spent. The Secretary of Agriculture proposes to buy lard instead of meat products. The farmers are being told to be more efficient, to produce meat-type hogs and sell them at light weights. Now the Secretary of Agricultrue wants to reward those who feed heavier hogs and make them fat. At a time when many Americans are in need of meat products, the Secretary buys lard for oversea shipment. I refuse to believe that the Republican Party is so bankrupt of brains that they must continue to keep Ezra Taft Benson in office any longer.

STIMULUS TO REHABILITATION AND SELF-SUPPORT FOR OUR BLIND CITIZENS

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr CURTIS of Missouri. Mr. Speaker, on June 26 I introduced H.R. 7984, a bill to amend title X of the Social Security Act to provide that, without an increase in the Federal participating funds, a State plan for aid to the blind may utilize a more liberal needs test than that presently specified in such title. This bill is consonant with the spirit and avowed purposes of title X wherein enabling legislation was enacted to encourage each State to furnish financial assistance as far as practicable under the conditions of such State, to needy individuals who are blind and of encouraging each State, as far as practicable under such conditions, to help such individuals attain self-support or self-care.

Title X of the Social Security Act provides grants to States for aid to the blind. The grants cover four-fifths of the blind-aid payments up to $30 per month and from 50 percent to 65 percent above $30 not to exceed $65 per month. Accordingly, under a State plan for aid to the blind that qualifies for a title X grant, the Federal Government pays out $41.50 to $46.75 out of a $65 per month blind-aid payment.

Title X has been in effect since 1935. Since 1950, all 48 States have had plans which qualify for Federal reimbursement. Prior to 1950, however, Missouri and Pennsylvania had in effect plans for the blind which failed to conform to the Federal interpretation of the so-called needs test amendment of 1939.

That amendment provided "a State agency shall, in determining need, take into consideration any other income and resources of an individual claiming aid to the blind"—section 1002(a)(8). From 1937 to 1950 the blind people of Missouri and Pennsylvania and their State legislatures consistently refused to accept Federal matching funds if it meant scrapping their more liberal State blind pension and enacting in lieu thereof a more restrictive law which would conform to Federal requirements.

In 1950 Congress approved special legislation which permitted Missouri and Pennsylvania to retain their more liberal aid to the blind programs and still receive Federal participating funds. Under this special provision, the Federal Government provides participating funds only for those individuals who meet the strict requirements of the Federal law. The remaining eligible blind people of Missouri and Pennsylvania are paid entirely from State money. The exact language of the amendment reads:

> In the case of any State * * * which did not have on January 1, 1949, a State plan for aid to the blind approved under title X * * * the Secretary shall approve a plan of such State for aid to the blind for the purposes of this title X, even though it does not meet the requirements of clause (8) of section 1002(a) of the Social Security Act, if it meets all other requirements of title X for an approved plan for aid to the blind; but payments under section 1003 of the Social Security Act shall be made, in the case of any such plan, only with respect to expenditures thereunder which would be included as expenditures for the purposes of such section under a plan approved under title X without regard to the provisions of this section.

The amendment to the Social Security Act was originally enacted to terminate on June 30, 1955. Its life has since been thrice extended, first to June 30, 1957, then to June 30, 1959, and now to June 30, 1961. The bill which I have introduced proposes a solution that will put to rest, once and for all, the issues presented by the Missouri and Pennsylvania plans. Accordingly, this bill is proposed to take effect on July 1, 1961.

The Missouri and Pennsylvania programs are primarily more liberal than Federal requirements in the following regards:

First. Missouri has two separate plans, one plan which is supported entirely by State funds, provides for those blind persons who meet the eligibility requirements of the State law, but do not meet the more restrictive requirements of the Federal law. The other plan is supported by Federal and State participating funds

and provides only for those persons who meet the more strict Federal definition of need. Pennsylvania has only one plan but the federally eligible and ineligible recipients are separated as a bookkeeping transaction.

Second. In Missouri a flat fixed amount of $65 is paid to each recipient each month while in Pennsylvania the payment is $60 per month. This is in contrast to the variable individual payments of the Federal law.

Third. In Missouri a blind person is allowed to earn $175 a month and still qualify for the full amount of the pension while under present Federal law only $50 per month is allowed as exempt earnings. In Pennsylvania a blind person is allowed to earn $148.33 and still qualify for the full amount of the grant.

Fourth. In Missouri and Pennsylvania the amount of cash and property that a blind person may have and still qualify for the full pension is more liberal than under the Federal provisions.

A study of the Missouri and Pennsylvania plans discloses, I think, quite well how far these two States have gone in their efforts to encourage the rehabilitation of their nonsighted citizens. They have enlarged their economic opportunities to the end that they may render themselves independent of public assistance and become entirely self-supporting. These programs have proved highly successful and have paved the way for more enlightened socioeconomic legislation in the other 47 States. I have long been impressed with the wisdom of the words of Justice Brandeis who said, "It is one of the happy incidents of the Federal system that a single courageous State may, if its citizens choose, serve as a laboratory; and try novel and economic experiments without risk to the rest of the country." The value of this thesis is demonstrated by the Missouri and Pennsylvania plans. Our aid-to-the-blind program should be directed to the ends of rehabilitation and helping our nonsighted people to become useful and productive citizens. The above described needs test tends to hurt our efforts at rehabilitation. Its effect is to destroy initiative and desire to make the most of the blind individual's productive years. The bill which I have introduced is intended to preserve the minimum standards of clause (8) but it still allows the States to develop their programs in accordance with modern thinking and to encourage more liberal provisions provided that the States are willing to finance their expanded programs out of State funds.

This bill, then, would resolve the following Federal-State issues which have been raised by the present title X of the Social Security Act, to wit:

First. It would preserve to the States their right to provide improved social-welfare programs for the blind wholly financed out of State funds.

Second. It makes it possible for Missouri and Pennsylvania to retain permanently, and for other States to adopt, if they wish to do so, any or all of the distinctive features of the Missouri-Pennsylvania plans of aid to the blind.

Third. The amount of each State's Federal grant would continue to be measured by the present standards and on like terms to all States. The definition of the means test that is contained in clause (8) of section 1002(a) would apply to all States for the purpose of determining the part of any State's expenditures that will be covered by the Federal grant.

Fourth. No limitation or requirement on the allowable exceptions from the means test in the direction of greater liberality would be imposed upon any State plan in order to retain a title X Federal grant for federally eligible cases. In order to prevent the States from circumventing the minimum standards of the Federal program by transferring recipients to a drastically less adequate State program, the States are permitted to increase, but not decrease the extent to which the recipients' earnings, or income, or other resources will be excepted from the means test.

Fifth. It would eliminate the forced conformity to the antiquated needs test and would certainly encourage the other 47 States to develop plans that are consonant with this desirable thesis of rehabilitation and self-help. It would further bring Federal public assistance policy into conformity with the new congressional and general emphasis on rehabilitation of the disabled. As one step in this direction, Congress required the States in 1950 to exempt $50 of earned income of blind-aid recipients from consideration in determining the amount of the grant. As a second step, Congress in 1956 proclaimed self-care and self-support to be one of the purposes of the public-assistance provisions of the Social Security Act.

Sixth. This bill, if enacted into law, would simply restore an important States right—the right to provide at State expense, a more liberal program of aid to the blind than the Federal Government chooses to allow. Since under the provisions of this legislation, the Federal Government would only provide participating funds for those individuals who would qualify under the present strict Federal definition of need, the plan could not possibly increase the cost to the Federal Government. It would in fact in time provide a real financial benefit to the Federal Government. Through more liberal State financed welfare programs geared to rehabilitation and self-support, more blind people will make their way off of the relief rolls and our nonsighted citizens will be encouraged to make the most of their productive years and become more useful citizens.

EXTENSION OF REMARKS

Mr. ROONEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the CONGRESSIONAL RECORD and to include a statement by his Excellency Bishop Griffiths on "Population and Future United States Policy." I am informed by the Public Printer that this extension of remarks exceeds the limit, and is estimated to cost $216. Because of the importance of this statement, Mr. Speaker, I ask unanimous consent, notwithstanding, that it may be printed.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

HIGHWAY SAFETY

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, so that no one may be shocked, may it be said that at the moment nothing will be said about labor legislation at this time.

In yesterday's Star there was quite a long article, which I will read.

ELEVEN KILLED THIS YEAR—RECKLESSNESS BLAMED FOR ROUTE 1 TRAFFIC TOLL

Disdain of the most elementary driving rules is converting a short strip of Route 1 into Virginia's most deadly roadway.

Already this year, 11 people have died as a result of crashes on the 12-mile section of the highway that traverses Prince William County south of Washington.

Another 113 have been injured in 182 wrecks. And the most perilous month, December, still waits to exact its toll.

Analyzing the most recent accidents, which have killed nine travelers in the last 2 months, State police identify flagrant recklessness as the primary cause of the mounting slaughter.

Tragically, they say, at least five of the recent victims, including a mother and father, were in cars which were being faultlessly driven.

They helplessly died when oncoming vehicles sped across the center of the four-lane highway and smashed headon into them.

Blood tests revealed that at least two drivers responsible for the deaths of others and themselves were highly intoxicated.

Asked why recklessness and its bloody results are so rampant in this particular stretch of Route 1, Sgt. T. A. S. Moody, who commands the troopers patrolling it, makes these comments:

The strip serves as a sort of funnel, receiving traffic streaming southward from both Route 1 and Shirley Highway. Farther to the south, the traffic dispenses somewhat. But during each 24 hours, the strip is crowded with an average of 16,000 cars.

Especially in the Woodbridge area, it is lined with service stations, trailer parks, shopping centers, and housing developments. Thus, the frequency of motorists stopping and trying one of the most dangerous of all maneuvers, a left turn across a high-speed thoroughfare, is high.

Tourists, unfamiliar with the highway, often travel it.

Therefore, drivers are more subject to penalties for errors in judgment along Route 1 in Prince William than elsewhere.

But Sergeant Moody stresses that these conditions do not fully explain the number of accidents.

"The highway is a good one. Its hills and curves are not excessively abrupt and it is well marked," he says. "It's not the highway, it's the people.

"The accidents are being caused by lane jumping, by failure to signal, following too

closely, by traveling too fast for road conditions, by drinking, and by just plain inattentiveness," he reports.

The police are intensifying their patrols and use of radar in the area. Arrests there are numerous.

Sergeant Moody is recommending that a new overhead reduce-speed warning sign be mounted south of Woodbridge.

He also may suggest a reevaluation of the speed limits all along the strip. The limits now range from 40 to 55 miles an hour in various sections.

But he says that law enforcement and safety efforts along it long have been intense.

And he warns, that it will become the deathbed of many more motorists and their families unless drivers decide to instigate safety measures of their own.

On April 26, 1957, I was driving through Woodbridge, Va., where there was a 25-mile-an-hour speed limit through the congested area, but going along ahead of me were three or four large trucks, two of them belonging to the same company, going at better than 50 miles an hour in a 25-mile-an-hour zone and driving within 50 feet of each other.

I had a personal interest in the matter because of the fact that my grandson in the Navy lived in Norfolk with his wife and child. I wanted to do something to make the highway safer for them as well as for others, possibly save them and others from injury or death. So I drove into the weighing station where these trucks had stopped, and the State police there at the weighing station had seen these trucks come through this side of the town there at 50 miles an hour. I asked him what I could do to get these drivers arrested. He was not interested. I asked him where I could get hold of a magistrate. Well, he did not know. I finally got hold of one at the weighing station and made a complaint. Hearing was set at Manassas, some 50-odd miles away, for the 2d day of May. I drove over there and testified. The driver was convicted. What penalty do you think the judge imposed on him by way of fine? Judge Compton fined him $5 and costs. Now, how are you going to get protection on the highways under such conditions?

At the same session the same judge fined the father of a boy who had skipped school $50 but did suspend the sentence.

The judge was certainly kind to the companies whose drivers continuously violate traffic laws.

Can officers whose duty it is to enforce the law escape all responsibility for the accidents and deaths which the Star yesterday pointed out? Why should a citizen be required to make complaints?

ANNOUNCEMENT

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BAILEY. Mr. Speaker, I have asked for this time for the purpose of advising my colleagues that at the conclusion of the regular order of business today I have a 1-hour special order. I intend during that time to present the detailed facts back of some newspaper articles that I have been discussing, dealing with the tendency of American capital and American jobs to go abroad.

I am going to give you the details on some 3,000 business concerns which have gone abroad and established factories, where they are located, and the number of jobs that should have gone to Americans but are now going to foreigners where those companies are operating.

It will be an interesting presentation and I will say to you that I will submit the supporting facts back of the statement. It will be well worth your while listening to some of these facts. They are startling.

AMENDING LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

Mr. BARDEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 451) to amend the Longshoremen's and Harbor Workers' Compensation Act, with respect to the payment of compensation in cases where third persons are liable, with Senate amendments thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: "That section 33 of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

"'COMPENSATION FOR INJURIES WHERE THIRD PERSONS ARE LIABLE

"'SEC. 33. (a) If on account of a disability or death for which compensation is payable under this Act the person entitled to such compensation determines that some person other than the employer or a person or persons in his employ is liable in damages, he need not elect whether to receive such compensation or to recover damages against such third person.

"'(b) Acceptance of such compensation under an award in a compensation order filed by the deputy commissioner shall operate as an assignment to the employer of all right of the person entitled to compensation to recover damages against such third person unless such person shall commence an action against such third person within six months after such award.

"'(c) The payment of such compensation into the fund estabilshed in section 44 shall operate as an assignment to the employer of all right of the legal representative of the deceased (hereinafter referred to as "representative") to recover damages against such third person.

"'(d) Such employer on account of such assignment may either institute proceedings for the recovery of such damages or may compromise with such third person either without or after instituting such proceeding.

"'(e) Any amount recovered by such employer on account of such assignment, whether or not as the result of a compromise, shall be distributed as follows:

"'(1) The employer shall retain an amount equal to—

"'(A) the expenses incurred by him in respect to such proceedings or compromise (including a reasonable attorney's fee as determined by the deputy commissioner);

"'(B) the cost of all benefits actually furnished by him to the employee under section 7;

"'(C) all amounts paid as compensation;

"'(D) the present value of all amounts thereafter payable as compensation, such present value to be computed in accordance with a schedule prepared by the Secretary, and the present value of the cost of all benefits thereafter to be furnished under section 7, to be estimated by the deputy commissioner, and the amounts so computed and estimated to be retained by the employer as a trust fund to pay such compensation and the cost of such benefits as they become due, and to pay any sum finally remaining in excess thereof to the person entitled to compensation or to the representative; and

"'(2) The employer shall pay any excess to the person entitled to compensation or to the representative, less one-fifth of such excess which shall belong to the employer.

"'(f) If the person entitled to compensation institutes proceedings within the period prescribed in section 33(b) the employer shall be required to pay as compensation under this Act a sum equal to the excess of the amount which the Secretary determines is payable on account of such injury or death over the amount recovered against such third person.

"'(g) If compromise with such third person is made by the person entitled to compensation or such representative of an amount less than the compensation to which such person or representative would be entitled to under this Act, the employer shall be liable for compensation as determined in subdivision (f) only if such compromise is made with his written approval.

"'(h) Where the employer is insured and the insurance carrier has assumed the payment of the compensation, the insurance carrier shall be subrogated to all the rights of the employer under this section.

"'(i) The right to compensation or benefits under this Act shall be the exclusive remedy to an employee when he is injured, or to his eligible survivors or legal representatives if he is killed, by the negligence or wrong of any other person or persons in the same employ: *Provided*, That this provision shall not affect the liability of a person other than an officer or employee of the employer.'"

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

ESTABLISHMENT OF BUREAU OF NAVAL WEAPONS

Mr. VINSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7508) to amend title 10, United States Code, to establish a Bureau of Naval Weapons in the Department of the Navy and to abolish the Bureaus of Aeronautics and Ordnance with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 7, after "Navy" insert "or the Marine Corps".

Page 2, line 10, after "Navy" insert "or the Marine Corps".

Page 3, line 3, strike out all after "is" down to and including line 8 and insert "amended

by striking out in the second sentence of subsection (a) the words 'Bureau of Aeronautics' and inserting in lieu thereof the words 'Bureau of Naval Weapons'."

Mr. GROSS. Mr. Speaker, reserving the right to object, will the gentleman take time briefly to explain the amendments?

Mr. VINSON. This bill is for the purpose of establishing a new bureau in the Navy, known as the Bureau of Naval Weapons.

It is brought about by the consolidation of the Bureau of Ordnance and the Bureau of Aeronautics.

When the bill passed the House, the Chief of this new Bureau, and the Deputy Chief, would be appointed from the active list of the Navy.

The Senate amended the bill by providing that the Chief of the Bureau or the Deputy Chief could be appointed from the active list of the Navy or the Marine Corps.

In the House bill, as I have just stated, the Chief of the Bureau and the Deputy Chief would have to be naval officers.

Due to the fact that under existing law, officers of the Marine Corps are eligible to be appointed as Chief or Deputy Chief of the Bureau of Aeronautics, the Senate amendment was intended to continue the eligibility of officers of the Marine Corps to be appointed as Chief or Deputy Chief of the new Bureau of Naval Weapons.

In view of the fact, notwithstanding the eligibility of a marine officer to be made Chief or Deputy Chief, it is very doubtful if it will ever take place due to the reason that the major portion of the work of the new Bureau will relate to ordnance.

Mr. GROSS. Mr. Speaker, I opposed this bill when it was before the House initially. I do not believe it will accomplish any of the purposes the House desires. I am still opposed to the bill even after the Senate amendments.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

PROVIDING ADDITIONAL TIME WITHIN WHICH CERTAIN STATE AGREEMENTS UNDER SECTION 218 OF THE SOCIAL SECURITY ACT MAY BE MODIFIED

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 213) to provide additional time within which certain State agreements under section 218 of the Social Security Act may be modified to secure coverage for nonprofessional school district employees, with Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. MILLS, FORAND, KING of California, SIMPSON of Pennsylvania, and MASON.

ESTATE TAX DEDUCTION FOR CHARITABLE TRANSFERS SUBJECTED TO FOREIGN DEATH RATES

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 137) to allow a deduction, for Federal estate tax purposes, in the case of certain transfers to charities which are subjected to foreign death taxes, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 5, line 12, strike out "after the date of the enactment of this Act" and insert "on or after July 1, 1955".

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, H.R. 137 as it passed the House would have allowed a deduction for estate tax purposes for foreign death taxes imposed—and paid—on charitable bequests if, first, the property on which the tax is imposed is situated in the foreign country and included in the gross estate of a citizen or resident of the United States, and second, if the decrease in tax resulting from the deduction is to go to charities—or the entire Federal estate tax is to be equitably apportioned among all of the transferees of the estate. Where this deduction is allowed, no credit against the estate tax is to be available for the foreign taxes which are deducted.

Under the House bill, this provision would have been effective with respect to estates of decedents dying after the date of enactment.

The Senate made one amendment. It changed the effective date provision so as to apply to the estates of decedents dying on or after July 1, 1955.

AMENDING THE UNIFORM NARCOTIC DRUG ACT OF THE DISTRICT OF COLUMBIA

Mr. MATTHEWS. Mr. Speaker, by direction of the House Committee on the District of Columbia, I call up the bill (H.R. 8225) to amend the Uniform Narcotic Drug Act of the District of Columbia, as amended, to permit paregoric to be dispensed by oral as well as written prescription, and I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. O'HARA of Illinois. Mr. Speaker, reserving the right to object, and I shall not object, I would like to ask the distinguished gentleman if the bill passed by the other body granting a tax exemption to the United Spanish War Veterans will be acted on by the full committee during this session of the Congress? The chairman of the full committee is present, and I would appreciate his answer, because we all know what a great legionnaire he is and that among veterans of all this Republic's wars no one is held in higher respect and affection than the distinguished gentleman from South Carolina.

The average age of the United Spanish War Veterans today is 82. Our commander in chief, as the chairman knows, is a veteran of the fighting campaigns both in the Philippines and Cuba, and we would like very much to get this tax exemption bill through during this session and while this outstanding soldier hero of these campaigns of 6 decades ago is the commander in chief of the oldest functioning organization of war veterans in our country.

Mr. McMILLAN. I am pleased to advise the gentleman that I have requested my committee to hold hearings immediately on the bill he mentioned. The Spanish American veterans are one of the most highly respected groups of veterans in the United States. They are fortunate to have an outstanding leader in Congress such as Congressman O'HARA to take care of their interests, and we will do our best to get the bill through in the next 2 or 3 weeks.

Mr. O'HARA of Illinois. The other veterans organizations already have this exemption.

Mr. McMILLAN. Yes; we have exempted property owned by the American Legion and VFW.

Mr. O'HARA of Illinois. I thank the gentleman. He will appreciate the deep personal interest of the gentleman from Illinois as the last Spanish war veteran in this body. The years are running out on us, and this tax exemption, small as is the amount involved, some $600 or $700, at this time means a great deal to what in its prime was the largest veterans organization in our country, and when the average age of its members is 82, still is carrying on, cooperating in the labor of patriotism with the American Legion, the Veterans of Foreign Wars, and the other organizations composed of younger veterans. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10 of the Uniform Narcotic Drug Act of the District of Columbia, as amended (52 Stat. 790; sec. 33–410, D.C. Code, 1951 edition), is

amended by striking out in the third sentence of the last paragraph thereof "without a written prescription" and inserting in lieu thereof "without a written or oral prescription".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATTHEWS. Mr. Speaker, the purpose of this legislation is to permit doctors in the District of Columbia to order on oral as well as written prescription paregoric for use in the District of Columbia.

In Virginia there is no restriction on the obtaining of paregoric and any one can obtain it by merely signing his name in the book. I believe there is a limitation of 2 ounces.

A public hearing was held by your subcommittee on August 4 and witnesses appeared representing the Pharmaceutical Association of the District of Columbia, the Pharmacy Board of the District of Columbia, the Commissioner of the District of Columbia and the head of the narcotics squad of the Police Department in the District of Columbia.

No one appeared in opposition to this legislation. At the end of the meeting the subcommittee approved the bill unanimously.

EXEMPTING CERTAIN PENSION AND OTHER EMPLOYEE TRUSTS FROM THE LAWS OF THE DISTRICT OF COLUMBIA

Mr. MATTHEWS. Mr. Speaker, by direction of the House Committee on the District of Columbia, I call up the bill (H.R. 8527) to exempt certain pension and other trusts established in the District of Columbia from the laws of the District of Columbia relating to perpetuities, restraints on alienation, and accumulation of income, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any pension, profit-sharing, stock bonus, annuity, disability, death benefit, or other employee trusts heretofore or hereafter established in the District of Columbia by employers for the purpose of distributing the income or the principal thereof, or the principal and income thereof to some or all of their employees, or the beneficiaries of such employees, shall not be invalid as violating any laws of the District of Columbia against perpetuities, against restraints on the power of alienation of title to property, or against accumulation of income, but such trusts may continue for such period of time as may be required by the provisions thereof to accomplish the purposes for which they are established.

With the following committee amendment:

On page 1, line 5, after the word "established" strike out the words "in the District of Columbia".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read as follows: "A bill to exempt certain pension and other employee trusts from the laws of the District of Columbia relating to perpetuities, restraints on alienation, and accumulation of income."

A motion to reconsider was laid on the table.

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATTHEWS. Mr. Speaker, the purpose of this legislation is to exempt certain pension and other trusts established in the District of Columbia from the laws of the District of Columbia relating to perpetuities, restraints on alienation, and accumulation of income.

Under the common law, trusts for the accumulation of income are held, by some authorities, to be limited by the rule against perpetuities even in the absence of statutory restrictions. Many of the States which have enacted statutes to take the place of the common law rule against perpetuities have also enacted special statutes restricting the accumulation of income. Consequently, such States, when exempting pension trusts and the like from the rule against perpetuities, must also exempt them from any special statutes which place limitations on the accumulation of income. Most of the statutory exemptions refer specifically to the accumulation of income as well as to the rule against perpetuities while the others, though making no special reference to accumulations, appear to be broad enough to exempt them also from any existing limitations against such accumulations.

This bill deals not only with the rule against perpetuities but also with the rules against the accumulation of income and restraints on alienation. The draft of this bill is substantially the same as the statutes that have been enacted in many of the States. According to information presented to the subcommittee at a hearing on August 4, there are 38 States which have passed these exemption statutes. These States are: Alabama, California Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Kansas, Kentucky, Indiana, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Virginia, Washington, West Virginia, and Wisconsin.

This legislation has the approval of the Commissioners of the District of Columbia and no one appeared in opposition at the time the hearing was held.

RELATING TO FEES FOR TRANSCRIPTS IN DISTRICT OF COLUMBIA

Mr. MATTHEWS. Mr. Speaker, by direction of the House Committee on the District of Columbia, I call up the bill (S. 1371) to repeal the act approved March 3, 1897, and to amend the act approved December 20, 1944, relating to fees for transcripts of certain records in the District of Columbia, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act authorizing the Commissioners of the District of Columbia to charge a fee for the issuance of transcripts from the records of the health department", approved March 3, 1897 (29 Stat. 695, ch. 693; sec. 6–103, D.C. Code, 1951 edition), is hereby repealed.

SEC. 2. Paragraph (g) of the first section of the Act entitled "An Act to grant additional powers to the Commissioners of the District of Columbia, and for other purposes", approved December 20, 1944 (58 Stat. 819; sec. 1–244, D.C. Code, 1951 edition), is amended by striking out "such fees to be paid to the Collector of Taxes and" and inserting in lieu thereof the following: "including, but not limited to transcripts of records of births and deaths. No one transcript shall be made so as to apply to more than one birth or death. No fee shall be charged for certificates, copies or transcripts furnished the various departments of the United States Government for official purposes. Such fees shall not exceed the reasonably estimated cost of providing such copies, certificates, and transcripts, and shall be".

SEC. 3. This Act shall take effect sixty days after approval.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATTHEWS. Mr. Speaker, the purpose of this legislation is to repeal the act approved March 3, 1897, and to amend the act approved December 20, 1944, relating to fees for transcripts of certain records in the District of Columbia.

Under existing law, the Commissioners of the District of Columbia are only allowed to collect a fee of 50 cents for reproducing certain records such as birth and death certificates and in the fiscal year 1958, the cost of reproducing such records amounted to $3,450 more than the Commissioners were able to collect from such sources.

This legislation would give the Commissioners authority to establish fees to be charged for the reproduction of certificates, copies, and transcripts of official records so as to be sure that the cost would be covered.

No one appeared in opposition to the legislation.

REGULATE PLACING OF CHILDREN IN FAMILY HOMES

Mr. MATTHEWS. Mr. Speaker, by direction of the House Committee on the District of Columbia, I call up the bill (S. 746) to amend the act entitled "An act to regulate the placing of children in family homes, and for other purposes," approved April 22, 1944, as amended, and for other purposes, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 6 of the Act entitled "An Act to regulate the placing of children in family homes, and for other purposes", approved April 22, 1944, as amended (sec. 32–786(a), D.C. Code, 1951 edition), is amended to read as follows:

"SEC. 6. (a) Whenever a licensed child-placing agency shall have been given the permanent care and guardianship of any child and the rights of the parent or parents of such child shall have been terminated by order of a court of competent jurisdiction or by a legally executed relinquishment of parental rights, the agency is vested with parental rights and may consent to the adoption of the child pursuant to the statutes regulating adoption procedure. Minority of a natural parent shall not be a bar to such parent's relinquishment to a licensed agency. Any relinquishment of parental rights other than by court order as provided in this subsection may be revoked upon the written consent of all the parties to said relinquishment and any such relinquishment may be transferred from one licensed child-placing agency to another licensed child-placing agency, in which case the second agency shall assume all the rights and duties of the first agency. For the purposes of this section, 'licensed child-placing agency' shall mean any child-placing agency licensed pursuant to this Act or any child-placing agency licensed or authorized by any State, Territory, or possession of the United States, by the Commonwealth of Puerto Rico, or by any foreign country or any state, province, or other governmental division of any foreign country for the care and placement of minors. Such transfer or relinquishment shall be filed in the domestic relations branch of the municipal court for the District of Columbia, as hereinafter provided in this section. Except in proceedings for adoption, no parent may voluntarily assign or otherwise transfer to another his rights and duties with respect to the permanent care and control of a child under sixteen years of age unless such relinquishment of parental rights is made to a licensed child-placing agency. Such relinquishment of parental rights shall be a statement in writing signed by the person relinquishing such parental rights who shall subscribe his name thereto and acknowledge the same before a representative of the licensed child-placing agency in the presence of at least one witness, or before a person authorized by law to administer an oath. Said relinquishment of parental rights shall be recorded and filed in a properly sealed file in the domestic relations branch of the municipal court for the District of Columbia. The seal of said file shall not be broken except for good cause shown and upon the written order of a judge of said court."

SEC. 2. Such Act, as amended, is amended by adding at the end thereof the following new section:

"SEC. 13. As used in this Act, the term 'Commissioners' means the Board of Commissioners of the District of Columbia or their designated agents. The performance of any function vested by this Act in the Board of Commissioners or in any office or agency under the jurisdiction and control of said Board of Commissioners may be delegated by said Board of Commissioners in accordance with section 3 of Reorganization Plan Numbered 5 of 1952 (66 Stat. 824)."

With the following committee amendment:

Page 3, line 11, strike out ", or before a person authorized by law to administer an oath."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATTHEWS. Mr. Speaker, the purpose of this bill is to amend the act regulating the placing of children in family homes—approved April 22, 1944.

This bill would permit the Commissioners of the District to delegate their authority contained in existing law to execute agreements with any person, firm, corporation, association, or public agency authorized by a State or country for the care and placement of minors to allow the person, agency, and so forth, to place nonresident children in foster or adoption homes in the District.

The subcommittee held a hearing on the legislation on Wednesday, July 22, and it has the approval of the Commissioners of the District of Columbia, the Corporation Counsel of the District of Columbia, and the Department of Public Welfare of the District of Columbia, also Mr. Richard Barker, founder of a private adoption agency, the Barker Foundation in the District of Columbia. No one appeared in opposition to the legislation.

OPERATION OF HELIPORTS WITHIN THE DISTRICT OF COLUMBIA

Mr. MATTHEWS. Mr. Speaker, by direction of the House Committee on the District of Columbia, I call up the resolution (S.J. Res. 52) directing the Commissioners of the District of Columbia to cause a study to be made of all factors involved in the establishment, construction, and operation of heliports within the District of Columbia, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. GROSS. I object, Mr. Speaker.

AMENDING THE DISTRICT OF COLUMBIA TEACHERS' SALARY ACT OF 1955

Mr. MATTHEWS. Mr. Speaker, by direction of the House Committee on the District of Columbia, I call up the bill (H.R. 6585) to amend the District of Columbia Teachers' Salary Act of 1955, as amended, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District of Columbia Teachers' Salary Act of 1955 (69 Stat. 521; D. C. Code, sec. 31–659a–1 and the following), as amended, is amended as follows:

(1) Section 1, as amended, is amended by adding "(a)" immediately after "SECTION 1." and by adding at the end thereof the following new subsection:

"(b) The Board of Education is hereby authorized to pay additional compensation, over and above the salaries in the salary schedules in section 1(a) of this Act, in the amounts specified in this subsection, to classroom teachers, class 18, at the indicated school levels, who are assigned to perform the following extra duties, on a continuing basis, during hours beyond the regular school day: *Provided,* That a teacher, to be eligible for such additional compensation, must also be assigned the standard load for a regular day school teacher at his respective school level, as defined by such Board:

"Activities:	Annual compensation per teacher for each activity
Head coach: football, basketball, baseball, or track (senior or vocational high school)	$600
Assistant coach: football, basketball, baseball, or track (senior or vocational high school)	400
Junior varsity coach: football, basketball, or baseball (senior or vocational high school)	400
Intramural or extramural supervisor (senior, vocational, or junior high school)	400
Coach: swimming, golf, or tennis (senior high school)	150
Music director: vocal or instrumental (senior, vocational, or junior high school)	400
Newspaper faculty adviser (senior, vocational, or junior high school)	400
Yearbook sponsor (senior or vocational high school)	400
Dramatics director (senior, vocational, or junior high school)	200
Forensics director (senior or vocational high school)	200
Cadet activities sponsor (senior or vocational high school)	200

Payment of such additional compensation shall be made in a lump sum at the end of the school year or upon termination of service for that portion of services rendered. Such additional compensation shall not be subject to deduction or withholding for retirement or insurance, and such additional

compensation shall not be considered as salary (1) for the purpose of computing annuities pursuant to the Act entitled 'An Act for the retirement of public schoolteachers in the District of Columbia' approved August 7, 1946 (60 Stat. 875, ch. 779), as amended, or (2) for the purpose of computing insurance coverage under the Act entitled 'An Act to authorize the Civil Service Commission to make available group life insurance for civilian officers and employees in the Federal service, and for other purposes', approved August 17, 1954 (68 Stat. 736), as amended."

(2) Subsection (a) of section 2 is amended by inserting immediately before the period at the end of the fourth sentence the following: ", and except that a person not possessing a master's degree who was appointed on probationary or permanent status before July 1, 1959, to a position as a nonshop teacher in the vocational education program may continue to be employed in such a position, and except that a person not possessing a master's degree who was on the list of eligible candidates for any such position before July 1, 1959, may continue to be eligible for such position until the expiration of such eligible list."

SEC. 2. This Act shall take effect July 1, 1959.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That the Act entitled 'An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, and for other purposes', approved August 5, 1955 (69 Stat. 521, ch. 569), as amended, is amended as follows:

"(1) Subsection (a) of section 2 is amended by inserting immediately before the period at the end of the fourth sentence the following: ', and except that a person not possessing a master's degree who was appointed on probationary or permanent status before July 1, 1959, to a position as a nonshop teacher in the vocational education program may continue to be employed in such a position, and except that a person not possessing a master's degree who was on the list of eligible candidates for any such position before July 1, 1959, may continue to be eligible for such position until the expiration of such eligible list'.

"(2) Section 13, as amended, is amended by adding thereto the following subsection:

"'(d) The Board, with the approval of the Board of Commissioners of the District of Columbia, is hereby authorized to pay additional compensation, over and above the salaries in the salary schedule in section 1 of this Act, in amounts not to exceed in the aggregate 15 per centum of the salary received as prescribed in section 1 to elementary and secondary school classroom teachers in salary class 18 who are assigned by the Superintendent of Schools or his designated agent or agents to perform extra duties, on a continuing basis, during hours beyond the regular schoolday: *Provided*, That a teacher, to be eligible for such additional compensation, must also be assigned the standard load for a regular day school teacher at his respective school level, as designated by such Board. The Board is further authorized, with the approval of the Board of Commissioners of the District of Columbia, on the written recommendation of the Superintendent of Schools, to fix or prescribe the amount of additional compensation for teachers who perform such extra duty. Payment of such additional compensation shall be made in a lump sum at the end of the school year or upon termination of service for that portion of services rendered. Such additional compensation shall not be subject to deduction or withholding for retirement or insurance, and such additional compensation shall not be considered as salary (1) for the purpose of computing annuities pursuant to the Act entitled "An Act for the retirement of public school teachers in the District of Columbia", approved August 7, 1946 (60 Stat. 875, ch. 779), as amended, or (2) for the purpose of computing insurance coverage under the Act entitled "An Act to authorize the Civil Service Commission to make available group life insurance for civilian officers and employees in the Federal service, and for other purposes", approved August 17, 1954 (68 Stat. 736), as amended.'

"SEC. 2. The Board of Education of the District of Columbia, with the approval of the Board of Commissioners of the District of Columbia, is hereby authorized to make such regulations as may be necessary to carry out the purposes of this Act.

"SEC. 3. This Act shall take effect July 1, 1959."

Mrs. GREEN of Oregon. Mr. Speaker, I move to strike out the last word, and I ask unanimous consent to proceed for 3 additional minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, this bill is designed primarily for the athletic coaches in the District of Columbia. At the present time the coaches in the various schools receive compensatory time. If the person is a coach and stays after school until, say, 6 o'clock in the evening, then he may not have to come to the school building until 11 o'clock in the morning. If this bill passes with or without the committee amendments—and the amendments I certainly think do improve the bill—the athletic coaches and a few others, about one-tenth of the teaching force in the District, will receive what they have asked for. The ordinary classroom teachers, upon whose shoulders rests the apparently very minor job of teaching our children to read and write and to understand the intricacies of mathematics and science and the history of our country and foreign languages, will have to console themselves with the thought that they are only to be repaid in the satisfaction and the knowledge that their students are better prepared for the trying times in which we live.

Mr. Speaker, last year this House, after much debate and careful consideration, enacted a National Defense Education Act. This act was passed primarily on the assumption that our educational system was badly in need of strengthening in the fields of science, mathematics, foreign languages, and the other hard-core subjects. Throughout the continuing debate that took place last year and this year on the needs of our school system, there has emerged a general consensus that one basic weakness of the schools today has been the overemphasis on "frills," the placing of football above physics, of athletics above algebra, of driver training above defense skills. We have done these things in the past because we could afford, or we thought we could afford, to be wasteful with our educational resources. But, the events of the past months have brought home to us in a vivid way the fact that we cannot continue to be wasteful with those most valuable of all our national resources, our children's minds.

Mr. Speaker, I do not question the value of school athletic programs. They form a needed part of the training of the whole student. But, it seems to me that they ought not to be overemphasized to the point envisaged in this bill, where coaches and a few others, the ones who put out the school annual and the school newspaper, are paid added salaries for a few hours' work in a few weeks of the year, while classroom teachers continue to spend their nights and weekends grading papers and preparing lectures for the next day and the next week at the same salary they are now receiving.

Perhaps you can measure the worth of a football coach by the number of games he has won. Some of our colleges quite frankly hire and pay their coaches on precisely this basis.

But what parent, and what school board, can really measure the value of that teacher who has inspired a student to delve into the cool, quiet beauty of a quadratic equation or who has shown to a young man the challenge of the atom? We cannot pay our teachers in terms of the number of scientists they produce, or the number of mathematicians, or poets, or great authors, because it is not always possible to tell precisely which teacher inspired them.

There was a country schoolteacher in the Illinois area a century and a half ago who spent extra time without extra compensation, to encourage and to challenge a gangling young farm boy who attended his classes. That teacher's name is remembered by a few scholars, but his student's name, Abraham Lincoln, is remembered by mankind. His teacher helped substantially to create the greatest man this Republic has ever known. And there is no record of his having asked for compensatory time off, or a nondeductible salary increase.

Who was the high school teacher who inspired Albert Einstein to interest himself in mathematics? And who was the schoolteacher who encouraged a young Texan named SAM RAYBURN to interest himself in the Government of his country? I do not know. Perhaps those men knew. But whoever it was, that teacher is owed a debt of gratitude by the people of this Nation. I suspect those teachers received no extra compensation for their devotion to their students and for their ability to make sure that great men and great women were produced out of the boys and girls in their classrooms.

Our classroom teachers, our math teachers, our history teachers, our language teachers, our science teachers, perform hundreds of duties outside of their classrooms. They must continue to undertake additional studies to keep them up to date in their changing specialties. They must give freely of their time to their students who may have difficulty in keeping up with the work. They must also give freely of their time to those gifted students who require additional challenge if they are not to lose interest in the work which they grasp so easily.

Certainly the classroom teacher's job does not begin when the first bell rings, and it most certainly does not end when the last student departs for home. It is a never-ending chore, made sustainable only by its essential value to the community. The classroom teacher, Mr. Speaker, does not ask for overtime for these extra chores, such as correcting papers until midnight. He feels he is a professional and that these are part of his professional duties. The math teacher no more would think of asking to be compensated for the time spent in reading a math journal than a doctor would demand overtime for reading a new medical book; or a lawyer would expect overtime because his checking of citations kept him in the office past 5 o'clock.

The professional teacher, Mr. Speaker, is no more a creature of the timeclock than are the Members of this House.

Finally, Mr. Speaker, it seems to me that the District schools are already taking ample care of the coaches in terms of special consideration for their allegedly "extra" duties. I have checked with the District school system, and I find that in almost every case, athletic coaches are given compensatory time off, without reduction in their salaries under the existing pay schedules. In a few cases, limited to golf and tennis, no such time is given. In almost all other cases, such time is given, under the present rules.

As long as this Congress exercises a basic authority over the educational practices of the District of Columbia, it would seem to me most inadvisable for us to deliberately tell the teachers of English, of math, of science, and of foreign languages, that their duties are less valuable to the community in terms of salary than are the valiant efforts of a football or baseball coach to develop another winning team.

It has been suggested that if athletic coaches do not receive higher salaries they will leave the District schools and go elsewhere. This may be true. I do not know. But may I suggest, Mr. Speaker, that it is a well-known fact that industry is taking away from the teaching profession outstanding mathematicians, scientists, physicists, and so forth. If there be any justification for a salary increase for any special group of teachers, then in my opinion the latter deserve that increase.

The classroom teachers of this country have recognized their never-ending obligation to their profession. Every summer, within days, sometimes within hours of the sound of the last bell of their school year, a large portion of the teachers of the Nation and of the District of Columbia are on college campuses, taking additional courses in their specialties, trying to keep themselves equipped to cope with the demands of their profession. For this they ask no overtime. For this they ask no special praise. They do it in the true spirit of professionals.

Mr. Speaker, let me raise one further point. It has been suggested during the last several weeks and at the time of the hearings, that if we do not pass this bill and give to the football and baseball coaches extra pay for putting in something like the hours of overtime which the English and math teachers, the science and history teachers, put in for nothing, they will engage in a kind of genteel strike and we will have no interschool athletics next year.

Mr. Speaker, I appreciate the value of such athletic contests, but it seems to me that for 1 year we might get along without them.

I, for one, feel the salaries of teachers are below what they should be. I would support any legislation to increase the salaries of teachers, but I implore the Members of the House not to pick out athletic coaches or certain groups to receive additional pay.

Mr. MATTHEWS. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I congratulate the distinguished gentlewoman who just preceded me for making the magnificent talk that she did make about the teaching profession. I want to say too that I agree with her 100 percent. But, Mr. Speaker, the bill does not do, I believe, what the gentlewoman thinks it does. All this bill does is to say to the Board of Education and to the School Superintendent and to the District Commissioners that all of them have to agree. We say to them, "All of you have to agree. If you think any teacher deserves extra pay for extra work over and above the regularly assigned duties, you have that right provided all of you agree to raise that salary, and not to exceed 15 percent."

Mr. Speaker, is that an illogical proposition? I want to say to the House, I was an English teacher for some years. While I tried to teach Chaucer's "Canterbury Tales" and Shakespeare's "Macbeth"—and I do not know whether I did a very good job, but I tried to do a good job—I did not particularly object to other teachers in the system who were getting a little bit more money. The teachers' salary schedules were arranged by the Board of Education. What we are asking for here today is that the Board of Education in the District of Columbia, again with the permission of the District Commissioners, if they want to do anything about raising salaries for extra duty over and above the classroom load, they have the right to do it. I pause here, Mr. Speaker, to permit anyone to ask me questions, if they so desire.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MATTHEWS. I yield.

Mr. GROSS. I am concerned about the language to be found at the bottom of page 4 of the bill, beginning at line 16, which reads as follows. I will cut out some of the language that is not material:

> The Board, with the approval of the Board of Commissioners of the District of Columbia, is hereby authorized to pay additional compensation, * * * to teachers who are assigned by the Superintendent of Schools or his designated agent or agents to perform extra duties, on a continuing basis, during hours beyond the regular schoolday.

What is the limitation there? They can pay the teacher for anything under the terms of that language.

Mr. MATTHEWS. The gentleman is partially correct. The committee discussed that very carefully. The Board of Commissioners will have to agree, and it was the feeling that by providing for such agreement, you would have a proper control on the financial costs involved. We figure that the costs and actual disbursements here might be as much as $150,000 annually, but with the District Commissioners saying "Whatever you do here, you must come to us and find out where the money is coming from." We feel that our professional boards and the professional groups are the proper groups who are to make that determination.

Mr. GROSS. You refer on line 19, page 4, to section 1 of this act. Where is section 1? What constitutes section 1 of this act?

Mr. MATTHEWS. Will the gentleman repeat his question, please?

Mr. GROSS. On line 19, page 4, you refer to the salary schedule in section 1 of this act. Where is section 1 of this act?

Mr. MATTHEWS. I can say to the gentleman that what that refers to is not a part of our bill, but refers to the salary schedule in the present law.

Mr. GROSS. But you do not have any section 1 in this act. It refers to a title that has been stricken from the bill; is that not correct? Perhaps I should make a point of order against this bill that I made originally when it came up.

Mr. MATTHEWS. In the original bill discussed by our committee may I point out to the gentleman language specified what the gentlewoman from Oregon said. There were listed some 10 or 15 types of jobs for which teachers are given compensatory time. School authorities said, "You do these extra jobs, and you get a little more time off." We said that we thought this was an improper way to handle this thing. Why set up a table where the Congress should try to specify whether a coach or the yearbook sponsor or someone else deserves extra money. Why not strike that table out and say that anybody the Board of Education wants to give extra money to, provided the District Commissioners agree to it, will be able to receive the extra compensation within a certain maximum amount, not to exceed 15 percent.

Mr. GROSS. That is the very point I make. You are referring to a table that has been stricken in your own bill.

Mr. MATTHEWS. The table the gentleman is referring to, I assume, is the table that was in the original bill.

Mr. GROSS. On page two, you refer to section one of the original bill, which comes to the floor stricken out of this bill. How can you refer in this bill to a portion of a bill that has been stricken?

Mr. MATTHEWS. I will be glad to eliminate any language which the gentleman would like eliminated.

Mr. GROSS. No, it is your baby and not mine.

Mrs. GREEN of Oregon. Mr. Speaker, will the gentleman yield?

Mr. MATTHEWS. I am delighted to yield to my colleague.

Mrs. GREEN of Oregon. I believe the gentleman just made the statement that

this bill would give the Board of Education the right to pay certain teachers extra money. Is it not true that the ones whom they want to pay this extra money are the athletic coaches and the football and baseball and basketball coaches and to the editors of the yearbook? Is it not true that in the salary schedule to which the gentleman just referred—and which has been stricken from the bill—there was no suggestion made by the District Board of Education that we should pay the English teachers or physics teachers or science teachers or teachers of mathematics or foreign languages any extra money when those teachers many, many times have to stay up until midnight correcting papers. Is it not a fact that there was no suggestion that these teachers be paid for the extra time that they spend in performing their duties; is that not true?

The SPEAKER. The time of the gentleman from Florida has expired.

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent to proceed for an additional 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATTHEWS. I think the gentlewoman is perfectly correct. Make no mistake about it, my chief interest in getting this bill before us in the first place was to help our coaches, and I make no apologies for that.

May I remind the House that at one time I was a teacher and I made more money out of tutoring some private students than my roommate did who was a coach.

I appreciate the interest of the gentlewoman from Oregon but may I point out that there are literally dozens and dozens and dozens of wonderful teachers in the District of Columbia who make extra pay by tutoring and doing other jobs. The coaches who ought to have extra money are unable to take on extra jobs because of the time they have to devote to participation in these other activities.

Mrs. GREEN of Oregon. Mr. Speaker, will the gentleman yield further?

Mr. MATTHEWS. I yield.

Mrs. GREEN of Oregon. Is it not also true that in the hearings which you held, the Education Association, the professional association of teachers of the District of Columbia, appeared before your committee in opposition to this bill?

Mr. MATTHEWS. I might say to the gentlewoman that there were almost five times as many witnesses opposed to this legislation as were in favor of it, but there was not a single witness who effectively denied the educational correctness of this particular bill. I do not blame the teachers for the stand they take, and let me say again that I am on their side. I am never going on record as being against the teachers; I am 200 percent for the teachers. But I want to say to you that we have a bill that presents the views of the people charged with fixing teachers' salaries in the District of Columbia. The practice they recommend is followed by the overwhelming majority of the educators throughout the country. But even though there were a great many more people who were against it than were for it, I, for one, am not going to allow my decision to be based by who were the most vociferous; I am going to let it be based on what I think is right.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from North Carolina.

Mr JONAS. Do the provisions of this bill apply to the District of Columbia Teachers College?

Mr. MATTHEWS. I regret to say I do not believe they do. They do not.

Mr. JONAS. Is not that part of the educational system of the District?

Mr. MATTHEWS. I will say to the gentleman that the reason we did not include them is because the bill is limited to what we call class 18. When you get outside of class 18, you get into a maze of problems.

Mr. JONAS. But the subcommittee considered that question and decided it could not be done.

Mr. MATTHEWS. Yes, and I want to thank the gentleman for his interest in this problem. He will recall that he mentioned to me several times the problems involved, and I think the gentleman will recall that we concluded that to extend this beyond class 18 would be to open up a regular Pandora's box.

Mr. SPRINGER. Mr Speaker, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from Illinois.

Mr. SPRINGER. I think we have lost sight of the real purpose of this bill. At the present time these teachers who perform extra duty are given time off, so that it equalizes out. Likewise, as testified by the superintendent of schools, there is the economic factor in this situation. They would like to have these coaches teaching full time, not taking time off. If these teachers go on a full-time basis they will be correcting papers up to midnight just like the other teachers. In addition they will be working extra time because of the extra work. All of this in addition to a full-time regular workload. The real effect of this bill would be to reimburse those who do actual mental and physical labor over and above the full-time teaching load. I think that is clear.

Also it will require fewer teachers because presently they have been getting time off for coaching, for being the director of a newspaper, or the advisor of the yearbook, or whatever it might be. Under the new plan they will teach a full load and on top of that they will do extra curricular activity such as coaching, or supervisor of drama, school paper, or yearbook.

I have been a schoolteacher and I can appreciate the problems involved. Under the present system more teachers are needed because of the teaching load. There will be some savings under this bill. I believe the statement was made that at the present time they have to have 15 extra teachers in the high school system in order to take up this slack caused by time off for coaches during the day. Full-time teaching for coaches will do away with those 15 teacher positions.

The SPEAKER. The time of the gentleman from Florida has again expired.

(By unanimous consent Mr. MATTHEWS was allowed to proceed for 5 additional minutes.)

Mr. WAMPLER. Mr. Speaker, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from Indiana.

Mr. WAMPLER. I appreciate this time very much, and also appreciate the statement made by the gentleman from Illinois [Mr. SPRINGER] regarding this coaching situation, because the fact is that we are definitely facing a deep problem of juvenile delinquency all over the country, as it has been classified.

The fact is these coaches are being paid extra money for extracurricular activities which they are putting in, and at the same time those men are expected to teach a full load in the high school. In addition to that, they have papers to grade. They are not necessarily physical specialists. Most of them are teaching academic subjects and instead of grading papers they are actually conducting classes after school with individuals. That is the thing they are actually doing, teaching these young people to become better citizens in the community. It is easy to say that they should not have extracurricular pay for these various categories. In many schools throughout the country they do have categories all standardized to where the math teacher is doing specialist work, along with the dramatics teacher, the debates teacher, and so forth, and they are placed in the same category as the coaches.

That enables them to get paid for time they are specializing with students on the outside. They are having a problem in the District of Columbia because of the fact that they are disrupting the teaching schedule. They have to make up the time individually. These men should be paid for the time they are spending on the outside. However, the classroom activities are being neglected. Other localities offer these inducements to people in the coaching profession. They can go elsewhere and receive these benefits. If the District does not cope with that situation, we are going to get inferior people in the school system in the District of Columbia.

In addition to that, we are going to come out with a problem that money cannot compensate for.

I urge adoption of this bill, and I want to back the fact that this is merely a steppingstone in the right direction to give the teachers that do work with students on the outside more compensation along the lines of coaches instead of defeating it because one particular category is being recognized at this time.

Mr. MATTHEWS. I thank the gentleman, and will say in conclusion that this bill is a sound one, it is based on sound educational procedures. It tells your educational authorities, your school board, your school superintendent; it tells the District Commissioners if all of you think that teachers who do extra work over and above their assigned duties are entitled to a little bit more money, give it to them. This extra income is not tax free. It is not, in my

opinion, as large as I would have liked to have had it. This is not an act that will hurt the schoolteaching profession. I pay tribute to the great schoolteaching profession. It recognizes the authority of your school boards in turn to give a little bit of extra pay for extra work. I certainly hope this bill will be passed.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING DISTRICT OF COLUMBIA STADIUM ACT WITH RESPECT TO MOTOR-VEHICLE PARKING AREAS

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 8392) to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill.

Mr. GROSS. Mr. Speaker, is this the stadium bill?

Mr. McMILLAN. It is for a parking area around the stadium.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McMILLAN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 124]

Alford	Elliott	Minshall
Anfuso	Farbstein	Multer
Barrett	Flynn	Nix
Barry	Fulton	O'Brien, N.Y.
Bentley	Gallagher	O'Neill
Bosch	Giaimo	Oliver
Bowles	Granahan	Philbin
Brewster	Green, Pa.	Powell
Budge	Halpern	Reece, Tenn.
Cahill	Hargis	Riehlman
Canfield	Healey	Rivers, Alaska
Carnahan	Hogan	Rostenkowski
Celler	Holtzman	Spence
Coad	Jackson	Taber
Coffin	Judd	Taylor
Curtis, Mass.	Kasem	Teller
Daddario	Kilburn	Toll
Diggs	Landrum	Udall
Dorn, N.Y.	McDowell	Vanik
Dulski	Martin	Zelenko
Edmondson	Miller, N.Y.	

The SPEAKER. On this rollcall 366 Members have answered to their names, a quorum.

By unanimous consent further proceedings under the call were dispensed with.

AMENDING DISTRICT OF COLUMBIA STADIUM ACT WITH RESPECT TO MOTOR-VEHICLE PARKING AREAS

The SPEAKER. The gentleman from South Carolina moves that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8392) to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes.

Mr. McMILLAN. Mr. Speaker, pending that motion I ask unanimous consent that general debate be limited to 1 hour, to be equally divided and controlled by the gentleman from Pennsylvania [Mr. KEARNS] and myself.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from South Carolina.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8392) with Mr. WATTS in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. Under the consent agreement the gentleman from South Carolina will be recognized for 30 minutes and the gentleman from Pennsylvania for 30 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. McMILLAN. Mr. Chairman, I yield myself such time as I may desire to use.

Mr. Chairman, in 1957 Congress enacted the District of Columbia Stadium Act. At that time it did not seem to meet the approval of the Interior Department and the White House in certain respects, and we thought the bill was amended to meet their objections. It seems now that the various boards and commissions involved have at last gotten together on the question of costs that will be incurred in the building of roads and parking facilities around the stadium. I further understand they have gotten together on the question of using the funds which will be derived from parking cars at the stadium. However, both the Interior Department and General Accounting Office are of the opinion that the provision contained in this bill is necessary.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. McMILLAN. I yield.

Mr. GROSS. Is there any agency of the Government, the Department of the Interior or any other, which is for this bill? If so, why are their reports in favor of the bill not included in the report brought to the floor of the House today by the committee?

Mr. McMILLAN. I would like to say to the gentleman that I am certain that none of them completely endorsed the stadium bill, but they have not objected to it very strenuously. However, they are always wanting to make some additional amendments to the act.

Mr. GROSS. I thank the gentleman for his response.

Mr. McMILLAN. Mr. Chairman, I yield 5 minutes to the gentleman from Arkansas [Mr. HARRIS] to explain the bill.

Mr. HARRIS. Mr. Chairman, if I may have the attention of the Committee for a few minutes, I think I can explain the problem we have before us today in connection with this proposed parking area around the authorized stadium to be constructed in the District of Columbia.

As the chairman of the Committee on the District of Columbia just stated, in 1957 the Congress authorized the construction of a stadium for the District of Columbia. Because of differences of opinion that have developed between the various commissions and agencies of the District which are necessary in considering such a project, it was not sufficient.

Subsequent thereto we came in with a stadium bill authorizing the construction of a stadium which would cost in the neighborhood of $7½ million. It was a private operation to be financed through the issuance of bonds.

The Congress had already authorized in a previous act the location of the stadium in the area out at the end of East Capital Street. That is the area beyond where the present armory is today.

This area is administered by the Department of the Interior. The Department of the Interior insists that they have continuing control of the entire area around the stadium and the stadium would be administered after its construction from the issuance of bonds by the Armory Board. So here we have not only the Department of the Interior involved, but the Armory Board, the District Commissioners, the National Capital Planning Commission, the Fine Arts Commission, and one or two or three other agencies of the Government. They all have to be satisfied in order for this project to get under way.

The Congress thought it had it worked out in the authorization of the last bill which was passed and that the matter would proceed; that is, bonds would be issued.

A survey had been made and reports issued. Then we find that under the arrangement made between these agencies the Department of the Interior insisted that it had certain control and authorization and responsibility in connection with the overall program. Therefore, the Department of the Interior contends that it has charge of landscaping, access roads, a freeway down the Anacostia River, and so forth. It wants to have the responsibility of these things surrounding it because one of these days it is going to have other facilities put around there which will be implementing the whole program that the stadium would provide.

So we had this dilemma. The Department of the Interior and the Armory Board then entered into a contract. None of us knew that this contract was going to contain all of the things that the Department of the Interior set forth.

It was during this year before we found out what all the contract called for.

When they went before the Appropriations Committee of the House, we found out they had entered into the contract which would require an appropriation by the Congress of between $5

million and $6 million for preparation around the stadium and the entire layout that was to be constructed. When that happened, we asked under what authority and why it was necessary. They included such things as the demolition of the old buildings back north of where the present armory is. It is not even a part of and never was to have been a part of this stadium construction program. It should be done away with, however, and some day it will be. We found out they had to have a freeway—to go from M Street NE., clear down the Anacostia River to Bennings Road. That involved another $1½ million or $2 million. It is a good thing and should be constructed, but it should be a part of the road program to meet transportation needs.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. McMILLAN. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. HARRIS. Mr. Chairman, consequently there was the highway construction, there was the demolition of all these buildings, and so forth, which ran the cost way up to this amount, over $5 million, charging all of it to stadium construction, which was never intended, and it was never a part of the stadium program. They included all of this as a part of this program.

The General Accounting Office, in answer to a request from the chairman of the Subcommittee on Interior Appropriations, our genial and distinguished friend, the gentleman from Ohio [Mr. KIRWAN], asking for an interpretation as to the authorization of the stadium bill, said that before the Interior Department could construct any of these things around the stadium, which is a part of it, and was so intended, at the outset, it would be necessary for the Congress to act. Consequently, they brought together again the District Commissioners, the Department of the Interior, the Armory Board, the Fine Arts Commission, and all these other commissions in an effort to try to settle where the area of responsibility was.

Now, in doing so, we said it was never intended for any $5 million to $6 million to be appropriated for this purpose. But, access roads are necessary as well as other accessories, and the construction of that part under the control of the Department of the Interior will be necessary, which I will include with this statement. The Armory Board will construct the stadium.

Now, that is simply the whole program. We whittled down the amount to be charged to the stadium, which amounts to approximately a little over $2,660,000, which is authorized by this bill, because the General Accounting Office said it was necessary if the stadium was to be put at this place. That is just how simple it is. You are not going out there and build what is now to be a $10 million stadium with revenue bonds and pay for it out of the revenues received, unless you have some way to get in there, some utilities that are necessary to any such kind of an operation, and other things which the Department of the Interior say they are going to insist on, which surround it and are to be used by it, such as parking areas and other facilities itemized and listed herein.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Iowa.

Mr. GROSS. Well, now, it may not have been the intention of the people building this stadium to take care of, for instance, the demolition of buildings on the grounds down there and the relocation of those people to other places. But, that will have to be provided for. Who in the world does the gentleman think ought to take care of the demolition of the buildings? Who does the gentleman think will take care of the relocation of the workers? Somebody is going to have to pay for it. Who?

Mr. HARRIS. That certainly is no part of this program.

Mr. GROSS. The buildings that are to be demolished are on the land in the immediate area.

Mr. HARRIS. No; that is not on the part where the stadium is to be built.

Mr. GROSS. Well, it is to be a part of the whole area.

Mr. HARRIS. No. That is not true. The stadium is to be east of there, and it is not in this area where the buildings are. As I say, the buildings ought to be demolished and will be someday. This should become a part of the overall project. I hope it will someday, but it should not be charged to the stadium.

Mr. GROSS. If you want to, limit it to the stadium itself, but let us go into the access roads, the ingress and the egress roads, the parking facilities, and so forth. Now, does not the gentleman agree that buildings will have to be demolished and people moved out of that area to do that?

Mr. HARRIS. I can show the gentleman a survey map that does not require any demolition of buildings as a necessary part of the project now. If the District of Columbia someday wants to demolish those buildings and use the area in connection with the facilities in and around the stadium and the stadium itself, it would be desirable, but it will be up to the District of Columbia. It has nothing whatsoever at this point to do with the stadium or any part of it.

Mr. Chairman, so there will be no misunderstanding, I include the original summary of requirements of the Department of the Interior and the itemized summary authorized in this bill, as follows:

Summary of estimated fund requirements as originally estimated and requested by Department of the Interior

Project	Planning and design	Construction [1] including supervision	Total
Utilities	$11,400	$212,100	$223,500
Area A. Area adjacent to stadium proper	43,300	822,400	865,700
Area B. Plaza and pedestrian underpass in East Capitol St.	26,300	499,300	525,600
Area C. Bus, taxi, and car parking, East Capitol St., 19th to 22d Sts.	14,500	275,200	289,700
Area D. Paved parking area	61,000	1,158,700	1,219,700
Area E. Stabilized soil parking area	16,500	313,200	329,700
Project F. Anacostia Dr., Benning Rd. to Pennsylvania Ave.	19,400	368,200	387,600
Total	192,400	3,649,100	3,841,500
Amount requested this estimate	192,400	212,100	404,500
Additional amount needed by February 1960		3,437,000	3,437,000
Requirements for project G	58,700	1,164,000	1,222,700
Grand total, all requirements	251,100	4,813,100	5,064,200

[1] These figures represent preliminary estimates based on exhibit II, scheme 1, of the stadium study. It must be recognized that these preliminary estimates are very general in scope and final estimates will be available when planning and design work is completed.

Itemized summary of fund requirements authorized by this bill, H.R. 8392

(Exclude utilities (bond issue))

Area A	$120,000
Area B	(1)
Area C	225,000
Area D	850,000
Area E	625,000
Total	(1)
Total	2,120,000
Planning and design	120,000
Engineering	120,000
Contingency	300,000
Grand total	2,660,000

[1] Out.

Mr. KEARNS. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, as a member of the Stadium Commission since its inception, I feel that good judgment was shown in the authorization by the Congress of a bill to construct a stadium here. We all know the purposes and the objectives of this project, and the great need that we have for a stadium in the Nation's Capital. It is obvious that the Committee on Appropriations in considering the financial phase of this program did not understand the ramifications that were involved.

I would like to compliment my colleague, the gentleman from Arkansas [Mr. HARRIS], who just spoke, and tell this body that everything he told you is absolutely the truth. He explained the situation in great detail, so it is unnecessary for me to go over the same things he told you, because he has related the facts as they exist.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. KEARNS. I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. Mr. Chairman, I want to congratulate the gentleman from Arkansas [Mr. HARRIS] and the gentleman from Pennsylvania [Mr. KEARNS] on the work they have done and associate myself with their remarks.

Mr. KEARNS. I thank the gentleman.

Mr. HARRIS. Mr. Chairman, will the gentleman yield further?

Mr. KEARNS. I yield.

Mr. HARRIS. Mr. Chairman, I wanted to further explain to the membership of the House how I happened to get involved in this matter. I had the distinct privilege and honor of serving on the District Committee for 18 years, and during the time I was on the committee a good many years ago, at the request of others here in the District I joined in an effort to try to work out some kind of a stadium program. That began a good many years ago, and I have followed it through to some extent during the years and have done my best to do what I could to formalize it. And, we tried to do it in a way that was not an expense to the taxpayers, and this is not an expense to the taxpayers, in my opinion, notwithstanding how some others feel about it. It is 90 percent the responsibility of the District of Columbia.

Mr. KEARNS. The gentleman is correct.

Mr. Chairman, I now yield 10 minutes to the gentleman from Wisconsin [Mr. O'KONSKI].

Mr. O'KONSKI. Mr. Chairman, the advocates of the stadium know just as little about the ramifications of what they are getting into as they did when the original Stadium Act was passed. They still do not know what it is all about. In 1957, when we passed the original Stadium Act, if you will refer to the CONGRESSIONAL RECORD, you will find the question was asked at least six times of the advocates of this stadium, if the stadium was going to result in any cost to the taxpayers of the United States of America. And six times the answer came back from the advocates of the Stadium Act that if we gave them the land, there would not be one penny of cost to the taxpayers of the United States of America.

They did not know what they were getting into then. They still do not know what they are getting into. All of a sudden up comes a bill which, if it had not been taken out on a point of order, would have resulted in a cost of some $5,700,000 to the taxpayers. And that is just the beginning, make no mistake about it. Knowing that they would have a hard time getting $5,700,000 all in one lump sum from the Federal taxpayers, they whittled it down a little bit, to about a little less than half that amount, $2,600,000. So the project is going to be only half complete; that, in spite of the fact that since the Stadium Act has been law since 1957, the people charged with the responsibility of organizing this stadium, managing it, issuing the bonds, have not been able to give not a single iota of evidence that they are going to take in one penny of revenue after the stadium is built.

When they appeared before the committee I asked the officials of the Stadium Board, "Have you made any arrangements, have you approached the Washington Baseball Club and the Washington Football Club about using the stadium? Do you have any evidence or do you have any hope that they are going to use this stadium if it is built?" And their answer was, "We have made no arrangements with them. We are trying to get to talk to them but, for some reason or other, they do not even want to talk to us about it yet."

They do not even know if they are going to have a single user of the stadium. The only constructive suggestion that the chairman of the board made was when he said that the stadium might possibly be used for the inauguration of the President. He did not know that we are building a $14 million East Front on the Capitol just for that purpose. So they do not have one single prospect of an occupant or a user of that stadium, in spite of the fact that the Stadium Act was passed some 2 years ago.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. O'KONSKI. I yield.

Mr. GROSS. As a matter of fact, Mr. Shea appeared before the District of Columbia Committee only a few days ago and said that "We are still desperately anxious to get some assurance" of contracts with the baseball and football teams.

Mr. O'KONSKI. That is right. And they do not know whether the annual cost of operating the stadium, after the issue of the bonds, is going to be $100,000 or what. We tried to pin him down on what the costs were going to be of operating the stadium, paying the interest on the bonds, paying off the bonds, and they did not have a single notion whether it was going to $1 or $1 million. And that after the act has been in operation for some 2 years.

Let us go a little bit further. We passed an Appropriation Act for the Department of the Interior some time ago. In that Department of the Interior Appropriation Act we have some $40 million for the national parks all over the United States of America. And that is for all of the 50 States of the Union—$40 million for the national parks of all the 50 States of the Union. In that same bill there is already appropriated for the District of Columbia, this little spot right here, out of the $40 million that we appropriated, $8,333,000. In other words, 20 percent of all the money that we appropriated for the national parks of the United States of America, for all the 50 States in the Union, goes to the District of Columbia and immediate vicinity. Now, add some $2,600,000 to that and you are going to have 25 percent of all the money allocated to the national parks of all the 50 States of the Union going to the District of Columbia.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. O'KONSKI. Yes.

Mr. HARRIS. I am sure the gentleman does not want to leave an erroneous impression with the House. I am sure the gentleman, distinguished as he is and serving on this great committee, knows that the Department is requesting in their budget this year for this purpose only about $400,000 of the total of $2 million plus. That certainly does not come within the statement the gentleman just made. That is all that is necessary in order to get it started for these particular purposes. That was the budget; that would be the total for this fiscal year.

Mr. O'KONSKI. Let me read to you what is provided in the Department of Interior appropriation act for the District of Columbia and vicinity:

Major roads:	
George Washington Parkway	$2,614,000
Palisades Parkway	165,000
Minor roads:	
Baltimore-Washington Parkway	240,000
George Washington Parkway	46,000
Buildings and utilities:	
George Washington Parkway	153,000
Rock Creek Parkway	35,000
Roads and trails:	
National Capital Parks	191,000
Mall at 12th St	1,000,000
Buildings and utilities	1,306,000
Planning Commission and land acquisition, District of Columbia and vicinity	2,286,000

There you already have $8,333,000 for the National Parks right here in the District of Columbia, and when you consider there is only $40 million for all of the 50 States of our Union, you have 20 percent of the entire amount going to the District of Columbia, and when you add this $2,600,000 to it, you have 25 percent going right here in this vicinity. Perhaps, that is because the citizens of the District of Columbia do not have the right to vote and the District is probably looked upon as a foreign country. Probably the greatest disaster that could happen to the District of Columbia would be if they got the right to vote and if the District of Columbia were considered an integral part of the United States and they should be treated just like the rest of the country.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. O'KONSKI. I yield.

Mr. HOFFMAN of Michigan. You overlook one advantage that we have, you and I both, do not need to do any thinking but we just have to read the Washington Post and the Star and your work is all laid out for you every day.

Mr. O'KONSKI. When the civil functions appropriation bill was passed here, there was $225,000 for my whole district. I thought I was getting something. Every one of the District of Columbia papers described that act as the greatest pork barrel legislation in the history of the U.S. Congress. But, it is all right when they get 25 percent of all the funds appropriated for the 50 States in our Union.

Furthermore, this bill that is before the House now does something else. When you get through passing this bill, if there are any two lawyers in this House, or in the United States of America, who will agree where the revenue from the parking of these cars in this parking lot that we are going to build is going to go, I will buy them a 10-gallon hat. If anybody can find out where the revenue from the parking lot is going to go under the provisions of this bill that we are now passing, I would like to know. There are not any two attorneys who will agree.

Mr. FOLEY. Mr. Chairman, will the gentleman yield?

Mr. O'KONSKI. I yield.

Mr. FOLEY. At the hearings which were held a couple of weeks ago on this very point, the major source of revenue for the Stadium Commission or the managers of the Commission is to be from the parking lot; is that correct, sir? Do you recall that the witness for the Armory Commission stated that they are looking to this parking lot revenue as the major source to amortize the bonded indebtedness and the interest on the debt?

Mr. O'KONSKI. Yes, I remember that. I would like the gentleman to read line 8 and 9 of this bill.

Mr. FOLEY. I direct the attention of the gentleman to page 5 of the report which says:

> All revenues from the operation of the stadium and the lighting, operation, and maintenance of motor-vehicle parking areas in connection with such stadium are hereby pledged to the uses and to the application thereof as heretofore in this section required.

Mr. O'KONSKI. That is what the report says. But, if you will read the bill, there is serious doubt as to the legal effect of the language because it repeals a part of another statute that would definitely make that possible. There is serious doubt as to what this does.

In the final analysis, Mr. Chairman, I want to say this. This is just the beginning. Make no mistake about it because twice I asked the witnesses before our committee, "If we give you this $2,600,000 now, will you now give us the guarantee this is your last request for funds until the stadium is built?" Each one of the witnesses before the committee said, "We cannot give you any such guarantee." So they are coming back for more—make no mistake about it.

Mr. FOLEY. Mr. Chairman, will the gentleman yield for one more question?

Mr. O'KONSKI. I yield.

Mr. FOLEY. Title to this parking lot or parking area will remain with the Secretary of the Interior from the beginning; is that correct, sir? And then the revenues from the parking will go to the Stadium Board. Then, after 30 years, when the bonded indebtedness is paid off, the full and clear title will rest and vest with the Federal Government at that time and thereafter.

Mr. O'KONSKI. That is right. But, we in the State of Wisconsin built a stadium to accommodate some 50,000 people without 1 cent of cost to the taxpayers of the United States. Further, this is the first time in history that the advocates of the stadium did not consider the roads coming in and out of the stadium and in the immediate vicinity of the stadium as part of the actual cost of the stadium.

Mr. McMILLAN. Mr. Chairman, I yield 5 minutes to the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Chairman, I would like to reply to the gentleman from Wisconsin. In the first place, the gentleman from Wisconsin says that this is just the beginning and that they will come back for more appropriations. I would like to remind the gentleman this is an authorization and thus a limitation which the Congress is placing on what the Department of the Interior shall do in improving, preparing, and construction on the property which it has surrounding the stadium, used by the stadium, and so forth, as a result of the construction of the stadium. First, they came up with a contract whereby they wanted more than twice as much. The Congress is saying that this is all and until the Congress increases the authorization for this purpose I can say to the gentleman there will bo no more request as a result of the stadium construction.

With reference to what the gentleman said a moment ago about there being no report, the Committee on the District of Columbia of the House, together with the Senate District Committee worked out a program in which a request was made for $35,000 from the Federal Housing and Home Agency for a survey to be made. The survey was made by Kreager & Waterbury, engineer-architects, and their report was made in 1958. I have a copy of the report here. The gentleman, I am sure, had one available to him at the time the hearings were held last week. Certainly that report not only spells out how it could be done and how it should be done, how it could be constructed under private financing, but I also have a copy of the estimated revenues that will be received from the stadium operations which would be a total estimated amount of $637,500 a year.

Those items are broken down, so much from baseball use, so much from the football club, so much from popular shows, concessions, parking; and yet it does not take into consideration the tremendous games that will be brought to the Nation's Capital by the Air Force Academy, the Naval Academy, West Point, and other great organizations which will add to the prestige of the Nation's Capital as well as to these great institutions.

The report also estimates the cost of operation. In other words, this report of the engineering firm of Kreager & Waterbury, outstanding engineers, help us visualize the operation of this stadium. As I mentioned a moment ago, there is an estimated income of $637,500 a year and an estimated annual expense requirement of $633,500. So, contrary, to what the gentleman said a moment ago we do have facts and figures.

Mr. O'KONSKI. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. O'KONSKI. The report is all right; it is just what one would expect, but does the gentleman have any assurance? Was there one witness who appeared before the committee who could give us any assurance that there would be one baseball game played there or one football game?

Mr. HARRIS. It is my understanding that the management of the football club has indicated a certain number of games would be played there.

Mr. O'KONSKI. I would like to ask the gentleman if he has any assurance there will even be a baseball club in Washington by the time this stadium is built?

Mr. HARRIS. No, but I have every confidence there will be. I have no information to the contrary.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. SPRINGER. In the testimony before the committee the other day Mr. Shea told us that they had not reached an agreement with Mr. Griffith, but they hoped to when the time came. They were not in position to do anything with reference to that now.

Mr. Marshall has agreed that we could expect six of their dates would be played there out of a total of nine dates that they had, that they would guarantee six of the dates.

The question with respect to Mr. Griffith depends on whether or not he sells his club, whether or not he sells his park. I think that is about as far as anyone can go considering all the circumstances that have arisen with reference to baseball during the last year.

Mr. HARRIS. Mr. Chairman, I yield to no one in my interest in the District of Columbia, our Nation's Capital, and I yield to no one in this Congress about trying to preserve to the Congress its responsibility for the affairs of the District of Columbia.

This is our Nation's Capital.

We appropriate money directly for the construction of a stadium in some other part of the country to hold just one event. We appropriate funds directly out of the Treasury of the United States in another part of the country just to participate in the Pan American games, but when the Nation's Capital is involved there seem to be no funds available, and yet every 4 years we have here one of the most outstanding events in the world, that is, the inauguration of the President and the events connected with it.

Do we not have some pride in our Nation's Capital that we want to have facilities here to enable us properly to take care of these functions mostly by private capital and operation? I think those are some of the things we should consider as we try to resolve the difference between the various agencies and planning commissions in the Government. I think we will all be proud some day of the fact that we supported this legislation.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Illinois.

Mr. SPRINGER. I think in the District budget it would be well to think about what we pay. Actually, according to the figures of the last few years, the Federal Government has been paying from 9 to 11 percent of the District budget. I do not anticipate from the figures that have been made by what we consider to be a reputable company that there will be any deficit. These estimates seem to be made by a reputable firm and they seem to be sound.

Mr. HARRIS. I thank the gentleman for his observation, and I agree with him. On the other hand, I am fully convinced that this can be a financially successful project, and I believe in the long run the Federal Government will own and control a facility that should be a part of the Federal Government's facilities in this, our Nation's Capital.

Mr. KEARNS. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I may say to the gentleman from Arkansas that his statement is the first information I have that Congress authorized the building of a stadium for the Pan American Games. I think the gentleman is misinformed. I do not recall any money for the building of a stadium for the Pan American Games.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Illinois.

Mr. YATES. The gentleman is right. None of the money voted will go toward the building of a stadium for the Pan American Games.

Mr. GROSS. That is just a sample of what we get in these arguments. This stadium proposition has more lives than the proverbial cat. It has been in and out of this Congress year after year. I want to review a little of the history of this thing.

In the 85th Congress, 1st session, on May 13, 1957, H.R. 1937 was called up, and this will be found in the CONGRESSIONAL RECORD, volume 103, part 5, page 6823. The stated purpose of the bill was to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia.

At that time I asked this question:

Is the Government now about to buy land to provide a site for this stadium?

In reponse, Mr. MCMILLAN said:

They have approximately 192 acres of park land which is proposed to be used in connection with the armory. This stadium is supposed to use the same parking space that the armory has at the present time. If any additional land is required, I imagine it is supposed to come out of this $6 million issue of bonds.

Then I asked this question:

But the bill does not provide that?

Mr. MCMILLAN. It provides $1 million here for the purpose of purchasing 4 acres of land. That is all.

Mr. GROSS. Let me ask this: Is the Government to be reimbursed for the land that will become the site for the stadium?

Mr. MCMILLAN. I do not see any place in the bill where there is any reimbursement.

Later I offered an amendment, which was adopted, to provide that the bonds to be issued in connection with the stadium were to be used to pay for, in addition to the stadium itself, the land upon which the stadium is located.

The bill was amended in the Senate to delete that provision, and the Senate version was accepted in conference. However, when the bill returned to the House in the form of a conference report, on August 20, 1957, it was rejected by a rollcall vote of 135 to 234.

The conference report was rejected because it did not contain that provision for payment for the land.

During discussion on the conference report, the gentleman from Arkansas [Mr. HARRIS] said in response to a question I asked:

This is a private operation and will cost the Government nothing for the construction of the stadium, yet it is a facility that is badly needed.

The bill went back to conference and was returned to the House on August 26, 1957. The following appears in the CONGRESSIONAL RECORD, volume 103, part 12, page 15967:

Mr. GROSS. And the stadium corporation will pay for the land that it obtains from the Government for the purpose of this stadium?

Mr. MCMILLAN. The gentleman is correct. That was the gentleman from Iowa's amendment when we brought the bill up originally, and I accepted it when we approved the bill several weeks ago. The Senate has agreed to that language.

Then, in the 85th Congress, 2d session, 1958, H.R. 12162 was called up on July 14, 1958, in the CONGRESSIONAL RECORD, volume 103, part 10, page 13688, and I quote the following:

Mr. GROSS. The gentleman knows my concern with previous legislation on this subject has been that the proposed stadium should not become a burden upon the taxpayers of the entire country. I do not care how many stadiums are built by the people of the District of Columbia or those who live in the contiguous territory who want to invest their money in it, but I am opposed to building a stadium in the District of Columbia out of the taxes of the taxpayers of the entire country.

Mr. HARRIS. I think the gentleman would have many Members of this Congress join him in that view. From our study and consideration of this problem, we do not feel that this will be a burden upon the Treasury of the United States or on the taxpayers of the country. We believe that this is a sound, financial program here to bring about a needed project that no one objects to and which everyone says is badly needed in the District of Columbia, the Nation's Capital.

Mr. GROSS. That may well be, but I am still not convinced that this will not someday become a burden on the taxpayers of the country. Can the gentleman give us any assurance that the committee will not be back here in the matter of a few years asking for an appropriation out of the Federal Treasury to build or maintain this stadium?

Mr. HARRIS. I can give the gentleman the assurance from my own knowledge and from my own opinion on this program that this is a sound program, and that it will not be necessary not even in 2 or 3 years or 10 or 15 years or any time to be a burden on the taxpayers of the entire country.

The gentleman will remember his statement, I am sure, because he said, "I feel, and I think that is the feeling of practically every member of the committee, that it is a sound, financial program," and so on and so forth.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. MCMILLAN. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes. I am happy to yield.

Mr. HARRIS. I stand on the statement now that I made at that time, and if this stadium or this facility was going to be constructed anywhere else other than where a Government agency has all the surrounding area under its control and operation, it still would not be any cost, and as a result the stadium itself is not a cost to the taxpayers. I tried to emphasize that a moment ago. The Department of the Interior controls all of that property around there and it insists that it must use it for other purposes, and therefore it has got to do it according to the way it does things. We are not asking in this bill for any authorization for the construction of the stadium itself. Even the utilities that go in there now are going to be absorbed out of the bond financing.

Mr. GROSS. How thin can you split hairs? How is it proposed to have a stadium without parking facilities and without ingress and egress streets and roads, will the gentleman tell me?

Mr. HARRIS. Well, if it was not for the facilities that were going to be built around it——

Mr. GROSS. If the Congress does not raid the taxpayers to build a parking lot, if the Congress does not build a tunnel or tunnels, if the Congress does not build streets and roads, these necessary facilities will be added to the cost of the stadium, the actual construction of the stadium; is that not true?

Mr. HARRIS. I do not think so. And you will not find it there, either.

Mr. GROSS. There is over $2,600,000 in this bill to come out of the Federal Treasury, maybe only $400,000 this year, but the authorization is for $2,500,000.

Mr. HARRIS. Maybe nothing at all this year.

Mr. GROSS. Let us quit splitting hairs over this thing.

Then, in reply to a query by the gentleman from Massachusetts [Mr. MARTIN], who was then the minority floor leader of the House, concerning the handling of this stadium proposition, the gentleman from Arkansas [Mr. HARRIS] said to the gentleman from Massachusetts [Mr. MARTIN]. It is not even an appropriation; the stadium is to be built by private enterprise," meaning, of course, that the whole works was to be built by private enterprise. Yet you are here today asking for $2,660,000.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. I would like to compliment the gentleman once more on the wonderful work he is doing for the rest of us, work which we would like to do, many of us, if we had the ability and the time. But I want to ask the gentleman just one question now. How long will you have to be here before you learn that some of the statements made on the floor do not mean what the average individual thinks they do?

Mr. GROSS. Well, I am getting a pretty convincing illustration today of what the gentleman is talking about.

Mr. HOFFMAN of Michigan. You show innocence and gullibility, I swear. I cannot see how you swallow the things.

Mr. GROSS. I am simply reviewing the RECORD and calling attention of the other Members of the House to what has been said on this floor in days gone by.

Mr. HOFFMAN of Michigan. Did you not expect the people were going to get rooked?

Mr. GROSS. If we pass this bill providing for $2,660,000, it will be the biggest No. 12 shoe you ever saw stuck in the door to the Federal Treasury for the Nation's taxpayers will wind up paying the entire bill.

I cannot understand why there is nothing in the report on this bill from the Department of the Interior stating its position, since that Department is deeply involved. There is not anything from the Bureau of the Budget, nor from anyone in the executive branch of the Government. I cannot find any evidence in the report on this bill of anybody supporting it.

Mr. O'KONSKI. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. O'KONSKI. The wheels are all greased, if this bill passes, for a supplemental appropriation bill to come in for $2,600,000.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. HARRIS. I say categorically that that statement is not supported by facts. I think it is time that we understand around here what some of the facts are. If the gentleman had investigated, he would know.

Mr. GROSS. Is the gentleman now speaking to me or is he responding to the gentleman from Wisconsin [Mr. O'KONSKI]?

Mr. HARRIS. I am responding to the gentleman from Wisconsin. He said that the wheels are all greased for a $2 million supplemental appropriation to come in here. So far as I know, they first said that they wanted $400,000 for this fiscal year. But now they say in view of the fact that the utilities are going to be absorbed from the bond issue, they will probably not have to ask for anything during this fiscal year in connection with this surrounding area. I want to say to the gentleman that the chairman of the Board of Trade of the District of Columbia, Mr. McLaughlin himself, was in on these negotiations. He supports this.

Mr. GROSS. I have no doubt in the world that he supports it.

Mr. HARRIS. Not only he, but a representative of the Department of the Interior testified for the program.

Mr. GROSS. I have no doubt in the world that Mr. McLaughlin supports this. Of course he does. He is perfectly willing to unload upon the taxpayers of the Third District of Iowa and every other similar district in the country the cost of building and maintaining this stadium; of course he is. The Board of Trade of the District of Columbia, the people of the District of Columbia, can build a stadium on every street intersection, if they want to. All I want them to do is to build it out of their own money.

Mr. O'KONSKI. Mr. Chairman, would the gentleman yield?

Mr. GROSS. I yield.

Mr. O'KONSKI. I will say, in answer to the charge made by the gentleman from Arkansas [Mr. HARRIS] concerning the matter of a supplemental appropriation, that I have a memorandum here of a member of the Committee on Appropriations which clearly states, "I understand the Budget Bureau is getting ready to send up a supplemental if this bill is passed." That is my evidence in support of the statement that I made.

Mr. KEARNS. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, I think this one thing has been lost sight of. All of this came out in the hearings the other day. I questioned the Chairman of the Board as to why it was necessary to have at this time a request that this change be made in the law.

Here is the reason. It was thought when the bill was passed 2 years ago that the Secretary of the Interior had this authority, to go ahead and do what this bill would give him the power to do, if it is passed today. Everyone thought, the stadium people thought, the Department of the Interior thought, the Comptroller General thought, the General Accounting Office thought, and everyone was in agreement, that the Secretary of the Interior had the authority to do what they are asking to be done in this bill.

Now, may I read this from page 2 of the report:

All of the remaining amendments to the District of Columbia Stadium Act of 1957 which are proposed by this bill are designed to insure that the Secretary of the Interior will have the necessary authority to construct motor-vehicle parking areas and certain other facilities which it was believed the Secretary had at the time the act was first enacted. The total cost of this construction by the Secretary of the Interior is limited to $2,660,000.

In a letter dated June 4, 1959, to the chairman of this committee, the Comptroller General stated:

"If it is deemed desirable that such authority be granted to the Secretary of the Interior, the enactment of specific legislation to do so will be necessary in view of our decision of March 25, 1959, B–138834, that such authority is not contained in existing legislation relative to the stadium. We believe that the language of H.R. 6893 would accomplish the stated purpose."

If I can make this as simple as possible to my colleagues, it is this. This bill gives authority to the Secretary of the Interior today that we thought we were giving when this Stadium Act was first passed. May I say this further to make it clear. This land, these parking lots, and all the access areas are not in "the stadium." The definition of "the stadium" does not contain that. The definition of the stadium is entirely limited. The Secretary of the Interior has now and will continue to have control over all of these areas. With that in mind we have to remember that the stadium should not be responsible for land to which it does not have title, any more than the stadium should be responsible for land in the District of Columbia to which the District has title. That is about as simple as I can make it in order to give you an understanding of what is trying to be done in this bill. Until the Secretary of the Interior has this authority which we thought he had, he cannot construct these access areas and this parking lot.

I now yield to the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Not only did he think he had the authority and we thought he had it, but under the authority we thought he had, he agreed he would carry out this part of the program surrounding the stadium; is that not true?

Mr. SPRINGER. That was part of the agreement when the stadium bill was brought in 2 years ago. That the Secretary of the Interior would undertake this construction which is set out in this bill and he is ordered now to do under this bill.

Mr. HARRIS. Consequently, the same statement that I made to which our friend, the gentleman from Iowa, referred to a moment ago, still stands as correct today.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KEARNS. Mr. Chairman, I have no further requests for time.

Mr. McMILLAN. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I feel that some of the debate has gone a little far afield. The only problem we have confronting us today is the problem of trying to straighten out a problem which, in my opinion, is the fault of the Department of the Interior. They should have given the Congress and the members of my committee the advantage of their thinking on this problem when we passed the bill in 1957. We felt we had given the Department of the Interior all the authority they required and desired at that time. I feel, since we have passed the original Stadium Act, we should go ahead and correct certain provisions to suit the Federal Government since they will eventually have full control of the stadium, and they will always have ownership of the park area around the stadium.

The CHAIRMAN. If there are no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District of Columbia Stadium Act of 1957 is amended as follows:

(1) Section 2 is amended by adding at the end thereof the following new sentence: "The Board is authorized to provide for the construction of such stadium by such means as it determines will most effectively carry out this Act (including, but not limited to, a negotiated contract)."

(2) The first sentence of section 3 is amended by inserting immediately after "operation of the stadium" the following: "(including the operation and maintenance of motor-vehicle parking rates)".

(3) Section 3 is further amended by adding at the end thereof the following new sentence: "The Secretary of the Interior is authorized and directed to construct and prepare in areas A, C, D, and E only, on such site, as such areas are indicated on National Capital Parks Map numbered 1.7–146, motor-vehicle parking areas, including driveways, walks, lighting, and landscaping, at a total cost not to exceed $2,660,000."

(4) Paragraph (5) of section 5 is amended to read as follows:

"(5) to light, operate, and maintain motor-vehicle parking lots;".

(5) Paragraph (9) of section 5 is amended by inserting immediately after "stadium"

the first place where it occurs the following: ", and in operating and maintaining the motor-vehicle parking areas in connection therewith".

(6) Subsection (a) of section 6 is amended by inserting immediately after "stadium" at each of the six places where it appears therein the following: "and the lighting, operation, and maintenance of motor-vehicle parking areas in connection with such stadium".

(7) The last sentence of subsection (a) of section 6 is further amended by striking out "maintaining and operating it," and inserting in lieu thereof "maintenance and operation,".

(8) Section 10 is amended by inserting immediately after "stadium" the first place where it occurs a comma and the following: "and of the operation and maintenance of the motor-vehicle parking areas in connection therewith,".

(9) Section 11 is amended by striking out "necessary motor-vehicle parking areas, and".

SEC. 2. Section 8 of the Act entitled "An Act to establish a District of Columbia Armory Board, and for other purposes", approved June 4, 1948 (D.C. Code, sec. 2–1708), as amended, is amended by inserting "and related motor-vehicle parking areas" immediately after "in connection with the operation of the stadium".

Mr. McMILLAN (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WATTS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 8392) to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

Mr. HARRIS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently, no quorum is present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 125]

Alford	Bates	Brown, Mo.
Anfuso	Bentley	Buckley
Baring	Bosch	Budge
Barrett	Bowles	Cahill
Barry	Brewster	Canfield
Cannon	Glenn	Oliver
Carnahan	Granahan	Osmers
Celler	Green, Pa.	Philbin
Coad	Halpern	Powell
Coffin	Hargis	Reece, Tenn.
Curtis, Mass.	Healey	Rostenkowski
Daddario	Holtzman	Shelley
Davis, Tenn.	Jackson	Smith, Iowa
Delaney	Judd	Spence
Diggs	McDowell	Stubblefield
Dollinger	Martin	Taber
Donohue	Miller, N.Y.	Taylor
Dulski	Minshall	Teller
Edmondson	Mitchell	Thompson, La.
Elliott	Morrison	Toll
Farbstein	Multer	Vanik
Flynn	Nix	Willis
Gallagher	O'Brien, N.Y.	Zelenko
Giaimo	O'Neill	

The SPEAKER. On this rollcall, 364 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GROSS. Absolutely, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GROSS moves that the bill H.R. 8392 be recommitted to the Committee on the District of Columbia.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. O'KONSKI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. GROSS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

So the bill was passed.

A motion to reconsider was laid on the table.

LEGISLATIVE BRANCH APPROPRIATION BILL, 1960

Mr. NORRELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H.R. 7453, the legislative branch appropriation bill for 1960, with amendments thereto, insist on the amendment of the House to the amendment of the Senate numbered 45, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

The Chair hears none, and appoints the following conferees: Messrs. NORRELL, KIRWAN, CANNON, HORAN, and TABER.

MILITARY CONSTRUCTION APPROPRIATION BILL, 1960

Mr. SHEPPARD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8575) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1960, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 2 hours, one-half to be controlled by the gentleman from North Carolina [Mr. JONAS] and one-half by myself.

Mr. HOFFMAN of Michigan. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and fifty-eight Members are present, a quorum.

Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from California.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8575, with Mr. KILDAY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. SHEPPARD. Mr. Chairman, I yield myself such time as it may be necessary for me to consume.

Mr. Chairman, in the committee's consideration of the fiscal year 1960 military construction program, it adopted several policies in determining the projects and the funds to be approved.

First and most important of these was that projects not clearly essential to the military needs of this country at the present time or the forseeable future should be eliminated. The present world situation and breakthroughs in scientific and technological fields dictate that we face an immediate future when the direction and amount of spending of military funds can change on short notice. An outstanding example of this is the recent abandonment of many Air Force facilities constructed at a large cost in France, as a result of the refusal of the Government of that country to allow the United States to store and control nuclear weapons in that area. The committee did not feel that in times like these items such as air-conditioned housing in Hawaii, family housing constructed with appropriated funds because the Army feels they cannot be constructed large enough under the Capehart program, additional snack bars and cafeterias for civilian employees so they don't have to carry their lunches or eat in other places were essential to the military effort.

Second. The committee insists that maximum utilization be made of existing facilities. This not only concerns the facilities which I have just mentioned but also a coordinated study by the services and the Department of Defense to see that such facilities are used interchangeably. All too frequently the services regard facilities as their exclusive property and so far the Defense Department has not been able to effectuate a coordinated program which will insure the maximum use of these installations. For example, the committee found that the Navy and the Department of Defense

had not adequately studied the use of existing Air Force and commercial facilities for a new outlying airfield for the Naval Air Station at Meridian, nor had the Air Force studied Navy facilities as a possible source for a missile handling facility. For example, the services requested funds for the replacement of barracks. At the same time, however, they planned to hold the existing barracks for mobilization reserve or use for other purposes. If such facilities are good enough to hold in standby or to use for other purposes, the committee can see no reason why they should not be used in lieu of new construction.

Third. Projects not based on solid plans or where the costs were excessive were eliminated. For example, the committee seriously questions the economy of the construction of a runway extension at the cost of $3,300 per foot. I refer you to page 9 of the committee report for an analysis of excessive cost in connection with hospital construction. The committee fails to understand why a high school in Germany should be more elaborate than similar facilities in this country.

Fourth. The committee has eliminated projects based on questionable or indefinite operational requirements, such as the deployment of the Mace missile.

With these major policies in mind, the committee considered budget estimates in the amount of $1.5 billion and recommends appropriations of $1.2 billion, a reduction of $278 million in the estimates.

A detailed tabulation of the construction projects approved by the committee will be found at the end of the report and the specific reductions will be found in the body of the report accompanying the bill.

Many of you have asked questions about armory and other construction for the Reserve and National Guard components of the services. I would like to point out to you that the committee has approved all of the funds requested for these programs of the three services with the exception of small reductions for specific reasons at two Naval Reserve facilities and one Air National Guard installation.

AIR DEFENSE

Largely, at the insistence of the Congress the air defense program presented in the budget estimates was revised prior to the conclusion of the committee hearings. This revision made possible a reduction of approximately $60 million to be made in the construction estimates for fiscal year 1960. It is anticipated that the revised plan will lead to a reduction of approximately $1.4 billion in this program over the next several years. The committee has approved the revised program as it pertains to missiles and electronic ground environment. It has made two reservations, however, both set forth in the committee report, concerning the location of Bomarc missile sites in the northwestern portion of this country and the need for manned interceptors in certain areas of the Southwest.

This revised program will have a marked effect on the procurement and training programs of the services. The Department of the Army at the present time maintains training programs for missile personnel at Fort Sill, Okla., and Fort Bliss, Tex. Due to the lateness of the decision in making this major change in the air defense program, the Army was unable to accurately formulate its training requirements and future workload at these two facilities. Accordingly, the committee has deleted the request for certain missile handling facilities at Fort Sill and has reduced the request at Fort Bliss. These requests have been deleted without prejudice. The committee report directs that the Army make a detailed study of the training requirements in the missile field and assure the maximum utilization and coordination of facilities existing and programed at Fort Bliss and Fort Sill.

HOSPITAL CONSTRUCTION

The committee has eliminated all of the funds requested for new hospitals except at two locations. I realize that is not a popular thing to do, but unless something is done to hold down these costs they are going to become prohibitive. The Armed Services Committees of the House and Senate are to be commended for their actions in reducing some of these authorizations, but the costs are still astronomically high and the reductions they made did not affect all of the hospitals in the funding program.

Let me give you several typical examples of this program. Last year the committee denied funds for a 100-bed hospital at Carlisle Barracks. This year the project was resubmitted as a 50-bed hospital, both requests supposedly based on valid requirements. Now we find that the requirement will probably be reduced again and that the need can be met with the use of existing facilities or a small infirmary. If Congress had not denied those funds last year, you may be assured that a white elephant similar to the one existing now in France would be under construction at Carlisle.

Civilian hospitals being constructed under the Hill-Burton Act show an average cost of approximately $19,500 per bed and a cost per square foot ranging from $14.53 to $34.37.

Recent construction costs of Veterans' Administration hospitals have ranged from $16,900 per bed to $21,700 and costs per square foot from $20.92 to $28.

In contrast, military hospital costs, even under the revised authorizations, range from $22,000 to $53,000 per bed and from $31.03 to $43.40 per square foot.

While these costs are not completely comparable they do serve to point up the wide disparity in cost between military and other types of hospital construction.

At 7 of the 10 hospital locations involved, there are existing hospital facilities in use which are providing adequate medical treatment. As a matter of fact, several of them will be retained by the services to meet hospital mobilization requirements. At the other locations, two of the facilities are being served by a combination of existing governmental and private hospitals, and the third is a new station which will not become operational for quite some time.

In other words, as a result of the committee action, no one will be denied hospital treatment or medical attention, but a thorough review can be made of the entire program and the costs brought into line with reasonable construction practices.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield.

Mr. SIKES. I think it would be well to emphasize, Mr. Chairman, the fact that two hospitals for which funds were allowed are in an entirely different category than those which were deleted, in that they represent conversion of existing facilities. I think it is important that we point up that fact and also supplement what the chairman of the committee has said.

The reasons for deleting these hospitals do not arise from any disposition on the part of the committee to deny hospital availability to any serviceman or his dependents.

Mr. SHEPPARD. The gentleman is quite right and I thank him very much for his contribution and his explanation.

We as the members of your subcommittee have no desire at any time to impair the medical requirements of the military services, but we also fully realize that we also have an obligation to the taxpayers of this country and to the Members of this House.

That is, to scrutinize these practices, then apply the best judgment we can.

DEPARTMENT OF THE ARMY

The committee has approved $241,564,100 for the regular construction program of the Department of the Army. These funds when added to unexpended balances from prior years will make $570.5 million available for expenditure. A large portion of the funds approved for the Army are in support of surface-to-air guided missiles.

DEPARTMENT OF THE NAVY

The amount of $180,048,000 is approved for the Navy, which when added to carryover funds will make $635 million available for expenditure in fiscal year 1960.

Typical of the projects approved for the Navy are those in support of the Polaris ballistic missile and antisubmarine warfare programs.

DEPARTMENT OF THE AIR FORCE

For the Air Force the committee has approved $756,616,000. This amount when added to the carryover funds presently available will provide $2.3 billion for expenditure by the Air Force program in fiscal year 1960. By far the largest part of the Air Force appropriations are in support of the ballistic missile program. Funds are included, however, for continued support of SAC dispersal and alert capabilities, strategic and defense missiles, and essential support facilities for other operational missions.

In total, the bill as approved by the committee, when coupled with existing unexpended balances, will make available over $3.5 billion.

The question will be raised as always as to whether in making this reduction, we are crippling the national defense. I

can think of no better way to answer that question than to meet it head on. If, in deleting funds for family housing and commissaries in troubled areas of the Middle East where dependents certainly have no business at this time, $43,000 air-conditioned homes in Hawaii, if in insisting on maximum utilization of foreign currencies available to this country instead of American dollars, if insisting that the Defense Department make the maximum use of existing facilities instead of buying more land and building more permanent structures based on questionable operational requirements, if doing these things cripples the defense effort of the country then perhaps we have, but those of us who have participated in the hearings and writing of this bill do not believe that there is a single dollar which has been denied that will in any way, shape, or form retard or damage our defense effort. Rather, this action will cause the Department of Defense to give more realistic consideration to the construction program, insisting on coordinated plans and adequate reviews, instead of blindly requesting funds for more and more facilities, more and more lands based on making certain that each of the military services get a slice of the construction pie.

Mr. Chairman, this bill is a good bill. It is based on long hours of searching, exhaustive hearings, and careful and detailed committee markup sessions. It will not satisfy every military service, nor will it satisfy every person in this House, but it is a solid bill. I recommend it to you and urge its passage, with the promise that if it and the accompanying report are properly implemented by the Department of Defense as directed, money will be saved, excess facilities will be used, instead of allowed to stand idle while new ones are built, a realistic construction program will be formulated and the national defense effort of this country will be strengthened.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from West Virginia.

Mr. BAILEY. I would like to ask the gentleman from California if it is his purpose to discuss the construction program for National Guard Armories?

Mr. SHEPPARD. Not any further than the gentleman has discussed it at the moment.

Mr. BAILEY. May I say to the gentleman, he will recall I appeared before the committee in support of some armory installations in the State of West Virginia.

Mr. SHEPPARD. That is correct.

Mr. BAILEY. There were a number of other people who appeared and asked for consideration. The reason I did this, I might explain to the gentleman from California, was due to the fact that these projects were authorized some years ago. In the appropriation of $33 million in last year's budget, $13 million was frozen by the Secretary of Defense, Mr. Wilson, just before he left office. It was necessary last year to get a waiver through the Armed Services Committee to have some of that money unfrozen and proceed with two armory buildings in West Virginia.

There are still five buildings in the State authorized, and Federal money was not available for matching the State's money. The State has its funds ready to proceed with these buildings. I notice in your bill here that you make provision for one of the five, and that is at the city of Keyser. There are four others there in exactly the same situation. Was the committee trying to apportion what money they could spare for this facility and to pass it around, to give them a part of the program that they were asking for? Just what was the reason that you picked up one of those and dropped the other four?

Mr. SHEPPARD. The committee in its consideration of the estimates, for armories, whether Reserve or National Guard, scrutinized them on the premise on which they were presented on priority procedure. The gentleman from Florida [Mr. SIKES] handled that portion, and perhaps he can explain in more detail in order to answer the gentleman.

Mr. BAILEY. I may say to the gentleman that perhaps I was not as forceful as I should have been in my presentation.

Mr. SHEPPARD. May I say to the gentleman that there was no question about the forceful manner in which he presented the requirements. This is purely a matter of mechanics and available funds to accomplish the purpose the gentleman addressed himself to at the time he appeared before the committee.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from Florida.

Mr. SIKES. Of course, the gentleman did make a very forceful presentation, as he always does. And, let me say that I am also deeply impressed by the logic of my friend from West Virginia. But, we did allow all of the money requested in the budget for armories. Of course, this money has to be spread thin, and we simply followed the recommendations of the Department of the Army in selecting the armory which was to be built in the gentleman's State. It is just as simple as that.

Mr. BAILEY. I am perfectly willing to accept the gentleman's explanation, but I was wondering why you would pick up one of these five that was not covered in the budget and dropped the other four. The Keyser installation was not included in the budget proposal.

Mr. SIKES. Mr. Chairman, will the gentleman yield further?

Mr. SHEPPARD. I yield.

Mr. SIKES. Let me say to the gentleman that it was included in a budget submission received by the committee from the Department of Defense before the committee marked up the bill. I think the gentleman is referring to an earlier situation when it was not covered. But, we did receive a communication from the Department listing this as one that they thought should be built.

Mr. SHEPPARD. That is correct.

Mr. EVINS. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from Tennessee.

Mr. EVINS. I do not rise to criticize but to praise the gentleman from California and commend him for the excellent bill that his subcommittee has brought forward. This is the last, I believe, of some 17 appropriation bills from the Committee on Appropriations. The distinguished gentleman from California [Mr. SHEPPARD], senior member of the committee, is a hard-working member and has put forth great effort to bring about a very constructive and worthwhile bill. He and the members of this committee deserve the praise and the thanks and the appreciation of the Congress for the diligent work they have put in on this bill, and I want to commend him.

Mr. SHEPPARD. May I say on behalf of my subcommittee, we are most appreciative for those kind words. We tried to bring in as good a bill as possible under the limitations with which we had to work.

Mr. BAILEY. Mr. Chairman, will the gentleman yield further?

Mr. SHEPPARD. I will be delighted to.

Mr. BAILEY. I was wrong in my comment that this project in particular had not been presented to the committee. It was a subsequent presentation over and beyond and a considerable time after they had made their first presentation. I was not aware that any reference from the budget office had come to the committee. So, let me say that I regret very much if I caused that inference to be drawn by members of the committee. I compliment them on doing the best job they could with the money available.

Mr. SHEPPARD. I thank the gentleman very much, and I assure you we did the very best we could under the circumstances.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from California.

Mr. COHELAN. I am wondering if my distinguished senior colleague from California would be kind enough to enlighten me on what happened to a fleet base facility item in the military construction bill which called for the development of a sewage treatment plant at Treasure Island Naval Base, in San Francisco Bay.

Mr. SHEPPARD. That was not a budgeted item.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and fourteen Members are present, a quorum.

The gentleman from California has the floor.

Mr. COHELAN. Mr. Chairman, if the gentleman from California will yield further, I am of course distressed to learn that this very important facility at

Treasure Island, which involves a relatively small amount of money, $701,000, has not been funded this year. I am wondering if the gentleman can give me some encouragement about when this very vital project will be funded.

Mr. SHEPPARD. Responding to the gentleman, the only encouragement I can give him is the fact that the Navy has advised our committee that they are making further studies and there is a possibility that it will be in next year's budget. Of course, there is no firm commitment from the Navy at this time, but I am under the impression that it will be in the budget. However, I cannot assure the gentleman of that.

Mr. COHELAN. Is the gentleman aware that this matter has been pending since October 21, 1954?

Mr. SHEPPARD. Yes.

Mr. COHELAN. The California Regional Water Pollution Control Board adopted a resolution as early as 1954 which stated that a condition of pollution and nuisance existed as a result of untreated sewage being discharged into San Francisco Bay from the shore facilities of this particular base. I am hoping that this matter will receive the very serious consideration of the Navy and will be included in next year's budget.

Mr. SHEPPARD. I can assure the gentleman that the chairman of this subcommittee is personally conversant with the issue. A very bad condition of contamination exists and personally I am very sympathetic to its correction. But under the circumstances under which we operate, this item has to take its place in the scheme of things and will have to come up as a budgeted item.

Mr. GEORGE P. MILLER. Mr. Chairman, would the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman.

Mr. GEORGE P. MILLER. Mr. Chairman, I want to join my colleague from Alameda County, Calif., in expressing regret that this item is not in the budget. We hear a lot about pollution. One of the units on San Francisco Bay that is not under pollution control is the one of which he speaks. I assure the gentleman that we are going to try to make a fight for this in the next session to see why it is not taken care of. The Government cannot preach pollution control to the States and encourage it and then allow its own facilities to violate the very standards it holds up to the rest of the country.

Mr. SHEPPARD. I think the gentleman's comments are to the point.

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman.

Mr. BALDWIN. I should like to join my two colleagues from California in their comments on this item. There has been a concerted effort over a period of years to try to restore the purity of the water of San Francisco Bay which has been in a very sad condition for the last 10 or 20 years. We all agree that this project is one of the steps urgently needed to be taken to restore that purity.

Mr. SHEPPARD. I can assure the gentleman that the chairman is equally interested in the project and, of course, with a project of this character, at the time it comes into the budget, we will be most pleased to give it earnest consideration.

Mr. WIER. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from Minnesota.

Mr. WIER. Mr. Chairman, I want to make some comment and an inquiry. Those of us up in Minnesota cannot keep up with changes in Air Force policies and programs. I am referring to the latest move of the Air Force in connection with the Bomarc projects. Two years ago the Air Force, in my State and in my district, proposed an auxiliary airfield to take care of National Guard and Naval Reserve flying units. A year later they canceled those auxiliary airbases, and told us, up in the northern fringe of the United States, that they felt there was more value connected with the installation of Nike's and Bomarc's, and so a Bomarc station was authorized for the city of Duluth on the Great Lakes. Construction took place. I see there is money in this bill for the Duluth project or airbase with the so-called Bomarc installation. Now on Friday I learned that the Air Force has now revised its plans and has made a cutback in the funds provided for the Duluth Bomarc base with the intention of trying to work out plans to move up into Canada. What is happening with Duluth in connection with the Bomarc installation has been going on across the United States, including Grand Forks, Great Falls, and clear over to Seattle.

I presume all of those will be affected by cutbacks in the Bomarc program, and what I am inquiring about is whether your committee has any information on that program.

Mr. SHEPPARD. The committee has made no reduction on that issue. This subject matter is under study by the military and the Defense Department for finalization and presentation in due time. But, so far as your committee is concerned, we made no cutback in the field to which the gentlemen refers.

Mr. WIER. I have received word that Duluth has been notified that their funds are to be held, for the present at least.

Mr. SHEPPARD. Until a decision is made.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield.

Mr. LAIRD. In regard to the gentleman's query about the Bomarc base in Duluth, I think it is clear there have been no funds withheld in this bill as far as Duluth is concerned. But there is a possibility because of negotiations, which are presently going on with the Canadians, that there may be some change, but the funds as originally requested for the Bomarc base are provided in this bill. If negotiations with the Canadians develop, there is a possibility that this fund may be used a little farther to the north, and I plan to get into that general discussion in remarks I will make in a few minutes.

Mr. WIER. I am glad to hear that, because the funds, as you say, are provided to the extent of $1,124,000. But, in the meantime, since your committee has made that allocation, the Duluth Airbase has been notified that there will be a ceasing of operations.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield.

Mr. JONAS. The discussion of this is on page 6 of the report. I assume the gentleman has read that.

Mr. WIER. That is just what aroused me.

Mr. JONAS. It is the feeling of the committee that these funds should not be allocated until this decision has been made.

Mr. WIER. I am just trying to get what information I can on the basis of the information I got from Duluth. I thank the gentlemen.

The CHAIRMAN. The gentleman from California [Mr. SHEPPARD] has consumed 30 minutes.

Mr. JONAS. Mr. Chairman, I yield 15 minutes to the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Chairman, before we go into the general discussion of the various items covered in the military construction appropriation bill for the fiscal year 1960, I would like to take some time to comment on the overall defense policies of this country, particularly as they apply to the work of the House Appropriations Committee. I have been in the unusual position of being the only member of my party who has had the opportunity to serve on both the Defense Appropriations Subcommittee and the Military Construction Subcommittee. By serving on both of these committees, I have had an opportunity to become most familiar with the activities of the Defense Department. This Department spends well over 50 percent of our budget, and the responsibilities involved in this committee work are indeed great. Since early December I have spent some 5 to 6 hours each day on the operation of this Department. I have enjoyed my associations with the members of the Defense Subcommittee and the Military Construction Subcommittee on both sides of the aisle. They are dedicated men, dealing with a very difficult problem. Our hearings are all in executive session and, for that reason, are not subject to recognition by a vast majority of our citizens. Today, I would like to discuss with the House a few of the problems which have been brought very vividly to us in the hearings and studies that we have conducted this year.

INTERSERVICE RIVALRIES

The malignant effects of interservice rivalry are nowhere more clearly apparent than in the divided military advice given the Secretary of Defense and in the duplication and waste resulting from competing and overlapping weapons systems.

Look, for example, at these expressions of different views on major military and strategic thinking:

SOME OFFICIALS SAY	OTHER OFFICIALS SAY
Concentrate SAC in United States and deploy and harden bases.	Move targets from CONUS to sea, islands, and Arctic.
All-out nuclear war is it.	Limited war is it.
Minimize limited war capability.	Maximize same.
Programs are in balance.	Out of balance.
Fixed bases.	Mobile bases.
High level blanket bombing.	Pinpoint target bombing.
Kill masses of people.	Save people; kill targets.
Live with fallout in United States.	Avoid fallout.
Big continental defense.	Small continental defense.
Manned bombers.	Missiles from mobile bases.

We have had senior service representatives testify that the budget totals were adequate but that funds for their own service were all out of line. We have had representatives of some services testify that we have a gross overkill capacity at a time when representatives of another service were arguing for still more funds for strategic attack. We have one service sponsoring large aircraft procurement programs and another saying we are not getting out of manned aircraft fast enough. We have one service favoring one type of antiaircraft missile, another service favoring a second type, and the third suggesting that neither is particularly effective. Even as to our joint strategic objectives plan, we have been told that the Secretary of Defense was placed in the unhappy position of having his principal military experts differ as to the kind and quantity of forces necessary to support the very strategic concept to which all had agreed. We have been told, furthermore, that major components of the 1960 service budgets—a $260 million carrier for the Navy, the augmentation of the B–52 program, or, indeed, the size of the Army—had never even been considered by the Joint Chiefs of Staff.

In other words, we appear to have permitted ourselves to drift into a situation under which the military services, fearing a negative majority, may avoid having major proposals studied by the Joint Chiefs, or under which, if proposals are submitted, the result is either logrolling or development of split papers which merely set forth the contending views of the several services.

The Secretary of Defense, then, finds himself in the role of judge over philosophical differences among the three Departments and services, referee over divergent views on weapons systems, and arbitrator over split views on the division of the budget. With this kind of parochial opinion coming from his advisers—when indeed he receives any advice at all—how can a Secretary of Defense do anything but come up with a compromise? How can he properly exercise his power of decision in the face of divided military councils? How can he really determine what is truly sufficient—how much is enough for the atomic retaliatory force, for air defense, for limited warfare forces, for strategic airlift and sealift, for Reserve-type forces—for all of these functional categories to which several services jointly contribute? Equally as important, what has been the effect on the public purse of a system under which, in default of agreed military advice, services proceed unilaterally or competing services proceed with duplicating systems?

In the past few years, for example, perhaps $2 billion have been spent on the Bomarc antiaircraft missile and another $2 billion or so on the competing Nike-Hercules systems. It is now proposed to spend more on each, even though we are told our potential enemies have switched their emphasis from planes to missiles, and it is apparent that neither weapon can contend with the growing threat of missiles .

Other huge sums have been spent by the Army and Air Force on developing the rival intermediate range ballistic missiles Jupiter and Thor. Undoubtedly, a billion dollars could have been saved had a choice been made between the two.

Lack of firm military advice leads us to continue with the competing long-range weapons systems—Atlas and Titan—again with duplicating costs of well over a billion dollars for each system—and at a time when the next generation of such missiles is already in sight.

Examples of duplication and waste of money in supply, training, and administration, resulting from departmental rivalries, are legion. In this category we find:

First. Marginal and nonessential installations and activities which, in most cases, remain in the program for an outmoded mobilization plan of the World War II type. The cost of keeping these in operation can run into the millions of dollars. But each Department insists on keeping its own stations open.

Second. In the supply activities there still remain three different systems for the three services. Though some steps have been taken to correct this deficiency, much remains to be done, including substantially greater attention to the transfer of existing assets between services. These unnecessary costs, coupled with limited progress in standardization, can be measured in the hundreds of millions of dollars. Yet, service rivalry and bickering slow down progress in eliminating this waste.

Third. Communications networks of all the services are separately maintained and operated, and all are proceeding with expensive development and procurement programs. One master system, or at least one coordinated system, serving the needs of the Field Commanders and the Departments would save the taxpayers hundreds of millions of dollars. Yet every move for more efficient management has been blocked.

Fourth. In the field of intelligence there is a terrific amount of duplication. The separate intelligence organizations, if truly organized into one master complex, would save countless millions of dollars. Here again the services resist changing the systems.

Fifth. Separate jet trainers are used by the Navy and the Air Force. Adoption of a common plane would, undoubtedly, save millions of dollars.

Sixth. Mobilization reserves are maintained and replenished by the separate services in quantities which bear no relationship to a modern realistic mobilization plan. Retention of reserve industrial plants falls in the same category. Unnecessary costs amount to tens of millions of dollars annually.

In summary, it appears indisputable that:

First. As a result of interdepartmental rivalries, the Secretary of Defense is receiving conflicting advice from the Joint Chiefs of Staff, which results in perpetuating and initiating duplicating and even conflicting weapons systems;

Second. In view of the failure of the Joint Chiefs to review the major service weapons systems, the services themselves are unilaterally carrying out programs which duplicate and conflict with those of other services;

Third. As a result, the costs of our Defense Establishment over a period of years are, undoubtedly, billions of dollars higher than they need be. If these rivalries could be tempered, we could either have a greater degree of defense for what we are now paying, or the same degree for a substantially lesser sum of money.

MOBILITY OF MISSILES

I have repeatedly suggested that our intercontinental ballistic missiles should be deployed outside of the heavily populated areas within the continental limits of the United States to other areas under the control of our country. The difficulties involved in this course of action would be minor compared to the advantages which could be derived from such a more extensive deployment. The Department of Defense should immediately give consideration and arrive at a decision on this matter. By deploying these big missiles within the borders of the 48 States, we automatically concentrate enemy fire on our most populated areas. As others have pointed out, hardening these missile sites simply means that an enemy would have to attack with even greater weight in order to destroy them. Inevitably, much of the area surrounding these missile sites woud also be destroyed.

This characteristic of drawing away enemy fire from our shores is one of the unique advantages of the Polaris system. It is probably too late now to deploy the Atlas and Titan outside of the 48 States, but it is not too late to plan for the deployment of the solid fuel Minuteman in this manner, as well as the modified Jupiter. Because the Minuteman promises to be and the modified Jupiter is a less complicated missile, they would be the logical missiles to deploy outside the 48 States. Again let me say that I recognize the additional complications involved in such a deployment, such as local defense of the missile sites, communications, ships, troop facilities, and so forth. But the benefits to be gained, it seems to me, far outweigh any costs which might be generated thereby. As a matter of fact, under present military construction cost estimates for border

bases in the United States, it is possible to save large sums of money.

AIR DEFENSE

Members of the Appropriations Committee did not look with favor upon the 1960 Air Defense budget presentation of the Department of Defense. Our Committee rejected the Defense Department's original plan of funding both Bomarc and Nike-Hercules for complete coverage of the United States at a total projected cost of well over $8 billion. The new proposal which we have approved by funding in the 1960 budget is a compromise resulting from our committee's insistence that the Department of Defense keep its "feet to the fire" and come up with a less costly plan to meet the diminishing threat of manned aircraft. I have been asked to explain this revised plan to the House today.

Mr. Chairman, I think we can all agree that the real defense of this Nation, and indeed the entire free world, rests on our ability to strike a decisive retaliatory blow if we should be attacked. This, of course, is our longstanding policy of deterrence. But if war should nevertheless come, we must have something more than just the ability to strike back with devastating force. We must, within the limits of technical feasibility and the resources available, provide for the protection of our retaliatory forces and at least a reasonable degree of defense for our population and production centers.

I believe we all recognize that the new air defense plan is no panacea. It will not, in itself, solve the virtually insoluble problem of defense in the missile age. But it does, in my judgment, provide a reasonable balance between defense and offense. The funds allocated for defense against manned bombers in the 1960 budget now amount to less than 10 percent of the total, and less than half the amount allocated to the support of the Strategic Air Command alone.

NEW AIR DEFENSE PLAN

Mr. Chairman, I realize that this body has devoted a great deal of time and attention to the air defense problem, particularly in connection with the debates on the Department of Defense appropriation bill for fiscal year 1960. However, at the time of the debate we did not have available the new air defense plan which was only recently completed by the Defense Department.

You will recall, that in the absence of firm decisions on some of the major air defense weapons systems, the Department of Defense appropriation bill reported by the Committee on Appropriations effected a sizable reduction of $162,700,000 in the President's budget request for the Air Force Bomarc antiaircraft missile. The committee report accompanying the bill clearly stated that this action was "a further effort to focus attention upon the necessity for an early decision on the air defense missile controversy." The report further stated that "the committee would be willing to appropriate the full budget estimate and more if it had full confidence in the Bomarc missile—if it had the assurance that the system would actually work." The report went on to state that "before further commitments and expenditures pile up, a new hard look should be given to the proposed Bomarc and the whole air defense problem."

In my judgment the new air defense plan proposed by the Defense Department fully satisfies these requirements of the committee and did merit the full support of the House.

The air defense problem has in the last year become so enmeshed in controversy that I believe some of the fundamental considerations involved in this program have become completely obscured. It may be useful, therefore, to summarize in broad outline the main features of the new air defense plan and the principles upon which it was based.

First, I think it is important that it be clearly understood that the new plan does not change the basic concept for the air defense of the North American Continent, nor does it make an exclusive choice between the Nike-Hercules and the Bomarc. This was, as far as I know, never the intention of the Defense Department. Secretary of Defense McElroy has stated on numerous occasions that the problem was not one of eliminating one or the other of the two systems but, rather, one of properly meshing them together so as to minimize overlapping coverage in any one area. He never said that there would not be a place for both the Nike-Hercules and the Bomarc in the air defense system. This is entirely logical since neither of these weapons systems fully meets all the requirements by itself; each has its strengths and each has its weaknesses. By using them in proper combination, it is possible to capitalize on their strong points and overcome in large measure their individual shortcomings. I will discuss this aspect of the problem a little later.

AIR DEFENSE FOR NORTH AMERICA

The present plan for the active defense of the North American Continent against attack by manned bombers or aerodynamic missiles still rests on these basic principles:

First. That the air defense of the North American Continent is the joint responsibility of the United States and Canada.

Second. That attacking aircraft should be engaged as far out from the population and industrial centers of the United States and Canada as feasible.

Third. That enemy aircraft should be kept under continuous attack if they succeed in penetrating the outermost zone of defense.

Fourth. That the weight of our air defenses should be concentrated across the most probable routes of attack and in the most vulnerable target areas.

THREE ZONES OF AIR DEFENSE

To carry out these principles current planning provides for three zones of active air defense and a farflung warning system extending from Midway Island in the Pacific up around the far northern boundaries of the North American Continent and down across the Atlantic approaches. As the air battle is presently visualized, the first attempt to destroy or turn back invading aircraft would be made in the outer zone by manned interceptors. If the enemy aircraft should succeed in passing through this zone of defense, they would then be engaged in the intermediate zone by other manned interceptors and, when available, by the Bomarc surface-to-air missile which in its new version—the Bomarc-B—will have a range of 300 to 400 miles. The Bomarc would be deployed only around the periphery of the United States and as far north in Canada as possible. It would be integrated with the SAGE system which directs both the Bomarc and the manned interceptors to the enemy aircraft.

If the attacking aircraft should succeed in penetrating to the inner zone of defense, they would then be engaged by the Nike-Hercules and the Nike-Ajax batteries which are so deployed as to provide close-in protection for population and industrial centers and other high priority targets.

The new plan, of course, is based on the assumption that the manned bomber threat will be with us for some time to come. This assumption is entirely reasonable inasmuch as our military leaders still consider the manned bomber to be—both for ourselves and a potential enemy—the principal means of delivering large nuclear warheads in the volume and with the accuracy needed to strike a decisive blow. Consistent with this assumption, the President's 1960 budget included funds for additional B–52 heavy jet bombers and B–58 supersonic medium jet bombers, and for the continued development of the B–70, a new supersonic long-range jet bomber.

While the Soviet manned bomber force will not increase quantitatively to any substantial degree, it will remain, for several years ahead, a dangerous threat. The details of this threat were given to the Defense Subcommittee by General Twining, Chairman of the Joint Chiefs of Staff, in a classified presentation.

Furthermore, if the Soviet manned bomber force were to be modernized by the introduction of a supersonic model aircraft similar to our own B–58 or proposed B–70, our conventional air defense program would take on renewed importance.

The new air defense plan, however, does recognize that the intercontinental ballistic missile and submarine-launched missile threat will be increasing and may or will ultimately become the principal threat. The new plan, therefore, provides for a further acceleration of the antimissile defense effort to the maximum extent justified by the present state of our knowledge. An additional $137 million will be applied in fiscal year 1960 to the development of the machinery and processes that would be required for the large scale production of materials and components for the Nike-Zeus anti-missile missile, if and when the decision is made to go into production on this weapon system.

This $137 million is over and above the $300 million included in the President's 1960 budget for the Nike-Zeus and already voted by the House. The additional funds are to be derived partly from the $200 million of additional funds

recommended by the Appropriations Committee and approved by the House for Nike-Zeus and/or Army modernization, and partly from savings effected through the reduction of the previously planned Nike-Hercules program.

While almost three-quarters of a billion dollars will have been invested in the Nike-Zeus program through fiscal year 1960, this represents but a very small part of what the total cost for this system may reach. Estimates have been made that a minimum total cost of $10 billion could be expected for a reasonable, effective Nike-Zeus missile defense system. It is in the light of this tremendous outlay to which we would be committing ourselves, as well as the unprecedented technical problems, that the difficult decision of when to go into actual production on the Nike-Zeus must be made.

BALLISTIC MISSILE EARLY WARNING SYSTEM

At the same time, the new plan continues the major emphasis being given to the construction of the new ballistic missile early warning system. Including the amount contained in the Department of Defense appropriation bill for 1960 as passed by the House, a total of more than three-quarters of a billion dollars has been earmarked for this purpose.

The Ballistic Missile Early Warning System—BMEWS—is intended to provide that critical margin of warning against ballistic missile attack which would enable our strategic forces to get off on their retaliatory mission. Work has already started at the two most important sites of the three that ultimately will be needed. At each of these locations huge radars, large as a football field, will be able to "see" for more than a thousand miles and to detect enemy missiles early in their flight. Automatically, the warning and approximate trajectory information will be flashed back over long lines of communication to the retaliatory forces, the active defenses such as Nike-Zeus, and our population centers; thus providing us with the precious minutes of warning so necessary for our survival and effective retaliation.

While the new plan provides for a further increase in the antimissile defense effort, it also provides for a gradual reduction in the air defense effort against manned bombers. The number of manned interceptor squadrons will be steadily reduced over the next few years and a significant reduction in the previously planned number of Nike-Hercules battalions and Bomarc squadrons has also been made.

As I mentioned earlier, the reduction in the ultimate number of Nike-Hercules and Bomarc units is made possible in the new plan chiefly by minimizing the overlapping coverage of the two air defense weapons systems. In general, the Bomarc will be deployed along the east and west coasts of the United States, along our northern border, and into Canada. Units in Canada will be operated and manned by Canadians. Deployment of the Nike-Hercules will be further extended, in a limited way into the interior of the country for point defense of key targets. The new plan, however, calls for considerably fewer Nike-Hercules sites than originally planned for less exposed targets in the central portion of the United States.

In keeping with these changes in weapon programs, the new plan also makes certain changes in the aircraft warning and control network. There will be some reduction in the number of SAGE centers originally planned in the central and south-central part of the country, but the super SAGE combat center program will go forward. Most of the latter are to be hardened SAGE complexes.

Similarly, there will be a reduction in the planned number of prime radars to be constructed in the less vulnerable part of the country, but the number of gap filler radars in the northern section of the United States and Canada will be increased to provide better low altitude coverage necessary for the Bomarc. In order to provide for the overwater direction and control of the Bomarcs, deployed along the east and west coasts of the United States, improvements will be made in the airborne early warning aircraft assigned to offshore patrol. Prime radar coverage in critical areas will be improved by the installation of the new frequency diversity radars.

These radars not only have improved performance but they are are also considerably less subject to enemy electronic countermeasures techniques.

The new plan did not make any changes in the F–108 program. This is the new long-range, mach 3, manned interceptor system now under development. The Secretary of Defense has indicated that this particular weapons system will be kept under continuous study in light of the changing nature of the threat. It will be an extremely costly system and, according to the Secretary of Defense, might cost $5 to $8 billion even for the relatively small number of squadrons contemplated. It should be noted, however, that no funds were provided for Air Force manned interceptors in the 1960 budget. This means that in a few years from now the F–108 will be the only manned interceptor available for production if such a weapons system is still deemed necessary at that time.

In summary, the new plan reduces the originally planned number of Nike-Hercules battalions by about one-fourth, and the number of Bomarc squadrons by something less than one-half the number previously planned. At the same time the antimissile missile effort is expanded and significant improvements are projected in the ground electronics environment.

The monetary reductions resulting from these changes in the air defense plan will be quite modest in fiscal year 1960—about sixty-odd million dollars. The real savings will come in future years. It is estimated that the new plan calls for about $1½ billion less through fiscal year 1963 than the previous plan. Thus, it may be anticipated that funds devoted to defense against manned aircraft will continue to decline over the years. In this connection, it is worth noting that the 1960 budget already showed a marked decline in funds for defense against manned bombers as compared with 1959—almost $1 billion less in capital costs—research, development, test, and evaluation; procurement; and military construction. Conversely, the 1960 budget now contains almost 2½ times more funds for ballistic missile defense than was provided for fiscal year 1959.

As I have already stated, no additional funds were requested in the 1960 budget for manned interceptors for the Air Force and the amount of funds requested for Nike-Hercules, Hawk, and Bomarc was also considerably less than the amount provided for fiscal year 1959. The new plan further reduces the amount of funds required for Nike-Hercules and Bomarc in the 1960 budget.

It is fair to say that the actions taken by both the House and the Senate have speeded up these desirable trends already evident in the President's 1960 budget.

The new plan should not be construed as the final word on air defense. I am sure the Defense Department did not intend it as such. This is an area of extremely rapid technological change. It was only 5 or 6 years ago that the 90- and 120-millimeter antiaircraft guns were the backbone of the Army's air defense forces. The buildup of the Nike-Ajax, this Nation's first operational surface-to-air missile, was completed only about 2 years ago and only within the last 12 months has the Army acquired a significant Nike-Hercules capability.

In the Air Force, supersonic interceptors became available in significant quantities only 3 or 4 years ago. Yet in fiscal year 1960, there will be no further procurement of interceptor aircraft by the Air Force.

The Bomarc A, the Air Force's 200-mile range surface-to-air missile, will become operational this year, and the longer range version, the Bomarc B, will not be available in any significant numbers for some time to come.

Similarly, only 2 years ago, the distant early warning line was completed. Yet today, work is already underway on an additional system—BMEWS—for warning against ballistic missile attack.

AVAILABILITY OF NIKE-HERCULES AND BOMARC

The different time frames within which these various missiles become available are often overlooked in the controversy over Nike-Hercules versus Bomarc B. The Nike-Hercules, as I have stated, is with us right now. This weapon is already operational in fairly large numbers and additional units are in the pipeline. The operational availability of Bomarc B is off in the future. So it is incorrect to consider these two missiles as being available within the same time frame. For antiaircraft missile defense in the next year or two we must look to the Nike-Hercules supplemented by Bomarc A. Thereafter we will have available both Nike-Hercules and Bomarc B. By deploying the Bomarc B along the periphery of the United States and into Canada, overlapping with the Nike-Hercules can be minimized and this is what the new plan proposes to do.

But even within the same time frame there is still a use for both missiles. The Bomarc B will have a considerably longer range than the Nike-Hercules and also

promises a better low altitude capability. Properly deployed it can defend even against manned bombers carrying air-to-ground missiles, by attacking the manned bomber before it can release the missile. The Nike-Hercules, on the other hand, has a capability against air-breathing missiles of the type which might be carried by manned bombers or launched by submarines. So, even in the time frame in which the Bomarc B will become available, the Nike-Hercules will be able to make a significant contribution to the Nation's defenses against manned bomber attack.

Although the number of our manned interceptor squadrons will be gradually reduced over the next few years, we will still retain a considerable capability in this field even in the time frame in which the Bomarc B is expected to become available. These manned interceptors, together with the ground-to-air missiles will provide a mixture of complementary systems which, in combination, will give us a much higher degree of protection against attack by manned bombers than any one of the systems could provide alone.

This defensive complex against manned bomber attack must and is being supplemented by a system of defense against ballistic missile attack. I have already mentioned the ballistic missile early warning system. But work is also being done on more advanced means of detecting a ballistic missile attack. One of these systems is known as Midas—a satellite equipped with infrared sensing devices. A number of such satellites circling the earth would be able to detect the great blast of heat emitted by a missile when taking off. Detection of an enemy missile attack at the time of launching would roughly double the amount of warning time available from the BMEWS radars. With this additional warning time a large part of our strategic retaliatory forces would be capable of getting off to deliver their counterblow.

For active defense against ballistic missile attack, we have under development only the Nike-Zeus at this time. The feasibility of this system has yet to be demonstrated. I am sure that the Members of this House are aware of the extremely difficult problems involved in the development of an effective system of this type. I believe the 1960 program as now planned goes about as far as is prudent in the light of our existing knowledge. The Congress and the people of this country should be aware that, even with an outlay of $10 billion or more for Nike-Zeus, there can be no assurance that we could escape terrible damage in the event of an all-out nuclear war, once our principal opponent acquires a large stock of intercontinental ballistic missiles. This situation is fully recognized by the Defense Department and other approaches to this problem are being actively explored. In a recent address, Roy W. Johnson, Director of the Advanced Research Projects Agency, stated that the Defense Department has "undertaken more than 50 separate programs to obtain the crucial information necessary for design of a system which will meet the rising threat. These programs seek to define this threat, to find improved methods for early warning, for identification and discrimination of the incoming warhead, and for kill mechanisms and data processing."

Mr. WIER. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I yield to the gentleman form Minnesota.

Mr. WIER. During the course of the discussion of the so-called missile programs——

Mr. LAIRD. My discussion as far as mobility is concerned does not have to do with the Nike or Bomarc. It has to do with the longer range missiles.

Mr. WIER. The question would be the same. At any time during the hearings on this change of program did the Air Force give any indication that the Bomarc system was superior or better?

Mr. LAIRD. Yes, there was discussion of that. It has always been the feeling, I think, of the majority of the members of the committee, in the discussions that I have had, that the Bomarc missile would be much more effective further north. You are speaking of the Bomarc missile in your question to me, which is a surface-to-manned-aircraft missile. It is an interceptor missile. It was always felt that the further north we could move that particular concept the better off we would be, because it is better for us to intercept earlier than have Nike-Hercules or some other type of weapon at a later time, and it was always felt that if we could move this particular base to the north, certainly our committee should not stand in the way if the Canadian Government and others enter into an agreement for that type of a missile base.

Mr. WIER. Let me add this: During the last 3 years I assume that the Air Force has spent a lot of money in laying out and planning for this so-called auxiliary air base in our northern tier of States, which they abandoned and then came forth with this Nike-Hercules installation along the northern border. Now, they spent considerable money for the Bomarc unit, and they already have the Duluth base pretty well established.

Mr. LAIRD. Well, even if Bomarc would not go to Duluth, the Duluth base would still be a fighter-interceptor base, and that is what it is at the present time.

Mr. Chairman, this military construction bill comes to the floor of the House today with the unanimous support of our subcommittee. I believe that this represents a real effort on the part of the members of our committee, our subcommittee, and the full committee to bring you a bill that can receive the unanimous approval of this House today.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I yield to the gentleman from Iowa.

Mr. GROSS. How much money is there in this bill?

Mr. LAIRD. The total appropriation level in the bill as reported is $1,285,002,700.

Mr. GROSS. Mr. Chairman, I think there ought to be more than a handful of Members on the floor to hear debate on any bill costing more than a billion dollars, and I therefore make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and one are present, a quorum.

Mr. THOMSON of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I yield to the distinguished gentleman from Wyoming.

Mr. THOMSON of Wyoming. The military construction authorization bill as it was signed into law authorized construction of some 1,900 more Capehart housing units than was originally contemplated when the budget was submitted. It is my further understanding that the only appropriated funds required for this program are small amounts for utilities, streets, landscaping, et cetera.

Mr. LAIRD. They are the supporting facilities.

Mr. THOMSON of Wyoming. No additional funds are provided. In fact, as appears at page 23 of the committee report, general support for the Capehart housing program is reduced from $9 million, requested in the budget, to $8 million, or a net reduction of $1 million.

At page 8 of the committee report there is the following:

> The Department of Defense is directed to inform the Committees on Appropriations of the House of Representatives and the Senate, prior to the advertisement of contracts for any Capehart housing not included in the specific funding programs presented to the committees.

As I understand, some supplementary material was presented to the committee after the initial program was presented. What I would like to ask the gentleman is, in light of these facts, is the Air Force expected to supply the necessary support for the additional units that may be programed for construction within the funds herein appropriated and within the language the committee has in its report?

Mr. LAIRD. That is correct. They have submitted to our committee a list of projects which they expect to move forward on in the fiscal year 1960. If they want to go beyond that list, it is my understanding it will be necessary for them to come back to our committee for approval.

Mr. THOMSON of Wyoming. I appreciate the answer to that question, because there are 156 units involved at the Warren Missile Base that are considered to be critically needed.

Mr. LAIRD. It is my understanding that those particular units are on the list that was submitted to the committee.

Mr. THOMSON of Wyoming. I thank the gentleman.

Mr. SHEPPARD. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. ROBERTS].

Mr. ROBERTS. Mr. Chairman, I take this time to say that, of course, I respect the work of this great committee. I recognize that we cannot all be for economy and then just be for the kind that affects us. However, I was greatly distressed when the committee saw fit to strike the funds for the Fort McClellan Hospital, at Fort McClellan, Ala. This was one of

the projects that was authorized and appropriated for and was ready for the stage of funding when it reached the attention of the subcommittee.

This facility was requested by the Department of the Army last year. It was in the budget, it was approved by the Congress, and I was assured as late as April of this year that plans were going along according to schedule. So I say it comes with a great deal of disappointment that the committee has seen fit to take this action, especially as it is the only project that had reached the funding stage, if I understand it correctly.

When it reached that stage there ensued a hassle between the Bureau of the Budget and the Department of the Army as to whether or not this hospital would be constructed on the basis of 125 beds on a 200-bed chassis or would be a central or block-type structure. This installation serves approximately 6,000 service personnel. It is the home of the Chemical Corps Training Center, the WAC Center, and the 3460th Army Support Unit, serves military personnel with dependents overseas, Army personnel in Alabama, Mississippi and Georgia. Alabama and Mississippi National Guardsmen train there each summer. These people have been hospitalized in cantonment-type buildings consisting of well over 100 buildings scattered over that installation, costing this Government roughly over $200,000 a year in maintenance and repair. These figures are contained in a report made by the Bureau of the Budget.

I think I know a little bit about hospital construction because for the last 9 years I have served on the subcommittees dealing with health, and I have visited a good many hospitals.

I cannot agree with the committee that you can spend over $200,000 a year on these types of buildings and make it a matter of economy. The funds requested were about $3,331,000 this year. It had already been cut from $3.9 million. The first sum mentioned would be amortized in anywhere from 10 to 15 years. I am of the opinion that when you have to lay out that much money in buildings that are nothing in the world but tinder boxes which you cannot heat in the wintertime, and you cannot cool off in the summertime, that is not a very wise expenditure of funds.

The committee has seen fit to disallow the request for all hospital construction, as pointed out by the distinguished chairman. Of course, I think the committee is right in taking a look at the high unit cost of hospital construction. At the same time, I do feel that the committee should reconsider this matter. I hope when the report from the other body gets back to this body, or to the conferees, it will be reconsidered on the basis that it is the poorest kind of economy to spend the amount of money you are spending where you cannot adequately service the personnel in that area, and cannot render proper medical care and protection.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS. I yield.

Mr. SIKES. I commend my distinguished and close friend, the gentleman from Alabama, on his zeal in seeking to secure the construction of a hospital at Fort McClellan. I share his disappointment that this hospital is not being appropriated for in this bill. The gentleman has stated that funds were included last year to build a hospital at Fort McClellan. The need was recognized at that time. But, the Army estimates of requirements for a hospital at Fort McClellan have varied and the committee is disturbed with this situation. Although money was appropriated last year, the Army did not program the construction of the hospital and did not allocate the funds. Instead the Army came back to the Congress a second time, asking for a new appropriation of funds even though funds were available throughout the last fiscal year and they could have built the hospital last year. The committee, which is sympathetic to this problem is placed in a difficult position, for Fort McClellan appears subject to the same weaknesses of programing and costs that have been found with reference to the other hospitals which were recommended by the services. The committee felt it would be in an extremely awkward position if that hospital were considered separately and funds again appropriated for construction of this hospital while the other nine hospitals were deleted. The gentleman knows I am sympathetic toward the need for a hospital at Fort McClellan. I think all this committee wants is to be sure we get the most hospital facilities we can for the money it is necessary to spend. We do not under any circumstances want to deny anybody who needs hospitalization the hospital facilities that are needed. Of course, I cannot speak for the entire committee, but as one member of the committee, I am prepared to say I am ready to vote for additional hospital facilities when the proper need is shown and when a proper program is advanced.

Mr. JONAS. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. AVERY. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Sixty-eight Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 126]

Alford	Coad	Halpern
Anfuso	Curtis, Mass.	Hargis
Arends	Daddario	Healey
Barden	Davis, Tenn.	Holt
Baring	Dawson	Holtzman
Barrett	Delaney	Jackson
Barry	Diggs	Judd
Bates	Dollinger	Magnuson
Bentley	Donohue	Martin
Bosch	Dulski	Metcalf
Bow	Edmondson	Miller, N.Y.
Bowles	Elliott	Minshall
Brewster	Farbstein	Morrison
Brown, Mo.	Fino	Multer
Buckley	Flynn	Nix
Budge	Gallagher	O'Brien, N.Y.
Cahill	Giaimo	O'Neill
Canfield	Glenn	Oliver
Cannon	Granahan	Osmers
Carnahan	Green, Pa.	Philbin
Powell	Taber	Toll
Rostenkowski	Taylor	Vanik
Smith, Miss.	Teller	Westland
Spence	Thompson, La.	Zelenko

Accordingly the Committee rose; and the Speaker pro tempore [Mr. ALBERT] having assumed the chair, Mr. KILDAY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 8575, and finding itself without a quorum, he had directed the roll to be called, when 357 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I take this time to ask the chairman of the subcommittee or some member of the subcommittee a few questions. Is there any money in this bill for further construction of the Air Force Academy?

Mr. SHEPPARD. There is not.

Mr. GROSS. None at all?

Mr. SHEPPARD. None at all.

Mr. GROSS. I asked the question because I note in the hearings they are spending some $4,500 on drapes for the dining hall at the Air Force Academy.

Mr. SHEPPARD. That is from last year's appropriation.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. GROSS. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. I just want to ask, Mr. Chairman, is it possible to have a section of the floor set apart for those who want to talk or otherwise be out of order.

The CHAIRMAN. The gentleman frm Michigan is not stating a parliamentary inquiry.

Mr. SHEPPARD. In response to the gentleman, may I call attention to section 110 of the bill, which reads as follows:

SEC. 110. No part of the funds contained in this Act shall be used to incur obligations for the planning, design, or construction of facilities for an Air Force Academy the total cost of which will be in excess of $137,797,000.

Mr. GROSS. The gentleman from California, the chairman of the subcommittee, specifically asked the Air Force last year if those overhangs on the roof of the dining hall at the Air Force Academy would be sufficient to obviate the necessity for drapes; is that not correct?

Mr. SHEPPARD. That is correct.

Mr. GROSS. But this year we find that some $4,500 has been or will be expended for drapes to cover the windows of the dining hall.

Mr. SHEPPARD. That is correct.

Mr. GROSS. Let me ask the gentleman, in view of the testimony given to you last year and which was made a part of the record, what is proposed to be done about this sort of thing.

Mr. SHEPPARD. That all depends upon what the Office of the Secretary of Defense and the Secretary of the Air Force may do. We certainly had an un-

derstanding between the Congress and the military agencies as to what the limitations were. The gentleman from Iowa knows equally as well as I do that those agreements were not kept.

Mr. GROSS. But what do we do—just slap those responsible on the wrist and give them a little warning and send them on to do it all over again? Now this is not a large item, but here witnesses appeared before a committee of the House saying that this expensive roof was justified because it would keep the sun out of the dining room, and yet give a panoramic view of the mountains and valleys or whatever it is out there, I have not been there, and yet we find they have expended $4,500 for drapes. We must do better than that to impress upon some people their obligations to Congress. It seems to me somebody ought to be demoted; somebody ought to be disciplined in the military service, if that is where the mistake was made. And, if it is in the civilian branch, then somebody ought to be fired for that sort of thing.

Now, Mr. Chairman, let us go to a larger item and I refer to a hospital in France. Is there any money in this bill for a repetition of the deal whereby a $5,700,000 military hospital was constructed in France that is not being utilized, now growing up to weeds. What is the answer to that story?

Mr. SHEPPARD. Of course, what was the motivating factor there or what led to these conditions is pretty difficult to explain. One of the primary reasons why we have been so careful in this bill, particularly with reference to expenditures for hospitals is to see that we do not have a repetition of this French episode to which the gentleman has referred.

Mr. GROSS. Who came before your committee and testified that they had to have this hospital in the first place? I would like to know that.

Mr. SHEPPARD. I was not on the committee at that time. Perhaps someone else can give the gentleman the information relative to the particular matter to which the gentleman refers.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am happy to yield to the gentleman.

Mr. JONAS. The record shows that the committee inquired very carefully into this matter and let its feelings with respect to this hospital be known in very certain terms. The testimony before the committee indicated that this hospital was programed in 1951 when it was contemplated that we would have 70,000 troops and civilian personnel, including dependents, in France. This was one of two area hospitals programed. One was to be in Paris and the other was the hospital to which the gentleman now refers. Later on the hospital in Paris was eliminated from the program, and this hospital that we are talking about was built as a 300-bed hospital. The committee did not know anything about this hospital until the gentleman from Wisconsin [Mr. LAIRD] reported having inspected it on a recent trip when he was attending a meeting in Geneva, I believe. The committee immediately began working on the matter and brought the people from the Department up and subjected them to pretty careful cross-examination.

We were not satisfied with that explanation. We did not think the hospital should have been built under the circumstances under which it was built and we certainly do not approve leaving it standing idle, the grounds growing up in weeds. We are informed that the situation has been reviewed, and it is now contemplated to install 150 beds in this hospital which was built for 300 beds.

Mr. GROSS. No; it is a 1,000-bed hospital.

Mr. JONAS. No; it is a 300-bed hospital. The equipment is on board and in hand for a thousand beds in case they want to expand it beyond the 300 beds contemplated. It was built as a 300-bed hospital.

Mr. GROSS. There is, according to the hearings, expensive equipment stored in garages and various other places in France for this hospital, yet witnesses appearing before your subcommittee had no inventory of this equipment; they could not or would not state how much it was worth or precisely where it is stored.

Mr. JONAS. I hope the gentleman does not think the members of our subcommittee approved that.

Mr. GROSS. I am sure the gentleman from North Carolina and members of the subcommittee did not approve, but what I am trying to get at is how many more of these $6 million mistakes can we tolerate.

Mr. JONAS. The members of this subcommittee will not tolerate any if we can prevent it.

Mr. GROSS. Here is what General Cullen stated before your subcommittee:

> The Air Force strength has been markedly reduced.

Then he was asked to supply additional information and here is what he sent up to you by way of a statement which was inserted in the record:

> At the time construction contract for the hospital at Exreux, France, was awarded, the existing Air Force military strength for France in 1955 was 19,851.
>
> The existing Air Force military strength in France as of March 1959 was 19,766.
>
> Construction costs including supporting facilities and fixed equipment were $5,708,500. No cost data is available for equipment stored for 1,000 bed mobilization hospital.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. JONAS. If the gentleman will read a little more of the testimony of General Cullen, he will see that he made the statement also that at the time this hospital was programed they contemplated serving 70,000 people—military and civil.

Mr. GROSS. In the light of information subsequently submitted I cannot see how they reduced that fast.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. LAIRD. I happen to have been the Member who discovered this particular hospital.

Mr. GROSS. Yes; and I want to compliment the gentleman for the information he provided.

Mr. LAIRD. As my wife and I were driving through that area of France on our way to Le Havre to return home, we saw a sign which said there was an Air Force installation there. We asked the driver to take us to the grounds, where we inquired about and found that this hospital construction had been started about 1955. The information that was subsequently furnished the committee after we had called the witnesses up from the Air Force clearly shows that at the time construction was started for this hospital there were only 19,851 Air Force personnel. As of this date there are a little over 19,000 in France. It seems to me that this is a ghost hospital. There are no plans as of today for the utilization of this $5 million hospital.

Mr. GROSS. For even 150 beds.

Mr. LAIRD. There are no plans as of today for the utilization of even 150 beds.

Mr. GROSS. No firm plans; that is right.

Mr. LAIRD. There was a plan about which the general testified, but I think it was a very hurriedly gotten together plan, but before that there was no plan for the utilization of these hospital facilities.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. JONAS. Mr. Chairman, will the gentleman yield to me if I yield him more time?

Mr. HOFFMAN of Michigan. Mr. Chairman, a point of order. I object to this bargaining.

Mr. JONAS. It is collective bargaining. I yield the gentleman 3 additional minutes.

Will the gentleman yield?

Mr. GROSS. I yield to my friend from North Carolina and thank him for yielding me additional time.

Mr. JONAS. May I make it crystal clear that I am not defending this situation at all. I do wish to call attention to General Cullen's testimony at page 897 of the hearings where he states the hospital was built because of the expectation of there being 70,000 military personnel and their dependents in the area.

General Cullen's statement is as follows:

> General CULLEN. This hospital was first brought in our Air Force program in 1951. It was authorized by Congress in 1952 as a 500-bed hospital. It was planned at that time that this would be one of two area hospitals, the other being in the plans as the Paris area hospital, which has never been built; it was dropped out of the program later on.
>
> At that time we were planning to take care of 70,000 military personnel and their dependents, plus civilian personnel and their dependents.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. HOFFMAN of Michigan. I want again to commend the gentleman in his

efforts to get economy, but how do you expect to make very much progress when earlier today you could not get a hundred to stand up and demand a rollcall on stadium expenditures?

Mr. GROSS. On another budget-busting bill; that is right. But I am hopeful.

Mr. HOFFMAN of Michigan. I am glad the gentleman is hopeful.

Mr. GROSS. Hopeful that some drops of water will eventually fall on the fertile soil of economy.

Mr. HOFFMAN of Michigan. I will be glad to do what I can to help.

Mr. GROSS. I appreciate that. Let me ask if there are any plans for the expansion of Army Ordnance facilities.

Mr. SHEPPARD. There is not.

Mr. GROSS. There are some funds for the building of roads at the Anniston, Ala., arsenal?

Mr. SHEPPARD. That is true, but that is not for expansion as such.

Mr. GROSS. Anything else?

Mr. SHEPPARD. What does the gentleman mean by "anything else"?

Mr. GROSS. There is that money to expand facilities at Anniston, Ala. What I am interested in is this: As the gentleman well knows, they are closing the San Jacinto Ordnance Depot. I do not want to hear anybody come on the floor of the House and ask for funds to build another ordnance depot some place in this country when they are disposing of an excellent facility just south of Houston, Tex.

Mr. SHEPPARD. There are no new ordnance depots in the bill.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from North Carolina.

Mr. JONAS. Let us make this clear for the record. The spokesmen of the Army said that they had no plans to ask for any ordnance depot be built on the east coast or the gulf coast. That is in the record.

Mr. GROSS. The gentleman knows they were about to build one at a cost of $44 million in Alabama as a replacement for the San Jacinto Depot. That went out of the window because, I am sure, they feared the Congress would never swallow that proposition.

Mr. JONAS. We tried to make a clear record on this and asked the specific question and it was answered in the affirmative, there are no plans for additional depots either on the east or gulf coasts.

Mr. GROSS. I thank the gentleman.

Mr. SHEPPARD. Mr. Chairman, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

AGAWAM, MASS., TO GET $210,000 FOR NATIONAL GUARD ARMORY

Mr. BOLAND. Mr. Chairman, the military construction appropriation bill for fiscal 1960, before us today, contains an item for $210,000 that will be used for the construction of a much-needed National Guard Armory in Agawam, Mass.

The sum for the Agawam Armory will come from the $11 million appropriated in this bill for Army National Guard. The Appropriations Committee cut a total of $278,197,300 from the President's budget estimates of $1,563,200,000, leaving $1,285,002,700 for military construction in the current fiscal year.

AGAWAM NATIONAL GUARD ARMORY AUTHORIZED IN 1958

Mr. Chairman, Agawam's National Guard Armory was authorized in the military construction authorization bill last year. The need for the armory was stressed to me in the following telegram received from the then chairman of the Agawam Board of Selectmen, Irving R. LaFleur, dated August 15, 1958:

U.S. Representative EDWARD P. BOLAND,
House of Representatives,
Washington, D.C.:

We are asking for your support on bill for the National Guard Armory in Agawam, Mass. It is very urgent that we get an armory in our town.

IRVING R. LAFLEUR,
Chairman, Agawam Board of Selectmen.

PROJECT HAS RECEIVED CONTINUED SUPPORT OF TOWN OFFICIALS

On June 25, last, Chairman Walter T. Kerr, of the present board of selectmen, wrote to me again pointing up the need for this armory facility, as follows:

DEAR CONGRESSMAN BOLAND: The full board met with Adjutant General (William H.) Harrison Tuesday, June 23, 1959. He is very interested in seeing the Armory get under way, because of crowded conditions, and it is his hope that, if the money is available, it could be started the first part of the 1960 fiscal year.

The general said he will make every effort to get the Agawam Armory under way as soon as the money is released by Congress.

Yours very truly,

WALTER T. KERRY,
Chairman,
JAMES P. KANE,
ARTHUR JOHNSON,
Board of Selectmen.

AGAWAM ARMORY ON MASSACHUSETTS PRIORITY LIST FOR 1960

Mr. Chairman, evidence of the need for a National Guard Armory in Agawam can also be found by checking the priority construction list set up by Adjutant General Harrison of the Commonwealth of Massachusetts and approved by the National Guard Bureau at the Pentagon. Agawam is second on this list.

The first Rifle and Weapons Platoon, Company B, 1st Battle Group, 104th Massachusetts Infantry of the famed Yankee Division has been meeting in the basement of the Agawam Town Hall. This facility has no drill hall or rifle range and has inadequate storage and administrative areas. The proposed one-unit Armory, known as an M unit, will accommodate 100 men. The National Guard constructs M unit centers in small communities where it is often difficult to locate adequate leased space. The personnel strength at Agawam is now 81 officers and enlisted men. Total cost of the structure of the armory will be $280,000, with the Commonwealth of Massachusetts contributing $70,000 and the Federal Government $210,000. The armory will provide year round facilities in support of essential training of the Army National Guard to meet the mobilization mission.

ONE MILLION AND THIRTY THOUSAND DOLLARS FOR AIR NATIONAL GUARD JET HANGAR AT BARNES AIRPORT

Mr. Chairman, this bill also includes an appropriation of $1,030,000 for construction of a modern hangar to replace an obsolete structure for the 131st Tactical Fighter Squadron of the Massachusetts Air National Guard at Barnes Airport, Westfield, Mass. This is the only Air National Guard facility in western Massachusetts and Barnes Airport is also headquarters for the 104th Tactical Fighter Group. The Air National Guard and Department of the Air Force estimates it will cost $300,000 to strengthen the present hangar built in World War II with a life expectancy of 10 years at the time of construction. The shop space for jet engine buildup and electronic maintenance and repair is inadequate and would continue to be if the present hangar is not replaced. A total of 95 officers and 657 airmen use this facility.

Mr. SHEPPARD. Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi [Mr. WINSTEAD].

Mr. WINSTEAD. Mr. Chairman, I take this time to discuss two items that have been deleted from the Navy Jet Base at Meridian, Miss. I discussed this with some members of the subcommittee, since the report Friday, in which these two items, an auxiliary base and a crosswind landing field, had been deleted.

I would like to say first of all, so far as the base is concerned, the first request I made of the Navy when they announced this base was to locate the base somewhere without having to take new lands and build a new base. I regret exceedingly that the Navy failed to convince the subcommittee as they did me that a new auxiliary base was a real necessity and fully justified.

In the first place, when you build a new base in a community, you take land from the payroll, and you put nothing but a nuisance there in that community, and everybody around it resents the situation. The best thing that could happen was to do what the subcommittee is trying to do, if possible. But I know of no other existing base that could be used.

May I say again, I appreciate the problem the subcommittee had in seeing that agencies of the military and other agencies of the Government would go out and refuse to use certain bases that were available, taking bad land when there is good land available.

May I say that this is a training base. Some of these young trainees will be flying their planes for the first time and landing in this area. You will have crashes, you will have wrecks. Certainly you cannot fly hundreds of miles across any State or group of States to find a landing strip under such circumstances.

So far as the crosswind runway is concerned, I notice in the record you say the testimony showed a 10 to 15 percent usage. I would like to point out to the subcommittee that we have obli-

gated approximately $37 million for this base. If we are to have a real, genuine training base, we are convinced they must have proper runways in that section of the country. They need a crosswind runway. For a few months of the year we have those storms coming up fast. These boys will be flying airplanes costing a half million dollars or more and with only a few wrecks, not considering the lives also, the losses will more than cover these so-called savings.

May I say I appreciate the fact the members of the subcommittee have stated emphatically it is not your plan to say you cannot build a new runway or to say that you cannot build a satellite base, if no other support base can be found in existence to support the main base at Meridian.

We have asked them to come up with more information, and I have requested the Navy to furnish such information as they have been giving offhand before the other body. Every year we delay something that must be done, the next year it costs more, because the contractors have the available manpower and machinery there now and they can bid on contracts now costing less money than if it were postponed for a year.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. WINSTEAD. I yield to the gentleman from Florida.

Mr. SIKES. The gentleman has stated the problem very well. Of course, he is intimately familiar with this base and other bases around the country through his long and important service on the great Committee on Armed Services. This is the second outlying field for which funds were requested. The first outlying field already is located and, of course, that gives the Navy a little more time with which to complete its estimates on the requirements for a second outlying field. It gives the Congress an opportunity to ask the Navy to go back and take a close look to determine whether we can use one of the existing facilities for a second outlying field. Frankly, I think it is going to be found that these existing facilities are too far away to be used. But, let us be sure and have the Navy take a careful look, because if we can use an existing facility, it will save the Government a few million dollars. I know full well also that the gentleman does not want his own constituents dispossessed to make available the land needed for a new outlying field that has no economic value.

Mr. WINSTEAD. It is a necessary nuisance that has to go with a training base.

Mr. SIKES. Of course, it is also true that the base at Meridian must have the necessary facilities for training. If the Navy makes a strong case and shows there is no other facility that is satisfactory for the requirements of this training mission I do not think there will be any difficulty about meeting any legitimate needs. I think the same situation exists with reference to the crosswind runway. Even though it will be used only a small proportion of the time, when the base is in full operation there may be weather conditions when it is necessary.

This full operation is sometime in the future. Consequently, the committee asked that there be a reappraisal of the costs and the requirement.

Mr. WINSTEAD. So far as that is concerned, I am sure that they failed to make clear to your committee the statement they have given me, because I have been requesting them all the while to do just that. So, I hope you will give consideration to the additional information submitted in the Senate and which will be available for consideration in conference. As I have said, a delay of another year will certainly make this needed construction more costly.

Mr. SHEPPARD. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. MORRIS].

Mr. MORRIS of Oklahoma. Mr. Chairman, the House Appropriations Committee erred, in my judgment, when it reported this military construction appropriations bill, H.R. 8575, without funds for missile facilities at Fort Sill, Okla.

I truly respect this great Subcommittee on Military Appropriations including the distinguished chairman, but even in their wisdom they, too, sometimes err.

The Department of Defense asked the committee to fund $7,694,000. The committee allowed $4,615,000 which represents a cut of $3,079,000 and deletes all funds for missile facilities at Fort Sill.

I am a member of the House Armed Services Committee which approved the original authorization for this military construction, but I am not a member of the House Appropriations Committee. It may be that the Defense Department did not make as clear a case when it appeared before the Appropriations Committee and inasmuch as that committee did not report its action until last Friday, there is not sufficient time to secure facts and figures necessary to seek justification for restoration at this time. I believe, however, that such justification will be available and hope this money will be restored when this bill is considered by the Senate. In such event, I trust that the conferees will agree to such restoration because all my information is to the effect that these funds are badly needed at Fort Sill for the safety of America.

Fort Sill is one of the few outstandingly great military forts in our country. It is the artillery center for our Nation. It is one of the very greatest assets for our national defense. Our Nation has already invested, according to prevailing prices, about one-quarter billion dollars there. Fort Sill is where our artillerymen and artillery officers for World Wars I and II and the Korean conflict were trained.

In 1955 there was added to Fort Sill, in addition to the conventional artillery school, the surface-to-surface missile school. This reduction the committee has reported will greatly curtail the activities of such school, and it is my judgment that this surface-to-surface missile school is one of the most important parts of our national military program. It is my firm and considered belief that if we remain strong economically and militarily we can prevent a third world war. It is my further belief that if a third world war comes it will not come as a full-blown world war, like a thief in the night, but as an outgrowth of a brush-fire type of war that will evolve into a big, all-out war, unless it is put out; and if we remain strong enough to put out such small wars we can prevent an all-out world war, in my judgment. And I believe that there is nothing more important than a surface-to-surface missile program to put out such type of conflagrations.

Fort Sill is an ideal location for a conventional artillery and a surface-to-surface missile school. The weather, the terrain, and the location are ideal for such military installation.

It is true that the Army's proposed expansion—it is not presently a defense plan—calls for an enlargement of the range of fire there, but whether there is a plan, and if a plan, a reality of that plan or not, still the school should go on for the sake of our country's safety.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. MORRIS of Oklahoma. I yield to the gentleman from Florida.

Mr. SIKES. The artillery school at Fort Sill is one of our great historic bases. Of course, it is an essential base insofar as proper operations of the Army are concerned. The committee has no disposition whatever to limit necessary training exercises that are carried on.

I commend my distinguished colleague and good friend, the gentleman from Oklahoma [Mr. MORRIS], for his zeal in defending this base. As the gentleman has well stated, there has been considerable uncertainty on the part of the Army in recent months about just what they want to do at Fort Sill. There has been a question about whether the Army should acquire additional range. This is needed obviously because of the increase in the range of missiles. Missiles are coming more and more into the picture and conventional artillery is being phased out of the picture. Although the Army has not decided whether it is going to ask for additional range or not, it did come to the Committee on Appropriations with a request for a number of additional buildings and other facilities at Fort Sill. Unfortunately the Army did not show clearly that there would exist a need for these new facilities at Fort Sill, whether or not there is to be an extension of the range. That is the committee's present problem.

I think this is something that should be resolved quickly. It is very important for the future training of the Army, but it is up to the Army to resolve this in a positive and forthright manner so that the Congress can legislate and appropriate intelligently on these items. And that is all the gentleman is asking us to do. He is a hard-working member of a great committee, and his efforts are very valuable.

Mr. MORRIS of Oklahoma. Mr. Chairman, I thank the gentleman very much. I know of his great force here in the Congress. I know that he is one of the most dedicated and one of the greatest Members of this body, and that he is deeply interested in our defense. He is

very sincere in this matter and I appreciate very much the comments he has made.

Mr. SHEPPARD. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. KOWALSKI].

Mr. KOWALSKI. Mr. Chairman, I would like to bring to your attention a problem that the committee has created for the Navy at the Naval Submarine Base at New London, Conn.

First, however, I want to commend the committee for taking a hard, critical look at the requirements of our Military Establishment, and I hope that the committee will continue to scrutinize the execution of the military programs. As you know, I have been trying to do that, too.

Specifically, at New London, Conn., the Navy asked for funds to construct six barracks, to acquire some land, and to build a security fence for a housing program which would be used to billet the crews for our Polaris submarines, and for the nuclear submarines which are being built there. This program is important to the country and, of course, is important to this particular base at New London. The committee in its report on page 19 recorded:

> While the committee has approved the request of $877,000 for the replacement of boiler facilities at the Naval Submarine Base, New London, Conn., it has denied the request for the construction of new barracks and security fencing and acquisition of land therefor. The location of these barracks should be restudied with the idea of placing them on existing Government property at this location.

It is obvious that the committee is not against the construction of the barracks themselves. The committee agrees these barracks are needed. The question at issue is where should these barracks be located. The Navy feels they need the additional land. The land will cost about $27,000, the security fence about $17,000, a total of about $44,000.

The location that was suggested by the committee would cause the Navy to spend about $124,000 for extension of utilities. There are other locations that apparently the Navy has not studied.

I think it is important to bear in mind that if construction of these barracks is delayed for 1 year, it will affect the Navy in its program of trying to get ready for the Polaris effort. All of you gentlemen know that the housing and training of crews are just as important as the Polaris submarines we are building.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. KOWALSKI. I yield.

Mr. JONAS. The gentleman has correctly stated the position of the committee. We just felt that $1,400 an acre is too much to be paying for land. There are 546 acres on the base and some of it is not in use at this time. We felt the Navy should restudy the location of these barracks. While the barracks are in the Navy's program, this particular item was not too high on the Navy's priority list. Actually, it was not in the top priority group. It was because of these things that the committee decided to delete the funds at this time not, however, with any purpose of saying that we do not think the barracks will eventually have to be built, but that we think the location should be restudied.

Mr. KOWALSKI. I understand the position of the committee. I also want to point out that the facilities at the base are designed for 2,000 men. There are actually 3,000 in the facilities now available. I understand from the Navy that for the Polaris program, they will need an additional 800 men. This makes it really a serious problem.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. KOWALSKI. I yield.

Mr. SHEPPARD. I would like to advise the gentleman that the land cost here is actually in excess of $1,400 per acre.

Secondly, the committee had to consider in conjunction with that fact that there is existing land available on this base, which has not been studied with reference to the barracks location—including a golf course and other recreational facilities.

Next, the item is not high on the Navy priority list being No. 183 out of a total of 217. That priority list is established by the Navy itself and not by your committee. Thus, this matter is in the last 16 percent of the Navy's requests, which is certainly not a high priority.

Lastly, Mr. Chairman, a delay of a year in this construction, if our information is correct, and I am sure it is, would not interfere in any way with the operational problem here, but would allow the entire matter of the location to be restudied with a consequent potential savings to the Federal Government and taxes to the local government.

Those, Mr. Chairman, are the basic considerations which your committee had in mind in reaching the conclusions we did on this item. We are not unsympathetic, but if they make a study and give us the facts on which to go along, we will try to go along.

Mr. KOWALSKI. I thank the gentleman. I urge the conferees to work with the Senate to restore the full amount of the funds requested by the Navy.

Mr. SHEPPARD. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. QUIGLEY].

Mr. QUIGLEY. Mr. Chairman, I note with regret the committee's decision to delete the Army's request for funds for the construction of hospital facilities at the Carlisle Barracks in Carlisle, Pa.

I recognize that if we are going to have the economy in Government we hear so much about that these economies have to be made somewhere and that occasionally that somewhere may prove to be even in one's own congressional district.

However, it is rather obvious from the committee's report that its negative reaction to the Carlisle construction was prompted to a considerable extent by what the committee considered to be an almost classic example of inadequate planning and unrealistic programing on the part of the Army. Mr. Chairman, I am not qualified to argue whether there is a need for 25 or 50 or 100 beds at Carlisle. However, I am sufficiently familiar with the situation at the barracks to state categorically that there is a real need for additional hospital beds and for adequate, modern hospital facilities.

The committee in its report indicates that it "has reserved judgment as to the need for these specific facilities" and that the committee's action in withholding funds in this regard "has been taken solely because of unrealistic cost estimates based on inadequate plans and programs." In the face of this, I trust that the Army will promptly reevaluate on a realistic basis its hospital needs in Carlisle so that there will be no extended delay in meeting a real—if what, up to now, may have been a badly gaged—need.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. QUIGLEY. I yield to the gentleman from California.

Mr. SHEPPARD. I would like to advise the gentleman that the committee reserved its judgment as to the need for these specific facilities. This action was taken solely because of the unrealistic cost estimates, based on inadequate plans, and an inadequate program. As soon as those plans are finalized so that the costs are properly reflected, then we would have no reservations with respect to this item. That is all we are asking for and we fully expect that from the military. If they do not give us the proper justification, then we cannot approve the funds for it. That is all there is to it.

Mr. QUIGLEY. I appreciate the views of the gentleman and I cannot say I am in disagreement with him.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. QUIGLEY. I yield to the gentleman from Florida.

Mr. SIKES. I want to commend the gentleman for his interest and express my appreciation for the study which he has given the subject. He has recognized the problems which confronted the committee in attempting to do this job properly at a time when the Army has not decided what it wants.

Mr. QUIGLEY. It is my hope, I may say to the gentleman from Florida, that the Army will make a very prompt decision and bring this question to the other body in time to have action on it before adjournment so that the matter can be worked out, the money made available, and construction can be started on this hospital facility at Carlisle.

Mr. Chairman, I yield back the balance of my time.

Mr. SHEPPARD. Mr. Chairman, I yield the balance of my time to the gentleman from New York [Mr. STRATTON].

The CHAIRMAN. The gentleman from New York is recognized for 3 minutes.

Mr. STRATTON. Mr. Chairman, I take this time to discuss briefly what I regard as a very apt illustration of a serious failure on the part of the armed services to recognize true economy and to be appreciative also of the impact of certain changes in our defense program upon our civilian economy and on areas suffering from unemployment.

Included in this bill is an appropriation of $3 million for the construction of a cold regions laboratory to be located

at Dartmouth College, Hanover, N.H. This is to be constructed as a new building. We are building this facility, Mr. Chairman, at a time when other military installations throughout the Nation are being closed down and people are being thrown out of work. I think it is a serious matter for the Government to be spending money to build new facilities at a time when other facilities are being closed down and people are being thrown out of work.

One facility which was considered as an alternative to a new building at Hanover, N.H., was the Scotia Naval Supply Depot in my district in Scotia, N.Y., which was ordered closed down earlier this year by the Navy with the loss of some 675 jobs in an area already suffering heavily from unemployment. I appeared before the subcommittee and urged that Scotia's facilities be used for this laboratory instead of new construction because the use of what we have there would have represented a saving to the taxpayers of a quarter of a million dollars.

Mr. Chairman, the Scotia Naval Supply Depot at Scotia, N.Y., was looked over by the Army representatives and then turned down in spite of its extensive facilities. Let me read to the committee from the record of the subcommittee's hearings, on page 84, the rather vapid reasons given by the Army for deciding against Scotia in spite of the cost to the taxpayers:

> We feel that inasmuch as the installation at Scotia is in a warehouse supply type of activity rather than in an academic atmosphere or a type of environment such as at Hanover which we feel is much more favorable for our activity, plus the fact there are no educational centers in the general Schenectady area whose primary interests are in the same area as the work of this laboratory, it would be undesirable. While there are some fine schools there, they do not have programs in this particular area.
>
> Furthermore, the areas available in the Adirondacks are considerably more limited in area and scope and size than the quite large areas available in upper New England which are property of Dartmouth College and would become available for fieldwork and field exercises.

As a matter of fact, Mr. Chairman, the Schenectady-Scotia area is right in the center of a large educational and cultural development. We have Union College in Schenectady, Rensselaer Polytechnic Institute in Troy, and the vast library of the University of the State of New York in nearby Albany.

In addition to that, we have the central research laboratory of the great General Electric Co. located in Schenectady, where Mr. Vincent Schaefer has won world renown with the experiments which he has conducted over many years in artificial weather operations, artificial snowmaking and rainmaking. The great resort area of the Adirondacks is only a short distance away, and I challenge anyone to suggest that these great educational areas are "considerably more limited in area and scope and size," as the Army claims, than any other outdoor areas in the country. Frankly, I do not think the Army's report indicates that they have really looked the situation over very carefully at all, or not at least as carefully as they should have if they were really interested in saving the taxpayers the loss of $281,000, which is involved here initially, or even the loss of $167,000, if you take the Army's ultimate figures for it.

In any case, Mr. Chairman, this is mighty shortsighted economy on the part of the Defense Department. I recognize the need for military construction as clearly as anyone, and as a member of the Committee on Armed Services I realize that this construction costs money. But the Defense Department no more than any other department of Government, can afford to throw money away. If this type of decision is allowed to stand, where the taxpayers' money is spent to build new buildings when existing ones are adequate for the same purpose, then the Defense Department will certainly lose the kind of public confidence and support that is needed for a successful military policy.

The unemployment areas of this country are in serious condition, and I believe that the House owes it to our people to make a better effort than this to funnel productive effort into these areas, whenever possible, something the bill as presently reported glaringly fails to do.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. STRATTON. I yield.

Mr. SIKES. May I ask the gentleman from North Carolina [Mr. JONAS] if he will yield 2 or 3 additional minutes to the gentleman from New York at this point?

Mr. JONAS. I shall be very happy to yield the gentleman 3 additional minutes. Is that all the time the gentleman requires?

Mr. STRATTON. Yes, I thank the gentleman.

The CHAIRMAN. The gentleman from New York is recognized for 3 additional minutes.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. STRATTON. I yield.

Mr. SIKES. Mr. Chairman, I have been highly impressed by the fine work done by the gentleman from New York [Mr. STRATTON] since he has been a Member of this body. He has already established himself as a valuable Member of Congress. I want to commend him now for the zeal which he is showing the establishment of the cold weather laboratory in his district.

I would like to say to my friend from New York that the committee did carefully consider this matter. The committee had the same question before it a year ago. The Army has given fullest study to the use of existing facilities rather than the construction of new facilities in New Hampshire. The only possibility which appeared to be worthy of serious thought is the location in New York to which the gentleman alludes. It would involve the utilization of a warehouse which could be converted to a cold weather laboratory.

The committee quite frankly was very much impressed with the fact that there exists at Dartmouth what is reputed to be the outstanding library on Arctic and other cold weather studies that is to be found anywhere in the Nation.

Since this is to be a cold weather laboratory that will consolidate the studies of several other facilities it is important that it be at the place where the best work can be done, and the availability of that very valuable library which cannot be duplicated anywhere else is important.

There is also the fact that although there is an available building in the gentleman's district, that building is a warehouse facility which would have to be converted. Supporting facilities would have to be provided there just as they would at Dartmouth, N.H. Therefore, when you consider the cost of the conversion of the present warehouse and the fact that supporting facilities would have to be added to both of them at substantially the same cost, there is not a great deal of saving. There are some savings, but not a great deal.

The committee is sympathetic to the use of existing facilities but for this particular and unique requirement, but after 2 years of consideration and study, the committee felt it best that we appropriate for the operation at Dartmouth.

Finally, and this is of material significance, there is an authorization for the cold weather laboratory in New Hampshire. There is no authorization for one in New York. If it were to be built elsewhere than in New Hampshire, construction could not be achieved until an authorization were approved by the Congress. At this late date I would think this virtually impossible for the current session. Therefore we would almost certainly lose another year in making available a needed and important new Army facility.

Again let me say I appreciate the gentleman's zeal for his constituents and his contribution to the Congress.

Mr. STRATTON. I thank my friend from Florida for his very generous comments. I know that as a member of the subcommittee he has made every effort to see that the merits of the Scotia depot were recognized, and I appreciate his help.

Mr. JONAS. Mr. Chairman, I yield myself the remainder of the time on this side.

Mr. Chairman, you have heard the chairman of the Military Construction Subcommittee of the Committee on Appropriations, the gentleman from California [Mr. SHEPPARD], give a clear and concise explanation of the bill before you for consideration. This bill comes to you by unanimous approval of the subcommittee which consists of the gentleman from California [Mr. SHEPPARD] as chairman, the gentleman from Florida [Mr. SIKES], the gentleman from Mississippi [Mr. WHITTEN], the gentleman from Wisconsin [Mr. LAIRD], and the gentleman from North Carolina now speaking.

The gentleman from Nebraska [Mr. WEAVER], served with the subcommittee during part of the hearings on special assignment, and his contributions to the work of the subcommittee were valuable and helpful. In the markup, the subcommittee had the benefit of the advice and assistance of the chairman and ranking member of the Committee on

Appropriations, the gentleman from Missouri [Mr. CANNON], and the gentleman from New York [Mr. TABER].

It has been a genuine privilege for me to work again this year, as I did last year, with this group of our colleagues. One cannot work in close relationship with a small group of men, such as those I have named, in almost daily hearings and discussions extending over a period of months without coming to know them very well, indeed. I have enjoyed this association and wish to express publicly my appreciation for the opportunity of working with these gentlemen in our joint effort to produce a sound military construction bill for our consideration.

There is widespread interest in this bill because it contains funds for the construction of military facilities, Regular and Reserve, in every State of the Union and at 27 identifiable and at a number of undisclosed oversea bases. It appropriates $1,285,002,800 of the taxpayers' money. The following table shows how the funds are distributed between the services:

Department of Defense:	
Loran stations	$23,200,000
Advanced research project agency	23,545,000
Total	46,745,000
Regular Forces:	
Army	241,564,100
Navy	180,048,000
Air Force	756,616,600
Total	1,178,228,700
Reserve Forces:	
Army Reserve	20,000,000
Navy Reserve	8,589,000
Air Force Reserve	4,000,000
Army National Guard	11,000,000
Air National Guard	16,440,000
Total	60,020,000

The amount of money appropriated in this bill—$1,285,002,800—is $278,197,300 below the budget estimate for fiscal year 1960. It is $118,847,300 below the amount appropriated for military construction last year. Although the appropriation is more than $1¼ billion under the amount requested, it is the considered judgment of the subcommittee, arrived at after long, careful consideration and discussion, and concurred in by the full Appropriations Committee, that the new funds provided when added to the substantial funds remaining unobligated from prior appropriations, will be sufficient to provide every essential need for our military purposes in fiscal year 1960.

The total funds available for obligation in the current fiscal year, including the amount in this bill plus carryover funds provided in prior years, will be $2,045,809,777 for Regular Forces and $82,029,000 for Reserve Forces or a total of $2,127,838,777 in new obligational authority. But funds available for expenditure will exceed this amount by a substantial sum. The new funds provided in this bill, when added to unexpended balances from prior appropriations, will make a total of spending funds available in 1960, as distinguished from funds available for obligation, in the amount of $3,550,228,700 for Regular Forces and $122,029,000 for Reserve Forces or a total of $3,672,257,700.

This is a very sizable sum of money and the committee believes that it will be sufficient to enable those directing our military forces to provide the services with all essential facilities. It is quite obvious from the report that a number of requests for construction were denied. The denials were not arbitrary but were deliberately made for the reasons set forth in the report. If the committee were to rubberstamp approval of all construction requests, there would not be much reason for an Appropriations Committee. We began our hearings on this bill back in April and reviewed every request for funds, line item by line item, and only concluded our work last week. The record is 1,945 pages long and is contained in two thick printed volumes.

The bill presently under consideration will no doubt be disappointing to a number of people. Those who speak for the different services will naturally be disappointed in that they did not receive everything they requested. Spokesmen for various communities in the country, near which military construction had been programed, will probably be disappointed at the reductions made near their communities. But the members of the subcommittee felt it necessary to consider many points other than whether a community would be displeased or whether an individual service might be disappointed. In meeting our responsibility, we had to consider the needs of all of the services, at home and abroad, in the light of budgetary limitations. We believe we have a bill for your consideration which will meet the essential needs of all of the services and we quite naturally are pleased that we have been able to present such a program to you which is substantially under the budget request.

One of the subjects about which the subcommittee has been quite concerned is that of the utilization of existing facilities. Associated with it is the subject of disposing of unused and unneeded installations and facilities. Whenever an existing facility can be utilized in whole or in part for a necessary activity, the requirement for new construction can be reduced; and whenever surplus property can be sold for fair value the taxpayers are benefited. This is so obvious that I am sure the point needs no elaboration. However, the problems and complications in accomplishing these desirable objectives are manifold. Frequently the existing facilities are not suited for the proposed new activity or they are not in the desired location.

While the committee report acknowledges that progress has been made in the fields of utilization and disposal of facilities, it contains language which is quite critical of the Office of the Secretary of Defense for failure to be more aggressive in forcing a higher degree of utilization of existing facilities and a more prompt disposal of surplus facilities. I do not take any exceptions to the report but, in all fairness to the Office of the Secretary of Defense, I believe the record should show that efforts have been made in this direction and that substantial results have been accomplished. It should also be remembered that on the committee we have the benefit of hindsight. It is much easier to point out mistakes after subsequent events have transpired than to anticipate them, particularly since technology and military concepts have been changing in recent years with unprecedented rapidity. I therefore feel that the record, in order to be complete, should show what has been done in the field of utilization and disposal.

The following table, which appears on page 868 of the hearings, lists the transfers of real property that have been made between the services during the period from fiscal year 1955 through March 1, 1959:

Summary showing the utilization of real property by transfer between the military departments

Fiscal year	Department of Army to Navy and Air Force			Department of Navy to Army and Air Force			Department of Air Force to Army and Navy		
	Number of transfers	Acres transferred	Estimated original cost	Number of transfers	Acres transferred	Estimated original cost	Number of transfers	Acres transferred	Estimated original cost
1955	21	6,997	$40,966,528	1	8	$18,220			
1956	20	29,022	47,421,269	7	2,490	3,767,608	7	34,961	$1,583,528
1957	11	66,072	50,998,210	11	1,687	1,991,287	6	11,060	24,308,661
1958	13	1,612	12,333,618	11	394	35,700,483	4	1,529	1,210,879
1959 (to Mar. 1, 1959)	1	78	58,300	5	2,674	21,392,552	5	9,333	83,980,001
Total	66	103,781	151,777,925	35	7,253	62,870,150	22	56,883	111,083,609

SUMMARY

Total number of transfers	123
Total acres transferred	167,917
Estimated original cost of property transferred	$325,731,144

NOTE.—In addition to the above transfers, there are numerous instances where land is permitted by 1 military department to another. Further, there are those installations where joint operations are conducted, such as at the 3 national missile ranges.

In the course of the hearings, when this subject of utilization of existing facilities was under consideration and discussion with officials from the Pentagon, the Assistant Secretary of Defense for Properties and Installations insisted that positive and aggressive action is being taken to insure maximum use of existing facilities. In support of his contention, he submitted to the subcommittee an extract from instructions recently issued to the military depart-

ments from the Office of the Secretary of Defense. These instructions pertain to the preparation of the military construction budget for fiscal year 1961, which is now under consideration and which will be before the subcommittee early next year. I include the following extract from those instructions for the information of all those who will read this RECORD. The extract is taken from page 968 of the hearings, and is as follows:

Utilization of existing installations: In order to minimize land acquisition and new construction, it is mandatory that inactive or excess installations be utilized wherever possible. This requires that a thorough screening of inactive, excess or only partially occupied installations under the control of all three military departments or other Government agencies be accomplished before programing for the establishment of new installations, or for major expansions of existing installations involving new land acquisition or construction.

In order to better accomplish this important objective, it is requested that:

(a) For each applicable project in the fiscal year 1961 military construction authorization program, the line item justification sheet includes a listing of those inactive, excess, or only partially occupied installations (including those under control of the other military departments and other Government agencies) which were reviewed and screened as alternatives to the proposed new acquisition or construction project, and the reasons for the rejection of each; and

(b) Fiscal year 1961 military construction authorization projects in support of activities proposed for transfer to inactive, excess, or only partially occupied installations be documented by property utilization maps delineating the land areas which are required, and the plans for the disposition of land areas and buildings which are not required.

It will be the responsibility of the Assistant Secretary of Defense—Properties and Installations—to see that these instructions are carried out. The subcommittee will be interested to see how effective this effort will be.

The subcommittee has also been concerned to note that, notwithstanding the fact that the services continue to hold vast qualities of land surplus to their needs, requests continue to be submitted for approval to acquire additional land. The subcommittee has been very careful and cautious in authorizing the acquisition of additional land and you will be interested to know that no additional acquisitions are authorized in this bill unless the subcommittee felt that they were absolutely essential.

In an effort to ascertain exactly what has transpired, the Assistant Secretary of Defense for Properties and Installations was asked by the subcommittee to furnish informtion showing real property disposals and acquisition actions in recent years. The following facts, appearing in a table on page 967 of the hearings, were provided in response to that request:

Real property excess determinations for period August 27, 1955, to March 15, 1959:

Army	$428,062,000
Navy	419,452,000
Air Force	280,272,000
Total	1,127,792,000

Disposal action on real property reported excess by Department of Defense for the period August 27, 1955, to March 15, 1959:

Excess declarations received by GSA (313 entire installations and portions of 221 installations)	$818,834,000
Disposed of by sale (proceeds from sale, $44,710,000: 21.7 percent of acquisition cost and 112 percent of appraised fair market value)	142,372,000
Transferred to other agencies and to local governments without reimbursement pursuant to public law	89,649,000
Pending disposal	586,812,000

Real property acquisitions for fiscal years 1955, 1957, 1958, and approved land acquisition expenditures for fiscal years 1958 and 1959 (to March 15, 1959):

Army	$27,490,313
Navy	36,869,742
Air Force	38,273,102
Total	102,633,157

It was also brought out in the hearings that in the 10-year period from 1947–57, the Department of the Army alone disposed of 9,649,855 acres of land, having an acquisition cost of $3,609,059,383.

I am not going to list actions taken by the services to close installations during 1958–59, because the list is too long for insertion here. The installations are set forth by name on pages 994–997, inclusive, of the hearings. The attention of the Members is invited to those pages. Included in the list are 13 Army installations, 250 AAA gun sites and 18 industrial plants, all under the jurisdiction of the Army; 41 installations, including bases, airports and storage stations, all under the jurisdiction of the Air Force; and 106 installations, including purchasing offices, supply depots, schools, air stations, test stations, ammunition depots, and so forth, all under the jurisdiction of the Navy.

Mr. REUSS. Mr. Chairman, I want to congratulate the Committee on Appropriations, particularly the Military Construction Subcommittee, headed by the distinguished gentleman from California [Mr. SHEPPARD], for having performed a truly outstanding job in reviewing the 1960 military construction requests and in having reduced those requests by some $278 million.

I am much impressed with the committee's report accompanying H.R. 8575. I am pleased to see the strong committee directive to the Secretary of Defense, his Assistant Secretaries and staff, for more careful screening and more realistic planning in all areas of military construction by Army, Navy and Air Force. As the committee report notes, without better planning and screening within the Department of Defense, we are not going to have the kind of utilization of existing facilities, or the kind of realistic programing of essential new military facilities, that we so desperately need to maintain our defense posture and at the same time protect the American taxpayers.

Two months ago I had the privilege of appearing before the Sheppard subcommittee. I wanted to call to their attention certain Strategic Air Command plans and drawings for Richard I. Bong Air Force Base, now under construction in Racine County, Wis. These plans indicated that the Congress was about to be confronted with fund requests to build not only the usual and ordinary recreational facilities for Bong personnel and their families, but several facilities which seemed to me to be unusual, elaborate and nonessential. In this category I particularly included squash courts and an indoor swimming pool.

Mr. Chairman, I wish to state for the RECORD that I have recently been advised by the Air Force that, upon reexamination of its own minimum standards of recreational facilities for Air Force bases, no squash courts and no indoor swimming pools are to be requested for Bong Air Force Base. I am gratified that the Air Force has reached this decision. It is, I believe, a break for the taxpayers, while still preserving sound recreational policies for Air Force bases, since the ordinary and usual recreational facilities are still included in the Bong plans, such as a base theater, multipurpose gymnasium, recreational workshop and bowling alley.

I am sure that the members of the Sheppard subcommittee, and of the full Committee on Appropriations, agree with me that we want to make service in our Armed Forces attractive to Army, Navy, and Air Force personnel and their families. We want them to have decent pay, decent housing, decent recreational facilities—but we also insist on putting first things first, and drawing the line firmly against the frills and extravagances that sometimes creep into military construction plans.

This message is well set forth in the committee report on H.R. 8575. The committee states that it has approved $16 million for continuing construction on Bong Air Force Base, a reduction of $4,838,000 in the estimates. The report then states:

These funds are to be obligated in strict accord with the priority set forth in the budget program and with emphasis upon the construction of operational facilities.

Mr. Chairman, I hope that the Air Force and the Congress understand one another with regard to Bong Air Force Base. I am confident that the Military Construction Subcommittee will continue to keep a sharp eye out for any unusual fund requests there, or anywhere else for that matter. And again, I thank the subcommittee for its courteous attention to my testimony in this matter.

The CHAIRMAN. The time of the gentleman from North Carolina has expired. All time has expired. The Clerk will read the bill for amendment.

The Clerk read the bill.

Mr. SHEPPARD. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KILDAY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee,

having had under consideration the bill (H.R. 8575) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1960, and for other purposes had directed him to report the bill back to the House with the recommendation that the bill do pass.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

LOANS UNDER THE BANKHEAD-JONES FARM TENANT ACT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R 7629) to make permanent the authority of the Secretary of Agriculture to make loans under section 17 of the Bankhead-Jones Farm Tenant Act, as amended, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma? The Chair hears none, and appoints the following conferees: Messrs. COOLEY, POAGE, GRANT, HOEVEN, and DAGUE.

IMPENDING VISIT OF PREMIER KHRUSHCHEV

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the house for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, Premier Khrushchev, boss man of Red Russia, who recently threatened to bury us, has been invited to be a guest at the White House, beginning September 15, and to be followed by a tour of our country.

Fix that date in your memories. For that shameful and abject event marks the open acknowledgment of the retreat that started at Geneva. Between the appeasement prodding of Prime Minister Macmillan of Britain, and the blackmailing strategy of Khrushchev, we have abandoned our friends in the captive nations; have placed our principles in cold storage; have granted the Communists a propaganda victory of startling magnitude; and have surrendered to the wishful thinking that could lead to disaster.

How Khrushchev must be emboldened by our weakness of spirit. How he must be laughing at our gullibility.

"But it was the only thing we could think of to ease the Berlin crisis," says the administration. "And besides, when Khrushchev sees our standard of living, our industrial might, and our military installations, we hope that he will be impressed and will give up his designs to bury us." How pathetic and dangerous it sounds, and so reminiscent of the tragic blunders of another era.

John Foster Dulles is hardly cold in his grave before the administration reaches for the umbrella of appeasement.

The manner in which this invitation was secretly maneuvered, reveals the administration's fear that the American people would not respond kindly to it. First it was Mikoyan and Kozlov over here and the American Governors and then NIXON over there for the precedents that were supposed to justify the switch visits of Premier Khrushchev and President Eisenhower. Blurring the essential differences. Trying to make it appear that because the downtrodden Russian people greeted representatives from the free world, the American people must therefore, welcome the dictator who is determined to subjugate them and to destroy their free institutions.

The abruptness with which this invitation was announced to the world, and without prior consideration of the opinions of the American people, was calculated to confront us with a fait accompli. The administration has its fingers crossed, hoping that we will be stunned into mute acceptance of this shameful adventure in expediency. With its propaganda resources, it is attempting to prove that black is white, but in doing so it seriously underestimates the character and the independent thinking of the American people.

The largest security cordon in our history will be required to protect the unwelcome guest.

Why is he being forced on the American people by their own President? Why does not Khrushchev cancel his visit before it is too late? We urge the American people not to harm one hair on Khrushchev's head. If he does insist on coming, we hope that his own guards will "bring him back alive" to the Kremlin before some refugee whose loved ones were murdered or tortured by Khrushchev's gang, is tempted to take a pot shot at him.

Why—why did the administration invite this risk? We fervently hope that no bodily harm is suffered by Khrushchev while he is in the United States. We implore him not to come, for his own personal safety.

At the same time we warn him that the American people will not take this insult to their self-respect, this insolent disregard of every principle they believe in, like the voiceless victims behind the Iron Curtain. We are a free people. We have certain constitutional rights, and among these are the right "peaceably to assemble," "freedom of speech," the right "to petition the Government for a redress of grievances."

Our grievance is that the administration will desecrate the White House by entertaining the "murderer of millions," and will forcibly impose on the American people by asking them to be nice to the Red czar who threatens their lives, their liberties, and their faith.

The administration has made its unfortunate move. Now it is time for the people to repudiate it.

I call upon all individuals and groups in the United States that cherish the principles for which our Nation stands, who believe in God, who firmly oppose communism because it is the sworn enemy of human dignity and human freedom, to write their Senators and Representatives requesting support of the resolution that will express the opposition of Congress to this visit.

I also ask them to write to the Russian Ambassador at Washington asking Khrushchev to stay home.

And, in the meantime, I urge them to organize peaceful picketing in every city where Khrushchev appears, in the event he is thrust upon us. Let him see how we feel about it. Let him be greeted by empty streets, or backs that are turned upon him, or by parades of hearses representing the nations and the peoples that he has "Khrush-ed."

Let there be memorial services in every church for the captive peoples.

Let us express by every legitimate means our friendship for the Russian people and our contempt for the Communist despot who rules them with an iron hand.

Let every free American display his flag at half mast, in mourning for the national honor that has been surrendered by our Government.

We have 1 month to write, to organize, and to stage a massive but orderly protest.

Start now. Speak up, America.

HOME RULE LEGISLATION FOR DISTRICT OF COLUMBIA

Mr. FOLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FOLEY. Mr. Speaker, I have today filed a resolution on my home rule bill—H.R. 4633—to bring home rule legislation before the House for a vote. This petition permits 2 days of debate and specifically allows opponents of the legislation to offer all the amendments they may wish in the form of a substitute bill. It provides, so far as I can learn, the most liberal rule of any discharge petition of recent years.

I should like to explain briefly why this action is being taken. As most Members of the House know, an earlier petition was filed several weeks ago. A number of Members of this House who are opposed to any restoration of local self-government to Washington objected to the terms of that petition. We are

acting now, therefore, to meet any reasonable objection they can have and to demonstrate our own earnest desire to be fair and moderate on this issue.

The opponents of home rule have, for many years, blocked every effort to bring legislation before the House by the usual committee procedure. They have refused even to begin hearings until after steps were taken to discharge the committee. The record of past years, the conduct of the present hearings, and their own statements make it clear that they are determined not to permit a home rule bill to be reported from the committee.

Mr. Speaker, we understand and respect the position of these Members who feel they must refuse to permit a bill to come before the House from committee. But we appeal to them, in the name of fair play, to give equal respect to our position. We have exhausted every effort to get action through the committee. We have offered them a moderate bill, a reasonable middle ground between both extremes on this issue. We now offer them a petition with an extremely liberal rule.

In spite of their determination to prevent House consideration of home rule we offer opponents of this legislation the fullest opportunity to take their case to the House and settle the issue by fair vote, after fair debate. We challenge them to permit the House to hear both sides and make its own decision.

We welcome this clearcut choice. We are content to leave the decision where it belongs—with the Members of the House. We hope that opponents, too, will at long last have the courage to rest their case with the House.

Of the three long-delayed actions, Alaska and Hawaii have now both been granted statehood. There is still time, before we adjourn, to take the obvious third step. Let us act now to resolve the deadlock, discharge this legislation, and add one more notable achievement to the record of this Congress.

STEEL MANAGEMENT LOCKOUT

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, the following is a copy of a telegram Mayor George Chacharis, of Gary, Ind., sent to President Eisenhower last Thursday, August 6.

The city of Gary, as well as the Calumet region of Indiana, with its three major steel mills is tied up in an industrial lockout inflicted by the management of big steel. Thousands of families are today suffering from this inexcusable industrial tieup. The mayor's telegrams speaks for itself:

AUGUST 6, 1959.

DWIGHT D. EISENHOWER,
President of the United States of America, The White House, Washington, D.C.:

Your invitation to Russia's Premier Khrushchev to visit our country prompts my urging you to act quickly to the end that a just and equitable settlement be granted the steelworkers of our Nation.

Khrushchev's visit will focus the attention of the entire world on our every act. The worst thing that could happen to the United States and the free world is to have Premier Khrushchev tour this country with our entire basic steel industry shut down.

I urge you not to wait until the last minute to attempt this settlement. Such an act would only lend strength to the propaganda forces of the Communists who seek to belittle or destroy us.

Further, for you to use the Taft-Hartley law would only enhance Khrushchev's propaganda machine.

As mayor of Gary, Ind., and as a former employee of the United States Steel Corp., may I say in all truth that steelworkers have earned the right to a just and equitable settlement.

The recently released profit sheets of the United States Steel Corp., and other steel companies bear this out beyond a shadow of a doubt.

The use of your good office to end this crippling blow to our economy and our democratic way of life must now, I firmly believe, be renewed in greater intensity.

GEORGE CHACHARIS,
Mayor, City of Gary, Ind.

During the past week the United States Chamber of Commerce and its underground political subsidiary, the National Association of Manufacturers, have been flooding Congressmen with telegrams, letters, postal cards, and telephone calls urging and in some cases demanding that we enact antilabor legislation. One of the leading financial angles of both these reactionary organizations is the steel monopoly.

In yesterday's Washington Post, a full page advertisement revealed the fabulous and fantastic profits of major steel companies and their officials. This advertisement by the United Steelworkers of America revealed that United States Steel, Bethlehem, Republic, National, and eight other steel companies made a profit in the first half of 1959—after taxes—the sum of $694,600,000 compared to a profit of $287 million—after taxes—in the first half of 1958.

During the years from 1947 through 1958, the steel industry operated at 87.1 percent of capacity. During the first 6 months of 1959, the steel industry operated at 87.8 percent of capacity. This proves that these fantastic high profits of 1959 were made at normal operations.

Fortunately, the Federal law required these facts to be revealed to the public. In 2 years the steel industry has reduced its workers by 37,554. Profits per ton of steel have increased almost $27 since 1947. United States Steel increased its prices 23 times since World War II.

NINETEEN OUT OF TWENTY-TWO STEEL EXECUTIVES

Through the stock option "cover up" about 20 high steel executives reap profits in the millions without risking $1 investment risk. After World War I, communistic agitators have infiltrated most of the steel unions in the country. If it had not been for the great work of Phil Murray, Dave McDonald, and their fellow steel union officials, today the steel barons would be at a meeting with Soviet henchmen instead of American labor leaders.

The American public is fast realizing that the present steel tieup is a management lockout instead of a workers strike. The public is also realizing that since negotiations started months ago, steel management has been adamant and have not collective bargained in good faith at any time during this period.

Thousands of steelworkers are today in a dire economic condition. The steel barons have this year demonstrated the reason for Khrushchev repeating his statement of last year in referring to capitalism, "We will bury you."

Some congressional members are today wondering if the present lockout by steel management was strategically timed to prejudice public opinion on the pending labor management legislation.

SPEAKER RAYBURN SUPPORTS THE COMMITTEE LABOR REFORM BILL

Mr. UTT. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. ELLIOTT] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ELLIOTT. Mr. Speaker, as the sponsor who introduced the labor reform bill painstakingly drafted by the House Committee on Education and Labor, it pleased me immensely to read in the press your statement in which you correctly described the House committee bill as a strong antiracketeering measure. It has been my own view that the committee bill offers a reasonable compromise which all reasonable men can support, and I believe your press conference statement has done more to bring this issue into focus than anything that has occurred since the House committee finished its work.

For the benefit of our colleagues I am inserting in the RECORD as part of my remarks the full text of your press conference statement on the labor reform issue:

SPEAKER RAYBURN'S COMMENTS ON PROPOSED LABOR LEGISLATION, AUGUST 3, 1959

I have said many, many times that legislation shouldn't be passed to punish somebody. It shouldn't be passed in heat or anger, and I am not accusing anybody of this on this bill. I don't think it does. It should be passed to bring about justice, fair play and equal opportunity, and that is my hope in the case of this labor bill.

I am not for a bill that is antilabor; I am not for a bill that is anti-industry; I am not for a bill that is antianybody. I am for the kind of bill that I said I was for.

There has been a great deal of talk about weak bills and strong bills. I am supporting the committee bill.

I think it does a splendid job.

It controls racketeering, hot cargo, and extortion or shakedown picketing. I might say there is not much difference in the committee bill and title I of the substitute which goes into control of racketeering and union democracy.

Now, of course, secondary boycotts are already prohibited under the Taft-Hartley law, and the committee bill's strong provision outlawing hot cargo clauses closes the main loophole in this law. There is a very

strong provision in the committee bill prohibiting shakedown picketing. A man guilty of shakedown picketing would be fined $10,000 and 20 years in the penitentiary.

It also outlaws objectionable types of organizational picketing.

I am as much against racketeering as anybody could be, and I would not support any bill that is not strong on antiracketeering. I think the committee bill covers racketeering in a fine fashion, and being for this provision, I can support the committee bill.

EFFECTS OF HIGH INTEREST RATE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. DINGELL. Mr. Speaker, the tight money, high interest boys are getting ready for another payoff to the banks. This fall the rate for the Nation's leading corporations for short-term bank loans is going to go to 5 percent. This will be the highest interest rate in modern times for prime bank loans. Over and above this corporations will be gently asked by banks to keep part of their loans on deposit, which will in effect raise the cost of their total loan to well over 5 percent.

This is due in large part to the fact that the Federal Reserve System is slated to raise the interest rate on loans to banks to 4 percent by sometime this fall.

This would appear to be the reason for the administration's urgent desire to eliminate the 4¼-percent ceiling on long-term Government obligations and to go to a virtually unlimited interest rate on the long-term Government bonds.

This same policy is going to raise the cost of installment loans to unprecedented peaks and will raise costs to borrowers for home loans, purchasers of new automobiles, and for small businessmen who must borrow to meet business expenses, taxes, or improvements or expansions on their businesses.

We have no exact way of knowing precisely what this will cost the various classes of people in this country, but we know that the typical home loan is now around 6 percent, against 5 percent a few years ago, and as little as 4 percent or 4¼ percent 10 years ago.

The difference between 5 and 6 percent on a $20,000 mortgage for 20 years is the difference between $16,840 and $18,640, or an increase of some $1,800 in the cost of financing a house.

Counties and cities which sold tax exempt bonds at 2½ percent 5 years ago now pay 4¼ percent. The interest paid on a $10 million school bond issue at 2½ percent is $5 million for 20 years. At 4¼ percent the interest is $8.5 million. The difference is about $3.5 million to the taxpayers in the area, and is $3.5 million worth of classrooms and schools that will be denied the children of this country. However, that money will show up in the statements of the bankers and big money boys.

The cost to the taxpayer and to the Federal Government is even more staggering. In the past 5 years the national debt has increased less than 5 percent. Interests costs on that debt have risen by one-third and now run about $8.5 billion a year as against about $5 billion when the Eisenhower administration came in.

In 1954 short-term money could be had by the Treasury for 1⅛ percent. Recent costs for similar short-term Treasury obligations is about 4¾ percent. Another more frightening statistic is that 90-day borrowings by the Treasury have risen from 0.65 percent to 3.4 percent in the same 5 years.

The automobile manufacturers and the unemployed workers in the city of Detroit have an equally pressing concern over this high interest rate hard money policy. Automobile sales are dampened by the high interest rate in the same way that every other industry is depressed and repressed by this policy.

Another individual stricken by high interest is the small businessman who 5 years ago could borrow $50,000 for 2 years for as little as 5 percent. Today his cost for the same loan is 6 percent. To him the total interest on his loan has risen from $5,000 to $6,000 an extra borrowing cost of $1,000 which he must pass on to the consumer in the form of increased prices.

This is the legacy of the high interest hard money policy instituted by the Eisenhower administration when it first came to office in 1953. We are witnessing the logical result of raising the interest rate on Government securities from about 2⅞ percent to 3¼ percent at a time when 2⅞ percent long-term Government bonds not only sold well but often were traded at a premium.

The people and taxpayers of this country should know what the Eisenhower administration has done to them all in a period of less than 8 short years.

AN ANSWER TO THE PRESIDENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, the distinguished gentleman from New Jersey, Mr. FRANK THOMPSON, has labored long and effectively to obtain meaningful labor reform legislation. I am sure we are all aware of the role he has played in drafting and supporting the Kennedy-Elliott labor reform bill which was reported by his committee and on which the House will begin debate Tuesday.

Because of the prominent part he has played and because of the respect I and the other Members of the House have for his ability and integrity, I know that the Members of the House will be interested in reading his newsletter to his constituents, dated August 7, which aptly evaluates the situation in which we now find ourselves. I therefore, under unanimous consent, include the newsletter of the gentleman from New Jersey in full at this point in the RECORD:

NEWS RELEASE FROM THE OFFICE OF CONGRESSMAN FRANK THOMPSON, JR., DEMOCRAT, OF NEW JERSEY

On August 11 the House will finally begin its debate on the controversial labor reform legislation. My vocabulary does not contain enough adjectives properly to describe the heat which this subject has generated. The chairman of the House Rules Committee, HOWARD SMITH, of Virginia, has been quoted as saying, "We'll have a donnybrook." That gentleman put it mildly.

In my report of last week I set forth 43 items which the Kennedy-Elliott bill would accomplish in the labor reform field. These items represented simply an outline of the major provisions of the bill, the details of which were obviously impossible to set forth. It was an accurate listing, however, and it did include the questions of secondary boycotts, blackmail picketing, and "hot cargo."

On August 6, President Eisenhower preempted nationwide radio and television time and delivered a forceful 15-minute address on this subject. His speech was a great disappointment to me, not only because he advocates tough, punitive labor legislation, but especially because it was oversimplified and inaccurate. This complicated subject can scarcely be touched in so short a time and the President's speechwriter was obviously not so much an expert on labor matters as on politics.

President Eisenhower was quite accurate in his statement that the American people want the crooks and racketeers cleaned out of our labor movement. Everyone—except Jimmy Hoffa and his ilk—will agree. Labor's honest and most powerful voices are taking the lead in demanding reform and, furthermore, they have proven their good faith by kicking Hoffa out of the AFL–CIO.

The President chose the extreme "right" as his course in endorsing the Landrum-Griffin bill. Two hours later AFL–CIO President George Meany gave a radio address in which he took the opposite course and endorsed the Shelley bill. I cannot agree with either of these extremes.

General Eisenhower's speechwriter apparently does not know that section 8(b)(4) of the Taft-Hartley Act already imposes stringent curbs on secondary boycotts, for, in reading it, Ike lamented the absence of a secondary boycott provision in the Kennedy-Elliott bill. As a matter of fact, section 705(a) of the Kennedy-Elliott bill does refer to secondary boycotts and closes the only loophole in Taft-Hartley by making illegal "hot cargo" contracts. It has been through this loophole that Hoffa has driven his trucks and men to such awesome and illegitimate power.

The President's speech contained several errors such as I have cited above. This is unfortunate, since these errors picture the committee's work as weak when, in fact, the result is a strong and effective bill.

Actually, the differences between the Kennedy-Elliott and Landrum-Griffin bills are differences in degree only. The former is moderate, the latter murderous. It is interesting to note that 88 of the committee amendments to the Senate bill appear in the Landrum measure. This amounts to a silent tribute to the committee bill.

If Ike's speech was powerful enough to cause the tough labor bill to pass, then many of us will look back to the days when he favored school construction and wish

that he had spoken out then. He did not, and the school construction bill was lost.

When the labor fight is over more than 2 months of 15-hour workdays will end for me. It will have been worth the work and worry if Hoffa and the likes of him are the losers. Next week I hope to be able to report victory.

JAMES R. HOFFA SHOULD RESIGN

Mr. KING of Utah. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. KING of Utah. Mr. Speaker, today is the prelude to the storm which will be upon us tomorrow, when we commence our historic debate on the labor bill.

It is my strong feeling that the best thing that could happen at this time would be the resignation of James R. Hoffa as president of the International Brotherhood of Teamsters. I make that statement for the reason that I feel that Mr. Hoffa has placed himself in a position in which it is impossible for him to further the best interests of the labor movement and of legitimate unionism.

His name has become an anathema among the great majority of the nonunion members of the American population. His continued presence as head of the largest and most powerful single union in this country, serves only to widen the breach between union and nonunion citizens.

I feel that there is nothing that could better clear the atmosphere, and reassure the American people of the good intentions of American labor, than for Mr. Hoffa to resign. If his first interest is in the promotion of legitimate unionism, then he surely cannot fail to perceive that he is now no longer in a position in which he can serve that end.

At this time, therefore, I do hereby publicly call upon Mr. James R. Hoffa to resign. I do so for the reason that this Nation will then be in a better position to see the labor problem in its true perspective.

IMPORTS RISING—EXPORTS FALLING—OUR COMPANIES GOING ABROAD

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. BAILEY] is recognized for 60 minutes.

Mr. BAILEY. Mr. Speaker, I think the time has come when we should pause long enough in our other activities to take another look at our domestic industrial situation as it is affected by our foreign-trade policy.

It is a year since we passed a 4-year extension of the Trade Agreements Act; and much has happened since that time.

With all due respect to the 85th Congress, I do not believe that we met the import problem confronting this country when we passed the last Trade Agreements Act. As I have said before, the problem is still here and getting worse.

Many people who were previously indifferent to the problem of import competition are today concerned over it and over what it means to them. Notable among these are the iron and steel and the automobile industries.

We face something today, Mr. Speaker, that was not yet so visible a year ago. It is now clear that we are at the mercy of import competition from many areas of the world. The question is often asked whether we have priced ourselves out of world markets. The fact is that in quite a number of products we have for some years been priced out of foreign markets while at the same time we have been an easy mark for import competition. In recent times the problem that has confronted many of our smaller industries has begun to lap at the feet of some of our mass production industries. These had generally been regarded as proof against foreign competition in spite of the high wages paid by them. Now we are finding even these great industries highly vulnerable.

Mr. Speaker, history and our foreign economic policy have simply caught up with us. One of the elements that is present today that was merely on the way a while back is the higher productivity of foreign producers. We helped them in many ways to improve their production. We even built plants for them, or at least helped them financially to do so. We received and herded through our plants thousands of productivity teams from abroad. We extended technical assistance wherever our Marshall plan people could induce other countries to take it.

What did we have in mind if not the very thing that has happened? We would be stupid indeed if we did not recognize our own handiwork. We asked for it in a score of different ways and we are getting repaid exactly as planned by our State Department. In spite of numerous protests they drove right ahead and even now are preparing for another tariff-slashing conference next year. This seems unbelievable but it is true.

The State Department seems determined to ruin industry after industry in this country to avoid the frowns of other countries.

Now let us take a look at where we stand.

The competitive situation with respect to imports is growing worse daily. In March of this year imports established a monthly record with imports of $1.3 billion. In June even this record was broken. Imports rose to $1,360 million. This exceeded our nonmilitary exports.

When our imports of merchandise exceed our nonmilitary exports of merchandise, as happened in June of this year, we are running up a heavy deficit in our total foreign account. This may pass the $4 billion mark this year. Last year the deficit in our total foreign account was $3.4 billion.

Our exports have been declining for the last 18 months. The decline has reached about 30 percent. But for our heavy export subsidies and foreign economic aid, our exports would be still lower.

What can we make of these trends? What do they mean?

Obviously the flood of imports means that we have ripped away the tariff to a point so low that it no longer stops imports. Many of our industries are seeing their domestic market overtaken increasingly by imports. In the case of sewing machines and watches the market is nearly gone. Our fisheries of New England and the tuna fisheries of the west coast have seen over half of the market go to imports. Other items have also been hard hit. Coal, lead and zinc, fluorspar, some textiles and garments, stainless steel flatware, hardwood plywood, silk, screws, spring clothespins, pottery, glassware, caps, knit gloves, bicycles, fishing tackle, and other manufactures are feeling the impact. Some items of iron and steel have suffered sharp setbacks from imports. Small automobiles from abroad have now captured about 10 percent of our market.

Meantime, many of our industries have seen their exports fall sharply. Exports of steel, which were far ahead of imports until a year ago are now exceeded by imports 2 to 1. Automobile exports have fallen 50 percent in the past 4 years. Imports now exceed exports several times over in number of cars. Our coal exports have also dropped sharply.

If these great mass production industries are finding import competition beyond their power to meet, while seeing their exports shrink, we can readily appreciate the more difficult situation in which many smaller industries find themselves.

The reason for all this foreign competitive advantage, of course, is to be found in the lower wages paid in other countries. These wages have not come up in proportion to the increased productivity that has come to other countries as a result of the tens of billions of dollars worth of modern machinery they have installed, much of it paid for by us.

The labor unions in other countries are relatively weaker in bargaining with their employers than those in this country. This would indicate that the differential in labor costs here and abroad will not soon be closed, but may even widen. At this point I include in my remarks pertinent parts of an article appearing in the Wall Street Journal on this subject. These excerpts follow:

UNUSUAL UNIONS—EUROPE'S LABOR GROUPS STRESS POLITICS, LEAN LESS ON PAY BARGAINING—A LOOK AT AUTO FIRMS SHOWS WHY WAGES ARE LIKELY TO STAY BELOW U.S. LEVELS—FIAT IS "LIKE A FATHER"

(By Dan Cordtz)

TURIN, ITALY.—"Collective bargaining? In the Italian auto industry, there isn't any. Fiat just gives everything to the workers—like a father."

This bitter comment comes from Secondo Perroni, secretary of the Italian Metalworkers Federation. His union is one of the three major labor organizations which represent workers of Fiat Co., builder of 90 percent of Italy's motor vehicles.

Although the situation he describes is not in every respect typical of Europe's bustling auto plants, it points up a fact of significance to American car manufacturers and other U.S. producers who already are feeling the pressure of lower foreign wage rates.

For there is not, in Europe's auto plants or in most other European industries, anything resembling the tough, two-sided collective

bargaining between the United Auto Workers and the Big Three of the U.S. auto industry. As a result, Europe's lower wage rates, a management talking point in the current steel talks in the United States, are not likely to be eliminated as a big competitive factor in the near future.

THE UPPER HAND

There are, of course, considerable differences of detail in the labor situations in various countries. In some, organized labor's influence in politics and even on wages at the national level is pronounced. But a look at the European auto industry shows why, it is generally true that management—to a degree long since forgotten in the United States—holds the upper hand in dealing with its workers.

Even in France's government-owned Regie Nationale des Usines Renault, generally regarded as Europe's most liberal automotive employer, a top labor relations executive states frankly, "We decide what wages we are going to pay and then tell the unions."

One result of this situation, as American car makers know only too well, is a general wage level far below that of the United States. A typical Fiat worker, for example, earns less than $100 a month. His American counterpart gets as much in a week. In England, employees of Vauxhall Motors, Ltd., General Motors Corp.'s subsidiary, average about $175. And workers generally put in more than the American's 40 hours a week.

NO NARROWING OF THE GAP

"Our wages are going to continue to rise," says Dr. Heinz Nordhoff, president of Volkswagen, "but yours are going up about as fast. I don't foresee any narrowing of the wage gap very soon."

Since 1950, average hourly wages in U.S. auto plants have risen 53 percent—a rate exceeded in Europe only by Germany's approximately 80 percent. But Germany, of course, started from a depressed base. In Italy, at the other extreme, auto wages have gone up only 36 percent in the same interval.

Why, in countries where the union movement predates that of the United States, has labor been so ineffective in boosting wages in such an efficient and prosperous industry as automobiles? There seem to be four principal reasons:

The structure of the unions themselves; the form which collective bargaining usually takes; the concept of a union's function and proper means of action; and, finally, the basic attitude of most workers.

To begin with, there is no counterpart of the UAW in any of Europe's auto-producing nations. Auto workers are represented either by a multiplicity of craft-oriented unions (as in England, where 22 unions are recognized in the Dagenham plant of Ford Motor Co., Ltd.) or, more frequently, by huge, all-inclusive labor organizations whose membership takes in all metalworking industries.

Some companies do not participate in association bargaining. But with the wage pattern for great numbers of workers determined by the national or industrywide agreements, their own action usually is conditioned by what has been won in the other plants.

The broad agreements, moreover, are usually written with the interests of the association's smallest, least-efficient producers in mind. In such cases, once the unions have settled for relatively little, nearly all pressure is removed from nonmember firms to do better.

Complains Charles Levinson, secretary of the automotive division of the International Metalworkers Federation in Geneva: "We are prepared to accept national bargaining on minimum wages and working hours. But this must be completed at the company level in terms of actual wages, fringe benefits, working conditions, and grievance procedures." Up to now, except in a few instances, this has not been done.

Where companies do improve on the minimums, their actions are nearly always the result of corporate policy—not union pressure. Thus Fiat pays 80-percent higher wage rates than required under the national contract for the metalworking industry—but, as Mr. Perroni says, it grants such improvements "like a father." Similarly Renault, whose own contract is so much more liberal than that of the rest of the French metalworking industry that it has drawn heated criticism from other employers, hardly was responding to labor muscle when it wrote its terms.

This identification between union and political goals has a twofold result: Members are more likely to look to the Government—rather than collective bargaining—for their objectives. And whatever objectives are sought, they are likely to apply to all workers, not just those in a particularly favored industry.

A FETISH FOR POLITICAL SOLUTIONS

"European unions," charges Victor Reuther, head of the UAW's international department, "have made a fetish of seeking political solutions to what are essentially economic problems." The solutions usually have been vast new schemes of social benefits for all workers, rather than higher wages in industries which could afford them. And, Mr. Levinson asserts, "this is fine if you're sick or unemployed, but it doesn't make buyers for automobiles."

State-furnished social benefits in Italy, for example, are estimated by Fiat officials to increase the average worker's income by 40 percent—with company provided fringe benefits boosting it still more.

The political obsession mentioned by Mr. Reuther accounts for another bargaining weakness of Europe's unions—their concept of the strike as a protest directed toward the Government rather than a means of bringing economic pressure to bear on a given company or industry.

"By European standards," says Mr. Levinson, "unions in the United States are strike happy. Over here they just don't understand the technique of shutting down a plant and keeping it shut down until their demands are met." One important reason, explains Victor Feather, assistant general secretary of the British Trades Union Congress, is the organization's breadth of membership. "We can't go pulling 2.5 million men out for long," he says. "It would wreck the whole country."

The lower costs prevailing abroad in many lines of manufacture has attracted billions of dollars in private American capital investment. The total amount of direct private investment has more than doubled since 1950, having moved from some $12 billion in 1950 to more than $27 billion today, book value. It is safe to say that no less than 2 million people are employed directly in these enterprises abroad and as many more indirectly.

That this is a conservative estimate may be judged from the estimate made by the chairman of the board of the General Telephone & Electronics Corp. before the American Chamber of Commerce, Brussels, Belgium, June 30, 1959. He cited our Department of Commerce as putting at approximately $30 billion the sales produced abroad by our direct foreign investments.

Compare this $30 billion in sales with our exports of $16 or $17 billion which are estimated to give rise to 3 million jobs directly and indirectly in this country. Therefore, the sales of $30 billion made by our foreign investments should give rise to some 5 million jobs abroad.

More and more of our export industries and some of those that have been hard hit by imports are opening plants abroad or buying going concerns or, in other instances, licensing foreign manufacture under U.S. patents. If this trend continues, more and more of the jobs that would otherwise open up in this country will open abroad. This is not all. Some of the products previously manufactured here and providing employment to our workers will be imported, thus throwing out of work employees who otherwise would remain on the payroll.

That the trend will continue as long as the present unbalanced situation continues goes without saying. As long as it will be possible to produce goods more cheaply abroad it will be in the financial interest of our manufacturers who produce for exports to take advantage of low foreign wages. This enables them to hold their foreign markets, many of which are shrinking today.

Companies that do not produce for export but that are vulnerable to import competition are often driven to importation as a means of holding their share of the domestic market.

I have here a listing of some of the 135 American firms in Holland that represent American companies. This is taken from an advertisement in the Wall Street Journal. The list follows:

Since June 1955 more American firms have begun subsidiary operations in Holland. As of January 1, 1959, the following U.S. companies are among the 135 firms representing American industry in Holland:

The Airetool Manufacturing Co.
American Home Products Corp.
AMP, Inc.
Arabian American Oil Co.
Archer-Daniels-Midland Co.
Armour Research Foundation.
Automatic Poultry Feeder Co.
Avery Adhesive Label Corp.
Badger Manufacturing Co.
The Black & Decker Manufacturing Co.
B. & J. Manufacturing Co.
The Borden Co.
California Texas Corp.
The Cincinnati Milling Machine Co.
Clayton Manufacturing Co.
The Coca-Cola Export Corp.
The Coleman Co., Inc.
Controls Co. of America.
Helene Curtis Industries, Inc.
Curtiss-Wright Corp.
A. B. Dick Co.
The Dobeckmun Co. (a division of the Dow Chemical Co.).
The Dow Chemical Co.
Fairchild Camera & Instrument Co.
Friden, Inc.
The Fusite Corp.
The General Tire & Rubber Co.
Hall-Sears.
Frederick R. Harris, Inc.
H. J. Heinz Co.
Hewitt-Robins, Inc.
Hill & Knowlton, Inc.
Hollam Rubber & Plastic Corp.
Homestead Valve Manufacturing Co.
Hunter Douglas International Corp.
Hyster Co.
IBM World Trade Corp.
Industrial Models, Inc.
Kresno-Stamm Manufacturing Co., (America), Inc.
A. Le Comte Co., Inc.

Lockwood Grader Corp.
Loffland Bros., Co.
E. J. Longyear Co.
The Lummus Co.
Merck Sharp & Dohme International.
Metals & Controls Corp.
Mid-Continent Supply Co., Inc.
Minneapolis-Honeywell Regulator Co.
Monroe Calculating Machine Co.
The New York Times.
Nicholson File Co.
Printing Developments, Inc.
The Reader's Digest Association, Inc.
Reed Roller Bit Co.
Remington Rand (division of Sperry Rand Corp.).
Royal McBee Corp.
W. A. Sheaffer Pen Co.
Shulton, Inc.
Sparkler Manufacturing Co.
Standard Oil Co. (N.J.)
Stoner-Mudge Co., a division of American Marietta Co.
Texas Instruments, Inc.
Textile Machine Works.
The Thew Shovel Co.
Tokheim Corp.
Tracerlab, Inc.
United-Greenfield Corp.
Universal Corrugated Box Machinery Corp.
U.S. Polymeric Chemicals, Inc.
Valvair Corp.
Vapor Heating Co.
Vapor International Corp., Ltd.
Vick Chemical Co.
Weekly Publications, Inc. (Newsweek).
Wispese International, Inc.
Woodward Governor Co.

LOW PRODUCTION COSTS

Dutch workers have a high productive rate in proportion to wage scales.

Detailed literature is available without obligation or cost.

NETHERLANDS INDUSTRIAL INSTITUTE.
NEW YORK, N.Y.

Familiar names in this list are H. J. Heinz Co., IBM World Trade Corp., General Tire & Rubber Co., the Dow Chemical Co., the Borden Co., the Coca-Cola Export Corp., Minneapolis-Honeywell Regulator Co., Remington Rand, Monroe Calculating Machine Co., and others.

The advertisement says "Dutch workers have a high productive rate in proportion to wage scales." This is the real bait held out.

Broader lists would apply to other European countries, particularly Britain, West Germany, and France, but I do not have such lists on hand that are up to date.

There is of course no objection to American industries operating abroad for the purpose of supplying this country with raw materials that we do not produce here or produce in sufficient quantity; nor if they promote the industrialization of foreign countries in order to supply their own wants rather than shipping goods here in competition with domestic producers.

I am concerned, however, and we should all be concerned over the conditions at home that drive our capital to other countries in order to protect itself against foreign competition. Instead of encouraging this we should look at the home front and determine what is wrong and then do something about it. It should not be difficult to learn what it is that causes our industries to seek foreign investment outlets.

Some do it because the raw materials they produce exist abroad, such as minerals. Some seek to develop production of tropical products, and that can be done only by going to the Tropics and investing there. Others have a long-term foreign investment policy as a supplement to domestic investment. My concern is with those that go abroad because of the competitive situation, that is, because our costs are higher and they are losing foreign markets. I do not blame the companies. I blame our national foreign trade policy for its roadblocks against import regulation by tariffs and quotas.

There can be no question that many of the firms that have recently gone abroad and that are contemplating doing so would remain at home if they were properly protected against the import competition that threatens them. In other words, if the investment climate here were as attractive as it is abroad they would remain here and do their expanding and their hiring of additional workers here rather than overseas.

When these firms go abroad they may indeed protect their capital; but their workers do not share a dime of the profits made abroad. Their suppliers in this country do not supply the materials and the parts used in the foreign operations. These come from foreign sources.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield.

Mr. GROSS. I am sure the gentleman is aware of the fact that the New England fishing industry is prostrate in large measure because of foreign imports.

There is a bill coming to the House floor from the Committee on Merchant Marine and Fisheries which will establish a precedent. This bill will provide certain relief. In this case, the fishing industry of New England has gone to the Tariff Commission, has twice been upheld by the Tariff Commission under the escape clause provision, and the President has twice overturned the Tariff Commission. This bill provides in specific language that under those circumstances the New England fishing industry can come to the U.S. Treasury for outright subsidies to build trawlers to take the place of the trawlers, not to take the place of them but to put into operation trawlers that the industry cannot build today because they have not the capital to do it. This is an unprecedented bill and will establish a precedent.

Mr. BAILEY. I am glad the gentleman from Iowa has called attention to this legislation. I knew about it, but I did not know that it was coming exactly in the nature of a subsidy. I would, of course, be critical of trying to break up the combination right now that will force protection for all American industries by treating them individually. That is the trouble now. It is the subsidy granted the sugar industry of Louisiana under the Agricultural Act, the farm products are going abroad. Did you ever hear of a subsidy going to an industrial firm before?

Mr. GROSS. It is going to industrial firms.

Mr. BAILEY. That will be a new precedent, and I assure the gentleman from Iowa that as far as I am concerned I am going to look it over with a pretty critical eye.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Illinois.

Mr. MASON. Does the gentleman know that a bill, H.R. 5, is now in our committee with good prospect of being voted out and brought to the floor for consideration which would further add to our troubles, in that it will give all of these 3,000 American firms a 14-percent favor on their income tax? It would lower their 52 percent down to 38 percent and favor investments to provide jobs abroad, and not favor investments here to provide jobs for our own people.

Mr. BAILEY. I thank the gentleman. If he will be kind enough to wait until I get down to that, I am paying my respects to H.R. 5 and the sponsor of that type of legislation.

When foreign cars are imported, even though manufactured abroad by General Motors, Ford, or Chrysler, not only the automobile worker in Detroit is bypassed. Even now he can see the foreign cars freighted up the St. Lawrence Seaway while some of his brethren are out on the street unemployed; but the autoworker is not alone. The steelworker in Pittsburgh does not make the steel that goes into the imported car. The glassworker in Toledo does not make the glass and the rubber worker in Akron does not make the tires.

The companies that have their capital employed in Europe may get a good return on their capital but these profits remain a long way from the pockets of the auto, steel, and glassworkers in this country.

And what of the companies in this country that supply the Detroit car manufacturers with parts, such as batteries, spark plugs, carburetors, paint, fuel pumps, gears, screws, and the materials such as copper, aluminum, and steel and hundreds of other items? When the finished cars come in they already contain all these parts and materials. The domestic parts manufacturers and their workers can only look on; and the same goes for the miners of copper ore, lead, iron ore, and other raw materials.

These people in turn will buy fewer cars made in Detroit or anywhere else.

The same is true in the case of office equipment, much of which is now being made abroad by American capital. In 1958 for the first time, just as is now happening in steel, our imports of office machinery exceeded our exports. The Burroughs Co., IBM, Royal-McBee, Marchand, and others operate manufacturing facilities abroad. Some of their output is now coming into the United States; but that is not our total loss. Whereas they previously manufactured here for export, they now do more and more of their exporting from abroad while also supplying foreign markets in Europe from plants established within European countries.

Mr. Speaker, there is another reason why our companies go abroad. This was well stated by the president of Merck & Co., a pharmaceutical manufacturer. He is quoted in an article entitled "Foreign Operations of U.S. Corporations" in

the June 1959, issue of the magazine Trusts and Estates, as follows:

In and of themselves, international operations do not diminish the job opportunities in our U.S. plants. We no longer are able to conduct our international business operations solely by exporting products made in the United States. By now most foreign countries have adopted import quotas or import restrictions or have imposed import taxes to such an extent that the only practical answer is to have our own production, marketing, and other activities located in those countries.

What does this mean? For 25 years we have been cutting our tariffs and yet "by now most foreign countries have adopted import quotas" and so forth, to such an extent that American manufacturers must operate from within those countries if they want to supply a share of the market. Do you want further proof that our trade agreements are a one-way street?

This is a powerful commentary on the effectiveness of our State Department in lowering world-trade barriers, which has been their constant and echoing cry. While we have shorn our tariff by 80 percent on the average other countries by now have adopted import quotas or import restrictions to such an extent that the only practical answer is to invest within those countries.

The president of Merck & Co. says that "in and of themselves, international operations do not diminish the job opportunities in our U.S. plants."

What he means, no doubt, is that his company does not ship back to this country. What can, however, be said is that the conditions in the United States in point of competitive disadvantage plus the restrictions to our exports abroad, do indeed diminish employment in the United States when our firms are driven to opening up abroad.

What a picture this draws of our foreign trade policy. We have stripped ourselves of defense against import competition while our costs have risen. We have done this in the face of rising foreign restrictions against our exports and the fast developing manufacturing technology abroad which has run ahead of foreign wages and therefore increased the competitive advantage over us.

Now there are those who would stimulate still further the running away of our manufacturers by giving them a tax incentive for going abroad. To me this is upside-down reasoning totally contrary to what is needed.

In this connection, it might be well to call attention to H.R. 5 now before the House Ways and Means Committee. This bill is sponsored by the "Wendell Willkie of the Bayou," Congressman BOGGS, of Louisiana. It is truly a "one world" gesture far beyond the fondest dreams of the Hoosier statesman who sought the Presidency in 1940.

In order to induce more American companies to invest in factories abroad, his bill would exempt them from the payment of income tax on their foreign earnings for a period of 5 years and, at the end of this 5-year handout, they would be allowed to pay corporate income tax at the rate of 42 percent annually, while legitimate American concerns would still pay the 52 percent provided in the present tax law.

Is that what the gentleman from Illinois was complaining about?

Mr. MASON. That is exactly what I am complaining about.

Mr. BAILEY. Mr. Speaker, I include here, with the permission of the editor, an article appearing in U.S. News & World Report of July 6. It is entitled "Story of a Million Jobs 'Exported' From United States."

While the estimate of 1 million jobs exported is very low unless it refers to the past few years only and not to the whole period since we began investing abroad, the article nevertheless throws much needed light on the emigration of our companies overseas. Found mentioned in the article are many well-known companies, quite a number of which are also found in the list of American companies operating in Holland:

[From U.S. News & World Report, July 6, 1959]

STORY OF A MILLION JOBS "EXPORTED" FROM UNITED STATES

In the years since World War II, American business has invested more than $27 billion in factories, oil wells, mines, and other enterprises in foreign lands.

These American billions are estimated to have created more than 1 million jobs overseas. They are part of a flow of dollars abroad that has turned a dollar shortage throughout the world into an abundance of dollars that is causing concern in the United States.

More than 3,000 American companies have operations outside the United States. Business done by these branches or subsidiaries in countries abroad last year amounted to about $30 billion—almost twice as much as the value of goods exported commercially by U.S. companies in the same period.

What accounts for the growing interest of American business in establishing or expanding operations in countries outside the United States?

To get a broad view of what is happening, U.S. News & World Report surveyed an important segment of U.S. industry. This survey disclosed the many reasons that motivate American companies in decisions to establish or expand foreign operations.

Lower wages are one factor. Markets that often are expanding more rapidly abroad than in the United States are an attraction. Desire to overcome tariff and quota barriers and to get inside the new Common Market in Europe has its effect in convincing companies to move overseas.

The following examples illustrate the trend in business today.

TYPEWRITERS

It soon will be possible to choose among a number of typewriters made overseas but bearing the names of American manufacturers. Each will be priced considerably lower than American-made machines bearing the same names.

Royal McBee Corp., of Port Chester, N.Y., now has three manufacturing plants in Holland, is building a fourth. Total employment in the four factories will be 1,600. Another plant, in Italy, makes accounting equipment.

Royal plans to import a lightweight, portable typewriter from Holland to compete in this country with rising sales of portables made by Italian, Swiss, German, and Japanese firms.

The Royal McBee import will cost about $75, as compared with the selling price of $145 for its American-made counterpart, which is slightly larger.

From Britain will come a similar portable made by Smith-Corona Marchant, Inc., with home offices in Syracuse, N.Y. This company recently purchased the firm of British Typewriters, Ltd., in order to compete with foreign portables sold in this country. Its labor costs in the British plant are estimated at about 70 cents an hour.

Remington Rand International is another American firm that is expanding its extensive foreign operations, in which it has invested nearly $36 million. It has 23,000 workers in 29 oversea plants around the globe. Latest venture of this firm is an agreement with a Japanese company to make business machines for the Far Eastern market.

Remington portable typewriters made in Holland are flowing into the United States at the rate of a few hundred a month. Some standard typewriters produced in Scotland also are imported.

Another American firm that makes typewriters abroad, the Underwood Corp., reports that its plant in Britain is "bursting its seams, and expansion of our facilities there is under consideration." The output of this factory is sold in the European market.

Underwood earlier this year opened a new factory in Italy that turns out adding machines and may produce a standard typewriter for the U.S. market. It also bought a factory in Germany that makes addressing machines.

All four typewriter firms are banking on their oversea operations to keep them competitive—both in the foreign market and at home.

OFFICE EQUIPMENT

Many American firms that make office equipment are busily expanding their operations in Europe.

The National Cash Register Co. has plants in Britain, Germany, France, Switzerland, Sweden, Brazil, and Japan which employ a total of about 7,300.

In Holland, Friden, Inc., of San Leandro, Calif., makes calculators and billing machines, is about to add a full line of products. Some office-equipment parts made in Holland are to be exported to the United States for use in assembling Friden's domestic products. The company estimates that its labor costs abroad are about one-third of U.S. costs.

The Burroughs Corp., of Detroit, has just bought a plant in France, where it will employ 600 people in the manufacture of adding machines. These will be sold only in the European Common Market area, according to present plans.

Burroughs officials say that expansion of the company's foreign operations has enabled it to increase some types of exports. If France, for example, can buy Burroughs-made adding machines for francs instead of dollars, it is able to order for dollar purchase more complex machines, such as large computers, made in the United States.

A veteran of foreign operations, International Business Machines, has 25,850 employees in 22 plants in 18 countries. Additions to plants in Germany, France, and Italy now are going up. A large new factory is under construction in Holland, and others are being built in Japan and Argentina.

IBM's oversea branches make punchcard equipment computers, and electric typewriters. At this time, none of these products or components comes into the American market as an import.

In a few months, the Minnesota Mining & Manufacturing Co., of St. Paul, will begin making recording tapes and other office supplies in a new plant in South Africa. Company officials also are looking for suitable property in Italy, to build a factory with an initial investment of $750,000.

Throughout the entire industry large and small companies are maneuvering to get es-

tablished overseas and to share in the successes of these pioneers.

WATCHES

In Japan, the average wage for workers in the precision industries—making watches, radios, cameras, and optical instruments—is $46 a month.

The Hamilton Watch Co., of Lancaster, Pa., recently signed an agreement with a Japanese firm. This company, borrowing Hamilton's know-how, will make quality watches for sale throughout the world. In turn, Hamilton gets sole distribution rights within the United States.

The Japanese manufacturer hopes to reach an output of 20,000 watches a month, 40 percent of which will be shipped to Hamilton for sale in this country. This comes to 96,000 watches a year. The remainder will be sold in Japan, southeast Asia, and other foreign markets.

Hamilton also has just purchased a factory in Switzerland, where movements will be made for Hamilton watches. The Swiss subsidiary in addition will make a full line of watches to be marketed under another name. It employs about 250.

Another American firm, the Elgin National Watch Co., leases a small factory in Switzerland for the manufacture and assembly of watch movements. This venture will permit Elgin to import some components of its watches at lower prices than previously.

The U.S. Time Corp., another big manufacturer, has taken over two German firms that, between them, make 1.2 million watch movements a year. U.S. Time plants in Germany, England, and France now employ a total of 3,700. All movements for the company's low-priced watches sold in the United States, however, are made in the United States.

All major watchmakers in the United States, whether or not they have manufacturing facilities abroad, depend heavily on movements purchased in Switzerland, where average wage rates of 60 cents an hour are about one-fourth the U.S. rate.

SEWING MACHINES

In 1958 Americans purchased from Britain $3 million worth of sewing machines—most of them made by a subsidiary of the Singer Manufacturing Co. Singer is the only large producer of sewing machines left in the United States.

A low-priced machine, called the Spartan, is being made by Singer in Scotland to sell for $69.50 in the United States. It was introduced about a year ago to compete with foreign-made machines, mostly Japanese, which sell for as low as $49.50. The British machine is made by labor that is paid about $1 an hour.

Singer has had plants in Britain, Germany, Italy, and France for many years. The company is now constructing a plant in Turkey, and is starting manufacturing in Australia and Mexico. It also has a part interest in a company in Japan, but the machines made there are not sent to this country for sale.

Singer has quite definitely cut back manufacturing activities in the United States mostly of its cheaper models, a company spokesman said. No plants have been closed, but employment is down—a trend the company attributes to increased automation, reduction in the number of models and greater use of common parts.

Since 1949, employment at Singer's largest American plant, at Elizabethport, N.J., has dropped from 9,000 to less than 5,000.

AUTOS

Alongside a highway that links Melbourne and Sydney, in Australia, a $25 million automotive plant is rising. The name on the building is Ford. When construction is completed, this Australian subsidiary of the Ford Motor Co., will employ 2,750 workers and will turn out 200 vehicles a day.

This is but one example of how American automakers—hit by falling exports—are increasing production abroad to keep sales and profits up.

Ford also plans to make trucks in Argentina. Cost of a new plant to be built soon in Buenos Aires is estimated at $15 million. It will employ 1,200 workers.

At São José, in Brazil, a new General Motors truck plant is nearing completion. The average number of persons employed by GM's oversea division increased from 97,000 in 1957 to 107,000 in 1958. The company's net investment outside the United States and Canada at the end of last year was $330.5 million.

Chrysler Corp., last year bought a 25-percent interest in Simca, a French auto manufacturer, and plans to increase its holdings. Recently, Chrysler announced that it is studying a plan for making auto parts in Mexico. Later, it hopes to produce 12,000 Simca and Chrysler-line cars a year there.

At the same time, Detroit's Big Three have raised their sights on the share of the American market set aside for the cars they make overseas.

General Motors, with two entries, plans to import 40,000 of its German-made Opels and 24,000 British-made Vauxhalls this year. In 1958, combined sales of the two cars in this country totaled just under 33,000.

Ford's goal is 44,000 sales of its English Fords and German-made Taunus cars in the United States this year—an increase of about 2,000 over 1958.

Chrysler, a late starter in the import business, shipped about 12,800 Simcas to this country from September through December last year. It is aiming for 50,000 sales this year.

A glance at comparative wages of autoworkers here and abroad shows the competitive advantage of manufacturing in Europe. In Britain, the average hourly pay in the auto industry is $1.26. In Germany, it is 69 cents; in France, a little higher. The average American autoworker is paid $2.66 an hour—plus fringe benefits.

TIRES

The boom in foreign-car sales is a major factor in the expansion plans of American rubber companies with oversea operations. Many of these cars are equipped with small-diameter tires made by U.S. firms abroad, and tire imports are growing as the need for replacements arises in this country.

One of the companies that exports tires to the United States is the General Tire & Rubber Co., which has plants in 18 foreign countries, including Canada. Its principal products are tires and tubes, plus some plastics and tiles.

The B. F. Goodrich Co. has new plants under construction or planned in Brazil, Australia, and Iran. A synthetic-rubber factory in Holland is scheduled to get into production this summer.

More than $18 million is being poured into a building and expansion program overseas by the Firestone Tire & Rubber Co. Major areas for this expansion are Argentina, Brazil, Venezuela, India, Portugal, and Germany. All told, Firestone has 15,000 factory employees in 17 countries abroad.

The United States Rubber Co. recently acquired a majority interest in one of the largest rubber companies in Germany. It also has manufacturing facilities in Belgium and France to feed Europe's growing demand for tires.

One of the biggest new plants in France—costing $7 million—is to be built for the Goodyear Tire & Rubber Co. This firm already is making tires and tubes in 29 foreign countries.

In all, these investments by American rubber companies are helping to strengthen the economies of many lands.

FOOD

The largest single manufacturing plant ever built in Britain at one time was opened this spring by an American firm—the H. J. Heinz Co. It is one of several Heinz facilities in Britain that employ more than 7,500 workers to turn out a full line of the company's famous "57 varieties" of food.

The largest food-processing plant in Australia also is a Heinz plant. It was opened in 1955.

In Holland, Heinz purchased a Dutch company a year ago and recently started shipping food from there under the Heinz label. It is investigating the possibilities of opening other plants in Europe and South America.

The president of the Borden Co. is planning a trip to Europe this summer to look for areas in which to expand. Borden already is producing dried milk in Holland and Denmark.

Borden has cut down the volume of U.S. production for export. It closed two plants in this country because dried milk couldn't be produced at a price low enough to export at a profit.

These are but two of a number of American firms that are expanding their food-processing operations throughout the world.

DRUGS

In at least one field, that of pharmaceutical products, expansion of overseas operations has been a boon to related areas of U.S. industry. The demand for basic materials produced in this country and shipped to foreign plants for processing has resulted in increased production at home.

Typical of the growth of American pharmaceutical firms abroad is the experience of Parke, Davis & Co., of Detroit. This company is rapidly expanding its manufacturing and distributing facilities in foreign countries because of the high cost of exports, its president, Harry J. Loynd, said recently.

"We can't compete in foreign trade so long as our hourly wages continue to grow," he said. Mr. Loynd cited wages in Germany, for example, as being only one-fourth of those in the United States.

Parke, Davis has built or has under construction new plants in Belgium, Italy, Spain, South Africa, Australia, Puerto Rico, Brazil, Colombia, Argentina, and Chile. Its British plant has been in operation since before 1900, and now employs more than 1,500 people.

All told, the firm has close to 5,000 foreign employees, exclusive of Canada.

Johnson & Johnson, of New Brunswick, N.J., in making its baby products and health and hospitalization specialities in 20 countries, employs about 6,500 in its oversea operations. The company has no plan to manufacture abroad especially for the U.S. market, although this is being done to a minor degree with specialized products.

The largest chemical and pharmaceutical manufacturing plant under private ownership in India is owned by Merck Sharp & Dohme, of Rahway, N.J. . Other units in Holland, Britain, and Australia are being expanded. The company reports no drop in employment at its home factories—just increased consumption abroad. Its plan is to export from the United States only basic chemicals for processing.

Bristol-Myers has just bought a German firm, and plans to build a new plant that will employ 250 people in the manufacture of toothpaste, hair tonics, shaving cream and other products. It has other operations in Britain, Latin America, South Africa, Australia and New Zealand.

In the Philippines, at one of the three oversea plants owned and operated by the Vick Chemical Co., the wage scale—based on the official rate of exchange—is around $3.62 a day.

Labor costs in that range provide one of the big attractions to U.S. firms that are looking abroad as part of their expansion plans.

FARM EQUIPMENT

From the hold of a ship docked at Jacksonville, Fla., a few weeks ago, workers unloaded a shipment of tractors. They looked just like tractors you might see coming off an American asembly line—but there was this difference: All were made in a British plant of the International Harvester Co., and were imported for sale in the Southeastern States at "bargain" prices.

International Harvester plans to import at least 300 of these diesel-powered tractors this year as an experiment. If they prove popular, volume will be increased. They sell for about $2,800. Company officials estimate that they would cost $550 more if made here.

International Harvester, world's largest manufacturer of farm equipment, is not alone in entering the U.S. market with its foreign-made products.

The Ford Motor Co.'s tractor division is importing two models of diesel tractors made in its British factories. In the last few years, $28 million worth of one of these models was sold in this country.

J. I. Case Co., a big manufacturer of Racine, Wis., has purchased a controlling interest in a French company that makes tractors and other farm equipment. Case has not announced plans to import any of the French production, but its president, Marc B. Rojtman, said recently: "There's a strong possibility we'll import a small diesel tractor."

The company plans to turn over some of its designs to the French firm and ultimately to bring out a full line of Case products overseas.

Deere & Co., of Moline, Ill., has an 85-percent interest in a plant in Germany that turns out tractors, combines and other farm equipment. Deere has built a plant in Mexico, and is putting up another in Argentina.

Allis-Chalmers Manufacturing Co., of Milwaukee, has a plant in Britain and recently purchased others in Australia and Mexico.

A look at wage rates here and abroad, however, shows why many businessmen think imports of farm equipment made in overseas plants of U.S.-owned firms may increase.

International Harvester pays about 80 cents an hour in Britain and a little more than 70 cents an hour in Germany and France. The average wage for its hourly employees in the United States is $2.59.

MACHINE TOOLS

Here is what an official of the Ex-Cell-O Corp., of Detroit, a machine-tool maker, says about the export-import situation:

"We feel we are being priced out of the world market, and the only way to stay in business is to make your product overseas. Formerly, 25 percent of American-made machine tools went into the export market. Now the flow is the other way. We are faced with the competition of imports."

As a result, Ex-Cell-O has bought plants in Britain and Germany and is planning expansion to other countries—perhaps to India.

German labor costs are only about 25 percent of those in Detroit. In England, the company finds skilled labor available at less than $1 an hour. Products made in the oversea plants are grinders, gearmaking machines and a broad range of other tools, including lathes, which Ex-Cell-O doesn't make in its American plants.

Ex-Cell-O's domestic employment is down from 10,000 a couple of years ago to 6,750 now. The firm is not bringing its foreign-made products back to the United States but a company spokesman says: "We have no qualms about doing so, and it may come in the future."

HEAVY MACHINERY

The Goss Printing Press Co. of Chicago, employs 800 people in a new plant it opened 2 years ago in Britain, where it first started operations in 1934. A smaller plant now is under construction in Germany.

Goss has not tried to sell any of its British-made printing presses in the United States, because of a backlog of demand for its products in Europe.

Comparative labor costs are 80 cents an hour in Britain, as against $2.72 an hour in Chicago.

The British subsidiary could undersell us by 25 percent any day in the U.S. market, says Robert C. Corlett, the firm's president.

Within the last 5 years the Hyster Co., of Portland, Oreg., has opened new plants in Britain, Holland, and Brazil. The company makes fork-lift trucks, yard cranes and lumber carriers, as well as construction equipment.

OTHER PRODUCTS

In just about every field of manufacturing, company officials are signing new agreements, arranging for construction or purchase of oversea facilities. Some examples:

The Minneapolis-Honeywell Regulator Co. has wrapped up a 50–50 ownership deal with a Japanese firm which employs close to 13,000 workers. It will make industrial instruments, valves, and heating controls.

About a year ago, Outboard Marine International bought a newly built plant in Belgium, where it assembled Evinrude and Johnson outboard motors of the small sizes popular in Europe. The present investment of $2.6 million will be increased by a million-dollar program of expansion, this year.

The Otis Elevator Co., with a number of oversea plants, has a policy of importing some of the more complicated components of elevators which, in its U.S. plants, result in high labor costs. Despite import duties, these parts are less expensive than if made here.

In Europe, Otis figures its manufacturing costs are two-thirds raw material and one-third labor; in the United States, it's the reverse.

Yale & Towne has metal-products plants in Britain and Germany and two licensees in France that manufacture its locks, hardware, and materials-handling equipment. It plans to open another plant in Brazil.

Eversharp, Inc., recently announced plans to import razor blades from a newly purchased plant in Sweden.

The Johns-Manville Corp. has working agreements with 13 companies in 10 European countries to manufacture 6 of its major products. In addition, it is opening two new plants in Italy to make floor tiles and heat-resistant materials. Johns-Manville also is currently investing several million dollars in existing plant facilities in Latin America, and has acquired a majority interest in a Mexican factory that will turn out packing materials.

Du Pont has under construction in Europe three new plants that will employ about 1,000. The factories—in Holland, Belgium, and Northern Ireland—will produce fibers, paints, and synthetic rubber for the European market.

An example of the growing importance of foreign production is provided by the Worthington Corp., of Harrison, N.J., which makes pumps, compressors, and other industrial equipment in 11 countries. Worthington is about to open a new plant in Italy, and is contemplating expansion in South America.

Although Worthington's sales abroad represent about one-fourth of its total business, 60 percent of those sales are based on production overseas. Only 40 percent represents exports from this country.

In conclusion, Mr. Speaker, let me warn my colleagues as I have over the past 12 years, that we call a halt to this suicide program now and not delay our action until the grass is growing in the streets of our industrial centers.

It will be my purpose, if time will permit, to offer some additional data for the information of my colleagues on this very important question. May I venture to say to you that it is the most serious question confronting America today.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I am glad to yield to the gentleman from Illinois.

Mr. MASON. For 22 years I have opposed the reciprocal trade agreements program. My first vote in this Chamber was a vote against the extension of the reciprocal trade agreements. There were only 13 votes in this Chamber against. That number has gradually grown until last year we had the votes to defeat any extension of it. The vote was delayed some month or 6 weeks until enough cotton, oil, and mineral votes were corralled with certain promises of subsidies and restrictions on imports, until they were able to put it across by some 40 or 50 votes. Now those Members of this Chamber who permitted themselves to be hoodwinked by promises are sweating today because of the effect of the reciprocal trade agreements that we extended a year ago.

Mr. BAILEY. Let me say to the gentleman from Illinois that the situation is serious because they are sapping the very foundation of our American economy. Money that should be here to bolster and increase our productivity at home is going abroad and jobs that should be created in this country are being created abroad. It causes me to wonder just who is going to pay the taxes in this country, in the matter of a few years, if we do not have the jobs for them with which to earn the money.

Mr. MASON. And now you are again proposing to give them a 14-percent tax advantage over the man who invests here to provide jobs here.

Mr. BAILEY. I am not doing so, for the information of the gentleman from Illinois; and if it is done it will be done over my protest as the gentleman well knows.

TAXATION OF SMALL BUSINESS

The SPEAKER pro tempore (Mr. IKARD). Under previous order of the House, the gentleman from Oklahoma [Mr. STEED] is recognized for 1 hour.

Mr. STEED. Mr. Speaker, I have asked for this time today by virtue of the fact that I am chairman of the Subcommittee of the House Select Committee on Small Business which deals with the problems of taxation in the small business community of the Nation. For several years this committee has been making studies, working with different organizations on these types of problems and a few days ago a resolution sponsored by the subcommittee was approved by the entire Committee on Small Business urging the Committee on Ways and Means to give immediate and serious attention to the problems under which our small business community finds itself faced in the taxation field today. This

resolution included the idea suggested in a number of bills sponsored by members of the committee and other Members of the House and gave special emphasis to the proposal contained in the bill sponsored by the gentleman from Texas [Mr. IKARD], known as H.R. 2, and the gentleman from Missouri [Mr. CURTIS], H.R. 3, which have for their purpose the so-called plowback advantage to the small business community.

Mr. Speaker, we have a national economy that in recent years has been growing steadily, but growing in an uneven and lopsided way. In the very period in which our gross national product has mounted to a new high a vital segment of our economy—that of small and medium-sized business—is dropping behind.

Growth can be dangerous when it is top-heavy, and this trend, if unchecked, threatens to overshadow the small business that we have so long felt to be basic to our way of life.

One of the barometers used to measure the health of this part of our economy is the number of small business failures. In the most recent semiannual report of the Small Business Administration, the number of failures in 1958 is reported at 14,964, compared to 13,739 in 1957. In fact, there were more small business failures in 1958 than in any other year since the great depression of the 1930's.

Another indicator is the rate of failures. In 1958, it stood at 56 per 10,000 firms—also the highest since the 1930's. This figure has shown a continuous increase since 1953, pointing with mounting urgency to a dangerous symptom of something amiss in our prosperity.

In the last 10 years our small business as a whole has grown at a rate less than half that of its larger competitors.

What is at the root of this state of affairs? Evidence has been piled up in years of studies of the problems of specific industries by the House Select Committee on Small Business, of which I have the honor to be a member. And last year intensive hearings of the Ways and Means Committee amassed facts pointing to the same conclusion.

Existing tax laws must be revised to give small business room to breathe and expand. Present taxes, many of them imposed on wartime emergency, leave the little businessman bearing far more than his share of the burden.

In the ninth semi-annual report of the Small Business Administration, for the 6 months ending December 31, 1957, the Administrator discussed the several most prominent problems confronting small business. No. 1 on this list was "the impact of taxes which make it difficult for some small businesses to accumulate working capital or capital for expansion."

The Small Business Committee has examined this problem and has been closely following the trend of events in order to report to the House the pertinent facts and to suggest meaningful remedies.

Mr. Speaker, I believe that unless effective relief in the legislative field is forthcoming the day of the independent businessman in this country is numbered.

I am convinced that the most powerful element in the greatness of the United States is our middle class, which is another way of saying our small business community. Therefore I believe that the future of this country depends to a great extent on how well we can keep this community alive and active.

The trend to bigness is of long standing, but in the last 20 years it has accelerated alarmingly. None could successfully deny that if it continues apace there will eventually be no small business community. In some industries the crisis is already acute—for example, the dairy industry, the problems of which are being considered by the subcommittee of which I am chairman. What has happened in one field can spread to another with similar structural problems.

There is no easy answer to this tangled issue, which stems in part from the ceaseless mechanization of society. But effective action is possible. And perhaps the most telling move open to this Congress lies in the area of taxation. We must promote an economic climate that will sustain the growth of all sound business enterprise. This can be done through revision and reform of our tax laws.

Many Members of this House, desiring to aid small business, have submitted bills incorporating various approaches. But as further studies are made there is one approach that shows increasing possibilities of effectiveness—the "reinvestment of earnings" or the "plowback" principle.

This principle is embodied in H.R. 2, introduced by our colleague from Texas, Hon. FRANK IKARD, and the gentleman from Missouri, Hon. THOMAS B. CURTIS. Both these distinguished Members serve on the Committee on Ways and Means, and they have made the advocacy of this much-needed measure a bipartisan one.

The bill provides that a person engaged in a trade or a business shall be allowed as a deduction for the taxable year an amount equal to the additional investment in the trade or business during that year. This would not exceed $30,000 or 20 percent of the trade or business, whichever is the lesser.

For the purposes of measuring "additional investment," the aggregate of the increase in depreciable property used in the trade or business inventory and accounts receivable would be used.

All businesses, large and small, would be able to take immediate advantage of this adjustment in order to obtain capital for business expansion, stimulating competition and stimulating the growth of our smaller business concerns.

This provision applies equally to any business, whether it is a corporation, a partnership or an individual proprietorship. It does not increase the taxes of any business and requires no arbitrary line drawn as between what is and what is not "small business."

Our colleagues on the Ways and Means Committee gave thoughtful study to the principle last year and in House Report No. 2198 of the 85th Congress, July 16, 1958, reported:

> Your committee is convinced that one of the greatest problems confronting small- and medium-sized businesses is the acquisition of sufficient capital to modernize and maintain a rate of expansion experienced by their larger competitors. In this regard your committee is aware of the fact that small- and medium-sized businesses must rely to a very large extent upon retained earnings for modernization and expansion. Thus, there is a need to allow such businesses to retain more earnings after taxes to provide the funds necessary for growth. To aid in achieving this end your committee has investigated thoroughly various proposals to postpone, or to reduce, taxes based upon reinvestment in inventory and depreciable property, and would have liked to have included a provision along these lines in this bill. However, it has been forced to the conclusion that the budgetary limitations under which all tax relief must now be considered are such that any tax reduction which now could be granted under a reinvestment formula is so small as not to represent any meaningful tax relief to small business.

Also of interest is the comment of the President's Cabinet Committee on Small Business in its progress report submitted to the President August 7, 1956. The Cabinet Committee stated:

> In the past quarter century an enormous increase has occurred in the burden of Federal taxation. The impact of this development has been especially severe on small businesses. Such concerns have little or no access to public markets for capital. If they are to grow, they must have the wherewithal to expand plant, equipment, and markets. But the heavy burden of taxes nowadays sharply reduces the ability of small enterprises to plow profits back into their businesses.

The time is long overdue for Congress to recognize the impact of Federal taxes on the growth of small business concerns. The rate of failures among these enterprises was higher in 1957, and again in 1958, than when the committee made its report.

In addition to H.R. 2, by Mr. IKARD, and H.R. 13, by Mr. CURTIS, many measures containing the "plowback" principle have been introduced by members of the Small Business Committee.

The ranking minority member, the Honorable WILLIAM M. MCCULLOCH, and his party associates on the committee have introduced identical bills which contain the reinvestment of earnings principle.

Some time ago, the Senate Small Business Committee, under the chairmanship of Senator SPARKMAN, introduced S. 59, which is identical to the Ikard-Curtis proposals. It is quite evident that there is a growing sentiment in the Congress that the reinvestment of earnings principle offers the most practical and feasible method that can be adopted to halt the alarming trend of small business failures.

I urge the Ways and Means Committee to give serious consideration to the immediate adoption of this reinvestment of earnings principle. We cannot afford to be too late to save small business. I know that in some quarters there will be objection because of the alleged revenue loss. But this view is a shortsighted one. If small business dries up the revenue loss will be colossal. What we need is not a high tax rate on a diminishing small business segment of the economy. Instead, we need a less burdensome tax rate on a growing small

business sector. As small business prospers the revenue derived from it will increase. This policy would result in new jobs throughout the land. Small business has always provided the bulk of employment. Its expansion would mean the creation of additional jobs, which would in turn stimulate consumption and demand.

I believe the Members of this House are ready and anxious to support a small business tax adjustment measure such as H.R. 2 and H.R. 13. I hope the Ways and Means Committee will give us this opportunity at this session. Passage of this bill would assure an economic climate that would mean prosperity for the entire country.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield?

Mr. STEED. I yield.

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McCULLOCH. I commend the gentleman from Oklahoma [Mr. STEED] for his work in the field of taxation and particularly his efforts for small business.

Most Members of Congress are in general agreement that impediments to the progress of small business concerns continue to exist in the Internal Revenue Code. Some improvements were made in the passage of Public Law 866 of the 85th Congress. In the introduction of a comprehensive small business tax reform bill on April 20, 1959, I cataloged these reforms in my statement explaining the provisions of the bill H.R. 6501—CONGRESSIONAL RECORD, pages 6353–6356.

Identical bills were introduced by my colleagues on the Small Business Committee—Mr. MOORE, of West Virginia, H.R. 6502; Mr. AVERY, of Kansas, H.R. 6503; Mr. SMITH, of California, H.R. 6504; Mr. ROBISON, of New York, H.R. 6505; and Mr. QUIE, of Minnesota, H.R. 6506, who was a member of the committee at that time. Many other Members of the House, both Democrats and Republicans, have introduced identical bills.

The underlying principle of tax reform and revision contained in H.R. 6501 and companion bills is to make small business financially self-sufficient, insofar as is reasonably and fairly possible. In other words, to provide small business concerns with a tax structure which will permit earnings to be plowed back into the business for growth, expansion, and modernization.

As I have previously stated on many occasions, there are many bills which have been introduced which embody the plow-back principle. In my statement on April 20, 1959, I endeavored to make it clear that we believed in the bills which we had introduced, but that so long as the basic principle of tax reform and revision was maintained the cause of small business would be well and properly served.

TAX REFORM BY THE STATES

Another area of taxation which has recently caused much concern to small business was occasioned by the cases decided by the Supreme Court on February 24, 1959; namely, *Northwestern States Portland Cement Company* v. *Minnesota*, and *T. V. Williams* v. *Stockham Valve & Fittings, Inc.* (358 U.S. 450). This decision, as we all know, involves "State taxation of interstate commerce."

Since the Supreme Court decision on February 24, 1959, many bills and resolutions have been introduced in both the other body and the House in an effort to find a method to remedy a situation which will become an unconscionable burden on small business, if not in fact our entire economy.

The House Judiciary Committee has created a special subcommittee to study the subject and hearings have been held by the Select Committee on Small Business, and by the Committee on Finance of the other body which latter committee, in addition, on August 6 ordered reported a clean bill to prevent, under certain conditions, States or political subdivisions from imposing on a person a net income tax on income derived from interstate commerce.

Mr. Speaker, over the years many informed students of taxation and interstate commerce have written extensive treatises on the subject of State taxation of interstate commerce. It is generally admitted that it is not a problem of easy solution. It is one which requires exhaustive and unprejudiced study and wise decisions by the Congress of the United States, and by the several States of our Union.

The Tax Foundation, Inc., has contributed to the discussion on many occasions and in its July 1959 issue of Tax Review includes an article on State Taxation of Interstate Commerce by Paul Studenski, professor emeritus of economics, New York University, which I include as part of my remarks as a matter of information on this timely subject.

While I do not necessarily agree with many of the proposals which have been made or all of those contained in Dr. Studenski's article, I feel that the subject of State taxation of interstate commerce is one on which we should have full and free debate and discussion, and for that reason I include the article in its entirety. Dr. Studenski's article follows:

The imposition of State corporation income taxes has been justified from the very beginning as a benefit tax. The benefit is presumed to be represented by the various protective and economic services which the State renders to corporations and which help them to operate and to earn a net income. The net income is supposed to bear some measurable relation to those services.

This was the concept accepted by Wisconsin, Connecticut, New York, Massachusetts, and the other States which first adopted these taxes during the period 1911–19. This concept was also accepted in 1919 by the National Tax Association's Committee on a Model Plan of State and Local Taxation. This concept, I believe, is reasonable and is still the rule today.

Following World War II a trend away from the original method of application of the tax became more pronounced. Some Southern and Western States, in their search for additional revenue and in an attempt to impel more businesses to maintain permanent establishments within their jurisdiction, departed from this traditional approach to State business taxation. They amended their laws to permit the taxation of out-of-State corporations that did no more than solicit orders in the State through resident or nonresident salesmen. They changed their formula for allocating corporate income to a formula in which sales-by-destination was the major factor.

This new basis for business taxation, if applied generally, may have the most serious consequences for the national economy. Specifically, the following criticisms may be advanced:

1. The extension of State business taxation to out-of-State corporations is founded upon a concept of State jurisdiction to tax that is most equivocal, elusive, and uncertain. Indeed, the taxation of this kind seems to be largely no more than the reaching out by some States into the fiscal resources of other States.

2. The administration of the tax thereunder would present innumerable problems. Enforcement would necessarily be incomplete, accidental, arbitrary, and often discriminatory in addition to being costly. The inevitable increase in the opportunities for the exercise of discretion by State tax officials in the determination of the tax liabilities of companies would, in time, bring the administration of the tax into disrepute.

3. Compliance would become difficult for businesses having widely diffused markets. The costs of compliance would often be far in excess of the amounts of the tax extracted from the business.

4. Many businesses, especially of moderate and small size, would find themselves compelled to give up selling goods in some States out of fear of becoming liable for the tax not only on account of their current sales but, retroactively with penalties, for their sales of prior years. The net result would be a restriction of the operations of such firms to smaller territories and a curtailment of interregional competition.

5. In this and other ways, the free flow of interstate commerce would be impeded. For the first time in the 170 years since the Constitution abolished State tariffs, the unity of the national market, upon which our national economic efficiency and prosperity is built, would be impaired.

6. The opportunities for double taxation of the same corporate income would be multiplied. A temptation would even exist for a State to use both jurisdictional concepts and allocation formulas—one set for its own corporations and the other for out-of-State corporations—in order to collect the maximum possible revenue from both.

7. The use of conflicting jurisdictional concepts and allocation formulas would produce a wholly intolerable situation in which the States would be stepping on each other's toes. This would reflect adversely not only on the competence of the States to order intelligently and equitably their business taxes but also on their capacity so to order their other affairs and in fact, would tend to impair the moral prestige of State government generally.

SHOULD EXERCISE RESTRAINT

Accordingly, the States should exercise restraint in the adoption of this hazardous course of action and should take a new and broader view of their policies of business taxation. They should look beyond consideration of possible immediate gains in revenue and improvement in their economic position to evolve by agreement a system of State business taxation which would be to the advantage of the whole Nation. At the same time, however, it is acknowledged that

the past experience of the States in attempting to evolve a uniform allocation formula by agreement does not warrant too sanguine expectations along these lines.

In an article written (with Gerald J. Glasser) just prior to the recent Supreme Court decision,[1] I expressed the hope that the Supreme Court might recognize the seriousness of the threat to the free flow of interstate commerce inherent in this new type of State business taxation, and that the Court would declare this type to be unconstitutional. I do not need to add that I was disappointed by the decision and that I found the minority opinion's analysis much closer to the facts disclosed in my recent study than the majority's opinion.

At the same time, however, I pointed out that irrespective of the position which the Supreme Court might take, Congress, as the guardian of the Nation's economic health, has a responsibility of its own to provide a solution to this problem by laying down the conditions under which States may tax corporations engaged in interstate commerce.

Although the Supreme Court upheld the constitutionality (though not necessarily the economic wisdom) of State taxation of income of out-of-State corporations merely soliciting orders in the State, it did not establish how much selling activity and what manner of conduct constitutes "presence" for State taxing purposes. The clarification of this point requires much more consideration of economic facts than the Supreme Court can possibly provide.

Some people think that a solution may be found in returning to the original jurisdictional concept and allocation formulas; others that, on the contrary, it may be found in the universal acceptance of the new jurisdictional concept and of the sales-by-destination allocation factor; but I doubt that either of these answers will do. It is exceedingly unlikely that in the years to come the States will be able to achieve much uniformity in allocation when they have failed to do so in the past. The field is, therefore, open for Congress to clarify the problem.

CONGRESS HAS RESPONSIBILITY

Congress has a responsibility to examine thoroughly the economic issues involved in the problem and to establish by law such protection of interstate commerce against harmful State taxation as it may deem necessary. It seems to me inconceivable that the Supreme Court would invalidate any reasonable protective measures devised by Congress. Nearly a hundred years ago Congress, in the exercise of its powers of regulation of money, laid down rules under which States could tax national banks; and the Supreme Court did not hold them to be unconstitutional interference with State taxing powers. Similarly, Congress, in the exercise of its unquestioned powers of regulation of interstate commerce, can lay down the rules under which the States could tax the income of corporations engaged in interstate commerce. In doing so, Congress would undoubtedly wish to be guided by the broad precepts laid down in the Court's decision. Only if Congress should go far beyond these precepts might a conflict arise with the Supreme Court, in the course of which either Congress would have to modify its stand, or a constitutional amendment would be needed. This contingency, however, seems to me to be quite remote at this time.

Many Members of Congress have become justifiably alarmed over the implications of the Supreme Court decision. Eleven bills have been introduced recently in both Houses of Congress which in one way or another would prohibit the States from taxing the net income of out-of-State corporations derived solely from interstate commerce or otherwise limit their power to tax such income. Most of these bills would specifically prohibit State taxation of incomes of corporations which merely solicit sales in the State and have no office, warehouse, stocks, or other place of business in it.[2]

COMMISSION RECOMMENDED

The Senate Select Committee on Small Business held hearings on this problem in April, May, and June of this year. In its report released on June 30 last (S. Rept. No. 453, 86th Cong., 1st sess.) and approved by 16 of its 17 members, the committee has recommended to Congress the setting up of a special commission to make a comprehensive inquiry on the subject and it introduced a bill to that effect (S.J. Res. 113, SPARKMAN et al.). The proposed commission would be required to recommend to Congress by July 31, 1961 "legislation providing for the establishment of uniform standards which the States will be required to observe in imposing income taxes upon businesses engaged in interstate commerce."

Meanwhile, under the committee's bill, the States would be prohibited from imposing a tax on the income of any business engaged in interstate commerce unless such business during the year "has maintained a stock of goods, an office, warehouse, or other place of business in such State or has had an officer, agent, or representative who has maintained an office or other place of business in such State." The first part of the proposed minimum standard is sound, but the second part is weak. It may be interpreted as permitting imposition of a tax on out-of-State firms having merely part-time salesmen or commission agents in the State. Such taxation should not be permitted even on a temporary basis.

Various types of possible congressional action will need to be considered by the proposed Commission or by any other group set up by Congress to make the study, and a thorough testing of each of them should be made in consultation with State tax administrators, business executives, tax authorities, and constitutional experts. Some of these alternatives may be recapitulated as follows:

1. A Federal definition of a requirement of the minimum activity required to permit imposition of the tax.

2. A Federal allocation formula to be used by any State wishing to tax income of out-of-State firms. (Consideration may be given to including in such a formula, only property and payroll employed in the State and excluding from it sales in any form as an allocation factor. This could do away with one of the principal sources of double taxation of the same corporate income by the States.)

3. A Federal statute of limitations or other type of Federal statute preventing retroactive application of any taxes which could be imposed under the Supreme Court decision.

4. Adoption of a de minimis rule requiring sales in a State to exceed a certain amount before the State tax could be imposed (thus excepting companies making casual or insubstantial sales).

5. Prohibition on the States to tax income from interstate commerce where the firm merely solicits orders on the State through resident or nonresident salesmen or through mail and where it owns and operates no property and maintains no store of goods.

6. Federal preemption of taxation of income derived from interstate commerce with provision for allocation of the additional receipts among the States.

7. Provision of credits against the Federal corporation income tax for State corporate income taxes which comply with certain Federal requirements.

8. Requirement of Federal incorporation for all firms engaging in interstate commerce and at the same time such Federal preemption of taxation of income from interstate commerce as suggested under item 6 above. (This would be the most drastic solution, going far beyond the taxation problem and giving rise to many other fundamental issues.)

The need for congressional action seems to me to be urgent. Within 2 months of the Supreme Court's decision three more States, Idaho, Utah, and Tennessee, amended their laws to permit them to tax income of out-of-State corporations, and the legislative sessions of the coming season will undoubtedly see more States added to the group having such laws. Any major delay in congressional action will make the problem more complicated and more difficult to solve.

Mr. STEED. I thank the gentleman.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. STEED. I am glad to yield to my colleague.

Mr. CURTIS of Missouri. Mr. Speaker, I, too, want to commend the gentleman and his subcommittee as well as the full Committee on Small Business for adopting this resolution and urging the Committee on Ways and Means, on which I have the honor to serve, to look into this matter forthwith. I personally am most pleased to find that the committee has seen fit to endorse the general principles contained in the bill, which the gentleman from Texas [Mr. IKARD], who is also a member of the Committee on Ways and Means and I have introduced. I would like to say this. As serious as the point of small business failures is, as the gentleman pointed out, in my judgment, even more serious is the increased ratio of mergers and acquisitions of these small businesses by the larger corporations. We always have an economic process going on, which is a good process, I believe, where small businesses as they prove their worth grow larger. Indeed it is a proper dream, I believe, of the American businessman to become big business. That is healthy, but a great deal of these mergers and acquisitions we have seen in recent years, and the increased ratio of them, is derived not from what is

[1] "New Threat in State Business Taxation," Harvard Business Review, November-December 1958, pp. 77–91. See also the author's written statement to the Senate Select Committee on Small Business, of June 19, 1959, recommending the creation of a Federal Commission to investigate the question (committee hearing, pt. 3). The cases decided by the Supreme Coure on Feb. 24, 1959, were *Northwestern States Portland Cement Co.* v. *Minnesota* and *T.V. Williams* v. *Stockham Valves and Fittings, Inc.* (358 U.S. 450).

[2] The bills of this nature introduced up to July 2 are: S. 2213 by Senator BUSH, cosponsored by Senators BUTLER, and KEATING; S. 2281 by Senator SALTONSTALL cosponsored by Senators SCOTT and PROUTY; Senate Joint Resolution 113 by Senator SPARKMAN cosponsored by 15 other Members of the Senate Select Committee on Small Business (HUMPHREY, SMATHERS, MORSE, BIBLE, RANDOLPH, ENGLE, BARTLETT, WILLIAMS, MOSS, SALTONSTALL, SCHOEPPEL, JAVITS, COOPER, SCOTT, and PROUTY); H.R. 7757 by Representative MCCULLOCH; House Joint Resolution 431 by Representative MILLER (N.Y.); H.R. 7715 by Representative KOWALSKI; H.R. 8019 by Representative CONTE; House Joint Resolution 450 by Representative WALTER; H.R. 8061 by Representative HENDERSON; H.R. 7773 by Representative COLLIER; and H.R. 7894 by Representative RIEHLMAN.

fundamentally good economics, in my judgment, but rather it is derived from the tax structure that we have imposed upon our society. These are mergers and acquisitions that come about because of tax benefits that accrue. The Department of the Treasury, I regret to say, up to this time has not seen the merit of this proposal of the Ikard-Curtis bill because they claim they will lose revenue. I have suggested to them, and I think any analysis of the matter will show that the Treasury derives more revenue from big corporation "A" and small business "B" paying taxes as two separate tax paying entities than the Treasury derives from big corporation "A" having swallowed up small business "B" and paying taxes as one tax paying entity. Furthermore, I would say this, that the main miscalculations on the part of the Treasury Department over a period of many years, and we will cross over into other administrations so that we will not be talking about Democrats or Republicans, the miscalculations have come from the miscalculation of economic growth or from recessions. Take the last recession, for example. The miscalculation in revenue was about $8 or $9 billion, mainly because of the cutback in economic activity. And it is in the area of small business that we see the most economic growth. That is the theory of the Ikard-Curtis bill, which is what I have described as the seed-corn philosophy. When our pioneer ancestors came to this land, they saved out enough seed to plant two acres where they had one before. And it is from this principle of keeping back the seed corn so that they could grow that this great country has grown. Yet, today our tax structure actually imposes a tax upon the seed corn. It imposes a tax upon this growth. If we would be released from this tax so that it is plowed back into the economic growth, the country will derive a great deal more revenue. Certainly, we are going to have a healthier growth, as the gentleman so aptly pointed out, because it will come about through the traditional growth of the small and growing business concerns.

One final statement, Mr. Speaker, and that is this. Our small businesses depend upon financing their growth essentially from the plowback principle—from putting back retained earnings. They cannot go into the equity markets for capital as big business can. Nor, can they go to the banks to the same extent that big business can. Essentially, the small business of this country is dependent upon the plowed back earnings to finance their growth. If ever there is a need for encouraging economic growth, orderly good economic growth, it is now. I am satisfied that the primary impediment to economic growth in America today is the tax structure that is imposed upon small business, a tax that is placed upon the seed corn. For that reason, I am certainly pleased to note that the Small Business Committee has made this resolution to the Committee on Ways and Means. I am hopeful that our committee will look into this forthwith and pass it early in the next session and that we will actually have a bill on the floor of the House that will encourage the seed-corn philosophy and improve the economic growth of our country.

Mr. STEED. I thank the gentleman very much. I feel he has made a most valuable contribution to this discussion.

Mr. McINTIRE. Mr. Speaker, will the gentleman yield?

Mr. STEED. I yield to the gentleman from Maine.

Mr. McINTIRE. Mr. Speaker, I want to join in commendation of the gentleman from Oklahoma and the subcommittee on which he has served as chairman, a subcommittee of the Select Committee on Small Business, in their resolution relative to the effect of taxation in this field.

My State of Maine has a great deal of its economy dependent on small business, and after having had the opportunity to observe the capital needs as expressed in the desire and the need for loans and the applications which I see by numbers are being made to the Small Business Administration, it becomes more apparent that as the gentleman from Missouri [Mr. CURTIS] has so well said, it is important that our tax on these small business units be such as will leave much of this capital available for them in their business.

Under date of February 22, I introduced a bill, H.R. 5005, which follows the same thought as that introduced by the gentleman from Texas and the gentleman from Missouri; and, may I say, I will follow with interest and support the efforts of the gentleman's subcommittee in its work in relation to appropriate legislation for small business by which they can retain some of their capital for their needed expansion.

I thank the gentleman.

Mr. STEED. I appreciate the gentleman's contribution.

Mr. AVERY. Mr. Speaker, will the gentleman yield?

Mr. STEED. I yield to the gentleman from Kansas.

Mr. AVERY. I would like to join my other colleagues in congratulating the gentleman from Oklahoma on bringing this matter before the House this afternoon, and I would like to state also that the gentleman's interest in small business has not just suddenly come to light. Back in the 83d Congress, I find from reading the RECORD, he served on a subcommittee known as the Federal Taxation Subcommittee that was chairmaned by our former colleague from Connecticut, Mr. Seely-Brown. So we can look to the gentleman in the well of the House this afternoon as, shall I say, an expert on the taxation problems of small business.

I would like to make one or two observations here. Referring back again to the number of small business failures, and we all recognize that there have been too many small business failures, but it may be we all lose track of the fact that there have been more small businesses organized in the last 10 years, let us say, than in any other 10 years in our history; in fact, just last year we had the Administrator for the Small Business Administration before our Subcommittee No. 1 of the Select Committee on Small Business, and in the course of his testimony—and this was not referring to taxation matters particularly, but I remember specifically he said that we had a net gain of 50,000 small businesses a year. We would, of course, like to have an economic situation so that the 50,000 small business could survive every year; but even if that particular 50,000 should survive, unfortunately there are a certain number of failures, and in addition to the failures there is, as the gentleman from Missouri pointed out, a considerable percentage of mergers and absorptions that are not reflected in the business failures.

I would like to mention another phase of business which was introduced by the gentleman from Missouri and the gentleman from Texas [Mr. IKARD], and was also included in the bills relating to small business that were introduced by all of the members, I think all of the minority members, of the Select Committee on Small Business, and possibly this same provision was included in bills introduced by some members of the majority, and that is a provision which defines certain operations in the agricultural area, small farmers, as eligible to small business loans within certain limitations. Although there are several agencies available under the Department of Agriculture that have expended credit for certain types of farmers and certain needs of farmers, certainly I think that to be realistic about this we should not preclude a man engaged in the production of agricultural commodities from being eligible for a small business loan just because we do not immediately classify him as one of those located in a place of business up and down the main street.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. STEED. I am very happy to yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. The point the gentleman is making is very important. So often people cannot talk of business except in terms of corporations. The essential purpose of the Ikard-Curtis proposal is to deal with that subject because 70 percent of our business concerns are not under the corporate form, and the definition should be broadened and broadened so that it would include farm operations. It would be any kind of activity, and I think the point the gentleman is making needs to be stressed. I thank the gentleman for yielding.

Mr. AVERY. I thank the gentleman from Missouri for his contribution.

Just one final observation if the gentleman from Oklahoma will permit: If we review our economic developments let us say since 1940, beginning about the time when there was a dramatic growth in the extension of large corporations everywhere, analyze carefully our tax structure and the amendments to the Internal Revenue Code since that time and we can only come to one conclusion, that there certainly must have been a miscalculation somewhere in the application of the Internal Revenue Code as evidenced by the fact that the big corporations continue to get larger. There seems to be a ceiling. The small businessman can come up against the ceiling, but he cannot break through. I think that definitely reflects some sort

of erroneous analysis of the actual application of our Internal Revenue Code as presently written.

Then, Mr. Speaker, I would like to pay a tribute, if we may at this time, and I am sure the gentleman from Oklahoma will agree with me. It is most appropriate as a member of the Select Committee on Small Business to express appreciation for the bill brought to the House by the Committee on Ways and Means last year that made considerable advance in this direction but just did not go far enough in a few principal points included in the amendments to the Internal Revenue Code last year. They were certainly of much benefit to the small businessman.

I think it is highly important we take this further step, I will not say final, but one further step, to assist the small businessman in securing capital, whether it be equity capital or just conventional credit as every businessman must recognize is necessary.

I agree wholeheartedly with the premise that the most serious financial problem of the small businessman is the inability to plow earnings back into his business. This is the method by which the business structure of our Nation has grown and prospered.

In my opinion, we must have tax reform for small business if we are to encourage and strengthen this sector of our economy. Freedom of entry and incentive to grow, expand and modernize depend to a great extent on a favorable climate in the area of Federal income taxes.

In this critical period in our history with the ever-present necessity of keeping our national defense at the peak of strength and efficiency, we must not lose sight of the factors which make us strong. One of these factors is certainly the strength of our small business institutions which number over 4 million out of a total business population of approximately 4½ million.

Our small defense industries which are the reserve strength of our entire defense plant structure do not have an easy road to travel in this rapidly changing technological world machinery becomes obsolete faster than ever before. The demand to modernize and expand is not only essential to our national defense, but is also essential to the very existence of our smaller defense plants.

In the field of distribution whether it be in food or agricultural machinery; whether it be in soft goods or hard goods; whether it be a service establishment or merchandise establishment, the pressure is constant to serve efficiently and rapidly.

When we plead for tax reform for small business, we plead for the future of our entire economy. We plead for the future of our Nation. Small business must be permitted to plow earnings back into its business structure.

Many Members of the House have introduced bills incorporating the plowback feature. Among these are bills introduced by members of the Select Committee on Small Business. Members of the Committee on Ways and Means have also introduced bills to accomplish this proposal. We may disagree on details but the principle of tax reform is incorporated in most of the bills thus far introduced.

The important and vital consideration is that we seriously undertake the problem of tax reform for small business at the earliest possible moment.

Mr. STEED. I thank the gentleman, and I am particularly pleased that he mentioned the committee activity of some years ago, when our friend from Connecticut, Mr. Seely-Brown, was chairman. I wish it were possible for every Member of the House to read the hearings and the report that were prepared during that session of the Congress. There are some case history studies in there I think that would convince any Member that what we are saying here today is true in every respect, and that the time has long since passed when the Congress ought to do something in this very important field.

I ask unanimous consent, Mr. Speaker, that all Members may have permission to extend their remarks at this point in the RECORD on the subject just discussed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McDOWELL. Mr. Speaker, there is a growing recognition of the indisputable fact that the small businessman, and the family type farmer constitute between them the backbone of the American economy which is the hope and the promise of a good life for all the people of the world. It is our form of people's capitalism which, alone, can succor other peoples. The slave economies of the totalitarian bloc has miserably failed, for instance, to provide the amount of food necessary in Russia and China.

Yes, the small businessman and the family type farmer who is also a small businessman, is the word and the shield of our democratic way of life.

Many of us in the Congress have come to the conclusion that it is high time to move on from speechmaking about our free enterprise system, however, to the area of concrete action to make it possible for the small businessman to survive.

The Small Business Administration, in its ninth semiannual report for the 6-month period ending December 31, 1957, pointed to one of the major problems facing the small businessman today. The report says:

> Officials of the Small Business Administration in constant contact with small businessmen throughout the country hear daily of the problems of small business. Among the most prominent of the problems are the following:
>
> 1. The impact of taxes, which makes it difficult for some small businesses to accumulate working capital or capital for expansion.

Here in a nutshell is the number one problem facing the small businessman. The tax laws at present actually discriminate against the small businessman and favor the big businessman.

Under the present Federal tax laws, the tax rate is 30 percent on income up to $25,000. On incomes in excess of $25,000 the rate is 52 percent.

Obviously, it is basically unfair to tax 52 percent of the corporate income exceeding $25,000 without regard to whether the corporation earns $50,000 or $500 million.

The Select Committee on Small Business of the House of Representatives put this matter in proper perspective when it said in its final report to the 85th Congress, 2d session, that—

> The depletion of capital reserve on a taxable income of $50,000 at a rate of 52 percent is far more devastating than at the million dollar mark or higher.

A great corporation with an income of $500 million before taxes has a net income of nearly $250 million after taxes which it can use for business growth and expansion and for taking over small businesses which falter and fail because of the present tax schedules which impede the growth and expansion of small businesses. A small businessman with an income of only $100,000 a year has a net income of less than $50,000 after taxes which prevents him from meeting the increasing competition of big business as well as being insufficient for the growth and expansion of small business.

It is clear from this that our tax structure places the small businessman at a very definite disadvantage. The expansion of small business is hindered, and, at the same time, large businesses are favored.

This certainly was not the intent of the Congress when it enacted the present tax laws for there is nowhere any discussion of the point in congressional proceedings on the tax legislation.

In this connection it is important to note that the Joint Committee on the Economic Report said, in a study on Federal tax policy—February 5, 1956—that—

> The growth requirements of small and new companies frequently involve more extensive reliance on internal resources, particularly retained earnings, than in the case of other companies. A corporation income-tax rate structure which does not unduly limit the financial resources required to finance the growth of large, established companies, therefore, may prove extremely burdensome in this respect for small and new companies.

The Joint Committee on the Economic Report then recommended that—

> A greater differential in effective rates applicable to small and large corporate taxpayers should be given careful consideration.

The Select Committee on Small Business of the House of Representatives reached the same conclusion, not once but several times.

In House Report No. 1002 in the 83d Congress the committee said:

> If small business is to play its part in our economy, it is essential that the tax structure be amended to provide a healthier climate for the growth of new and established small business.

In fact, said the committee—

> A solution of these problems is vital to a sound competitive economy.

In the 84th Congress the House Small Business Committee recommended, in House Report No. 2970, that—

The Internal Revenue Code of 1954 be amended to effect a substantial reduction of the corporate income-tax rates on small corporations.

The Cabinet Committee on Small Business, appointed by President Eisenhower on May 31, 1956, made a number of recommendations in August of that year for tax aid to small business, but these recommendations were held up by the administration because of budget considerations.

The House Ways and Means Committee said—in House Report No. 2198, 85th Congress—that—

There is a need to allow such (small) businesses to retain more earnings after taxes to provide the funds necessary for growth.

This year 25 bills have been introduced by Members of the House, including myself, permitting small- and medium-sized enterprises the funds for expansion by authorizing them to retain more of their earnings after taxes than is now the case.

We are in agreement that this source of revenue is essential, since existing or new small businesses generally find that loans from banks and new equity capital are not readily available.

Bills such as H.R. 2 and my H.R. 7704, provide that any person engaged in a trade or business shall be allowed as a deduction for the taxable year an amount measured by the additional investment in such trade or business for the taxable year.

It further provides that the deduction for any taxable year shall not exceed $30,000 or an amount equal to 20 percent of the net income of such trade or business for the taxable year, whichever is the lesser.

These bills have been given strong support from both sides of the aisle, and I am confident this bipartisan support augurs well for the successful adoption of this significant legislation by this Congress.

It is high time that such legislation was enacted into law, because small business failures are occurring at an unprecedented and economically disastrous rate.

In its 10th semiannual report for the 6-month period ending June 30, 1958, the Small Business Administration reported that business failures, through June 30, 1958, numbered 8,071, as compared to 7,089 in the similar 1957 period. It is clear that the Pollyannish attitude on the part of big business and the administration reflects only the economic health and strength of big business, and perhaps some satisfaction that small business—due to the 14 percent increase in business failures on the part of small business reflected in these alarming figures—is rapidly becoming a smaller and smaller part of our economy.

While small business continues to suffer failures at an accelerated rate, we are faced with more mergers and the continued concentration of economic power which such mergers represent.

I am confident the House Small Business Committee is correct in saying that if small business is given a tax break they will more than repay any immediate tax losses through increased growth and expansion of this vital segment of our economy.

Mr. WOLF. Mr. Speaker, I wish to compliment the gentleman on his fine statement in support of a program which would provide a tax adjustment for small business and for persons engaged in small business. I, too, introduced similar legislation in January because I feel a vital need for tax adjustment to these beleaguered businesses.

The reasons for such a bill make good sense. Today, in most important areas of business there is a general trend toward both monopoly and oligopoly. This results in two dangerous consequences. First of all, control of price and production has nothing to do with the laws of supply and demand. That is, the prices are no longer market determined. Secondly, we, in fact, destroy the concept of free enterprise, thus disturbing an economic liberty which is basic to our way of life.

The plight of the small businessman is very serious. In 1957–58 there were more small business failures in the United States than at any time since 1933–34. There is among the small businessmen in this country a silent depression which goes unrecognized. If the Government refuses to take cognizance of this fact, the Federal Government will, I am afraid, be one of the grave diggers of small business.

Today the Federal tax bite is so great that it substantially reduces the amount of investment that is available to the small businessman for reinvestment purposes. Furthermore, another policy of the Government which hinders small business is the initiation and continuation of a tight money policy. The results of this policy are well known.

While small business is not able to receive adequate financing from bank and loan institutions, it is common knowledge among economists and discerning businessmen that a tight money policy does not affect the big oligopolistic corporations.

These groups always have unlimited credit and financing resources. They can easily pass on any money-costs increase to their customers or to the consumer. The small businessman is not in a position to do this. Hence, in order to restore a proper balance in our competitive system, I strongly urge that Congress pass legislation which will give small businessmen a break.

Unless such legislation is passed, many small businesses will fail and the ugly hand of monopoly will be strengthened.

When I introduced my small business bill, H.R. 2812, last January, I said:

By encouraging and aiding small businessmen to stay in business we are doing much to bolster our system of free enterprise and prevent monopolistic practices on the part of big business.

I repeat that belief today.

Mr. CUNNINGHAM. Mr. Speaker, I do not think it is necessary to belabor my colleagues with a recitation of the need for the type of legislation which the Small Business Committee has endorsed. The reaction I received from small businessmen to similar legislation I introduced in this Congress and also in the 85th Congress convinces me that the Congress has two choices in regard to small business:

First. Enact legislation such as has been recommended by the committee; or

Second. Reduce the types and rates of taxation drastically so that the small businessman can survive.

I fear the burdens of the cold war and the demands of the growing Nation will preclude such a tax cut. Thus, it behooves us to give our most earnest consideration to the reinvestment legislation recommended by the committee.

I would be pleased to give my full support to this legislation, and I hope it will come before this Congress in the near future.

WHY THE WAYS AND MEANS COMMITTEE'S "SENSE" RESOLUTION ON INTEREST RATES MAKES SENSE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. REUSS] is recognized for 40 minutes.

Mr. REUSS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, on July 8 the House Committee on Ways and Means approved a bill authorizing the Secretary of the Treasury to lift the 4¼ percent interest ceiling on U.S. bonds and expressing the sense of Congress that the Federal Reserve System should, where feasible, bring about needed future monetary expansion by purchasing U.S. securities, of varying maturities. In other words, the Ways and Means Committee, while giving the administration the maximum amount of elbow room, at the same time was recommending that the administration so conduct its monetary policy as to minimize the need for piercing the ceiling.

I believe deeply in the sense resolution I have just described, and because there has been some misunderstanding about that, I took the floor earlier today to call the attention of Members that I had negotiated a 40-minute special order, which now engages me, and I invited them to be present if they could be, and if not to send around any written questions they might have to my office so that once and for all we could clear the air on the sense resolution.

Let me first set forth three reasons why I think that the sense resolution makes sense.

First, since the earnings of the Federal Reserve System substantially revert to the Treasury, the sense resolution would result in a saving to the taxpayers of many millions of dollars. In the last 6 years, for example, the Federal Reserve has added $4.9 billion to bank reserves by successive reductions of member bank reserve requirements. Had the Fed brought about this increase in bank reserves by the alternative method of the sense resolution and

purchased U.S. securities, it would have resulted in savings to the taxpayers, at current interest rates, of around $200 million a year. For the future, assuming that the Federal Reserve adds to the money supply at about the rate it has indicated it will, at least $1 billion can be saved for the Treasury and the taxpayers in the next 10 years by following the method spelled out in the sense resolution, rather than by the further lowering of bank reserve requirements.

Let us take a look at the arithmetic of all this. The amount of bank reserves created by lowering bank reserve requirements, and the amount of bank reserves created by the method of purchasing U.S. securities, as suggested by the sense resolution, are identical.

Let us suppose, for example, that the Federal Reserve decides that, in a given period, the money supply, and bank reserves, ought to be increased by $1 billion.

If it achieves this increase by lowering bank reserve requirements, the banks would have, at the present 6 for 1 average ratio, $1 billion of additional reserves, on which they could create around $6 billion worth of credit, which they could either lend or invest in U.S. securities. If the Federal Reserve instead uses the method of expanding the money supply by buying U.S. securities, it would buy $1 billion of U.S. securities, which would also create around $6 billion worth of credit, leading to an ability by the banks to create $6 billion in credit, either for new loans or for buying U.S. securities.

The second method—that recommended by the "sense" resolution—results in the acquisition of $1 billion of U.S. securities by the Federal Reserve, and a break for the taxpayers, which is lacking under the first method, that of lowering bank reserve requirements.

Under either method, money creation is identical and bank earnings are identical. The only difference is that if the method of the "sense" resolution is used, the taxpayer and the Treasury get a break.

Second. It would moderate somewhat the downward fluctuations in the prices of U.S. securities, and thus make them less unattractive to investors.

To make the modest support effective, the sense resolution also recommends to the Federal Reserve that the U.S. securities it purchases be of varying maturities. In other words, this asks the Fed to buy bills, certificates, notes or bonds, whichever it can most effectively purchase. This would mean that the Federal Reserve abandon its present "bill only" policy, a policy recently described by the American Banker magazine as "silly." Vice Chairman Alfred Hayes of the Federal Open Market Committee has also opposed the doctrinaire character of the "bills only" policy.

Third. It would make Treasury financing more orderly by reducing the chances of attrition—where security-holders refuse to accept exchanges and instead demand repayment in cash.

Now, Mr. Speaker, having looked at the three advantages to the sense resolution, let us look at the objections. As far as I can make out, there seems to be five of them that have been made in the last few weeks.

Objection No. 1: It is said that this is inflationary and would create printing press money. That inflamatory phrase "printing press money" first entered the Nation's vocabulary in the famous letter dated July 14, 1959, by Federal Reserve Board Chairman William McChesney Martin to the Honorable RICHARD M. SIMPSON, Representative from Pennsylvania, who, incidentally, is chairman of the Republican congressional campaign committee. In that letter Mr. Martin said:

> Under present conditions I am convinced that this amendment, when stripped of all technicalities, and regardless of whether the language is permissive or mandatory, will cause many thoughtful people both at home and abroad to question the will of our Government to manage its financial affairs without recourse to the printing press.

The next day the Wall Street Journal took up the hue and cry in their issue of July 15. The Wall Street Journal reported that the sense resolution "will be interpreted both at home and abroad as a sign that the United States is going to resort to what Mr. Martin calls printing press money."

Later, of course, before the Joint Economic Committee, Mr. Martin was at considerable pains to deny that he had ever said that the sense resolution would ever cause printing press money. What he said he said was that thoughtful people might infer that it would cause the creation of printing press money. So far as I know, he made no effort to straighten out the Wall Street Journal and the other publications which were printing that Mr. Martin had said that the sense resolution would cause printing press money.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. I thank the gentleman for yielding. It was primarily for a correction. Mr. Martin did not address a letter to Mr. SIMPSON as Republican congressional campaign committee manager; am I not correct?

Mr. REUSS. That is correct. The letter was addressed to the Honorable RICHARD M. SIMPSON, House of Representatives, Washington, D.C., and there was no designation of his office.

Mr. CURTIS of Missouri. The gentleman is fully aware of what Mr. SIMPSON's capacity is, and the reason the letter was directed to him. He is the ranking Republican member on the Committee on Ways and Means.

Mr. REUSS. That is entirely correct.

Mr. CURTIS of Missouri. Exactly. And the gentleman knows in context that is the reason it was addressed to him and had nothing at all to do with Mr. SIMPSON's duties as congressional campaign committee chairman.

Mr. REUSS. I completely accept the suggestion of the gentleman that this letter was addressed to Mr. SIMPSON in his capacity as ranking Republican member of the Committee on Ways and Means.

Mr. CURTIS of Missouri. There is one other point that I wish to develop.

I think that the gentleman is oversimplifying the statement of Mr. Martin. I think he did read the full context of his letter in the record and it should be there, but you cannot just take it out of context without giving the quite recent historical background that led up to that; and that is the reason why he made the remarks, as he very carefully explained to the gentleman from Wisconsin—I was present at the Joint Economic Committee hearings when the explanation was made—quite carefully explained to the gentleman that it was in the context of what had occurred that made him make the remark, that thoughtful people might interpret it in that manner. I happen to be among those who agree that thoughtful people will, and already have, and therefore that the Wall Street Journal or anyone else reporting on it was not in error in so reporting.

Mr. REUSS. The letter from Mr. Martin appears in the CONGRESSIONAL RECORD for July 30, pages 14835–14836. I have in no way plucked the portion I just read from its context, and I invite anyone to read the entire letter. I shall not burden the present RECORD with it, but I have just given the citation of it.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield for a clarification of my own?

Mr. REUSS. I am glad to yield.

Mr. CURTIS of Missouri. I did not mean that the gentlemen was taking a part straight out of the context of the letter, although I did want the full letter to be referred to. I was referring in context to other things that had transpired, the whole atmosphere under which the sense of Congress resolution was offered, which the gentleman and I have discussed many times and I know he is prepared to discuss later. But I shall not dwell on that.

Mr. JOHNSON of Colorado. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Colorado.

Mr. JOHNSON of Colorado. Was there not also a discussion on this floor on July 16 in which the gentleman from Wisconsin made very clear that in his opinion the sense resolution was not to be interpreted as printing press money—at pages 13637 to 13641? Those thoughtful persons, it must be assumed, would be readers of the whole RECORD and not merely a portion of it. Therefore, we may assume that thoughtful people could also interpret this as not being printing press money, especially if they got a little help from the Federal Reserve, who may also be presumed to read the whole RECORD.

Mr. REUSS. I thank the gentleman. We attempted to extricate from Chairman Martin in the hearings before the Joint Economic Committee recently the names and addresses of some of these thoughtful people, so that we could set them straight. If those thoughtful people were capable of reading plain English, they must have realized the noninflationary character of the sense resolution. However, Chairman Martin has

not enlightened us with the names, so we are unable to set them straight.

Mr. COHELAN. Mr. Speaker, would the gentleman yield?

Mr. REUSS. I am glad to yield to the gentleman from California.

Mr. COHELAN. Is it not true that in the hearings recently held, Mr. Martin admitted that the method suggested by the gentleman from Wisconsin was a perfectly valid alternative to the system of reducing reserve requirements?

Mr. REUSS. I want to report with all the accuracy I can just what Mr. Martin did concede. He did concede that from the monetary standpoint, the end result of increasing reserves by the method he advocates, namely, further lowering of bank reserve requirements, and the method of increasing reserves as advocated by the sense resolution, is identical.

Mr. COHELAN. Mr. Speaker, if the gentleman will yield further in this regard, it has also been suggested, in using the technique of lowering reserve requirements, that it is wrong to say that the Treasury does not benefit, because the Treasury does get money in taxes—some 52 percent if it is a corporation, and so on. Would the gentleman care to comment on that in reference to the accrual that the Treasury might make using the alternative?

Mr. REUSS. Yes. I think this suggestion that the Treasury does not lose totally, but collects some back in taxes, is a complete red herring. One might as well advocate that the Treasury strip itself bare of every nickel it has, and bestow it on worthy people around the country every Thursday night, and it really would not cost very much because the Treasury would get a lot back in taxes. That, of course, evades the issue. The question is whether the interest payments on the national debt are paid to outsiders or are, to the extent that the national debt is acquired by the Federal Reserve, paid to the Federal Reserve, practically 100 percent of the profits of which revert to the Treasury.

Mr. COHELAN. I thank the gentleman and I am looking forward to his remarks on what Mr. Martin did say.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. Of course, the gentleman is entitled to place his interpretation on the remarks of Mr. Martin, but in fairness the record is available, the record of the public hearings before the Joint Economic Committee at which the gentleman from Wisconsin interrogated Mr. Martin. I doubt very much that Mr. Martin conceded anything. As the gentleman states, he merely restated what I have heard him state many times before the Committee on Ways and Means to be his position. I think in fairness, and I hope the gentleman will put in the RECORD at this point, the actual remarks that Mr. Martin made before the Joint Economic Committee answer to the question the gentleman from Wisconsin raised, and I might state, the remarks that he made in answer to the questions of the gentleman from Missouri to bring this point out. Then, we would be in a position of your interpreting as you see fit. But, the way you have interpreted to date, I would certainly say I do not interpret it in that way and I think it is based on a misconception of what Mr. Martin said.

Mr. REUSS. I am more than willing to do that. In fact, I have done it. I refer Members once again to the CONGRESSIONAL RECORD for July 30, particularly pages 14837 and 14838, in which I have set forth at length the testimony of Mr. Martin on this very point, and particularly his admission, when pressed by Chairman Douglas, that there was no monetary difference between the two methods of increasing the bank reserves.

So much then, Mr. Speaker, for objection No. 1.

Let us turn to objection No. 2—that it is somehow wrong for the Congress to advise the Federal Reserve on important matters of monetary policy.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield.

Mr. CURTIS of Missouri. Will the gentleman from Wisconsin tell us who has ever advanced that theory? I have never heard it advanced except as a strawman by yourself and I saw in the press, by Speaker RAYBURN. Whoever has said that? I do not know of anyone who has maintained that the Congress should not tell the Federal Reserve what to do. The Federal Reserve is a creature of the Congress. Who has ever advanced such an argument?

Mr. REUSS. I am delighted to have the gentleman from Missouri, whose opinion I respect, agree with me. Of course he knows that the Congress has the power and the duty to coin money and regulate the value thereof, and while it delegates this power to the Federal Reserve, it does not abdicate. The Congress can, of course, advise and recommend to the Federal Reserve. Let me remind the gentleman from Missouri that in this Hall not so long ago, our colleague, the gentleman from Texas [Mr. ALGER] said that the Federal Reserve was independent of the Congress, and both the gentleman from Missouri and I, the gentleman from Wisconsin, then rose up and gave our separate differing views—that the Federal Reserve was not completely independent of the Congress, but that the Congress had the right to talk to the Federal Reserve. Thus, while I would wish it were a strawman, it is a strawman who is being danced with by some esteemed Members of this body.

Mr. CURTIS of Missouri. I am sure the gentleman will agree that Mr. Martin, himself, has said many times that he felt the same way. Of course, they said if the Congress wants to change this, they can and they should.

Mr. REUSS. The gentleman is exactly right. I hope out of this colloquy, the financial press, some of whom I hope are in the Press Gallery, will set it down that it is the view of the gentleman from Missouri and the gentleman from Wisconsin, and I believe the view of Chairman Martin——

Mr. CURTIS of Missouri. And of everybody else.

Mr. REUSS. And the view of Chairman Martin that the Federal Reserve is not an independent branch of the Government, like the judiciary, but may indeed receive the advice of the Congress, as the judiciary under our system should not. I would say to the gentleman, however, that the opinion of the gentleman from Texas [Mr. ALGER], which has been expressed here and the opinion of literally dozens of financial writers——

Mr. CURTIS of Missouri. But, I have not heard of any.

Mr. REUSS. The opinion of these people, as I was saying, is to the effect that there is something indecent about the Congress expressing an opinion to the Federal Reserve. Nothing would make me happier than to have this opinion really be a strawman, so that we could sweep it from the table and not have to take up our time with it.

Mr. CURTIS of Missouri. Let me say this to the gentleman about the statement of our colleague, the gentleman from Texas [Mr. ALGER]. I hope he is not using Mr. ALGER as the sole person to point to because Congressman ALGER right after he made his remarks had a little colloquy with me in which he said he was afraid he might have created the wrong impression. I said I thought he had, as a matter of fact, in his statement. But, actually, he was talking about the independence of the Federal Reserve, that it is created by an act of Congress. That is true. The Congress is the one who has created them. Of course, the Congress can at any time change the policies that it has directed the Federal Reserve to follow. So I am happy to clarify the record in behalf of Congressman ALGER. I certainly do not believe the gentleman can use that as an authority that someone has said that there is something wrong with the Congress telling the Federal Reserve. I am satisfied that it is a strawman built up by people who want to say that they are right on one of their answers to one of the criticisms.

So let us strike No. 2 from the list.

Mr. REUSS. I will lay it aside, and in the future I will refer financial writers, and other beaters-of-the-tub for the strawman, to the gentleman from Missouri as an expert on the subject.

Let us proceed hastily to objection No. 3, leaving the strawman on the floor. Objection No. 3 is that the resolution is not necessary, because really the Fed is doing what the Congress has asked them to do: It is in the process of increasing the supply of money by purchasing U.S. securities, and for all practical purposes it is no longer following the bills-only policy.

It is interesting to recall the statement attributed to Dr. Samuel Johnson: "He would have ravished her had she not, by her timely compliance, prevented him." However, it does not seem to me to be particularly true that the Fed has in fact abided, in advance, by the sense resolution.

Let us take first of all the question of lowered reserve requirements. I have set forth in the CONGRESSIONAL RECORD for June 4 of this year, at pages 9928 and

9929, a whole wealth of statements by representatives of the Federal Reserve in the hearings on the vault cash bill to the effect that the method of lowering bank reserve requirements is going to be their primary method of increasing the money supply. For example, at page 15 of the hearings it is set forth:

For purposes of monetary policy, reserve requirements of member banks do not need to be as high as they have been in recent years. Federal Reserve holdings of Government securities are large enough so that they could be reduced to absorb a substantial amount of reserves released, without impairing the ability of the System to perform its essential functions. Requirements, moreover, may be lowered in the course of time to release reserves needed to cover growing monetary needs of the economy. Some reduction in requirements could help improve the earnings and capital positions of member banks without impairing their liquidity or soundness (p. 15).

At the same hearing, C. Canby Balderston, Vice Chairman, Board of Governors, Federal Reserve System, testified:

Growth [in the economy] calls for increases in the money supply at a rate which we hope and believe will make for sustainable growth, and since the economy needs an increasing money supply over the long term, the chances are that the reserve requirements of the commercial banks may need to be lowered in the course of years, rather than raised.

I can illustrate that by pointing to the currency. We have had an increase in currency outstanding of about 1 percent per year. That calls for added reserves of, say, $300 million.

Likewise, the growth in the economy calls for increases in bank deposits of perhaps 2 or 3 percent per year, with a corresponding growth in required reserves. So, in taking care of added needs for currency and the money supply as a whole, the reserves supply will need to go up, perhaps half a billion dollars to a billion dollars a year. What I am saying is that the drift of reserve requirements will probably need to be downward in the course of time rather than upward (p. 54).

As recently as July 30, before the Joint Economic Committee, Chairman Martin once again reaffirmed this intention on the part of the Federal Reserve. I will quote a colloquy with Senator DOUGLAS:

Senator DOUGLAS. The Chairman has said that he prefers to get a longtime increase in bank credits through lowering reserve requirements, and he regards present reserve requirements as too high. I think that is the statement of the Chairman.

Mr. MARTIN. I said under present conditions we have tended to work that way.

And again, from the hearings of July 30, I call attention to the following colloquy between myself and Mr. Martin:

Representative REUSS. We got the impression from all the testimony of the Federal Reserve people and from the staff study that you are going to lower bank reserve requirements. That is how you are going to add to the money supply that everyone concedes is going to have to be increased over the years. Is that a wrong impression I have?

Mr. MARTIN. No. I have repeatedly testified here today and elsewhere that I think generally speaking bank reserve requirements have been higher than are necessary for the long-range development of the country.

The CHAIRMAN. Therefore you believe that they should be lowered?

Mr. MARTIN. When appropriate, yes.

The CHAIRMAN. That is the impression I had.

Representative REUSS. Our impressions were right.

I therefore think that the sense of Congress resolution we are talking about is not an unnecessary thing.

So the testimony of the Federal Reserve has been quite conclusive on the point that they intend to keep right on adding to the money supply by lowering bank reserve requirements.

As to the question of the bills-only policy, I would like to refer to the 1958 report of the Federal Reserve System which came to my desk last week, page 40, which says:

Operations for the System account in the open market, other than repurchase agreements, shall be confined to short-term securities (except in the correction of disorderly markets), and during a period of Treasury financing there shall be no purchases of (1) maturing issues for which an exchange is being offered, (2) when-issued securities, or (3) outstanding issues of comparable maturities to those being offered for exchange; these policies to be followed until such time as they may be superseded or modified by further action of the Federal Open Market Committee.

This is a minute of the Federal Open Market Committee setting forth their policy that purchases shall be confined to short-term securities, except in the correction of disorderly markets. So, both as to purchases and as to bills only, the clear indication of the Federal Reserve Board is to keep right on going against the sense of Congress resolution. Therefore, objection No. 3, that the resolution is not necessary, certainly disappears.

Objection No. 4: It is sometimes said that the "sense" resolution is inconsistent with the vault-cash bill recently passed by the Congress. This misreads the vault-cash bill. The vault-cash bill does not require that the Federal Reserve increase systemwide bank reserves by so much as 1 nickel. For example, if the reserve requirements of New York and Chicago city banks are lowered from their present 18 percent to 17½ percent and the reserve requirements of Reserve city banks are raised from their present 16½ percent to 17½ percent, systemwide reserves would be unchanged.

Similarly, to the extent that vault cash is counted, this can be offset by raising reserve requirements accordingly.

The legislative history of the vault-cash bill is clear that it requires no increase in total bank reserves. Therefore, the way is open for the Federal Reserve to make whatever increases in the money supply it feels are necessary by the method advocated by the sense resolution: Purchasing U.S. securities.

So much for objection No. 4.

The fifth objection which has been made to the sense resolution is that this should be an amendment to the Federal Reserve Act, the short answer to that is that, if enacted by the Congress, it would be an amendment to the Federal Reserve Act. I am assured by the very capable Mr. Charles J. Zinn, law-revision counsel of the Committee on the Judiciary, whose job it is to put the necessary titles on the laws that Congress passes, that that is precisely the tab he would put on the sense resolution—that it would be consigned to that section of the United States Code which has to do with the Federal Reserve System.

It is good to hear this, because the Ways and Means Committee, I think, deserves the commendation of all Members for the very faithful and industrious study which it gave this matter. There were 2 full days of open hearings, and there followed a series of executive hearings which lasted, I am told, for some 11 days. I am told by Secretary Martin, for example, that he attended 11 separate days' hearings before the House Committee on Ways and Means, contrasted with the zero days of hearings which he has attended this year before the House Committee on Banking and Currency, of which I have the honor to be a member. So I have the feeling that the House Committee on Ways and Means deserves not the sniffs and sneers of Members, but plaudits for the spendid, authoritative and painstaking job that was done by Chairman MILLS and Members on both sides of the aisle in giving this matter a full hearing.

The truth of the matter is that the administration and the Federal Reserve have been mismanaging the national debt, and that this truth has suddenly been brought home to them. But they do not like to admit it. I would be delighted to help the administration and the Federal Reserve to save face, but not when a billion dollars of the taxpayers' money is concerned.

I am hopeful that the administration and the Federal Reserve, whether the sense resolution gets any further than the Ways and Means Committee, which has put its stamp of approval on it by a majority vote, or whether it is adopted by the Congress as a whole, will pay heed to the precepts of sound monetary doctrine and the precepts of economy and efficiency in Government which are instinct in that sense resolution. If it does, we will be on the road to a much better and sounder management of the national debt.

Mr. JOHNSON of Colorado. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Colorado.

Mr. JOHNSON of Colorado. I wish to commend the gentleman for taking up item by item the criticisms which have been made. I can assure the gentleman in my experience in talking with members of the administration I have received the identical impression he has with respect to the administration point of view.

As a member of the Banking and Currency Committee, and in working on the vault cash bill, I came to many of the same concerns as did the gentleman, especially as to why the Federal Reserve did not ask for additional power over reserve requirements. I was advised directly, and this is in the hearings, that the Federal Reserve did not now need such power, that if they needed it they would ask for it. Subsequently, in House action on the floor, amendments offered by the gentleman from Wisconsin [Mr. REUSS] did prevail by consent on both

sides and the power of the Federal Reserve to increase reserve requirements was raised from the present maximum of 20 percent to 22 percent.

Speaking for myself, I would have preferred that we give the Federal Reserve Board even greater power. I was distressed that the Federal Reserve showed no interest whatsoever in having their hand strengthened by way of power to increase reserves. I gather that the administration did not and does not contemplate using the power to increase reserve requirements as an anti-inflation device.

The history of the past decade finds that upon occasion the Federal Reserve had to put its foot down to the floorboard on its brake pedal of reserve requirements. Hence they ought to have been concerned. Evidently the administration's devotion to lower reserves is so great they cannot contemplate that Congress should consider giving them additional power.

It was only after their indifference, if not opposition, that this power was given to them. The same attitude of mind, which was evident in the discussion on the vault cash bill, obviously is the attitude of mind which stands against the amendment which the Committee on Ways and Means added to the proposal to raise interest rates. Because "the sense resolution," as the gentleman calls it—the amendment which expresses the sense of Congress in opposition to the policy which the Federal Reserve is pursuing—simply recognizes the evident record already made by the Federal Reserve and by the administration in this matter. It serves to remind the Federal Reserve that Congress gave it a variety of powers to use, and wishes that other powers than lowering reserves be used. It is clear that the position taken by the administration is that they do not intend to use any such power.

Now, the administration has made much of its concern about inflation, and yet here they are proposing to abandon an anti-inflation tool. They are prepared to fight, moreover, any effort on the part of Congress to suggest to it that there are other ways to be concerned about the problem of both the expansion of the money supply and inflation than the route which they have chosen to follow.

It seems to me it ought not to be necessary for the Congress to have to consider such an amendment. We ought to be able to expect that the persons responsible for the management of the monetary side of the economy, who hold from Congress very broad discretion, will use it wisely. We should assume that their exercise of discretion should be satisfactory.

But in this case the interest of the taxpayer, which we must also represent here, is completely ignored and completely neglected. The position taken, as the gentleman so ably points out, is contrary to the taxpayer's interest toward keeping the cost of the debt as low as possible, both in the manner which the gentleman describes, and in the far more significant manner of having the Federal Reserve provide an orderly market for Government bonds which would tend to hold the cost of carrying debt down. I think the resulting tax savings to the citizenry would be far greater than those which were outlined by the statement of the gentleman.

I hope that this discussion will be helpful in clarifying for those persons who are seeking to interpret what Congress is here trying to do. Let them now interpret what we are proposing to do in a manner which indicates that we are responsible persons, seeking to be fiscally responsible, to be responsible in the field of money management, but also to be responsible to the taxpayers, and responsible to the businessmen and others who are concerned about the rising price of money. I am against raising any price, including the price of money. I would be happy to be joined in this position by the administration but the Congress has no support from the administration at this point. Their opposition to increased prices does not extend to an increased price of money.

Mr. REUSS. I am glad the gentleman has pointed out the fact that the Federal Reserve, despite its protestations that it is against inflation and wants to do something meaningful about it, has allowed to rust unused what should be an important weapon in the anti-inflation armory, namely, the power to raise reserve requirements. The gentleman will remember that the Banking and Currency Committee, of which he is a member, on May 28, 2 months ago, formally requested the Federal Reserve to report promptly back to the Committee on Banking and Currency ways and means whereby the anti-inflationary reserve requirement-raising tool might be made effective. If there were rough edges, said the committee, tell us how we may buff them off so that this weapon may be restored to the armory.

I had occasion just a week ago to call to Chairman Martin's attention that 2 months had gone by, and the light was still burning in the window of the Committee on Banking and Currency, but we had not heard from him. He said they had a lot of things to do and they were working on this, but he could not promise any particular day when this information would be made available to us. I pointed out that Congress only had a few more weeks in which it would be in session, and that it would be very important, indeed imperative, that we have the benefit of the thinking of the body to whom we have entrusted our monetary policy on this vital question on how to work out an effective reserve-requirement-raising instrument. I hope we shall hear from the Federal Reserve, and I promised that the day we did I would move for hearings in the Committee on Banking and Currency so that we could present a well-thought-out program that would really meet the needs of a national anti-inflationary policy.

Mr. JOHNSON of Colorado. I also await with interest such a report. I also await with interest any evidence that the Treasury is concerned about the tax burden that a higher interest rate will pose. We have raised this year's tax burden for interest on the present debt by $500 million, by reason of increase in interest rates over the past 6 months.

If an increased interest rate on long-term bonds is approved by this Congress before we adjourn, and if the Treasury then floats long-term bonds under the power which would be granted them, and if the Federal Reserve fails to follow the sense of Congress as here proposed, I can envision easily this kind of costly situation. Billions of dollars of new purchases of long-term Government bonds at 5 or 5½ percent would be sold. A few years hence, interest rates will be back down to a more realistic and long-term level. I assume that the Treasury will not make the bonds callable because we have seen no indication that they desire that these bonds be callable.

Then the persons who were farsighted enough to have bought those long-term Government bonds will be in a position to have a tremendous capital gain, just as those who previously bought long terms, expecting that the Federal Reserve was going to help maintain the level of those bonds, took a capital loss.

Assume 40-year bonds at 5-percent rate could and would be sold. Every billion dollars' worth of such long-term bonds would cost us $2 billion in interest during the life of the bond. If long-term rates fell to 3 percent, the holders of such bonds would have a capital gain amounting to almost $800 million. If these bonds were traded that capital gain could be harvested at capital gains tax levels, thus further depriving the Treasury of income.

Those who cheerfully advocate high interest long-term Government bonds may be preparing for the greatest and most generous giveaway that this or any other administration has ever seen.

Let those who are eager to give up this power, even for 2 years, carefully count the cost. It is staggering. The taxpaying citizens deserve sober restraint, not careless abandon, at our hands.

The SPEAKER pro tempore (Mr. THORNBERRY). The time of the gentleman from Wisconsin [Mr. REUSS] has expired.

INTEREST CEILING ON GOVERNMENT BONDS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 15 minutes.

Mr. CURTIS of Missouri. Mr. Speaker, I took this time just in case there might be some points raised in the talk of Mr. REUSS that I wanted to have clarified, and there certainly are.

Of course, it is a very strange position I find myself in as a Republican, defending the policies of a former Assistant Secretary under a Democratic administration, Mr. Martin; and also I might say defending the actions of an independent organization such as the Federal Reserve—that is, independent of the executive branch of the Government and really a creature of the Congress. Furthermore, it is a strange position when I hear members of the majority party that controls both the House and the Senate almost 2 to 1, talk about the administration not doing this and

not doing that in an area where the Congress has the authority to act.

It is even more strange when two gentlemen from the majority party, members of the Committee on Banking and Currency, which has jurisdiction over this matter—not the Ways and Means Committee—talk about the Ways and Means Committee not moving ahead perhaps where they should or questioning when this committee says that this is not in their jurisdiction. It really is a strange situation.

I will say to the gentlemen, why do you not get the majority on your side to agree with all this economic philosophy of yours and then maybe you can get it through the Congress. But apparently the majority on your side—and I thank heaven for it, because I think your economic theories are wrong—the majority on your side of the aisle does not agree with you either in the Senate or in the House.

Mr. REUSS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. REUSS. I just wanted to set the gentleman straight, Mr. Speaker. Far from criticizing the Ways and Means Committee I have been fulsome in my praise. I think the action of the Ways and Means Committee on July 8 by majority agreeing on the so-called sense resolution was one of the most statesmanlike actions accomplished by any committee of Congress in this entire session and I point out that the record will have to speak for itself, that the majority of the Ways and Means Committee by the way it acted on this does appear to agree with me in its approval and appreciation of the sense resolution.

Mr. CURTIS of Missouri. Mr. Speaker, inasmuch as the gentleman brought that in, I hate to deprive the Ways and Means Committee of that fine accolade, but unfortunately we cannot accept it, because the Ways and Means Committee wrestled with this thing and finally watered down the original proposal of the sense of Congress resolution where they thought it did not say anything; and then on the basis that it probably did not say anything and in order, frankly, to get a few votes, I think, because we could have voted the matter before us which had solely to do with the interest ceiling on certain Federal bonds that we are authorized to issue and had nothing at all to do with the monetary policy—but, in order to get that out of committee a few people who did not agree with the Reuss amendment voted for it.

I do not regard that as statesmanship; I regard it as plain, ordinary partisan politics, because what would have happened otherwise? Ten Republican members of the Ways and Means Committee and five Democratic members of the Ways and Means Committee would have voted out the bill, 15 to 10, without any "sense of Congress resolution" when the committee was controlled by 15 Democrats against 10 Republicans.

Now I do not blame the chairman of the Committee on Ways and Means and, in fact, I have great sympathy for his position of not wanting to report out the proper bill with Republican votes. But, I am afraid the gentleman is mistaken in thinking there is a majority who happens to agree with his sense of Congress resolution even watered down. Particularly, if the gentleman really means what he said on the floor, and I believe he does, that this sense of Congress resolution really does mean something.

Mr. REUSS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. REUSS. I, of course, am not privy to the secret deliberations of the House Committee on Ways and Means, and I will have to accept the gentleman's exposure of that to the public record here. I do wish to make it clear that the sense of Congress resolution adopted by the majority of the Committee on Ways and Means on July 8 was the exact sense of Congress resolution word for word that the gentleman from Wisconsin presented many weeks before to the Committee on Ways and Means. So far as I know not a comma in it was changed—certainly, nothing of substance or of sense in it was changed. So that it will not do to say it was watered down. It was not watered up and it was not watered down. It is the same identical resolution.

Mr. CURTIS of Missouri. I will supply to the gentleman for his perusal two marked-up copies showing how we changed the original thing that was before us. Please do not take my word for all this. I know the gentleman can talk to others of his colleagues on the Committee on Ways and Means. I think he must be aware of the fact that most of the people on the Committee on Ways and Means feel that this sense of Congress resolution has no place in an interest ceiling bill, and that is probably the basic difficulty.

Now, Mr. Speaker, if I may get on to some specific points. Objection No. 1—of the possible inflationary aspects of this thing. I do not believe the sense of Congress resolution means anything. If it means nothing, then I do agree that it is not inflationary. But, I suggest probably it may mean something, to someone, Mr. Reuss and his followers among others. In that event it might easily be inflationary whether it is the result of psychology or what. The second point we have disposed of. No one has ever contested the right of Congress to tell the Federal Reserve, by law, what to do. Least of all the Chairman, Mr. Martin.

Third, the question is whether or not the sense of Congress resolution is necessary. Well, I agree if the gentleman is really trying to get the Congress to tell the Federal Reserve to change whatever policies it has followed in the past, it is necessary, if that is the case. But, that is the very reason the Secretary of the Treasury and the Chairman of the Federal Reserve Board have opposed it. They are afraid the people will think it is changing the policy. The Chairman of the Federal Reserve Board pointed out the Federal Reserve has purchased bonds from time to time. The gentleman was not exactly fair, in my judgment, in his reading what the Chairman said before the Joint Economic Committee because the Chairman pointed out that generally speaking—the gentleman did read the words "generally speaking," it is their policy to increase the monetary supply through lowering the reserves; but on specific occasions they bought bonds. Also the bill's only policy was not as the gentleman had at one time said a "wedded" policy. As the gentleman himself observed, some people say it is more honored in the breach. In the testimony Mr. Martin pointed out where the Federal Reserve occasionally buys into the long-term market. I remember one instance he mentioned at the time of the Iraq and Lebanon crisis, the Fed went in. The Chairman was constantly pointing out that he fully realizes the Federal Reserve can at times purchase bonds in the market and does do that. It is not a black and white proposition. But, the Chairman of the Federal Reserve Board said he thought he had properly used the various tools.

The gentleman from Wisconsin and the gentleman from Colorado tried to create the impression, I am afraid, that the Chairman of the Federal Reserve Board is just casting aside this tool completely. That is not his position. He says he utilizes the tools but he does not use them except in unusual circumstances. I think he actually used that word or "something that is out of the ordinary." He felt it was a tool of that nature, and he was afraid that having used that tool in the past under certain circumstances and having used these other tools, that if there were any such sense of Congress resolution that really did mean something it would, in effect, be saying, "Change your policies to be more inflationary than you have." He is afraid that is what the interpretation would be. I must confess I agree with him, having listened to the speeches of my colleagues here today and others in the past months on interest rates, as I pointed out, and having talked about the background under which this sense of Congress resolution comes. Looking at the background of the people who have been taking the floor of the House, and I think the gentleman is one of them, and I know the gentleman from Colorado was over a period of the past few months, and the gentleman from Texas [Mr. PATMAN]—talking against high interest rates. How they deplored high interest rates. How they were complaining about the interest rates that we were paying on the Federal debt. Never once under my challenges did they explain why if that were so did the Federal Reserve-Treasury accord of 1951 come about that switched the policy from the Federal Reserve pegging the market to the situation we have today where the Federal Reserve only goes into the market in a very selective fashion.

There is where your phony low interest rates came about; and the reason the Federal Reserve accord was made was because we found it was inflationary to have the Federal Reserve going in and pegging the bond market. Senator DOUGLAS himself said this on the floor of the Senate in 1951 in a speech dealing with the Federal Reserve accord. He

said that while they might save on interest rates they would pay for it through the Government as a purchaser going into the market and having to pay in inflated dollars for what it bought. He said you lose a great deal more, especially through the economic damage which is created.

So it is in this context that the sense of this same group of critics of interest rates must be considered when they introduce this sense-of-Congress resolution. It perforce includes all the implications, in spite of the pious protestations to the contrary, all the implications of wanting to go back to some of the things that existed before the Federal Reserve-Treasury accord in 1951.

Mr. REUSS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I will yield to both the gentleman from Colorado and the gentleman from Wisconsin. I yield to the gentleman from Colorado first.

Mr. JOHNSON of Colorado. In the last special order which I took I tried to recite the history of the accord in order that it may be seen in its proper context, and I think the gentleman's remarks would be better if they would deal more in detail with the position I took at that time.

Mr. CURTIS of Missouri. I know the gentlemen did, a few days ago, and I appreciate those remarks; and, incidentally, as soon as I can get my desk clear of this highway bill and a couple of other things I intend to take the floor and will notify the gentleman, to discuss that thing.

Several months ago, I might say, the gentleman reiterated a philosophy which I took a great exception to, or a point of view, saying that this administration is not in favor of low interest rates. I assume that we all want to have the lowest interest rates possible, and the argument over how we get low interest rates stems from different economic theories. It is our theory, my theory at any rate, and I think in this instance I am in accord with the administration, that this is the better way to try to keep interest rates down, and it is our theory that really what has driven interest rates up and has created this situation of debt management is the great size of the Federal debt and the budget deficits. The spenders in Congress who are trying to get us to spend more and more money are the real cause of high interest rates.

Mr. REUSS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. In just a minute.

We on the Ways and Means Committee have the same thing right now on the highway bill. A precious few of us voted against, but most of the members voted for, an acceleration and increase of the highway program back in 1958. I am one member of the Ways and Means Committee to stand on the floor here to say I could not be for it unless we were willing to pay for it. Those who voted to increase it are the very ones who even now will not vote to pay for it. There were a few—six the other day, eight today—who have voted to try to pay for the program in a way other than increasing the Federal deficit. I am willing to stand up here to try to cope with it.

Mr. REUSS. Perhaps we can help the gentleman.

Mr. CURTIS of Missouri. I will tell you how you can help. You can help by keeping these appropriation bills down. They are getting larger all the time. That is what you can do if you are really interested in keeping interest rates down. Otherwise, I can tell you, you are just talking a lot of nonsense and about a lot of useless monetary shifting, because it is the size of the Federal debt that has caused the trouble in managing it. This causes high interest rates. This creates the pressures that result in inflation.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

WHITE HOUSE CONFERENCE ON MENTAL HEALTH

Mr. LAFORE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HALPERN] may extend his remarks at this point in the RECORD and include the text of a bill relating to mental health which he introduced today.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HALPERN. Mr. Speaker, today I have introduced a bill calling for the holding of a White House conference on mental health. I am motivated in doing this by the sobering realization that the gravest health problem in our Nation today is that of mental health. And, that furthermore, it is a problem—like the reaches of the human mind itself—that knows no geographical bounds and is worldwide in scope.

In view of the universality of the mental health problem, world leaders in the field have designated 1960 as World Mental Health Year, to "provide an opportunity to develop and carry out forward-looking activities aimed at giving added stimulus to all activities in the area of mental health, including research, with a maximum of international cooperation and exchange of ideas."

A White House conference would help develop an effectual program for America's participation in this world effort as well as initiate a pattern of national leadership in the field of mental health. It would stimulate the development and coordination of Federal, State, community, and private programs for the purpose of combating the problem most effectively.

Let me point up the seriousness of the situation.

An estimated 17 million people or about 1 in every 10 persons in the United States are suffering from some form of mental illness.

Mental illness fills more hospital beds than cancer, heart disease and tuberculosis combined. It is the greatest health problem in the world today. In countries with well developed health services, about one-half of the hospital beds are occupied by psychiatric cases.

This is a sobering and challenging situation. When one considers that an estimated 10 percent of public school children alone in this Nation are emotionally disturbed and that 1 out of 10 children born now will need mental hospital care during his life, one realizes that the mental health problem is of vital concern to ourselves and to all mankind.

In terms of money, the cost of mental disease is fantastic. Just maintenance and treatment in mental hospitals in the United States of America requires about $750 million a year; and this does not include construction or expansion. The strain on the individual taxpayer is illustrated by the fact that 28 percent of every tax dollar in the operating budget of New York State goes for the care of the mentally ill. If the cost of veterans' compensation is included, the total amounts to $3 million a day for the country as a whole. The loss to society is completely immeasurable.

Experience at State mental hospitals has proved that there is a way to bring eventual reductions to these mounting costs—and that is through intensive treatment of patients rather than mere custodial care. Real dollar savings to the taxpayer can be achieved and humanitarian purposes served through an earlier return of patients to society. When patients are cured instead of receiving just custodial care, the community saves money. The patient resumes his place in society, he becomes productive again, and he once more assumes the status of taxpayer rather than tax consumer.

To achieve this objective, however, requires steady dedicated effort and deeper understanding of the status of the factors which are necessary for the development of an increased number of cured patients.

Additional facts and figures in this regard emphasize the seriousness of this problem.

Mental illness is increasing. For instance, in 1957, about 673,000 people, or 51 percent of the 1,320,300 patients comprising the average daily hospital census were patients in psychiatric hospitals. And, as our population continues to expand, we can expect a larger number of mentally afflicted persons.

In addition, there is too much overcrowding and understaffing of mental hospitals. Psychiatric facilities are so overburdened that in many cases there are waiting periods of as long as 2 years. Our State mental hospitals—which comprise the largest proportion of such facilities—have only 45 percent of the physicians they need, 65 percent of the psychologists, 19 percent of the graduate nurses, 76 percent of the attendants.

It is estimated that between 10,000 and 20,000 more psychiatrists are needed and about 10,000 more clinical psychologists.

Another estimate is that there should be at least 1 clinic for every 50,000 in the population, or about 3,500 full-time clinics. Contrast this with the actual figure of some 1,350 clinics in the United States, including 65 VA clinics, and of these, about half give only part-time service.

Patients in mental hospitals are not receiving adequate care. The per capita maintenance expenditure in public non-Federal mental hospitals in the United States, in 1957, was $1,332.75 per year, or $3.65 per day. These figures are to be contrasted with the 1944 standards of the American Psychiatric Association of $1,825 per patient per year, or $5 per day.

This lack of funds, as well as lack of well-trained personnel, reduces the ability to give vitally important early care to patients. Such care is exceedingly significant because if treatment is begun early enough and intensively enough about 80 percent of mental patients can look forward to being cured.

Insufficient research is a disturbing element in the problem of mental health. While the States in 1958 were spending over $812 million in total maintenance expenditures for patients in public non-Federal mental hospitals, they spent less than 2 percent of this amount for research in mental illness. Again this is contrasted with the opinion of the National Governor's Conference on Mental Health in 1954, that 10 percent of each State's mental health budget should be allocated for research and training.

Approximately $44,580,000 is being spent for mental health research by the States and by the major Federal and National voluntary agencies interested in mental health. On the basis of some 673,000 patients in psychiatric hospitals in 1957, this works out to approximately $66 per individual patient, or about 26 cents annually for each man, woman and child in the United States. Mental illness is costing the Nation over $3.7 billion yearly in hospital and medical expenses, job absenteeism, production loss, and so forth. Yet the annual research investment to combat this toll is only about 1 percent of the enormous cost.

Has research thus far paid off? The new tranquilizing drugs together with greater expenditure per patient by States, and an increase in trained personnel have brought about a sustained annual reduction in State hospital populations and have returned cured patients to society much earlier.

New developments are being reported, as for instance, in the field of drugs which are effective against depressions.

Improvement in treatment methods and the increase in the numbers of patients who are being discharged from mental hospitals as a result of research are exceedingly welcome developments.

But when we realize that a large proportion of the patients in mental hospitals cannot yet be cured by known methods of treatment, the necessity for stepping up research is patently evident.

Progress has been considerable—but the problems are many—the need for more trained personnel, more facilities, including community mental health services, more funds, more research, the development of out-patient services, and a far greater dissemination to the public of information on mental health problems so as to increase understanding.

Fortunately, recognition of the seriousness of the mental illness problem is increasing. The 11th anniversary of the World Health Organization, on April 7 this year, was dedicated to the mental health of mankind.

And, through the efforts of the World Federation of Mental Health, an affiliate of the World Health Organization, 1960 will be observed as World Mental Health Year. All nations will be invited to increase their efforts in the prevention and treatment of mental illnesses. In the words of the Federation, "the purposes of World Mental Health Year are to provide an opportunity to develop and carry out forward-looking activities aimed at stimulating new scientific interest in the field of mental illness and mental health throughout the world." Five areas will be studied ranging from the mental health problems of children to the psychological problems induced by industrialization and including surveys of the multiple causes and distribution of mental illness.

World Mental Health Year will constitute a landmark in the battle against mental illness. Many of the fine private organizations in the United States in the field of mental health are working through a steering committee to develop ways and means for U.S. participation in the year.

Mr. Speaker, as I have indicated, in recognition of the gravity of the mental health problem in the United States and in view of the coming observance of World Mental Health Year, I have today introduced a bill to provide for the holding of a White House Conference on Mental Health to be called by the President with a tentative date of June 1960. I ask that a copy of the bill be printed in the RECORD at the conclusion of my remarks.

The conference would be planned and conducted by the Secretary of Health, Education, and Welfare with the assistance and cooperation of other departments and agencies represented on the Federal Council of Mental Health.

Provision for the conducting of similar conferences by the States in preparation for the White House Conference is included.

The purpose of the Conference would be to bring together representatives of Federal, State and local governments, professional and lay people who are working in the field of mental health, and of the general public.

My hope is that it will develop recommendations and plans for action which will serve the purpose of—

First. Stepping up the research programs designed to discover cures and better methods of prevention, care, and treatment of the mentally ill;

Second. Coordinating the interchange of ideas so that the findings of separate units can be combined to reduce duplication of efforts and expense and to effect the most productive methods in combating mental illness;

Third. Increasing the availability of adequate treatment and trained personnel for mental health patients so that they can receive the full benefit from the advances we have made thus far, thereby speeding up the process of recovery and increasing the likelihood of the patient's return to society as a productive member;

Fourth. Providing better chances for our youth to grow up in robust good mental health;

Fifth. Disseminating to the public more extensive information on mental health problems so as to increase the understanding of what is involved, to help relieve the social ostracism, and to indicate how an individual and a community might meet the needs of the mentally ill; and

Sixth. Encouraging U.S. participation in the activities and studies of the World Mental Health Year, 1960, and defining U.S. efforts in this field.

I have long had an interest in the problems of the mentally ill, Mr. Speaker. As a State senator in New York I had the honor of sponsoring the law establishing the New York Mental Health Commission and the one authorizing the current $350 million mental hospital expansion program. I am a director of the Queens County Mental Health Society. These years of study in the field have forcibly demonstrated to me the great need for a national, coordinated attack on the problem.

In the words of one of the experienced experts in the field, Dr. Paul Sivodan, "Mental diseases are the most curable and the most hopeless of all illnesses. The most curable because, if detected early, modern treatment will effect a cure."

Herein lies the basis for an understanding of the need for a nationwide program. Intensive treatment of patients requires more of everything—research, personnel, facilities, and understanding. But it means earlier return of the mentally ill to normal, productive lives with a consequent real dollar saving to the taxpayer.

Progress has been substantial. But much, much more has to be done. Mental illness is still a danger to society, but mainly to its pocketbook. Frugal authorities have come to understand that curing patients is the cheapest way of having none. Healthier citizens are a national asset of immeasurable value.

That is why, Mr. Speaker, I urge the Congress to consider fully the incalculable benefits in terms of human and material resources which can flow from a national conference which will provide the focal point for an assault on the illness which levies the heaviest toll on our country.

A bill to provide for holding a White House Conference on Mental Health to be called by the President of the United States in June of 1960, to be planned and conducted by the Secretary of Health, Education, and Welfare with the assistance and cooperation of other departments and agencies represented on the Federal Council on Mental Health; to assist the several States in conducting similar conferences on mental health prior to the White House Conference on Mental Health; and for related purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "White House Conference on Mental Health Act".

TITLE I—NEED FOR LEGISLATION; DECLARATION OF POLICY; DEFINITIONS

Need for legislation

SEC. 101. The Congress hereby finds and declares that the public interest requires the

enactment of legislation to formulate recommendations for immediate action in improving and developing programs to permit the country to secure the benefits of the skills of those mentally ill persons who can be cured and returned to normal society, to create conditions which will better enable this goal to be realized, and to further research on mental health because:

(1) Mental illness is the greatest health problem in the United States today, filling more hospital beds than cancer, heart disease, and tuberculosis combined. One out of every two hospital beds in this country is occupied by a mental patient.

(2) The problem of mental illness is increasing. As a result of larger population and more expert and earlier diagnoses, 1 out of every 10 children born now will need mental hospital care during his life as contrasted with 1 out of every 20 children born in 1934.

(3) There is too much overcrowding and understaffing of mental hospitals. Psychiatric facilities are so overburdened that in many cases there are waiting periods as long as 2 years. Our State mental hospitals have only 45 per centum of the physicians they need.

(4) There is cause for concern in the growing signs of social maladjustment among normal young people. An estimated 10 per centum of public schoolchildren in the United States are emotionally disturbed and need mental guidance.

(5) The effect of mental illness on patients brings with it a great deal of suffering and hardship to their families and to others who may become involved. When a person is severely ill mentally, he is lost to the community, and both the cost and the loss to society is immeasurable.

(6) Intensive treatment of patients effects real dollar savings to the taxpayer. With the proper treatment administered early enough, 80 per centum of the mental patients can be cured and returned to society as taxpayers rather than as tax consumers.

Declaration of policy

SEC. 102. (a) While the primary responsibility for meeting the challenge and the problems of mental health is that of the States and communities, all levels of government are involved and must necessarily share in such responsibility; and it is therefore the policy of the Congress that the Federal Government shall work jointly with the States and their citizens, to develop recommendations and plans for action which will serve the purposes of—

(1) stepping up the research programs designed to discover cures and better methods of prevention, care, and treatment of the mentally ill;

(2) coordinating the interchange of ideas so that the findings of separate units can be combined to reduce duplication of efforts and expense and to effect the most productive methods in combating mental illness;

(3) increasing the availability of adequate treatment and trained personnel for mental health patients so that they can receive the full benefit from the advances we have made thus far, thereby speeding up the process of recovery and increasing the likelihood of the patient's return to society as a productive member;

(4) providing better chances for our youth to grow up in robust good mental health;

(5) disseminating to the public more extensive information on mental health problems so as to increase the understanding of what is involved, to help relieve the social ostracism, and to indicate how an individual and a community might meet the needs of the mentally ill; and

(6) encouraging United States participation in the activities and studies of the World Mental Health Year, 1960, and defining United States efforts in this field.

Definitions

SEC. 103. For the purposes of this Act—

(1) the term "Secretary" means the Secretary of Health, Education, and Welfare; and

(2) the term "State" includes the District of Columbia, the Virgin Islands, Puerto Rico, and Guam.

TITLE II—WHITE HOUSE CONFERENCE ON MENTAL HEALTH

Time and purpose of Conference

SEC. 201. (a) A White House Conference on Mental Health to be called by the President of the United States in June of 1960 in order to develop recommendations for further research and action in the field of mental health, which will further the policies set forth in section 102 of this Act, shall be planned and conducted under the direction of the Secretary of Health, Education, and Welfare who shall have the cooperation and assistance of such other Federal departments and agencies as may be appropriate.

(b) For the purpose of arriving at facts and recommendations concerning the utilization of skills, experience, and energies of the mentally ill and improving conditions under which competent medical help may be obtained, the Conference shall bring together representatives of Federal, State, and local governments, professional and lay people who are working in the field of mental health, and of the general public.

(c) A final report of the White House Conference on Mental Health shall be submitted to the President not later than ninety days following the date on which the Conference was called and the findings and recommendations included therein shall be immediately made available to the public.

Grants

SEC. 202. (a) There is hereby authorized to be paid to each State which shall submit an application for funds for the exclusive use in planning and conducting a State conference on mental health prior to and for the purpose of developing facts and recommendations and preparing a report of the findings for presentation to the White House Conference on Mental Health, and in defraying costs incident to the State's delegates attending the White House Conference on Mental Health, a sum to be determined by the Secretary, but not less than $5,000 nor more than $15,000; such sums to be paid only from funds specifically appropriated for this purpose.

(b) Payment shall be made by the Secretary to an officer designated by the Governor of the State to receive such payment and to assume responsibility for organizing and conducting the State conference.

TITLE III—GENERAL PROVISIONS

Administration

SEC. 301. In administering this Act, the Secretary shall:

(1) Request the cooperation and assistance of such other Federal departments and agencies as may be appropriate in carrying out the provisions of the Act;

(2) Render all reasonable assistance to the States in enabling them to organize and conduct conferences on mental health prior to the White House Conference on Mental Health;

(3) Prepare and make available background materials for the use of delegates to the White House Conference as he may deem necessary and shall prepare and distribute such report or reports of the Conference as may be indicated; and

(4) In carrying out the provisions of this Act, engage such additional personnel as may be necessary (without reference to the provisions of the Civil Service Act) within the amount of the funds appropriated for this purpose.

Advisory committees

SEC. 302. The Secretary is authorized and directed to establish an Advisory Committee to the White House Conference on Mental Health composed of professional and public members, and, as necessary, to establish technical advisory committees to advise and assist in planning and conducting the Conference. Appointed members of such committees, while attending conferences or meetings of their committees or otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary but not exceeding $50 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently.

TITLE IV—AUTHORIZATION OF APPROPRIATIONS

SEC. 401. There is hereby authorized to be appropriated such sums as Congress determines to be necessary for the administration of this Act.

DEVELOPMENT OF WATER POWER RESOURCES OF TRINITY RIVER DIVISION, CENTRAL VALLEY PROJECT, CALIFORNIA

Mr. LAFORE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. UTT] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. UTT. Mr. Speaker, 2 weeks ago the House Interior Subcommittee on Irrigation and Reclamation considered my bill to provide for the joint development of the water power resources of the Trinity River division, Central Valley project, California, by the United States and Pacific Gas & Electric Co., to reduce expenditures of the United States, to increase revenues of the United States, to encourage the most widespread use of the power generated at the lowest possible rates to consumers consistent with sound business principles, and for other purposes.

In support of the joint development proposal Under Secretary of the Interior Elmer F. Bennett delivered one of the hardest hitting, most forceful statements which I have heard from any public official in quite some time. Though I will not attempt to summarize Mr. Bennett's statement, I will quote some passages illustrative of the definite ideas succinctly and accurately expressed therein:

H.R. 5499 and H.R. 5521, like their predecessor bills, are the outgrowth of the engineering studies and negotiations for the sale of falling water which, by the Trinity Reauthorizing Act of August 12, 1955, the Secretary of the Interior was "directed to continue to a conclusion" and to report thereon to the Congress. * * * The studies and negotiations convinced the Secretary, and he so reported them and in his 1958 appearance before your committee, that joint development was in the best interests of the Central Valley Project, of the area and of the United States. * * *

In originally authorizing the Central Valley project in the act of August 26, 1937, the Congress specified that the generation and sale of electric energy was to be a means of financially aiding and assisting the

other purposes of the project, of which, of course, irrigation was the principal one. The pending legislation is fully in keeping with and is a logical outgrowth of that 1937 directive of the Congress.

Under Secretary Bennett then stressed four points:

1. Irrigation development will be as well provided for under the proposed joint development as under all-Federal development. The Department's first concern was to make certain the irrigation development of the Central Valley project—which is its essential purpose—would not be adversely affected by joint development of the Trinity division. The report of the Commissioner of Reclamation states that water releases would be made in the same manner and in the same priorities as under all-Federal development.

2. Power in the Trinity project should assist and can be used to assist multipurpose water development rather than to become a financial drag on that development.

Power produced at the Trinity powerplants will cost more than 7 mills; in fact, the cost may well exceed 8 mills. If it is sold at less than 5 mills, under the anticipated Federal rate schedule, this power would not produce revenues to assist irrigation. On the other hand, the estimated earned surplus under joint development * * * is $188,822,000 greater than under the Federal development. * * * These substantially larger surpluses can be made an effective aid to water development in this region.

After observing that the Bureau has under study new Central Valley developments to cost over $1.2 billion, Mr. Bennett stated:

In view of the small surplus remaining under all-Federal development with San Luis added, it seems clear that further development probably means either water revenues or power rates will have to be increased if the Congress decides to authorize these additional extensions of the Central Valley project.

The pooled rate for all Federal power, while undoubtedly an acceptable operating procedure, only masks the loss represented by diluting 7-mill cost in a 5-mill sale. * * * The substantial impairment in surplus which all-Federal development brings about amply demonstrates that the sum of the Central Valley project whole is less than the sum of the project parts, if you add federally developed Trinity power facilities.

3. The financial gains to the Federal Government from joint development, both in tax revenues and increases in the project surplus, far exceed the increased power costs to Federal agencies. The increase in Federal income tax revenues under joint development is estimated at $83 million over the 50-year period. This is more than double the estimated increased power cost to Federal agencies. * * *

4. Joint development results in a reduction of $60 million in the required Federal appropriation for the project. Representing the Federal Government, we have deemed it our duty, particularly under existing budgetary requirements, to conserve Federal funds when this can be done consistent with proper plans for development. The current budgetary situation compels me to observe that $60 million less for the Trinity division may well mean $60 million more for accelerated construction of other projects.

Joint development, then, would reduce the capital investment necessary to accomplish the primary purpose—irrigation—of the Trinity division. In addition, joint development will produce income which can be used as further assistance to reclamation.

These four points, which have impelled our recommendations, are not, I would like to make it clear, based upon any broad generalizations concerning Federal, public, or private power. * * * Furthermore, no precedent for general application would be established here.

After briefly summarizing the more important conditions of the proposed joint development agreements, Secretary Bennett referred to the bill's provision which gives the Government an option to recapture the power facilities upon 2 years' notice:

However, upon such recapture we would have on our hands the liability of power costing 7 to 8 mills and a 5-mill pooled selling rate, so we would be eating into the project surplus to dilute the loss. Therefore, the longer the Trinity powerplants remain in possession of the company before recapture, the greater the earned surplus as compared with an all-Federal development from the beginning of operations.

Putting it another way, the earlier we recapture the power facilities the worse off the Central Valley project is financially. What more dramatic proof could there be of the drain on the Central Valley project of an all-Federal Trinity power development?

In urging early action on this legislation Mr. Bennett stated:

It is imperative that power facilities design be completed and generating equipment be ordered so that the powerplants can be placed in operation in an efficient and orderly manner. For every year after July 1, 1963, that the powerplants are not in operation, the Federal Government stands to lose in potential net revenues about $1,500,000 under all-Federal development and about $4,800,000 under joint development.

The above excerpts from Mr. Bennett's statement show conclusively the merits of the utility's proposal which this Congress should accept for the many sound reasons spelled out by the Interior Department's Under Secretary.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ELLIOTT (at the request of Mr. RAINS) on account of illness.

Mr. ALFORD (at the request of Mr. TRIMBLE) on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. REUSS, for 40 minutes, today.

Mr. PORTER, for 30 minutes, on tomorrow.

Mr. HOFFMAN of Michigan, for 10 minutes, today, tomorrow, and Wednesday.

Mr. CURTIS of Missouri, for 15 minutes, today.

Mr. HEMPHILL (at the request of Mr. ALBERT), for 60 minutes, on Wednesday next, vacating his special order for today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. STRATTON and to include extraneous matter.

Mr. ROOSEVELT and to include extraneous matter.

Mr. PUCINSKI in two instances and to include extraneous matter.

Mr. SMITH of Kansas (at the request of Mr. VAN PELT) and to include extraneous matter.

Mr. SCHWENGEL.

Mr. JENSEN and include a statement.

Mr. RHODES of Arizona.

Mr. BOWLES.

Mr. JONAS, to revise and extend his remarks made in Committee on H.R. 8575 and to include tables.

Mr. HARRIS, his remarks in Committee of the Whole today on the District of Columbia Stadium bill and to include two itemized tables.

(At the request of Mr. ALBERT, and to include extraneous matter, the following:)

Mr. CELLER in two instances.

Mr. MCDOWELL.

Mr. MOELLER.

Mr. HÉBERT in two instances.

Mr. FLYNN.

(At the request of Mr. LAFORE, and to include extraneous matter, the following:)

Mr. ALGER.

Mr. SAYLOR in two instances.

SENATE BILLS AND CONCURRENT RESOLUTIONS REFERRED

Bills and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 258. An act to provide for certain reductions in the reimbursable construction cost of the Kittitas division of the Yakima reclamation project, Washington; to the committee on Interior and Insular Affairs.

S. 713. An act to revise the boundaries of the Zion National Park in the State of Utah, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 1071. An act for the relief of Nettie Korn and Manfred Korn; to the Committee on the Judiciary.

S. 1081. An act for the relief of Arshalouis Simeonian; to the Committee on the Judiciary.

S. 1152. An act for the relief of Alicja Zofja Batukiewicz; to the Committee on the Judiciary.

S. 1429. An act for the relief of Magdaleno V. del Rosario; to the Committee on the Judiciary.

S. 1448. An act to change the name of the Abraham Lincoln National Historical Park at Hodgenville, Ky., to Abraham Lincoln Birthplace National Historic Site; to the Committee on Interior and Insular Affairs.

S. 1557. An act for the relief of Allen Howard Pilgrim, Cheryl Ann Pilgrim, Robb Alexander Pilgrim, and Jocelyn Marie Pilgrim; to the Committee on the Judiciary.

S. 1702. An act for the relief of Franciszek Roszkowski; to the Committee on the Judiciary.

S. 1731. An act for the relief of Pacifico A. Tenorio; to the Committee on the Judiciary.

S. 2021. An act for the relief of Irene Milios; to the Committee on the Judiciary.

S. 2238. An act for the relief of Kenzo Hachtmann, a minor; to the Committee on the Judiciary.

S. Con. Res. 38. Concurrent resolution to print for the use of the Committee on the Judiciary additional parts of certain hearings on administered prices; to the Committee on House Administration.

S. Con. Res. 39. Concurrent resolution to print for the use of the Committee on the Judiciary additional copies of certain reports submitted by it and the Subcommittee on Antitrust and Monopoly; to the Committee on House Administration.

S. Con. Res. 41. Concurrent resolution to accept the statue of the late Senator Patrick A. McCarran for placement in Statuary Hall; to the Committee on House Administration.

S. Con. Res. 42. Concurrent resolution to place temporarily in the rotunda of the Capitol a statue of the late Senator Patrick A. McCarran; to the Committee on House Administration.

S. Con. Res. 43. Concurrent resolution to print proceedings of the presentation and acceptance of the statue of the late Senator Patrick A. McCarran for placement in Statuary Hall; to the Committee on House Administration.

S. Con. Res. 48. Concurrent resolution to promote peace through the reduction in armaments; to the Committee on Foreign Affairs.

S. Con. Res. 55. Concurrent resolution to place temporarily in the rotunda of the Capitol a statue of Esther Morris, of Wyoming, and authorizing ceremonies on such occasion; to the Committee on House Administration.

S. Con. Res. 56. Concurrent resolution accepting the statue of Esther Morris, of Wyoming, for placement in the Statuary Hall collection; to the Committee on House Administration.

S. Con. Res. 57. Concurrent resolution to print as a Senate document the proceedings incident to the acceptance of the statue of Esther Morris, presented by the State of Wyoming; to the Committee on House Administration.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4243. An act for the relief of Peter Sergeevich Deryabin, also known as Theodore Stanley Orel;

H.R. 4405. An act to authorize and direct the Secretary of the Interior to conduct studies and render a report on the feasibility of developing the water resources of the Salt Fork and the Prairie Dog Town Fork of the Red River in the State of Texas;

H.R. 4644. An act to credit to postal revenues certain amounts in connection with postal activities, and for other purposes;

H.R. 5849. An act to amend the act of July 7, 1958, providing for the admission of Alaska into the Union, relating to selection by the State of Alaska of certain lands made subject to lease, permit, license, or contract; and

H.R. 8283. An act making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1960, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1289. An act to increase and extend the special milk program for children;

S. 1455. An act to amend the Agricultural Adjustment Act of 1938, as amended, with respect to the preservation of acreage history and the reallocation of unused cotton acreage allotments; and

S. 1512. An act to amend the Federal Farm Loan Act to transfer responsibility for making appraisals from the Farm Credit Administration to the Federal land banks, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on August 6, 1959, present to the President, for his approval, a bill of the House of the following title:

H.R. 7454. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1960, and for other purposes.

ADJOURNMENT

Mr. JOHNSON of Colorado. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 6 minutes p.m.) the House adjourned until tomorrow, Tuesday, August 11, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1290. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 13, 1959, submitting a report, together with accompanying papers and an illustration, on a survey of Jordan River Basin, Salt Lake City Streams, Utah, authorized by the Flood Control Act approved June 28, 1938. (H. Doc. No. 213); to the Committee on Public Works and ordered to be printed with one illustration.

1291. A letter from the Postmaster General, transmitting a report of overobligations of two budgetary allotments as of April 3, 1959 and one as of June 30, 1959, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

1292. A letter from the Acting Secretary of the Treasury, transmitting a report covering claims paid during the 6 months period ending June 30, 1959, on account of the correction of military records of Coast Guard personnel, pursuant to 10 U.S.C. 1552(f); to the Committee on Armed Services.

1293. A letter from the Administrator, General Services Administration, relative to a proposed disposition of approximately 2,050 long tons of low-grade chromite now held in the national stockpile, pursuant to the Strategic and Critical Materials Stock Piling Act (53 Stat. 811, as amended, 50 U.S.C. 98b(e)); to the Committee on Armed Services.

1294. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of proposed legislation entitled "A bill to amend section 866(c) of the act entitled 'An act to establish a code of law for the District of Columbia,' approved March 3, 1901, as amended, relating to gambling"; to the Committee on the District of Columbia.

1295. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Bureau of the Mint, Treasury Department, for the fiscal years 1956, 1957, and 1958; to the Committee on Government Operations.

1296. A letter from the Assistant Secretary of the Navy (Personnel and Reserve Forces), transmitting a report of all claims for damage caused by naval vessels which have been paid during the fiscal year ending June 30, 1959, pursuant to section 7624(b) of title 10, United States Code; to the Committee on the Judiciary.

1297. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill for the relief of American President Lines, Ltd., Nitto Shosen Co., Ltd., and Koninklijke Java-China-Paketvaart Lijnen N. V. (Royal Interocean Lines)"; to the Committee on the Judiciary.

1298. A letter from the Assistant Secretary of the Navy (Personnel and Reserve Forces), transmitting a report of all tort claims paid by the Department of the Navy during fiscal year 1959, ending June 30, 1959, pursuant to title 28, United States Code; to the Committee on the Judiciary.

1299. A letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation entitled "A bill to amend section 1(e) of the act of August 1, 1947 (Public Law 313, 80th Cong.) as added by section 12(c) of the Federal Employees Salary Increase Act of 1958"; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of August 6, 1959, the following bills and joint resolution were reported on August 7, 1959:

Mr. McMILLAN: Committee on the District of Columbia. S. 746. An act to amend the act entitled "An act to regulate the placing of children in family homes, and for other purposes", approved April 22, 1944, as amended, and for other purposes; with amendment (Rept. No. 804). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. S. 1371. An act to repeal the act approved March 3, 1897, and to amend the act approved December 20, 1944, relating to fees for transcripts of certain records in the District of Columbia; without amendment (Rept. No. 805). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. Senate Joint Resolution 52. Joint resolution directing the Commissioners of the District of Columbia to cause a study to be made of all factors involved in the establishment, construction, and operation of heliports within the District of Columbia; without amendment (Rept. No. 806). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 6585. A bill to amend the District of Columbia Teachers' Salary Act of 1955, as amended; with amendment (Rept. No. 807). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 8392. A bill to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes; without amendment (Rept. No. 808). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 8527. A bill to exempt certain pension and other trusts established in the District of Columbia from the laws of the District of Columbia relating to perpetuities, restraints on alienation, and accumulation of income; with amendment (Rept. No. 809). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 8225. A bill to amend the Uniform Narcotic Drug Act of the District of Columbia, as amended, to permit paregoric to be dispensed by oral as well as written prescription; without amendment (Rept. No. 810). Referred to the House Calendar.

Mr. SHEPPARD: Committee on Appropriations. H.R. 8575. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1960, and for other purposes; without amendment (Rept. No. 811). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted August 10, 1959*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 812. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 6888. A bill to amend section 4132 of the Revised Statutes, section 37 of the Merchant Marine Act, 1920, and section 2 of the Shipping Act, 1916; with amendment (Rept. No. 813). Referred to the House Calendar.

Mr. ROBERTS: Committee on Interstate and Foreign Commerce. H.R. 8238. A bill to prohibit the introduction into commerce of new motor vehicles which discharge substances in amounts found by the Surgeon General of the Public Health Service to be dangerous to human health; with amendment (Rept. No. 814). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS of Louisiana: Committee on Science and Astronautics. Report on Research in CBR (Chemical, Biological, and Radiological Warfare); without amendment (Rept. No. 815). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 47. A bill to amend the Internal Revenue Code of 1954 to provide a personal exemption for children placed for adoption; with amendment (Rept. No. 816). Referred to the Committee of the Whole House on the State of the Union.

Mr. FORAND: Committee on Ways and Means. H.R. 2164. A bill to repeal the cabaret tax; with amendment (Rept. No. 817). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'BRIEN of Illinois: Committee on Ways and Means. H.R. 2573. A bill to amend the Internal Revenue Code of 1954 with respect to the application of the estate tax marital deduction to widow's allowance or award; with amendment (Rept. No. 818). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 4384. A bill to amend paragraph 1774 of the Tariff Act of 1930 with respect to the importation of certain articles for religious purposes; with amendment (Rept. No. 819). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 4576. A bill to transfer to the free list of the Tariff Act of 1930 book bindings or covers imported by certain institutions; with amendment (Rept. No. 820.) Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 4586. A bill to amend section 4021 of the Internal Revenue Code of 1954; without amendment (Rept. No. 821). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Texas: Committee on Interior and Insular Affairs. H.R. 5270. A bill to authorize the Secretary of the Interior to convey to the Metropolitan Water District of Salt Lake City, Utah, all right, title, and interest of the United States in certain lands located in Salt Lake County, Utah; without amendment (Rept. 822). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 7456. A bill to extend for 3 years the suspension of duty on imports of casein; with amendment (Rept. No. 823). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANFUSO: Committee on Science and Astronautics. H.R. 6288. A bill to establish a National Order of Science to provide recognition for individuals who make outstanding contributions in science and engineering; with amendment (Rept. No. 824). Referred to the Committee of the Whole House on the State of the Union.

Mr. ZABLOCKI: Committee on Foreign Affairs. House Concurrent Resolution 369. Concurrent resolution expressing the sense of the Congress against the seating of the Communist regime in China as the representative of China in the United Nations; without amendment (Rept. No. 825). Referred to the House Calendar.

Mr. MORGAN: Committee on Foreign Affairs. H.R. 3180. A bill to extend for an additional 3 years the time within which the State of Michigan may commence and complete the construction of certain projects heretofore authorized by the Congress; with amendment (Rept. No. 826). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of August 4, 1959, the following bill was introduced on August 7, 1959:

By Mr. SHEPPARD:

H.R. 8575. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1960, and for other purposes.

[*Introduced and referred August 10, 1959*]

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOGGS:

H.R. 8576. A bill to amend the Tariff Act of 1930 to extend to residents of the United States who are crew members on vessels, aircrafts, and other conveyances arriving in the United States, within specified limits, the same exemptions from duty on personal and household articles as are granted passengers arriving on such conveyances; to the Committee on Ways and Means.

By Mr. BROYHILL:

H.R. 8577. A bill to amend the Federal Corrupt Practices Act, 1925, to provide that candidates for election to Congress shall appoint a campaign treasurer to receive and disburse campaign funds, and for other purposes; to the Committee on House Administration.

By Mr. BURDICK:

H.R. 8578. A bill to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions; to the Committee on Agriculture.

By Mr. CELLER:

H.R. 8579. A bill to amend section 67c of the Bankruptcy Act; to the Committee on the Judiciary.

By Mr. GEORGE:

H.R. 8580. A bill to provide for the establishment of the Huron Indian National Historic Site, in the State of Kansas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HALPERN:

H.R. 8581. A bill to provide for holding a White House Conference on Mental Health to be called by the President of the United States in June of 1960, to be planned and conducted by the Secretary of Health, Education, and Welfare with the assistance and cooperation of other departments and agencies represented on the Federal Council of Mental Health; to assist the several States in conducting similar conferences on mental health prior to the White House Conference on Mental Health, and for related purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KILGORE:

H.R. 8582. A bill to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande River near Los Indios, Tex.; To the Committee on Foreign Affairs.

By Mr. METCALF:

H.R. 8583. A bill to amend the Internal Revenue Code of 1954 so as to permit charitable contributions, bequests, transfers, and gifts to the United Nations Children's Fund (UNICEF) to be deductible for income tax, estate tax, and gift tax purposes; to the Committee on Ways and Means.

By Mr. GEORGE P. MILLER:

H.R. 8584. A bill to amend section 4472 of the Revised Statutes to provide that the disposition at sea of certain explosives and other dangerous articles shall be subject to regulation; to the Committee on Merchant Marine and Fisheries.

By Mr. ROGERS of Florida:

H.R. 8585. A bill to authorize the exchange of certain lands in or in the vicinity of Everglades City, Fla., in furtherance of the administration and use of the Everglades National Park, and to add certain donated lands to such park; to the Committee on Interior and Insular Affairs.

H.R. 8586. A bill to amend section 106 of title 38, United States Code, to provide veterans benefits for female members of telephone operating units, Signal Corps, who served overseas during World War I; to the Committee on Veterans' Affairs.

By Mr. SAUND:

H.R. 8587. A bill to provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SCHWENGEL:

H.R. 8588. A bill to provide for the annual audit of bridge commissions and authorities created by act of Congress, for the filling of vacancies in the membership thereof, and for other purposes; to the Committee on Public Works.

H.R. 8589. A bill to amend the Employment Act of 1946 to make stability of prices an explicit part of the economic policy of the Federal Government; to the Committee on Government Operations.

By Mr. SHORT:

H.R. 8590. A bill to provide a program for an Operation Bootstrap for the American Indian in order to improve conditions among Indians on reservations and in other communities, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SPENCE:

H.R. 8591. A bill to amend section 7 of the Federal Home Loan Bank Act so as to authorize additional directors for Federal home loan banks under certain circumstances; to the Committee on Banking and Currency.

By Mr. CLARK:

H.R. 8592. A bill to amend the Internal Revenue Code of 1954 so as to provide ac-

counting procedures whereby dealers in personal property may exclude from gross income amounts withheld by banks and finance companies on notes purchased from such dealers employing the accrual method of accounting; to the Committee on Ways and Means.

By Mr. FRIEDEL:

H.R. 8593. A bill to amend the act of June 23, 1949, as amended, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a unit basis; to the Committee on House Administration.

By Mr. HAGEN:

H.R. 8594. A bill to provide for stabilization and orderly marketing in the poultry industry; to the Committee on Agriculture.

H.R. 8595. A bill to direct the Secretary of Agriculture to formulate and to put into operation a food stamp program, utilizing normal channels of trade; to the Committee on Agriculture.

By Mr. KING of California:

H.R. 8596. A bill to amend the Internal Revenue Code of 1954 with respect to the application, payment, and refund of the tax on use of highway motor vehicles; to the Committee on Ways and Means.

By Mr. McGOVERN:

H.R. 8597. A bill to provide for the development of a comprehensive family farm program, to bring the production of agricultural commodities into balance with demand therefor, to enable farmers to secure fair prices, to better utilize agricultural abundance in the Nation's interest at home and abroad, and for other purposes; to the Committee on Agriculture.

By Mr. MEYER:

H.R. 8598. A bill to amend the Agricultural Adjustment Act (as reenacted by the Agricultural Marketing Agreement Act of 1937) to require that prices stated in milk orders issued thereunder be expressed on a per quart basis; to the Committee on Agriculture.

By Mr. PATMAN:

H.R. 8599. A bill to amend the Small Business Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. WALTER:

H.R. 8600. A bill to amend the Longshoremen's and Harbor Workers' Compensation Act to eliminate double liability in certain cases; to the Committee on Education and Labor.

By Mr. CELLER:

H.R. 8601. A bill to enforce constitutional rights, and for other purposes; to the Committee on the Judiciary.

By Mr. LANE:

H.R. 8602. A bill to increase the maximum rate of mileage allowance for U.S. marshals traveling on official business, and for other purposes; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 8603. A bill to amend the act of October 30, 1951, by placing an annual limitation on publishers' second-class mail subsidies; to the Committee on Post Office and Civil Service.

By Mr. STEED:

H.R. 8604. A bill to provide a program of tax adjustment for small business and for persons engaged in small business; to the Committee on Ways and Means.

By Mr. DENT:

H.J. Res. 490. Joint resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. PUCINSKI:

H.J. Res. 491. Joint resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. RHODES of Arizona:

H.J. Res. 492. Joint resolution for the establishment of a commission to study the nonmineral public land laws of the United States to facilitate the enactment of a more effective simplified and adequate system of laws governing the transfer of title to public lands to individuals, associations, corporations and to State and local governments or their instrumentalities; to the Committee on Interior and Insular Affairs.

By Mr. SPENCE:

H. J. Res. 493. Joint resolution making a technical correction in section 5136 of the Revised Statues (relating to national banks); to the Committee on Banking and Currency.

By Mr. FOLEY:

H. Res. 339. Resolution to discharge the Committee on the District of Columbia from further consideration of the bill H.R. 4630; to the Committee on Rules.

By Mr. FRIEDEL:

H. Res. 340. Resolution providing two additional assistants for the document room, Office of the Doorkeeper; to the Committee on House Administration.

By Mr. PRICE:

H. Res. 341. Resolution authorizing the printing of the "U.S. Defense Policies in 1958" as a House document; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII,

Mr. LIBONATI presented a memorial of the State of Illinois relative to amendments to the law relating to GI insurance, making it possible for veterans to convert such GI insurance to other types of insurance, which was referred to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GOODELL:

H.R. 8605. A bill for the relief of Gustaf A. Lawson; to the Committee on the Judiciary.

By Mr. HARDY:

H.R. 8606. A bill for the relief of Katherine O. Conover; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 8607. A bill for the relief of Madge Wisdom Collier; to the Committee on the Judiciary.

By Mr. RIEHLMAN:

H.R. 8608. A bill for the relief of Keiser Ruei; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

250. By the SPEAKER: Petition of the mayor, Las Vegas, Nev., urging enactment of "home rule" legislation for the District of Columbia; to the Committee on the District of Columbia.

251. Also, petition of the city clerk, Reading, Pa., requesting enactment of Senate bill 1046 and House bill 4488, pertaining to labor; to the Committee on Education and Labor.

252. Also, petition of the executive vice president, Texas Manufacturers Association, Houston, Tex., commending the Congress for any action taken that has had for its purpose the balancing of the Federal budget through reduction in expenditures, and urging the Congress and the Texas delegation to support any effort designed to control inflation without impairing or restricting the free, unrestrained operation of our private competitive economy; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Blackmail Picketing in a Velvet Glove

EXTENSION OF REMARKS

OF

HON. WINT SMITH

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1959

Mr. SMITH of Kansas. Mr. Speaker, tomorrow we are supposed to start debate on the so-called labor bill. I am sure every Member of this body is well aware of the deep issues involved. Every segment of our society has a vital interest in this proposed legislation because it affects all the elements of our complex economic life. It has much emotional appeal to the general public—because it affects every man who labors within or outside the unions.

Perhaps no one has a greater interest than the man who wants to labor and earn his wages free from the demands of coercive, racketeering, power hungry labor bosses—whose sole interest seems to be to get more money in the boss-controlled union treasury, so that he can get more power over his own members and the public at large by spending this money on controlling to a greater extent the political affairs of his community, State, and Nation.

Too many people are of the opinion that whenever a State adopts a so-called right-to-work law that this would solve all so-called labor problems. Such is not the case.

I trust that my colleagues will read the following letter written by a labor boss in Wichita, Kans. This is the new modern Teamsters approach for unionization of all employees. Read it carefully because this method and technique can be applied to any employer in America. The approach, as indicated in this letter, is clever and diabolical—another example of Hoffaism run wild. The letter shows the draftsmanship of a skiller operator who is sure of himself after being carefully advised by a sharp legal practitioner.

The form of this letter was initiated in Chicago and was used there on Chicago employers where it was highly successful.

Here is the letter as delivered to six trucking firms in Wichita, Kans. These firms are now being picketed as of this date—yet there is no strike, no contract negotiation, no nothing except blackmail of the rankest, foulest odor:

CHAUFFEURS, TEAMSTERS, AND HELPERS,
LOCAL UNION NO. 795,
Wichita, Kans., July 22, 1959.

DEAR SIR: Local 795, IBT, has decided to embark upon a campaign to organize your

office and clerical employees. To induce your employees to join this union, we shall begin to picket your establishment on or about the 27th of July 1959. We assure you that the picketing will be entirely peaceful. We have instructed our pickets not to threaten, intimidate, or coerce anyone. If there is any violation of those instructions, please advise us and we shall see to it that corrective action is taken immediately.

We wish to make it clear to you that local 795 does not at this time represent, and of course we do not claim to represent, a majority of your office and clerical employees. Local 795 does not ask you to recognize it as exclusive bargaining representative for your employees, or indeed, ask you to recognize it for any purpose at this time. The purpose of our picketing is solely to call to the attention of union members and supporters of organized labor that your office and clerical employees are not members of local 795.

We hope that the demonstration of support of local 795 in its efforts to organize, which this picketing will produce, will persuade your employees to become members of our local union. When they do, they will join the thousands of other employees who are affiliated with the great International Brotherhood of Teamsters. In engaging in this picketing campaign, we are speaking for the members of our organization who are employed in businesses like yours and who feel the brunt of the unfair competition of your unorganized employees.

This point we must emphasize. We are not making any demand upon your company at this time to agree to or execute any contract with our union covering any of your employees. Under the law your company is permitted to recognize and bargain with our local union only after a majority of your employees have authorized the union to represent them. Therefore, even if your company should now or hereafter offer to recognize our union or enter into collective bargaining with us our union would refuse such an offer and we would continue to refuse until your employees lawfully authorize us to represent them. Should your employees desire to join our union, they may apply for membership at the office of local 795, 417 East English, Wichita, Kans., or ask one of the pickets for a membership application card which they can fill out and return to him. When we have received applications from a majority of your employees, we will contact your company further.

You should also understand that it is your right under the Constitution of the United States and under the National Labor Relations Act to advise your employees of the economic detriment which you and they will sustain as a result of the withholding of patronage from your concern by union members and sympathizers as long as they remain nonmembers of our union.

You may, in the exercise of your lawful rights, explain these detriments to your employees and urge them to apply for membership in the union and thereby acquire for themselves and for your company the good will of our union and its friends. You may not, and we are sure that you will not, threaten to take economic reprisal against your employees, or grant them benefits, to coerce their choice in this matter. However, we feel sure that if your employees, who have been carefully taught to look to you for leadership on matters affecting their employment, are convinced that it is your sincere desire that they join the union, they will quickly realize that acquisition of union membership at the earliest opportunity is in their best interest.

Yours very truly,

S. E. SMITH,
President and Business Representative.

Mr. Speaker, now that you have read this blackmail letter—do you believe there are very many small businessmen in your district who can survive this sort of blackmail?

Briefly this is what the letter says:

"We know the law, and the law says we can picket you as an exercise of free speech so long as we do it peacefully.

"We know, also, that our picket at your door will put you out of business because you will not be able to move goods so long as our picket is there.

"We are under no necessity to sell the union to your employees because you will compel them to join our membership as quickly as the picketing shoe starts to pinch.

"There is no occasion for us to use force and violence and risk possible injunction proceedings against us because you, Mr. Employer, will do our job for us. You'll have to—or go out of business.

"We don't care about what your employees think or want. They will join our union or they won't work for you.

"We don't care, either, for the supposed constitutional or moral rights of your employees. They lost their rights when the lawmakers and the courts ceased to protect them and delivered their economic destiny into our hands."

This is the question every Member must answer: "Shall Congress submit to these blackmail evils?" Can a $2-a-day man, carrying a placard, close up a business—under the guise of "It's legal because it is peaceful." We hear much about Iron Curtains—the Bamboo Curtain—the great free world society—but what about a curtain set up by a $2-a-day picket?

UAR Interference With Suez Canal Free Passage Not To Be Tolerated

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, August 10, 1959

Mr. CELLER. Mr. Speaker, once again, Israel has been forced to lodge a complaint with the Secretariat of the United Nations on Egypt's interference with freedom of passage through the Suez Canal.

This is not a matter which concerns Israel alone. We are faced with an infringement of maritime rights and a flouting of an international decision on the part of the United Arab Republic, which has gone a long way in establishing a dangerous precedent in the significant area of the freedom of the seas. Basic principles of maritime rights are being violated. It must be kept in mind that it is not only a matter of seizing Israeli ships but of seizing any ships which carry Israeli cargo, such as was done with the barring of the *Ingetoft* from transit through the canal because it carried Israeli cargo. This is only one incident in a long line of incidents.

Yet, the World Bank is seriously considering lending to the United Arab Republic a large sum of money for the enlargement of the Suez Canal. Thus, by indirection, we are placing ourselves in a dangerous position of incurring the continued violation of maritime rights. The World Bank should make no such loan just so long as the Arab Republic is using the Suel Canal as a weapon against a free State in its effort to strangle the economy of Israel. At issue here is not the enlargement of the Suez Canal. The need to do so might very well exist. At issue, is whether international commitments of the right of passage can be arbitrarily violated, and whether such violation shall be encouraged by the granting of the pending loan. Neither the Constantinople Convention nor the United Nations Security Council decision are sufficient, it would appear, to prevent the United Arab Republic from using the Suez Canal for its own political purpose. That the United Arab Republic could impound unlawfully and with impunity, mail bags and scientific equipment taken off Norwegian ships bound for Israel, is hardly an act that can be passively viewed by any of the adherents to international law.

I emphasize again that any active encouragement, among which I would include the granting of a loan by the World Bank for the enlargement of the Suez Canal, aids and abets the establishment of a precedent, which will some day reach forward to shackle us.

Depressed Area Legislation Is Needed Now

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 10, 1959

Mr. SAYLOR. Mr. Speaker, to thousands of American citizens, depressed area legislation is just as necessary today as it was a year ago. More so, in fact, for there has been an accumulation of misery in the intervening months. Another year has been added to the period in which so many willing hands have been idle due to reasons beyond their control. Industrial stagnation, which has prevailed particularly in communities where products of mines and plants have been deprived of markets by goods imported from across the seas, simply closes the door to job opportunities. It is destructive of ambition, incentive, and morale. It stunts individual, community, and national development.

But Congress cannot in conscience continue to ignore these conditions. Democratic representatives and Senators are among those of us who have introduced surplus labor legislation and have appealed for its enactment. I suggest that these voices be raised with renewed vigor, for time is running out on another session without accomplishment in this direction. Unless legislation is forthcoming, the leadership in this Congress must accept responsibility for an incongruity in which it rejects its own recommendation of the preceding session.

Mr. Speaker, a year ago Congress passed and sent to the White House the so-called depressed area bill. While that particular version of needed legislation was obviously too unsatisfactory to expect the President to attach his signature, there was nonetheless implicit in the measure an acknowledgment—by both the House and Senate—that legislation to assist surplus labor districts was necessary.

In the ensuing 12 months an encouraging number of unemployed men and women have returned to work, resulting in a highly favorable revision of surplus labor statistics by the Department of Labor. Unfortunately, however, the figures show no significant economic gain in numerous areas which have suffered most and over the longest periods of time. Included in those regions of prolonged and critical business activity are the neglected communities in Pennsylvania receiving no apparent benefits of the Federal Government's multibillion-dollar defense program.

In view of the continued distress in the most gravely-affected communities, Congress has been delinquent in failing to act on an admitted obligation. The new 86th Congress was organized in January, but there was no departure from the leadership that decided on the need for depressed area legislation in 1958. The same party is again in charge of both houses. I hope that the strategy employed last year—when a totally unacceptable bill was rushed through in the closing days of the session—is not responsible for the current delay. Political philandery is especially deplorable when hunger and want are involved.

Let us have action, Mr. Speaker.

A Bipartisan Commission To Study the Nonmineral Public Land Laws of the United States

EXTENSION OF REMARKS
OF
HON. JOHN J. RHODES
OF ARIZONA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 10, 1959

Mr. RHODES of Arizona. Mr. Speaker, today I have introduced legislation to establish a Bipartisan Commission To Study the Nonmineral Public Land Laws of the United States. The Commission will be charged with the responsibility of recommending to the next Congress a more effective, simplified, and adequate system of laws governing the transfer of title to public lands. I am convinced that the alternative to a new and modern system of land laws is chaos.

Every Member of Congress from our public land States knows that there is something drastically wrong with present methods of transferring title to our public lands to individuals, associations, corporations, and to States and local governments. With ever-increasing frequency we receive letters from our constituents complaining about the delay, redtape, and injustices they have experienced after applying for a tract of the public domain under our existing laws. These complaints are duly relayed by us to the Bureau of Land Management, which administers the laws. I know of no more frustrating experience than that of being advised by the Bureau that the application from my constituent will be taken up in its turn, but because of the present workload action should not be expected for at least a year.

Modernization of our nonmineral public land laws is long overdue. As this Nation expanded it was to the interest of our Government to get the public domain into private hands as rapidly as possible. The Nation needed revenue, our land needed developing, and the country needed the crops such development produced.

Laws to facilitate the transfer of the public domain into private ownership were enacted to meet the needs of the times. Altogether, some 5,000 private and public laws have been passed by Congress for this purpose. Many of those laws are still on the books and as a result our Government and its citizens are confronted with a patchwork of conflicts and contradictions.

The multiplicity of these laws governing disposal of the public domain has created intolerable administrative difficulties.

For example, a single tract of unreserved, vacant public domain can be covered simultaneously by applications under the Desert Entry, Small Tract, Homestead, Private Exchange, Soldier's Script Rights, Public Sale, Recreation, and Public Purposes, or State School Selection Acts. The cost to the Government of resolving these conflicts, of deciding under which act the tract should be disposed of and to whom, vastly exceeds the value of the land itself.

Compounding the confusion created by this hodgepodge of law is the ever-increasing pressure from our citizens, local governments, and industry for acquisition or use of the public domain. Under present laws, each application must be considered separately. The land involved must be examined and classified. Protests must be heard. Appeals must be decided. Conflicts must be resolved. In 1954, the Bureau started the year with a backlog of 25,013 cases to be adjudicated. By 1958, despite generous increases in appropriations to expedite these cases, the backlog had increased to 54,725.

A large number of these cases are traceable to the operations of land locators. Taking advantage of the present complexities of our public land laws, they have led thousands of our citizens to believe that the public domain is theirs for the asking. Their clients are not told that before they can obtain title under the Desert Land Act, the land must be irrigated and put into agricultural production. Assuming that water is available—which in most cases is not—this requires an outlay of over $25,000. Yet these land locators continue to bilk the general public out of millions of dollars per year by filing applications which they know are doomed to rejection. The administrative burden this imposes upon the Government is tying up effective management or transfer of the public domain.

The study commission proposed in my bill would limit its consideration to nonmineral public land laws. I do not mean to imply that there are not conflicts in other public land use statutes. It is, however, in the field of public land disposition where administrative burdens imposed by conflicting laws are penalizing the individual seeking land, the Government, and the taxpayer.

The commission would be bipartisan, three members to be appointed by the Speaker of the House, three by the President of the Senate, and three by the President. A thoroughgoing study of our nonmineral land laws has been needed for years. The redrafting of these laws to meet present-day needs of our people is a must. Until this is done, effective and efficient administration of the public domain is impossible.

Restoration of Freedom to Captive Nations

EXTENSION OF REMARKS
OF
HON. ROMAN C. PUCINSKI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, August 10, 1959

Mr. PUCINSKI. Mr. Speaker, I have today introduced a joint resolution which I hope will receive the approval of Congress before we adjourn this session.

This resolution calls for an affirmation by Congress that it is the intent of the Congress of the United States that the people of the captive nations of Europe be given a right to choose their own philosophy of government and their own rulers in a spirit of complete freedom.

I am enclosing an editorial which appeared in the Washington Star, commenting on the unprecedented reception given our Vice President by the people of Poland during his recent visit to that country.

The estimated 250,000 Poles who greeted the Vice President of the United States upon his arrival in Warsaw should demonstrate to the entire free world the very profound yearning and respect that these Polish people have for the United States and for the principles of freedom. This was not necessarily an expression for Mr. NIXON but, rather, it was the only way the Poles could demonstrate their admiration for America and their traditional hatred of communism.

As the Washington Star points out in its editorial of August 4—

> Directly and indirectly, the people of Poland have said many eloquent things in the extraordinarily warm welcome they have accorded Vice President NIXON. In marked contrast to their lukewarm, if not sullen, reaction to Soviet Premier Khrushchev's recent visit, they have left no room for doubt that their heart belongs much more to the United States than to the U.S.S.R.

I firmly believe that the United States should now go on record, as categorically as we can, that we in this country and

the people of the free world in general share with the people of the captive nations their longing for freedom.

The adoption of the resolution which I have proposed today would indeed be a heartening reassurance to these people that their great dedication to the principles of freedom, which they continue to maintain despite the fact that they have had to live under Communist rule forced upon them after World War II, is greatly respected by those of us fortunate enough to live in a free country.

I am one of those who views with great concern the pending visit of Soviet Premier Khrushchev to this country. I do not think that it will serve the purposes announced by those who have arranged this visit. However, since the Soviet Premier is going to be in this country, I think that it is incumbent on the Members of Congress to make known to the President of the United States that when the Soviet Premier does come here, the President should firmly impress on him that this Nation must continue to view all Soviet foreign relations with suspicion so long as these captive nations are forcefully held in the Soviet orbit.

It should be made clear to Mr. Khrushchev that there is a true road to peace, and that road leads through the captive nations, which must be given an opportunity to choose their own government in free and unfettered elections supervised by the United Nations before tensions in Europe can be eased.

It should be made clear to Mr. Khrushchev that you cannot take the noble nations of central Europe and plunge them under Communist rule against their will and expect lasting peace in Europe.

If the Soviet Premier sincerely wants peace, let him demonstrate it to the free world by releasing the captive nations from their forceful rule by Moscow and let these nations voluntarily pick their own form of government.

Mr. Speaker, the Washington Star editorial, which I mentioned earlier, follows. I believe that it eloquently speaks out for the cause of a free Poland and all the other nations now being held captive by the Communists:

[From the Washington Star, Aug. 4, 1959]

CATALYST IN POLAND

Directly and indirectly, the people of Poland have said many eloquent things in the extraordinarily warm welcome they have accorded Vice President NIXON. In marked contrast to their lukewarm, if not sullen, reaction to Soviet Premier Khrushchev's recent visit, they have left no room for doubt that their heart belongs much more to the United States than to the U.S.S.R.

This is a fact that may be stated quite objectively, without any desire to draw invidious comparisons. The Poles and the Russians, after all, have been at odds for centuries, often in the most bitter way—under the Czars as well as under the Communists. Mr. Khrushchev himself, who presumably okayed the Warsaw regime's decision to invite Mr. NIXON, is too good a student of history to have to be told about this, and we may assume that he has not been particularly surprised by what has happened—hurt perhaps, but not surprised.

The truth is, of course, that there is a unique affinity—historical and affectionate—between our country and the Poles. Since that long-ago time when men like Pulaski helped George Washington to achieve victory over the British in the American Revolution, great numbers of these people, over a period of generations, have emigrated to the United States and played an important part in building it to its present greatness. Small wonder, therefore, that Mr. NIXON has gone through a sort of triumphal march in Warsaw.

But the plaudits of the great Polish crowds have been addressed not simply to the Vice President, but to our entire country and to the free way of life it stands for. Mr. NIXON in that sense, by his presence over there, has been a kind of catalyst. Just the sight of him has been enough to move the people—hundreds of thousands of them—to cry "Bravo, America!" and to make clear that years of Communist control (somewhat less stringent than in most satellite lands) have not succeeded in eradicating their love of liberty and their pro-American views.

Knowing the Poles as they do, Mr. Khrushchev and his colleagues in the Kremlin probably have not been taken aback by all this. Yet, since the same sort of mood prevails in varying degrees throughout their satellite empire, they must sometimes wonder most seriously about the loyalty of that empire and their ability to hold on to it. This is one of the subjects that Mr. K. is likely to be challenged on repeatedly, and at great length, when he visits our country next month.

Khrushchev Would Feel at Home at TVA

EXTENSION OF REMARKS
OF
HON. BEN F. JENSEN
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 10, 1959

Mr. JENSEN. Mr. Speaker, under leave to extend my own remarks in the CONGRESSIONAL RECORD, I include excerpts from a newsletter of August 9 by Mr. Thurman Sensing, executive vice president of the Southern States Industrial Council, of Nashville, Tenn., as follows:

As more or less of a postscript, we notice a Senator has written the President a letter urging him by all means to have Mr. Khrushchev include a survey of the TVA in his tour of the United States. Well, if the thought is to make him feel at home, we should say that is a pretty good idea—because he will certainly find no free enterprise there. But what is Mr. Khrushchev himself to think, when we parade the TVA before him with pride, than that we are already aping his philosophy of state ownership and state control—and that we are already on our way toward making his prophecy about our grandchildren come true? We all want peace, yes, but must we obtain it at the expense of consorting with Communists and by the loss of our self-respect?

Mr. Speaker, it is noteworthy, but not surprising, since the organization which Mr. Sensing represents is located in the heart of the Tennessee Valley Authority, that he would dare make such a statment; but the facts are, Mr. Sensing, like most every patriotic, deep-thinking American who lives close to the scene, knows full well that the final effect of that socialistic, autocratic empire within our free Republic will bring nothing but dictatorship and misery to the good people of that vast area who are at this very minute dominated by a board of three men not elected by the people.

One of the most important duties of Congress, now and in the near future, is to keep the Socialists from organizing the other great river valleys in the United States of America and prevent the same fate as has befallen the people in the Tennessee River Valley—for if that should be accomplished then 27 men not elected by the people would be in complete control of the lives and property of every American.

I hope every reader of this statement will write me requesting a copy of my speech of May 4 on this all-important subject.

H.R. 8575

EXTENSION OF REMARKS
OF
HON. CHESTER BOWLES
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Monday, August 10, 1959

Mr. BOWLES. Mr. Speaker, I appreciate this opportunity to express in greater detail my concern over one aspect of H.R. 8575 which was passed this afternoon. The Appropriations Committee's action in denying funds in this bill for new barracks at the naval submarine base in Groton, Conn., came as a shock and a surprise to all of us who have followed this situation closely.

Probably no single weapon in America's arsenal of defense is more promising and more vital to our position in the free world than the Polaris missile and the nuclear submarines which will carry it. This Congress has consistently recognized the value of the Polaris weapons system. Time and again we have cut through confusing and conflicting interservice rivalries to grant the highest priority to the Polaris concept. The Congress has shown the way to a reluctant Executive by increasing administration recommendations for Polaris authorizations and appropriations.

Mr. Speaker, the item deleted by the Appropriations Committee is the very heart of this program. It would have provided for the men who will give life to the Polaris program. Specifically, it would have provided housing for the hundreds of skilled submariners who will constitute the two crews of each Polaris submarine.

To eliminate this item, previously requested by the Navy and authorized by the Congress, simply does not make sense.

The Polaris program, as advanced as it is, cannot be put into operation without men. These men will be trained at the submarine school of the naval submarine base in Groton, the most advanced school of its type in the world. In May of this year the Navy announced that it considered the training of Polaris crews of sufficient importance to assign two crews to each Polaris submarine instead of the usual one. One crew will be

in training ashore at Groton while the other crew is at sea. This precedent-shattering move indicates the importance the Navy attaches to the Polaris program. Yet the committee action in deleting funds for housing for these men will seriously hamper the entire training program.

Mr. Speaker, when the authorization bill for this construction was before the Armed Services Committee earlier this year, there was no question as to the importance of this item. When the House passed the authorization bill there was no question as to its importance. Now, apparently, because of a feeling that the Navy might be able to use Government-owned land in the Groton area for this construction rather than acquire additional land, the entire item has been deleted. If the Appropriation Committee's action is ultimately sustained, we shall have seriously stalled one of the most important phases of our national defense.

It has been suggested, Mr. Speaker, that sectional rivalries for the site of the Polaris training school entered into the decision of the committee. I am sure this is untrue.

As every Navy man knows, Groton, Conn. is the submarine capital of the world. Officers and men from every one of our allies which maintains a submarine force have been trained there. It represents a concentration of facilities and know-how unduplicated anywhere on the globe.

The Navy, itself, has long since acknowledged the preeminence of the Groton base.

I am sure that the committee's action was well intended and in keeping with its traditional diligence in assuring American taxpayers with the maximum return on their tax dollar. Nevertheless, I am also sure that this action could only have resulted from a failure to realize the consequences to the vital Polaris program. I think it is essential that the full amount of $2,269,000 be restored before H.R. 8575 reaches the President for approval. If not, we will have unwittingly struck a seriously damaging blow to our national defense.

Publishers' Second-Class Mail Subsidies

EXTENSION OF REMARKS

OF

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1959

Mr. HÉBERT. Mr. Speaker, I feel impelled to rise in reply to the recent remarks of the gentleman from Pennsylvania [Mr. RHODES] entered in the RECORD on July 28, 1959, in support of H.R. 8433, introduced by him on that date to place an annual limitation on what he calls publishers' second-class mail subsidies.

The gentleman takes the flat position that the present second-class rate structure affords an unjustified subsidy to newspaper and magazine publishers.

I think it is only fair to call to the attention of the House, at the outset, the fact that the cost statistics which ornament the gentleman's remarks are supplied by the Post Office Department, itself.

The publishers have time and again demonstrated the illusory character of the Department's cost-accounting system. But it is not necessary to rely on the publishers alone for this demonstration.

A study of the record will show that this House has long ago learned that it must guard itself against so-called Post Office statistics.

As recently as 1954, the Post Office Department conducted a survey based on over 2,000 interviews, the questions asked being, in the opinion of Congressman DAWSON, of Illinois, chairman of the Committee on Government Operations, so framed as to bring out what the Department wanted to prove.

In fact, Mr. Speaker, that committee found, as stated in its 1956 report—House Report No. 2914, 84th Congress, 2d session, page 9—that "the timing of the survey to coincide with congressional consideration of legislation proposed by the Post Office Department to increase postage rates," and the circumstances surrounding its confection, "strongly support the conclusion that the survey was made and distributed" in direct violation of title 18, United States Code, section 1913.

Perhaps, Mr. Speaker, the gentleman from Pennsylvania is not aware of the total unreliability of data supplied to the Congress by the Post Office Department, for he asserted categorically, in his remarks in support of his bill, that what he calls subsidies to the publishers—and I quote his own words—"are carefully hidden in the overall bookkeeping operations of the Post Office Department"—page 14544.

For my own part, Mr. Speaker, I am entirely satisfied that it is really the excess revenues received by the Post Office Department over the cost of handling second-class mail matter, which, in the words of the gentleman from Pennsylvania, "are carefully hidden in the overall bookkeeping operations of the Post Office Department."

The system of accounting employed by the Post Office Department simply does not give appropriate consideration to the relatively low cost of handling second-class mail, which a proper accounting system would show.

For instance, the Post Office accounting system fails to take into account, the fact that, to save time, many publishers themselves transport a large part of their newspapers from the place of publication thereof, to delivering post offices; so that the Post Office Department, while collecting second-class mail rates for the entire transportation service, performs no part of it whatever except minimal ultimate terminal delivery.

It must be remembered, Mr. Speaker, that the present system of high zone rates on second-class mail matter, had its genesis in 1917, as a measure to raise revenue for the First World War.

That bill was not referred to the Post Office Committee of this House for consideration. It went to the Committee on Ways and Means, as a revenue measure.

As stated by one of my distinguished predecessors from Louisiana in this House, the Honorable J. Zach Spearing, of New Orleans, the 1917 postal revenue statute "was a war measure to seek additional income from any and every source possible, including the Post Office Department"; and he said that the publishers were to be commended for their patriotic attitude, because they "did not, at the time of the increases, make any complaint"—volume 69, CONGRESSIONAL RECORD, page 5783.

But, Mr. Speaker, even at the time that the first of these measures to raise revenue through increases in second-class mail rates was being considered in this House, the principle of keeping those rates low to conform to our concept of a free press was being emphasized.

At that time, for instance, Congressman Mondell, of Wyoming, called the attention of the House to the fact that—

> We have here established a rule common to all English-speaking people the world over, common to democracies the world over of treating the dissemination of news, of ideas, of literature differently from the manner in which we treat the transportation of cotton and bacon and ham. (55 CONGRESSIONAL RECORD, 2769.)

At the same time, Congressman Mann, of Illinois, pointed out (55 CONGRESSIONAL RECORD, 2765–2766):

> We spend every year in the United States hundreds of millions of dollars in primary education and a very large amount in college education for the youths. But the great educational force of the country is in the newspapers and magazines. * * * Now, no one would suggest that we close our schools by taxation for this purpose and spend it on the war. * * * The circulation of the newspapers and magazines throughout the country, with their advertisements, has contributed more to the growth of business in this country, unparalleled in the world, than any other single factor. * * * We can raise sufficient money in other ways, without endeavoring to lay the heavy hand of taxation upon those influences which have worked from the start for the best interests of the country.

Mr. Speaker, there can be no question that proper accounting will show that present second-class mail rates, with their special zone rates on advertising, are substantially in excess of the cost of handling mail matter of the second class in the post offices of the country.

Advertising, Mr. Speaker, is the great force primarily responsible for the freedom and independence of our press from undesirable influences.

As conceded by the gentleman from Pennsylvania in his address to this House just a few days ago—page 14545—"actually, the subscribers to these magazines would eventually pay for the increased postage costs."

Mr. Speaker, it is the subscribers to the newspapers and magazines who are paying the tax presently levied in the form of excess second-class postal rates

on the advertising content of publications passing through the mails.

I submit, Mr. Speaker, that this tax on advertising is an infringement of the freedom of the press guaranteed by our Constitution to those subscribers.

And I submit further, Mr. Speaker, that any contemplated increase in overall second-class postage rates, even in the guise of a limitation on so-called publishers' second-class mail subsidies, would be an aggravated infringement of the same fundamental constitutional guarantee.

The Control of Inflation by Making Price Stability an Explicit Goal of National Economic Policy

EXTENSION OF REMARKS
OF
HON. FRED SCHWENGEL
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 10, 1959

Mr. SCHWENGEL. Mr. Speaker, my studies on the causes of inflation and its impact upon the various segments of our economy, have led me to suggest several areas where the Government could take specific steps to curb the disastrous effects of inflation.

One of the most elemental of these is the statement of policy which the Federal Government should make to insure that reasonable price stability is an explicit goal of our economic policy.

To do this, I have today introduced a bill which would amend the Employment Act of 1946 so that price stability can be included as an integral part of the economic policy of the country.

In addition to promoting maximum employment, production, and purchasing power under the act, my bill would add the simple but all-important statement, "at reasonably stable prices." This would become the new declaration of policy under the Employment Act of 1946.

In that section of the Employment Act dealing with the Economic Report of the President, my bill would call for the report to set forth also "current and foreseeable trends in price levels prevailing in the economy, and other steps, if any, which have been taken to counter inflationary and deflationary pressures arising within the economy."

The legislation which I am introducing would also call upon the Council of Economic Advisers to include among its duties the recommendation of policies on purchasing power and maintenance of a reasonably stable level of prices.

The President has recommended in his state of the Union message this year that the Employment Act of 1946 be amended to include reasonable price stability as an explicit goal of the Federal economic policy.

The interim report of the Cabinet Committee on Price Stability and Economic Growth recommended that Congress give highest priority to the proposal outlined by the President.

My friends, this is one of the elementary things which Congress can do: speak out clearly on price stability and thus assure the people that it is our goal to fight inflation at this level by every means.

I do not recommend forced price controls. In many respects, they would be worse than our present situation. Price controls always lead to wage controls and the freedom of the individual and our economy both suffer. Such controls have been in force in war time, but certainly they should not be justified in time of peace. Peace stability can be implemented with the same force and direction that we give to maintaining as full employment as possible; or full production; or full purchasing power. The policy needs the direction which a specific national goal, backed by the administration and the Congress, can give it.

There comes a time in the implementation of our economic policy when we should give the consumer a break. I agree with my colleague, Congressman WALTER JUDD who helped draft the original Employment Act of 1946, and who also sees the wisdom of amending that act now so that price stability is covered.

Congressman JUDD feels that when the combined forces of industry and labor increase productivity, which usually results in an increase in wages and profits, there should also be some thought given to price reductions. I concur that one of the rounds in the wage-price spiral should veer off to benefit the consumer. Whenever possible, give him a reduced price to lower the cost of living and help improve his purchasing power. You can see how much we would broaden the base of purchasing power if we were to think in terms of reduced prices for the consumer once in a while.

At the present time one of America's largest industries is in the throes of a costly strike. Wages in the steel industry are high. Profits have been high also. There is no doubt in my mind that steel prices can be reduced and the normal workload carried on with a reasonable cost-of-living increase in wages, or comparable fringe benefits, and still give a tremendous boost to the average consumer who is seeing his purchasing power dwindle more each time there is a strike which increases wages and inevitably increases prices. What a great thing it would be to give the consumer a seat at the bargaining table and to consider his stake. We would really be combating inflation then.

I am also disturbed by the announcement that one of the major oil companies might increase the price of gasoline; only a cent a gallon to be sure, but, nevertheless, another increase. Nothing I have read or heard to date convinces me that there is any solid justification for an increase. We all know that it would spread to the other companies and the consumer would be nicked again.

This is the time to hold the line; to use every voluntary means of holding down prices. When we do this we halt the spiral; we improve the purchasing power of the average individual and we make a solid blow against the cruelest tax of all—inflation.

Congress has the power to act in seeing that price stability is forthrightly enunciated as one of the goals of our economic policy. This would be the opportune time to make the simple, but important, changes which we need to put the Federal Government on the side of those taking earnest steps to control inflation. Whether it is my bill, or one of similar intent, is not important. The important thing is to write this language on price stability into law so that our future programs will be governed by it.

Washington Report

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, August 10, 1959

Mr. ALGER. Mr. Speaker, the following is my newsletter to constituents dated August 8, 1959:

WASHINGTON REPORT
(By Congressman BRUCE ALGER, Fifth District, Texas)

AUGUST 8, 1959.—The floor fight of the year in the House of Representatives is approaching; the subject—the controversial labor bill. Historically, the evolution of collective bargaining from countless local employer-employee agreements to nationwide and industrywide negotiations, from private settlement of differences of wages and working conditions to the mandate of Federal labor law, from a union resolution mailed to a legislator to all-out campaigning for and against lawmakers—all this and more will be a part of the debate. Unions have grown due to a recognition, by all, of workers' legitimate needs; but with that growth has come power and the not infrequent abuse of power. Growth often ended in monopoly, above and beyond reach of the Nation's laws—ended in cruel and greedy control of working people by dictatorial bosses. These facts and trends have been pointed up over and over again, beyond all dispute, by the McClellan committee hearings.

So what did Congress do? Last year, a weak and therefore worthless Kennedy-Ives bill was passed by the Senate and killed by the House. Later, politicians used their support or rejection of this bill to explain their position on labor legislation. The public, more curious than aroused, listened and voted. Even more labor-supported candidates were elected to Congress. Now an indignant citizenry expects labor legislation to be passed which will correct the outrageous abuses pointed up by the McClellan committee. A somewhat stronger labor bill was passed by the Senate this year. The House Labor Committee, however, reported a watered-down version, which I will call the committee bill. Unsatisfied with this, some members of the committee set to work drafting a bipartisan substitute bill (Landrum-Griffin) with "teeth" in it. This bill meets several of President Eisenhower's earlier requests of Congress for corrective labor legislation. Now the question is, can enough votes be mustered in support of this substitute bill from the Republicans (total 153) and the Democrats (256) to make a majority of 219?

The differences between the committee and substitute bills can best be summarized in these five basic areas, none of which was adequately covered by the committee bill: (1) Rights of union members: The substitute bill restores the bill of rights to union members (free speech, secret vote, fair dues, etc.); (2) union finances: The substitute bill requires all unions to make financial reports (committee bill would exempt 70 percent of unions from this reporting), the lack of which has cost union members approximately $10 million already in graft and corruption; (3) no man's land: Under present law many small unions and little businessmen with small troubles are denied access to the National Labor Relations Board and yet are prevented from seeking recourse to State courts or agencies. In this no man's land they can find no protection from racketeering elements; (4) blackmail picketing: The present unscrupulous use of picketing to (a) force recognition of a union which the employees themselves have rejected; or (b) force an employer to recognize one union while the law requires him to recognize another, would be barred by the substitute bill. Legitimate picketing would not be affected; (5) secondary boycotts (including hot cargo): Coercion by unions of other employees or firms, who are in no way involved in a labor dispute, in order to aline them against a business with whom the union has a disagreement would be prevented by the substitute bill. Violence and racketeering are particularly prevalent in this field, but the committee bill is all but silent on the subject.

The substitute bill is not punitive nor in any way harmful to legitimate union leaders and members, but rather protective of both. In fact, this is a minimum bill. Anything less, such as the committee or Senate bills, would be worthless. The great danger is a whitewash of the abuses of monopolistic and dictatorial power. My own belief is that a measure such as H.R. 8003, which I introduced, placing unions under the same antitrust sanctions applicable to everybody else, is necessary. (1) Restrictive trade practices, and (2) restraints of trade, forbidden by H.R. 8003, are areas only partially covered even by the substitute bill. Public pressure based on accurate understanding of the facts—facts that include: (a) The McClellan committee findings, and (b) the meanings of the various labor bills, and (c) the lobbying pressures on Congressmen—is necessary. As usual, the legislation that's passed will result from what the people want. It's up to John and Jane Doe now.

The adjournment date of Congress is still more uncertain, although it may be affected by Khrushchev's impending visit. Some Members of Congress, including me, do not welcome the thought of a speech to a joint session of Congress by the Communist boss.

Controversial pending legislation hangs in the balance. Some may be postponed to next year's session for action.

Some Observations on the Exchange of Visits With Khrushchev and Its Expected Impact on Our Foreign Policy

EXTENSION OF REMARKS
OF
HON. SAMUEL S. STRATTON
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, August 10, 1959

Mr. STRATTON. Mr. Speaker, I know that many Members have given a good deal of thought to the exchange of visits between President Eisenhower and Soviet Premier Khrushchev, which will take place later this fall, and the implication which these visits may have on our foreign policy. In that connection, I ask unanimous consent to include in the RECORD my current newsletter to the people of the 32d Congressional District of New York, in which I outline my views on this important subject in some detail.

The newsletter follows:

While the House of Representatives waited last week for the all-important debate on labor legislation which is scheduled to begin on Tuesday, the second most important topic of conversation here has been the impending September visit of Prime Minister Khrushchev to the United States, and President Eisenhower's visits to the NATO countries later this month and to the Soviet Union in the fall.

In general, comment here in Congress on President Eisenhower's decision has been favorable although it has also been cautious. We recognize, of course, that the Geneva talks have ended in failure, with the Russians refusing to back down from their earlier demands that we get out of Berlin. We recognize too that this is the kind of visit which Mr. Khrushchev has always wanted to make, and which, until now, President Eisenhower has steadfastly opposed in the absence of any area of agreement at the lower foreign ministers level. To this extent Khrushchev seems to have won.

On the other hand, there has now been an exchange of visits by the Soviet Deputy Premiers Mikoyan and Kozlov in one direction and Vice President NIXON in the other. Most people on Capitol Hill, regardless of party, would agree, I think, that Mr. NIXON's visit to Russia and Poland has been an outstanding success. He conducted himself with great dignity and ability, and by defending American principles in open face to face no-holds-barred debate with Khrushchev he has succeeded in breaking through some of the formal diplomatic barriers that have surrounded so much of our dealings with the Russians.

Vice President NIXON is convinced himself that the invitation to Khrushchev has been a wise move. I'm inclined to agree simply because this visit will make it possible for Mr. Khrushchev, who has never been to this country before, to see for himself that the American people are solidly behind our Government in opposing communism and all communism stands for and that we have the determination and will to fight for what we believe in if need be.

One of the real dangers in the cold war, as most experts have recognized, is that the Soviets might make the same kind of fatal miscalculation about us and our intentions as the Japanese did when they struck at Pearl Harbor. A trip to the United States by Mr. Khrushchev ought to convince him we are not softies, as the Japanese leaders so foolishly thought. If we can convince him of this we may prevent any similar miscalculation by the Russians, with regard to Berlin or Formosa, or any other critical trouble spot.

If the Khrushchev visit does nothing more than this, it will certainly have contributed to our national security.

On the other hand, most people down here also recognize very realistically that the Khrushchev visit is not likely to alter the general situation in the cold war. Mr. Khrushchev is still the same brutal dictator he has always been. Showing him politely around Washington, New York, or other parts of our country does not by any means indicate that we subscribe to his actions in making prisoners of the captive peoples behind the Iron Curtain in countries like Poland, Lithuania, Czechoslovakia, and Hungary. Or just because Mr. Khrushchev may make a few bad jokes at a party in this country doesn't mean that we would be wise in backing down on our policy of firmness in Berlin. Even the face-to-face discussions between the Soviet dictator and President Eisenhower are not going to change the basic objectives and designs of Soviet policy, which are to spread communism over the world and bury capitalism, as Khrushchev has so often threatened to do. This is still their basic intention.

Nevertheless, these forthcoming trips by Preisdent Eisenhower are significant because they mean that the President is playing an increasingly more direct and personal role in the conduct of our foreign policy. Because of his wartime experience, and his admitted ability at dealing with people personally, I can't help but feel that these visits may help at least to clear the air, and give us the chance to look at the exact area of our differences from a slightly new angle. This in itself will be worth while, because, with the tremendous destructiveness of modern nuclear weapons, all of us must do our best to try to find a formula for peace.

I'm particularly pleased that President Eisenhower will be going abroad first to visit our NATO allies. This trip will underscore, before the Eisenhower-Khrushchev talks begin, our determination to keep our NATO alliance together, which seems to be the one thing which Mr. Khrushchev objects to most strenuously. I have just one suggestion for the President, and that is that he include in his visit a personal appearance in West Berlin. Berlin and the whole German question are still a major point of difference between us and the Communists, as Khrushchev has just recently made clear again. By making a personal visit to West Berlin, Mr. Eisenhower will underline in the clearest possible terms that Khrushchev's visit to Washington in no way reflects any change in our determination to stand behind the people of Berlin against the threat of Communist aggression. I hope Mr. Eisenhower will add this extra stop to his itinerary, because I am sure it will relieve the minds of many people who otherwise are seriously troubled over the Khrushchev visit.

Notice of Hearings on Proposed Legislation Which Would Provide an Exemption From the Antitrust Laws To Authorize Cooperative Associations of Milk Producers To Bargain With Purchasers Singly or in Groups, and for Other Purposes

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, August 10, 1959

Mr. CELLER. Mr. Speaker, as chairman of the Committee on the Judiciary, and as chairman of its Antitrust Subcommittee, I wish to announce the commencement of hearings on S. 753 and H.R. 7191, to authorize cooperative associations of milk producers to bargain with purchasers singly or in groups, and for other purposes.

It is the Antitrust Subcommittee's intention to hold hearings on these bills August 20 and August 21, 1959. All persons who wish to appear and testify at hearings on these bills are requested to

notify Mr. Herbert N. Maletz, chief counsel, Antitrust Subcommittee, room 230, Old House Office Building, telephone Capitol 4–3121, extension 4853, as soon as possible.

Unrestricted World Travel by the People, as Well as Heads of Government, Can Only Bring About Better Understanding Between People Everywhere

EXTENSION OF REMARKS
OF
HON. HARRIS B. McDOWELL, JR.
OF DELAWARE
IN THE HOUSE OF REPRESENTATIVES
Monday, August 10, 1959

Mr. McDOWELL. Mr. Speaker, unrestricted world travel by the people, as well as heads of Government, can only bring about a better understanding between people everywhere in a world which has grown really quite small.

It is the people, and especially the young people, who can learn and who can profit from travel and from living for awhile, be it ever so brief, among other peoples and in other nations, for they will be tomorrow's leaders.

There can be no strangers in this world since there are no longer faraway places in these days of the jet transport.

The free world must welcome the opportunity which the Vice President has opened up for further development of exchanges of people and of cultural programs.

In his Moscow television speech, Vice President NIXON declared:

> Both the exchange of persons and the cultural exchange programs should not only be continued but sharply expanded. The more Americans who visit and get to know firsthand the people of the Soviet Union and the more Soviets who do the same in the United States, the better understanding we shall have.

Both World War I and World War II grew out of basic miscalculations on the part of the leaders of Germany as to what the reaction of America and the free world would be. We cannot disarm, nor can we hope for peace until the leaders of the Soviet Union know America well enough to avoid similar miscalculations about our people and our iron purpose to maintain the freedoms which we consider essential.

The Eisenhower-Nixon policy of barnstorming exchanges between top Government leaders can be looked upon by the American people with approval if later developments do not indicate that it comes about only as a result of the failure of the Geneva Conference.

The gladhanding of top officials, however, can be misleading. We in the United States must remain firm as we calmly evaluate the newspaper headlines reporting the outward actions and words of the candidates for national and world acclaim.

It is unfortunate that we cannot know what goes on behind the closed doors of secret diplomacy. There must be no more Pearl Harbors for the American people to regret.

It is interesting to note that a spontaneous movement to promote closer relations between teachers of the East and West has developed in Washington, D.C., at an assembly of the World Confederation of Organizations of the Teaching Profession.

The New York Times of August 6, 1959, reports that the move came when delegates from several European nations offered to set up programs to exchange information with Asian representatives.

Dr. William G. Carr, secretary-general of the confederation, hailed the plan for exchanges. Dr. Carr, who is also executive secretary of the National Education Association, said that foundation support would be sought to make the exchanges possible. The organizations represented at the meeting in the Nation's Capital represents some 3 million teachers throughout the world.

I have recently introduced a bill, H.R. 7533, to amend the International Cultural Exchange and Trade Fair Participation Act of 1956 to authorize the President to provide for participation by foreign governments and citizens of other countries in artistic and cultural activities in the United States.

This bill amends Public Law 860, 84th Congress. This legislation, first, would make the President's special international cultural exchange program a true two-way exchange program which it is not at present; second, provide for the inclusion of students of and teachers in educational institutions in the United States and abroad. The major if not whole emphasis of this program at present is on the professional. Van Cliburn was a product of the Juilliard School of Music; Jaime Laredo, who won first prize recently in the Queen Elisabeth of Belgium International Music Competition, was a graduate of the Curtis Institute, yet these and other great American artists have not been included in the President's special international program.

Another provision of this bill, H.R. 7533, would enlarge the present Advisory Committee on the Arts in the Department of State from 9 to 21 members. The 12 members of the Advisory Committee on the Arts first appointed under the provisions of H.R. 7533 must be appointed by the Secretary of State from among persons nominated by the following organizations: the Music Educators National Conference, the American Educational Theater Association, the College Art Association of America, the National Art Education Association, the National Council of the Arts in Education, the American National Theater and Academy, the National Music Council, the American Federation of Arts, the American Institute of Architects, the National Education Association, the American Council on Education, the American Council of Learned Societies, the Association of American Colleges.

This bill, H.R. 7533, also provides that the Commissioner of the U.S. Office of Education shall be Vice Chairman ex officio of the Advisory Committee on the Arts of the Department of State.

If this administration is really serious about expansion of the exchange of persons and the cultural exchange programs it will strongly support my bill, H.R. 7533, and similar legislation which is before the Congress at this time which has been introduced by the gentleman from New Jersey [Mr. THOMPSON] and Senator HUBERT H. HUMPHREY, coauthors of the Humphrey-Thompson Act, Public Law 860, 84th Congress.

I include the text of my bill, H.R. 7533, a New York Times article, and an article by Doris Fleeson which appeared in the Washington, D.C., Evening Star of August 4, 1959:

H.R. 7533

A bill to amend the International Cultural Exchange and Trade Fair Participation Act of 1956 to authorize the President to provide for participation by foreign governments and citizens of other countries in artistic and cultural activities in the United States, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 3 of the International Cultural Exchange and Trade Fair Participation Act of 1956 (22 U.S.C. 1992) is amended by inserting "(a)" immediately after "SEC. 3." and by adding at the end thereof the following new subsections:

"(b) The President is authorized to provide for participation by foreign governments and by citizens of other countries in activities in the United States similar to those provided for in subsection (a) of this section and section 12 of this Act, except that he shall not provide for the participation of industrial or trade exhibitors or exhibits in trade and industrial fairs in the United States under this subsection.

"(c) (1) Students of and teachers in, educational institutions in the United States who are sent abroad, either individually or in groups, under the provisions of this Act shall be selected through the Institute of International Education or a comparable organization which shall also arrange for their tours abroad and for their participation and presentations in festivals, competitions, and exhibitions abroad.

"(c) (2) Students of, and teachers in, educational institutions in foreign countries who are brought to the United States individually or in groups under the provisions of this Act shall be selected through an agency of the government of the country in which they reside, or through the Institute of International Education or a comparable foreign organization. The tours in the United States of such foreign students and teachers and their participation and presentation in festivals, competitions, and like exhibitions in the United States shall be arranged for by the Institute of International Education or a comparable organization."

(b) Paragraph (1) of subsection (a) (as designated by subsection (a) of this section) of section 3 of such Act is amended (1) by inserting "professional or nonprofessional" immediately before "creative", and (2) by inserting immediately after "groups" the following: "(including individuals or groups from educational institutions)".

SEC. 2. Section 2 of the International Cultural Exchange and Trade Fair Participation Act of 1956 is amended (1) by inserting "(1)" immediately after "nations by", (2) by inserting "including cultural developments and achievements of students and teachers in educational institutions in the United States)" immediately after "people of the United States", and (3) by striking out "throughout the world;" and inserting in lieu thereof the following: "throughout the world, and (2) facilitating the presentation in the United States of the artistic

and cultural contributions and achievements of the peoples of foreign countries;".

SEC. 3. Section 5 of the International Cultural Exchange and Trade Fair Participation Act of 1956 is amended by adding at the end thereof the following new sentence: "Not less than 20 per centum of the funds appropriated pursuant to this section shall be expended to carry out the provisions of section 3(c)."

SEC. 4. (a) Subsection (a) of section 10 of the International Cultural Exchange and Trade Fair Participation Act of 1956 is amended (1) by striking out "from among its membership and nine other members appointed by the Secretary of State." and inserting in lieu thereof the following: "from among its membership, and a Vice Chairman ex officio who shall be the Commissioner of the United States Office of Education, and twenty-one other members appointed by the Secretary of State."; and (2) by inserting immediately before the period at the end thereof a comma and the following: "including national educational organizations in such fields".

(b) The twelve members of the Advisory Committee on the Arts first appointed to the offices created by the amendment made by clause (1) of subsection (a) of this section shall be appointed by the Secretary of State from among persons nominated by such organizations as the Music Educators National Conference, the American Educational Theater Associations, the College Art Association of America, the National Art Education Association, the National Council of the Arts in Education, the American National Theater and Academy, the National Music Council, the American Federation of Arts, the American Institute of Architects, the National Education Association, the American Council on Education, the American Council of Learned Societies, and the Association of American Colleges. The term of office of three of the members first appointed to such offices shall be one year, notwithstanding the provisions of section 10(d) of such Act.

SEC. 5. Title I of the Agricultural Trade Development and Assistance Act of 1954 is amended by inserting immediately after section 104 thereof the following new section:

"SEC. 104A. There is hereby authorized to be appropriated for the fiscal year beginning July 1, 1959, and for each succeeding fiscal year, from the foreign currencies which accrue under this title, not to exceed the equivalent of $5,000,000 for financing the translation, production, and distribution of educational motion pictures and filmstrips abroad."

[From the New York Times, Aug. 6, 1959]

EDUCATORS PLAN WORLD EXCHANGE—OFFER OF ASIAN AND EUROPEAN DELEGATES INVOLVES BOTH TEACHERS AND PUPILS

(By Leonard Buder)

WASHINGTON, AUGUST 5.—A spontaneous movement to promote closer relations between teachers of the East and West developed here today at the annual assembly of the World Confederation of Organizations of the Teaching Profession.

The move came when delegates from several European nations offered to set up programs to exchange information with Asian representatives. The exchange, first, proposed by the Netherlands teachers' organization, would involve pupils as well as teachers.

Dr. William G. Carr, secretary-general of the confederation, hailed the plan. Dr. Carr who is also executive secretary of the National Education Association of the United States, the host organization for the assembly, said that at first the program would be limited largely to an exchange of correspondence and educational materials.

However, he said that foundation grants might be obtained later to make it possible for teachers from eastern and western countries to visit each other.

The confederation's resolutions committee met today to draft its report. It is expected to present a resolution tomorrow calling for condemnation of their treatment of teachers. The assembly ends tomorrow.

A special report submitted earlier to the assembly asserted that East Germany forced its teachers to promote communism in and out of the classroom and to spy and inform on pupils and parents.

The only Communist country represented at the assembly is Yugoslavia.

About 700 delegates and observers from 74 countries are attending the assembly, which is the first in this country since the world organization was established in 1952. The confederation represents, through it member groups, more than 3 million teachers.

Sessions are being held at the Mayflower Hotel and the headquarters building of the National Education Association.

[From the Washington (D.C.) Evening Star, Aug. 4, 1959]

CHANGE OF DIRECTION ON VISITS: INVITATION TO KHRUSHCHEV IS CALLED EMOTIONALLY DIFFICULT FOR SOME IN UNITED STATES

(By Doris Fleeson)

It was difficult to tell at his hastily summoned press conference whether President Eisenhower was relaxed and happy over his decision "to melt a little bit of the ice that seems to freeze our relations with the Soviets."

He spoke pleasantly enough, though showing a slight trace of irritation over the fact that so important a command decision should have been "one of the worst kept secrets of our time." This may have been only a reversion to his military days when such abundant leakage about so delicate a subject would have been unthinkable.

Certainly the President has had the green light from most political intersections for his exchange of visits with Soviet Premier Khrushchev. There can be little question that the people, not only of the United States but of the world, will go a long way in the name of peace. The new generations feel in their bloodstream the nuclear threat as older men and women cannot.

With the diplomatic instinct which served him so well during the war and can almost be said to have made him President, Mr. Eisenhower will see the major Western allies before the Soviet exchange. It was a commonplace at Geneva that General De Gaulle is happy about practically nothing touching upon the Soviet Union and that Chancellor Adenauer of West Germany is not far behind him.

Yet with all the Eisenhower support at home, and his sound intention of touching his bases before the face-to-face encounters with Khrushchev begin, the new project is one of those enterprises of great pith and moment whose currents may turn awry. The President has been a part of some great decisions that now can be defended only as a good idea at the time, such as allowing the Russians to reach Berlin first in World War II.

He also saw, and later became a part of, Republican use of the Yalta Conference failures in order to win elections at home. It is a wry irony, freely commented on in Congress after the President's announcement, that a Republican administration should now be heading toward conferences with the Soviet Premier, both here and in Russia, without even the excuse of a wartime alliance.

To make this possible, Stalin and Franklin Roosevelt had to die. Only Winston Churchill of the Yalta decision makers lives on, a stout champion of its validity in the context of its time. It could even be that John Foster Dulles would have had difficulty in adjusting to the present pace of East-West relations.

The Republican right wing is already showing some sensitivity to cloakroom jokes about Vice President NIXON'S "courtship of the Russians." This is the spot where the President's moves may be sourly regarded, but it is out of power in Congress and generally throughout the country.

Entirely apart from political considerations, there will also be Americans who find the change of direction emotionally difficult. Yet it seems clear that another watershed of history is here and demanding exactly the kind of direction the President proposes to give it.

The President emphasized that the Khrushchev exchange was for a "personal visit" and had no connection with a later summit meeting. He specifically disavowed negotiation and emphasized he could not speak for the Western Powers, only for the United States.

Yet in the light of the President's powers over foreign policy—the powers of which every President is most jealous—the Nixon journey is tourism and the Congress can do very little. And for his part, Khrushchev has repeatedly indicated that he would like to do a lot of business with the President of the United States.

The Khrushchev Visit

EXTENSION OF REMARKS

OF

HON. WALTER H. MOELLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1959

Mr. MOELLER. Mr. Speaker, I share with millions of my fellow Americans a feeling of profound disturbance over the press acclaim which has been given to the decision by President Eisenhower to invite Nikita Khrushchev to this country and to pay him a return visit later this year. I am more than disturbed, but I do not wish to be intemperate in addressing the Congress and so I will not reveal the full depth of my feelings when I think of this disgraceful affair.

I will try to be objective and to list dispassionately my reasons for opposing the plan to welcome the Soviet dictator as an honored guest of an American President. I do not say the guest of the American people, because in my heart I am convinced that the majority of Americans will not welcome him and that they wish wholeheartedly that he had never been asked to come here.

First, Khrushchev in his own person and as the representative of Communist terrorism comes to us with bloodstained hands and all of his smiles, his buffoonery, and his peasant charm will never cleanse them. The blood of Hungarians, of Poles, of Ukrainians, of Tibetans, of Germans, of the Baltic peoples, of Koreans, of Chinese, and of countless others will not wash away. Every American who looks upon him while he is here should take a good look at those hands and in his mind's eye picture them newly stained with our blood and that of our children, which is the avowed aim of his regime and of Khrushchev himself. This is the man we are asked to greet as

a representative of a friendly people. Let any Russian peasant or Russian worker come and we would welcome them for they too have suffered, but let us not be asked to extend the hand of friendship to their tormentors. The blood will inevitably cling to us from such a handshake.

Second, this invitation and this visit are a sign of a craven yielding to blackmail and nothing more. When Khrushchev voiced his threats against the free people of Berlin and their American, French, and British protectors the citizens of this country did not quiver in fear. It appears, however, that in spite of the brave words voiced by our leaders at that time there was some quivering among them. How else can we explain this evidence of irresolution? It will certainly be as plain to Khrushchev as it is to me and to any thinking American that when our President asked him to come here it was not because he was welcomed as a friend, but that it was to treat with him as a blackmailer who threatened our security. How much success do you think you would have in persuading a man with a loaded gun at your head to come to an agreement on your terms? Common sense tells us that you must first disarm him or face him with an equally dangerous weapon before he will agree not to pull the trigger. This man is more dangerous than any common robber. Why have we invited him into our house instead of locking the doors against him until he is able to convince us that he has reformed?

Third, this invitation is an act of betrayal of the captive peoples of Europe and Asia. They will look on it as nothing less and I look on it as nothing less. As each of these nations has fallen under the domination of the conspiracy in the Kremlin, we have promised them that America would never desert them and that we would take every possible opportunity to help them regain their independence. Again, these were brave words but how much brave action has been taken in their support? I do not speak of military action, for none of us want to precipitate a war. But I do speak of morally strong, diplomatic, economic, and social action. I speak of imposing sanctions against every move which appears to perpetuate Communist domination over the once free peoples of Europe and over the Asiatic nations who have lost the opportunity given them by the Western World to chart their own futures. Instead of that kind of sanction our sweet talk to their Communist rulers can only be taken to mean that we are now sanctioning continued despotic rule over these peoples by their most bitter enemies.

Fourth, this unilateral action by our President and his advisers can only drive a further wedge between us and our Western allies and the democratic regimes which we support in other parts of the world. A face to face private talk between Khrushchev and the President, at the President's invitation, is something different from a multilateral conference in which our strongest friends have active participation. The press has made a great show of ex post facto approval by the governments of these countries in support of this social get together. However, what lies behind the scenes? We know that with the possible exception of Great Britain there was no great enthusiasm in Europe even for a so-called Big Four summit meeting unless and until the Soviet Union had clearly demonstrated a willingness to recede from its aggressive stance. What happened at Geneva was just the opposite of this. Then how can we justify to the friendly nations of Europe, to their leaders and their citizens, this sudden about-face action on our part? Certainly it will create serious apprehension among them at the very least. I sincerely hope that the President on his coming visits to them will be able to allay their fears. More important, I hope that when he faces his unwelcome visitor in September he will not be taken in to the extent of agreeing on any action which will cause them further fear and lead to open distrust.

It is, of course, too late to retract this ill-timed gesture on the part of the President. I could wish that Mr. Khrushchev might be stricken with the same type of second thought which caused him to change his recent plan to visit the Scandinavian countries. However, this is too much to hope for in view of the great tactical victory he has achieved in being invited here. This being the case, I suggest that it is up to the American people to make clear to him just what our attitude to him and to his cohorts is, and just how strong is our determination to oppose his godless philosophy and his inhuman system at every turn. This is no time for egg throwing and insults, which show only an immature response to the great issues with which we are faced. The proper way to receive this man is in cold silence. I hope and pray that no great crowds will turn out to greet him with cheers and flag waving. I shudder at the thought that the streets of our Nation's Capital might be hung with the hammer and sickle as he is paraded before us. Let him see instead the Stars and Stripes of this great citadel of freedom. Let him see displayed at every hand the flags of the nations he and his kind have brought under the heel of the most despotic dictatorship in the history of mankind. Let him not see smiles of welcome but the stern faces of a people determined that freedom and democracy will triumph over brutality and oppression no matter what the cost.

Tribute to Jule Styne in Recognition of His 25 Years as Top Producer and Composer

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EXTENSION OF REMARKS

OF

HON. JAMES ROOSEVELT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1959

Mr. ROOSEVELT. Mr. Speaker, a few weeks ago the Friars Club, along with leaders of show business, initiated a commemoration of the Jule Styne 25th anniversary in show business—a year-long commemoration of this noted composer's multiple contributions to the world of entertainment. I am grateful for the opportunity to bring to the notice of my colleagues some of the great accomplishments of Jule Styne and invite them to join with me in paying tribute to a man whose contributions to the American cultural scene are most deserving of such an honor.

Jule Styne's name looms large and strong in the annals of show business. His current noteworthy musical contribution, "Gypsy," starring Ethel Merman in the musical-biography of Gypsy Rose Lee, auspiciously launches Jule Styne's 25th anniversary in show business.

The genius which is Jule Styne will live long in the hearts and minds of people everywhere, for his art has made impact in all branches of show business—motion pictures, television, radio, recordings, ballet and the stage. He has achieved success as a producer as well.

The life story of the man who gave music to millions to sing and dance to is as dramatic and stirring as any of the shows he has produced or composed for. He was born in London, England, on December 31, 1905. His musical inclinations came to the fore at the age of 3, when, sitting with his parents in a music hall in London, he jumped to the stage from a box seat to join Sir Harry Lauder in singing "I Love a Lassie." As a child entertainer, he danced and sang at parties and small shows.

In 1913, Jule and his family came to America and settled in Chicago. He was 8 years old and rapidly becoming a fine classical pianist. Jule won a scholarship to the Chicago College of Music, where he won the Mozart Award. Later he appeared with many symphony orchestras as a child prodigy.

His interest in popular music was awakened when he found the kids in school clustered around a jazz pianist who played very badly, but who played what the kids liked. Jule went to a music store and bought some popular songs to learn. Not having the money to pay for them, he worked out a deal to play at the store on Saturdays to pay for the music. The store was owned by Jack Kapp, later to become one of the greats of the recording industry. Learning to play popular music was the turning point in his musical career.

He matriculated at Northwestern University, but soon had to drop out because of financial difficulties at home. Later taking a job making metal coat hangers, he almost lost a finger as a result of an accident on one of the machines. He could not play for a year, practically losing his musical technique. Turning to pop music, he formed an orchestra, a success shortly in Chicago, the orchestra then became in demand throughout the country. Such greats as Bix Beiderbeck and Benny Goodman played in his bands.

While in Florida with Arnold Johnson's band, he wrote his first song, a beautiful melody called "Sunday." That night, at the Hollywood Beach Hotel, where he was appearing, Al Jolson and

Irving Caesar called him over after hearing the song and encouraged him to pursue the songwriting career.

He came to New York and became a coach for singers and a writer of special material. Jule wrote for Sophie Tucker and many of the other vaudeville greats of the time. Soon he became musical director for Harry Richmond and made his first trip to Hollywood. There Darryl Zanuck hired him to coach at 20th Century-Fox Studios such stars as Tony Martin, Shirley Temple, Alice Faye, among others. After a year of this, he told Zanuck he wanted to be a song writer. Zanuck said "fine, but not here." He sent him to Republic Studios. Cy Feuer gave him a job there at a salary of $150 a week—he had been making $950 a week at 20th Century-Fox as a music coach. Determined to make it as a song writer, he teamed with Frank Loesser and soon he was on his way. Loesser and Jule went to Paramount where their first effort was the smash, "I Don't Want To Walk Without You Baby." When Frank Loesser went into the Army, Styne teamed up with Sammy Cahn, and in 9 years this great team wrote over 500 songs. Fifty of them were on the "Hit Parade," of which 20 songs achieved No. 1 status.

Jule Styne, looking to new fields to conquer, then turned to theater. His first show in 1947, "High Button Shoes," he did with Sammy Cahn. Later he teamed with Leo Robin to write "Gentlemen Prefer Blondes." In 1950, he wrote "Two on the Aisle," with Betty Comden and Adolph Green. Back in Hollywood soon after, Zanuck hired him to do the score for a Betty Grable picture, "Meet Me After the Show."

He came back to Broadway after this film chore and won the drama critics' award with his revival of "Pal Joey." Following this, Jule produced "Hazel Flagg," "Will Success Spoil Rock Hunter," and brought Sammy Davis, Jr., to Broadway in "Mr. Wonderful."

Starting in 1943, Styne, along with various lyricists, was responsible for most of the Sinatra hits.

With Sammy Cahn, he wrote the memorable song, "Three Coins in a Fountain," title song of the 20th-Century Fox picture, and which won for the noted team the coveted Academy Award "Oscar."

Styne has many hobbies, most of which he works at. He is an excellent cook and delights in preparing unusual meals. An "80" golfer, he does not get a chance to play as often as he would like to. He is a fine rider and someday plans to have a horse breeding farm here in the East. Jule's vocation is writing songs and his avocation is producing shows. He gets a great deal of satisfaction in helping young performers, composers and lyricists.

Jule Styne has two sons, Stanley, 28, who is employed as a publicist at Columbia pictures and Norton, 18, who is a student at Syracuse University.

This is the brief life story of Jule Styne, who, currently at the peak of his career, maintains the same enthusiastic attitude toward show business he had during his struggling years. Success has not dimmed his ardor nor his talent. The world will have many more songs, music and shows from this man, truly one of the greats of all time in show business.

Over the past 25 years, this versatile and talented American—Jule Styne—has written hundreds of songs, many of them which will long remain a permanent part of the American culture. He has composed the musical scores for many great American musical shows which, too, have become a permanent part of Americana: "High Button Shoes," "Gentlemen Prefer Blondes," "Two on the Aisle," "Hazel Flagg," "Peter Pan," "Bells Are Ringing," "Say, Darling," "Gypsy."

He has written the musical scores for the following ballets: "Wallflower," "Side Show," "Cops and Robbers Ballet."

He has won many great honors for his accomplishments as a producer, including the Donaldson award and the New York critics' award for "Pal Joey." As a producer, Jule Styne gave to the American theatrical world the following noteworthy productions: "Say, Darling"; "First Impressions"; "Make a Wish"; "Pal Joey"; "In Any Language," coproduced with George Abbott; "Hazel Flagg"; "Will Success Spoil Rock Hunter?"; "Mr. Wonderful."

Among the many motion-picture scores Jule Styne composed are the following: "Anchors Aweigh," "Tonight and Every Night," "The Umpire's Daughter," "Two Guys From Texas," "It's a Great Feeling," "The Kid From Brooklyn," "It Happened in Brooklyn," "The West Point Story," "Two Tickets to Broadway," "Don't Fence Me In," "Macoa," "Pink Tights," "My Sister Eileen," "Living It Up."

Jule Styne's songs, which have brought happiness and great entertainment to peoples everywhere, include the following: "I Don't Want To Walk Without You, Baby"; "I Said No"; "Come Out, Come Out, Wherever You Are"; "I've Heard That Song Before"; "There Goes That Song Again"; "Saturday Night Is the Loneliest Night"; "I'll Walk Alone"; "Poor Little Rhode Island," official State song; "Three Coins in the Fountain"; "Five Minutes More"; "Let It Snow, Let It Snow"; "What Makes the Sunset"; "I Begged Her"; "I Fall in Love Too Easily"; "The Charm of You"; "It's Been a Long, Long Time"; "Can't You Read Between the Lines"; "Every Day I Love You"; "Fiddle Dee Dee"; "It's a Great Feeling"; "Time After Time"; "I Believe You"; "You Love Me"; "Papa, Won't You Dance With Me"; "I Still Get Jealous"; "You're My Girl"; "Bye, Bye, Baby"; "Diamonds Are a Girl's Best Friend"; "The Closer You Are"; "The Worry Bird"; "That's the Tune"; "Baby, You'll Never Be Sorry"; "You Kill Me"; "Talk to Me Tomorrow"; "Ocean Breeze"; "Catch Our Act at the Met"; "There Never Was a Baby Like My Baby"; "Give a Little, Get a Little"; "Hold Me, Hold Me, Hold Me"; "Everlasting"; "So Far, So Good"; "If You Hadn't, but You Did"; "How Will He Know?"; "How Do You Speak to an Angel?"; "I Feel Like I'm Gonna Live Forever"; "Salome"; "Think How Many People Never Find Love"; "You're Gonna Dance With Me"; "Willie"; "Money Burns a Hole in My Pocket"; "A Little More Heart"; "My Wild Imagination"; "Every Street's a Boulevard in Old New York"; "Everybody Loves To Take a Bow"; "Laura De Maupassant"; "Captain Hooks Waltz"; "Distant Melody"; "Never, Never Land"; "Wendy"; "Just in Time"; "The Party's Over."

Jule Styne has been termed a virtual "Christopher Columbus" of show business—inasmuch as he has been responsible for discovering new talent. It has been a project close to his heart to reach out and search for young artists and give them their opportunity to make good in their chosen profession of show business. Jule Styne's great interest in finding new stars of the future and giving talent and opportunity has contributed many present-day stars to the entertainment world. The list of people he has helped in this way include Doris Day, Nanette Fabray, Carol Channing, Sheree North, Jayne Mansfield, Sandra Church, among others.

The lives of Americans throughout our land as well as the lives of people throughout the corners of the world have been enriched by the artistry and genius of Jule Styne. As an American, he has bought great credit to his country—the United States of America.

It is, therefore, fitting and proper for his fellow Americans to pay tribute to Jule Styne on the occasion of his 25th anniversary in show business. His accomplishments have been great—the position he holds in the hearts and minds of his fellow Americans is just as great.

Federal Aid to Education

EXTENSION OF REMARKS
OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1959

Mr. SAYLOR. Mr. Speaker, in the past several weeks I have received a great deal of mail from teachers in my district with respect to H.R. 22. I particularly welcome this correspondence at this time, when our great newspapers are devoting increasing space to the dangers of inflation, and when our people are becoming progressively more indignant at the wanton extravagance of the Federal Government.

H.R. 22 would add fuel to the raging fires of inflation by further destroying the value of the dollar under a smokescreen of care and consideration for our schoolchildren and their teachers. I submit that, if the bureaucrats have any love at all for our youth and those who guide them scholastically, then they will take their greedy hands out of the Federal Treasury and make more tax money available to those who earn it. Our States and communities are finding it difficult to meet expenses for schools and all necessary services primarily because taxpayers are being victimized by a voracious bureaucracy that drains off so much income that there is little left for meeting local costs. Instead of propos-

ing new schemes to expand Federal agencies and offices, Congress should dedicate itself to reducing expenditures in every way possible in order that embezzlement through inflation will be discontinued and the economy will be returned to a sound fiscal basis.

I have pointed out that interest alone on the national debt amounts annually to more than the total revenue collected from 20 million taxpayers each contributing the sum of $400. Congress can make its greatest contribution to the economic stability of this Nation by trimming expenses wherever possible and applying such savings to reducing the national debt and cutting taxes. A 10 percent reduction in the debt, with a subsequent savings on interest, would make more than $800 million available each year to taxpayers for building schools, increasing salaries of teachers, and for whatever other uses the citizenry would choose to make of it.

H.R. 22 would have a directly opposite effect. Further inflation would boost interest rates and lessen the buying power of everyone's dollar—the parent, the teacher, the butcher and the baker. Retired teachers and other pensioners would find means of subsistence even more elusive, what with their monthly checks having less and less value.

Mr. Speaker, we cannot afford to allow the Federal Government to exact tribute for another expensive activity that would add to our already excessive tax burdens. Furthermore, we cannot afford to allow the Federal Government to get a foot in the door of our local schools. Subsidization breeds control, and anyone familiar with bureaucratic ambitions and operations recognizes that the threat of Federal management of our educational system is inherent in H.R. 22. The Federal Government has already usurped too much power and responsibility. We must be alert to any attempt—regardless of how innocuous it may appear—to nationalize our public school system.

H.R. 22 is inimical to the national welfare. As for its treatment of individual States, Pennsylvania taxpayers resent the provision that would require us to contribute millions of dollars to the schools of Texas and other States currently enjoying a far greater degree of economic prosperity. H.R. 22 would take a total of $313,824,000 from Pennsylvania in the specified 4-year period. In return Pennsylvania would receive $267,450,000. However, the State of Texas would pay in $186,292,000 and take out $270,450,000. Is there any justification for this inequitable arrangement? With this great flow of revenue siphoned out of Pennsylvania in return for the lesser contribution of the Federal Government, our State and our communities would find less and less money available to carry out our responsibilities to our schools and teachers.

Mr. Speaker, the whole philosophy of this program is so irrational that it should never come to the floor of this legislative body. Our major domestic responsibility at this time is to reduce Government expenditures and return this country to a safe fiscal status. Under the guise of aid to education, H.R. 22 is nothing more than a raid on education. It should be rejected by everyone who values our schools and respects our teaching profession.

Why I'm for the Shelley Bill, a Labor Reform, Antiracketeering Measure

EXTENSION OF REMARKS

OF

HON. GERALD T. FLYNN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1959

Mr. FLYNN. Mr. Speaker, I speak out to call attention of the House to the fact that powerful lobbies, aided—I trust, unwittingly—by the President of the United States, are trying to stampede this body to legislate against the democratic rights of America's working men and women.

The "tough labor bill" under the guise of putting an end to abuse which all of us oppose, is a cynical attempt to take from union members some of the essential tools of democratic unions.

"Secondary boycott" has become an infamous phrase in the hysterical lobbying which inundates the Congress today; but what are the facts about secondary boycotts?

It is already illegal under the Taft-Hartley Act, section 8(b)(4)(A), for employees of one firm to strike or refuse to work to force their employer to stop doing business with some other employers.

But some employers and unions have signed agreements which, in effect, say that the employer will not insist that his employees work on goods which come from an employer who has a dispute with the union. Is this wrong?

Abuses of these "hot cargo" clauses have been one springboard from which the tough labor bill has been launched.

The tough bill pressure groups spew out scare words and cite examples of "extortion" or "blackmail picketing." But they do not stop at urging us to pass a law which outlaws these practices. The fact is the Shelley bill and the Elliott bill, as well as the Griffin-Landrum bill, specifically outlaw these practices and provide heavy criminal penalties for violators. The Landrum-Griffin bill, however, exploiting the deep concern of the American people about the abuses widely publicized by the McClellan committee, goes beyond the correction of abuses; it abridges basic rights of working people: The right to bargain freely, the right of a worker to refuse struck work, the right to peacefully picket a struck plant.

It seeks to limit legitimate collective bargaining agreements where no abuses have been cited.

In the needle trades industry, for example, union workers and employers commonly agree not to do business with sweatshop subcontractors. By outlawing such agreements, the Griffin-Landrum bill would deprive honest, clean democratic union people of this most proper and time-tested device to improve working conditions in that industry.

It forces strikebreaking by innocent workmen against their will.

The Supreme Court has said that employees of one firm may refuse to do work farmed out to them from a struck firm. Under the Landrum-Griffin bill, however, this right of workingmen is removed except in cases where the second employer has a contract to perform the work for the first employer and the refusal is limited to services which would ordinarily be performed by the striking employees. This requirement bores a loophole in our labor law big enough for every strikebreaking employer to completely evade the intent of this section of the Taft-Hartley Act. The Griffin-Landrum bill, in this particular, is clearly an instrument to coerce workers to help employers break strikes in situations in which even the Taft-Hartley law now protects them from this degrading servitude. It legalizes collusion between employers to break strikes while outlawing the most fundamental human act in the democratic labor movement—the refusal to join the boss in punishment of other workmen.

It outlaws fundamental picket action in a primary labor dispute. The most vicious effect of the Griffin-Landrum section 705 will result from its elimination of concerted conduct from the concept of the secondary boycott. Under Taft-Hartley, what is outlawed is inducing concerted action by employees not to perform work. Under Griffin-Landrum if a striking worker appeals to a single other worker not to cross the picket line, he violates the law. Gentlemen, no Member of Congress can at once be devoted to the American system of collective bargaining and subscribe to this strikebreaking language.

I should like to call your attention to the fact that the Senate, in its consideration of the bill, earlier this session rejected a provision substantially the same as the one here proposed by Griffin-Landrum.

Griffin-Landrum outlaws union's free speech educational picketing.

On the ground that retailers of products from a struck firm were being restrained, a union could—under Landrum-Griffith—be deprived of its right to urge the public through newspaper ads, radio, and the mails, not to buy from a struck firm. Here again the remedy goes far beyond the correction of coercive practices and indeed goes so far as to take rights away from workers to the detriment of the institution of American industrial relations.

I believe that every friend of labor in this House, and there are many of us, who will take the time to look behind the scare words and the extreme example of the tough bill proponents—and read the bill—will recognize that this section deprives workers of rights. It does not protect them or the public from racketeering or collusion. It was not written here to punish crooks, but to hobble labor.

Landrum-Griffin will encourage collusion between corrupt management and union leaders.

Mr. Speaker, as I read section 705 of the so-called tough labor bill, I am appalled to find that the authors of the bill

have become so reckless in their "get labor" binge that they have written an unmistakable invitation to the racketeer and the unscrupulous employer to join together to prevent honest unions from organizing.

Organizational picketing is prevented where the employer has lawfully recognized another labor organization or where a valid election has been held during the past year. What this means is that either by agreement or the device of a quickie election, the employer can influence the choice of a union for his employees, then for a 12-month period a legitimate union cannot legally picket to begin its organizing campaign even though it was not involved in the previous election. At the end of the 12-month period, without one day's time given to the intervening union to organize with this traditional technique, the employer and his union can be almost certain of continuing this relationship.

I say to the tough bill proponents on this one, your motives are showing. You are cooperating with management and labor crooks, you are outlawing the honest organizer and giving the green light to the most corrupt agent exposed by the McClellan committee—the union boss who will sell out the workers to sign a dues collecting contract with the boss.

Mr. Speaker, there are other ways in which the Griffin-Landrum bill exceeds the just demand of the American people for labor reform. I am not going to describe all of them, but any one of these punitive sections I have described should be enough to turn this Congress away from this measure. This bill—to the extent it goes beyond the Shelley bill—will not protect workers or their unions; it will steal from them their legitimate tools of organizational bargaining.

Unfortunately, moderates and liberals in the House, recognizing on one hand the clamor of the American public for labor reform and, on the other hand, the readymade position of labor's enemies to easily exploit this sentiment, have seen fit to bring out a bill which, although it is not nearly as punitive as the Landrum-Griffin bill, nevertheless, makes concessions to the enemies of labor in an attempt to appease and accommodate and, let us be honest, to legislate. I do not impugn the motives of the sponsors of the Elliott bill. I believe they are friends of labor who believe some sacrifice of honest labor's interests must be made as a price for sufficient support for passage of labor reform legislation in this session of Congress.

Tactically, these good colleagues may be right. I hope they are wrong. But, on principle, they cannot be right. It is a dishonor to the House to pass legislation nominally written to protect labor but which, in fact, is in part written to punish labor as a price for its support.

The Elliott bill is inequitably easy on employer reporting; it foolishly invites misuse of union membership lists and effects no democratic reform or other advantage for the list giveaway; it restricts organizational picketing and "hot cargo" clauses, although not nearly as dangerously as does Landrum-Griffin, still unnecessarily. Without principled correction of the weaknesses or assurances that these failures can be taken care of in conference, the House should not support this bill.

The Shelley bill does not go to excess. It does the job of labor reform and does not do a job on labor.

I implore the House: Do not let the anti-labor lobby din make you misread your mail. The American people want labor reform—there can be no argument about that. But the American people want strong unions—able to do the job workers built them to do. The American people are not hysterical on this issue. They write us to tell us to "get tough with the crooks"; and I agree we should do this. But they expect us to keep a level head, to make the law meet the abuses, to legislate for corrective action, not punitive action against the innocent democratic labor movement which these same American people embrace.

The need is for anti-racketeering legislation. The Shelley bill is 69 pages of just that. Most provisions are the same as those proposed by the Senate committee and by last year's Kennedy-Ervin bill. It is an honest, unemotional bill, tough on crooks but respectful of the democratic American free labor movement, the same labor movement which has made such a significant contribution to the greatness of America and has, moreover, led the Congress in waging war against Communists, corruption, and racketeers by cleaning its own ranks by exposures and expulsions.

"Red" Blaik, Army's Illustrious Former Coach, Brings a New Freshness to Football Reporting and Recognizes Validity of Brains and Leadership in the Game by Establishing a Worthwhile Foundation

EXTENSION OF REMARKS
OF

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1959

Mr. HÉBERT. Mr. Speaker, it was with deep regret that those of us who had admired the contribution of "Red" Blaik to modern football as coach of Army's "Black Knights of the Hudson" learned of his resignation early this year.

It is now with much pleasure that we learn that "Red" Blaik's talents have not been lost entirely to the world of football.

I am directing the attention of the House to the announcement that Colonel Blaik has consented to write on the subject closest to his heart—football.

With the permission of the House I am including in these remarks the first article written by Colonel Blaik for the Associated Press which tells the full story.

I have no apologies to make for my position that our service academies, Army, Navy, and Air Force, should be represented on the gridiron and in other fields of sports with the strongest talent available. I have done everything I could to assist each Academy in this endeavor and I will continue to lend my cooperation because no American should be satisfied with anything less than the best for our service academies.

I have long advocated participation of the service academies in bowl games and feel some satisfaction in the small part which I have been privileged to play in bringing about participation in such bowl games. Such participation has stimulated interest of the Nation's youth in our military service and the consequent benefits resulting to the Navy and Air Force has been beyond accurate measurement.

It is to be regretted that the Army has failed to take advantage of the chance to participate in any bowl game although the opportunity has been theirs. I sincerely hope that this shortsighted policy will soon be adjusted. Refusal of the Army to participate in a bowl game has even been in defiance of a policy adopted by its own board of visitors in 1954 and also contrary to the desires of its own coaches and players.

I am further concerned over reports coming to me that the Army is going to further limit its football program, placing it on an Ivy League status. This would indeed be a tragedy. "Red" Blaik brought the Army's teams to hitherto unscaled heights and thrilled a grateful American public with brilliant teams befitting the U.S. Military Academy. Now to tear down what Blaik has built after he has departed would be inconceivable. The American people deserve better treatment from the U.S. military authorities. The leadership developed on the football is not only reflected by the Army but by all schools participating in the game.

As Members of Congress we should do everything to preserve the great athletic tradition of the service academies and accept no less on the athletic field than we have come to expect in the field of education. The two go hand in hand. We should alert ourselves against any change in policy which would make West Point second and inferior to other like institutions in the Nation.

When the Navy participated in the Sugar Bowl and later in the Cotton Bowl it brought honor and glory to all hands in the Navy.

When the Air Force Academy defied the prophets and fought its way into the Cotton Bowl last year it captured the hearts and imagination of the American people and added prestige to the youngest of our services.

All this and more was denied the Army because it turned deaf ears to bowl invitations.

Today the Army, of the three services, is fighting for its life and its existence in the field of survival among the services.

Unless the Army's attitude in the athletic arena is changed it will find itself standing on the side of the road looking at the procession, led by the Navy and Air Force, go by.

But back to "Red" Blaik and his future activity in the football world. Read this opening article and statement of policy and intent and I am sure you will

find in it the freshness to which I have referred and an excellent contribution to a better understanding and fuller recognition of the fact that football players are intelligent and students as well as athletes:

BLAIK HOPES TO HELP FOOTBALL BY WRITING

(By Col. Earl H. (Red) Blaik, former Army football coach)

When I retired from coaching last January 13, after 25 years—18 at West Point and 7 at Dartmouth—I said it was unthinkable to overstay a career. But it would be just as inconceivable for me to sever completely my connections with the greatest of American games, which has been inseparable from most of my 61 years. That is why I was pleased and challenged when the Associated Press invited me to write two articles a week for the newspapers of the country.

While one is coaching, he is necessarily preoccupied with the football problems of one school. Although he is aware that the college game, like any human operation of which the dollar sign is part, is not without its weaknesses and requires continuing revaluation and modification. The individual coach is in a position to contribute relatively little, much as he would like to do more.

In this invitation, I see an opportunity to try to help college football, not in any one school or area or within one peripherized philosophy, but in a broad, objective manner to help all colleges everywhere. College football today, while not without some abuses, has reached a plateau of excellence in its general conduct, unmatched in any era of the past. This emphatically bespeaks the love of and concern for the game by all its levels of administrators everywhere, and they deserve, therefore, every measure of encouragement and help. I hope to contribute in this way.

WON'T DUCK CONTROVERSY

My articles will very frequently be of a controversial and critical nature. But I assure you the controversy will be real, not fabricated, and that the criticism will always be constructive. It never will be directed at an individual but at something I feel stands correction and improvement. I repeat, I am concerned with what is good for all the colleges, remembering that what is good and practical in one area is not always so in another.

The articles I am preparing to appear between now and Friday, September 18, the eve of the first major Saturday of play, will appraise the strength of teams and players in various sections, but they also will treat of changes of trends, good and bad, affecting the game both on and off the field. Each Friday, beginning September 18, I will analyze where I believe the strength lies in the big game of the next day, yet more often than not I plan to include in the analysis a controversial or behind-the-scenes factor that has a relation to it.

Once the season is under way on Saturday, September 19, the articles appearing in the Tuesday papers will deal with colorful and dramatic highlights, backgrounds and, again, trends and controversies developing on the college scene, either nationally or from a sectional point of view that has some impact nationally.

Whatever financial remuneration I receive for these articles will be used to help college football. I am establishing eight fellowships for postgraduate work. They will be awarded to those eight boys, one from each of the National Collegiate Athletic Association districts, who have been adjudged as best meeting the following four qualifications:

They must be seniors. They must be leaders in academics as well as football. They must exert a fine influence on their campuses. They must be stanch in their devotion to the welfare of amateur sports.

The fellowships will be administered by the National Football Foundations Awards Committee, headed by Vincent Draddy. The foundation committee will be assisted by an awards committee from each of the eight NCAA districts, each nominating a candidate from its district.

These fellowships should help project what I believe to be a fact about college football, yet one seldom emphasized: That championship performance and superior scholarship are entirely compatible.

Little City, Dream Community for the Mentally Retarded

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1959

Mr. PUCINSKI. Mr. Speaker, it gives me extreme pleasure today to include in the CONGRESSIONAL RECORD a speech recently made by my colleague, the Honorable JAMES ROOSEVELT, at the dedication ceremonies of Little City, a dream community for mentally retarded youngsters, which is being built on the outskirts of Chicago's great Northwest Side.

I should like to associate myself with the penetrating remarks of Congressman ROOSEVELT and congratulate those wonderful people of Little City, Inc., who have undertaken this great project of mercy for the mentally retarded children of America. To these fine sponsors of this project go the heartfelt thanks of parents throughout this country who so frequently recognize the problems of a retarded youngster but tragically are unable to find adequate facilities for relief.

I am proud that Little City lies practically in the shadow of my district, and I am sure that in due time, from its humble beginning will rise an institution of mercy for the mentally retarded youngsters of America who need help so urgently.

Mr. Speaker, Congressman ROOSEVELT's remarks follow:

LITTLE CITY, DREAM COMMUNITY FOR THE MENTALLY RETARDED

Ladies and gentlemen, Little City is a magic word for all of us here today. For some it represents weeks and months and years of planning and hard work. For many this community is a single avenue of hope in an otherwise gloomy landscape. For still others like myself, Little City represents a monumental achievement, a soul-lifting experiment.

Today we humbly dedicate this new community. I stress the word community for this is not merely a home, a hospital, a school, or a center, but a little city for mentally retarded children. This city will not limit its assistance to the 50 or 60 children who will enter this fall. Plans have already been made to expand the facilities to care for 500 children. The opportunities for research in this environment will extend the benefits of this community to countless numbers of mentally retarded children and their families in this and other countries.

These 60 acres of land on Algonquin Road will be a paradise for mentally retarded youngsters. Here they will be able to develop to the fullest extent their abilities in a sheltered and peaceful atmosphere. This community as part of the larger community will be a testimony to the shared responsibility of individuals in our society for this problem. Three out of every one hundred children in this country are born retarded, and the parents of these children will know that they now have the assistance and support of others. They have already accomplished so much through their own volunteer organizations, and I think it is high time that such a project be undertaken by the whole community.

I was very much interested in learning about a study conducted by the Public Institutions Committee of the National Association for Retarded Children. May I quote a passage from the foreword of this 1958 study. It states:

"It is bitter irony to tax parents for the unavoidable misfortune of having a retarded child. We must wonder if it is consistent with American social philosophy to require that parents of mentally retarded children pay taxes to support public education facilities which exclude their children, when there is a price tag on their attempts to obtain equal benefits for their children in public institutions."

This study revealed that only 3 States make no financial charge for the care, training and treatment of persons in State institutions; that 2 States allow for voluntary charges; and that the other 42 States having such institutions levy charges. The study further showed that most parents of handicapped children expect to assume financial responsibility for the basic support of their child. However, they need assistance in meeting some of the extraordinary demands created by the handicapped condition. Often the financial strain of meeting costs of needed services before placement in a State institution leaves the family resources well drained. Many feel that the care and training of a person in an institution should be regarded in lieu of public school education.

These facts are not new to those of you here today. I am sure you have struggled with these realities and attempted to put across your points of view to public and private groups. May I say that I am encouraged each year to find that the public awareness of these problems is constantly increasing. The very achievement of this dream community is an indication of greater understanding by the community as a whole of the needs of the mentally retarded.

One of the most inspiring aspects of Little City from my point of view is that here at last the total needs of the mentally retarded will be met. So many of the existing programs are what we have been accustomed to term "half a loaf" programs. That is they go part of the way in meeting a special problem, but then they stop. For instance, a family may be able to provide their mentally retarded child with a little education. But this is not enough if proper medical care and vocational guidance cannot be obtained. To turn to another example, much excellent research is currently being carried on in mental retardation. If this research is conducted in an ivory tower or does not reach the people who can use it, the efforts will have been largely wasted.

In Little City these problems will not be present. Here mentally retarded people of all races and creeds will have a home as long as they need or desire it. There will be no fear of expulsion upon reaching a certain chronological age which may bear no relation to individual development.

Every individual will learn at his own rate, will set his own pattern, will live in a community where his behavior is the norm. No

longer the outsider, he will participate as a member of his own little city. Fields, orchards, and gardens for some to cultivate; schools for those who can benefit or a home tutoring service when this is more profitable; community church, movies, square dancing, playground—all these will make up a rich and full life for these youngsters.

Of course, these plans require financial support, and many of you have already been asked to contribute or have solicited others for funds. It is my belief that this is one project which sells itself. The ingenuity and intelligent planning of such persons as Mrs. Deliah White, Ben Sears, and the many others who have so carefully thought through every detail of this program, will be rewarded, I feel certain, by the wholehearted support of the entire community.

Your Federal Government has also shown its special concern for the mentally retarded in a number of ways. Today I would like to discuss with you some of these programs. It seems to me that constant awareness and recognition of these activities are essential to their continued successful operation. Only through the enlightened experience of citizens and parents such as you who are present will we be able to judge whether the programs on a national scale are meeting the real needs of the mentally retarded, are being efficiently administered, and are generally available to those who need them.

The very existence of governmental programs to aid the mentally retarded is open acknowledgment by the national community of their responsibilities in this area. These programs are prompted by the same kind of civic spirit which has moved you to build Little City. There are nearly 5 million mentally retarded individuals in this country and they cannot and must not be ignored. To use the words of the Department of Health, Education, and Welfare in describing its various programs:

"From a number of standpoints progress is being made in the field of the mentally retarded as outgrowths of an increased public awareness and understanding of the problems both in Government and in private life with individuals and voluntary organizations and the increasing advances being achieved in medicine, welfare, education, rehabilitation and related fields. The cross-fertilization and collaboration of many disciplines are also bringing to pass the more effective knowledge concerning the prevention of the handicaps together with improved understanding, treatment, care, and prognosis of those who manifest the several difficulties in the functional sphere."

Responsibility for the Government programs aiding retarded individuals is lodged in the several agencies of the Department of Health, Education, and Welfare. You here in Little City are blessed with the opportunity of meeting nearly all the demands of the children who will come under your care. Unfortunately the Department can in no way approach this goal for all the mentally retarded children throughout the country. They have attempted to utilize their existing programs in the best possible way to assist these handicapped children. Legislation over the years has continued to increase the responsibilities of the Department in various areas.

The Department is most conscious of the need to have a balanced approach to mental retardation. They have formed a departmental committee composed of representatives from various operating agencies to cooperate in and coordinate their programs.

I, and a large number of my colleagues, have found these governmental programs most encouraging and we have continual reports of their fine accomplishments. Many of you have had direct contact with some of these programs and for you I hope that what I have to say will not be too repetitious. It is my hope that a description of the national impact of these programs may be of interest and that perhaps there will be some aspect of these activities with which you are not familiar and about which you would like to be informed.

The Federal Government has been especially active in five areas: education, vocational rehabilitation, medical research, Children's Bureau assistance to the States, and direct benefits under social security. These programs correspond to certain of the needs of the mentally retarded. Needless to say, it is difficult to categorize them, and it is perhaps more meaningful to talk about some examples of their activities.

The Office of Education of the Department of Health, Education, and Welfare has performed a vital task in preparing, collecting, and distributing information on all exceptional children as well as mentally retarded and has prepared exceedingly valuable reports on curriculum and classroom methods as well as numerous other aspects of education of the mentally retarded. This is an attempt to aid the State and local school programs by making available to all the very latest developments in this rapidly growing field.

The second major responsibility of this department and one which is important in all phases of work with the mentally retarded is the securing of qualified personnel. No amount of knowledge on modern teaching methods, no increase in the number of facilities will compensate for the lack of qualified personnel. The closing days of the 85th Congress were exciting days for those interested in this problem, for with the passage of Public Law 85-926 came the authorization for a program to train personnel to teach the mentally retarded. One million dollars for this program was included in the President's budget for fiscal 1960 and this sum has been appropriated by Congress. The Office of Education has been actively engaged in preparing to administer this project and three conferences with interested parties have already been held. This program will go a long way in narrowing the glaring inadequacies in the provision of education for mentally retarded children in this country.

In another area, that of vocational rehabilitation, mentally retarded individuals have been eligible for Government services since 1943. It is estimated that in the next 2 years alone, over 2,600 persons will be rehabilitated into gainful employment. This is a difficult task but the Office of Vocational Rehabilitation is constantly striving to meet the challenge of rehabilitating the mentally handicapped. Cooperative programs with State vocational rehabilitation agencies and public school systems have been important. In two States "halfway houses" or "rehabilitation houses" have combined rehabilitation with living arrangements. Of course the mentally retarded children who come to Little City will have all this and a lot more. Perhaps some of the results of your experience will be an inspiration to the Federal programs.

In the field of rehabilitation too, there has been a shortage of qualified personnel. To meet this problem, the Office of Vocational Rehabilitation is granting funds to educational institutions all over the country for the training of personnel in this field.

Among the most encouraging activities in this field are those being carried on in Bethesda, Md., at two of the National Institutes of Health—the Institute of Neurological Diseases and Blindness and the Mental Health Institute. Here research scientists are struggling with the perplexing problem of what causes mental retardation. I feel certain that all of you in the audience today await a more complete answer to this question with bated breath.

Surgeon General Burney has recently announced a 5-year survey of 40,000 women to find the causes of mental retardation and kindred defects. Already investigators in Puerto Rico have recorded brain damages in monkeys cut off from a supply of oxygen at birth. This has prompted intensive study of the relationship between asphyxia and mental retardation. Scientists are also studying the effects of encephalitis and German measles in the causation of mental retardation. Geneticists are studying family records to determine the influence of congenital malformations.

The National Institute of Mental Health is conducting a valuable research program through the awarding of research grants to qualified applicants. Approximately 50 different projects are now being supported. The Institute is also a central point for the collection of data on patients in resident institutions for the mentally retarded throughout the country. This information has been tremendously useful, and, as a matter of fact, formed the foundation of the study of the National Association of Retarded Children which I mentioned earlier. The Institute also carries on training programs and provides assistance to the States and communities through its Community Services Branch.

The Children's Bureau also aims to help the States and communities. Activities include public information, consultation, and the provision of grant-in-aid programs to encourage the extension of existing State and local service. Demonstration projects have been especially useful in showing the kinds of services needed for the preschool child. These have included casefinding, evaluation and diagnosis, followup care and home training.

Finally, I turn to a Federal program which has filled a desperate need for financial assistance for so many families. This is the protection available under social security for the mentally retarded. According to the provisions of various States, the mentally retarded receive assistance under the program of aid to the permanently and totally disabled under the public assistance program. Coverage under old-age and survivors and disability insurance is also an important source of assistance. The 1956 and the 1958 amendments to the Social Security Act broadened coverage to make childhood disability benefits available for seriously disabled persons whose disability began before age 18 and has continued without interruption since that time, and whose parents died insured or are receiving retirement benefits. Mentally retarded persons are heavily represented among those who qualify for these benefits. The importance of making the public aware of these provisions cannot, of course, be overestimated.

So at the national level, as in Little City itself, a variety of professional disciplines and resources are being used to meet the tremendously complex problem of mental retardation. For much of this century retardation was a wholly neglected field. Mental retardation was assumed to be a single disease entity largely determined by heredity and unresponsive to treatment. Today we know these precepts to be false. At last we are building up our community services, our institutions, our educational facilities. Little City is a bright star in this development. You are in the vanguard of progress, and let us hope that you will soon be followed by many others.

You have understood the message of Mrs. Pearl Hurwitz, a leader in the field of mental retardation, who, writing in the Radcliffe College Quarterly for February 1957, attempted to explain the great upsurge of popular interest in mental retardation. She said: "It is because the world is very much with us today. We know (many of us subconsciously) that if our way of life is to survive, every individual, be he handicapped or whole, be he white or black, be he a privileged American or an underprivileged peas-

ant in India, every individual must be counted an individual and accorded his place in the sun.

"For every person who is discounted, by so much do we allow for the spread of discontent; for every person whom we help to attain his life stature, by so much do we prevent the spread of strife.

"We are becoming aware that preventive hygiene must expand beyond total inoculation from communicable disease to total service for every disabling condition, or we are liable to be afflicted by the consequence. The social loss or the social gain is shared by all."

Today we dedicate Little City, a living example of the shared responsibility of many for the needs of the mentally retarded.

SENATE

TUESDAY, AUGUST 11, 1959

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God our Father, safely to another week with its toiling days Thou hast brought us on our way. May the way we take be Thy way for our feet in these tense times. We need Thy presence every passing hour.

In spite of rude and bitter winds of opposition to our designs for world betterment, in this land of the free may we keep the torch of hope blazing for the distressed and disinherited across all the frontiers of want and woe.

Save the Republic we love, and whose servants we are, from policies without principle, from pleasures without moral or spiritual control, from labor uninspired by a sense of honor, from a level of life in which the servants of the soul become its masters.

In this garish day so rich in things and poor in soul deliver us from the tyranny of the tangible. May the sacred temple of our inner lives harbor nothing unworthy of our high calling in Thee.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, August 7, 1959, was dispensed with.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of August 7, 1959, the following report of a committee was submitted:

Mr. HUMPHREY, from the Committee on Foreign Relations, on August 10, 1959, reported favorably, with an amendment, the bill (S. 1711) to promote the foreign policy of the United States and help to build essential world conditions of peace, by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less-developed countries, and submitted a report (No. 632) thereon.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On August 7, 1959:

S. 1928. An act to provide for the participation of the United States in the Inter-American Development Bank.

On August 11, 1959:

S. 906. An act to amend section 1622 of title 38 of the United States Code in order to clarify the meaning of the term "change of program of education or training" as used in such section;

S. 1110. An act to amend the act of August 4, 1955 (Public Law 237, 84th Cong.), to provide for conveyance of certain interests in the lands covered by such act;

S. 1694. An act to extend the existing authority to provide hospital and medical care for veterans who are U.S. citizens temporarily residing abroad to include those with peacetime service-incurred disabilities;

S. 2153. An act to authorize the Coast Guard to accept, operate, and maintain a certain defense housing facility at Yorktown, Va., and for other purposes; and

S. 2183. An act granting the consent of Congress to interstate compacts for the development or operation of airport facilities.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 1371) to repeal the act approved March 3, 1897, and to amend the act approved December 20, 1944, relating to fees for transcripts of certain records in the District of Columbia.

The message also announced that the House had passed the bill (S. 746) to amend the act entitled "An act to regulate the placing of children in family homes, and for other purposes," approved April 22, 1944, as amended, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H.R. 137. An act to allow a deduction, for Federal estate tax purposes, in the case of certain transfers to charities which are subjected to foreign death taxes; and

H.R. 451. An act to amend the Longshoremen's and Harbor Workers' Compensation Act, with respect to the payment of compensation in cases where third persons are liable.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 7508) to amend title 10, United States Code, to establish a Bureau of Naval Weapons in the Department of the Navy and to abolish the Bureaus of Aeronautics and Ordnance.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 213) to provide additional time within which certain State agreements under section 218 of the Social Security Act may be modified to secure coverage for nonprofessional school district employees; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. FORAND, Mr. KING of California, Mr. SIMPSON of Pennsylvania, and Mr. MASON were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 7629) to make permanent the authority of the Secretary of Agriculture to make loans under section 17 of the Bankhead-Jones Farm Tenant Act, as amended, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COOLEY, Mr. POAGE, Mr. GRANT, Mr. HOEVEN, and Mr. DAGUE were appointed managers on the part of the House at the conference.

The message further announced that the House insisted upon its amendment to the amendment of the Senate numbered 45 to the bill (H.R. 7453) making appropriations for the legislative branch for the fiscal year ending June 30, 1960, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. NORRELL, Mr. KIRWAN, Mr. CANNON, Mr. HORAN, and Mr. TABER were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 6585. An act to amend the District of Columbia Teachers' Salary Act of 1955, as amended;

H.R. 8225. An act to amend the Uniform Narcotic Drug Act of the District of Columbia, as amended, to permit paregoric to be dispensed by oral as well as written prescription;

H.R. 8392. An act to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes;

H.R. 8527. An act to exempt certain pension and other employee trusts from the laws of the District of Columbia relating to perpetuities, restraints on alienation, and accumulation of income; and

H.R. 8575. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1960, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1289. An act to increase and extend the special milk program for children;

S. 1455. An act to amend the Agricultural Adjustment Act of 1938, as amended, with respect to the preservation of acreage history and the reallocation of unused cotton acreage allotments;

S. 1512. An act to amend the Federal Farm Loan Act to transfer responsibility for making appraisals from the Farm Credit Administration to the Federal land banks, and for other purposes;

H.R. 4243. An act for the relief of Peter Sergeevich Deryabin, also known as Theodore Stanley Orel;

H.R. 4405. An act to authorize and direct the Secretary of the Interior to conduct studies and render a report on the feasibility of developing the water resources of the Salt Fork and the Prairie Dog Town Fork of the Red River in the State of Texas;

H.R. 4644. An act to credit to postal revenues certain amounts in connection with postal activities, and for other purposes;

H.R. 5849. An act to amend the act of July 7, 1958, providing for the admission of Alaska into the Union, relating to selection by the State of Alaska of certain lands made subject to lease, permit, license, or contract; and

H.R. 8283. An act making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1960, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 6585. An act to amend the District of Columbia Teachers' Salary Act of 1955, as amended;

H.R. 8225. An act to amend the Uniform Narcotic Drug Act of the District of Columbia, as amended, to permit paregoric to be dispensed by oral as well as written prescription;

H.R. 8392. An act to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes; and

H.R. 8527. An act to exempt certain pension and other employee trusts from the laws of the District of Columbia relating to perpetuities, restraints on alienation, and accumulation of income; to the Committee on the District of Columbia.

H.R. 8575. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1960, and for other purposes; to the Committee on Appropriations.

COMMITTEE MEETINGS DURING SENATE SESSION

On the request of Mr. JOHNSON of Texas, and by unanimous consent, the Finance Committee was authorized to meet during the session of the Senate today.

On the request of Mr. JOHNSON of Texas, and by unanimous consent, the State Department Subcommittee of the Committee on Foreign Relations was authorized to meet in executive session during the session of the Senate tomorrow.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON OVEROBLIGATIONS OF APPROPRIATIONS

A letter from the Postmaster General, reporting, pursuant to law, on the overobligations of two budgetary allotments, as of April 3, and June 30, 1959; to the Committee on Appropriations.

NOTICE OF PROPOSED DISPOSITION OF CERTAIN CHROMITE

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a copy of a notice to be published in the Federal Register of a proposed disposition of approximately 2,050 long tons of low grade chromite now held in the national stockpile (with an accompanying paper); to the Committee on Armed Services.

AMENDMENT OF ACT ESTABLISHING A CODE OF LAW FOR THE DISTRICT OF COLUMBIA, RELATING TO GAMBLING

A letter from the Acting President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend section 866(c) of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended, relating to gambling (with an accompanying paper); to the Committee on the District of Columbia.

REPORT ON PERSONAL PROPERTY MADE AVAILABLE FOR DISTRIBUTION AND REAL PROPERTY DISPOSED OF TO PUBLIC HEALTH AND EDUCATIONAL INSTITUTIONS

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on personal property made available for distribution and real property disposed of to public health and educational institutions, for the period April 1, through June 30, 1959 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON BUREAU OF THE MINT

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Bureau of the Mint, Treasury Department, fiscal years 1956–58 (with an accompanying report); to the Committee on Government Operations.

REPORT ON ACTIVITIES AND TRANSACTIONS UNDER MERCHANT SHIP SALES ACT OF 1946

A letter from the Acting Secretary of Commerce, transmitting, pursuant to law, a report of the Maritime Administration on the activities and transactions under the Merchant Ship Sales Act of 1946, from April 1, 1959, through June 30, 1959 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

REPORT ON PAYMENT OF CLAIMS ARISING FROM CORRECTION OF MILITARY RECORDS OF COAST GUARD PERSONNEL

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report on the payment of claims arising from correction of military records of Coast Guard personnel, for the 6-month period ended June 30, 1959 (with an accompanying report); to the Committee on the Judiciary.

AMENDMENT OF SECTION 8 OF CLAYTON ACT, RELATING TO INTERLOCKING DIRECTORATES

A letter from the Attorney General, transmitting a draft of proposed legislation to amend section 8 of the Clayton Act, relating to interlocking directorates (with an accompanying paper); to the Committee on the Judiciary.

REPORT ON CLAIMS PAID FOR DAMAGE OCCASIONED BY VESSELS OF THE NAVY

A letter from the Assistant Secretary of the Navy (Personnel and Reserve Forces), transmitting, pursuant to law, a report on the payment of claims for damage caused by naval vessels, for the fiscal year ended June 30, 1959 (with an accompanying report); to the Committee on the Judiciary.

AMERICAN PRESIDENT LINES, LTD., NITTO SHOSEN CO., LTD., AND KONINKLIJKE JAVA-CHINA-PAKETVAART LIJNEN N.V. (ROYAL INTEROCEAN LINES)

A letter from the Secretary of the Army, transmitting a draft of proposed legislation for the relief of American President Lines, Ltd., Nitto Shosen Co., Ltd., and Koninklijke Java-China-Paketvaart Lijnen N.V. (Royal Interocean Lines) (with an accompanying paper); to the Committee on the Judiciary.

REPORT ON TORT CLAIMS PAID BY DEPARTMENT OF THE ARMY

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on tort claims paid by the Department of the Army, for the fiscal year 1959 (with an accompanying report); to the Committee on the Judiciary.

REPORT ON CLAIMS SETTLED UNDER MILITARY PERSONNEL CLAIMS ACT

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on claims settled by that Department under provisions of the Military Personnel Claims Act, for the fiscal year 1959 (with an accompanying report); to the Committee on the Judiciary.

STATUS OF PERMANENT RESIDENCE FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A letter in the nature of a petition from the Wichita, Kans., Association of Life Underwriters, signed by Jack C. Harper, president, relating to the campaign to com-

bat inflation; to the Committee on Banking and Currency.

A resolution adopted by the 51st annual meeting of the Governors' conference, at San Juan, P.R., relating to Federal highway funds; to the Committee on Finance.

The petitions of Joseph Elonzy Camp, of Redondo Beach, Calif., relating to foreign aid and free speech; to the Committee on Foreign Relations.

A letter in the nature of a memorial from Lloyd W. Bramhall, of Portland, Maine, remonstrating against the exchange visits between the top echelon of the United States and the Russian Governments, and so forth; to the Committee on Foreign Relations.

The petition of Mrs. Paul Hauser, of New York, N.Y., praying for the enactment of labor reform legislation; to the Committee on Labor and Public Welfare.

A resolution adopted by the Council of the City of Toledo, Ohio, favoring the enactment of legislation to continue the construction of the Interstate System of Highways; to the Committee on Public Works.

A resolution adopted by the Board of City Commissioners of the City of Sallisaw, Okla., favoring the enactment of legislation to provide funds for the construction of the Markham Ferry Dam and Reservoir on Grand River, in Oklahoma; to the Committee on Public Works.

A resolution adopted by the Board of City Commissioners of the City of Sallisaw, Okla., protesting against the power exchange contract between the Grand River Dam Authority, a State agency, and the Public Service Co., of Oklahoma, a private utility; to the Committee on Public Works.

A resolution adopted by the Board of Commissioners of the City of Las Vegas, Nev., favoring the enactment of legislation to provide home rule in the District of Columbia; ordered to lie on the table.

RESOLUTION OF BOARD OF COMMISSIONERS OF KANSAS CITY, KANS.

Mr. CARLSON. Mr. President, the Board of Commissioners of the City of Kansas City, Kans., unanimously adopted a resolution urging that Congress take action which would provide additional funds for the continuance of work on the Interstate Highway System.

The board of commissioners stressed the importance of this work as it affects the Turkey Creek-Fitzgerald Road Trafficway, the 42d Street Trafficway and the Intercity Viaduct, which are projects that are not only needed improvements for the benefit of the local highway system, but also the Interstate System, as they affect the travel through both Kansas and Missouri.

I ask unanimous consent that this resolution be printed in the RECORD, and referred to the appropriate committee.

There being no objection, the resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

RESOLUTION 16568

Whereas the Turkey Creek-Fitzgerald Road Trafficway, the 42d Street Trafficway, and the new Intercity Viaduct are vitally needed improvements in our local highway system, as well as in our National Highway System; and

Whereas the House Ways and Means Committee has recommended a drastic reduction in the interstate construction program; and

Whereas the reduction in the interstate construction program will result in disastrous postponement of the Turkey Creek-Fitzgerald Road Trafficway, the 42d Street Trafficway, and the new Intercity Viaduct: Now, therefore, be it

Resolved by the Board of Commissioners of the City of Kansas City, Kans., That the House Ways and Means Committee of the 86th Congress is hereby urged to reconsider its decision to reduce Federal highway expenditures; be it further

Resolved, That a copy of this resolution be mailed to each Kansas Senator and to each Kansas Congressman.

Adopted by the Board of Commissioners of the City of Kansas City, Kans., this 4th day of August 1959.

GEORGE T. GRONEMAN,
City Clerk.

STATE OFFICIALS FAVOR STUDY OF LAND ACCESS PROBLEM AND RESTRAINT ON FEDERAL POWER COMMISSION LICENSING

Mr. NEUBERGER. Mr. President, the Western Association of State Game and Fish Commissioners recently held its 39th annual conference in Portland, Oreg. During these sessions the representatives of fish and game departments in Western States discussed many vital policy matters for improvement of fish and wildlife management.

I was especially interested in action taken by the association on two matters: amendment of the Federal Power Act to curb the licensing authority of the Federal Power Commission at damsites where migratory fish are involved, and problems connected with public access to, and utilization of, publicly owned lands.

I have sought corrective action in both of these fields, so I am grateful for the support given by the Western Association of State Game and Fish Commissioners in resolutions adopted at their convention. I ask unanimous consent to have printed in the RECORD, with my remarks, Resolution No. 10 and Resolution No. 12, adopted at the conference of the Western Association on July 1, 1959.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTION 10: PUBLIC LAND MANAGEMENT AND ACCESS PROBLEMS

Whereas the public domain of the United States, including some 470 million acres in the Western States and Alaska, encompass and produce natural resources of vast economic and social value to all Americans; and

Whereas overgrazing, range trespass, soil erosion, inadequate fire protection, and other land abuses are known to persist on the public domain in many areas to the detriment of the local economy and the public welfare; and

Whereas access for hunting, fishing, and other legitimate uses is denied the public in many places by the owners or operators of adjacent private lands, and preliminary estimates indicate as much as 14 million acres of Federal lands are so closed to the public in the Western States; and

Whereas the Bureau of Land Management is underfinanced and understaffed for its highly important task of managing and protecting the public land resources under its jurisdiction, and the Taylor Grazing Act and other laws under which the Bureau operates are believed to be outdated and deficient in other respects: Now, therefore, be it

Resolved, That the Western Association of State Game and Fish Commissioners commends and endorses the proposal by Senator JAMES E. MURRAY, chairman of the Senate Committee on Interior and Insular Affairs, that the Department of Interior prepare a comprehensive and long-range program for the conservation, rehabilitation, and development of the lands under the Bureau of Land Management and further endorses the proposal of Senator RICHARD L. NEUBERGER calling for a Senate committee staff study of problems of public access to the public lands; and be it further

Resolved, That this association recommends that appropriate committees of Congress initiate studies leading to the revision and strengthening of the Taylor Grazing Act and other laws relating to the conservation and multiple-use management of the public domain lands.

RESOLUTION 12: AMENDMENT TO FEDERAL POWER ACT

Whereas the Federal Power Act fails to provide adequately for the conservation of fish and wildlife and related resources in the licensing of hydroelectric dams, as evidenced by the licensing of dams on the Cowlitz River in Washington and the Deschutes River in Oregon, against the considered judgment, and over the protests of Federal and State conservation agencies, and as further evidenced by the recommendation of the Federal Power Commission that a high dam be built at the Nez Perce site on the Snake River: Now, therefore, be it

Resolved, That the Western Association of State Game and Fish Commissioners endorses the principles of S. 1420 as introduced in the 86th Congress by Senator RICHARD L. NEUBERGER and urges the Congress to enact such legislation.

RESOLUTION OF BOARD OF SUPERVISORS, RIVERHEAD, N.Y.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD, a resolution adopted by the Board of Supervisors of the city of Riverhead, N.Y., relating to certain amendments to the Internal Revenue Code.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION SUPPORTING PROPOSED AMENDMENTS TO INTERNAL REVENUE CODE

Whereas the Honorable KENNETH B. KEATING, Senator from the State of New York, has proposed certain amendments to the Federal Internal Revenue Code which would provide for the deduction from income tax of the commuting and traveling expenses of the workingman to and from his employment; and

Whereas it is the desire of this board that Senator KEATING and our other Representatives in Congress be made aware of our support for his proposed amendments: Now, therefore, be it

Resolved, That the clerk of this board be and hereby is authorized and directed to write to Senator KEATING urging him to continue his fight for amendments to the Internal Revenue Code, which would permit the commuters and the workingmen to deduct, for income tax purposes, their expenses of traveling to and from work; and be it further

Resolved, That the clerk of this board send copies of this resolution to Senator KEATING and to our other Representatives in the

U.S. Congress urging them to support Senator KEATING's proposed amendments, and to do all in their power to bring about the passage of said amendments; and be it further

Resolved, That copies of this resolution be forwarded to our representatives in the State legislature, with a view toward their submitting proposed legislation in the next session of the New York State Legislature providing for similar amendments to be applicable to New York State income tax laws.

RESOLUTION OF CITY COUNCIL OF KANSAS CITY, MO.

Mr. HENNINGS. Mr. President, my colleague, the junior Senator from Missouri [Mr. SYMINGTON] and I have received a resolution adopted by the City Council of Kansas City, Mo. This resolution urges the Congress of the United States to continue the present program for the construction of the Interstate Highway System as provided for in the Federal Highway Act of 1956. On behalf the junior Senator from Missouri and myself, I ask unanimous consent that this resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO CONTINUE THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAY PROGRAMS WITHOUT SUBSTANTIAL ABATEMENT

Whereas the Ways and Means Committee of the House of Representatives of the U.S. Congress has had under consideration the financing of the National System of Interstate and Defense Highways throughout the United States; and

Whereas the effect of the proposed program will be to delay the completion of the National System of Interstate and Defense Highways until 1976, rather than the originally scheduled date of 1972, as set forth in the Federal Highway Act of 1956; and

Whereas the congestion of motor vehicle traffic on the highways, resulting in continuance of traffic hazards, physical injuries, and unnecessary loss of life and interference with economic development, demands urgent, and immediate relief, and the proposed crippling of the highway program represents a callous disregard of the welfare of the people, both rural, and urban: Now, therefore, be it

Resolved by the Council of Kansas City, That the council urge the Congress of the United States to continue the present program of the National System of Interstate and Defense Highway construction toward completion, as scheduled by Congress in the Federal Highway Act of 1956; and be it further

Resolved, That this resolution be spread upon the minutes of the council, and copies thereof be sent to the Speaker of the House of Representatives, Hon. SAMUEL RAYBURN; the majority leader, Hon. JOHN MCCORMACK; the minority leader, Hon. CHARLES HALLECK; all members of the House Ways and Means Committee and of the House Public Works Committee; and to Hon. RICHARD BOLLING, Hon. WILLIAM J. RANDALL, Hon. W. R. HULL, Jr., Hon. STUART SYMINGTON, and Hon. THOMAS C. HENNINGS, Jr., as evidence of the deep concern of this city.

[SEAL] H. ROE BARTLE,
Mayor.
MARGARET STRAHM,
City Clerk.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 1072. A bill for the relief of Pierre Bertagnolio (Rept. No. 633);

S. 1856. A bill for the relief of Frank Podany (Rept. No. 634);

S. 2190. A bill for the relief of Antonio Miosi Castronovo (Rept. No. 635);

H.R. 1705. An act for the relief of Louis J. DeWinter and Simone H. DeWinter (Rept. No. 642);

H.R. 1718. An act for the relief of Oather S. Hall (Rept. No. 643); and

H.R. 7165. An act for the relief of Filip Lewensztejn (Harry Lipa Levenstein) (Rept. No. 644).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 1865. A bill for the relief of Man-Yeh Chow (Rept. No. 636); and

S. 2027. A bill for the relief of William James Harkins and Thomas Lloyd Harkins (Rept. No. 637).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 1298. A bill for the relief of Concetta Marcella (Rept. No. 638);

S. 1836. A bill for the relief of Martha Uchacz, Bartoszyce (Rept. No. 639);

S. 2050. A bill for the relief of Leokada Guzy (Rept. No. 640);

S. 2102. A bill for the relief of Irene Burda (Rept. No. 641); and

H.J. Res. 406. Joint resolution to facilitate the admission into the United States of certain aliens (Rept. No. 645).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, without amendment:

S. 2339. A bill to amend the law relating to the distribution of the funds of the Creek Tribe (Rept. No. 650); and

H.R. 2722. An act to supplement the act of April 26, 1906 (34 Stat. 137), entitled "An act to provide for the final disposition of the affairs of the Five Civilized Tribes in the Indian Territory, and for other purposes," and for other purposes (Rept. No. 652).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, with amendments:

S. 1715. A bill to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes (Rept. No. 651).

By Mr. NEUBERGER, from the Committee on Interior and Insular Affairs, without amendment:

S. 417. A bill to place in trust status certain lands on the Standing Rock Sioux Reservation in North Dakota and South Dakota (Rept. No. 655);

S. 1751. A bill to place in trust status certain lands on the Wind River Indian Reservation in Wyoming (Rept. No. 654); and

S. 2421. A bill to amend the Klamath Termination Act (Rept. No. 653).

By Mr. JOHNSTON of South Carolina, from the Committee on Agriculture and Forestry, without amendment:

H.R. 4938. An act to amend the Agricultural Adjustment Act of 1938 to extend for 2 years the definition of "peanuts" which is now in effect (Rept. No. 648).

By Mr. JOHNSTON of South Carolina, from the Committee on Agriculture and Forestry, with amendments:

S. 623. A bill to exempt the production of Durum wheat in the Tulelake area, Modoc and Siskiyou Counties, Calif., from the acreage allotment and marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (Rept. No. 649).

By Mr. HUMPHREY, from the Committee on Agriculture and Forestry, without amendment:

S. 861. A bill to provide for the control of noxious plants on land under the control or jurisdiction of the Federal Government (Rept. No. 646).

By Mr. HUMPHREY, from the Committee on Agriculture and Forestry, with amendments:

S. 662. A bill to amend section 8(b) of the Soil Conservation and Domestic Allotment Act as amended, to provide for administration of farm programs by democratically elected farmer committeemen (Rept. No. 647).

By Mr. BYRD of Virginia, from the Committee on Finance, without amendment;

H.R. 255. An act to amend section 358 of title 38, United States Code, to provide for apportionment of compensation of veterans who disappear (Rept. No. 659); and

H.R. 267. An act to amend title 38 of the United States Code to provide that multiple sclerosis developing a 10-percent or more degree of disability within 3 years after separation from active service shall be presumed to be service connected (Rept. No. 660).

By Mr. BYRD of Virginia, from the Committee on Finance, with an amendment:

S. 2282. A bill to amend the Act of July 17, 1952 (Rept. No. 662);

H.R. 271. An act to amend title 38 of the United States Code to provide a further period for presuming service connection in the case of veterans suffering from Hansen's disease (leprosy) (Rept. No. 661);

H.R. 2906. An act to extend the period for filing claims for credit or refund of overpayments of income taxes arising as a result of renegotiation of Government contracts (Rept. No. 663); and

H.R. 7106. An act to amend title 38, United States Code, with respect to forfeiture of benefits under laws administered by the Veterans' Administration (Rept. No. 664).

By Mr. BYRD of Virginia, from the Committee on Finance, with amendments:

H.R. 2411. An act to amend paragraph 1629 of the Tariff Act of 1930 so as to provide for the free importation of tourist literature (Rept. No. 665).

PROVISION AND IMPROVEMENT OF HOUSING—VETO MESSAGE OF THE PRESIDENT—REPORT OF A COMMITTEE

Mr. SPARKMAN, from the Committee on Banking and Currency, to which was referred the message from the President of the United States, returning to the Senate without his approval the bill (S. 57) to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes, reported it with the recommendation that the bill pass, the objections of the President of the United States to the contrary notwithstanding, and submitted a report (No. 656) thereon, which was ordered to be printed.

FOOD ACT OF 1959—REPORT OF A COMMITTEE (S. REPT. NO. 657)

Mr. HUMPHREY, from the Committee on Agriculture and Forestry, reported an original bill (S. 2522) to provide for the enrichment and sanitary packaging of certain donated commodities and to establish experimental food stamp allot-

ment programs, which was read twice by its title, and placed on the calendar, and he also submitted a report thereon, which was ordered to be printed.

POWER OF STATES TO IMPOSE NET INCOME TAXES ON INCOME DERIVED FROM INTERSTATE COMMERCE—REPORT OF A COMMITTEE—MINORITY AND INDIVIDUAL VIEWS

Mr. BYRD of Virginia. Mr. President, from the Committee on Finance, I report an original bill relating to the power of the States to impose net income taxes on income derived from interstate commerce, and I submit a report (No. 658) thereon. I ask unanimous consent that the report be printed, together with minority and individual views.

The VICE PRESIDENT. The bill will be received and placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Virginia.

The bill (S. 2524) relating to the power of the States to impose net income taxes on income derived from interstate commerce, reported by Mr. BYRD of Virginia, from the Committee on Finance, was read twice by its title, and placed on the calendar.

ADDITIONAL FUNDS FOR COMMITTEE ON THE JUDICIARY

Mr. HENNINGS, from the Committee on the Judiciary, reported an original resolution (S. Res. 160) to provide additional funds for the Committee on the Judiciary, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That Senate Resolution 62, 86th Congress, agreed to February 2, 1959 (authorizing a complete study of any and all matters pertaining to constitutional rights), is hereby amended by striking out "$115,000" and inserting in lieu thereof "$140,000".

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MURRAY, from the Committee on Interior and Insular Affairs:

Arthur V. Watkins, of Utah, to be an Associate Commissioner of the Indian Claims Commission.

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Robert D. Murphy, of Wisconsin, to be Under Secretary of State for Political Affairs;

Livingston T. Merchant, of the District of Columbia, to be a Deputy Under Secretary of State;

Elbert G. Mathews, of California, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Liberia;

Byron E. Blankinship, of Oregon, and sundry other persons, for appointment and promotion in the Foreign and Diplomatic Services; and

Executive D, 85th Congress, 2d session. A convention with Norway modifying a 1949 double taxation convention with that country; without reservations (Exec. Rept. No. 10).

By Mr. EASTLAND, from the Committee on the Judiciary:

Ted Dalton, of Virginia, to be U.S. district judge for the western district of Virginia; and

John A. Field, Jr., of West Virginia, to be U.S. district judge for the southern district of West Virginia.

By Mr. HART, from the Committee on the Judiciary:

James L. Brewrink, of Maryland, Malcolm F. Bailey, of Maryland, James E. Keely, of Maryland, and Joseph C. Manian, of Maryland, to be Examiners in Chief, U.S. Patent Office.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BENNETT (for himself and Mr. BUSH):

S. 2506. A bill to impose additional individual and corporate income taxes when necessary in order to offset deficits and to provide for systematic reduction of the public debt; to the Committee on Finance.

(See the remarks of Mr. BENNETT when he introduced the above bill, which appear under a separate heading.)

By Mr. SYMINGTON:

S. 2507. A bill to relieve Joe Keller and H. E. Piper from 1958 wheat marketing penalties and loss of soil bank benefits; to the Committee on the Judiciary.

By Mr. BIBLE (by request):

S. 2508. A bill authorizing the District of Columbia to place two statues in the Statuary Hall collection; to the Committee on Rules and Administration.

By Mr. EASTLAND:

S. 2509. A bill for the relief of Wong Ting Quey and Wong Bick Sue; to the Committee on the Judiciary.

By Mr. SCHOEPPEL:

S. 2510. A bill for the relief of Mrs. Edith Kiaer; to the Committee on the Judiciary.

By Mr. MURRAY:

S. 2511. A bill to provide for the establishment of Cooperative Outdoor Recreation Research and Education Centers; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MURRAY when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY:

S. 2512. A bill for the relief of Paul Erdos; to the Committee on the Judiciary.

By Mr. HENNINGS:

S. 2513. A bill to authorize the admission into the United States of certain refugees, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. HENNINGS when he introduced the above bill, which appear under a separate heading.)

By Mr. BARTLETT (for himself and Mr. GRUENING) (by request):

S. 2514. A bill to repeal the act of March 12, 1914 (38 Stat. 305), authorizing the construction and operation of a railroad in Alaska, to incorporate the Alaska Railroad Company, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. BARTLETT when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE of New Jersey:

S. 2515. A bill to provide for the admission of the alien fiances and fiancees of citizens of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. CASE of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY (for himself, Mr. MCCARTHY, Mr. ENGLE, and Mr. WILLIAMS of New Jersey):

S. 2516. A bill to provide for stabilization and orderly marketing in the poultry industry; to the Committee on Agriculture and Forestry.

By Mr. BARTLETT:

S. 2517. A bill to amend section 7 of the Federal Home Loan Bank Act, as amended; to the Committee on Banking and Currency.

(See the remarks of Mr. BARTLETT when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG (for himself and Mr. ELLENDER):

S. 2518. A bill to incorporate the National District Attorneys' Association; to the Committee on the Judiciary.

(See the remarks of Mr. LONG when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. 2519. A bill to amend the Federal Flood Insurance Act of 1956 in order to clarify the purposes thereof, provide for the establishment of a Federal-State board, define the relationship between a program of flood insurance and State insurance regulation, and encourage the wise use of flood plains, and for related purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. SPARKMAN when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY:

S. 2520. A bill for the relief of Shin Moriyoshi; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota:

S. 2521. A bill to extend the time within which credits accruing to country warehousemen for delivering grain to Commodity Credit Corporation superior in quality to that called for may be offset against subsequent deficiencies in the quality of grain delivered; to the Committee on Agriculture and Forestry.

By Mr. HUMPHREY:

S. 2522. A bill to provide for the enrichment and sanitary packaging of certain donated commodities and to establish experimental food-stamp allotment programs; placed on the calendar.

(See the reference to the above bill when reported by Mr. HUMPHREY from the Committee on Agriculture and Forestry, which appears under the heading "Reports of Committees.")

By Mr. ALLOTT:

S. 2523. A bill for the relief of Harry L. Arkin; to the Committee on the Judiciary.

By Mr. BYRD of Virginia:

S. 2524. A bill relating to the power of the States to impose net income taxes on income derived from interstate commerce; placed on the Calendar.

(See remarks of Mr. BYRD of Virginia when he introduced the above bill, which appear under the heading of "Reports of Committees.")

By Mr. GOLDWATER:

S.J. Res. 129. Joint resolution to authorize the making of surveys of the human and natural resources of the Papago Indian Reservation; and

S.J. Res. 130. Joint resolution for the establishment of a commission to study the nonmineral public land laws of the United States to facilitate the enactment of a more effective, simplified, and adequate system of laws governing the transfer of title to public lands to individuals, associations, corporations, and to States and local governments or their instrumentalities; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. GOLDWATER when he introduced the last above-mentioned joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTION

Mr. KEATING (for himself, Mr. BENNETT, Mr. BUTLER, Mr. WILEY, and Mr. WILLIAMS of Delaware) submitted a concurrent resolution (S. Con. Res. 70) to create a Joint Committee on Federal-State Economic Relations, which was referred to the Committee on Government Operations.

(See the above concurrent resolution printed in full when submitted by Mr. KEATING, which appears under a separate heading.)

RESOLUTIONS

PRINTING OF ADDITIONAL COPIES OF PART 2 OF SECOND INTERIM REPORT OF SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

Mr. McCLELLAN submitted the following resolution (S. Res. 159), which was referred to the Committee on Rules and Administration:

Resolved, That there be printed for the use of the Select Committee on Improper Activities in the Labor or Management Field three thousand three hundred additional copies of part 2 of the second interim report of that committee, made pursuant to S. Res. 44.

ADDITIONAL FUNDS FOR COMMITTEE ON THE JUDICIARY

Mr. HENNINGS, from the Committee on the Judiciary, reported an original resolution (S. Res. 160) to provide additional funds for the Committee on the Judiciary, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full where it appears under the heading "Reports of Committees".)

TAX ADJUSTMENT AND DEBT RETIREMENT ACT OF 1959—S. 2506

Mr. BENNETT. Mr. President, I introduce, for appropriate reference, a bill called the Tax Adjustment and Debt Retirement Act of 1959.

The purpose of the bill is to provide a practical, self-enforcing method by which the Federal debt may be reduced at a steady rate of at least $2.5 billion per year in normal peacetime years.

The basic idea behind the bill is simple. It sets as the goal of our fiscal policy not merely a balanced budget, but an annual surplus of $2.5 billion; and if in any fiscal year we fail to meet that goal, the bill provides for a special 1-year increase in personal and corporate income taxes in an amount necessary to make up the difference.

The pattern of the determination and imposition of the tax is also simple, and grows out of the relation of the Federal fiscal year to the calendar year. The calendar year is the taxable year for all personal income taxpayers and most corporations, and the Federal fiscal year ends midway through it.

The existence and amount of any deficit below the desired surplus of $2.5 billion can be determined soon after July 1, and the amount of the special tax can then be calculated and collected with other taxes due the following April for the taxable year which began with the preceding January. In the case of corporations with special fiscal years the makeup tax would be payable when the regular income taxes are payable.

In order to calculate this new tax and distribute its burden fairly among all taxpayers, the bill provides that the amount needed to make up the deficit in any fiscal year shall be calculated and announced by the Treasury as a percentage of the total collections from personal and corporate taxes in the same fiscal year.

Of course, the amount thus calculated would never exactly match the previous deficit, because of the one-half year lag between the end of the fiscal year and the taxable calendar year, and because of swings in income. But since our economy is growing, the amount thus collected would tend to exceed the deficit slightly, over a span of years. This would be good, because any excess would automatically reduce the debt that much more; and this is our essential purpose, anyway.

To provide a simple and practical way by which each taxpayer can figure his own 1-year tax, the bill would apply the official percentage to the net tax due, as figured under present law. Two extra lines could be added to the tax forms—one, to show the percentage to be used for that year, with space for the resulting dollar figure of new tax; and the other, to show the final total of the normal tax, plus the 1-year special makeup tax.

If such a plan were adopted, there would be no need to change the present law with respect to rates, exemptions, exclusions, requirements for withholding, or the present ceiling on the effective rate of tax on a person's total income—currently 87 percent; and, therefore, no changes in the body of rulings and regulations would be required, nor would the cost of examination or verification of returns be materially increased.

Another feature of the bill is that it provides for a limit to the makeup tax of 10 percent in any 1 year, so that if we ever have another year like the fiscal year 1959 its effects can be spread forward for a few years, and not concentrated into one.

I realize that there are potential variations of the application of this idea which the committee might like to study, and there may be times when the automatic imposition of the makeup tax would be unwise. Obviously, I have not attempted to write these into the bill, but such as have occurred to me might well be briefly stated here.

One obvious type of variation might be in the target itself. At the minimum, the target of the bill might be set merely to create a balanced budget, with no surplus to apply on the debt. The variations above that point are unlimited. One would be to authorize automatic tax reductions equivalent to the amount of any surplus above $2.5 billion. I selected the figure $2.5 billion because it is approximately 1 percent of the debt, though even at this rate it would require at least 115 years of such a surplus to pay off the present debt, to say nothing of the stretchout that would be caused by inevitable additions to the deficit in years of war or in sterile years when, for one reason or another, it might seem wise to suspend the plan. The bill provides that Congress can suspend the program for any year, by an affirmative act signed by the President.

To look at this matter in another way, the sixth generation of our descendents, our great-great-great-great-grandchildren, would still be paying on this debt, even if there were no additional deficits.

The need for some such program is evident when we look at the record of the past 30 years. In that time we have had only 6 surplus years, and in both the prewar decade of the thirties and the postwar years of comparative peace, our average annual deficits have been approximately the same, around $3 billion. Moreover, never once in this time have we balanced the budget over a business cycle. If we can reverse the process, and pay off $2.5 billion per year, it will take 6 years to pay for the accumulated deficits prior to the thirties, 11 years to pay for the deficits of the thirties, and 10 years to pay for our excess spending since 1946. The wartime deficits will require 84 years to repay.

It is encouraging to realize that both Members of Congress and the folks back home are becoming increasingly concerned about our national debt, and are beginning to try to do something about it. Already this year more than 50 bills have been introduced whose purpose is to provide a program to reduce the debt. Unfortunately, none of the provisions of these bills is self-enforcing; and therefore, the proposals are little more than pious expressions of hope.

In addition to any other values my proposal might have, the time pattern involved would permit the people to forestall or correct any excessive spending ideas that Congress might develop, since Congress is always in session during the last half of the fiscal year when the budget deficit or surplus is finally established. If a deficit seems likely, with a tax increase sure to result, pressure on Congress to prevent or minimize it can be very effective. This is the kind of disclipine we often need.

Of course, no legal device can ever be a complete substitute for self-control, and no such program can long operate without support at every level. Debt reduction at a steady rate must become a definite national policy. The President's budget must be planned to produce the necessary annual surplus. Congress must regard it as an obligation to be met by providing adequate revenue by wise taxation, by control of appropriations, and by restraint in legislation creating new programs which require new spending. Most of all, the American people must discipline themselves as to their demands on Government, and must impose similar discipline on every unit and

function of Government. I hope the ideas contained in this bill can prove to be useful steps in that direction; and they are offered in that spirit.

Mr. President, I ask unanimous consent that the bill lie at the desk until next Monday, so that other Senators may join in sponsoring it, if they wish to do so.

Mr. BUSH. Mr. President, will the Senator from Utah yield to me?

Mr. BENNETT. I am happy to yield to the Senator from Connecticut.

Mr. BUSH. I should like to ask the Senator from Utah to allow my name to be added as a cosponsor of the bill; and I congratulate the Senator from Utah upon his introduction of the bill.

Mr. BENNETT. I thank the Senator from Connecticut, and I am very happy to have him join me in sponsoring the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Utah.

The bill (S. 2506) to impose additional individual and corporate income taxes when necessary in order to offset deficits and to provide for systematic reduction of the public debt, introduced by Mr. BENNETT (for himself and Mr. BUSH), was received, read twice by its title, and referred to the Committee on Finance.

COOPERATIVE OUTDOOR RECREATION RESEARCH AND EDUCATION CENTERS

Mr. MURRAY. Mr. President, I introduce, for appropriate reference, a bill providing for the establishment and operation of six cooperative recreation research and education centers in different parts of the country. Outdoor recreation has become so important to the entire citizenry that it now is measured in billions of man-days of participation. In addition to the beneficial exercise it provides in healthful surroundings, outdoor recreation creates a national demand for goods and services that adds untold billions of dollars to our national economy. What formerly was regarded as a luxury of only a few now is a necessity for millions.

Let me cite a few examples of the tremendous interest people have in outdoor recreation. Picnicking, hiking, hunting, fishing, camping and all other recreational uses of public lands has more than trebled since the end of World War II, and still is increasing. Recreational visits to national parks and national forests in 1958 totaled 120 million; State parks, 200 million with a steady 10 percent increase in use in each of the recent years; national wildlife refuge, 8.5 million; TVA reservoirs, 40 million; and Army Corps of Engineers reservoirs, 71 million.

In 1955, 35 percent of all households in the United States included one or more persons who either hunted or fished, and 21 percent of our entire population enjoyed these healthful outdoor sports. At least 37 million persons participated in recreational boating in 1958. More than 7 million boats were in use recreationally that year, and boaters alone spent more than $2 billion on their sport. Reasonable projections show that the demand for outdoor recreational opportunity in the year 2000 will range from 10 to 40 times the present use depending on distance from centers of population.

The resources of land and water which can be used for recreation are limited. Much of the recreation undoubtedly will continue to center on public lands and waters. The Federal Government has a definite responsibility to the people in seeing that the recreational opportunities are preserved and increased on public lands to meet the increasing demands. This means that we must begin to prepare now so that the magnitude of the change and the developing trends can be understood. My bill would assist in getting these basic studies underway. Planning for future recreational demands will be hampered severely and unnecessarily, unless the essential information is obtained.

Research into all aspects of outdoor recreation can provide better ways of evaluating the quality of recreational resources and determining their optimal and potential recreational capacity so that present and future supply can be geared to the demands. Such research will compliment the findings of the National Outdoor Recreation Resources Review Commission, established by Congress through Public Law 85–470. The studies at the proposed centers will assist in keeping the national review of outdoor recreation abreast of demands and trends.

It is believed that my bill is necessary in that no single Federal agency has either the authority or the demonstrated ability to undertake all phases of recreational research. The piecemeal work presently being done by the Federal agencies is augmented in part by State agencies and private organizations, but it is all too meager and lacks coordination. The best that can be said is that they all are contributing some statistics, facts and knowledge.

The cooperative outdoor recreation research and education centers proposed in my bill will not only initiate investigations in aspects of recreation where definite information is lacking, but will serve as clearing houses for the dissemination of information that is being contributed through the activities of all the interested agencies and groups.

Public education in the field of outdoor recreation also would be a function of the proposed work centers. Methods of identifying, expressing, measuring, and communicating outdoor recreation values simply must be developed. The results should be incorporated into a national program of outdoor education that stresses proper use, understanding, appreciation, and self-reliance in the enjoyment of outdoor recreational opportunities.

From what we know, and from experience, it is clear that the best and most efficient and economical way of starting such a proposed program is to establish the outdoor recreation research and education centers in conjunction with interested universities and colleges, where the work programs can be developed cooperatively by the State and Federal agencies, universities, and private organizations.

I believe this annual investment of $150,000 which I propose would be repaid many times over in more judicious use of public lands and waters. To cite but one example, I believe that proper selection and use of campsites will decrease damage to the public lands and increase public enjoyment of the increasingly popular recreation of camping. I would point out here that, inasmuch as many camping facilities, and other outdoor recreation areas, are located within State parks, such enhancement of campsite values will be of substantial benefit to States as well as the Federal government.

The research centers need not be elaborate. Their aim should be the attainment of desired results through flexibility and freedom of action. The staff of each center could consist of a leader, one assistant, and a part-time secretary. Cooperating members from the colleges and universities, Federal, State, and other agencies, and private organizations would serve on a voluntary, nonpaid basis. It is expected that the annual cost of operating each center will not exceed $25,000, including the salary of the leader. There is no doubt that private groups will be willing to provide funds for the conduct of specific recreational research projects at the proposed centers.

As a site for the first recreation research center, I am pleased to propose Montana State University at Missoula, in the State that I represent. Situated between two great national parks—Glacier and Yellowstone—and adjacent to large blocks of both public and private lands, all of which are blessed with an abundance of fish, wildlife, and all sorts of healthful outdoor recreational opportunities, Montana State University is an ideal location for the first of these recreational research centers. It is expected that the other centers would be located so as to take into account regional problems and similarities based on population densities, recreational habits of the people, and other pertinent factors.

Montana State University already has welcomed the opportunity of establishing the initial outdoor recreation research and education center on its campus and has offered the following support:

First. Office space on the campus.

Second. Graduate students available for work on research projects with the center. The projects most likely would lead to a master's degree in the area of resources management.

Third. Courtesy appointment of the center leader to the faculty of the university.

Fourth. University staff available for consultation and direction of specific research projects where needed by the center.

My colleague from western Montana, Representative LEE METCALF, is introducing companion legislation in the other body.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2511) to provide for the establishment of cooperative outdoor recreation research and education centers, introduced by Mr. MURRAY, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

WORLD REFUGEE RELIEF ACT OF 1959

Mr. HENNINGS. Mr. President, for more than a quarter of a century our world has been disrupted by political upheavals and torn by local and global wars. We have seen the rise of despotic and oppressive governments, some of which, fortunately, have been destroyed and relegated to a well-deserved oblivion. Others, however, particularly nations in the Communist bloc, continue to harass and disturb the peace of the world.

One of the most tragic results of these years of war, revolution, and aggression has been the uprooting of millions of people, people driven from their homes, people who can never return to their native lands, people haunted by the fear of persecution because of race, religion, or political belief.

The U.S. Committee on Refugees has stated this problem well:

It has been said, and truly so, that this is the century of the homeless man.

More than 2 million human beings throughout the world are living a shadowy half existence. For the most part they possess neither home nor country. They are the waiting people of our time, owning only a worn suitcase or two, a few blankets, a shred of self-respect, and sometimes a dossier of papers that makes the rounds while they wait * * * and wait.

Who are these waiting people?

They are the refugees of mid-century Europe, Algeria, Palestine, Tibet, China. They are the flesh and blood symbols of the upheavals of the past two decades, escapees from the horrors of war, revolution, persecution. They are not far different from many of our own ancestors who came to the United States for the same reasons that have brought today's refugees to a dead end in a camp in Austria, a barracks in Italy, a tent in Gaza, a shack in Hong Kong.

The U.S. Committee for Refugees is an organization composed of Americans from many walks of life and of representatives of voluntary agencies who are concerned by the appalling human sorrow represented by the millions of refugees living in limbo in the free world.

They are concerned, too, by the serious humanitarian and economic implications of unsolved refugee problems for the United States. The presence of large numbers of refugees in any country contributes to its instability and directly affects U.S. appropriations for foreign economic and military aid.

Congress has not been unaware of the plight of these homeless people. We have enacted the Displaced Persons Act, the Refugee Relief Act, and special provisions for the admission of refugee-orphans. These measures have been temporary expedients directed to meet limited areas of the refugee program. Unfortunately, the refugees of the world are still with us.

On December 5, 1958, the Assembly of the United Nations adopted a resolution for a World Refugee Year to begin in July of 1959. Its purpose was to urge the members of the U.N. to undertake a concerted effort to provide relief, rehabilitation, and opportunities for resettlement to these unfortunate people.

On the 19th of May of this year, President Eisenhower issued a proclamation of U.S. participation in the World Refugee Year. In this proclamation he stated:

I invite all of our citizens to support generously, either through the voluntary welfare agencies or the U.S. Committee for Refugees, the programs developed in furtherance of that year for the assistance of refugees.

The U.S. Committee on Refugees is composed of a distinguished group of citizens dedicated to seeking solutions to the refugee problem. The Committee, headed by the Very Reverend Francis B. Sayre, Jr., dean of the National Cathedral, has brought together American citizens, and leaders of voluntary organizations thoroughly experienced in war-relief work and refugee problems. From the wealth of this experience they have proposed a U.S. program for refugees which will combine the facilities of the U.S. Government, the United Nations, and the voluntary organizations of church and private social agencies.

I have consulted with representatives of the U.S. Committee on Refugees as to the action required from the Congress to establish a continuing program to meet the refugee problem.

Their legislative recommendations are as follows:

First. A Federal appropriation of $10 million over and above present outlays for refugee programs.

Second. Generous Government allocation of additional surplus commodities.

Third. New legislation permitting the annual immigration of 20,000 refugees beyond those authorized by existing quotas.

I have incorporated these recommendations into a bill which provides for:

First. The admission of 20,000 non-quota refugees annually.

Second. The admission of 5,000 hard-core, physically handicapped refugees annually.

Third. A continuation of the refugee-orphan program by elimination of termination date, June 30, 1959.

Fourth. Authority for the President, by proclamation to permit the prompt entry of world refugees under parole with provision for permanent residence in the United States after 2 years of residence.

Fifth. Authorization of $10 million to the President to be used through such agencies as he may designate for the relief, rehabilitation, and resettlement of world refugees.

Sixth. Authorization for the allocation of surplus commodities for the relief, rehabilitation, and resettlement of world refugees.

"World refugee" is defined to include any alien who because of persecution or fear of persecution, has fled from a country because of race, religion, or political opinion, or because of natural calamity or military operation is out of his natural place of abode.

Mr. President, I therefore introduce for appropriate reference, this bill. I sincerely hope that it will become the World Refugee Relief Act of 1959.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2513) to authorize the admission into the United States of certain refugees, and for other purposes, introduced by Mr. HENNINGS, was received, read twice by its title, and referred to the Committee on the Judiciary.

REPEAL OF THE ACT OF MARCH 12, 1914 (38 STAT. 305)

Mr. BARTLETT. Mr. President, on behalf of myself, and my colleague, the junior Senator from Alaska [Mr. GRUENING], I introduce, by request, a bill to repeal the act of March 12, 1914 (38 Stat. 305), authorizing the construction and operation of a railroad in Alaska, to incorporate the Alaska Railroad Company, and for other purposes. I ask unanimous consent that a letter from the Acting Secretary of the Interior, requesting the proposed legislation, be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2514) to repeal the act of March 12, 1914 (38 Stat. 305), authorizing the construction and operation of a railroad in Alaska, to incorporate the Alaska Railroad Company, and for other purposes, introduced by Mr. BARTLETT (for himself and Mr. GRUENING) by request), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter presented by Mr. BARTLETT is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington D.C., June 5, 1959.

HON. RICHARD M. NIXON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill "to repeal the act of March 12, 1914 (38 Stat. 305), authorizing the construction and operation of a railroad in Alaska, to incorporate the Alaska Railroad Company, and for other purposes."

We suggest that this bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The purpose of the proposed legislation is to incorporate the Alaska Railroad and to place the Company under the Government Corporation Control Act (31 U.S.C., sec 846 et seq.). Construction of the railroad was authorized in 1914 and it has been administered for many years by the Secretary of the Interior under authority delegated by the President.

The Commission on Organization of the Executive Branch of the Government recommended in its report to the Congress (May 1955) on business enterprises that the railroad be incorporated and made subject to the Government Corporation Control Act. In his budget message to the present Congress at the time of its convening, the President said: "Legislation will also be proposed to incorporate the Alaska Railroad to facilitate its operations on a businesslike basis."

We believe the enclosed draft, by emphasizing operational efficiency and freeing the

railroad from such general governmental procedures as have been found restrictive and inappropriate to a railroad operation, will carry out the President's purpose. The bill is designed to permit the railroad to be managed in the manner of an industrial operation, providing a general transportation service to the public.

The draft bill will transfer to the new Company all the properties now used by the Alaska Railroad and the functions and responsibilities carried by it, as well as the authority it now has, subject to new matter relating to management, finance, etc., contained in the draft. The bill would create a body corporate to be known as the Alaska Railroad Company. The extent of the authority of the Company to provide transportation services is specified in some detail in section 3 of the bill, but comprehends generally all the usual duties of a common carrier.

By section 4 of the bill the Company is given the general corporate powers necessary to carry out these activities. These include, among others, authority to sue and be sued in its corporate name, to determine the character of and necessity for its obligations and expenditures, to acquire and dispose of real and personal property, to enter into contracts generally, to appoint officers and personnel, to use the U.S. mails as a Federal agency, to settle and adjust claims, and to do other things necessary to the efficient management and operation of the Company.

Management of the Company is to be vested in a Board of Directors consisting of seven members, which will be responsible for overall policymaking, subject to the general direction of the Secretary of the Interior. The Secretary of the Interior will appoint the members of the Board and will designate one such member as Chairman. Four of the members must be officers or employees of the United States, and one from this group may, if the Secretary chooses, be the General Manager of the Company. The remaining three members would be public members, two of whom must be experienced railroad men. The members would all serve at the pleasure of the Secretary. Administrative functions of the Company would be centered in a staff of full-time executive officers headed by a General Manager appointed by and responsible to the Board for the execution of programs and policies adopted by it.

All assets of the Alaska Railroad, including rolling stock, equipment, supplies, machinery, tools, rights in real estate, and all funds in the Alaska Railroad revolving fund would be transferred to the Company, to be used thereafter in the operation and management of the Company.

From a financial standpoint it is intended and hoped that the railroad will henceforth be fully self-supporting, paying all current costs, including adequate allowance for depreciation, from current revenue derived from the provision of transportation services. Committees of Congress have in recent years urged such a policy and the railroad has, in fact, during each of the past 6 fiscal years, been able to show a slight excess of revenues over costs. The financial provisions of the draft bill have been prepared with that policy objective in mind. While the bill includes the customary authority for appropriations to cover actual losses, it is hoped that authority will not have to be used.

Additionally, the bill contains authority for appropriation to the Company of funds required for improvement and betterment of the facilities of the Company and for purchase of equipment and the like. On any advances from appropriations for these purposes under this act, the Company would be required to pay from its revenues annually to the Treasury interest at a rate to be fixed by the Secretary of the Treasury. Any earnings remaining after an appropriate charge for depreciation and after payment of interest on outstanding advances as explained below, may be used by the Company for improvement of its facilities, or may be credited to the appropriation from which withdrawn. However, no new type of activity could be undertaken by the Company except as included in its budget submitted pursuant to the Government Corporation Control Act.

Under the bill the Company could not adopt any general rate increases or decreases except in accordance with section 4 of the Administrative Procedure Act.

The bill contains provisions protecting the rights of employees, including retirement and other administrative matters. It recognizes the right of employees and their representatives to enter into agreements covering wages, working rules, and the like, which is the practice of railroads generally, including, where desired by the employees and acceptable to management, the subordination to such agreements of any provisions of the Veteran's Preference Act, except in hiring. The Company would be authorized to adopt to the extent practicable the personnel policies and practices of the railroad industry, including the determination of hours and conditions of work, the establishment of rules and procedures governing hiring, promotion, discharge, seniority, and the like. One section proposes to write into law one of the fundamental points of a recent court decision (*David F. Samples et al.* v. *The United States*, U.S. Court of Claims No. 48637, decided July 12, 1956), and clarifies the application of section 23 of the act of March 28, 1934 (5 U.S.C., sec. 673c), on which the case was based. The Company would have the condemnation powers of the Federal Government. The bill also would repeal the statute authorizing the existing railroad and would amend certain other laws inconsistent with the proposed Act.

The Bureau of the Budget has advised that there is no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,

ELMER F. BENNETT,
Acting Secretary of the Interior.

ADMISSION OF ALIEN FIANCES AND FIANCEES OF CITIZENS OF THE UNITED STATES

Mr. CASE of New Jersey. Mr. President, on June 30, 1959, I testified before the Senate Immigration Subcommittee in support of Senate bill 1919, cosponsored by Senators SALTONSTALL, JAVITS, KEATING, and me, which deals with refugee and immigration matters.

At the hearing, I mentioned the need for another desirable amendment to the Immigration and Nationality Act which was not part of our omnibus proposal, an amendment which, as I said at the time, would definitely be "in the interest of love and marriage."

I introduce, for appropriate reference, a bill to permit an alien fiance or fiancee of an American citizen to come to the United States for the purpose of getting married, and I ask unanimous consent that it be printed in the RECORD.

At present, if an American wants to marry an alien who is a native of a country with an oversubscribed quota, there is no way for the alien to be admitted to the United States to celebrate the marriage. The result, of course, can be heartbreak and broken romance. At the least, it has long delayed marriages by permitting marriages for only those affluent and patient suitors who are able to afford to go abroad and, subsequently, to file a petition for the issuance of a nonquota visa for the spouse. Once married, there is no problem.

Recently we have had a dramatic instance of the kind of situation to which my bill would apply.

We all rejoice at the good fortune of young Steven Rockefeller, who met Miss Anne-Marie Rasmussen, of Norway, while she was in this country. Subsequently he went to Norway and won the lady's hand. Their nuptials, as everyone knows, will be celebrated in a few days. Their courtship has a happy ending. But for many another young American less blessed with financial resources, there may be many months or years of weary waiting for the girl of his dreams to reach her turn on a quota list.

Love and marriage, as the song puts it, go together like a horse and carriage. Surely, it is not inappropriate for the United States to help smooth the path of true love. And that with proper safeguards to prevent abuses is the simple purpose of my bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2515) to provide for the admission of the alien fiances and fiancees of citizens of the United States, introduced by Mr. CASE of New Jersey, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the alien fiancé or fiancée of a citizen of the United States may be admitted into the United States with a passport visa as a nonimmigrant temporary visitor for a period of three months (unless in exceptional circumstances such period is extended by the Attorney General of the United States) under the provisions of Section 214 of the Immigration and Nationality Act (66 Stat. 163 and 8 U.S.C. 1184): *Provided,* That—

(a) the alien is not otherwise subject to exclusion from the United States under the immigration laws,

(b) the Attorney General finds that the alien is coming to the United States with a bona fide intention of being married to a citizen of the United States, and

(c) the Attorney General finds that the parties to the proposed marriage are able and intend to contract a valid marriage within the period for which the alien is admitted.

SEC. 2. In the event the marriage does not occur within the period for which the alien is admitted, the alien shall be required to depart from the United States and upon failure to do so shall be deported at any time after entry in accordance with the provisions of Sections 242 and 243 of the Immigration and Nationality Act (66 Stat. 212, 214, 8 U.S.C. 1252 and 1253).

SEC. 3. The Secretary of State shall have authority to prescribe regulations for the administration of the provisions of this Act which relate to the performance of functions by diplomatic or consular officers of the United States and he shall include in such regulations a requirement that the parties to a proposed marriage shall furnish satisfactory evidence to the American consular officer concerned, including sworn statements corroborated by other appropriate evidence showing that the parties have entered into a valid agreement to marry and are legally

able and actually willing to conclude a valid marriage in the United States within a period of three months after the alien's arrival, or within such period as may be extended by the Attorney General.

SEC. 4. The Attorney General shall have authority to prescribe regulations for the administration by the Immigration and Naturalization Service of the provisions of this Act in connection with the arrival of the aliens concerned at ports of entry in the United States, and he shall include in such regulations a requirement that the prospective American citizen spouse of an alien covered by the provisions of this Act shall furnish to the Attorney General a suitable bond, which shall be in an amount sufficient to cover the cost of the deportation of the alien concerned, and which shall be forfeited to the United States if and when the alien becomes deportable, or shall be canceled by the Attorney General upon receipt of satisfactory evidence that a valid marriage has been concluded, or that the alien has left the United States without expense to the said United States.

AMENDMENT OF SECTION 7 OF FEDERAL HOME LOAN BANK ACT

Mr. BARTLETT. Mr. President, I introduce, for appropriate reference, a bill to amend section 7 of the Federal Home Loan Bank Act, as amended. I ask unanimous consent that an explanation of the bill may be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the explanation will be printed in the RECORD.

The bill (S. 2517) to amend section 7 of the Federal Home Loan Bank Act, as amended, introduced by Mr. BARTLETT, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The explanation presented by Mr. BARTLETT is as follows:

EXPLANATION OF BILL TO AMEND SECTION 7 OF THE FEDERAL HOME LOAN BANK ACT, AS AMENDED

The bill would authorize the Federal Home Loan Bank Board to increase the number of the directors of the Federal Home Loan Bank Board of San Francisco. This is the district bank for the Western States and includes Alaska and Hawaii.

It would insure that both the new States would have an elected member of the board of directors of the San Francisco Regional Bank. Under existing law, it is required that each State have an elected representative on the regional bank board. At the present time, each State has a representative on the San Francisco Bank board of directors except Alaska and Hawaii. California has three; however, California has half of the assets of the entire district. In order to preserve the present Board and permit Alaska and Hawaii elected representation, it is essential that the law be amended.

This bill has the support of all of the States affected; it has the support of the Federal Home Loan Bank Board in Washington, D.C., the support of the board of the San Francisco Regional Bank, the State leagues in all of the States, and the U.S. Loan League. It is noncontroversial and was brought about because of the admission of the two new States.

INCORPORATION OF NATIONAL DISTRICT ATTORNEYS' ASSOCIATION

Mr. LONG. Mr. President, on behalf of myself, and my colleague, the senior Senator from Louisiana [Mr. ELLENDER], I introduce, for appropriate reference, a bill to incorporate the National District Attorneys' Association. I ask unanimous consent that the bill be printed in the RECORD at this point, and that the bill lie at the desk until August 21, in order that Senators who may desire to join in sponsoring it may have an opportunity to do so.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from Louisiana.

The bill (S. 2518) to incorporate the National District Attorneys' Association, introduced by Mr. LONG (for himself and Mr. ELLENDER), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following persons, J. St. Clair Favrot, district attorney, Baton Rouge, Louisiana; Edward S. Silver, district attorney, Brooklyn, New York; Vincent P. Keuper, county prosecutor, Freehold, New Jersey; Victor H. Blanc, district attorney, Philadelphia, Pennsylvania; Patrick Brennan, prosecuting attorney, South Bend, Indiana; James H. De Weese, prosecuting attorney, Troy, Ohio; Keith Mossman, county attorney, Vinton, Iowa; Blaine Ramsey, State's attorney, Lewistown, Illinois; Garrett H. Byrne, district attorney, Boston, Massachusetts; William B. McKesson, district attorney, Los Angeles, California; George M. Scott, county attorney, Minneapolis, Minnesota; and their associates and successors duly chosen are incorporated and declared to be a body corporate.

COMPLETION OF ORGANIZATION

SEC. 2. A majority of the persons named in the first section of this Act are authorized to complete the organization of the corporation by the selection of officers and employees, the adoption of a constitution and bylaws not inconsistent with the provisions of this Act, and the doing of such other acts as may be necessary for such purpose.

CORPORATE NAME

SEC. 3. The name of the Corporation shall be the National District Attorneys' Association.

PURPOSES OF CORPORATION

SEC. 4. The purposes for which the Corporation is formed are—

(a) to provide an appropriate national organization representing the district attorneys, county attorneys, and prosecuting attorneys of the United States of America in both criminal and civil aspects of their official functions and responsibilities;

(b) to foster periodic conferences or meetings of the various district and county attorneys, prosecutors, State attorneys, county solicitors, county counsels and officials performing similar duties, by whatever title known in any of the States, Districts, Territories, or possessions of the United States of America for the discussion and solution of problems common to such officials;

(c) to gather, exchange, and to disseminate knowledge relating to the prosecution of crime by more effective means, and to the legal problems of county government;

(d) to afford a means of coordination of law enforcement agencies among the members generally, and among Federal, State, and other local law enforcement agencies through their respective national associations, organizations, and representatives;

(e) to render technical, informational, and similar advisory services to its members for the official benefit and for the general welfare of the districts, counties, parishes, or municipalities which they represent; and

(f) to encourage and sponsor the enactment of uniform laws and procedures among the several municipalities, counties, parishes, districts, and States of the United States of America.

GENERAL POWERS

SEC. 5. The corporation shall have power (1) to have perpetual duration and succession by its corporate name; (2) to sue and be sued, complain and defend in any court of competent jurisdiction; (3) to adopt, use, and alter a corporate seal; (4) to choose such officers, managers, and agents as the business of the corporation may require; (5) to ordain and establish bylaws and regulations not inconsistent with the laws of the United States of America or any State in which such corporation is to operate for the management of its property and the regulation of its affairs; (6) to contract and be contracted with; (7) to take and hold by lease, gift, purchase, grant, device, or bequest of any property, real or personal, necessary for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State governing the amount or kind of real and personal property which may be held by, or otherwise limiting or controlling the ownership of real and personal property by, a corporation operating in such State; (8) to transfer and convey real or personal property; (9) to borrow money for the purposes of the corporation, and issue bonds or other evidence of indebtedness therefor, and secure same by mortgage or pledge subject in every case to all applicable provisions of Federal or State law; and (10) to do any and all acts necessary to carry out the purposes of the corporation.

MEMBERSHIP AND VOTING RIGHTS

SEC. 6. (a) ACTIVE MEMBERSHIP.—Each person of good moral character holding any of the following offices, or one assistant or deputy of such person, designated by the holder of such office, in any of the districts, counties, parishes, or municipalities of the United States of America or any of its Districts, Territories, or possessions shall be eligible to active membership in the corporation: District attorney, district solicitor, county solicitor, prosecuting attorney, prosecutor of the pleas, State's attorney, county counsel, county attorney, municipal prosecutor, general counsel for any State or National association of counties or county officials, an office the duties of which are similar to any of those set forth above: *Provided, however,* That any active charter member may continue as such for a period of two years after the termination of his incumbency in the office or position which qualified him for such active membership.

(b) ASSOCIATE MEMBERSHIP.—Any assistant or deputy in any of the offices listed, or any member of the corporation whose term of office may have expired, shall be eligible to associate membership in the corporation.

(c) HONORARY MEMBERSHIP.—Honorary members shall be: Past presidents of the corporation; any person who shall have made an outstanding contribution to the public welfare and purposes of the corporation may hereafter be proposed for honorary membership by five active members of the corporation. Such nomination shall be in writing subscribed by such members and submitted in writing to the president of the corporation. An affirmative vote of a majority of the board of directors shall be required to elect such members.

Each active member shall have the right to one vote either in person or by proxy on each matter submitted to a vote at all meetings of the members of the corporation.

Associate members, other than directors, and honorary members, other than past

presidents, shall not be entitled to vote in any of the proceedings of the corporation.

OFFICERS OF CORPORATION

SEC. 7. The officers of this corporation shall be members eligible to active membership and shall consist of a president, executive vice president and such additional vice presidents as shall be fixed by the bylaws of the corporation, a historian, a secretary, and a treasurer, all such officers to be elected at the annual meeting for a one-year term, and to have such duties as may be prescribed in the bylaws of the corporation.

BOARD OF DIRECTORS

SEC. 8. (a) The affairs of this corporation shall be governed by a board of directors consisting of not less than fifty members nor more than one hundred members for a one-year term on the basis of the allocation of one director to each State from which the corporation has active members. In the event that there is no active member in the corporation from a State, the first applicant from such State eligible for active membership shall automatically become a member of the board of directors. In addition, the current officers of the corporation shall be ex officio members of the board of directors. In addition to a director from each of the fifty States, to be chosen from the active members, there shall be five directors chosen from the associate members at large by the said associate members: *Provided*, That not more than one such director shall be chosen from the same State, which said five directors shall have the same voting privileges as other members of said board of directors: *Provided further*, That one of said directors chosen from the associate members at large shall be named by them to serve as a member of the executive committee.

(b) The president of the corporation shall serve as chairman of the board of directors. The executive vice president of the corporation shall serve as vice chairman of the board of directors.

(c) Between meetings of the board of directors an executive committee composed of the officers of the corporation, all past presidents, and a member of the directors at large chosen by the associate members shall have the authority to act for the board of directors, but shall report its action to such board. The board shall have the right to rescind any action of such committee.

(d) Both the board of directors and the executive committee may act at meetings or by mail addressed to the Secretary.

The incorporators enumerated in section 1 of this Act shall constitute the first board of directors of the corporation.

PRINCIPAL OFFICE OF CORPORATION

SEC. 9. The principal office of the corporation shall be located in Brooklyn, New York, and its activities shall be conducted throughout the United States of America through the establishment of national, regional, State, or local offices.

LIABILITY OF CORPORATION

SEC. 10. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

AGENT FOR SERVICE OF PROCESS

SEC. 11. The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for such corporation, and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

BOOKS AND RECORDS

SEC. 12. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any of the authority of the board of directors, and it shall also keep at its principal office a record giving the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member or his agent or attorney, for any proper purpose, at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS: REPORTS TO CONGRESS

SEC. 13. (a) The financial transactions of the corporation shall be audited annually, at the end of the fiscal year established by the corporation, and at its own expense, by an independent certified public accountant in accordance with the principles and procedures applicable to commercial corporate transactions. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necesssary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositors, fiscal agents, and custodian shall be afforded to such person or persons.

(b) A report of such audit shall be made by the corporation to the Congress not later than six months following the close of such fiscal year for which the audit is made. The report shall set forth the scope of the audit and shall include verification by the person or persons conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expense, and (5) sources and application of funds. Such report shall not be printed as a public document.

NONPROFIT CORPORATION

SEC. 14. (a) The corporation shall be a nonprofit membership organization operating exclusively for educational and civic-improvement purposes.

(b) No part of its income or property shall inure to the private benefit of any of its members, directors, or officers, or be distributable thereto, otherwise than by the dissolution or final liquidation of the corporaton.

(c) The corporation shall not have or issue shares of stock, nor declare or pay dividends.

(d) No loans shall be made by the corporation to its officers, directors, or employees. Any director of the corporation who votes for or assents to the making of a loan or advance to an officer, director, or employee of the corporation and any officer participating in the making of any such loan or advance shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

USE OF ASSETS UPON DISSOLUTION OR LIQUIDATION

SEC. 15. In the event of dissolution or final liquidation of the corporation all of its assets and property, after payment of its liabilities and expenses, shall be distributed in a manner and for such purposes consistent with the basic objectives of this corporation as the board of directors shall determine.

PROHIBITION AGAINST ISSUANCE OF STOCK OR ISSUANCE OF DIVIDENDS

SEC. 16. The corporation shall have no power to issue any shares of stock or declare or pay dividends.

POLITICAL ACTIVITY PROHIBITED

SEC. 17. The corporation, and its officers and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for elective public office.

ACQUISITION OF ASSETS AND LIABILITIES OF EXISTING ORGANIZATION

SEC. 18. The corporation may acquire any and all of the assets of the existing national organization known as "National Association of County and Prosecuting Attorneys", a body corporate organized under the laws of California, upon discharging or satisfactorily providing for the payment and discharge of all of its liabilities and upon complying with all the laws of the State of California applicable thereto.

EXCLUSIVE RIGHT TO NAME, SEAL, EMBLEM, INSIGNIA, AND BADGES

SEC. 19. The corporation and its national, regional, State, and local subdivisions shall have the sole and exclusive right to have and use the corporate name, the National District Attorneys' Association, and such seals, emblems, insignia, and badges as the corporation may lawfully adopt.

AMENDMENT OF FEDERAL FLOOD INSURANCE ACT OF 1956

Mr. SPARKMAN. Mr. President, I introduce, for appropriate reference, a bill to amend the Federal Flood Insurance Act of 1956. The bill has been prepared through the efforts of the Council of State Governments. I am introducing it at the request of Gov. Luther Hodges, of North Carolina, chairman of the committee on flood insurance of the Council of State Governments. It was under his direction that the bill was prepared.

I have not had an opportunity to study the bill in its entirety and therefore I am not in a position to say that I endorse every provision of it. My purpose in introducing it at this time is to get it before the appropriate committee for consideration.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2519) to amend the Federal Flood Insurance Act of 1956 in order to clarify the purposes thereof; provide for the establishment of a Federal-State board; define the relationship between a program of flood insurance and State insurance regulation; and encourage the wise use of flood plains, introduced by Mr. SPARKMAN, was received, read twice by its title, and referred to the Committee on Banking and Currency.

COMMISSION TO STUDY NONMINERAL LAND LAWS

Mr. GOLDWATER. Mr. President, I introduce a joint resolution for the establishment of a commission to study the nonmineral public land laws of the United States to facilitate the enactment of a more effective, simplified, and adequate system of laws governing the transfer of title to public lands to individuals, associations, corporations, and to States and local governments or their agencies.

I ask that the joint resolution be referred to the appropriate committee for consideration, and I recommend that it be enacted.

The joint resolution would establish a commission to study present nonmineral public land laws. It would be charged with the responsibility of recommending an adequate, modern, and simplified body of nonmineral public land laws to be administered by the Secretary of the Interior through the Bureau of Land Management.

The nine-member commission would be bipartisan. The resolution would provide $150,000 to finance the study authorized.

As this Nation extended its boundaries westward, it disposed of more than a billion acres of the public domain lands to its citizens as individuals or groups. Laws enacted to facilitate the transfer of public domain to private ownership met the requirements of the time. The Government needed revenue; the West needed settlers, and the Nation needed agricultural production.

Altogether some 5,000 laws, including private and public measures, have been enacted for this purpose. Frequently, the laws were passed to meet the Government's need for ready cash or to take care of peculiar local conditions. As a result, during the past 150 years there has been built up a patchwork law system, replete with contradictions and conflicts.

The very multiplicity of these laws under which lands are transferred into nonfederal public or private ownership are creating near-intolerable administrative difficulties. For example, a single tract of unreserved, vacant public domain can simultaneously be covered by applications under the Desert Entry, Small Trace, Homestead, Private Exchange, Public Sale, Recreation and State School Selection Acts. These conflicts place a heavy administrative burden on land classifiers and frequently the cost of resolving them far exceeds the value of the land.

The need for a thorough study of the public land laws and for their modernization has been recognized for years. A special subcommittee on revision of the public land laws of the House Committee on Interior and Insular Affairs of the 82d Congress emphasized this need and recommended that a continuing study be made.

Each year the administration of nonmineral public land laws has become more difficult. The expanding desire of the public to use or acquire Government lands and the rising needs of industry, State and local governments increase the administrative burden of the Bureau of Land Management. There are 20,000 small tract applications and 6,000 desert land entries pending in the Los Angeles land office alone.

The multiplicity and complexity of nonmineral public land laws have resulted in an increase in the number of "land locators" who have bilked the general public out of millions of dollars by assuring individuals that for a fee they can obtain title for them to public domain lands. The tremendous increase in applications traceable to these operators further adds to the administrative burden and ties up effective management and or transfer of public lands.

The legislation here proposed would limit the commission's study to nonmineral public land laws. This is not to imply that there are not some conflicts in other public land use statutes. However, it is in the field of public land disposition where administrative difficulties are penalizing the individuals seeking land, the Government and the taxpayer. Most of these difficulties are traceable to defects in the nonmineral public land law system.

The appointment of a bipartisan commission, we believe, would provide a harmonious and impartial background for the work of commission members and employees.

The Bureau of the Budget has advised that there is no objection to the presentation of this proposed legislation to the Congress.

I ask unanimous consent that the joint resolution be printed in the RECORD.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 130) for the establishment of a commission to study the nonmineral public land laws of the United States to facilitate the enactment of a more effective, simplified, and adequate system of laws governing the transfer of title to public lands to individuals, associations, corporations, and to State and local governments or their instrumentalities, introduced by Mr. GOLDWATER, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, whereas laws governing the transfer of title to public lands have been enacted from time to time without adequate consideration being given to their relationship one to another, and

Whereas these piecemeal changes in public land policy and laws have resulted in an incongruous land laws system promoting conflicts and imposing wasteful administrative burdens, and

Whereas these conflicting laws and policies have been and are being used by unscrupulous land locators to cheat the public out of millions of dollars per year, and

Whereas the Congress has not authorized a study of nonmineral public land laws for more than half a century: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That a Commission be established to study the nonmineral public land laws of the United States in order to facilitate the enactment of a more effective, simplified, and adequate system of laws governing the transfer of title to public lands to individuals, associations, and corporations, and to States and local governments or their instrumentalities.

SEC. 2. (a) The Commission authorized by section 1 shall be selected as follows:

(1) Three members whom the President shall select, as he shall deem advisable, from persons, either in the Federal Government or in private life, having professional interest in proper land use and land tenure; and

(2) Three members appointed by the President of the Senate from among the membership of the Senate, not more than two of whom shall be from the same political party; and

(3) Three members appointed by the Speaker of the House of Representatives from among the membership of the House of Representatives, not more than two of whom shall be from the same political party.

(b) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

SEC. 3. (a) The Commission shall elect a Chairman and Vice Chairman from among its members.

(b) Five members of the Commission shall constitute a quorum.

(c) Members of Congress and personnel of the executive branch of the Government who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress, or employees of the Federal Government, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(d) The members from private life shall each receive compensation at the rate of $75 per diem when actually engaged in performance of the duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

SEC. 4. The Commission shall have power to appoint and fix the compensation of such personnel, including counsel and a staff director, as it deems necessary and advisable, without regard to the civil service laws and the Classification Act of 1949 (5 U.S.C., sec. 1071 and the following): *Provided,* That any such personnel who, prior to appointment was then subject to the civil service laws, shall nevertheless remain subject to the retirement provisions of those laws, and appropriate deductions for contributions to the Federal retirement fund shall be made from such employee's compensation.

SEC. 5. (a) The Commission shall study and investigate the nonmineral public land laws administered by the Secretary of the Interior through the Bureau of Land Management to ascertain their effectiveness to accomplish the policies of the Congress; to determine the need for consolidating, modernizing, simplifying, or repealing all or any of the laws; and to recommend a modern, simple, and effective system of law, including drafts of proposed legislation to accomplish these purposes.

(b) The Commission, or any member thereof duly authorized by the Commission, may, for the purpose of carrying out the provisions of this joint resolution, hold such hearings and sit and act at such times and places, and take such testimony, as the Commission or such member may deem advisable. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or before such member.

(c) Not later than ninety days after ——, the Commission shall make a report of its findings and recommendations to the Congress, together with any proposed legislation needed to implement its recommendations.

(d) Ninety days after the submission to the Congress of the report herein provided for, the Commission shall cease to exist.

SEC. 6. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $150,000 to carry out the provisions of this joint resolution.

Mr. GOLDWATER. Mr. President, I ask that the joint resolution lie on the table for 3 days so that colleagues who are interested in this important matter may be allowed to join with me.

The VICE PRESIDENT. Without objection, it is so ordered.

JOINT COMMITTEE ON FEDERAL-STATE ECONOMIC RELATIONS

Mr. KEATING. Mr. President, several weeks ago I addressed the Senate on the subject of Federal-State eco-

nomic relations. I should like to take this subject up briefly again today.

The problems involved here go to the very core of our Federal system. The framers of the Constitution envisioned a Union of sovereign States—now 50 strong—joined together for their common welfare, but forever retaining their separate identities and responsibilities. The American experiment with federalism was the first of its kind. That it has surpassed its every expectation is a point upon which I am sure there is unanimous agreement. What is more, our success has inspired numerous attempts to create Federal unions of the same type. The postwar communities and trade areas of Western Europe may hopefully foreshadow such a union.

The Federal structure of the United States is not without its difficulties. Many of these center on the economic relations between the Federal Government and the States. The history of our Nation is full of examples. From the time of the Whisky Insurrection over excise taxes in 1794, there has been an almost steady stream of incidents in which the respective fiscal authorities of the Nation and the States have become blurred. Several such incidents, as was the case of the Whisky Insurrection, have been settled by force of arms. Fortunately, most have been resolved through peaceful recourse to the courts. Our concern for the past, however, must not be allowed to overshadow the need for action at the present time.

My main and most immediate interest is in the reevaluation and revision of the various programs under which Federal funds are granted to the States. In doing this, we must not be afraid to come up with proposals that require sweeping changes in present practices and procedures. We must never hesitate to deal with and act upon new ideas; for government, to be effective, must be dynamic.

The various programs under which Federal funds are granted to the States were established at different times—under differing circumstances. Quite a few were set up in the atmosphere of fear and uncertainty that characterized the great depression. Several of our major Federal grant-in-aid programs were initiated on an experimental basis—and, like Topsy, they just grew. Action to coordinate and update these programs is long overdue.

As a Senator from New York State, I have a special and immediate interest in this subject. The uneven and unplanned development of our now numerous Federal grant-in-aid programs has had a direct and unhappy impact on the pocketbooks of taxpayers in the larger and wealthier States. This is particularly true of New York State. Let us look at the figures. New Yorkers pay $2.95 in taxes for every dollar they receive in Federal aid. How does this compare with other States? For each dollar received, Texas paid 55 cents; Tennessee, 41 cents; Alabama, 25 cents; Arkansas, 15 cents; and Wyoming, 14 cents. Only little Delaware paid more than New York for each dollar from Uncle Sam.

In sum, New Yorkers pay about 20 percent of the total of Federal taxes, and in return get less than 8 percent of the total amount of all Federal grants-in-aid to the States.

I suggest that we examine the proposition that many of the functions now performed by the Federal Government could very well be returned to the States. I need not enumerate the many specific proposals to this effect.

A good number of the Federal grant-in-aid programs involve activities that constitutionally are the primary responsibility of the States. One has but to walk up Constitution Avenue to prove this point. We are up to our ears in agencies—many of which are doing things that might better be done by the folks back home.

Let me make myself clear. The growth of Federal power and authority in areas for which the States are legally responsible is not the fault of Washington bureaucracy alone. The States themselves bear a good part of the blame. President Eisenhower in an address before the Governors' Conference, made this point altogether clear. He said:

> The tendency of bureaucracy to grow in size and power does not bear the whole blame for the march toward Washington. Never, under our constitutional system, could the National Government have syphoned away State authority without the neglect, acquiescence, or unthinking cooperation of the States themselves.

And what is the inevitable argument against proposals for the return of various Federal functions to the States? The States and those who speak for them reply, "Sure we want to do such and such, it is our responsibility under the law—but where do we get the money?"

State officials are quick to point out that the Federal Government has preempted or virtually pre-empted all of the best sources of taxes. They claim that the taxable revenue left for the States is currently being utilized to its fullest possible extent, and that further sources of revenue are not available. Cities and towns are in an even worse position on this score.

I do not think that we should close our eyes to the possibility that the relationship between the Federal Government and the States with regard to taxation could be altered in such a way as to permit the States to finance certain programs formerly carried out by the Federal Government. Too little attention has been given to this subject.

To summarize, I am greatly concerned about three general aspects of the broad problems of Federal-State economic relations. They are:

First. The distribution of Federal funds to the States, under existing grant-in-aid programs.

Second. The return of various Federal programs to the States.

Third. The redefinition and clarification of Federal-State relations in the field of taxation.

Research on Federal-State economic relations is voluminous. Commissions, seminars, symposiums, reports, and surveys have all but exhausted the subject. Much very excellent material is available. It is my opinion that we must now begin using this material to draw up a set of procedures that will bring about more realistic and equitable economic relationships between the Federal Government and the States.

Let me make it clear that I speak, not just for myself or for my State, but for all of us. Although the inequities and inefficiencies of Federal-State economic relations have a disproportionately greater impact on the larger and wealthier States, it cannot be denied that they affect us all. The need is for a program of action that will be mutually acceptable to, and advantageous for, the Nation as a whole. Mr. President, I should like to see us accept this challenge.

On June 5, when I first addressed the Senate on this subject, I concluded my remarks by saying:

> I propose the creation of a new joint committee of Congress—with jurisdiction to conduct a comprehensive study of problems in this area and with a mandate to recommend to the Congress within a prescribed period of time a definite program for action. I will introduce a specific resolution for this purpose in the very near future.

Mr. President, at this time I submit, on behalf of myself, the Senator from Utah [Mr. BENNETT], the Senator from Maryland [Mr. BUTLER], the Senator from Wisconsin [Mr. WILEY], and the Senator from Delaware [Mr. WILLIAMS], a concurrent resolution to establish a Joint Committee on Federal-State Economic Relations.

This measure establishes a 14-man joint committee composed of seven Members of the Senate and an equal number of Members of the House. The committee is directed to report back to the Senate and the House the results of its study and investigation, together with its recommendations, at the earliest practicable date, but not later than January 31, 1961.

These are operational matters. They are familiar to all of us. They can be changed or adjusted with relative ease. The real decision which we must make is a substantive one: Are we willing to undertake the important task of reform that is necessary to remedy the many and recurrent problems which we face in the field of Federal-State economic relations? Mr. President, I urge that we answer this question in the affirmative.

Mr. President, I ask unanimous consent that the text of the concurrent resolution establishing a Joint Committee on Federal-State Economic Relations be printed at this point in the RECORD, and that the concurrent resolution lie on the table until August 18, to give to any other Senators who may desire to do so, an opportunity to become cosponsors of the concurrent resolution.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be printed in the RECORD, and will lie on the desk as requested by the Senator from New York.

The concurrent resolution (S. Con. Res. 70) to create a Joint Committee on Federal-State Economic Relations, submitted by Mr. KEATING (for himself and other Senators), was received, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a joint committee which shall be known as the Joint Committee on Federal-State Economic Relations and shall be composed of seven Members of the Senate, to be appointed by the President of the Senate, and seven Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The party representation on the joint committee shall as nearly as may be feasible reflect the relative membership of the majority and minority political parties in the Senate and the House of Representatives.

SEC. 2. (a) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection.

(b) The joint committee shall select a chairman and a vice chairman from among its members. In the absence of the chairman, the vice chairman shall act as chairman.

(c) A majority of the joint committee shall constitute a quorum except that a lesser number, to be fixed by the joint committee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.

SEC. 3. (a) It shall be the duty and function of the joint committee to conduct a full and complete study and investigation of the economic relations between the Federal Government and the States and political subdivisions thereof and to recommend proposals, including legislation, to the Congress in this field. Such recommendations shall include, but not be limited to, measures designed to:

(1) insure that Federal funds disbursed under grant-in-aid programs shall be distributed among the several States on a fair and equitable basis, the relative amounts of Federal taxes received from each of the various States being considered;

(2) clarify and redefine the relations between the Federal Government and the States in the field of taxation; and

(3) bring about the restoration to the States of functions which are the primary responsibility of the States and which the States are financially able to carry out, the clarification and redefinition of Federal-State relations in the field of taxation being considered.

(b) The joint committee shall submit an initial report to the Senate and the House of Representatives at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. The joint committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times within the United States, to hold such hearings, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony as it deems advisable.

SEC. 5. The joint committee shall have power to employ and fix the compensation of such experts, consultants, and other employees as it deems necessary in the performance of its duties.

SEC. 6. The expenses of the joint committee shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the joint committee.

CONVEYANCE OF CERTAIN LANDS TO STATE OF ILLINOIS—AMENDMENTS

Mr. DOUGLAS submitted amendments, intended to be proposed by him, to the bill (S. 747) to provide for the conveyance of certain lands known as the Des Plaines Public Hunting and Refuge Area to the State of Illinois, which were ordered to lie on the table and to be printed.

AMENDMENT OF NATIONAL DEFENSE EDUCATION ACT OF 1958, RELATING TO AFFIDAVITS OF LOYALTY AND ALLEGIANCE—AMENDMENT

Mr. PROUTY submitted an amendment, intended to be proposed by him to the bill (S. 819) to amend the National Defense Education Act of 1958 in order to repeal certain provisions requiring affidavits of loyalty and allegiance, which was ordered to lie on the table and be printed.

ESTABLISHMENT OF VOLUNTARY PENSION PLANS FOR SELF-EMPLOYED INDIVIDUALS—ADDITIONAL COSPONSOR OF BILL

Mr. MORTON. Mr. President, I ask unanimous consent that the senior Senator from Colorado be permitted to cosponsor Senate bill 841, a bill which I introduced on February 2. It is a bill to encourage the establishment of voluntary pension plans for self-employed individuals.

The VICE PRESIDENT. Without objection, it is so ordered.

MEDALS COMMEMORATING 100TH ANNIVERSARY OF FOUNDING OF PONY EXPRESS—ADDITIONAL COSPONSOR OF BILL

Mr. BENNETT. Mr. President, I ask unanimous consent that the name of the senior Senator from California [Mr. KUCHEL] may be added as one of the sponsors of the bill (S. 2454) to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the pony express, introduced by me, on behalf of myself and other Senators, on July 28, 1959.

The VICE PRESIDENT. Without objection, it is so ordered.

SETTLEMENT OF CURRENT STEEL STRIKE—ADDITIONAL COSPONSORS OF CONCURRENT RESOLUTION

Under authority of the orders of the Senate of August 4, and August 7, 1959, the names of Senators BARTLETT, BIBLE, CANNON, CARROLL, CHURCH, CLARK, DOUGLAS, ENGLE, GREEN, GRUENING, HARTKE, HUMPHREY, JACKSON, JOHNSTON of South Carolina, KEFAUVER, KENNEDY, MAGNUSON, MANSFIELD, MCCARTHY, MCGEE, MCNAMARA, MORSE, MOSS, MURRAY, NEUBERGER, PASTORE, PROXMIRE, RANDOLPH, SPARKMAN, WILLIAMS of New Jersey, YOUNG of Ohio, and YARBOROUGH were added as additional cosponsors of the concurrent resolution (S. Con. Res. 69) favoring action by the President looking to a settlement of the current steel strike, submitted by Mr. SYMINGTON on August 4, 1959.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. ENGLE:

Statement by him, dated May 18, 1959; and editorial entitled "Praise for Forest Service Work," published in the Bakersfield (Calif.) Californian, on May 21, 1959.

By Mr. NEUBERGER:

Article entitled "Why Not a Youth Conservation Corps?" written by Senator HUMPHREY, and published in the periodical of the Fraternal Order of Eagles for August–September 1959.

NOTICE OF HEARINGS OF NOMINATION OF ALGERNON L. BUTLER TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NORTH CAROLINA

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for 2:30 p.m., Tuesday, August 18, 1959, in room 2300, New Senate Office Building, on the nomination of Algernon L. Butler, of North Carolina, to be U.S. district judge for the eastern district of North Carolina, vice Don Gilliam, retired.

At the indicated time and place all persons interested in the above nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

NOTICE OF HEARING ON NOMINATION OF VANCE BRAND, OF OHIO, TO BE MANAGING DIRECTOR OF THE DEVELOPMENT LOAN FUND

Mr. FULBRIGHT. Mr. President, on behalf of the Committee on Foreign Relations, I desire to announce that the Senate today received the nomination of Vance Brand, of Ohio, to be Managing Director of the Development Loan Fund.

In accordance with the committee rule, the pending nomination may not be considered prior to the expiration of 6 days.

EIGHTY-FIFTH BIRTHDAY OF HERBERT HOOVER

Mr. DIRKSEN. Mr. President, yesterday was the 85th anniversary of the birth of a very distinguished American, Herbert Hoover. I recall that in 1947, when I was chairman of a joint committee of 20 Members of the House of Representatives, we spent a great many weeks examining into many things in many countries in Europe. I made it a special

point, as chairman of the joint committee, to visit a good many schools in Germany, and to note the condition of the children. In all the schools I visited there, I saw that food was being issued. I asked the children, "What have you there?" And in their piping, tremulous voices, they replied, "That is Hoover speise," which simply means "Hoover food." And as a measure of expressing their gratitude, they had made scrapbooks which included poems and pictures; and a number of those were given to me, to pass on to former President Hoover.

I can think of no more eloquent testimony than the gratitude which comes from the heart of a child to a man who has done so much for people in all parts of the earth to assuage pain, to relieve anguish, to dissipate sorrow, and to bring a degree of happiness and well-being to millions and millions of people, and particularly children.

So, Mr. President, as we note the 85th anniversary of this former great Quaker President—unselfish, devoted, dedicated to basic and fundamental principles—what a wonderful thing it is that he is still with us today. What a wonderful thing it is that his vitality is so intact, that there has been no deviation from the sound principles which he has espoused during his entire lifetime, and that his prudence and his wisdom and his knowledge are still available to the people of the country he loves.

So, today, out of grateful hearts in every section of the country, our people can be glad and thankful for a sterling, indomitable citizen, Herbert Hoover.

Mr. President, in connection with my remarks, I ask unanimous consent to have printed in the RECORD an excellent article written by George Sokolsky, and published yesterday in the Washington Post; and also an article from the magazine supplement of the New York Times.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 10, 1959]

HERBERT HOOVER AT 85

(By George E. Sokolsky)

There have been plenty of changes in this world since 1874 when, on August 10, Herbert Hoover was born in an Iowa village called West Branch. His parents were Quakers; his father a blacksmith, his mother a seamstress. The parents died young and Herbert was sent to live with relatives, finally settling down in Oregon.

This, then, is a proletarian beginning for a man who has been described during most of his carreer as the stereotype of American capitalism. No state aided him. No government supported him. He was what we today like to call underprivileged, but he was a strong farm boy, sturdy and willing to work, with a sharp mind and a capacity to make his way. He managed to get enough education to go to what was then called Leland Stanford University and he worked on all sorts of projects, many of his own devising, so that he could pay for his needs. Typically, he ran a newspaper route and a laundry route and he worked summers for the Geological Survey of the United States.

Thus, Herbert Hoover became a mining engineer. He married a geologist, Lou Henry, and together they set off to work in all parts of the world. His success in his own field and in business was immediate and continuous.

Herbert Hoover got into politics by accident rather than by design. He was the leading American permanently domiciled in London at the outbreak of World War I and was therefore invited by Ambassador Walter Hines Page to assist the large number of American refugees who were stuck in England because of the beginning of war and who had no means to take care of themselves. He handled this job so ably that he was invited to undertake Belgian relief. He, who had been a mining engineer, found himself a social worker all of a sudden.

And here the simplicities of Quaker upbringing intervened. Herbert Hoover could tolerate no conflict of interest. When he was working for himself and his family, he did well and amassed a fortune. Now that he faced public service, he felt it essential to divest himself of conflicting assets.

Hoover was an unpopular President, although he received an enormous vote. The times required him to compromise his judgments and when once or twice he did compromise, particularly with the late Senator Borah, it turned out that he erred. A man who has a philosophy of life must guide himself according to those principles.

I can recall the days in 1933–34 when Herbert Hoover was sitting, often alone, in his rooms in the Waldorf-Astoria, avoided by those whom he helped on the road of life. He was a defeated man, and the smart boys run from a defeated man.

In contrast today, a quarter of a century later, Herbert Hoover is one of the most beloved men in the Nation, above partisanship, above rancor.

Herbert Hoover stays young by working and by his constant interest in affairs. At 85, he refuses to give up to doctors, nurses, and the impedimenta of age. He can still argue a point refreshingly, his head full of details and his philosophic viewpoint clear and always guiding constructively. His sense of humor never fails him.

Never one to be vengeful, in his old age he knows no rancor. How he manages to clear the slate of all the little incidents which hurt a man's feelings, I do not understand. There must be something in early Quaker teaching that does that or perhaps he has grown so big in spirit that the pinpricks of politics become like the sting of a gnat. One of the developments of his years is his friendship with Harry Truman; the two former Presidents really like each other.

It will be interesting to see Herbert Hoover at the Republican Convention in Chicago in 1960, standing before his party, delivering his address. His truth goes marching on.

[From the New York Times magazine, Aug. 9, 1959]

HERBERT HOOVER IN HIS OWN WORDS

SOCIAL VIEWS

It is dinned into us that this is the century of the common man. The idea seems to be that the common man has come into his own at last. * * *

I have not been able to find any definition of who this common man is. Most American men, and especially women, will fight if called common.

Let us remember that the great human advances have not been brought about by mediocre men and women. They were brought about by distinctly uncommon men and women with vital sparks of leadership.

It is a curious fact that when we get sick we want an uncommon doctor; if we have a construction job, we want an uncommon engineer; when we get into war, we dreadfully want an uncommon admiral and an uncommon general. Only when we get into politics are we content with the common man. (From telephoned remarks to Wilmington College, Wilmington, Ohio, November 11, 1948.)

Each generation * * * wants to find out for itself that the stove is hot. A renewal of that sort of information is valuable.

But we have overworked this word "new." * * *

In this period we have either been cured or made over new about 14 times. We have had the New Order, the New Freedom, the New Day, the New Era, the New Outlook, the New Epoch, the New Economy, the New Dawn, the New Deal, the New Religion, the New Liberalism, the New War, and several new foreign policies. None of these were really new discoveries. And the New Testament is too often omitted. * * *

Most of our chores for the new day were assigned the night before. Our abilities to perform them were formed not only last year but over centuries or even geologic time. If the new day has no link with yesterday we would be without know-how and morals today. (Speaking at Des Moines, Iowa, August 30, 1951.)

There is something to be said for all the Old Guards in the world. They are men past the time when they want anything on this earth but the welfare of those whom they guard. Their tempers have been softened in the solutions of experience. They have learned that virtue is a more stable currency than the commodity dollar. They are a menace to the fuzzy minded, the foolish, and all New Deals. Some Frenchmen mentioned over a hundred years ago that they never surrender. In Americanese, they die with their boots on. (Remarks to the Bohemian Club of San Francisco, Mar. 19, 1953.)

The normal boy, being a primitive animal, takes to competition and battle. In the days before our civilization became so perfect, he matched his wits with the birds and the bees and the fish. He is today separated from Mother Earth and all her works, except the weather. The outlet of curiosity in exploring the streams and the fields is closed to him. The mysteries of the birds and bees and fish are denied to him. He cannot even see all of the sky at one time.

This pavement boy, in fact, has a life of stairs, light switches, alleys, fire escapes, bells, and cobblestones, and a chance to get run over by a truck. Inasmuch as he cannot contend with nature, he is likely to take on contention with a policeman. (Speaking at Chicago, June 6, 1945, about the Boys' Clubs of America, of which he has been the leading spirit.)

GOVERNMENT

It is not consonant with the spirit of institutions of the American people that a demand should be made upon the Public Treasury for the solution of every difficulty. (From a speech in Washington, September 1921.)

There is no disloyalty and no crime in all the category of human weaknesses which compares with the failure of probity in the conduct of public trust. (From a speech dedicating the Warren G. Harding Memorial, Warren, Ohio, June 16, 1931.)

Our Government * * * is founded on a conception that in times of emergency, when forces are running beyond control of individuals or other cooperative action, beyond the control of local communities and of States, then the great reserve powers of the Federal Government shall be brought into action to protect the community. But when these forces have ceased, there must be a return of State, local, and individual responsibility. (From a campaign speech, New York City, Oct. 31, 1932.)

The greatest and, in fact, the only impulse to social progress is the spark of altruism in the individual human being. * * * At best, charity by government must be formal, statistical, and mechanistic. * * * The day when we decide that the Government is our

brother's keeper, that is the day the personal responsibility for our brother has been lost. (Speaking at a fundraising dinner, New York, April 25, 1949.)

Even if security from the cradle to the grave could eliminate the risks of life, it would be a dead hand on the creative spirit of our people. Also, the judgment of the Lord to Adam about sweat has not been repealed. (Speaking at West Branch, Iowa, his birthplace, on August 10, 1954.)

Depressions are not new in human history. All of them are preceded by wars or inflation or booms with sprees of speculative greed. When they are world-wide that makes them worse. No government can legislate away the morning after any more than it can legislate away the effect of a tornado—not even the New Deal. (From a speech at Fort Wayne, Ind., April 4, 1936.)

The American system is a system of regulated business and compulsory competition. * * * If we are to preserve democracy we must make the Government the umpire of business. If the New Dealers would go to a few baseball games they would learn that the umpire cannot play on the team and be an umpire. Bad business practices can be ruled off the field. But who is to umpire if the umpire is to pitch? (Speaking at Philadelphia, Pa., May 14, 1936.)

When I comb over these accounts of the New Deal my sympathy arises for the humble decimal point. His is a pathetic and hectic life, wandering around among regimented ciphers trying to find some of the old places he used to know. (From a speech in St. Louis, December 16, 1935.)

Innate in bureaucracy are three implacable spirits. They are self-perpetuation, expansion of their empires, and demand for more power. Bureaucracy rushes headlong into the visions of the millennium and sends the bill to the Treasury. (At West Branch, Iowa, August 10, 1954.)

INTERNATIONAL AFFAIRS

Both wars proved that we cannot change ideas in the minds of men and races with machineguns or battleships. Our purposes were confused in both wars by crusades with glorious phrases about the personal freedom of man. Ideas in nations are rooted in their racial history, their very mores. * * * The way of life of a people must come from within; it cannot be compelled from without. (Dedicating the William Allen White Memorial, Emporia, Kans., July 11, 1950.)

We are not blind to the need to preserve Western civilization on the continent of Europe or to our cultural and religious ties to it. But the prime obligation of defense of Western Continental Europe rests upon the nations of Europe. The test is whether they have the spiritual force, the will, and acceptance of unity among them by their own volition. America cannot create their spiritual forces; we cannot buy them with money. (From a broadcast from New York City, December 20, 1950, which launched the "Great Debate" on military aid.)

* * * let me say that I am not interested in Red baiting. I have no anxiety that the Communists will pull off a Communist revolution in the United States. That is not what happens. What does happen is that a people get annoyed and indignant over Communist sabotage of national life and poisoning of the wells of liberty. Then in a rage they go Fascist and put the Communists down by cruelty and violence. Or in milder form they go vigilante. Both of these reactions are the defeat of liberty. (From an article in Collier's, April 27, 1940.)

It simply cannot be denied that this swinging of the social pendulum from the tyranny of the extreme right to the tyranny of the extreme left is based upon a foundation of real social grievance. * * * Our people, who enjoy so great liberty and general comfort, cannot fail to sympathize to some degree with these blind gropings for better social conditions.

The Bolshevik has resorted to terror, bloodshed, and murder to a degree long since abandoned even amongst reactionary tyrannies. * * * By enveloping into his doctrines the cry of the helpless and the downtrodden, he has embraced a large degree of emotionalism and has thereby given an impulse to his propaganda comparable only to the impulse of large spiritual movements. This propaganda, however, in my view will stir other populations only in ratio to their proportions of the suffering and ignorant and criminal. (From a memorandum written in Paris March 28, 1919, to Woodrow Wilson in response to the latter's request for an appraisal of the Russian upheaval.)

In appraising the forces in the world, we should not conclude that the United Nations should be abolished. It furnishes a place with electronic equipment where nations may discharge their batteries of the evil things which they think about each other in five languages all at once.

But seriously, this institution has proved of value in pacific settlement of disputes among secondary nations. It has contributed to the spread of scientific knowledge, to philanthropic and public-health measures.

These activities form a tenuous road to more unity of free nations and we should cling to any hope they may provide. (From a speech in Chicago, June 24, 1954.)

THE PRESIDENCY

The Presidency is more than an administrative office. It must be the symbol of American ideals. The high and the lowly must be seen with the same eyes, met in the same spirit. It must be the instrument by which national conscience is livened and it must under the guidance of the Almighty interpret and follow that conscience. (From his speech accepting the Republican nomination for President, August 11, 1928.)

After my election in 1928, he [Calvin Coolidge] undertook to give me some fatherly advice as to how to run the White House. He said: "You have to stand every day 3 or 4 hours of visitors. Nine-tenths of them want something they ought not to have. If you keep dead still they will run down in 3 or 4 minutes. If you even cough or smile they will start up all over again." (Written for his memoirs in the midthirties.)

In the Middle Ages it was the fashion to wear hair shirts to remind one's self of trouble and sin. Many years ago I concluded that a few hair shirts were part of the mental wardrobe of every man. The President differs only from other men in that he has a more extensive wardrobe. (From a speech at a Gridiron Club dinner, Washington, D.C., December 14, 1929, 6 weeks after the stock market crash.)

In a democracy even the President is not immune from rightful criticism. I ought to know something of the theory and practice of that subject. The President is not the spiritual head of the people. He is not sacrosanct like the Mikado. * * * But the first rule of criticism is that it must not take the form of personal detraction and abuse. (From a speech before the National Industrial Conference Board, New York City, May 20, 1942.)

PERSONAL REFLECTIONS

The reflex of religious individualism is necessarily also economic individualism. The Friends have always held strongly to education, thrift, and individual enterprise. In consequence of plain living and hard work poverty has never been their lot. So far as I know, no member has ever been in jail or on public relief. This is largely because they take care of each other. Also it may be because if members evidence failings of loose living, their elders visit them in time to remedy their weaknesses or else expel them from the meeting. (Written for his memoirs about 1915–16.)

The great liability of the engineer compared to men of other professions is that his works are out in the open where all can see them. His acts, step by step, are in hard substance. He cannot bury his mistakes in the grave like the doctors. He cannot argue them into thin air or blame the judges like the lawyers. He cannot, like the architects, cover his failures with trees and vines. He cannot, like the politicians, screen his shortcomings by blaming his opponents and hope that the people will forget. * * *

On the other hand, unlike the doctor, his is not a life among the weak. Unlike the soldier, destruction is not his purpose. Unlike the lawyer, quarrels are not his daily bread. To the engineer falls the job of clothing the bare bones of science with life, comfort, and hope. No doubt as years go by people forget which engineer did it, even if they ever knew. Or some politician puts his name on it. Or they credit it to some promoter who used other people's money with which to finance it. But the engineer himself looks back at the unending stream of goodness which flows from his successes with satisfactions that few professions may know. (Written for his memoirs about 1915–16.)

Mr. JOHNSON of Texas. Mr. President, will the Senator from Illinois yield to me?

Mr. DIRKSEN. I yield.

Mr. JOHNSON of Texas. I should like to observe that yesterday I recorded a brief message expressing what I believe to be the sentiment of all the people of this country, and perhaps all the people of the free world, in wishing to our great former President Hoover a very happy birthday.

I think all of us can be thankful that this man of unusual attainments and rich experience has been spared for so long to give dedicated service throughout the world.

Mr. BRIDGES. Mr. President, yesterday marked the 85th birthday of one of the greatest living Americans, former President of the United States Herbert Hoover, a public servant whose stature grows with each passing year.

I think it is appropriate that we pause for a moment to reflect on the vast achievements of this dedicated American who gave unstintingly of himself during more than half a century of service to this country.

Mr. President, I could stand before this body for considerable length of time, attempting to spell out the accomplishments achieved by Herbert Hoover during his long and distinguished career, but I am sure that the great record of this man is well known by all my colleagues. I ask unanimous consent that two editorials commenting on the life of the ex-President be printed in the body of the RECORD as part of my remarks. The first editorial, entitled "Hail to the Chief," appeared in the August 10 edition of one of New Hampshire's outstanding daily newspapers, the Manchester Union-Leader. The second article, which appeared in the Boston Sunday Globe of August 9, is entitled "Herbert Hoover's Greatest Triumph."

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Manchester Union-Leader, Aug. 10, 1959]

HAIL TO "THE CHIEF"

Today, August 10, "The Chief" is celebrating his 85th birthday. In commemoration

of the occasion, Eugene Lyons, senior editor of the Reader's Digest, has written a 1959 postscript to his 1948 best seller, "Our Unknown Ex-President." Lyons' new book, "The Herbert Hoover Story" (published by Human Events; trade distribution by Devin-Adair, Inc.), is a fitting tribute indeed to the former President, one of the most misunderstood men of this century.

In the person of Herbert Hoover is incorporated all of the qualities that have made this Nation great—personal integrity, kindness of heart, pureness of mind, keen intelligence, and unflagging loyalty to the American way of life. The story of his rise from humble surroundings, his spectacular success in the mining business, his personal crusade for relief to the victims of war and disaster, and his self-sacrificing career of Government service has been told many times, but never more descriptively nor with more feeling than in Lyons' book.

The "hate Hoover" chorus has subsided to a whisper in the years since the great depression, and only the lunatic left still repeats the old lies manufactured by the Michelson mills. America is frankly ashamed at its gullibility in permitting the character and the motives of this dedicated man to be smeared by New Deal and Communist propagandists.

It is safe to say that the American people have many times conveyed their apologies to Mr. Hoover—and he has just as graciously accepted them. Even the most hardened Hoover critics have been forced to acknowledge that history has proven Herbert Hoover to be right in his predictions and expectations. To cite just one example, the entrenched bureaucracy in Washington is precisely what Hoover predicted would occur if relief were taken out of the hands of State and local agencies. However, some order may yet result from this chaos as more and more of the recommendations of the Hoover Commission task forces are implemented.

We highly recommend to our readers Eugene Lyons' tribute to "The Chief" in the hope that by reading "The Herbert Hoover Story" all Americans will come to understand and emulate the qualities of good citizenship which make up the personality of Herbert Hoover.

The source of Hoover's greatness, we believe, is to be found in this excerpt from his April 12, 1930, address before members of the American Red Cross:

"It is, indeed, the spiritual in the individual and the Nation which looks out with keen interest on the well-being of others, forgetful of ourselves, beyond our own preoccupation with our own selfish interests, and gives us a sense of belonging to the great company of mankind, sharing in the great plan of the universe and the definite order which pervades it."

Hail to "The Chief." May his great confidence in the future strength and progress of his country never be dimmed by public indifference toward the principles that have caused this Nation to prosper.

[From the Boston Sunday Globe, Aug. 9, 1959]

HERBERT HOOVER'S GREATEST TRIUMPH—85 YEARS OLD TOMORROW, EX-PRESIDENT HAS WON HEARTS OF MEN NOT ONLY THROUGH SERVICE TO HIS NATION BUT BY RISING ABOVE BITTERNESS

(By Robert F. Bradford, former Governor of Massachusetts)

It is seldom that a man reaches full stature in the eyes of his contemporaries. More often perspective is distorted by events with which he is associated or exaggerated because of legends attaching to his personality.

Thirty years ago, or even 20 years ago, this could be said to be the case with Herbert Hoover.

He had already lived three full lives.

He had been a highly successful mining engineer with an international reputation dating back to his work in China even before the Boxer rebellion. During World War I he became the symbol and administrative genius behind the organization of American relief to refugees, first in Belgium and later throughout Europe. After the United States entered the war he became Food Administrator, and so ably directed that important work that to "hoover" or to "hooverize" in the saving of food became a part of the national vocabulary.

Following World War I Hoover became Secretary of Commerce and applied his great talents to rallying the shaking business structure which was the immediate aftermath of peace.

BLAMED FOR ALL WRONGS

Thirty years ago Mr. Hoover became President of the United States. Up to this point his image in the public mind was that of a benevolent, impersonal, somewhat autocratic man with an awesome reputation for efficiency and getting things done. His very formidable successes in his previous roles set an impossible standard for him as President; it made him seem unapproachable, and it attributed to him the blame for anything anywhere that went wrong.

Then in October 1929 came the stock market crash which cast an inevitable pall over the entire administration of President Hoover.

One of the saddest chapters in American political history is the story of the deliberate, cold-blooded and carefully performed campaign by the Democratic national high command to smear Hoover. The story is told baldly in detail by the principal executioner, hired for the job, Charles Michaelson, in his book "The Ghost Talks."

After the midterm congressional elections of 1930, which returned a Democratic House to Washington, nothing that President Hoover proposed could get through Congress. The reaction on the President, with his dedicated sincerity and his tireless capacity for work, was complete frustration and the Nation wallowed in what the opposition was prompt to label the Hoover depression. Mr. Hoover left the White House a man politically destroyed.

RAN AGAINST HIM FOR 20 YEARS

So complete was the destruction of the political image that for almost 20 years Democratic candidates all over the country were, as someone well said, "running against Hoover" with every hope of success. For the average individual who did not know the man it was impossible through this smoking ruin to evaluate the real Herbert Hoover. Even in political circles it was thought unsafe to be identified with the the name. In the 1936 Republican Convention in Cleveland, Mr. Hoover was permitted to speak—or so the corridor legend goes—only upon the understanding that he would leave the convention immediately after finishing his address. At all events he lived up to the agreement, if it was an agreement, scrupulously and the fears, for they were genuine fears, of a stampede for Hoover among the delegates were allayed.

At the 1940 convention, again steps were taken to avoid the possibility of a "draft Hoover" maneuver. No opportunity was afforded him to address the convention until after the nomination was settled.

SELFLESS, SERENE STATESMANSHIP

If these details seem petty in a life as full and serviceable as that of Mr. Hoover up to the time he left office as President, they are important to emphasize because they underscore the greatest achievement in Mr. Hoover's great career: his ability to rise above personal bitterness, rancor and frustrated hopes of vindication and to achieve a fourth life of selfless and serene statesmanship as a private citizen.

There is a story which is so good one can only hope it is true that during the early stages of this fourth phase of Mr. Hoover's life he was called upon to give an address in Oakland, Calif. One of his close friends who saw an early draft of the speech was bold enough to suggest that Mr. Hoover inject some of his natural humor into the text.

The President strenuously opposed the idea; it was out of character for him and undignified. Nevertheless he went along with the suggestion. Immediately after the address he boarded a train for New York. All the way across the country Mr. Hoover was plunged in gloom. He felt that he had been right in opposing the friend's suggestion and that through his weakness in finally going along with the idea his reputation was forever ruined.

When the train reached New York Mr. Hoover was met by a secretary with telegrams. At the door of his apartment there was a positive avalanche of messages, all highly laudatory. Finally convinced, Mr. Hoover turned smilingly to his staff and said with a twinkle, "You see I knew all along this was what I could do if I tried." In any case it was about this time that a "new" Hoover definitely emerged. That is to say, the real Hoover began to be known for himself.

HE'S WITTY, WARMHEARTED

Another great American, John Quincy Adams, defeated for reelection as President, and with an illustrious record behind him, made his greatest contribution as a simple Member of Congress, dubbed "Old Man Eloquent" by his fellow Congressmen for his unflinching fight against the tyrannical gag rule. So Herbert Hoover, ex-President, may be said to have done most for his country through his example as a private citizen and for his leadership and implementation of the recommendations of the bipartisan Hoover commissions for the reorganization of our National Government.

So as we salute him on his 85th birthday it is possible to say of Herbert Hoover that he has lived to achieve the satisfaction of complete vindication and a permanent place in the affection and admiration of his fellow countrymen. No one who was present at the Republican Convention of 1952 and 1956 could have failed to note in his memory that the highlight of both conventions was the spontaneous and overwhelming welcome extended to Mr. Hoover during his entire visit to the platform and the reception of his remarks which were those of a wise, witty, warmhearted, and happy man.

The clouds have lifted from the mountain. What emerges in the clear light of the afternoon sun is the peak, calm, serene, and magnificent. That is the Herbert Hoover every American hails today.

SENATOR DODD AND THE UNIT RULE

Mr. DOUGLAS. Mr. President, the Senator from Connecticut [Mr. DODD] recently wrote a guest editorial for the Meriden (Conn.) Journal in which he opposed the "unit" rule for State delegations at our national party conventions. As he quite rightly points out, under the "unit" rule all the members of a State delegation are bound to cast their ballots for that candidate who has the support of the majority of the delegation.

When this practice is coupled with the fact that some 33 States have no presidential primary, it can be seen that the opportunity for the people of this country to play an effective role in the selection of the presidential candidates of the

two major parties is thereby greatly limited.

The Senator from Connecticut [Mr. DODD] quite rightly criticizes this system which goes a long way to deny effective representation of the people in our States at the national conventions and which enhances the power of a few party leaders who may thereby be in a position to select the party candidate notwithstanding the choice of the people of our country.

I ask unanimous consent that this very able guest editorial, which deserves wide notice, be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Meriden (Conn.) Journal, Aug. 5, 1959]

(Guest Editorial by Senator THOMAS J. DODD)

The most significant single function in self-government for the average American citizen is voting for the President of the United States.

There are generally a number of leaders in both parties, representing varying philosophies of government, who have considerable public support for the Presidency. Yet, in the 33 States of the Union that have no presidential primary, the voters' role is limited to a choice between the two men who emerge from the Democratic and Republican Conventions, two men whom the voters have had no real voice in selecting.

In theory, these rank and file party members are represented by delegates to a national convention who reflect their views. If these delegates were representative party leaders who were free to voice their personal choice, there is a reasonable chance that the voters might receive a fair measure of representation.

But whatever likelihood there might be that a nonelected convention delegation could faithfully represent hundreds of thousands of party members is nullified by the widespread use of a device known as the unit rule.

Under the unit rule, 51 percent of a delegation has all the voice and power of the entire delegation. For instance, if a State has 21 delegates and 11 favor candidate A while 10 favor candidate B, all 21 delegates must vote for candidate A under the unit rule.

Usually reliable public opinion polls have consistently indicated over the past year that no prospective candidate for the Democratic presidential nomination is presently favored by more than one-fourth of the Nation's Democrats. Assuming a given State is roughly representative of the Nation, this means that a delegation which casts its entire vote for one candidate will be ignoring the wishes of about 75 percent of that State's Democrats.

The reasons most commonly advanced in favor of the unit rule are: (1) It enhances the importance of a delegation. (2) It strengthens the political position of the State's leaders if they can deliver a solid delegation. (3) Unless a delegation can be unanimously voted in a block its influence is vastly reduced and it cannot hope to make any decisive impact upon the outcome.

My answer to this reasoning is simple.

The function of a delegation is not to enhance its own importance, not to have bargaining power, not to strengthen the political position of State party leaders, not even to wield a decisive impact upon the convention outcome.

The function of a delegation is to represent the people back home.

If the people back home are divided, the delegation should reflect that division. If there is strong support for two or three candidates, the delegation should reflect that support.

The so-called advantages of the unit rule are illusory. But the disadvantages are concrete and real.

The unit rule encourages "boss rule." It stifles independent thinking and thereby poisons the entire political process. It makes a mockery of the function of the individual delegate. It prevents the national convention from effectively mirroring public opinion.

It is a practical fact that political leaders who control the machinery and patronage of a party can normally control at least 51 percent of a convention or a delegation. The unit rule, by silencing the minority, turns this bare majority into effective 100 percent control.

In the absence of the unit rule, there would normally be independent political leaders in various parts of each State who would contest the official party leadership if they could hope to win even a few delegates for the candidate of their choice. This would enliven public discussion and enhance public interest in the nomination, thereby increasing the chance for a truly representative delegation. But since any minority representation is disenfranchised by the unit rule, the votes so difficultly won would not even be counted at the national convention. Therefore the fight is not made, the public controversy and discussion are not aroused, and the delegate contest becomes apathetic.

The individual delegate who by right is a representative of the people with an important task and a sacred trust, becomes merely a voiceless pawn who is herded onto the convention floor to play a meaningless role in a process that from beginning to end has had little to do with democracy.

Connecticut is one of those States that has no presidential preference primary and that habitually operates under the unit rule at Democratic national conventions. In 1955 the Connecticut Legislature, in response to widespread demand, enacted our State's first primary law. Among the many wise provisions of this bill was one doing away with the unit rule at State conventions.

No longer could a city or town be voted in a block. Each delegate was called upon to publicly declare his choice. That primary law transformed the political scene in Connecticut. Every convention delegate became important. Every vote counted. As a result, there was more public participation in the struggle for strongly contested nominations than in any previous convention year in my memory.

Unfortunately, the selection of delegates to national conventions was not included in the provisions of the primary law. Thus, the people of Connecticut will have no opportunity to vote for their preference among the dozen or so prominent candidates for presidential nominations. And the evils inherent in the unit rule remain.

Those who worked for the State primary law should continue the fight for a presidential preference primary and for the abolition of the unit rule, a fight in behalf of a more representative and democratic method of selecting presidential candidates.

In the meantime, our Republican and Democratic conventions in this State should oppose the imposition of a unit rule upon their delegations to national conventions. There should be no double standard. Having protected minority rights in our own State conventions, it would be hypocrisy to deny those rights to our delegates to national conventions.

THE ORDEAL OF SERGEANT BUCK

Mr. DOUGLAS. Mr. President, several days ago the Senator from South Dakota [Mr. MUNDT], the Senator from Montana [Mr. MANSFIELD], the Senator from Florida [Mr. SMATHERS], and I sent a letter to the President of the United States in support of the petition for pardon, on grounds of innocence, and restoration to service for the former marine M. Sgt. Carl H. Buck.

In our letter and the accompanying materials we noted that there were gross conflicts in the testimony at Buck's court martial concerning his identity; and that for Buck to have been the person who committed the crime for which he was charged and convicted, he would have had to drive 22 miles in a driving rain, at high noon, through five towns, most of them with stop lights, and have disposed of the stolen goods, shaved, and changed his uniform, all in some 21 minutes. Furthermore, we pointed out that a person engaged in such a wild chase would not have calmly parked his car in front of a California State Police car and casually got out to fix a rear license plate which was dangling loose, as did Sergeant Buck at the time he was apprehended.

Because of the facts of the case and the proof of the short time which had elapsed between the commission of the crime and the time when Sergeant Buck was apprehended, which can now be shown from the police radio logs, we believe that Sergeant Buck is innocent of the crime with which he was charged, and that, in fact, it was impossible for him to have been the person involved. In addition to these facts, Sergeant Buck has protested his innocence for 7 years, and he has taken a lie detector test, which he passed with flying colors.

Because of these and numerous other facts, we asked that a full-scale investigation into the facts and surroundings of the case be carried out by competent investigators from the Justice Department and the FBI.

We have now received a reply from the White House, which states in part that our analysis and recommendations will be most carefully considered "in the full and complete examination of this case that will be undertaken in response to the petition filed on Master Sergeant Buck's behalf."

Mr. President, that is good news, indeed. We are confident that such a full-scale investigation, coupled with the specific evidence we now have of the impossibility of Sergeant Buck having been the person involved, will result in a finding that an injustice has occurred in this case.

I ask unanimous consent that a copy of the letter to me from the White House be printed in the RECORD at this point in my remarks.

I also ask unanimous consent that an excellent editorial, entitled "Rare and Compelling Case," from the Washington News for Saturday, August 8, also be printed in the RECORD.

There being no objection, the letter and editorial were ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE, *August 5, 1959.*

HON. PAUL H. DOUGLAS,
U.S. Senate, Washington, D.C.

DEAR SENATOR DOUGLAS: This will acknowledge, on behalf of the President, receipt of the letter signed by you, Senator MUNDT,

Senator SMATHERS, and Senator MANSFIELD, of July 31, relative to the petition for pardon and restoration to service for M. Sgt. Carl H. Buck.

We can assure you that your analysis and recommendations, which will be made a part of the file, will be most carefully considered in the full and complete examination of this case that will be undertaken in response to the petition filed on Master Sergeant Buck's behalf.

We deeply appreciate your interest in seeing that justice is done in this case.

With best personal regards.

Sincerely,

DAVID W. KENDALL.

[From the Washington News, Aug. 8, 1959]

RARE AND COMPELLING CASE

Four U.S. Senators have taken the unusual action of personally petitioning President Eisenhower to clear—and restore to duty—a Marine sergeant convicted by a military court 7 years ago of stealing three cases of sergeant's chevrons.

The sergeant served 11 months in the brig and was given a bad conduct discharge.

He is Carl H. Buck, now a baker in Seattle, Wash., and the Senators are PAUL DOUGLAS, of Illinois; MIKE MANSFIELD, of Montana; KARL MUNDT, of South Dakota; and GEORGE SMATHERS, of Florida—all but Senator MUNDT are former marines.

"From our study we are fully convinced," say the Senators, "that Sergeant Buck's is one of those rare and compelling cases where a man has been unjustly convicted for a crime committed by another."

On the face of the record, as we have read it, the Senators are correct. Much of the evidence is flimsily circumstantial. The testimony is cloudy and contradictory. Incidents in the case are, at the least, suspiciously peculiar—such as Sergeant Buck's own lawyer being called as a prosecution witness, and giving irrevelant testimony without cross-examination.

Sergeant Buck once was cleared by a review board, then retried. Since his release, the Naval Board of Corrections has changed his "bad conduct" discharge to a general discharge under honorable conditions—strongly suggesting doubt as to the verdict.

The whole case smacks of ineptness and confusion. Whatever the eventual decision, a thorough inquiry by professional investigators—such as the White House has promised—plainly is in order. In these days when the courts seem striving so hard to assure the constitutional rights of those proved guilty, surely there is room for an honest, impartial review in the case of a veteran marine believed innocent by so many notable and fairminded men.

DEFENSE DEPARTMENT HAS ESTABLISHED EXCESSIVE NUMBER OF COMMISSARY STORES WITHIN CONTINENTAL LIMITS OF THE UNITED STATES

Mr. DOUGLAS. Mr. President, I ask unanimous consent that I may be permitted to proceed for 5 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. DOUGLAS. Mr. President, for some time I have been concerned with military fat and waste and have urged that the Defense Department do all in its power to cut back on unnecessary frills in order that we may strengthen the combat forces of the Army, Navy, Air Force, and Marine Corps. We have shown that the Air Force has been spending millions of dollars in transporting—free of charge—influential citizens who are well able to pay, to Air Force demonstrations. We know that the Defense Department is going to have something like $60 billion in surplus items in the next 3 to 4 years. Congressman KOWALSKI has pointed out how excessive numbers of military personnel are being used as servants for high-ranking officers to drive limousines, and to act as gardeners, and in other capacities which waste the muscle and fighting strength of our troops. About a full combat division is being lost by this misuse of military personnel.

WASTE IN EXCESSIVE NUMBER OF COMMISSARY STORES

There is still another practice which is grossly overdone. This is the establishment of commissary stores at various military installations within the continental limits of the United States.

Under the law and regulations, commissary stores within the continental limits of the United States may be established when it is certified by the Secretary of the Service that there are no adequate commercial facilities which are conveniently available to the post and which sell at reasonable prices.

As I understand it, this practice began in the old days, when Army posts were isolated on the frontier and were necessary as a protection against Indians. But the practice has grown so much that it is no longer a harmless archaicism, such as the snuffbox in the Senate.

There are, in fact, no less than 269 commissary stores or exchange grocery sections authorized for operations in the calendar year of 1959 within the continental limits of the United States; 73 of them were run by the Army, 51 by the Navy, 11 by the Marine Corps, and 134 by the Air Force. I ask unanimous consent that a list of the locations of these stores be printed at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. DOUGLAS. Mr. President, the following comments about these stores seem appropriate.

COMMERCIAL FACILITIES AVAILABLE

First. A very great number of them appear to have been certified at posts where adequate commercial facilities are conveniently available. Certainly such is the case at Fort Myer, Va., where there are commercially owned supermarkets just outside the gate. Such would also appear to be the case with respect to Fort Belvoir, Va.; Fort Meade, Md.; Fort McNair in the District; Fort Sheridan, Ill.; and Walter Reed Army Medical Center in the District, to cite only a very few examples.

If one goes through the list which I have attached of the 269 commissary stores, it will be readily seen that the provision of the law which states that these stores shall be established only when there are no adequate commercial facilities which are conveniently available has not only been most liberally interpreted, but has, in fact, been grossly violated.

In addition to this, it will be seen from the table provided to me by the Defense Department, and which I have attached at the end of my remarks, that of the 914,247 permit holders—those who may buy from these stores—only 169,730, or 18.5 percent, are individuals who live on the post or base where the store is located. The remaining 744,517, or 81.5 percent, live off the post or base. From personal knowledge, I know of individuals who have a permit at Fort Myer, for example, who live as far as 8 to 10 miles from Fort Myer and have access to literally dozens of stores which are closer to them than the Fort Myer commissary. This indicates that a farce has been made of the law and the intent of the law, which was to provide commissary stores where adequate commercial facilities were not available to the personnel.

I may say that I subscribe to the original intention of the law, and I do not oppose the stores where they are genuinely needed.

WASTE OF MILITARY PERSONNEL

Second. Perhaps the major and worst effect of this practice is that in fiscal year 1958, of the 8,851 employees of these commissary stores, some 4,978—or almost 5,000—were military personnel. Of the $35,182,996 which was paid in salaries or pay and allowances for those who were employed, some $17,263,580 was paid from the budget to the military personnel who worked in these stores. Thus, the average salary of the military personnel who worked in the 269 commissary stores which the military forces now operate was $3,468. This is from the taxpayers.

At the very time when the President is unwilling to keep the Marine Corps at 200,000 men and the Army at 900,000 men, so that we may have an adequate combat force to fight brush fire wars, almost 5,000 military personnel are acting as grocery store clerks in the farflung system of commissary stores now operated within the continental limits of the United States.

This is yet another example of inefficient and uneconomic use of our military personnel which, in my opinion, are already inadequate in both their numbers and in their combat readiness. Certainly the intent of our draft laws and the provisions for recruitment of individuals for our Armed Forces is not that they should spend their time as grocery clerks. We are losing the equivalent of two full combat regiments by having enlisted personnel sell bread, meat, and canned goods.

UNNEEDED SUBSIDY—COMPETITION WITH PRIVATE ENTERPRISE

Third. This is perhaps the most glaring example of an area where the Government competes quite unnecessarily with private enterprise. I am not one who believes that the Government should abandon all of its many activities, but I see no reason why the Defense Department should be in the grocery business when in many cases that is unnecessary. From the table provided to me, it will be seen that these 269 stores did a business in the total amount of $366,659,000 in fiscal year 1958, and that the sales for March of 1959 were $38.5 million. This

indicates that sales for fiscal year 1959 will be in the magnitude of $400 million. This, of course, does not include PX stores, which are quite another matter and about which I am not speaking.

This is a huge enterprise. It is an enterprise much of which is unnecessary. Further, it represents a subsidy to military personnel within the continental limits of the United States of an amount in the neighborhood of $45 to $50 million per year. And this subsidy does not go to the men in the ranks, who ordinarily eat in the mess halls, but in large part to those of higher rank who live off the base. I arrive at this amount from the fact that the markup in commissary stores is 3 percent, whereas the normal commercial markup in grocery and allied stores is from 15 to 20 percent. If we take the lower figure for the commercial markup, 15 percent, it is seen that the subsidy is at least 12 percent—which would amount to $48 million per year—and if we take the larger amount for the commercial markup, 20 percent, the subsidy would be 17 percent, or $68 million per year.

It will be seen from the attached table that the pay and allowances of the 8,851 persons who worked in these stores in fiscal year 1958 was $35.1 million, or 9.6 percent of the total sales. Obviously this is a subsidy. This cost alone is 6.6 percent greater than the 3-percent surcharge or markup. The law and regulations require that no appropriated funds shall be used for the purchase and maintenance of operating equipment and supplies and for the actual or estimated cost of utilities, spoilage, and so forth. However, the 3 percent markup, in my opinion, would not be adequate to cover these costs. Thus, the subsidy is in the neighborhood of 15 to 20 percent gross and 12 to 17 percent net when the 3-percent commissary store markup is deducted from the ordinary commercial markup.

I am one who believes that our Armed Forces should receive adequate pay and allowances. However, I believe that this should be done through the pay system. If they are inadequately paid and do not receive enough to compensate them for their food and rent, and so forth, then we should have a recommendation from the Defense Department to raise the pay and allowances of the members of our Armed Forces. However, I think it is improper to do this by means of a subsidy on food to a limited group of service personnel, most of whom live off the base, through the commissary store system when, in fact, there are adequate commercial facilities available. If local merchants gang up on military personnel by overcharging, the threat of starting a commissary is generally sufficient. But it should not be used more than is necessary.

I am a friend of TVA and of the great power dams of the Northwest. But let me make it clear that I do not believe in the socialization of grocery stores—and military socialism is still socialism.

SUMMARY

Consequently, Mr. President, here is a place where great savings could be made. These savings could be made without any change in the law, but merely by carrying out the spirit and intention and the language of the existing law.

Such a change would have the effect of using our limited military personnel in a more useful way, namely, to support the combat efficiency of our forces rather than to serve as grocery clerks.

It would have the further desirable effect of cutting down on the overhead in pay, buildings, and facilities which are now provided for commissary stores. In addition, it would in part get the Government out of one area of activity where it does not and need not belong.

Let me emphasize once more that I am seeking to strengthen—not weaken—our fighting forces. We are in a tough struggle with the Communist forces and we cannot waste men and money as lavishly as we are doing. We must trim off the fat and build up the muscle. This will be painful to many, but it is the only road to greater national strength and security.

I also ask unanimous consent that a table, "Data on Service Commissaries," be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

ARMY COMMISSARY STORES

[Authorized for operation, calendar year 1959]

(Total, 73)

Installation: Aberdeen Proving Ground, Md.; Army Chemical Center, Md.; Atlanta General Depot, Ga., Bay Area Army Terminal Calif.; Cameron Station, Va.; Camp Hanford, Wash.; Camp Irwin, Calif.; Camp Leroy Johnson, La.; Camp Wolters, Tex.; Carlisle Barracks, Pa.; Dugway Proving Ground, Utah; Fitzsimons Army Hospital, Colo.; Fort Belvoir, Va.; Fort Benjamin Harrison, Ind.; Fort Benning, Ga.; Fort Bliss, Tex.; Fort Bragg, N.C.; Fort Campbell, Ky.; Fort Carson, Colo.; Fort Chaffee, Ark.; Fort Devens, Mass.; Fort Dix, N.J.; Fort Eustis, Va.; Fort George G. Meade, Md.; Fort Gordon, Ga.; Fort Hamilton, N.Y.; Fort Holabird, Md.; Fort Hood, Tex.; Fort Huachuca, Ariz.; Fort Jackson, S.C.; Fort Jay, N.Y.; Fort Knox, Ky.; Fort Lawton, Wash.; Fort Leavenworth, Kans.; Fort Lee, Va.; Fort Leonard Wood, Mo.; Fort Lesley J. McNair, D.C.; Fort Lewis, Wash.; Fort MacArthur, Calif.; Fort McClellan, Ala.; Fort McPherson, Ga.; Fort Monmouth, N.J.; Fort Monroe, Va.; Fort Myer, Va.; Fort Niagara, N.Y.; Fort Ord, Calif.; Fort Polk, La.; Fort Riley, Kans.; Fort Ritchie, Md.; Fort Rucker, Ala.; Fort Sam Houston, Tex.; Fort Sheridan, Ill.; Fort Sill, Okla.; Fort Slocum, N.Y.; Fort Stewart, Ga.; Fort Story, Va.; Fort Totten, N.Y.; Fort Wadsworth, N.Y.; Navajo Ordnance Depot, Ariz.; New Cumberland General Depot, Pa.; Presidio of San Francisco, Calif.; Redstone Arsenal, Ala.; Sandia Base, N. Mex.; Schenectady General Depot, N.Y.; Seneca Ordnance Depot, N.Y.; Tobyhanna Signal Depot, Pa.; U.S. Military Academy, N.Y.; Valley Forge Army Hospital, Pa.; Vint Hill Farms Station, Va.; Walter Reed Army Medical Center, D.C.; White Sands Proving Ground, N. Mex.; Yuma Test Station, Ariz.; Richmond Quartermaster Depot.

NAVY COMMISSARY STORES

[Authorized for operation calendar year 1959]

(Total, 51)

Installation: Naval Air Station, Quonset Point, R.I.; Naval Station, Newport, R.I.; Naval Submarine Base, New London, Conn.; Naval Base, Philadelphia, Pa.; Naval Air Station, Lakehurst, N.J.; Naval Amphibious Base, Little Creek, Va.; Naval Air Station, Chincoteague, Va.; Naval Air Station, Oceana, Va.; Naval Training Center, Bainbridge, Md.; Naval Station, Norfolk, Va.; Norfolk Naval Shipyard, Portsmouth, Va.; Naval Schools Mine Warfare, Yorktown, Va.; Naval Station, Key West, Fla.; Naval Air Station, Jacksonville, Fla.; Naval Air Station, Pensacola, Fla.; Naval Auxiliary Air Station, Whiting Field, Fla.; Naval Air Station, Cecil Field, Fla.; Naval Base, Charleston, S.C.; Naval Training Center, Great Lakes, Ill.; Naval Ammunition Depot, Crane, Ind.; Naval Station, San Diego, Calif.; Naval Air Station, N. Island, San Diego, Calif.; Naval Construction Battalion Center, Port Hueneme, Calif.; Naval Ordnance Test Station, China Lake, Calif.; Naval Shipyard, San Francisco, Calif.; Stockton Annex, NSC Oakton, Calif.; Naval Auxiliary Air Station, El Centro, Calif.; Naval Station, Green Cove Springs, Fla.; Naval Air Station, Brunswick, Maine; Naval Auxiliary Air Station, Mayport, Fla.; Naval Air Station, Memphis, Tenn.; Naval Air Station, Moffett Field, Calif.; Naval Air Station, Alameda, Calif.; Naval Station, Tongue Point, Oregon; Naval Air Station, Whidbey Island, Oak Harbor, Wash.; Naval Station, Annapolis, Md.; Naval Air Station, Patuxent River, Md.; Mare Island Naval Shipyard, Vallejo, Calif.; Naval Auxiliary Air Station, Kingsville, Tex.; Naval Auxiliary Air Station, Chase Field, Tex.; Naval Auxiliary Air Station, Fallon, Nev.; Naval Air Station, Miramar, Calif.; Naval Station, Treasure Island, San Francisco, Calif.; Naval Facility, Cape Hatteras, N.C.; Naval Proving Ground, Dahlgren, Va.; Naval Air Station, Glynco, Brunswick, Ga.; Naval Station, Long Beach, Calif.; Naval Station, New Orleans, La.; Naval Air Station, Corpus Christi, Tex.; Naval Radio and Research Station, Sugar Grove, W. Va.; Naval Radio Station, Cutler, Maine.

MARINE CORPS COMMISSARY STORES

[Authorized for operation calendar year 1959]

(Total, 8)

Installation: Marine Corps School, Quantico, Va.; Marine Corps Recruit Depot, Parris Island, S.C.; Marine Corps Air Station, Cherry Point, N.C.; Marine Corps Base, Camp Lejeune, N.C.; Marine Corps Base, Camp Pendleton, Calif.; Marine Corps Supply Center, Barstow, Calif.; Marine Corps Training Center, Twentynine Palms, Calif.; Marine Corps Air Station, El Toro, Calif.

MARINE CORPS EXCHANGE GROCERY SECTIONS

[Authorized for operation calendar year 1959]

(Total, 3)

Installation: Grocery Section, Marine Corps Exchange, Marine Corps Auxiliary Air Station, Beaufort, S.C.; Grocery Section, Marine Corps Exchange Naval Ammunition Depot, Hawthorne, Nev.; Grocery Section, Marine Corps Exchange, Marine Corps Supply Center, Albany, Ga.

AIR FORCE COMMISSARY STORES

[Authorized for operation, calendar year 1959]

(Total, 134)

Installation: Altus, Okla.; Amarillo, Tex.; Andrews, Washington, D.C.; Ardmore, Okla.; Barksdale, La.; Beale, Calif.; Bergstrom, Tex.; Bibbs, Tex.; Blythesville, Ark.; Bolling, Washington, D.C.; Brookley, Ala.; Bunker Hill, Ind.; Cannon, N. Mex.; Carswell, Tex.; Castle, Calif.; Chanute, Ill.; Charleston, S.C.; Chennault, La.; Clinton Sherman, Okla.; Columbus, Miss.; Craig, Ala.; Davis-Monthan, Ariz.; Donaldson, S.C.; Dover, Del.; Dow, Maine; Duluth Municipal Airport, Minn.; Dyess, Tex.; Edwards, Calif.; Eglin, Fla.; Ellington, Tex.; Ellsworth, S. Dak.; England, La.; Ent, Colo.; Little Rock, Ark.; Lockbourne,

Ohio; Loring, Maine; Lowry, Colo.; Syracuse, N.Y.; Custer Air Force Station, Battle Creek, Mich.; Luke, Ariz.; MacDill, Fla.; Malmstrom, Mont.; March, Calif.; Mather, Calif.; Maxwell, Ala.; McChord, Wash.; McClellan, Calif.; McConnell, Kans.; McCoy, Fla.; McGuire, N.J.; Minot, N. Dak.; Mitchel, N.Y.; Moody, Ga.; Mountain Home, Idaho; Myrtle Beach, S.C.; Nellis, Nev.; Niagara Falls, N.Y.; Norton, Calif.; Offutt, Nebr.; Orlando, Fla.; Otis, Mass.; Oxnard, Calif.; Paine, Wash.; Palm Beach, Fla.; Patrick, Fla.; Pease, N.H.; Perrin, Tex.; Ethan Allen, Vt.; Fairchild, Wash.; Forbes, Kans.; Francis E. Warren, Wyo.; George, Calif.; Gila Bend, Ariz.; Glasgow, Mont.; Goodfellow, Tex.; Grand Forks, N. Dak.; Greenville, Miss.; Griffiss, N.Y.; Gunter, Ala.; Hamilton, Calif.; Harlingen, Tex.; Hill, Utah; Holloman, N. Mex.; Homestead, Fla.; Hunter, Ga.; Hurlburt, Fla.; Indian Springs, Nev.; James Connally, Tex.; Keesler, Miss.; Kelly, Tex.; Kingsley, Oreg.; Kinross, Mich.; Kirtland, N. Mex.; Lackland, Tex.; Langley, Va.; Laredo, Tex.; Larson, Wash.; Laughlin, Tex.; Laurence G. Hanscom, Mass.; Lincoln, Nebr.; Plattsburg, N.Y.; Portland International Airport, Oreg.; Presque Isle, Maine; Randolph, Tex.; Reese, Tex.; Richards-Gebaur, Mo.; Robins, Ga.; Schilling, Kans.; Scott, Ill.; Selfridge, Mich.; Sewart, Tenn.; Seymour-Johnson, N.C.; Shaw, S.C.; Sheppard, Tex.; Sioux City, Iowa; Stead, Nev.; Stewart, N.Y.; Suffolk County, N.Y.; Tinker, Okla.; Travis, Calif.; Truax, Wis.; Turner, Ga.; Tyndall, Fla.; United States Air Force Academy, Colo.; Vance, Okla.; Vandenberg, Calif.; Walker, N. Mex.; Webb, Tex.; Westover, Mass.; Whiteman, Mo.; Williams, Ariz.; Wright-Patterson, Ohio; Wurtsmith, Mich.; Youngstown Municipal Airport, Ohio.

EXHIBIT 2

Data on service commissaries

	Distribution				
	Total	Army	Air Force	Navy	Marine
Total number of permitholders	914,247	315,676	361,471	188,000	49,100
Living on the post	169,730	57,248	64,882	31,000	16,600
Living off the post	744,517	258,428	296,589	157,000	32,500
Total sales, fiscal year 1958	$366,659,000	$132,560,000	$147,239,000	$70,000,000	$16,860,000
Total sales, March 1959	$38,566,333	$13,424,333	$16,181,000	$7,275,000	$1,686,000
Store, office, and storage area (square feet)	4,812,033	1,899,490	1,972,734	754,300	185,509
Number of employees	8,851	2,564	3,796	2,010	481
Military	4,978	662	2,377	1,729	210
Civilian	3,873	1,902	1,419	281	271
Annual salaries and/or pay and allowances	$35,182,996	$13,193,996	$12,049,000	$8,258,000	$1,682,000
Military	17,263,580	3,364,580	6,418,000	6,900,000	581,000
Civilian	17,919,416	9,829,416	5,631,000	1,358,000	1,101,000

PROPOSED VISIT OF PREMIER KHRUSHCHEV

Mr. BUSH. Mr. President, last week Secretary of Defense Neil H. McElroy expressed the hope that Nikita Khrushchev, the Soviet Premier, would change his mind about refusing to see military installations in this country.

Mr. McElroy said he would like to show Mr. Khrushchev a Strategic Air Command base, or even the underground headquarters of SAC at Omaha, Nebr.—although not all of the headquarters.

The Secretary of Defense explained his reasons to a news conference, saying:

There are those of us with positions of responsibility in this country who have more concern about war beginning through a miscalculation than of any other factor.

It would be constructive if he could learn at first hand that the military strength opposing him is sizable, effective, and competent to carry out its mission.

Mr. President, I share the views expressed by the Secretary of Defense. In an article which appeared in the July 1959 issue of Reader's Digest, entitled "To Preserve Peace Let's Show the Russians How Strong We Are" I suggested that the Soviet high command be invited to the United States for a conducted tour of our military might, and summarized what they might see if such a tour were arranged.

I wrote:

What we could show is nothing more or less than the greatest military might ever assembled in the history of the world. If the Soviet high command could see what we have, they should be of our mind—that for them to start war today would be an act of insanity.

I hope Nikita Khrushchev will reconsider and will accept Mr. McElroy's invitation to obtain firsthand knowledge of the military capability of this country. Should he change his mind, I hope he will be shown, not only our capability to retaliate in the event of all-out war, but our ability to counter aggression in limited war situations. Nothing could more serve the cause of peace, because it is my conviction that the greatest danger of war lies in a miscalculation of our strength by Khrushchev and the Soviet high command.

Mr. President, I ask unanimous consent that the article to which I have referred may be printed in the RECORD following these remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TO PRESERVE PEACE LET'S SHOW THE RUSSIANS HOW STRONG WE ARE

(By Hon. PRESCOTT BUSH, U.S. Senator from Connecticut; member of the Senate Armed Services Committee)

Man's greatest danger, it is said, is ignorance. In a very real sense, the Soviet Union's ignorance of our military strength may be the source of her gravest peril—and ours. Kaiser Wilhelm started World War I because he miscalculated allied power. Hitler, mistakenly thinking he could blitz the world, launched World War II. Khrushchev today lacks firsthand knowledge of our country; he may be given what others think he would like to hear—rather than an objective report on our actual military strength. Although it seems impossible that any sane person could start a war, we would be wise to take no chances.

Why not invite the Soviet high command to the United States for a conducted tour of our military might? We are bringing Russians to see our farms and factories, our scientific laboratories and research centers; we exchange dancers and musicians. Why not have their military leaders over for the most beneficial look of all? Our expressed policy, the aim and purpose of our entire defense system, is to deter the Kremlin from starting a war. What better way to deter than to show?

What we could show is nothing more nor less than the greatest military might ever assembled in the history of the world. If the Soviet high command could see what we have, they should be of our mind—that for them to start war today would be an act of insanity.

We could start in a Pentagon briefing room. There, with maps, globes, films and sound-projection equipment to help illustrate our points, we could give them a good hard look at the distribution of American power. Then we could fly the group to Mountain Home Air Force Base in Idaho, where bombers of the Strategic Air Command are on 24-hour alert, many ready to take off within 15 minuates. We would see an awe-inspiring line of B-47's, any one of which can, in a single mission, deliver explosive power equivalent to that of all the bombs dropped by all sides in World War II. We could invite the commander of the Soviet air force to ride in one of these planes, and see it refueled in the air, thus quietly demonstrating that, while most Soviet bombers would have to fly one-way missions, ours can strike any target in the world and return nonstop.

Then we could give our guests a ride in the new B-52's which, for many long-range missions, require no refueling at all. Tremendous flexible wings hold thousands of gallons of fuel for eight jet engines that carry the plane at nearly the speed of sound—to any target in the world. The crew could seek out a target no bigger than a water tower and "hit" it on the nose.

The sobering fact, already familiar to the Russians, is that bases for SAC use now practically circle the Northern Hemisphere. They are on the alert in many places, including Japan, Okinawa, Guam, the United States, Canada, Alaska, Greenland, England, Spain and North Africa, forming a trap with many triggers. An attack against any one of these bases would touch off the massed might of the others to destroy the war-making capacity of any nation attempting all-out aggression upon this country or the rest of the free world.

The demonstration at SAC should effectively dismiss from Soviet minds any speculation about the possibility of their gaining an advantage from all-out war anytime soon. But we must face the fact that in a few years the Russians may be able to zero in our SAC bases with ballistic missiles. To drive this temptation out of their minds, we could show them other deterrents.

First, we could take a ride in one of our atomic-powered submarines. These can slither at startling speeds clear around the world without surfacing. The Soviet naval experts could observe the *Nautilus'* sonar pick up the sound of destroyers many miles distant, while her own turbines are detectable for only a few thousand yards. We'd show them that hunting these submarines to destroy them before they attack is like looking for a needle in a haystack; repeatedly in maneuvers they elude aircraft and, though submerged, outrun surface ships.

Then we could show our guests the U.S.S. *Observation Island*, a freighter which the Navy has converted into a testing ground for Polaris, the new atomic-armed ballistic

missile fired from under water. Before the Soviet Union can have dependable intercontinental missiles in quantity, we will have Polaris ready. It meets virtually every test for the perfect deterrent; it is designed to reach almost any target in the Communist area, is highly immune to all forms of enemy attack, including ballistic missiles. No power on earth can prevent our nuclear subs from ringing Russia with a silent and deadly deterrent force.

Thus, it should be obvious, as Gen. Nathan F. Twining, Chairman of the Joint Chiefs of Staff, has made clear, that with SAC we are strong enough now to deter an all-out attack, and that our deterrent power will be strengthened by the addition of Polaris in the near future.

While convincing our visitors of the insanity of all-out war, we could also show them the futility of starting limited war. To do this, we could usher them into twin-jet attack bombers, fly them off the Florida coast to the aircraft carrier *Independence*. They would land right on the deck, coming from 135 miles an hour to a full stop in 3 or 4 seconds. Such a carrier, of course, is escorted by the destroyers, cruisers, and submarines of its task force. Few persons who have never actually set foot on one of these traveling armored cities have any conception of their versatility, striking power, and mobility.

We would explain that the mission of our 14 carriers is to destroy targets from which an enemy can launch weapons dangerous to our Navy—such as submarine bases and airfields. Also, at the beginning of a nuclear war, they would help SAC pulverize other military targets. Four carriers in the Atlantic, 8 in the Pacific, and 2 in the Mediterranean, equipped with planes able to fly atomic bombs 1,500 miles, can reach virtually any target.

Then we could demonstrate for the Soviet military leaders how our amphibious forces operate. In a mock exercise of rushing assistance to a third country under sudden attack, we would send out groups of marines, delivered by helicopter and dispersed over a wide area, and followed up by more marines making beach landings. One Soviet observer could land with them and be with the forward troops. He would see how this global marine force uses close air support from carriers instead of artillery; the rocket-powered Bull Pup, a tactical missile that can be steered to hit precisely on enemy bunkers; and dozens of other ultramodern techniques. Other observers on board ship would see how fast a carrier launches its striking power. Attack planes, more than half a hundred of them, catapult across the deck, one every few seconds, far faster than planes take off from land.

At the same time the Soviet experts would see some of the most deadly vehicles ever invented—for instance, fighter planes with air-to-air missiles. One of these missiles, called the Sidewinder, is attracted by heat; fired toward a jet plane, it is drawn as if by a magnet right up the fiery tail, where it explodes. Another, the Sparrow III, homes on the reflected signal picked up by radar, traveling as directly as if along a searchlight beam. We would have drone jets shot toward us from other ships and turn such swift and deadly weapons loose on them. One defending plane, equipped with air-to-air missiles, can outperform a squadron of World War II fighters.

After a day spent on the *Independence*, and with the Marines ashore, and after a similar look at our ground forces in action, it should be clear to the Soviet military men that in practically any place where aggression occurs we can strike selectively from the air, keep the sea lanes open and land forces promptly. In short, they would know that we, together with our free-world allies, have a spear to counter limited attacks as well as a shield with which to ward off all-out war.

Now we come to the multibillion-dollar question—how do we stand with the Soviets in the ballistic-missile race? A tour of our installations at Canaveral and elsewhere should convince the visiting experts that we are just about neck and neck. Both the United States and the Soviet Union are expected to have the first few operational ICBM's ready to fire by the end of this year.

As for the "missile gap" which has been the subject of recent debate, Secretary of Defense Neil McElroy explains: "This phrase can be applied only when the number of ICBM's which the United States actually plans to produce is compared to the number that it is estimated the Soviets could produce. We, of course, must be prepared with a sufficient retaliatory force to deter the Russians if their actual production should come up to their potential. But this does not mean that we should simply match them, ICBM for ICBM. In the opinion of our military experts our combination of heavy-weapons delivery systems—aircraft and missile—is more of a deterrent to any attack on us than the all-out production of early-model ICBM's would be."

Thus, our Defense Department has refused to enter into a panicky production race that could only burden us with soon-to-be-outmoded experimental weapons. We are concentrating instead on perfecting the most advanced ICBM's as quickly as possible to maintain our superior mixed retaliatory force. The $10 billion which we have invested since 1954 to this end is already paying off in three ICBM's which are exceeding our most optimistic expectations: Atlas, to join SAC this year as a ready weapon, Titan and Minuteman—in addition to Polaris. Lesser-ranged IRBM's are already in the hands of our allies.

Another benefit to be gained from the proposed visit of Soviet experts would be an increased appreciation on our own part of U.S. military power. The average American just doesn't realize how strong we are. You hear some persons say that we may soon be a second-class power. By following the Russians from place to place through the press, we would stir up a healthy and more realistic evaluation of American versus Soviet strength.

One way to appreciate our superiority is to ask ourselves whether we would trade places with the Russians—give them our war-making capability and take theirs. If we did, what would be the situation confronting us?

To begin with, we would be faced with something like four to five times more intercontinental jet bombers and a greater number of medium bombers, all with much greater refueling capacity. These nuclear-armed planes and their supporting tankers would be based at a series of installations encircling us like pincers—Venezuela, Central America, Puerto Rico, Bermuda, Alaska, and Hawaii. Manning this force would be the most highly trained and experienced crews in the world, capable of delivering inconceivable explosive power with pinpoint accuracy.

Half a dozen or more Soviet aircraft carriers, each with half a hundred nuclear-bomb-carrying planes, would be off our East and West coasts. Powerful naval task forces would deploy at will only a few hundred miles from our shores. Nuclear-powered submarines would operate with them, while we had none.

A quarter of a million Red army troops, equipped with the latest weapons, including nuclear missiles, would be in Canada and Mexico, facing the American border. They would be allied with powerful forces from other countries in the Western Hemisphere.

In addition to this military power encircling us, we would be faced with overwhelming economic strength, if we traded places with the Soviet Union. This would be the economic picture:

Almost all our population would be concentrated east of the Mississippi River; the West would be a sparsely settled frontier, with our Government offering bonuses to people willing to settle there. Only one railway line would push across the continent. Much of the country could not be reached by road. Half of the labor force would be farmers, producing barely enough for domestic consumption. Our steel production capacity would be reduced by three-fifths.

We would be compelled to get along with less than one-third the electricity, petroleum products and hydroelectric power we have now. We would be forced to cut production of mineral fertilizers, aluminum and bulldozers by more than half. We would have to tear up 14 out of every 15 miles of paved highway and more than 2 out of every 3 miles of mainline railroad track. We would be without 19 of every 20 automobiles and trucks. Comparable losses would be sustained in other sectors of the economy.

Would you trade places with the Russians?

It's fortunate for them that we want only peace with justice. Our entire record attests to that. We have no history of aggression, profess no desire for world domination, as do the Communists. Only by their continued menace have we been forced to take these measures for defense.

I ask, "Why don't we show the Russians many of these defense measures?" What I would not show them is any self-satisfaction on our part about the future, any slowing up of plans to produce the new weapons which must inevitably take the place of the old ones. I believe we are in a continuing struggle to keep on top in this business of deterring war. I think that the Russians are never to be underrated. I also believe that the Communists are master bluffers, that they seek to put us off by arrogant threats to Berlin and to the peace of the far Pacific, and, while our people are preoccupied with these threats, they may try to take over Iraq as the Chinese Reds have conquered Tibet.

We dare not be complacent. But we need not, on the other hand, be frightened. At present, ours is the more powerful military force, the strong alliance, the more advantageous strategic position, the more productive economy. And there is no reason why we should not continue to lead the Soviet Union in the years ahead.

GOVERNMENT SPENDING AND GOVERNMENT DEFICITS

Mr. SYMINGTON. Mr. President, last week I listened with increasing interest to floor statements by the majority leader, as well as by Members on the other side of the aisle, on the question of responsibility for increases in Federal expenditures.

The facts are convincing that the primary responsibility for the major fiscal characteristics of the past 6½ years should rest directly on the executive branch.

These characteristics for that period have been inflation, Government deficits, increasing Government expenditures, and rising interest rates.

Without reservation, official budget reports, price indexes, and money-market statements support that position.

No one person, nor even any one branch of the Government, can be entirely responsible for this sad fiscal record. But no one can question the

fact that the executive branch of the Government is primarily responsible for Government spending and Government management.

Apparently someone has pursuaded various representatives of the administration that the best plan when in an indefensible position is to attack. These spokesmen, therefore, with a record of spending and management it is impossible to defend, have done what they must have thought was the next best thing.

They have tried, and continue to try, to put the blame on the Congress.

As the able majority leader pointed out only last Thursday:

> It is a well-established principle of propaganda that if a falsehood is repeated often enough and loud enough it will be believed.

Recently we have heard much about this "spending Congress." That charge is not justified, because it is not true.

Here is the truth:

In recent years interest rates have been raised unnecessarily.

On many occasions Government issues have been oversubscribed, with the cash offerings refused by the Treasury, only to have new issues put out a short time later at higher interest rates.

During the last 6 fiscal years, this Government has operated at a net deficit of $20 billion, the fiscal year 1959 having the largest peacetime deficit in our history.

On six different occasions President Eisenhower has requested that the debt ceiling be raised.

The national debt, plus the interest cost of the national debt, have now reached all-time highs.

During the last 5 years, the Congress, as so ably pointed out by our majority leader, has appropriated $10.6 billion less than the President asked for.

So far this session the Congress has continued the record of appropriating less than the President requested.

Administration spokesmen have recently been advancing a somewhat sinister-sounding slogan, "Back Door Financing."

But everyone knows that the Congress legislates on the record, for all to see. Therefore, the implications of the slogan do not seem to make much sense.

The distinguished majority leader met this latest slippery attack with facts. Last week he pointed out that "there had been no so-called back door financing which had not been requested or approved by the President."

His authority for that assertion was the President's own Director of the Bureau of the Budget, Mr. Maurice Stans.

As the majority leader also pointed out, the $6,400 million so-called back door financing requested by the President so far this session has been cut by the Congress, through legislative action, to $6,076 million—a reduction of over $300 million.

That is the record—for all to see who want to see.

In addition to the various legislative spending restraints the Congress has placed upon the administration, the President could save the taxpayer many more billions if he would take some administrative actions which do not require legislation.

If the President would insist upon better organization and better business management in some of his departments, billions of dollars could be saved.

The establishment of an organization based on progress instead of tradition in the Defense Department alone, would save the taxpayers tens of millions of dollars a week.

Instead of any action to that end, however, we continue to drift, with an obsolete organization which does not recognize reality in this nuclear-space age.

The American people are becoming increasingly aware of this absurd situation, one which affects not only their prosperity, but also their security.

Just as in the case of appropriations requests and back door financing, this situation will never be cured through public relations campaigns to shift responsibility.

AMENDMENTS TO THE TAFT-HARTLEY ACT

Mr. WILEY. Mr. President, as we know, proposed legislation designed to eliminate abuses in the labor-management field is today being considered in the House of Representatives.

In the light of the hearings by the Select Committee on Improper Activities in the labor or management field, the Congress, I believe, has a responsibility for enactment of a law which will curb these abuses.

We realize, of course, that new laws can only provide the framework—establish a climate in which authorized powers can take action to discourage, to prevent, and—if they occur—to punish unlawful acts.

Also, the purpose of such legislation should not be to break unions nor to reflect unfairly on the vast majority of honest leaders in this field. Rather, the aim is to protect the worker, the legitimate interests of both unions and management, and particularly the rights of the public.

I was reading a newspaper, which I believe came from Britain, stating what has been done by Great Britain. Tomorrow I trust I shall have a complete comment, to show how the British are facing the challenge of inflation and also facing the challenge of labor-management differences.

Recently, the Association of State Mediation Agencies held a convention in San Juan, P.R. During the convention, a number of resolutions were adopted.

Today I was pleased to have forwarded to my office by Morris Slavney, of Madison, Wis., president of the State Mediation Agencies, a copy of two resolutions: First, dealing with the unfortunate no man's land where neither State nor Federal agencies have jurisdiction over labor disputes; and, second, relating to voluntary mediation processes.

The views of the Association of State Mediation Agencies, I believe, merit the attention of Congress in regard to this significant issue.

I request unanimous consent to have the resolutions printed at this point in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTION ADOPTED AT THE EIGHTH ANNUAL CONFERENCE OF THE ASSOCIATION OF STATE MEDIATION AGENCIES AT SAN JUAN, P.R., ON JULY 31, 1959

Whereas collective bargaining in a free enterprise system is predicated on the freedom to contract, and whereas any proposal to impose Federal mediation under the threat of being charged with an unfair labor practice does violence to established concepts of freedom and the voluntary mediation process; and

Whereas it is recognized that labor disputes dealing with the hours and conditions of work are basically local disputes: Therefore be it

Resolved, That the Association of State Mediation Agencies go on record as supporting an amendment to section 203(B) of the Taft-Hartley Act which would limit Federal jurisdiction in such labor disputes to matters involving two or more employers located in two or more States and disputes involving the public health and welfare and national defense.

RESOLUTION ADOPTED AT THE EIGHTH ANNUAL CONFERENCE OF THE ASSOCIATION OF STATE MEDIATION AGENCIES AT SAN JUAN, P.R., ON JULY 31, 1959

Whereas the Congress of the United States is now considering amendments to the Taft-Hartley Act including proposals to remedy the vast no man's land where neither State nor Federal agencies regulate labor disputes and whereas the no man's land creates a climate inimical to voluntary efforts to mediate basically local labor disputes by nonregulatory State agencies: Now, therefore, be it

Resolved, That the Association of State Mediation Agencies support amendments to the Taft-Hartley Act which eliminate the no man's land and clarifies the areas of Federal-State jurisdiction.

STATES RIGHTS—NO TAKERS

Mr. WILEY. Mr. President, I was also very much interested recently in reading an editorial from the Christian Science Monitor entitled "States Rights—No Takers."

We have heard a great deal of discussion about States rights, but the editorial is very illuminating, because among other things it brings up the fact that in the 21 years since the President made his first, more fervid offer to reverse the flow of power to Washington, there have been no takers and nothing has been done.

Among other things, the editorial states the reason why nothing has been done, when it says:

> Probably the major one is that in fields where the Federal Government has taken on powers involving public works, regulatory functions, and costly social insurance, the return of these "rights" to the States would be accompanied by such a staggering return of responsibilities (i.e., taxes) that very few Governors or their legislatures would seriously consider the project.

The editorial goes on:

> A second, ideologically fundamental reason is that the role of the States as defenders of local initiative and bellwethers of local needs has been at least partly abdicated. Local

communities—and not just big cities, either—now find in Washington a defender of their "rights" against the State government. This is because so many State legislatures are stacked in favor of rural representation.

Mr. President, in view of the very interesting commentary on the whys and wherefores of this problem we have been discussing, the returning to the States of what the States think should be State functions, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

STATES RIGHTS—NO TAKERS

This year, as in 1957, President Eisenhower asked the Governors of the American States if they wouldn't like to take back from the Federal Government some of the States rights many of them claim are being usurped by Washington.

But his message to the annual Governors' Conference sounded as languid on this subject as the balmy Puerto Rican air in which it was received.

The fact is that in the 2 years since the President made his first, more fervid offer to reverse the flow of power to Washington there have been no takers.

How can this glaring lack of action be reconciled with the persistent cries—sincere and otherwise—for States rights?

There are several answers.

Probably the major one is that in fields where the Federal Government has taken on powers involving public works, regulatory functions, and costly social insurance, the return of these rights to the States would be accompanied by such a staggering return of responsibilities (i.e., taxes) that very few Governors or their legislatures would seriously consider the project.

A second, ideologically fundamental reason is that the role of the States as defenders of local initiative and bellwethers of local needs has been at least partly abdicated. Local communities—and not just big cities, either—now find in Washington a defender of their rights against the State government. This is because so many State legislatures are stacked in favor of rural representation.

Whether it is highway aid, school aid, or unemployment funds, these communities will continue to support power where they are more adequately represented. Taxation without adequate representation is no more popular now than it was in 1773.

The concentration of power in Washington has its penalties. Tax money has to pay its fare to the Federal seat and back. Community initiative is often dulled. Remoteness of administrators from the consent givers who authorize their actions sometimes leads to waste or worse.

But the lack of action (other than verbal) by the Governors gives eloquent testimony to the fact that few States are currently in a position to better the service performed by the Federal Government for its citizens. Until they are, the President's offer will probably remain untaken.

DEICING ST. LAWRENCE SEAWAY AND THE GREAT LAKES

Mr. WILEY. Mr. President, earlier this session I introduced a bill, S. 2242, providing for investigation and study of ways and means for possibly developing of a deicing system for the Great Lakes and the St. Lawrence Seaway.

Currently, the bill is pending before the Committee on Public Works. Because this is a relatively new proposal, it is, unfortunately, taking considerable time to get reports from the interested departments of the executive branch.

I would hope, however, that these would be forthcoming soon, so that hearings can be scheduled on the bill.

Following the introduction of the bill, there has been a gratifying amount of interest in development of such a deicing system. There have also been, of course, skeptics who seriously question the practicability of such a proposal.

Naturally, I recognize that cracking the ice barrier will necessarily be a long-term project. Through appropriate focusing of brainpower, resources, and scientific ingenuity upon the challenge, however, I believe that such a system ultimately has real possibilities for overcoming the handicap of winter icing.

If accomplished, the shipping season for the seaway and the upper Great Lakes—now limited to about 8 or 9 months a year—would be extended by almost 25 percent—with great economic benefits for the whole Great Lakes and upper Midwest region.

Recently I was pleased to receive from Mr. Gene Posner, president of station WXIX, in Milwaukee, Wis., an editorial supporting the idea of a deicing system. Farsightedly, the editorial recognizes that in these days of scientific and technological advancements, the idea of a deicing system for our normally icebound areas in the upper lakes region has a real possibility.

As a matter of interest, Mr. Posner recently assumed management responsibilities of television station WXIX.

In designing programs to serve Milwaukee and surrounding communities, WXIX–TV is one of the relatively few stations in the area which avails itself of the right to editorialize.

As a thoughtful commentary on what I believe is a potentially significant deicing project, envisioned in the bill, S. 2242, I request unanimous consent to have the editorial printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

The St. Lawrence Seaway has been open to ocean shipping for only a few months and already we in Milwaukee have seen the promise for the future. After 40 years of international debate, major legislative compromises, this gateway to the world has become a reality. The future—economic prosperity—for this the heartland of America looks bright.

But there are bottlenecks—serious ones—that do exist. Senator WILEY, who has long been a champion of the seaway, one of its prime movers, is still working on the project. Some weeks ago he advised that a conference between the United States and Canada be held to determine how to break the bottleneck at the Welland Canal—the oldest section of the system of water stairways that bring ships from sea level to the height of inland lakes.

Ships have been delayed as much as 36 hours waiting to get through the canal which can handle only 28 ships a day. Senator WILEY has said: "Unless action is taken to remedy the situation, the future of the seaway—both in terms of volume of traffic and paying off the debt—may be seriously handicapped by the limited capacity of the Welland Canal."

There are other challenges, too, WILEY pointed out. Paying off the seaway with tolls, completing connecting channels, finishing port projects, developing better connections with rail and truck networks. All this and a concerted campaign to continue to sell the seaway advantages to many manufacturers who tend to ignore the seaway in foreign shipments.

But there is one more challenge—the point of this editorial—that catches the modern imagination. The inland ports are closed at least 4 months of the year because of the weather. To realize the full potential of the seaway, it will be necessary, WILEY says, to "crack the ice barrier."

Crack the ice barrier, deice the waterway that ties up shipping to Milwaukee almost 4 months a year. Critics call the plan impractical. Scoffing at the project is Lewis G. Castle, Administrator of the St. Lawrence Seaway Development Authority. Challenge Mother Nature, change the course of weather, deice the seaway route. Impractical.

Nothing is impractical about increasing traffic to Milwaukee by 25 percent, and other people don't think the idea is crazy at all—including Army Engineers who helped WILEY draft legislation to that effect.

Other Senators agree to cosponsor the bill. HUMPHREY and MCCARTHY, Minnesota Democrats; CAPEHART, of Indiana; LAUSCHE and YOUNG, of Ohio; HART, of Michigan; and JAVITS and KEATING, of New York.

Crack the ice barrier: It's been done other places—in Greenland, New Brunswick and Scandinavians have kept their ports open with scientific methods. Nothing is impossible in these times when science is cracking barriers constantly—including the barriers of weather. Other seemingly fantastic plans for controlling the world's weather are already being made.

Forty years ago when the seaway was a plan, we were driving tin lizzies, airplanes were just getting off the ground and men like Senator WILEY had the foresight to see the seaway and its potential. Nothing is impossible now and instead of talking about the weather Senator WILEY plans to do something about it. His belief in the seaway—his foresight—is a credit to Wisconsin. "Cracking the ice barrier," deicing the waterway, opening traffic to Great Lakes ports the year around is not impractical—it's just a matter of time in this scientific age. We hope it doesn't take 40 years and it won't.

OPERATION OF THE GOVERNMENT'S CREDIT AGENCIES

Mr. WILEY. Mr. President, I should like to read from a Whaley-Eaton Service letter. I think it presents a subject we ought to be doing some thinking about. We can talk about it all we please, speculating about who is spending what and who is doing this or failing to do that, but this is a subject about which we had better do a little thinking.

The Government's own credit agencies are getting into trouble and are being quietly investigated. There are many such freewheeling groups which peddle Federal funds at lower interest rates than the Treasury itself has to pay. Typical are Farm Credit Administration home loan banks, rural electrification, Federal National Mortgage Association, and Small Business Administration. In the aggregate, they constitute a multi-billion-dollar budget loophole.

White House staff experts are now looking into the situation—both to find out just what has been going on and to decide what to do about it.

Tight money conditions are creating problems for these agencies with which they are not set up to deal. Some borrow from the Treasury at low rates and lend at similar low

rates. With Treasury borrowing costs up sharply, this involves heavy Treasury losses. Others are permitted to borrow also in the open market. But with rates there up so high, they find themselves borrowing costly money at short-term and lending at a loss.

Agencies which built up substantial surpluses in the easy-money years consequently find their surpluses are being depleted dangerously fast.

Then it is suggested:

No coordinated Federal policies have ever been formulated to govern the operations of these many agencies. There are upward of 50 of them which engage in extending credit in one form or another. Each was set up to meet credit needs in specific areas. Some operate with revolving funds; others are open ended. These latter can cause heavy strains on the Treasury.

There is no present suspicion of bad management, dishonesty, or political favoritism. For the most part these lenders have operated effectively over the years. Partisan politics as such is not involved. However, they all move their separate ways. Coordination is called for.

What is needed, the White House realizes, is a reappraisal of the entire setup. In addition to the large, well-known agencies, there are literally dozens of bureaus, divisions, and Federal corporations operating in little worlds of their own.

Mr. President, in my humble opinion this matter requires the attention not simply of the White House and of its assistants but it also requires the attention of the legislative branch of this Government, to see exactly what is the situation.

CUBA

Mr. FULBRIGHT. Mr. President, the Foreign Ministers of the American Republics convene in Santiago this week to consider tensions in the Caribbean. These tensions are due in large part to the Cuban revolution and to the accession to power of Dr. Castro. Whether one likes Dr. Castro or whether one approves his policies, it cannot be denied that as of this moment he has the support of the majority of the Cuban people, a people who have suffered for many years the excesses of bad government.

Dr. Castro has also become a symbol for many of the people of the Caribbean area. His leadership of a political and social revolution in Cuba is the catalytic element that stirs demands for change throughout the Caribbean.

Whence this revolution goes—to the right or to the left—when it stops, and who will get hurt, are of vital importance to the United States, not only because our economies are closely related but because of the geographic proximity of Cuba and the United States. Although what goes on in Cuba and the Caribbean is of great importance to us, the attitude and policies of the United States toward Cuba are of even greater significance to Cuba. The United States is so big and so strong as compared with Cuba, and Cuban sensitivities to American intervention are so great that almost anything we do may be misunderstood and self-defeating. There is great need for patience and understanding on our part, because mutually peaceful and productive relationships between the United States and Cuba in the future will depend not only upon the ability and responsibility of Cuban leaders, but perhaps even more upon our understanding of the forces at work in Cuba and our patience and sometimes firmness in dealing with those forces.

I know there are many in this country who have suffered losses as the result of recent events in Cuba. And when American property holders in Cuba are threatened with expropriation, it is easy for them to believe the Cuban Government is dominated by Communists. I do not know whether Dr. Castro is a Communist or whether his government is dominated by Communists.

We might remind ourselves, however, that several decades ago Mexico went through a social upheaval, American properties were seized, chaos reigned, and Mexico for years was unable to attract private American investment. At that time many Americans confused a rising social consciousness and a Mexican nationalism with communism. But today Mexico is a great and good friend. American investments flow into Mexico. And Mexico is a free democratic nation, despite the fears and even the certainties of many Americans.

We might also recall that a few short months ago many Americans identified the nationalism of Nasser and his seizure of the Suez Canal as communism. By confusing nationalism with communism we came very near to forcing Egypt into the arms of the Soviet Union.

Naturally we are concerned that the revolutionary situation in Cuba—her new nationalism—not be turned toward the extreme of communism which can be as destructive of individual liberty as the most totalitarian dictatorship. But if our concern finds expression in tactless actions, outright opposition, or even threatened intervention, we may in fact force the revolution in the very direction we most fear.

Mr. President, I suggest it is good for us to recall from time to time our own Revolutionary beginnings. I rather suspect that during the Revolutionary and post-Revolutionary period in this country, many of the British must have looked upon this Nation and its great Revolutionary heroes much as we now look upon Dr. Castro.

Dr. Castro symbolizes and leads a social and political revolution of great significance. It has not yet run its course. The United States, as a neighbor, to a people who have always been friendly and close to us—indeed, a people whom we assisted in severing their bonds with a colonial power—must now be understanding and patient.

I do not wish to be misunderstood. I do not support many of the things Dr. Castro has done. Although I recognize the right of a sovereign nation to expropriate property with just compensation, I oppose expropriation of private property without such compensation. I certainly oppose intervention in any country, direct or indirect, which may be supported by Cuban forces or connivance, just as I would oppose intervention by the United States in any American Republic.

What I urge is that we seek to understand the tremendous forces unleashed in the Caribbean area and that we seek to work with those forces, not against them. This will require the utmost patience and understanding on our part. But only such patience and moderation can be expected to develop a relationship with Cuba, which in the years ahead will be to our mutual advantage.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point two fine newspaper columns on this subject.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 23, 1959]

CUBA AND COMMUNISM

(By Walter Lippmann)

Shortly after Dr. Castro brought his revolution to power in Cuba, the Governor of Puerto Rico, Mr. Muñoz-Marín, came up to Washington. He came to give us advice which he was preeminently qualified to do. For he had been carrying through successfully a peaceful revolution in his own country, he had the personal confidence of the Cuban revolutionists, and he was and is our very great friend.

Even then, at the beginning he foresaw the troubles in Cuba, the stubborn difficulties against which the revolution was waged and which it then inherited, the inexperience and the emotional instability of its fighting leaders.

Whatever you do, he said in effect, do not let yourselves become enemies of this revolution. For this revolution is the real thing. It is not a mere change of the guard at the top as is so common in Latin America. This is a popular revolution of the sort which, more than 30 years ago, Mexico went through, and after years of blood and tears brought to a happy ending.

It requires great skill to manage our relations with a revolution of this character in a country which is such a very near neighbor. We have to find ways of reconciling our political and economic interests with a revolution which cannot be stabilized until the chief grievances which produced the revolution have been redressed. This can be managed only if the American Ambassador in Havana can work out a relationship with the revolutionary leaders in which they will listen to him, and even seek his advice and his help.

There is good reason to say that we have such an Ambassador in Havana, one who is capable of carrying out such a delicate mission, who has, one might say, "good hands" when he rides. But, of course he has no chance whatever of succeeding if Congress is going to roughhouse our relations with Cuba, as did the Internal Security Subcommittee of the Senate just the other day. This was when it provided a platform and loudspeakers for a disaffected Cuban adventurer to denounce the Cuban revolutionists as Communists. This country, as the President was quick to point out, "has made no such charges." But the damage done by the subcommittee's irresponsible meddling may not be repaired easily or quickly.

The policy which we are following in Cuba is to avoid a break with Dr. Castro and to seek more contact with him. This policy is the product of years of experience in our relations with the other American States. There is no alternative to it, given the fact that we have most solemnly renounced the right of intervention to suppress a revolution. In this century, we have committed ourselves repeatedly and wholly to the principle that each country in this hemisphere has the right of self-determination. This carries with it inseparably the right of revolution, and imposes upon us the obligation to live with the revolutions, when they occur, as best we can.

Beneath these large generalizations and abstractions, there is the substantial fact that in this century, which is seeing the awakening of the submerged masses of mankind, the old style of imperialism and overlordship is not only morally unacceptable but is practically impossible. To put it specifically and bluntly, the United States could not install a puppet to govern Cuba in place of Dr. Castro and his revolutionists. The United States must, therefore, do what it can to keep on good terms with Dr. Castro and his successors.

There are those who think differently. They see Dr. Castro going far to the left in the company of a number of fellow travelers of the Communists. They think the way to deal with what they see is to denounce Dr. Castro who tolerates and associates with fellow travelers as himself a fellow traveler and virtually a Communist. What good will it do, I would like to know. The result of such tactics will not be to cause Dr. Castro and the fellow travelers to abandon their revolutionary program. It will be to cause them to regard us as their enemy, and to become as thoroughly anti-American as they dare to be.

The wiser course and the more practical one is to be patient and relaxed—to remember that Cuba is our nearest neighbor and is far beyond the reach of the Soviet Union. Remembering this, we can rely ultimately on the high improbability that Cuba will drift or be pushed and pulled into the Soviet orbit.

Just as it was a great mistake to treat Egypt under Colonel Nasser as a Soviet satellite, so it would be an even greater mistake even to intimate that Castro's Cuba has any real prospect of becoming a Soviet satellite.

For the thing we should never do in dealing with the revolutionary countries in which the world abounds is to push them behind an iron curtain raised by ourselves. On the contrary, even when they have been seduced and subverted and are drawn across the line, the right thing to do is to keep the way open for their return.

[From the Portland Oregonian, July 15, 1959]

CUBAN REVOLUTIONISTS ADMIRE ABE LINCOLN

(By Ralph McGill)

HAVANA.—There is a certain excitement in meeting and talking with revolutionists, who, a few short months ago, had prices on their heads. It is especially so when they are attractive, well-groomed young ladies holding sedate positions such as secretaries to ministers of government. Not so long ago they were rifle-carrying members of mountain guerilla forces. It is somehow unreal to quit the presence of an intense young professor of sociology who has but recently shaved off his Castro beard and cut his hair.

Persons who have shared a great and common danger and made common sacrifices have lived on a plateau which will make the rest of their lives seem relatively prosaic. Castro's revolution is a young one in time and in the ages of most of those who were in it.

The revolution has not yet settled down. It is still emotionally in the air. But let none think it will wither away. Castro has started something which will go on no matter what happens to him. And not merely here, but in Latin America. Those who made the revolution believe that, and are impatient, with all the impetuousness of youth, that others cannot see it as plainly.

They resent most strongly the charges that there is communism in it.

This comes out, sometimes quietly, but often strongly. Like, for example, in the office of Revolucion, the underground paper for which some men and women gave their lives to print and distribute. It now is a daily.

Euclides Vasques Caudela was a professor on the faculty at the University of Santiago de Cuba. He is perhaps 32 years old. He fought in the mountains and down into the valley about Santa Clara where the fighting ended with Batista's flight. He now is subdirector and editorialist for Revolucion.

"I hope," he burst out, as we talked, "you will write that in this office you saw no pictures of Khrushchev or of Stalin. Tell them there were just two pictures, of Abraham Lincoln, and of Fidel Castro." (This was true. The large Lincoln picture was one issued by the United States Information Office).

Caudela found some of the small underground issues of Revolucion, and also some of the propaganda employed in the last months before Batista's flight. It was entitled "OC3." This trio of symbols appeared on walls and printed sheets. The internationally famed magazine Bohemia actually printed "OC3" on its pages. (Later the editor and publisher went to jail for it and the magazine was closed.) Clandestine radios, printed sheets, and stenciled slogans on walls revealed the meaning of the "teasers." It meant "Cero Cine, cero compras, cero cabaret * * * movimiento de resistencia civica." (No movies, no shipping, no cabarets * * *.) It frowns for example on the nightclubs which cater to the worst tastes of tourists. It strongly objects to legalized gambling and declares that Batista perverted Havana as a tourist center, bringing gamblers and the American underworld mobs to run the casinos. The casinos still operate, but their gambling tables are almost empty and when their contracts expire they will go. Castro stopped, too, the vendors of obscene pictures. He ended the narcotics trade, which Batista fostered.

The revolution is relatively abstemious. Castro drinks mostly beer. Like most Cubans, their popular beverage is heavily sweetened coffee, taken seemly every few minutes in small cups.

"The tourists we want," said one of the officers, "are those who can come to fish, to play golf, to enjoy our beaches and our entertainments. The gamblers are not for us."

The revolution has heavy commitments which, viewed objectively, seem almost insurmountable. The word "economics," shaped like a question mark, hangs over the future. But Castro has started a social and political force which, whatever happens to him, will keep going. It needs the United States, as a partner, to assist it to find the channel best for both. If anti-U.S. leadership should prevail, both countries will lose thereby.

INTERRACIAL VIOLENCE

Mr. THURMOND. Mr. President, an Associated Press story of Monday, August 10, appeared in many newspapers throughout the Nation. It deals with interracial violence in New York City. Ordinarily I would not be greatly concerned with such violence occurring outside of South Carolina. The problem is a local one. I sympathize with the police, and if I were a relative or friend of theirs, or, for that matter, even a resident of that State, I would be very unhappy with such frequent occurrences if they happened in my State.

In South Carolina, we have our share of problems. Some we are solving more intelligently than others, but we are making an honest effort to solve them.

One problem we do not have is interracial violence on a large scale. We do not have this problem, because the two races in South Carolina know each other and what to expect of each other.

Obviously something is wrong with race relations in New York and many other States; yet, leaders in these States with such problems appear more concerned with a great moral issue in the South than with the greater issue at home.

I ask unanimous consent that this Associated Press story be printed in the body of the RECORD following these remarks. I suggest that those Senators advocating so-called civil rights legislation to first clean up their own backyards, before intermeddling in other States where race relations are good, and stop agitating for so-called civil rights programs and integration, which create tensions and stir up race hatred.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARRESTING NEGROES; MOB IN NEW YORK BEATS COPS

NEW YORK.—An angry, shouting mob attacked two detectives Sunday who were trying to take a Negro man and woman into custody on an east Bronx street corner. A crowd of about 300, mostly Negroes, beat and kicked the detectives. Police arrested the Negro man and woman and several other persons in the crowd.

The man and woman were operating a fish-and-chips store in the neighborhood. The detectives both white, said they wanted to question the pair about bootleg whisky.

When the detectives tried to take them into custody the woman began to scream and the man started struggling. Then the crowd gathered.

Someone in the crowd punctured a tire on a police car, and a Negro ripped the coat off one of the detectives

One of those arrested, William Golden, a 44-year-old Negro, shouted to the mob, "Don't let them take me away—let's get them—kill them."

Five patrol cars and 25 policemen converged on the scene and broke up the crowd.

Several weeks ago, two white policemen were injured when one of their pistols accidentally discharged after an angry crowd gathered as they were arresting an intoxicated woman.

In that incident, the crowd remained outside a Harlem police station until Middleweight Boxing Champion Sugar Ray Robinson asked them to disperse.

The detectives, Jeremiah O'Connor and Thomas Martino, did not require hospital treatment. Police also said no one in the mob was seriously hurt.

The man arrested in the store was Tyson King, 46. The woman was Lucy Quick, 36.

King has been free in $2,500 bond on a charge of possession of illegal alcohol.

O'Connor said he discovered a gallon jug of what appeared to be bootleg whiskey behind the counter of the store. He said when he asked King to accompany him to the basement, where police later found 12 other gallon jugs, Miss Quick tried to stab Martino with a pair of shears.

Martino knocked the shears away and the couple began to shout and struggle, police said.

A fourth person arrested was Robert Edwards, 43, also Negro, who, police said ripped the coat off the detective.

All four were charged with inciting a riot. King and the woman were also charged with possessing illegal alcohol and, along with Edwards, of felonious assault.

PRESIDENT'S SIGNING OF INTERNATIONAL HEALTH BILL WOULD DEMONSTRATE PEACE MOTIVES TO PREMIER KHRUSHCHEV

Mr. NEUBERGER. Mr. President, it is my hope that the House of Representatives will pass Senate Joint Resolution 41, the bill for a new National Institute of International Medical Research, in time for President Eisenhower to sign this important legislation into law in the presence of Premier Nikita S. Khrushchev.

What could be better designed to impress upon the Premier of Russia the fact that America seeks peace with all peoples? Here is a bill drafted to authorize $50 million for administrative machinery to advance international cooperation in medical research that may ultimately save millions of lives—on both sides of the Iron and Bamboo Curtains.

After all, a breakthrough in cancer or heart disease—whether achieved in Afghanistan, Peru, or the United States—will give new hope to mankind everywhere. Surely even a man as ruthless and bellicose as Mr. Khrushchev can understand this fact because he, no less than any of the rest of us, is subject to these grim maladies.

Therefore, Mr. President, I hope that the House of Representatives will pass Senate Joint Resolution 41, which the Senate adopted on May 20, 1959, by the overwhelming majority of 63 to 17, in order that it may be sent to the White House for what could well be the most meaningful Presidential signature on any bill of the entire 86th Congress.

The suggestion that President Eisenhower sign this important bill in Premier Khrushchev's presence was first presented by the distinguished medical editor of the New York Times, Dr. Howard A. Rusk. I ask unanimous consent that Dr. Rusk's column, entitled "Medicine's Peace Role," from the Sunday New York Times of August 9, 1959, be included as a part of my remarks in the body of the RECORD. Dr. Rusk is one of the world's great authorities on human rehabilitation.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 9, 1959]

MEDICINE'S PEACE ROLE—PASSAGE OF HEALTH BILL TO BE SIGNED IN KHRUSHCHEV'S PRESENCE SUGGESTED

(By Howard A. Rusk, M.D.)

In his now famous 1958 state of the Union message President Eisenhower proposed a science for peace plan to "attain a good life for all." As the first step in such a plan, the President invited the Soviet Union to join in the current 5-year program for the global eradication of malaria.

General Eisenhower then stated our willingness to pool our efforts with those of the Russians in campaigns against cancer and heart disease. "If the people can get together on such projects," he said, "is it not possible that we could then go on to a full-scale cooperative program of science for peace?"

In a meeting at Minsk 10 days later, Soviet Premier Nikita S. Khrushchev remarked that the part of President Eisenhower's message with which he agreed completely was that portion proposing greater international cooperation in medical research.

In his widely publicized 8-hour discussion with the Soviet Premier last December Senator HUBERT HUMPHREY found him completely opposed again to the U.S. viewpoint on all issues but one. That issue was that the United States and the Soviet Union could cooperate closely on a great new international medical research program. Mr. Khrushchev found merit in this idea and welcomed it enthusiastically.

The keystone of this proposed effort against what President Eisenhower termed "the diseases that are the common enemy of all mortals" is the International Health and Medical Research Act of 1959.

This legislation, known popularly as the Health for Peace bill would create a new National Institute of International Medical Research within the National Institutes of Health, with an annual appropriation of $50 million.

WOULD SUPPORT RESEARCH

These funds would be used to encourage and support research and the exchange of information on research, the training of research personnel and the improvement of research facilities throughout the world.

The legislation was introduced in the Senate by Senator LISTER HILL, with 59 cosponsors. It was passed by the Senate in May by a vote of 63 to 17.

This past week hearings on the legislation were concluded in the House by the Subcommittee on Health and Safety of the Committee on Interstate and Foreign Commerce.

As before the Senate committee, the witnesses testifying in favor of the legislation this past week and at previous hearings included some of America's greatest scientists and clinicians and leading citizens. Each endorsed the bill strongly and pleaded for its enactment.

Now that the long-discussed exchange of visits between President Eisenhower and Premier Khrushchev is to become a reality, time is of the essence. What more dramatic and concrete evidence of our good faith could President Eisenhower give the Soviet Premier and the world than actually signing the bill in Mr. Khrushchev's presence in Washington?

In one of his rare press conferences in the Kremlin last Wednesday, Mr. Khrushchev said it was his intention to talk peace during his visit to the United States. As an accomplished act of peace, the International Health and Medical Research Act would mean far more than words of peace. It would dramatize to the world our sincerity of purpose in working toward peace and our willingness to back up our sincerity with dollars.

Now that the hearings by the Subcommittee on Health and Foreign Commerce have been completed, a number of actions can be taken.

The subcommittee, of which Representative KENNETH R. ROBERTS, of Alabama, is chairman, can report the bill out rapidly and the Committee on International and Foreign Commerce, of which Representative OREN HARRIS, of Arkansas, is chairman, can approve the bill without hearings and the measure can be brought to the floor of the House.

Any delay in any of the several necessary steps in bringing this legislation to vote in the House of Representatives will doom its enactment in 1959.

The widespread public, professional, and editorial support given the health-for-peace bill and its passage by the Senate by such a large majority indicate clearly that the people of the United States favor its passage.

Should it not be passed in 1959, it will probably pass next year. However, to lose a year in a life-and-death race against cancer, heart disease, and arthritis would be tragic.

WOULD ADVANCE KNOWLEDGE

Witness after witness in the recent hearings in the House testified to his conviction that the proposed international research effort would provide one of the most effective means of advancing and acquiring medical scientific knowledge to further the health of our own people as well as others.

Dr. Michael E. De Bakey, chairman of the department of surgery at Baylor University College of Medicine in Houston, was one. He cited, for example, the development within the last year of an important new research methodology resulting in increased understanding of the underlying factors in arteriosclerosis. The basic research leading to this development was carried out in a laboratory in London.

Many authorities have frequently called attention to our failure in the cold war to capitalize upon opportunities when they present themselves. This, they say, is an inevitable result of the slow processes of democracy.

There is still sufficient time before Premier Khrushchev's visit to Washington for the Health for Peace bill to be passed and to be waiting for signature on President Eisenhower's desk. We have within our grasp a rare opportunity to show the world the values we place on human worth in a democracy. We must not let that opportunity slip through the fingers of inaction.

SOVIET UNION: THE NEW LOOK

Mr. BRIDGES. Mr. President, the assistant editor of America magazine, L. C. McHugh, has written a penetrating and realistic article on the current Russian exhibition in New York's coliseum. These observations which appeared in the July 18, 1959, edition expose the propaganda magic which the Soviets have continually practiced in executing their design toward world domination.

As the author so clearly points out, the psychological effect of the Soviet bamboozle is to eliminate from the mind of the viewer the true opinion international communism holds toward human dignity, morality, and freedom.

I am sure that this Soviet image of the "peoples' paradise" will be recognized by the American public as another example of the deceitful tactics of the continuing Communist conspiracy.

I ask unanimous consent that Mr. McHugh's outstanding article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOVIET UNION: THE NEW LOOK

(By L. C. McHugh)

Russia's clever iconographers have been working overtime lately. The result is a gigantic triptych that was unveiled in New York's coliseum on June 30. It is called the U.S.S.R. Exhibition of Achievements in Science, Technology, and Culture. No matter that the achievements are not always carefully distinguished from the stuff that dreams are made on—the show is calculated to interpret Russia's new look to the American public. One dollar and 3 hours of rambling amid machines, models, placards, and products will give you such a tour of the Soviet Union as you couldn't buy in Moscow for a bagful of rubles.

I will not attempt to describe this impressive display of some 10,000 items. The Soviet trade fair is carefully planned and

cunningly executed. It has a powerful psychological impact on the spectator, especially if he is ignorant of classic Marxism and the realities of Soviet history. My sole concern here is to show how this exhibit uses the direct pitch and the hidden sell to project a beguiling picture of communism.

The direct pitch weaves together three simple themes: Peace, technological prowess, and the proletariat. The first of these hits you as soon as you step into the lobby of the coliseum. Your eyes fasten on a muscular nude who is laboriously beating a sword into a ploughshare. "Peace, it's wonderful," is the glowing thought that lightens your heart as you mount the moving stairway to the main exhibit floors. Riding the escalator is like climbing into a slice of sky that is gleaming with sputniks. Here is a master stroke of propaganda: The peaceful rockets, unquestionable symbols of Russian technical prowess, dominate the whole exhibition and condition the mind to acquiesce in the reality of Soviet supremacy in all the other displays. The third theme engages the eye almost as soon as the rockets do. Under the vaulting segment of Russian sky looms a heroic bronze worker, the obvious creator of these lush acres of technological magic.

With these three themes variously compounded and endlessly reiterated in photos, placards, production items, and artful models, the desired image of the U.S.S.R. begins to jell. It is the image of a vast society of hardworking people who are marching confidently into an automated future of goodies and gadgets. They march at a dizzy pace, but they can pause long enough to give you a glimpse of their creative dynamism. They invite you to admire their technology, envy their education, share their love of sports. They will even let you ride in their dreamboats. All they ask of the cold non-Communist world is peace—atoms-for-peace, peaceful coexistence, peaceful competition in creating the earthly paradise. Very disarming indeed. The Soviet Union would like nothing so much as "to build a house by the side of the road and be a friend to man."

The hidden sell, too, lurks in the coliseum. All the brassy clangor of classic Communist propaganda is muted or overridden by loud organ tones of sweetness and light. The exhibition reveals none of the gross materialism that is essential to Marxism. The average viewer gets no impression of economic determinism, no theorizing on the bloody class struggle, no hint of the death of God and the martyrdom of His people that are involved in the march of progress. One walks out of the show without any concept of the totalitarian state and its subjugation of human dignity. There are no blaring echoes of the glorious leader motet or the sycophantic cult of personality that disgusts the decent human being when he thinks of Soviet politics. In fact, one can leave this gaudy trade show with the impression that communism is nothing more dangerous than an economic and social plan for harnessing heaven, a sort of perennial Brotherhood Week.

Against the backdrop of a happy people preoccupied with the construction of an earthly paradise, the sourness of Gromyko and the harshness of Khrushchev seem unreal. In the never-never land of the coliseum, aggression and subversion, missiles and militarism are nasty words that have been expunged from the dictionary. Upstage and downstage surge only the Soviet masses which, as Mr. Kozlov told us when he opened this fantastic exhibition, "cannot harbor any evil intentions in regard to other nations."

This disarming and beguiling image of the Soviet Union, calculated to put the viewer off guard, is precisely the impression that the U.S.S.R. exhibit is meant to stamp on the minds and hearts of the unwary groundlings.

VICE ADM. HYMAN G. RICKOVER'S ROLE DURING VICE PRESIDENT NIXON'S VISIT TO RUSSIA

Mr. KEATING. Mr. President, during the Vice President's tour of the Soviet Union and Poland, one of those who accompanied him was Vice Adm. Hyman G. Rickover, the father of the atomic submarine.

All Americans who read the news accounts gloried in the way Admiral Rickover stood up to the Russians when they tried to keep him out of the reactor room of the Soviet atomic icebreaker *Lenin*, claiming it was closed.

"Nonsense," Admiral Rickover snapped, "the reactor room is never closed." And he got what he was going after.

In fact, it is hard to think of any American less susceptible to being pushed around than Admiral Rickover—a fact which many people have discovered from personal experience, and a fact which has immensely benefited this Nation. The admiral was a most appropriate traveling companion for the Vice President, whose firm stance in the face of Soviet provocations has already been widely hailed.

More important, in the long view, are Admiral Rickover's findings with respect to Soviet education as compared with ours. These he set forth in an interview published in last Sunday's New York Times. I feel his observations are most important, and deserve the attention of all Senators. I therefore ask unanimous consent that the Times article be printed in the RECORD following my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RICKOVER HAILS REDS' EDUCATION—CALLS IT MAIN CHALLENGE TO UNITED STATES—SAYS HIS TOUR OF SOVIET AND POLAND SHOWED STUDENTS WORKED HARD AND LONG

(By Leonard Buder)

WASHINGTON, August 8.—Vice Adm. Hyman G. Rickover said today that his recent visit to the Soviet Union and Poland had convinced him that "our really great race with the Soviet Union is in education."

"The nation that wins this race will be the potentially dominant power," he asserted in an interview. "Unless we in the United States can solve our educational problem, we will have difficulty in solving other problems."

Admiral Rickover, who is known as the father of the atomic submarine, was a member of the group that accompanied Vice President RICHARD M. NIXON on his 13-day visit to the Soviet Union and Poland. The group returned here last Wednesday.

Admiral Rickover reported that he had been greatly impressed by what he had seen and heard about Russian and Polish education.

"They are currently graduating more qualified scientists and engineers from their universities than we are," he said.

When Soviet students, who take the university-preparatory program, are graduated from high school at the age of 17 or 18, the admiral said, "they know as much as our students do at the end of 2 years of college."

All this, he went on, served to confirm his previous beliefs that there must be a vast upgrading of American education, with increased emphasis given to the basic arts and sciences.

The Navy nuclear scientist's frequent criticism of soft American school and college programs and his calls for a more rigorous system patterned after those in Europe have made him a controversial figure in education.

Admiral Rickover, who has often spoken out about what he considered frills in education, said today:

"I searched far and wide in Russia and Poland and could not find a single drum majorette. Nor did I hear of a single school where the principal was an ex-athletic coach."

Observing that both the Soviet Union and Poland were committed to demanding school programs, the admiral said that both educators and parents there regarded teenhood as a period of preparation for adulthood and not as a period for just having a good time.

CITES SOVIET GRADUATES

In 1957, 1,600,000 secondary school graduates in Russia passed an examination, he asserted, "which only about 2 percent of American high school graduates would have been able to pass."

American high schools graduated 1,639,000 students in 1959.

Education in the Soviet Union and Poland is provided free of cost to students, he noted.

"No student there is denied an education because of a lack of financial ability," the admiral said. "At the University of Moscow and elsewhere students receive living expenses as well as free tuition. The amounts given to students increase the longer they stay and the better they do in their studies."

Admiral Rickover said that he had been particularly impressed by the strong emphasis being placed on education in Poland.

"Here is a country that was devastated in war, which had 7 million people—25 percent of its population—killed," he said. "When the Germans marched in in 1939, they rounded up the leaders and the intellectual elite and sent them to concentration camps where many died.

"Yet, today," the admiral continued, "this country has its children going to school 6 hours a day, 6 days a week, 10 months a year."

Polish students, he said, work hard in school and have no free time or so-called study periods during the school day.

"They do not spend their time," he added, "collecting milk bottles or old newspapers or taking courses in 'How To Find a Mate.'"

LANGUAGE STUDY STRESSED

"Those who complete the 11-year course and are going on to the university," Admiral Rickover commented, "study one foreign language continuously for 6 years and another foreign language for 4 years. They also have had several years of physics, chemistry and mathematics."

Admiral Rickover asserted that our educationists keep lulling the American people with the threadbare statement that our schools are the best in the world.

"They (the educationists) will not face facts, they will not answer questions," he said. "They simply malign those who take issue with them."

Admiral Rickover remarked that he was not advocating that we copy the Soviet political system.

"But it seems to me," he declared, "that we in the United States who are so blessed with natural resources and have such a high standard of living certainly should be able to give the same emphasis to education that they do."

WORLD'S FAIR, NEW YORK CITY, 1964

Mr. KEATING. Mr. President, I note with great interest and emphatic ap-

proval that preliminary plans are being made for a world's fair in New York City in 1964. Five years of hard work and careful planning lie ahead. It is gratifying, however, that a world fair will again be held in New York—the Nation's largest city and the home of the United Nations. The theme chosen for this event, "Peace Through Understanding," is altogether fitting. It is certainly true today that contacts among the peoples of the world are the key to mutual understanding and hence to peace.

Mr. President, I ask unanimous consent that two editorials from the New York Times and the New York Herald Tribune, both of which salute the 1964 World's Fair in New York City, be printed at this point for the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

NEW WORLD'S FAIR OFF TO GOOD START

A lot more planning will have to be done and the sources of a lot of money—perhaps $500 million—found if the proposed 1964 New York World's Fair is to become a reality.

But the idea seems a sound one. It will have been just 25 years since the last world's fair opened in New York, with its theme "Building the World of Tomorrow." It will have been a momentous quarter-century.

The theme of the proposed fair is "Peace Through Understanding," appropriate to an age in which international expositions increasingly have an importance far beyond the commercial.

The first need is, of course, to sound out the reaction among those whose support for participation would be essential. The committee proposing the fair seems confident that enough support will be forthcoming to make it the biggest and best world's fair ever staged.

Enough strong backing—including that of the city administration has already been enlisted to get the project off to a running start, and we hope the committee's ambitious prophecies of success are fulfilled.

A WORLD'S FAIR IN 1964

A world's fair would be a good thing for New York City, and we are for it. With New York as United Nations headquarters, a theme "Peace Through Understanding" is appropriate to the host city as well as to the great yearning of our times. Every generation should have its fair. Twenty-five years will have passed, in 1964, since the World of Tomorrow Fair of 1939–40. The last previous world's fair in New York City had been in 1953–54 in the Crystal Palace.

A world's fair is not to be undertaken lightly, as the headaches still remembered from 1939–40 warn us. Unpublicized meetings have been going on since May to consider the possibility of trying again, and a small group of citizens with the courage to make the effort will soon be enlarged into a cross-section of the city's leadership. Resolutions will be introduced in Congress, a proclamation from the President will be sought, the cooperation of Governor Rockefeller and the legislature will be invited. Mayor Wagner has already given his wholehearted endorsement.

Each fair must, of course, try to be bigger and better than those that went before. The sponsors for 1964 are thinking in terms of a $500 million cost for a fair that might bring $6 billion in tourist and other business into the city. Well, nobody should try to promote the idea of a world's fair who doesn't have plenty of enthusiasm. The 1939–40 fair had a construction cost, including that paid by exhibitors, of $126 million. Paid attendance was 44,932,978; revenue was $48,287,767 and the deficit was $18,723,222.

But a world's fair should not be judged wholly in the scale of dollar profit, which is rare for such a project. The real value is to be found in stimulation of ideas, in exchange of people and things, in the worldwide cooperation encouraged, in the enhancement of communication, in appreciation of the arts, in entertainment, in the looking backward and forward across history and into the dimly known future.

We salute the people who had this idea, and the rapidly enlarging number who are about ready to begin the hard work lasting 5 years or more. They deserve applause, encouragement, and success.

Mr. JAVITS. Mr. President, later this week I shall have the honor of introducing the appropriate joint resolution for the purpose of having a world's fair in New York in 1964; at the same time that a companion joint resolution will be introduced in the other body.

In that connection, I think the Members of the Senate should know all about the details of what we plan to be an even improved version of the World's Fair which was held in New York in 1939 and 1940.

Therefore, I ask unanimous consent to have printed at this point in the RECORD the detailed news story on this subject from yesterday's New York Herald Tribune which includes, in part, the statement of the mayor of the city of New York.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

WORLD'S FAIR PLANNED FOR CITY IN 1964—MAYOR BACKS COMMITTEE PROJECT, CONGRESS WILL GET BILL THIS WEEK

(By Robert A. Poteete)

A proposal for a 1964 New York City World's Fair that might bring $6 billion worth of trade to the city was disclosed yesterday by Mayor Wagner who gave it his "wholehearted endorsement." The proposal, to which the Mayor pledged the city's support, was put forward by representatives of a committee of 25 leaders in the fields of transportation, industry, hotels, real estate, publishing, finance, and government. The chairman is Thomas J. Deegan, Jr., adviser to corporations.

Three factors combine to give the proposal considerably more substance than similarly projected enterprises of the past: The standing of the committee members, the fact that the initial announcement was made by the mayor, and the fact that one of the committee members is City Administrator Charles F. Preusse, one of the most influential officials of the Wagner administration.

In addition to enlisting Mr. Wagner's strong support, the committee has:

1. Filed application in Paris with the Bureau Internationale des Expositions—the governing body for the world's major fairs—for permission to hold a World's Fair in New York City in 1964.

2. Arranged for Senator JACOB K. JAVITS, Republican, of New York, and Representative EDNA F. KELLY, Democrat-Liberal, of New York, to introduce this week in Congress a joint resolution authorizing the President to invite oversea countries to participate in the fair.

3. Appointed subcommittees to study the questions of finance, theme, site, organization and admnistration, liaison with the Bureau Internationale des Expositions, and liaison with city, State, and Federal agencies.

4. Planned for one day this week a meeting of an Organization Committee of Fifty, representing outstanding business, industry, labor, and shipping leaders. This meeting will hear reports by the subcommittees, which are to have conclusions and recommendations ready for the session.

No information or authoritative speculation was to be had immediately on such key questions as how much the fair would cost, how the money would be raised, where it would be held.

The mayor's statement said that the projected fair would commemorate the 300th anniversary of the founding of New York City, and that its theme would be "Peace Through Understanding."

In his statement, the mayor said:

"The last World's Fair held in the United States took place in New York City in 1939–40 and brought more than $1 billion worth of trade into the New York City area. This occurred at a time when the country was just emerging from the depression and was on the threshold of World War II.

"The favorable economic climate existing today, plus a Federal tax structure which provides an incentive for corporations to participate in such projects, portends an infinitely more desirable basis for such a project.

"In addition, the marked success of the Brussels Fair last year and the rapidly expanding jet age, reducing the size of the world, are factors which strongly influence the exploratory planning of the Committee of Twenty-five.

FAIRS COMPARED

"In making comparisons of the total amount of trade in dollars brought into New York at the last World's Fair, it was the feeling of the committee that the amount in 1964 readily could reach $6 billion."

The Brussels World's Fair—the first since the New York World's Fair of 1939–40—was opened on April 17, 1958, on a 470-acre site. It attracted an estimated 42 million persons in a 6-month run that ended October 19.

The New York World's Fair, on a 1,216-acre site in Flushing Meadow, Queens, attracted 25,817,265 visitors during a 185-day run in 1939, and 19,115,269 visitors in 155 days in 1940. Its symbol was a trylon and perisphere.

The Flushing Meadow site is presumably available for another world's fair. Two buildings, the New York City Building (once the home of the United Nations Assembly) and the New York State Amphitheater, still stand on the site, along with trees that were planted for the fair.

Mr. Deegan, chairman of the 25-member World's Fair committee, is an adviser to the Radio Corp. of America, the New York Central System, and other corporations. He was active in RCA's participation in the Brussels Fair last year and is directing the company's participation in the American Fair in Moscow.

KOPPLE IS DIRECTOR

The committee has established headquarters at 450 Seventh Avenue, with Robert Kopple as director of the New York World's Fair—1964.

Members of the original committee are:

Vincent Barnet, chairman of Barber Steamship Lines; Peter Brennan, president of the Building Construction Trades Council; A. N. Brion, president of Eastern Greyhound; Lloyd Dalzell, chairman of the Dalzell Towing Co.

Also, Raymond Deering, vice president of the Manufacturers Trust Co.; Harold Drescher, of Grey Lines Sightseeing, Inc.; Fred Glass, senior vice president of the Empire State Building Corp.; Harold Gray, executive vice president of Pan American Airways.

Also Peter Grimm, chairman of William A. White & Sons; George Hyam, of George Hyam Associates; Abraham K. Kaufman, lawyer; Walter Kolb, president of the Industrial Bank of Commerce; Mr. Kopple;

Robert Kriendler, president of "21" Club; David M. Levitt, of DCA Food Industries, Inc.

Also, Douglas Leigh, chairman, Douglas Leigh, Inc.; John E. McCarthy, president of Fifth Avenue Coach Lines; Thomas Jefferson Miley, executive vice president of the Commerce and Industry Association.

Also J. J. Moore, vice president of the Beech-Nut Lifesavers Co.; Alfred E. Perlman, president of the New York Central System; Mr. Preusse; Thomas J. Shanahan, president of the Federation Bank & Trust Co.; Harry Van Arsdale, president of the AFL–CIO Central Labor Council, and Jerome Weinstein, of International Press.

EXCELLENT FINANCIAL POSITION ACHIEVED BY NATION'S FARMERS IN 1958

Mr. KEATING. Mr. President, on August 4 the New York Times published an editorial on the subject of the record financial position achieved by the Nation's farmers last year. Farm assets have reached a new high, while income has risen 16 percent over 1957.

When we consider how well farmers have been doing over the past few years, we should remember that the great majority of farm commodities—in fact, four-fifths of all agricultural products—are traded on a free market. The conclusion from this is obvious. The Government does not deserve the major credit for this encouraging increase in farm assets and the rise in income. Our farmers do. They have achieved it largely through their own efforts.

Meanwhile, technological improvements in farming methods continue to come forward at a record pace. The efficiency of agricultural production, what economists call man-hour productivity, increased over the past year by 7 percent. This is twice the rate of increase in the industrial sector of the economy.

All of this encouraging news from the farm front immediately suggests that similar progress must be registered in the Government's support program for the one-fifth of our farm production which enjoys subsidization. The farm economy cannot be expected to continue to improve unless Government subsidy programs are revised in such a way as to be in accord with the national economy as a whole. This is no easy task. Nevertheless, to use an agricultural motif, we in Congress must forthwith grab this bull by the horns no matter how much it hurts.

Mr. President, I ask unanimous consent that the New York Times editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE FARM BALANCE SHEET

The Federal Reserve Board's annual "Balance Sheet of Agriculture," just released for publication, reveals that the financial asset position of the Nation's farmers reached the highest level last year in the Nation's history.

At the end of 1958 total farm assets stood at $203 billion, an increase of $17 billion over 1957. Slightly more than half the increase was accounted for by the rising prices of farm real estate, which has been enjoying an uninterrupted boom since 1953. The rise, which started from a level of $89.1 billion in that year, has now amounted in the subsequent period of 5 years to slightly more than 40 percent.

It is equally interesting to note the size of the farmers' equity in the aforementioned $203 billion of farm values. Many of us have become accustomed to think of agriculture as predominantly of the debtor class. Yet with respect to this $203 billion, the farmers' equity is $180 billion and their indebtedness is only a little over 11 percent. One cannot help wondering what percentage of urban residents can boast today a ratio of equities to total assets as high as this.

The combined income statement of the farming population didn't quite keep pace with the improvement in its balance sheet—largely, no doubt, because of the fact that it didn't benefit from the boom prices prevailing in farm land. However, net income—earnings of farmer operators as well as farm labor and rentals to nonfarm owners of land—enjoyed a very sizable increase over the year before, reaching a figure of $18.7 billion, a gain of 16 percent.

Mr. KEATING. Mr. President, I also ask unanimous consent that an article relating to the Farm Bureau Federation's new subsidy proposal for dairy products, which was published in today's New York Herald Tribune, be printed in the RECORD. It is encouraging to see farmers themselves attempt to develop new approaches to the problems inherent in the existence of huge surpluses of certain of our major agricultural commodities.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FARM GROUP DRAFTS PLAN ON DAIRY PRICE SUPPORTS

WASHINGTON, August 9.—Leaders of the Nation's biggest private farm organization are drafting a new dairy price support program which they predicted will get the Government out of the business of buying and storing surplus butter, cheese, and nonfat milk.

The farm group, the American Farm Bureau Federation, is also studying the possibility of recommending new sanitation standands for the milk used in butter, cheese, and other manufactured dairy products.

Both proposals are under discussion in farm bureau circles as a result of action by the group's convention in December 1958. The discussions are expected to lead to development of concrete proposals for action by Congress next year.

WOULD JUNK OLD FORMULA

The convention approved "in principle" a proposal to junk the old farm-parity formula as a basis for supporting dairy prices and to replace it with supports based on open market price averages.

The detailed plan now under discussion would set price supports at not less than $3 per hundredweight for manufacturing milk (this year's rate is $3.06) for a 2-year period. After that, supports would be set month-by-month at 90 percent of the last 3-year open market average.

The plan would retain the present system under which the Government supports dairy prices by purchasing butter, cheese, and nonfat milk from any manufacturer who offers these products at the support rate.

HOW PLAN WOULD WORK

But under the tentative farm-bureau plan, manufacturers would have to certify they had paid farmers at least the published support price for the month in which the product was manufactured. Manufacturers would also be forbidden to sell more than half of their production to the Government, except that producers of nonfat dry milk could sell up to 60 percent to the Government for 2 years.

If the new support program is combined with tightened sanitary standards, farm-bureau experts maintain in a "discussion guide" outlining the dairy proposals, Government price-support purchases of butter and cheese would end within 3 years. Purchases of nonfat dry milk would end "soon thereafter" and in future years Federal support buying would be necessary only on rare occasions as supports were held below the open market price.

Efficient dairy farmers could profit under this system while prices were kept low enough to be attractive to consumers, farm-bureau officials said.

The proposed sanitary standard would be aimed at producing better tasting, more attractive dairy products. The standards, applying only to manufacturing milk could be tightened gradually over a 3-year period to give farmers time to adjust their operations to the new requirements.

PROPOSED WEST POINT FOR DIPLOMATS

Mr. GORE. Mr. President, the distinguished junior Senator from Missouri [Mr. SYMINGTON] has written a pungent, worthwhile article entitled "Let's Have a West Point for Diplomats," which was published in the magazine This Week for August 2, 1959. I found it to be interesting. I feel certain that my fellow Senators and other readers of the CONGRESSIONAL RECORD also will find the article logical and the facts presented therein interesting and challenging.

In the article, the Senator from Missouri calls attention to the language deficiencies of the people of our country when measured alongside our world responsibilities. He has proposed the establishment of a national academy for the training of competent young persons to serve in our Foreign Service. The junior Senator from Missouri has introduced a bill to establish such an academy. I, too, have introduced a similar bill.

Last month, when I was one of the U.S. delegates at the Geneva Conference on the Suspension of Nuclear Weapons Tests, the U.S. delegation invited the Russian delegation to dinner. I found at the dinner that every member of the Russian delegation spoke English sufficiently well to convey his views and to understand my views. On the other hand, not one member of the U.S. delegation could speak one intelligible sentence in the Russian language. I call attention to this fact to illustrate the need for greater linguistic capabilities on the part of the people of the United States if we are adequately to play a preeminent role in the world.

Mr. President, I ask unanimous consent that the article by the Senator from Missouri be printed at this point in the RECORD, and I commend it to the attention of the Senate.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LET'S HAVE A WEST POINT FOR DIPLOMATS

(By STUART SYMINGTON, U.S. Senator from Missouri)

WASHINGTON.—Since World War II, the United States has spent nearly $60 billion

in an effort to prevent countries from being taken over by the Soviet-Chinese empire.

It is no secret that, because American representatives were not properly trained for their jobs, much of this money has been wasted.

Americans sent to a foreign country too often do not speak or read the language.

How would you feel if a foreign official came to live in your town who could talk to you only through an interpreter?

But judging on the basis of admitted linguistic deficiencies of our Foreign Service personnel, this often happens abroad.

WANTED: A FOREIGN SERVICE ACADEMY

The United States should have a Foreign Service Academy to train young people for efficient service in diplomatic missions throughout the world.

We now have three schools—West Point, Annapolis, and the Air Force Academy—which prepare our youth for a possible hot war. Surely, we can afford one which will equip them to serve their country in the cold war in which we are now engaged.

The Foreign Service Academy should, like the service schools, charge no tuition. I also suggest that both men and women be eligible to attend and that there be no physical requirements beyond reasonably good health.

In the technological, psychological, political and economic fields, the Communists are planning for the years ahead. We are not.

But in spite of this enormous expense, it was revealed last year by the Advisory Committee of the Foreign Service Institute that:

Fifty percent of our entire Foreign Service Officer Corps does not have a speaking knowledge of any foreign language.

Seventy-five percent of the new men coming into the Foreign Service do not speak a foreign language.

Llewellyn E. Thompson, U. S. Ambassador to Moscow, is the only U. S. Ambassador in a Communist country who speaks the language of the country to which he is assigned.

Our representatives don't understand other cultures. Western thinking and standards just don't go over in some of the important countries of Asia and Africa whose cultures have existed for thousands of years, and have developed differently from ours.

Asians have a new phrase: the "Golden Ghetto." To them it means the plush places where American diplomats and other representatives hold their cocktail parties, dinners, and other social events.

Because they have been inadequately schooled in the language and culture of the country, our representatives live an isolated life, associating mostly with other Americans. The shifting winds of popular sentiment do not reach them. Our embassy in Baghdad did not know of last year's coup in Iraq, for example, until it was well under way.

In contrast, the Russians are making a planned, determined effort to develop the most linguistically proficient diplomatic corps in the world. In Russian elementary and secondary schools, foreign languages are compulsory. Bright students begin to study languages at the age of eight.

The best students eventually end up in the National Institute of Foreign Languages; and there they are given an intensive 5-year course. As a result, an estimated 9 out of every 10 Russians sent abroad read, speak, and write the language of the country to which they are assigned.

These Russian foreign-service personnel are thoroughly grounded in the culture and economy of those countries, are experts before they arrive.

HOW THE RUSSIANS TRAIN THEIR EXPERTS

For some time the Soviets have had an Institute of Foreign Relations, supervised by their Ministry of Foreign Affairs. This Institute is the principal source of their future diplomats. Enrollment is around 1,000; the course is 6 years long. In the third year students begin to specialize in the problems of a particular area. In the final years they study intensively the country to which they have been assigned.

The United States does have some institutions for training diplomats; and some universities have graduate schools with special programs devoted to various regions of the world. The State Department conducts language courses for Foreign Service officers and other interested Government personnel.

But these programs are uncoordinated and casual compared to the training efforts behind the Iron Curtain. It will take years to develop a comparable task force of trained American representatives. But we can and should begin that preparation now.

That is why I introduced in the Senate last January 9 a bill to establish such an Academy, stating: "The ultimate future of the world, whether it is to be free or slave, will not be settled on the battlefields, but rather in the minds of men.

"Dedicated, well-trained representatives are at work for the Communist cause all over the world. We have not matched this effort, either in size or degree of training."

This proposed Academy would establish a 4-year, tuition-free college for the training of oversea representatives.

Students would be selected on the basis of merit, and required to take competitive entrance examinations.

Although the Academy would be under the direction of the Secretary of State, it would prepare young men and women to serve in any of the governmental agencies which operate overseas.

Besides the usual basic college courses, the Foreign Service Academy would offer instruction in the language, culture, history, and economy of foreign countries.

Its faculty could be drawn partly from the ranks of retired foreign-service officers. To our young people, the latter could transfer the immense value of their personal experience as gained in years of oversea assignments.

Besides producing better trained diplomats, a Foreign Service Academy could also give more of our youth a chance to serve our country. Minor physical handicaps bar a great many brilliant and responsible young men from the military academies. A Foreign Service Academy would give them their chance. And it would offer opportunities to women, too.

A CASE IN POINT

Lt. Gen. James M. Gavin, one of the Army's great strategic planners, with a hero's combat record, was an orphan at the age of two. He was adopted into the family of a Pennsylvania coal miner. A college education was beyond his dreams. If Army officers were picked, as nearly all Foreign Service officers are chosen—from the campuses of our colleges—Jim Gavin would never have had an opportunity to serve his country.

That is why, at the Foreign Service Academy I propose, the students who are successful in the competitive entrance examinations would have their tuition paid by the Government in return for a commitment to serve their country abroad.

If we are determined to remain a free people, we cannot continue to be indifferent to the energetic and effective Communist missionaries Moscow is now sending to the four corners of the earth.

Every Communist revolutionary sent out to infiltrate, divide, and conquer must be matched by a free world advocate of lasting peace through justice and law—someone thoroughly trained in the language, the economy, and the customs of the country to which he or she is assigned.

Tomorrow is too late. We must start today to train our people to merchandise the most valuable commodity in the world—the American way of life, with its individual dignity, and its investment in freedom.

THE NEED FOR HOUSING LEGISLATION

Mr. JAVITS. Mr. President, I desire to make a statement concerning the action taken this morning by the Committee on Banking and Currency, of which I am a member, on the subject of housing legislation. I regret very much the decision of the committee, taken by a divided vote, to bring up the President's veto message in an attempt to have the Senate vote to override the veto. I deprecate that action, whatever may be my vote or that of any other Senator upon this issue. I deprecate it because I fear it may tend to harden the lines of difference between the White House and Congress. When the country so urgently needs a housing bill, it is very hard to pour oil on waters so troubled as these. I can only express the hope—and I think it is really the hope of all the people of the country—that if the effort to override the veto should fail, Congress will immediately close ranks and pass a housing bill. I understand the vote will come very promptly.

If tempers are allowed to become exacerbated and the issue between the administration and Congress is permitted to harden as a result of this move, which is rather sudden, so far as most of us are concerned, I believe it will only result in delaying, perhaps even blocking, a housing bill this year, as happened last year. In terms of the prosperity of the country and in terms of the housing needs which are to be served, I think that would be a very grave and sad result.

There is always a frame of reference in which a vote is had. I hope very much the frame of reference on this vote will be that if the result is not to override the veto, we shall get on with the business within hours—certainly within a day—and do what I believe should have been done today, namely, begin work on the Subcommittee on Housing's print of the bill, and write a housing bill for this session.

HELP NEEDED FOR DEPRESSED AREAS

Mr. BYRD of West Virginia. Mr. President, once again the Charleston Gazette of Charleston, W. Va., has published a probing and incisive editorial concerning the depressed areas problem.

In Friday's edition, the newspaper pointed out that technological unemployment is continuing to be a heavy millstone around the necks of West Virginians.

The editorial states:

> The Federal Government has a responsibility to its citizens. When they can no longer help themselves, it must step in and give a hand.

Mr. President, lest we forget that the depressed areas problem is still with us, and that our Nation still is in need of

area redevelopment legislation, I ask unanimous consent that the editorial may be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DEPRESSED AREAS NEED GOVERNMENT'S HELP NOW

Whenever the subject of depressed areas, unemployment or other such unpleasant matters are brought up, the Eisenhower administration starts talking about the gross national product and the irreducible minimum of unemployment.

They are proud of pointing out that there are always some people who are out of work but aren't looking for work. We have practically full employment now, they say—more people employed than at any time in history. Besides, look at the gross national product.

We think it's more pertinent to look at the unemployment. Who are the unemployed? Why are they unemployed? Do they want to be unemployed? How can we get them back to work?

These are the questions the Eisenhower administration doesn't care to discuss. Because, of course, the problem unemployed aren't part of the shifting population: They aren't going anywhere because they haven't the money to go anywhere. They are the workers who have been permanently replaced by machines.

And while we're clearing up misconceptions, let's have at a few more of them. Technological unemployment wasn't brought about by labor unions raising wages. That might have hastened it infinitesimally, but it came about in just the same natural course of events that the automobile replaced the horse. No one claims the horse priced himself out of the market.

Neither was technological unemployment brought about by the oil and gas industries. It might have been helped along a little, but we would be happy to wager that if oil and gas both collapsed, the coal industry would merely step up the tempo of its mechanization. For we believe that the day of the man going under the earth with a pick over his shoulder and remaining there for 8 hours, in darkness, is past. And happily past.

Meanwhile, back with the gross national product and full employment, it is important to look behind the statistics. Certainly a small amount of unemployment is inevitable. It is when the same people turn up on the rolls week after week, month after month, year after year that action is needed.

Members of the Eisenhower administration are fond of saying that "people should help themselves," "They must roll up their sleeves and go to work."

They'd be delighted. But go to work at what?

It's easy to sit in a handsomely appointed office in Washington with a large bronze elephant on your desk and tell people to roll up their sleeves and help themselves.

Some of the larger and more prosperous States have done very well at helping themselves. They had tax revenues from diverse sources which could be put to work attracting new industry—guaranteeing loans, building factories and the like.

But West Virginia isn't among these States. Her tax base is shrinking rapidly and, increasingly, money is being used not to build factories but to prevent starvation, not to guarantee loans for industry but to keep roofs over the heads of the poor.

The Federal Government has a responsibility to its citizens. When they can no longer help themselves, it must step in and give a hand.

One reason it may have taken so long to get a program underway was voted recently by Victor Roterus, Director of the Office of Area Development in the Commerce Department. He has traveled extensively through depressed areas and he said that he was continually surprised at the tendency there to suffer in silence. "They have no pressure groups working for them," he said. "They have almost no spokesmen."

The Eisenhower administration has sponsored a moderate depressed areas bill during the last three sessions of Congress. If any member of the administration has done anything whatever about speeding its passage, he has done it quietly. No one has noticed.

The Senate has passed a large depressed areas bill, sponsored by Senator PAUL DOUGLAS, Democrat of Illinois. If it passes the House—it probably will die in committee—it is certain to be vetoed by the President.

We suggest that if the administration is genuinely interested in the problem, to use an inelegant expression, it should put its money where its mouth is.

Now.

PROPOSED VISIT OF PREMIER KHRUSHCHEV TO THE UNITED STATES

Mr. BYRD of West Virginia. Mr. President, now that the initial fanfare is over in regard to the proposed visit of Russia's Premier Khrushchev to this Nation, I think many Americans are beginning to take a dubious second look at the development.

I, for one, have never looked with favor upon the notion of inviting Premier Khrushchev to make a tour of America.

For the record, Mr. President, and in order to set forth my views and the feelings of several other American citizens, I wish to make two insertions in the CONGRESSIONAL RECORD. I ask unanimous consent to have printed, first, the text of a telegram stating my views which I sent to the Associated Press on August 4, and second, two groups of letters to the editor which were published in the Washington Star on August 6 and August 10.

There being no objection, the telegram and letters were ordered to be printed in the RECORD, as follows:

AUGUST 4, 1959.

ASSOCIATED PRESS,
Charleston, W. Va.:

I am opposed to a visit by Khrushchev to the United States. I fear the effect which his visit will have on people of captive countries such as Poland, Hungary, etc., and the effect it will have upon pro-Western countries of Asia.

I cannot look with favor upon a visit to the United States by the man who was most responsible for the brutal suppression and merciless slaughter of Hungarian patriots, the man who engineered the treachery by which leaders of the Hungarian revolution were arrested and executed, the man who continues to deprive liberty-loving peoples in East Germany and other countries of Eastern Europe of their freedoms, the man who has blatantly said to Americans, "We will bury you," the man who has precipitated the Berlin crisis and who continues to threaten the free world with destruction.

I do favor continuing discussions with the Soviets on ambassadorial and foreign minister levels. I look with favor upon the visit of our Vice President to Russia; indications are it may have accomplished some good—however, results cannot be fully assessed until passage of time. I look with favor upon greater exchange of visitors between both countries at lower levels than that of Premier Khrushchev. I do not, however, look with favor upon invitation to the top man of the U.S.S.R. to visit this country any more than I favor a summit conference between Khrushchev and President Eisenhower.

Another result of the Khrushchev visit to America will be a growing complacency upon the part of Americans toward the threat we face. However, the invitation having been extended to Khrushchev, we can now only hope for the best.

ROBERT C. BYRD,
U.S. Senator.

[From the Washington Evening Star, Aug. 6, 1959]

OBJECTIONS NOTED TO KHRUSHCHEV VISITING UNITED STATES

In all the furor of Nixon's tour of the Soviet Union, his fabulous meeting with Khrushchev, plus the invitation to Khrushchev to visit the United States, it seems to me that the real issue has been lost track of.

It is a currently popular belief that free exchange of people from the United States and the U.S.S.R. will result in better understanding and a change for a peaceful solution to our differences.

Actually, such an exchange will mean exactly what the Kremlin wants it to and when. The basic aim of communism hasn't changed one iota and the present Kremlin leaders strive toward the same goal of world domination as did Stalin and Lenin.

As a student of Russian history, I find it appalling that we in America can continue to search for any basis for trust of the Russians. History, especially recent history, completely excludes any possibility of understanding, trust or peace with a nation which so brutally liquidated and continues to murder and enslave their own citizens, not to mention their barbarous atrocities committed in other nations as well.

Whether or not the Soviets "bury" us with nuclear or economic war is not the point. The point is they intend to bury us. Khrushchev has said so and he means it. The goal of Marx-Leninism is what it has always been—world domination and by any means, and before we delude ourselves further, we'd better think twice about that.

F. D. SIMPSON.

Breathes there a man with soul so dead he can cheer Khrushchev's arrival in the United States?

We stoop to a new low when we welcome the destroyer of the Godly and the maker of misery.

Oh, gullible America—let us no longer sing "God Bless America" but rather "God Save Us Ere We Perish."

EMILY W. MORRIS.

Are we prepared to deliberately expose ourselves to determined, trained Communists? Mr. Khrushchev is not coming here for prestige. He is coming to advance his ideology which he is living with all his might. The danger is not his presence in our country but the absence in us of a compelling, answering ideology. If we as a Nation were living the ideology of democracy with burning conviction, then we could invite anyone and give him something better to take home. Unless we can do this, our still quite powerful Republic is in danger.

The Scandinavians saw their mistake in inviting Khrushchev when their statesmen pointed out the ideological trap concealed in his visit. Newspapers in Sweden, Norway, and Denmark alerted the public.

Bishop Jonzon of Sweden told his countrymen, "Inviting Khrushchev to our country is

the same thing as letting the enemy through the frontline in a shooting war. Every word and action of his serves a definite purpose. It was shaking to see with what supreme skill Mikoyan played on every string during his visit to America—idealism, love of peace, sentimentality, naivete, sensation, vanity, business sense, mammon. Either we in Scandinavia choose communism—which is what Khrushchev intends by his visit—or we choose moral rearmament and live it both as individuals and as nations. As William Penn said, 'Men must choose to be governed by God or they condemn themselves to be ruled by tyrants.'"

Khrushchev saw the strength of these leaders' decision and saw that his visit would be futile.

We are still free to choose.

ANNE WILLIAMS SMITH,
Director of Nursing, Arlington Hospital.

Henry L. Mencken, the late sage of Baltimore, was right when he, explaining what it means to be an American, said:

"Here is a country in which all political thought and activity are concentrated upon the scramble for jobs—in which the normal politician, whether he be a President or a village road supervisor, is willing to renounce any principle, however precious to him, and to adopt any lunacy, however offensive to him, in order to keep his place at the trough."

President Eisenhower's decision to invite Nikita Khrushchev to visit the United States proves just that.

IMANTS BALODIS.

CHICAGO, ILL.

Concerning Comrade Khrushchev's visit I have a few questions:

When are we going to stop shaking the bloody hands of the comrades?

Just how does the Government propose to change the Communist ideology of world domination? They have already said our children would be Communists.

How can the Secret Service (even with the assistance of the Armed Forces) protect such a monstrous butcher from the justifiable wrath of the thousands of victims that have been given asylum in this country?

Stalin made fools out of Mr. Roosevelt and Mr. Truman. Is Mr. Eisenhower going to let Mr. Khrushchev make a fool out of him? Potsdam, Teheran and Yalta sold millions of human beings into slavery. Are millions more destined for the same doublecross?

SCARED CITIZEN.

[From the Washington Evening Star, Aug. 10, 1959]

COLD SHOULDER TO WARM WELCOME FOR KHRUSHCHEV

It is now painfully obvious that the visits of Comrades Mikoyan and Kozlov were eminently successful. By going over the head of the American Government, straight to the big industrialists, who in turn put pressure on the President, etc., Comrade Khrushchev is now coming to visit. Furthermore, he is coming at a time when Mr. Herter has just blasted the Soviets for blocking any progress at Geneva and when the President has repeatedly stated that until some progress was made at Geneva, any meeting between heads of state was out of the question. The announcement of Khrushchev's visit comes at a time when the Vice President has just returned from the most warm and overwhelming welcome he has ever had, from the Soviet-enslaved people of Poland, and he has the gall to urge that we give Khrushchev a warm welcome.

It remains to be seen how apathetic and obedient we Americans still are at this stage of the game, but I, for one, would like to go on record as saying that I will never welcome the murderer of Hungary, that cunning peasant who will take Mr. Eisenhower apart at the seams, endear himself to our greedy industrialists and the more naive of our Congressmen and finally go away rubbing his bloody hands in glee at having arranged for increased trade and dollar loans to boost the Soviet economy—and thus facilitate their burying us at an even earlier date than was previously hoped for.

F. D. SIMPSON.

Khrushchev has told us: "We'll bury you." Yet we invite him to our country, as though a benevolent and well-meaning man. What madness is this? Do we hope to change him? Have we not tried to dissuade the Communists from world revolution many times, and have we not failed? Before America extends a welcome to this smiling liar, let him and his henchmen restore individual human rights to the millions they and their predecessors have enslaved.

It seems that Eisenhower and Nixon do not understand that the cards are stacked against them when negotiating with the Reds. We will have to elect to office next year men who understand that words are not the proper weapon against our mortal enemies. We must elect a President who will have courage to break off relations with Russia.

JOHN F. HEATH.

Communists firmly believe that the only way for peace is their way. There is no freedom in communism; only freedom to choose it. If one does not choose it, then he must be forced to live its way. Then maybe he will see the truth. Communism does advocate violent overthrow of the Government, and any man has that right in America, for the Declaration of Independence states it so.

When Premier Khrushchev has 10,000 Hungarians slaughtered, he really believes that he is right. If he is right in this, then communism is true. But really it is the other way around. If communism is the only way, then to better the world, to lead it to communism, one has the right to do anything. But I do not believe he is right. I prefer my freedom instead of Marx' false theory of dialectical materialism.

Instead of threatening and voicing objections to Khrushchev coming here, Americans should be glad, for maybe some American, or some part of America, may show him that communism is wrong.

Americans should study communism and make up their own minds. If Americans knew exactly what communism is, they would know how to combat the enemy. For they are our enemies, i.e., Communists. And we must be on our guard.

However, Americans cannot condemn communism really, because it feeds many mouths though it closes many minds.

JOYCE ANTILA.

It's pretty strange that just as the Geneva conference is breaking up with no prospect of a summit meeting in view, Eisenhower suddenly comes to Khrushchev's rescue and offers him, without condition, the heads-of-government meeting the Kremlin tyrant has been angling for, to restore his prestige and show the restless captive people that America is hand in glove with their oppressors. And Eisenhower had solemnly promised the U.S. public that he would not meet Khrushchev on the summit level unless the Reds made some concession that would justify the summit meeting. Now Eisenhower has not only given Khrushchev that meeting for nothing but the chance to desecrate American soil with his presence as well.

R. S. FINO.

Who said "Crime does not pay"? Here we have the master criminal of them all, not excluding Hitler, being extended a warm invitation to visit our beloved country. This is a new low in degradation. "No, Mr. Khrushchev, please don't stab us in the back, just cut our throats so we can watch you." What are the leaders of our country thinking about? Won't they ever learn, or will it take another Pearl Harbor?

Thank God, John Foster Dulles did not live to see everything for which he worked and sacrificed cast aside and trampled under foot by the fawning politicians, who will be falling all over each other vying for invitations to rub shoulders with old "Bullethead" Khrushchev.

I hope that every red-blooded American will give "Old Man Communism" the coldest welcome ever accorded a foreign visitor to our shores.

A. L. BELL.

I don't agree that Americans should give Khrushchev the same friendly treatment accorded Vice President NIXON by the Russian people during his visit to Russia. There's a lot of difference between the representative of a country like ours and the leader of the Communist conspiracy.

I believe he should be treated courteously (don't throw rocks), but I should think that no real American would want to greet him with open arms (no doubt many in this country would like to greet him with closed fists).

After all, his smiles can't wipe off his black spots, nor can anything he may have to say undo the work he and his henchmen have done and are doing.

ANTI-COMMUNIST.

Americans can't seem to remember that it is deeds, not words, that count. All of the smiles, handshakes and proferred bouquets, replete with hand-kissing, cannot obliterate the knowledge that the Soviet Government still holds slaves and has permitted killing and untold torture of millions of people in still captive nations.

The Russian people, smiling and friendly to visitors—do not rule—have no choice but to "grin and bear it." Their socialist dictator controls every person and the peril of nonconformity is banishment, imprisonment, or death.

Of course, the Russian people cry "peace," as reported by Vice President NIXON's companions on his visit there. What sane person does not cry "peace"? But we know we shall not have peace until the Russian rulers respect contract and individual dignity and rights. Until they honor the principles of civilized men and renounce, in deed, all violence and oppression, all of the smiles in the world will not bring peace. "He can smile and smile and still be a devil."

It is to be hoped that the Russian dictator will not be allowed to visit this country until his government's practice of oppression and violence has ended in fact.

GERALDINE M. BERRYHILL.

Are the 1960 political conventions to be held in Moscow? Will Khrushchev pick the nominees? HUMPHREY and NIXON have campaigned harder in Red Square than on Main Street, U.S.A. Embracing red tyrants has replaced kissing babies for American political hopefuls.

And now slavemaster Khrushchev is invited to America—to inspect his future "nonvoting constituents," no doubt.

If America doesn't cease putting out the welcome mat to her would-be conquerors, she'll "culturally exchange" herself into a Russian satellite.

ELIZABETH LIPPITT.

SAN FRANCISCO.

NATIONAL FOREST PROGRAMS

Mr. MURRAY. Mr. President, in the fall of 1958 the Senate Interior and Insular Affairs Committee had a staff review made of national forest timber sales in three western regions. I ask unanimous consent that the conclusions and recommendations of that report be printed in the RECORD at this point along with copies of two letters from the Department of Agriculture in response.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

REVIEW OF NATIONAL FOREST TIMBER SALES IN THREE WESTERN REGIONS

(Memorandum of the chairman to members of the Committee on Interior and Insular Affairs, U.S. Senate, together with a staff study, December 31, 1958)

CONCLUSIONS AND RECOMMENDATIONS

The problems found in this study are cumulative and growing because the basic tools for their solution have not been fully utilized. The study made leads to these conclusions and recommendations:

1. National plan needed

In the public mind the Forest Service timber-sale program has as its only announced goal reaching something called the "full allowable cut" at the earliest practical date. Because of the rapidly growing importance of the national forests, as a timber source, for recreation and other uses there is an urgent need for definite management goals, fixed to a point in time, explained as to objective, and relating operating and investment requirements to benefits. The Department of Agriculture has just completed publication of "Timber Resources for America's Future," the most complete analysis of the Nation's timber resources that has been made. This review includes forecasts of timber supply and demand both for the years 1975 and 2000.

A national plan should be made setting forth forest-management goals for the future which adequately describes—

(a) Timber-harvesting goals;

(b) Reforestation and silvicultural work needed to attain optimum forest production;

(c) Recreation, watershed protection, grazing goals, and land-use adjustments needed to harmonize multiple uses;

(d) Estimates of the role the national forest will play in the Nation's economy;

(e) Road and servicing facilities needed for management and operation;

(f) Cost estimates to reach stated goals within the first 5-year period, as well as overall costs.

The overall program should be utilized to formulate short-term goals and as the background for budget requests. Special attention should be given to developing presentations which evaluate how program goals are being met.

2. Lack of access held up sales

The major factor holding up planned timber sales in the period studied was lack of rights-of-way. This includes obtaining bare-land rights-of-way in order to construct a Forest Service road, purchase of the right to use an existing road, and agreements for cooperative construction of new roads serving two or more ownerships. Information furnished in region 6 showed that over 1 billion board feet in unmade or delayed planned sales was due to these problems. In region 1 over 500 million board feet in sales delays stemmed from the same source. In addition, there are substantial volumes ready to put into sales that never enter plans because of unresolved right-of-way difficulties. While on the one hand, it is a fact that the Forest Service has not been financed to sell all the timber that theoretically could be sold, on the other, it is clear that the Service, under present policies, has expended considerable time in fruitless negotiations where it is unlikely that agreements will be forthcoming.

Policies have not been set forth and backed up with funds so as to enable the Service to utilize the full range of possibilities in negotiations. Thus, the United States is at a disadvantage in negotiating both with parties who proceed in good faith, as well as with those who do not.

Progress has been made under the present ground rules but the true measure is the relation of this cause of delay to other causes and its effect on the sale program. Timber management is not possible without permanent access arrangements.

The Department of Agriculture should set forth a right-of-way policy and an active adequately financed program geared to solving problems in an orderly, firm, and fair manner.

3. Inadequate records

Forest Service records on timber sales are not sufficient to reveal significant and important facts on a timely basis for its $100 million annual business. The Forest Service has emphasized "timber cut" as an expression of timber-sales accomplishments. This measure is incomplete and misleading because it fails to properly describe accomplishments. The Service should clearly show the entire program and the interrelationships that exist. The minimum elements of the sale program that should be included are—

(a) The volume of timber in the various stages of sale preparation.

(b) Sales planned for the coming year with appropriate information on sale-size components, the cost of accessory timber purchaser roads, and the anticipated rate at which the sales will actually be loggable.

(c) The volume of timber under contract and the rate at which it will be logged in the forthcoming year.

These key records, adequately briefed and highlighted for use by the Chief, the Department, the Bureau of the Budget, and the Congress, should form the nucleus of the budget justification for timber sales, and would be the basic tool for timber-sale policy and program decisions.

Adequate facts would then be available to aid in securing necessary funds to maintain a suitable backlog of work in the various stages of preparation, to maintain an even flow of sales from preparation into production, to gear sales to meeting the requirements of prospective customers, to assuring that sales preparation and administration work is of a high quality and that increases in timber cutting can be met without later jeopardizing other elements of the timber sale job.

4. Correlated standards do not measure current costs and sales plans not coordinated with funds

The Forest Service utilizes a detailed job-load analysis called Correlated Standards to determine field staffing levels, anticipated and expected work production, and funds needed to meet program goals. This procedure enables the Service to define its needs but it has often lagged in measuring current costs. In addition, it has not fully stated time requirements to do the entire timber sale job to current standards. Thus timber sale fund requests have not been sufficient to advance sales to the maximum level of operation. Revisions are now being made and the standards should be strengthened by local analysis and performance records.

Timber-sale plans are prepared on a long- and short-term basis, budgets are developed, funds are allotted, results are evaluated, but these actions have not been always closely related to each other on a timely and coordinated basis. Therefore it is not currently possible to quickly evaluate program conditions and to effect timely improvements or detect emergent difficulties.

The Forest Service has a highly decentralized operation. In this period of rapid growth of its timber-sale business it has not provided local officers with the management tools and guides needed to assure that the responsibility for performance is properly fixed at the local level. Work standards are on an average basis and no not properly show the range of time required on various ranger districts. In the timber-sale job there is a need for local officers to estimate man-day requirements for the various elements of each sale as a part of budget development. When funds are appropriated time estimates should be related to the planned work and time deadlines established for job completion. This record at the district level would permit the ranger to start his work planning at an earlier date, and to later adjust his program rapidly as experience showed variations from actually financed levels. The forest supervisor and regional office would be in a position to examine situations where planned time varied from work standards. The regional office could then better review proposed variations in formulating budget estimates. Subsequently the ranger, with the benefit of a better basic estimate should be able to more closely meet plans. Through its regular inspection system the Service would be in a position to quickly and effectively evaluate performance.

Presently substantial volumes of information are prepared locally for regional use, but a very limited portion is transmitted to the Washington level. Local records should be revised to make them into management tools, the volume of detail flowing to regional offices controlled, and slightly more concise detail supplied to the Washington office along with evaluation summaries.

The budget officers should review the timber-sale program, taking into account its economic implications and its revenue-producing potential. Performance measures should be evaluated to develop effective devices which will assure that estimates of needed funds for planned sales will be accurately reflected by accomplishments. Arbitrarily setting the level of timber-sale funds will have increasingly serious implications for the growing segment of the forest industry dependent upon national forest timber and for the communities in the 30 States where these forests are located. The keys to a successful timber-sale program are adequate lead-times in sale preparation and a full-scale assembly line.

5. Personnel transfers and sale records

The lack of useful local records on the status of salework presents unique problems in a large organization which must frequently transfer personnel. Forest supervisors often pointed out that sale program efficiency was hampered by transfers. The extent to which there is validity to the point of view that transfers occur too often is one which personnel management should review. Some real savings might be made if it is found that the transfer rate is excessive. Greater use might also be made of short-term details to achieve the goal sought with lateral transfers. However, the ever-present need to transfer people should not be permitted to be used as a crutch to excuse shortcomings.

The study revealed that often new sales officers did not know the status of the work of their predecessor or what had happened to work previously planned. While it is understandable that some of the events surrounding an active contract would not be clear the Service now maintains a good record that starts when a timber contract is let. Proper record maintenance should start with the conception of a sale. If a sale aborts or is delayed there should be an ade-

quate history showing cause, worktime expended, and salvable effort.

More meaningful local records showing time estimates for each major element of the sale job, time expended, job deadlines, current sales status would help overcome the natural temporary loss of efficiency caused by transfers. But a more lasting benefit would be the month-to-month value in program administration.

6. Announced plans exceed timber sold

A major factor causing the current review was a consistent error on the part of region 6, Forest Service, in announcing annual timber-sale plans with definite sales dates which were not then fulfilled either on schedule, for each of the listed sales, or in total quantity. This practice aggravated the industry, particularly those firms which did not have timber under contract and were in need of securing sales. The situation existed in other regions visited. These sale announcements were not closely coordinated with financed sale programs except in region 1. Corrective action has been taken by the Service. Care should be taken that future plans are absolutely related to realistic financed programs and that full public information is available on the exact cause for not currently offering the planned sale or for sale delays.

7. Roads needed for permanent cut expansion but salvage plans can be increased now

Over the years, the Forest Service, with rare exceptions, has not sold the full amount of timber available to sell under sound forest-management considerations. Originally this was due to a lack of real demand. During the thirties there was an active withholding of timber from the market at the industries' request. The net result was that in the forties when timber demand started to climb the Forest Service was not in a position to rapidly respond. Basic development which comes from an adequate road system had lagged behind even then current needs. Thus, still today there are real limits to the rate at which timber sales can be expanded. Expansion via large sales carries with it having the timber purchaser construct the roads. This method does not permit a rapid annual increase in cutting commensurate with the total volume contracted nor will it quickly bring sale performance up to allowable cuts. In some cases the marginal value of species in the stand requires that the major road network be available to attract customers.

The Forest Service carries forward to the next 5-year cutting budget a portion of the harvest deficit of the preceding period. The degree to which this deficit can be captured is controlled by both physical and fiscal limitations. There are substantial volumes where reasonable road construction will permit sale but unless additional road construction funds are made available, there will be fairly tight limitations on the rate at which sales can be expanded. If, however, mainline roads can be programed with appropriated funds into areas with usable carryovers in cutting budget deficits, not only can sales be expanded more rapidly, but the rate of return on road investment will be accelerated.

Beyond the allowable cut there is a volume of timber, excluded from cutting budgets, which is considered normal mortality loss due to age, insects, or disease. It is composed of scattered trees throughout the forest salvable only by small sales. Salvage sales in already roaded areas offer a quicker method of temporarily raising sales levels, although they do not solve the basic management problem. Where there is a road system in this timber can be readily marketed. It is timber that can be cut immediately. These sales fit the needs, buying habits, and financial ability of many small loggers. Because this volume will be lost if not salvaged, further because virtually no road investment, either public or private, is needed to cut it and finally because the return to the Treasury on direct cost will be five to one, this opportunity to raise the total volume harvested should be diligently utilized.

8. Sale size affects cost to make sales and opportunities for firms to secure timber

The cost to the Forest Service for processing sales varies with sale size. Forest sales size plans and actual sales did not always agree. When actual sales are smaller than those planned, funds will not produce the same volume of timber marketed. When the shift is to larger sales the forest record should surpass plans. The Service should insure that substantial variations from financed plans are reflected in performance expected.

Considerable heat has been generated by industry spokesmen arguing both for and against large and small sales. If the objective is to sell timber at the lowest expenditure of appropriated funds, large sales would be the answer. If the objective is to provide the broadest opportunity to all segments of the industry to bid for timber and in the process to insure the fullest chance for price to be set by the industry, medium and small sales should predominate. Despite the somewhat higher expenditure for processing net sale income will also be larger. Even on small sales revenue is substantially above costs.

Sale size is an effective device whereby the Government may influence the composition of the industry in national forest areas and particularly may affect the life expectancy, the number and size of firms that do not own private timber reserves. The social and economic impact of sale size decisions constitute policy considerations that need further analysis and decision by the Department of Agriculture in developing the plan suggested in point 1.

9. Improved sale and road plans

A considerable volume in proposed sales had to be deferred and replanned because on the ground examination revealed errors in the original sale plan or estimate. Improved presale reconnaissance would help in firming up plans.

One lumberman suggested that initial timber sale and road location planning could be conducted from the air with an appreciable cost and time saving. The increased availability of aerial photos and new mapping techniques may make it practical to conduct a pilot study comparing conventional sale selection methods to helicopter and light plane costs and results.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., April 23, 1959.

Hon. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate.

DEAR SENATOR MURRAY: This is in further reply to your request of January 16 for the views of this Department on the recommendations contained in the Committee Print "Review of National Forest Timber Sales in Three Western Regions." We hope also that you will consider this as a reply to your request of June 27, 1958, for a statement of both long-term and short-term goals with respect to the national forests.

The several recommendations are being reviewed and in due course we hope to furnish the committee our comments on them. In line with your request, however, we are commenting now on the first two recommendations.

The first recommendation proposes the preparation of an overall national program setting forth national forest goals for the future. On March 24 the Department of Agriculture sent to the President of the Senate and the Speaker of the House a "Program for the National Forests," which included both long-range objectives and an interim conservation and development program geared to the next 10 or 15 years. This program outlined needs for all renewable national-forest resources and we believe it meets the intent of the first recommendation contained in the committee print.

The communication from the Department of Agriculture was referred jointly to the Agriculture and Forestry and Interior and Insular Affairs Committee of the Senate and thus is before the Interior Committee, which you chairman, for such consideration as deemed appropriate. An additional copy is enclosed for ready reference.

The second recommendation suggests that the Department of Agriculture set forth a policy governing rights-of-way obtained by the Foreign Service. Attached is a summary of the current national forest rights-of-way policy as based upon a recent revision of the Forest Service manual. We believe that this summary statement of policy meets the intent of recommendation number two.

The recommendation in the committee print for an overall national program requested cost estimates to accomplish the interim development program. These cost estimates are now being developed on a national basis and will be sent you when available. You should understand that these will be only estimated costs to accomplish the program. They will not necessarily indicate what may be recommended in connection with budget requests because such needs must be considered in relation to overall fiscal needs and resources of the Federal Government.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

SUMMARY OF POLICY IN OBTAINING FOREST SERVICE RIGHTS-OF-WAY

A. GENERAL

Access to national forest lands: Policy of the Forest Service is to provide as promptly as is feasible adequate access to all national forest lands to assure effective protection and management and full use of all resources, consistent with laws, regulations, and policies. Such access may be by roads, trails, or other appropriate means, and will include procurement of adequate and nonrevocable rights to traverse nonnational forest lands.

Access to be assured before timber sale is advertised: Where the logical route for a road for removal of the products of a proposed national forest timber sale crosses nonnational forest land, all necessary road rights-of-way over such lands will be acquired, or firm options for them obtained before timber sale is advertised.

Rights-of-way procurement—All types of rights-of-way (including roads): The Forest Service will obtain in the name of the United States of America and its assigns, or will secure through a cooperating local governmental agency, legally adequate and administratively satisfactory rights-of-way authorizing use and occupancy of private land or land owned or administered by other governmental agencies before constructing thereon any road, trail, telephone line, pipeline, reservoir, or like improvement. On private land, except in special cases, this right will be in the form of an easement.

Where a right-of-way has clearly been established by prescription (as determined by the Office of the General Counsel), a formal easement need not be acquired unless the facility is to be relocated or enlarged beyond the existing right-of-way.

B. RIGHTS-OF-WAY FOR ROAD TO BE CONSTRUCTED BY OR FOR THE FOREST SERVICE

Easements to be acquired:

(A) Perpetual and unlimited easements will be acquired for roads on the permanent forest road system planned to service all-purpose traffic.

(B) Perpetual and unlimited easements will be acquired for other roads, except that the Regional Forester may approve the taking of limited or restricted easements in the following circumstances—

(1) Easements limited to use for management and protection of the national forest lands and removal of national forest products but unlimited as to time (except for the usual abandonment clause) may be accepted where (a) the use of the road so restricted will meet the needs of the Forest Service, (b) there is adequate public access to the tributary area over other roads, and (c) an unrestricted easement cannot be obtained except at excessive cost or after undue delay. (When need for the road is primarily for the intermittent or periodic removal of timber during cutting cycles or for occasional removal of infested or dying trees—the "put to bed" type of road—the abandonment clause will be omitted or appropriately modified.)

(2) An easement or permit for a specified limited time and/or limited purposes, as long as the time and purposes are adequate to accomplish the objective necessitating the right-of-way, may be taken under the following special circumstances if it is not possible to obtain a more general easement without excessive cost or delay—

(a) When there is need for a temporary road or temporary use of a road to make salvage sales, as for fire-killed or insect-infested timber which will deteriorate rapidly.

(b) For sale of timber on an isolated parcel of national forest land, and further use of the road is not anticipated for several years, if at all.

(c) Where quick access is necessary to perform emergency or short-duration work. Examples: Salvage, fire, flood, rescue, and "shoo-fly" construction roads.

Policy for condemning road rights-of-way: The Forest Service will use every reasonable effort to obtain rights-of-way through the medium of negotiation and amicable agreement. In those cases where rights-of-way are needed and satisfactory easements cannot be obtained with reasonable promptness through negotiation they will be obtained through condemnation.

In cases where the apparent owner is agreeable to granting a right-of-way on equitable terms, but title to the property traversed is defective, efforts will be made, in cooperation with the optionor, to cure the defects and obtain satisfactory title. If this cannot be done with reasonable promptness, the right-of-way will be condemned in order to provide the United States with safe title.

The governing consideration in the use of condemnation procedure will be procurement of the needed easement in sufficient time so that construction of the road or other facility will proceed on schedule.

A declaration of taking will be filed when there is urgent need for immediate use of the easement.

Policy on payment for rights-of-way: An easement for a nominal consideration should be expected and obtained in those cases where the presence of the road obviously will be of advantage to the landowner as well as to the United States. Payment of an equitable price for an easement may be made when land of substantial value will be encumbered or measurable damage caused by construction of the road.

Use and control of rights-of-way granted to United States: Easements granted to the United States of America and its assigns are under the control of the United States as to their full use and benefit for road purposes, subject only to reservations or limitations in the deed, if any. This control may include restrictions of use of the road to certain uses or certain users where necessary for valid reasons.

Objectionable conditions: Easement deeds will not include conditions or stipulations not directly related to the building of the road or other facility which will (a) prevent or restrict proper present or future administrative action, or (b) cause the reversion of the easement and the loss of any investment therein while the Government still has need for the road.

Government not to assume grantor's liability for right-of-way: Grantors occasionally attempt in the language of a right-of-way conveyance to relieve themselves directly or indirectly of all responsibility for liability arising from use of the road by others and to place the responsibility in the United States. Provisions in rights-of-way deeds purporting to do this are not acceptable.

C. RIGHTS-OF-WAY OVER PRIVATELY BUILT ROADS

Use of private roads: There are situations in which a landowner or timber user has built and is using a road to remove private timber or for other private purposes and such road is on or near the location of a programed Forest Service road, so that use of it will adequately meet access needs for management and utilization of tributary national-forest resources. In such situation, it is usually desirable to secure for the United States, on terms equitable to the Government and the owner, an easement over the road. Joint use of a common road for private and national-forest purposes generally is advantageous to both parties, as costs may be shared and the expense of duplicating facilities avoided. Every reasonable effort will be made to obtain a satisfactory right-of-way over an existing private road which is on or near the location of a programed Forest Service road and can adequately meet national-forest needs.

In negotiating for an easement over an existing privately built road, the prior investment by the owner in the facility, the special purposes for which it was built and the needs of the owner for continuation of his use appropriately can be recognized.

Compensation: In procurement of an easement over a private road in active use, provision may be made for repayment to the owner of an equitable share of the cost of the road, based upon proportionate volumes of Government and private timber hauled and to be hauled over it within an appropriate period of time, proportion of the road serving Government and private purposes, or other justifiable bases in the particular circumstances. This may be accomplished by direct payment from funds appropriated for roads in national forests, where such procedure is feasible and desirable, or by reservations in the easement granted to the Government whereby the grantor may require haulers of national-forest timber (or other products) over the road to make payments to the grantor within stipulated limits.

Terms and conditions: Easements over private roads purchased by the United States or procured by the Government upon the basis of reimbursement by national-forest users of a proportionate part of the cost of the road will—

(a) Be permanent, except for the usual abandonment clause, unless the road use falls within the limited classes where temporary rights-of-way are acceptable.

(b) Provide adequately for foreseeable national-forest management, protection, and utilization needs.

(c) Not include conditions, reservations, or covenants unrelated to the road use, or which seek to direct or limit national-forest management policies and procedures.

(d) Vest in the United States on the date of conveyance.

(e) Not obligate the Government to make payments in excess of the authorized available appropriation.

Reservations of rights of grantor to use and maintain the road, to require payments by purchasers of national-forest timber for hauling such timber over the road until the agreed upon proportionate share of the cost of the road to be reimbursed to the owner is amortized, to require maintenance in proportion to use, and other equitable provisions relating to the use and maintenance of the road are acceptable.

Provisions in easement which limit the right of the United States to permit use of the road by the general public should be accepted only where clearly justified and if accepted should be for specific periods of time or include provision for automatic expiration. Provisions for reversion of title to the easement to the grantor upon failure of the United States or other users to meet conditions in the deed are not acceptable, with the exception of the usual abandonment clause.

Condemnation: Where access over a privately built road is advantageous to the Government, every reasonable effort will be made to obtain a legally and administratively satisfactory easement on equitable terms through negotiation. If such easement cannot be so obtained, condemnation will be requested upon findings—

(a) That, considering the elements of time, need for access to national forest lands, probable cost (award for value and/or damage), alternative means of access, and other pertinent factors, such action is necessary and advantageous to the United States.

(b) That funds are available for payment of the anticipated cost.

A declaration of taking will be filed in connection with condemnation when there is urgent need for immediate access to the national forest lands concerned.

Use of private road on rental or toll basis: The use of an existing private road under a rental or toll agreement is permissible where there is immediate need for temporary access for limited purposes that can be economically met by such procedure, or where the foreseeable use to be made of the road in connection with the national forest clearly does not justify the expenditures necessary to acquire a permanent easement.

D. ROAD RIGHT-OF-WAY AND CONSTRUCTION AGREEMENTS

Use of road construction agreements: Generally speaking, it is desirable that areas of mixed national forest and private lands be developed by a single road system adequate to serve the need of all lands. This results in a better road system than either party usually would build for its own purposes and in a sharing of costs advantageous to both the Government and the landowner. When working circles or other management units, partly national forest and partly private, are undeveloped or inadequately developed by roads, the Forest Service will, to the extent feasible and advantageous to the Government, join with the private landowner in planning and constructing an adequate road system on the basis of each party bearing an equitable proportion of the cost.

Easement deeds required: Where the Government is to share in the expense of building the road system, by construction directly or by reimbursement to the other party of proportionate share of costs incurred by him, either with appropriated funds or through payments by purchasers of national forest timber (which payments are taken account of in appraisal of such timber), it is necessary that the United States be granted by the landowner satisfactory easements for the portions of the contemplated roads which will be on private lands. Such easements usually will be granted at the same time as the agreement for joint construction of the road system is entered into. They must be received by the United States prior to initia-

tion of agreed upon construction. The policy relative to reservations and conditions in easements over existing private roads also apply to easements granted to the United States under road construction agreements.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., August 3, 1959.

Hon. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, U. S. Senate.

DEAR SENATOR MURRAY: This is in further reply to your letters of January 16 and May 14, 1959, requesting comments of the Department on the nine recommendations contained in the committee print entitled "Review of National Forest Timber Sales in Three Western Regions."

On April 23 we furnished you comments on the first two recommendations—the preparation of a national plan, and the development of a right-of-way program. On May 27 we advised you that we have not supplied legislative suggestions on forest develment roads because consideration has not been completed in the executive branch and we had no suggestions to offer at that time. This situation still prevails but we have transmitted to the Congress a draft bill which would affect the easement-granting authority over national forest lands. This has been introduced as S. 1797.

Also in our May 27 letter we stated that we would try to have comments on the remaining recommendations by the end of this session of Congress. On June 3 you replied that any time prior to October 1 would be acceptable. The balance of this letter is in reply to the remaining seven recommendations contained in the committee print.

Demand for national-forest timber in recent years has greatly increased and pressures on timing, pricing, and size and location of sales have increased to a much greater degree. It has been difficult to meet these increasing pressures while expanding the volume of business.

An important step toward making it possible to meet these pressures and to expand sales volume is the increase of $2,800,000 which is available for timber sale administration and management in fiscal year 1960. This increase will make it possible to take significant action on several of the recommendations. For example, the increase includes $800,000 for a program of salvage sales.

We are continually seeking new ways to improve and grow with the expanding sales program. Currently, we are organizing a new branch of timber sale administration within the Division of Timber Management in the Chief's office to help meet the new level of sale business facing us. A branch chief reporting to the Division Director will be concerned exclusively with timber sale programing, sale preparation and sale administration. This new branch will give leadership and coordination to these important aspects of the timber sale business.

A discussion of what is underway and planned in connection with the problems discussed under each of the recommendations 3 to 9 follows:

3. TIMBER SALE RECORDS

The problem of maintaining adequate timber sale records is not new. Methods of keeping timber sale records are in a constant state of change to fit technical practices which themselves are in a constant state of change and development. Because steps in sale preparation vary in different Forest Service regions, there is a problem of developing systems of recording and reporting which can be reduced to a common denominator for budgeting and appropriation purposes at the national level.

Region 6, in Oregon and Washington, has revised its instructions to field offices recently to obtain more meaningful records of the volume of timber in various stages of the sale program. These instructions are being circulated to the other regions for adaption to their conditions. The next step will be coordination of the regional systems for servicewide use.

4. CORRELATED STANDARDS

The recommendations involving the correlated standards deal primarily with annual estimates of timber sales costs, field allotments, work plans, and performance checks.

As pointed out in the report, unit sale costs have been revised to reflect higher standards. Likewise, changes have been made in the Forest Service work planning system to provide better scheduling procedures in terms of assignment of jobs to ranger district employees, timing for accomplishment, and for checking results against the plans. This system goes beyond timber sales, since the timber activity is only one of the several activities carried on by the Forest Service which has to be financed and planned on an integrated basis at the ranger district level. The annual planning procedure also provides for flexibility in unit time allowances between ranger districts on the basis of accessibility, topography and other local factors.

5. PERSONNEL TRANSFERS

We agree that the unavoidable necessity for transferring timber sale personnel to meet expanding and shifting workloads on the national forests creates a special need for systematic recordation of work performed in the various stages of sale preparation. This observation has been called to the attention of all regional offices. Leadership in developing working methods and follow-up action will be one of the duties of the new branch of sale administration.

6. SALE PLAN ANNOUNCEMENTS

Until an adequate level of advance sale preparation is developed, announcements of proposed timber sale programs will be limited to periods short enough to insure that they can be carried out with a minimum of revision. Necessary changes and the reasons therefor will be publicized currently.

7. SALVAGE SALES

As previously discussed, provision for a program of small sales, including salvage sales, is included in the budget for fiscal year 1960.

8. SALE SIZE

Wherever the demand for national-forest timber exceeds the volume which can be offered for sale because of sustained-yield limitations or other reasons, there will be pressures from various segments of the local forest products industry for sale sizes particularly suitable to their type of operation. Hence controversies over sale sizes are expected to continue and probably intensify, particularly in the three Forest Service regions covered in the committee study. The following factors are significant to the current situation:

(a) Average sale size has been materially reduced over the last 10 years. A greater proportion of the timber sold in the three regions studied is now being made in sales of less than 5 million board feet and the proportion of timber included in sales of over 25 million board feet has been reduced. These trends are continuing.

(b) The principal limitation on further increase in the proportion of small sale offerings is lack of roads. If roads must be built by purchasers, volume of timber in each sale must be sufficient to amortize road costs. Under most circumstances in the West sales of less than 5 million board feet will support in addition to the spur roads within the sale area only short and relatively inexpensive access roads. An adequate timber access road system for the national forests is highly desirable for many reasons in addition to the sale size problem. However, needed capital expenditures for installation of access roads are so large that the rate of construction must be regulated by overall budgetary considerations.

(c) Although unit costs of administration of small sales are considerably higher than for large sales, these costs differentials have had little influence on the size class distribution of Forest Service sales. This factor should not be disregarded, but as a practical matter will not have much significance during the next 10 years.

Our present objective is to develop a distribution of sale sizes in the annual program of sales which will provide an opportunity for all prospective bidders to bid on some sales and insofar as practicable to distribute sale size classes suited to various classes of operators in approximate proportion to the needs of each such class of prospective bidders.

9. IMPROVED SALE AND ROAD PLANS

Aerial photos have been used in timber sale and road location planning for many years. In fact, the Forest Service has been a pioneer in developing techniques for using aerial photos for these and related purposes. However, the use of light planes in this connection is less common because of recognized limitations and utility. The best example of the use of serial reconnaissance in sale planning is probably in connection with the detection of insect-infested timber in which salvage sales are made.

We have been glad to cooperate in the review of national-forest timber sales in the three western regions and appreciate receiving interpretive comments and suggestions. The Department welcomes suggestions on its complex national-forest timber sale activities.

Sincerely yours,

E. L. PETERSON,
Assistant Secretary.

Mr. MURRAY. Mr. President, we now have a national plan to develop a program for the national forests. The Senate Appropriations Committee has wisely moved to provide the vitally needed funds to get this program under way in fiscal year 1960. I especially applaud the action of that committee in providing funds to meet critical timber access problems.

A number of us, both in the Senate and the House have introduced bills to provide the needed system of forest development roads and trails. The Senate bill is S. 2240, which will be considered with the highway bill in January 1960. I regret that the administration has not given its views on needed legislation—although it has admitted road needs are far in excess of present funds or authorizations. I trust it will do so soon.

I regret to advise my colleagues and the users of the national forests that the final response to the report recommendations is not as vigorous as they could be. Some modest improvements have been made and it is my fervent hope that these will lead the way to more substantial beneficial changes.

The administration has an immediate opportunity to substantially raise the level of all national forest operations by actively and publicly supporting the recent bipartisan action of the Senate Appropriations Committee.

BILL HUNT SEES REFUGEE REACH WESTERN GERMANY

Mr. BEALL. Mr. President, recently Mr. J. William Hunt, editor and columnist of the Cumberland (Md.) Sunday Times, wrote an article for his paper concerning his visit to Marienfelde, the West Berlin screening camp for refugees from Soviet-dominated areas. His account of his visit and his comments concerning the importance of West Berlin as a symbol of freedom to millions of persons behind the Iron Curtain are extremely interesting and thought-provoking, and I ask unanimous consent to have them printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BILL HUNT SEES REFUGEE REACH WESTERN GERMANY

(By J. William Hunt, Times-News Tour Director)

BERLIN, GERMANY.—My visit to Marienfelde, the West Berlin screening and orientation camp for refugees and escapees from East Germany and other Soviet-dominated areas, started out as an interesting but not exciting experience. Before I left there was drama galore.

Few visitors are permitted in this center where hundreds of Germans fleeing from communism's alleged "Democratic Republic" are given shelter, counsel, and understanding. Preceding my visit of 4 hours (made possible by the friendly intervention of Dr. Ilse Wolff, director of the Tourist Office of Berlin) the only other visitor given the same privileges that week was the Foreign Minister of Norway.

Because I happened to be present during a dramatic and emotional incident where truth proved stranger than fiction, I feel impelled to tell this exciting story in the first person.

My letter of introduction from Frau Dr. Wolff was to Heimleiter Herr Neugebauer, who assigned Herr Dr. Rolf Worsdorfer, director of public relations, to be my guide, introduce other department heads, and answer questions. I was allowed to move freely about the vast camp area and, to tell the truth, was supplied with more statistical information than I could use in a whole series of reports.

Incidentally, Dr. Worsdorfer is an escapee himself from East Germany. He was head of the street railway system in Dresden and much better off than most East Germans. But he was so appalled by the political and economic situation under communism that he fled with his wife to West Berlin, leaving everything behind except the clothes they wore at the time of their escape.

If you are not carrying baggage or much money it is comparatively easy to go from East Berlin to West Berlin. This will be detailed more fully in another article.

With me at Marienfelde were two interpreters—Oskar Knovys (who said to call him "O. K.," his initials) and Hans Meyer, a cousin of John H. Mosner. At the Meyer home the evening before, Hans (who speaks English) expressed a desire to go with me to Marienfelde. Dr. Worsdorfer speaks and understands some English but is not fluent enough to carry on conversation without the aid of an interpreter.

We were on the subject of East Germany's alarming decrease in population when an assistant came in and asked Dr. Worsdorfer to step outside the large directors' room in which we were seated.

In less than 2 minutes he was back, tears in his eyes and visibly agitated.

"My 18-year-old nephew," he exclaimed, "has just arrived here, an escapee from Kothen (near Dresden). I want you to meet him."

And into the room walked a youth as agitated as his uncle—the latest of hundreds of East Germany's finest manhood, fleeing to the freedom and hope of western civilization.

Here I was, an American witnessing one of the most dramatic personifications of what West Berlin now means to the Western World, and a vivid illustration of why Khrushchev and the Kremlin want to get rid of free Berlin. Surrounded by Communist East Germany, this great city is the symbol of freedom to millions behind the Iron Curtain, and the ever-present hope of a reunited Germany in the Western bloc of nations.

The youth, Rolf Schroter, told his story in halting English, lapsing occasionally into German which was immediately translated by "OK" and Hans Meyer.

Permission had been granted him to go to a youth camp on the shores of the East Sea, and he had packed clothes for such a trip. His father, a physician, and his mother thought he was going away for a week's holiday. But Rolf continued into East Berlin with his camp permit. Once in the city, he had little trouble walking into West Berlin and on out to Marienfelde. There, his uncle explained, he would have to go through the screening process which occasionally reveals a suspected spy or infiltrator from East Germany.

Rolf wants to take up medicine, so he will probably be sent to Bremen for pre-medical studies. It is not safe to send escapees by land through East Germany, so all such are transported to various parts of West Germany by air.

This 18-year-old German was told by Communist authorities in Dresden that he did not qualify for a medical education because he was not a worker.

"Go work in the mines for 2 years," they told him, "then apply again for entrance to medical school."

"A friend of our family did that 2 years ago," he recalled, "and when he came back from the mines they said his hands were ruined for surgery, too rough to handle delicate instruments."

Naturally Rolf is worried about what may befall his parents. In a week or so when he does not return to Kothen, Communist secret police will interrogate his parents—and no one knows what they may be obliged to suffer.

This is just one instance of the constant stream of freedom-loving people moving from the vaunted Democratic Republic of East Germany into West Berlin.

In the first 6 months of 1959, Dr. Worsdorfer told me, some 74,000 people have fled from East Germany. According to the East German Statistical Yearbook the population declined in 1958 by 98,963 and this in spite of a surplus of births over deaths.

"We don't encourage them to leave," said the public relations director, "because we want people opposed to Communist dictatorship to stay where they may keep alive the spirit of freedom."

Most escapees, he said, are under 25. The East German economy is already feeling the loss of so many young men, and West Berlin is such a thorn in the Communist side that Russia will do anything short of war to get the West out of this oasis in the Soviet desert.

Many in this great city feel that Western propaganda is lacking in the human touch, too much involved with legalities and technical points that do not reach the great masses of people.

Why are thousand fleeing from East Germany if it is such a paradise? ask these people who see communism at work.

Why does the West fail to stress the simple fact that hundreds daily risk their lives to leave the so-called Peoples Democratic Republic?

Maybe if more such stories as that of Rolf Schroter were reported, the free world would understand better why the status of Berlin is such a point of international dispute, and why this city must be maintained as it is by the forces of Western civilization.

DR. HAROLD L. CROSS

Mr. HENNINGS. Mr. President, the phrase, "the people's right to know," has been used by many of us in our fight against secrecy in Government, and I would like to call the attention of the Senate to the fact that the author of that phrase, Dr. Harold L. Cross, a distinguished lawyer who devoted much of his adult life to the fight against governmental secrecy, died Sunday.

In his 69 years, Dr. Cross stimulated many significant changes in governmental information policies. He was, dedicated to justice, and the rights of free men.

Dr. Cross was a graduate of the Cornell University Law School. He was professor of libel law at Columbia University School of Journalism. He brought into being China's first graduate school of journalism in Chungking in 1943 and he was counsel for the American Society of Newspaper Editors, as well as the author of a book titled "The People's Right To Know."

Dr. Cross' death is a great loss to the people of the United States. It is a great loss to those who must continue our efforts in behalf of the people's right to know. A man of brilliance, a man of conviction, his death has been mourned throughout the world of journalism.

PADRE ISLAND, TEX., AN IDEAL RECREATIONAL AREA

Mr. YARBOROUGH. Mr. President, the important movement to "save our shorelines" is picking up support with each passing day. This is because millions of additional Americans each year are going outdoors to enjoy the natural beauty of our Nation—its parks and beaches.

Perhaps the best example of this growing interest in our national seashores is contained in a recent report by the National Park Service. It shows that for the past 3 years the number of visitors to beautiful Cape Hatteras National Seashore has topped the 300,000 mark. Last year an alltime high of 348,335 visitors went to this wonderful summer playground, the only national seashore area in the Nation.

When I look at attendance figures such as these, I am strongly reminded of the desirability of securing passage of my bill to establish a national seashore on Padre Island. This bill, S. 4, is still awaiting committee action, and it is my hope that public hearings on the proposal may be held in Texas late this year.

Since the Texas Legislature already has passed a resolution endorsing the establishment of a Padre Island national seashore area, it seems highly probable that within the next few months we will be able to work out legislation and a satisfactory agreement which will pre-

serve the longest stretch of natural beach left in the Nation today.

One of the big dangers to the project seems to me to be not whether we are going to preserve a beach, but whether certain private developers are going to succeed in limiting our park to a small slice out of the middle of the 118-mile island in the Gulf of Mexico. I would like it firmly understood that I am for a real, full-size Padre Island seashore—one of the size and scope in keeping with the national park tradition. I am opposed to making it a little honky-tonk beach which would deny visitors the elbow room they need to really enjoy the beauty of this fabulous area of the gulf. We must move soon to protect this beach.

It is very gratifying to me to see more and more people become aware of the urgent and immediate need to preserve for future Americans what we can of our rapidly vanishing open shoreline. The save-our-shorelines program is really taking hold. This program includes the proposal to establish a national seashore recreation area at Padre Island.

PROPOSED PROMOTION OF EMERSON C. ITSCHNER TO THE RANK OF LIEUTENANT GENERAL

Mr. BARTLETT. Mr. President, the nomination of Emerson C. Itschner last week by President Eisenhower to be a lieutenant general in the U.S. Army caused me simultaneously to recall days of long ago, and to believe more firmly than ever that true merit will be rewarded.

It is gratifying to know that the Corps of Engineers from now on will have as Chief a general of three star rank. The corps is deserving of this. It is formed of dedicated and able officers and men who not only perform essential military work but come close to the people of the country everywhere in performance of essential civil works functions.

No finer officer than General Itschner has worn the uniform of his country. He has served the Nation well in peace and in war. All of those who know him appreciate his worth and are delighted to learn of his promotion. For my part, Mr. President, I first knew Emerson Itschner many years ago when he came to Alaska a newly commissioned second lieutenant out of West Point. He was there to build roads for the Alaska Road Commission, then an agency of the War Department. Our first meeting was in Fairbanks, where I was a young reporter for the News-Miner, then as now the farthest north daily under the American flag. I was then impressed by this splendid young officer and during the years which have gone by his native ability has been translated into effective deeds. He has always measured up to his responsibilities. So it is on a personal basis, as well as from every other standpoint, that I who have known Emerson Itschner since the start of his military career am glad indeed that from now on it will be Lt. Gen. Emerson C. Itschner.

KHRUSHCHEV'S PROPOSED VISIT TO THE UNITED STATES

Mr. GOLDWATER. Mr. President, on the recent occasion of the announcement of the invitation to Mr. Khrushchev to visit this country, many distinguished Americans have made themselves heard on their objection to the invitation. One of these was Mr. William F. Knowland, who was the senior Senator from California and the minority leader, and I ask unanimous consent that his statement made on August 4 appear in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF WILLIAM F. KNOWLAND
AUGUST 4, 1959

The invitation to Khrushchev to visit the United States will have a devastating adverse affect upon the captive people behind the Communist Iron Curtain.

It is a victory for Soviet diplomacy which has angled for such an invitation for the past several years.

Khrushchev is still the "Butcher of Budapest." Three years does not outlaw murder of an individual or a nation.

Communists the world over will make massive propaganda use of the red carpet treatment in New York, at the United Nations, in Washington, and on the grand tour throughout the United States.

Whether we intend it or not they will by word and picture convey the idea that this gives to the Kremlin's leader and to the Soviet Union the moral support of the free people of the United States and their leaders.

An invitation to Hitler or Himmler while Denmark, Norway, Belgium, Holland, and a part of France was held in Nazi subjugation would have shocked the conscience of the free world.

Blood on the hands of Khrushchev is neither less red than that which covered Hitler's nor are his threats to "bury us," meaning the United States and the free world, faded by the passage of a few months.

What is morally wrong can never be politically or diplomatically right.

The admonition of second Corinthians still stands: "Be ye not unequally yoked together with unbelievers, for what fellowship has righteousness with unrighteousness and what communion has light with darkness."

Mr. GOLDWATER. Mr. President, another distinguished American Cardinal Cushing, made a statement which appeared in the Boston Herald of August 1, 1959, voicing his opposition to inviting Premier Khrushchev to visit the United States. I ask unanimous consent that it appear in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KHRUSHCHEV VISIT FOUGHT BY CARDINAL

Cardinal Cushing last night voiced opposition to inviting Soviet Premier Nikita S. Khrushchev to visit the United States.

The churchman issued a formal statement outlining his views on inviting Khrushchev to this country in the wake of widespread reports that the Russian premier will visit America this fall.

URGES PROTESTS

The cardinal said "I raise my voice against the proposed invitation to Khrushchev to visit our country and I call upon others who share the same sentiments to do likewise."

The full text of the statement issued last night under Cardinal Cushing's signature is as follows:

"In behalf of millions of people in Russia and in countries held in bondage and slavery under the tyranny of Khrushchev and company, who cannot speak for themselves;

"In memory of the martyrs of Poland, Hungary, East Germany and other countries murdered by the men of Moscow;

"In honor of our American boys killed in Korea, shot out of the skies and suffering in prisons;

"I raise my voice against the proposed invitation to Khrushchev to visit our country and I call upon others who share the same sentiments to do likewise."

The PRESIDING OFFICER. (Mr. LONG in the chair). Is there further morning business?

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONVEYANCE OF CERTAIN LANDS TO THE STATE OF ILLINOIS

Mr. JOHNSON of Texas. Mr. President, I wish the aides of the Senate would inform Senators who are interested in Calendar No. 563, Senate bill 747, to provide for the conveyance of certain lands known as the Des Plaines Public Hunting and Refuge Area to the State of Illinois, that at the conclusion of a statement which I understand the Senator from Arizona [Mr. GOLDWATER], wishes to make, debate on Senate bill 747 will be in order.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 162. An act for the relief of Henri Polak;

S. 593. An act for the relief of Angelinas Cuacos Steinberg;

S. 1053. An act for the relief of Rosa Maria Montenegro;

S. 1104. An act for the relief of Pak Jae Seun;

S. 1135. An act for the relief of Alice Kazana;

S. 1407. An act for the relief of Mrs. John M. Cica;

S. 1442. An act for the relief of Kim Fukata and her minor child, Michael (Chaney);

S. 1500. An act for the relief of Yee You Gee;

S. 1533. An act for the relief of Ho Rim Yoon Holsman;

S. 1558. An act for the relief of Theopi Englezos;

S. 1601. An act for the relief of Mrs. Erika Elfriede Ida Ward;

S. 1611. An act for the relief of Adeodato Francesco Piazza Nicolai;

S. 1669. An act for the relief of Evagelia Elliopulos;

S. 1684. An act for the relief of Mr. and Mrs. Carl Skogen Woods;

S. 1705. An act for the relief of Ivan (John) Persic;

S. 1719. An act for the relief of Lushmon S. Grewal, Jeat S. Grewal, Gurmale S. Grewal, and Tahil S. Grewal;

S. 1724. An act for the relief of Tse Man Chan;

S. 1773. An act for the relief of Alan Alfred Coleman;

S. 1829. An act for the relief of Herman Luchner;

S. 1946. An act for the relief of Vicente Soliva Empleo; and

S. 2471. An act to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 4002) to authorize the use of Great Lakes vessels on the oceans; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BONNER, Mr. GEORGE MILLER of California, Mr. ASHLEY, Mr. TOLLEFSON, and Mr. VAN PELT were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H.R. 4120) for the relief of Dr. Raymond A. Vonderlehr and certain other officers of the Public Health Service.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 137. An act to allow a deduction, for Federal estate tax purposes, in the case of certain transfers to charities which are subjected to foreign death taxes;

H.R. 451. An act to amend the Longshoremen's and Harbor Workers' Compensation Act, with respect to the payment of compensation in cases where third persons are liable;

H.R. 3682. An act to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the act of August 14, 1958;

H.R. 5138. An act to extend the grounds of the Custis-Lee Mansion in Arlington National Cemetery; and

H.R. 7508. An act to amend title 10, United States Code, to establish a Bureau of Naval Weapons in the Department of the Navy and to abolish the Bureau of Aeronautics and Ordnance.

TESTIMONY BY SECRETARY OF AGRICULTURE BENSON ON FARM LEGISLATION

Mr. GOLDWATER. Mr. President, on Monday of last week the junior Senator from Missouri [Mr. SYMINGTON] addressed himself to the need for farm legislation, and during his remarks he included various excerpts from the hearings before the Committee on Agriculture and Forestry of February 16 and 17 of this year.

In quoting testimony of Secretary Benson and of the Senator's colleagues on the committee, the impression was given that the Secretary had agreed to send to the committee an omnibus farm bill, and that he failed to do so.

For the purpose of clarity, I wish to quote more fully from that hearing record, in order to give a better picture of what occurred at the hearing.

In his presentation, the Senator from Missouri [Mr. SYMINGTON] included the following quotation from the hearing record:

Senator PROXMIRE. If the Senator would yield, it was my understanding this morning that the Secretary of Agriculture said he would be delighted to come in with a bill pertaining to wheat. But it was not my understanding that he said he would come in with an omnibus farm bill of the kind the Senator from Georgia has proposed. I think there is a very important distinction, and I think the Senator from Missouri is asking, and I certainly would support him in it, we get an omnibus bill covering the administration's objectives, as the Senator from Missouri has suggested.

Senator SYMINGTON. This is correct, Mr. Chairman. My able colleague from Wisconsin has stated it exactly the way I would like to see it done, so that we will know what it is the Secretary of Agriculture would like us to do to help with this farm problem.

In fairness to Secretary Benson, I believe that the three paragraphs immediately following that colloquy should also be included. They are as follows:

The CHAIRMAN. I understood the Secretary to say this morning that the commodities that need attention at the moment are wheat and tobacco principally. Now insofar as cotton——

Secretary BENSON. We mentioned peanuts also.

The CHAIRMAN. Yes. Now, insofar as cotton, rice, corn, and other grains are concerned, we are going to give the law that we put on the statute books a try.

It is obvious, I believe, to anyone who is willing to understand the facts that the record shows that the chairman of the Senate Agriculture and Forestry Committee was asking the Secretary to send forward only the legislative language to cover proposed legislation for wheat, peanuts, and tobacco. This the Secretary has done.

In his quotation of the hearing record, the Senator from Missouri presented it as follows:

Senator PROXMIRE. It would certainly seem to me, Mr. Secretary, you would come in and propose changes all up and down the line anywhere you feel the law should be changed and improved.

Secretary BENSON. That is what I have done in the testimony and we will draft it.

For the purpose of accuracy, I believe the RECORD should show the Secretary's actual reply, as printed in the hearing record, House Document No. 59, on page 107:

Secretary BENSON. That is what I have done in the testimony, and we will draft language for the alternatives covered.

Mr. SYMINGTON. Mr. President, will the Senator from Arizona yield to me?

Mr. GOLDWATER. If the Senator from Missouri will allow me to finish making this brief quotation, I believe it will answer some of the questions he has in mind.

Mr. SYMINGTON. Very well.

Mr. GOLDWATER. The alternatives mentioned as part of the testimony were in reference to peanuts, wheat, and tobacco. It is regrettable that there was a misquotation.

Still later the following was quoted by the Senator from Missouri:

Senator PROXMIRE. As I understand it, the committee has asked you and you have agreed to provide an omnibus farm bill in this session.

Secretary BENSON. We have agreed to do some drafting that would incorporate it in legal language.

Again I regret that Secretary Benson was misquoted. The official record shows as follows, on page 276:

Secretary BENSON. We have agreed to do some drafting that would incorporate the alternatives in legal language.

Senator PROXMIRE. All the recommendations that you want?

Secretary BENSON. Which we have set forth here.

The following is a chronology of the actual submissions of drafts of proposed legislation by the Secretary:

First. Wheat legislative language was sent March 12, 1959, and was printed by the Senate.

Second. Legislative language for peanuts was forwarded on April 2, 1959.

Third. Legislative language with reference to extension of Public Law 480 was forwarded on April 17, 1959.

Fourth. Legislative language for tobacco was forwarded on April 20, 1959.

Fifth. Legislative language with reference to the Conservation Reserve was forwarded on April 30, 1959.

Sixth. On May 1, 1959, in response to a letter from Representative WHITTEN there was forwarded a combined draft, with accompanying explanations, on all of the above legislation. Copies of this material were forwarded to the chairman of the Senate Committee on Agriculture and Forestry.

It is obvious, as I have said earlier, and as the official record reveals, that the Secretary has presented in legal language everything that he agreed to do in the testimony before the committee. The drafting was done in strict conformance with the agreement with the chairman of the committee.

I am happy to yield now to my friend the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I have known the distinguished Senator from Arizona for many years. I am sure he is not charging me with misrepresenting the record.

Mr. GOLDWATER. No. I want to make that abundantly clear, Mr. President. The slight differences, however, in the Senator's presentation on the floor from the language contained in the report are such mistakes as I myself have made, and I am sure other Senators have made.

Mr. SYMINGTON. Mr. President, will the Senator yield further?

Mr. GOLDWATER. Yes.

Mr. SYMINGTON. I do not think the differences are slight. The differences are fundamental, and they are differences of accuracy. I am sorry to report to the junior Senator from Arizona that the record was changed, if not by Mr. Benson himself, by one of his assistants. My statement came from the official stenographic record, before the printed record was sent to the Senate.

As the Senator knows, it is customary for the committee to send to the department in question the stenographic record, the understanding being that they can improve the language, but not change the thought.

The thought in this case was very definitely changed. Now that I am accused of not reading from the accurate record, tomorrow I will put into the RECORD those changes made by the Department of Agriculture, which substantially changed the testimony of the Secretary of Agriculture, as against what he actually told the committee.

Mr. GOLDWATER. I shall be very glad to read what the Senator puts in the RECORD as being the original transcript; but what I have read has come from the hearings of the Committee on Agriculture and Forestry, U.S. Senate, 86th Congress, on the President's farm message in 1959. It was House Document No. 59, 86th Congress, February 16 and 17. The language I have read from comes out of that document.

I can understand how the Secretary could change the language. I am well aware how that is done. We can make changes before the transcript gets into the printed form of the hearings. But I am merely reading what is in the hearings.

Mr. SYMINGTON. The Senator is reading the printed record. In addition to correcting the record to show what the Secretary said, as against the language as he changed it or as somebody in his office changed it, I will have photostatic copies of the original stenographic record in order to show the way the basic thought as expressed originally by the Secretary was changed in order that it would not be necessary for him to send up the omnibus farm bill which he promised the distinguished junior Senator from Wisconsin and me. We both happen to be on the floor together this afternoon.

Mr. GOLDWATER. I shall be most happy to see that, because if he changed his remarks in the way my friend from Missouri says he did, and I have no reason to doubt his statement, knowing his history of veracity, then it is a very serious charge. But, reading what the record says, it indicates to me the Secretary has done precisely what he has agreed to do throughout his colloquy with the distinguished Senators from Missouri, Louisiana, and I believe Wisconsin also.

Mr. SYMINGTON. I thank my distinguished friend from Arizona, for whom I have great respect. I do not say necessarily that the Secretary himself made these changes. Perhaps he had an unusually intense person on his staff who felt that it would be wrong for him to send up the bill which he promised the distinguished Senator from Wisconsin, because his statement in the printed record does not conform to the stenographic record taken down by the reporter.

Mr. GOLDWATER. Is it the contention of the Senator from Missouri that some one, either the Secretary or someone in his office, changed the remarks which appeared in the transcript, as we receive it every morning after the previous day's proceedings, and before the submission of the typewritten form of the record to be printed? Is that correct?

Mr. SYMINGTON. It is a statement. I make no contention.

Mr. GOLDWATER. The Senator is making no charge?

Mr. SYMINGTON. I am making a statement of fact, based on the photostatic copies. I shall be glad to furnish them to the distinguished Senator from Arizona. I think it is unfortunate that the thought of what was promised was changed when the record was sent to the Department of Agriculture.

Mr. GOLDWATER. Let me ask the Senator from Missouri if it is his contention that the Secretary promised, without any equivocation, an omnibus farm bill to cover all these points.

Mr. SYMINGTON. The record speaks for itself. Based on the record of the questions asked by the Senator from Wisconsin and the original responses of the Secretary of Agriculture before they were changed, the Secretary of Agriculture said he would send to the committee an omnibus farm bill.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield to the Senator from Vermont on this point.

Mr. AIKEN. I might perhaps clear up this situation a little bit. I attended the hearings which I think included the one referred to. The Secretary's remarks at the initial part of his testimony might have been interpreted to mean that he would send up a bill. However, I think at the end of the testimony he modified that original statement so as to put it in a different light.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield to the Senator from Missouri.

Mr. SYMINGTON. The distinguished Senator from Vermont has been a member of the committee for much longer than I, but in the years I have been on, the Secretary of Agriculture has come before it each year with a good many alternatives. I would think that, as the president of the company, the committee acting as a board of directors, before whom he was appearing and requesting money, instead of giving us various alternatives, he should give us a plan and say, "I have many alternatives, but I think this is what the agricultural program should be. This is the legislation I think Congress should enact."

That was my position when I interrogated the Secretary. To the best of my knowledge, it was also the position of the junior Senator from Wisconsin.

When the Secretary said at one time in his testimony—and I shall supply the statement for the RECORD—that he had given us alternatives, one of us said in effect we do not want alternatives. We want to know what you think we should have in the way of an omnibus farm bill. Mr. Benson said at one or two points, "We will do it."

Then when the record was printed, the word "it" was changed to "the alternatives."

It is typical of the Senator from Arizona that he has noted this statement, because it was a fundamental change made by the Department of Agriculture. It changed the basic thinking and, changed the thought of the remarks the Secretary of Agriculture had made.

I thank my friend for yielding to me.

Mr. AIKEN. Mr. President, if the Senator will yield, I think I understand now what is being discussed. I still say that the statement of the Secretary of Agriculture early in his testimony might have been interpreted to mean he would send up proposed legislation, but I think the Senator will find that toward the close of the testimony the Secretary qualified that statement so as to mean he would send up alternative bits of proposed legislation.

Mr. GOLDWATER. May I ask my friend from Vermont if it is customary in the Committee on Agriculture and Forestry to submit the proposed text of the hearings to the members of the committee for approval before it is submitted for printing?

Mr. AIKEN. I know the hearings are submitted to members of the committee.

Mr. GOLDWATER. For their approval?

Mr. AIKEN. Yes; with the understanding that while they may be corrected for obvious errors, the substance of the testimony should not be changed.

Mr. GOLDWATER. Does the Senator from Vermont recall whether or not the proposed text of this particular document I hold in my hand was submitted to him, and, as far as he knows, to other members of the committee, for their approval, before it was offered to the Senate as a document?

Mr. AIKEN. I have asked the assistant clerk of the committee, who always checks my remarks, to make sure that the transcript accords with what I actually said. It is not always submitted to me, but it was submitted to me in that matter by the assistant clerk.

Mr. GOLDWATER. My reason for my inquiry is in no way to impugn the intention of anybody, but if the statements which have been called errors by the Senator from Missouri have occurred, I was just wondering why it was that he did not note it before he allowed it to be printed as a document, because frankly, it has raised some quite serious questions in my mind.

Mr. SYMINGTON. Mr. President, the Senator from Arizona is entirely within his rights to raise the question. I shall attempt to explain it.

We received a copy and we went over our own testimony. I have one man on my staff who devotes himself exclusively to agricultural matters. It is a matter of great importance to our State, and furthermore, I am a member of the Committee on Agriculture and Forestry.

After we made our changes, it was sent to the Department of Agriculture, and we did not think they would make any changes there contrary to custom; in other words, that they would not change any thinking.

After the record was printed, however, my agricultural assistant came to me with the record and also with the stenographic copy, showing the changes that had been made, and said to me, "You can see that the thought has been very definitely changed," and I said, "Yes, that I saw that, and I was sorry about it."

I did not want to raise this question. Instead of reading from the printed record, I merely read from the record, the truth, what the Secretary of Agriculture said. I was not going to charge the Secretary of Agriculture or any of his assistants with this unfortunate occurrence, but by coincidence I happened to be on the floor when the Senator from Arizona raised the point, and therefore I am sure he agrees with me that I have a right to defend my position in it and to present a statement as to why I did not put in inaccurate statements in the record.

Mr. PROXMIRE. Mr. President, in connection with the point which was just discussed, the Senator from Missouri and the Senator from Arizona may have had similar experience with their own committees. What happens when the transcript is returned is that the Senator will look at his own remarks and correct his own remarks, but the Senator will feel that the remarks made by anybody else are not really his business. Furthermore, as many as six or eight transcripts may be out at the same time, so that it is impossible for the Senator from Missouri or the Senator from Wisconsin to know how the Secretary of Agriculture corrected his own remarks until we see them printed in the final record.

I would like to say, as one who took a very active part in the questioning of the Secretary of Agriculture, that my recollection was precisely the same as that of the Senator from Missouri. Furthermore the Senator from Missouri has called to my attention the difference, and it is a sharp difference, between what the stenographic transcript showed and what the official report showed.

Furthermore, Mr. President, I intend to speak on this very subject in a few minutes when I get the floor. I intend to make a speech of some 15 or 20 minutes relating to the entire agricultural situation. At that time I intend to put into the RECORD other parts of the interrogation which I think pertain to this same subject so as to make it absolutely crystal clear.

The Senator from Missouri, the Senator from Minnesota, too, as I recall, and I, did everything we possibly could to nail down the Secretary of Agriculture to a commitment from him on an omnibus farm bill.

At the time when I speak later, I would like to discuss the implications of what the Senator from Arizona has said and what other Senators have said on behalf of the Secretary of Agriculture.

Mr. GOLDWATER. Mr. President, I hope I may have the privilege of hearing the Senator's speech, because I think both the Senators I am addressing and who are addressing themselves to my subject must agree that the way the report of the hearings reads would alter the meaning of their speeches on the floor considerably. It was only because I sat and listened on several occasions to both of these gentlemen speak that I asked my staff to find out just what happened in the hearing, because, knowing Secretary Benson as I have known him for a great many years, I cannot conceive that he would not follow through on anything he said he would follow through on, and I find it almost impossible to believe that he himself would alter any language. I am certain that he would not condone it being done in his own department. If that is the case, I think both the distinguished Senator from Wisconsin and the distinguished Senator from Missouri would be doing the country a favor by disclosing that there would be people in our Government who would do this.

As the record now stands, it is at some variance from the position both my good friends take, and I think it is incumbent on them, as I felt it incumbent upon me, to try to get the record straight; but I for the life of me cannot believe that Secretary Benson would ever promise something and not follow through with it.

The Secretary of Agriculture may have his faults. I find none, but if he has any, one of them is certainly not dishonesty.

Mr. SYMINGTON. Mr. President, let me again say to my friend from Arizona that I did not bring up this subject. Secondly, as I also stated earlier today, for the RECORD of tomorrow I will present the original stenographic record and then all can see how the changes were made in order to have the Secretary continue his policy of presenting alternatives as against presenting specific legislation. Let me add that I do not accuse the Secretary of Agriculture of anything. I state that the record was changed in the Department of Agriculture.

Mr. GOLDWATER. Let me ask the Senator one more question, then. Does the Senator have in his possession or can he get the original typewritten transcripts we receive each morning from the reporting service after the hearings, and can he insert thereon or on a photostatic copy the points pertinent to the discussion? They are very few. They cover just a few paragraphs. I think it would be to the Senator's advantage, as well as to the advantage of the Secretary of Agriculture, to have this cleared up.

Mr. SYMINGTON. Mr. President, some minutes ago I told the Senator from Arizona of an inspection and of the changing of the record, and I shall take the liberty of sending to his office the sheets themselves showing how the record was changed, using either the originals or photostatic copies of the original sheets.

Mr. GOLDWATER. I shall indeed appreciate that.

CONVEYANCE OF CERTAIN LANDS, TO THE STATE OF ILLINOIS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate resume the consideration of Calendar No. 563, Senate bill 747.

The PRESIDING OFFICER. The bill will be read by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 747) to provide for the conveyance of certain lands known as the Des Plaines Public Hunting and Refuge Area to the State of Illinois.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Government Operations, with an amendment, to strike out all after the enacting clause, and insert:

That (a) subject to the provisions of subsections (b), (c), and (d) of this section, and section 3, the Administrator of General Services is authorized and directed to convey, by quitclaim deed, to the State of Illinois, for wildlife conservation or recreational purposes, all right, title, and interest of the United States in and to the following described lands, together with all buildings and improvements thereon, situated in Will County, Illinois:

All that part of fractional sections 29, 32, and 33, township 34 north, range 9, east of the third principal meridian, in Will County, Illinois, described as follows: Beginning at a point of intersection of the west line of Route 66 (Federal Aid Route 77), as monumented and fenced and a line 1,000 feet south of and parallel to the north line of said section 33 (said point of intersection is 167.4 feet west of the east line of said section 33); thence south 885 feet; thence south 4 degrees 1 minute 10 seconds west 2,961.68 feet; thence south 00 degrees 15 minutes 20 seconds west 416.81 feet; thence south 1 degree 2 minutes 40 seconds west 33.42 feet to the south line of said section 33, all of the above dimensions taken on the westerly line of said Route 66 as monumented and fenced (said last point is 352.7 feet west of the southeast corner of said section 33; thence west along the south line of said section 33 and fractional section 32, 10,082.43 feet to the southwest corner of said fractional section 32; thence northerly along the west line of said fractional section 32, 4,486 feet more or less to the southeasterly edge of the Des Plaines River; thence northeasterly along the southeasterly edge of said river to a point on a line described as follows: (Beginning at a point of intersection of the west line of Route 66 and a line 1,000 feet south of the north line of said section 33; thence westerly along a line 1,000 feet south of and parallel to the north line of said section 33 and fractional section 32, 5,300 feet; thence northwesterly along a line forming an angle of 115 degrees with said parallel line from east around north to northwest 4,800 feet more or less, to the southeasterly edge of the Des Plaines River); thence southeasterly along the previously described line 4,800 feet to a point on a line 1,000 feet south of and parallel to the north line of said section 33 and fractional section 32, said point being 5,300 feet west of the west line of said Route 66; thence easterly along a line 1,000 feet south of and parallel to the north line of section 33, 5,300 feet to the place of beginning (excepting therefrom those portions lying along said river as deeded to the State of Illinois and recorded in the recorder's office as document numbered 414965, book 691, page 31; document numbered 414965, book 691, page 34, and document numbered 414965, book 691, page 35; also excepting those portions deeded to John Flom and recorded in the recorder's office as document numbered 458161, book 759, page 38; also excepting that portion deeded to Three Rivers Yacht Club and recorded in the recorder's office as document numbered 695487, book 129, page 625; also excepting therefrom that portion deeded to Robert Berglund and Hugh Black and recorded in the recorder's office as document numbered 846871, book 1698, page 303; also excepting that portion included within the lines measured 100 feet outward from the existing high bank on both sides of Grant

Creek Cutoff and Grant Creek) containing 946 acres more or less.

(b) The conveyance authorized to be made pursuant to subsection (a) of this section shall be conditional upon the payment by the State of Illinois to the Administrator of General Services as consideration for such conveyance of the sum of $286,638.

(c) The land authorized to be conveyed pursuant to subsection (a) of this section shall be conveyed subject to such easements for railroad rights-of-way as shall, in the determination of the Administrator of General Services, be necessary or appropriate to provide railroad service for the purchasers of adjoining tracts of land from the United States.

(d) The instrument of conveyance authorized by this section shall expressly require (1) that in the event the property conveyed by such instrument ceases to be used for wildlife conservation or recreational purposes, all right, title, and interest therein shall immediately revert to the United States to be held in the same manner as it was held prior to such conveyance; and (2) that the reversionary interest of the United States, at the request of the State of Illinois, be relinquished to such State by the Administrator of General Services upon payment to the United States of the fair market value thereof at the time of relinquishment.

(e) The property authorized to be conveyed pursuant to subsection (a) of this Act has been declared to be surplus to the needs of the United States.

SEC. 2. (a) Subject to the acquisition by the State of Illinois of the property described in the first section of this Act, the Secretary of the Army is authorized and directed, notwithstanding the provisions of section 2662 of title 10 of the United States Code, to convey, by quitclaim deed, without consideration, to the State of Illinois, for wildlife conservation or recreational purposes, all right, title, and interest of the United States in and to the following described lands, together with buildings and improvements thereon, situated in township 33 north, range 9, east of the third principal meridian, Will County, Illinois, containing 1,500 acres, more or less:

All of section 4;

All of section 5;

All of section 8 lying north of the Kankakee River; and

All of section 9 lying north of the Kankakee River.

(b) The instrument of conveyance authorized by this section shall (1) reserve to the United States all oil, gas, and mineral rights in the property; (2) reserve such improvements, rights-of-way, easements, and other interests as the Secretary of the Army determines should be retained in the public interest; and (3) contain provisions expressly requiring that (A) in the event the property conveyed by such instrument ceases to be used for wildlife conservation or recreational purposes, all right, title, and interest therein shall immediately revert to the United States to be held in the same manner as it was held prior to such conveyance, and (B) whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this section is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the the property and use the same or any part thereof, including all buildings and improvements thereon, for a period not to exceed the duration of such state of war or national emergency plus six months, and upon the termination of such use by the United States, the property shall be returned to the State of Illinois, together with all buildings and improvements thereon.

SEC. 3. The authority contained in this Act shall expire one year from the date of enactment of this Act if the State of Illinois has not, during such one year period, made commitments, satisfactory to the Administrator of General Services, with respect to the acquisition by such State of the property authorized to be conveyed under the first section of this Act.

USE OF UNION DUES FOR POLITICAL PURPOSES

Mr. GOLDWATER. Mr. President, as my colleagues know, I have many times stood on this floor, and in fact stood on the rostrums around America, and told of my feelings against having organized labor use compulsory dues money for political purposes. I have felt, and I feel today, that this practice can become one of the most dangerous abuses of power there can be in this country.

Mr. President, on July 30 the University of Michigan made an announcement of the results of a study that was made of this subject, which was published in the Detroit News under the headline "Workers Opposed to Unions in Politics, 'M' Study Finds."

I ask unanimous consent that the article appear at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WORKERS OPPOSED TO UNIONS IN POLITICS, "M" STUDY FINDS

ANN ARBOR, July 30.—Republicans who feel it is hopeless to seek labor union votes can take heart in a new University of Michigan survey.

Students at the university's Practical Partisan Politics Institute were told that three of every five organized workers in Detroit believe unions should not engage in politics or disagree with their union's identification with a certain party.

More specifically the study by the university's Survey Research Center indicates two of every five believe unions should not set political standards for their members.

And one of every three who disagree are opposed to their union's support of specific candidates.

VOTING EXPLAINED

The study, according to Prof. Daniel Katz, of the university's department of psychology, indicates half of the unionists did not vote or voted but cast a split ballot in 1956.

However, Katz warned, this does not mean unions are not very influential in elections.

In general, he said, the more highly partisan unions become, the more their members are likely to vote and to cast a partisan ballot.

He added that UAW members are more likely to feel their union should be in politics and are more likely to vote than other unionists.

LOYALTY BUILT

Katz said the survey also indicated that length of union membership tends to build union loyalty, a factor, he said, which favors union strength at the polls.

As a result, Katz said, recent migrants to Michigan from southern areas, and other new union members are more apt to be opposed to union involvement in politics than veteran union members.

Katz also said 1 of every 10 Negroes doesn't believe members of their race should take part in political issues. About half of the Negroes interviewed split their ticket in 1956.

BELIEVE OFFICIALS CARE

While the study indicated only a few people have any detailed grasp of political issues, this does not mean they are politically uninterested, Katz said.

"Very few people said there was no point in voting," Katz said. "Almost three-quarters said they felt public officials really care what people think. And almost as many felt they had some say in government."

The survey was based on interviews with a random sample of Wayne County's adult population, a random sample of 1950 party precinct leaders and top-ranking party heads.

Mr. GOLDWATER. Mr. President, just the other day there appeared in the Wall Street Journal a rather lengthy discussion of the fact that the "AFL–CIO Steps Up Its Grassroots Campaign, Aims To Top 1958 Gains."

It announces very openly and broadly that its targets are six bad Senators.

What makes those Senators bad? They happen to be Republicans. They happen to be for freedom. They happen to be against the use of compulsory dues money for political purposes. They happen to be against having unions participate in politics. So they are six bad Senators.

Mr. President, so that my colleagues may know how fast they can become bad if they do not bow down to the union bosses every moment of the day, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LABOR AND ELECTIONS: AFL–CIO STEPS UP ITS GRASSROOTS CAMPAIGN, AIMS TO TOP 1958 GAINS—IT REGISTERS MORE VOTERS, HOLDS MORE PEP RALLIES—WOMEN PLAY BIGGER ROLES—TARGETS: SIX BAD SENATORS

(By Roscoe Born)

WASHINGTON.—Organized labor's political arm, packing more muscle than it wielded in the big Democratic election triumph last year, is getting set to try to score still bigger victories in 1960.

Labor politicians have been working feverishly since last November to build up more strength, though 70 percent of the AFL–CIO's chosen congressional candidates won. The labor politicians have registered more union voters, held more grassroots pep rallies than ever before and built more local political organizations. Funds are flowing in freely—although how freely, labor isn't saying. Among the major spurs to labor's stepped-up efforts have been drives, both in Congress and in State legislatures, to impose new restrictions on union activities.

(President Eisenhower in a televised address last night called for congressional passage of a strong labor bill that would clear up corrupt unions.)

With its stronger muscle, the AFL–CIO Committee on Political Education, more succinctly known as COPE, specifically aims to:

Land a Democrat (any of the likely candidates would do) in the White House, wiping out the veto threat that has helped keep labor from plucking the full fruit of what it considered its 1958 victory.

Win new terms for favorite lawmakers (four "gold star" Senators face the voters next year) while knocking out most of the 6 COPE-labeled "worst" Senators who will be up for reelection in 1960.

Elect enough State and local officials to fight off restrictive labor laws in the State legislatures, and raise taxes on businessmen and larger property owners.

That's a big order, and the unionist is rare who believes it can be filled completely in

1960. Lack of a fighting issue, such as the 4 million unemployed at last election time, may dampen rank-and-file enthusiasm. Business opposition to COPE is growing. But in the main, union officials are confident.

"While we did better in 1958," says George Meany, Federation president, "I haven't the slightest doubt that we will do even better in 1960."

THE PRESIDENTIAL CHOICE

The main event, of course, is the Presidential campaign. Whom is labor for? "Whoever gets the Democratic nomination," one union president replies, insisting he's not just being coy. Within the top ranks of the Federation—even though Mr. Meany speaks with the most authoritative voice—there is a wide difference of political opinion.

Auto union chief Walter Reuther, for example, is regarded in labor circles as a supporter of HUBERT HUMPHREY, the Minnesota Senator who votes 100 percent right—according to COPE—on all bills that interest labor. Massachusetts' JOHN F. KENNEDY, another Senator with a union-approved voting record (96.1 percent right), is an oft-invited and warmly received speaker at major rallies. Missouri's Senator SYMINGTON (100 percent) has devoted followers—such as James B. Carey, of the International Union of Electrical Workers. There are supporters, too, for LYNDON JOHNSON (72 percent), the Senate majority leader. And Adlai Stevenson is not forgotten.

At this stage, individual labor leaders work quietly for their favorites, carefully avoiding so final a commitment that they can't, with a little footwork, shift allegiance should the tide suddenly run for another man. Like other practical politicians, they will bargain privately for the best deal. One well-known union official, for example, confides that he has this promise from all but one of the leading Democratic contenders: That if elected, they would pick a Labor Secretary from a list of names submitted by George Meany.

Unionists says it's debatable how decisive a role labor will play in the Democratic nominating convention. But there's little dispute that labor's backstage influence will be greater this time than ever before.

BARKLEY WAS BLOCKED

In the past, union politicians have been credited with having the power to block any Democratic contender. In the 1952 convention, for example, what the late Alben W. Barkley called certain self-anointed labor leaders told him bluntly he wouldn't do—and Mr. Barkley was finished.

Now, it's reasoned, labor may be able to do more than veto. At the time of the last convention, COPE was only 10 months old, having been born from the marriage of the AFL and CIO in December 1955. The vote-swaying power COPE has since demonstrated may enhance labor's convention prestige.

It's only on the national level, however, that labor's political endorsements are made from the top. When it comes to Senators, Congressmen, and Governors, as well as other State officials, endorsements are made by union members on the home grounds. James L. McDevitt, COPE director, says this is done by local conventions. In that way, he argues, there can be no complaint that union bosses dictated the choices. And since rank-and-file members have a hand in deciding, they're more likely to volunteer for the detailed precinct work that is generally thought to have made COPE so effective.

COPE officials frankly concede, however, that most of the basis for the local decision is provided by COPE headquarters under the heading of "political education." The chief textbook in this political school is a booklet "How Your Senators and Representatives Voted." Every Federal lawmaker is listed, along with his "right" or "wrong" voting record on legislation labor considers important.

More than 10 million copies of this booklet are sent out to union members and it's used in local meetings to point out the "blackguards" in Congress. From this record, it's not hard to see well in advance of local conventions which lawmakers will be the main targets of COPE politicians, and who will get full-scale COPE aid.

Of the 33 Senators up for reelection in 1960, 6 show up in the COPE booklet as extremely bad; CURTIS, of Nebraska, DWORSHAK, of Idaho, SCHOEPPEL, of Kansas, SALTONSTALL, of Massachusetts, BRIDGES, of New Hampshire, and MUNDT of South Dakota—all Republicans.

"CURTIS, MUNDT, and SCHOEPPEL—we'd love to get those three," one union executive declares.

Senator CURTIS, who votes 95.6 percent "wrong" in labor's book, has been a thorn not only for his votes but for the anti-Reuther attitude he has so openly displayed in Senator MCCLELLAN'S investigating committee. Labor's opposition, plus the strength the Democrats showed in Nebraska in 1958, gave CURTIS men cause for alarm. His Democratic opponent is likely to be Gov. Ralph G. Brooks, who was elected just last November, or Frank Morrison, who came surprisingly close to defeating GOP Senator HRUSKA last fall.

PROBABLE CANDIDATES

Opponents for the other two of labor's top targets are more definite, unionists believe. In Kansas, Senator SCHOEPPEL is almost certain to be opposed by Gov. George Docking, only Democrat ever elected to a second term as Governor of the Sunflower State. In South Dakota, Senator MUNDT'S opponent is expected to be Representative GEORGE MCGOVERN, a 37-year-old ex-professor who helped rebuild the Democratic Party in the State. In the 1956 campaign that won him his seat in Congress, Mr. MCGOVERN got nearly $3,000 in donations channeled through unions.

Altogether, labor hopes that at least 6 of the 11 Republican Senators on the ballot next year can be defeated, giving Democrats a 71-29 margin in the Senate. To do this, of course, the unions must also defend successfully their Senatorial friends. Many of the best of these face reelection next year, including four "gold star" Senators who have 100 percent "right" records: DOUGLAS, of Illinois; MCNAMARA, of Michigan; HUMPHREY, of Minnesota; and NEUBERGER, of Oregon.

Drumming up the votes to accomplish labor's national political objectives has a side effect that fits in with unionism's program, to. Winning more seats in State legislatures and city and county councils is an aim getting more and more union attention. The more local COPE committees that are activated, the more influence labor can wield in local balloting.

"Political action has perked up considerably at the State level," one federation official reports. "The right-to-work campaigns helped trigger some of it. From now on, this activity will be increasing yearly."

STATE LABOR FORCES MERGE

Another fractor stimulating more effective local campaigning: State AFL and CIO organizations, slow to merge after the parent federations got together, have joined now in all but two States. Many old political rivaliries, dividing labor political forces, are now forgotten.

Local campaigns have both offensive and defensive motivation. Labor fears that the rash of antilabor laws that broke out in the last State legislative sessions will multiply.

"This isn't something that should be solved on the State level," insists a federation executive. "We don't want 50 reform bills, varying all over the lot."

Unionists also note that efforts are constantly being made in many States to raise the sales tax, which labor regards as an unfair burden on low-income families.

Fighting that kind of taxation involves taking the offensive. In a 118-page book published by the AFL-CIO not long ago, unionists were advised that "business must bear a larger share" of State and local taxes. The federation's long-range goal is an "all-embracing progressive income tax system in every State." (Fourteen States now have no individual income tax, 17 no corporation income tax). Smaller tax units can use this same system of building revenue, the book declares. But until that long-range objective is reached, local unionists are urged to take a greater hand in local and State affairs to bring about a "thoroughgoing reassessment" of real estate across the country to raise tax valuations.

VALUATIONS ARE CRITICIZED

"The value placed upon industrial and commercial properties is often shockingly low," the federation says. "This favoritism must be ended." The way to do it, the book adds, is through political action.

How does labor operate to achieve its political goals? A number of unions, such as the Machinists Union and the Amalgamated Clothing Workers, maintain their own political leagues. Teamster President Jimmy Hoffa is building one of his own. But chiefly, labor relies on COPE. Headquartered on the sixth floor of the AFL–CIO building, just across LaFayette Square from the White House, COPE stretches into every State and major city in the Nation—in many, right down to the precinct level.

Two committees of union officials decide what COPE will do and how it will do it. One is the operating committee, made up of the secretary-treasurers of 20 unions. It's responsible for the day-to-day operation of the political apparatus. It also runs over the list of endorsed candidates and recommends how much labor money will be distributed to each. These recommendations aren't final until the other COPE group, the administrative committee, approves.

This group, made up of the federation's top command, the 29-member executive council, plus 15 other union presidents, is the real policymaker for COPE. Mr. Meany is chairman. As a practical matter, COPE Director McDevitt takes his orders from Mr. Meany.

Mr. McDevitt has two assistants, Al Barkan and William J. McSorley, Jr., each responsible for COPE work in roughly half of the Nation. Nine area directors work under these two. An area director works directly with the State directors in his territory.

MORE STATE DIRECTORS

Mr. McDevitt says all 49 States, plus soon-to-be admitted Hawaii, now have full-time COPE directors, paid by the State labor bodies. In the 1958 election campaign, he recalls, there were only about 42 State directors. In addition, 42 States have full-time directors of women's activities now—more than a 20-percent increase over the 1958 figure. Women's activities—chiefly compiling the detailed registration data that helps turn out union voters—have increased tremendously since 1958, Mr. McDevitt says.

Financing this vast operation is a ticklish problem. The law says a union cannot use dues money to support a candidate for Federal office. But there is nothing to stop the use of dues to finance political education. So COPE maintains two funds, one supplied by dues payments into the AFL–CIO and the other made up of voluntary contributions. COPE stages an annual dollar drive among members to build this voluntary fund that will be disbursed to candidates deemed worthy. Half of every dollar donated goes to the State organizations to be distributed as local leaders see fit.

The dollar drives always fall far short of their goals—$1 from every AFL–CIO member.

Realistically, COPE would be happy if its lesser goal—$1 from 25 percent of the members—could be fulfilled. This would raise about $3 million annually. But the donations usually average out to about 3 cents a member. In the last fiscal year for which figures are available, the period ended June 30, 1958, COPE took in $346,825 in individual contributions.

Mr. McDevitt worries that the failure of the liberal-laden Congress to produce labor's priority legislation in this session may hamper the fund-raising effort. Labor is "somewhat disappointed in the voting habits" of a good many lawmakers COPE supported last fall, he concedes.

So far, this disappointment hasn't hurt. Contributions are far ahead of this like date in 1957, the last election off year, Mr. McDevitt says. He won't specify amounts, or how far the drive is ahead of 1957, because "we're doing so well people might let up."

Mr. GOLDWATER. Mr. President, I also ask unanimous consent to have printed in the RECORD three editorials which were published in the Courier-Journal, the Louisville Times, and the Dallas Morning News.

I invite the attention of my friends to the fact that the Louisville Times, up to this moment, has been a very strong newspaper for the labor movement.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Louisville (Ky.) Courier-Journal, Aug. 10, 1959]

CORRECTING ABUSES WOULD STRENGHTEN ORGANIZED LABOR

There was a strong echo of the past in President Eisenhower's Thursday-night plea for a strong labor reform bill, and in AFL–CIO President George Meany's angry rebuttal. We were reminded of the days when Franklin Roosevelt was trying to shore up our shaky economy by correcting the abuses and weaknesses that had led to the crash of 1929.

The business leaders of the Nation protested that "that man in the White House" was trying to destroy the capitalist system by making it responsible. He wasn't, of course, and the people knew it and supported him in his efforts. Our capitalist economy is the stronger today for the corrections. The labor movement today will be strengthened, too, by the corrections that President Eisenhower is proposing, and we believe that the overwhelming majority of Americans will reject the idea that labor will be destroyed by correctives that will make it responsible to the national welfare, just as they rejected the claim that capitalism could survive only if left unfettered by regard for the public good.

One name—that of James Hoffa—is alone evidence enough that our labor regulations today permit corruption, crime and racketeering in labor unions at the expense of honest union members, and only labor leaders of the Hoffa stripe still maintain that such abuses do not require correction. But it is not enough that labor be made responsible in union finances and elections. Labor has come of age, and it is time that it be made to acknowledge its responsibility to the national welfare as well as to the ideas of the labor movement.

MINORITY RULE IS WRONG

Too many union elections and strike votes are decided by a small minority of union members. No strike should be based on the decision of less than a majority of the union members to be affected by the strike in question. Secondary boycotts, in which employers and workers not involved in the issues behind a strike can be made to suffer, are completely contrary to the principles of fair play and democratic government and should be prohibited by law. Blackmail picketing, as the President pointed out, is an obvious misuse of labor power, forcing an employer to adopt practices which may be opposed by his employees as well as hurtful to his business for the benefit of a single labor leader.

There may be flaws in the legislation that the President has asked for, but the flaws are not outlined by Senator KENNEDY's flat statement that "the President has been ill informed," or by Mr. Meany's charge that in his effort to root out the goons the President would cripple honest unions. None of these measures would make it impossible, or even more difficult, for honest labor unionists to operate within the fabric of our political and economic structure. Indeed, they would strengthen the entire labor movement, by removing from it the men and methods which, if left unchecked, will soon or late call down on the house of labor the wrath of the people, and bring forth harsh measures which neither labor nor the public now want.

[From the Louisville Times, Aug. 8, 1959]

WHAT WE WOULD LIKE IN A LABOR BILL

In their separate discussions Thursday night on proposed labor legislation, President Eisenhower and George Meany of the AFL–CIO agreed on one point, that some sort of reform is necessary. Beyond that, there was almost total disagreement.

The one agreement and the many differences between Eisenhower and Meany are reflected in the general public. Nearly all of us are convinced by now that some reform must be enacted, but we are sharply, perhaps hopelessly, divided on the nature and extent of that reform. What seems to some too tough a program, to use one of those convenient labels which Eisenhower deplored in his television talk, is shrugged off by others as being too soft.

Congress now has under consideration four different labor bills. One is the measure based on the Kennedy-Ervin program which already has been passed by the Senate. The second is the bill that has been approved by the House Labor Committee. The third is the Landrum-Griffin bill, which has the support of the President and the enmity of the AFL–CIO. The fourth is the Shelley bill, which has the endorsement of labor and the opposition of virtually everybody else.

To try to wade through the technical language of all these is to run the risk of becoming submerged in words. We are not going to attempt such an arduous and essentially fruitless task, for in the end the language of whatever bill is passed (if one is passed, by no means a sure bet) will mean only what the courts finally decide it means. But we will venture to suggest, in general terms, the goals toward which, in our opinion, labor legislation should be directed.

FINANCIAL ACCOUNTING

First, to get rid of a topic on which there is virtually universal agreement, racketeering and sheer thievery must be eliminated. To help accomplish this, complete and public financial reports should be made. On this point, we have little sympathy for Meany's feeling that small unions should be exempted. All unions should report; after all, small banks must make reports—and rightly so, of course.

Second, every effort must be made to assure democracy within unions. To this end, regular and secret elections should be held. And it might be salutary if elections were ruled invalid unless a substantial proportion of the union membership (perhaps 75 percent) participated. In addition, there should be some protection of the individual union member's right to dissent and criticism; he should not be in fear of losing his union membership (which in many cases means his right to work) simply because he dared to criticize union leadership. We realize there is room for mischief-making here, but that kind of trouble (petty obstructionism, for example) is inherent in all democratic organizations.

Third, prohibitions against secondary boycotts, including so-called hot-cargo clauses, and against blackmail or coercive picketing ought to be strengthened. Organized labor professes to see in this an effort to weaken labor's legitimate organizational work. A properly worded provision would not have that effect; it would, instead, weaken labor's illegitimate organizational work.

Fourth, the so-called no man's land between Federal and State jurisdiction in labor disputes ought to be wiped out. In some arguments between management and labor, the National Labor Relations Board asserts jurisdiction but refuses to exercise it, as in the Brown Hotel strike here several years ago. In some disputes the NLRB lacks jurisdiction and the State either declines to act or has no agency for intervening. We believe the NLRB's authority ought to be broadened to give its jurisdiction over as many different kinds of disputes as possible.

Fifth, we would like to have the subject of making labor subject to antitrust laws seriously discussed. This phase is not brought up in any of the proposed labor reforms, but with the specter of a group of unions controlling the Nation's transportation system hanging over our heads, it ought to be given some consideration.

In general, we believe that labor, which has won the rights it deserves, must accept the responsibilities that go with those rights—responsibilities to its individual members and to the public. Most unions have accepted those responsibilities; they would not be harmed by a program such as we have outlined here, for it would call upon them to do only what they already have been doing.

When the subject of labor reform legislation first came up, we hoped that any bill would be a very simple one limited to attempts to eliminate corruption and assure democracy. We thought that kind of bill, which admittedly would not be a complete answer, had the best chance of passage. Hopes for a simple bill have all but disappeared. Because of pressure from both labor and management, the original Kennedy-Ervin bill was opened up to all kinds of amendments. All of the other bills also have been made broader in scope than that one was at first. Perhaps, in the end, Congress will go back to the simple antiracketeering provisions. And if that is all that can be done, that at least should be done.

[From the Dallas Morning News, Aug. 6, 1959]

NO TIME FOR WEAK MEASURE

The weak-kneed purported labor reform bill reported out by committee must be amended on the floor of the lower House of Congress.

Congress needs pressure from the whole people who feel strongly that certain vital reforms are imperative. The union workers must be protected against graft, extortion, mismanagement, and expropriation of their funds by officials who use gerrymandered constitutions to remain in power. The freedom of action of the membership must be protected. And certainly a large proportion of our people feel that the freedom of action of every worker needs protection.

The Senate bill (Kennedy-Ervin), as passed, is good but not the best it could have been. It does provide a union member bill of rights but does not give enough power to assure enforcement for it. This bill will not help to prevent picketing where employees do not wish to join a union and will do little against the secondary boycott. It does prohibit hot-cargo contracts.

The Landrum-Griffin bill in the House is a stronger version of the Senate bill. It is

about the same on member bill of rights. It is outspoken against picketing to force unwilling employees into a union. It prohibits secondary boycott but is weak on the hot cargo item. The best improvement over Kennedy-Ervin is found in its authority for State courts and agencies to handle local disputes where NLRB declines jurisdiction.

The House committee bill torpedoes practically every constructive effort made by either Kennedy-Ervin or Landrum-Griffin. If not written by Jimmy Hoffa, it could have been. It is far worse than would be no bill at all. It removes penalties needed to enforce the union man's bill of rights, does nothing on organizational picketing, weakens Kennedy-Ervin on hot-cargo contracts, and legalizes some secondary boycotts. It concentrates all authority in NLRB, thus denying recourse if NLRB refuses jurisdiction.

A labor reform bill is needed but not a milk-and-water measure. Investigation has shown the dire need of relief against union official tyranny and criminality. No weak bill can accomplish the purpose. Congress ought to come under pressure from you. The Landrum-Griffin bill can be a big help. The Senate bill will do in a pinch. The House committee bill will not do at all. It is a sellout.

TO HELL WITH 'EM

"To hell with them," cried Teamster President Jim Hoffa, when the Senate Rackets Committee in a stinging report said Jimmy would destroy the labor movement unless his power were checked.

In a sense, you can understand Hoffa's blunt reaction. The Senate committee for nearly 3 years has raked the Teamsters over the coals.

In the meantime, the United Auto Workers and their boss, Walter Reuther, have come out smelling like a rose.

Mr. Hoffa would be in a better position with his own members and the public if he would drop his don't-give-a-damn attitude, welcome the investigation and try to clean house.

The Senate committee would carry more weight with its reports and investigations, if it would investigate Reuther and others just as thoroughly as it has Hoffa.

TRIBUTE TO LYDIA C. LANGER

Mr. AIKEN. Mr. President, a few days ago, a remarkable woman died.

I have not previously paid tribute to her on this floor because I could not find the words to pay adequate tribute to Lydia Langer.

It is difficult to do so now.

It was in the midthirties that I first met BILL and Lydia Langer.

This was during the time when the farmers of North Dakota were being sorely pressed by eastern creditors.

This was also during the time when BILL LANGER's enemies were doing their utmost to destroy him.

I admired BILL for his vigorous efforts to protect the people of his State, but I admired even more the stanch and lovely lady who was his devoted companion and his bulwark of strength during those hectic years.

When things looked blackest and BILL LANGER's enemies had temporarily disarmed him, it was Lydia Langer who carried the torch of justice from one end of North Dakota to the other with all the vigor of her battle-scarred husband until the victory was rewon.

Seldom has any man experienced more dedicated loyalty and devotion—a devotion which lasted to the very end.

Devoted as she was to her husband and four fine daughters, however, Lydia Langer found time to give to others.

It was not the people whose names appear in the society columns who knew best of her kindness and ministering sympathy.

Even after she was stricken with her final illness she still found time and strength to give to those to whom her friendship and sympathy brought sunlight into what might otherwise have been a drab existence.

There have been no headlines about the quiet solicitude with which she brightened their lives.

She never asked for nor expected any, but on that scroll of honor in the Great Beyond, I know her name must be written in letters indelibly lasting and bright.

Her suffering is now at an end and her work here is done, but the good she did will go on forever.

Some people may think that BILL LANGER will lose his grip now that Lydia has left.

I know better.

I know that the strength and courage and devotion she gave to him during their many years together will stay with him and they will carry on together working for those who need their help just as they have done in the past.

TESTIMONY BY SECRETARY OF AGRICULTURE BENSON ON FARM LEGISLATION

Mr. PROXMIRE. Mr. President, I rise to speak on the farm bill introduced by the senior Senator from Minnesota [Mr. HUMPHREY] but before I do so I wish to address a few remarks to the colloquy which took place a few minutes ago between the Senator from Arizona [Mr. GOLDWATER] and the Senator from Missouri [Mr. SYMINGTON].

As I said during that colloquy, I am a member of the committee and I took an active part in the questioning of the Secretary of Agriculture.

I should like to invite the attention of the Senate at this time, Mr. President, to the particular language of the record, and I ask unanimous consent that various extracts from the testimony be printed in the RECORD at this point.

There being no objection, the extracts were ordered to be printed in the RECORD, as follows:

SENATOR SYMINGTON ON THE NEED FOR FARM LEGISLATION, PAGE 14907, AUGUST 3, 1959, CONGRESSIONAL RECORD

I read some excerpts from the testimony of February 16:

"Senator PROXMIRE. If the Senator would yield, it was my understanding this morning that the Secretary of Agriculture said he would be delighted to come in with a bill pertaining to wheat. But it was not my understanding that he said he would come in with an omnibus farm bill of the kind the Senator from Georgia has proposed. I think there is a very important distinction, and I think the Senator from Missouri is asking, and I certainly would support him in it, we get an omnibus bill covering the administration's objectives, as the Senator from Missouri has suggested.

"Senator SYMINGTON. This is correct, Mr. Chairman. My able colleague from Wisconsin has stated it exactly the way I would like to see it done, so that we will know what it is the Secretary of Agriculture would like us to do to help with this farm problem."

Later in the hearing, Senator PROXMIRE stated:

"It would certainly seem to me, Mr. Secretary, you would come in and propose changes all up and down the line anywhere you feel the law should be changed and improved."

"Secretary BENSON. That is what I have done in the testimony and we will draft it."

Still later Senator PROXMIRE asked:

"As I understand it, the committee has asked you and you have agreed to provide an omnibus farm bill in this session."

"Secretary BENSON. We have agreed to do some drafting that would incorporate it in legal language."

SENATOR SYMINGTON ON WHERE IS MR. BENSON'S PROMISED FARM BILL? PAGE 5948, APRIL 15, 1959, CONGRESSIONAL RECORD (QUOTING FROM THE ORIGINAL TRANSCRIPT OF HEARINGS, FEBRUARY 16 AND 17, 1959)

"Senator SYMINGTON. I would hope that you would come up here and say 'This is a problem, I am head of this department, here is the piece of legislation that I think the Congress ought to pass this year to help lick it.' Now isn't that a fair request?

"Secretary BENSON. Well, Senator, all that is needed is to put some of this language into legal language. That is all that is required."

And from the same record:

"Senator SYMINGTON. Mr. Chairman, may I make a recommendation, and if anyone on the committee disagrees I wish they would say so. I recommend that the Secretary of Agriculture draw up in what he calls legal language a bill that the Congress should study and analyze and in his opinion pass in order to help this growing problem of the investment of the American people in agriculture, and also to help the standards of living in agriculture.

"Now I recommend we ask the Secretary of Agriculture to give us a bill on agriculture.

"The CHAIRMAN. That question was posed to him this morning, and he agreed to do that. As I understood him."

Still later in the transcript:

"Senator SYMINGTON. Let's have once and for all an overall omnibus farm bill that the Secretary of Agriculture, starting his seventh year, says, 'This is what I think the Congress should pass in order to clarify and make constructive the farm program of the United States.'

"Secretary BENSON. Mr. Chairman, I will do anything you ask me to do that will be helpful to the Congress in discharging its legislative responsibility in this field, so if you want us to——

"The CHAIRMAN. I want you to submit a bill that will be satisfactory to the farmers. That is what I want."

Mr. PROXMIRE. Mr. President, I should like to invite the attention of my colleagues to a particular part of this testimony, to point out that either way we take it—whether we take the position of the distinguished junior Senator from Arizona, or the position of the distinguished Senator from Missouri and myself—it seems very clear to me that the Secretary of Agriculture has not told the Congress of the United States what kind of farm program he wants.

This is a quotation from the testimony:

Senator PROXMIRE. If the Senator would yield, it was my understanding this morning that the Secretary of Agriculture said he would be delighted to come in with a bill pertaining to wheat. But it was not my understanding that he said he would come in with an omnibus farm bill of the kind the

Senator from Georgia has proposed. I think there is a very important distinction, and I think the Senator from Missouri is asking, and I certainly would support him in it, we get an omnibus bill covering the administration's objectives, as the Senator from Missouri has suggested.

Senator SYMINGTON. This is correct, Mr. Chairman.

And so on.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Arizona.

Mr. GOLDWATER. This is a very important point. I read that colloquy into the record, but then I suggested the following two paragraphs should be read. Would the Senator read those?

Mr. PROXMIRE. Yes; I have read those.

As the Senator from Missouri stated, the hearings as printed differ strikingly from the hearings as they were transcribed. The Senator is going to bring before the Senate tomorrow, as I understand the situation, and put into the RECORD the actual stenographic record of what was said at the time, so that Senators can compare it with the hearings as printed.

Mr. GOLDWATER. Does the Senator agree that these were the remarks made by the chairman? Did the chairman say:

I understood the Secretary to say this morning that the commodities that need attention at the moment are wheat and tobacco principally. Now insofar as cotton—

And Secretary Benson interrupted to say:

We mentioned peanuts also.

And then the chairman said—this is an important point—

Yes. Now, insofar as cotton, rice, corn, and other grains are concerned, we are going to give the law that we put on the statute books a try.

Did the chairman say that?

Mr. PROXMIRE. I believe he did say something of that kind. I think that is correct. I think there were certain commodities which could not be included in an omnibus bill which would be recommended by the administration to the Congress. Nevertheless, what we had in mind was not a bill to pertain only to peanuts, wheat, and tobacco. We had in mind a bill which would recommend changes all up and down the line.

The position in which this puts the Secretary of Agriculture is that he can no longer say it is the fault of the law, which prevents him from having a workable program for dairy products, for example. If he had an omnibus bill, we would assume—as I requested him to do in my questioning—that he would make recommendations all up and down the line, not pertaining only to the three commodities as to which he said he would like to make recommendations, and not simply excluding some other three commodities, but pertaining to milk and pertaining to any other commodities which pose a problem for the Department of Agriculture.

Mr. GOLDWATER. I simply wanted to get that point cleared up.

Mr. PROXMIRE. I think that is correct. I think that is an excellent point. The chairman of the committee spoke on the floor of the Senate the other day, and perhaps that is what the Senator had in mind. The chairman of the committee said that in all fairness to the Department it was said with regard to some commodities—and the Senator from Arizona has listed them—that they wanted to have the present laws operate for a while, to give them an opportunity to work their way out of the problem. The laws have been on the statute books for a short time, and should be tested. That is correct.

Mr. GOLDWATER. I simply wanted to make that observation. If the chairman said that we were going to give the law which we put on the statute books a try, it seems to me a rather broad commitment that they would stand by what they have.

I am not speaking for or against the validity of the stand of the Senator from Wisconsin. I am merely trying to clear up in my own mind the discrepancies which appear in the speeches on the floor, compared with the record of hearings.

As the Senator has indicated, the Senator from Missouri will include in the remarks tomorrow a photostatic copy or stenographic copy of the transcript of hearings taken before the full committee.

Mr. PROXMIRE. That is correct.

I think the Senator from Arizona has performed an excellent service in bringing out in full and complete detail exactly what did transpire, and in making the matter clear. In all fairness to the Secretary of Agriculture, we should make it clear that certain commodities were to be excluded from any omnibus bill which came up.

Mr. HUMPHERY. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Minnesota.

Mr. HUMPHREY. Let me say most respectfully to Senators engaged in this colloquy that while the chairman of the committee may indicate that it is his opinion that certain commodities ought to be given an opportunity under the new programs to have a "trial run" under the terms of those programs, that does not necessarily reflect the views of the majority of the committee or the attitude of all the members of the committee. It surely did not reflect mine.

First, I vigorously opposed the so-called corn program. I said a year ago that it would be a failure. I said it would lead to increased production. I said it would lead to increased acreage. I said it would lead to increased trouble. I also said that there were no Humphreys in either the Old or New Testament—at least none that had any prophetic vision; nor did I claim any—but accidentally I was right. Today there are more than 4 billion bushels of corn to be marketed this crop year, and 19 million more acres of corn to be planted than last year.

I noticed an article in the Washington Post of today under the headline "U.S. Cotton Crop Seen 29 Percent Larger."

This is the administration's surplus-reducing program. We have the world's largest crop of corn under its legislation—not mine; not the legislation which the majority originally wanted, because there was a veto, but under the administration's legislation.

It had a cotton program, too—not under the legislation originally approved by the committee, which was vetoed, but under new legislation asked for by the administration.

I say to the administration that it is surely batting 100 percent in increasing production and decreasing prices. A morning news story states that—

Under the new program, authorized last year by Congress, cotton prices may run 3 to 4 cents a pound below the average of 30 cents a pound received by farmers in 1958. This reduction reflects a somewhat lower level of Government price support for a part of the crop.

What the Senator from Wisconsin, the Senator from Georgia, and other Senators have been saying in this body is that we cannot reduce production by reducing prices. One does not need to know too much to know that. The statistical evidence is replete. Yet this administration pursues, with a dogged stubbornness and obstinancy, a policy of reducing prices and telling the public that it is going to reduce production.

The supports on wheat were reduced, and when the price supports on wheat were reduced, production went up. Supports on corn were reduced, and when the price supports on corn were reduced, production went up. Price supports on cotton were reduced, and the cotton crop went up. There is one example after another.

What the Senator from Minnesota tried to do the other day was to get the Secretary of Agriculture to come before Congress with a comprehensive program, based not upon fiction, not upon his fancy, not upon prejudice, but upon the statistical evidence as to acreage, production, consumption, export needs, and international needs.

Let us talk facts instead of fancies. That is what we tried to do in connection with the omnibus agricultural bill. I can predict what the administration attitude will be toward the bill. It will be adverse. The administration would be adverse to Christmas if some of us proposed it. But that does not mean that the bill is not right. It may mean that the bill has some features in it that are worth the attention of this body.

I thank the Senator from Wisconsin for his intelligent, able persistence in the program relating to agriculture.

I was present at the committee meeting when the Senator from Wisconsin and the Senator from Missouri [Mr. SYMINGTON] relentlessly pursued one point, namely, "Mr. Secretary, will you give us a comprehensive farm program? Will you tell us what your program is?"

Instead, we have had a program of gnat picking—picking gnats off nits; a little thing here and a little thing there, rather than a total program based upon the total economics of agriculture.

Every Member of this body knows that we cannot legislate piece by piece without tearing the program to pieces. That

is what has been happening. We have been legislating commodity by commodity, year after year, and we are getting into a situation in which the price of corn has no relationship to the price of other feed grains. The price of wheat has no relationship to the price of corn or grain sorghums. The program is completely out of balance. If any taxpayer does not believe it, let him take a look at the cost of operating this program.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. GOLDWATER. I can understand the apprehension of my good friend from Minnesota about Christmas, with so many Santa Clauses on that side of the aisle.

I point out, as I have tried to do many times around the country, that history should tell us that the Government cannot fool around with economics, whether it be the economics of the mercantile business or the economics of agriculture. We are supporting only 30 percent of our agriculture, and it is having a terrible time. It has always suffered whenever the Government has meddled with the agricultural economy.

Seventy percent of agriculture seems to be doing all right—not all the time, but, as in any other business, there are ups and downs.

I do not know what Secretary Benson has in mind; but, if we really want to help the farmer, I suggest that we quit playing politics with the farmer, quit planting and sowing votes, and start to get the farmer back under the law of supply and demand, with the very minimum of Government help in instances in which he cannot control the actions of God and the elements.

We shall be hearing these same arguments 10 years from now. As to the one crop about which I am worried, namely, cotton, I am afraid that my cotton farmers will be out of business, between the State Department and those who want to make politics out of economic matters.

I am hopeful that, as a result of the discussions among the Senator from Wisconsin, the Senator from Minnesota, the Senator from Missouri, and others interested in the problem, we may begin to recognize that, historically, from the days of Babylon on down, every effort to regulate agriculture has resulted in failure for the farmer and, I sadly relate, ultimate failure for the Government.

I thank my friend from Wisconsin.

Mr. PROXMIRE. Mr. President, the Senator from Arizona has suggested a frank, honest, honorable, and, to many Americans, an appealing way to solve our farm problems. If the Secretary of Agriculture will come forward with the kind of proposal the Senator from Arizona has suggested, I am sure it will be given very careful, thoughtful, and respectful consideration by the committee. It may be rejected, but it will be given consideration. I think Congress will go ahead with a program much closer to the program suggested by the Senator from Georgia [Mr. TALMADGE] and the Senator from Minnesota [Mr. HUMPHREY].

The Senator from Arizona has told us what kind of program he believes in. I respect him for it. The point I make is that the Secretary of Agriculture has not told the Congress what kind of program he wants.

I should like to conclude this part of my presentation by pointing out that in the committee I said to Secretary Benson:

> As I understand it, the committee has asked you and you have agreed to provide an omnibus farm bill in this session.

Secretary Benson replied:

> We have agreed to do some drafting that would incorporate it in legal language.

No matter how one interprets that reply, it seems to me that Secretary Benson is saying "Yes." What does one do when he provides a bill, other than incorporate the proposal into legal language.

At any rate, I believe that the documents which will be made available to the Senate tomorrow by the Senator from Missouri [Mr. SYMINGTON] will clear up that point very well. Regardless of whether or not one believes that the Secretary of Agriculture has lived up to the statement he made to the committee, the fact is that the Secretary of Agriculture has refused to give Congress a program, notwithstanding the most urgent questioning by the Senator from Missouri and myself. He refused to tell us what kind of overall farm program, up and down the line, the administration wants. He has given some recommendations with respect to wheat, and some with respect to tobacco and peanuts, but that is about all. We are asking for an overall program. All farmers need that kind of program. Heaven knows that the taxpayers realize that it is about time that we had a farm program which makes sense.

Mr. GORE. Does not the Senator think that the seventh year of the administration is not too early for it to submit an overall farm program?

Mr. PROXMIRE. The Senator from Tennessee is so right. Seven years of this administration have passed. It was understood that during the first year the administration would want to look around, take its time, and consider a thoughtful course. But this is the seventh year, as the Senator from Tennessee has so well said, and the administration still does not know what kind of farm program it wants.

I think every Member of the Senate recalls the administration of Franklin Roosevelt, whether he liked it or not. It did not take 7 years for the Roosevelt administration to come forward with an economic program for the country; it took 100 days to introduce it and to pass it.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. CHURCH. Does not the Senator from Wisconsin agree that if the administration honestly cannot submit a new farm program after 7 years, it ought at least to take the responsibility for the old one?

Mr. PROXMIRE. The Senator from Idaho is so right. The assumption is that if the administration will not come forward with a new farm program, it certainly should accept the law which is now on the books. As the Senator from Missouri [Mr. SYMINGTON] has pointed out very well in the last few days, the overwhelming majority of the recommendations made by Secretary Benson—a substantial proportion of the recommendations—have been written into law by the past several Congresses. If any further changes are to be made, Congress will listen to suggestions and will entertain them. But the changes which the Secretary of Agriculture has suggested lately have been very few, and certainly they have not been comprehensive or omnibus in any sense at all.

THE HUMPHREY ANSWER TO THE FARM PROBLEM

Mr. PROXMIRE. Mr. President, I should like to discuss a bill which is vitally important to the American people, both those on the farm and off the farm, a bill introduced on August 6 by the senior Senator from Minnesota [Mr. HUMPHREY]. I earnestly hope that that bill, a similar bill, or a bill modeled on the proposal of the Senator from Minnesota, will become law. I think there is no doubt in this body that there are few persons in America who are better established champions of the American farmer than the senior Senator from Minnesota.

Minnesota is a great farm State. It is the second largest dairying State in the Nation, being second only to Wisconsin. Minnesota is one of the largest hog-producing and corn-producing States in the Union. It is a diversified agricultural State. But it is not a State which grows all the farm products which are produced in this country. Nevertheless, the senior Senator from Minnesota is not confining his interest in agriculture to the needs of the farmers of his own State. He has represented to the best of his ability the cotton farmers and the other farmers throughout the United States. I think, with respect to this bill, that most Senators will recognize, whether they always agree with the senior Senator from Minnesota on agriculture or not, that there is no Member of the Senate who is more competent on this subject, who understands it better, and understands it not only intellectually, but sympathetically, let me say compassionately, than the senior Senator from Minnesota.

Moreover, the Senator from Minnesota understands the problem of the farm family. It cries out for justice. It demands simple, plain, common, everyday economic justice. There are few persons in the Senate who can match the senior Senator from Minnesota in fighting for economic justice.

There are, roughly, two kinds or standards of justice on economic proposals in this country. One is the liberal notion of economic justice. This notion stresses the equality of opportunity, opportunity to earn equal income; the feeling that all economic groups should have an equal chance to earn an income; that when a group—a farm group, a business group, or any other group, suffers in the pop-

ulation, something should be done about it. That is the liberal point of view.

But there is a conservative viewpoint of economic justice that is equally valid. It follows this basic notion. Very often, particularly in recent years, those persons who are willing to innovate, to work hard, to risk, and to be efficient have not received their just reward. Usually those who take this viewpoint have said that what is standing in the way of economic justice is our tax laws. There is some merit to that contention.

Whether we take the liberal notion of justice, as I have roughly suggested it, or the conservative standard of justice, it seems to me that the American farmer simply is not getting a fair shake. Regardless of the standard of justice, we find that the American farmer is not getting an adequate opportunity in the American system today.

It has not been said often enough that the American farmer works harder than any other economic group. The Department of Agriculture showed recently that in my State of Wisconsin, for example, the average farmer works 12 hours a day. He works 7 days a week, 52 weeks a year.

The farmer is a man who has made a substantial investment. As a matter of fact, the average investment in my State is between $40,000 and $50,000. The farmer today is a man who is required to live or die on the basis of the efficiency he demonstrates. The President's Economic Report last year showed that in the preceding 11 years the productivity of people off the farm had increased some 27 percent; but that the efficiency of productivity of people on the farm had increased 81 percent, or three times as much.

This increase in efficiency and productivity is the result of applying intelligence, understanding, and the very new kind of agricultural technology. There has been a tremendous technological revolution in farming in the past 20 years. The revolution has brought tractors to the farm. It has brought electricity to the farm. It has brought virtually a new science of animal husbandry, of soil chemistry, of insecticides, and of accounting. A farmer must be a businessman. It has become a very difficult, challenging, tough business to operate a farm these days. The American farmer, in view of the obvious increase in his efficiency, has measured up very well. He has vastly increased his efficiency. He has incurred great risks, because he must always risk the chance that fluctuations in prices will wipe him out, or that fluctuations in the weather may do the same.

Nevertheless, the farmer's reward for all this has been disgracefully low. The per capita income on the farms, on the basis of the latest evidence of the Department of Agriculture, is one-half what it is off the farm.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MANSFIELD. Is it not true, according to the Farm Credit Administration, that approximately 1,400,000 farm families at present are earning less than $1,000 a year?

Mr. PROXMIRE. The Senator from Montana is absolutely correct. I notice that the Senator said farm families.

Mr. MANSFIELD. Farm families.

Mr. PROXMIRE. Picture an entire farm family living on less than $1,000 a year.

Mr. MANSFIELD. Is it not true that over the past 5 or 6 years in excess of 4 million small farm families have left the land and moved to the cities?

Mr. PROXMIRE. The Senator from Montana is again completely correct. Of course, this is a great tragedy in America, because there is no question that from Thomas Jefferson's time to date, the most important factor in the American economy—you could say almost the backbone of the American free political society if not the economy—has been the family farm. However, in recent years the number of family farms has been diminishing, and the status of the family farm has been immensely weakened.

Mr. MANSFIELD. Is it not true in the United States today there is a trend away from the backbone of agriculture, which has been based on the small, family-size type of farm, to the corporate structure in farming?

Mr. PROXMIRE. The Senator is correct. The great tragedy of this change is that it has little or nothing to do with basic efficiency. It has a lot to do with adequate capital. It has much to do with the great fluctuations in prices. But the family farm, I submit, is the most efficient type of agricultural production which any economy has developed. It is far more effective than the collective farms or the combinations of agriculture which have been put together in other economies throughout the world.

Mr. MANSFIELD. Is it not true that in the past 6 years surpluses have increased by approximately 700 percent?

Mr. PROXMIRE. The Senator from Montana is correct. There is a tremendous overhanging burden of surpluses, which have increased sevenfold under this administration.

Mr. MANSFIELD. When the harvest comes in this fall, the increase will be lengthened, will it not?

Mr. PROXMIRE. It will, indeed.

Mr. MANSFIELD. Has not the cost of maintaining the agricultural surpluses increased seven times since 1952?

Mr. PROXMIRE. It has. In my judgment, it has increased substantially more than that because of the interest factor, which is also an aspect of the financial policy of this administration. It has increased in much greater proportion than have the amount of commodities which are carried over.

Mr. MANSFIELD. Did not the Committee on Agriculture and Forestry this year request Secretary Benson to come before Congress with a farm program of his own?

Mr. PROXMIRE. We did, indeed. We have tried to do everything we could to write that into the record.

Mr. MANSFIELD. Has the Secretary of Agriculture come before Congress with a farm program of his own?

Mr. PROXMIRE. He has confined his recommendation to three commodities—peanuts, wheat, and tobacco.

Mr. MANSFIELD. Every time Congress has passed a farm bill, the Secretary of Agriculture has advised the President to veto it, has he not?

Mr. PROXMIRE. That has certainly been my experience and understanding.

Mr. MANSFIELD. I thank the Senator from Wisconsin.

Mr. PROXMIRE. I thank the Senator from Montana for his very helpful part in this colloquy.

Mr. President, what all this adds up to is that regardless of the standards of justice which one wishes to have applied—depending upon whether one is a conservative, and believes that the proper reward for hard work in business and for the taking of risks and for efficiency is to be had only by means of providing for greater rewards for those who make these extraordinary investments of brains, capital, risks, and hard work; or whether one is a liberal, and believes that no group of people should be so discriminated against that their incomes are held far below the national average—the fact is that today the average American farmer does not realize that the present farm program is not working, and that in connection with the farm program the Congress and the administration are not doing the job they should do. It is also a fact that it is time that both the Congress and the administration went to work on the problem.

That is why I believe the proposal of the Senator from Minnesota [Mr. HUMPHREY], which is based on the most careful and conscientious consultation with the outstanding farm experts of the country, should be welcomed so enthusiastically; and that is why I hope it will mark a new day for the American farmer.

I should like to outline the objectives of that bill, which have been variously discussed here on the floor; but I think few people realize that the bill embodies what I am sure are the fundamental objectives of most Members of Congress. They are as follows:

First, the bill is designed to help the family farm.

Second, the bill is designed to recognize that the fundamental farm problem is to make possible an adequate farm income and an opportunity—not a guarantee—for the farmer to make the same kind of income that is made by those who are not on the farms.

Third—and this point is overlooked by most Americans—the bill seeks to meet the need for adequate amounts of food. Most Americans say they already have far too much food. But until this bill was introduced, we have not had much chance to have a real scrutiny made of our food and fiber needs.

Always before, our abundance of food and fiber has been regarded as a great blessing. But now, suddenly, we find that abundance a curse and a great problem to the taxpayer and farmer alike.

Fourth, the bill provides that our abundance of food shall be used as an arm in our international relations; and

the bill makes provision for doing so in an enlightened way.

Fifth, as the Senator from Minnesota has said, the bill provides that the Secretary of Agriculture shall be provided with a full tool kit, so he will be able, in a democratic way, to get the farmers to produce what is needed, but not to produce in excess.

Mr. President, I should like to conclude by quoting from a very rare newsletter. It is rare because it comes from a member of the New York Stock Exchange with principal offices in Chicago. That concern, the Daniel F. Rice Co., has recognized the serious problem faced by the farmers. In a recent commodity letter, the Rice Co. made the following statement:

Agriculture has fallen on evil times. In the midst of unprecedented national prosperity, agricultural income has fallen to continually lower levels. The outpourings of farms have exceeded the capacity of the Nation to consume. Legislative action needed to solve the problem has not been taken. At this critical time when the problem of falling farm income gets worse and worse, we are about to see Congress adjourn without any new legislation. One bill was passed and vetoed. The problem is not impossible of solution; all it takes is a program that faces the problem of too much production squarely and attacks it directly by taking the steps necessary to reduce production. But it takes a little courage; the Congress has to call its shots and let the chips fall where they may. They cannot have it both ways, riding off in all directions.

The contribution of the executive branch of the Government is to give up on the current "solution" of the problem, and turn on agriculture with the violence of a wounded bear. The office of the Secretary of Agriculture continually furnishes biased and exaggerated statistics to the urban press for its increasing attacks on the farmers.

Mr. President, I submit that while there has been a great deal of criticism of the Secretary of Agriculture—and heaven knows I have been one of those who have indulged freely in that criticism—I believe it is fine to have so positive and constructive a proposal from a Member of the Senate with the prestige enjoyed by the Senator from Minnesota [Mr. HUMPHREY]; and I am delighted to have an opportunity to endorse his proposal, and to promise my strong support for the omnibus farm bill the Senator from Minnesota has introduced.

REMOVAL OF LIMITATION ON RECLAMATION INVESTIGATION APPROPRIATIONS IN ALASKA

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 1514) to amend the act of August 9, 1955 (69 Stat. 618).

CONVEYANCE OF CERTAIN LANDS TO THE STATE OF ILLINOIS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside, and that the Senate resume the consideration of Calendar No. 563, Senate bill 747.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate resumed the consideration of the bill (S. 747) to provide for the conveyance of certain lands known as the Des Plaines Public Hunting and Refuge Area to the State of Illinois, which has been reported from the Committee on Government Operations, with an amendment, to strike out all after the enacting clause and insert:

That (a) subject to the provisions of subsections (b), (c), and (d) of this section, and section 3, the Administrator of General Services is authorized and directed to convey, by quitclaim deed, to the State of Illinois, for wildlife conservation or recreational purposes, all right, title, and interest of the United States in and to the following described lands, together with all buildings and improvements thereon, situated in Will County, Illinois:

All that part of fractional sections 29, 32, and 33, township 34 north, range 9 east of the third principal meridian, in Will County, Illinois, described as follows: Beginning at a point of intersection of the west line of Route 66 (Federal Aid Route 77), as monumented and fenced and a line 1,000 feet south of and parallel to the north line of said section 33 (said point of intersection is 167.4 feet west of the east line of said section 33); thence south 885 feet; thence south 4 degrees 1 minute 10 seconds west 2,961.68 feet; thence south 00 degrees 15 minutes 20 seconds, west 416.81 feet; thence south 1 degree 2 minutes 40 seconds west 33.42 feet to the south line of said section 33, all of the above dimensions taken on the westerly line of said Route 66 as monumented and fenced (said last point is 352.7 feet west of the southeast corner of said section 33); thence west along the south line of said section 33 and fractional section 32, 10,082.43 feet to the southwest corner of said fractional section 32; thence northerly along the west line of said fractional section 32, 4,486 feet more or less to the southeasterly edge of the Des Plaines River; thence northeasterly along the southeasterly edge of said river to a point on a line described as follows: (Beginning at a point of intersection of the west line of Route 66 and a line 1,000 feet south of the north line of said section 33; thence westerly along a line 1,000 feet south of and parallel to the north line of said section 33 and fractional section 32, 5,300 feet; thence northwesterly along a line forming an angle of 115 degrees with said parallel line from east around north to northwest 4,800 feet more or less, to the southeasterly edge of the Des Plaines River); thence southeasterly along the previously described line 4,800 feet to a point on a line 1,000 feet south of and parallel to the north line of said section 33 and fractional section 32, said point being 5,300 feet west of the west line of said Route 66; thence easterly along a line 1,000 feet south of and parallel to the north line of section 33, 5,300 feet to the place of beginning (excepting therefrom those portions lying along said river as deeded to the State of Illinois and recorded in the recorder's office as document numbered 414965, book 691, page 31; document numbered 414965, book 691, page 34, and document numbered 414965, book 691, page 35; also excepting those portions deeded to John Flom and recorded in the recorder's office as document numbered 458161, book 759, page 38; also excepting that portion deeded to Three Rivers Yacht Club and recorded in the recorder's office as document numbered 695487, book 129, page 625; also excepting therefrom that portion deeded to Robert Berglund and Hugh Black and recorded in the recorder's office as document numbered 846871, book 1698, page 303; also excepting that portion included within the lines measured 100 feet outward from the existing high bank on both sides of Grant Creek Cutoff and Grant Creek) containing 946 acres more or less.

(b) The conveyance authorized to be made pursuant to subsection (a) of this section shall be conditional upon the payment by the State of Illinois to the Administrator of General Services as consideration for such conveyance of the sum of $286,638.

(c) The land authorized to be conveyed pursuant to subsection (a) of this section shall be conveyed subject to such easements for railroad rights-of-way as shall, in the determination of the Administrator of General Services, be necessary or appropriate to provide railroad service for the purchasers of adjoining tracts of land from the United States.

(d) The instrument of conveyance authorized by this section shall expressly require (1) that in the event the property conveyed by such instrument ceases to be used for wildlife conservation or recreational purposes, all right, title, and interest therein shall immediately revert to the United States to be held in the same manner as it was held prior to such conveyance; and (2) that the reversionary interest of the United States, at the request of the State of Illinois, be relinquished to such State by the Administrator of General Services upon payment to the United States of the fair market value thereof at the time of relinquishment.

(e) The property authorized to be conveyed pursuant to subsection (a) of this Act has been declared to be surplus to the needs of the United States.

SEC. 2. (a) Subject to the acquisition by the State of Illinois of the property described in the first section of this Act, the Secretary of the Army is authorized and directed, notwithstanding the provisions of section 2662 of title 10 of the United States Code, to convey, by quitclaim deed, without consideration, to the State of Illinois, for wildlife conservation or recreational purposes, all right, title, and interest of the United States in and to the following described lands, together with buildings and improvements thereon, situated in township 33 north, range 9, east of the third principal meridian, Will County, Illinois, containing 1,500 acres, more or less:

All of section 4;

All of section 5;

All of section 8 lying north of the Kankakee River; and

All of section 9 lying north of the Kankakee River.

(b) The instrument of conveyance authorized by this section shall (1) reserve to the United States all oil, gas, and mineral rights in the property; (2) reserve such improvements, rights-of-way, easements, and other interests as the Secretary of the Army determines should be retained in the public interest; and (3) contain provisions expressly requiring that (A) in the event the property conveyed by such instrument ceases to be used for wildlife conservation or recreational purposes, all right, title, and interest therein shall immediately revert to the United States to be held in the same manner as it was held prior to such conveyance, and (B) whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this section is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including all buildings and improvements

thereon, for a period not to exceed the duration of such state of war or national emergency plus six months, and upon the termination of such use by the United States, the property shall be returned to the State of Illinois, together with all buildings and improvements thereon.

SEC. 3. The authority contained in this Act shall expire one year from the date of enactment of this Act if the State of Illinois has not, during such one year period, made commitments, satisfactory to the Administrator of General Services, with respect to the acquisition by such State of the property authorized to be conveyed under the first section of this Act.

RETURN OF FREIGHT CARS TO THE WESTERN RAILROADS

Mr. CHURCH. Mr. President, there is pending on the Senate Calendar Senate bill 1789, which would amend the Interstate Commerce Act to bring sanctions to bear upon railroad carriers to return to the western roads the freight cars so badly needed in the West at this season of the year.

I am one of the sponsors of Senate bill 1789, and in that connection I wish to call attention to the fact that a crisis situation is developing in the storage of grain in the Pacific Northwest, due to a shortage of railroad cars to move the crops.

I ask unanimous consent that there be included in the RECORD a news item on this subject, carried in the Lewiston Morning Tribune of August 7, 1959.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NOT ENOUGH CARS NOW FOR WHEAT

SPOKANE.—Newly harvested wheat is overflowing storage bins in some inland empire areas and is being stored temporarily on slabs or on the ground, a Pacific Northwest Grain Dealers Association spokesman said here Thursday.

Association executive secretary Merrill D. Sather said the overflow is due to a shortage of railroad cars to move crops, rather than to a lack of storage space. He said a spring survey indicated sufficient storage capacity in the Northwest to handle the new crop, in addition to a large carryover.

The U.S. Department of Agriculture forecast a 1959 wheat yield of 101,772,000 bushels.

THE WAY LYNDON JOHNSON DOES IT

Mr. CHURCH. Mr. President, there has been so much controversy in recent months about how the Democratic majority in the Congress should cope with a Republican President in the White House, that I cannot possibly say anything that has not already been said. However, amid all the clamor over whether we are moving too fast or too slow, one observation—which so clearly separates the Democratic Party from the Republican Party—has been largely overlooked: how much better it is to have a political party arguing over how fast it should be moving ahead, than over whether it should be moving ahead at all.

In this regard, I draw attention to an excellent article by Cabell Phillips, appearing in the July 26 issue of the New York Times magazine, "'The Way LYNDON JOHNSON Does It.' It is a story of how the majority leader has "successfully mastered his topheavy and rambunctious majority to make good on his promise of a 'constructive opposition.'"

The article achieves the felicitous goal of making good reading and good sense. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE WAY LYNDON JOHNSON DOES IT

(By Cabell Phillips)

WASHINGTON.—After diligent research among the 64 Democrats who compose a majority of the U.S. Senate it is possible to report that there are only two points of view about the handsome, brash, ambitious 50-year-old Texan who is its majority leader, LYNDON BAINES JOHNSON. These views are, in their order of importance:

A. "I'm for LYNDON."

B. "I'm for LYNDON, but—."

The overwhelming "A" vote is a tribute to his professional talents by other professionals; they regard him as the most astute operative, in an extraordinarily difficult job, most of them have ever known.

The minority "B" vote is weighted only slightly less with professional admiration; the "but" signifies little more than that they wish they had LYNDON on their side more often. The supporting clauses of this equivocal "but" string out to a number of different conclusions, and find their most emphatic echo in certain high echelons of the Democratic National Committee. But even here there is little disposition to downgrade the majority leader's great technical competency, only to quarrel with the objectives and the consequences of his art.

Even so, the dissent, which is rising in volume and stridency as the congressional session nears its end, has been sufficient to heighten the aura of controversy swirling about LYNDON JOHNSON's head. He would be a controversial figure anyway because of his proficiency and his flamboyant style—he is a star and he makes the most of it. But because the critics' shafts have found the most vulnerable spot in his armor—his lack of belligerent partisanship—his vanity has been wounded and he is striking back.

Moreover, his performance invites ever livelier speculation about his presidential intensions in 1960. He says with vehemence that he has none, and manages to look genuinely exasperated when even his best friends say they don't believe him.

The job of a Senate majority leader can best be likened to that of the commanding officer of a battalion of highly individualistic and temperamental volunteers. Force of personality has to substitute for authority in keeping his troops together and in fighting spirit, for he has no substantial means for punishing the recalcitrant or rewarding the faithful.

It falls to him nevertheless to be the major strategist and the major tactician of his forces; to ascertain the dominant legislative will of his group, and to organize and carry through a successful campaign for its fulfillment.

LYNDON JOHNSON'S highly specialized talent reveals itself on two main fronts. First, he has preserved a relatively peaceful armistice between the congentially antagonistic Southern and Northern wings of his party in the Senate, and thereby in the Congress as a whole. He keeps a foot in both camps, and while there have been some skirmishes between them, no blood has been spilled—yet.

Second, he has marshaled and manipulated his restless forces so that they work in reasonable harmony together, and with the President, toward substantial legislative goals. This is disputed by some GOP sharpshooters who shout, "Spenders" and "Radicals" from time to time, and by the anti-JOHNSON malcontents among the Democrats who cry that he is doing too little too late, particularly in respect to democratic prospects for 1960.

These dissidents deplore his willingness to accept the comparatively modest Eisenhower goals on spending levels, to tailor his legislative objectives to what he thinks the President will accept rather than fight for more ambitious and distinctively democratic programs, and his failure to give the same heed to liberal elements in his party that he does to the Southern conservatives. By his excessive moderation, they contend, the majority leader is smothering the liberal mandate which the Democratic Party received at the polls in the last three congressional elections, thus injuring its prospects of recapturing the Presidency next year.

But any objective view of the 86th Congress to date is bound to be that JOHNSON has successfully mastered his topheavy and rambunctious majority to make good on his promise of a constructive opposition.

How has he managed to do it? What are the peculiar qualities that bring him such acclaim as a legislative leader? The answer has to be combed out of a tangle of personality traits that include ambition, vanity, shrewdness, petulance, patience, vitality, and a mystical feel for the art of the possible.

LYNDON JOHNSON, standing 6 feet 3 inches and weighing 190 sun-tanned pounds, has the litheness of figure and movement of a Texas ranger and the sartorial grace of a Houston banker. His thinning black hair is combed back over a broad forehead. His eyes are sharp and alert and his face is accentuated by a firm mouth and chin. There is a touch of arrogance in his bearing, and when he talks he tilts his head back in a manner reminiscent of Franklin Roosevelt (whom he reveres) and lines out his sentences in a flat, forceful, unadorned voice that carries assurance in every syllable.

From his command post in the Senate Chamber, a front-row desk on the center aisle which is usually cluttered with papers and pink memorandum slips, he maintains a traffic cop's critical surveillance over the confused flow of Senate business. From time to time he hoists himself to his feet and, with his hands dug deep into his pockets, wanders restlessly with long, swinging strides about the Chamber, encircling a Member's shoulder with his arm, bending over another's desk or dropping into a vacant chair to engage someone in conversation. He comes close to being a compulsive talker; articulation takes the place of meditation in his mental processes.

But with all his seeming disregard for what may be going on elsewhere in the Chamber, his sensitive antenna picks up the drift of everything that's being said and detects the subtle emanations of developing strategy from the enemy ranks wherever they may be, on the Republican side of the aisle or among his own forces. When the danger signal flashes, he is on his feet immediately with his preemptory, "Mr. President—Mr. President, will the Senator yield?"

All this he does with the true professional's knack of making it look easy.

Though JOHNSON is the star of the leadership drama, there is a supporting cast on which he must depend. His assistant is Senator MIKE MANSFIELD, a sober, thoughtful ex-professor of history and political science from Montana. The Democratic caucus is theoretically the instrument for determining broad party strategy, but it has been largely ignored for a generation. Its principal function has been assumed by the policy committee, composed of nine party elders with JOHNSON as the chairman, which does meet at occasional intervals to discuss strategy. There is also a steering committee,

over which JOHNSON also presides, which allocates seats on the various legislative committees.

Each of these units has one or more professional staff members, as does the office of majority leader itself, and as does also the office of Senator LYNDON JOHNSON, of Texas. From among those staff members a half-dozen or so are usually engaged in the leg work that the leadership requires.

It should not be assumed that this policy committee-steering committee apparatus functions in all cases by the simple and democratic device of a majority vote. As a general proposition, what LYNDON says goes.

To find out what his majority wants, or should do, on a given legislative matter, such as housing or foreign aid, JOHNSON consults with the chairmen of the committees concerned, with his "council of elders" on the policy committee, and with various individual Senators. Similar soundings are taken by MANSFIELD, by Bobby Baker, the alert young secretary of the majority; George Reedy, the scholarly secretary of the policy committee, and other aides. All of this miscellaneous intelligence is then filtered through JOHNSON'S own network of intuitional nerve fibers where it is dosed liberally with what he believes to be possible and proper. What comes out is a leadership position, which usually, but not always, guides the behavior of most of the Democratic Senators.

To get support for his position, much the same process is followed. Baker, Reedy, and the others are constantly engaged in a quiet, casual polling operation so that JOHNSON knows from day to day and issue to issue who is on his side, who is not, and who is hanging on the fence.

In those offhand encounters in the Senate Chamber, in the cloakrooms or the corridors, he exerts his persuasive powers on the opponents and the doubters in what has come to be known as "the treatment." Its intensity is subtly adjusted to the mood and disposition of the recipient—from bully-ragging to passionate argument to gentle suasion. In stubborn cases he will resort to indirection. The holdout will be approached by his committee chairman, by a friendly Senator acting as a covert emissary; possibly he'll get a phone call from the Governor of his State—it is not unknown, in fact, for a senatorial wife at the family dinner table to become a seemingly innocent partner to such a conspiracy.

It is the treatment, indeed, in its myriad and artistic variations, its subtle but unremitting pressure and its effectiveness that is the essence and the trademark of the Johnson leadership. What makes it so is to be found in certain innate qualities of the man himself.

First of all LYNDON JOHNSON is an exuberantly ambitious man. He is proud of his career; he is proud of his rich and talented wife; he is proud of his job as majority leader; he is proud of the acclaim and the controversy he has aroused in that job, and he is determined to make an enduring personal monument of it. It is mainly for this reason that those closest to him think that, in spite of his disclaimers, he will make a try for the presidential nomination next year. He was strongly tempted in 1956, and when, at the Democratic Convention, it became apparent that the Stevenson forces had the top job sewed up, he toyed briefly but earnestly with the idea of bidding for the Vice Presidency.

He is also a sensitive man—sensitive to personal cirticism and about his own posture in the public eye, and sensitive to the obligations and responsibilities of his position, the two things being curiously intertwined in his subconscious mind.

The first of these can also be called vanity. He has a mortal dread of ridicule and flares angrily at columnists and commentators, for example, who allude jestingly to his multiple suites of offices in the Capitol, or to his style of dress and living. He dreads, too, the everpresent danger that he may blunder or be caught off guard in the enormously complex, and fast-paced conduct of his official life.

But this is more than just vanity; it is part and parcel of his respect for the importance of his position and of the obligation he shares with the President and other leaders to conduct the affairs of the Nation wisely and prudently. The personal jibes—including the needling he has been getting of late from the Democratic liberals—he considers petty and unworthy digressions from what is really important in what he is doing, which is the creation of a legislative program.

"That guy," he said heatedly the other day, referring to a fellow Democrat who had complained about JOHNSON'S failure to challenge an Eisenhower veto, "yaps just to hear his own yapping. Why doesn't he do something constructive about it? If he wants issues for 1960, why doesn't he get on with that investigation of prices that he's a part of?

"But, oh, no; he wants to make speeches about how many limousines they have downtown or how JOHNSON is selling out the Democratic Party."

His greatest and most complex attribute is his instinctual feel for "the art of the possible," which is, of course, the art of manipulating men and issues toward a desired political end. This manifests itself in many ways.

"There's a whole stable of politicians—legislators—in my family background, going all the way back to the Republic of Texas," he told an interviewer not long ago.

"The smartest of them was my father, and he used to say that if you couldn't come into a room full of people and tell right away who was for you and who was against you, you had no business in politics."

This axiom must have stuck in young LYNDON'S mind, for he has a highly developed knack for detecting such moods among Senators, and acting upon the knowledge so gained.

"He can sense a revolt on the back bench and move to squelch it before it gets off the ground," an admiring young freshman—who sits in the back row—observed recently.

But he does not rely on instinct alone to know how many loyal troops he has for each encounter.

"LYNDON counts the house before each move, and he doesen't move until he knows he's got the votes," a colleague explained. He went on to describe a typical incident at the last session when a group of labor lobbyists went to the majority leader's office to tell him they thought their efforts had assured victory for an item of legislation in which they were mutually interested.

"We figure there will be only three Democratic votes against us," the leader of the group said, "and on that basis we ought to make it."

"Well, you're wrong," JOHNSON told him. "There'll be eight votes against you."

"But, LYNDON, we've just finished checking these fellows, and only so and so and so refused to give us their word," the visitor said.

JOHNSON pulled a memorandum from his desk drawer and studied it for a moment. "Maybe so," he said, "but these are going to vote against you, too, regardless of what your poll shows," and he ticked off five additional names. "But what you probably don't know is that you are going to pick up four votes on the Republican side—here they are—and that will give us all we need. You watch when the vote comes up tomorrow."

They did, and the tally was precisely as JOHNSON had predicted it would be.

He is not, of course, always so prescient—the point of order raised by Republican Senator FRANCIS CASE recently that defeated the Development Loan Fund caught him by surprise—but such lapses are the exception.

His sense of timing and of the tricks of parliamentary procedure enable him to react almost reflexively to seize a tactical advantage. Last January he was about to lose the iniative in the contest over changing the Senate rule on filibusters when he detected an obscure but vital flaw in the parliamentary position of his opponent, Senator CLINTON ANDERSON, leading the fight for the Democratic liberals. Leaping to his feet, he hammered Vice President NIXON, who was presiding, into conceding the error, and no sooner was the admission out of NIXON'S mouth than JOHNSON moved and won adjournment. That did it; the next day his foes were routed.

Almost instinctively he knows when to call for a vote and when to put one off; when to charge and when to stall; when to grant a favor or to work out a quiet accommodation with his opposite number on the Republican side of the aisle, Minority Leader EVERETT MCKINLEY DIRKSEN, and when to throw the book at him. A great part of his effectiveness in this Congress, indeed, stems from the fact that he has been able to revitalize the old coalition of Southern Democrats and conservative Republicans to work one triumph after another for his "moderate" legislative goals.

JOHNSON regards himself as a liberal in the tradition of his two political heroes, F.D.R. and Speaker SAM RAYBURN. But he is a pragmatist, before he is an idealist, and he is not against settling for such nourishment as there may be in half a loaf as against the noble hunger of having no loaf at all. He stoutly defends his position on the filibuster rule, civil rights, housing, and other welfare legislation as being the best obtainable, the temper of the country and the power of the Presidential veto being what they are.

LYNDON JOHNSON is not unlike a great predecessor in the office of majority leader, the late Robert A. Taft, in his confident, almost arrogant, belief that he is in tune with the majority will of his party. He scornfully denies that reviving the caucus system, for example, as some have demanded, would do more than create confusion. And as for his critics on the national committee, he asks sarcastically: "Who elected them? How many voters do they represent?"

It is this sort of obstinacy that frustrates the Douglases, the Proxmires, the Clarks, and the Paul Butlers who speak for the liberal Democrats. They concede his great proficiency: if they could just get him to exert a little more of it against the Republicans instead of being with them so much of the time, they argue, the Democrats would have nothing to worry about in 1960.

But LYNDON is unmoved. "Anybody who thinks we haven't been giving the country what it wants," he says with a puckish grin, "just let them take a look at the last three elections."

DISCLOSURE OF INFORMATION BY THE EXECUTIVE BRANCH

Mr. CHURCH. Mr. President, when the Senate Foreign Relations Committee was considering the Mutual Security Act of 1959, it agreed to an amendment, which I had proposed, specifying the policy which should prevail in making public information concerning the mutual security program.

This committee amendment, retained intact in the Senate version of the bill, was agreed to in the conference, and was in the bill as finally enacted by both Houses. The section reads as follows:

SEC. 550. INFORMATION POLICY.—The President shall, in the reports required by section

534, or in response to requests from Members of the Congress or inquiries from the public, make public all information concerning the mutual security program not deemed by him to be incompatible with the security of the United States.

When the bill reached the White House, it was signed. But the President took the occasion to draw a line beyond which he would not permit the Congress to pass. In effect, he claimed the right to exercise what amounts to an "item veto," on the authority of the constitutional separation of powers. In his view, the Constitution gives the executive branch the power to decide what information the Congress and the public shall have.

This is what he said:

I have signed this bill on the express premise that the three amendments relating to disclosure are not intended to alter and cannot alter the recognized constitutional duty and power of the Executive with respect to the disclosure of information, documents, and other materials. Indeed, any other construction of these amendments would raise grave constitutional questions under the historic separation of powers doctrine.

Mr. President, I do not agree.

It is unfortunate that the Congress, in this type of situation, must move into the appropriations bill to maintain the public's right to know. Thus, the appropriation act for the mutual security program, as it recently passed the other body, contained an amendment stating that appropriated funds cannot be used if the ICA refuses legitimate information to the GAO, the Congress, or its committees.

This also caused a violent Executive reaction, the President declaring, in his press conference of July 29, that it was unconstitutional for the Congress to so act.

Mr. President, this is not the time or place to take up the whole argument, but it is certain that the Congress must face up to this challenge. In this connection, I call to the attention of the Senate a fine article by Clark R. Mollenhoff in the July 1959, issue of the Atlantic, entitled "Secrecy in Washington." This article furnishes a wealth of background on the attitude of the present Chief Executive as to this matter of "Executive privilege," and the extraordinary lengths to which it has already been extended.

I ask unanimous consent that Mr. Mollenhoff's article be included in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SECRECY IN WASHINGTON

(By Clark R. Mollenhoff)

Five years ago a precedent was established that constitutes one of the greatest threats to freedom of the press in our time. This precedent has created an atmosphere in which influence peddling can flourish, in which errors or crimes by Government officials can be concealed. It weakens the power of Congress to investigate how our Government agencies operate and to inform us of these operations.

The "executive privilege" doctrine as proclaimed by the Eisenhower administration is simply this: Officials of the executive branch of the Government can refuse to produce Government records or testify before a congressional committee if they believe the information sought is confidential executive business.

President Eisenhower has said that executive privilege could never be used to cover up crimes or mismanagement in government. It was only to allow persons in the executive branch to consult with each other in a frank manner and not have to worry about their views being put on the record of a congressional committee, the President said naively. As he explained it, the executive privilege seemed innocent enough. But, in practice, officials of his administration have used this blanket of secrecy to cover up crimes, mismanagement, "imprudence," "conflicts of interest," and a wide variety of embrassing activities.

The International Cooperation Administration (ICA), for example, has used executive privilege to conceal corruption and mismanagement in the spending of foreign aid. In the case of Laos and a half-dozen other countries, the ICA claimed executive privilege in refusing to give the General Accounting Office (GAO) auditors copies of evaluation reports and internal communications in the agency.

The waste in Laos ran into the millions, and the corruption included admitted payoffs. Until the House Government Operations Subcommittee, headed by Representative PORTER HARDY, of Virginia, subpenaed the records of two private business firms, the ICA used executive privilege to conceal the fact that subordinates had warned against the possibility of fraud, profiteering, and mismanagement if top ICA officials in Laos insisted on signing certain contracts.

Several congressional committees have condemned the doctrine of executive privilege as having no foundation in law, and the Moss Subcommittee on Government Information Policy has repeatedly asked the Department of Justice for legal justification for this doctrine of secrecy.

Attorney General William P. Rogers has cited no law and no court cases to support this doctrine, but has claimed that an "inherent power" gives the executive branch this right. Instead of modifying executive privilege, Rogers has sought to expand it. In March 1958, he told a Senate Judiciary Subcommittee that executive privilege could also be claimed by the so-called independent regulatory agencies: the Federal Communications Commission, the Federal Trade Commission, the Interstate Commerce Commission, the Federal Power Commission, the Securities Exchange Commission, and the Civil Aeronautics Board. These regulatory agencies were set up as arms of Congress, and to many Members of Congress it was inconceivable that such agencies were not subject to a full scrutiny by Congress at any time.

Administrations have always tried to avoid making embarrassing admissions before committees of Congress, but for the most part it has been a matter of dodging congressional investigators. In the past there has been no serious claim of a right to refuse to testify or produce records.

It was on May 17, 1954, that the doctrine of executive privilege was dramatically broadened. This took place during the Army-McCarthy hearings, and it was justified on the premise that it was a blow at Senator Joseph McCarthy. President Eisenhower, in a letter to Defense Secretary Charles E. Wilson, approved the idea of having Army counsel John Adams refuse to testify on some conversations with William P. Rogers, then the Deputy Attorney General, and with Sherman Adams, the President's chief assistant.

The President took this stand "because it is essential to efficient and effective administration that employees of the executive branch be in a position to be completely candid in advising with each other on official matters, and because it is not in the public interest that any of their conversations and communications, or any documents or reproductions, concerning such advice be disclosed."

That was an emotion-charged era with little cool thinking on either side. The President's position was accepted for what he said it was: a new statement on the constitutional separation of powers between the three branches of Government. It was popular to oppose McCarthy and support the Eisenhower administration on all points. It was easier merely to follow the administration line than it was to study the problem and see where it would lead.

By the end of 1958, the curtains of executive secrecy were closing around more than 20 agencies of Government. Rogers, now Attorney General, did not claim that defense secrets were involved. There were specific laws that covered defense secrets, which have to be protected in the national interest, and no responsible group contested the right to reasonable security in the defense and diplomatic areas. Rogers was asserting an arbitrary right of Government officials to refuse to testify or produce records dealing with nondefense matters—how the Dixon-Yates contract was let, what conversations Sherman Adams had with the members of the Federal Communications Commission and other regulatory agencies, and questionable settlements of a wide variety of Government contract matters.

The Teapot Dome scandals of the Harding Administration could have been covered up if government officials had then applied even the mildest form of executive privilege as laid down by President Eisenhower in his letter of May 17, 1954. Under the executive privilege theory Secretary of Navy Edwin Denby and Secretary of Interior Albert B. Fall could have refused to give testimony or produce records on events leading up to the leasing of the Teapot Dome oil reserves. Fall's crimes might never have been uncovered.

The tax scandals of the Truman Administration could have been concealed by a claim that all papers except final decisions were confidential executive communications. Attorney General J. Howard McGrath could have maintained that his conversations with T. Lamar Caudle, the assistant attorney general in charge of the tax division, were confidential executive business. Caudle and White House aide Mathew Connelly could have contended that their communications were confidential executive business. Instead, those communications were actually used as the basis of the criminal charges on which Caudle and Connelly were convicted.

The ducking and evasion of the Truman Administration naturally enraged Republicans. But President Truman made no assertion of a constitutional right under which all officials in the executive branch could claim executive privilege. He issued an Executive order placing certain personnel files under a secrecy blanket, and on some occasions he had files delivered to the White House to his personal custody so that they could not be subpenaed.

Senator Homer Ferguson, Republican of Michigan, was chairman of a committee that investigated the Truman administration at that time. Ironically, his chief counsel was William Rogers. Rogers' persistent and hard-hitting inquiries had the Truman administration so frantic in 1948 and 1949 that the Justice Department prepared a memorandum of the occasions when earlier President had withheld information from Congress.

This memorandum defended the theory of executive privilege and cited a scattering of cases in which various Chief Executives back to George Washington had withheld

information from Congress. Actually, Washington only temporarily withheld some papers in a military matter and then produced everything. Andrew Jackson had withheld arbitrarily some records dealing with scandals in the sale of Indian lands, which Congress should have been allowed to see.

The memorandum on executive privilege was examined by the Truman administration and was found to be unsupported in law or by court cases. Most of the precedents were not historically accurate, and many had little application to the congressional efforts to obtain information of nondefense agencies. It was discarded as of no value. Yet that discarded memorandum of law—historically inaccurate and legally unsound—was dredged out of the Justice Department files by Attorney General Herbert Brownell in 1954 and was attached to President Eisenhower's May 17, 1954, letter in support of the enlarged doctrine of executive privilege. It seems curious that a practice which was condemned by Republicans in the Truman administration should be revived, broadened, and sanctioned for Eisenhower.

Republican officials were quick to recognize what a convenient umbrella of secrecy was provided by President Eisenhower's letter. Sherman Adams, chief assistant at the White House, was one of the first to clothe himself with almost total immunity from the power of congressional investigations. He refused to testify before the Senate judiciary subcommittee that was investigating the controversial Dixon-Yates power contract. Instead he submitted brief and vague letters about his activities to the congressional investigators and declared that of course he acted for President Eisenhower in all of his contracts with Federal agencies and his communications were "confidential executive business."

The full use that would be made of executive privilege became clear in the investigations of the Dixon-Yates contract, when Rowland Hughes, the former Budget Director, refused to allow certain witnesses to be questioned and certain papers to be produced on the ground that papers and conversations involved in the formulating of policy were confidential.

Senator ESTES KEFAUVER, Democrat, of Tennessee, and Senator WILLIAM LANGER, Republican, of North Dakota, were furious. They pointed out that President Eisenhower in August 1954, had ordered that all facts in the Dixon-Yates contract be made public.

"I have checked on this matter, and I am authorized by the President to state that his general instructions stand," Hughes said in reply.

Hughes, the White House, and the Atomic Energy Commission had plenty to cover up in the Dixon-Yates investigation. Although they had been told to make public a complete chronology of events leading up to the contract, they eliminated the name of Adolphe Wenzell from the reports on the discussions and meetings that set the stage for the multimillion-dollar contract with the Dixon-Yates power group.

The First Boston Corp., a New York banking house, was serving as financial agent for the Dixon-Yates power group in its negotiations with the Bureau of the Budget and the Atomic Energy Commission. Wenzell, an officer and director of the First Boston Corp., was also a consultant to the Bureau of the Budget on financing dealing with the Dixon-Yates contract. Wenzell was therefore in a conflict-of-interest role.

"Hughes deliberately attempted to conceal Wenzell's name and activity from public view," the report of the Senate Judiciary Subcommittee stated.

It was pointed out that Hughes declined to testify on his conversations with Sherman Adams and others in the White House on the Dixon-Yates contract. He claimed executive privilege. Admiral Lewis Strauss, Chairman of the Atomic Energy Commission, also declined to give testimony on his communications with Sherman Adams and President Eisenhower on grounds that the executive privilege covered all of these communications.

Subsequent developments showed that President Eisenhower had not been given full information on how his subordinates were running the Government. Ten months after the President had ordered a full public disclosure of the events leading up to the contract, he was still ignorant of the conflict of interest role Wenzell played in the negotiations. At a press conference on June 28, 1955, the President stated that his advisers had informed him that Wenzell "was not called in or asked a single thing about the Dixon-Yates contract." The President insisted that Wenzell was only "a technical adviser" on some matters dealing with the Tennessee Valley Authority "and nothing else."

As the facts about the Wenzell role came to light a year too late, President Eisenhower saved face in about the only way possible at that stage. He canceled the Dixon-Yates contract, and the Comptroller General made a finding that a conflict of interest existed.

The investigation of the East-West trade and the revision of the list of strategic materials barred from sale to Iron Curtain countries revealed a similar story. Again executive privilege was used to hide the disputes that had taken place within the Government on the revision of the strategic materials list.

Over the objections of the Defense Department, the Joint Operating Committee (JOC)—an interdepartmental committee of the U.S. Government—changed the strategic materials list to permit shipment to Iron Curtain countries of copper, aluminum, precision boring machines, and horizontal boring, drilling, and milling machines.

Information came to the Senate Permanent Investigating Subcommittee indicating that revision made the so-called strategic materials list a complete farce. Simple jigboring machines were retained on the list as being prohibited from shipment to a potential enemy. Yet the revised list allowed the shipment of more modern precision boring machines of much higher strategic value. There were many similar contradictions.

The subcommittee's requests for information ran into a stone wall of opposition from the executive agencies involved: the State Department, Defense Department, Commerce Department, and the Foreign Operations Administration. There was no claim that defense secrets were involved. The executive branch merely took the arbitrary stand that it could withhold records or testimony. All the executive agencies joined together in directing employees not to answer questions or produce documents for congressional investigators in connection with the probe of East-West trade and the strategic materials list revision.

Their attitude was best demonstrated in a letter from Secretary of Commerce Sinclair Weeks to Commerce Department employees. He wrote: "You are instructed not to testify either in public or executive closed session with respect to any advice, recommendations, discussions, and communications within the executive branch respecting any course of action in regard to East-West trade controls or as to any information regarding international negotiations with the countries cooperating in East-West trade controls."

The Department tried to give some color of law to the claim by citing three Federal court cases, but the Senate subcommittee declared that none of the cases cited involved the right to withhold information from congressional committees. Some of the information they sought was obtained over the following months from foreign countries, where revised lists of strategic materials were openly published.

The arrogant withholding of information from Congress and the press by the Federal Executive and independent agencies resulted in establishment of a special Government Operations Subcommittee to study information policies. On June 9, 1955, Representative WILLIAM L. DAWSON, Democrat, of Illinois, chairman of the Government Operations Subcommittee, named Representative JOHN MOSS, Democrat, of California, to head the new Government Operations Subcommittee.

Establishment of the Moss subcommittee started the first systematic study of just how far the executive privilege had gone in covering up the activities of the executive agencies. The subcommittee also engaged in a thorough study of the court decisions and the law.

In a report dated May 3, 1956, the Moss subcommittee stated that already more than 20 agencies had made the claim of executive privilege to withhold information from Congress. "The claim has never been upheld by the court," Representative DAWSON said. "It has been a mere Executive ipse dixit" (say so).

"Refusals by the President and heads of departments to furnish information to the Congress are not constitutional law," the subcommittee reported. "They represent a mere naked claim of privilege * * *. There is no inherent right on the part of heads of departments or other Federal agencies to withhold information from the judiciary."

Following publication of this Moss subcommittee report, in the summer of 1956, the Justice Department tried to hide behind executive privilege in an investigation of a settlement made of the American Telephone & Telegraph (A.T. & T.) antitrust suit. This time Representative EMANUEL CELLER'S Antimonopoly Subcommittee was doing the investigating. Chief Counsel Herbert Maletz was instructed by CELLER to obtain the Justice Department files to determine the facts leading up to the settlement of the A.T. & T. antitrust suit.

The suit had been initiated in 1949 for the purpose of forcing a divorcement of A.T. & T. and its subsidiary, Western Electric. The separation was urged to break the near monopoly that Western Electric had in the production of telephone equipment.

The suit had been hailed by Attorney General Herbert Brownell as a great victory for the Government, but he and Deputy Attorney General William P. Rogers claimed executive privilege and refused to make the files available. They tried to cover up the fact that the settlement allowing A.T. & T. to continue the ties with Western Electric was made over the opposition of staff members in the Justice Department.

Although Herbert Maletz was blocked from examining the files of the Justice Department, he managed to obtain much of the information he sought from the files of A.T. & T. and from some records in the Defense Department. This outside probe showed some interesting things that Justice Department secrecy had hidden. It showed that a high official of the A.T. & T. had written a letter which Defense Secretary Charles E. Wilson sent to the Justice Department urging settlement of the antitrust suit on terms favorable to A.T. & T. The investigation also revealed the conversations between Attorney General Brownell and a lawyer for A.T. & T. that paved the way to settlement.

Because executive privilege blocked the Celler subcommittee from questioning Justice Department employees, it was necessary to subpena a former official of the Justice Department to establish that Brownell's settlement was actually opposed by the working staff in the antitrust division.

At a press conference in September 1956, President Eisenhower was asked if executive privilege meant that "all employees of the Federal Government, at their own discretion, can determine whether they will testify or will not testify before congressional committees [even] where there is no security problem involved."

The President avoided answering and turned the problem over to White House legal counsel Gerald Morgan. Morgan's letter to me dated October 26, 1956, stated that Eisenhower's May 17, 1954, letter was a blanket instruction for "all employees in the executive department" not to give testimony or produce documents on advice or communications within the executive department.

It was an amazing answer, particularly from Morgan, a former assistant legislative counsel to the House of Representatives, who had written forceful articles in the past in support of the power of Congress to compel testimony and production of records.

With such encouragement at the top it was inevitable that the policy of secrecy would spread. In August 1957, the newly created House Legislative Oversight Subcommittee hired Bernard Schwartz, a young law professor from New York, as counsel in an investigation of the various regulatory agencies. The committee, headed by Representative MORGAN MOULDER, Democrat, of Missouri, had been established "to go into the administration of the laws [creating the regulatory agencies] and see whether or not the laws * * * were being carried out or whether they were being repealed or revamped by those who administer them."

Schwartz, an expert in the field of administrative law, sought the files of the various regulatory agencies and in speeches and letters made it clear he intended to dig deeply into any evidence of frauds or improper activities. The chairmen of the various regulatory agencies met at the University Club in Washington in late September to discuss ways of blocking the young lawyer and the pesky Oversight Committee.

Schwartz was allowed to examine the public files, but his efforts to obtain files of correspondence with the White House and with other agencies ran into the claim of executive privilege. Even in the first months, Schwartz became aware that Sherman Adams had been extremely active in reaching various regulatory agencies. He was also aware that others on the White House staff had made similar contacts with the so-called independent regulatory agencies.

Although Schwartz was successful in getting some half promises from the regulatory agencies to cooperate, they engaged in a foot-dragging operation. Richard A. Mack, a member of the FCC, wouldn't show investigators many of his records, including the Office diary that provided links later for his indictment on charges of having conspired to violate the Federal law. The lack of cooperation by Commissioner Mack was matched by the resistance in the CAB, where Schwartz was trying to pin down evidence of contacts by Sherman Adams.

In January 1958, Schwartz insisted that the members of the Legislative Oversight Committee get tough and demand full cooperation in the production of records. Some members of the investigating committee did not want to force the issue. Several of the Republicans came out flatly in support of the Eisenhower administration's obstructionist tactics. Schwartz was irritable when he did not receive support from the committee. Tempers flared after he leaked a staff memorandum on improper activities in the FCC, and the young counsel was fired. Chairman MOULDER, who had supported Schwartz, resigned in protest over his firing.

It took the Adams-Goldfine case to dramatize the full evil of secret government. The problems of Adams were a direct result of the failure of the White House to recognize the dangers involved. It is not necessary to read evil intent into the origin of the blanket secrecy. There was an equally insidious attitude present: The self-satisfaction that things were being handled efficiently and properly and that the press and the Congress were better off in the dark so they couldn't stir up trouble.

Executive privilege had meant that Sherman Adams could decline all invitations to appear before committees of Congress. He took the view that all of his acts were the acts of President Eisenhower. This placed Adams in the position of a man with much of the authority of the Presidency, although he took none of the responsibility to the Congress or the public. He wasn't even available for press conferences. Congress was lax in not challenging the use of executive privilege sooner. It was only after the Adams-Goldfine incident that there was much recognition of the problem inherent in allowing a Presidential assistant and numerous other individuals with undefined or ill-defined authority to prowl through the agencies. They were the "untouchables" under the executive privilege theory.

In the fall of 1958, the Eisenhower administration carried the use of executive privilege to the ultimate in absurdity. Apparently the administration had not learned that the blanket secrecy of executive privlege was as damaging to the administration as it was to the cause of good government.

The Air Force used the claim of executive privilege in refusing to make an inspector general's report available to the auditors of the General Accounting Office—the congressional watchdog on Government waste and inefficiency. The refusal came in the face of the Budgeting and Accounting Act, which stated specifically that the GAO auditors were entitled to access to all books and records of all departments.

No security was involved in this case, because the GAO auditors had the same clearance as key Air Force personnel to examine secret and top-secret documents. The Air Force simply took the position that as an executive agency it had a right to invoke the so-called executive privilege and hide the management survey reports on the ballistic missile program from the GAO auditors.

Comptroller General Joseph Campbell, head of the GAO, was furious at the Air Force refusal to produce records. If the Air Force could refuse to give the GAO records, then any division of the Defense Department could claim executive privilege against the GAO auditors at any time. In fact, if the Air Force position was allowed to stand, the Defense Establishment could arbitrarily block the only outside audit of the $40 billion a year defense budget.

Even with the GAO conducting a post audit, there had been plenty of scandals in military spending: the case of Brig. Gen. Bennett Meyers, the multimillion-dollar frauds in clothing procurement operations in the New York Quartermaster Depot, and the hundreds of bungles revealed by the Hébert subcommittee of the House Armed Services Committee. Certainly the record wasn't such that the Congress or the American people could feel safe in letting the military brass at the Pentagon spend half of the national budget and hide the records that might be embarrassing to those in power.

Chairman Moss took up the GAO problem for Comptroller General Campbell. He charged that the law clearly gives the GAO access to all records and stated that President Eisenhower had a duty under article II, section 3 of the U.S. Constitution to "take care that the laws be faithfully executed."

President Eisenhower exhibited a haziness and a variation of position on the issue that indicated he had no conception of the real issue. In a press conference on November 5, 1958, he was asked about the problem involved in the Air Force refusal to give records to the GAO. "I believe that every investigation committee of Congress, every * * * auditing office like the GAO, should always have an opportunity to see official records if the security of our country is not involved," the President repiled, taking what seemed like a forthright view.

But, a week later, the President backed the Air Force and declared that under executive privilege the GAO could be arbitrarily barred from examining records. "In my judgment, the public interest is not necessarily served by divulging the advice, suggestions, or recommendations which subordinate employees periodically make to their superiors," the President wrote, in what seemed a complete switch of position.

The basic question now is this: Can the President or his department heads arbitrarily override a specific law of the Congress which requires the production of records of "financial transactions and methods of business" in all agencies? It is a vital problem of Government, and it is certain to emerge periodically in the 86th Congress as investigating committees try to carry out their function. By mid-1959, it was obvious that President Eisenhower would not take steps to correct the situation voluntarily. He is standing behind the members of his team who are responsible for the mushrooming evil.

Comptroller General Campbell and the leadership in the Congress have the responsibility to find a solution. Although the Comptroller General and some committees of Congress are trying to force the issue, they are receiving little help from the majority of the Members of Congress and the leadership. So far, secrecy has not become enough of a personal inconvenience to Senate Leader LYNDON JOHNSON or House Leader SAM RAYBURN for the two Texans to raise any fuss about it.

TRINITY POWER—TRIBUTE TO SENATOR ENGLE

Mr. MORSE. Mr. President, there appeared in this morning's Washington Post a very able letter written by Senator CLAIR ENGLE, of California, entitled "Trinity Power—Again."

Mr. President, I think the Senator from California [Mr. ENGLE] is to be commended by all of us in the Congress and all of us in the United States who have sought to protect the people's rights and interests against the attempts to make the private utilities of America the middle men, selling the people's power generated at the people's multipurpose dams in this country, paid for by the taxpayers' money.

I have always been at a loss to understand the avarice of the private utilities of America when it is well known that almost 80 percent of the power in this country is generated by the private utilities or private industry of this country. What they do not like, Mr. President, is a public power yardstick to demonstrate to the American people what reasonable prices for power can be. And so we have this selfish drive constantly put on by the private utilities of this country to eliminate the public power yardstick, if they can get by with it.

The Pacific Gas & Electric Co. seeks to do the same thing and further the same cause in connection with the Trinity Dam. It would like to be the middleman, Mr. President, as the Senator from California [Mr. ENGLE] points out in

this very excellent letter to the Washington Post.

It would like to have some of the profits out of the power developed at Trinity Dam.

What these private utilities seem to fail to understand, Mr. President, is that those of us who believe in multipurpose dams think they should not only be paid for by the taxpayers of the United States, but that the taxpayers of the United States should be repaid the cost of those dams from the revenues that will be obtained from the sale of power generated at the dam, so that the profits from the sale of that power can go to the Federal Treasury and also be used in part for other needed public uses connected with the multipurpose program of a multipurpose dam—to wit, navigation costs, recreation improvement costs, reclamation costs—all the costs that go to the development of the programs for which a multipurpose dam is designed.

Mr. President, it is important to protect that principle, including the aspect relating to reclamation costs, because the years are not too far distant, as testified to by our population and food experts, when there will be great concern among the American people as to where we are going to get the food necessary to feed the American people. Some of the testimony of the experts already puts the year at 2000—which I pray will be in the lifetime of some of the younger Members of this body, but it will certainly be in the lifetime of my grandchildren. That is why I think it is so important, Mr. President, that we plan now, in our generation, to take the steps necessary to protect the interests of generations to follow us.

That is why I shall always be happy to have my descendents take a look at the record I have made for 15 years here in the Senate in opposition to the greed and selfishness of the private utilities of this country that seek to destroy the public power yardstick and the public preference clause, which are the two fundamental principles of the Bonneville Act that a great liberal Republican from my State, Charles McNary, played such an important role in developing for the benefit of the people of this country.

Mr. President, I mention these matters today because it is very reassuring and inspiring and helpful to have a new Member come to this body, CLAIR ENGLE, of California, who had made such an outstanding record over on the House side, and demonstrate the courage and the fearlessness he has demonstrated in his standing up against the power lobby and in writing such a letter to the Washington Post this morning.

Mr. President, I understand, since coming to the floor of the Senate this afternoon, that over on the House side this morning—and I think I am reliably informed—a House committee voted down another attempt at a so-called partnership scheme for Trinity, another attempt to turn the power profits over to a private utility, and make clear once again that still in the Congress of the United States there are enough of us to raise this point for the American people so they can have a look and see for themselves the extent to which the greed and avarice of the private utilities will carry them in their attempt to get control of the people's multipurpose dams.

At a later date, I expect to speak at some length at the new rash of advertisements being put out by the private utilities in various magazines of this country, at tremendous cost—misleading and deceitful and untruthful advertisements, Mr. President, clever Madison Avenue propaganda by masters in deception, stirring up fear reactions on the part of the American people.

I am satisfied, however, that these private utilities are going to discover that when they come up against the taxpayers, they are not going to be able to get by, as they have in so many years in the past, with marking off as a cost of advertising this kind of political propaganda, because this is political activity, Mr. President, and not in fact advertising activity. If the utilities can mark off such expense as a tax deduction, then, of course, the ratepayers, the private utility customers, will be saved something; but if they cannot, then Senators know where the money for the cost of those advertisements is going to come from—namely, out of the monthly electric bills of the consumers.

I am very glad the Senator from California [Mr. ENGLE] has once again raised this issue, because I want to give this warning to the Congress of the United States: Watch out, in these closing days of the session, because that is when the selfish interests, through their powerful lobbies, try to mislead busy Senators and Representatives who, under the pressure of the closing days of the session, just do not have the time to give the individual attention they would like to give to every matter we have to consider on the floor of the Senate and the floor of the House. That is why it is important that the liberals in both the House and the Senate be on the alert. Now is the time for them to recognize the importance of performing their watchdog activities. Now is the time for them to sit here on the floor of the Senate and on the floor of the House and scrutinize with great care every piece of proposed legislation that comes to them, particularly on the so-called unanimous-consent calendar call, because sad history shows that these are the days when those who want to get through so-called sleeper legislation try to get by with their nefarious practices.

I am glad the Senator from California [Mr. ENGLE] has been doing a great watchdog duty in connection with Trinity Dam, and I am pleased to hear that over on the House side this morning another good job of watching out for the peoples' interests in connection with this matter was done and that the attempt to grab the power generated at Trinity for the selfish interests of the private utilities was defeated.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the letter which the Senator from California [Mr. ENGLE] wrote to the Washington Post, to which I have previously referred.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

"TRINITY POWER—AGAIN"

I quite agree with your editorial comment of July 24 under the heading "Trinity Power—Again" that the House Interior Committee should appraise this 5-year-old issue in "cold-blooded economic terms"—assuming that you mean economy of government.

For one thing, the Federal Government itself will be the principal customer for Trinity power to operate additional Central Valley project pumps and to meet increasing power needs of numerous defense installations. So it is a question of whether, through "partnership" with the Pacific Gas & Electric Co., a middleman's profit should be taken out between Federal production and Federal consumption of this commodity.

For another, contrary to general impression, the Government gets a higher average return on its Central Valley project power sales to public agencies than it does on its sales to this private company. At least it did in 1958, according to the annual report on the Central Valley project published by the Bureau of Reclamation.

In 1958 the Pacific Gas & Electric Co. got most of the power but the 25 public agency customers coughed up most of the money. The specific figures from a tabulation of power sales data furnished by Reclamation are:

	Energy sales (kilowatt-hours)	Net revenue to United States
Pacific Gas & Electric Co.	1, 794, 667, 132	$5, 387, 690
25 public agencies	1, 689, 487, 361	7, 326, 338

I am fully aware that a large share of the power delivered to the Pacific Gas & Electric Co. was "nonfirm," but nevertheless, overall, the Pacific Gas & Electric Co. got Central Valley project power at an average rate of 3 mills per kilowatt-hour while the public customers paid 4.34 mills.

The public preference provision of the law has been applied with profit on the older units of the project, mainly Shasta Dam and Folsom Dam. It is sound Government economy to continue it on the Trinity division.

CLAIR ENGLE,
Senator From California.

WASHINGTON.

Mr. KUCHEL. Mr. President, I would be recreant in my sense of duty if I did not arise and associate myself with the comments of the senior Senator from Oregon in congratulating the Senator from California, my colleague, with respect to the letter which has now been inserted into the RECORD.

Years go by rather rapidly, Mr. President. It was about 5 years ago that my California colleague introduced into the House of Representatives a bill authorizing a great multipurpose project in California called the Trinity project, as representatives of our State government in Sacramento had recommended.

I coauthored similar legislation in the Senate. His bill, as amended, passed the House and came to my Committee on Interior and Insular affairs which, after hearings, sent it to the Senate with its approval.

I remember very well the colloquy between the able Senator from Oregon, members of the Senate Interior Committee, and myself when the Trinity author-

izing legislation was before the Senate for debate and passage. By keen and precise cross-examination it was made abundantly clear for any who cared to read the RECORD that here was a multipurpose project, water and power, about to be authorized by the Congress of our country to enlarge the great Central Valley project of California, and to integrate it into the CVP for the benefit of the farmer who needed water and the public agencies which needed power.

After the President of the United States signed that legislation into law, there began sedulously and constantly an onslaught against it, an attempt to repeal it, to emasculate it, to destroy it, and, by what was a misnomer, a so-called partnership, to turn over to a private utility all the power operations at the Trinity Dam then under construction. Legislation was introduced in the 85th Congress practically to repeal the Trinity law in its entirety and to substitute the misnamed "partnership." The preference clause written into the law which President Eisenhower had signed in the Trinity legislation was to be summarily rooted out. In the early days of the 85th Congress I attacked that proposal as against the interest of the people. What I successfully fought for in the Senate in 1955, what I pointed to with honest pride in 1956 when I reported to the people of California, I simply declined to fight against in 1957. That legislation was heard in the House of Representatives committee, but no vote was ever finally taken on it. It simply died last year. And now, in the 86th Congress, the House committee has voted to table similar legislation.

In the letter which the Senator from Oregon has placed into the RECORD, written by my California colleague, he makes crystal clear that what Congress intended to be done 5 years ago must now proceed to be accomplished. What happened in the House committee today, as my friend from Oregon has indicated, ought to strike the final death knell to the so-called partnership legislation which would have destroyed the California Trinity law, which the Senator from Oregon helped to pass in the Senate half a dozen years ago.

Mr. MORSE. Mr. President, I hope the Senator from California will accept my sincere apologies for not referring to him in my previous remarks. I did not do so deliberately, because I am always hesitant about involving a colleague in any discussion of any controversial matter here on the floor of the Senate, but now that the senior Senator from California has made reference to this matter, I want this RECORD to show my very sincerely expressed views when I pay this tribute to the senior Senator from California for the great work he did here in the Senate when the Trinity project was first before us in legislative form.

I want to say to the people of California that in my judgment Trinity never would have gone through the Senate of the United States except for the splendid job that the senior Senator from California [Mr. KUCHEL] did in the course of that debate, because the senior Senator from California knows that there were some of us that were insistent that we find out with complete clarity just what was proposed in regard to the plan for Trinity and, as is always the case with the senior Senator from California, one can rely on his word, and when he gave us his statements as to what the bill provided and what the plan was with regard to Trinity, we knew that we had an accurate account of the legislation, and we knew on the basis of that explanation that it deserved our support. As he knows, from that time on in the debate we stood shoulder to shoulder in getting the Trinity legislation passed.

I want to thank the Senator from California for the remarks that he has made here today.

Mr. KUCHEL. Mr. President, I am grateful to the able senior Senator from Oregon, grateful for the generous personal comment that he has just made, grateful also for the support that he has given to a magnificent Federal undertaking which the water and power users of the State of California need, which they will pay for by the use of the electric energy and the additional waters which will now come to a vastly increasing population.

This is the discharge of constitutional responsibility by Congress in its highest sense, and certainly I was most grateful for an opportunity to participate in its final fulfillment.

Mr. MORSE. I yield to the junior Senator from California.

Mr. ENGLE. I thank my distinguished colleague from Oregon for his very generous and complimentary remarks with regard to the letter he has inserted in the CONGRESSIONAL RECORD.

I want to say that, the House committee having voted this morning, 13 to 9, to table the alleged partnership proposal, it seems to me it clears the way to proceed with an all-Federal construction of this project as should be done.

I want to emphasize that if the money is not appropriated and we do not go forward, and if we lose a year's time, we lose $5½ million.

In other words, we lose right up to nearly half a million dollars a month if we fail to proceed with this project immediately, because of the loss of revenues which the Government will collect just as soon as those powerhouses are ready to operate.

I have appreciated the support of my distinguished friend from Oregon. I wish to say I have appreciated the help we have received from the distinguished chairman of the House Committee on Interior and Insular Affairs, Representative WAYNE ASPINALL, of Colorado, who was the leader in making it possible to table the so-called partnership bills this morning.

Again I thank my distinguished colleague, and I thank him for yielding to me.

Mr. MORSE. I wish to say to the two Senators from California I also hope money will be appropriated for immediate construction of the Trinity project, as I am urging construction of similar projects, such as Green Peter Dam, in my own State.

I think of this unanswerable argument: It is a waste of the taxpayers' money not to build these projects. It is penny wise and pound foolish not to build these projects and not to build them now, Mr. President. They are capital investment. They are self-liquidating investments. They are investments which will pay back to the Treasury of the United States many times their cost. They should be divorced from any program or argument which deals with the matter of balancing the budget.

I am in favor of balancing the operating costs of the Government, Mr. President, but I want to say that the financing of capital investments, which will create wealth for the American people, should not be delayed on the basis of any so-called balancing-the-budget argument with respect to the operating costs of government, because capital investment is separate and distinct, as those of us who advocate the capital budget constantly point out, from the operating costs of the Government.

ORDER OF BUSINESS

Mr. MORSE. Mr. President, I am about to yield the floor because I understand the distinguished Senator from New York [Mr. KEATING] and the distinguished Senator from California [Mr. ENGLE] would like to speak for 10 minutes or so each.

As the Senator from New York knows, the pending business is the Des Plaines bill. I am scheduled to present my argument in opposition to the bill. I am very happy to cooperate with my colleagues and to postpone my argument until later in the afternoon. In fact, if the Senators will speak about 30 minutes it will give me time to have a lunch, which I have not yet eaten.

Mr. President, I yield the floor.

Mr. KEATING. Mr. President, in response to the statement of the distinguished Senator from Oregon, I will say I shall try to speak with some degree of slowness.

Mr. RANDOLPH rose.

Mr. KEATING. Mr. President, I yield to my friend the Senator from West Virginia.

PROPOSED REPEAL OF POLL TAXES FOR ELECTION OF FEDERAL OFFICIALS—CITIZENS OF THE DISTRICT OF COLUMBIA SHOULD VOTE FOR PRESIDENT OF THE UNITED STATES

Mr. RANDOLPH. Mr. President, I am grateful for the opportunity to bring to the attention of the Members of the Senate the very cogent editorial which was published in the Washington Evening Star of yesterday entitled "Amend the Amendment."

The writer appropriately focuses attention on the proposed constitutional amendment offered by the able Senator from Florida [Mr. HOLLAND] who was

joined in its introduction by 62 of his colleagues. It is an amendment which would give to the citizens of all States the right to participate in the American system of the ballot without the compulsion of the payment of a poll tax.

The special reference of the editorial, however, is not to the substance of the amendment in that degree. It suggests—and not facetiously, but with merit in the idea—that there should be additional language whereby we would not deny the right to vote to a person by reason of residence in the Capital of the United States.

In anticipation of the forthcoming visit of Premier Khrushchev to the United States, I remind the Members of this body that even in the Soviet Union today there is an election, or an election process, which is conducted for the people. Even the electorate of that country can vote for one party or for one so-called slate of candidates. In the District of Columbia, however, men and women who were born here, men and women who have lived their lives within this Federal jurisdiction, have no opportunity to vote and cannot exercise the responsibility of voting for either the President or the Vice President of the United States.

I have long felt—and I again express the belief—that Members of the Senate, at some hour which should be soon, will send forth legislation which can be submitted to the States as a proposed constitutional amendment. Citizens who do not establish any valid rights to vote within the States, could, within the District of Columbia under such a constitutional amendment, have not only the opportunity but the responsibility to exercise the franchise of freedom and citizenship.

I am grateful that my distinguished colleague [Mr. KEATING] has yielded for this statement. Perhaps we can lose democracy by default. We can conceivably forfeit our freedoms. We may even drift into a dictatorship, although that is certainly not likely in the United States, where, by and large, our people are intelligent and vigorous in the exercise of their citizenship responsibilities. This blemish on the democratic processes of our country has caused me to speak with more than ordinary vigor on this subject.

Mr. President, I ask unanimous consent that the Star editorial be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AMEND THE AMENDMENT

Senator HOLLAND, of Florida, has revived his proposal of a constitutional amendment which would forever end the poll tax problem. We urge that the Senator, and the distinguished group of 62 of his brethren who have joined him in sponsoring the amendment, add a few more words to the proposed resolution and thus get at the root of another problem, far more serious than the poll tax—the denial of all voting rights to citizens who are residents of the Capital of the United States.

Here is the nub of Senator HOLLAND'S constitutional amendment, with a proposed addition printed in italics:

"The right of citizens of the United States to vote in any primary or other election for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or to meet any property qualification, *or by reason of residence in the Capital of the United States.*"

So changed, submitted, and approved by at least 38 of the States, this amendment of the Constitution would kill two birds with one stone—a little bird and a big bird. The little bird is the vestige of the poll tax remaining in five States—Alabama, Arkansas, Mississippi, Texas, and Virginia—which, in Senator HOLLAND'S words, "has been accorded far more importance than it deserves." Yet, it does serve to prevent voting by too many citizens, white as well as colored, in those States.

The bigger "bird" is the denial of all voting rights to citizens whose residence in the Capital of the United States is interpreted as automatically disqualifying them from representation in Congress, the choice of President and Vice President—of any voice whatsoever in their Government. There is nothing in the Constitution which specifically prohibits these residents from voting. But the Constitution does not specifically provide voting rights for any save the residents of States. The District of Columbia is not a State. The argument has been that the Constitution would have to be amended if Washingtonians are to be given the right of being represented in their Government.

The amendment of Senator HOLLAND'S amendment ought to do the trick. If approved, Congress would no longer be inhibited by any doubt on constitutional grounds from permitting residents of the District to vote for President and Vice President, and for such representation in Congress as Congress might, by simple legislative action, provide.

Mr. KEATING. Mr. President, will my distinguished friend yield to me on my time?

Mr. RANDOLPH. Certainly. I am appreciative of the Senator's forbearance.

Mr. KEATING. I read the editorial to which the Senator has referred. As my friend will remember, the Senator from South Dakota [Mr. CASE] offered a substitute to deal with this problem when the so-called District home rule bill was before the Senate. I voted against the substitute, as I suspect the Senator from West Virginia did, because I felt that it would hamper action on the bill before us. But I emphatically share the views expressed by the Senator from West Virginia on the need to provide a vote to the residents of the District of Columbia.

I have been studying the language proposed to be added to the so-called poll tax constitutional amendment. I do not wish to do anything which could be construed as interfering with that proposal, because it deals with such a vital problem. Personally, as a lawyer, I have the impression that a Federal statute could be enacted to serve the purpose so far as concerns Federal offices, but that is a matter of dispute. Perhaps the prevailing attitude is that it should be done by constitutional amendment.

At any rate, that is the road down which we are traveling, and I do not wish to get off into a byway. I say to my friend from West Virginia that I am now studying, and probably shall offer, an amendment to the constitutional proposal when it is presented to the Committee on the Judiciary, to make it applicable to the residents of the District of Columbia, because I see no reason why we cannot do it all in one fell swoop. I believe that such a constitutional amendment would have widespread support throughout the Nation. It is difficult for me to believe that the electors in any State would want to deprive the residents of any other part of our great country of the privilege of voting for President, Vice President, and other national officers.

Mr. RANDOLPH. Mr. President, will the Senator yield for a further observation?

Mr. KEATING. Certainly.

Mr. RANDOLPH. I hope the Senator will give me the privilege of associating myself with him in the anticipated action which he has indicated. I am sure that the Senator from New York speaks now, as he always speaks, from the standpoint of a well-informed lawyer. I believe this is an area for very careful determination of the most effective procedures.

I commend the Senator for his expression of support of the meritorious ideas and sound principle which we both embrace.

Mr. KEATING. I thank the Senator from West Virginia. I shall be happy to have his very important and effective help in what we are both seeking to accomplish.

Mr. HUMPHREY rose.

Mr. KEATING. Mr. President, I am happy to yield now to my genial and distinguished friend from Minnesota [Mr. HUMPHREY], who has sought time from me, which I am happy to give him, particularly in the light of the fact that our colleague from Oregon [Mr. MORSE] has rather invited me to take more than my allotted time at this hour.

NATIONAL POULTRY STABILIZATION ACT

Mr. HUMPHREY. Mr. President, I am deeply moved by the gracious and kind sentiments of my esteemed friend from New York. With his customary courtesy he has permitted me to introduce a bill in the Senate, and make a few remarks relating to the measure.

Mr. President, I introduce on behalf of myself and Senators MCCARTHY, ENGLE, and WILLIAMS of New Jersey, a bill to provide for stabilization and orderly marketing in the poultry industry. I ask unanimous consent that the text of this bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill may be printed in the RECORD.

The bill (S. 2516) to provide for stabilization and orderly marketing in the poultry industry, introduced by Mr. HUMPHREY (for himself and other Senators), was received, read twice by its

title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Poultry Stabilization Act".

STATEMENT OF POLICY

SEC. 2. It is hereby declared to be the policy of the Congress, through the powers conferred upon the Secretary of Agriculture by this Act, to stabilize the poultry industry and to establish and maintain orderly marketing conditions for poultry and poultry products produced in the United States; to provide reasonable returns and adequate standards of living to producers thereof so as to assure the continuing production and marketing of such poultry and the products thereof in sufficient quantities and of such grade, quality, and condition as to provide an adequate and dependable supply for consumers at reasonable prices.

DEFINITIONS

SEC. 3. For the purposes of this Act—

(a) The term "Secretary" means the Secretary of Agriculture.

(b) (1) The term "producer" means any person who owns or rents land, buildings, and equipment for poultry production and who—

(A) with respect to any chicken marketing program, is engaged in the production of chickens or breeder chickens, at any stage in the production cycle.

(B) with respect to any egg marketing program, is engaged in the production of eggs or laying fowl, at any stage in the production cycle.

(C) with respect to any turkey marketing program, is engaged in the production of turkeys or breeder turkeys, at any stage in the production cycle.

(2) The Secretary shall promulgate regulations, with respect to each of the products named in paragraph (1), describing the type or types of business activity or economic contribution which constitute engaging in the production of such product. Such regulations shall provide for the exemption of producers whose rate of production is below a level, as determined by the Secretary, at which the aggregate production of all producers so exempted will have an appreciable effect on commercial markets.

(c) The term "laying fowl" means live poultry used or intended to be used for the commercial production of eggs.

(d) The term "chicken", unless the context indicates otherwise, means a chicken intended for consumption as meat, whether marketed or intended to be marketed as a fryer, broiler, capon, or under any other trade designation.

(e) The term "marketing year" means a period of one year's duration which begins on such date as may be specified in the applicable marketing program.

(f) The term "handler" means any person regularly engaged in the business of buying live chickens or live turkeys from any sellers thereof, and any person regularly engaged in the business of buying eggs from egg producers or from agents or brokers acting for egg producers.

ESTABLISHMENT OF PROGRAM FORMULATION COMMITTEES

SEC. 4. (a) The Secretary is authorized and directed to establish, as soon as practicable after the enactment of this Act (1) a Chicken Marketing Program Formulation Committee, (2) an Egg Marketing Program Formulation Committee, and (3) a Turkey Marketing Program Formulation Committee composed of the producers of such commodities. The members and alternate members of each such committee shall be appointed by the Secretary as hereinafter provided in this section.

(b) (1) For the purpose of securing nominations for appointment to the Chicken Marketing Program Formulation Committee the Secretary shall provide for the holding of, and supervision of, a meeting of chicken producers in each State the value of whose production of chickens in 1958 was in excess of $35,000,000. At each meeting the producers shall be entitled to nominate one member and one alternate member for appointment to such committee for each full $35,000,000 worth of chickens produced in such State in 1958.

(2) The Secretary may provide for the holding of, and supervision of, such a meeting of producers from each group of States, as designated by him, in which, in his opinion, the production of chickens is an important agricultural activity, if the aggregate production of chickens in such group of States was in excess of $35,000,000 in 1958. At each such meeting the producers shall be entitled to nominate for appointment to the Chicken Marketing Program Formulation Committee one member and one alternate member for each full $35,000,000 worth of chickens produced in such group of States in 1958. If no such meeting is held for producers in such group of States, the Secretary shall designate persons to be appointed from such group of States.

(c) (1) For the purpose of securing nominations for appointment to the Egg Marketing Program Formulation Committee the Secretary shall provide for the holding of, and supervision of, a meeting of egg producers in each State the value of whose production of eggs in 1958 was in excess of $60,000,000. At each meeting the producers shall be entitled to nominate one member and one alternate member for each full $60,000,000 worth of eggs produced in such State in 1958.

(2) The Secretary may provide for the holding of, and supervision of, such a meeting of producers from each group of States, as designated by him, in which, in his opinion, the production of eggs is an important agricultural activity, if the aggregate production of eggs in such group of States was in excess of $60,000,000 in 1958. At each such meeting the producers shall be entitled to nominate one member and one alternate member for each full $60,000,000 worth of eggs produced in such group of States in 1958. If no such meeting is held for producers in such group of States, the Secretary shall designate persons to be appointed from such group of States.

(d) (1) For the purpose of securing nominations for appointment to the Turkey Marketing Program Formulation Committee the Secretary shall provide for the holding of, and supervision of, a meeting of turkey producers in each State the value of whose production of turkeys in 1958 was in excess of $10,000,000. At each meeting the producers shall be entitled to nominate one member and one alternate member for appointment to such committee for each full $10,000,000 worth of turkeys produced in such State in 1958.

(2) The Secretary may provide for the holding of, and supervision of, such a meeting of producers from any group of States, as designated by him, in which, in his opinion, the production of turkeys is an important agricultural activity, if the aggregate production of turkeys in such group of States was in excess of $10,000,000 in 1958. At each such meeting the producers shall be entitled to nominate one member and one alternate member for each full $10,000,000 worth of turkeys produced in such group of States in 1958. If no such meeting is held for producers in such group of States, the Secretary shall designate persons to be appointed from such group of States.

(e) The Secretary shall, in such manner as he deems appropriate and effectual, give notice of the time, place, and purpose of each meeting called by him pursuant to this section at least fifteen days before the date of such meeting. Each such meeting shall be held not later than sixty days after the date of the enactment of this Act.

(f) The Secretary shall designate, with respect to each program formulation committee, one member to be appointed from each of the following groups that he deems appropriate in view of the nature of the segment of the poultry industry to which such program formulation committee relates: (1) breeders; (2) multipliers; (3) hatcheries; (4) poultry feed companies; and (5) processors.

(g) The Secretary shall appoint the persons nominated or designated pursuant to subsections (b), (c), (d), and (f), respectively, to the three program formulation committees provided for in subsection (a).

(h) The Secretary shall call the first meeting of each of the program formulation committees appointed pursuant to this section as soon as practicable, but in no event later than ninety days after the date of the enactment of this Act. Each program formulation committee shall at its first meeting organize and elect necessary officers.

(i) For the purposes of this section, the value of any State's production of chickens, eggs, or turkeys shall be as reported by the Federal Crop Reporting Service.

DUTIES OF PROGRAM FORMULATION COMMITTEES; TERMINATION

SEC. 5. (a) Each program formulation committee shall prepare and submit to the Secretary a marketing program in conformity with section 6 of this Act unless, in its judgment, no such program is needed.

(b) Each program formulation committee shall cease to exist when a marketing program submitted by it becomes effective, or three years after the date of enactment of this Act, whichever is earlier.

PROVISIONS REQUIRED, PROHIBITED, AND PERMITTED IN MARKETING PROGRAMS

SEC. 6. (a) Any marketing program shall—

(1) if such marketing program relates to—

(A) chickens, provide for the establishment of a Chicken Marketing Program Advisory Board.

(B) eggs, provide for the establishment of an Egg Marketing Program Advisory Board.

(C) turkeys, provide for the establishment of a Turkey Marketing Program Advisory Board.

(2) provide for the number, qualifications, manner of selection, and terms of office of members of the advisory board.

(3) provide that at least 65 per centum of the members of the advisory board shall be producers of the commodity to which such program relates, chosen on a basis which will provide equitable representation of producing areas.

(4) provide that members of the advisory board shall be appointed by the Secretary from nominations made by producers, or that the members of the program formulation committee, if such committee is constituted in accordance with the provisions of paragraph (3) of this subsection, shall be appointed by the Secretary as members of the advisory board.

(5) provide for the payment of expenses of administration of such program, including reasonable expenses of the members of the advisory board while engaged in the performance of their duties.

(6) provide for the assessment of producers to pay the expenses of carrying out such program, the assessment with respect to each producer to be in proportion to his production or marketing in the marketing year in which such assessment is made.

(7) specify the maximum assessment rates which may be levied upon producers.

(8) direct the advisory board to receive assessments, penalties, and any other lawful income, to pay expenses incurred by it, and to account for all receipts and expenditures.

(9) apply equally to all producers coming within its terms.

(10) set forth, with respect to any program for restriction of production or marketing, provisions governing the allocation, increase, reduction, and transfer of quotas of individual producers.

(11) provide, with respect to any program for restriction of production or marketing, for the creation of local committees of producers (the members of such committees to be appointed by the advisory board) to aid in the administration of the provisions set forth in such program.

(12) provide that the advisory board shall administer such marketing program in accordance with its terms and in accordance with such rules and regulations as may be promulgated by the Secretary.

(b) No marketing program may—

(1) provide for assessments in any one marketing year reasonably calculated to produce revenues aggregating more than 4 per centum of the average annual farm value of the products to which the program applies during the three preceding marketing years, as determined by the Secretary.

(2) provide for or permit the payment of any salary or other compensation, except reimbursement of expenses, to any member or alternate of an advisory board as such.

(3) provide for the advertising or sales promotion of any particular private brand of food, or permit the disparagement of the use or value of any agricultural commodity.

(4) provide for the restriction in any marketing year of the production or marketing of any type or grade of any product below a level (taking into consideration any surplus in storage) necessary to supply the normal requirements of consumers.

(5) provide for any restriction of production or marketing, unless such restriction is required in order to establish or maintain a level of prices for the product affected adequate to maintain on a sound economic basis sufficient productive capacity in the industry to fulfill the normal requirements of consumers.

(6) contain any provision not reasonably related to the achievement of the objectives set forth in section 2 of this Act.

(7) authorize or direct any action by the advisory board which shall not be subject to the approval of the Secretary.

(8) regulate or restrict research or development activities, or prohibit experimental production, but this clause shall not be construed to prohibit the applicability of marketing regulations or restrictions to experimental production on the same basis as the marketing of other production may be regulated or restricted.

(9) impose any duty or liability upon a handler, except as provided in sections 6(c)(1) and 6(c)(2).

(10) impose any duty or liability upon any person who is neither a producer nor a handler, except as provided in section 6(c)(2).

(11) be regional in application, or provide for differentiation of producers on a geographical basis.

(c) Subject to the limitations set forth in subsection (b) any marketing program may—

(1) require, or permit the advisory board to require, handlers to withhold from payments otherwise due to producers the amount of any assessment made upon producers pursuant to clause (6) of subsection (a) of this section, and to pay such amounts to the advisory board.

(2) require, or permit the advisory board to require, such reports or information from producers, handlers, processors, and others as may be reasonably necessary in the administration of such program.

(3) provide for the promotion of the consumption of the products affected by such program through the dissemination of information and educational matter relating to nutritional values and methods of preparation, or otherwise.

(4) provide for the carrying on of research and survey studies related to the production, processing, distribution, and promotion of the poultry or poultry product affected.

(5) provide for the establishment and maintenance of grade, quality, and labeling standards, not inconsistent with the Poultry Products Inspection Act (21 U.S.C. 451 and the following), for the poultry or poultry products affected by such program.

(6) regulate or restrict, or authorize the advisory board to regulate or restrict, by the creation of reserve pools or otherwise, the production or marketing of—

(A) chickens or breeder chickens or both, at any one or more stages in the production cycle thereof, if such marketing program relates to chickens.

(B) eggs or laying fowl or both, at any one or more stages in the production cycle thereof, if such marketing program relates to eggs.

(C) turkeys or breeder turkeys or both, at any one or more stages in the production cycle thereof, if such marketing program relates to turkeys.

(7) authorize the advisory board to purchase any product the production or marketing of which it might be authorized to regulate or restrict pursuant to clause (6) of this subsection.

(8) provide for the creation of local committees of producers (the members of such committees to be appointed by the advisory board) to aid in the administration of the provisions set forth in such program.

(9) contain such other provisions as may be reasonably related to the effectuation of the policies set forth in section 2.

PROCEDURE FOR ADOPTION OF MARKETING PROGRAMS

SEC. 7. (a) The Secretary shall determine whether any marketing program submitted to him pursuant to section 5(a) is in conformity with the requirements of section 6, and shall, on the basis of his determination, approve or disapprove such proposed program. If he disapproves, he shall communicate to the appropriate advisory board or program formulation committee the reasons for his disapproval. In making any such determination, the Secretary shall take into consideration such of the following factors as he may deem relevant:

(1) The quantity of the poultry or poultry products affected which are available for distribution, including any supplies in storage.

(2) The quantity of the poultry or poultry products affected normally required by consumers.

(3) The cost of producing the poultry or poultry products affected.

(4) The purchasing power of consumers.

(5) The level of prices of other commodities which compete with, or are utilized as substitutes for, the poultry or poultry product affected.

(6) Any other data which, in the judgment of the Secretary, are relevant to the question of whether such marketing program conforms with the requirements of section 6.

(b) The Secretary shall publish in the Federal Register the text of any marketing program approved by him pursuant to subsection (a), or any amendment approved by him pursuant to section 8(b). In the case of any marketing program, and in the case of any amendment required by section 8 to be submitted to a referendum, the Secretary shall, not less than fifteen nor more than ninety days after such publication, conduct a referendum of producers who will be affected by such marketing program as proposed or as proposed to be amended. If two-thirds or more of the producers voting in such referendum favor such marketing program or amendment, it shall thereupon become effective, but otherwise shall be of no effect.

(c) Only producers upon whom assessments would be levied, and producers whose production or marketing would or could be restricted or regulated, under such marketing program as proposed or as proposed to be amended, shall be eligible to vote in such referendum.

(d) The Secretary shall determine in accordance with the provisions of this section the producers eligible to vote in any such referendum, and shall furnish to such producers copies of the marketing program or amendment which is the subject of such referendum not less than fifteen days prior to the last day upon which ballots may be cast in such referendum. No such referendum shall be invalidated by reason of the failure of the Secretary to comply with the provisions of this subsection, unless such failure is substantial.

PROCEDURE FOR AMENDMENT OF MARKETING PROGRAMS

SEC. 8. (a) An advisory board may propose amendments to its marketing program.

(b) Any amendment proposed pursuant to subsection (a) shall, except as provided in subsection (c), become effective upon approval and publication by the Secretary. The Secretary shall approve such proposed amendment if he finds, on the basis of the factors enumerated in section 7(a), that the marketing program, if amended as proposed, will be in conformity with the requirements of section 6. If the Secretary disapproved such proposed amendment, he shall communicate to the advisory board the reasons for his disapproval.

(c) If an amendment approved pursuant to subsection (b) relates to any provision of a marketing program required by clause (2) or (7) of section 6(a), or permitted by clause (6) or (7) of section 6(c), the Secretary shall submit such amendment to a referendum conducted in accordance with the provisions of section 7, and such amendment shall take effect only if approved by producers, as provided in section 7.

POWERS AND DUTIES OF SECRETARY

SEC. 9. (a) The Secretary shall furnish to the several program formulation committees and advisory boards such information, advice, and technical assistance as they may reasonably request.

(b) The Secretary shall pay, from such sums as may be appropriated for the purpose, the reasonable expenses of the members and alternate members of the program formulation committees and the reasonable and necessary expenses incurred by the several program formulation committees in carrying out the provisions of this Act, including the salaries of such employees as may be required by such committees.

(c) The Secretary may require such reports or information from producers, handlers, processors, and others as may be reasonably necessary in the administration of this Act. The Secretary shall exercise the authority contained in this subsection in such a manner as not to require the submission of duplicate reports, or reports containing substantially the same information, to the Secretary and to an advisory board pursuant to section 6(c)(2).

(d) In order to ascertain the correctness of any report required to be submitted pur-

suant to section 6(c)(2) or subsection (c) of this section, or for the purpose of obtaining information required but not submitted pursuant to such sections, the Secretary is authorized to examine the books and records (relating to the information required) of any person from whom such information is required.

(e) The Secretary shall prescribe fiscal and accounting procedures for the several advisory boards, and shall audit their books and records, with or without notice, at such reasonable intervals (in no event less frequently than once a year) as he may deem appropriate.

(f) The Secretary is authorized to make rules and regulations to carry out the provisions of this Act, and of any marketing program in effect under this Act.

(g) The Secretary shall suspend the application of any provision of a marketing program in any circumstances, as determined by him, where the application of such provision would be in contravention of this Act.

(h) In the formulation and administration of marketing programs, the Secretary and the several program formulation committees and advisory boards shall maintain liaison with the appropriate agencies in States having similar or related marketing programs, in order that State and Federal efforts may be coordinated wherever feasible.

NONGOVERNMENTAL STATUS OF ADVISORY BOARDS; FUNDS

SEC. 10. (a) An advisory board is not a "Federal agency", and a member or employee of an advisory board is not, as such, an "employee of the Government", within the meaning of section 2671 of title 28 of the United States Code or any other provision of law.

(b) The funds of an advisory board, whether derived from assessments or otherwise, shall not be considered to be Government funds or appropriated money for any purpose.

(c) No liability to an advisory board, howsoever collected or enforced, shall be construed as a debt due to the United States within the meaning of section 3466 of the Revised Statutes (31 U.S.C. 191), or for any other purpose.

JUDICIAL REVIEW OF MARKETING PROGRAMS

SEC. 11. (a) Any person upon whom a duty or liability is imposed pursuant to or in connection with a marketing program in effect under this Act may file a written petition with the Secretary, stating that such program or any provision of such program or any obligation imposed in connection therewith is not in accordance with law and praying for a modification thereof or to be exempted therefrom. Such producer shall thereupon be given an opportunity for a hearing upon such petition, in accordance with regulations made by the Secretary. After such hearing the Secretary shall make a ruling upon the prayer of such petition which shall be final, if in accordance with law.

(b) (1) The district court of the United States in the district in which such producer is an inhabitant, or has his principal place of business, shall have jurisdiction to review such ruling, if petition for review is filed within thirty days from the date of the entry of such ruling. Service of process in such proceeding may be had upon the Secretary by delivering him a copy of the petition.

(2) The review by the court shall be limited to questions of law, and findings of fact by the Secretary, if supported by evidence, shall be conclusive.

(3) If the court determines that such ruling is not in accordance with law, it shall remand such proceedings to the Secretary with directions (A) to make such ruling as the court shall determine to be in accordance with law, or (B) to take such further proceedings as, in its opinion, the law requires.

CIVIL REMEDIES FOR ENFORCEMENT OF ASSESSMENTS AND PENALTIES

SEC. 12. (a) Any producer who knowingly exceeds any quota or restriction upon production or exceeds any marketing limitation imposed upon him pursuant to a marketing program effected under this Act shall be liable to the advisory board in an amount equal to three times the value of the excess of such product produced or marketed, as the case may be, if such excess is sold or otherwise disposed of in violation of such program. The Secretary may sue any such producer on behalf of the advisory board in any court of competent jurisdiction to recover the amount of such liability.

(b) The Secretary may sue any producer or handler on behalf of an advisory board in any court of competent jurisdiction to recover the amount of any assessment for the payment or collection of which such producer or handler is liable to an advisory board pursuant to a marketing program in effect under this Act.

(c) Any claim which might be asserted against an advisory board in a suit brought under section 13 may be asserted as a counterclaim in a suit brought under subsection (a) or (b) of this section.

(d) Payment shall be made to the appropriate advisory board in satisfaction of any judgment rendered in favor of the plaintiff in a suit brought pursuant to subsection (a) or (b) of this section.

(e) Any handler who has not withheld or collected the amount of an assessment levied upon a producer, and has paid such amount to the proper advisory board, may sue such producer in any court of competent jurisdiction to recover such amount.

(f) The payment by a producer to a handler of an assessment which such handler is authorized to collect, or the withholding by such handler of the amount of such assessment from payments otherwise due to such producer, shall unconditionally discharge such producer from liability with respect to such assessment to the extent of such payment or withholding.

(g) No suit may be brought pursuant to this section more than 3 years after the right of action first accrues.

(h) The remedies provided by this section for the benefit of the advisory boards shall be exclusive.

CIVIL REMEDIES FOR ENFORCEMENT OF CONTRACT AND TORT LIABILITIES

SEC. 13. (a) An advisory board may sue and be sued on a contract entered into under color of authority of this Act or of a marketing program, and the several district courts of the United States are hereby vested with jurisdiction to entertain such a suit irrespective of the amount in controversy. Such a suit may be brought in any district in which the plaintiff resides, or in any district in which such suit might be brought pursuant to the provisions of chapter 87 of title 28 of the United States Code.

(b) In any suit brought pursuant to subsection (a), it shall not be a defense that the advisory board was without authority to enter into the contract on which the suit is brought, unless it be shown that the party against whom such defense is asserted had actual knowledge of such lack of authority.

(c) An advisory board may sue and be sued in an action sounding in tort, and the several district courts of the United States are hereby vested with jurisdiction to entertain such a suit irrespective of the amount in controversy. Such a suit may be brought in any district in which the plantiff resides, or in any district in which such suit might be brought pursuant to the provisions of chapter 87 of title 28 of the United States Code.

(d) No claim or counterclaim may be asserted against an advisory board or against any member or employee thereof pursuant to subsection (c) or otherwise, except as provided in section 11 of this Act, which is based upon—

(1) an act or omission of such board, or any member or employee thereof, exercising due care, in the execution of any provision of this Act, any marketing program in effect under this Act, or any rule or regulation promulgated by the Secretary, whether or not such provision of this Act, marketing program, rule, or regulation be valid.

(2) the exercise or performance or the failure to exercise or perform a discretionary function or duty on the part of such advisory board or any member or employee thereof, whether or not the discretion involved be abused.

(e) No member or employee of an advisory board shall be held personally liable in any suit brought pursuant to the provisions of this section.

(f) For the purpose of determining the venue of any suit brought pursuant to the provisions of this section, the advisory board shall be deemed to be a domiciliary of the District of Columbia.

(g) In any suit against an advisory board, service of process upon the Secretary or his designee shall be deemed to be service upon such advisory board.

CRIMINAL PENALTIES

SEC. 14. (a) Any information obtained pursuant to section 6(c)(2), 9(c), or 9(d) shall be confidential and shall not be disclosed by the Secretary, any officer or employee of the Federal Government, or any member of an advisory board or agent or employee thereof, except—

(1) in the form of statistics which do not reveal the identity of any individual producer;

(2) in compliance with an order of a court of competent jurisdiction; or

(3) in connection with a criminal prosecution for filing a false report.

Any person violating the provisions of this subsection shall be punished by a fine not exceeding $1,000, and (A) if an officer or employee of the Federal Government be removed from office, or (B) if a member or employee of the advisory board be removed from such position.

(b) Any person who violates any provision of this Act or any marketing program or any regulation promulgated pursuant to the provisions of this Act, other than a failure to comply with quotas or restrictions upon production or marketing or failure to pay an assessment, shall, if such violation is not otherwise punishable by Federal law, be punished by a fine not to exceed $500 for each separate violation.

Mr. HUMPHREY. Mr. President, in late March I received the first of what turned into a deluge of letters and telegrams and telephone calls from Minnesota family farmers and egg cooperative groups regarding the low prices which were being received for eggs. At that time, I brought this sad situation to the attention of the Senate and also to the attention of the Secretary of Agriculture.

The egg price slump, of course, was not confined to Minnesota. It was nationwide in scope. Department of Agriculture statistics reveal that from mid-February to mid-March, 1959, national average farm prices for eggs plunged 5 percent, 7 cents per dozen, under the

year earlier level. One month later, in mid-April, the national average price had dropped 27 percent below the average 1 year earlier. Production of eggs per capita is running 3½ percent ahead of a year earlier. These figures show that prices received by farmers for eggs declined 7.7 percent for each 1 percent by which supply per capita increased. These figures mean that the farmer is fighting a losing battle when he tries to produce and market more eggs to make up for the lower price received. It is the same story in broilers and in turkeys. It is the same story in almost every kind of farm production.

Over the years, farmers have been scolded and lectured about the need for greater efficiency in production. At the same time they have been forced to become quality conscious through the application of standard qualities and grading, often by State regulatory agencies. Producers have, therefore, been led to believe that greater efficiency in production and higher quality of farm products would give farmers a better market and a higher price, which would mean greater margins of profit.

Farmers responded to this belief. To prove the point, I want to cite the fact that in 1938 the average egg production per hen, in Minnesota, was 135 eggs per year, and that, 20 years later, in 1958, the average production was 212 eggs per hen per year. Comparable illustrations of increased efficiency and quality are available in almost every field of agricultural endeavor.

But farmers have not prospered because of increased efficiency and increased production. Quite the reverse. Egg farmers found that the small increase in production this spring resulted in a loss of about one-quarter of their gross income.

This is not a temporary situation that will be corrected automatically. Statistics and reports from the Agricultural Marketing Service of the U.S. Department of Agriculture clearly show this is a chronic situation.

While some reduction in laying flocks took place in the late spring months, among those producers who were willing to take the 6 to 7 cents per pound offered, and there has been a small increase in price this summer, the future is still dark with little light in sight.

I quote from an article in the August 7, 1959, issue of the Poultryman, a national newspaper of the poultry industry:

National average farm egg prices climbed 21 percent during the month ending July 15—about four times the usual seasonal rise.

Remember, however, that egg prices in the spring had fallen much farther than this. To continue:

Even so, July 15 prices still were 18 percent under those of the same date in 1958.

The Agriculture Department reports that U.S. egg prices averaged 30.2 cents in mid-July, compared with 24.9 cents the previous month and 36.8 cents a year earlier.

Chicken prices also strengthened during the month, but turkey prices declined slightly. All were under year-earlier levels: Turkeys, down 9 percent; farm chickens, down 29 percent; all chickens, down 18 percent, and broilers, down 17 percent.

USDA said July 15 egg prices, lowest for the months since 1942, represented 66 percent of parity. The previous month's price was 58 percent of parity; the July 15, 1958 price, 78 percent of parity.

I ask unanimous consent that the remainder of this article, which gives the July 15 average prices received for poultry and turkeys, be printed in the RECORD at this point in my remarks.

There being no objection, the remainder of the article was ordered to be printed in the RECORD, as follows:

Broilers: 16.1 cents per pound, live, lowest for the month since 1940, up 2 percent from the June 15 average, 15.8 cents. The price was 3.2 cents under the corresponding one in 1958, 19.3 cents.

Farm chickens: 10.8 cents per pound, new record low for the month, but up 7 percent from the alltime low established the previous month, 10.1 cents. The price was 4.4 cents under that of July 15, 1958.

"All" chickens: 15.4 cents per pound, up 2 percent from the previous month's 15.1, but down 3.3 cents from the year-earlier figure, 18.7 cents.

USDA said "all" chicken prices represented 57 percent of parity on July 15, compared with 56 percent the previous month and 65 percent a year earlier.

Turkeys: 22.4 cents per pound, down less than 1 percent from the previous month's 22.5 cents, down 2.1 cents from the year-earlier figure, 24.5 cents. In 1957 mid-July turkey prices were 21.8 cents.

Turkey prices amounted to 62 percent of parity, as they had the previous month. One year earlier they represented 64 percent of parity.

Led by the sharp gain in egg prices, the Department's overall index of poultry and egg prices climbed 12 percent during the month.

On July 15 it was 139 percent of its 1910–14 average, compared with 124 the previous month. Still, it was 17 percent under the year-earlier level, 167.

The Department's index of all prices received by farmers dropped 1 percent (2 points) to 240 percent of its 1910–14 average.

The following table shows regional July 15 prices:

[Cents per pound or dozen]

	Turkeys	Eggs	Farm chickens	Broilers	All chickens
New England	28.5	51.5	14.9	17.1	16.8
Mid-Atlantic	29.4	37.6	15.0	20.1	18.6
East North Central	21.3	25.9	10.7	16.9	14.7
West North Central	21.2	22.4	7.0	15.2	10.1
South Atlantic	23.5	38.3	13.9	15.9	15.8
East South Central	22.4	32.0	11.8	15.1	14.9
West South Central	21.0	28.0	10.7	15.4	15.2
Mountain	22.0	32.7	11.4	19.0	15.5
Pacific	22.8	30.7	10.4	19.5	17.2
United States	22.4	30.2	10.8	16.1	15.4

Mr. HUMPHREY. Mr. President, egg and poultry and turkey producers know just what they are up against, but they cannot, as individual producers, or as all of the producers in any one State, do anything concrete to better their situation. They have said that they need nationwide legislation to assist them in meeting their problems.

The bill I introduced today has been worked out with the close cooperation of the people concerned, the producers themselves. This bill proposes that the Secretary of Agriculture be authorized and directed to establish marketing program formulation committees composed of producers of chickens, eggs, and turkeys, respectively. These committees are to prepare and submit to the Secretary a self-financing marketing program within rules and regulations established by the Secretary. Advisory boards composed of producers would be responsible for actual administration.

Marketing programs established would permit an assessment to be made on producers to finance activities, such as promotion of consumption by informational and educational material relating to nutritional values and methods of preparation; carrying on of research and survey studies related to the production, processing, distribution, and promotion of the poultry or poultry products affected; providing for the establishment and maintenance of grade, quality, and labeling standards; regulation or restriction of the production or marketing of the products concerned under careful limitations, either by the creation of reserve pools or other methods.

In short, this is a variation of the self-help type of commodity program.

In the absence of the more positive kind of producer-initiated marketing quota programs proposed in the bill, S. 2502, which I introduced last week, this program would, if enacted, offer some stabilization to these uncertain industries.

It is my strong belief that it would be far better to enable the producers to formulate their programs, with the aid and assistance of the Secretary of Agriculture and the technical resources available to him, hold the referendums necessary to secure the consent of two-thirds of the producers, and then ask Congress to permit the producers to regulate their own industries within the limitations of the program and with the program tools available.

The introduction of this National Poultry Stabilization Act, which has the approval of producers in most of the producing areas of the country, is the best proof that could be offered as to the need for a positive program. It is also proof of the willingness of producers to cooperate with Government in order to achieve a fair price and fair income.

As further documentation of the need for stabilizing an industry which is important to so many areas of the United States, I ask unanimous consent that a table be printed showing the cash receipts from poultry and eggs as a percentage of cash receipts for all farm commodities, by States, for 1957, the most recent year for which these figures are available, as published by the U.S. Department of Agriculture.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Cash receipts for poultry and eggs as percentage of all commodities, by States, 1957

State:	PERCENT OF CASH RECEIPTS FOR POULTRY AND EGGS
Alabama	20.7
Arizona	1.3
Arkansas	15.4
California	8.9

Cash receipts for poultry and eggs as percentage of all commodities, by States, 1957—Continued

PERCENT OF CASH RECEIPTS FOR POULTRY AND EGGS—Continued

State:	
Colorado	3.0
Connecticut	3.24
Delaware	61.9
Florida	5.0
Georgia	31.5
Idaho	3.1
Illinois	4.5
Indiana	9.5
Iowa	6.8
Kansas	6.0
Kentucky	5.9
Louisiana	6.0
Maine	38.0
Maryland	26.0
Massachusetts	28.2
Michigan	8.4
Minnesota	10.2
Mississippi	12.1
Missouri	7.3
Montana	1.7
Nebraska	5.1
Nevada	1.0
New Hampshire	44.2
New Jersey	34.8
New Mexico	2.1
New York	11.6
North Carolina	14.1
North Dakota	2.5
Ohio	9.4
Oklahoma	5.7
Oregon	8.5
Pennsylvania	22.3
Rhode Island	23.8
South Carolina	10.4
South Dakota	6.4
Tennessee	7.8
Texas	7.8
Utah	14.6
Vermont	7.9
Virginia	18.8
Washington	7.9
West Virginia	28.2
Wisconsin	8.4
Wyoming	1.3
United States	10.1

NOTE.—"Poultry and eggs" does not include turkeys.

Source: Statistical Bulletin No. 246, "Cash Receipts From Major Farm Commodities by States," USDA, Agricultural Marketing Service. March 1959.

PROPOSED AMENDMENT TO CONSTITUTION TO BAN POLL TAXES IN FEDERAL ELECTIONS

Mr. HUMPHREY. Mr. President, during the past week it was my privilege to join as one of the co-sponsors on the joint resolution, Senate Joint Resolution 126, introduced by the senior Senator from Florida [Mr. HOLLAND] proposing an amendment to the Constitution of the United States to ban poll taxes in Federal elections.

It is encouraging to note that Members of the Senate from all sections of our country have joined in sponsoring this resolution. I am hopeful that it will be promptly approved by the Congress and signed by the President so that the States may have the opportunity to ratify this amendment.

In this present Congress I once again introduced a bill to prohibit the poll tax in Federal elections. However, what I am primarily interested in is the Congress taking concrete action on this matter whether it be in the form of a bill such as I have proposed or in the form of an amendment to the Constitution as proposed in Senate Joint Resolution 126.

The important thing is to achieve our objective, and I am confident that we will not become ensnared in argument over the means and procedure involved.

In conclusion I ask unanimous consent that an editorial on Senator HOLLAND'S resolution which appeared in the Washington Post of August 8 be inserted at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POLL-TAX REVIVAL

The revival of the poll-tax issue in the Senate comes as an echo from the past. Once a leading bone of contention on the civil-rights front, it has subsided to a secondary status, perhaps because only five States—Alabama, Arkansas, Mississippi, Texas, and Virginia—continue to levy a tax on the right to vote. Even on a small scale, however, the practice remains inexcusable, and the Senate should lose no time in approving Senator HOLLAND'S proposed constitutional amendment to free the ballot forever from any conditioning tax or property qualification. Exercise of the ballot remains perhaps the surest guarantee of respect for other civil rights.

We have always felt that a constitutional amendment is the proper remedy because of the Constitution's specific grant of authority to the States to fix the qualifications of voters. Over a period of many years now the strength of feeling on this point in Congress has prevented enactment of simple bills designed to abolish the poll tax. Certainly in the face of this failure of the anti-poll-tax bills the case for a constitutional amendment becomes overwhelming. Fortunately the resolution goes before the Senate with 63 sponsors, with Southern backing and the blessing of Majority Leader JOHNSON and Minority Leader DIRKSEN. What a refreshing experience it would be if both Houses could pass it and send it to the States for ratification before adjournment of the present session.

Mr. HUMPHREY. I hope that it will be possible to act quickly upon the suggested constitutional amendment and to refer it to the States for appropriate action by the legislatures or constitutional conventions.

PRESERVATION OF THE WILDERNESS

Mr. HUMPHREY. Mr. President, on August 3, 1959, the Washington Post and Times Herald published an open letter which was signed by the Citizens Committee on Natural Resources, in cooperation with Trustees for Conservation. The letter relates to a bill which it was my privilege to introduce in the Senate, together with the junior Senator from Oregon [Mr. NEUBERGER] and 16 other cosponsors, and which was introduced in the House by Representative JOHN P. SAYLOR and 10 other Representatives. The bill is known as the Wilderness Preservation Act. It is at present pending before the Senate Committee on Interior and Insular Affairs.

Mr. President, I ask unanimous consent that this splendid open letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AN OPEN LETTER ON AN IMPORTANT PUBLIC ISSUE

AUGUST 3, 1959.

To the Members of the Senate and the House of Representatives of the 86th Congress, Washington, D.C.:

DEAR SENATORS AND REPRESENTATIVES: We want to encourage you to enact promptly a conservation measure now in Congress to preserve a portion of our country in its natural unspoiled condition, as it always has been.

We want to emphasize to you that your support of this bill will be in the interest of all the people. It will benefit not only the present generations but generations yet unborn. It will not damage anybody.

This is the wilderness bill—introduced in the Senate by HUBERT H. HUMPHREY, RICHARD L. NEUBERGER, and a coast-to-coast bipartisan group of 16 other cosponsors and by Representative JOHN P. SAYLOR and 10 others in the House.

ENACTMENT PROCESS NOW UNDERWAY

This bill has been the subject of three hearings in Washington, D.C., and six hearings in the West—in Seattle; Bend, Oreg.; San Francisco; Salt Lake City; Albuquerque; and Phoenix.

It has been reported on favorably by the Department of Agriculture and the Interior, and by the Budget Bureau, with suggested amendments.

After so many years of study and delay, the enactment of the bill should now move ahead promptly. The wilderness bill should become law this year.

We are aware that you have received hundreds of letters about it and have seen many articles and editorials. We realize that we do not need to tell you the many arguments in its favor.

Not only for recreation but for many reasons, our wilderness areas—like our art galleries, museums, and libraries—are an important part of our public heritage. Like these other places, the wilderness areas at any one time may contain fewer people than our mass recreation areas, and yet be of outstanding public importance. The claim that preserving them is locking them up for special groups is preposterous. The wilderness areas should indeed be preserved and kept open, as they now are—for all who wish to use them, as wilderness—not destroyed by exploitation for special commercial interests.

What prompts our letter is the nature of the opposition.

Strangely enough, unwarranted opposition has been stirred up against this excellent bill. The meaning and purpose of this bill seem to have been willfully and persistently misconstrued and distorted. Controversy has been aroused over a measure that should have been enacted before this.

NO INTERESTS DAMAGED

The Associated Press in reporting the April 2, 1959, hearing in Phoenix, Arizona, said: "Most of the opposition came from representatives of livestock, oil, mining, and lumber interests."

We agree with the Chairman of the Citizens Committee on Natural Resources—Dr. Ira N. Gabrielson, outstanding national conservation leader—who says that this bill "avoids interference with other programs and existing interests."

We actually believe it would be wise policy and good public relations for these business interests to join in supporting the bill, instead of trying to block it.

TWO PERCENT OF OUR LAND

We are impressed with the fact that only Federal lands are involved and all that are

involved comprise only a fiftieth (2 percent) of the total area of our country.

These areas, it is emphasized, are already within national forests, national parks, and wildlife refuges. They are in a wilderness condition and are already considered most important as wilderness.

Actually only some 8 percent of the land in national forests would be affected. More than 90 percent of the land in national forests would be unaffected and would remain available for lumbering and other commercial uses.

Existing grazing privileges, we note, are recognized by the bill (and continued). Mining where now a legal possibility may be permitted if needed in the national interest. All existing private rights are safeguarded, including, of course, those of miners now operating.

No areas now open to lumbering are affected.

A special provision safeguards State water laws.

Through this legislation, then, we can have the values of wilderness along with other programs.

The wilderness values are real and important:

1. This wilderness preservation program protects areas of scenic grandeur for all the population, in the future as well as now.

2. Wilderness affords a type of recreation sought by many of our citizens—a recreation that is rugged, healthful, spiritually uplifting, and attractive to youth groups and families as well as to individuals.

3. The wilderness also has scientific assets for protection—plant and animal life, geological material, and so-called "control" areas where scientists can observe conditions where man's management activities are absent.

4. Preserving wilderness areas is a practical way also to insure watershed protection in the high mountain country.

To argue that preserving wilderness areas for all these values is "locking" them up for special groups is indeed preposterous.

A FIGHT TO PROTECT PUBLIC INTEREST

Those who vote for this bill need have no fear that anyone can rightfully complain that his interests have been damaged. Of this we are sure.

The threatened damage is the other way around. The public is going to have to fight to protect its interest.

Dr. Gabrielson recently said, "This fight is not against any interests which will be damaged by the proposed bill but rather it is against interests which have hopes of raiding the few remaining areas of wilderness for their own purposes whenever they have a chance."

We think he is right.

Actually such opposition looks to us like a very good reason why we need just such a bill, to give congressional backing to wilderness preservation.

A WESTERNER'S BILL TOO

We also want to emphasize that the wilderness bill is a westerner's bill just as much as it is anyone else's—or perhaps more so.

We note that the entire congressional delegation from one Western State—Montana—is sponsoring the bill, in the House and Senate both. Senator MURRAY and Representative METCALF have championed it from the start; Senator MANSFIELD and Representative ANDERSON are earnest supporters.

No group of Easterners is trying to force this wilderness program on the West. Conservationists in all 50 States are urging it in the national interest.

PASS THE WILDERNESS BILL NOW

We consider the wilderness bill a most important conservation measure. We think it fortunate that this kind of program can still be carried out in this country—and without sacrificing or damaging any other interests—as part of a sound overall land-use program that all conservationists should support.

Its passage will supply a valuable guideline for the work of the Outdoor Recreation Resources Review Commission which has recently been established by Congress and the President.

We join with other conservationists in urging you: Pass the wilderness bill as soon as you can. Enact it in this first session.

Only three volumes of testimony at hearings in the West and in Washington, totaling more than 1,500 pages, have already been published. Another is in press. It looks as though there is little left to be said. So we urge, on the basis of the case as now made: Go ahead with its enactment.

Don't postpone it till the second session and let this long-needed, broad-interest, conservation measure get involved in election-year politics.

It is a good measure, and timely. It will harm no one. It will be a lasting credit to all who support it.

Sincerely yours,

Ansel Adams; John H. Baker; Elliott S. Barker; Irving M. Clark; Robert K. Cutter, M.D.; Guy Emerson, U. S. Grant 3d; Frederick Brown Harris; Joel H. Hildebrand; Paul G. Hoffman; Joseph Wood Krutch; Karl A. Menninger, M.D.; Karl W. Onthank; Eleanor Roosevelt; Francis B. Sayre, Jr.; Wallace Stegner; Adlai E. Stevenson; G. Mennen Williams.

(This letter is published under the auspices of the Citizens Committee on Natural Resources, 321 Dupont Building, 1346 Connecticut Avenue NW., Washington 6, D.C. Ira N. Gabrielson, chairman; Howard Zahniser, vice chairman; Dewey Anderson, treasurer; Spencer M. Smith, secretary. In cooperation with Trustees for Conservation, 251 Kearney Street, San Francisco 8, Calif., and 2144 P Street NW., Washington, 7, D.C. Edgar Wayburn, M.D., president; Clifford V. Heimburger, Robert W. Sawyer, Russell H. Varian, vice presidents; Robert C. Miller, secretary; Stuart R. Dole, treasurer; William J. Losh, executive secretary.)

Mr. HUMPHREY. Mr. President, I hope that every Member of Congress will take the time to read the open letter, which is signed by such distinguished citizens as are listed as cosigners of the communication.

PROPOSED YOUTH CONSERVATION CORPS

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an excellent article entitled "CCC Veteran Lauds Plan To Revive Conservation Corps," written by Dick Bothwell, and published in the St. Petersburg, Fla., Times of August 6, 1959. In his article, Mr. Bothwell draws heavily on his own experiences as a member of the old Civilian Conservation Corps of the 1930's.

Because the article is so pertinent to the legislation shortly to be considered by the Senate, I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CCC VETERAN LAUDS PLAN TO REVIVE CONSERVATION CORPS

(By Dick Bothwell)

Senator HUBERT H. HUMPHREY, of Minnesota, let me assure you that as a former member of the Civilian Conservation Corps, I am with you 2,000 percent in your effort to revive the CCC. So too, I suspect, are a couple of million other solid citizens who went into the woods and onto the farms back in the dark depression days of the thirties.

Reading in last Sunday's Times the pro and con articles on revival of the corps, as proposed by Senate bill 812 (passed in committee, fate uncertain) stirred up a host of memories for me.

All of a sudden it was 1937 again and I was a confused, angry kid out of a job, walking the streets of Lead, S. Dak., so mad at the world for rejecting me I wore a frown and unconsciously clenched my fists.

There were a lot of young men like that. The mid-thirties saw the Dust Bowl come—withered cornfields, brown drifts of dirt over deserted farm buildings. It was a dismal time, a second time. Where to go, what to do?

Then I found out there was a thing called the CCC, where you could work and even get money for it—$40 a month, if I recall correctly.

Thus it was I joined up with Company 2765, Camp Fechner, near Sturgis, S. Dak., also near Fort Meade—last U.S. Army Cavalry post.

All of a sudden I was no longer a leaf in the wind. I was part of something. I had an identity. Amid 200 other members of the disinherited, I got an invaluable lesson in group living which later served to ease my adjustment to Army life in 1941.

More than 20 years ago, it was—but the personalities of the barracks are still vivid.

PERSONALITIES

There was Tex, the brawny truckdriver from Rapid City who was loud and violent and direct. There was Engstrom, the company clerk with the North Dakota cadre, a blond little Norseman with a head for figures who gave me invaluable advice when I tried out as assistant clerk:

"Do one thing at a time and don't let them get you rattled."

There was Chuck Lewis, with a natural gift for guitar picking and song; the Indian boy whose painting had the clear bright quality of a jewel; Prim, the tough, muscular little supply man who hated the world.

I learned to get along with people. I got to be assistant educational adviser, teaching night classes in typing and cartooning, handling the little library, playing on the softball team, finding a reason for being.

Multiplying my experience by thousands, I used to wonder what would have happened without a CCC. How many of these 18- to 21-year-olds would have gone on the bum, become criminals or been a lifelong burden on society?

There is no saying, of course. But even the Republicans had a good word for the CCC, loud as they condemned F.D.R.'s other "alphabet agencies."

From 1933 to 1942, life of the CCC, the corps' 2,965,959 youths (and 189,165 war veterans) did great things for U.S. conservation, in terms of fire towers and trails, check dams, and other soil conservation measures.

GOOD WORKS

In Florida today, you can still find evidence of the CCC's good works in our State park system, which it was instrumental in building. In our forest industry second only in value to tourism, you find "graduates" of the CCC such as Frank Cowan, head forester of Withlacoochee State Forest near Brooksville.

At a time when our national parks were never more used or rundown, when our need for timber calls for doubled production, the CCC revival is logical. As Senator HUMPHREY points out, increased timber productivity ultimately would almost pay the cost of the program, estimated at $125 million

the first year and $375 million a year after that.

WALLACE F. BENNETT, Senator from Utah, opposes the idea. He wrings his hands over the mingling of youths from 16 to 22, away from home influence. Experience shows, however, that such mingling does a lot of youths a lot of good—and so does getting away from home influence in many cases.

And he argues that it would be unduly expensive—a cry that all short-sighted foes of conservation have echoed since the days of Teddy Roosevelt.

Personally, I hope Senate bill 812 goes through with flying colors. Our youth and our forests are still more important than the balanced budget.

Mr. HUMPHREY. Mr. President, I am hopeful that it will be possible to have this bill considered in the Senate sometime this week or next week, and that it will be passed promptly. I appeal to Senators on the other side of the aisle, who have heard from the executive branch of the Government in opposition to the bill, to forego the thought of following the executive leadership, and to follow the leadership of their conscience and the leadership of the American people and the legislatures, and of the many Governors who have testified in behalf of the proposed Youth Conservation Corps. The bill, in my opinion, is truly a constructive piece of proposed legislation. It will do great good for our young people and great good in terms of saving life, saving our forests, and saving dollars.

I hope the Bureau of the Budget will allow the milk of human kindness and understanding to come within its environs at least once in a while and will permit a friendly report and friendly comment relating to the Youth Conservation Corps.

THE WHITE FLEET

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD a letter I have received concerning the White Fleet proposal. The letter is from the American Board of Abdominal Surgery, and is signed by Dr. Blaise F. Alfano, secretary. In the letter, Dr. Alfano makes a specific offer of help to obtained the best qualified surgeons for the White Fleet medical assistance ship.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN BOARD
OF ABDOMINAL SURGERY,
Melrose, Mass., July 31, 1959.

Senator HUBERT HUMPHREY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HUMPHREY: The White Fleet is certainly a positive step that in its silent grandeur can win more hearts than is possible by millions of words. This project strikes at one of the few main fears of simple people—death and disease. This same fear is responsible for the success of the insurance industry for the more sophisticated people. Thus, in like manner by alleviating this fear, the White Fleet's success will be in terms of good will that no amount of propaganda can dispel.

The American Board of Abdominal Surgery will assist in any manner you desire in order to obtain the best qualified abdominal surgeons for the White Fleet. In addition, if you wish, space will be provided in the Journal of Abdominal Surgery to tell the story of the White Fleet.

My best wishes for this most worthy endeavor.

Sincerely yours,
BLAISE F. ALFANO, M.D.,
Secretary.

Mr. HUMPHREY. Mr. President, Senators may recall that one of the ships proposed in the White Fleet was the medical assistance ship.

Dr. Alfano, an eminent surgeon, representing a great society, has proposed voluntary help to make this medical ship a reality in the White Fleet. I hope that Congress will not permit the White Fleet to become merely another article in Life magazine or another resolution submitted to the Senate. A great many Senators—I believe a majority—have expressed their interest in this particular enterprise.

The proposal of a White Fleet represents initiative in American foreign policy. It is an imaginative proposal, one which comes within the very traditions of the compassion, humanitarianism, and understanding of the American people. I, for one, wish to thank the eminent Dr. Alfano for his generosity, in his offer of cooperation. I also wish to thank the thousands of persons who have written to me and to other Senators relating to the White Fleet.

The distinguished senior Senator from Vermont [Mr. AIKEN] told me that in the past week he had received hundreds of messages and, in fact, many donations related to the White Fleet proposal. I can honestly say that my office has received well over 5,000 communications in support of the proposal known as the White Fleet. There may be many more since the last counting. I understand that of the more than 5,000 communications, less than 50 have been adverse, or in opposition to the proposal. This indicates to me the generosity and warmth of the American people, and their friendly desire to carry out the work of peace as a part of our foreign policy; to carry out a program of help which will be of benefit to human beings throughout the world. This, to me, is gratifying.

Mr. President, I thank the distinguished Senator from New York for permitting me to occupy the floor for the purpose of making these statements.

Mr. KEATING. Mr. President, it is always a great pleasure to extend every nonpolitical courtesy which I can to the distinguished senior Senator from Minnesota. I am very happy that he mentioned the White Fleet. I am happy to be a cosponsor with him of the bill which proposes that a magnificent humanitarian undertaking.

I should like to inquire of the Senator from Minnesota: If we receive donations connected with this cause, we are not required, are we, to turn them over to the Senator from Minnesota?

Mr. HUMPHREY. I assure the Senator from New York that it would be an act of mercy if he were to do so—at least, an act of compassion—but it will be necessary for me, in the light of my official responsibility, to have to refuse the generous thought on the part of the Senator from New York and the act of generosity which he contemplates. I hope that the funds will be referred to the Project HOPE, which is one of the voluntary projects for the outfitting and furnishing of a great medical ship; or that such funds would be made available to some other voluntary organization which would cooperate ultimately with the proposal of the White Fleet.

However, if the Senator from New York has any doubt as to what he should do with his gratuitous and his philanthropic contributions to charity, I would be more than happy to consult with him privately as to how he might aid and abet the cause.

Mr. KEATING. I was seeking to learn the proper channel. I have not had this hurdle to meet yet, as has the distinguished Senator from Vermont, but it could happen. I have had a large amount of mail in favor of the project, but no checks. However, if they should materialize, I wanted to know from one of the principal sponsors of the proposed legislation to whom the checks should be sent.

I hesitate, I may say to the Senator from Minnesota, to turn them over to him. I know that they would get into the proper channel, but I do not want to take up his time with the problem. I should be glad to send them wherever they should go, if he will tell me.

Mr. HUMPHREY. We have been somewhat perplexed by this problem in my own office. I was just speaking to my assistant, and I understand that we have received a rather substantial amount of contributions. As I understand, we are referring potential contributors or actual contributors to the Project HOPE, which is interested in the project at present.

I believe it would be well to place in the RECORD—which I wish to do at this point in the colloquy—a statement relating to the address of the Project HOPE, which is the health operations on the part of the American people for outfitting the ship U.S.S. *Constellation*. Then it will be possible to know exactly to whom to send the funds.

Mr. KEATING. I think that would be helpful, because the Senator from Minnesota has so many projects under way that I would not like to have checks intended for the White Fleet referred to a conservation project or to a project other than that to which the donors wanted them directed.

Mr. HUMPHREY. It is my desire that every project which the senior Senator from Minnesota sponsors be a worthy one. If perchance anything should go astray, we will be more than willing to correct the situation, on the advice and counsel of my esteemed counsel and lawyer friend from New York.

Mr. KEATING. I know that is what the Senator from Minnesota would do.

RACIAL UNREST IN LARGE METROPOLITAN AREAS

Mr. JOHNSTON of South Carolina. Mr. President, over the weekend I noticed two items in the news regarding racial unrest in large metropolitan areas where integration is being forced upon people.

One item is from the Washington Post of Saturday, August 8, 1959, entitled "Building is Guarded Against Racial Strife." It seems that police in Chicago had to mount a 24-hour guard around a building where some 4,000 persons milled in protest over reports of integration in that neighborhood.

The second item appeared in the New York Herald Tribune of Monday, August 10, 1959, and was entitled "Crowd Hems in Two Officers Over Arrests." The story tells how two white detectives were mauled and sent to the hospital by a mob of Negroes who attempted to interfere with law enforcement in a predominantly Negro section of the Bronx. The story reported that it finally took 4 radio cars and 25 patrolmen over half an hour to disburse the milling mob.

Mr. President, the point I make in bringing these items to the attention of the Senate is this: Both incidents, which we all abhor, only underline what I have been saying over the past few weeks to the Senate—that forced integration breeds trouble of all varieties.

Mr. President, had these incidents occurred anywhere south of the Mason-Dixon line, the northern newspapers would have charged prejudice, riot, attempted lynching, and no one knows what else. They would have played these stories up, and the stories would have been followed by official protests and requests of all sorts for Federal action and Federal intervention.

Mr. President, I mention all this, not as a means of intervening in the internal affairs of individual states, for I am one who believes that the individual states can best cope with their own local problems, but because some officials from the large northern cities where so much trouble seems to be generated have been criticizing the South and raising their eyebrows any time anything happens in the South.

The shoe is on the other foot now, and I simply want to drive home the point that forced integration will not work in the North any more than it would in the South. Each local area of the country must handle these problems on its own, and when the whole Nation realizes this, I think we will have a much more peaceful existence.

In line with this, I noted an article in the Washington Post of Saturday, August 8, 1959, entitled "New Rights Laws in 15 States Show Rising Power of 19 Million Negroes."

The article relates that proponents of FEPC laws and other similar statutes to force integration upon people have failed to accomplish what they sought on a national basis, and that they have reverted back to their individual States to seek these statutes.

In 15 States local so-called civil rights laws of varying nature have been passed. To my way of thinking, this is the right approach for proponents of civil rights legislation. Such laws should be taken up at the local level; the individual local areas know what they need and want, and they can have what they need and want simply by passing the laws. In this way they accomplish their purpose without forcing laws objectionable to other areas of the country on the people in the other areas.

I believe forced integration of any nature on the local level, or on the national level, is not workable, and stimulates racial disorder, prejudice, and hate, as well as crime and other evils. However, if New York or some other area of the Nation wishes to have civil rights legislation and all the problems that come with it, that is their individual State right. If South Carolina does not want to have such disorder, discord, and such laws, that is our right in South Carolina.

Mr. President, that is the point or the case I am trying to make.

I do not wish to interfere in the business of other States through any unwarranted Federal action and, similarly, I do not wish other States to interfere in my State of South Carolina through unwarranted Federal action.

Mr. President, I ask that the article from the Washington Post of Saturday, August 8, 1959, entitled "Building is Guarded Against Racial Strife," the article from the New York Herald Tribune of Monday, August 10, 1959, entitled "Crowd Hems in Two Officers Over Arrests," and the article from the Washington Post of Saturday, August 8, 1959, entitled "New Rights Laws in 15 States Show Rising Power of 19 Million Negroes," be printed in the body of the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 8, 1959]

BUILDING IS GUARDED AGAINST RACIAL STRIFE

CHICAGO, August 7.—Police mounted a 24-hour guard today around a three-flat building where crowds gathered 2 nights in a row in a racial disturbance.

Police arrested 13 persons last night and early today, after about 4,000 persons milled around the flats to protest the reported purchase of the building by Negroes. The building is in a white neighborhood.

[From the New York Herald Tribune, Aug. 10, 1959]

CROWD HEMS IN TWO OFFICERS OVER ARRESTS—KICKED, BEATEN BY 300 NEGROES

(By William Rollins)

Three hundred shouting, shoving Negroes held two detectives at bay on an east Bronx street corner for 20 minutes yesterday afternoon after the officers, both white, took a Negro man and woman into custody on charges of illegal possession of alcohol.

The detectives were kicked and beaten as they guarded their prisoners in front of a fish-and-chips store at 1423 Brook Avenue, near 171st Street in a Negro neighborhood, before 25 uniformed policemen arrived and arrested 2 members of the crowd.

JUG IS DISCOVERED

Detectives Jeremiah O'Connor and Thomas Marino entered the store shortly after 1 p.m. and discovered what they believed to be a jug of bootleg whisky behind the counter.

Detective O'Connor asked the owner of the store, Tyson King, 47, of 115 West 142d Street, for the keys to the store's basement, and the fracas was on. The detectives said the store's cook, Lucy Quick, 33, of 2525 Seventh Avenue, seized a pair of shears and tried to stab Detective Marino while the owner began to battle Detective O'Connor.

The policemen subdued the pair, but the sounds of the scuffle attracted a crowd.

The detectives put their prisoners in their radio car parked outside and stood by the car—one on each side—with pistols drawn as the angry group pressed in on them.

One member of the crowd, identified by police as William Golden, 44, began shouting: "Don't let them take away. Kill the bulls."

While the crowd clawed and kicked at the two policemen, a 270-pound construction worker, identified by police as Robert Edwards, 43, ripped Detective O'Connor's jacket off.

The detectives, still with guns drawn, fended off the crowd until five radio cars bearing the reinforcements converged on the scene and, with difficulty, dispersed the mob. Detective O'Connor observed later that the crowd was pressing so close he couldn't use his revolver because he might have hit his partner.

Police investigating the store later reported they found 12 half-gallon jugs of alcohol in the basement along with 100 empty gallon bottles and 6 empty 10-gallon cans. Detective O'Connor said he believed the store operators were retailing the alcohol after diluting it with water.

The police also discovered that the tires on the detectives' radio car, left during the height of the crowd's anger, had been deflated.

The man and woman in the store and Edwards, of 3743 Third Avenue, and Golden, of 1461 Brook Avenue, both the Bronx, were all charged with inciting a riot, a felony.

In addition, the man and woman in the store were charged with illegal possession of alcohol and felonious assault and the woman with violation of the Sullivan law in connection with the wielding of the shears. Edwards was also charged with felonious assault.

IN COURT TODAY

The accused four were to appear in Bronx Magistrate's Court today.

The two detectives and the three male prisoners were taken to Fordham Hospital for treatment.

The incident yesterday was similar to another scene on July 13 when 400 Negroes gathered outside the West 123d Street station to protest the arrest of a Puerto Rican woman believed by the crowd to be Negro—whom police believed to be drunk—and a man who allegedly interfered with police action. That crowd dispersed after the man was released and Harlem idol Sugar Ray Robinson, middleweight boxer, urged the crowd to go home.

The woman pleaded guilty to a charge of disorderly conduct. Her sentence was suspended, and a charge of second degree felonious assault was reduced to third-degree assault, for which she will be tried. Charges of police brutality in the incident were later disproved.

[From the Washington Post, Aug. 8, 1959]

NEW RIGHTS LAWS IN 15 STATES SHOW RISING POWER OF 19 MILLION NEGROES

(By Milt Freudenheim)

NEW YORK, August 7.—The rising political power of 19 million U.S. Negroes showed itself this year in 15 State legislatures that passed two dozen new civil rights laws.

Blocked by southern Democratic segregationist committee chairmen from getting very far in Congress, equal rights groups have turned to State lawmakers with impressive success.

The 1959 record crop of new laws crisscrossed the North from Maine to Alaska, dipping as far south as the border States of Missouri and Kansas.

With new laws this year in Ohio and California, enforcible fair employment practices legislation is on the books of every important industrial State except Illinois.

ACCOMMODATION ADVANCES

Discrimination is outlawed in places of public accommodation in 24 States, with the addition this year of Maine.

But the biggest advance came in housing. Four States banned discrimination in all housing, public and private, with varying exceptions to exempt individual homeowners.

Of the 15 legislatures passing civil rights laws, 11 were Democratic controlled, 2 Republican, and 2 divided. However, many of the laws were introduced with bipartisan backing.

States taking new civil rights action include:

Alaska, California, Colorado, Connecticut, Idaho, Kansas, Maine, Massachusetts, Missouri, Nevada, New Mexico, Ohio, Oregon, Washington, and Wisconsin.

Separate, parallel surveys of these developments have been prepared by the American Jewish Committee with the Anti-Defamation League of B'nai B'rith, and by the American Jewish Congress.

STATE DEVELOPMENTS

Here are the highlights:

Housing: Colorado, Massachusetts, Connecticut, and Oregon banned discrimination in private housing, the first such State laws. New York City and Pittsburgh already had city laws on this.

New York, New Jersey, California, and Washington ban discrimination in publicly assisted housing. The new Oregon law will suspend the license of any real estate salesman or broker aiding in discrimination.

Employment: Sixteen States with enforcement agencies are using conciliation backed by threat of administrative orders. Indiana and Kansas have antidiscrimination laws without enforcement arms.

New Mexico strengthened its enforcement commission. Missouri banned discrimination in State employment, without providing enforcement.

Interracial marriage: Laws forbidding interracial marriage were repealed by California, Idaho and Nevada this year.

Public accommodations: In addition to the new Maine law, California, Connecticut, Kansas, and Wisconsin tightened up their bans on discrimination in this area.

Credit applicants: Washington outlawed questions about race, religion, color and national origin from credit application forms of banks, loan companies, insurance companies, etc.

THE BUDGET BUREAU RECOMMENDS AGAINST BUDGETING FOR DEBT RETIREMENT

Mr. ENGLE. Mr. President, 2 months ago I introduced a bill, S. 1932, to establish a guide for reducing the Federal debt when economic conditions are favorable. The bill was referred to the Committee on Finance, and the committee's chairman requested a report on it from the Bureau of the Budget.

The bill is brief and simple enough that its desirable consequences can be foreseen without difficulty. It proposes, when a prosperous year is anticipated, that the President shall set aside in his budget a definite amount for debt retirement. If he wants to present a balanced budget, the total requested for expenditure must be less than anticipated Federal receipts by a definite amount. The amount for debt retirement is equal to 10 percent of the estimated increase in gross national product during the year of the budget. When no increase in gross national product is anticipated, no appropriation for debt retirement is contemplated.

An increase in gross national product will require debt retirement. It also will increase the tax collections of the Government. The budget should be drawn up to yield more taxes than are spent, thus providing the means for reducing the debt, in any year of growth—and particularly in a year of boom or inflation, when gross national product is growing very rapidly. The budget presented by the President will need to limit requests for spending authority, to make debt retirement possible. The limitations will have to be especially strict when inflation promises very rapid increase in gross national product, to meet the rate of debt retirement set by the bill. Limitations will have to be strict to provide the means of retirement because collections of individual income taxes not withheld and of corporation income taxes are made some months after income is earned, with the result that collections do not increase as rapidly as product. The adjustment of budget requests required by a rapid rate of debt retirement will bring desirable counterpressures from the Federal Government against inflation.

It is to be emphasized that this bill makes debt retirement an essential and unavoidable consideration in drawing up the budget presented for congressional action. Also worth emphasizing is the fact that the appropriation for debt retirement will require congressional approval. The appropriation will not be automatic. The appropriation for debt retirement will be available until spent, thus fitting debt retirement to the inflow of receipts from increases in national product.

My bill was written to establish a guide for making debt retirement systematic; for adjusting annual debt retirement so that it will contribute to the stability of the economy, and thus establish a pattern of debt retirement that can be maintained year after year as economic conditions change. The bill requires a budget which yields a surplus of revenues in prosperous years, and it avoids the ineffective procedure of retiring debt according to a schedule, without regard to the balance of the budget.

The way my bill would work in the economic conditions that are likely to develop in the future can be foreseen by anyone who considers its language.

The modest intellectual effort required to appraise the bill seems to have been too much for someone in the Bureau of the Budget. The bureau sent a letter mentioning the number of the bill to the senior Senator from Virginia [Mr. BYRD]. The letter has the flavor of a form letter prepared in anticipation of inquiries on a broad subject, and sent out in place of a custom-made reply when diverse inquiries are received—the sort of form which is pulled out of a file and handed to a typist with instructions to copy it, insert an address, a salutation to the addressee, and type the number of a bill in a blank space in the body of the letter.

The letter states that "the Bureau of the Budget is in favor of the objective of reducing the public debt." A harmless statement, committing the Bureau to nothing. The objective is not given any definite rank among other objectives. Reducing the debt has no meaning when the amount and the rate of debt reduction, and the circumstances in which it will be sought, are passed by without commitment.

The Bureau makes no commitment because they hold to a basic postulate that effectively forestalls consideration of this bill for debt reduction. They do not seriously consider whether the rate of debt reduction proposed in the bill is desirable or whether the circumstances in which reduction is proposed are those most appropriate. They avoid the exercise of practical judgment on the bill before them. They merely assume that being in favor of debt retirement cannot have any practical consequences. The Bureau implies that, despite its professed preference for reducing the public debt, it is powerless to influence the planning of Federal expenditures and receipts, and powerless to influence Federal spending so that the debt can be reduced voluntarily. Forgotten are its established practice of reducing agency requirements before including them in the budget, and its power of controlling expenditures by apportioning appropriations throughout the period of their availability. Perhaps these powers were not forgotten. Perhaps the Bureau only assumed it has reached perfection in budget review and apportionment, and can do nothing further toward achieving a surplus of receipts for debt retirement, even if directed to do so. After stating that it is in favor of reducing the debt, the Bureau's letter continues:

> As a practical matter, however (that is, despite favoring the objective) the only way to achieve a net reduction in the debt is for the Government to spend less than it collects and to use part or all of the surplus for debt reduction.

My bill is founded on recognition of the obvious fact that debt can be reduced only from the proceeds of taxes in excess of expenditures, and states a rule that can be put into dollar terms to guide budgeting for a surplus and for debt reduction.

Guides for budgeting are so distasteful to the Bureau that it cannot see them when they are proposed. Its letter does not trouble to comment on the guides to budgeting actually intended in the bill, but instead discusses another proposition. Their strawman is set up in the following words:

> While the Congress might direct that the public debt be reduced by a specified amount in a given fiscal year * * *.

No such blunt and unqualified direction is given in my bill. To repeat, it directs the President to propose a debt retirement appropriation based on forecasts of increase in gross national product, and to consider as balanced, or as providing a surplus, only a budget in which debt retirement can be made from a net surplus of receipts.

The Bureau follows the phrase quoted above with the phrase containing the blank to be filled in "as proposed by S. 1932."

The letter continues its sentence with a description, as if it were relevant to the bill named, of what used to happen when the sinking fund was used for debt retirement during the 1930's and 1940's. The letter reads:

> Unless the Government's total receipts were sufficient to cover such debt repayments in addition to all other current expenditures authorized by the Congress, the Treasury would have to borrow additional funds to meet the required amount of debt retirement.

If such a bill were presented to the Bureau for review, the comment would be appropriate and interesting. But when the comment is made on a bill to which it is irrelevant, it is absurd. The Bureau bases its recommendation against my bill largely on experience with a sinking fund, and not at all on the provisions of my bill.

If debt retirement were automatic, requiring consideration neither by the President nor by the Congress, and proceeding without regard to the condition of the Federal finances, none of which characteristics can be found in the bill the Budget Bureau presumes to recommend against, then such a "bill might lead the public to believe that the debt was being reduced when this might not, in fact, be true." Another irrelevant observation; and probably inaccurate as well. Does anyone suppose that during the 1930's and early 1940's the sort of legislation described by the Bureau led anyone to believe the debt was being reduced?

The last sentence of the Bureau's paragraph on debt reduction completes its underlying thought that the budget will be as it will be and cannot be arranged otherwise:

> On the other hand, if total revenues were sufficient to permit debt reduction, the results of this proposal would be the same as under the present system of applying budgetary surpluses to reducing the debt.

True enough: A surplus under the proposal would reduce the debt, and a surplus now can be used to reduce the debt—or to build up a bank balance. But the sentence, like the paragraph, overlooks the essential point of my bill, which is to provide a systematic procedure of budgeting for surpluses and debt reduction when economic conditions permit.

The Bureau of the Budget has repeated some obvious and some irrelevant thoughts, when it should have discussed the merits of the proposed legislation before it. If improvements in the legislation had been suggested, they would have been welcomed. But no service to the process of legislation is performed by a report of the sort sent to the senior Senator from Virginia in connection with this proposed legislation.

I ask unanimous consent to include in the RECORD following my remarks a copy of the letter from the Bureau of the Budget, dated June 24, 1959, and signed by Phillip S. Hughes, Assistant Director for Legislative Reference of the Bureau of the Budget, and directed to the Honorable HARRY F. BYRD, chairman of the Committee on Finance.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., June 24, 1959.

Hon. HARRY F. BYRD,
Chairman, Committee on Finance,
U.S. Senate, Washington, D.C.

MY DEAR MR. CHAIRMAN: This is in reply to your letter of May 18, 1959, requesting the views of the Bureau of the Budget on S. 1932, a bill to provide for the retirement of the public debt in amounts which reflect annual increases in the gross national product.

The proposed legislation would require that the budget for any fiscal year include a request for an appropriation equal to 10 percent of the amount by which the estimated gross national product for that fiscal year exceeds the estimated gross national product of the current fiscal year, to be used for retirement of the public debt.

The Bureau of the Budget is in favor of the objective of reducing the public debt. As a practical matter, however, the only way to achieve a net reduction in the debt is for the Government to spend less than it collects and to use part or all of the surplus for debt reduction. While the Congress might direct that the public debt be reduced by a specified amount in a given fiscal year, as proposed by S. 1932, unless the Government's total receipts were sufficient to cover such debt repayments in addition to all other current expenditures authorized by the Congress, the Treasury would have to borrow additional funds to meet the required amount of debt retirement. Thus, the bill might lead the public to believe that the debt was being reduced when this might not, in fact, be true. On the other hand, if total revenues were sufficient to permit debt reduction, the results of this proposal would be the same as under the present system of applying budgetary surpluses to reducing the debt.

For these reasons, the Bureau of the Budget recommends against the enactment of S. 1932.

Sincerely yours,
PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

Mr. ENGLE. Mr. President, I should like to say that no finer illustration of administrative absurdity and inanity will appear in the RECORD in a long, long time to come. For all of this administration's protesting about the expenditures of the Federal Government and the desire to balance the budget, when serious legislation is proposed for the purpose of meeting this objection we would not expect to receive this kind of inane answer from the Bureau of the Budget.

The legislation introduced proposes specifically that when the gross national product increases in the Nation, as I think it will in the years ahead, a specific amount of the tax revenue from that gross revenue product is to be earmarked and set up in the budget to be reported to Congress as the basis for debt retirement. The administration has undertaken to overlook that suggestion and says, "Oh, well, it means nothing anyway, because unless we have a surplus over and above appropriations we are not going to reduce the Federal debt."

I am certain we are not going to reduce the Federal debt until we undertake a systematic program for applying money against the Federal debt, and the way to start that is to have the President report in his budget message when he sends it to Congress each January how much it is anticipated the gross national product will increase during the ensuing fiscal year, and how much any earmarking of taxes from a definite proportion of that would amount to, and to allocate that, in connection with a balanced budget, specifically toward the problem of debt retirement.

I am discouraged that this administration has shown so little interest in the first specific program that has been made in this Congress in the direction of a systematic program for the reduction of the Federal debt and a declaration by the Congress that it intends to follow out that kind of systematic program.

I hope, too, that the distinguished chairman of the Senate Committee on Finance, at the beginning of the next session, will give me an opportunity to be heard on this proposed legislation so we can put this administration squarely up against confessions whether or not their talk of reducing the Federal debt and balancing the budget is just so much window dressing, or whether or not they are willing to support programs that look constructively and vigorously in that direction.

Mr. President, I am ready to yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Without objection it is so ordered.

ORDER FOR ADJOURNMENT UNTIL TOMORROW AT 11 A.M.—LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I am informed that this morning the Banking and Currency Committee voted to report to the Senate the President's veto message of the housing bill and the accompanying housing bill, with the recommendation that the bill pass, the objections of the President to the contrary notwithstanding.

I have conferred with the distinguished chairman of the subcommittee in charge of the accompanying legislation. He informs me that he would like to have the Senate meet tomorrow at 11 a.m., and remain in session until action is taken on the question of overriding the President's veto.

I have talked with as many of the members of the committee as possible, and I believe tomorrow will be the most convenient time we can select for that vote. I have cleared this matter with the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], and with the ranking minority member of the Banking and Currency Committee, the Senator from Indiana [Mr. CAPEHART].

Therefore, Mr. President, I ask unanimous consent that when the Senate concludes its session today, it adjourn until 11 a.m. tomorrow.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). Without objection, it is so ordered.

Mr. JOHNSON of Texas. I announce that tomorrow there will be the usual morning hour, with a 3-minute limitation on statements; and at the conclusion of the morning hour, the motion to which I have referred just now will be made, and Senators who then desire to discuss the merits of the veto message or the merits of the accompanying legislation will be heard. I hope the session tomorrow will last until late in the evening, if necessary, in order to have a yea-and-nay vote on the question of whether the bill shall pass, the objections of the President to the contrary notwithstanding.

CONVEYANCE OF CERTAIN LANDS TO THE STATE OF ILLINOIS

The Senate resumed the consideration of the bill (S. 747) to provide for the conveyance of certain lands known as the Des Plaines Public Hunting and Refuge Area to the State of Illinois.

The PRESIDING OFFICER. The question is on agreeing to the amendment to S. 747.

Mr. DOUGLAS. Mr. President, I understand the measure before the Senate is S. 747.

The PRESIDING OFFICER. The Senator is correct.

Mr. DOUGLAS. This is a bill which I introduced to convey some 2,400 acres of land in the so-called Des Plaines Public Hunting and Refuge Area to the State of Illinois for the consideration of $286,638.

Mr. President, the bill comes to the Senate with the unanimous endorsement of the Committee on Government Operations. A subcommittee consisting of the Senator from Maine [Mr. MUSKIE], the Senator from Alaska [Mr. GRUENING], the Senator from Oregon [Mr. MORSE], and the Senator from Indiana [Mr. CAPEHART], held hearings on the bill and unanimously reported the bill.

In the form in which the bill was reported it embodied an amendment suggested by my colleague from Illinois [Mr. DIRKSEN] which we have always understood was endorsed by the State administration.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am happy to yield.

Mr. MORSE. I wonder if the Senator will take a moment to explain the Dirksen amendment, because I do not think it is thoroughly understood.

Mr. DOUGLAS. I will do so in just a minute.

Mr. MORSE. I am sorry to have interrupted the Senator.

Mr. DOUGLAS. That is perfectly all right.

I am also happy to say that the amended proposal is endorsed by the General Services Administration, in a letter sent to the chairman of the committee [Mr. MCCLELLAN] under date of August 3, 1959. I ask unanimous consent that the letter may be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., August 3, 1959.

Hon. JOHN L. MCCLELLAN,
Chairman, Committee on Government Operations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Your letter of May 18, 1959, requested the views of the General Services Administration on S. 747 (amendments), 86th Congress, to strike out and amend all after the enacting clause and amend the title to read "A bill to provide for the conveyance of certain lands which are a part of the Joliet Arsenal Military Reservation, Will County, Ill., to the State of Illinois."

The purpose of the proposed amendment of the bill is to authorize and direct the Secretary of the Army to convey to the State of Illinois, without consideration therefor, approximately 1,500 acres of land at the Joliet Arsenal for wildlife conservation or recreational purposes.

The views of this agency with respect to S. 747 as originally introduced were expressed in our report dated March 24, 1959, to your committee, and in testimony on April 9 before the special subcommittee created to hold hearings on the bill. As introduced, the bill would require this agency to transfer 2,414 acres comprising a portion of Joliet Arsenal to the State of Illinois for use for wildlife conservation and recreational purposes. The State, through is department of conservation, has been operating this 2,414 acres and the 1,500 acres which are the subject of the substitute bill since March 29, 1948, as the Des Plaines Wildlife and Public Hunting Area. The 1,500 acres, more or less, described in the substitute bill have not been reported to GSA as excess property by the Department of the Army.

As we testified during the above-mentioned hearings and during hearings before the House Armed Service Committee on May 29, 1959 on H.R. 3984, a companion bill, since it appeared to us that certain portions of the property had a high potential for industrial development we were unable to say that it was chiefly valuable for wildlife conservation purposes. Accordingly, the property was offered for sale on February 2, 1959 in three separate parcels and as a whole to establish exactly what it would bring on the market. The bids were opened on March 16, 1959, and the awarding of the successful bids has been postponed until August 15, 1959, in order to study the results of the bidding, and to make a determination of whether the land should be conveyed for public or private uses as well as to afford your committee time to hold hearings on S. 747. Two of the parcels comprising 1,468 acres brought offers of $805 and $660 per acre on this first brief exposure to the market, which established that they are not chiefly valuable for wildlife conservation purposes. The third parcel of 946 acres, partly of low lying and inundated land, produced a bid of $303 per acre, which indicates that although this parcel is valuable for other than wildlife conservation use, its market value is not out of line with prices paid by the State of Illinois for park and wildlife conservation purposes in other localities. This 946-acre tract adjoins the 1,500 acre tract which is the subject of the proposed amendment to S. 747. GSA is prepared to sell to the State of Illinois the 946 acre parcel at the price of $303 per acre offered at the public sale. We believe it in the public interest to dispose of the remaining 1,468 acre tract for its value for industrial uses.

We understand that the State of Illinois is agreeable to buying the 946 acre parcel at the above stated price if they can get title to the 1,500 acre tract, and that they will not object to the sale of the remainder of the Des Plaines Wildlife and Public Hunting Area for commercial use, under these circumstances.

Therefore, GSA favors enactment of the proposed amendment of S. 747, which, together with sale of the 946 acres to the State of Illinois, as discussed above, would constitute an acceptable resolution of the problem under all of the circumstances.

The financial effect of the enactment of the proposed amendment to S. 747 cannot be ascertained at this time.

The Bureau of the Budget has advised that, while there is no objection to the submission of this report to your committee, the Bureau would have no objection to the enactment of the measure if S. 747 (amendments) is amended as suggested in the Department of the Army report to your committee on the bill.

Sincerely yours,

FRANKLIN FLOETE,
Administrator.

Mr. DOUGLAS. Mr. President, I think it may be important to see what is at issue in this matter. In the back of the Chamber I have a map, which illustrates a part of the land attached to the so-called Joliet Arsenal. The land, in all, comprises 43,000 acres. 2,400 of these acres were leased in 1948 to the State of Illinois for the purpose of a wildlife and game refuge. Those acres are designated as parcels 1, 2, and 3. The State of Illinois developed these parcels and spent upon them between $300,000 and $500,000. Part of this expenditure was in the form of buildings. All of the buildings are on parcels 1 and 2. Part of the expenditure was in the form of roads, which extend into parcel 3, which is the southernmost part of the original piece of land under consideration.

Mr. GORE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield.

Mr. GORE. Is this the tract of land for the purchase of which a corporation has been organized in Indiana?

Mr. DOUGLAS. No. That is connected with the Indiana Dunes. This land has nothing to do with the Indiana Dunes. It is about 60 miles from the Dunes. It is located entirely in the State of Illinois.

During the course of the winter, the Army declared these 2,400 acres to be surplus, and the General Services Administration asked for bids upon the land. Bids were made by an industrial syndicate, which offered a total bid of $1,351,000 for the full 2,400 acres.

In view of the shortage of recreational areas around Chicago, and in view of the fact that this area had been used for 10 years by the State of Illinois as a wildlife, hunting, and game refuge region, I introduced a bill to prevent the sale of the land for industrial purposes, and to continue to reserve it for the State for the purposes for which it has been used during the past 10 years.

Various conferences were held, and we reached an agreement with the State administration—my colleague [Mr. DIRKSEN] was very helpful in this connection—whereby 1,500 of the 2,400

acres, namely, parcels 1 and 2, fronting on the Des Plaines River, were to be used for industrial purposes, but parcel No. 3, the southernmost parcel, consisting of approximately 940 acres, was to be reserved for the State of Illinois.

Then it was proposed that, in addition to the 900 acres, a further plot of 1,500 acres lying directly south of parcel No. 3 should be conveyed to the State of Illinois. We can call this parcel 4. The Governor of Illinois asked for an appropriation of $286,638 for the transfer of parcel No. 3, and this was approved by the legislature. The money is now ready and can be used for this purpose.

This is the present-day, 100 percent fair market value of the property. When these areas were bid upon by the industrial syndicate, it bid $296,638 for parcel No. 3. So the State of Illinois is not only willing to pay 50 percent of the present fair market value; it is willing to pay 100 percent.

It is asking—and we are asking, fundamentally—that the 1,500 acres to the south be joined with parcel No. 3, and that the appropriation of $286,638 be regarded as an adequate State contribution to the Federal Government for the transfer of the full 2,400 acres.

In terms of original cost of acquiring these properties back in 1941, $286,638 represented between 75 and 80 percent of the original cost. If we add the improvements, in the form of roads, which the State has made upon parcel 3 during the intervening period, the total amount which the State is willing to pay, in cash and in kind, amounts to well over $286,638—how much more, we do not know.

I believe that this is a very sound and desirable transfer. As I have said, it is unanimously approved by the Committee on Government Operations, and has also been approved by the General Services Administration.

As the colloquy last week brought out, if and when these lands should cease to be used for recreational purposes by the State of Illinois, the title would revert to the Federal Government. So the full reversionary rights of the Federal Government would be maintained. If the national interest should require that the 1,500 acres be reclaimed by the Army, this will be given, too.

The objections to this proposal come from two sources. The first is from the Army itself. Second, there is the question of the so-called Morse formula.

The Army is objecting to the proposed transfer—although, as I have said, the General Services Administration is not—on the alleged ground that it needs the southernmost 1,500 acres for maneuver purposes.

I point out in this connection that the Army has 39,000 acres outside this area, which it could use for maneuver purposes. It seems extraordinary that it cannot part with this 1,500 acres.

The Army is offering, as a substitute for this 1,500 acres, another 1,500 acres, a mile and a quarter southeast, not contiguous, and separated from these parcels by Route 66, which is one of the most heavily traveled highways in the country. It would be impossible for people to go there on foot; likewise pheasants and ducks could not move.

So the Army proposal is a thoroughly unsatisfactory substitute, based upon the assumption that it must have the southerly 1,500 acres in order to carry on military maneuvers on weekends. To my mind this is truly an extraordinary position. The Army has 39,000 acres in which reservists can maneuver on weekends. This does not involve Regular troops.

While I do not wish to make any definite suggestions, it is interesting that the land which the Army wishes to retain is contiguous to the game preserve. Naturally pheasants would stray across the border, which would afford very valuable shooting bases for such officers of the Army as might care to come down on weekends and indulge in the sport of pheasant hunting.

I believe this really should dispose of the objection of the Army.

I notice that my good friend the Senator from Oregon [Mr. MORSE] is in the Chamber, and has before him a manuscript. I know that, unless his heart has softened, in the next few minutes he is likely to take the floor and say that this proposal does not meet the Morse formula, and therefore should be rejected.

It pains me very much to have my good friend from Oregon take this position. I remarked last Thursday that "bitter indeed are the chastisements of a friend." I believe, however, that this bill meets any sensible interpretation of the Morse formula.

Let me first discuss the acquisition costs for the 2 areas, plot No. 3, in the first 2,400 acres and then the 1,500 acres which have been added to it from the south. The acquisition cost of these 2,400 acres was something less than $400,000. In addition, as I have stated, the State of Illinois has made additional improvements, so that it is offering over 75 percent of the original cost.

As I understand him, the Senator from Oregon is contending that we should not take the original cost of acquisition, but instead what this land would bring in the open market if put up for industrial purposes. First, I point out that the $286,638 does take into consideration some of the increase in land value which has occurred between the time of acquisition and now. But if we impose the test which the Senator from Oregon is at the moment rigidly applying, it means that local communities will be forced to compete with industrial concerns for the acquisition of land; and factories and industrial concerns can generally pay much more than the local taxpayers are willing to pay for recreation. Just as it is impossible for a public housing project to pay for the use of land on the same scale that a hotel or skyscraper would pay, so it is almost impossible for localities to pay full commercial value for land for recreational purposes.

As a matter of fact, we do not know what the full commercial value of these 2,400 acres would be. We do know that for the northerly 940 acres the State of Illinois is willing to pay the full 100 percent value. It is our belief that if the 1,500 acres to the south are added, the total value would be at an acreage rate less than for the 940 acres to the north, and it may well be that the $286,638 would be close to half of the fair market value in terms of competitive prices. It might not be. But certainly it would be well over three-quarters of the cost of the original acquisition; in fact, according to some computations, it could well be in excess of the original acquisition.

I point out that there is a national interest involved in this matter. That national interest was first shown in the purchase of this land by the Army for ordnance purposes. Furthermore, the national interest demands recreational areas, and recreational areas are needed near the great cities, not merely in the wide open spaces of the West. I sometimes think that some of the Members of Congress from the Mountain States in the West think of recreation in terms of their beautiful mountains and seashores, and are less careful of the needs of the great city populations for places of easy access.

Yellowstone, Yosemite, Glacier, Grand Canyon, the beautiful Olympic peninsula, and the inspiring areas of Oregon and Washington are very lovely regions. I have tramped in those regions. I like them very much. But they are hardly accessible to the great mass populations of New York and Chicago. Only a comparatively few persons can reach them, and then only after a protracted automobile, airplane, or railroad trip. As the population of the Nation increases, and as the movement toward the cities continues to develop, great metropolitan accumulations of people are taking place, without adequate places being provided for them to enjoy the beauties of nature.

I have always supported the Senators from the Northwest in their attempt to conserve the public domain. I ask that they, in turn, appreciate the problems of the metropolitan areas. In and around Chicago there is already a metropolitan population of close to 6 million persons. In the course of the next 20 years, the population will increase to 8 million, and by the end of the century it will probably be more than 10 million. Huge areas of land for residential and industrial purposes are being taken, but the amount of land devoted to recreational purposes is all too meager. There is a Federal interest in the public health, as well.

So I hope the senior Senator from Oregon will evidence some compassion in this matter and will not oppose my proposal, which is, as I have said, in thorough conformity, I believe, with what is known as the Morse formula.

I may say to Senators across the aisle that the pending measure includes the amendment which the distinguished junior Senator from Illinois [Mr. DIRKSEN] has proposed, namely, to substitute the southerly 1,500 acres for the northerly 1,500 acres. So the bill is not in any sense a party measure. Therefore, in a sense, it comes with the unanimous support of the two Senators from Illinois, who represent both parties; and it comes with the approval of the Committee on Government Operations and of the General Services Administration. It is opposed only by the Army, the Bureau of the Budget, and, at least for the

moment, by the distinguished senior Senator from Oregon. I hope very much that the Senator from Oregon will dissociate himself from those relationships and will join hands with us who have always worked so hard with him so that we may save the recreational areas, not merely for the people of Oregon, but for the people of the Midwest.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MORSE. Returning to the Senator's explanation of the Dirksen amendment, am I to understand that the Dirksen amendment in essence means that it is proposed to substitute the 1,500-acre tract under consideration for a 1,500-acre tract which comprises lots 1 and 2?

Mr. DOUGLAS. That is correct. It substitutes an area which fronts on the Kankakee River for the areas which front on the Des Plaines River. Those two rivers join just a little farther on to form the Illinois River.

Mr. MORSE. What is the status of lots 1 and 2?

Mr. DOUGLAS. They are to be sold for industrial purposes, but the General Services Administration is asking for another set of bids.

Mr. MORSE. Does the Senator from Illinois know what the amount of the original bid for lots 1 and 2 was?

Mr. DOUGLAS. The bid for lot 1 was $449,000 for 620 acres; for lot 2, $559,000 for 848 acres; the total being approximately $1,050,000 for 1,500 acres.

Mr. MORSE. In addition, there is lot No. 3.

Mr. DOUGLAS. That is correct.

Mr. MORSE. I understand that the bid for lot No. 3, which the State of Illinois is willing to meet, is approximately $286,000.

Mr. DOUGLAS. That is correct—the full amount. But it wishes to have the $286,638 considered for both those 900 acres and also the 1,500 acres to the south; and we are prepared to submit an amendment which will make clear that the $286,638 is for both plots, not merely for plot No. 3.

Some unfortunate language was included in the bill as reported; there was a statement that plot No. 4 was being transferred without consideration. What we meant to say was that the $286,638 would be a consideration for both plot 3 and what I may call plot 4.

Mr. MORSE. Am I correct in understanding that the bids received for lots 1, 2, and 3 total approximately $1,300,000?

Mr. DOUGLAS. One-million, three-hundred-thousand.

Mr. MORSE. Am I also correct in understanding that the bids on lots 1 and 2 have, in effect, been rejected, and the General Services Administration is calling for additional bids?

Mr. DOUGLAS. Yes; it believes it can get more than that amount.

Mr. President, I am ready to yield the floor.

I am delighted to see in the chair the distinguished junior Senator from Maine [Mr. MUSKIE], who acted as chairman of the subcommittee in connection with this matter. He spent countless days in dealing with it—an amount of time which was greatly in excess of what its relative importance justifies.

If it is in order and is not a violation of Senate procedure, I wish to express my deep appreciation to the junior Senator from Maine [Mr. MUSKIE] and to the junior Senator from Alaska [Mr. GRUENING] for the care they exhibited in dealing with this matter and for the statesmanship they showed. I hope that if the going gets rough, we shall be able to have some other Member of the Senate take the chair, to preside over the Senate, so that the Senator from Maine may thus depart from his present position of legislative impartiality, and may participate in the debate.

But I hope that will not be necessary, and that the Senator from Oregon [Mr. MORSE] will realize that the weight of opinion and of justice is against him; and I hope that after a nominal argument designed to indicate the consistency of the Senator from Oregon, he may be persuaded, by reason of logic and justice, to agree to have this measure passed, together with whatever amendments may be necessary to indicate that, in fact, the Morse formula is being observed and followed.

Mr. MORSE. Mr. President, will the Senator from Illinois yield?

The PRESIDING OFFICER (Mr. MUSKIE in the chair). Does the Senator from Illinois yield to the Senator from Oregon?

Mr. DOUGLAS. I am glad to yield.

Mr. MORSE. I should like to suggest to the leadership of the Senate that arrangements be made so that the distinguished junior Senator from Maine [Mr. MUSKIE] can participate in the debate, because I certainly would like to hear his explanation of the bill. I am always looking for new knowledge, and I would certainly like to hear his explanation of why he voted in the committee for this bill.

Mr. DOUGLAS. Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). The Chair expresses his appreciation, and would be happy to participate in the debate at any time when that is made possible.

Mr. MORSE. Mr. President, by way of introduction to the argument I shall submit to the Senate today, I shall repeat only the main outline of the argument I submitted last week.

At the outset, I wish to say—as I tried to make clear last week—that it pains me and grieves me whenever I find myself in disagreement with the Senator from Illinois [Mr. DOUGLAS], because he is one of my great teachers. I have sat at his feet, in the field of economics, more than he knows. Whenever I find myself in disagreement with the senior Senator from Illinois, who is a distinguished scholar and is one of the greatest debaters I know, I am very careful to be completely satisfied that I am correct, and that, on such rare occasions as this one, my great teacher, the Senator from Illinois, has only proved that he is fallible.

Certainly, Mr. President, in my judgment the Senator from Illinois is mistaken in regard to certain points in connection with this controversy, and therefore it is impossible for me to vote for the bill in its present form. But, as I shall endeavor to demonstrate as the debate this afternoon progresses, I have some suggestions to make; and I believe they will perfect the bill, and will protect what I regard as a policy which should be maintained in the Senate.

That policy is one which, without exception, I have followed since 1946. I have dedicated myself to that policy, insofar as proposals for the transfer of Federal property are concerned—to such an extent, in fact, that I am satisfied that the savings which have accrued to the taxpayers of the Nation since 1946, as a result of the application of the so-called Morse formula, total a great many millions of dollars, which is not a bad saving as a result of a one-man economy drive. I did not do it alone, I hasten to add. That saving never would have been made if I had not had the cooperation of my colleagues in the Senate.

It should be stated that at times when I have objected to consideration of certain measures during the call of the Consent Calendar, because I did not believe that the taxpayers of the country would receive, if those measures were enacted, proper compensation for the property concerned, the application of my formula has been defeated by means of motions to have the Senate consider those bills. As a result of agreeing to such motions, several bills have been considered and passed by the Senate, even though they were in violation of the Morse formula. However, such instances since 1946 have been very, very few. I have never had a count of them made, although I shall do so, and I should have had one made before this debate today. But at this time I shall make an estimate that since 1946, not more than a dozen bills to which I have objected during the call of the unanimous Consent Calendar, because I have believed the bills to be in violation of the Morse formula, have been passed by the Senate, as a result of the making of motions for their consideration. In fact, I believe that less than one dozen bills of that sort have been passed under such circumstances.

I doubt very much if there have been a dozen times since 1946 when the Senate has seen fit to circumvent the Morse formula, so to speak, through bringing up by way of a motion, a bill which has has been objected to on a call of the calendar.

I want to thank my colleagues in the Senate, including the Senator from Illinois, for years and years of assistance, time and time again, in support of the principle I rise to defend here again today.

We can have, and have had—and this is an instance in proof—honest differences of opinion as to whether in a particular case the Morse formula in fact applies; but I would not object to any bill if I did not think the formula applied and was willing to state my case, as I shall this afternoon, as to why I think it did apply. But it is this word of thanks I want to express at this point in debate to my colleagues who have joined me time and time again in supporting the proposal we adopted in 1946,

that surplus Federal property should not be given away, but should return at least some money to the Treasury of the United States for its transfer. In case a bill seeks to grant surplus Federal property to a private party or body or institution, the Federal Government should receive 100 percent of its fair market value. If the bill proposes that the property should be transferred to a State, county, school district, or political subdivision of some State for public purposes, then that political body should pay 50 percent of the appraised fair market value, that value taking into account the diminution of the value of the property created by reservations that may be attached to the conveyance, or sale in case of personal property.

Mr. President, that has been the policy. I think it is good policy. The Senator from Illinois thinks it is good policy. He only disagrees in this instance with the Senator from Oregon as to the application of the formula to this particular bill. It is a very fair and honest position for him to take, and I know that he would take no other.

I think one word of further explanation should be made as to the origin of this policy, because, as I said the other day, I would that it did not bear my name. I would that it just bore the name of the Senate's formula for the disposal of surplus property. It bears my name only because in 1946 I served on the Armed Services Committee of the Senate. The first subcommittee chairmanship it was ever my honor to fill in the Senate was in 1946, came when I was appointed by the then chairman of the Armed Services Committee to be chairman of a special committee to consider a policy that ought to be adopted by the Armed Services Committee with respect to the transfer of surplus military property.

We were confronted in 1946 with an avalanche of bills, introduced in both Houses of the Congress, to give away great quantities of surplus military property. It seems that there was a tendency to turn surplus military property into a sort of political grab bag, and many politicians in the Congress took advantage of the opportunity to introduce bills that would have a very strong appeal in their home towns or home districts or home States, and proposed that a considerable quantity of military property should be transferred by the Federal Government to some State agency or subdivision.

It was such a serious matter, Mr. President, that the Armed Services Committee decided we ought to do something about it, and so a subcommittee, which the Senator from Oregon served as chairman, the other two members of it being the Senator from Massachusetts [Mr. SALTONSTALL] and the Senator from Virginia [Mr. BYRD], was appointed to consider this problem and make a recommendation of policy to the Armed Services Committee.

The subcommittee did consider the problem. The members of the subcommittee came forth with a unanimous recommendation, which was unanimously adopted by the Armed Services Committee in 1946, that with respect to military surplus property, which was the only property over which the Armed Services Committee had jurisdiction, it would be the policy to require that any bill which proposed to transfer any surplus military property should include in it a formula requiring payment of 50 percent of the fair market value of the property by any public agency for the conveyance of the property to be used for public purposes, and 100 percent if the transfer was to a private agency or individual.

Mr. President, the Armed Services Committee was not the only committee in the Senate that had jurisdiction over surplus Federal property. There are great quantities of Federal surplus property that fall within the jurisdiction of other committees. It did not seem fair and right to me that we should follow one rule, requiring that any bill which provided for the transfer of surplus military property should contain the fair market value formula—and that is where the formula arose—and should not apply the same principle to the other surplus property that fell under the jurisdiction of other committees.

So the CONGRESSIONAL RECORD will show that in 1946 I said on the floor of the Senate that, so far as bills called on the unanimous consent calendar were concerned, it would be the policy of the Senator from Oregon to object to any transfer of surplus Federal property unless the formula which had been adopted in the Armed Services Committee was followed in such bills. That is how the formula came to be known around the Senate as the Morse formula; and I have followed it ever since.

Mr. President, with that discussion of historic background, we turn to the operative facts of the case now before the Senate. I shall repeat at this time a very brief part of the speech I made last week on this subject matter only because I think, for the purposes of logical development this afternoon and for reference by anyone who reads the RECORD later, the explanation should be contained in my speech today.

As I said the other day, S. 747, the bill under consideration, would authorize the Administrator of the General Services Administration to convey to the State of Illinois approximately 946 acres of land for wildlife, conservation and recreational purposes. The State, under the provisions of the bill, would pay the Federal Government a total of $286,638 at the rate of $303 per acre for the 946 acres of land declared to be surplus. As to this parcel, the bill contains a provision under which the 946 acres would revert to the United States in case the lands should cease to be used for wildlife, conservation, and recreational purposes.

Section 2 of the bill authorizes and directs the Secretary of the Army to convey to the State of Illinois, without consideration, approximately 1,500 acres of land adjacent to the 946-acre tract. The 1,500 acres of land would also be used for wildlife, conservation, and recreational purposes. The conveyance of the 1,500-acre tract of land would be contingent upon the State's purchase of the 946-acre tract. The bill contains the usual reversionary clause.

Then I made a statement about a point which has been raised again today in the able discussion of the Senator from Illinois, and therefore I think I should repeat my position in the matter. I said the other day that I wished to say for the RECORD, so that the Senator from Florida [Mr. HOLLAND] could consider it the next day, as he studied my statement on this matter, that the insertion of a reversionary clause in any particular land transfer did not in any way remove the applicability of the Morse formula to such land transfer. It needs to be kept in mind that the formula calls for payment of 50 percent of the appraised fair market value when the conveyance is for public purposes. If a piece of property has a reversionary clause attached to the conveyance, then the appraised fair market value would be considerably less than would be the case if there were a transfer in absolute fee simple.

Therefore, I could not quite follow the implied reasoning of the Senator from Florida [Mr. HOLLAND], when he raised a question as to whether the transfer contained a reversionary clause. It does, but it still follows that the Morse formula is equally as applicable as it would be in the case of a transfer in absolute fee simple.

There have been scores and scores of cases since 1946 in which we have applied the formula for transfers which contained a reversionary clause. In fact, Mr. President, though I am guessing now, I think it is a reliable guess that perhaps most of the transfers since 1946 have retained for the Federal Government mineral rights by way of a reservation clause.

In this particular type of transfer, the reversionary clause is one which would put the property back in the Federal Government if the State of Illinois, the recipient of the property, should cease to use it for the purposes for which it is being conveyed. Property with that kind of a reversionary clause has value, and the reversionary clause will be weighed by the appraiser when he appraises what the fair market value of the property is with that encumbrance attached to it.

Mr. President, as I have stated, the bill contains the usual reversionary clause, to become effective in case the land should cease to be used for wildlife, conservation, and recreational purposes.

The State of Illinois has been operating the above-mentioned area since March 29, 1948, as the Des Plaines wildlife and public hunting area through a permit granted to it by the Department of the Interior. The original authorization was for a 5-year period and was extended for another 5-year period ending in 1958. The property in question was originally part of the Joliet arsenal comprising 36,092 acres. In early 1958 the 946-acre tract of land was declared surplus. The remainder of the hunting area, consisting of approximately 1,500 acres, was retained by the Department of the Army. According to the committee report, the 1,500-acre tract is not surplus property.

The original acquisition cost of the property covered by the bill as originally introduced by the distinguished Senator

from Illinois [Mr. DOUGLAS] was $615,119. The bill as introduced by the Senator from Illinois would have authorized and directed the Administrator of the General Services Administration to convey to the State of Illinois, without consideration, 2,414 acres of surplus real property for the purposes I mentioned previously.

The Senator from Illinois then went on the other day to point out that the bill was introduced primarily for the purpose of getting a stay of time so that further consideration could be given to this problem, and subsequently S. 747 in its present form was introduced, which, as has been pointed out in the debate, involves only the 1,500 acres of land, and what on the map here in the back of the Senate Chamber I would refer to as the parcel of land at the lower extremity of the map, which we may consider as parcel No. 4.

Parcels 1 and 2 on the map were parcels of land which the General Services Administration has declared to be surplus, on which some bids have been obtained, but not accepted, and for which the General Services Administration, the Senator from Illinois now tells us, is asking for further bids because they think they can get more money for the land than was originally bid.

Parcel 3 on the map is the 946 acres in question, for which the State of Illinois proposes to pay some $286,000, which is the amount of the highest bid for the property, and which, I agree with the Senator from Illinois, apparently represents a fair market evaluation of the property.

Mr. DOUGLAS. Will the Senator yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. One hundred percent of what its value would be for industrial purposes.

Would the Senator further yield?

Mr. MORSE. Yes, I yield.

Mr. DOUGLAS. Mr. President, it is the purpose of the Senator from Illinois to offer an amendment pointing out that the $286,638 which the State of Illinois would pay for both parcels 3 and 4 we believe is in excess of 50 percent of the fair value of the land for recreational purposes, not necessarily for industrial purposes but for recreational purposes.

Mr. MORSE. Well, let me say that in the course of my argument this afternoon I shall point out that in my judgment the offer of the State of Illinois to pay $286,000 for 946 acres of land is twice as much as they should be expected to pay for it. The Senator from Oregon would have supported from the very beginning a bill that would have proposed to transfer to the State of Illinois the 946 acres of land for 50 percent of its appraised fair market value.

What the Senator from Illinois may have in mind when he talks about "for recreational purposes," I am not too sure. We do not distinguish between taxpayers of the United States so far as the value of land is concerned. The taxpayers of all the United States own this land.

It has always been the position of the Senator from Oregon that the taxpayers of the United States are entitled to receive their money's worth. They are entitled to receive 50 percent of the appraised fair market value minus a reduction of value, as the appraisers would have to determine, because of the reversionary clause that would be attached to the transfer.

I will say more about it later, but I want the Senator from Illinois to understand that the Senator from Oregon never has taken the position that we are going to bleed out of the purchaser of a piece of property every last dollar we can get for it. That is why I have always supported the reversionary clause, because when a reversionary clause is attached, automatically the value of the property depreciates.

A reversionary clause is attached for two purposes; first, because the Federal Government in such cases believes that it is important that it maintain some legal access to the property, which is what a reversionary clause makes available to the Federal Government in such transfers; and also because the Federal Government takes into account the nature of the property, and the purpose for which the property is going to be used.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. I appreciate the two statements of the Senator from Oregon very much. The first is an admission that the State of Illinois is paying very much more than one could expect it to pay, under the Morse formula, for plot No. 3. In fact it is paying 100 percent, whereas the Morse formula is only 50 percent. I may say in that connection that we would like to have this excess payment on plot 3 considered as payment on plot 4.

Mr. MORSE. That is one of the suggestions I was going to make.

Mr. DOUGLAS. In line with that suggestion, I think it will be found that it is close to the 50 percent of fair market value, properly defined, of the two plots considered as a unit.

Mr. MORSE. If the Senator will permit, I am going to propose, before I conclude, some modifications to the bill which would give the State of Illinois credit for its overpayment, and I think more, possibly, but I am going to leave that up to the appraisers, and I also propose to leave up to the appraisers the value of tract No. 4.

I do not think that should be determined on the floor of the Senate. It is a highly technical matter, and we ought to be willing to leave it to the appraisers.

Mr. DOUGLAS. If I may make one point in the discussion with the Senator from Oregon, if the Senator means, by "fair market value," the amount for which the property can be sold for industrial purposes, I think that is altogether too rigorous a standard.

While the Senator from Oregon says he does not intended to bleed the last dollar which he can get for the property out of the State and out of the people of Illinois, that is in fact what he would be doing under such a standard.

If the Senator will permit, I should like to read my testimony on this point, given before the committee. The Senator from Maine [Mr. MUSKIE], who was the chairman of the subcommittee, asked me this question:

Would you consider the bid to be a fair reflection of the fair value of the property?

I replied:

Well I think that is a very important issue here. Should you take as your standard of comparison the value of this land for industrial purposes, or the value of the land for recreational purposes? Now this is a policy problem that you will have to decide.

The Senator from Maine asked me the further question:

If the value of the land for recreational purposes were less than its value for industrial purposes—

I replied:

Yes, it would be.

Then I asked some further questions of the subcommittee, which I now ask of the Senator from Oregon.

Well, how much is a mother's love worth? Some of the most precious things in life cannot be bought and sold in the market place. How much is Christian charity worth; how much can you sell that for in the marketplace? There are a whole lot of values, which the General Services Administration either feels that it is legally prohibited from considering, or chooses not to consider.

I will say that the Army probably would be even more rigorous than the General Services Administration.

I went on:

But certainly recreation, contemplation of nature, periods of quiet are of tremendous value even though you cannot put a price on them so far as the market is concerned. And I think one of the great troubles in this country is the fact that we tend to judge everything by the thumb and finger measurement, what it will sell for.

I do not want to quote poetry to my good friend from Oregon, but he will remember the lines from Rabbi Ben Ezra:

But all, the world's coarse thumb and finger failed to plumb.

What the Senator from Oregon is insisting upon, apparently, is that the coarse thumb and finger of the industrial value of this property should be used as the sole test of value. I am appealing to the Senator's better nature, to his warm heart and to his compassionate soul, in urging him to get away from this lawyer like prison into which he has encompassed himself, to burst his bonds of captivity and to set his soul free.

Mr. MORSE. I appreciate that appeal of the Senator from Illinois, but on matters such as this one must be somewhat like the banker with one glass eye. He must fulfill his duty of guardianship over the public treasury. If the Senator will bear with me, as a one-eyed, glass-eyed banker does——

Mr. DOUGLAS. Mr. President, will the Senator yield further?

Mr. MORSE. I yield.

Mr. DOUGLAS. I have noticed with respect to certain bills recently under consideration—noticeably, bills for the transfer of lands to Indian tribes in New Mexico—the Senator from Oregon was not as rigorous in applying these tests as he is in applying them to the citizens

of Illinois. I wonder if the Senator would be inclined to favor this proopsal if we set up a committee of Indians to administer the tract of land. We could name a group of Indians as trustees, and perhaps this might make the Senator from Oregon look more kindly upon the proposal.

Mr. MORSE. I am sure my good friend from Illinois knows that an allegation is not proof. The mere fact that the Senator from Illinois alleges I followed a different court of action with regard to the transfer of Indian lands does not make it so. I would be very glad to discuss those Indian land cases with the Senator from Illinois, or any other case involving the Morse formula, and demonstrate to the Senator, at least so far as the precedents and my views are concerned, that I have followed a consistent policy with regard to the application of the Morse formula.

I am delighted to be of help to the Senator from Illinois. I have a suggestion I will make before we finish this discussion which ought to be of help to the Senator.

No criticism, express or implied, is intended by my suggestion. I have studied this case at some great length. As the evidence I shall introduce in the RECORD later will show, I have taken up the matter with the Department of the Army and with the General Services Administration. I should like to direct the attention of the Senator from Illinois to the question of whether the authors of the bill have given full consideration to the possibility of a national interest involved in the property, which I do not seem to be able to find in the RECORD, except by a passing reference here and there. I refer to the fact that the property involves a Federal interest in respect to the use of the lands for the flight of wild fowl from Canada across Illinois on down into the southern States.

The Federal Government spends huge sums of money for the protection of wildlife and wild fowl. I have read the RECORD. There are passing references to this matter, but I wonder if the Senator from Illinois disagrees with me when I say that the RECORD does not contain a presentation of the value of the Federal interest in maintaining access to the land for wild fowl, in respect to which all the people of the United States have a considerable interest.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. I thank the Senator from Oregon for suggesting this point, because I think the Senator strengthens the position of the Senator from Illinois, even though inadvertently.

Mr. MORSE. Not inadvertently; by plan. I have worked on this matter. Since the Senator and I discussed the matter the other day I have worked hard.

Mr. DOUGLAS. I am profoundly grateful.

Mr. MORSE. I am always glad to pleasantly surprise the Senator from Illinois.

Mr. DOUGLAS. May I continue? Would the Senator from Oregon regard the Senator from Illinois as being reasonably truthful?

Mr. MORSE. I would insist that the question be stricken from the RECORD, because it implies that the Senator from Oregon might have some doubt as to the Senator from Illinois being the personification of integrity and truthfulness.

Mr. DOUGLAS. I do not claim to have those qualities.

Mr. MORSE. That is the opinion of the Senator from Illinois held by the Senator from Oregon.

Mr. DOUGLAS. I am very glad to have this certificate of good character. [Laughter.]

I will say that I have inspected the area, and I know the area very well. The Kankakee River is on the international wild fowl flyway.

Mr. MORSE. That is the term I was trying to recall, the flyway.

Mr. DOUGLAS. The wild geese, as they fly down from the north, avoid Chicago, because that is a great metropolitan center, but they come down to the Kankakee River, which, with the Des Plaines River, forms the Illinois River shortly below the area in question. Then the geese continue on their course. The United States maintains game refuges, where the wild geese can stop to rest, so to speak.

Mr. MORSE. And the wild ducks.

Mr. DOUGLAS. As the geese move south there are further refuges which the Government maintains, so that the geese may have an uninterrupted course, do not exhaust themselves, and are not completely obliterated by hunters.

If the Senator from Oregon is more appealed to by the flight of wild geese than the plight of humans, I can use this as an argument. I have been discussing the need of human beings for places of rest and quiet. I have not seemed to make much of an impression on the Senator from Oregon. But if he is more interested in fowl than in humans, more interested in geese than in children, we can take care of the people and the geese too.

I have learned some very interesting things about geese, by studying their behavior. Geese have the greatest devotion to each other of any birds that I know. The mating habits of many birds tend to be transitory; but if a male goose loses the companionship of his mate, he remains single throughout the remainder of his life. His fidelity lasts beyond death. The same goes for the female goose, too.

So I join my colleague in paying tribute to the geese. Since he does not seem to be affected by the plight of humans, I think possibly he may now be concerned, since he realizes that this area would provide a hostel for geese, and that the State of Illinois would furnish it as a part of a general system of game refuges. Perhaps his legal scruples could be overcome in this larger cause.

Mr. MORSE. Mr. President, all I wish to say to the Senator from Illinois is that it has been a great pleasure to me to observe his debating technique in the Senate over the years. He loves debating, and sometimes he allows the forensics of the moment to carry him away into committing a great fallacy by trying to put in the mouth of another words which he did not use, or into his mind ideas which he does not hold. The Senator from Illinois was guilty of that technique when he sought to leave in the record the false impression that, in connection with this subject, the Senator from Oregon places the interests of wildfowl above those of human beings.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. I am not making the record. The Senator from Oregon is making the record.

Mr. MORSE. Would that that were true. But the Senator from Illinois has just made that record. It is inconsistent with the facts. I thought I had the complete and perfect attention of the Senator from Illinois the other day. I was personally pleased and flattered that the Senator from Illinois was giving me what I thought was perfect attention, but apparently he was paying attention to something else, in view of the argument he has just made.

The other day, on the floor of the Senate, the Senator from Oregon said:

> How can we evaluate what this land will be worth to unborn generations of American boys and girls who will live in the area of Chicago, land within easy, quick access to the Loop of Chicago? This is an area to which they can go—and I am not being sentimental—to get a little closer to their Creator, as all of us always do when we find ourselves in the bosom of nature. I think that is worth much to the Nation as a whole, as well as to the people of Illinois.
>
> With these views in mind, I think it ought to be possible for us to find an area of agreement in regard to this matter, an agreement which will protect a principle which, not because it bears my name—as I have said, I wish it might be called the surplus property disposal formula rather than the Morse formula—is very close to my interest. We should not overlook the fact that since 1946 the application of this formula has saved the taxpayers many millions of dollars in specific bills, and we do not know how many millions of dollars more because of the fact that bills have come to the floor containing this principle.

Later in the speech the other day—I will paraphrase it—I said to the Senator from Illinois that I felt that Senators from the West very frequently overlooked the problems confronting Senators from the Midwest and the East in regard to the need for recreational areas. I said there was a national interest involved in our seeing to it that easy access to such areas was provided to the many people living in Chicago. I think the RECORD will show that I referred to a similar problem in New York and other metropolitan areas. The people of such areas should have access to recreational areas or wilderness areas so that they, too, may enjoy getting closer to their Creator, as each of us does when he goes out and loses himself, so to speak, for a period of time, in the bosom of nature.

So, esteeming the Senator from Illinois as I do, I do not hesitate to correct what would be a very unfair implication in this record if I did not answer it. That implication is to the effect that the Sen-

ator from Oregon places wild fowl above human values. Quite to the contrary. What I am trying to work out, in all sincerity, is an adjustment of the problem so that interests of all the taxpayers of the country will be protected and at the same time a very good arrangement for the people of the State of Illinois will be provided with respect to this land. If the Senator from Illinois will patiently hear me through, I do not think he can have any doubt as to my motivation when I finish this account.

The RECORD of the other day will show that the Senator from Illinois and I had a discussion as to the position of the General Services Administration in regard to this bill. The Senator from Illinois pointed out that the General Services Administration now favors the bill. I said that I had been in some doubt about it, because I do not think the committee report makes it very clear.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. That was not the fault of the committee. The General Services Administration did not make its position clear until the 3d of August. By that time the committee report had been filed. But the evidence is now clear.

Mr. MORSE. I believe the Senator from Illinois is correct. The RECORD will have to speak for itself. Again I paraphrase, but accurately. I believe the RECORD will show that the other day I said that I did not find in the committee report any clear statement that the General Services Administration supported the bill. The Senator from Illinois assured me that it did. I accepted his statement; but the RECORD will show that I told the Senator from Illinois that I would write a letter to the General Services Administration over the weekend for the purpose of getting the answers to certain questions I wished to have answered, and for clarification purposes. I think I certainly paraphrase the Senator from Illinois very accurately when I say that the RECORD shows that the Senator from Illinois said he hoped I would do so.

He also said something to the effect that he was pleased that I was seeking to find some common ground on which we could at least narrow the area of our disagreement.

I announced also that I would write to the Department of the Army. I have done so. I think it is only fair to all concerned that I read into the RECORD my letter to the General Services Administration and the reply to me, dated August 5:

AUGUST 5, 1959.

Re S. 747.

Mr. FRANKLIN FLOETE,
Administrator, General Services Administration, Washington, D.C.

DEAR MR. FLOETE: Yesterday Senator PAUL DOUGLAS and I engaged in a colloquy on the floor of the Senate with respect to the pending legislative proposal to transfer from the Federal Government to the State of Illinois approximately 2,446 acres of land designated as the Des Plaines Public Hunting and Refuge Area. A tearsheet from the RECORD of August 4, containing our remarks, is enclosed. Also enclosed are copies of S. 747, as reported to the Senate, and Senate Report No. 565 thereon.

S. 747 has given me a great deal of concern because of my fear that in its present form it may violate the so-called Morse formula under which payment of 50 percent of the fair appraised market value is required where lands are to be conveyed by the Federal Government for public use purposes.

A reading of Senate Report No. 565, especially the material at pages 4 and 5, gave me the impression that the General Services Administration does not favor S. 747, but some doubt was raised on this point during my floor discussion with Senator DOUGLAS. I was told at that time that the GSA objection was directed toward S. 747 in the form in which it was introduced originally by Senator DOUGLAS and that the objection does not apply to the bill as it was reported to the Senate. You will note that on the enclosed tearsheet, taken from the CONGRESSIONAL RECORD, page 15087, Senator DOUGLAS had this to say on the specific point:

"The objection of the General Services Administration was directed toward my original bill. When it was modified to substitute the lower 1,500 acres for the more northerly 1,500 acres, and when it was accompanied by the offer of the State of Illinois to pay $286,638, I am informed that the General Services Administration was and is in favor of the bill in its present form, although the Bureau of the Budget has not given its approval."

I would appreciate receiving a report from you at the earliest possible date concerning your present position with respect to S. 747 as it was reported. If you have no objection to the bill as reported, I would like to have that information and an indication of why you find the bill unobjectionable. Time is of the essence on this matter inasmuch as the bill will be discussed, in all probability, within a few days.

It is my sincere hope that I may be able to work out with Senator DOUGLAS some satisfactory arrangement whereby the 2,446 acres may be conveyed to Illinois for public-use purposes at 50 percent of the fair appraised market value. It will be of great help to me if you can supply the following information on this topic:

1. The lands discussed in section 1 of S. 747 comprise 946 acres of surplus property designated as parcel No. 3, which, under the bill, would be conveyed to the State of Illinois for $286,638.

What is your latest estimate of the fair appraised market value of this parcel?

2. Does parcel No. 3 include buildings and other improvements?

3. If the answer to question No. 2 is "Yes," please advise me of the respective values of the land, buildings, and other improvements, and indicate whether the buildings and improvements were placed on the land by the Federal Government or by the State of Illinois or one of its subordinate agencies of government.

4. What is your latest estimate of the fair appraised market value of the 1,500 acres (lying immediately south of parcel No. 3) which, under section 2 of S. 747, would be conveyed, without consideration, to the State of Illinois?

5. Does the 1,500-acre tract include buildings and other improvements?

6. If your answer to question No. 5 is "Yes," please advise me of the respective values of the land, buildings, and other improvements, and indicate whether the buildings and improvements were placed on the land by the Federal Government or by the State of Illinois or one of its subordinate agencies of government.

According to Senate Report No. 565, the 1,500-acre tract has not been declared surplus to the needs of the Government. If so, the answers to questions 4, 5, and 6 may have to be supplied by the Department of the Army. Since I desire very much to have prompt answers to all of these questions, I would appreciate it if the General Services Administration would collaborate with the Department of the Army in supplying answers to the last-mentioned questions. In order to facilitate matters, I am transmitting a copy of this letter and enclosures to the Secretary of the Army.

In some of the questions listed above I asked for information on the fair appraised market value of the two tracts under consideration. If the fair appraised market value is not immediately available in your files, I would appreciate very much having estimates of approximate values of the tracts to which I can refer in my further discussions of this case on the floor of the Senate.

Sincerely yours,

WAYNE MORSE.

Under date of August 7, 1959, 2 days after I sent my letter—and I want the General Services Administration to know that I appreciate very much their cooperation in this matter—I received the following letter from Mr. Floete, Administrator of General Services:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., August 7, 1959.

Hon. WAYNE MORSE,
U. S. Senate, Washington, D.C.

DEAR SENATOR MORSE: In response to your request of August 5, 1959, for information as to the position of the General Services Administration with respect to S. 747 as it was reported to the Senate, there is enclosed a copy of our report of August 3, 1959, to the Senate Committee on Government Operations.

The answers to the specific questions which you pose are as follows:

1. As is indicated by our report of August 3, 1959, we consider the current market value of parcel No. 3 to be $286,638 ($303 per acre), the amount of the high bid received after nationwide advertising of its availability for sale.

2 and 3. Our records indicate that there are no improvements of any value on parcel No. 3.

4, 5, and 6. We have been advised by representatives of the Secretary of the Army that you are being furnished the desired information by the Army.

We note that under section 2(a) of S. 747, as reported by the committee, the Secretary of the Army is authorized and directed to convey the 1,500-acre parcel "for wildlife conservation or recreational purposes." Under current general law, conveyances to States, political subdivisions, etc., for park or recreational purposes are authorized to be made at 50 percent of fair value (sec. 13(h) of the Surplus Property Act of 1944, 50 U.S.C. App. 1622(h)), while conveyances to State agencies, for conservation of wildlife, of property chiefly valuable for such use are authorized to be made without reimbursement or transfer of funds (Public Law 537, 80th Cong., approved May 19, 1948, 16 U.S.C. 667 b–d).

It has occurred to us that elimination of reference to recreational purposes in section 2 might constitute a possible basis of compromise, since such an amendment would bring the section into conformity with the general law.

Sincerely yours,

FRANKLIN FLOETE,
Administrator.

The quoted letter refers to the GSA report of August 3, 1959. I shall not include it in the RECORD at this point because the Senator from Illinois [Mr. DOUGLAS] has already placed it in the RECORD.

I may say to the Senator from Illinois that after I received this letter from the

General Services Administration, I went to the law books, because I have no desire, as I said before, to exact from the State of Illinois any price for this property which would be unfair or which, by some modification of the bill, could be greatly reduced, if the bill were changed so as to comply with existing law. So I call the attention of the Senator from Illinois to title 16 of the United States Code, section 667(b), which reads as follows:

§ 667b. Transfer of certain real property for wildlife conservation purposes; reservation of rights.

Upon request, real property which is under the jurisdiction or control of a Federal agency and no longer required by such agency, (1) can be utilized for wildlife conservation purposes by the agency of the State exercising administration over the wildlife resources of the State wherein the real property lies or by the Secretary of the Interior; and (2) is chiefly valuable for use for any such purpose, and which, in the determination of the Administrator of General Services, is available for such use may, notwithstanding any other provisions of law, be transferred without reimbursement or transfer of funds (with or without improvements as determined by said Administrator) by the Federal agency having jurisdiction or control of the property to (a) such State agency if the management thereof for the conservation of wildlife relates to other than migratory birds, or (b) to the Secretary of the Interior if the real property has particular value in carrying out the national migratory bird management program. Any such transfer to other than the United States shall be subject to the reservation by the United States of all oil, gas, and mineral rights, and to the condition that the property shall continue to be used for wildlife conservation or other of the above-stated purposes and in the event it is no longer used for such purposes or in the event it is needed for national defense purposes title thereto shall revert to the United States. (May 19, 1948, ch. 310, § 1, 62 Stat. 240; June 30, 1949, ch. 288, title I, § 105, 63 Stat. 381.)

I say to the Senator from Illinois and to other Senators that this section of the United States Code needs to be analyzed and carefully considered, in my judgment, in connection with certain proposed modifications of the bill which I shall make before I take my seat. However, certain points in this section of the code ought to be very clearly stated for the RECORD, so that anyone reading the RECORD will not assume for a moment that we were not cognizant of that provision and did not take it into account as we considered certain modifications of the bill, which I shall propose. The statute provides:

Upon request—

The State of Illinois can make that request—

real property which is under the jurisdiction or control of a Federal agency and no longer required by such agency, (1) can be utilized for wildlife conservation purposes by the agency of the State exercising administration over the wildlife resources of the State wherein the real property lies or by the Secretary of the Interior.

We have a stumbling block in that language, in the words "no longer required by such agency." Who will determine whether it is required by such agency or not? There is no doubt, as the evidence I shall place in the RECORD shortly shows, that the Department of the Army is adamant about this matter—regrettably and unfortunately so, I believe.

The fact is that the Department of the Army says it needs this particular tract of land for Army purposes. It says it needs this tract of land in connection with the Reserve program.

The Senator from Illinois does not share that opinion. I have a great deal of respect for the analytical ability of the Senator from Illinois to detect military policies that are not in the public interest. He has demonstrated that ability time and time again, here in the Senate.

But the Senate needs to have a clear understanding that the Department of the Army has adamantly refused to declare this property surplus, and it continues to refuse to declare it surplus. The communications from the Army which I shall soon place in the RECORD leave no room for doubt that I have just heard from the Army. It still is opposed to the proposed transfer, because it says the land is needed for Army purposes.

That situation puts us in a very difficult and grave position. We have the power, as the legislative body, to say to the Army, "We declare this property surplus." We can pass a bill which will overrule the Army. In other words, in connection with this matter the Army can be overruled by the Congress. But certainly we should be very careful to satisfy ourselves that the 1,500 acres of land in parcel No. 4 are, in fact, not needed by the Army.

I say, most respectfully and noncritically, that I do not think the committee has brought to the Senate an adequate and thorough analysis of the issue of whether the property is, in fact, needed by the Army. Senators should read the report.

Mr. DOUGLAS. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I shall yield when I finish submitting this very vital point. I wish to submit it now, because the Senator from Alaska [Mr. GRUENING] is now on the floor, and the Senator from Maine [Mr. MUSKIE] is in the chair; and I want both of them to know whereof I speak.

I say most respectfully that the committee report does not satisfy me that the members of the committee went thoroughly into the matter of whether the Army in fact needs this property for Army purposes. I think the Senate is entitled to a much more thorough hearing, I say respectfully, than the one the committee gave this matter, and I believe the committee still should, in connection with its obligation to the Senate, go into the question of whether this property is, in fact, needed by the Army, in order to carry out a Reserve military program.

Now I am glad to yield to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, the members of the staff of the committee inform me that the committee inquired of the Department of the Army whether it wished to be heard, and, indeed, invited the Army to be heard, but that the Department of the Army did not appear.

I am also informed that on the basis of the committee's thorough study, the committee dealt with that issue. In that connection, I read from page 7 of the report, which deals with this matter on both page 7 and page 8, "that the Department of the Army has available to it in the Joliet Arsenal area approximately 32,000 acres of land, part of which, it appears, could easily be used for Reserve training purposes in lieu of the 1,500 acres proposed to be utilized for wildlife and conservation purposes."

On page 8 of the committee report we find the following:

Finally, the subcommittee concluded that, in view of the vast areas of land surrounding the Joliet Arsenal amounting to approximately 32,000 acres, the Department of the Army had failed to make a compelling case for the retention of the particular 1,500-acre tract in question as being essential to its training program.

I see on the floor the junior Senator from Alaska [Mr. GRUENING]. If the Senator from Oregon will yield further, I think the Senator from Alaska has certain comments to make, bearing on the point the Senator from Oregon has tried to make.

Mr. MORSE. I am delighted to yield to the Senator from Alaska.

Mr. GRUENING. Mr. President, I have listened with interest to the detailed explanation the Senator from Oregon has made of his point of view.

I respect the careful judgment and study and knowledge of the law of the Senator from Oregon and his far more complete understanding of the Morse formula, of which he is the author. But I respectfully have to disagree with him.

I think a fair offer was made. I think the excess land which the Army has for a greatly reduced operation could be cut very much further.

I think this bill is a desirable one. I do not think Uncle Sam will be defrauded in any way. I think the bill in its present form should be passed without amendment; and I shall support it.

I think the committee made a very thorough study. The problem was a very difficult one; there were many conflicting interests.

The committee very patiently heard all sides again and again; and I doubt whether many investigations were any more thorough than this one.

Mr. MORSE. Mr. President, I do not mean to be the least unkind or seem to be personally critical of the members of the committee. Such is not my intent when I make this statement. Certainly I have a very high regard for the opinion of the Senator from Alaska.

But the fact still remains that the committee's report in regard to whether the Army needs this land is based upon the testimony of parties interested in the enactment of the bill. In my judgment, the committee should not only have invited representatives of the Army to appear at the hearing, but should have instructed them to come there, for examination, so we would have no question as to whether the property is needed by the Army. When we have before us a bill which involves a question of taking facilities away from the Army, and when the Army alleges that

it needs the property for military purposes, the presumption is in favor of the Army. However, that presumption is subject to rebuttal; and I think the committee should have presented in the report the evidence in rebuttal, in addition to the committee's conclusion. In the report, the committee states that it is satisfied that other property which the Army can use is available. But the Army does not say so.

The representatives of the Army sent a very thorough letter of comment to the House committee; and I shall attempt to be helpful to the Senator from Illinois by referring to the letter sent to the House committee. I think the record of the House hearings should be made available to Senators, because the controversy over this subject matter will not end today. Instead, other bills calling for the disposal of alleged surplus Federal property will come before the Senate in the years to come. I realize that I could make my argument for 5 or 10 minutes, and then take my seat. But in that case I would not make a proper record for use and for reference in connection with future debates.

That is why I believe it important to make a record point by point in regard to each one of the contentions; and that is also why, in connection with my discussion of the statute, I point out that we have a right to overrule the Army, by way of passing proposed legislation. It is my judgment that if we overrule the Army in regard to the question of whether this property is, in fact, surplus, we should comply with the statute. In other words, we have legislative authority over the Army; and if we declare the property surplus, I think we should meet the requirements of the language of section 667b, which reads in part as follows:

Upon request, real property which is under the jurisdiction or control of a Federal agency and no longer required by such agency—

We have the authority to determine whether or not it is required by that agency, as a legislative decision. I do not think the committee was of great help to us in supplying us, in its committee report or in the transcript of its hearings, with evidence that justifies us in overcoming the rebuttable presumption of the Army that it requires this property for further military use.

Be that as it may, I have made my point, and I go on to the next part of the statute. The statute goes on to provide—

can be utilized for wildlife conservation purposes by the agency of the State exercising administration over the wildlife resources of the State wherein the real property lies, or by the Secretary of the Interior—

This is a proposal to have the State exercise jurisdiction over this property for wildlife purposes, and note the limitations in the statute as to those purposes, as I proceed—

and (2) is chiefly valuable for use for any such purpose, and which, in the determination of the Administrator of General Services, is available for such use may, notwithstanding any other provisions of law, be transferred without reimbursement or transfer of funds—

I would have the attention of the Senator from Illinois on this point, because he seems to be concerned as to what my position is on values. The statute provides—

and which, in the determination of the Administrator of General Services, is available for such use may, notwithstanding any other provisions of law, be transferred without reimbursement—

Under what circumstances? Under the circumstances that it is found the property—

is chiefly valuable for use for any such purpose—

Mr. President, surely, it is valuable for industrial purposes; but if it can be demonstrated here on the floor of the Senate, or back in committee that the property is chiefly valuable, under all the facts and circumstances, as a wildlife refuge, that value should be taken into account in the appraisal of the property. I think the bill ought to be sent back to the committee for further hearings, subject to the instructions of the Senate to report it on a day certain. The committee ought to provide us with information concerning the national interest—which I shall later try to substantiate, namely, the national interest in an international migratory fowl flyway, and its value. But in the absence of meeting this criterion of the statute, I say we owe it to the taxpayers of this country, since it is their property, to get 50 percent of the appraised fair market value. If the primary value of the property is for industrial purposes, then we ought to get 50 percent of the appraised fair market value of the property for industrial purposes.

Mr. President, that has always been my position. Never have I taken the position that we can proceed to sell highly valuable property for some purpose to a State or subdivision thereof for less than 50 percent of the appraised fair market value. If that policy were ever started, let me tell Senators what would happen here in the Senate. We would find many persons would take a look at Federal property located in their States, of exceedingly high value, and decide it could be used for some other purpose that would involve a much lesser value, and then proceed to make the argument—using this case or this bill as a precedent, if passed in its present form—that we should deny to all the taxpayers of this country 50 percent of the true value of the property belonging to those taxpayers.

The whole purpose of the formula is to protect the taxpayers from a raid, in effect, upon the Federal Treasury, taking away from them values to which they are entitled. So we come to grips in this case with the question as to what the chief value of the property really is.

Again I respectfully say the committee has not been of much help to us, because the committee has not gone into the question of the value of this property to the Nation as a whole as a wildlife refuge for migratory wild fowl flying the flyway. I look in vain, and I cannot find it, for any thorough consideration of the committee in regard to the value of this property for wildlife not involved in the migratory bird program, because the statute goes on to have something to say about the part the Secretary of the Interior should play in this matter.

I think the statute is pretty clear on this. Under all the facts and circumstances of this case, I think it is clear that the property is really chiefly of value for a wildlife refuge. The statute is met and the public policy expressed in the statute is followed if it can be shown that the State of Illinois is entitled to receive the property without compensation or consideration.

There is nothing new about that principle in the application of the Morse formula. Over the years, piece of property after piece of property has been transferred under not only this section, but under another section that I shall discuss in connection with another bill sometime in the future, in regard to the transfer of property that can be used for hospital and charitable purposes. But confining ourselves to this property, I think we are entitled to know from the committee for what purpose this property is chiefly valuable; whether or not in fact it meets the language of the statute that when there are taken into account all the facts about the wildlife refuge matter, its chief value to the State or to the Nation is not for industrial purposes, but for bird refuge purposes.

If that is its chief value, then the fact that more money can be obtained for it for industrial purposes is quite irrelevant to the application of the statute.

I say, most respectfully, I just do not think the committee has given us a report that is of very much help to us with regard to either of the two points I have raised.

Now we proceed to the next part of the statute—

or (b) to the Secretary of the Interior if the real property has particular value in carrying out the national migratory bird management program.

May I say to the members of the committee and to the Senator from Illinois that we have an alternative here in the statute itself. If we are to take the position that it is chiefly valuable in connection with the migratory bird program, then the transfer could be to the Secretary of the Interior.

But there is a mixed problem here. This I think is perfectly clear, although, may I say, I got the evidence on this information from sources outside the committee report and outside the committee hearings.

This property will be of great value to the State of Illinois as a refuge for birds that are domestic to Illinois primarily, not migratory birds, although my research on this matter also shows that it will be of great value to the migratory bird program.

It does not follow because it is of value both for wild fowl domestic to Illinois and also for the so-called, for want of a better description, Federal migratory birds, that under the statute it need be turned over to the Secretary of the Interior. It only followed that once the property was declared surplus, the Secretary of the Interior, had

he desired, could have asked to have it designated as a Federal game reserve.

Obviously that is not his intention, and the fact that it is not strengthens the case of the Senator from Illinois in that it shows that the Senator from Illinois is seeking to cooperate with the Federal Government in respect to the total bird program. The part affecting birds domestic to Illinois and the part affecting birds controlled by the Federal Government, ought to be taken into consideration when we come to determining the question of disposing of this property.

Mr. DOUGLAS. Will the Senator yield?

Mr. MORSE. I yield to the Senator from Illinois.

Mr. DOUGLAS. I thank the Senator from Oregon for paying tribute to the Senator from Illinois for seeking to get cooperation. As the Senator implies, we like to take care of pheasants, but we do not believe our care should be exclusively confined to pheasants, but that we should also shelter migratory ducks and geese. But we object to ourselves being made geese; nor do we wish to be made sitting ducks for legal quibbles.

Mr. MORSE. May I say to my friend from Illinois that only when the legal principles for which I am pleading are protected will the Senator from Illinois and the people of Illinois be able to enjoy their full rights under our system of government by law.

It would be very easy for the Senator from Oregon merely to yield to the desires of Senators from Illinois and other States who just ignore the fact that the bill in its present form is a clear violation of the Morse formula. It would be easy to wink at it, let it go by the boards. But such action would make me guilty of destroying a policy under which all the taxpayers of this country are entitled to protection. Irrespective of the misrepresentations of the Senator from Illinois of the motivations of the Senator from Oregon, or his allusions to legalistic quibbling, I am going to hold fast to these principles, because I know how precious they are in a system of government by law.

Human values are taken into account in the Morse formula. What we say in the Morse formula is that all the people of the United States do not have a 100 percent interest in a park or a recreational facility in Illinois or Oregon or anywhere else in this country. When we propose to convey Federal lands for park purposes I think it is a pretty fair adjustment to say that we are willing to grant at least 50 percent of the cost of such a park or refuge or recreational facility to the people of Illinois or Oregon or California or anywhere else for a State park or a State public-use project. If this were a Federal park in Illinois, under Federal jurisdiction, subject to Federal control and policy, then the interests of all the taxpayers of this country would be 100 percent.

I say to the Senator from Illinois that I would not object to the property's being a Federal park. Under the statute I have been seeking to analyze here in an endeavor to help the Senator from Illinois in this matter, I would not object to a bill that directed the Secretary of the Interior to take over this particular property as a Federal game refuge.

I want to repeat the position I took, Mr. President, because I do not want a possible basis for any misunderstanding between me and the Senator from Illinois as to what I am seeking to accomplish. I expect a difference of opinion between us, and apparently between the committee and me, in regard to the applicability of the Morse formula to this bill, but I repeat, there is a piece of property here, and it can be shown, under the statute, that it is chiefly valuable either as a migratory wild fowl flyway or a Federal game refuge, or is chiefly valuable as a refuge for domestic birds and game of the State of Illinois. The statute says there is one of two alternatives that may be followed legislativewise. The property may be transferred to the State of Illinois without compensation for the former purpose, or it may be transferred to the Secretary of the Interior to be used as a Federal refuge.

What I am saying is that there is not adequate showing, either in the committee hearing or in the committee report, that the property is of that nature. There is not adequate showing in the committee report or in the committee hearings that the Army is not right when it says that for whatever purposes it may be needed, for wildlife purposes, not recreational purposes, but wildlife purposes, another 1,500 acres across Highway 66, referred to by the Senator from Illionis, would be just as suitable.

I do not know what the fact is. We cannot ascertain from the committee report, and we cannot discover from the committee hearings. But the answer is of vital importance in determining the value of this property—its chief value.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Illinois.

Mr. DOUGLAS. I think we have already consumed infinitely more time on this subject than the matter is really intrinsically worth. Since the Senator from Oregon has raised the question, I consulted with conservation groups in Illinois and they tell me that this other alternative plot of land, if we can call it parcel 5, is completely unsatisfactory, that it is separated from parcel 3 not only by much traveled Route 66, but it is also 1¼ miles southeast, so that people could not move from parcel 3 to parcel 5. As a matter of fact, there would not be much of a transfer of game from parcel 3 to parcel 5, but game would move from parcel 3 to parcel 4, and very possibly officers of the Army might find it very convenient to come down with shotguns on weekends and do some shooting on their own. I do not think that is a purpose which should be controlling, nor would it add to the military efficiency of this Nation.

Mr. MORSE. I wish to say, with regard to the latter point, that the Army denies it; but I think the Army ought to be required to deny it on the record. The Army takes the position that there is no basis for the impression that they seek to keep the 1,500 acres as a sort of private hunting lodge domain for officers of the Army. The Army represents that the land is needed for the Reserve program.

Who am I—or, for that matter, who is anyone else in the Senate—without supporting evidence to the contrary, to take the position that the Army is trying to hoodwink the Senate with regard to its need? I think it is pretty serious, Mr. President, when one comes to pass judgment upon the allegations of the Army.

I am well aware of the fact that the Army has to be carefully checked, Mr. President, but I think the best way for the committee to check the Army is to get the Army representatives before the committee, to ask them questions, and to put them under examination. All that was necessary to do was to request that the Army representatives be at the committee hearings. That has not been done.

Mr. President, certainly on the basis of the record, I respectfully submit, we do not know what, under the language of the statute, is the chief value of this land. We do not know. I think we ought to have testimony taken to show whether the land is chiefly valuable for the use to which the Senators from Illinois seek to put it in their bill. That is one of the requests I make. That is one of the reasons for my insisting that before we pass the proposed legislation we ought to have the question answered.

Of course, the statute goes on to say that any such transfer to other than the United States shall be subject to the reservation by the United States of oil, gas, and mineral rights, and to the condition that the property shall continue to be used for wildlife conservation.

The language of the bill is, as I understand it, intended by the Senators from Illinois to mean that there shall be this reservation: If the State of Illinois ceases to use the land for the stated purposes, it shall revert to the Federal Government.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. The Senator from Oregon appreciates that we are in the concluding weeks, or perhaps, days, of this session of the Senate; that there are many matters to come before this body; and that quite possibly tomorrow morning we may be faced with a question as to whether we will override the veto by the President of the housing bill. May I ask the Senator from Oregon if he will permit us to come to a vote on this matter at a reasonable hour tonight? This long discussion of the Senator from Oregon may so delay matters that we will not be able to have a vote tonight. As I say, I think the discussion has already gone on to a much greater extent than the intrinsic importance of the subject matter justifies.

I think the Senator from Illinois took about 20 minutes to state the affirmative case. The Senator from Oregon has taken 2 hours. Would not the Senator from Oregon permit us to come to a vote in the near future?

Mr. MORSE. I am sorry that my detailed analysis of this bill is consuming so much time. I am sorry that my friend from Illinois finds it very difficult to be patient with the deliberate and, I hope, thorough, analytical discussion of the bill by the Senator from Oregon. But I have a suggestion to make to the Senator. If he would not interrupt me so much, urging me to stop, we might get through quicker, because I am going to make my case on the bill. The evening is young.

I am making a case not only on this bill, Mr. President, but I am making a case, I know, I am going to need for reference with regard to future bills when they are under consideration, because I know the danger of this bill as a precedent. I have not lived through these discussions of the Morse formula for so many years without knowing that my able colleagues in the Senate and their able research assistants in their offices always keep a magnifying glass on every word the Senator from Oregon ever utters on the Morse formula, to see if they cannot find some inconsistency or some exception. I do not intend to supply them with that evidence in this or any other case. In order to completely protect myself, I am going to discuss the matter from every possible angle.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. And I will say to the Senator, since I do not want to take him unawares, I am going to move that the bill be recommitted to the committee in order to obtain certain information I think we need in connection with the statute I am discussing, to be reported back on a day certain, and to be made the pending business when the bill is reported back.

I am hopeful that I will be joined in this effort by the members of the committee. I should like to see the members of the committee themselves volunteer to associate with me on the recomittal of the bill until we can get the information, because I think the record is perfectly clear the committee members did not have the information when they reported the bill, and they ought to have had it before they reported the bill.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. GRUENING. This member of the committee feels that the committee had adequate information when it reported the bill.

Mr. MORSE. I judge that to be true, from what the Senator from Alaska has said. I am sorry to have to tell the Senator from Alaska that he should not overlook the fact that when he functions as a committee member he functions as an agent of the Senate as a whole. Of course, if any one Member of this body feels the committee has not fulfilled all its obligations of agency in the matter, it is his duty to say so, even though I find it rather painful to do it.

I had hoped that the Senator from Illinois and the members of the committee would see the advantages of this section of the code.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. And I had hoped the Senators would proceed to try to get us the information, to find out to what extent the application of this section of the code might be relevant, or to what extent the next point I am going to make might justify a reconsideration of the amount to be paid for both pieces of property combined, the 946 acres and the 1,500 acres.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I am going to make what I hope will be a constructive suggestion in respect to that, if we are to assume that section 667(b) of title 16 of the Code cannot be made applicable to this property, and I am far from convinced it cannot be. If the section can be made applicable I want it to be applicable, because I do not want to exact from the taxpayers of Illinois any money which, under the law, they are not obligated to pay. But I think it is only fair that the taxpayers of Illinois, as well as of any other State, pay whatever is a fair amount, upon the basis of the application of the Morse formula, for the acquisition of any piece of Federal property.

That is the issue, Mr. President. I am going to proceed, if the Senator from Illinois will allow me, to discuss now the Army position.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. MORSE. I yield.

Mr. LONG. Can the Senator give us some idea as to exactly how much money is involved, if we consider the difference between the figure the Senator from Oregon estimates the State should pay and the figure the Senator from Illinois estimates the State should pay for the land in question?

Mr. MORSE. That brings up one of the troubles, one of the reasons why I feel that the bill should go back to the committee.

I will give the Senator from Louisiana what my calculations are, based upon the figures which the Department of the Army has given me, to which I am about to refer.

If section 667(b) of title 16 is not applicable, but the property is to be disposed of on the basis of 50 percent of the appraised fair market value the total amount payable would be $480,819. This takes into account 50 percent of the $286,638 which the State of Illinois has already agreed to pay for parcel 3, and assumes that that is the fair value—a point that needs further consideration, may I say. It is only fair that the State of Illinois should be allowed to buy parcel 3 on the basis of the Morse formula, rather than the full value, which it believes it is doing now with its offer of $286,638. The total figure of $480,819 also includes 50 percent of the Army's estimated $675,000 value of parcel 4.

Again, I say I want hearings on this matter. These questions can be answered in a day or half a day of committee hearings, in my judgment, if letters are sent out in advance to the departments, permitting them to bring back to us the facts which I think we need in order to assure ourselves that we are not giving away taxpayers' value for which they are not getting fair compensation.

Mr. LONG. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LONG. If I correctly understand, the Senator feels that the difference which he believes the State should pay would be in the vicinity of $418,000.

Mr. MORSE. Four hundred and eighty thousand dollars. That is not peanuts.

On August 5 I also wrote to the Secretary of the Army as follows:

AUGUST 5, 1959.

The Honorable WILBER M. BRUCKER,
Secretary of the Army,
Washington, D.C.

DEAR MR. SECRETARY: Enclosed is a copy of a letter I have addressed today to Administrator Floete of the General Services Administration.

You will note that questions numbered 4, 5, and 6 set forth in the enclosure may be answerable only by the Department of the Army. Any assistance you may be able to render on these questions will be greatly appreciated.

Sincerely yours,

WAYNE MORSE.

On August 7 I received the following letter from the Department of the Army, signed by Dewey Short, Assistant Secretary of the Army for Manpower, Personnel, and Reserve Forces:

DEPARTMENT OF THE ARMY,
OFFICE OF THE ASSISTANT SECRETARY,
Washington, D.C., August 7, 1959.

Hon. WAYNE MORSE,
U.S. Senate.

DEAR SENATOR MORSE: This is in reply to your letter of August 5, 1959, to Secretary Brucker requesting information concerning the lands under consideration in the Senate bill S. 747, as outlined in your letter to Mr. Franklin Floete, Administrator, General Services Administration, dated August 5.

I have had a hurried check made with the U.S. Army Engineer District, Chicago, to obtain information to reply to your questions 4, 5, and 6 in the letter to Mr. Floete. The following information is furnished as an estimate and cannot be considered as an appraisal:

(a) An estimate based on a cursory review of comparable area appraisals, including the recent bids by industrial groups on GSA parcels 1, 2, and 3 to the north of the subject 1,500 acre area, indicates an approximate value of $450 per acre, or a total of $675,000 for the 1,500 acres.

I digress from the letter long enough to say that the price being paid by Illinois for the 946 acres is about $303 an acre, instead of the $450 an acre which the Army estimates.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. Let me tell the Senator what I think. The Senator from Louisiana knows as well as I do that on this job we develop a certain intuition in appraising the arguments and estimates of special pleaders in matters such as this. The Army is a special pleader in this case. Let us not forget that the Army does not want to give up this property at all. So, frankly, I wonder if $450 an acre is not too high a price for this property. I have been led to believe, as I studied the record in this case—and,

believe me, I have studied it, or tried to—that it is not as valuable a piece of property, acre by acre, as the 946 acres to the north. That is my conclusion.

When we come to the parcels of land shown on the map across Highway 66, the other land is of even less value.

All I am saying is that I should like a little more reliable information than I feel we have in the record, as to what the property is really worth. There has been no appraisal of it, because it has never been declared surplus.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. I have made some hasty computations, and it appears that, even on the basis of the appraisal of the Army, which the Senator from Oregon admits would tend to be inflated, the total value fixed by it for the 2,400 acres would be $961,000.

The Senator from Oregon says the State of Illinois should pay one-half of that amount. That would be $480,000. The State of Illinois has appropriated $286,638. So the Senator from Oregon is creating all this hullabaloo for less than $200,000—and it may be very much less than $200,000.

The Senator from Oregon has already used up a thousand dollars worth of space in the CONGRESSIONAL RECORD, and may well have delayed the proceedings of the Senate. Assuming that the time of the Senate is worth anything, he has already used up scores of thousands of dollars worth of the time of the Senate. Does the Senator from Oregon not believe that, everything considered, the best thing to do is, as the committee has suggested, to accept the offer of $286,638.

Mr. MORSE. That is an interesting argument coming from the great scholar from Illinois. I am quite surprised. He must be tired to make an argument like that.

The Senator from Illinois suggests that because time and many pages of the CONGRESSIONAL RECORD are required to make a case against an inadequate committee report and against an inadequate bill, in order to protect a very important question of policy, and because the passage of that time costs the taxpayers of the United States some money for printing in the CONGRESSIONAL RECORD, therefore the Senator from Oregon is at fault.

It is our job in the Senate to take whatever time is necessary, any time, in order to make a record against what we believe to be bad legislation, not because of its relationship to the particular piece of legislation alone, but because of the importance of the precedent which is being established as to future pieces of legislation.

So I say to my good friend from Illinois that it is not my fault that the bill is before the Senate in this form. That is the fault of the Senator from Illinois. It is not my fault that a committee report is before the Senate with inadequate information in it, so that we cannot get accurate answers to the question I am raising. That is the fault of the committee.

I am proposing that, in order to remedy the situation, we should send the bill back to the committee, with specific instructions to obtain the information we need and report back by a date certain.

That is the procedure to follow. I am surprised that my dear friend from Illinois really thought he would be able to stop the Senator from Oregon from making the record he desired to make, on the basis of the fallacious, non sequitur argument that making the record is delaying the proceedings and taking up time, which costs the taxpayers money.

That is the argument used by Republican politicians out in Oregon against the senior Senator from Oregon. I am surprised to hear it from my Democratic colleague. I said to the people of Oregon, "I give you this pledge: Nothing will stop me from talking in the Senate so long as I think something must be said in order to make the case of the people on any issue." That applies in this instance to the bill of the Senator from Illinois, irrespective of its origin.

To go back to the letter of the Army, I think the figures which the Senator from Illinois just gave are accurate based upon an analysis of the Army figures. I think if we take the $450 an acre estimate of the Army Engineers, we end by giving the State of Illinois credit for $286,000-plus for the money it offers to pay for parcel 3. I think we end, I say to the Senator from Louisiana [Mr. LONG], by giving them credit for an overpayment on parcel 3 to a difference between us of about $200,000. The total amount which Illinois would have to pay, upon the application of the Morse formula to the entire tract, would be in the neighborhood of $480,000, based upon these figures.

I do not know; the Senator from Louisiana does not know; the Senator from Illinois does not know; because there has been no appraisal of what the accurate figure is. What I am saying on this point is that we ought to know before we are asked to vote. I do not buy pigs in a poke. I do not intend to start doing so with this bill.

The committee does not know. Obviously there is nothing in the record of the committee and nothing in the report of the committee which gives us the information we need on this very important point.

Returning to the letter of the Department of the Army, I shall repeat the first part of the paragraph I started to read:

> An estimate based on a cursory review of comparable area appraisals, including the recent bids by industrial groups on GSA parcels 1, 2, and 3 to the north of the subject 1,500-acre area, indicates an approximate value of $450 per acre, or a total of $675,000 for the 1,500 acres. The highest and best use of the area is for agricultural purposes with some potential for industrial development.

That is a very important point, because it is the first time we find such an observation in this record. Here the Department of the Army is admitting, or is at least taking the position, that the highest and best use of the area is for agricultural purposes, with some potential for industrial development. All I can say is that I am trying to help the Senator from Illinois determine what the true value of the property is in accordance with its most valuable use, because a determination of that question of fact is essential to determining what amount of money, if any, the State of Illinois should pay for this property.

I feel that I am confronted with some question on the part of the Senator from Illinois and apparently from one member of the committee that I am taking a position which is unreasonable. The sad fact is that neither the Senator from Illinois nor a member of this committee has supplied the Senate with any such information as I have been able to obtain from the Army, because I asked some specific questions. That is what the committee ought to have done, so that we might consider the bill from the standpoint of the rights of the taxpayers, in order to make certain that they will get, under the policies of the Morse formula, a fair return for the sale of the property.

The Army goes on to say:

> (b) There are three so-called improvements in the area; a run down 50 to 60-year-old farmhouse, a building formerly used for alum treatment of water wastes, and an earthfill dam in conjunction with this building. There are two gravel roads through the area on which some Army Reserve troop training has been accomplished.
>
> (c) None of the improvements in b, above, add to the value of the area and they have not been considered in arriving at the estimate in a, above. The water waste treatment building and earthfill dam were constructed by the Federal Government. Department of the Army has no knowledge of any improvements made by the State of Illinois or its subordinate agencies.
>
> I wish to reiterate that the above is a quick staff estimate and, although based on known values of comparable areas, it cannot be considered an accurate appraisal. Further, I would like to point out that the subject area is not excess to the Department of Army requirements and thus no consideration has been given to placing a valuation on the subject area.
>
> Sincerely yours,
>
> DEWEY SHORT,
> *Assistant Secretary of the Army (Manpower, Personnel, and Reserve Forces).*

Mr. President, what is the importance of this letter to the Senate in considering this matter? There are two things I wish to stress at this point.

First. The Department of the Army makes clear again that it does not consider this property surplus; that it is needed for Army purposes. I respectfully say that a very thorough consideration of that statement ought to be submitted to the Senate on the basis of testimony and evidence taken by the committee, so that we will not have simply an unsupported judgment of the committee, but will have the facts on which a judgment on the part of each one of us can be based.

Second. From this letter it is perfectly clear that no one has appraised this property. I simply say that I think it is inexcusable procedure in the Senate for us to propose to dispose of property belonging to every taxpayer when we do not even know the value of the property and have no appraisal of it. That simply is not good business. We ought to follow good business practices in the disposal of property belonging to the peo-

ple. Why? Because we are their trustees. We sit in the Senate of the United States as trustees of the property belonging to all the taxpayers.

I will not vote for a measure when the bill itself and the committee report itself do not give me the information I need as to the value of the property we are being asked to dispose of. I cannot reconcile such action with the fulfillment of a trusteeship responsibility.

After I wrote to the Army under date of August 5, and received the Army's reply under date of August 7, I wrote the Army a second letter under date of August 7, 1959:

AUGUST 7, 1959.

Re S. 747.
Hon. WILBER M. BRUCKER,
Secretary of the Army,
Washington, D.C.

DEAR MR. SECRETARY: Upon reviewing Senate Report No. 565 relative to the above-captioned bill, I find that as of June 18, 1959, the Department of the Army was opposed to the proposed transfer of the 1,500-acre tract described in section 2 of S. 747. It is my understanding that this is the tract lying immediately south of the land designated as parcel No. 3.

In order that my information may be current on this subject, I would appreciate your advising, at your earliest convenience, whether the Department of the Army is still opposed to the proposed transfer of the 1,500-acre tract in question.

Sincerely,

WAYNE MORSE.

Under date of August 11, 1959, I received the following reply from the Army. Again, the letter is signed by Dewey Short, Assistant Secretary of the Army for Manpower, Personnel, and Reserve Forces. The letter reads:

DEPARTMENT OF THE ARMY,
OFFICE OF THE ASSISTANT SECRETARY,
Washington, D.C., August 11, 1959.

Hon. WAYNE MORSE,
U.S. Senate.

DEAR SENATOR MORSE: This is in reply to your letter of August 7, 1959, to Secretary Brucker, requesting the Army's position on Senate bill S. 747 concerning the proposed transfer of 1,500 acres of land to the State of Illinois for wildlife, conservation, and recreational purposes.

As evidenced by the attached copy of report, dated August 6, on H.R. 3984, as amended, which is identical to S. 747, as amended, the Department of the Army is strongly opposed to the enactment of S. 747, as amended.

The Department of the Army has a firm requirement for the 1,500 acres proposed for conveyance in S. 747, as amended, for the training of Army Reserve units.

Sincerely yours,

DEWEY SHORT,
Assistant Secretary of the Army (Manpower, Personnel, and Reserve Forces).

I shall not take time to read all of the attached report. Instead, I ask unanimous consent to have the letter and the report printed at this point in the RECORD.

There being no objection, the letter and the report were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE ARMY,
Washington, D.C., August 6, 1959.

Hon. CARL VINSON,
Chairman, Committee on Armed Services, House of Representatives.

DEAR MR. CHAIRMAN: Reference is made to your request to the Secretary of Defense for the views of the Department of Defense on amendments (in the nature of a substitute) for H.R. 3984, 86th Congress, a bill to provide for the conveyance of certain lands known as the Des Plaines public hunting and refuge area to the State of Illinois. The Secretary of Defense has delegated to the Department of the Army the responsibility for expressing the views of the Department of Defense thereon.

The purpose of the proposed amendments is to authorize and direct the Secretary of the Army to convey, without monetary consideration therefor, approximately 1,500 acres of land in Will County, Ill., to the State of Illinois for wildlife conservation and recreational purposes. The conveyance would reserve to the United States all oil, gas, and mineral rights and other interests determined by the Secretary of the Army to be necessary in the public interest. The property would revert to the United States if it ceases to be used for wildlife conservation or recreational purposes, or if it is required for national defense purposes. The Secretary of the Interior would be required to enforce compliance with the provisions of use. The title of the bill would be amended to read: "A bill to provide for the conveyance of certain lands which are a part of the Joliet Arsenal Military Reservation, Will County, Ill., to the State of Illinois."

The Department of the Army, on behalf of the Department of Defense, is strongly opposed to the enactment of H.R. 3984 as modified unless the bill is further amended in the manner set forth in this report.

The Kankakee Ordnance Works and the Elwood Ordnance Plant were established in 1941 as (1) a powder-manufacturing plant and (2) a loading plant on 36,092 acres of land acquired at a cost of $7,197,426 in Will County, Ill., 10 miles south of Joliet. In 1945 the facilities constituting the two plants were consolidated and redesignated as Joliet Arsenal. From time to time as land areas and facilities were not required for accomplishment of the mission of the installation they have been made available for nonmilitary utilization. An area of 4,388.02 acres was so made available to the Department of the Interior on January 20, 1948, for fish and wildlife conservation purposes. Thereafter the State of Illinois obtained a permit and through its Department of Conservation, on March 29, 1948, established the Des Plaines public hunting refuge area.

The Department of the Army in furtherance of the program for the training of Army Reserve units requires the use of open land areas to permit field training exercises in addition to and to supplement classroom and other training. These outdoor training areas would be used normally on weekends by reservists in a particular area. The responsibility for providing multiple drill outdoor sites has been assigned to the commanding generals of the U.S. armies in each area within the continental United States. The maximum use in this program, as in others, must be made of Government-owned lands.

A review of the requirements for the Joliet Arsenal indicated in 1957 that its mission would not be hampered if certain areas containing in the aggregate 5,757 acres were transferred for other uses. The major portion of these lands were comprised of an area previously retained as a safety and protective zone for the Kankakee unit. It was determined by the Department of the Army that the requirement for outdoor training of some of the units of the U.S. Army Reserve in the vicinity of Chicago under the direction of the commanding general, 5th Army could be satisfied through the use of approximately 1,500 acres of the lands no longer required for the Joliet Arsenal. The terrain of this area is particularly suitable for the purpose and will be utilized for a wide range of field training exercises. Areas not required for any other Department of Defense use, including the land described in H.R. 3984 as originally introduced, were reported to General Services Administration as excess real property for transfer or disposal in accordance with the Federal Property and Administative Services Act of 1949 (63 Stat. 377) after agreement with the respective Committees on Armed Services in Army disposal project No. 83 pursuant to 10 U.S.C. 2662.

Inasmuch as the 1,500-acre area retained for Reserve training was included in the permit under which the State of Illinois was operating the public hunting area referred to above, the commanding general, 5th Army undertook a cooperative effort with the State Department of Conservation with the view to permitting the maximum public use of the land consistent with its utilization for military training. As a result an understanding was arrived at in June 1957 under which reservists while in training would not be permitted to hunt or fish, small fenced areas then being developed by the conservation department would be retained without interference by the military, the area would be open through the conservation department for public use except when in actual use for military training, and no training would be undertaken during the period established by the State as the pheasant hunting season. In furtherance of this concept the public has continued to have access to the 1,500 acres and long-range plans have been formulated by the Army for year-round multiple outdoor drill training exercises for 167 Army Reserve units with an aggregate strength of 12,672 personnel. This schedule will require the intensive use of the training area each weekend on a year-round basis exclusive of the 20-day controlled hunting season. This joint use of a large training area, reconciling the military requirements with those of the surrounding civilian community, is an outstanding example of the solution of a problem without added cost. It is the type of cooperation that the Department of Defense and the military departments are hopeful of extending wherever possible.

Although the above described area is not available for transfer to the State because of the Reserve training requirement, the Department of the Army would have no objection to the transfer of other lands originally acquired for the Joliet Arsenal. A portion of the area proposed for transfer to the State has previously been reported to the Administrator of General Services as excess real property while the balance had been retained for future use of the arsenal. To permit sufficient flexibility in determination of the precise area it is recommended that the proposed amendments to H.R. 3984 be modified by deleting lines 6 through 15 and substituting therefor the following:

"In and to an area not to exceed 1,500 acres of lands now or formerly part of Joliet Arsenal, Will County, Ill., as determined by the Secretary of the Army to be available for nonmilitary purposes and generally located in the southern portion of the Kankakee unit of Joliet Arsenal adjacent to the Kankakee River. The area comprises parts of sections 13, 14, 15, 22, 23 and 24 within the boundary of Joliet Arsenal."

If the above amendment is adopted, "SEC. 3" should be redesignated as "SEC. 2."

A map delineating the various referenced areas is attached hereto.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

Inasmuch as the committee has requested that the report be expedited, it is submitted without a determination by the Bureau of the Budget as to whether or not it conforms to the program of the President. As soon as

such advice is received it will be forwarded to your committee.

Sincerely yours,

WILBER M. BRUCKER,
Secretary of the Army.

Mr. MORSE. Mr. President, in order to save time, I shall summarize, for the record, the report. I hope my friend, the Senator from Illinois, appreciates my cooperation in that respect.

In its report, the Army sets forth its arguments and reasons why it does not consider the property to be surplus. I think the Army should be cross-examined about that. There are a good many questions which, as a member of the committee, I would wish to ask the Army about its report, because I would not wish to put myself in the position—if the facts support the Army; and I think there is reason to believe that the facts do support the Army—of urging the Congress to declare the property surplus, and then have the Congress provide that the entire 1,500 acres would be transferred to the State of Illinois without consideration, under title 16, subsection 667 (a) and (b) of the code.

But some might say, "If you think there is a possibility that further investigation by the committee might result in a finding that the code applies, why object to the bill in its present form, as introduced by the Senator from Illinois?"

My answer is that there is all the difference in the world between a course of action in the Senate based on the facts and a course of action in the Senate based on an effort to reach the same general objective, when one does not know what the facts are.

So I do not think the Senate should act on this bill until it has the answers to the various inquiries for information which I have raised during this speech.

I hope it will not be too great a shock to the Senator from Illinois if I tell him that I, too, am very desirous of finding a legal way, based on the facts, under existing law and existing policy, to make available to the people of Illinois this land at the most reasonable cost possible—or, in case we can make title 16, section 667 (a) and (b) of the code apply without any cost to them at all, because I do not yield even to the Senator from Illinois in my desire to protect the human values, too, as well as wild geese, and because I think great values can accrue to the national interest from making available to the boys and girls and also the adults of Chicago and other metropolitan areas in the travel vicinity of this land, this kind of wildlife refuge and human recreational center.

But I do not think I am being unreasonable when I seek to obtain the facts on this case which will accomplish that aim, without putting myself in such a position that in the future any Senator could say that I had acted to jeopardize the Morse formula, and had made an exception to it, and had followed a policy of political opportunism in regard to the Morse formula—because that would be what would be said if ever I were to fail to take the course of action which I have taken in connection with this bill.

So, Mr. President, I propound the following parliamentary inquiry: Would it be in order for me to move at this time, without submitting the motion in writing to the Chair, that the bill be recommitted, with instructions to the committee to report the bill by August 18, and with the further provision that the bill be considered by the Senate within 1 week after it was reported to the Senate at that time?

If the Chair needs to have my motion submitted in writing, I shall be glad to do that. But, first, I ask whether I may have an answer to my parliamentary inquiry.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). The Senator from Oregon may make his motion orally, provided no point of order is raised and no Senator insists that the motion be submitted in writing.

The motion may contain instructions to the committee to report on a day certain, but may not include any condition as to when the Senate will thereafter consider the report of the committee.

Mr. MORSE. Mr. President, at this time I suggest the absence of a quorum.

Mr. LONG. Mr. President, will the Senator from Oregon temporarily withhold his suggestion of the absence of a quorum?

Mr. MORSE. Yes.

Mr. LONG. I am acting for the majority leader, in his absence, and upon his request. If the Senator from Oregon wishes to make such a motion, certainly there will be no objection, so far as I am concerned, to the Senator's making the motion to recommit the bill and to have the committee report on a day certain.

But I believe the majority leader, who has the responsibility of scheduling the consideration by this body of proposed legislation, would like to be consulted if the Senate were to be required to take up the bill on a certain day. Otherwise, so far as the other part of the motion is concerned, there would be no objection to waiving the formality in that connection.

Mr. MORSE. Mr. President, I am sure there will be no objection to withdrawing my suggestion of the absence of a quorum in short order, after I have an opportunity to reduce my motion to writing. Therefore, at this time I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the joint resolution (S.J. Res. 118) authorizing and requesting the President of the United States to issue a proclamation calling for the flag of the United States to be flown at half-staff on the occasion of the death of the last surviving veteran of the War Between the States.

COMMITTEE MEETING DURING SENATE SESSION

Mr. JOHNSON of Texas. Mr. President, I have been requested by the chairman of the Subcommittee on Constitutional Amendments of the Committee on the Judiciary to make the request that that committee be permitted to meet in executive session during the meeting of the Senate on Wednesday, August 12.

Mr. LONG. Mr. President, reserving the right to object, I believe the distinguished chairman of the committee would like to be heard on that request. I hope the request will be made when he is present, because he has some views relating to witnesses and whether the committee should meet on that day. I shall have to object. I hope the Senator will renew his request when the chairman of the committee is present.

Mr. JOHNSON of Texas. I shall be glad to.

PROGRAM FOR TOMORROW—CONVEYANCE OF CERTAIN LANDS TO THE STATE OF ILLINOIS—UNANIMOUS-CONSENT AGREEMENT

Mr. JOHNSON of Texas. Mr. President, I understand the Senator from Oregon [Mr. MORSE] desires to make a motion to recommit the pending business. We have canvassed the Senators present, as nearly as we can, and we are informed that we shall have a greater attendance tomorrow in connection with the veto message and the accompanying legislation than probably any other day this week. Therefore, if it is agreeable to the Senator, I should like to propound a unanimous-consent request.

How much time would the Senator like to have on the motion to recommit before the Senate votes on it? Would 1 hour be sufficient?

Mr. MORSE. I do not need more than 5 minutes.

Mr. JOHNSON of Texas. Will 10 minutes, to be equally divided, be sufficient?

Mr. President, I ask unanimous consent that immediately following the vote on the veto message, the Senate have not to exceed 20 minutes on the motion to recommit Senate bill 747, the time to be equally controlled by the majority and minority leaders.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Is there objection? The Chair hears none, and the agreement is entered.

The unanimous-consent agreement, as subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on August 12, 1959, following the vote on veto of S. 57, further debate on the motion to recommit S. 747, to provide for the conveyance of certain lands known as the Des Plaines Public Hunting and Refuge Area to the State of Illinois, be limited to 20 minutes, to be equally divided between the opponents and proponents. (August 11, 1959.)

Mr. JOHNSON of Texas. Mr. President, I announce that the Senate will convene at 11 o'clock tomorrow morning. I do not know how long Senators will discuss the veto message. We expect to have a yea and nay vote on it. As soon as we dispose of that vote, the Senate will take up the motion to recommit Senate bill 747. Ten minutes later we should have a yea and nay vote on that motion. I understand the Senator from Oregon wants a yea and nay vote on his motion. I shall attempt to get a sufficient second for the yeas and nays. We may also vote on the treaty tomorrow.

Mr. President, I ask for the yeas and nays on the motion of the Senator from Oregon [Mr. MORSE] to recommit S. 747.

The PRESIDING OFFICER. The yeas and nays have been requested on the motion to recommit made by the Senator from Oregon. There is a sufficient number, and the yeas and nays are ordered.

The Parliamentarian advises the Chair that, since the motion has not been submitted, the order is perhaps inappropriate.

Mr. MORSE. Mr. President, I am trying to get that situation corrected.

I move to recommit Senate bill 747 with instructions to the Committee on Government Operations to report back to the Senate by August 18, 1959.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon.

On this motion, the yeas and nays have been requested by the Senator from Texas.

The yeas and nays were ordered.

THE PARTICIPATION BY SELF-EMPLOYED PERSONS IN VOLUNTARY RETIREMENT PROGRAMS

Mr. ALLOTT. Mr. President, I am pleased to note that the Senate Finance Committee is renewing its hearings on H.R. 10, the Keogh-Simpson bill. As we know, this proposed legislation is designed to allow self-employed persons to participate in voluntary retirement programs, within limits, on the same tax basis as employees.

I believe firmly in the principle of equal and uniform treatment for all taxpayers. Last session, I cosponsored legislation similar to H.R. 10. This year, I withheld my outright support for three reasons:

First, it was my hope that a prompt review of this and other inequities in our tax structure might be undertaken by this Congress.

Second, with the urgent need to maintain a balanced budget in the face of continuing inflationary pressures, I wanted to study further the Treasury Department statement that such legislation would reduce revenues by some $365 million in the very first year.

Third, the Treasury Department, year after year has admitted "that present law does not give self-employed persons tax treatment for their retirement savings comparable to that now accorded to employees covered by employer-financed pension plans." In view of this, it also has been my hope that the Department would advance its own proposal to end this admitted inequity. Such proposal, I am sorry to note, has not been made. Neither does it now appear that there will be an early revision of any inequities in our tax laws.

That leaves it squarely before this Congress to act. We are the hope of the self-employed—the farmer, the small businessman, the barber and beautician, the doctor, the dentist, the accountant, the architect, the garageman, the service station owner, the homebuilder, the plumbing contractor, the realtor, the retail druggist, the retail grocer, the food broker, the manufacturer's representative, the professional engineer, the florist, and many, many others.

With this in mind, I have studied each objection raised to this bill. It does not set a precedent for other forms of tax deferral. Rather, it follows precedent already set under which some 19 million employees now are covered, in addition to those in the civil service, Armed Forces, and railroad retirement systems. It certainly is not class legislation, for many of the self-employed are the rugged individuals who often wonder if they are not working more for themselves for pride than for profit.

We then come down solely to the impact upon the budget. We find the Treasury Department estimate of a $365 million tax revenue loss the first year based on an assumption that self-employed individuals will make payments to restricted retirement plans totaling $1 billion. Do savings habits, buying habits and family budgets change this rapidly? It seems entirely unlikely. Economists who have studied this subject estimate that this rate of retirement payments is not likely to be reached for a least 5 years—and probably more. There is little reason to assume that a million self-employed will immediately deposit $1,000 each under this plan. Indeed, surveys indicate that only about 50 percent of the self-employed intend to utilize the plan at all.

As a matter of fact, two sound studies on the impact of H.R. 10, one by the Tax Foundation and the other by Prof. Roger Murray, of Columbia University, indicate an initial impact of $75 to $100 million. Actual experience with similar legislation in England, New Zealand and Canada demonstrated a revenue loss of about one-sixth the official estimates. Translated to our situation, this would mean only about $60 million.

One other point, Mr. President, largely has been overlooked: The money which the self-employed would place into approved retirement savings would move directly into the mainstream of our capital dollars. The inevitable result will be increased savings in the American tradition of thrift which in turn will add to the capital financing available for the further economic growth we all favor. The current controversy over "tight money" points up the timely importance of any sound move in the direction of making more money available to the investments market to facilitate domestic and industrial expansion. By thus helping to build American enterprise, we in turn, would provide additional sources of tax revenue to help offset any loss.

There is some feeling, Mr. President, that we should enact legislation which is all-inclusive and not restricted only to the self-employed. However, such a move might lend credence to the supposition which I have tried to discount; that is, the impact this legislation would have upon the Treasury. All-inclusive legislation, depending upon the added numbers who might take advantage of the tax-forgiving features of the bill, might be extremely costly.

Secondly, it is well to point out here that most pension plans are the result of collective bargaining. The pensionless employee today has the opportunity to obtain pension plan benefits by negotiating with his employer just as he has the opportunity to obtain higher wages, better working conditions, sick leave, paid holidays and so forth.

It may be that, some time in the future, when the complexion of our national economic picture warrants, we might want to extend coverage of this measure to the pensionless employed. However, it would, in my opinion, be a mistake to do so now. The real injustice—that which we are trying to correct now—is done to the self-employed.

It is my hope that the Senate Finance Committee will see fit, promptly upon concluding its hearings, to report H.R. 10 to the floor. If it contains reasonable limits on the amount of tax deferral to be allowed each year, and in total, and on the means of retirement savings which can be utilized comparable to those of other private retirement programs already approved, then I shall vote for it and urge my distinguished colleagues to do likewise. To wait longer is to compound inequity.

CONVEYANCE OF CERTAIN LANDS TO THE STATE OF ILLINOIS

The Senate resumed the consideration of the bill (S. 747) to provide for the conveyance of certain lands known as the Des Plaines Public Hunting and Refuge Area to the State of Illinois.

The PRESIDING OFFICER. The Chair recognizes the Senator from Maine.

Mr. MUSKIE. I have listened with great interest to the discussion on S. 747, a bill which was reported by the Committee on Government Operations, and was considered by the subcommittee of which I happen to be chairman.

I have listened to the long discussion of the Senator from Oregon, and, as always, I was enlightened, educated, and greatly interested in what he had to say. At the end of his remarks I must confess that I would not have reached a different opinion on the pending bill than is indicated by the committee report, and I think in all fairness to him and to the Members of the Senate I ought to indicate exactly why the subcommittee acted as it did.

The original bill, S. 747, as introduced by the Senator from Illinois, proposed transferring title to what have been referred to in the colloquy this afternoon as plots 1, 2, and 3 to the State of Illinois

for no consideration. The subcommittee scheduled hearings on the bill and we took considerable testimony.

After hearing all the testimony the subcommittee was impressed by the fact that apparently these three plots of land had value for industrial purposes and also value for recreational and wildlife purposes. There was some indication in the hearings that perhaps the plots could be applied to both purposes if there could be a definition of the areas that were chiefly valuable for one or the other of the two purposes.

The subcommittee did not feel it had the function to act as arbitrator between the State of Illinois and the General Services Administration. However, I wrote to the Governor of Illinois, and pointed out to him that it seemed to us that there was an area for possible negotiation between the State of Illinois and the General Services Administration, that we were impressed by the fact that the land in question was valuable for the two purposes, and that perhaps some parts of it were chiefly valuable for one or the other.

As a result of that letter, the State of Illinois did initiate negotiations with the General Services Administration, in which the subcommittee did not participate, since we did not consider that to be our function. As I understand, present at those negotiations were representatives of the State of Illinois, of the Governor of Illinois, the General Services Administration, and the two Senators from Illinois, both of whom are interested in the proposed legislation, and as a result of the representations that were made in these negotiations of the value of the land, it was suggested to the subcommittee that we consider a proposition, the very proposition that is encompassed within the bill as it is now before the Senate, and we did so on the basis of the record that had been established in the previous hearing.

We were very familiar with the Morse formula as we understood it. Perhaps we did not understand it as fully as the Senator from Oregon does, but we understood that he felt that when surplus land is disposed of, it should bring into the Treasury of the Federal Government 50 percent of the fair market value. We did not consider that formula in connection with any one of these four pieces of land, but we considered the overall situation.

The testimony in the hearings indicated that the General Services Administration had received bids for plots 1, 2, and 3 totaling $1,345,418. As the Senator from Oregon has pointed out, no appraisal value has been established for plot No. 4. However, the acquisition cost was $245,777.

The total package that is involved in this proposition is not included in the bill. The rest of the package involves the sale of plots Nos. 1 and 2 for industrial purposes by GSA under the statutory authority which it now has.

Therefore, in considering what the Federal Government ought to realize from the property, we took into consideration plots 1, 2, 3, and 4. Whether or not this is a correct application of the Morse formula as sponsored by the Senator from Oregon I cannot say.

Mr. MORSE. Will the Senator yield for a question of information?

Mr. MUSKIE. I am happy to yield to the Senator from Oregon.

Mr. MORSE. When the Senator from Maine refers to plots 1 and 2, am I correct in my understanding he is referring to sales not to the State of Illinois, but to private users?

Mr. MUSKIE. The Senator is correct.

Mr. MORSE. So private users are supposed to be buying the property for industrial purposes and paying 100 percent of its value.

Mr. MUSKIE. That is correct.

Mr. MORSE. Obviously that takes the transfer completely out from under the Morse formula, and therefore I do not understand why the Senator refers to a package deal here covering parcels 1, 2, 3, and 4, because plots 1 and 2 have nothing to do with transfers to the State of Illinois.

Mr. MUSKIE. Let me refer to a little history to reply to that comment by the distinguished Senator from Oregon.

Originally the 2,400 acres involved in plots 1, 2, and 3, and also the 1,500 acres available in plot 4, were considered to be available for nonmilitary utilization by the Department of the Army. I forget the exact date at the moment, but I think in 1948 the land was made available by the Department of the Interior for fish and wildlife conservation purposes for the State of Illinois.

So, rightly or wrongly, the committee considered all this area as a unit. It was our objective to realize from the transfer of all the area a sum of money which would at least match the amount called for by the Morse formula.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MUSKIE. I am happy to yield.

Mr. MORSE. I say, most respectfully, of course, that is a very serious error on the part of the committee. What the Senator from Maine is saying to me is that even though plots 1 and 2 were to be sold for private purposes for industrial use the committee thought that it ought to include the amount of money to be obtained for parcels 1 and 2 in the computation when it came to the question of consideration of whether the taxpayers of the country were to receive 50 percent of the value for parcels 3 and 4. Once parcels 1 and 2 are sold for private use to private purchasers, the only parcels involved are parcels 3 and 4.

As I said earlier this afternoon, Illinois is paying twice as much as it ought to pay for parcel 3. The question of fact before us is, What is the value of parcel 4? Is the State of Illinois subject to the liability of paying anything for the land at all, if it can be determined that title XVI, section 667 (a) and (b) of the code apply to it?

I repeat, all I am trying to find out is an answer to the question of fact. Certainly parcels 1 and 2 have been removed completely from the consideration of the problem before the Senate, if they are to be sold to private purchasers for industrial purposes.

Mr. MUSKIE. Let me review what I have already said about the background of the proposed legislation.

S. 747 in its original form would have provided for the transfer of plots 1, 2, and 3 to the State of Illinois, if passed by the Congress. That bill was before us at the time we accepted the present form of the bill.

We had an original decision to make as to whether all of plots 1, 2, and 3 should be transferred to the State of Illinois for wildlife and recreation purposes. The Administrator of GSA faced this decision before we did, because he had the problem of disposing of this land which had been declared surplus, and he had to make a decision under the statute, which provides that upon request real property which is under the jurisdiction or control of a Federal agency and is no longer required by such agency may be transferred without reimbursement or transfer of funds if it can be utilized for wildlife conservation purposes of the agency of the State exercising administration over the wildlife resources of the State wherein the real property lies.

In an attempt to discharge his responsibility under that statute, the Administrator solicited bids. He advertised nationwide for these three plots. He had not yet made his decision as to whether the land was chiefly valuable for wildlife conservation purposes. He was in the process of making the decision when the proposed legislation came before our subcommittee.

As I have already pointed out, the bids indicated that these three plots of land would have obtained from the highest bidder a total sum of $1,350,000.

This was the situation when the hearings were concluded. The Federal Administrator, the Administrator of General Services Administration, still had pending before him in the event we did not act, or in the event the Senate did not act, a decision as to whether the land was chiefly valuable for wildlife purposes or for industrial purposes. In the committee hearing the Administrator did not indicate what his decision would be. As a matter of fact, the Administrator indicated he was not sure what his decision might be.

The people representing the State of Illinois, on the other hand, testified to the best of their ability—which, in the case of some witnesses, at least, was considerable—that in their judgment and on the basis of the experience of the State of Illinois in managing the property for some 10 years, on the basis of the attraction the area had for hunters and other public users, the land was chiefly valuable for recreation purposes.

The question for the committee at that point was whether we should allow the Administrator of GSA to make the decision he had the responsibility to make under the statute, or whether we should as a committee decide legislatively, or recommend to the Senate that it should decide legislatively, that these three plots of land were chiefly valuable for wildlife and recreational purposes? Or, should we find that in our judgment the Administrator would not be wrong if

he found the land to be chiefly valuable for industrial purposes?

As I say, out of all this, with these decisions pending before the Administrator of the General Services Administration and before the committee, it appeared there was an area for compromise. This area for compromise involved not simply plots 1 and 2 individually or together but the whole thing. Was there some practical possibility for making available to the State, because the State was interested in industrial development also, part of this area for industrial purposes? Was it possible to make available to the State another part of the area for wildlife and recreation purposes? And at the same time would the transaction bring into the Treasury of Uncle Sam a fair value for the whole?

It can be argued, I suppose, we should have considered each of these four plots of land separately, but we saw this as one problem involving four plots of land which should in some way be made available for these two very useful purposes, and at the same time bring to the Federal Treasury a fair price.

So on this basis, when the negotiating groups suggested to us these three objectives could be met by the proposition encompassed in the proposed legislation now before the Senate, it seemed to us a fair proposition. Plots 1 and 2 have not yet been sold for industrial purposes. They may not be sold for industrial purposes if the proposed legislation falls by the board. If this situation reverts to its status prior to the introduction of the bill, and if the GSA administrator has the responsibility to decide whether the land is chiefly valuable for wildlife conservation purposes, he may so find. We have no way of knowing he will not do so. The point is, since the proposed legislation was tossed in our laps and we saw an opportunity of resolving these conflicting purposes and interests, it seemed to us practical and good sense to do so. Uncle Sam is going to get at least $1,350,000 out of this, and I think more, because there is some indication in the RECORD that at least in the judgment of the GSA people lots 1 and 2 may very likely bring a higher price than was offered in the bids presented. So I think Uncle Sam may very well get more than $1,350,000.

Although we do not have an appraisal for plot No. 4, my impression from the RECORD and from the testimony is that it is comparable to plot No. 3, which is worth $303 an acre. Even taking the Army figure, which the Senator from Oregon mentioned earlier, we are talking about a little over $900,000 for the 1,500 acres, I believe. Even at that figure, which I think may be high, the $1,350,000 represents more than 50 percent of the fair value of the four plots.

Again, as I said earlier, this may not be an accurate application of the Morse formula as the Senator from Oregon has conceived it and sustained it through the years. This he will have to comment on. But I submit, in behalf of the subcommittee, that we devoted long hours to this problem. We listened to a great deal of testimony in the hearings and talked with a great many persons outside the hearings. Perhaps we should have done so in the hearings, but we talked with a great many persons at odd moments, wherever we could find them, over days and weeks, in an effort to reach a fair solution to a very practical problem.

The committee is fully cognizant of its responsibility to the taxpayers of the country. It is fully cognizant also of its responsibility, once this problem is dropped into its lap, of serving the interests of industrial development in Illinois and the interests of wildlife and recreational facilities in Illinois. This was not a responsibility which the committee took lightly.

As a matter of fact, there was a great temptation to take the easy way out, and say, "Senate bill 747 was unacceptable on any basis as it was originally introduced, because it provided for no reimbursement."

We had no function to try to act as arbitrators, or to hammer out a hard bargain in Yankee fashion. We saw an opportunity to render service, perhaps inaccurately in terms of the Morse formula, but I am sure not inequitably so far as the taxpayers of the United States are concerned. They will receive ample return for these four plots of land if this legislation is enacted.

I have no personal interest in this problem. It is a problem in the State of a colleague who is very much interested. It does not matter to me personally whether this land is used for hunting, for industrial buildings, or for any other purpose. I did not support this legislation because of any personal interest, and I assure the Senator from Oregon that I did not support this legislation because I was delinquent, or considered myself delinquent, in my duties to the Senate or to the taxpayers of the country.

I cannot begin to add up the hours that were devoted to this piece of proposed legislation. It may be that we did not make some of the inquiries which the Senator from Oregon would have made if he had been on the subcommittee. The Senator from Oregon has had a great deal of experience in the Senate. He has a deserved reputation for thoroughness, and for meticulous care in the discharge of his duties on the floor of the Senate and in committee. So I hope that nothing I say will be construed as criticism of him, or even as denying him the right to criticize me or the subcommittee. He has that right too. I assure him of something which I am sure he is convinced of in his heart, and that is that we tackled the problem as best we could, as conscientiously as we could, and we did not neglect any aspect of it which occurred to us as being important in the discharge of our responsibilities.

Mr. MORSE. Mr. President, only because I think it will be helpful tomorrow when the Senate as a whole comes to consider my motion to recommit the bill, I wish to make a brief reply to the Senator from Maine tonight.

Let me say to the chairman of the subcommittee that I appreciate very much the explanation of the subcommittee action which he has given the Senate. I want him to know that there is no question in my mind that he and the other members of the subcommittee performed their functions as chairman and members of the subcommittee in accordance with their honest and best judgment as to the policies which should apply to the property involved in the proposed transfer.

Not only does the statement of the Senator from Maine as to the policy followed by the subcommittee convince me that the bill should be recommitted until August 18, but I think he has made an eloquent argument in support of the proposition that it should be postponed until next January, until we can get the administrative bodies concerned to proceed to do the work and supply information to which I think the Senate is entitled before it takes final action on the bill.

Let me very quickly cover the points raised by the Senator from Maine.

It is a very interesting discussion he gives us as to the package concept of this transfer. He points out that the subcommittee took into account parcels Nos. 1 and 2, along with its consideration of parcels 3 and 4, and, in effect, decided whether or not the taxpayers were getting a fair and equitable payment for the four parcels considered together. He says the committee did so because the General Services Administration had not reached a decision as to whether or not parcels 1 and 2 were chiefly valuable for wildlife and recreational purposes.

I think it is at that point that the committee made a serious mistake. If we are to protect the interests of the taxpayers, it is the responsibility of the General Services Administration to indicate the principal purposes for which the land could be used.

By the chairman's own admission, the committee acted before the General Services Administration did so.

Mr. MUSKIE. Mr. President, will the Senator yield at that point?

Mr. MORSE. I yield.

Mr. MUSKIE. The Administrator of the General Services Administration was a party to the negotiations leading to the proposal which is encompassed in the bill and approved of it.

I was not a party to the negotiations, so I can only state that as coming from those who were parties to the negotiations, but I understand that the Administrator of the General Services Administration did approve, so he participated in this perhaps unusual, perhaps unorthodox decision, which supplants his responsibilities under the law, if the law were allowed to operate.

Mr. MORSE. Let me say most respectfully to the Senator from Maine that it is immaterial what the Administrator of the General Services Administration did, aside from his legal obligations under the law. There is nothing in the law which permits him to negotiate a transfer of property except in accordance with the law. The law places upon him the duty to determine whether or not this property is chiefly valuable for

industrial purposes or chiefly valuable for wildlife and recreational purposes.

If I correctly understood the Senator from Maine, he said that that question was never determined. It has not yet been determined. It still may be determined. My point is that the Senate is entitled to have it determined.

Mr. MUSKIE. Mr. President, will the Senator yield at that point?

Mr. MORSE. In just a moment.

If we look at the record from its four corners, to all intents and purposes, the question was determined by the Administrator of the General Services Administration. But I will come to that point after I yield to the Senator from Maine.

Mr. MUSKIE. Of course, I cannot inquire—successfully, at least—into the mind of the Administrator of the General Services Administration. If I could, I might not like what I saw; I am not sure.

I conceive his function in the negotiations to be to contribute what he could to an evaluation as to what the various plots of land are chiefly valuable for, the same kind of evaluation which would have to be made under the law. I take it that his evaluation in those terms was consistent with the proposal which emerged from those negotiations, and, accordingly, he approved.

Mr. MORSE. Let me say to my friend from Maine that it is at that point that we start to have our great difference.

Mr. MUSKIE. May I ask the Senator from Oregon a question, in order to nail down our difference on this point?

Mr. MORSE. Certainly.

Mr. MUSKIE. It seems to me that what we are talking about, really, is whether or not, as a practical matter, we should handle a problem like this in the way some of my Yankee friends in Maine would handle it, around the hot stove, and come up with a practical solution to a practical problem, or whether in this instance we should say to the Senators from Illinois [Mr. DOUGLAS and Mr. DIRKSEN] and others interested in the proposed legislation, that "the law provides for the disposal of that property, so let the law operate, and we will table your bill."

Because I myself was tempted to reach this conclusion, I can certainly respect the conclusion on the part of any other Senator, including the Senator from Oregon, that we should have taken the second course and said, "There is a law that is applicable. Let it work, and let us get rid of a headache for ourselves."

That is what we are talking about. I respect the Senator's position if he says that is what we should have done. On the other hand, I still believe that, as a practical matter, we have come forth with a practical solution to a practical problem, which will, in effect, if endorsed by the Senate, result in the utilization of all this property for its most valuable purposes, and return a fair sum of money to the Treasury of the United States.

I am perfectly prepared, as obviously I must be, after the long discussion this afternoon, to have the Senator from Oregon disagree with me. I am sure he is prepared to have me disagree with him. It may be that eventually, after I have been subjected to the educational process which he conducts so effectively in the Senate, a day will come when I will be taking the same line he takes about problems of this kind. It is a lawyer-like approach, I agree, to follow meticulously the requirements of the law and the precedents which have already been established.

We cut, admittedly, a few Gordian knots in dealing with this problem. We rounded off a few corners and came up with probably what can best be described as a Yankee compromise. Maybe that is wrong. If it is, then the committee is subject to criticism. But I emphasize again that this action was not taken lightly. It was not done offhandedly. It was not done without long, serious, meticulous thought and care being given to the very specific problem of how best to serve the various interests who appeared before us and who appealed to us to give them consideration.

Mr. MORSE. I do not think it is of any great moment whether the Senator from Maine and I disagree about any particular point, but I think it is important for the record that we understand the basis of our disagreement. I feel certain, as the record now stands, that the basis of our disagreement is not at all clear. I want to clarify it before I leave the floor tonight.

Mr. MUSKIE. If that is the case, then I suspect I ought to accept the blame for the confusion which appears in the RECORD.

Mr. MORSE. Not at all; I think it is mutual. I think there is involved the possibility that the taxpayers may be losing more than $200,000 by the bill. There is also the possibility that if we get the facts which I am seeking, we may end by saving the taxpayers of Illinois more than $200,000.

But I respectfully submit that if the bill is passed in its present form, we will be authorizing a transfer of this property which, in my judgment, cannot be reconciled with the law which is on the books and, I am satisfied, cannot be reconciled, for whatever it is worth, with the policy of the so-called Morse formula.

So I want to return to a discussion of the chart and map in the back of the Chamber for my rebuttal to the remarks of the Senator from Maine. I repeat that when it was decided that parcels 1 and 2 should be sold for industrial purposes, and when bids made by private industrial concerns for that property for industrial purposes were agreed to, or a policy of disposing of the property on that basis was agreed to, those two parcels were removed from any further consideration under S. 747. Not only is there no question that the Morse formula did not apply, there is no question that title 616 (a) and (b) of the code did not apply.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MUSKIE. Would the Senator from Oregon reach the same conclusion with respect to parcel 3, as to which bids were also received? It was subject to the same solicitation of bids as were parcels 1 and 2, and the $286,000 figure we are talking about in connection with parcel 3 was an industrial bid.

Mr. MORSE. Yes; and the State of Illinois agreed to pay it or to pay an equivalent amount for the use of the property for refuge purposes. When the State of Illinois became involved in the purchase of any piece of property for refuge purposes, the Morse formula then proceeded to apply.

But if I understand the record of this debate and the record of the committee correctly, the reason why the bids on parcels 1 and 2 were not accepted by the General Services Administration is that they believe that property is even more valuable. They apparently want to get even more money. The taxpayers still might be able to benefit even more from parcels 1 and 2 than from the bids which have been made. That buttresses my contention that we had better take a long look at the transfer to make certain that the taxpayers of the country as a whole will get what is due them from this transfer, and that applies now to parcels 1 and 2.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MUSKIE. Another reason why the bids were not accepted is that by the time the committee was in a position to act, the time for accepting bids had expired. By the time the committee had gone through the process which I have described this afternoon, the time for accepting bids had expired. This did not concern the General Services Administration, because it was our impression that they were going to solicit additional bids anyway, for the reason stated by the Senator from Oregon.

Mr. MORSE. Do I understand correctly, then, that a time element was involved in the consideration of the bids? That the period had passed, and therefore General Services Administration would not have been free to accept bids after the passage of that time, so they did not issue an invitation for further bids.

Mr. MUSKIE. If I may supplement that comment, they could, of course, have asked for an extension of time, if they had felt they wanted to do so.

Mr. MORSE. I am glad the Senator made that point. They could have asked for an extension of time. They did not ask for an extension of time because apparently they thought that resubmitting the property to bids would not get them more money.

Mr. MUSKIE. I think that is a fair statement.

Mr. MORSE. Although there has been no formal finding, apparently, by the General Services Administration as to whether the chief value of the property is for recreational, game, and refuge purposes, I would infer, on the basis of no better record—and I want a better one—that General Services Administration seems to be of the opinion that the property ought to be sold for industrial purposes.

If that is a fair interpretation of the record, it demonstrates even further that the Morse formula has absolutely nothing to do with those two proposals.

The Senator from Maine said that what the committee tried to do was to solve what it considered to be a practical problem in a practical manner, and he raised the question if I did not think that was what the committee ought to have done. My answer is: No.

Mr. MUSKIE. I anticipated the Senator's answer.

Mr. MORSE. If I am correct in my understanding of what the Senator from Maine means by that verbal formula, it is a very catchy one, a very plausible one, to say, "We had a practical problem, and we solved it in a practical way." It also puts me on guard. I always say, "We had better take a look now and see what is meant, first, by a practical problem, and then what is meant by a practical way."

I say most respectfully it is an excuse for not following the law; an excuse for not carrying out the trusteeship doctrine to which I referred earlier; an explanation for not letting the course of the law apply, and letting the chips fall where they may. I say most respectfully that I did not buy that argument from the Senator from Maine. I do not find it persuasive at all. It simply caused me to wonder all the more why the committee thought it could strengthen its case by taking two pieces of apparently highly valuable industrial property, lots 1 and 2, say it would lump them both together, and consider what was received for lots 1 and 2, in a determination of whether it had reached an equitable solution for the sale of 1,500 acres.

My answer to the Senator is: That should not have been done. Why? Because every taxpayer in the Nation has an interest in those 1,500 acres, and the return to those taxpayers should not be diminished on the 1,500 acres simply because the General Services Administration could get a substantial price for the industrial use of parcels 1 and 2. Who loses under this practical solution worked out by the committee, to which the Senator from Maine refers? I am afraid the taxpayers of the United States lose.

That is why, although it pains me to say so, I find myself so much opposed to the committee report. I am opposed to it because I do not think the committee has any right to put parcels 1 and 2 into a package deal.

Mr. MUSKIE. Mr. President, will the Senator from Oregon yield?

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Does the Senator from Oregon yield to the Senator from Maine?

Mr. MORSE. I yield.

Mr. MUSKIE. I thought this kind of an approach would appeal to the Senator from Oregon.

Mr. MORSE. I wish to confine my David Harum tactics to the farm, if that is what the Senator from Maine means.

Mr. MUSKIE. No; I do not mean that. I have enjoyed the Senator's hospitality on his farm; and I have observed his fine herds of beef cattle and his fine horses, and I have listened with interest to his explanation of how he acquired some of his beef cattle and some of his horses. His tactics have, quite obviously, been very effective for him, and are the kind of tactics which I think would make him an almost typical New England Yankee, if he were to choose to settle in our part of the country.

Mr. MORSE. My basic stock happens to be New England.

Mr. MUSKIE. But with regard to the package arrangement. I am prepared to have the Senator from Oregon disagree with me in what I am about to say, because he could not very well do otherwise, after his disagreement all this afternoon, parcels 1, 2, 3, and 4 were parts of the arrangement in 1948; and the Department of the Army and the Department of the Interior released the land for recreational purposes, and the entire tract was managed and operated as a recreational package. We did not pick 1 and 2 practically out of the air, somewhere. This entire tract of land is a package, and it is now being operated by the State of Illinois as one conservation and wildlife and recreational area. So we are talking about disposing of this tract.

It is the Senator from Oregon who split it up into four parts, and who has been saying that we should consider them separately. But no one knows what the Administrator of General Services would do if this bill went out the window and if the whole problem were sent back to him. None of this land might be used for industrial purposes, for aught we know.

The Senator from Oregon said that the fact that the General Services Administration agreed to accept bids on parcels 1 and 2 for industrial purposes means that those parts are chiefly valuable for use for industrial purposes. But that does not necessarily follow at all.

This situation reminds me of a story which is told about Ulysses S. Grant. When he was a small boy, his father sent him to have his first experience in trading for a horse. The Senator from Oregon should appreciate this story. The young Ulysses asked his father what he should offer for the horse. The father replied, "Offer $25. But if he won't take that, offer $50."

So the young boy went to the owner of the horse, and said his dad wanted to buy the horse. The owner asked, "What do you offer for it?"

The boy replied, "Well, Dad said to offer $25, but if you wouldn't pay that, to offer $50."

This package is a compromise of conflicting points of view; and one cannot correctly say that the General Services Administration, by approving the compromise, therefore has indicated that it had decided that parts 1 and 2 were chiefly valuable for industrial purposes, any more than one could correctly say that the Illinois conservation people, by approving this package, were thereby agreeing that if no compromise were reached, plots 1 and 2 would be chiefly valuable for industrial purposes. I do not think that would be a proper conclusion at all, and I do not think that inference can properly be drawn.

Mr. MORSE. I hope the Senator from Maine does not mean to say that I implied that the General Services Administration engaged in the negotiations on the same basis as that of the horse trading engaged in by the young boy, although I am beginning to suspect that that is what the General Services Administration did; and that is all the more reason why we should have time to obtain the facts. The longer the Senator from Maine talks to me about this matter, the more convinced I am becoming that we should postpone final action on this measure until January, until the General Services Administration complies with the law. Nothing in the law authorizes the General Services Administration to write its own ticket, so to speak, in regard to this matter.

If the Senator from Maine really believes that parcels 1 and 2 might be found by the General Services Administration to be chiefly valuable for recreational and refuge purposes, then let me say that it is very much in the interest of the State of Illinois and in the national interest to have such a finding made, and we should require the General Services Administrator to make his finding one way or the other.

The Senator from Maine says I made a mistake by inferring that the property would be sold for industrial purposes, in view of the bids which were taken, and that that means that therefore the General Services Administration concluded that the property was chiefly valuable for industrial purposes. If it is not, then the General Services Administration should not have accepted any bids for the sale of the property for industrial purposes. But if, in fact, the property is chiefly valuable for refuge and recreational purposes, we should insist that it be disposed of on that basis, and on no other, because I think both Illinois and the entire Nation are entitled to that protection.

Mr. MUSKIE. Mr. President, will the Senator from Oregon yield on that point?

Mr. MORSE. I yield.

Mr. MUSKIE. All I intended to say—although I am never sure of what I have actually said until I read the RECORD the next day, and I am sure the Senator from Oregon appreciates that problem, too——

Mr. MORSE. Yes; I am with the Senator from Maine.

Mr. MUSKIE. All I intended to say—and I suppose here I am swapping horses with the Senator from Oregon—was that there has been no finding that the General Services Administration thought that any of these plots was chiefly valuable for any purpose. All it did was approve a compromise of conflicting interests; and the compromise seems to the General Services Administration to be fair.

Of course, the General Services Administration might rule that parcels 1 and 2 were chiefly valuable for industrial purposes. But I am saying that the General Services Administration has not in fact made such a ruling as of now; and the same is true with respect to the other lot.

I agree with the Senator from Oregon that it is fair, I believe, to say that one of the reasons why the subcommittee was interested in exploring this method of solving the problem was that we felt

that parts of the area—although we might not agree as to 1 and 2—were chiefly valuable for industrial purposes, and parts were chiefly valuable for wildlife conservation purposes.

That was set forth in my letter to the Governor of Illinois, and I have no reason to go back on that. That was wholly the reason why we looked for a solution.

Mr. MORSE. The Senator from Maine said or inferred that I am responsible for the consideration of this tract in its various parts. But I deny that that is so. The committee and the bill are responsible for that, not the Senator from Oregon. I have to consider the record as I find it. And I find that the committee has been talking about the four parcels, and I find that the bill deals with the four parcels. So I ask how we got into this situation. We got into it because of the negotiated settlement which the General Services Administration tried to work out, as reported by the committee.

My reply is that the only two pieces of land which are of concern to the Senate—unless the General Services Administration determines that 1 and 2 are chiefly valuable for recreational and refuge purposes—are 3 and 4. I am satisfied that Illinois would be paying too much for 3 because it should be given credit for half of the appraised market value. I am not informed as to the fair appraised market value of parcel 4. The record is incomplete. I think we should find out.

I am afraid that if I vote for the bill in its present form, I shall be voting to deny the taxpayers of the Nation as a whole at least a minimum of $200,000 which they should be receiving from the State of Illinois, after the State of Illinois has been given credit for its overpayment on parcel 3. That is my position.

I am only asking—and I think it is reasonable to ask it—that the committee take time, after it studies this RECORD, to obtain the answers I have requested, and to obtain an appraisal of parcel 4, and to obtain from the General Services Administration a determination for what, under the law, this land is chiefly valuable. That is what the law requires, and I see no reason why we should not follow it.

I close by saying that I could never be more earnest and I could never be more sincere in expressing a deep conviction on my part in regard to what my duty in the Senate is, and that is to follow the law in accordance with where the facts lead. I am satisfied that we have not been following the law on the statute books in regard to this matter. I am satisfied that we do not have the facts that we should have. Therefore, I have moved that the bill be recommitted.

Mr. MUSKIE. Mr. President, will the Senator from Oregon yield to me, before he closes?

Mr. MORSE. Yes, in a moment.

Furthermore, Mr. President, the more we discuss this matter and the more I listen to the Senator from Maine, the more I begin to question in my own mind what the rush about this matter is, and why it is necessary that we dispose of this question at this session. It will be the same Congress, come January. This property is not going to disappear between now and January. In fact, I would be willing to support a bill that would stop the General Services Administration from selling it to anybody prior to consideration of it in the next session of Congress. We ought to have all the information before us by January, proceed to consider it in January, and I think then we would do equity to all concerned, and would not fail to follow the law, and I am more and more inclined to believe we would follow the law.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MUSKIE. To demonstrate to the Senator from Oregon my interest in the Morse formula, I think I ought to quote from the record of the hearings. I think this is the first point at which the Morse formula had been introduced at the hearings:

> Senator MUSKIE. I cannot resist asking the Senator this question.
>
> I was addressing the Senator from Illinois [Mr. DOUGLAS].
>
> The Senator, I know, is familiar with, and very interested in, the Morse formula. What is your feeling on that, with regard to this proposal?

Then, to complete the record, I would like to say this, and I am not going to extend unduly my remarks. So far as parcels 1, 2, and 3 are concerned, if they were all that were involved, this matter could be handled administratively by the General Services Administration without any legislation. The only reason why legislation is considered necessary is that parcel 4 has not been declared surplus, so it is not subject to disposal by the General Services Administration.

So, in order that that parcel should be disposed of, it has to be done by legislation. If it were not for that fact, the matter could have been handled administratively, because the action has the approval of those who, administratively, are charged with the responsibility for action.

Mr. MORSE. As I said earlier in the debate, I am in favor of calling the Army in and subjecting them to the kind of cross examination needed to get the information we need in order to determine whether or not this property is, in fact, surplus. If it can be declared surplus, we can move on.

Mr. MUSKIE. May I comment on that point?

Mr. MORSE. Yes.

Mr. MUSKIE. I intended to make a comment previously, when the Senator made reference to the Army, but I was in the Chair, so I did not have an opportunity to comment directly. The Army presented us with objections in a letter which I presume has been made a part of the RECORD in some part of the discussion. I refer to the letter addressed to the chairman of the full committee.

Mr. MORSE. I put the letter in the RECORD.

Mr. MUSKIE. I presume it is in the RECORD.

Mr. MORSE. It is in the RECORD.

Mr. MUSKIE. Following it, and following negotiations, the Army was asked to consider the proposals encompassed in this bill. Sometime subsequent thereto, Secretary Brucker, or perhaps it was Assistant Secretary Short, and the Senator from Illinois [Mr. DIRKSEN], approached me to ask me whether or not the committee would consider an alternative as to parcel No. 4. This has already been mentioned in the discussion. The committee did consider that alternative. It felt, because it was not contiguous to parcel No. 3, much of its value for recreational purposes would be lost, or at least minimized. Of course, all conservation interests in Illinois opposed it.

Then we went back to considering parcel No. 4 for the purpose of evaluating again all the factors that were involved in this situation. I instructed the committee staff to ask the Army to sit down with us in executive session and go over this proposition. I wanted to hear the Army's case or if they wanted to expand the case as contained in the letter to us of June 18. We wanted to get their reaction. We wanted to have a full and frank hearing of all their objections. They, quite frankly, were not interested in coming.

The Senator from Oregon states that we should have insisted on their coming before the committee. Perhaps the Senator from Oregon would have done that, but our position was that we had had extended hearings. The Army knew we were talking about this property. They could have attended the hearings. There was considerable discussion with them. They had the opportunity. They were put on warning that we were going to consider their interests in deciding the legislation to be proposed. If they were not sufficiently interested to come before us, we felt their case, which had never impressed us with its strength, was not sufficient to sustain their coming before the committee.

Perhaps we should have needled their conscience, reminded them of their duties, and stimulated them to action, as many of us here in the Senate have to do with the executive agencies. But they are not children. They are big boys. They knew what we were going to talk about. They knew what we were interested in doing. They knew the proposal being made to us. They knew we were not interested in their alternative. If they had had substantial interests to protect, if substantial military interests of the United States were involved, then it would not have been a question of whether the Army wanted to come before the committee; it would have been their duty to come before us. When they did not, I think we had a right to conclude they could not make a case. Perhaps that is wrong. Perhaps the committee was not as thorough as some of our colleagues would have been.

Mr. MORSE. There was not involved a controversy between the committee and the Army.

Mr. MUSKIE. We never considered it as such.

Mr. MORSE. There was involved a duty on the part of the committee to as-

certain what the facts were, and the fact that the Army did not see fit to accept the invitation of the committee to sit down with its members at an executive session and discuss the problem did not, in my judgment, relieve the committee of the responsibility to see to it that some of us who are not on the committee got the facts to enable us to answer the simple question: Is this property in fact important to the Army? Is the Army justified, on the facts, in refusing to declare it surplus? Even today the Army insists the property should not be declared surplus, that it is needed by the Army. I think that fact raises a rebuttable presumption. We ought to have evidence. Simply saying the Army did not desire to testify, with no rebuttal of the presumption, is not sufficient, because we have not received evidence on the use to which the property is being put or can be put. We have been advised informally that the Army has great plans for a Reserve program in the Chicago area, and that this property is easily accessible to Chicago. I think the Army ought to be put on the spot and questioned with regard to it.

What I hope is that a further investigation of this matter will enable us to reach a finding that the chief value of this property is for wildlife and conservation purposes. If it is, then, under the law, the people of the State of Illinois are entitled to that property.

In addition to the reasons I put into the RECORD today as to why I could not possibly vote for this bill in its present form, I am fearful that, if we follow the procedures on the statute books, the people of the Nation as a whole are entitled to a minimum of $200,000 more for the 1,500 acres than they would be getting under this bill. So long as I honestly believe that, I would have no right, as one of the trustees of the taxpayers' property, to vote for a bill which would deny the people the $200,000.

Mr. MUSKIE. Mr. President, the Senator from Oregon has been very kind in yielding to me. I do not want to keep the Senator from Oregon on his feet by asking him to yield to me further.

I just cannot let the RECORD rest at this point with the suggestion that the committee had no facts on which to evaluate the Army's position on parcel No. 4. I read one paragraph of the Army's letter of June 18, as follows:

> The Department of the Army in furtherance of the program for the training of Army Reserve units requires the use of open land areas to permit field training exercises in addition to and to supplement classroom and other training. These outdoor training areas would be used normally on weekends by reservists in a particular area.

So far as this letter discloses, unless I have overlooked something in my hasty review, this is the sum total of the Army's case for retention of these 1,500 acres, to be used for an outdoor training area on weekends, weekends outside of a period which they agreed could be used for pheasant hunting, on weekends for reservists, and I understand this is not even every weekend. It could be, but it is not every weekend.

This is the sum total of their case so far as this letter discloses, and they had an opportunity to disclose more.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MUSKIE. In addition, if I may just round out this argument, here we have 32,000 acres of land, and part of it, at the very tip, is the land involved in the alternative proposal made to the committee.

The land offered as an alternative is not needed for any other purpose. It is not needed as a buffer zone around the arsenal, as much of the rest of this area is.

Why is not this as good for weekend training by reservists as the 1,500 acres which is the subject of discussion?

I agree with the Senator. I think I can anticipate what he is going to say, that we would only be doing what the Army asked whether or not the other areas are useful for this purpose, but there is no installation in these 1,500 acres for the purpose of those weekend drills other than some mobile type of installation which can be moved into any other part of the area.

The 32,000 acres are largely grazing land, used as a buffer around the arsenal, and this much area was needed when the arsenal was operating at peak capacity, but it is not needed now.

There are large areas within those 32,000 acres which must actually be excess to the Army's needs if we assume that it was sufficient to take care of the buffer zone needs when the arsenal was operating at peak capacity. If it was sufficient at peak capacity, now that the capacity has dwindled to a fraction of what it was originally, there are large areas of those 32,000 acres that must be excess to the Army's needs, and the only case they have made to the committee for any part of it is contained in this one sentence, "These outdoor training areas would be used normally on weekends by reservists in a particular area."

I submit that the committee was justified in reaching the conclusion that some other portion of those 32,000 acres is available for that purpose.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield to the Senator from Oregon.

Mr. MORSE. I wish to say, in reply, that the Senator from Maine, in pointing out what is in the record, completely substantiates my objection on this point as far as I am concerned. I do not know what the reserve requirements are. I am satisfied, however, that we need to build up the reserve program in this country. I think the reserve program, by and large, is in a pretty deplorable state, and anything we can do to encourage building up a reserve program I think would be in the interest of our security.

Apparently all the evidence the subcommittee received was a letter from the Army, which the Senator from Maine considered to be a very inadequate reply to the request of the committee. That is when the officials should have been brought in. That is when the pertinent questions of fact should have been answered, so that those not on the committee, those of us in the Senate who must vote on this bill, might be satisfied that we are voting for declaring a piece of property surplus which in fact ought to be declared surplus.

I am inclined to feel that it should be. I think we ought to make the record. I hope my motion will be agreed to tomorrow, and that the committee will make a record by August 18.

Mr. MUSKIE. Let me say, in closing, that I have enjoyed this colloquy with the Senator from Oregon. As always, I am enlightened, if not corrected, by what he has had to say. I must confess it would be more comfortable to have him on the same side than on the opposite side.

If he is going to insist on the last word, I submit what I am saying is that so far as the Army's case on the parcel is concerned they had an opportunity to make their case. I assume they made the strongest case they could in a letter that was more than a paragraph or two, and if there is some part of their case they overlooked, even though I appreciate the Senator's remarks on the importance of the reserve program, that is their responsibility. Once they presented their case to me, they knew they had to make it, and I have a right to expect that to be their full case.

Mr. MORSE. If the Senator will yield, I merely desire to say that the Senator overlooks his responsibility when he says that to the Senate. We are entitled to the facts.

To the Senator from Illinois and to the Senator from Maine I wish to say that I appreciate very much the fine spirit in which this discussion has been conducted today, and I am looking forward to being on the same side with the Senators on the next issue.

Mr. LONG. Mr. President, will the Senator yield?

Mr. MUSKIE. I am happy to yield to the Senator from Louisiana.

Mr. LONG. How many acres does the Senator say are involved?

Mr. MUSKIE. The total acreage?

Mr. LONG. How many acres are involved in the bill we have heard debated today?

Mr. MUSKIE. The total acreage is 3,946.

Mr. LONG. Approximately 4,000 acres. I was concerned about that.

Mr. MUSKIE. May I correct that? What is involved in the bill is 2,446 acres, but there was involved in the total package 3,946 acres.

Mr. LONG. Some years ago the Army told us that it was absolutely necessary that they have a sufficiently large area to conduct full-scale war maneuvers of corps size. The people of Louisiana undertook to acquire maneuver rights to 6 million acres for the Army at that time on a firm understanding with the Army that a certain major defense base in Louisiana would be kept open.

The Senator will agree that 6 million acres is considerably more than the 2,000 acres involved in this instance.

It would appear that for the Army to acquire the same type of maneuver

rights over the same type of property elsewhere would have cost the Army at least $5 an acre a year. That would have represented an annual cost of about $30 million.

The Army at this time is losing all those maneuver rights by virtue of a decision to close that base which they had agreed to keep open.

During the course of the Eisenhower administration, and up to the time this administration concludes its tenure of office after 8 years, the savings which could be established would be $1½ million.

Every military man who is not directly under the thumb of the Secretary of Defense, who could testify on his own independent judgment, indicated to all of us that the Army will require an area which is that big once again, the first time the Army undertakes to see what will happen if they maneuver an Army with atomic weapons, when they have to have large areas in which to operate.

It does seem strange that the Army can take such conflicting points of view. The 2,000 acres here in question, the Army says it cannot do without. Perhaps someone goes there to shoot pheasants, but they want to keep it available in the event that sometime they may want to maneuver across the open territory. The only area they have in all North America big enough to maneuver a real Army is being given away, being given up by virtue of an administrative decision. We cannot get the Army to talk about what it will cost the next time they have to conduct maneuvers. It does seem to be a strange inconsistency to see the Army giving up such fantastic amounts of property values, but almost declining to even discuss what it will cost to maneuver the Army again. Yet with regard to this relatively small parcel, 2,000 acres, they insist they must have it. I was trying to calculate what the percentage 2,000 acres is to 6 million acres.

Mr. MUSKIE. To compute that in his head the Senator would have to be better at mathematics than I.

Mr. LONG. With the benefit of a pencil we could work it out. It would be far less than one-tenth of 1 percent. It would be away down in the decimal points.

Mr. MUSKIE. Yes.

Mr. LONG. It is strange that with regard to property use we find the executive department, on the one hand, to quote the Scripture, completely capable of swallowing a camel, but on the other hand, straining at a small gnat.

Mr. MUSKIE. I appreciate the comments of the Senator from Louisiana.

The committee has no desire, and I am sure the Senator from Illinois [Mr. DOUGLAS] has no desire, to deprive the Army of anything it really needs. Of course, there are degrees of meticulousness one can apply to inquiries in situations of this kind. We felt we had made all of the inquiry we fairly could be expected to make, and that there was not a real case on the other side.

Mr. LONG. It does seem somewhat strange to see the Army take the attitude that it can, with utmost deference, surrender property rights on 6 million acres of land, yet find some great issue with regard to 2,000 acres.

Mr. MUSKIE. Does that have an effect on the value of the land in Louisiana?

Mr. LONG. No; I hope not. The people of the State provided all these maneuvers rights, and I believe it was, for that period, the only area for which the Army could acquire rights. It was the same general area which was used for the conduct of the war games in World War II. The Army acquired those rights from the citizens of Louisiana at no cost. It was more or less a patriotic effort on the part of the people, a cooperative effort of working with the service.

The point is that this will not be available again. We see the inconsistency of the Department taking an attitude that this great area is something they are not using, so they have no need for it and are turning back rights on 6 million acres, yet with regard to the other 2,000 acres they would have us believe that the land is absolutely essential.

Mr. MUSKIE. I should correct the Senator to say that we are discussing only 1,500 acres.

FOUR POINTS FOR EFFECTIVE LABOR REFORM LEGISLATION

Mr. HRUSKA. Mr. President, the President's national television message on labor reform legislation of last week has resulted in a great deal of discussion the Nation over. It has resulted in much mail to Members of Congress.

It brings to a focus the keen and abiding concern and belief of the American public that effective action be taken on this subject.

America's strength, greatness, and future are built on the capitalistic system: hard working laboring folk, investors who furnish the money, and management which arranges for tools and machines. Result: jobs, income, and goods to use and enjoy.

Unions were formed to improve the lot of the worker by better pay, better working conditions, safety and health measures; workmen's compensation insurance, pensions, and so forth. Acting properly in their rightful realm, unions have helped workers a great deal.

WORKERS' NEED FOR PROTECTION

While employers and unions generally and their respective officials, have tried to be fair and do the right thing, that is not true of all of them. It is pretty well proved that the worker needs protection against employers who overreach or exploit. He needs protection also against the union official who is corrupt, overreaching, or dishonest.

The public, too, is in need of protection against the super power of certain unions which is of such tremendous size and is capable of abuse.

In any legislation, fairness to all concerned should be stressed. Every effort should be made to avoid punitive measures which would do harm to the workers or the unions, the employers, or the public.

The points contended for by the President in his telecast are fair. They are not punitive. They are the sober and deliberate judgment of a man long dedicated to the overall public good. He is not a candidate for election to public office.

Mr. President, all labor bills are not necessarily good labor bills. There are many gradations and many degrees. Some are only shells. Some treat with partial or marginal segments of the problem. Others seek to get at the core.

Altogether too many Members of Congress talk glibly of the necessity for labor reform bills, but vote against provisions which would deal realistically yet fairly with the abuses and the threats to the Republic's safety which are involved.

As was brought out by the President, the labor bill as passed by the Senate last April did not contain any of the four points which the President stressed as necesary to an effective bill. These points are first, a bill of rights to protect the individual rights of union members within their unions, assuring them, among other things, of fair elections and honest handling of their money; second, no man's land provision which will vest in the States jurisdiction of labor disputes which the National Labor Relations Board will not process; third, coercive picketing, sometimes called blackmail picketing; fourth, proper provision against secondary boycotts.

Mr. President, when the Senate considered the labor bill last April, each of these points was proposed as an amendment to the bill pending before this body. The Senator from Arkansas [Mr. MCCLELLAN], chairman of the Senate Select Committee on Improper Activities in the Labor or Management Field, proposed the amendment in each instance of the four votes referred to below. It should be remembered that the Select Committee was bipartisan, with four members from each major political party.

Mr. President, I ask unanimous consent that there be printed at this point in my remarks a brief description of the four points on which there were Senate rollcall votes, and how each member of the select committee cast his vote.

There being no objection, the description was ordered to be printed in the RECORD, as follows:

Bill of rights: McClellan amendment to guarantee each union member equal rights, identical voting rights, equal protection of union's rules and regulations, freedom of speech and assembly without interference or penalty, and so forth.

DEMOCRATS

Yes: MCCLELLAN, ERVIN.
No: KENNEDY, CHURCH.

REPUBLICANS

Yes: GOLDWATER, MUNDT, CURTIS, CAPEHART.

No man's land: Jurisdiction of all labor disputes would be continued in National Labor Relations Board. If the Board determined to exclude any class of cases from its jurisdiction a State court or agency could assert jurisdiction, even if the labor dispute would affect interstate commerce.

DEMOCRATS

Yes: MCCLELLAN, ERVIN.
No: KENNEDY, CHURCH.

REPUBLICANS

Yes: GOLDWATER, MUNDT, CURTIS, CAPEHART.

Coercive picketing, sometimes called Blackmail Picketing: McClellan amendment making it an unfair labor practice to engage in organizational or recognition picketing under specified circumstances, and providing penalties.

DEMOCRATS

Yes: MCCLELLAN.
No: KENNEDY, ERVIN, CHURCH.

REPUBLICANS

Yes: GOLDWATER, MUNDT, CURTIS, CAPEHART.

Secondary boycotts: McClellan amendment directed against secondary boycotts.

DEMOCRATS

Yes: MCCLELLAN, ERVIN.
No: KENNEDY, CHURCH.

REPUBLICANS

Yes: GOLDWATER, MUNDT, CURTIS, CAPEHART.

Mr. HRUSKA. Mr. President, the records of the Senate show that the senior Senator from Nebraska voted in favor of each of these McClellan amendments, and therefore, of course, in favor of each of the points listed by President Eisenhower in his national telecast of August 6.

It is to be earnestly hoped that progress will still be made in the form of a suitable and effective labor reform bill—one which, if properly enforced, would drive out the crooks who have invaded certain of the unions, and would restore the rule of law.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, August 11, 1959, he presented to the President of the United States the following enrolled bills:

S. 1289. An act to increase and extend the special milk program for children;

S. 1455. An act to amend the Agricultural Adjustment Act of 1938, as amended, with respect to the preservation of acreage history and the reallocation of unused cotton acreage allotments; and

S. 1512. An act to amend the Federal Farm Loan Act to transfer responsibility for making appraisals from the Farm Credit Administration to the Federal land banks, and for other purposes.

ADJOURNMENT UNTIL TOMORROW AT 11 A.M.

The PRESIDING OFFICER. What is the pleasure of the Senate?

Mr. LONG. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LONG. Has it been agreed that the Senate will stand in adjournment, when it concludes its business today, to meet at 11 a.m. tomorrow?

The PRESIDING OFFICER. The Senator is correct.

Mr. LONG. Mr. President, pursuant to the order which was entered earlier today, I move that the Senate stand in adjournment until tomorrow at 11 o'clock a.m.

The motion was agreed to; and (at 7 o'clock and 33 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Wednesday, August 12, 1959, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate August 11, 1959:

DEPARTMENT OF JUSTICE

J. Walter Yeagley, of Indiana, to be an Assistant Attorney General, vice William F. Tompkins, resigned.

INTERSTATE COMMERCE COMMISSION

The following-named persons to be Interstate Commerce Commissioners for terms of 7 years expiring December 31, 1966 (reappointments):

Howard G. Freas, of California.

Abe McGregor Goff, of Idaho.

EXPORT-IMPORT BANK

James Smith Bush, of Missouri, to be a member of the Board of Directors of the Export-Import Bank of Washington, vice Vance Brand.

DEVELOPMENT LOAN FUND

Vance Brand, of Ohio, to be Managing Director of the Development Loan Fund.

COLLECTOR OF CUSTOMS

Norman A. Kreckman, of Rochester, N.Y., to be collector of customs, with headquarters at Rochester, N.Y. (Reappointment.)

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Mabron L. Compton, Elkmont, Ala., in place of W. S. Morris, removed.

Jessie W. Hagood, Town Creek, Ala., in place of J. W. Davis, transferred.

ARKANSAS

Devoe Bollinger, Jr., Horatio, Ark., in place of A. T. Cowden, retired.

CALIFORNIA

Ruth H. Burkett, Cedar Glen, Calif., in place of B. B. Malcom, retired.

Gay Nell V. Mentzer, Couterville, Calif., in place of V. E. Sackett, retired.

William F. Evans, Ducor, Calif., in place of M. L. Stewart, retired.

Leslie V. Sims, Pallbrook, Calif., in place of J. L. Sims, retired.

Dorothy N. Sweet, Valyermo, Calif., in place of G. C. Brandenburg, retired.

COLORADO

Harold W. Best, Larkspur, Colo., in place of J. U. Mixer, deceased.

CONNECTICUT

Jewell R. Burnham, South Windsor, Conn., in place of R. H. Bossen, resigned.

ILLINOIS

Chester C. Heindel, Stockton, Ill., in place of F. C. Niemeyer, deceased.

Charles W. Weaver, Tennessee, Ill., in place of B. P. Hodges, retired.

INDIANA

Ervin M. Watson, New Harmony, Ind., in place of H. S. Glump, retired.

IOWA

James B. Thompson, Letts, Iowa, in place of L. M. Crumly, transferred.

KENTUCKY

Irene M. Polly, Cromona, Ky., in place of Esther Branham, deceased.

MARYLAND

Myrl M. Smith, Fullerton, Md., in place of I. F. Bodenburg, deceased.

MASSACHUSETTS

David DeMario, Ipswich, Mass., in place of Eugene Matheson, retired.

Joseph F. Condon, North Billerica, Mass., in place of N. A. Ritchie, retired.

Carl E. Leino, Sandwich, Mass., in place of M. L. McParlin, retired.

Frank F. Silvia, Taunton, Mass., in place of T. L. McCarron, retired.

MICHIGAN

Shirley E. Thorne, Horton, Mich., in place of Velma Strait, retired.

Cecil L. Erfourth, Rudyard, Mich., in place of P. C. Carr, retired.

MINNESOTA

Leslie M. Olson, Hartland, Minn., in place of I. C. Stensrud, retired.

Eino R. Latvala, Tamarack, Minn., in place of D. W. Brekke, transferred.

MISSISSIPPI

Charles W. Smith, Inverness, Miss., in place of W. M. Herring, retired.

James H. McCord, Pontotoc, Miss., in place of O. H. Akers, retired.

Elizabeth S. McLendon, Port Gibson, Miss., in place of J. V. Gage, retired.

MONTANA

James W. Campbell, Malta, Mont., in place of P. C. Lapham, deceased.

NEW JERSEY

Shirlee W. Thompson, Vincentown, N.J., in place of H. S. Elbert, removed.

NEW YORK

Dorothy E. Burr, Savona, N.Y., in place of E. E. Mulliken, deceased.

NORTH CAROLINA

Don D. Cogdill, Jr., Sylva, N.C., in place of T. W. Ashe, retired.

NORTH DAKOTA

Frank V. Jansky, Ross, N. Dak., in place of L. T. Breeling, retired.

OKLAHOMA

Merle W. Hardwick, Lamont, Okla., in place of V. L. Thorlton, failed to return from military duty.

Henry D. Friend, Oklahoma City, Okla., in place of F. M. Shaw, deceased.

PENNSYLVANIA

Wilbur D. Walker, Bigler, Pa., in place of E. P. Thompson, retired.

Harry M. Showalter, Ephrata, Pa., in place of W. F. Smith, retired.

Glenn I. Gegogeine, Reno, Pa., in place of Susan Breene, retired.

SOUTH CAROLINA

Theodore G. Hicks, Lamar, S.C., in place of W. P. Scarborough, transferred.

W. Robert Cooper, Jr., Lane, S.C., in place of J. A. Montgomery, retired.

SOUTH DAKOTA

Carl R. Blank, Jr., Ipswich, S. Dak., in place of I. I. Engler, removed.

TENNESSEE

Reuben P. Taylor, Gleason, Tenn., in place of W. L. Newberry, retired.

M. Frances Long, Palmer, Tenn., in place of E. R. Overturf, retired.

TEXAS

Tom E. Friery, Palacios, Tex., in place of G. M. Barnett, retired.

James R. Burras, Windom, Tex., in place of R. E. Blair, retired.

VERMONT

Lyndell C. Wood, South Royalton, Vt., in place of G. M. Goodrich, retired.

Donald R. Dayton, East Middlebury, Vt., in place of C. M. Morgan, retired.

VIRGINIA

Thomas K. Mitchell, Jr., Elliston, Va., in place of S. B. Henson, retired.

Joseph B. Glasscock, White Post, Va., in place of L. G. Fowler, retired.

WASHINGTON

Cloyce G. Johnson, Dayton, Wash., in place of C. H. McCauley, resigned.

WEST VIRGINIA

Margaret M. McCormick, Anawalt, W. Va., in place of Wash Hornick, Jr., resigned.

Ruby L. Teets, Aurora, W. Va., in place of G. R. Mason, resigned.

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 11, 1959

The House met at 12 o'clock noon.

Father Nicholas I. Puhak, St. Peter and Paul's Catholic Church, New Brunswick, N.J., offered the following prayer:

O bountiful and loving Lord, grant to all Members of this Congress spiritual and physical courage that they may serve as Your instruments for the propagation of Thy Ten Commandments.

Grant to these United States of America political leaders of conscience and citizens of integrity. Thou hast said, "I am the Light of the World." Pray God that we follow this light, for scientific advancement, wealth, and world leadership without the spirit of Thy law will lead us inevitably into materialism and godless communism. We pray that by Thy grace, O Lord, we shall become a people of vision. Amen.

The Journal of the proceedings of yesterday was read and approved.

TENNESSEE VALLEY SELF-FINANCING

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2471) to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. HALLECK. Mr. Speaker, reserving the right to object, first of all I ask unanimous consent that I may extend my remarks in the RECORD at this point and include certain observations I made on yesterday; and, Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, reserving the right to object—and as far as I am concerned, I shall not—I think the RECORD should be very clear as to what we are doing here today. The President has been recommending self-financing legislation for TVA since 1954. H.R. 3460 substantially complied with the recommendations which the President had made on numerous occasions. The President was deeply concerned, however, about one section of the bill which not only had confusing language, but which additionally established a mechanism for the approval of new power producing projects which would allow the Congress to act directly on recommendations of the TVA, a subordinate agency to the President, regardless of Presidential desires and without opportunity for Presidential review of such congressional action.

S. 2471 eliminates this language. Its main substantive effect is to prohibit the TVA from dealing directly with the Congress concerning new power producing projects. It does not and could not change the relationship between the President and the members of the Tennessee Valley Authority who are his appointees and who are subject to his general directions. It is the opinion of the President, as well as of all his legal advisers, as well as of the Board of the Tennessee Valley Authority, that TVA still is subject to the budgetary sections of the Government Corporation Control Act, and as such will be required to submit to the President for his review and modification their annual financial program for the use of bond revenues and power proceeds. The President will submit his revised program to the Congress as part of his regular budgetary submission. It will be up to the Congress to determine whether any action is to be taken upon the President's recommendations for the ensuing fiscal year.

While H.R. 3460 gives directly to the Tennessee Valley Authority certain authority with reference to the use of revenue bond proceeds, it does not and cannot change the relationship of the TVA Board to the President and their basic responsibility to him as the Chief Executive of this country.

Mr. Speaker, I would also like to read from a letter addressed to the President of the United States by the Tennessee Valley Authority Board:

DEAR MR. PRESIDENT: We greatly appreciated the opportunity to meet with you on July 29 and present to you our views concerning the pending TVA financing bill, H.R. 3460, and the urgent need for its enactment.

Following our meeting with you, we had a further discussion with members of your staff. At this subsequent meeting we presented a one-page memorandum, representing the opinion of our general counsel relative to the meaning of H.R. 3460. The first paragraph of that memorandum is as follows:

"H.R. 3460 does not exempt TVA from the budgetary provisions of the Government Corporation Control Act. TVA will continue to submit its budget program to the President; and the President will continue to submit such program, as modified, amended, or revised, to the Congress as part of his annual budget. H.R. 3460 provides that the issuance and sale of bonds and the expenditure of bond proceeds shall not be subject to the requirements or limitations of any other law, but the budgetary provisions of the control act do not relate to the issuance and sale of bonds or the expenditure of bond proceeds and are therefore not affected by this provision."

Mr. CRAMER. Mr. Speaker, all throughout the hearings before the Committee on Public Works on H.R. 3460 the TVA bond issue financing bill in March and in the committees' subsequent executive consideration of the provisions of H.R. 3460 the minority repeatedly expressed its deep concern aloud with other points with respect to adequate control by Congress and the executive branch over the expenditure of bond proceeds and submitted, without success, amendments designed to provide such control by both the President and the Congress.

That this concern was well founded is evident from statements made by the General Counsel of the Tennessee Valley Authority, Mr. Charles J. McCarthy, a month later before the House Committee on Appropriations.

When Mr. McCarthy was testifying before that committee on the public works appropriations for 1960—hearings, part 2, page 903—there was an exchange of questions and answers between the gentleman from Pennsylvania [Mr. FENTON] of the committee and Mr. McCarthy. The substance was as follows:

Mr. FENTON. And you are, of course, trying to tell us the President would have no authority to restrict and control the use of bond revenues?

Mr. MCCARTHY. Under this bill the TVA Board of Directors would be given, by the Congress, authority to determine what bonds should be sold within the $750 million limit provided and the amount of capacity that should be constructed.

Mr. FENTON. Your answer is, I take it, you do not have to. The President has no authority?

Mr. MCCARTHY. The President is fully advised of the plans. If you are asking me whether express approval of the Bureau of the Budget would be necessary, the answer is "No."

After the passage of H.R. 3460, the bill now before this House, S. 2471, was introduced to remove from H.R. 3460 a provision relative to Presidential authority which did not meet with the President's approval. The language proposed to be stricken by S. 2471 is as follows:

Provided, That, with the budget estimates transmitted by the President to the Congress, the President shall transmit the power construction program of the Corporation as presented to him and recommended by the Corporation, together with any recommendation he may deem appropriate.

Neither bond proceeds nor power revenues received by the Corporation shall be used to initiate the construction of new power-producing projects (except for replacement purposes and except the first such project begun after the effective date of this section) until the construction program of the Corporation shall have been before Congress in session for ninety calendar days. In the absence of any modifying action by a concurrent resolution of the Congress within the ninety days, such projects will be deemed to have congressional approval.

The following information, which has just come to me will perhaps help clarify the situation that will exist upon passage of S. 2471:

First. The General Counsel of the Tennessee Valley Authority has submitted a legal opinion to the President that TVA is still subject and will under this bill be subject to the budgetary provisions of the Government Corporation Control Act.

Second. Members of the Board of TVA have written the President outlining the procedures they will follow, pursuant to the opinion of their general counsel if S. 2471 is enacted. According to this letter, paritally included in the RECORD yesterday by the distinguished minority leader, they will submit their annual financial plan to the President in accordance with the provisions of the Govern-

ment Corporation Control Act, and they have clearly stated their understanding that the President, as a part of his annual budget, will transmit to the Congress estimates of TVA requirements as modified, amended, or revised by the President.

Third. Congress may, but only through substantive legislation, alter such estimates of TVA requirements under either H.R. 3460 as enacted, or as amended by S. 2471, although such alterations, if the latter—S. 2471—amendment is adopted, will be subject to Presidential approval. H.R. 3460 provided for concurrent resolution action which is not subject to Presidential action and S. 2471 eliminates this provision.

With these three points in mind it becomes clear that if S. 2471 is adopted the President, in line with the opinions expressed by the TVA Board, will have an opportunity to review the annual plans of TVA for the use of power revenues and revenue bond proceeds, including the construction of new plants, and that the Congress will be enabled to take such action as it might desire on the President's proposals through the enactment of appropriate substantive legislation which would require the President's approval.

In debate I offered amendments to provide that the TVA budget would be processed through the regular budgetary processes, with the President and Congress exercising the customary existing full control over budgetary matters. TVA, as a part of the executive branch, should be subject to Executive control and Congress certainly has an interest in continuing some control over TVA because of the $1.2 billion taxpayer investment therein.

S. 2471, at least in the opinions expressed above, preserves Presidential control to some extent. I had hoped more interest would be shown by Congress in retaining its own control through budgetary processes over TVA. Only time and future events will be the judge.

Mr. SCHERER. Mr. Speaker, on last Thursday the President approved the TVA financing bill, H.R. 3460. It was generally understood until a few days before last Thursday that the President was going to veto the bill because it greatly limited and restricted his control and that of the Congress over TVA's power construction program. To avoid the veto, a deal was worked out whereby the President would sign the bill if Congress would meet the President's objections by immediately amending the bill accordingly.

Today we are presumably fulfilling Congress' part of the deal by passing S. 2471, which merely deletes from the bill signed by the President the following language:

Provided, That with the budget estimates transmitted by the President to the Congress, the President shall transmit the power construction program of the Corporation as presented to him and recommended by the Corporation, together with any recommendation he may deem appropriate.

Neither bonds proceeds nor power revenues received by the Corporation shall be used to initiate the construction of new power producing projects (except for replacement purposes and except the first such project begun after the effective date of this section) until the construction program of the Corporation shall have been before Congress in session for 90 calendar days. In the absence of any modifying action by a concurrent resolution of the Congress within the 90 days, such projects will be deemed to have congressional approval.

Mr. Speaker, it is almost unbelievable, but I submit that the deletion of this language, instead of giving the President and the Congress greater control and direction over the construction of new power-producing projects by TVA as the President desired, unequivocally and completely eliminates any direction and control whatsoever by either the President or the Congress over the use of either revenue bond proceeds or power revenues by the corporation in the construction of new power-producing projects.

The advocates of socialized public power have been driving for an unfettered and uncontrolled powerplant construction program. Under the bill signed by the President, they almost had it. When we pass S. 2471 today, their victory will be complete. Privately they have been jubilant since the deal was made. When we pass this bill today, they will no longer need to hide their enthusiasm. They will have achieved what they always have wanted but never quite thought they would get.

On a number of occasions this House has turned down TVA's request to build additional steamplants. Now they can thumb their nose at us. They got the bond-issuing authority so they would have the money to build their plants. Now they can have as many as they please, as big as they want, anytime, anywhere, inside or outside the Tennessee Valley. Without let or hindrance they can build steamplants to their heart's content, to provide more and more cheap, Government-subsidized power, so that they can pirate more industries from your district and mine.

Mr. Speaker, in 1948 Congress realized that it did not have control over the use of TVA power revenues for the construction of new power-producing projects and, therefore, said in section 831h–2, title 16, of the United States Code:

None of the power revenues of the Tennessee Valley Authority shall be used for the construction of new power producing projects (except for replacement purposes) unless and until approved by Act of Congress.

This section of the code is repealed in the first section of the bill signed by the President last week.

The provisions in the bill to which the President objected and which today are to be stricken from that bill provided at least some semblance of control by the Congress. Part of that language which we are now asked to strike reads:

Neither bond proceeds nor power revenues received by the Corporation shall be used to initiate the construction of new power-producing projects (except for replacement purposes and except the first such project begun after the effective date of this section) until the construction program of the Corporation shall have been before Congress in session for ninety calendar days. In the absence of any modifying action by a concurrent resolution of the Congress within the ninety days, such projects will be deemed to have congressional approval.

This provision was bad enough, but at least it gave Congress veto power over TVA's new power construction programs. Now even this limited control is wiped out by the deletion of this language. Before H.R. 3460 became law last week any new construction program had to be submitted to Congress. Congress had to approve it by affirmative legislation. All of us remember those debates over new steamplants. On a number of occasions Congress saw fit to turn down TVA's requests.

With TVA acquiring huge and additional revenues from the sale of bonds, it was even more necessary that Congress should have retained its control over TVA's expansion programs. Under H.R. 3460 we diluted that authority to a mere veto power. Today, if we pass this bill, we wipe out completely all congressional authority and control.

It is rather ironic but we all remember that during the past 10 days the President indicated that one of his objections to H.R. 3460 was the fact that, if Congress by concurrent resolution exercised its veto and disapproved a proposed TVA power expansion program, the President under the law could not approve or veto such concurrent resolution. Now today in passing S. 2471 we wipe out both the Congress' veto and the President's veto and we are supposed to have met the President's objections to the original bill.

Mr. Speaker, I know some will say, "SCHERER, you can't be right. This does not make sense." Certainly it does not make sense, but let me quote to you from the Senate report on S. 2471. On page 2, under the heading of "Recommendations," we find this language:

The committee believes that this bill removes certain restrictions from H.R. 3460 and also removes from that act provisions for congressional scrutiny and approval of the power construction program of TVA which the President himself would not have, thus maintaining the constitutional concept of power among the branches of Government.

The August 7 Congressional Quarterly says:

With the elimination of this provision TVA's future power construction program will be free from control by either the executive branch or Congress.

One of the other objections which the President indicated he had to the bill he signed was the fact that he had to transmit to the Congress the power construction program of the TVA Corporation as presented to him and recommended by the Corporation, rather than submitting his own program, as he does with respect to all other agencies. It is contended that the elimination of this language by S. 2471 also cures this objection of the President and that he can then submit the power program with the budget estimates which he transmits to the Congress for the general operation of the Corporation.

I submit that the President will have no more control over the use of revenue bond proceeds than will the Congress,

because we find the following language in the bill just signed by the President:

The issuance and sale of bonds by the Corporation and the expenditures of bond proceeds for the purposes specified herein, including the addition of generating units to existing power producing projects and the construction of additional power producing projects, shall not be subject to the requirements or limitations of any other law.

If in the deal that was made it was really intended that the President and the Congress should retain any control whatsoever over TVA's construction program, then the deal should have included not only the deletion of the language provided for in S. 2471, but also the substitution of language which the administration itself had prepared when H.R. 3460 was being considered by the Congress. In fact, the minority offered this language as an amendment at that time, but it was turned down.

Let us take a look at this amendment prepared and urged by the administration. It reads:

Provided, That in addition to the budget program transmitted by the President to the Congress in the budget, the President shall transmit a summary of the power construction recommendations of the Corporation as presented to him by the Corporation.

No commitment for the construction of new power producing projects or for additions to existing power producing projects (except for replacement purposes) shall be made unless approved by the Congress in connection with action taken on the budget program transmitted by the President.

It should be obvious now to the least informed that the administration knows that, if it is to retain this power and control by the President and the Congress, the language of its own amendment would have to replace the provisions stricken by S. 2471. Of course, if the deal that was made involved the surrender of this power and control, then S. 2471 accomplishes this purpose admirably.

The considerations for the deal must have been great because up until a few days before the bill was signed, the President in a number of press conferences said in substance that his chief objection to the bill was that the control and direction of TVA had been diluted too much. S. 2471, instead of accomplishing what the President said he wanted, not only dilutes the direction and control of TVA further but in fact it completely dissolves it, as I have shown.

I have contended, as you will see from the debates on the floor, that the proponents of socialized power have no intention whatsoever of acquiescing in a territorial limitation for TVA. In fact, TVA's chief proponents have said time and time again that they oppose any territorial limitation. I have pointed out that any territorial limitation is a temporary concession or sop until the public power boys can get the bond-issuing authority; that, as soon as the vertical power demands in the present TVA service area are met, they will demand and readily be granted increased bond-issuing authority. To get it, they will use the argument that the bond-issuing authority costs the Federal Treasury nothing.

Of course, they will carefully avoid mentioning the loss of corporate and other taxes to the General Treasury. For instance, when TVA moves in to serve seven of the cities exempted from the territorial limitations in H.R. 3460—cities having a total population of only 55,000—the Federal Government will lose $800,000 annually in Federal taxes alone.

With this bond-issuing authority, they will be ready to expand TVA all over the South. The illusory fence placed around TVA's service area by H.R. 3460 will fall like a house of cards. The proposed plant on the Ohio River more than 30 miles outside TVA's service area should be proof enough that the public power boys plan unlimited and uncontrolled expansion of TVA.

Revenue bond-issuing authority will give them means to do this. We are going to have a rash of bills which will permit other government power agencies all over the United States to do the same thing.

In fact, the Senate has just completed hearings on a bill to create a planning, financing, power-generating, and power-transmitting corporation to absorb the Bonneville Power Administration. Under the bill the Bonneville Power Corporation would be authorized to issue bonds to the Treasury up to $1,100 million to finance electrical generating and transmission facilities.

We all know the difficulty the Treasury Department is having in selling bonds to refinance our obligations. What is going to happen to the Government's bond financing program if these power agencies all over the United States begin to issue revenue bonds? There will be such a competition for money that current interest rates will look low by comparison. At this very moment the administration is opposing, and properly so, the issuance of revenue bonds to meet the current deficits in the highway trust fund because such bonds will compete with the sale of General Treasury bonds.

The enactment of H.R. 3460 and S. 2471 is a tremendous victory for the advocates of socialized power. It will be the beginning of the end for private enterprise power in the United States.

Mr. Speaker, the beginning of the end is already taking place. In a letter to the President on July 28, 1959, I pointed out to him that TVA was already making surveys to build a new steamplant on the Ohio River, at least 30 miles outside the TVA service area. Now I realize that under the territorial limitations of H.R. 3460 TVA cannot sell or provide power for use in an area more than 5 miles beyond the periphery of the service area as of July 1, 1957, nor in States in which TVA did not supply power on that date. As I read the bill, however, there is no provision against building a plant like the one proposed on the Ohio River outside the service area just as long as the power is used within the area. But after such a plant is built, how long can or will the pressure be resisted to have it serve all customers within reasonable transmission distance in Kentucky, Indiana, and Ohio? Eventually how many more plants will be built outside the Tennessee Valley? The parade has just started. Hold your hats and do not stand up.

Mr. EVINS. Mr. Speaker, as we pass this legislation—perfecting legislation—I want to take this occasion to publicly express my appreciation for the signing of the TVA bond bill—the self-financing bill by the President. The people whom I represent have been greatly interested in this legislation for the past several years and the signing of this bill by the President represents a culmination of 4 years' work and effort. It means that TVA will remain unfettered and be permitted to continue to serve the 6 million people of its service area in the South.

TVA has had a most successful 25 years' history and the approval of this bill which provides an alternative and additional method of financing—private financing—will mean that this great agency of the Government will have another 25 years of growth and service to the Nation.

I am pleased the President has given his approval of the bill.

I want also to commend the dean of our delegation from Tennessee, our friend and colleague, Congressman CLIFF DAVIS, and our colleague and friend, Congressman BOB JONES of Alabama, for their joint effort and leadership in the passage of this legislation. Both Congressman DAVIS and Congressman JONES have worked untiringly over the past several months and years to secure the enactment of this legislation. The bill has had a very rough chartered course at times but these pilots have brought the measure safely into harbor and they are deserving of our thanks and commendation and praise.

I would also express my appreciation to Speaker RAYBURN, our distinguished majority leader, Congressman MCCORMACK, and all of our colleagues who have voted for passage and otherwise supported and worked for this needed legislation.

Among the many advantages of its enactment is the fact that we should have a recess from the annual recurring battles over TVA and the controversy which, in the minds of some, it invokes.

I congratulate all who have had a part in the securing of the passing of the TVA legislation and of course urge the passage of the pending bill to perfect this legislation.

Mr. MACK of Washington. Mr. Speaker, President Eisenhower has been recommending to Congress repeatedly since 1954 that a self-financing plan be developed for the Tennessee Valley Authority provided that any self-financing plan adopted continue executive and congressional approval of TVA programs.

The minority members of the House Public Works Committee have worked from the beginning to accomplish the President's wishes as to TVA financing.

Since TVA first was established some 25 years ago, it has received appropriations from Congress of $1.2 billion for the building of power dams, steam generating plants, transmission lines and other power generating and distributing facilities.

TVA never has paid any interest on this $1.2 billion appropriated investment

of the American taxpayers. The Bonneville Power Administration and the St. Lawrence Seaway and Power Authority have paid interest on Federal funds invested in their facilities. Therefore it was felt, and rightly so, that TVA should pay interest on this appropriated investment as well as paying off the principal over a period of years just as the Bonneville Power and the St. Lawrence Seaway and power projects are required to do. TVA certainly was not entitled to any more favorable treatment on the repayment of interest and principal than other similar agencies.

The Bonneville Power Administration in its 25 years has paid the Government $189 million in interest whereas TVA has not paid $1 of interest.

The recent TVA bills did have the advantage to the Federal Government and its taxpayers of requiring interest payments from TVA on the invested capital supplied to it by the Nation's taxpayers.

Under existing law, TVA is required to repay $30 million a year to the Federal Government on the appropriated investment of $1.2 billion made by the Federal Government in TVA power facilities. This was the only money received by the Federal Government on its $1.2 billion investment of taxpayers' money in TVA power facilities.

Under the bill just enacted and signed by the President, TVA for the first time will begin paying interest at the rate of about $36 million a year plus a further payment of $10 million a year on the appropriated interest during each of the next 5 years; $15 million a year during the 6th to 10th years, inclusive, and $20 million after the 10th year.

Thus, the Federal Treasury, starting immediately, will begin receiving in principal and interest payments from TVA $46 million a year or $16 million a year more than TVA now is obligated to pay. Within 10 years these payments will be increased to $56 million a year and will be a return of $26 million a year over what TVA now repays to the Federal Government. These increased payments are a great gain for the American taxpayers.

This is one of the great benefits of the TVA law just enacted.

These payments can be met by TVA without undermining TVA's financial position inasmuch as TVA revenues after meeting all operating and maintenance expenditures last year were about $99 million and will be even larger each year in the years ahead.

The original bill for TVA self-financing proposed, in the opinion of the Republican members of the House Public Works Committee, was not a sound bill.

The first reported TVA bill, sponsored in 1957 by TVA advocates, proposed that the TVA Directors should be granted unlimited authority to issue any amount of bonds they wished—$1 billion, $2 billion, or even $3 billion of them—without review by Congress of the program on which such bond revenues were to be expended. That proposal in the original TVA bill, in the opinion of the Republican members of the Public Works Committee, was a blank check grant of an absurd amount of unrestrained authority to three appointive, not elective, officials of the Government. The Republicans on the committee voted unanimously against this unlimited bonding authority being granted TVA. The bill, however, was voted out of the Public Works Committee over Republican opposition and sent to the Rules Committee. The Rules Committee refused to grant a rule on this bill. It never reached the House floor.

Republican opposition killed the blank check approach to the TVA self-financing problem, and in killing that proposal the Republicans rendered a great service to the Nation's taxpayers and a sound blow for fiscal responsibility.

Later a new TVA bill was introduced. This new bill placed a limit of $750 million on the amount of bonds the TVA Directors could have outstanding at any one time. The bill which has been enacted and signed into law by the President carries this $750 million limitation.

The original TVA bill carried no limitation upon the territory which the TVA could serve other than the one in existing law which allows TVA to serve any area within economic transmission distance of present TVA generating plants. Without some limitations being placed on the territory served by TVA that agency could with its revenues and bond proceeds expand the area it served severalfold.

Republicans, joined by many Democrats, reached an agreement for territorial limitations allowing TVA to expand some 2,000 square miles outside present limits.

When the Democratic majority of the committee agreed to pay interest on the appropriated investment, which will amount to about $36 million a year, it at the same time proposed a reduction of the already agreed to $30 million-a-year payment on the appropriated investment to $10 million a year.

This change in the existing law meant that TVA would be allowed 120 years to pay off the $1.2 billion which American taxpayers now have invested in TVA power and distributing facilities.

Bonneville Power and the St. Lawrence Seaway and Power Authority in addition to interest payments are required to pay off the appropriated investment in their projects in 50 years. Republican members of the Public Works Committee felt that if the Bonneville and the St. Lawrence authorities were required to repay the capital invested in them in 50 years, that TVA should not be granted 120 years to make its repayments.

The Republican members of the House Public Works Committee bent backward to be fair to TVA and suggested that annual payments of TVA on the invested capital be set at $20 million a year. Since TVA last year, after operation and maintenance costs, had a surplus of $99 million, it was felt by the Republicans that TVA could easily pay $36 million a year in interest and $20 million on principal and still have $43 million left over for plant expansion. This proposal was rejected by the majority in committee. Later this same proposal was advanced by the Republicans when the bill was debated on the House floor. It was again rejected by the Democratic majority in the House. As the bill passed the House, it called for a repayment on principal of only $10 million a year instead of the $30 million a year to which TVA previously had been committed to pay.

Later, the Senate as a matter of compromise, proposed that instead of the $10 million repayment in the House-passed bill that TVA repayments should be made at the rate of $10 million for each of the next 5 years, $15 million a year during the following 5-year period and after the 10th year the payments on the appropriated investment should be at the rate of $20 million a year as the Republicans had urged both in committee and on the House floor.

This provision for higher repayment of the appropriated investment means that TVA will repay its debt to the Federal Government in about 60 to 65 years instead of the 120-year period provided for in the original TVA bill. This is one of the gains made for the taxpayers and progress toward fiscal responsibility.

The Tennessee Valley Authority is a wholly owned and wholly financed Government agency. It does a gross annual business of about $250 million a year and after meeting all operation and maintenance costs last year had a surplus of $99 million. It will spend $100 million to $200 million annually in building new powerplants and transmission lines. It now, under this bill, has authority to borrow money in the bond market in the enormous sum of up to $750 million.

This vast business is administered entirely by three appointed, not elected, Federal officials. These three appointed officials can borrow hundreds of millions and spend them building new power facilities. It is the feeling of Republican members of the House Public Works Committee that sound management should suggest that these three officials be under the supervision and control of both the executive and the Congress. The bill as finally passed and approved largely exempts TVA from these restraints and in the opinion of many of us is defective in that respect.

However, it is a better bill than any of those originally proposed and was the best solution the minority was able to obtain.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 15d(a) of the Act to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes, approved on August 6, 1959, is hereby amended by deleting therefrom the following:

"*Provided,* That, with the budget estimates transmitted by the President to the Congress, the President shall transmit the power construction program of the Corporation as presented to him and recommended by the Corporation, together with any recommendation he may deem appropriate.

"Neither bond proceeds nor power revenues received by the Corporation shall be used to

initiate the construction of new power producing projects (except for replacement purposes and except the first such project begun after the effective date of this section) until the construction program of the Corporation shall have been before Congress in session for ninety calendar days. In the absence of any modifying action by a concurrent resolution of the Congress within the ninety days, such projects will be deemed to have congressional approval."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN OFFICERS OF THE PUBLIC HEALTH SERVICE

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 4120) for the relief of Dr. Raymond A. Vonderlehr and certain other officers of the Public Health Service, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: "That the following-named retired officers of the United States Public Health Service are hereby relieved of all liability for payment to the United States of the following stated sums, such sums representing overpayments of retired pay as a result of unauthorized recomputations of their retired pay under the provisions of the Career Compensation Act of 1949: Doctor Charles V. Akin, $9,705.12; Doctor Richard H. Creel, $10,928.94; Doctor Marshall C. Guthrie, $10,928.94; Doctor John W. Kerr, $10,928.94; Doctor Allan J. McLaughlin, $10,928.94; Doctor John McMullen, $10,928.94; Doctor Roy P. Sandidge, $10,039.74; Doctor Frederick C. Smith, $10,928.94; Doctor Walter J. Treadway, $10,928.94; Doctor Clifford E. Waller, $8,701.22, and Doctor Mark J. White, $10,928.94."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

The title was amended so as to read: "An act for the relief of certain officers of the Public Health Service."

SUBCOMMITTEE ON ELECTIONS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Subcommittee on Elections of the Committee on House Administration may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PRIVATE CALENDAR

The SPEAKER. This is the day for the call of the Private Calendar. The Clerk will call the first individual bill on the Private Calendar.

ARGYRIOS G. GEORGANDOPOULOS

The Clerk called the bill (S. 554) for the relief of Argyrios G. Georgandopoulos.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Argyrios G. Georgandopoulos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Argyrios G. Georgandopoulos. From and after the date of the enactment of this Act, the said Argyrios G. Georgandopoulos shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANGELINAS CUACOS STEINBERG

The Clerk called the bill (S. 593) for the relief of Angelinas Cuacos Steinberg.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Angelinas Cuacos Steinberg, the widow of a United States citizen, shall be deemed to be within the purview of section 101(a)(27)(A) of that Act, and the provisions of section 205 of that Act shall not be applicable in this case.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEA LEVI

The Clerk called the bill (S. 967) for the relief of Lea Levi.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Lea Levi shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Lea Levi. From and after the date of the enactment of this Act, the said Lea Levi shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. VASSILIKI P. THEODOROU

The Clerk called the bill (H.R. 1665) for the relief of Mrs. Vassiliki P. Theodorou.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Vassiliki P. Theodorou, who lost United States citizenship under the provisions of section 404 of the Nationality Act of 1940, may be naturalized by taking prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said Act. From and after naturalization under this Act, the said Mrs. Vassiliki P. Theodorou shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. ELLEN LESCHNER

The Clerk called the bill (H.R. 1701) for the relief of Mrs. Ellen Leschner.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

CECIL E. FINLEY

The Clerk called the bill (H.R. 2946) for the relief of Cecil E. Finley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Cecil E. Finley shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of enactment of this Act, upon payment of the required visa fee.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARRY AND LENA STOPNITSKY

The Clerk called the bill (H.R. 3801) for the relief of Harry and Lena Stopnitsky.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Harry Stopnitsky and Lena Stopnitsky, who lost United States citizenship under the provisions of section 401(e) of the Nationality Act of 1940, may be naturalized by taking prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said Act. From and after naturalization under this Act, the said Harry Stopnitsky and Lena Stopnitsky shall have the same citizenship status as that which existed immediately prior to its loss.

With the following committee amendments:

On page 1, line 3, change the name "Lena Stopnitsky" to "Lily Stopnitsky".

On page 2, line 1, change the name "Lena Stopnitsky" to "Lily Stopnitsky".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Harry and Lily Stopnitsky."

A motion to reconsider was laid on the table.

LEILA BERNSTORFF GRAUERT

The Clerk called the bill (H.R. 5530) for the relief of Peter Clemens August Grauert and Hans Herbert Grauert.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of subsection (g) of section 201 of the Nationality Act of 1940, Leila Bernstorff Grauert shall be held and considered to have been a resident of the United States for at least five years after she attained the age of sixteen years.

With the following committee amendment:

Amend the title so as to read: "A bill for the relief of Leila Bernstorff Grauert."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHRISTOPHER J. MULLIGAN

The Clerk called the bill (H.R. 5645) for the relief of Christopher J. Mulligan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 315 of the Immigration and Nationality Act of 1952 shall be held to be inapplicable to Christopher J. Mulligan.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, for the purposes of title III of the Immigration and Nationality Act, section 315 of the said act shall not be applicable to Christopher J. Mulligan."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LILIANA CAPRARA

The Clerk called the bill (H.R. 6886) for the relief of Liliana Caprara.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Liliana Caprara (A–10315172) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 8, 1954.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FROL MARTIN SIMONOV

The Clerk called the bill (H.R. 6954) for the relief of Frol Martin Simonov.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Frol Martin Simonov, lawfully admitted for permanent residence in the United States on February 20, 1954, shall be held to be included in the class of applicants for naturalization exempted from the provisions of section 313(a) of the Immigration and Nationality Act, as such class is specified in section 313(c) of the said Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LT. COL. FRANCIS E. RESTA

The Clerk called the bill (H.R. 1695) for the relief of Lt. Col. Francis E. Resta.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, Lieutenant Colonel Francis E. Resta (serial number TM 1000) shall be advanced on the Army retired list to the grade of colonel and shall be entitled to receive all rights and benefits of a commissioned officer of that grade, effective from the date of his retirement.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That notwithstanding any other provision of law, Lieutenant Colonel Francis Resta (TM 1000) may be retired for physical disability, as determined by the Secretary of the Army under the provisions of title 10, United States Code, section 1201, and he shall be entitled to receive all rights and benefits provided by law to an officer of the Army with the same grade, length of service, and physical disability, effective from the date of his retirement."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HENRI POLAK

The Clerk called the bill (S. 162) for the relief of Henri Polak.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Henri Polak shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 30, 1952.

SEC. 2. That, notwithstanding the provisions of the Immigration and Nationality Act, the periods of time Henri Polak has resided and was physically present in the United States or any state since September 30, 1952, shall be held and considered as compliance with the residence and physical presence requirements of section 316 of said Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. JOYCE LEE FREEMAN

The Clerk called the bill (S. 539) for the relief of Mrs. Joyce Lee Freeman.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is their objection to the request of the gentleman from Massachusetts?

There was no objection.

ROSA MARIA MONTENEGRO

The Clerk called the bill (S. 1053) for the relief of Rosa Maria Montenegro.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Rosa Maria Montenegro, shall be held and considered to be the natural-born alien child of Lieutenant Commander Anderson V. Showen, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAK JAE SEUN

The Clerk called the bill (S. 1104) for the relief of Pak Jae Seun.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Pak Jae Seun, the fiancée of Robert Lewis Hall, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of three months, if the administrative authorities find (1) that the said Pak Jae Seun is coming to the United States with a bona fide intention of being married to the said Robert Lewis Hall, and (2) that she is otherwise admissible under the Immigration and Nationality Act. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Pak Jae Seun she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within three months after the entry of the said Pak Jae Seun, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Pak Jae Seun as of the date of the payment by her of the required visa fee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALICE KAZANA

The Clerk called the bill (S. 1135) for the relief of Alice Kazana.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Alice Kazana, the fiancée of Edward Boruk, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of three months: *Provided,* That the administrative authorities find that the said Alice Kazana is coming to the United States with a bona fide intention of being married to the said Edward Boruk and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Alice Kazana, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within three months after the entry of the said Alice Kazana, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Alice Kazana as of the date of the payment by her of the required visa fee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. JOHN M. CICA

The Clerk called the bill (S. 1407) for the relief of Mrs. John M. Cica.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of sections 212(a)(3) and 212(a)(4) of the Immigration and Nationality Act, Mrs. John M. Cica may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act: *And provided further,* That these exemptions shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KIM FUKATA AND HER MINOR CHILD, MICHAEL (CHANEY)

The Clerk called the bill (S. 1442) for the relief of Kim Fukata and her minor child, Michael (Chaney).

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Kim Fukata, the fiancée of James Chaney, Junior, a citizen of the United States, and her minor child, Michael (Chaney), shall be eligible for visas as nonimmigrant temporary visitors for a period of three months: *Provided,* That the administrative authorities find that the said Kim Fukata is coming to the United States with a bona fide intention of being married to the said James Chaney, Junior, and that they are found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Kim Fukata and Michael (Chaney), they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within three months after the entry of the said Kim Fukata and Michael (Chaney), the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Kim Fukata and Michael (Chaney) as of the date of the payment by them of the required visa fees.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

YEE YOU GEE

The Clerk called the bill (S. 1500) for the relief of Yee You Gee.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Yee You Gee, shall be held and considered to be the natural-born alien child of Mr. John M. Yee, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HO RIM YOON HOLSMAN

The Clerk called the bill (S. 1533) for the relief of Ho Rim Yoon Holsman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Ho Rim Yoon Holsman shall be held and considered to be the natural-born alien child of Noel and Helen Holsman, citizens of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THEOPI ENGLEZOS

The Clerk called the bill (S. 1558) for the relief of Theopi Englezos.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationalty Act, Theopi Englezos shall be held and considered to have been born in Turkey.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. ERIKA ELFRIEDE IDA WARD

The Clerk called the bill (S. 1601) for the relief of Mrs. Erika Elfriede Ida Ward.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(4) of the Immigration and Nationality Act, Mrs. Erika Elfriede Ida Ward may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act: *And provided further,* That unless the beneficiary is entitled to care under the Dependents' Medical Care Act, a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADEODATO FRANCESCO PIAZZA NICOLAI

The Clerk called the bill (S. 1611) for the relief of Adeodato Francesco Piazza Nicolai.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Adeodato Francesco Piazza Nicolai, shall be held and considered to be the natural-born alien child of Antonio Nicolai and Teresa Jezierny Nicolai, citizens of the United States: *Provided,* That the natural parents of Adeodato Francesco Piazza Nicolai shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EVAGELIA ELLIOPULOS

The Clerk called the bill (S. 1669) for the relief of Evagelia Elliopulos.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Evagelia Elliopulos, shall be held and considered to be the natural-born alien child of George L. Elliopulos and Agapi Elliopulos, citizens of the United States: *Provided,* That no natural parent of Evagelia Elliopulos, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MR. AND MRS. CARL SKOGEN WOODS

The Clerk called the bill (S. 1684) for the relief of Mr. and Mrs. Carl Skogen Woods.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mr. and Mrs. Carl Skogen Woods, who lost United States citizenship under the provisions of section 404(c) of the Nationality Act of 1940, may be naturalized by taking prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said Act. From and after naturalization under this Act, the said Mr. and Mrs. Carl Skogen Woods shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IVAN (JOHN) PERSIC

The Clerk called the bill (S. 1705) for the relief of Ivan (John) Persic.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Ivan (John) Persic, shall be held and considered to be the natural-born alien child of Louis Persic, a citizen of the United States: *Provided,* That no natural parent of Ivan (John) Persic, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LUSHMON S. GREWAL, JEAT S. GREWAL, ET AL,

The Clerk called the bill (S. 1719) for the relief of Lushmon S. Grewal, Jeat S. Grewal, Gurmale S. Grewal, and Tahil S. Grewal.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of section 101(a)(27)(A) and 205 of the Immigration and Naturalization Act, the minor children, Lushmon S. Grewal, Jeat S. Grewal, Gurmale S. Grewal, and Tahil S. Grewal shall be held and considered to be the natural-born alien children of Sarwan S. Grewal, a citizen of the United States: *Provided,* That the natural parents of Lushmon S. Grewal, Jeat S. Grewal, Gurmale S. Grewal, and Tahil S. Grewal shall not, by virtue of such parentage be afforded any right, privilege, or status under the Immigration and Naturalization Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TSE MAN CHAN

The Clerk called the bill (S. 1724) for the relief of Tse Man Chan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Tse Man Chan shall be held and considered to be the minor alien child of Mrs. Alice Lee Chan, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALAN ALFRED COLEMAN

The Clerk called the bill (S. 1773) for the relief of Alan Alfred Coleman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(4) of the Immigration and Nationality Act, Alan Alfred Coleman may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act: *And provided further,* That the exemption granted herein shall apply only to a ground for exclusion of which the Department of Justice or the Department of State has knowledge prior to the enactment of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KUM HUNG SEETO AND KUM WO SEETO

The Clerk called the bill (S. 1828) for the relief of Kum Hung Seeto and Kum Wo Seeto.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

HERMAN LUCHNER

The Clerk called the bill (S. 1829) for the relief of Herman Luchner.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(9) of the Immigration and Nationality Act, Herman Luchner may be issued a visa and be admitted to the United States for permanent residence if otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VICENTE SOLIVA EMPLEO

The Clerk called the bill (S. 1946) for the relief of Vicente Soliva Empleo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Vicente Soliva Empleo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXCLUSION OF CERTAIN ALIENS

The Clerk called the resolution (H.J. Res. 477) relating to the exclusion of certain aliens.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

RELATING TO PERMANENT RESIDENCE AND DEPORTATION OF CERTAIN ALIENS

The Clerk called the resolution (H.J. Res. 478) relating to permanent residence and deportation of certain aliens.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CALL OF THE HOUSE

Mr. COLMER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently, no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 127]

Bowles	Elliott	Moulder
Canfield	Flynn	Powell
Curtis, Mass.	Jackson	Shelley
Dingell	Martin	

The SPEAKER. On this rollcall 420 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

USE OF GREAT LAKES VESSELS ON THE OCEANS

Mr. BONNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4002) to authorize the use of Great Lakes vessels on the oceans, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? The Chair hears none, and appoints the following conferees: Messrs. BONNER, GEORGE P. MILLER, ASHLEY, TOLLEFSON, and VAN PELT.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 338 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 8342, a bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed six hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

That after the passage of H.R. 8342, the Committee on Education and Labor shall be discharged from the further consideration of the bill, S. 1555; that it shall then be in order in the House to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H.R. 8342 as passed; that it shall then be in order to move that the House insist upon its amendment to said Senate bill S. 1555 and request a conference with the Senate; and that the Speaker shall thereupon appoint the conferees on the part of the House.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN]; and pending that, I yield myself 15 minutes.

Mr. Speaker, we have a very remarkable situation here today. We have a rule for the consideration of a labor bill. We have two proposed substitutes to the labor bill. And to be as brief as I can about the rule, it is, I will say, a wide-open rule under the rules of the House. The so-called committee bill will first be considered. When it is read for amendment, at the conclusion of the first section, the gentleman from Georgia will offer the so-called Landrum-Griffin bill as an amendment. It will then be in order to offer the so-called Shelley-Roosevelt bill as a substitute for the Landrum amendment. Then it will be in order to have one amendment each to the Shelley-Roosevelt substitute and the Landrum-Griffin amendment pending at the same time. The Landrum-Griffin amendment will be perfected by whatever amendment may be offered before any vote is taken on amendments to the Shelley-Roosevelt substitute. Then that amendment will be perfected. Then the Roosevelt substitute will be, I hope, voted down. Then the Landrum-Griffin bill will, I hope, be voted up. If that occurs, we will then be at the end of the road. That would then be reported back to the House and the House would vote on the Landrum-Griffin amendment. If that is defeated, in the Committee of the Whole, of course, the committee bill will be open to the much-needed amendments to make it a good labor-management bill.

When all that is done in order to get it to conference, it will be necessary to substitute the Senate bill. The provisions of the Senate bill will be stricken out and whatever the result of the House deliberations is will be inserted in Senate bill, S. 1555. Then, the Speaker will appoint conferees. So much for the rule.

I want to talk this morning, and I do not expect to speak in general debate, on the bills that are before the House—the three bills. First, I want to go back to the proceedings of the Committee on Education and Labor because that presents the most remarkable situation that has come to my attention in my service in the Congress. When that bill was referred to the Committee on Education and Labor, two subcommittees aggregating 12 members were appointed to hear the evidence and sit as a jury. They heard all the evidence, but they did not write the bill. When they got through hearing all the evidence, the bill was then submitted to the full committee and the bill was written in the full committee—sort of like you had a jury trial and you heard all the gory details by one jury and when they got through the judge should say, "No, you do not write the verdict—you might have been prejudiced by all these gory details so we will take you out of the box and we will put another jury in the box that has not heard the evidence and let them write the verdict." Now, that is about what happened. That bill—the committee bill—came out with the votes of its opponents. Is that not remarkable? There were not but five members of the committee who favored the bill reported out by the committee, and it was brought out, and I think quite properly so, by the committee in order that the House might have something to add to the confusion that has already been experienced in the Committee on Education and Labor. Now, let us see about the five members who were for the committee bill, and let us see how many of them served on the jury that heard the evidence—not one—not one. Not a member of those who were in favor of the committee bill was on the subcommittee that heard the evidence, the hearings on which ran over a period of something like 3 months. Now when they got down to reporting this bill out, why then everybody has to have a separate report. So you are presented this morning with this document, the committee report, and if you are going to know anything about this situation, you are going to have to study this document because it tells you a lot—and that is the nine committee reports. Nine different reports, and to those 9 different reports are attached 36 signatures of the 30 members of the committee. That sounds rather unusual, does it not? Here is the kind of report we have got, and I hope it will help you to reach an intelligent decision on this very important case.

We have one report entitled "Statement." We have one entitled "Supplementary Views." We have "General Comments." We have "Separate Views." We have "Dissenting Views"; and "Additional Statement"; "Supplemental Views." Some more "Additional Views" and some more "Supplementary Views." We have every type of dissenting and differing opinion known to parliamentary procedure in this one report. You name it, we have it. You know when I finished delving through this report it reminded me of a couplet that John Rankin used to use about the Arkansas Snake Railroad:

> It wiggled in, and it wobbled out
> And left the people all in doubt
> As to whether in its zig-zag track
> It was going west or coming back.

Now, I want to devote my time, if I may, to a discussion of the bills, and I am going to talk about the one feature that has developed until it is the crux of the situation that the American people want to correct, which is hot cargo, the boycott, and organizational picketing. So I will start with the Shelley bill. The Shelley bill is a very honest, straightforward bill. It does not beat around the bush; it just does it at one fell swoop by eliminating and cutting out title 7. That is the title which has to do with the trouble we are trying to correct. They do not mention it. They admit it.

I will not use any time on that except to say it reminds me of an anecdote of the old farmer who had a badly broken leg. They carried him off to the hospital. He was suffering very much, but the hospital was full and they had only one bed and that was in the maternity ward, so they stuck him in there, and he was among the women who were suffering too, but not complaining. He stood it for a while and then said: "Why aren't you all suffering?"

"Oh, we are not suffering," a lady said, "the doctor gave us a miracle drug."

The farmer hollered for the doctor and said: "I want some of that miracle drug." The doctor informed him that they could not give him that, that they reserved that only for patients who were in labor. "Well," said the farmer, "dad gum it, that's what is the matter in this country now, everything is for labor and nothing for the farmer."

I think that pretty accurately describes the Shelley-Roosevelt bill, and I shall not devote any more time to it.

I want to talk seriously now about the two bills that are really going to be the subject of controversy: One is the so-called committee bill, approved by five members of the committee who did not sit on the case and hear the evidence. It is approved by only 5 of the 30 members. That is 16 percent of the membership of the committee who voted for the committee bill that we hear so much noise about. That is what we might call 16 percent of a labor bill.

We all know that the seedbed out of which grows the violence, the racketeering, and the other lawlessness disclosed by the McClellan committee lies in the boycott, the hot cargo, and the so-called organizational picketing. There are other important differences between the Landrum-Griffin bill and the Elliott committee bill, but I shall confine myself to those things which I have mentioned which cry out loudest for correction: Hot cargo, the boycott, and illegal picketing. I assert that the bill reported by the committee—that is, the 16 percent of a labor bill known as the Elliott bill—does not prohibit either or any of them in the area where extortion, racketeering, and violence occur and they materially weaken the present boycott and hot cargo law. Do not take my word for that. Above all, do not take anybody else's word for it.

There have been a lot of statements, a lot of radio and television stuff and public statements given out asserting that so-and-so is thus-and-so, that this Landrum-Griffin bill is a punitive bill. Do not take anybody else's word or mine, but read this yourself that I am going to point out to you.

There is an easy way for you to find out. First take the committee report. This is it, and this ought to be your bible for the next week because this is the thing that tells you what is going on. This is the committee report with the existing National Labor Relations Act in roman type together with proposed amendments in italic. That is, the committee amendments are in italic. All you have to do is to refer to the pages I am going to give you, you can see for yourself, you do not have to take anybody's word, you do not have to take anybody's public statement. You will know when you read these things what the score is and that is what I am asking you to do.

Turn to page 59, paragraph 4, of the committee report. Did you know that all you are doing about boycotting in that paragraph 4, except one little clause, is nothing, because that in roman type is the law now. That is the Taft-Hartley Act that you are reading. But when you get down to the amendments you will see them in italics. If you turn to page 59 you will see that the committee bill drastically weakens the Taft-Hartley Act by addition of the language in italics which exempts from the ban of boycotting subcontractors that are covered now. All of the subcontractors are exempted by the Elliott committee bill from the operation of the present Taft-Hartley Act. This whittles down the Taft-Hartley Act, and the present provisions of that act.

Turn back to page 58, paragraph 6, of the committee report and you will be astonished to learn that the Elliott bill specifically exempts all truckers from the boycott provisions except the small percentage that are licensed under part II of the Interstate Commerce Act. That is already the law by reason of decision of the Interstate Commerce Commission, and approved by the Supreme Court of the United States. So it does not change the law at all. It does not do anything except to weaken the law.

There are 7 million truck drivers in the United States. Only 728,000 are under the Interstate Commerce Commission. In other words 6,172,000 truck drivers or 88 percent of all of them are exempted by the committee bill.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. SMITH of Virginia. Mr. Speaker, I yield myself 5 additional minutes.

So the only thing the committee bill does is to further weaken the law as to boycott and hot cargo by completely exempting the very worst offenders in that area. Do not take my word for that, and do not take anybody else's word for that. It is clearly set out, as I mentioned, on pages 58 and 59 and all you have to do is to take the time to look at those pages, read them, and you will see for yourself.

Look at the Landrum-Griffin bill, page 65, lines 5 to 15. It is short and I am going to read this paragraph:

> It shall be unfair labor practice for any labor organization and any employer to enter into any contract or agreement, express or implied, whereby such employer ceases or refrains or agrees to cease or refrain from handling, using, selling, transporting or otherwise dealing in any of the products of any other employer, or to cease doing business with any other person, and any collective bargaining contract entered into heretofore or hereafter containing such an agreement shall be to such extent unenforcible and void.

That is the provision in the Landrum-Griffin bill. There are no ifs, ands, buts or provisos about it. It says you have to stop the boycott, hot cargo practices. Period. That is what the American people want you to say.

On page 62 of the Landrum-Griffin bill you will find the heading "Boycotts and Recognition Picketing" where changes are made in the existing law strengthening it where it has been found by experience to be ineffective. On page 62 of the Landrum-Griffin bill you will find a comparison with the weakening changes made by the Elliott bill, page 59, paragraph 4, of the committee report. The report tells you. The existing Labor Act is printed in roman type and the committee bill amendments weakening it are printed in italics.

Now, turning to the question of organizational picketing, the Elliott bill treats the subject on page 70, line 6. You will find there the prohibition against picketing is confined to two classes: First, where the employer has recognized in accordance with the act another labor organization and; second, where within the preceding 9 months an election has been held and the picketing union lost the election. That is all that is set out there. That is all the committee bill does.

This leaves untouched the area where the real trouble is, namely, where a union by coercive methods and picketing puts pressure on both employer and employees to recognize a union that the employees oppose and do not want.

Now, there are thousands of instances of that. You have read it all in the newspapers. That is where the trouble lies, not in the two things that the committee bill touches, and they do not touch that subject at all. The committee bill just absolutely does not do anything about that. And you can read it. Do not take my word for it. Read it for yourself.

Now, turning to the Landrum-Griffin bill at page 66. It does the two things in an improved fashion that the committee bill does, but then it goes to the real cause of the trouble that has the country agitated today, namely, in paragraph (C) where the labor organization cannot show enough interest by the employees to support an election under the act, then picketing is prohibited, and (D) where the picketing has been going on for a period of 30 days and it has not aroused enough interest to cause an election, then they must stop picketing. I say the committee bill is worse than no bill, because it definitely weakens existing law, and it weakens even the Senate bill. Do not take my word for it. Do not take anybody else's word for it. Read it for yourself. Compare the bills and come up with the answer. And, if anybody challenges my statement made here this morning, my statement is going

to be in the CONGRESSIONAL RECORD today just as it is, and if anybody thinks I have been wrong about this thing, let them come in here and explain it on the floor. I challenge anybody to say that this is not what those bills do and what they do not do in the areas where the American people are suffering and agitated and worried because of the violence and the graft and the racketeering that has eaten away the hearts of business people and working people of this country.

Now, I again urge you to examine for yourself the sections of the two bills that I have mentioned and the changes from existing law in the Elliott bill as shown on the pages mentioned in the committee report. Do not take my word for it and do not take anybody else's word for it. See for yourself.

Mr. ALLEN. Mr. Speaker, the chief reason that we have before us legislation to curb the great powers of certain labor leaders is because of the great demand by the overwhelming majority of the American people, including millions of honest union men and women themselves.

For 2½ years the American people have witnessed the shameful performance of certain labor leaders before the McClellan committee. They witnessed the hearings on television which brought to light lawlessness, violence, kidnapings, arson, bribery, intimidation, extortion, strong-armed methods, and the misuse and embezzlement of union funds. They rightfully expected that all union bosses would attempt to put their house in order. Instead, many refused to talk—many took the fifth amendment. In some instances, they would not even acknowledge their names.

It must be apparent to all that the actions of certain labor leaders have been most dishonest, un-American, and reprehensible.

The question before us is simple:

Will the racketeering, gangsterism, and corruption in labor unions, exposed by the McClellan committee, be allowed to go unchecked?

Will we support legislation that will make it unlawful and insecure for certain labor leaders to continue their abuses?

Back in 1947, the Taft-Hartley Act was before the Congress of the United States. In my opinion, it was a meritorious and a much-needed bill—for labor, for management, and for the general public.

Never did I receive so much propaganda from labor leaders. You will recall that they called it a slave act. They said that if it was enacted into law, men and women would be working for 10 cents an hour—that it would mean the end of unions.

Twelve years have passed since its enactment. Instead of our people working for 10 cents an hour, they are receiving the highest hourly wage in history, with generous fringe benefits. Our people have the highest standard of living of any people in history. Last year, nearly 40 million major electrical appliances were sold to the American people—television and radio sets; electric refrigerators; deep freezes; electric washing machines and ironers. Millions of people have become homeowners the past few years. Approximately 2 million young men and women will enter college in September.

Instead of the Taft-Hartley Act ending unions, never have unions so flourished. Their number is greater—their funds are greater. The large number of new labor buildings that have been built in Washington alone—of which we bear witness and of which we are justly proud—is evidence that their financial condition is sound.

Now we hear the same thing—that if labor legislation is enacted with legitimate objectives, it will be the end of unions.

In my considered judgment, labor unions are here to stay. They play an important part in our economy.

I do not know a Member of this body who desires to ruin unions. But labor leaders should not fail to consider that there are other groups who also play an important part in our economy—and they should not attempt to exploit other segments of our people. I believe I am correct in saying that Americans do not like to be pushed around.

In my opinion, neither the Kennedy-Ervin bill—nor the labor bill that was reported by the Committee on Education and Labor of the House of Representatives—will adequately protect the interests of the millions of honest union men and women, their employers, and particularly the general public against the many labor abuses brought to light by the testimony of the large number of witnesses appearing before the McClellan committee. Neither bill will rescue the working men and women, and the general public, from exploitation by certain labor leaders.

The Landrum-Griffin nonpartisan bill is a practical and a fair bill. It deals with union finances, honest elections, blackmail picketing, secondary boycotts, and many other things for the protection not only of the union members themselves, but for the protection of the general public.

I hope that the Landrum-Griffin bill will prevail. I am convinced that honest labor leaders would have nothing to fear with its passage.

In conclusion, may I respectfully say that the American people want action.

Are we here to meet the demands of certain dishonest labor bosses—or to meet the demands of the American people?

I ask you—are we penalizing anyone when we deny certain labor bosses the power to commit blackmail, theft, extortion, intimidation, violence, and the embezzlement of union funds?

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Virginia. Mr. Speaker, I yield the remaining time on this side to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, the rule now under consideration by the House, if adopted, will give all the Members an opportunity to express themselves and cast their vote for regulating the field of labor and management and the result of our decision on this legislation will affect the economy of our country for a long time in the future. The 6 hours of debate provided by the open rule plus any amendments during the 5-minute period will take the time of this legislative body for the next several days. Three bills regulating management-labor relations were presented to the Rules Committee—the first one under consideration by our committee was the bill reported by the Committee on Education and Labor. Next came the Landrum-Griffin bill and then the Shelley bill. In the brief time allotted to me under the rule, it will be impossible to talk at length on the merits and demerits of these three bills.

The sponsors of the Shelley bill have made available for all Members, a concise and simple comparative analysis of these three bills plus a breakdown of the Kennedy-Ervin bill which was passed by the other body a couple of months ago. I do hope that each Member will study this analysis and learn the facts regarding the provisions in each bill. I am satisfied that it is the earnest desire of the majority of this House to pass effective legislation that will curb the activities of dishonest labor leaders and employers who have taken advantage of their position to enrich themselves at the expense of labor's membership, the stockholders of their companies, and the American public. In my opinion the Landrum-Griffin bill, if enacted into law, will turn the clock of labor's progress back a quarter of a century. It could relegate the working men and women of this country to their unorganized status before the Wagner Act. The Shelley bill will protect honest labor unions so that they can properly function and carry on the rights and privileges which economic organizations are entitled to under the American Constitution. The Shelley bill legislates strongly against racketeers in both labor and management.

HIGHLY FINANCED LOBBY

It is indeed unfortunate that legislation as important as labor-management relations is exposed to the pressure and influences of well-organized semipolitical lobbying groups who are not interested in fair and equitable legislation as much as they are in destroying the effectiveness and power of organized labor. Only a year ago, before the adjournment of the 85th Congress, the other body, by a vote of 88 to 1, passed an effective labor-management bill which would curb and successfully eliminate dishonest labor and management officials of the type which were exposed by the McClellan committee. This legislation was passed by the other body on June 17, 1958, by a record vote of 88 to 1.

KENNEDY-IVES ANTIRACKETEERING BILL

In the CONGRESSIONAL RECORD, volume 104, part 9, page 11486, I find that such distinguished statesmen as Senators Knowland, McClellan, Mundt, Morton, Bricker, Bridges, Byrd, Capehart, Lausche, Dirksen, and others voted for the Kennedy-Ives anti-labor-racketeering bill. When this legislation was considered on the floor of the House on August 18, 1958, just 2 months later, it was defeated by a vote of 198–190. In

the CONGRESSIONAL RECORD, volume 104, part 9, page 11483, I am herewith quoting verbatim, a statement made by Senator MUNDT of South Dakota in one of the closing speeches on the Kennedy-Ives antiracketeering bill:

"By and large, Mr. President, we move in the right direction with the bill we are passing this evening. I have been in Congress long enough to realize that we make haste slowly in any type of reform legislation. I am glad that we have come as far as we have. I again salute the Senator from California on making this much progress possible, by insisting on the amendments that he did insist upon when S. 2888 was before the Senate. I trust that we will be given an opportunity before we adjourn to act on the final passage of legislation in this field. I sincerely hope that in our consideration of the pending legislation we have not been engaged in a 5- or 6-day parliamentary gesture of futility.

I am proud to say that I voted for this legislation when it was on the floor of the House on August 18, 1958, and had our Members adopted this antiracketeering Kennedy-Ives bill which was passed by the other body by one opposing vote, we would not be embroiled in this complex, complicated problem of considering three separate bills under an open rule. This legislative procedure means that 435 Members will try to write a complex labor bill on the floor of the House. If the bill which we pass this week proves to be fair to labor, management, and the public, it will be a legislative miracle.

LEGISLATIVE HISTORY REPEATS

I mention this situation because I think it is time for the Members to stop, look, and listen, and review some of our experiences in the past when the Congress is called upon to enact complex legislation under the heat of high-pressure and highly financed lobbies who are inundating the postal service and the telegraph offices with letters and telegrams from people over the country recommending that we vote for such and such a bill. I venture to say that more than half of the Members in this House have not read or mentally digested in toto any of the three long and complex bills now under consideration by this body. The legislative picture and frenzied environment this week is almost identical with the days that the Taft-Hartley was considered on the floor of this House back in 1947. At that time, each Congressman received hundreds of telegrams, postal cards, and letters which were sent pro and con with almost similar frenzy and feeling. We enacted the Taft-Hartley law which was vetoed by President Truman. His veto message contained the statement that the bill would lead to confusion, chaos, and bitterness between management and labor. I remember the speeches made during the debate by sponsors of the Taft-Hartley law wherein they inferred that if it were enacted, we would step into a millennium of labor management peace and that loss of man-hours and devastating strikes would be a matter of history. Former Senator Taft before he passed away, was recommending 19 amendments to the Taft-Hartley law. During the 5 succeeding years after the Taft-Hartley law was enacted, our country was inflicted with more devastating strikes and loss of man-hours than in any like period of time in its history.

It was not many months after the Taft-Hartley law was enacted, when the turmoil, propaganda, and confusion subsided. The American people, including the millions of members of organized labor only then realized what happened. There is no doubt in my mind that President Truman's veto and opposition to the Taft-Hartley bill in 1947 contributed greatly to his election in 1948. Six Congressmen from Indiana who supported the Taft-Hartley law did not return in the election of 1948, and similar political repercussions occurred in many congressional districts in other States.

SLOGANS AND RIGHT TO WORK

We find that some of these same lobby groups are broadcasting slogans in order to enact restrictive labor legislation in this Congress. We had an example of a beautiful slogan used by antilabor forces in 1958 but that beautiful slogan called the right-to-work law was soon uncovered in its true light by the American public. One of the main sponsors of that legislation was defeated for governor by a million and one-half votes in the State of California. Last November, we learned from election results in Connecticut, Ohio, Indiana, and other States that once the American people recover and learn the true facts, they walk into the ballot booths in droves to reject the forces that misled them in the frenzy and high-pressure lobbying tactics which pertain to legislation involving the working men and women of this country. In 1956, in the State of Indiana a Governor was elected by almost 350,000 majority principally on the statement that he was opposed to legislation under the heading of that beautiful slogan, the right-to-work law. When he took office in January 1957, the National Association of Manufacturers and the Chamber of Commerce in Indiana, through their unseen propaganda organizations, inundated him with letters and telegrams and he did a political double somersault on the right-to-work legislation. Only last November, in his candidacy for the U.S. Senate, he was defeated by almost 250,000 votes. In the last Congress, Indiana had 2 Democratic Congressmen out of 11. Last November, the people of Indiana sent 8 out of 11 Democratic Congressmen to Washington largely as a protest against the phony labeled "right-to-work" law. I mention these facts because a great many first-term Members on the floor of the House are receiving a new experience in legislative operations and their judgment and mental equilibrium might be swayed by the avalanche of highly financed pressure propaganda through telegrams and letters on legislation of this type.

PROPAGANDA

I hold in my hand a dozen telegrams sent to my office from the city of Chicago. Each telegram contains the names and resident addresses of one of my constituents in Lake County, Ind. These telegrams have practically the same wording and same message to support the Landrum-Griffin bill. It is apparent that some highly financed propaganda organization in the city of Chicago paid for and sent these pressure messages and either with or without authority from the names signed to these telegrams, are trying to influence votes on this pending labor management legislation which the House is considering this week. No doubt other Members are receiving the same highly organized propaganda which is very similar and in some cases, identical with the lobby tactics carried on by the National Association of Manufacturers and the chamber of commerce during the days when the Taft-Hartley bill was considered on the floor of this House 12 years ago.

I do hope that for that reason, they make a complete study of these bills now under consideration and cast their votes with fairness and good judgment because it will not be many months and all the people back home will know the true facts of the provisions of the complex legislation which passes the House of Representatives this week.

ANTILABOR PROVISIONS

A few of the restrictive antilabor provisions in the so-called Landrum-Griffin bill are:

First. If a professional disturber—drunk or otherwise—employer representative, or Communist agitator would be disciplined by the presiding officer at a union meeting, the presiding officer could be subject to a 2-year jail sentence for using his power to chastise or exclude this agitator from disrupting the meeting.

Second. This bill would require even the smallest local union without paid officers to file long and complicated burdensome redtape reports.

Third. It would violate the long-accepted rights of organized labor to protect its membership against the necessity of handling products manufactured or distributed by sweatshops or companies engaged in a strike.

Fourth. It would prohibit any union from advising the public that an employer is unfair to labor, pays substandard wages, or operates a sweatshop despite Supreme Court decisions that have held a union has not only a right but a duty to speak out against such abuses.

Fifth. The major power a union has at the collective bargaining table is the right of its members to peacefully picket and this bill would place impossible restrictions on honest labor unions to function effectively.

Sixth. Under the so-called no man's land numerous labor disputes would be relegated back to the States which would promote confusion, lawsuits, and ineffective enforcement. Labor laws in some States would completely nullify Federal laws.

Seventh. The above and other restrictive limitations would place labor back to the days of "yellow dog" contracts and injunctions.

During the debate this week we will hear a great deal from some Members about the witnesses connected with organized labor who appeared before the McClellan committee. We should remember that compared with the thousands of honest and conscientious labor

leaders throughout the country, the leaders connected with organized labor who appeared before the McClellan committee and took the fifth amendment, would be a fraction of 1 percent of the thousands of conscientious officials of organized labor in America. We are going to hear very little of the racketeering and dishonesty on the part of management, employers and their hired racketeers who have been dealing over the years, under the table, with dishonest labor officials.

JACK PAAR SHOW

Mr. Speaker, I am going to herewith ask for permission to include an excerpt from the transcription of the Jack Paar television show of July 23, 1959, when Jack Paar interviewed Robert Kennedy, special counsel of the McClellan Senate committee investigating labor-management racketeering.

JACK PAAR. Management's guilty too?

ROBERT KENNEDY. There's not any question—management—some of the biggest companies and corporations in the United States set Dave Beck in his various financial deals. Well, we have exposed at least 50 big companies and corporations since the beginning of this committee—some of the biggest ones in the United States—who have been involved in various deals (p. 6).

Mr. PAAR. Big companies and well-known companies?

Mr. KENNEDY. Would you like me to name some of them?

Mr. PAAR. I've never backed down yet.

Mr. KENNEDY. Well, the Anheuser-Busch Co., the Freuhauf Trailer Co., the Associated Transport Co. all had deals with Dave Beck.

Mr. PAAR. None of our sponsors. Go on.

Mr. KENNEDY. Sears Roebuck Co., Morton Frozen Food Co., the Whirlpool Co.

Mr. PAAR. You're getting warm.

Mr. KENNEDY. With Nathan Shefferman you had some of the biggest restaurants, in the Chicago area, who were set up—hire gangsters and hoodlums—for a period of some 20 years—to handle their labor-management relations. The Commercial Carriers Co. of Michigan, which was a big trucking company that set Dave Beck—set Jimmy Hoffa up in a trucking company after he came in and settled a strike for them. You have the fact that Dave Beck—that Jimmy Hoffa has made side deals with the Riss Trucking Co. and other trucking companies which was against the interests of the union membership. You have the cartage companies, here in New York City—you have dozens of small corporations and companies which have made "sweetheart" deals with gangster-run unions, here, in New York City, which results in starvation wages for tens of thousands of Puerto Rican and Negro workers.

Mr. PAAR. Yes, I—that was the one I heard where they were paying off (p. 7).

The Shelley bill outlaws and provides heavy penalties against both labor leaders and management on cases similar to this transcript.

The Shelley bill has the endorsement of the AFL–CIO, Railroad Brotherhood and numerous branches of organized labor. Of course, this bill will have the opposition of members who feel that this legislation would not be confined to anti-racketeering and dishonesty but should include restrictive legislation against the vast majority of honest, sincere unions and their officers. The leaders of the AFL–CIO have, at their recent conventions, officially taken effective steps toward cleaning up labor's house by ostracizing several unions with memberships amounting to about one-tenth of its total.

LABOR DEFEATS COMMUNIST INFILTRATION

Newspapers and magazines print very little about the outstanding contribution organized labor has made since World War II to curb Communist infiltration and communism within the labor movement. International communism realizes that if they can control labor not only in this country, but in other nations, its goal for world enslavement is practically won. International communism is not interested in infiltrating the National Association of Manufacturers or the chambers of commerce of this country, but they have centered their finances and strategy on controlling labor. The Government, business, industry, and the American people owe an everlasting debt of gratitude to the successful job that such men as William Green, Phil Murray, George Meany, Dave McDonald, Walter Reuther, George Harrison, William Doherty, and dozens of other outstanding labor leaders have accomplished in forcing Communist leaders and Communist agitators out of the labor movement in this country. These leaders have not only defeated the Communist onslaught on American labor, but during the last 12 years, have sent representatives on numerous trips across the water to aid free labor in France, Italy, West Germany, and other European areas to defeat the Soviets from taking over labor in those countries. This anti-Communist project by American labor in Europe did not cost the taxpayers 1 cent. We are now witnessing the spectacle of powerful, industrial, and business concerns using the force of their propaganda machines to destroy the men who are the very bulwarks against Communist infiltration on our American economy.

GOLDWATER-LANDRUM-GRIFFIN BILL

In the Rules Committee hearing on this bill last Wednesday, Congressman LANDRUM became very much disturbed because I mentioned the National Association of Manufacturers as the author or sponsor of this bill. Of course, we all know from the highly financed propaganda barrage of letters and telegrams into congressional offices that the National Association of Manufacturers has released all of its power for this Landrum-Griffin bill.

I now want to issue a public apology to the National Association of Manufacturers in accusing them of authoring this bill. On last Friday's August 7, Dave Garroway television program, I learned the facts about the authorship and origin of the Landrum-Griffin bill. Only yesterday I called the National Broadcasting Co. and asked them for a transcript of Senator BARRY GOLDWATER'S interview with Martin Agronsky on that morning concerning this legislation. The transcript arrived at my office this morning and I can now inform the Congress as to the origin of the Landrum-Griffin bill as it came directly from the distinguished statesman from Arizona. I have the transcript of the Goldwater-Agronsky interview in my hands and I will read verbatim from page 4:

Mr. AGRONSKY. Who helped write the Landrum-Griffin bill?

Senator GOLDWATER. I don't know—in fact—I—I know the contents of it—I—I—if you want to know the truth, I think it's mostly the administration bill that I introduced in the Senate.

I personally do think that we should not deprive Senator GOLDWATER of the results of his long work over the years on labor legislation. I know that Congressmen LANDRUM and GRIFFIN want to be fair and reward the Senator from Arizona for his long toil on this legislation so I would suggest at the proper time that this House should promote good feeling between the two legislative bodies and give credit to the Senator from Arizona, Mr. GOLDWATER, which in a small way will recompense him for his long months and years of work on labor legislation and title this legislation the Goldwater-Landrum-Griffin bill.

The public is rapidly learning that it was the political strategy of former Secretary of the Treasury George Humphrey who sparkplugged the administration and the National Association of Manufacturers against the Kennedy-Ives bill. If the Kennedy-Ives antiracketeering legislation was enacted in June 1953, it would have crippled the Republican campaign for the phony right-to-work legislation in many States over the Nation.

The American voters rejected this Republican strategy by a landslide in the last election. Maybe Secretary Humphrey who is also the braintruster for big steel might have decided a steel lockout during August of this year might crystallize public opinion for antilabor legislation.

My hope is that the dozens of new Members who rode into Congress on the Republican right-to-work bill in 1958 are not political victims of the highly financed National Association of Manufacturers' propaganda against the working men and women and ride out in 1960 on the tail of the Landrum-Griffith antiunion legislation.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. BARDEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8342) to provide for the reporting and disclosure of certain financial transactions and administrative practice of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the con-

sideration of the bill H.R. 8342 with Mr. WALTER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. BARDEN. Mr. Chairman, I yield 15 minutes to the gentleman from Arizona [Mr. UDALL], but before the gentleman proceeds I would like to state to the House that this will be a rather unusual proceeding. Normally there are two groups, you might say, that are interested on the floor of the House in legislation. In this instance, there will be three bills on the floor of the House for consideration. We are troubled with the problem of the division of time, of course, but in order that you might follow the proceeding, the gentleman from Arizona [Mr. UDALL] will discuss the committee bill, the gentleman from Georgia [Mr. LANDRUM] will discuss the Landrum-Griffin bill, the gentleman from California [Mr. SHELLEY] will speak on the Shelley bill and as best I can, I shall try to keep Mr. SHELLY from speaking on the Landrum bill and Mr. UDALL from speaking on the Shelley bill, and so forth.

I wanted everyone to have this word of explanation because recognition will be handled in such a way as to not further confuse the situation.

Mr. UDALL. Mr. Chairman, this bill unquestionably from the standpoint of the gravity of the legislation and the interest of the country is certainly the high point of this session of the Congress. One of my colleagues jocularly referred to this legislation and says that we have misnamed it; according to him, it should be called the Congressional Retirement Act of 1959. I do not know about that, but I do know there are very grave issues involved that we must discuss.

I am speaking today as a pinchhitter. Our colleague who was scheduled to deliver this address, the gentleman from Alabama [Mr. ELLIOTT], has been stricken and is in the hospital. Mr. ELLIOTT has a prestige I cannot hope to have and I believe in a very real way this bill—the committee bill—personifies CARL ELLIOTT in that it is moderate, it is sensible, and it puts the country first. Therefore, I am proud to try to fill in for CARL today.

Let me say one other thing, too, before I begin my remarks. I would be ungracious if I did not at this time pay a compliment to the chairman of our committee, the gentleman from North Carolina [Mr. BARDEN], who through very long and arduous hearings presided with complete fairness and who, throughout proceedings that would have tried the patience of Job, presided with justice and fair play, and we are all indebted to him for the fact that we have a bill here today.

Now, to start my comments today, I should simply like to say that above all we need facts. We need an honest search for truth here. We have had wires from people; we have been deluged by mail. I submit to you that these people do not know what is in these bills. The ultimate of the legislative process is that we sit down here on the floor to discuss these bills and search out the truth as best we can.

My colleagues, if you want to have a rich experience, get the New York Times today and read the address that the Speaker of the House delivered to the Nation last night. I do not know what speeches will in time be gathered in the archives of the little library in Bonham, Tex., but there is greatness written across this speech. If we are wise enough to take his advice in these proceedings, we will come out at the right place in the end. So, let us put aside all slogans and emotions and get down to some plain, old, hard thinking.

Now the committee bill was ridiculed here today. Indeed, this is one of the strangest paternity cases that I know of, because all the 30 members of the committee were in the delivery room, and no sooner was the child born than everybody rushed to the nearest exit to deny paternity. The truth is that it has a good birth certificate. It is the only bill that was written by a committee. It is that simple.

My friends, you have not been getting wires; we have not been receiving letters saying "Back the committee bill." There is a very good reason which explains this lack. About every 12 or 15 years a great collision occurs between the two great, powerful special interests—management and labor. One of them backs the Shelley bill; the other the Landrum-Griffin bill. Of course, they are not for the committee bill. Why? Because it is a compromise, and it is about that simple. So, if you want to know whether we have any lobbies back of it, the answer is that we do not. What we do have is, we have a lot of hard committee work. Our committee, as you know, worked 16 days to produce this bill. There will be talk about bipartisan bills, but in the very best sense of the word, the only bipartisan bill before you is the committee bill. There were shifting majorities; some of us voted with the Republican members to preserve key provisions of the Senate bill. I must state that our Republican colleagues were completely honest and responsible in their voting on the vital amendment. They were on the prevailing side much of the time, and they deserve a great deal of credit for the committee bill.

The Speaker, in his address last night, made this statement:

> This middle road, the road of reason and fair play, is a hard one to walk, but more often than not it is the path of common sense and of justice.

Mr. Speaker, you are right. It is a hard road to walk; it is often a brutal road—and some of us have some welts on our backs to prove it. I want to reiterate, too, that there were contributions made—for we worked as a committee in the way committees usually work—that every member of the committee, Republicans and Democrats alike, made contributions to the committee bill. There were some very great contributions: For example, the gentleman from New Jersey [Mr. THOMPSON] and the gentleman from Michigan [Mr. GRIFFIN] worked out a solution that enabled the committee to discard the ridiculous Communist oath which the other body had required every employer in this country to file annually. This was a constructive accomplishment, and they deserve the credit for it. And we borrowed from the gentleman from North Carolina's bill [Mr. BARDEN] his sections on employer reporting and broad investigatory powers for the Secretary of Labor. The gentleman from Pennsylvania, [Mr. KEARNS] provided the essence of our no man's land section. And so it went, each member of the committee making, in his own way, his contribution. So, you can ridicule the committee bill if you want, but it is a product of the normal process, and it has the same birth certificate that any other bill has when it comes to the floor from a committee of this House.

As a matter of fact, there is only one way really to judge the product of a committee's work, and that is how it is treated by those who participated in its deliberations and later drafted the Landrum-Griffin substitute.

The first 10 pages of the bill contain the declaration of purposes and definitions: the Landrum-Griffin bill and the committee bill are identical; not a single change. Then there is the bill of rights, pages 10 to 16, and there are some changes which I will discuss later. From page 16 on to page 60 there are three significant amendments that occupy a total of about a page and a half. Other than that the two bills are identical.

Title II on reporting, which is one of the vital antiracketeering sections of this bill, is the same except for the small union exemption. Title III on elections is identical paragraph for paragraph, word for word. The fourth section is on trusteeships, and in the long haul, because this is vital foundation legislation, the election and trusteeship sections may be the most important of all in producing beneficent reform. They are identical, paragraph by paragraph, word for word. The safeguards for labor unions you will find in title V, are also identical.

There are only two changes in title VI, which has important miscellaneous provisions. In other words out of a bill of 72 pages, with the exception of about 13 or 14 pages, the remaining provisions are identical. In other words, the "tough, strong" Landrum-Griffin substitute has the same reform provisions as the "weak and watered down" committee bill.

It was mentioned earlier today that there were 102 amendments the committee added to the Senate bill. That sounds like a lot of amending. I traced down the treatment accorded those 102 amendments by the framers of the "strong" substitute, and I want to give you a report on it.

In the Landrum-Griffin bill—and those who drafted it were gentlemen who knew good work when they saw it—80 out of the 102 amendments were accepted in toto, 8 were accepted with changes, and only 14 were rejected. In other

words, we had a batting average of about 85 percent.

Thus, the quarrel narrows down to six issues. The chairman of the Committee on Rules, our esteemed Judge SMITH, was quite candid in his address a few moments ago when he pointed out that the real issue is no longer labor reform and racketeering but the great power struggle between labor and management over Taft-Hartley Act amendments.

The first issue is the bill of rights. It has been said that the House committee "watered down" the Senate bill of rights. Someone even used the expression that we had "gutted it." This is one of the least technical sections of the bill, and I am not going to express any profound opinion to you today on its merits. Each of you can take 30 minutes or so and sit down and compare the Landrum-Griffin and Elliott bills of rights. And I will submit this to the judgment of every Member of this House. Make your own analysis and, when you finish you will see that every right conferred in the Senate bill is conferred in the House bill; indeed, that we spelled them out more clearly, that we eliminated vagueness. Every right and every remedy is there. So I think that disposes of that issue. It really never has been an issue, and I doubt that it will be mentioned much in the debate.

Let us pass on to No. 2. That is the small union exemption. The other body passed the buck on this issue to the Secretary of Labor and gave him power to exempt small unions if he saw fit to do so. The House committee, in its judgment, took the bull by the horns and made a public policy decision in this field.

I submit to you that this particular issue is a nice question. It is a question that I think two reasonable men might differ on.

Now, the reasons why the committee did what it did were these. There has been a long history in Congress of exempting small business from regulatory acts. Last year, in the welfare and pension fund legislation, as you will remember, we exempted employers who had under 25 employees. The reason, of course, is that it is burdensome on small people. Most small unions in rural areas do not have paid officers. These are people who keep their books in their homes. We felt it would be unduly burdensome for them. It is also true, too, that the smaller the unit, the more jealously the people guard their rights and the more democracy and open dealing they have in their union business affairs. But, the will of the committee in this instance was to declare the exemption and to set it out, and I think the case for doing it is probably as strong as any case that can be made against it.

The next question that is raised is that we struck out the criminal penalties in the act. There was in the bill passed by the other body a broad and sweeping criminal provision. I want to read to you the language of this because every time I read it, I hark back to some of the debates that we had 2 years ago on the civil rights bill.

The provision is as follows:

(b) It shall be unlawful for any person through the use of force or violence, or threat of the use of force or violence, or by economic reprisal or threat thereof, to restrain, coerce, or intimidate, or attempt to restrain, coerce, or intimidate any member of a labor organization for the purpose of interfering with or preventing the exercising by such member of any right to which he is entitled under the provisions of this Act.

That is a broad, sweeping criminal penalty, and for my own part, if the sponsors of the Landrum-Griffin bill say that this provision makes their bill tough, I will concede that point—it is tough. In my opinion, it is too tough. Anybody who has ever worked as a prosecuting attorney knows that unless the penalty fits the crime you cannot get convictions and the law is not workable. It is just as simple as that.

As far as violence is concerned, we have State laws. We have always left to the States to prosecute cases of assault and battery and crimes of violence. If someone wants rewrite a Federal statute merely to cover violence that would be one thing. But, so far as a "threat of violence" and an "attempts to intimidate"—that is one of the things that frightens every honest labor leader because he cannot know when one of his acts will be misconstrued. To me, this section is far too drastic.

I say to you that there are no less than 10 or 11 other criminal penalties in this particular bill. The fines run all the way to $10,000 and prison terms for as long as 20 years.

Now, we come to the fourth issue, and that is the issue of "no man's land". In all candor, I say that this particular issue has nothing to do with labor reform. The "no man's land" problem is a disgrace, in my opinion, but it has nothing to do with labor reform. So let us discuss it as a nonlabor reform issue. It has no significance with regard to whether this is a strong or weak anti-racketeering bill. In the first place, the basic question on the "no man's land" question is—which is the best solution? Our committee put forward one solution. The other body put forward another solution. The Landrum-Griffin bill puts forward a third solution. Our "no man's land" provision is taken bodily from the Kearns bill which is based upon recommendations made by a downtown management consulting firm—the McKinsey Report conducted for the NLRB.

The Elliott bill requires the NLRB assert its full jurisdiction. Let it perform its job before we may make an attempt to cede away jurisdiction and then if there is a "no man's land" left we can do something about it.

The vices of the Landrum-Griffin proposal are several.

First, with reference to the jurisdiction of the States and the State labor relation law agencies, I would say offhand that 35 or 36 of the States do not have labor relations agencies that can administer the National Labor Relations Act. The real vice of the Landrum-Griffin bill is that it turns these cases over to the State and local agencies to handle under State laws.

Once that is done, all the machinery for elections provided under the NLRB, all of the unfair labor practices regulations that protect worker and employer are stripped away. You have, in effect, exempted all of these people from all of the rights accorded them under the Labor-Management Relations Act. So one can argue if one wishes that this is better or that is better. The truth of the matter is, in my opinion, none of the three proposals I have discussed here provide a perfect solution. They do not, because this problem is too complex. I personally think the committee solution is the best of the three that have been proposed.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. UDALL. Would the gentleman from North Carolina yield me additional time?

Mr. BARDEN. I yield the gentleman 3 additional minutes.

Mr. UDALL. I thank the gentleman very much.

Now we get down to the last two issues and, of course, this is the real nub of the dispute. It is not any longer a racketeering or corruption dispute; it is a dispute over the Taft-Hartley Act, and we get down to the picketing and boycott provisions. What we have really in this controversy is this: the labor people take the view that any restrictions on organizational picketing are outrageous; the management people take the view—embodied in the Landrum-Griffin bill—that all organizational picketing is outrageous. The committee bill steers a middle course. The committee has the identical picketing limitations that were in the bill passed by the other body.

The President said in his speech the other night that the committee bill did nothing about blackmail picketing. I take issue with his speech writer, and I take issue out of 3 or 4 months study of this problem.

The committee bill does something about the coercive picketing problem. We have in section 704 of our bill a provision for prehearing elections under which an election can be obtained in 30 to 45 days. Therefore, if the blackmail pickets show up, the employer can petition for an election under section 705 of our bill and the election will occur in 30 or 45 days. After the election, of course, the picketing is unlawful and they cannot picket again for a 9-month period.

The CHAIRMAN. The time of the gentleman from Arizona has again expired.

Mr. UDALL. Mr. Chairman, will the gentleman from North Carolina yield me a little additional time in order that I may finish my statement?

Mr. BARDEN. I am sorry, but it is difficult to find enough minutes in an hour.

Mr. UDALL. Will the gentleman on the other side yield me a little time?

Mr. BARDEN. The gentleman understands that if he takes more time he will be taking it from his colleagues and members of the committee. I will give the gentleman 3 minutes of my time.

The CHAIRMAN. The gentleman from Arizona is recognized for 3 additional minutes.

Mr. UDALL. I thank the gentleman from North Carolina for his generosity.

Under the Landrum-Griffin bill blackmail picketing can be stopped after 30 days. The committee bill would give an employer a weapon to stop such picketing in not more than 45 days. The difference between 30 days and 45 days is 15 days which should be almost enough to make a Democrat vote for a Republican bill.

Now let us get on to the subject of secondary boycotts. One would never know from the President's speech the other night that the Taft-Hartley Act which was passed 12 years ago outlawed secondary boycotts; and the example he gave in his speech, so the New York Times said, was an example of a secondary boycott that has been unlawful for 12 years.

The bill passed by the other body, and we have every paragraph of it in our bill, deals effectively with "hot cargo" contracts. We accomplished this with precision. The Landrum-Griffin bill secondary boycott section uses a meat cleaver instead of a scalpel and would go far beyond the regulation of secondary boycotts. This is one of the chief reasons that the labor people shout "punitive" at the Landrum-Griffin bill. If a steelworker today who is walking a picket line says to a fellow worker: "Do not go in, please respect our picket line," that is a secondary boycott under the Landrum-Griffin bill. This is a radical and sweeping provision that goes far beyond the announced purpose of its framers. On the other hand, the Elliott bill followed the Senate pattern and closed the "hot cargo" loophole.

Mr. Chairman, I want to reiterate in closing that we on the committee have no special-interest groups back of us. But we do have two great flags that we fly. On the one hand, we fly the flag of reasonable compromise. We fly one other, and we fly it proudly. That is a battle-worn flag that has been flying hereabouts for nearly a half century. It is the flag of a gentleman whose judgment at times like these is soundest of all—the flag of the Speaker, the Honorable SAM RAYBURN.

Mr. BARDEN. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. LANDRUM].

Mr. LANDRUM. Mr. Chairman, on the 27th of July, together with the gentleman from Michigan [Mr. GRIFFIN], I introduced H.R. 8400, a bill designed to end corrupt practices in labor-management relations. We took this action because the bill H.R. 8342, the committee bill, reported by the House Committee on Education and Labor, failed miserably, in our opinion, to meet the minimum requirements in law for ending such wrong, such corruption, as has been shown to exist. Our decision is fortified by more than 3 months of hearings before the House Joint Subcommittee on Reform Legislation and further fortified by a careful study of the findings in hearings before a select committee of the other body.

I have listened with much interest to the remarks of the distinguished gentleman from Arizona in support of the committee bill, who, incidentally, was not a member of the joint subcommittee which heard the evidence. I must say in all frankness, that I feel that had the gentleman been a member of the joint committee, and had the privilege and opportunity of sitting with me and listening to the trials and tribulations poured forth from the minds and hearts of men and women from across our great country, the gentleman's viewpoint might be somewhat different.

The basic issue, I respectfully submit is this: Does the committee bill do the job? Does the committee bill in the words of our distinguished and honorable Speaker "control racketeering and hot cargo contracts?" Does the committee bill, again in the words of my distinguished Speaker, "outlaw objectionable types of organizational picketing"? The issue is not—I repeat is not—whether the committee bill is "soft" on the leaders of organized labor or whether the substitute which I shall propose is "hard" on such leaders; but, rather, which bill in view of the evidence in this body and the other before the McClellan committee will do the job fairly, justly, and thoroughly. In order to put this tremendous problem in proper perspective, let me be both specific and factual.

First, I shall touch briefly the no man's land problem to which the gentleman preceding me alluded in the closing part of his remarks. The no man's land is simply this: The National Labor Relations Board says that if the effect of the business of a company before that Board on interstate commerce is so trivial that it does not come within criteria set out by that Board, it will not hear the complaint. Likewise it says the same thing about a union member or an employee. The Supreme Court has held that is all right. But the Supreme Court has further held that because the Federal Government has legislated in this field it has preempted it. Therefore the State agencies and State courts have no jurisdiction. So we have a no man's land. We have an area in which people who have been wronged, businessmen, businesswomen, union members and workers who have been wronged, have no forum to go to in order to get relief. That is the no man's land.

What do we do? We recognize, as the gentlemen in the other body recognized, that something had to be done. The Senate Bill provided: We will permit State agencies other than courts to handle it. But we find that only 10 of the now 50 States have State agencies, leaving about 40 States without any forum and still with a no man's land.

So, what do we do? The committee says "No" to the decisions of the courts. The committee says "No" to the decisions of the National Labor Relations Board, and the committee says You shall take jurisdiction of all labor disputes, thereby bringing about complete federalization of all labor complaints, regardless of how trivial or how small the effect on interstate commerce. What do we say? We say we recognize the National Labor Relations Board decision not to go below that cut-off line and we say that State agencies, including State courts—State courts, that is all we say—shall have the right to hear these complaints where the effect on interstate commerce is trivial. That is all there is to the no man's land. We give them a place to go to get relief.

Now, let us get on to the next problem. Let us consider the matter of secondary boycotts. The committee bill deals with this problem only in section 705 where it proscribes the formal execution of hot cargo contracts between the unions and those common carriers subject to part 2 of the Interstate Commerce Act. That is all it does. But, knowing something of the circumstances under which the committee bill was written, it is not too shocking to learn that that is substantially our law today, and even this "dose of mild medicine," however, is subject to two provisos in the committee bill: the first, that no employee shall be required to enter upon the premises of an employer who is engaged in a labor dispute, not even a legal dispute, and, second, that contracts between the parties may legalize such refusal. The committee bill therefore would be of no assistance to a witness, appearing before the joint subcommittee, from Houston, Tex. In his case, although there was no strike by the employees, and although no picket line appeared around his place of business, numerous neutral employers refused to provide him service. Why? Because of the "overpowering authority, monopolistic, and financial practices" of the Teamsters Union.

Nor would H.R. 8342 correct the secondary union pressure applied against the distributors and customers of a poultry processor of my district in Georgia; or the customers of a packing company in St. Louis, Mo.; or the customers of a sheet metal manufacturer in Akron, Ohio; or the buyers of a poultry dealer in east Texas.

Similarly, the committee bill would be of no assistance to a small family apple processor in California who, after 16 of his 17 employees voted against the union, had boycotts instituted against his customers in Los Angeles, San Francisco, and other markets. Nor would the Dairy Association in Utah be helped when its customers in New York City and elsewhere were subjected to union pressure for months; nor a county dairy in California which had its customers' stores in Seattle, Spokane, San Francisco, and Los Angeles boycotted, resulting in a loss of sales of $80,000 a week.

The alleged committee bill would be of no assistance in these cases because it does not deal with union pressure against secondary or neutral employers. The substitute bill which I shall propose in section 705 would close this loophole.

Now, secondly, let us consider the problem of organizational and recognitional picketing; and, let us again be specific and factual.

The joint subcommittee of the House heard testimony showing that a small restaurant in Peoria, Ill., was picketed for 10 months; an automobile dealer in

Galesburg, Ill., was picketed for 3 years; a family restaurant in San Francisco was picketed for more than 925 days; an automobile dealer in St. Charles, Mo., has been picketed continuously since April 1, 1957.

In none of these situations, I repeat, in none of these situations, would the committee bill be of assistance, since no union had been properly recognized under Taft-Hartley and since no election had been held during the preceding 9 months.

Likewise, the committee bill would be of no help to the filling station operator in Morton Grove, Ill., who was picketed by the Teamsters 24 hours a day for 3 years and 2 months.

Hearing, as I did, so many instances of atrocious abuse of union power, I could well sympathize with the owner and operator of a small grill in Peoria, Ill., who said, in answer to the statement that punitive pickets would come back after her testimony before a congressional committee: "Well, somebody has to do something sometime. It might as well be me." What will be the answer of this Congress to this courageous little lady? She might be the lady to whom you went in to have a cup of coffee and left your card.

It is also difficult to refrain from sympathizing with the problem of a small ice company in Denver, Colo., which, because of the mere wording of a picket sign, could obtain no relief under present law although the Teamsters Union represented none of its employees.

The substitute bill would correct these situations. It would prohibit such picketing: where another union has been lawfully recognized; where a valid election has been held within the preceding 12 months; where the union cannot show that it represents at least 30 percent of the employees; and, where picketing has been in progress for a reasonable time—not exceeding 30 days—and no petition for an election has been filed. Now what is unreasonable about these restrictions? What is punitive about that? What union is going to be "busted" with them?

I imagine that it will be suggested and argued strenuously later in House debate that such problems as I have set forth will be solved by requiring the National Labor Relations Board to take jurisdiction over all labor disputes. This argument I submit, however, is neither factual nor correct.

For years subsequent to the passage of the Taft-Hartley law the Board did not condemn either recognitional picketing or organizational picketing by a union not representing a majority of the employees. In the Curtis Brothers decision, 119 NLRB No. 33, however, the Board finally—10 years after passage of Taft-Hartley—held that picketing for recognition by a union after it had lost a representation election was unlawful for 1 year. The U.S. Court of Appeals for the District of Columbia disagreed, holding that, under present law, minority picketing whether for "organizational" or "recognitional" purposes was lawful under section 8(b)(4)(c) of Taft-Hartley, absent certification of another union by the Board. In another case where facts are identical, the Fourth Circuit Court of Appeals disagreed and the matter is now pending on certiorari in the Supreme Court. There is, therefore, no definitive or final word even as to this area of picketing activity.

The committee bill, however, would limit this limited proscription, by allowing minority picketing after 9 months, subsequent to a lost election, or even allowing picketing immediately after a lost election if the union then claimed that it has signed up on application cards a majority of the employees. It certainly does not tax the imagination to envision Jimmy Hoffa and his Teamster business agents driving helter-skelter through this elephantine loophole in the law.

But this is not all. Neither the committee bill nor present NLRB law even pretends to deal effectively with organizational picketing. As a matter of fact, the Board, in applying the Curtis decision principle, repeatedly has made it clear that its decision was in no way concerned with organizational picketing. Nor would advertising picketing, or picketing to strengthen the union's bargaining position with other employers be limited under either the committee bill or NLRB case law.

Precisely what this means to American small businessmen and women is seen by a letter sent by a local of the Teamsters to employers in the Chicago area. The letter stated in part—listen to this:

> Local 710 IBT has decided to embark upon a campaign to organize your office and clerical employees. * * * We wish to make it clear that local No. 710 does not at this time represent * * * a majority of your office and clerical employees. * * * The purpose of our picketing is solely to call to the attention of union members and supporters of organized labor that your office and clerical employees are not members of local No. 710. * * * You may * * * explain these detriments (loss of patronage) to your employees and urge them to apply for membership in the union and therefore acquire for themselves and for your company the good will of our union and its friends. * * * We feel sure that if your employees * * * are convinced that it is your sincere desire that they join the union they will quickly realize that acquisition of union membership at the earliest opportunity is in their best interest.

Is this an "objectionable" type of picketing, Mr. Chairman? Do you want to stop such activity?

With the employers' deliveries thereby shut off, with his employees and customers thereby intimidated, with the very lifeline of his business in jeopardy, one is prone to inquire: Is 20th century America living within the age of enlightenment and reason? If this Congress permits such blackmail to continue, is it difficult to foresee the economic, the social, and the political consequences to our children and our grandchildren? If we want to stop such blackmail picketing, we have got to deprive the goons and racketeers of these weapons.

I submit that the American men and women who testified on such atrocious abuse of the secondary boycott and organizational picketing line are entitled to adequate and meaningful relief.

Can this great House, with its responsibility to all Americans, do less? Can we close our eyes and our ears to these acute—these life-and-death problems, and pretend they do not exist, because perhaps we wish they didn't?

Now, before concluding, I would say a few words about title I of both bills and their rights for union members.

The substitute bill proposes to restore these criminal penalties, as set forth in the Senate bill. The reason for this is simple. Can we afford to ignore the case of a St. Louis member, who while being ejected from a union meeting had his front teeth knocked out, his cheek bone fractured, his lung punctured, and several ribs and his nose broken? Can we satisfy our conscience with a civil injunction, against a future violation only, for the member, who after speaking his mind at a meeting, was clipped from behind? In the words of the senior Senator from Arkansas:

> Since extraordinary powers of industrial government are granted to unions, and protected by Federal law, it is entirely appropriate that the Federal Government insure that those union members' rights and personal freedoms contained in the Bill of Rights of our Federal Constitution will not be willfully violated by force.

I have spoken of what the substitute bill seeks to do; but, it is also pertinent to ask what it would not do.

The substitute bill would not prevent a single American working man or woman from joining voluntarily any union of his or her choice. The substitute bill would not prevent any union from negotiating collective bargaining contracts, with the traditional right to strike.

The substitute bill would not prevent any union from seeking to organize employees in legitimate ways; and secure exclusive bargaining rights through an NLRB election, or through voluntary and uncoerced employer recognition.

The Congress in 1935 by the Wagner Act conferred great powers and great privileges upon the labor unions in this country. Such powers were intended for the benefit of the workingman and workingwoman in this country; and not power for the benefit of the Hoffas, and Becks, or the Johnnie Dios. Is it too much to expect—yes, is it too much to demand, that these powers and privileges be used in a democratic and American way. That is all the rights for union members says, and they must be a member of a union to get these rights. Again, in the words of the senior Senator from Arkansas, the distinguished JOHN MCCLELLAN:

> I say with all the force at my command, the substitute bill is not designed to penalize that which is good, but only to prevent that which is evil.

It is not designed to penalize that which is good. It is only to prevent that which is evil. That is what the substitute bill does. That is the only punitive part about it that I can find, if it is punitive, it is to stop that which is evil and help that which is good.

In conclusion, I repeat, the issue is this: Shall the Congress accept this challenge? Shall the Congress prescribe reform and make it effective? I respectfully submit that the substitute bill is the minimum required to do the job.

Anything less, in the words of the trucker from Galveston, would in my judgment be a moral principle compromise.

I refuse to believe that this House, I refuse to believe that this Congress, I refuse to believe that this America will buy moral compromise. Our forefathers did not buy moral compromise in 1776. We did not buy it in 1941. And with the help of Almighty God, and the courage that I know every man and woman in the House has, I do not believe that we can, and I do not believe we will buy moral compromise in 1959.

Mr. KEARNS. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. HOFFMAN].

WHY LABOR LEGISLATION

Mr. HOFFMAN of Michigan. Mr. Chairman, it was my privilege in 1953 to serve with the gentleman from Georgia [Mr. LANDRUM], and if I may, permit me to most humbly suggest if you learn about the need for labor legislation and its terms he is a man who has had wide experience with the House Committee on Labor and has sat in on hearings in various places throughout the country. It might be well to read the RECORD tomorrow morning, because his talk covered many of those questions as to the particular provisions carried in the various bills and why he advocated the adoption of the substitute bill. If there is anyone in the House who has a more profound or accurate knowledge of the need than the gentleman from Georgia, it has not been my privilege to meet him.

Mr. Chairman, It is not my purpose to talk about the various bills. That will come later, and that is why we are here and the necessity of doing something. I am thoroughly convinced that this House intends to pass a worthwhile bill, and the main reason is the disclosures made by the McClellan committee and the publicity given by the press and television and all those agencies which deal with publicity have at last so aroused our people that we are driven to it, are we not?

Before the House begins prescribing for the patient, labor, which in reality means union and nonunion employees, employers, the public generally, let us follow the example of everyone who courageously meets and successfully solves any major problem.

If we consider organized labor as the patient, even a casual examination will show that it is afflicted with a malignant, cancerous growth caused by the infiltration of able, unscrupulous, ambitious men, greedy for both wealth and position, who care not at all how they obtain their objective.

If the foregoing be questioned, permit a brief review and summary of the activities of some of the more respected and respectable leaders who have contributed to the present appalling structure which, if continued, means the enslavement not only of the employees in whose behalf they pretend to work, but of industry and the Government itself.

FINANCIAL BURDEN

Through the use of the special laws enacted for its benefit, organized labor, taken over in important areas by lawless individuals, has, through the enactment of legislation giving special benefits, ruthlessly imposed upon its members initiation fees, dues, special assessments, for which there has been no justification; upon the public ever higher prices for services and necessities, as well as for one-time luxuries.

It has collected in this way so many millions of dollars that the Labor Department, though requested by privileged House Resolution 290, was unable to reply. Nor is the information available from any other source.

And the millions so collected have not only to a large extent been unjustly and illegally spent, but have been and are exempt from the tax imposed upon every individual and organization except the few charitable organizations specially exempted by law.

Labor has not only deprived the individual of his right to work when, where, and on whatever terms he might obtain a job, but it has, through organized effort, engaged in criminal activities which deprive the citizen of his ordinary freedom, of his property, without just compensation, subjected him to beatings and many times sentenced him to death.

Lack of time, of finances, and of space prevent a detailed documentation of the foregoing statements, but they are all borne out by records available to the public.

In the past, and long before our forefathers came to this country seeking freedom and progress, labor was enslaved. Still later, and until around 1935 and the passage of the Wagner Act, employers as a group had the advantage, and some were as ruthless as some of our present-day union officials.

Necessity for remedial labor legislation will be found in the records of John L. Lewis, Walter P. Reuther, James P. Hoffa, and their aids.

JOHN L. LEWIS

In 1937 the Southern Illinois Coal Co. had a mine halfway between Herrin, Ill., and Marion, Williamson County seat. Its employees were members of a union local, of which State Senator William Sneed was president, and were under the jurisdiction of the United Mine Workers of America, of which John L. Lewis was president.

When the company decided to remove the coal by strip mining, it employed engineers, it employed steam shovel men who were members of the Steam Shovel Men's Union. Removal of the coal by steam shovel was cheaper and more efficient than the other method of mining, but the United Mine Workers' members went on strike and besieged the new employees, who belonged to the Steam Shovel Men's Union, in the gully in which they were then working.

June 18 Sneed sent a telegram to Lewis, asking for instructions and the next day received an answer, which, in the last paragraph, stated:

> Representatives of our organization are justified in treating this (Steam Shovel Men's Union) crowd as an outlaw organization and in viewing its members in the same light as they do any common strikebreaker.
>
> JOHN L. LEWIS.

That answer from Lewis to Sneed was received on June 19. It was posted in Herrin.

Result? Some of the storeowners were bound and gagged in a search for weapons; State troopers were called for but were not sent, and, in the afternoon of June 21, a mob of United Mine Workers Union striking miners made an attack upon the besieged workers.

The coal company consented to discontinue work at the mine, but the attack was continued, and, the next morning, under an offer of safe conduct, the besieged workers — 47 in number — marched out, and a march, under escort of United Mine Workers men, toward Herrin began.

McDowell, the company superintendent, a cripple, was unable to keep up with the procession. He was struck several times and, little more than a mile from the mine, was shot.

Some 3 miles from Herrin, the workers were lined up, told they would be allowed to get away if they climbed a fence. They began climbing and 13 were shot to death. Others died before reaching the timber. Eight who escaped from the massacre at the fence were caught in the woods. Two were hanged immediately, six others were taken to Herrin. According to the press, the six were bound together with rope and wire, after they had been dragged behind automobiles, were exhibited in Herrin and then shot. A total of 30 of the workers were killed; three union men were killed and four to eight were injured. Nineteen of the workers were given official burial; 11 were never accounted for.

This was the action of a local under the jurisdiction of John L. Lewis. Action which followed his reply to the inquiry. Four hundred indictments were returned by a grand jury, but not one conviction was ever obtained—a demonstration of the power of Lewis' union over local and State law-enforcing officials. This local knew Lewis' economic philosophy and strike methods.

On May 13, 1959, 37 years later, I asked Mr. Lewis, in committee, about that situation. His reply was that my questions were not relevant to the question of whether additional Federal law was now needed.

That answer was given, notwithstanding the fact that I also called his attention to the fact that, on March 31 this year, the operator of a mine near Barbourville, Ky., was killed in a United Mine Workers strike, that a truckdriver was also reported to have been killed in the coal strike violence this year.

From 1922 to May 13, 1959, a period of 37 years, Lewis' record has been one of the use of violence in strike after strike. You need only to read the record of the sit-down strikes of the CIO when Lewis was its president from 1937 on to the date he got out of the CIO and AFL—a record of strikes, destruction of property, and violence while Lewis was its president, to learn his determination to rule.

Nor can Lewis plead ignorance of the communistic leadership in organized labor.

Lewis cannot be accused of a lack of knowledge of the facts in connection with labor disputes. He cannot be accused of a lack of intelligence, of courage, nor can he be accused of ignorance, though some may wonder if he knows what he wants or where his thought and action might lead him. He long sought an industrial dictatorship, but finally settled for the presidency of the United Mine Workers.

As early as January 3, 1924, Senator Lodge presented a series of six articles prepared by the United Mine Workers of America, of which John L. Lewis was president, and the preparation of which Lewis admitted he supervised—when testifying before the House Committee on Education and Labor on July 3—which, among other things, stated: [1]

Imported revolution is knocking at the door of the United Mine Workers of America and of the American people. The seizure of this union is being attempted as the first step in the realization of a thoroughly organized program of the agencies and forces behind the Communist International at Moscow for the conquest of the American continent.

The overthrow and destruction of this Government with the establishment of an absolute and arbitrary dictatorship, and the elimination of all forms of popular voice in governmental affairs, is being attempted on a more gigantic scale, with more resolute purpose, and with more crafty design than at any time in the history of this Nation. (S. Doc. No. 14, 68th Cong., 1st sess., p. 1.)

Appearing at the Indianapolis convention in 1930, Lewis, an embittered AFL leader, characterized three of the ace agitators of the CIO, Powers Hapgood, John Brophy, Adolph Germer, as "fakirs, repudiated leaders, traitors to the unions, opportunists, and purveyors of every falsehood, slander, and deception."

Seven years later, after Lewis had left the AFL and was organizing the CIO in Michigan, Lewis employed as his agents and helpers the same three men—Hapgood, Brophy, and Germer—as well as many other active Communists.[2]

When, on May 2, 1959, I asked him why, he, in part, replied that "they reformed in the meantime", which answer was not in accordance with the facts.[3]

From the March 26, 1943, edition of PM, under a Washington dateline, permit me to read:

ATTACK ON TWO UNIONISTS LAID TO UMW GOONS—HILLMAN (SIDNEY HILLMAN, FOR YEARS A WELL-KNOWN LABOR LEADER IN THE EAST)—CHARGES HIS ORGANIZERS WERE BEATEN BY LEWIS' RAIDERS

WASHINGTON, March 26.—Sidney Hillman, president of the Amalgamated Clothing Workers, CIO, charged today that two officials of his union were attacked and beaten by eight representatives of John L. Lewis' United Mine Workers Union in Tennessee early this week.[4]

BUT WHY EXTEND THE RECORD?

The New York Times of April 1, 1959, called attention to a United Mine Workers strike, where a 20-car convoy of United Mine Workers drove up to a small mine owned by Woodrow Smith of Flatlick, Ky.

Witnesses told the State troopers that 5 or 6 men from the convoy of about 80 pickets chased Mr. Smith up a hill near the mine, that shots were fired and Smith was then found on the hill, shot 6 times and dead.

At our hearings on May 13, the Herrin massacre, the killing of a mine operator and a truckdriver in strikes under Lewis' jurisdiction, and other organized violence where people were killed and troops had been called out, were called to the attention of Mr. Lewis—hearings, page 1117—and I asked him "whether in your opinion, you think Congress should write some legislation that will hereafter, if it does not end, at least tend to lessen violence in connection with strikes."

Mr. Lewis answered, and I quote:

No, I do not, of course, because we already have statutes in the several States and laws covering all of the alleged crimes that you think might have been committed. I assume by and large they have been prosecuted and that justice has been done.

This, notwithstanding the fact that Mr. Lewis knew that in bloody Williamson County 400 indictments had been returned for the crimes which followed the receipt of his telegram; that, periodically, from that day 37 years ago, throughout the country, in connection with strikes carried on by his United Mine Workers, many a man had been killed, many a man had been beaten, millions of dollars worth of property had been destroyed, and many of the criminals had gone unconvicted because of the union's power over local workers.

Nor has Mr. Lewis himself been guiltless. Maybe he has forgotten, but others have not, that he was fined and forced to pay a sum of $10,000.

While the Supreme Court of the United States said that it did not think the circumstances warranted the unconditional imposition of a $3,500,000 fine against the defendant union, a majority ruled that it would modify the imposition of the $3,500,000 fine "so as to require the defendant union to pay a fine of $700,000, and further, to pay an additional fine of $2,800,000 unless the defendant union, within 5 days after the issuance of the mandate herein, shows that it has fully complied with the temporary restraining order issued November 18, 1946, and the preliminary injunction issued December 4, 1946."

The Court also said:

The defendant union can effect full compliance only by withdrawing unconditionally the notice given by it, signed by John L. Lewis, president, on November 15, 1946, to J. A. Krug, Secretary of the Interior.[5]

John L. Lewis is able, courageous, and forthright, but he has little, if any, regard for State or Federal law—he is a lawless leader of a union which has accomplished much for the United Mine Workers of America, but at the expense of all of us.

Robert F. Kennedy, counsel for the McClellan committee, recently said that Hoffa was the best reason for remedial legislation.

John L. Lewis is another.

Robert Kennedy might well have added that Hoffa had but patterned his program of defiance of the law—his program of violence—on that of Lewis and Reuther.

WALTER P. REUTHER IS ANOTHER REASON WHY, IF WE ARE TO MAINTAIN A SOUND ECONOMIC AND CONSTITUTIONAL GOVERNMENT, LONG OVERDUE LEGISLATION MUST NOW BE ENACTED

As pointed out, John L. Lewis demands, for the benefit of his members and people, the right to levy a tax upon coal, a necessary product, and to force the payment of that tax by organized violence.

For him and his purpose it may be said that the results have benefited his members, though at the expense of all of us, his methods beyond the law. He has not robbed his members, stolen their funds, for his personal advancement, and he has obtained for them better living conditions and higher wages.

While Hoffa is able, unscrupulous, greedy, and politically ambitious, a brazen defier of law and order, will trample underfoot the rights of members of his own union, his activities are not as destructive to our form of government or our economic stability as are those of Walter P. Reuther.

Reuther does not lack any of Hoffa's ability, his unscrupulousness, his ruthlessness, or disregard for the rights of members of his organization. He is far more adroit and subtle.

His apparent objective does not seem to be solely the advancement of his own power and prestige, but a determined effort to overthrow our form of government, to lead us to accept the Communist philosophy. Of the soundness and the efficacy of Communist policies, he seems to have no doubt. This conclusion is justified by his record.

When Reuther first went to Detroit, working nights at Briggs or Ford, attended night school and then for 3 years

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[1] Talk of CEH, June 1, 1937, 75th Cong., 1st sess., CONGRESSIONAL RECORD, vol. 81, pt. 5, p. 517.

"It is purely a revolutionary organization, and makes no pretense at legality. * * * This party has at its head the supreme executive revolutionary committee in America, responsible only to * * * officials of the Communist International. * * *

"On the surface, working partly in the open, is another revolutionary organization, known as the Workers Party of America, * * * fundamentally the same as that of the Communist Party of America, i.e., to overthrow the Government of the United States. * * *

"Joined with these two revolutionary parties * * * is the Trade Union Educational League, headed by William Z. Foster. * * *

"This league is the direct instrumentality of the Communist International." (S. Doc. 14, 68th Cong., 1st sess., p. 6.)

[2] CONGRESSIONAL RECORD, June 1, 1937, 75th Cong., 1st sess., vol. 81, pt. 5, pp. 5168–5177, where you will find the names and a partial record of many communistic members at that time.

[3] Hearings before a joint subcommittee of the Committee on Education and Labor, on H.R. 3540, H.R. 3302, H.R. 4473, H.R. 4474, and related bills, 86th Cong., 1st sess., pt. 3, p. 1118.

[4] Hearings, ibid., p. 1216 and insert.

[5] *United States* v. *Mine Workers*, 330 U.S. 258.

studied at Wayne University, he and his brother Victor associated with many of the leftwingers and radicals of that day and community. Apparently he then began to accept their conclusions as to the form of government which was best for our country.

In 1933, two of the Reuthers, Walter and Victor, went to Russia, worked and studied in an industrial plant, there wrote back a letter addressed to "Comrades" in Detroit, praising the workers' lot in Russia and ending with a plea to Detroit associates to carry on the "Fight for a Soviet America."

SITDOWN STRIKES

The sitdown strike, a method successfully used by the Communists in France, was introduced in Michigan on the last day of December 1936. The strike continued until June 11, 1937. Lewis was the guiding genius during that strike.

Though at that time Walter Reuther did not direct the activities of the CIO, he was and ever since has been an ardent, active, forceful, and efficient supporter of their methods and procedure.

Communist methods and Communist organizers and leaders, some of whom had been bitterly condemned by Lewis in 1924,[6] were employed. During that strike, not only industrial plants, but control of cities, were taken over by the CIO.

Force and violence were the prevailing methods. Law-enforcing officers were ignored. Court orders were defied. The gates and the doors of industrial plants were welded shut. Electricity supplying power and light to hospitals, to police and fire departments, was cut off. Public streets were blocked. Anarchy prevailed.

The strikers had the support of the then Governor of Michigan, Frank Murphy. He used the National Guard, not to protect the civil rights of the citizens, but to protect the illegal actions of the strikers.

The sitdown strikes were settled on the 11th day of June 1937, when it became apparent to Lewis and Gov. Frank Murphy that law-abiding citizens of Michigan were about to arm themselves and by force of arms protect their property, their liberty, and their lives from the lawlessness of the CIO, whose activities were then dominated by Communists.

In my hand is a photograph taken on April 3, 1941, at the Ford River Rouge plant in Dearborn, Wayne County, Mich. It is authentic. It was sent me by a Federal judge who earlier presided at a trial in his court when the strike referred to was an issue.

The picture shows seven CIO members, four of whom were actually engaged, one with a club, in the brutal beating of Melvin Bartling, timekeeper, at gate 4 on Miller Road. State police standing within 50 feet witnessed the outrage but gave no assistance.

The photograph shows Jess Ferrazza standing at the side of Bartling, who was a timekeeper and who was going into the plant to assist in making out the checks to pay the strikers for sums due them.

[6] S. Doc. No. 14, 68th Cong., 1st sess.

Two of the assailants were at the time carrying Communist cards.

I hold in my hand photostats of two of those cards which years ago came into my possession.

What is the significance of the statements just made? At that time, Walter Reuther was active in the CIO organization. The Jess Ferrazza referred to and who was then an active participant in this beating is the same Jess Ferrazza who, in 1954, under the direction of Mazey and Reuther, headed a goon squad in the Kohler strike in Sheboygan, Wis.

At the time of the sitdown strikes and for long thereafter, the CIO was dominated, its policies fixed, the methods used determined, by Communists, who were working through the CIO toward the overthrow of this Government by force.

WASHINGTON SUPPORT FOR COMMUNISTS AND THE CIO

In their organizing campaign, the CIO had the active support of the Senate Civil Liberties Committee, of which Robert La Follette, Jr., was then chairman. CIO organizers carried upon their cars a banner stating that they had the support of the Senate Civil Liberties Committee.[7]

The La Follette Senate Civil Liberties Committee, through its hearings, gave active and almost unceasing support to the CIO.

After the enactment of the Wagner Act in 1935 and the establishment of a National Labor Relations Board, Communists in Government offices were of inestimable help to the CIO and its Communist officials.

The National Labor Relations Board was charged with the interpretation and the enforcement of the act. It had as its counsel Nathan Witt.

The CIO had as its counsel Lee Pressman. The quality of the justice—if it can be called that—dealt out to either an organized or unorganized worker, to an employer, can be easily evaluated when it is remembered that Witt, a Communist and adviser of the Board, which was the investigator, prosecutor, and judge in labor disputes, was the buddy and associate in a Communist cell here in Washington of Lee Pressman, general counsel for the CIO. Pressman handled cases for the CIO when they came before the National Labor Relations Board for decision. Both at times had the benefit of John Abt, a member of the same Communist cell, who at one time was with the Department of Agriculture.

A pretty picture? For the CIO, Pressman, its counsel, made a complaint to the National Labor Relations Board or defended before the Board when a complaint was made by an employee or a businessman or industrialist. Witt, his Communist buddy and cellmate, advised the Board both as to the facts and the law. The Board listened to the attorney of the employer or the complaining employee, then listened to Pressman, attorney for the CIO, and then was advised by Pressman's Communist buddy, Witt, as to what its decision should be.

[7] See CONGRESSIONAL RECORD, vol. 81, pt. 5, 75th Cong., 1st sess., June 1, 1937, p. 5170.

Where were the loud, vehement recent supporters who demanded protection for civil rights, when hundreds of thousands, yes, millions of American citizens of all colors, creeds, nationalities, were being denied their civil rights?

When Reuther obtained an almost complete measure of power in CIO, he, through his lieutenant, Emil Mazey, continued to defy the courts, to violate the law.

At Clinton, Mich., in 1947, Reuther's outfit called a strike at the plant of the Clinton Machine Co., which employed approximately 700 workers.

Clinton, at that time, had a population of 1600. To intimidate the workers of the plant who did not want to go on strike and the people of the town, Reuther sent Mazey with a sound truck and a goon squad to intimidate the workers and the people of the town.

State police were called in. Acting under the direction of Captain Scavarda and the Michigan State Police commissioner, they made no effort to protect the workers, rather supported the strikers.

Reuther's lieutenants, Mazey and Mullins, who were directing the picket line, had approximately 1,200 members in the CIO's "flying goon squadron." Mazey told the police captain that 2,000 more pickets were on their way from the Detroit local.

Mazey himself testified [8] that he took into Clinton from Detroit, a distance of some 70 miles, an "enforcement squad" of some 400, none of whom was employed at the Clinton plant.

At that time—and that was in 1947—Mazey, acting under the direct command of and for Reuther, violated the State law, defied police officers, took over the city of Clinton.[9]

[8] Hearings—labor-management disputes in Michigan, Indiana, and Ohio—before the special subcommittee of the House Committee on Education and Labor, House of Representatives, 80th Cong., 1st sess., pursuant to H. Res. 111, p. 326.

[9] Mazey was asked, ibid., p. 327:

"Mr. HOFFMAN. Was it your purpose if, when you got to Clinton you found a picket line down at the plant and that the employees or some of the employees of the company attempted to go through that picket line and if it became necessary in order to get through for them to push or shove your pickets aside, that you were going to call for action from so many of your 400 supporters as might be necessary to prevent that?

"Mr. MAZEY. That was our purpose and our record there speaks for itself. We did not prohibit anybody physically from going into the plant."

Ibid., p. 328 (Mazey had taken 400 union members from Detroit to join others on the picket line at Clinton. He was asked):

"Mr. HOFFMAN. Now, I continue to read from the paper: 'This demonstration by the Detroit and Toledo locals is just a sample of what is going to happen if this strike continues.' What did you mean by that?

"Mr. MAZEY. I meant that if the strike was to continue we would bring additional people, thousands if we had to.

"Mr. HOFFMAN. Thousands, if you had to?

"Mr. MAZEY. That is right."

Ibid., pp. 332, 333:

"Mr. MAZEY. Getting back to the observation I was about to make, I want to state

Reuther brought about a somewhat similar situation at St. Joseph, Mich.; Dowagiac, Mich.; at Michigan City, Ind.; and at Galion, Ohio.

That this lawlessness directed by Reuther and carried out by Mazey and his lieutenants was a part of the established program of the Communists in the CIO cannot be disputed. The facts are in the record of many a congressional hearing.

Many a CIO organizer was a Communist.[10]

That the Communists dominated and controlled the CIO—not in all, but in many of the strikes it called—is shown by the fact that eventually the methods employed were so lawless, so violent, so destructive, that the CIO was later, under the direction of James Carey, its Secretary-Treasurer, to expel some of its unions—a partially successful effort to purge itself of Communist leaders.

ATTEMPT BY FORCE TO OVERTHROW OUR GOVERNMENT

The more recent strike at Kohler and the methods employed demonstrate that Reuther is, by force and other illegal means, determined to overthrow our form of government.

Reuther is but following the program of the Communist, Earl Browder, who said:

> We industrial unionists are going to take over the industries some day for three very good reasons:
> 1. Because we need them.
> 2. Because we want them.
> 3. Because we have the power to get them.

Rexford Guy Tugwell[11] gave expression to the same thought when he said:

> It will be seen that the control of investment is not so complex a matter as it might at first seem. The principles involved would be only two: The forcing of all investment funds into an open market, and the regulating of new capital issues. Neither of these seems impossible if we grant (1) the substitution of Federal for State incorporation, and (2) the correctness of using the taxing power to force surpluses into the market. * * *
>
> If industries were to be controlled, incorporation of business enterprises would need, in effect, to be transferred from the States to the Nation, though some subterfuge might need to be employed; the flow of new capital into different uses would need to be supervised; prices would have to be controlled; and some vital interests now partly or wholly neglected would have to be protected.
>
> Planning will necessarily become a function of this Federal Government; either that or the planning agency will supersede the Government. * * * Business will logically be required to disappear.
>
> This is not an overstatement for the sake of emphasis—it is literally meant.
>
> New industries will not just happen as the automobile industry did. They will have to be foreseen, to be argued for, to seem probably desirable features of the whole economy before they can be entered upon. * * * The future is becoming visible in Russia. * * *
>
> Perhaps our statesmen will give way or be more or less gently removed from duty. Perhaps our Constitution and statutes will be revised. Perhaps our vested interests will submit to control without violent resistance. * * * Yet the new kind of economic machinery we have in prospect cannot function in our present economy.
>
> We have no reason to believe that the disestablishment of our plutocracy would be pleasant. These historical changes never are. We have, however, the duty of avoiding violence as the process goes on.

In the Kohler situation at Sheboygan, Wis., Mazey was Reuther's lieutenant. That strike began on April 5, 1954. The real issue was not wages, fringe benefits, or working conditions.

The real issue was the one of who was to control the plant, who was to manage the business—whether the workers at Kohler were to be forced, regardless of their wishes, to join the UAW–CIO; whether a part of every employee's compensation was to be paid to fatten the treasury of Reuther's UAW–CIO.

Mazey, according to his own sworn testimony given in October 1947, has been an active official of the UAW–CIO since 1936. He boasted: [12]

> I have participated in practically every major strike that our union has had, with the exception of the General Motors strike in 1946, and I happened to be on a little island in the Pacific at that time and I couldn't participate.

He was then asked:

> Question. Did you make an attempt to organize the soldiers?
> Answer. I did organize them.

Reuther and Mazey furnished the brains, directed the Kohler strike. They had as their lieutenants William Paul Vinson; John Gunaca, alias John Ballerino, alias John Moreski, alias John Price, a fugitive from justice; Guy Barber; James Fiore, Donald Rand, Jess Ferrazza, and many others.

During that strike, there were 460 incidents of violence and vandalism, occurring either on the picket line or in other sections of the town.[13]

A glance at the record of some of the Reuther-Mazey enforcers discloses that Vinson, a 27-year-old, 6-foot, 200-pound organizing expert, was recently serving a 1- to 2-year term in the Wisconsin State penitentiary, because, from behind, he hit 50-year-old, 140-pound Willard Van Ouwerk, knocked him unconscious, kicked and trampled him, sent him to the hospital with internal injuries, a crushed chest, a pierced right lung, four fractured ribs.

Reuther may pose morning, noon and night, seven days in the week, as a kind, Christianlike man, but the record shows that he has knowledge of and employs brutal, lawless goons.

John Gunaca, another of his Kohler educators, a longtime fugitive from justice, hiding behind the refusal of Governor Williams, Reuther's buddy, to turn him over to Wisconsin authorities, beat up another citizen in Sheboygan so

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that for a number of years we have been assisting sister local unions when they are in difficulty. What took place in Clinton, Mich., has taken place in a number of other communities for the last 10 years. I have been in Flint, I have been in Pontiac, I have been in every section of the State assisting our local unions to settle their problems with management and this is the only time that people seem to have gotten excited in this particular hysterical era that we are living in today with the Taft-Hartley Act and so on; this thing has been made quite an event, quite an affair * * * but we have for years, we have been able to build our organization and maintain it on the basis of assisting our local unions when they are in difficulty; we have been doing it for 10 years and we intend to continue doing it.

"Mr. HOFFMAN. Now, let us analyze that just a moment. You intend to continue for example sending in to say Berrien County and Benton Harbor hundreds of thousands of men from other unions in order to assist local unions?

"Mr. MAZEY. If our services are needed; yes.

"Mr. HOFFMAN. And when they come in do you intend to assist them on the picket line,

"Mr. MAZEY. Yes."

[10] See CONGRESSIONAL RECORD, June 1, 1937, vol. 81, pt. 5, 75th Cong., 1st sess., p. 5171.

[11] Assistant Secretary of Agriculture, 1933; Under Secretary of Agriculture, 1934–37.

[12] Hearings, labor-management disputes in Michigan, Indiana, and Ohio—before Special Subcommittee of the House Committee on Education and Labor, 80th Cong., 1st sess., p. 332.

[13] They included mass picketing, preventing employees from going to work.

Preventing men and women from seeking employment by abuse, physically by shoving, elbowing, shouldering, and kicking.

Kidnaping.

Physical assaults on nonstriking workers, including beating and kicking one man almost to death, breaking another's neck, and assaulting another and his wife, and wrecking their tavern.

Mass picketing of homes of nonstrikers in residential areas, often with 300 or more pickets shouting, cursing, and menacing the householders.

Dynamiting of automobiles and buildings.

Shotgun blasts through the windows of homes.

Throwing flaming torches and other incendiary devices into automobiles and onto the porches of homes.

Hurling paint bombs, fashioned from electric light bulbs, through the windows of homes and against the sides of homes.

Smashing of automobile windshields.

Shouting vile and obscene language on the picket lines.

Smearing nonstrikers' automobiles with paint or paint remover.

Scratching the finish of nonstrikers' cars as they were driven through the picket lines.

Putting sugar in tractor and automobile gasoline tanks, and sand in the crankcases.

Slashing automobile tires.

Telephone threats to the wives and children of nonstrikers.

Tying bolts and other metal objects to cornstalks, ruining farmers' corncutters. (Directed at those who had relatives working at the Kohler plant.)

Publishing vicious rumors and slanderous untruths about nonstrikers and members of their families.

Tearing up landscaping in the yards of nonstrikers.

Breaking into the summer cottage of a nonstriker and hurling acid over the walls and furnishings, and damaging the boats and outboard motors.

Telephoning nonstrikers throughout the night, threatening them, and preventing them from getting sleep.

Throwing rocks and other missiles through automobile and house windows.

Slinging ball bearings through the windows of homes.

Smearing excrement over the interior of a nonstriker's automobile.

Mutilation of farmers' cows, in one case so severe that the animal had to be destroyed.

severely that he, not long thereafter, died.

Gunaca fled back to Michigan and for more than 2 years was prevented by Reuther's assistant, Governor Williams, from being extradited. Finally, forced by public opinion to be released to Wisconsin authorities, he was returned to Wisconsin, entered a plea of guilty and was given a jail sentence.

Jess Ferrazza, another of Reuther's and Mazey's educators at Sheboygan, is, as has been stated, the same individual who, in 1941, in Detroit, participated with three others in the cowardly beating of an inoffensive worker who was making an effort to get paychecks to union workers.

When Mazey went to Wisconsin to direct the Kohler strike, he undoubtedly had in mind the same thought as he did at Clinton, Mich.—when he testified:

> We decided to take things into our own hands.

At Kohler, there was only one way to accomplish that: Through the defiance of the peace officers, court orders, violence and destruction of personal property. He was backed up by Graskamp, president of the local, who publicly announced:

> We have tried to discourage people from going into the plant by peaceful means—but from now on, the gloves are off.

Burkart, an international representative, added:

> Let us do everything we can to keep them away from the plant before they get to the picket line.

That declaration was followed by violence and the destruction of property at the homes of the workers—see footnote 13. Then Mazey, on August 15, 1954, referring to employees still endeavoring to work, said:

> They joined the ranks of the enemy. They ought to be treated as such. During the war, when they join the enemy, they are shot when convicted.

The foregoing brief statement with reference to the Kohler strike shows that it has long been the purpose of Reuther and his lieutenants to, by defiance of lawful authority and violence, overthrow our Government. An objective no different from that of the Communist Party. The Kohler strike failed. Hundreds of employees sought jobs elsewhere. The strike cost the union millions of dollars.[14]

Failing in its direct efforts to destroy Kohler—now working toward the same end—Reuther and his CIO have called for a nationwide boycott of Kohler products.

For more than 19 years, Walter P. Reuther has been an active, driving force in the CIO. During all that time, he has known of the objectives of the Communists. He has been familiar with their methods—with their violence and their lawlessness.

He has known, for example, that in Wisconsin the Government was defied, defense production held up during wartime by a strike directed by Harold R. Christoffel, a Communist, at the Allis-Chalmers plant.[15]

He knew that in Detroit the CIO held up production for the Navy which interferred with the carrying on of a war. In one case, for 21 days—and another, for 41.[16]

Walter Reuther has been called to the White House by those who sought his advice on economic problems.

In a letter to President Truman on July 15, 1950, in a program labeled as an effort to stop Communist aggression throughout the world, Reuther proposed that "for the next hundred years, the people of the United States, through their government, pledge themselves to make available through the United Nations, an annual sum of $13 billion."

Is even war a more effective method of destroying us than compliance with a suggestion of that nature?

Would its adoption not make of us economic slaves to the rest of the world?

It is time that the cloak of hypocrisy which some columnists in national publications seek to throw around Hoffa and Reuther be temporarily at least pushed aside, and a view of the real individuals there hiding be exposed to public view.

While Beck and Hoffa have promoted and condoned violence, lawlessness, the misuse of union funds, in my judgment Reuther is far more dangerous to the welfare of our people, to our form of government.

For years, he has regarded industry, management, those who furnish capital and the know-how to create and operate industries which gave employment, as enemies of the rest of us, of those who desire to work.

He seeks for himself and other labor leaders the right of management of a business. But apparently he is neither able nor willing to assume the responsibility which rests upon management, upon those who provide the capital to establish a business or an industry which gives employment.

His political philosophy is that of the Communists.

Union leaders, officials in high places in labor organizations, not only assume, but presume, to speak for the members of their organizations. That is an utterly false claim. Union members, neither as individuals nor as groups, no more accept the political philosophy of Reuther than they condone the acts of Beck, Hoffa and other union officials who have been called before the committee, and exposed as criminals.

That legislation need not be complicated. It need not be expressed in technical words or phrases.

If we can have a fair and adequate enforcement of the present laws, all we will need is simple legislation for the protection of Union men—of the non-unionized worker—of citizens generally. Legislation which will protect the national health, welfare, and safety.

Much of that task will be accomplished if unions and union officials are deprived of the special privileges heretofore granted them—when they misuse and abuse those special grants of power to the detriment of the people as a whole.

While the right to strike should be religiously preserved—no man be forced to work against his will—employment should be open to any individual who can find an acceptable job.

The Congress should enact legislation which will prevent nationwide or industrywide strikes which injuriously affect either the public health, safety or welfare.

Testifying on March 10, 1959 before the House Committee on Education and Labor, President Meany of the AFL–CIO advocated such legislation—hearings before joint subcommittee of House Committee on Education and Labor, 86th

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[14] Sturgis Daily Journal, July 27, 1957:

"IS THE SENATE AFRAID OF REUTHER?

"The Automobile Workers Union has spent $11,300,000 on its strike against the Kohler Co., of Kohler, Wis., says the union's secretary-treasurer. The strike was lost long ago and the Kohler local of the union wrecked, but the union expenditures continue in an effort to wreck the Kohler Co. by a boycott. On this the UAW has already spent more than $2 million.

"Chesly Manly recently concluded a summary of this bitter, bloody industrial conflict in our news columns. A reign of terror was instituted in Kohler and neighboring cities. Criminals were hired to direct acts of violence against the company and its employees. One of the union's strong-arm men remained in Michigan, protected by Governor Williams from extradition to Wisconsin to stand trial on a charge of beating a Kohler workman. The victim's death has been attributed in part to the injuries he suffered.

"Here certainly is as flagrant abuse of the power and funds of an international union as the Nation has witnessed in many years. The strike was lost, yet the vindictive campaign against the company goes on. The purpose, it is plain, is to show the American people that no employer dares to say 'No' to Walter Reuther, boss of the UAW.

"The Kohler case is far more menacing in its implications than any misuse of union funds by Dave Beck and his associates in the Teamsters Union. Senator McCLELLAN and his colleagues, however, seem strangely disinclined to give their attention to Mr. Reuther or any of his works. Mr. Reuther is one of the bosses of the left wing of the Democratic Party, who style themselves Americans for Democratic Action.

"Senator KENNEDY, Democrat, of Massachusetts, is a member of the committee. His brother, Robert, is its counsel and director of its investigations. Senator KENNEDY is an aspirant for the Democratic presidential nomination. The enmity of Reuther and his radical associates could be fatal to the Senator's hopes.

"So long as Senator McCLELLAN fails to investigate Reuther's power and the ways in which it is abused, he sustains the suspicion that the Democratic majority in the Senate is afraid of the union boss."

[15] Hearings (Mar. 1, 1947) before the House Committee on Education and Labor, 80th Cong., 1st sess., vol. 4, "Amendments to the National Labor Relations Act," pp. 2079–2142.

[16] Reply of the Acting Secretary of the Navy, Charles Edison, dated October 20, 1939, to H. Res. 314, "requesting certain information from the Secretary of Navy on certain matters in connection with a strike of employees in the plants of the Bohn Aluminum Co. at Detroit, Mich.; by Mr. Hoffman." See CONGRESSIONAL RECORD, vol. 103, pt. 3, pp. 4016–4019; vol. 103, pt. 5, pp. 6154–6155; vol. 103, pt. 6, pp. 8302–8303.

Congress, part 1, page 151. Yet none of the bills, except one introduced by me sometime ago, even considered that phase of the situation nor was any consideration given to the admitted need for legislation prohibiting monopoly in connection with union activities.

Congress should enact legislation which will make it impossible to, by a picket line or a secondary boycott, destroy the business of an individual or an organization.

JAMES R. HOFFA

Another reason demanding the immediate enactment of remedial legislation is given in the person of Jimmy Hoffa and in his record. Hoffa has long been a Republican. He has been the whipping boy of the McClellan committee, which has paid very, very little attention to the real record of Walter Reuther, and none at all, so far as I know, to the activities of John L. Lewis.

Personally, in his home life, Hoffa is a good husband and father.

As to his union activities—much information derogatory to Hoffa has been put in the RECORD and given to the public. This long before some of the Johnny-Come-Latelies, who now seek political advantage by opposing him, ventured a word; long before they heard from home.

It will be sufficient at this time to call attention to the fact that Hoffa has an overruling passion and an unbridled ambition, that he has misused welfare funds, that he is an advocate of a campaign of violence—notwithstanding that he never drinks or smokes, and so forth, and that he has twice been sentenced for criminal activities.

No need to particularize as to Hoffa's record. The McClellan committee and the press are today doing that most effectively, while seeming to forget Lewis, Reuther, and some others.

While Hoffa is able, unscrupulous, greedy, and politically ambitious, a defier of law and order, one who tramps underfoot the members of his own union, his activities are not as destructive to our form of government as are those of Walter P. Reuther.

Hoffa is a racketeer and an extortionist.

He has frequently been arrested for misdemeanors, seldom convicted.

But twice James R. Hoffa stood before the bar of justice on serious charges.

On December 2, 1948, he and his associates entered a plea of guilty to the charge of one, a conspiracy to extort money, two, a conspiracy to violate the State labor law, three, a violation of the State labor law.

The facts disclose that Hoffa and his codefendants had by force and threat of force compelled little people, independent grocery retailers, to pay to a union as a privilege of doing business, $4,240. That is, Hoffa and his codefendants, by force and the threat of force, so intimidated honest, law-abiding individuals that they were forced to pay to the union in which he was interested various sums which otherwise they might have used to purchase the necessities of life, to spend on a vacation, to educate their children—they were forced to pay tribute in order that they might exercise the civil right to engage in business—earn a livelihood. Where then were the gentlemen from New York [Mr. KEATING and Mr. CELLER], the present-day spokesmen for civil rights?

That Hoffa and his friend, William E. Buffalino, through control of the Teamsters Union, conspired to and did, through the use of force, threats of force, and economic pressure, extort and collect millions of dollars from organized and unorganized members of the union who were operating in the jukebox industry was established by congressional hearings held in Detroit in June of 1953 by joint special committees of the House Committee on Education and Labor and the House Committee on Government Operations—House Report No. 1324, 83d Congress, 2d session.

Anyone wishing to operate a jukebox or, on occasion, a vending machine, in the territory controlled by Buffalino and Hoffa paid tribute and fees fixed by Buffalino to the racketeers. This was possible because Hoffa was president not only of Teamsters Local 299, but of the Teamsters Joint Council 43; 10th vice president of the Teamsters International; secretary-treasurer of the Teamsters Temple Association; president of the Michigan Conference of Teamsters; chairman of the Southern Conference of Teamsters and the Midwest Conference of Teamsters; negotiating chairman for 23 States on highway and city transportation and Central States Drivers Council; chairman, Central States Conference; trustee, Central States Welfare Fund; and trustee for locals Nos. 247 and 614 of the Teamsters Union.

Hoffa and his associates defied the law, oppressed, exorted money from—union members in good standing—not once or twice, not in secrecy, not in the darkness of nighttime, but openly, publicly, so often, so brazenly, that the practice was a matter of common knowledge, became an established union activity.

Why grow sympathetic about the operation of dictators in South America or other parts of the world, when here at home, in Detroit, Wayne County, Mich., in the United States of America, men grasp, hold, and exercise arbitrary oppressive power over their fellow citizens?

Standing before an apparently kindly, sympathetic judge, who, in part at least, owed his judicial position to the voters who lived in Hoffa's bailiwick, Hoffa and his codefendants were ordered by the court to repay to those who might apply, and who had been robbed, their share of the $4,240 illegally taken from them.

Naturally, as Hoffa, his attorney, and the judge well knew, it was more than probable because they were afraid of Hoffa and what he might do to them that not all of those whose money had been unlawfully taken from them would apply for a restitution of the sums due them. Of the $4,240, application for return was made for but $1,937.

Thereafter, the union through its attorney, George Fitzgerald, one of the attorneys who appeared recently in the conspiracy trial of Hoffa here in Washington, asked that the balance of $2,303, for the return of which those defrauded had not made application, be returned to the union. Upon the union's agreement that it would thereafter return whatever might be due to those who might apply, the court ordered the probation officer to pay the balance to the union.

HOFFA GUILTY OF ILLEGAL OPPRESSION

In February 1942 Hoffa and others were charged in the District Court of the United States, eastern district of Michigan, southern division, with having "knowingly engaged in a combination and conspiracy unreasonably to prevent persons, partnerships, and corporations located in the city of Detroit, Mich., other than the defendant wholesalers, from selling wastepaper for shipment from the city of Detroit, Mich., to States other than the State of Michigan and to the Dominion of Canada, which combination and conspiracy in fact has been and is now in restraint of trade and commerce in wastepaper among the several States and with foreign nations, and in violation of section 1 of the act of Congress of July 2, 1890, entitled 'An act to protect trade and commerce against unlawful restraints and monopolies' (U.S.C.A. title 15, sec. 1), commonly known as the Sherman Act."

Hailed before the court, Hoffa and his codefendants did not deny the charge. Hoffa was fined $1,000, as were his friend Bernard Brennan, alias Bert Brennan, and five other defendants.

Permit me again to repeat, if the transportation workers of America want Hoffa, a confessed extortionist, to represent them before the bar of public opinion that is their right.

Hoffa's record shows that he is brutal, that he will use the goons of his union to threaten and to beat honest law-abiding citizens in order to enforce his orders, impose his will; that he will use his power to drive union men out of business for financial gain; that he is an extortionist and a racketeer.

The following incident shows that Hoffa and Brennan are moral cowards for they attempted to hide behind the skirts of their wives.

Though Hoffa poses as a kindly man with the welfare of the Teamsters at heart, he was not adverse, when a financial profit was in sight, to ruining the business of a union Teamster.[17]

Harold Cross and Teamster friends, as employers, operated a profitable haul-away business out of Flint. Hoffa and his friend, Owen Bert Brennan, ruined the business by organizing Test Fleet, Inc. They used the maiden names of Hoffa's wife, Josephine Poszywak, and Brennan's wife, Alice Johnson. The new company took over the business of Cross and his associates through an investment of $4,000.

Whether the $4,000 was actually paid or came from Union funds was not established. In any event, though Mrs. Hoffa and Mrs. Brennan performed no work, had no employees, but utilized the services of an employee of Commercial Carriers, whom they paid $2,400 a year,

[17] Hearings, Ibid., pp. 122, 125, 129.

in four years the company returned to them $62,000 in dividends.[18]

OVERRULING PASSION, UNBRIDLED AMBITION ANOTHER INSTANCE OF HOFFA'S CALLOUSNESS

Hoffa, as the directing force of the Teamsters Union, had almost unlimited power. His legitimate job was to promote the welfare of union members, especially those of the AFL organizations, but his own greed and ambition has always been the controlling force.

Permit the citation of just one instance—when seeking the acquisition of union dues, he turned on other AFL unions, sought to destroy them.

Hearings held at Kansas City, Mo., June 29, 30 and July 1, 2, 3, 1953,[19] showed that Hoffa's lieutenant, Ring, with clubs, pieces of chain, and other weapons, drove AFL members in good standing from their jobs, threw thousands of them out of work, and stopped the construction of defense utilities.

All that ever came from our hearings was the ending of the strike; persecution, conviction, later reversed, of the union man who exposed the lawlessness.

Just a little more of Hoffa's record:

MISUSE OF WELFARE FUNDS

Nor did Hoffa hesitate to profit through the manipulation of union health and welfare funds. He diverted the business of insuring health and welfare funds to, among others, Paul and Allen Dorfman, who, in turn profited exorbitantly on commissions—in 4 years collecting some $250,000 on one policy alone.[20]

When an attempt was made to question the Dorfmans, the father, Paul, invoked the Fifth Amendment 38 times,[21] while the son, Allen, used the same amendment 61 times,[22] thus protecting not only themselves, but Hoffa.

See, generally, "Investigation of Welfare Funds and Racketeering," report of a Special Subcommittee to the Committee on Education and Labor, pursuant to House Resolution 115, 83d Congress, 2d session, pages 5–10.

MISUSE OF UNION FUNDS FOR POLITICAL PURPOSES

Hoffa insists that he is honest, has never misused or profited from the misuse of union funds. Such a statement is not only untrue, but brazenly absurd. In Detroit, under oath, on November 27, 1953, Hoffa made certain admissions or statements.

The records of local 299 for the year 1948 showed State political contributions in the amount of $15,487.70. The minutes of a meeting of the regular union carried this notation:

Motion by Weinberger, seconded by Fontaine, that the local union reaffirm the right of the president.[23]

Which Hoffa said was correct. Hoffa stated the motion was carried by unanimous vote.

Another notation:

Minutes approved the expenditure of funds by Hoffa in the Canadian strike. Motion carried by unanimous vote. Also same motion and approval re right of president to spend whatever moneys he thinks necessary in the forthcoming local elections.[24]

The reference was to the forthcoming local election in Detroit.

Hoffa further testified that in every election he made a request and was granted the right to spend the necessary union funds to conduct whatever campaign "we think is to our best interest," and he further testified that, in spending those funds—and there was available at least a million dollars—"We do not operate as a political committee. We operate as a union." [25]

For 1950, the returns showed that the union made State political contributions to the amount of $13,410.30. Hoffa also stated that the union made political contributions in support of candidates to the campaigns of judicial candidates in Wayne County.[26]

Did Hoffa's misuse of union funds to influence judicial elections in Wayne County and Detroit taint justice's fountains, enhance his ability to go unwhipped of justice?

Why Hoffa should insist that he has not misused union funds is a little difficult to understand, when, in the same breath, he admits that he has used the dues and assessments levied upon Democratic and Republican workers alike to elect local partisan candidates.

DESTRUCTION OF UNION RECORDS

Congressional committees will find difficulty in obtaining information from the records which Federal law requires all business organizations, as well as individuals, to keep to assist the Internal Revenue Service in collecting income taxes.

So far as is known, no one has questioned Hoffa's apparent shrewdness. Under oath, he testified that the financial records of Teamsters Union Local 299, of which he was president, were destroyed each year.

Likewise, through his attorney, he admitted wire tapping meetings of his own union.

For more than 2 years the McClellan committee has been feeding to publicity sources an appalling record of the misuse by a few leaders of organized labor of the special powers and benefits granted them by labor legislation.

The Committee of the Whole sits here today—almost 100 percent of its members in attendance—forced by the press, TV and radio and our constituents who answered that appeal, to enact adequate remedial legislation.

We dare not go home and face our constituents if we leave behind a record lacking such legislation.

The people will get that legislation unless, at this late date, partisanship creeps in and we quarrel among ourselves as to what label shall be pinned upon the remedy and as to just what the remedy should be.

The Senate has voted—90 to 1—for an inadequate bill, but it does not follow that the House can force upon the other body the enactment of legislation which some of our leaders insist we pass.

We should, and we must, adopt a bill which will protect union members from the greed and ambition of their officers as well as from ill treatment by employers; which will protect the individual who must work if he would live and who does not wish to pay tribute to a union; legislation which will protect the welfare of the millions who are not directly interested as an employer or an employee.

Mr. BARDEN. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. SHELLEY].

Mr. SHELLEY. Mr. Chairman, this is going to be probably one of the most emotional weeks through which the Members of the House have sat for some time. I say this out of years of experience in labor negotiations—it is always emotional. However, let us remember, when emotion comes in the door reason goes out the window. Let all of us keep that in mind these few days. Let us try to establish some ground rules so far as I am concerned, right here at the start.

Mr. Chairman, any number of labels are being pinned on this bill, that bill, and the other. Maybe I should feel a little left out, because my good friend, the gentleman from Virginia [Mr. SMITH], chairman of the Committee on Rules, just sort of brushed my proposal off. In fact, he gave the effect of brushing it off with a smile and practically a sneer. I know he did not intend that because he is always a gentleman. The gentleman from Georgia [Mr. LANDRUM], my good personal friend and formerly my neighbor for several years in the same apartment house, I do not think even mentioned the Shelley bill. Of course,

[18] "The Hoffa-Bert Brennan venture was known as Test Fleet Inc. The corporation was organized to lease equipment to Commercial Carriers, a company specializing in over-the-road hauling of automobiles. (Hearings (before a Special Subcommittee of the House Committee on Education and Labor, 83d Cong., Nov. 23, 24, 25, and 27, 1953), pp. 131, 147) Test Fleet was established at a cost of $4,000 to Mrs. Hoffa and Mrs. Brennan. In 4 years, it returned them dividends amounting to $62,000. It was also shown that neither Mrs. Hoffa nor Mrs. Brennan had any part in the functioning of this corporation, which had no employees. (Hearings, p. 144.) One of them merely telephoned periodically, instructing the corporation auditor to pay a dividend. On at least one occasion, no amount was specified in these instructions, and the suggestion was offered that it be 'as much as the corporation could stand' out of its earnings. (Hearings, p. 138)"—Report of a Special Subcommittee to the House Committee on Education and Labor pursuant to H. Res. 115, 83d Cong., 2d sess.

[19] Hearings before special subcommittees of the House Committee on Education and Labor and of the House Committee on Government Operations—83d Cong., 1st sess.—under H. Res. 115 and H. Res. 5—"Strikes and Racketeering in the Kansas City Area."

[20] Hearings before a special subcommittee of the House Committee on Education and Labor—83d Cong.—Nov. 23, 24, 25, and 27, 1953—Investigation of Welfare Funds and Racketeering—p. 17.

[21] Hearings, ibid., pp. 310–326.

[22] Hearings, ibid., pp. 71–85.

[23] Hearings, p. 439.

[24] Hearings, p. 440.

[25] Hearings, pp. 441, 442, 446.

[26] Hearings, pp. 441, 442, 446.

my former chairman of the Committee on Government Operations, the gentleman from Michigan [Mr. HOFFMAN], did not mention it. And, I think a great many people do not want to mention it and do not want to hear about it, because I think it is pretty general knowledge that a fellow named SHELLEY around here has had some experience with labor relations and is one of the few men around here with real experience in the field. When we get into the real discussion of the bills and when we get to the point that my good friend, the gentleman from Indiana [Mr. HALLECK] calls the gut-cutting period, I will stand up against any of them, and I do not think it is my gut that will be cut. I will stack up a record of actual, factual experience and a reputation for clean dealing and honest labor administration against anyone, particularly the theorists.

Now, one charge was made, and I noticed it in the press and I heard it on the radio comments, that this was the Hoffa bill. "SHELLEY" has the Hoffa bill." Well, the other day in the Rules Committee hearing the gentleman from Indiana [Mr. MADDEN] made an accusation about the Landrum bill being the NAM bill, and there was a little flurry and some people became very excited. I think the gentleman from Indiana explained it today and I believe the gentleman from Georgia has accepted it.

Mr. Chairman, I do not think we are going to accomplish anything in this debate by hanging labels on anything. I want to say right now, I give the gentleman from Georgia [Mr. LANDRUM], the gentleman from Michigan [Mr. GRIFFIN], the gentleman from Alabama [Mr. ELLIOTT], the gentleman from Arizona [Mr. UDALL], the gentleman from New Jersey [Mr. THOMPSON], and all who joined with either or all of them, all the respect to which they are entitled. I do not say that anybody wrote the bills and planted them with them. As far as I am concerned, this is their sincere effort to solve a problem with which this country is confronted. I may disagree with them. But if we are going to tie tags on and hang labels, we are not going to get very far.

Now, who wrote the Shelley bill? A fellow named SHELLEY started to write the bill and then called in about 10, then 12, finally 14 other Members of the Congress, practically all of whom, other than myself, are members of the House Committee on Labor and had sat through all the hearings. We worked for 3 nights, several afternoons and a full week end in my office. After we agreed and drafted a tentative bill we had discussion with some AFL–CIO attorneys.

You see, I have had the benefit of some experience in labor relations, and for the RECORD let that show right at this point.

From 1937 to 1947 I was the president of the San Francisco Central Labor Council. In 1937 it happens I was the fellow that dropped the gavel and ordered Mr. Bridges' Longshoremen out of our council. From 1947 until the time I came to the Congress in 1950 I was the president of the California State Federation of Labor. I called a few strikes after the members voted them by a secret ballot and gave them authority to execute the action when all hope for peaceful settlement failed. I have been on a few picket lines. Compared with this, however, I can honestly say that I personally concluded over 1,500 negotiations peacefully and avoided strikes. I have been a member of a union since I was 15 years old, when I first joined the sailors union. I am now a dues-paying member in good standing of the Teamsters Union, and I am not a Hoffa Boy. If you do not know it, I was a candidate against Jimmy Hoffa for president of the Teamsters union, because exactly what is happening this week is what I said would happen and that he would bring on a deluge of terrific violent and vicious antilabor legislative proposals. I was an opponent of Mr. Beck for years, because one time I opposed Mr. Beck in a proposal when he wanted the Teamsters of San Francisco to go out with baseball bats and keep the longshoremen from doing their work on the waterfront. Man, oh, man, would the labor-haters have had something to go to town on if this had happened. Sure they would. Violence and force is not only wrong per se—it is exceedingly stupid.

I took the position that this was bloodshed, this was violence, this was labor fighting labor. For what? Power for an individual. Sure, I got worked over and beaten by 17 thugs. I had to get glasses as a result of it; I wear a partial dental plate where teeth were knocked out of my mouth by brass knuckles; I had a plaster cast over my whole torso for 14 weeks. But these things did not destroy my fundamental belief in the principle of labor, because there were some so-and-so's, some goons, some ambitious individuals who were using their positions to further their own ends. That did not mean that there was a reason to destroy labor any more than a preacher going bad means that we should eliminate all churches, or a banker going south with the bank's money means that we must eliminate the banks, or the head of an investment trust fund going south with some of the money with which he is entrusted means that we must eliminate all investment houses and trusteeships. Oh, by the way, Mr. Beck and his muscle-men have all been caught up with without eliminating unions.

Sure, I later talked to some attorneys from the AFL–CIO, men in whom I have confidence and have known for years. But let us get this in the ground rules. No more than I am saying that the Landrum-Griffin bill is the NAM bill and was written by them, is this bill the Hoffa bill. Hoffa did not write it. The background I have recited to you I believe establishes that as a fact.

In view of that background I do not think there is a man in this House who is any more opposed to racketeering than is the gentleman who is speaking to you now. Yes, I have seen some racketeering in the trade union movement and wherever and whenever I've seen it I fought it. I have differed with some of those in labor who said, "We must repeal Taft-Hartley." I said, "This is a false position. You are not going to achieve it." I said, shortly after it was enacted that we should amend it with sensible amendments. I still believe that—but, only after a real study. The amendments in the other bills have not had that study, cool consideration and calm deliberation in either the House or Senate committees.

When the Hoffa situation developed and the Johnny Dio and other situations, I watched the TV programs. I rented a TV and had it in my office and watched what went on with as much revulsion as anybody in the country. I determined then, in fact, I knew then, that there would be a bill, that there must be a bill to prevent ex-cons or crooks, former crooks, coming into the labor movement and achieving positions of power and leadership; a bill that would prevent the embezzlement or the misspending of union funds. I think that any union official who misspends or misappropriates the dues paid in by the man who is a member of the union, who is putting in that money, who is actually offering his blood, his toil, his tears, and his sweat in these funds—or any of the funds that are in the pension or welfare funds—is more reprehensible and more of a buzzard than even a banker who walks away with a few thousand dollars, because the bank is insured under the Federal Deposit Insurance program. We do not even propose to insure these funds so we must protect them as the workers' property—the union members—not the officers' property, as strictly as possible.

So, when it comes to the differences in these provisions, there are not too many differences in the bills. I think mine is actually stronger in that it provides a stiffer penalty; in that it also applies the same rules for accounting to the employers and to this new field of half-baked operators who are not attorneys but call themselves labor consultants. Oh, yes, I have seen some of them operate. They are peddlers and middlemen, some of them—not all of them. It is a very respectable field in a great many cases. But there is no provision to make them account for what they collect and what they use it for.

Yes, and the great hearings that were held some 14–16 years ago called the LaFollette hearings on labor spying. Those hearings cannot be obtained any more. Management has not ended that practice. I have known of employers offering bribes. You know, a bribe must have a giver as well as a taker. It is not a one-way street.

The bill I have introduced seeks to apply with even justice to the men on both sides of the bargaining table; it seeks to get rid of the crook in labor, to get rid of the ex-con in labor; it requires stricter financial accounting, stricter penalties and a setting up of a fiduciary responsibility for those handling the funds by bonding, and so forth.

Let me touch on the matter of bonding. The Landrum-Griffin bill and the committee bill requires that the officers of trade unions can only be bonded by bonding companies that are on the certified list of the Secretary of the Treasury.

Let me show you this. This narrows it down to a sizable but nevertheless a restricted list of the big bonding companies that are engaged in Federal bonding. In every State there are laws regulating legitimate bonding companies. My bill proposes that union officers be bonded by any legitimate bonding company either on the Secretary's list or any bonding company certified by the law of the State, but that no union officer can take out a bond with a bonding company that has any connection with him or a company that any labor officers set up themselves. This practice of setting up a bonding company is getting to be a new trick that some of the boys want to use, and I think it is this that we want to get at. As a matter of fact, under the present situation, several of the big unions of this country are being refused bonds by all the American companies and the unions are going to Lloyds of London and getting their bonds at a rate cheaper than the going rate here in this country. I do not think we want to drive that business out of our country so long as we provide that the labor men being bonded should not control the company and it is a reliably certified company with Federal or State certification.

With regard to elections—yes; we set up provisions for elections. I think all of the bills do that. We set up provisions to see to it that the elections are held in a democratic way and to see to it that certain things are voted on by secret ballot. We do not have too much quarrel there although there is some difference. The big issue here is in getting rid of the racketeers. The big issue between the committee bill and the Landrum-Griffin bill, and the Shelley proposal with the exception of one or two issues, is not on the objective of getting rid of the racketeers. Now, if that is so, why did I put in the Shelley proposal? Because when we get into title VII, the amendments of the Taft-Hartley Act, then we are getting into the field of labor-management relations. The gentlemen who have preceded me can stand on this floor all day and say they are not punishing labor—maybe that is their intention, but that will not be the effect of the legislation they propose because, actually, the effects of their amendments in this field are damaging and aimed at the heart of free labor unions. I am one Member who voted for the Kennedy-Ives bill a year ago. I would vote for a straight antiracketeering bill any day. But, I think the amendments of the Taft-Hartley Act should be the subject of some long study by the Congress and should be in a separate bill because here is the field in which we really come up against strong emotions. Here is the field in which there has developed over the years this great trade terminology and these trade phrases. How many of you sitting here within the sound of my voice could really get up and give a definition or an explanation of secondary boycott. Of course, those who are on the committee might do so. I am not on the Committee on Education and Labor. But, how many could get up and explain succinctly and clearly what organizational picketing is and how it differs from recognition picketing. This is where you get into the field of punishment by the trick use of labels. The Taft-Hartley law at the present time bans hot cargo. It bans secondary boycotts. By agreement, the Teamsters have written certain provisions into their contracts which provide it is not a violation of contract for a truckdriver to haul "struck" or nonunion products. The Landrum-Griffin bill sets labor man against labor man. Now some are out to get Jimmy Hoffa and the Teamsters. I do not think you will ever legislate Jimmy Hoffa out of business. I think I know the mind of the laboring man and the more he is pushed around by this kind of debate, the stronger Hoffa is going to get with his own members. I saw that happen with Harry Bridges in San Francisco. If Hoffa is going to be gotten, he is going to be gotten by the judicial process and getting the goods on him. But, do not go out after the honest trade unions and the honest leaders of labor. All you will do is make a more militant and active labor movement.

As to organizational picketing, there are any number of reasons why it is necessary for a union to put on a picket line to organize. One bill, the Landrum-Griffin bill, in my humble opinion, prohibits practically all picketing. That is an infringement upon the basic right of free speech accorded to trade union members as well as to every other citizen. Their extension of the interpretation of the secondary boycott not only in my opinion but in the opinion of many lawyers, and not just labor lawyers, is an invasion of the field of the primary boycott and can be used to stop any picket line or any boycott by even a striking union.

My bill I will stand up against any of them on the antiracketeering and other provisions. Sure, I say it proudly, frankly, and flatly, I have presented clean, honest labor's position in regard to the Taft-Hartley law; and, interestingly enough, the authors of the other bills see some good in my bill. On the building trades situation I think we are in pretty general agreement; we all want to try to take care of the no man's land situation, some by providing that it shall be dealt with by State courts. I say this is bad. My bill puts it all in the Federal court. Why? Because the minute you put it in the State courts you, the Members of Congress, are lending assistance to the labor haters of this country who are trying to push for individual right-to-work laws throughout the country and in each one of the 49, and in a few months 50, States there will be a different interpretation of the labor laws, 50 different interpretations of the labor laws, looking at labor basically as a commodity, and the laboring man is not a commodity.

My bill—the Shelley bill—includes all the genuine reform measures that are included in the Senate bill, the Elliott bill and the Landrum-Griffin bill.

It's even more effective, because—unlike the others—it gets at the connivers and the crooks in management, as well as labor.

It deals with union democracy, individual rights, union trusteeships, coercion, embezzlement, backdoor dealing—the whole range of matters investigated by the McClellan committee.

Big business groups and the President have attempted to give the impression that failure to pass the Landrum-Griffin bill would nullify the efforts of the McClellan committee.

Yet nowhere has the McClellan committee recommended legislation in the fields of secondary boycott, hot cargo, or organizational picketing—which are now described to us as essential to the enactment of effective labor legislation.

The fact is this: The McClellan committee has made four principal recommendations—regulation of union funds, provisions for union democracy, control of middlemen and definition of the "no man's land"—all of which are covered in the Shelley bill.

But this is not enough for the anti-union people.

They want to make it a crime for me, a union member, to respect a union picket line.

They want to tell me I cannot carry a sign in front of a department store saying, "Don't buy X company's product, it's a nonunion company."

That is what President Eisenhower said. That is what the Landrum-Griffin bill says.

Now how in the world are you going to find out, if you believe in fair wages and union standards, that X refuses to pay them? How is the union going to protect its members, and protect the fair wages they have achieved by collective bargaining with decent employers? Do you think your daily paper will carry that information on page 1, or on page 41?

All of you have seen pickets, walking up and down with signs saying "Unfair to Organized Labor." Sometimes this means there's a strike; sometimes it means there is some other kind of dispute.

If those pickets are there to shake down the employer, under my bill they would go to jail. But under the Landrum-Griffin bill—supported by President Eisenhower—they would go to jail no matter what they were doing, except for an actual strike; and it is possible they would go to jail for that, too, under the language in the Landrum bill.

I am against the crooks, at whose hands I have suffered physically and spiritually. But I am for the honest labor movement.

Remember this—in this world of today—a strong democracy needs as a vital part a strong, honest labor movement. The labor haters have overlooked this. Look at the world about us and at ourselves—then, don't you forget it.

My bill will end corruption in labor. Your support of the Shelley bill will end corruption in labor.

Mr. KEARNS. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Chairman, I should like to begin by paying a sincere tribute to the Chairman of the Committee on Education and Labor for his infinite patience, and the way he conducted

the deliberations of our committee, with fairness and justice. I pay tribute also to the members of both parties on the committee who worked so hard and diligently to make it possible for the House to work its will on labor legislation.

Mr. Chairman, a man by the name of Abraham Lincoln once said this:

> All that serves labor serves the Nation. All that harms labor is treason to America. No line can be drawn between the two.

Those indelible words of a great friend of labor provide not only a ringing challenge but an exacting standard against which I stand ready to measure the legislation we consider here today.

As I prepared for this debate, my mind returned again and again to those turbulent days 12 years ago when Congress debated the Taft-Hartley Act. I have read, and reread, those eloquent speeches which some of you then delivered. As I read them, I could not help but think how differently great issues can sometimes appear when later viewed through the perspective of history.

"Slave labor bill," "the death warrant for labor," "a vicious monstrosity," "a bill to bring back the sweat shop and yellow dog contract," "a bill to drive unions into the hands of Communists," those and many other colorful descriptions were draped on the Taft-Hartley Act as it passed through this chamber.

Against that background, it has been an interesting revelation during the past several months to sit through the long hearings on this legislation and to hear one labor official after another refer to Senator Taft as a true friend of the workingman.

Mr. Chairman, we are faced with a legislative challenge that will call for the utmost in political courage. The country needs, and cries out for, an effective labor reform bill. If history teaches anything, it is that major legislative changes come very infrequently in this field which is so charged with emotion and controversy.

Now that we have undertaken this task, surely we must fulfill our obligation adequately and effectively. We cannot delude the American people—we cannot fail the workingman and woman of our great land—by passing just a bill which merely bears the title of labor reform.

The distinguished gentleman from Georgia, Mr. Landrum, and I have joined in the sponsorship of a nonpartisan reform bill which we ask you to support when it is offered at the appropriate time as a substitute for the committee bill.

How does the substitute differ from the committee bill? Why will it be effective in meeting the abuses disclosed by the McClellan committee? Will it be harmful to labor?

In part, I should like to answer the last question first by saying that surely the best thing that can happen to promote and make possible the wholesome growth of legitimate unions, will be to get rid of the cancers of corruption, coercion, and violence which now infest too large a part of the labor movement.

Mr. Chairman, union members and the public have a right to expect better and more effective legislation than the committee bill. In the opinion of the gentleman from Georgia and me, this subject is so serious and the need is so great that there cannot, and should not be, any room for partisanship. We cannot allow this desperate need for effective reform legislation to be converted into a petty fight for political advantage—all of us must battle together for the public and for the working men and women of our country. Surely, there is plenty of room in both of the great parties for the champions of this vital cause.

The substitute which we will offer—H.R. 8400—meets minimum recommendations generally laid down by the chairman of the select committee of the other body, and it is in line with proposals made in this field by the President and the Secretary of Labor.

Briefly, it could be said that the substitute bill is so drafted as to restore the "teeth" in the Senate-passed bill which were extracted in the House committee, and the substitute adds necessary and effective provisions to deal directly with abuses left untouched by the committee bill.

Keep in mind that, in general, the substitute is framed on the committee bill; we have retained all of the committee's technical amendments and many other features of the committee bill which make a contribution to an effective labor reform bill. There are no "strangers" in our substitute bill; every provision was thoroughly considered by the full committee.

It shall be my purpose to review, in a general way, some of the major differences between our substitute and the committee bill. Other speakers to follow will explain differences in more detail.

For a moment, I believe attention should be focused upon the similarities between the committee bill and the substitute, H.R. 8400. For example, in both bills, title III—dealing with trusteeships; title IV—dealing with the election of union officials; and title V—covering the fiduciary responsibility of union officers, bonding, loans, restrictions against the Communists and exconvicts holding office—are identical without a word or a comma changed. Title II—dealing with reporting and disclosure—is identical with the committee bill except for an important change relating to an exemption.

I

The bill of rights in our substitute is essentially the bill of rights in the form passed by the other body. It guarantees to union members, subject to reasonable rules and regulations, that they will have equal rights and treatment within their union; that they will have the right to participate in union meetings and to express their views; that their dues and initiation fees will not be increased arbitrarily; that they will not be unjustly disciplined by union officials. These basic guarantees are hardly new or novel—they are the essential and fundamental rights which every American citizen is guaranteed in the Bill of Rights of the Federal Constitution.

As the senior Senator from Arkansas has said:

> There is no reason why a union man should be required to leave the rights guaranteed to him by the Constitution of the United States at the door when he goes into a union meeting.

These are not punitive or repressive provisions. What rank and file union member will complain because the law guarantees him the right to a democratic voice in the affairs of his union.

The committee bill requires a union member to exhaust internal union procedures over a period of 6 months before he can assert his right to institute a civil action in a court or before an administration agency. Since the Taft-Hartley law prescribes a 6 months statute of limitations for the filing of unfair labor practice charges, the 6 months requirement in the committee bill might prevent a member's access to remedies available under the National Labor Relations Act in the case of an unfair labor practice charge against his union. In our substitute bill, we have provided a 4-month limit for the pursuit of internal union remedies.

II

Our substitute contains two provisions—sections 609 and 610—which are designed to help make the rights accorded to union members meaningful and effective.

A. Section 609 of the substitute provides a civil—not a criminal—remedy, enforcible by the Secretary of Labor, to protect a union member from suffering a fine, suspension, or expulsion because he dares to exercise a right guaranteed under the act. A comparable provision in the Senate-passed bill—section 607 (a), approved by a 90-to-1 vote—would make it a crime for a union official to fine, suspend, or otherwise discipline a union member for exercising his rights. In putting our substitute together, we decided to temper the remedy in this instance because we felt that the conduct proscribed was roughly comparable to activity described as an unfair labor practice under the National Labor Relations Act.

Is there a rank-and-file union member who will object because our substitute provides him with this protection? The committee bill provides that after a union member spends 6 months exhausting remedies within the union, he then has the privilege, if he has the courage and if he can afford to hire a lawyer and pay all the expenses, to bring a civil action against the offending union official. Do you honestly believe the committee bill provision will be of any real concern to unscrupulous Teamster officials?

B. Section 610 of our substitute—comparable to section 607(b) of the Senate bill—would make it a criminal offense for any person—whether he be union official or an employer, or anyone else—to use force or violence, or threats thereof, willfully for the purpose of depriving any union member of a right guaranteed to him by the act.

There is no comparable provision for criminal enforcement in the committee bill.

A member of the other body who has been more concerned about the violence and corruption in the labor movement considers this provision as the "guts" of the bill.

It should be noted that the comparable provision in the Senate bill—approved 90–to–1—as in our bill, applies to protect not only those rights provided in the bill of rights, but it applies to all rights accorded to union members anywhere in the act.

For example, the important elections title—section 401(d)—gives union members the right to nominate candidates for union office, to run for office, to vote and openly support the candidates of his choice; a candidate for union office has a right to have an observer at the polls.

In evaluating the objection now being raised to the tempered criminal enforcement provision in our substitute, it should be interesting to recall that the broader criminal provision—section 607 of S. 1555—was in the Senate bill when it was reported from the legislative committee of the other body. At that stage of the legislative process, you will recall that the bill was acclaimed and endorsed by Mr. Meany and the AFL–CIO.

We cannot do less than provide in our bill for criminal penalties for those who resort to violence to keep rank-and-file union members in line.

What rank-and-file union member is going to be against you in this next election if you have the courage to protect him against having acid thrown in his face—or having the lives of his children threatened by a union gangster?

It is inevitable, I believe that this debate will center around the issues of "blackmail" picketing and secondary boycotts. While others are important—yes, very important—I believe I have pointed to the two major areas of controversy.

Mr. Chairman, I believe that the real issues involved in our deliberations can, perhaps, be better understood if we examine for a moment just what our national labor policy is, and should be.

The first, and the most important, principle which underlies that policy is that the workers in any establishment should be free to select, or not to select, by majority rule, the union or bargaining agent of their choice.

The Wagner Act in 1935 was intended to secure that freedom from coercion on the part of employers; the Taft-Hartley Act in 1947 was intended to secure that freedom from coercion on the part of unions.

The second fundamental principle is that the public and innocent third parties are entitled to some consideration and protection; accordingly labor disputes should be confined insofar as possible to the principal, or primary, parties involved.

The Taft-Hartley Act sought to implement this principle by outlawing secondary boycotts, jurisdiction strikes and other practices which inflict injury upon innocent third parties.

The third fundamental principle, in my view, is that unions should be governed by, and should exist for the benefit of the union members—unions should not be the convenient vehicle or tool for despots and racketeers.

Until now there has been little regulation of the internal affairs of labor unions.

It has become frighteningly apparent in the course of the McClellan committee hearings, and in the hearings held by our subcommittee in the House, that the labor movement is now, and will continue to be, a convenient field for the operation of unscrupulous racketeers and gangsters unless there are strict and enforcible laws to safeguard and implement the three important and fundamental principles which I have outlined.

What are the tools, the weapons which gangsters and racketeers use to invade and take over segments of the union movement?

III

Blackmail organizational picketing is the weapon that is used most often and effectively by those who are corrupt in the union movement.

At the outset, it should be clear that there is no provision in any of the bills which impairs or affects the right of organized employees to go on strike for better wages and working conditions—and to picket in connection with such a strike.

There would be absolutely no interference under any of the bills with the ordinary and accepted methods employed by most legitimate unions in organizing members. In the usual case, an organizer will seek out several employees who can influence the thinking of the others; they will work to persuade others to join the union. When the union has enough members it may request recognition or petition for an election.

The basic difference between the two bills on the issue of picketing is that under our substitute a union could not establish an organizational or recognition picket line until at least 30 percent of the employees have indicated an interest in the union.

The basic purpose of this provision is to implement and guarantee the fundamental principle that employees shall be free in the right to select, or not to select, the bargaining agent of their choice.

What rank-and-file worker is going to object because you provide at least a little protection that he shall not be forced to join and pay dues to a racketeer union—when he might prefer to be represented by another union?

Where is the worker who will complain because there is some protection against the evils of "sweetheart contract" representation?

What kind of a union do you suppose workers have when a majority of them are forced against their will to join up with a racket union? Do you suppose they go to very many meetings? Do you think they would have much of a voice in the affairs of such a union?

There are cases by the hundreds to demonstrate the evils of blackmail picketing.

Consider this situation: In the Teamsters Union, as in some other unions, organizers are paid a commission per head for every person they can get into the union by whatever means. This can be a very lucrative and profitable business if you are not concerned about scruples.

For example; one Teamster organizer appeared before the McClellan Rackets Committee and was asked whether he had received and had been credited with commissions for new members totaling more than $375,000 over a period of several years. The official's reply was that he declined to answer on the ground that it might incriminate him.

It should be of interest to learn how that organizer goes about getting people into the Teamsters Union. I have with me a letter which was sent out over his signature to a small employer. The letter reads in part as follows:

> The International Brotherhood of Teamsters, has decided to embark upon a campaign to organize your * * * employees. To induce your employees to join this union we shall begin to picket your establishment on or about the 11th of May 1959.
>
> We wish to make it clear to you that local 710 does not at this time represent, and, of course, we do not claim to represent, a majority of your employees. Local 710 does not ask you to recognize it as the exclusive bargaining representatives of your employees. * * *
>
> You should understand that it is your right * * * to advise your employees of the economic detriment which you and they will sustain as the result of withholding patronage from your concern by union members and sympathizers as long as they remain nonmembers of our union.

It should be obvious that so long as racketeers and gangsters are permitted to use such methods to force employees into their unions the legitimate trade union movement is in jeopardy. The honest and forthright union organizer cannot hope to compete with the organizer who uses such methods. When the weapons of coercion and force are taken from the blackmail organizer, the legitimate union movement can grow and expand in a healthy and wholesome way.

SECONDARY BOYCOTTS

In approaching the subject of secondary boycotts, it is important to keep in mind that our substitute bill would not change—it would only reinforce what was the intent of Congress at the time it passed the Taft-Hartley Act. That intent was to outlaw secondary boycotts.

The secondary boycott is an un-American device whereby one attacks an enemy by coercing or inflicting injury upon the friends or those who do business with the enemy. It is based upon the concept of "guilt by association." It is a method used by dictators to handle nonconformists by coercing their families and friends.

That it was the clear and unequivocal intention of Congress in 1947 to outlaw the evils of secondary boycotts can be illustrated by this statement of Senator Taft taken from the legislative history:

> The Senator will find a great many decisions * * * which hold that under the common law a secondary boycott is unlawful. Subsequently, under the provisions of the Norris-La Guardia Act, it became impossible

to stop a secondary boycott or any other kind of a strike, no matter how unlawful it may have been at common law. All this provision of the bill does is to reverse the effect of the law as to secondary boycotts. It has been set forth that there are good secondary boycotts and bad secondary boycotts. Our committee heard evidence for weeks and never succeeded in having anyone tell us any difference between different kinds of secondary boycotts. So we have so broadened the provision dealing with secondary boycotts as to make them an unfair labor practice.

How does a secondary boycott work?

Well, suppose that a union official considers that company A is unfair. He may be unhappy with company A because its employees voted not to join his union. That was the situation of the Endicott Church Furniture Co., of Warsaw, Ind.

Or he may be unhappy because company A will not sign a "sweetheart contract" and force its employees to join without an election. That was the situation of the Coffee Transfer Co., where the Teamsters official bluntly said he "didn't have time to fool around, and would have to organize from the top down."

Or the union official may be unhappy because the employees of company A have joined another union. That was, and still is, the situation at the Burt Manufacturing Co., in Akron, Ohio, where a boycott has been carried on because the Burt Co. employees elected to belong to the Steelworkers Union rather than the Sheet Metal Workers Union. That was the case in a New York hotel, where a boycott was carried on because the barbers belonged to one union instead of another.

In these and many other cases, a secondary boycott was used. You might ask, How could it have been used if Congress intended to outlaw secondary boycotts? The answer is that over the past 12 years a few gaping loopholes have developed. Our substitute bill is designed only to close up these loopholes.

For example:

First. If the union official goes to company B—a customer of company A—and induces or coerces—by a picket line or otherwise—the employees of company B to refuse to handle the products made by company A—this activity is now an unfair labor practice and the boycott can be stopped under the act.

Second. However, instead of going to company B's employees as a group, if the union official is careful to bring pressure on B's employees one at a time and induces or coerces them individually not to handle company A's products—then, the effect of the present act can be technically avoided. Our substitute would close that loophole—the committee bill would not.

Third. However, if company B just happens to be a railroad company or a subdivision of government the union official can induce B's employees—as a group, or in any other way—to refuse to handle company A's products—and the effect of the act can be avoided because, under a technical interpretation, employees of a railroad are not employees within the meaning of the act. Our substitute would close this loophole—the committee bill would not.

Fourth. If, instead of going to B's employees the union official goes directly to B and threatens him with labor trouble or other consequences, unless he stops dealing with company A—the effect of the act can be technically avoided. Our substitute would close this loophole—the committee bill would not.

Fifth. The union official can also avoid the effect of the act if somehow, through economic coercion or otherwise, he can get B to sign a hot cargo agreement—under which B will agree not to deal with A. Of course, this is standard procedure for the Teamsters Union. This is the one loophole that the committee bill recognizes. However, the committee bill only nips at the heel of the problem by outlawing those hot cargo agreements which are made with common motor carriers subject to part II of the Interstate Commerce Act.

Our substitute would ban all hot cargo agreements.

Mr. Chairman, I have difficulty understanding the position of those who support the committee bill. They seem to recognize the evils of the secondary boycott and its relationship to corruption and racketeering—but then they refuse to support amendments which are designed to close technical loopholes. Are they not in the position of saying that they are against a secondary boycott if it happens to be accomplished in one way—but it will be all right if it is accomplished through one of the technical loopholes in the law?

This is an open invitation for those who are corrupt to take advantage of the union movement at the expense of those who are decent and try to operate within the intent and spirit of law.

Mr. Chairman, what are the principal arguments against the substitute bill?

A few seem to be inclined to vote against the substitute merely because they believe that somehow it has become a partisan issue.

Mr. Chairman, Senator McCLELLAN, the President, and the sponsors of this substitute bill do not consider this grave matter a partisan issue. I am confident that the people across this great land and particularly the working men and women—will not be impressed with that as a reason to vote against sound legislation.

Mr. Chairman, the clinching argument of the opposition seems to be that unless we compromise, there may be no labor bill. Are they contending that the House should abdicate its responsibility as a coordinate branch of Government and become a rubberstamp for the other body?

If the substitute is the minimum that Senator McCLELLAN and President Eisenhower consider necessary; and if the people all over the country are with us—as I believe they are—then I believe the other body will not stand in the way to prevent the enactment of legislation.

Mr. Chairman, the hour of decision is near. There may be some who will do the bidding of the few who seek only to perpetuate themselves in power. But I fervently hope and pray that there will be enough in this great body who will rise up in support of the people—and particularly the working men and women of this great land—in this battle which they cannot afford to lose.

Mr. ALGER. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I yield to the gentleman from Texas.

Mr. ALGER. I would like to say to the gentleman from Michigan that I am among those who support the Landrum-Griffin bill, that I consider it as the gentleman so well said, a minimum bill, that there could well be additional teeth in this bill, and there may be some teeth available. I suggest, for example, to my colleagues, to look over the bill H.R. 8003 which I shall put in the RECORD at the conclusion of these remarks. I suggest that labor could be placed under the antitrust laws so that the monopolistic power now enjoyed would be curtailed.

I suggest that other teeth could be put in the bill. Certainly the Landrum-Griffin bill is the minimum as has been noted by the President, the Senator from Arkansas as the head of the select committee, the gentleman from Georgia [Mr. LANDRUM], and the gentleman from Michigan [Mr. GRIFFIN]. I thank the gentleman for yielding and commend and join with the gentleman in his statement.

Mr. Chairman, overlooked in the debate of the various labor bills is the real protection needed by the consumer and competitive enterprises from the monopolistic position of labor.

The President, Senator McCLELLAN and Representatives LANDRUM and GRIFFIN, each, in turn, has called the Landrum-Griffin bill a minimum bill in correcting the abuses uncovered by extensive committee hearings, before both the McClellan committee and the House subcommittee headed by Mr. LANDRUM, the gentleman from Georgia. To alter the monopolistic position of labor and place labor under antitrust law so that labor and management operate under the same ground rules, effective legislation must do three things:

First. Prevent centralized control of collective bargaining policies by national or international unions, and return these functions to the local union level.

Second. Prohibit strikes and other forms of coercive action carried out as part of a prearranged plan or combination between two or more unions to impose concerted wage demands and other contract conditions upon industries affecting interstate commerce and trade.

Third. Prohibit union imposed restrictions upon the use of products and improved methods of work performance, limitations on production, price fixing, and similar arrangements arrived at through agreement—either voluntary or coerced—with individual employers or groups of employers.

Simultaneously, it should be made clear that where an individual union engages in any action in the form of strikes, picketing or boycotts as a means of obtaining or enforcing a demand for wages or other conditions of employment—and such action is not a part of

any concerted plan, combination or arrangement with any other union—it would not come within the scope of any antitrust or antimonopoly restrictions even where it may result in an interruption of interstate trade or commerce.

Under such legislation the ability of local unions to use their traditional economic weapons in support of legitimate union objectives would be fully preserved and protected. But the big power combinations of unions would be broken up, just as the big corporation trusts of the 1890's were broken up by the Sherman Act.

It should be apparent to those who have a grasp of the economic force now building up within our country and throughout the world, that enactment of such legislation is our only hope of staving off ruinous inflation and the drabness of the welfare state economy that inevitably lies in store for the next generation.

The specific language of my bill, H.R. 8003, introduced earlier this year, would provide an additional section to H.R. 8342 as an amendment, and is as follows:

Page 72, after line 14, insert the following:

"TITLE VIII—ACTIONS IN CONCERT BY LABOR ORGANIZATIONS

"Declaration of policy

"SEC. 801. (a) The Congress hereby finds and declares that maintenance of a competitive enterprise economy and a free market for goods and services is essential to continued economic growth and prosperity of the Nation; that laws heretofore enacted prohibit combinations and conspiracies among producers and suppliers of goods and services which are in restraint of interstate trade or commerce or tend to create monopolies; that the immunity of labor organizations from these statutory prohibitions has permitted them to form powerful combinations and enter into arrangements which severely limit competition, impose restraints upon trade and commerce, and permit the parties to such combinations and arrangements to exercise monopolistic controls over production costs and the use and distribution of products and services in a number of essential industries; that such combinations and arrangements impair collective bargaining and deny to the consuming public the benefits of effective competition, increased production, new and improved products, and lower prices for goods and services; that such combinations and arrangements are no less damaging to the national economy and the general welfare than similar combinations and arrangements between producers and suppliers of goods and services; and that, in order to protect the public interest, such combinations and agreements formed and entered into by labor organizations must be prohibited.

"(b) It is the purpose and policy of this title to promote the full flow of commerce, to provide orderly procedures for protecting the flow of commerce and preventing restrictive practices or arrangements which may impede the flow of commerce, to preserve the right of employees to form and join labor organizations and to engage in concerted activities necessary to carry out the legitimate objects of their labor organization, and to protect the rights of individual employees, employers, and the public in their relations with labor organizations.

"Bargaining in concert prohibited

"SEC. 802. It shall be unlawful and contrary to the public policy of the United States for any labor organization in concert with any other labor organization (whether or not affiliated with the same national or international labor organization) to combine, agree, conspire, or reach or attempt to reach a common understanding with respect to wages, rates of pay, or any other terms or conditions which any such labor organization shall seek or demand from any employer or employers.

"Strikes for unlawful purposes prohibited

"SEC. 803. It shall be unlawful and contrary to the public policy of the United States for any labor organization to strike or engage in any other course of action for the purpose of inducing, persuading, or compelling any employer to accede to or grant or otherwise put into effect any demand for wages, rates of pay, or any other terms and conditions made pursuant to any combination, agreement, conspiracy, or understanding declared unlawful under this title, where the effect thereof may be to substantially or materially affect the production, use, cost, distribution, selling, or otherwise handling of any commodity or service in commerce.

"Concerted actions prohibited

"SEC. 804. It shall be unlawful and contrary to the public policy of the United States for any labor organization in concert with any other labor organization (whether or not affiliated with the same national or international labor organization), or with any employer or other person, to engage in any action, plan of action, arrangement, or combination in restraint of trade or commerce or which may tend to create a monopoly.

"Unilateral strikes, picketing, and boycotts not prohibited

"SEC. 805. For the purposes of this title, no action or plan of action, including strikes, picketing, and boycotts, undertaken by an individual labor organization in furtherance of or in relation to any purpose of such organization and which is not undertaken or carried out in concert with any other labor organization or with any employer or other person, shall be deemed to be in restraint of trade or commerce.

"Enforcement

"SEC. 806. Notwithstanding any other provision of law, any district court of the United States shall have power to prevent and restrain any labor organization from any violation of the provisions of this title."

To recapitulate, here is how this bill would deal with union monopoly power:

Under this amendment, an individual local union could:

Engage in all proper organizational activities.

Cooperate with national unions in organizational efforts and other activities not resulting in concerted action to restrain trade or commerce.

Use strikes—and all other traditional economic weapons—to enforce wage demands upon the company for which its members work. Any resulting interference with shipment of goods in interstate commerce would be permissible.

But an individual local union could not:

Use strikes—or other interference with interstate commerce—to enforce any concerted industrywide—or pattern—wage demand which was arrived at through agreement with any other labor organization. This would include another local union or a parent union or a subsidiary union. Such interference—or agreement—would constitute unlawful restraint or trade.

Enter into any arrangement—voluntary or coerced—with any employer, groups of employers, or other unions which cause product boycotts, price fixing, or other types of restrictive trade practices.

Example: No longer could a carpenters' union restrict use of prefabricated door and window frames by advising a building contractor that use of these products would result in his labor supply being withdrawn from the project. Result? Denial to the public of cost-saving improvements. Hence, higher prices.

Example: No longer could a milk drivers' union—perhaps in collusion with one dairy—present to all community dairies a union-approved price list and demand its use or wayward dairies would face labor difficulties. Result? Price fixing and higher prices to the consumer.

As a result of this amendment:

Control of local unions and of wage bargaining would be returned to local union elected officers.

Monopolistic practice of industrywide and pattern bargaining by professional labor bosses at the national or international level would be ended.

Unions no longer could fix prices, restrict use of new processes and technological improvements or exclude products from the market.

And enforcement would be based on injunctive relief in Federal courts—but not through criminal prosecution.

To explain the background and need for this amendment more fully, a further analysis would show that the problems of monopoly, which Congress sought to dispose of by enacting the Sherman Act 70 years ago, has reappeared in a form quite as threatening as that in which it appeared during the late stages of the 19th century.

Then it was the monopoly of the large corporations and the industrial trusts. Now it is labor monopoly. The effect is the same—monopoly prices. And the victim is the same—the consumer.

Court decisions which removed labor organizations from antitrust laws were handed down in 1941 by the Supreme Court by United States against Hutcheson when the Court, in effect, said:

> If you are a labor union and you determine in your mind that what you desire to do—although unlawful to everybody else—is in the self-interest of your union, it becomes legal. No matter how much damage this activity may inflict upon the economy, society, or individuals, it is legal—because you say it is in the union's self-interest.

Then, in a 1945 decision, the Court opened the door still wider to union freedom from legal restraint. In simple terms, it said:

> Labor unions have a license to impose whatever economic restraints they wish * * * without regard to their effect upon the rest of society.

In many respects labor monopoly is far more threatening than the business combinations of the last century. It is more extensive and more powerful. And, because labor is the most important element in costs, its effect upon consumer prices is greater.

Where industrial monopolies regulated the prices of only a few commodities, labor monopoly has its impact upon the price of all commodities. Where

the business monopolies were limited to certain industries or areas, labor monopoly wields a unified nationwide force with almost unlimited power over all industries.

Most important of all, labor monopoly is gradually undermining the value of money, a process which—unless curbed—can eventually destroy not only economic welfare but national security as well.

Unfortunately, the labor monopoly subject, and what can or should be done about it has been clouded by emotional and irrelevant arguments. As a result, clear understanding of the subject has been lacking. Spokesmen for organized labor insist that term "monopoly" can be used only in relation to business and commercial functions—that it has no valid applicability to unions or any of their activities.

LABOR CLAIMS IMMUNITY

By reason of this, they argue, it is unrealistic to consider any union activities or practices within the context of the antitrust laws. Let us proceed to examine whether this is true or not.

Monopoly power may be defined as the ability to set prices and outputs of particular commodities and services at levels which are significantly different from those that would be established by the interaction of the forces of supply and demand in a free market.

MONOPOLIST SEEKS SHELTER

In normal circumstances, monopoly power cannot be exercised unless the monopolist is in some way insulated or sheltered from competitive pressures and the checks and balances provided by natural economic forces.

In the case of business firms which manufacture or sell a product, such insulation is difficult to achieve. If they attempt to set or maintain the price of a particular commodity at an artificially high level the consumer will seek, and probably find, a suitable substitute.

Thus would-be monopolists find themselves in control of a product which has no market. To avoid this they must attempt to prevent the entry of rival products or rival businesses into the competitive market. But here they are stymied by the antitrust laws. Any efforts in this direction are prohibited and subject to severe penalties.

Labor unions, on the other hand, are effectively insulated from competitive pressures because those who require a supply of labor cannot find, except in rare instances, a suitable substitute. They have no alternative than to pay the price demanded by the union which supplies or controls the necessary labor.

Further, by virtue of their immunity from the antitrust laws, unions can protect their control over labor supply and labor prices by preventing the introduction of new and cheaper methods or products whose prices are forced up by increased union labor costs.

TEAMSTERS THREATEN TROUBLE

A case in point is the action taken by the Teamsters Union to prevent "piggyback" transportation of truck trailers by rail. This method was developed in cooperation between trucklines and railroads to provide lower freight costs where long-haul shipments are involved.

The Teamsters viewed this cheaper method of transportation as a threat to their control of labor supply in the motor-freight industry. Accordingly, they notified trucking firms that any firm making use of piggyback arrangements would face labor trouble with the Teamsters.

When a few trucking firms ignored this threat, the union directed its members to refrain from loading the trailers onto the railroad flatcars and engaged in picketing to prevent others from loading the trailers. Efforts to obtain legal relief from this highhanded interference with interstate commerce were rendered futile when the Supreme Court held that the Teamsters' boycott could not be enjoined.

If any business firm or firms in the transportation industry were to attempt to impose any such restraints upon the piggyback arrangements they would unquestionably be prosecuted under the antitrust laws.

OTHER EXAMPLES CITED

Many examples of similar union practices can be found in the building construction industry. There, unions have been successful in pushing wages of the bricklayers, plumbers, plasterers, and other crafts to a higher point than almost any other group of industrial workers.

To protect these high wage levels the unions have used various devices to keep competitive products and methods of construction off the market. The Carpenters Union has, for example, outlawed the use of various types of prefabricated door and window sash, wall sections, and modular units. These would greatly increase efficiency and cut costs in building construction.

The Plumbers Union has barred the use of plastic pipe, a new and improved product, which would more than cut in half the amount of plumbing labor involved in home construction and reduce costs of construction appreciably.

In some areas the unions closely regulate the entry of firms into a certain line of business, decide what projects a particular firm may be permitted to bid on, and set a minimum amount for any given bid.

In the printing industry the unions have prevented the use of automatic equipment which would permit cheaper and more efficient printing of books, magazines, and newspapers.

All of these restrictions have, of course, the objective of preventing competition with the unions' established control over the available labor supply. Needless to say, the cost to the consumer is enormous.

Organized labor's apologists willingly admit that unions utilize these various devices to prevent or neutralize competitive factors. But they argue that, one, workers are justified in taking these collective measures to obtain the highest possible wages and preserve their opportunities for employment; and, two, labor is not a commodity. Consequently the control of labor supply is not to be equated with the control of the supply or price of a commercial product or service.

The first part of this argument begs the question as to whether any segment of society is justified in taking self-help measures at the expense of all other segments. The producers of a commodity could, by the same token, argue that they have a right to make an adequate profit from their efforts. And, where necessary, they should be permitted to protect their product from price-cutting competition.

In a practical sense the businessman's argument is just as logical and morally justified as that of the union. But in each case, the result is the same—curtailment of competition and higher prices to the public.

IS LABOR A COMMODITY?

The argument that "the labor of a human being is not a commodity or article of commerce" originally found expression in section 6 of the Clayton Act amendments to the Sherman Act adopted by Congress in 1914. The implication was that any attempt to apply the antitrust laws to unions would amount to putting union members in the same category as so many sacks of flour or pairs of shoes or loaves of bread. To even suggest such a notion, the reasoning goes, demonstrates a disregard of human values.

Actually this argument is more emotional than real. Admittedly, human labor should not be regarded as a commodity or article of commerce. But there is no rational relationship between this premise and the proposition that unions, as organizations, should or should not be subject to the antitrust laws. It is ridiculous to suggest that putting antitrust restraints upon the union would place its members in the category of commodities to be bought and sold in the marketplace.

In actual fact, it would be more accurate to say that just the opposite result would occur—that many of the present practices whereby unions exploit the workers and sell their services to those who can be induced or forced to buy them would be outlawed.

It is a right of workers, individually and collectively, to proffer or withhold their labor as they see fit. But in the vast majority of situations where union economic power is employed to bring about restraints of trade or to force unrealistic or uneconomic costs on production of commodities, the choice of the individual worker to proffer or withhold his labor is not involved. In most such situations the individual union members have little, if any, voice in determining the price to be charged for their labor, or in the determination as to whether their employer is to be permitted or restrained from handing a particular type of product or doing business with another employer.

UNIONS SELL LABOR

These decisions are, for the most part, the decisions of those who manage the union affairs. Consequently, these decisions and the actions which flow from them must be treated as actions of the union as an entity apart from the human

beings whose labor is being proffered or withheld.

In this context it becomes apparent that "the labor of human beings" has become "a commodity or article of commerce" because the union itself is engaged in the business of trading and selling this commodity. And when the union engages in monopoly practices and and restraints of trade it is not necessarily acting for, or in the interests of, those whose labor is being bought and sold.

The idea of a labor union as an association spontaneously formed by individual employees to equalize their bargaining power and protect themselves from exploitation by a powerful employer is as obsolete as the horsecar.

LOCAL AUTONOMY LOST

This concept was true in years past when unions were local in character. That is, they were composed of workers in a particular area, or plant or trade who had common interests and objectives.

In that setting the workers had a direct and immediate interest in their union, and the union had many of the aspects of a genuine fraternal self-help organization. The local union formulated its own collective bargaining demands, carried on the bargaining and, when agreement could not be reached, made the decision on whether or not to engage in a strike.

Although the local union was affiliated with a national or international union, this affiliation was a loose one. On policy matters the local union was autonomous and independent.

During the prodigious union growth of the past 25 or 30 years, local union autonomy has long since been thrown overboard. The center of gravity shifted to the headquarters of the national or international union.

There, the major decisions are made and carried out by a group of professional managers. They have taken over the functions of formulating bargaining demands—even conducting negotiations for the local unions.

In many industries the national union negotiates a pattern contract with a major company. The terms of this contract then become the obligatory terms for all local unions and employers throughout the industry. Decisions to strike are likewise made by the national managers with local members having no choice but to comply.

This transfer of the decision-making functions from the local members to the national officers has caused, quite naturally, a marked drop in interest of rank-and-file members in union affairs.

For the most part the union member no longer feels a close identification with the union. Studies of union loyalty attitudes have shown a high percentage of members having little, if any, interest in the union other than its periodic efforts to get higher wages, and a generally prevalent feeling of skepticism and lack of trust toward the union officers and their motives. This lack of rank and file interest is demonstrated most strikingly by low attendance at union meetings.

COMPULSORY MEMBERSHIP VITAL

In the face of this sharp decline in interest among rank and file members, gradual disintegration of many unions would have been inevitable if the union professional had not had the foresight to demand and obtain compulsory membership provisions in their collective bargaining contracts with industry.

Under these so-called union security clauses the workers are obligated to become, and remain, dues-paying union members as a condition of retaining their jobs. Union managers argue, and have been able to convince the public, that such clauses are necessary to eliminate "free riding" by workers who share the benefits of union collective bargaining activities without paying the cost. But their actual purpose has been to prevent large-scale defections by workers who no longer have any sympathy for, or interest in, the union. This also explains why the professional unionists have thrown almost their total power and resources into the fight against the right-to-work laws.

In the process of change from local union autonomy to the centralized power of the national union, other changes have taken place in regard to union objectives.

The "bread and butter" union objectives of Samuel Gompers have quite clearly been displaced by a broad program of changes in the social and economic system.

The new union managers, almost to a man, maintain no strong sympathy for the competitive enterprise system. They strongly prefer a planned economy. Abundant evidence of this is available from the legislative proposals supported by the AFL–CIO. These include demands for heavier taxes on sources of investment capital, heavy Government spending in the fields of public power and public housing. Federal aid to education, rigid Federal farm subsidies and controls, Federal regulation of natural gas prices and many other programs which would expand the areas of governmental regulation and planning. The ultimate goal is complete Government control over industrial programs, production and prices.

The accomplishment of that ultimate goal has been slowed down to some extent because the American people still are too strongly committed to the competitive enterprise system. The most effective means of overcoming this public resistance and to hasten progress toward the planned economy is to break down the competitive enterprise system and destroy public confidence in it. The most effective tools for accomplishing this are the anticompetitive practices and uneconomic wage costs imposed upon industry by labor unions.

The provisions of this amendment are not punitive nor antilabor. They are "anti." However, as Senator MCCLELLAN pointed out recently before the National Press Club, when he said:

> They are anti- gangster, goon, racketeer, and hoodlum. They are anti- theft, embezzlement, shakedown, blackmail, and extortion. They are antiarson, antiacid assault, and antivandalism. They are anti-fraud, dishonesty, crookedness, and corruption. They are anti- violence, bestiality, brutality, and cruelty. And they are anti-dictatorship, boss rule, oppression, and exploitation.

It is my hope that this great body in its wisdom will see fit to grant the protection necessary at this time by curbing the monopolistic power of labor organizations and thereby the dictatorial power of the national labor leaders.

Mr. GRIFFIN. Mr. Chairman, I thank the gentleman from Texas and say that the gentleman's statement, I believe, serves to point out that the substitute is a minimum bill. It might be well at this point to mention some provisions that are not in it.

There is no antitrust law provision in this bill.

There is nothing dealing directly with the use of union dues for political activities.

There is no national right-to-work law in any of these bills.

There is not a secret strike ballot provision in this substitute bill.

This is truly a minimum bill that a responsible Congress should pass. I believe I speak for the gentleman from Georgia [Mr. LANDRUM], as well as myself when I say that if amendments are offered on the floor to add antitrust provisions or others that have been mentioned, I, for one, will oppose them. The gentleman from Georgia and I have tried to balance delicately the provisions which we believe should be in a bill at this time and which a majority of this body could support.

Mr. BARDEN. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Mr. Chairman, frequently in a debate of this sort there is more heat generated than light. There are also some amusing sidelights. The gentleman from Michigan suggests that this body not make itself a rubberstamp for the other body; and I quite agree.

I would add, however, that this body should not make itself a rubberstamp for the executive branch. This the gentleman would have us do. He advocates a double standard.

I was somewhat amused by the remarks of the delightful and distinguished chairman of the Rules Committee who talked about two juries, the subcommittee being the one that heard the evidence, then the other jury, the full committee, taking it over and reaching the verdict. I hope this is an indication that the gentleman from Virginia will no longer put himself in that position as chairman of the Rules Committee where for ages he has sat as a jury after the legislative committees have undertaken comprehensive studies of matters and have reported bills. Until today, many of us were not aware of Mr. SMITH's abhorrence of this form of double standard—or double jeopardy, as some would call it. We salute his conversion. I might point out to the gentleman from Virginia that the bill which the Rules Committee chairman ridicules contains 102 amendments, each and every one of which needed a majority in the committee, and got it. So far, the substitute he advocates has gotten

nothing but profits for the telegraph company and, of course, his approval.

The Landrum-Griffin bill was the unborn child during the time our committee worked on the legislation, because its authors, Mr. LANDRUM, Mr. GRIFFIN, and whoever helped them, were in labor. They got the miracle drug while the committee went through 26 days of labor with the Senate-passed bill. The poor farmer may not have gotten Dr. SMITH'S drug, but he certainly supplied great quantities of it to the struggling parent of the substitute. This was the greatest of all twilight births.

May I at this time invite your attention to a subject of critical importance in the proposed legislation—the so-called bill of rights provisions contained in title I of the committee's bill. It is my sincere conviction that these provisions represent a decided improvement over those of the Senate passed bill as well as those proposed by the Landrum-Griffin bill. I shall briefly give you my reasons for so concluding.

When the Senate passed version of the bill of rights was reviewed in committee, many of us were impressed with the number of suggestions for improvement advanced during the hearings which we felt to be constructive, objective, and for the most part, noncontroversial. Above all, they seemed to reflect the carefully considered judgment of proponents whose reputation and integrity is unassailable and whose practical experience with the subject matter is of many years standing.

Moreover, in our desire to do a conscientious job of writing an effective, and at the same time, fair reform bill, we were somewhat apprehensive of provisions in this complicated and highly sensitive field which were hastily drafted during debate in the Senate rather than after mature consideration by the Senate Labor Committee. As a matter of fact, it was the judgment of that committee, after extensive hearings and careful consideration, that intrusion to this extent by the Federal Government into internal union affairs was unwise and unwarranted.

Accordingly, we considered it our solemn obligation to take a long, hard look before advocating specific regulatory provisions of this sort. As a result, we concluded that certain basic premises were imperative.

First. We could not afford to lay ourselves open to the charge that under the guise of legislating against corruption we were destroying perfectly legitimate and necessary trade union practices and customs.

Second. We could never expect to justify, under the banner of a bill of rights to union members, any provision which actually deprived them of an existing legitimate right or practice.

Third. Having made the decision to recommend some regulation in this particular area of internal union affairs, it was essential that such regulation be workable and fair and not needlessly disruptive of existing governing laws of honest labor unions.

Finally, it was of the highest importance that only those regulatory provisions which were genuinely corrective of existing corruption or abuse were supportable, and any which were not would be indefensible.

Those of us who worked so painstakingly to formulate the provisions of title I of the committee bill earnestly submit that those provisions meet the above tests. With equal sincerity we tell you that certain provisions in title I of the Landrum-Griffin bill do not.

In basic design and content title I of the Landrum-Griffin bill parallels provisions in S. 1555 as it passed the Senate which, as I previously remarked, were hastily drafted during the Senate debate as a substitute for the original McClellan bill of rights. With the exception of the subsection—section 101(a)(3)—dealing with "dues, initiation fees, and assessments," and the more stringent limitations of 4 instead of 6 months for exhaustion of all internal union remedies prior to institution of litigation in the courts—section 101(a)(4)—the provisions of the two bills are the same.

In at least two fundamental respects, the bill of rights provisions of the Landrum-Griffin bill and their counterparts in the Senate passed bill are ill advised, unfair, unworkable, or repugnant to the announced purpose of their inclusion.

EQUAL RIGHTS SUBSECTION—BILL OF RIGHTS

The so-called equal rights subsection of the bill—section 101(a)(1)—is an ill-advised and dangerously deceptive provision. Whatever its independent merits, an FEPC guarantee has no proper place in this reform legislation the purpose of which is to secure correction of corruption and racketeering in the labor-management field without entanglement with civil rights or racial problems. Moreover, there are perfectly legal qualifications uniformly imposed by many completely honest and democratic unions which preclude complete equality of rights and privileges among all members of a labor organization. Just by way of illustration, many unions legitimately exclude the right to hold office, nominate candidates, or vote in certain elections of members who have advanced to supervisory or managerial positions, or who are otherwise inactive in the affairs of the rank and file, and yet retain their good standing membership. This is a fair and reasonable restriction which has been sanctioned by the courts. The committee bill's substitute—section 101(a)(1)—for the equal rights provision of the Landrum-Griffin bill avoids these troublesome problems and still achieves the basic legitimate objective of correcting existing abuses by requiring that every member of a labor organization shall be accorded all his membership rights and privileges "subject to reasonable qualifications uniformly imposed."

First, the protection of the right-to-sue provision of the Landrum-Griffin bill—section 101(a)(4)—is an example of how a provision, purporting to endow union members with additional rights, actually deprives them of one of their most fundamental and cherished existing rights. The Landrum bill provides that a member may seek redress in the courts or administrative agencies and it purports to require the exhaustion of internal union remedies prior to going to court. But it nullifies this exhaustion within the union by providing that it shall not exceed a 4 months' lapse of time. The looseness of draftsmanship and indeed the mischievousness of this section is illustrated by the fact that Mr. LANDRUM effectively precludes action by the membership itself at conventions. This is so for the reason that such action by the membership at conventions on appeals is always at the end of the line following appeals from the local level to the international union president and thence to the executive board of the union. Thus of all of the appeals available, the Landrum bill will automatically short circuit action by the members themselves.

There is no more sacred or traditionally enjoyed right than that of the members themselves, expressed in their union constitutions, to pass upon the grievances of their brother members. The overwhelming number of trade unions today enjoy such a procedure. And it is by the voluntary action of the members themselves in adopting their own governing laws that this choice of procedure has been expressed.

Is it democratic to sweep it aside? Does it contribute to the arrest of corruption or abuse to do so? Those of us who studied the problem and formulated the bill of rights provisions of the committee bill do not think so. We protect the right of a member to sue just as does the Landrum-Griffin bill except that we require the member to exhaust all reasonable remedies available under his union constitution and bylaws before bringing such a suit.

In adopting such a provision we are persuaded that it is compatible with well-established existing law both within and without union organizations. The doctrine of exhausting internal remedies has been universally accepted by the courts of this country, both State and Federal, over a period of many years, and has been required by some courts even in the absence of a provision in a union constitution making it a prerequisite to court action.

It is no answer to argue—as do the proponents of the Landrum-Griffin bill—that some time limitation is necessary or a member will be effectively denied speedy justice. That simply is not so. There is a well-established body of law in both the State and Federal courts of many years' standing which has equitably dealt with this problem. They have done so on a case-by-case approach. There are some cases the facts of which would justify exhaustion of union appeals beyond a period of 4, 6, or 20 months, or even longer. There are others the facts of which would not justify a delay of even 2 or 3 months. The point I wish to make is that it is wise to permit the courts to continue on this case-by-case approach. It is fairer to both the union membership as a whole and the individual member litigant. We should not sweep aside this body of well-established law by adopting an across-the-board limitation which would work an injustice to both the

honest unions and their members. As the courts have pointed out, there are no such limitations in existing law requiring exhaustion of remedies before administrative agencies of the Government before resorting to the courts. And I might also point out that any hope of speedier appeals before the courts than before the individual union membership is an illusory one.

In the committee bill we require exhaustion of only "reasonable remedies" under the union's constitution. That is a sufficient check, judicially enforcible, for those instances where corrupt union officers might attempt to frustrate a member's appeal with the union. On balance, it is a far better solution than a time limitation which, under the name of conferring further rights on rank-and-file members would actually amount to a broad-scale deprivation of existing rights of members to decide appeals of their brother members and a substitution of rule by courts for that of the members themselves. Through inadvertence a time limitation on exhaustion was included in the committee's bills-enforcement section—section 102(a)(2)—but this could easily be remedied through a simple clarifying amendment so as to be consistent with our objective.

My second fundamental objection to the bill of rights provisions of the Landrum-Griffin bill concerns the subsection on safeguards against improper discipline. This is an example of how highly important the actual drafting of language is in this critical field of internal union affairs.

Section 101(a)(5) of the Landrum-Griffin bill requires that no member of a labor organization may be fined, suspended, expelled, or otherwise disciplined—except for nonpayment of dues—unless he "has been (A) served with written specific charges; (B) given a reasonable time to prepare his defense; (C) afforded a full and fair hearing."

Under such a provision, the right of the president of a national union to suspend a local union or a local union official for corruption or wrongdoing is automatically prohibited. In short, before a union member may be suspended, no matter what the offense, he must first be served with written specific charges, then given a reasonable time to prepare his defense, and then afforded a full and fair hearing. In the meantime, while these procedures are going on, he might be looting the union's treasury, or violating any number of its laws, or leading to open rebellion, or openly defying all constituted authority at a union meeting, or refusing to hold a union meeting, or depriving all union members of any exercise of their rights, or even leading a Communist infiltration to totally disrupt or destroy the local union. All of these things have actually happened in the past in unions. When they do, they are usually combated by the president of the parent organization through the exercise of his constitutional powers of suspension, and then a hearing and other due process safeguards are afforded including specific written charges, as is now the case under constitution and governing laws of many of the railroad brotherhoods, for example.

Obviously, such a procedure is not only necessary but completely legal and democratic. The courts of this country have expressly upheld the exercise of such authority by union officers. We think it is self-evident that the supporters of the Landrum-Griffin bill or the Senate passed bill intended no such result by their provision safeguarding a member against improper discipline. Regardless of intent, however, the provision as it now reads is comparable to passing a Federal law prohibiting the arrest of a person until he has been indicted, tried, and convicted, no matter what the offense. Or to bring the analogy closer home, the provision is tantamount to one denying the House of Representatives the authority to maintain order and decorum in its deliberations and to refrain from any disciplinary action pending charges, hearing, and decision.

It would indeed be ironic, would it not, if Hoffa were to wave a copy of this provision of the Landrum-Griffin bill, if enacted, in the collective face of the Congress as his excuse for not suspending corrupt officials actually engaged in embezzlement until after time-consuming procedures while the corruption continued unchecked?

It is just such a provision as this which graphically illustrates the need for careful consideration by legislators, together with persons informed by experience in the field to be regulated, of attempted changes in the internal regulatory laws of institutions as complex as labor organizations. This, some of us on the committee have attempted to do. As a result, we have written the provision safeguarding a member against improper discipline in a way which completely serves the legitimate objective of such a provision but at the same time avoids the absurd consequences of the comparable provision in the Landrum-Griffin bill. The provision in the committee bill reads as follows—page 13:

(5) Safeguards against improper disciplinary action: Any member of any labor organization who is fined, suspended, expelled, or otherwise disciplined by a labor organization or any officer thereof, except for nonpayment of dues, shall be afforded a fair hearing on written charges and other procedural safeguards as provided in the constitution and bylaws of such labor organization.

I have exhausted my time. But I hope I have impressed upon you the importance of the utmost care in formulating provisions regulating rights of union members. Let us give them fair and workable provisions, which will not destroy honest and democratic union procedures. Let us not deceive either union members or the public at large by destroying fundamental, traditional, and legitimate existing rights under a title purporting to confer additional rights. Let us not engage in self-deception or pass regulatory provisions which would prevent the overwhelming number of honest labor unions and their officials from themselves curbing immediately upon its detection the very corruption and racketeering we seek by this bill to eliminate.

LET US REFORM WITHOUT PUNISHING, LET US CURE WITHOUT CRUSHING

Mr. Chairman, no more important, nor controversial bill, has come before the first session of the 86th Congress than the labor reform legislation. Opinion in the Congress is greatly divided as to the best method of achieving reform within the labor-management field, and I believe the bill reported by the House Committee on Education and Labor, H.R. 8342, is the fairest, most feasible, and reasonable legislation which the House could pass. I submit herewith an address given on August 11, 1959, by the distinguished and illustrious Speaker of the House of Representatives, Hon. SAM RAYBURN, of Texas, endorsing H.R. 8342, and urging that this legislation be adopted. I respectfully call the attention of my colleagues to the Speaker's strong arguments and his splendid analysis of the bill:

[From the New York Herald Tribune, Aug. 11, 1959]

RAYBURN'S LABOR-BILL SPEECH

Good evening ladies and gentlemen:

Tonight I want to talk to you about the problem of reform in labor-management relations.

We are now engaged in a great national debate on the subject of what kind of a reform bill this Congress should pass.

The disclosures of racketeering, shakedowns, bribegiving and bribetaking, theft and corruption in labor-management relations make it imperative that this Congress pass a strong, effective bill to put an end to these criminal activities.

POWERFUL INTERESTS

But every time that Congress takes up the subject of labor-management relations, powerful interests move in and try to twist the legislation to give them an undue and an unfair advantage in the age-old struggle between management and labor. Each side tries to shape the laws so that the Federal Government's great power will be put to work on its behalf in this continuing struggle for economic power.

This is not right, for the Federal Government should serve as an impartial umpire between these great economic forces, seeking to maintain fair and free competition.

So this year the fight over a bill to clean up labor-management relations has gone far beyond the issue of dealing with corruption. Powerful interests are using the public demand for a cleanup of racketeering as a smokescreen behind which they can impose crippling legal restraints on the honest, legitimate interests of the workingman.

MISREPRESENTATIONS

Tempers have risen, many misrepresentations of fact have been bandied about, and the noises of discord have become so loud that the quiet voice of reason and common sense and fair play has all but drowned out.

Tonight I want to talk with you, the American people, quietly, fairly, frankly, about this question of what kind of a bill regulating labor-management relations we should pass at this session of the Congress.

First of all, what is our main job—what is the most important thing we have to do?

It is to pass a law which will stamp out the racketeer, the thief, and the hoodlum who has muscled his way into the labor-management field.

In the House of Representatives this week three major proposals are being offered.

COMMITTEE BILL

The AFL–CIO is backing one bill, which in my opinion will not get very far because most Members of the House do not believe

that it is strong enough to meet the situation.

This leaves the real choice between the Republican-backed bill and the proposal known as the committee bill introduced by Congressman (CARL) ELLIOTT, of Alabama.

These two bills contain the same basic weapons against racketeering. One person may prefer the language in one bill to the language in the other, but essentially there is little difference.

The real issue is not over outlawing racketeering.

The fundamental difference between the two bills is the way in which they would alter the balance between management and labor.

GENUINE INJUSTICE

In my opinion, the Republican-backed bill would throw the weight of the Federal Government so heavily on the side of management that it would constitute a genuine injustice to the rights of the honest, law-abiding working men and women of this country.

Now, I would not support any bill that did not meet two tests:

First, it must be strong enough—it must have enough teeth in it—to clean the gangsters out of the labor-management field, and

Two, it must be fair to both labor and management.

The bill which the House Committee on Education and Labor reported after 5 weeks of hard, dedicated work meets these two tests. I am supporting it. I am convinced that it will do a thorough cleanup job, that it will stamp out racketeering, and that it will correct the worst abuses in labor-management relations without trampling on the just rights of any one.

Now this bill—this middle-of-the-road approach—is being shot at from all sides. Jimmy Hoffa (president of the Teamsters Union), violently opposes it, the AFL–CIO is lobbying actively against it along with the U.S. Chamber of Commerce, and the National Association of Manufacturers will be satisfied with no bill that does not punish unions.

This middle road—the road of reason and fair play—is a hard one to walk, but more often than not it is the path of commonsense and justice.

When a bill is being fought by both Jimmy Hoffa and the labor haters, that in itself is a pretty good recommendation.

In the tumult and the shouting, in the middle of all this propaganda, many of you may have missed the facts about the middle-of-the-road approach which the Elliott bill proposes. Let me tell you a few of the things that it contains:

It punishes shakedown picketing with a $10,000 fine and a 20-year prison sentence.

Embezzlement of union funds is punished by a $10,000 fine and 5 years in prison.

OFFICERS RESPONSIBLE

Union officers are made personally responsible for their use of union funds and property just as the administrator of a trust fund is responsible.

Union officers must be bonded.

All unions of any appreciable size must make full financial reports to the Secretary of Labor, and the Secretary may require full reports from any union, however small. Willful misrepresentations in these reports is punishable by a $10,000 fine and a year in jail. All union members are entitled to a copy of these financial reports.

Union officers must be elected periodically by secret ballot, and all nominees for office are entitled to have observers present when the votes are cast and when they are counted. Federal courts are empowered to set aside illegal elections.

The hot-cargo contracts which have formed the basis of much of Jimmy Hoffa's power are specifically outlawed.

Organizational picketing is strictly regulated.

Now these are just a few of the strong provisions of the Elliott bill which, in my opinion, will clean up the corruption in labor-management relations.

PARTISAN ISSUE

I am sorry that the Republicans chose to make the question of labor-management reform a partisan political issue. It should be above partisan politics.

But in the public resentment against corruption, some people saw a chance to pass vengeful legislation designed to punish and hamper all labor, the law abiding and the honest along with the law-breaker.

Legislation should never be written to punish someone. It should always be written in a spirit of fair play, justice, and equal opportunity. The Elliott bill was designed in this spirit of justice.

The injustice, the drastic nature of the bill which the Republicans have adopted—the Griffin-Landrum substitute—is beginning to backfire in the court of public opinion.

QUOTES THE TIMES

Let me read you what the great, fair-minded, conservative New York Times said in an editorial last Saturday. I quote:

"We think the pending bills should be reexamined and particularly that the provisions of the Landrum-Griffin bill ought to be put under the microscope to make sure that in penalizing the wrong practices of some labor leaders they do not interfere with any right and proper practices of the great majority of honest and conscientious labor leaders."

History has a way of repeating itself.

Just 25 years ago public indignation was aroused over racketeering and widespread corruption in the financial world, particularly in the stock market and in the public utility field. Greedy and unscrupulous financiers had defrauded the American people of some $25 billion between 1919 and 1933 through the sales of worthless stocks and bonds.

We had a state of public opinion then which in many ways resembles this great debate today.

Many, many people were so infuriated against the financial racketeers that they wanted to abolish all stock exchanges and all privately owned public utilities.

On the other extreme, many leaders of Wall Street and the utility world were arrogant and defied the Congress to pass any reform laws, declaring that the operation of the financial world was their private concern.

As chairman of the House Committee on Interstate and Foreign Commerce, which had jurisdiction over these matters, it fell to my lot to be in the middle of that fight.

I became the author of three bills aimed at cleaning the crooks out of the financial and utility fields.

This fight for economic justice lasted for 3 years, but all three bills became law and today are still on the books.

BARRAGE OF INSULTS

Congress then was subjected to an incessant barrage of propaganda, insults, and cruel pressure from every side.

We had to reject the insistence of many financial leaders that no reforms should be made. We knew that the people were entitled to have their money handled honestly, and that the crooks had to go.

On the other hand, we rejected the popular demand to abolish the great stock exchanges and the privately owned public utilities. We believed that our country needed these institutions under fair and honest management.

In those years we did—as we are doing today—we chose the middle road, the difficult road. We aimed at reforming without ruining, at curing without crippling.

To cut out the cancer of corruption, we used a surgeon's scalpel instead of a butcher's cleaver.

At that time we were angrily denounced on the one hand for being too lenient with the financial interests, while much of the business world and the conservative press attacked us for crippling the free enterprise system.

MIDDLE COURSE

But today I think that all will agree that the Congress was wise in following the middle course of fair play and commonsense. The racketeers were purged, reforms were made, and our free enterprise system was preserved and strengthened. Our financial institutions emerged stronger, freer, and more profitable than ever before.

In this session of Congress I think that history is going to repeat, itself. Once again we are going to follow the course of honest, sensible, just reform as we did 25 years ago.

We are going to drive out the crooks and racketeers, the bribegivers and the bribetakers, and we are going to wipe out the flagrant abuses in labor-management relations, but we are going to do it without inflicting undeserved punishment on the millions of honest, law-abiding men and women who belong to unions.

I am supporting the Elliott bill because I am convinced it will do this job.

As a public official who for almost half a century has tried to serve you by helping to pass laws that would make your path a little smoother and your burdens a little lighter, I invite you to join with those of us who believe in following the middle path—the road of reason and fair play—as we come to grips with this great national problem.

Let us reform without punishing. Let us cure without crushing.

Let us take the path of justice and commonsense, for down that road lies the America of our dreams, with peace, and plenty, and justice for all.

ANALYSIS OF THE LANDRUM-GRIFFIN LABOR REFORM BILL BY REPRESENTATIVES THOMPSON OF NEW JERSEY AND UDALL OF ARIZONA

The Landrum bill is essentially the same as the committee bill in the provisions dealing with the financial reports to be filed by labor unions and their officers, the financial reports to be filed by employers and labor relations consultants, the guarantees of periodic free elections in labor unions, the guarantees against improper international trusteeships over local unions, and the definition of the fiduciary responsibilities of union officers.

The differences come down to the following items:

1. Secondary boycotts.
2. Picketing at the site of construction.
3. Organizational picketing.
4. Prehire contracts in the construction industry.
5. Exercise of NLRB jurisdiction or cession to the States.
6. Bill of rights.
7. Criminal penalties for forcible interference with rights guaranteed by the act.
8. Exemption of small unions from the reporting sections.
9. Right of strikers to vote in NLRB elections.
10. Prehearing elections.

There are attached hereto, separate memorandums upon each of these subjects.

BILL OF RIGHTS

There is no significant right guaranteed to employees by the Landrum bill which is not guaranteed with equal effectiveness by the committee bill. The difference is that the committee bill takes account of a few practical facts concerning the membership

meetings of labor organizations. This can be demonstrated by a section-by-section comparison.

1. Subdivision 1—Rights of membership: Here the committee bill is actually broader than the Landrum bill in one major respect. It may be narrower in two details.

(A) The Landrum bill guarantees union members equal rights and privileges in relation to four specific activities: (i) nominating candidates, (ii) voting in elections and referendums, (iii) attendance at meetings and (iv) participation in the deliberations and voting at such meetings. The committee bill guarantees every member all the rights and privileges of membership. Therefore, the committee bill covers the four subjects in the Landrum bill and also other rights such as running for office, inspecting books and accounts, filing charges of misconduct against unfaithful officials, et cetera.

(B) The committee bill guarantees these rights subject to reasonable qualifications uniformly imposed. The Landrum bill guarantees only equal rights and privileges. It is hard to find a difference here because "equal" and "uniform" have approximately the same meaning. The change in wording is the result of a practical problem which the committee sought to solve but which the Landrum bill ignores. Many unions have members employed by a number of different employers. If a contract negotiated with one employer comes up for ratification, is it not a reasonable rule for the union to limit the voting to the members who will work under the contract or go on strike if the contract is not ratified? The Landrum bill apparently requires the union to permit everyone to vote on the contract. It would mean that a strike could be voted over the unanimous objection of the men who would do the striking.

(C) The committee bill guarantees every member all the rights of membership subject to the qualifications in subsection (B) which give it the right to adopt rules for the purpose of insuring the orderly conduct of meetings and the performance of collective-bargaining agreements. This is certainly a reasonable qualification. Surely the right to participate in the deliberations of a meeting cannot be carried to the point where the meeting is thrown into disorder or is dragged on until 3 or 4 o'clock in the morning when everyone except a little clique has gone home to bed. But whether this is a reasonable qualification or not, the qualification is less restrictive than the Landrum bill. The Landrum bill permits a union to qualify the rights of members by any reasonable rules and regulations in such organization's constitution and bylaws. Obviously, rules confined to the subjects specified in subsection (B) of the committee bill can do less damage to members than the unlimited reasonable rules permitted by the Landrum bill.

2. Subdivision 2—Freedom of speech and assembly: The two bills have almost identical language in this subdivision. The difference is that the Landrum bill has a proviso which permits the union to adopt rules enforcing the responsibility of every member toward the organization as an institution and also his responsibility to refrain from conduct which would interfere with the performance of its legal or contractual obligations. The committee bill put this proviso in subsection (B). It changed it only by adding that the union might also enforce rules for the purpose of insuring "proper and orderly conduct of the meetings and business of such organization." As stated above, it is certainly not unreasonable to limit the speeches members can make to the extent necessary to get the business of the meeting accomplished. Surely a union should not be forbidden the right to limit the time available for debate.

3. Subdivision 3—Dues, initiation fees, and assessments: The Landrum bill copies the committee bill verbatim.

4. Subdivision 4—Protection of the right to sue: Both bills attempt to protect the right of a union member to resort to courts and administrative and legislative agencies without reprisal by the union or its officers. The language is slightly different.

The Elliott bill enacts that the right of a member to institute such proceedings "shall not be limited or impaired." The Landrum bill enacts that no labor organization "shall limit" the right of a member to institute such proceedings.

The Elliott bill has a proviso to the effect that any member may be required to exhaust his internal remedies. The Landrum bill speaks of exhausting "hearing procedures (but not to exceed a 4-month lapse of time)." This is not an important difference because the doctrine is one of State law and apparently is not affected by the statute.

The qualifications in subsection (B) of the Elliott bill do not affect the right to sue.

5. Subdivision 5—Improper disciplinary action: The Elliott bill forbids a union to discipline a member without "a fair hearing on written charges and other procedural safeguards as provided in the constitution and bylaws." The Landrum bill uses somewhat different words but adds only a specific requirement of "a reasonable time to prepare his defense." This is essential to a fair hearing under all judicial decisions. Therefore, there is no substantive difference.

SECONDARY BOYCOTTS

The Landrum bill would impose the most severe restrictions upon the right of workers to engage in peaceful concerted activities which this country has known for generations. The restrictions which it would impose upon the basic rights to strike and picket are the result of an organized effort to use the issue of corruption in a few unions to enact repressive laws which would interfere with the power of employees to bargain collectively.

The Landrum bill copies the committee bill in the provisions for financial reporting except that it omits an exemption for small unions; it copies the committee bill in the guarantees securing fair elections, in safeguarding local union autonomy, in the provisions designed to drive criminals from the labor movement, and in the imposition of fiduciary duties upon union officers. There are only small differences in the "bill of rights." The big differences come in issues of labor-management relations which have nothing to do with racketeering or corruption, but a great deal to do with the ability of workers to organize and bargain collectively.

At the outset, it must be emphasized that the question is not whether Congress should forbid secondary boycotts. The Taft-Hartley Act forbids secondary boycotts. The courts and the National Labor Relations Board have enforced these prohibitions. The committee bill strengthens the existing prohibition against secondary boycotts by outlawing hot-cargo clauses in the trucking industry.

The true issue is whether Congress should enact a law which would curtail fundamental rights to strike and picket. This becomes obvious when the wording is carefully studied.

(1) Section 705 of the Landrum bill casts doubt upon the legality of every union picket line, even in a direct strike for higher wages.

The picket line is one of labor's traditional and necessary weapons. It is also the understanding of union members that they will not cross a picket.

Suppose now that employees strike at a shoe factory seeking to increase their wages from $1 to $1.10 an hour and that they picket at the factory gates. When the driver employed by the local trucking company came up to the gate, the picket would ask him not to cross the picket line. NLRB section 8(b)(4)(A) forbids a union agent such as a picket "to induce or encourage the employees of any employer to engage in * * * a concerted refusal * * * to * * * transport * * * goods * * * or to perform any service where an object thereof is: (A) forcing or requiring any employer * * * to cease doing business with any other person."

It was argued that the picket at the shoe factory was violating this section because he was inducing the driver who was an employee of the trucking company to refuse to transport the shoe factory's goods where the object was to force the trucking company to stop doing business with the shoe factory. The Supreme Court said that there was no violation because "the applicable prescriptions of 8(b)(4) are expressly limited to the inducement or encouragement of concerted conduct by the employees of the neutral employer" and "there is no suggestion that the union sought concerted conduct." *NLRB* v. *International Rice Milling Co.*, 341 U.S. 655, 671.

Now the Landrum bill proposes to take out of section 8(b)(4) any references to "concerted" conduct or to two or more employees and to make it unfair to induce a single person not to perform services, thus overturning the reason for the Supreme Court decision. If this were done, the picket who appealed to the truckdriver not to enter the plant where men were striking for higher wages could be held guilty of an unfair labor practice.

Of course, if this is true of one picket line, it is true of every picket line, for every picket line appeals to the employees of other employers not to enter the plant. The legality of every picket line would be cast in doubt. Obviously, this has nothing to do with secondary boycotts.

(2) Section 705 of the Landrum bill would invalidate the subcontracting clauses which have proved essential to stabilizing the garment industry.

The garment industry is located in cities where it is easy to rent loft space. Garments are marketed by jobbers. Sewing machines and other machinery are easily moved from one loft to another. For years, employees suffered low wages and miserable working conditions because a jobber who signed a union contract fixing a decent minimum wage could easily contract out the cutting and sewing to a sweatshop hidden away where the union had not found it. By the time the union caught up with the owner, the work would be done; and the jobber would give the next lot to another sweatshop.

Both fairminded employers and the union representing employees in the garment industry learned by hard experience that the only way to check this practice was for the union to induce jobbers to agree not to do business with contractors who had not signed contracts with the union.

The Landrum bill would make it unlawful for the International Ladies' Garment Workers to put pressure upon employers to continue this well-established and essential practice. The Landrum bill makes it unlawful for a union "to threaten, coerce, or restrain any person engaged in commerce * * * where * * * an object thereof is * * * forcing or requiring any person * * * to agree to cease * * * doing business with any other person."

If the addition of the words "agree to cease" have any meaning, they would prevent the union from pressing a jobber to agree to cease doing business with a nonunion sweatshop. Thus the Landrum bill threatens to disrupt the labor relations of the entire garment industry.

(3) Section 702 of the Landrum bill would also cast doubt upon the ability of unions

to bargain in other industries for an accepted form of collective agreement.

Companies and unions in manufacturing industries often agree upon restrictions upon subcontracting in order to protect the employees against the loss of jobs. For example, a textile concern might agree not to contract out the mending of cloth while any of its own menders were unemployed. Under the Landrum bill, a union which bargained for such a clause would apparently be guilty of an unfair labor practice.

(4) Section 702 of the Landrum bill denies freedom of speech.

The bill provides that a union may not restrain an employer where an object is to require him to cease doing business with any other employer. The prohibition reaches not only picketing but leaflets, radio broadcasts, and newspaper advertisements, thereby interfering with freedom of speech.

Suppose that the employees of the Coors Brewery were to strike for higher wages and the company attempted to run the brewery with strikebreakers. Under the present law, the union can ask the public not to buy Coors beer during the strike. It can picket the bars and restaurants which sold Coors beer with the signs asking the public not to buy the product. It can broadcast the request over the radio or in newspaper advertisements.

The Landrum bill forbids this elementary freedom to appeal to the general public for assistance in winning fair labor standards. The union apparently could be enjoined upon the ground that it was coercing or restraining the retailer with the object of inducing him not to deal with the brewery; indeed, as I understand it, one of the acknowledged purposes of the amendment is to prevent unions from appealing to the general public as consumers for assistance in a labor dispute.

This is a basic infringement upon freedom of expression.

(5) The Landrum bill would compel employees to act as strikebreakers by performing struck work.

The point is best illustrated by a concrete example. Royal Typewriter has contracts with many large companies to service the typewriters and business machines in their New York offices. Some years ago, Royal's employees struck for a better contract. Royal then instructed its customers to have the machines repaired by another concern but to send Royal the bill. Note that the independent did the work not as an independent but for Royal's account. Obviously the independent was helping Royal to break the strike. If the independent's employees did this work in order to honor Royal's contracts with its customers, they would be doing the strikers' work and actually helping to break the strike. Therefore, the union appealed to the independent's employees not to do the strikers' work.

The Court of Appeals for the Second Circuit held that this was not a secondary boycott. The independent was not a neutral the court said. Since Royal was asking the independent to help Royal break the strike by performing Royal's contracts for Royal's account, it was only fair to allow the union to ask the independent's employees to help the union win by refusing to do the strikers' work. The court ruled that it was immaterial that there was no contract or agreement between Royal and the independent. *NLRB* v. *Business Machines and Office Appliance Mechanics,* 228 F. 2d 553 (2d Cir. 1955).

The Landrum bill, which pretends to favor unions by authorizing their members not to do struck work, actually denies them the privilege in some situations. Unlike the court decision, it is confined to cases in which the independent undertakes to do the work by contract or agreement with the struck employers.

It has always been the law that a refusal to perform struck work is not an unlawful secondary boycott. The Landrum bill would partially change the rule.

In summary, here are five situations in which the so-called secondary boycott provisions of the Landrum bill curtail basic rights of employees and labor unions, most of them situations having nothing to do with secondary boycotts. The Taft-Hartley Act already outlaws secondary boycotts. The committee bill closes any serious gap by outlawing hot-cargo clauses in the motor carrier industry. The proposed additional restrictions are simply an effort to use talk about union reform to enact repressive legislation.

ORGANIZATIONAL PICKETING

The committee bill (H.R. 8342) and the Landrum bill (H.R. 8400) both restrict organizational picketing. There is no division of opinion between the sponsors of the committee bill and the sponsors of the Landrum bill about the need for some restriction. A vote for either bill is a vote to restrict certain kinds of organizational picketing. The difference is this:

The committee bill forbids organizational picketing when the employer has a contract which binds him to bargain with another bona fide labor union. The committee bill also forbids organizational picketing after a Labor Board election, unless the union won the election or subsequently secured a majority without picketing. The committee bill does not forbid picketing before an election.

The Landrum bill would forbid all organizational picketing.

Therefore, the major issue is whether unionized employees should be permitted to use picketing as a method of inducing nonunion employees to choose the union as their representative in a Labor Board election.

In deciding this issue, note that the committee bill does not permit picketing for an indefinite period. When an employer is picketed by a union seeking recognition as the bargaining representative, he can always petition for an election. Under the committee bill, most of the delays in holding elections would be eliminated. Consequently, an employer could always put an end to the picketing by petitioning for an election and finding out whether the employees did or did not desire the union to represent them. If they did not, picketing would be brought to an end. If they did, the employer would have a duty to bargain with the union.

The committee bill is sounder than the Landrum substitute for the following reasons.

(1) The committee bill forbids any truly unfair organizational picketing.

When the Labor Board conducts an election, all the employees have a free opportunity to indicate their choice of bargaining representative. If they vote not to be represented by a union, their choice should be respected. For a union to picket their employer after losing an election is to attempt to coerce the employees into supporting the union against their express desire. Therefore, the committee bill forbids such picketing.

When an employer has a contract with a labor union which has not benefited from unlawful assistance and which represented a majority of the employees when the contract was signed, 2 years must pass before another union can secure a Labor Board election. Under these circumstances, it is unfair to allow an outside union to injure the employer or the employees in the effort to secure recognition in violation of the contract and the policy of the National Labor Relations Act. The committee bill forbids such picketing.

(2) The Landrum bill denies unions their only weapon of self-defense against the competition of unorganized sweatshops.

Unions usually picket a nonunion establishment because the competition resulting from substandard wages and hours threatens its labor standards. Let me illustrate by concrete examples.

(A) Suppose that the garment manufacturers in a garment center have signed collective-bargaining agreements establishing decent wages and fair hours. Then one company goes to a rural area and opens a shop paying low wages to employees working under unhealthy conditions. If nothing is done, the sweatshop, by force of competition, will undersell the unionized manufacturers and destroy the union wage scale. To protect themselves and their employers, the union must organize the sweatshop. In the face of opposition from the employer, their only means of self-defense is organizational picketing.

(B) In a Massachusetts case there were several meat markets in town. Some observed union wages and hours. Another did not hire union but paid substandard wages. He undersold the unionized markets because of the low wages paid. This meant that union wages would be cut to meet the competition unless the nonunion shop was organized. Surely a union ought to be allowed to tell the buying public that the nonunion market is destroying its wage scale. This is hardly more than free speech, yet the amendment forbids it. If it be said that the publicity injures the nonunion employer, the answer is that he and his employees are injuring the union members.

3. The Landrum bill is one sided because it denies labor unions an effective method of organizing while it leaves employers free to use improper weapons against union organization.

It is naive to suppose that employers do not fight unionization with a wide variety of weapons. Union sympathizers find themselves the first to be laid off at a time of cutbacks. The present law permits employers to interfere with organization by "predicting" that they will move away from the community if the employees organize. It permits a local chamber of commerce acting on its own initiative to write employees that the local merchants will put them on a blacklist of workers who cannot secure credit unless they send in a notice that they will not support the union. So long as these opportunities for coercion exist, it is only fair to allow the union some method of demonstrating its power—organizational picketing is the only method available.

The Landrum bill is also one sided because it asks the Congress to revise the NLRA for the benefit of employers without giving any consideration to the faults in the present law which organized labor has been asking Congress to consider. Further restrictions upon organizational picketing should not be considered, until there is a comprehensive review of all aspects of our labor-management relations law. The need for a labor reform bill protecting union members against unfaithful officials is not a proper occasion for enacting proemployer legislation.

(4) The Landrum bill curtails freedom of speech.

Section 705(c) forbids a union to picket any employer for organizational purposes. This restraint goes far beyond the coercive tactics allegedly used by the Teamsters Union. It would prevent a union from posting a picket outside a shop or theater for the sole purpose of asking customers not to patronize a nonunion establishment. The restraint cuts off the elementary right of one man to ask others to help him improve his

lot. It is a sharp interference with freedom of speech.

(5) In some circumstances the Landrum bill forbids even a union which represents a majority of an employer's employees to picket for the purpose of compelling the employer to perform his statutory duty.

This is the effect of subdivision (B) and (D). Under subdivision (B) a union which plainly represented a large majority of the employer's employees could not picket to secure recognition within 12 months after an election even though 100 percent of the employees had become members. Under subdivision (D) a union which plainly represented a majority of all the employer's employees could not picket for more than 30 days without filing a petition for an election. Since the Labor Board will not entertain a petition under many circumstances, this would mean that if the employer had plainly committed an unfair labor practice, by refusing to bargain with the majority representative, the union could not carry on a strike and picketing to secure recognition while unfair labor practice charges were pending.

The committee bill takes a moderate course between two extremes. It neither forbids all organizational picketing as the "union busters" would have us do nor does it permit all picketing as labor leaders demand. It deserves support as a reasonable accommodation of conflicting interests.

PICKETING OF CONSTRUCTION JOBS—SECTION 702(C)

Section 702(c) would amend the National Labor Relations Act in such a way as to permit a building-trades union to picket a construction project on which a contractor is working with whom the union has a labor dispute even though employees of other contractors working upon the same job refuse to cross the picket line. This would overrule *NLRB* v. *Denver Blg. & Constr. Trades Council* (341 U.S. 675). All true secondary boycotts in the construction industry would continue to be unlawful, such as the refusal to erect prefabricated houses or to work on nonunion goods.

The Landrum bill omits this provision. The justification for the change is as follows:

The Taft-Hartley Act did not expressly forbid the picketing of construction jobs under these circumstances. Section 8(b)(4)(A) forbids a union "to induce or encourage the employees of any employer to engage in a strike * * * where an object thereof is * * * forcing or requiirng any employer * * * to cease doing business with any other person." In the construction industry there are numerous contractors on a single job site doing different kinds of work—plumbing, masonry, painting, electrical work, etc. If the International Brotherhood of Electrical Workers pickets a construction job and other workers on the job site respect the picket lines, the union will inevitably induce the carpenters, bricklayers, and other trades to strike, with the consequence of preventing the contractors who employ them from doing business with the electrical contractor. Thus, the literal words of section 8(b)(4)(A) are violated by a picket line at a construction job which calls the job "unfair." The Supreme Court upheld the literal reading in the Denver case cited above.

This rule has been criticized from the beginning. President Eisenhower recommended its change in 1954. Amendments were also recommended by the administration in 1958 and again this year.

There are two reasons for making a change.

First, the amendment is necessary to extend to unions in the construction industry the rule which presently applies to employees in all other industries. Employees of a mine or millowner or in a factory may peacefully picket their place of employment in seeking higher wages, shorter hours, better conditions of employment, or other lawful objectives. So long as their placards are honest, the pickets do not have to choose their words with an eye to the legal consequences. They may ask other employees not to cross the picket line.

Construction workers are denied this basic freedom to picket the scene of a labor dispute, as explained above, because of the peculiar structure of the construction industry. If the union which represents the electricians in the electrical maintenance department of a factory engages in picketing and the employees in other departments honor the picket line, there is no secondary boycott. It should make no difference that the departments of a construction job are different contractors for they are working toward one common goal.

Second, none of the grounds for outlawing secondary boycotts apply to picketing of a construction site where the employer engaged in the primary labor dispute is actually working.

(a) When the picketing is confined to the construction site where the primary employer is working, there is no danger of the dispute spreading through the community in the manner of true secondary boycotts.

(b) Where all the men are employed on the same project, the division into different trades or crafts, each with its own employer, must not be allowed to obscure their common interests—they work side by side and the wages and working conditions of one trade affect all the others. This situation is utterly unlike the situation in true secondary boycotts, as where carpenters in Los Angeles refuse to work on nonunion doors made in Minnesota by men whose wages could not affect the wages of carpenters in Los Angeles. The illegality of such a boycott would not be affected by the amendment.

(c) The third reason for outlawing secondary boycotts is that they drag neutral employers into disputes in which they have no interest. Where all the employers affected are bound together in the common work of putting up a single building, none is truly neutral. The undertaking is so integral that each is affected by and can influence the conduct of the others.

PREHIRE CONTRACTS IN THE CONSTRUCTION INDUSTRY

Section 702 of the committee bill follows the Senate bill in authorizing prehire contracts in the building and construction industry. Section 702 of the Landrum bill would provide for certification of unions in the construction industry without an election, which could be followed by the negotion of a prehire contract, but only where there is history of a collective-bargaining relationship between the petitioning employer and labor organization.

Legislation authorizing prehire agreements in the construction industry is necessary because the industry cannot conform to the present law. The NLRA was written for mines, mills, factories, and similar establishments with a stable working force. The employees on the payroll may choose a bargaining representative which will thereafter negotiate with the employer an agreement fixing wages, hours, and other terms and conditions of employment. The act incorporates the principle of majority rule in choosing a representative. Therefore, no representative can be chosen and no contract can be negotiated until the employer has hired a sufficient number of employees. NLRB 16th Annual Report, page 149; *Bernhard-Altmann Texas Corp.*, 122 NLRB No. 148 (1959).

Collective-bargaining agreements must be negotiated in the construction industry before the employees are hired.

First, contractors need to know what the wage rates and conditions of employment will be before submitting their bids on construction jobs. Unions often permit contractors to finish up work already bid at the old wage rates.

Second, many projects involve work of such short duration that the work would be completed long before a collective bargaining agreement could be signed, if the recognition of an exclusive bargaining representative had to be postponed until the peak number of employees were at work on the project.

Third, it is manifestly inefficient to negotiate a separate contract for every project; therefore, the building trades unions and contractors follow the practice of working out a scale of wages and other terms of employment which will be applicable to all projects within a specified geographical area for a substantial period of time. This practice has been encouraged by the Atomic Energy Commission and other Government agencies.

The result is that employers and unions in the construction industry have been in continuous violation of the NLRA ever since 1947. The legal validity of their collective bargaining agreements will remain questionable until Congress acts.

The committee bill adopts a remedy which has previously won widespread agreement on all sides.

(1) Essentially the same solution was supported by Senator Taft and embodied in a bill passed by the Senate during the 2d session of the 82d Congress (S. 1973).

(2) In 1954, President Eisenhower recommended the same solution found in the Elliott bill.

(3) The Senate Labor Relations Committee reported a bill substantially like this bill under Republican leadership. (S. 2650, 83d Cong. 2d sess.)

The Landrum solution is objectionable for five reasons.

(1) The Landrum bill permits certification and prehire contracts only where the employer and unions have a history of bargaining together. This is a cynical attempt by certain employer associations to discriminate against new businesses and contractors seeking to expand into new areas. The Landrum bill tends toward restraints of trade and monopoly.

This point can be illustrated by two examples.

Suppose that a veteran trained in electrical work during his military service started a small business as an electrical contractor in Lexington, Ky., and that he desired to hire skilled electricians who belonged to the local union of the International Brotherhood of Electrical Workers. The Landrum bill would not permit the veteran to enter into a contract with the union because there was no prior history of collective bargaining between them. Without the contract the veteran could not hope to employ union electricians. Without union electricians he could not start up a new business. This unfair discrimination tends to restrain competition and create monopoly. Under the committee bill, he would have the same privilege to enter into prehire contracts as other contractors.

Suppose that a Chicago electrical contractor wished to bid on a job in Dayton, Ohio. If he had never done business in Dayton, there would be no history of collective bargaining between him and the local building trades unions in Dayton. Under the Landrum bill, the Chicago contractor could not contract for the employment of mechanics and laborers in Dayton. Once again we have a case of highly unfair discrimination.

There is one way in which the Kentucky veteran and the Chicago contractor might

solve their problems. They might apply for membership in a local association of contractors which had a history of collective bargaining with the local building trades unions. I am sure that those who sponsored this amendment did not intend any such unscrupulous gimmick as would force contractors to join an existing trade association in order to set up a new business or carry on existing business into new localities. It would be the first time in history that the Congress of the United States had forced men to join a trade association in order to carry on normal and legitimate business.

(2) The Landrum bill would unreasonably interfere with the freedom of employees to choose their own bargaining representatives.

The Landrum bill provides that the NLRB may certify a labor union as the representative of employees in the construction industry whenever the employer and the union file a petition stating that they have signed a contract fixing terms and conditions of employment. Under the usual Board rules, this certification would bar the employees from any election to choose their own representative for at least a year. The committee bill authorizes the pre-hire contracts but preserves freedom of choice in situations where elections can be held by a proviso which expressly states that the pre-hire agreement shall not be a bar to a petition for an election. Obviously this is a fairer, more democratic solution.

(3) There is no need for the amendment.

Section 702 of the committee bill does not open the door to sweetheart contracts or dealings with paper locals dominated by racketeers. Prehire contracts are negotiated only with unions which can supply the skilled mechanics and laborers required for construction work. The disclosures before the McClellan committee related to employees already on the payroll who were forced into racketeering unions not of their own choosing.

(4) The Landrum bill would weaken, if not destroy, voluntary machinery for the settlement of jurisdictional disputes which has operated successfully for 10 years with the support of both employers and unions.

In 1948, employers and labor organizations in the construction industry joined in establishing the National Joint Board for the Settlement of Jurisdictional Disputes. The joint board settles thousands of jurisdictional disputes which would otherwise result in disruptive strikes and picketing. The NLRB will be swamped by the jurisdictional disputes if we weaken this voluntary machinery.

The tendency of the Landrum bill to weaken the joint board is best illustrated by a typical example. Both the Plumbers Union and the Riggers Union claim that their members should unload heating and air conditioning machinery from trucks and set it in place in new buildings. Suppose that the joint board decided a number of these disputes in favor of riggers. The Plumbers Union and the plumbing contractors would naturally begin looking for ways to secure the work without a joint board decision.

Under the Landrum bill the Plumbers Union and the plumbing contractors could go to the NLRB with a petition that the Plumbers Union be certified as the bargaining representative of the contractor's employees engaged in all kinds of plumbing and piping, including the work disputed with the Riggers. Today this is not a very feasible step because it is too impractical to hold elections in the construction industry. The Landrum bill abolishes the requirement of elections. It would invite the Plumbers Union to run to the NLRB seeking a certification staking out jurisdictional claims against the Riggers Union and many others.

One of two consequences would follow:

If the Riggers Union heard about the petition they might intervene in the NLRB case. Other unions would act likewise. The NLRB would be turned into a Government tribunal for resolving jurisdictional disputes instead of the voluntary machinery set up by the industry 10 years ago to solve its own problems.

It is possible that the Riggers' Union and other labor unions would never hear of the petition filed by the Plumbers' Union and the plumbing contractors. In that event a certification would issue covering a bargaining unit which included unloading and setting in place the heating and air conditioning machinery. Once this happened it would not be an unfair labor practice for the Plumbers' Union to strike to get the work even through the strike violated the joint board agreement. It might be an unfair labor practice for the Riggers to strike to get the work even though the Riggers' Union had a favorable joint board decision which was being violated by the contractors and Plumbers' Union.

If these things happened on a widespread scale the joint board would be forced out of business. For 10 years it has prevented thousands of jurisdictional strikes in the construction industry. There would be widespread losses if the joint board were seriously weakened. The resulting caseload would swamp the NLRB.

It may be said that both the building trades unions and contractors formerly supported a change in the Taft-Hartley Act along the lines of the Landrum bill. The Building Trades Department of the AFL–CIO immediately withdrew its support as soon as a witness before the Senate Labor Committee pointed out how the proposal for certifications would undermine the joint board and stir up jurisdictional controversies.

(5) The Landrum bill is technically defective.

One defect is that the provision for certification requires the employer and labor organization to show that the union "is being currently recognized by such employer" and that "such employer and labor organization have entered into a collective bargaining agreement." The very troubles which we are trying to correct are (1) that it is an unfair labor practice for an employer to recognize a labor organization before there is a representative number of men on the job (2) that it is an unfair labor practice to negotiate a contract in advance of hiring a complement of workers. The draftsmen of the bill attempted to solve this problem by empowering the NLRB to issue certifications but only after the employer and contractor had signed an unlawful agreement. If this bill were approved, the law would say this: "You can't lawfully make the contract without the NLRB certification, but you can't have the certification until you have made the contract."

NLRB JURISDICTION—THE "NO MAN'S LAND" PROBLEM

In the NLRA, Congress asserted Federal jurisdiction under the commerce clause over all unfair labor practices and questions of representation affecting interstate commerce. This enactment excludes State courts and administrative agencies. *Guss* v. *Utah Labor Relations Board* (351 U.S. 1), *Amalgamated Meat Cutters* v. *Fairlawn Meats, Inc.* (353 U.S. 20). At present, the NLRB refuses to hear some cases falling within its jurisdiction with the result that the problems are not resolved by any tribunal.

The Elliott bill corrects this injustice by requiring the Board to hear and decide these cases. The Landrum bill turns all these cases over to the States. It also authorizes the National Labor Relations Board to decline to hear any other cases and to turn them over to the States. The Landrum bill places no limitation whatsoever upon the Board's power to deny employees and employers the protection of the National Labor Relations Act.

Both bills eliminate the "no man's land." The only question is which is the better solution.

The Elliott bill is preferable for five reasons.

1. The States do not have the machinery for handling unfair labor practices and questions of representation.

No more than a dozen States have created labor relations boards or enacted modern labor laws. In about 35 States, therefore, there is no agency for dealing with unfair labor practices or for conducting elections in which employees can decide whether to be represented by a bargaining agent. Unless these problems are handled by the NLRB, they will go unresolved and will result in the very conditions which the NLRA was intended to eliminate.

2. Ceding jurisdiction to the States would subvert the national labor policy.

Where there is no State labor relations law, ceding jurisdiction opens the door to State court injunctions issued under the old common law doctrine that a combination of workers is an unlawful conspiracy. It might also permit the application of union-busting laws such as the municipal ordinances which levy a tax of $2,000 on every union organizer with an additional tax of $500 for every employee who signs up as a member. In reality, the plea for ceding jurisdiction to the States is a concealed but direct attack upon union organization and collective bargaining.

3. The national labor policy must be kept uniform in order to prevent unfair competition.

Goods produced at wages below union standards compete with goods produced by union labor; they therefore tend to undermine union standards and to weaken unions everywhere. States begin competing with one another to attract industry by showing that their laws discourage the growth of labor unions. No State can be blamed for such a policy if it is subjected to this kind of competition. Gradually each is forced either to drop its standards or lose industry. The only preventive is the use of the Federal power to regulate interstate commerce under a single uniform rule.

4. The Landrum bill gives too much power to an administrative agency.

Surely there are few questions more important to both businessmen and labor unions than whether they are to be governed by the NLRA or by the very different provisions of State law. The Landrum bill provides that an administrative agency shall decide as it pleases without meaningful standards, whether whole industries shall be governed by the National Labor Relations Act or turned over to the States. It is for Congress to decide how far to regulate interstate commerce.

The hotel industry will do for an example. By declining to exercise jurisdiction, the Board would destroy the rights to organize and bargain collectively and deprive employers of protection against jurisdictional strikes and secondary boycotts, both kinds of protection would be granted if the Board exercised jurisdiction. Similarly the amendment gives the Board power to create or destroy these important rights in other industries—department stores, public utilities, transit systems, chainstore systems, and countless others. Never before has it been suggested that an administrative agency should decide whether thousands of employees shall have or lose the right to bargain collectively—and whether thousands of employers shall have or lose the right to protection against unfair practices by the labor

unions—whether elections shall be held or shall not be held in large sectors of industry.

5. There is little basis for the argument that the NLRB cannot handle all these cases.

Recent studies point to numerous ways of speeding up the Board's work. The exercise of its full jurisdiction would not add an appreciable number of cases to the workload.

Mr. HOLT. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. HIESTAND].

Mr. HIESTAND. Mr. Chairman, as a member of the subcommittee who sat through practically all of the hearings both here in Washington and in California, I can attest to this committee that every part of the substitute bill was covered by testimony and that it received careful consideration by the committee even though the bill itself was put together, as the gentleman who preceded me said, after the committee bill was voted out. It was voted out, but it was completely unsatisfactory to quite obviously a majority of the committee. That is why we put together a substitute bill.

Mr. Chairman, no law is effective unless enforced. No bill should be enacted by this Congress unless it has not only proper enforcement provisions, but proper appeal protections. That is fundamental.

A major reason for the present tremendous problem this Nation faces—I might almost say tragic problem—is lack of enforcement and lack of protection by appeal of that enforcement to millions of American citizens who, under the Constitution, are entitled to their day in court.

Much has been said about the so-called gap in jurisdiction in enforcement of our present labor laws.

Many State and local enforcement officers have declined to act and many State and local courts have declined jurisdiction because of the basic exemption of all labor unions from the fundamental antimonopoly laws.

Many State and local officers decline to act, possibly from purely political considerations, because of that excuse.

The National Labor Relations Board presently charged with enforcement of the Taft-Hartley law and the preceding Wagner Act, has, for budgetary and other reasons, declined to act in many thousands of cases.

Naturally the Board chose to act in the most important cases, the clearly interstate cases and those cases affecting a large number of people or businesses. Small unions, small businesses and smaller numbers of people simply could not and cannot get a hearing and were and are without their right to a day in court.

Added to this, the Supreme Court, in the case of Guss against Utah Trade Union Board, ruled that State courts and agencies were without jurisdiction in labor matters, since the Federal Government had preempted that field.

The Small Business Administrator reports that of the 4 million small businesses of the Nation over 3 million of them have been denied their day in court because they were too small or had negligible effect on commerce.

Mr. Chairman, these are the American citizens, the small businessman and his employees, who need help the most of all. They are subject, as testimony has shown, to all sorts of rackets, shakedowns, coercion, blackmail, conspiracy, and so forth, both through blackmail picketing tactics and secondary boycotting, and they have no place to go. Their employees lose their jobs if they are forced to close, and testimony has indicated that this has happened in many thousands of cases.

The so-called committee bill, H.R. 8342, would even make this gap wider, because it would clearly exempt all unions under 200 and all unions doing less than $20,000 a year business from the reporting provisions of the act, clearly leaving the gate wide open for the Johnny Dio type of rackets. The paper locals, the jukebox rackets, are only a few cases in point. In the smaller unions the racketeers abound. Manhattan Island is loaded with them. Such exemption would, in effect, clearly exempt nearly 70 percent of total unions, and that 70 percent needs their day in court more than all the others. As has been shown, the racketeers and goons brazenly brush this off with the remark, "You have no rights."

Now, Mr. Chairman, the so-called committee bill attempts to close that gap simply by restating the present provision of the law that the National Labor Relations Board, now having full jurisdiction over all unions and all labor matters, shall assert this jurisdiction. At the close of the year the NLRB had a backlog of 6,700 cases, which has been increasing rapidly recently, and is now in the neighborhood of 8,000 cases. And there is a 2 years' time lag between the appeal and a hearing and decision. In hundreds of cases the decision becomes moot because the individual may have been forced out of business and the people have lost their jobs.

The so-called committee bill would enlarge the Board to seven and delegate a number of the cases to regional counsel. That would take care of a large number of cases having to do, for instance, with simple elections.

But, Mr. Chairman, all appeals from those elections would have to go to the Board. The elections themselves take almost no time of the Board, anyway, but the appeals, which take nine-tenths of the time in election cases, would still be on the docket of the Board. Enlarging to seven simply would not do the job.

You would have to set up a whole set of 12 regional tribunals with vast machinery. The so-called committee bill is impractical. It simply would not work. The committee bill is worse than no bill. It takes away some of the rights the worker now has.

H.R. 8400, the bipartisan bill, however, adequately takes care of the case, clearly specifying the authority of NLRB to decline jurisdiction where there is "insufficient effect on commerce." Furthermore, it clearly states that there is nothing in the act "to prevent or bar any agency or the courts of any State from assuming and asserting jurisdiction over labor disputes," over which the Board declines. In other words, it should completely close the gap, the very tragic present gap. Why not utilize all of the vast State and local enforcement agencies, the thousands of State and local courts, as well as the Federal circuit courts?

It has been said that the dockets of some courts are almost as heavily loaded as the NLRB. That may be true in some cases, but the vast majority of State and local courts can get fast action in case of the need of an injunction or other urgent measure.

I submit, Mr. Chairman, that closing this no man's land gap is the most important part of the bill. Without it the bill is completely worthless and worse than no bill at all. All of the rules and regulations go for naught unless they are enforced, and we need legislation at this session that will be effective, rather than ineffective, that will be strong, but fair—fair to all concerned.

The substitute bill is a minimum bill. It is a compromise bill. It is the only bill that will do the job.

Mr. KEARNS. Mr. Chairman, I yield 10 minutes to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Chairman, in my opinion the real test of whether or not the House is sincere in its purported desire to enact labor reform legislation depends upon whether the bill that is passed here contains effective curbs against union action to compel employers to disregard the National Labor Relations Act by entering into contracts with labor organizations not of the choosing of their own employees.

One of the most cherished principles in our national labor policy is the principle of freedom of choice on the part of the workers of this country. Section 7 of the National Labor Relations Act declares that employees shall be free from interference or restraint in the selection of bargaining representatives and their right to engage in or refrain from concerted activity.

One of the most lasting impressions I obtained from my 6 years' experience on the Committee on Education and Labor was the extent to which the widespread use of the secondary boycott had made a mockery of this basic guarantee. In essence the secondary boycott is simply a device which enables powerful union officials to intervene in the affairs of employees they do not represent and to flout the majority rule principle and the safeguards of the secret ballot in Labor Board elections. In other words, it is a method of forcing neutral employers to put pressure on other employers to capitulate to the union despite the wishes of their own workmen.

Hearings before our committee and the McClellan committee are studded with examples of how the secondary boycott is employed by unscrupulous unions to destroy small unions and small businesses. One illustrative case was that of the barbershop in the Waldorf-Astoria Hotel—a barbershop run by a man who operated 12 other barbershops. This employer had a collective bargaining agreement with a union his

employees had helped to form and which provided for wages and working conditions as high as any in the New York metropolitan area. When a national union sought to get the employees to leave this organization and come in with the national, the 300 employee members of the union voted against it. The union organizer then went directly to the employer and urged him to sign up with the national. The employer protested that under the Taft-Hartley Act he could not force his employees to give up their union without violating the law. The national union then placed picket lines outside the hotel and induced the New York Teamster locals, who had no dispute with either the proprietor of the barber shop or the hotel, to refuse to deliver food, linen and other merchandise without which the hotel could not operate.

The management of the hotel under this pressure notified the owner of the barbershop that unless he surrendered to the demands of the national union the hotel would be compelled to terminate his lease. The proprietor explained to his employees that if this happened they would all be without jobs. Thus the employees had no choice but to give up their union and join one they had already rejected.

If the menacing power of the Teamsters Union is analyzed it becomes apparent that it rests largely upon the ability of its officials to resort with immunity to secondary boycotts—the deadly weapon of the Teamsters to cut off supplies from a firm which it or some other union is trying to organize. In the trucking industry the Teamsters in many areas have been able to blacklist transportation companies whose employees have voted against the union by warning the unionized companies not to interline freight with these carriers. When the unionized companies bow to such an ultimatum the companies whose men have voted against the Teamster Union have no recourse under the law.

The Federal act forbids only direct instigation of neutral employees but not pressure upon the neutral employer himself. State courts are unable to give any relief as the U.S. Supreme Court has held that State tribunals have no jurisdiction to grant injunctions because of the Federal preemption doctrine.

A few years ago the Teamsters were rebuffed in an attempt to organize the fruit canning industry on the west coast. Despite their failure to win a Labor Board election they put the heat on the canners to sign union shop agreements. If a canner refused, members of the Teamsters Union were notified not to deliver the fruit harvest to these canners. Some canners yielded to this pressure and had to pay heavy penalties in a subsequent Labor Board proceedings. Others resisted with the result that tons of harvested fruit was left to perish, the farmers being unable to market their crops.

In the examples I have given the secondary boycott has been used as a bludgeon for organizing employees by putting pressure on their employers. Recent hearings have shown that the existence of this weapon has made the business of running unions a tempting field for gangsters. By obtaining union charters or infiltrating themselves into positions of leadership in union locals in metropolitan areas, underworld characters use the secondary boycott as a method of enforcing racket monopolies. Thus in the recent investigation of the jukebox business it was revealed that in many cities union racketeers have gone into the business of selling and leasing jukeboxes. If the tavern owner obtains a jukebox from a nonracketeering source his place will be picketed by a paper local or some repairman's union which in turn induces the Teamsters to refuse to deliver food and bottled goods to the offending tavern.

The same tactics have been used to choke off supplies from small clothing manufacturers, jewelry and novelty manufacturers, who refuse to sign up with racketeering unions.

When Congress passed the Taft-Hartley Act in 1947 the debates in both Houses make it clear that the managers of the bill intended to prohibit every type of secondary boycott. Unfortunately, the language used in section 8(b)(4) of the act did not accomplish this purpose. Ingenious union counsel have uncovered so many loopholes that the act in practice failed to accomplish its objective.

The majority of the Committee on Education and Labor this year recognized that the present statute is defective in this respect but the amendments the committee bill proposes do little or nothing to improve a situation which clamors for correction. The bill, it is true, does recognize that hot-cargo contracts with common carriers have facilitated secondary boycotts by enabling the Teamsters to notify signatories to these contracts not to carry merchandise which the union terms unfair. Thus the bill in section 705 makes it an unfair labor practice for carriers which are regulated by the Interstate Commerce Act to enter into such contracts with labor unions and also makes it an unfair labor practice for unions to enter into such agreements with carriers.

Mr. DIXON. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. DIXON. I commend the gentlemen from Arizona on what he has said about secondary boycotts, and remind the Members of Congress that we have in our State a dairy cooperative that is one of the finest institutions in the West that has suffered from this secondary boycott, and its entire existence was threatened through secondary boycotts. I have a petition from their 1,500 members pleading with us to wipe out this secondary boycott.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks following those of the gentleman from Arizona [Mr. RHODES].

The CHAIRMAN. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. RHODES of Arizona. I thank the gentleman for his fine contribution.

This was one of the provisions inserted in the Kennedy bill by a floor amendment in the Senate. Our committee, however, virtually nullified the objective this amendment sought to achieve by validating collective bargaining agreements permitting employees of carriers to honor picket lines. Thus the effect of the committee bill's much advertised ban on hot cargo contracts would open the door to the formulation of a new kind of hot cargo contract. Moreover, it is difficult to understand why, if hot cargo contracts are deemed against public policy in the trucking industry, the same policy should not require the prohibition of hot cargo contracts generally.

It should also be observed that instead of closing the more notorious loopholes under which certain kinds of secondary boycotts have obtained immunity under the Taft-Hartley Act, the Elliott bill creates a new loophole by authorizing secondary boycotts on the site of building and construction projects. Thus the Elliott bill proposes to legalize in one of our major industries secondary boycott activity which the Supreme Court in the Denver Building Trades case held to be illegal under the Taft-Hartley Act.

I submit that if we are going to prevent the secondary boycott from being used as a tool to force unions upon employees who have rejected them or as a device to enforce racket monopolies, the only bill which provides any hope of attaining this objective is the Landrum-Griffin substitute. Section 705 of this bill which deals with the secondary boycott and its handmaiden, recognition picketing, is drawn to deal with these abuses in an effective manner. Subsection (a) of section 705 contemplates a sweeping revision of section 8(b)(4) of the present Labor Relations Act. It closes the loopholes which have enabled labor organizations to engage in some types of boycotts with complete immunity.

As the statute is now worded it is unlawful for a union to induce or encourage "employees of any employer" to engage in a strike or "concerted refusal" to do their work for one of the forbidden objects listed in section 8(b)(4), such as to force their employer to cease doing business with a "primary" employer. Since farm laborers, railway labor, and supervisors are not "employees" within the meaning of the act, unions may now without penalty induce them to engage in secondary boycotts. The Landrum-Griffin bill corrects this by changing the word "employees" in the phrase quoted above to "any individual employed by any person." This change appears in clause 4(i).

As the present act forbids inducing "employees" to engage in a strike or "concerted refusal" to do their work, the courts have held that unions may induce employees one at a time to engage in secondary boycotts. By changing "employees" to "any individual" and omitting the word "concerted," the proposed revision of clause 4(i) closes this loophole.

As I have pointed out, while a union may not induce employees of a secondary employer to strike for one of the forbidden objects, they may threaten the secondary employer himself with a strike or other economic retaliation in order to force him to cease doing business with

a primary employer with whom the union has a dispute. If it is a union with a hiring hall system, it may also coerce a secondary employer into ceasing to use products of some other company by denying him access to the craftsmen on the hiring hall list. This substitute makes such direct coercion of an employer unlawful by the insertion of a clause 4(ii) forbidding threats or coercion of "any person engaged in commerce or an industry affecting commerce."

Another important change in the language of section 8(b)(4)(A) of the present act is the insertion of the words "to agree." Under existing law strikes to force or require secondary employers to cease handling or transporting certain products or to cease doing business with some other person are forbidden. The law, however, does not prohibit resort to the same kind of activity to force such employers to sign contracts or agreements not to handle or transport goods coming from a source characterized by the union as "unfair." Although the Supreme Court in its famous hot cargo decision held that such contracts were not a defense to the actual incitement of employees, it refused to hold that causing employers to sign such contracts was illegal.

The addition of the words "to agree" in this paragraph, as the substitute proposes, would make it illegal for unions to insist upon hot cargo clauses being inserted into collective bargaining agreements. This would accomplish a much needed reform. At the present time not only do most Teamster contracts contain such clauses but various building and printing trade unions have insisted on contracts under which employees are excused from handling certain prefabricated products, products which do not bear the label of a particular union, or products manufactured by a company dealing with some other union. Were it not for the immunity granted labor organizations from the antitrust laws the courts would undoubtedly have invalidated such contracts as being flagrant restraints of trade.

The Landrum-Griffin substitute recognizes one criticism which labor organizations have made to the language of the present Act which seems to have some justification. As I have said, the secondary boycott is primarily a method of using a secondary employer to thwart the sentiments of a majority of the employees of a primary employer. It is used not only as a means of bolstering unsuccessful recognition strikes by a minority union but also to support unpopular strikes over economic issues, for obviously if a strike is successful in closing down the plant of a primary employer there would be no occasion to resort to a secondary boycott.

Union officials have argued, however, that the prohibition against secondary boycotts in the present law makes it possible for a strike bound employer to place unfilled orders in the plant of another employer and to prevent a union from picketing such a plant on the ground that such activity is secondary. While it has not been demonstrated that the Board has placed such a broad construction on these provisions, the Landrum-Griffin substitute makes it plain that where a secondary employer is filling orders for the account of a strike bound primary employer, that plant is not immune from picketing. Section 705(a) contains a proviso which relates to what is popularly referred to as "farmed-out" work. This proviso makes the secondary boycott prohibitions inapplicable to a lawful strike against a secondary employer performing work for the account of a primary employer who cannot do the work himself because his own employees ordinarily assigned to such tasks are on strike. This exemption applies, however, only where the strike is lawful, not in breach of a collective bargaining agreement, and called or ratified by the union the primary employer is required by law to recognize.

Subsection (b) of section 705 also concerns the hot cargo problem. As a matter of principle there is no reason why this prohibition on hot cargo contracts in the Elliott bill should apply only to the transportation business because, as previously pointed out, such restrictive contracts which also encourage secondary boycott exist in various branches of the construction and manufacturing industries. Consequently subsection (b) of this bill goes further than the corresponding draft of the Senate and committee bills not only by making it an unfair labor practice for any employers or unions to negotiate such contracts, but also by making such contracts void and unenforceable.

Mr. Chairman, this analysis of the provisions of the Landrum-Griffin substitute dealing with the secondary boycott problem demonstrates that there is nothing in the language of section 702 which infringes in any way upon legitimate concerted activity of labor unions. The whole tenor of this section of the bill is to insure freedom of choice on the part of employees and to prevent their wishes from being frustrated by the pressure applied to their own employer by secondary employers who are under the control of unions.

The bill represents the very minimal reforms necessary to stop unions from bludgeoning employers into disregarding the basic provisions of the Labor Relations Act and to promote racketeering monopolies in certain small enterprises. There is nothing in these provisions which justifies the argument that they are antilabor or punitive. It is therefore somewhat of a paradox to find that some of the very forces which are urging Federal safeguards for the right to vote in public elections, opposing this mild attempt to make the right of workers to vote in Labor Board elections meaningful.

Mr. DIXON. Mr. Chairman, during my 16 years as president of Weber College in Ogden, Utah, a major railroad center, I made every effort to develop an outstanding vocational education program to train unemployed people for jobs and to up-grade the jobs of people who were already working.

We set up union advisory committees for each field of technical education, and arranged graduation ceremonies for the workers who completed the program. As far as I know, we were unique among American colleges in giving this unusual recognition to labor unions and to the workers taking vocational courses.

Here on the House floor I have often championed Federal aid for school construction and other programs which would promote the American dream of equal opportunity for every citizen to improve his life.

Consequently, I do not approach the question of labor reform with any spirit of animosity or without sympathy for union members' problems. I do approach this, however, with a deep seated desire for justice, or as Teddy Roosevelt described it, for a "square deal" for each citizen and every segment of society.

There can be no justification for the continuation of special privileges of racketeers, or even legitimate union leaders, which clearly give them unfair leverage over individual union members, nonunion workers, small businessmen, and farmers. I believe that most of the union employees agree with this proposition, and certainly the rest of society does.

Let us, then, examine some of the key controversial elements of the Griffin-Landrum bill with an eye to the question: What is a fair solution to the problems involved?

Secondary boycotts: One of the wires I received came from the Cache Valley Dairy Association, Smithfield, Utah. It declared:

> On behalf of 1,500 dairymen, we appeal to you to * * * plug loopholes on secondary boycotts.

Why are the northern Utah farmers so aroused against secondary boycotts? Because they suffered one and realized from personal experience that it could have virtually bankrupted them.

These dairy farmers operate what we believe is the largest swiss-cheese factory in the world. Their major purchaser is Dorman Co. in New York City, which at the time of the case was purchasing more than $1.5 million worth of Cache Valley swiss cheese annually. In 1955 the cooperative had a labor dispute with Teamsters' Local 976. Members of the local picketed the plant, which was a legitimate bargaining weapon. Not content with this, however, they sent three union officials back to New York City to picket trucks loaded with perishable swiss cheese at the Dorman Co. and otherwise attempted to induce Dorman's employees not to unload the trucks.

Fortunately, the NLRB issued a cease-and-desist order which stopped this unfair picketing at the site of an innocent company located 2,300 miles away from the labor dispute. The reason that the NLRB was able to stop this unfair secondary boycott was because the Labor-Management Relations Act of 1947 outlawed the secondary boycott. Regrettably, however, this provision only prohibits efforts to cause the employees of a secondary company to strike or otherwise refuse to handle certain goods used by the secondary company.

Clearly, in fairness, we need to reinforce the law against secondary boycotts to include a prohibition of coercive acts against the management of innocent companies which are not involved in the

labor dispute. This the Griffin-Landrum bill will accomplish.

Thirty to 50 years ago, workingmen were clearly at a disadvantage in dealing with management. We all remember the "yellow dog" contract, for example, which required that an employee promise not to join a union as a condition of employment. But laws were passed which corrected these abuses and aided the unions. Now the wheel has turned full cycle and we must deal effectively with unjust practices by unions, such as secondary boycotts. The public demands this action as is shown by the fact that I have received four (usually thoughtful) letters for the Landrum-Griffin bill for every one against it.

BLACKMAIL PICKETING

The Griffin-Landrum bill insures further protection for workers and employers as well by striking a decisive blow at blackmail picketing which is aimed at forcing a firm to recognize a union as its employees' bargaining agent even if the workers have rejected the union in a democratic election.

It is blackmail picketing that has been such an effective weapon in the hands of corrupt Johnny Dio types to force workers to join unions they oppose.

Blackmail picketing works like this: A union official goes into the office of a small businessman and lays a proposed labor contract on his desk. The employees of this business may not wish to join this particular union, but if they reject it the union may nevertheless picket the plant and perhaps destroy the business and wipe out their jobs.

The Griffin-Landrum measure would prohibit picketing when, first, another union has been recognized; second, where a valid election has been held during the preceding 12 months; third, where the picketing union cannot demonstrate that it has a sufficient showing of interest among the employees to support an NLRB petition for an election; and fourth, where picketing has been engaged in for a reasonable time—not exceeding 30 days—and no petition for an election has been filed. Who can honestly argue against the justice of the prohibition of picketing in these cases? The present practices are the unjust ones.

NO MAN'S LAND

Since a leading Supreme Court case (*Gus* v. *Utah Labor Board;* 352 U.S. 817, 353 U.S. 20), which created a vast "no man's land" of labor jurisdiction originated in Utah, I am especially interested in explaining why we must restore to the States their customary jurisdiction in labor disputes having negligible effect upon interstate commerce.

The facts of this case, decided March 25, 1957, were as follows:

A Salt Lake City company was manufacturing specialized photographic equipment for the Air Force. The company purchased materials from outside Utah amounting to less than $50,000. The United Steelworkers were the bargaining agents for the employees of this company since the steelworkers had won an NLRB election. Shortly after the steelworkers were properly certified, the union filed unfair labor practice charges against the company with the NLRB. However, the NLRB dismissed the case because the company was "predominantly local."

The NLRB is running up to 18 months behind in their complaint cases, so they have regularly declined jurisdiction with small local companies.

Consequently, the union filed the same charges with the Utah Labor Relations Board pursuant to the Utah labor relations act. The State board assumed jurisdiction and found merit to the union charges of unfair labor relations. The company appealed the case to the Utah Supreme Court which affirmed the Utah Labor Relations Board.

However, the company then appealed the case to the U.S. Supreme Court here in Washington. The Supreme Court overturned previous practices and concluded that a State was prohibited from acting even though the NLRB would not act, because the Court believed that under existing law the jurisdiction of the NLRB was exclusive. Apparently the union was in the right but it had no place to go to enforce its rights because the State's law has been thrown out the window.

How would the Shelly and Elliott bills deal with this problem? They would require the NLRB to take over complete jurisdiction of all cases which in any way affect interstate commerce.

In order to help the NLRB accomplish this they would expand the Board from five to seven members and would allow them to delegate to their regional officers minor cases with the right of appeal to the parent NLRB.

I submit that this proposal would perpetuate the present injustice because the addition of two new Board members would not begin to equip the NLRB to assume jurisdiction for almost 200,000 additional business establishments. The NLRB is already 6,000 cases behind.

The respected Chairman of the NLRB, Judge Boyd Leedom, has called for a restoration of State authority in minor cases. He testified to this effect as recently as June before the Joint Subcommittee of the House Committee on Education and Labor.

After explaining that their revised standards were bringing a heavy increase in their caseload, he declared:

> But there is still a large vacuum, and we are still hoping for legislation to eliminate the no man's land. On this problem I favor a simple provision of the law which would empower the States to act where the Board declines to exercise jurisdiction. (Hearings, pt. 5, p. 2292.)

Significantly, this morning's Washington Post called for a restoration of jurisdiction to the States over minor cases even if the NLRB was expanded by two members. The Post recognized that this would still be more cases than the NLRB could handle, and the editorial concluded by saying: "Even a little no man's land is repugnant to the American sense of order and justice."

Furthermore, it is ludicrous to require a national agency to deal with cases which are local in character. Should we steal every last vestige of life from our State agencies? If so, it will mean the destruction of our constitutional organization which has been such a force for the protection of individual freedom.

It was only as recently as 1937 that the Supreme Court began to revolutionize the meaning of the commerce clause to include Federal control over the production of goods which ultimately moved in interstate commerce. However, the continued process of transferring local functions to the Federal level of government must cease.

The Griffin-Landrum bill is a step, if a very small one, in the right direction by restoring to the States jurisdiction in labor relations cases only where the NLRB declines jurisdiction. This is a modest offering to the States, but let us at least go that far.

CRIMINAL PENALTIES

The Shelley and Elliott bills fall far short of allowing adequate remedy for the use of physical violence against union members. I believe it so absolutely unconscionable to allow a goon to hit an independent-minded union member over the head with a lead pipe and not provide Federal criminal penalties. Since these goons are often sent to another State after completing a "job," the local governments are normally incapable of catching the culprit. I believe that more than 90 percent of the American citizens would favor criminal penalties for such cases.

CONCLUSION

In all honesty and fairness, the essential features of the Griffin-Landrum bill are designed to protect legitimate union people. This is an antiracketeer bill, and violators are the only people who have anything to fear.

I urge the House to consider the Griffin-Landrum measure on its merits and substitute it for the Elliott bill. If further reinforcements are necessary, they can be added by amendment. But let us at least start by considering an effective bill.

Mr. BARDEN. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. BOLLING].

Mr. BOLLING. Mr. Chairman, I am not here to make a speech on my own in reference to this piece of legislation. I am not a member of the committee. I am here more to make a report on a good friend of all of us, the gentleman who introduced the committee bill, the Honorable CARL ELLIOTT, of Alabama.

I spent a few minutes visiting with him this morning. Some of you may not be aware of the fact that he had a very serious operation on Sunday. The doctors are very pleased with his progress and I was happy to see how well he looked.

When I was talking with him he expressed his profound regret that he could not be here in support of the bill which he introduced, the committee bill.

CARL, as you know, is one of the most conscientious, hard-working, and sincere of our colleagues. Before he became so ill that he could not actually continue his work he had written a speech which was basically the rough draft of the speech he hoped to give when he opened debate on the floor of the House today. It is, as he said, a speech he had not had the opportunity

to perfect. He used a good deal of it, and those of you who read it in the RECORD will see this is so, in his appearance before the Rules Committee last week.

I would like to read the first few paragraphs, then under permission already obtained in the House, I shall insert the rest of the speech in the RECORD:

A Member said to me a day or two ago that he thought it was unfortunate that matters of labor-management relations legislation had to come up while the feeling in the country was so high and while the extremists on the other side had their propaganda guns shooting with both barrels. I agree with that, and want to assure the Members that have spoken to me about it that it is not to my liking to have stood in the crossfire of the extremists on either side of this proposition. I have tried to remain as objective as possible through this matter because I really feel that the need for remedial legislation should be answered by the Congress at this time.

The committee bill is not a perfect instrument. In addition, it has had an unfortunate baptism of fire by people who have tried to tie a revetment block around its neck and push it out into midstream. Its story has not been told. I wish I were more capable of telling it.

Mr. Chairman, that is all I propose to read at this time. Mr. ELLIOTT proceeds to go through a detailed explanation of the bill that he introduced. He would give anything that he has to be able to be here supporting it.

The balance follows:

I wish now more than ever before in my life that I was thoroughly conversant with all the labor statutes, and rules, and practices. Fortunately, we have on this committee and in the House here a fairly large number of people who understand the intricacies of labor law and who have worked with it for years. My experience with labor law primarily is confined to my service on the House Committee on Education and Labor where I have through the years, of course, had the benefit of hearing many witnesses testify about labor matters, and where I have likewise been charged with the duty of giving them more than passing attention. However that may be, I wish I were a really full-fledged expert in the field, someone who really knows the details like the gentleman from New York [Mr. TELLER]; or who has had the practical experience in labor law that the gentleman from Arizona [Mr. UDALL] has had, or who has come fresh from the practice of labor law like the gentleman from Michigan [Mr. O'HARA]. In a field so fraught with emotion that extremism nearly become the order of the day, it is difficult to keep ourselves and to keep this problem in perspective.

Many of us have been disconcerted by the findings of the select committee of the Senate. Indeed our committee bill before you recites:

"The Congress further finds, from recent investigations * * * that there have been a number of instances of breach of trust, corruption, disregard of the rights of individual employees, and other failures to observe high standards of responsibility and ethical conduct which require further and supplementary legislation that will afford necessary protection of the rights and interests of employees and the public generally."

Too, we must keep the problem in perspective. For instance, it is estimated that the 200 national unions in America today, including their local unions and branches, collect from dues, initiation fees, and special assessments, and other charges nearly $1 billion per year. The best figure I have been able to find on the misuse of union funds indicates that such misuse may total as much as $10 million in a year. Now, of course, $10 million is a lot of money in my book, but to keep our problem in perspective I think we must recognize that $10 million is only 1 percent of $1 billion.

Then we were constantly faced with the fact that we were entering a field that the Federal Government had not heretofore entered, and when such is the case it is my judgment that we should proceed with great care.

For instance, there are those, of course, who argue that union democracy may best be preserved without writing laws to guarantee it. The answer is, I think, that in our country we have not been willing to trust even governmental self-restraint when dealing with the basic liberties of the individual. We rely, instead, on written constitutions, enforced and interpreted by an independent judiciary. A private organization certainly has no greater claim to unregulated power than does a government of a State of the United States. All of us are convinced, I think, that the unregulated internal powers of unions have sometimes led to great abuses.

Labor unions hold the position they occupy today largely because of Federal law. I refer, of course, to the National Labor Relations Act and related statutes. A union which acts as the bargaining representative has power, in conjunction with the employer to fix a member's wages, hours and other conditions of employment. The member is bound by the union contract. As a matter of practice the union also controls the grievance procedure through which a member's contract rights are enforced. The government which gives unions this power has the obligation at the same time to provide safeguards against its abuse. The majority of the committee felt that the most effective safeguard would be the legal assurance that all unions would be responsive to the desires of the men and women whom they represent.

I do no mean to imply that there were no opposing considerations. I think every member of the committee felt we were entering into a field where caution and restraint and good judgment were demanded. Most of us realized that our industrial community would not gain from legislation which diminished the effectiveness of labor unions or impaired their fundamental independence of government.

So, Mr. Chairman, we wrote into this law some basic and definite rights of members of labor organizations most often referred to as a bill of rights.

RIGHTS OF MEMBERS OF LABOR ORGANIZATIONS (P. 10)

1. Every member of a union shall be accorded, subject to reasonable qualifications unformly imposed, all the rights and privileges pertaining to membership under the constitution and bylaws of the union. These rights shall include:

(a) The right to participate in determining the policies of the union;

(b) The right to attend all membership meetings of the union; and

(c) The right to vote in any election or referendum conducted by the union.

2. Every member of a union shall have:

(a) The right to meet with the other members;

(b) The right to express his views, arguments, and opinions;

(c) The right especially to express his views upon any candidate in any election conducted by such labor organizations; and

(d) The right to express his views in the union meeting upon any other business properly before the meeting.

3. A member of a union shall be secure in the knowledge that his dues and initiation fees will not be increased and no general or special assessment will be levied upon him except by majority vote by secret ballot of the members of the union in a regular meeting, after reasonable notice has been given all members of the intention to vote upon the specific question.

4. Every union member shall have the right to sue his union, or any officer thereof in any court of competent jurisdiction, Federal, or State, or to bring any proceeding before any administrative agency of the United States or any State.

5. Every union member shall have the right to appear as a witness in any judicial, administrative, or legislative proceeding against his union or any officer thereof, and shall have the right to petition any legislative body in the land, or any legislator, whether or not his supplication is in line with the policy of his union, announced, or unannounced, or any officer thereof.

(5) Any member of a unon who is fined, suspended, expelled, or otherwise disciplined by his union, or any officer thereof, shall be afforded a fair hearing on written charges, and with other procedural safeguards as provided in the constitution and bylaws of such labor organization.

6. A local union must furnish each member who requests it a copy of each collective bargaining agreement made by such local union with an employer, where the rights of such union member are directly affected by such collective bargaining agreement.

7. A national or international union must place a copy of any such collective bargaining agreement made by it and any employer or group of employers in each constituent local union which has members directly affected by such agreement, and the agreement itself shall be available for ispection by any member whose rights are affected by the agreement.

For the enforcement of this right the Secretary of Labor may sue for appropriate relief to compel compliance, and the suit may be brought in the U.S. district court where the violation occurred, or at the option of the parties in the U.S. District Court for the District of Columbia.

8. Finally, when this bill becomes law, every labor union has the legal duty and responsibility to inform its members of all the provisions of the act.

At this point, Mr. Chairman, may I call your attention to the fact that the committee was most serious in writing these provisions which I have just read into the law. They were written against a background of considerable study and deliberation. At this point we provided that "any provision of the constitution and bylaws of any union which is inconsistent with the provisions just read should be without force or effect.

So, Mr. Chairman, we did move cautiously into this new field of union democracy. While we said that every union member shall have the right to sue his union, or any officer of the union, for any legal grievance that the member might have against either, yet we said that any member of the union "shall be required to exhaust the reasonable remedies available under the constitution and bylaws" of the union (p. 12), or "* * * to diligently pursue such available remedies without obtaining a final decision within 6 calendar months after their being invoked." Then if any person feels that his rights, as I have heretofore enumerated them have been violated, he "may bring a civil action in any district court of the United States having jurisdiction * * * to prevent and restrain such violation (p. 14) * * * and the court shall have power to grant such other and further relief as may be appropriate."

Thus a suit to prevent and restrain a violation of the so-called bill of rights might terminate in an injunction, but also in an order setting aside discipline imposed by a labor organization, and restoring the plaintiff to membership if appropriate, and awarding

monetary damages if suffered. The court's jurisdiction "* * * to grant such other and further relief as may be appropriate" gives it a wide latitude to grant relief according to the necessities of the case.

That's not all, Mr. Chairman. Section 103, page 15, specifically says that nothing contained in the list of rights of union members, which I have already enumerated, shall limit or take away any of the rights or remedies which a union member already has under any State or Federal law, or before any court of the land, or under the constitution and bylaws of the labor union, itself.

Yes, Mr. Chairman, our committee entered this field with great care and deliberation. Again we provided in section 603 of the bill (p. 57) in title VI that * * * "nothing in this act shall take away any right or bar any remedy to which members of a labor organization are entitled under * * * Federal law or law of any State."

Title II of the bill requires that annual reports be filed with the Secretary of Labor by every union; by every officer of a labor union; by every employee of a labor union; and by every employer.

REPORTS BY LABOR UNIONS

Every labor union shall file a copy of its constitution and bylaws, and if it doesn't have one, the law requires that it adopt one together with a report giving:

(1) name and mailing address of the union;

(2) name and title of each of its officers;

(3) initiation fee required from a new, or transferred member, and fees for work permits;

(4) regular dues or fees required to continue as a member of said union;

(5) detailed statements showing: (a) qualifications for or restrictions on membership; (b) levying of assessments; (c) participation in insurance or other benefit plans; (d) authority for disbursement of funds; (e) audit of financial transactions; (f) how regular and special meetings are called; (g) how officers and stewards, and representatives to other bodies of labor organizations are chosen; (h) provision for removal of officers or agents for breaches of their trust; (i) how fines, suspensions, and expulsions are imposed, including grounds for such action and including "any provision made for notice, hearing, judgment on the evidence, and appeal procedures"; (j) authorization for bargaining demands; (k) how contract terms are ratified; (l) how strikes are authorized; (m) how work permits are issued.

Here it should be pointed out that this information must be reported and disclosed by every labor organization whether or not it is exempt from other reporting requirements of this title.

Every labor organization shall file annually with the Secretary a financial report containing the following information, in such detail as may be necessary accurately to disclose its financial condition and operations for the preceding fiscal year:

(1) Assets and liabilities at the beginning and end of the fiscal year;

(2) Receipts of any kind and resources thereof;

(3) Salary allowances and other disbursements, direct or indirect (including reimbursed expenses), to each officer and to each employee who during the fiscal year received a total of more than $10,000 from such labor organization, and its affiliates;

(4) Direct or indirect loans made to any officer, employee, or member of such labor organization which aggregated more than $250 during the fiscal year, together with a statement of the purpose, security, and arrangements made for repayment;

(5) Direct or indirect loans to any business enterprise together with a statement of the purpose, security, and arrangements for repayment; and

(6) Other disbursements made by it including the purposes thereof.

Every labor union required to submit the foregoing report shall make available the same information to all its members and shall be under a duty enforceable at the suit of any member of such organization in any court of competent jurisdiction, Federal or State, to permit such members to examine the books, records, and accounts necessary to verify the information contained in such report. Here Uncle Sam was perhaps reaching his hand rather heavily into the internal affairs of unions, but the committee felt that this section provided a chance for union members to do a considerable job of policing their own unions, where necessary, and the committee further provided that in the event suit was brought that the plaintiff, upon judgment awarded him, would be allowed a reasonable attorney's fee to be paid by the defendant and his costs of the suit as well.

Subsection (d) of section 201 provides that a labor organization shall be exempt from the above listed requirements with respect to requirements of financial reporting and disclosure if the union had less than 200 members, or gross receipts of less than $20,000. However, the section gives the Secretary of Labor the power to withdraw the exemption, either permanently or conditionally, if it is shown that the membership of that labor organization has been denied the substantial equivalent of the information required to be filed by all other unions.

REPORTS OF OFFICERS AND EMPLOYEES OF LABOR ORGANIZATIONS

Every officer, and every employee of a union shall file with the Secretary a signed report listing and describing for the preceding fiscal year any stock, bond, or interest held in, and what it brought him by way of monetary rate from an employer whose employees such labor union represents or is actively seeking to represent (except, of course, wages paid the employee).

Union officials must report to the Secretary of Labor any activities which might involve a conflict of interest between their obligations as representatives of unions and their engagement in transactions which might be a source of personal gain contrary to the interest of the union members whom they represent. The bill lists specific actions which might constitute conflicts of interest such as:

(1) Ownership in an employer's business;

(2) Loans from an employer whose employees the union involved represents or actively seeks to represent;

(3) The union officer's ownership in any business, a substantial part of which consists of buying from, selling or leasing to, or otherwise dealing with, the business of an employer whose employees such labor union represents or is actively seeking to represent;

(4) Any ownership in a business, any part of which consists of buying from or selling or leasing directly or indirectly to or otherwise dealing with such labor organization;

(5) Any direct or indirect business transaction or arrangement between him and any employer whose employees an organization represents or is actively seeking to represent;

(6) Any money or other thing of value which he received directly or indirectly from any employer or from a labor relations consultant to an employer.

The statute does not require a negative reporting. It only requires a formal report if the officer or employee of the labor organization is, or their spouse or minor child, has held an interest or has received income or any other benefit with monetary value or a loan or has engaged in the transactions described above.

REPORTS OF EMPLOYERS

Every employer shall file with the Secretary a report showing in detail:

(1) Any payment or loan, direct or indirect, to any labor organization or officer, agent, shop steward, or employee of a labor organization;

(2) Any payment to any of his employees for the purpose of causing them to interfere with, coerce, or restrain any employee of such employer in the exercise of rights guaranteed to such employees by the National Labor Relations Act as amended or the Railway Labor Act as amended;

(3) Any payment to a labor relations consultant for the compensation of employees for interfering with, coercing, or restraining any other employees of such employer in the exercise of rights guaranteed to such employees by the National Labor Relations Act as amended or for procuring confidential information from other employees of such employer concerning the exercise of rights guaranteed to them by the National Labor Relations Act as amended;

(4) Any payment to any person for the services of strike breakers.

Every labor relations consultant who in any year receives a payment from an employer, which the employer must report, shall, himself, file a report with the Secretary showing in detail the date and amount of each such payment so received by him and the name and address of the employer concerned and how said payment to him was expended, if spent in violation of this act.

Attorneys do not have to report information which is confidential between them and their clients in the course of a legitimate attorney-client relationship and within the scope of the legitimate practice of law.

The facts reported by labor organizations, by officers and employees of labor organizations, and by employers shall be public information and the Secretary shall make reasonable provision for the inspection and examination of such on the request of any person.

Every person required to file a report under this title shall maintain records on the matters on which he reported which will be sufficient to verify, explain, or clarify said reports. These records shall be kept for at least 5 years.

Section 208 provides that the Secretary shall have authority to prescribe the forms on which the reports are made.

CRIMINAL PROVISIONS

Section 209 provides:

(1) That any person who willfully violates this reporting title shall be fined not more than $10,000 or imprisoned not more than 1 year, or both;

(2) Any person who makes a false statement of material fact, knowing it to be false, shall be fined up to $10,000 or imprisoned up to 1 year, or both;

(3) Any person who conceals or destroys any books or records that this title requires that he keep shall be fined up to $10,000 or imprisoned up to 1 year, or both.

CIVIL ENFORCEMENT

Section 210 provides whenever it appears "that any person has violated or is about to violate any of the provisions of this title the Secretary may bring an action for such relief as may be appropriate, including injunctions, to restrain any such violation and to compel compliance with this title.

TITLE III—TRUSTEESHIPS

Every labor organization which assumes trusteeship of any subordinate labor organization shall file with the Secretary of Labor "a detailed statement of the reason or reasons for establishing * * * the trusteeship" together with a full and complete account of the financial condition of such

subordinate organization at the time trusteeship was assumed over it and any person who violates this section shall be fined not more than $10,000 or imprisoned for not more than 1 year.

Trusteeships shall be established only in accordance with the constitution and bylaws of the union assuming the trusteeship and only for the purpose of correcting:

(1) Corruption; or

(2) Financial malpractice; or

(3) Assuring the performance of collective bargaining agreements; or

(4) Restoring democratic procedures; or

(5) Otherwise carrying out the legitimate objects of labor organization.

Section 303 provides that during the period when a subordinate body of a labor organization is in trusteeship, it shall be unlawful:

(1) To count the vote of delegates of such trusteed union in any convention of the labor organization unless the delegates have been chosen by secret ballot in an election in which all the members in good standing of such subordinate body were eligible to participate; or

(2) To transfer to such organization any current receipts or other funds of the subordinate body except the normal per capita tax and assessments payable by subordinate bodies not in trusteeship.

Section 304 provides that upon the written complaint of any member or subordinate body of a labor organization alleging that such organization has violated section 302 and 303 of this title, the Secretary, if he believes that such violation has occurred shall bring a civil action in any U.S. district court having jurisdiction of the labor organization to prevent and restrain such violation and for such other relief as may be appropriate. In addition, any member or subordinate body of a labor organization affected may bring a civil action in any district court of the United States having jurisdiction of the labor organization to prevent and restrain any violation of section 302 and 303 of this title.

A trusteeship established in conformity of the procedural requirements of the union's constitution and bylaws and authorized after a fair hearing shall be presumed valid for a period of 18 months. After the expiration of 18 months the trusteeship shall be presumed invalid unless the labor organization shall show by clear and convicing proof that the continuation of the trusteeship is necessary for the purpose allowable under section 302.

TITLE IV—ELECTIONS

1. Every national (most often called international) union shall elect its officers at least once every 5 years by secret ballot of the members, or at a convention of delegates chosen by secret ballot (sec. 401(a)).

2. Every local union shall elect its officers at least once every 3 years by secret ballot of the members (sec. 401(b)).

3. Every candidate for a union office shall have the right to inspect, and copy, a list containing the names and last known addresses of all members of the labor organization who are subject to a collective bargaining agreement requiring membership therein as a condition of employment. Such lists shall be maintained and kept at the principal office of such labor organization by a designated official of the union (sec. 401 (b)).

4. The local union shall provide "adequate safeguards to insure a fair election" (sec. 401(b)).

5. Each candidate for a local union office shall have the right "to have an observer at the polls and at the counting of the ballots" (sec. 401(b)).

6. In every election, "a reasonable opportunity shall be given for the nomination of candidates," and every member of the union shall be eligible to be a candidate, and to hold office in the union if elected (sec. 401 (d)). (See sec. 504.)

7. "Every member of the union shall have the right to vote for or otherwise support the candidate or candidates of his choice, without being subject to penalty, discipline, or improper interference or reprisal of any kind" (sec. 401(d)).

8. Notice of the time and manner of making nominations and of the place and date of election shall be given to all members of the union who are eligible to vote (sec. 401 (d)).

9. Each member of the union in good standing shall be entitled to vote (sec. 401 (d)).

10. The votes cast by members of each local union shall be counted and the results published. The members designated by the constitution and bylaws of the union to hold the election, or the secretary of the union, shall preserve for 1 year the ballots or other records pertaining to the election. The election shall be conducted in accordance with the constitution and bylaws of such organization insofar as they are not inconsistent with the provisions of this title. If they are inconsistent then this title controls. The same is true with respect to the procedure for choosing officers by a convention of delegates of the national union (sec. 401(d)).

11. When officers of a union are chosen by a convention of delegates (elected by secret ballot) the convention shall be conducted in accordance with the constitution and bylaws of the union insofar as they are not inconsistent with the provisions of this title (sec. 401(e)).

12. A union shall not dip into the till of the dues, and assessments of its members to promote the candidacy of any person for union office. However, the labor organization may use its funds to send out notices and to pay other necessary expenses for the holding of the election (sec. 401(f)).

13. The constitution and bylaws of a union should provide an adequate procedure for the removal of an elected officer guilty of serious misconduct, but if it does not, upon petition of a member of the union a district court of the United States may audit an election conducted by the officers of such union among the members, voting in secret ballot for the purpose of determining whether such officer shall be removed from office. In such case the court may allow a reasonable attorney's fee to be paid by the defendant union to the petitioner's attorney (sec. 401(g)).

A member of a labor union who is aggrieved by any violation of section 401 dealing with the terms of office of union officials and the election procedures within the union and who has exhausted the remedies available under the constitution and bylaws of such organization; or who has diligently pursued such available remedies without receiving a final decision within 6 calendar months after their being invoked may bring a civil action against such labor organization in a U.S. district court "to prevent and restrain such violation and for such other relief as may be appropriate, including the holding of a new election under the supervision of the Secretary and in accordance with the provisions of this title." The court in such action may in its discretion allow a reasonable attorney's fee to be paid by the defendant and cost of the suit. The court may order the holding of a new election under supervision of the Secretary of Labor.

TITLE V—SAFEGUARDS FOR LABOR ORGANIZATION

Fiduciary responsibility of officers of labor organizations

Our Committee on Education and Labor made, I think, a major contribution by adding the language now found in section 501(a) which language was not in the Senate bill. We wrote a comprehensive statement of the fiduciary duties of union officers. The assets of a labor union belong to the members. Union office is a position of trust to be used for the benefit of the members. In collective bargaining, and in conducting other business, union officers must put their fiduciary obligations ahead of their personal interest.

The failure to recognize this familiar principle lies at the bottom of most of the wrongdoing uncovered by the Senate select committee. A man cannot faithfully serve two masters. Therefore, the principle of fiduciary responsibility is violated whenever a union officer acquires an interest in a business concern with which he engages in collective bargaining as the employees' representative. The principle has been violated when a relatively few union officers have placed their union's insurance policies with agencies which paid them money as individuals in return for the favor.

Yes, Mr. Chairman, the House Labor Committee wrote into the Senate bill a simple, direct statement condemning all such transactions.

Section 501(a) enacts that "union officers occupy positions of trust in relation to such organization and its members as a group." It goes on to declare the duty of each officer "* * * to hold its money and property solely for the benefit of the organization and its members and to manage, invest, and expend the same in accordance with its constitution and bylaws * * * to refrain from dealing with such organization as an adverse party, or in behalf of an adverse party, in any matter connected with his duties, and from holding or acquiring any pecuniary or personal interest which conflicts with the interests of such organization, and to account to the organization for any profit received by him in whatever capacity in connection with transactions conducted by him or under his direction on behalf of the organization."

Then, we provided that a general exculpatory provision in the constitution and bylaws of such a labor organization, or even a general exculpatory resolution of a governing body purported to relieve any such persons of their liability for breach of the fiduciary duties declared by this section shall be void as against public policy.

The committee is rather proud of this section and feels that writing it into Federal labor legislation will serve to bring it home, both to the union officers who must conform to the principles and to the union members who will benefit from its firm application.

The committee bill also provides an effective remedy by which individual union members may recover any money or property which a union officer has misappropriated or any secret profits which he has acquired through any abuse of his fiduciary position.

Section 501(b) provides that if the union fails to bring suit upon the request of the member, the member may apply to any State or Federal court for leave to bring an action on behalf of the organization similar to a minority stockholder's suit against a corporation. Furthermore, since the lack of funds is often a deterrent to individual members who might otherwise sue a labor union, the bill provides for allocation of an appropriate part of the recovery for counsel fees and for expenses.

Then, we wrote into this section as new law the following:

"(c) Any person who embezzles, steals, or unlawfully and wilfully * * * converts to his own use, or the use of another, any of the moneys, funds, securities, property, or other assets of a labor organization of which he is an officer, or by which he is employed, directly or indirectly, shall be fined not more

than $10,000 or imprisoned for not more than 5 years, or both."

Section 502(a) provides that every officer or agent of a labor organization whose property and annual financial receipts exceed $5,000 in value shall be bonded for the faithful discharge of his duties with a corporate surety company as surety on his bond.

Section 503(a) provides that no labor organization shall make directly or indirectly any loan to any officer or employee of such union which results in a total indebtedness to the labor organization in excess of $2,500.

Section 503(b) provides that no labor organization or employer shall pay the fine of any officer or employee convicted of any willful violation of this act.

Section 504(a) provides that no person who is or has been a member of the Communist Party, or has been convicted of or served any part of a prison term resulting from his conviction of robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury, or who has been convicted of violating the reporting provisions of title II of this act, or the trusteeship provisions of title III of this act, or conspires to commit any such crimes, shall serve as a union officer, business agent, organizer, or in any similar job, or as a labor relations consultant to an industry or to any group or association of employers, dealing with labor organizations. "During or for 5 years after the termination of his membership in the Communist Party or for 5 years after such conviction, or after the end of such imprisonment unless prior to the end of such 5-year period the convicted person's citizenship rights have been fully restored or the Board of Parole of the U.S. Department of Justice determines that such person's service in such capacity as an officer, etc., of a union or as a labor relations consultant, etc., would not be contrary to the purposes of this act."

Section 505 amends section 302 of the Labor-Management Relations Act of 1947, so as to add a labor relations expert or consultant to an employer as parties who are proscribed from paying or lending anything of value to any union representative of any of his employees.

This section, 505, adds to the existing proscription of section 302(a) the prohibition that the employer or his labor relations expert or consultant not pay or lend, or agree to pay or lend anything of value "to any labor organization or any officer or employee thereof" which represents, seeks to represent, or would admit to membership any of employees of such employer; or "* * * to any employee of such employer * * * in excess of their normal compensation, for the purpose of causing such employee to influence any other employees in the exercise of the right to organize and bargain collectively through representatives of their own choosing" or "* * * to any officer or employee of a labor organization * * * with intent to influence him in respect to any of his actions * * * as a representative of employees, or as such officer or employee of such labor organization."

Section 505(b)(2) declares it to be unlawful for any labor organization, or any person acting for it "* * * to demand or accept from the operator of any motor vehicle as defined in part II of the Interstate Commerce Act (employed in the transportation of property in commerce, or the employer of any such operator) any money or other thing of value * * * as a fee or charge for the unloading or in connection with unloading of the cargo of such vehicle."

TITLE VI—MISCELLANEOUS PROVISIONS

Title VI is entitled "Miscellaneous provisions" of the act, but it contains some of the most important provisions to be found in the act.

First, with respect to the power of the Secretary of Labor to make investigations, section 601(a) gives the Secretary power, and directs that he shall make an investigation "when he has probable cause to believe that any person has violated any of the provisions of this act" (other than the provisions of title I which has to do with the rights of members of labor organizations). In other words, if the Secretary believes that any person has violated the requirements that reports be filed under title II, either by labor organizations or by officers or employees of labor organizations or by employers, or if he believes "Title III—Trusteeships," or that "Title IV—Elections," or that "Title V—Safeguards for Labor Organizations" has been violated then he shall make the investigation "and in connection therewith he may inspect such records and accounts as may be necessary to enable him to determine the facts relative" to a violation.

EXTORTIONATE PICKETING

Section 602(a) provides that "it shall be unlawful to carry on picketing on or about the premises of any employer for the extortionate purpose of, or as a part of an extortionate plan or conspiracy for * * * taking or obtaining any money or other thing of value from any employer."

Section 602(b) provides a very stiff penalty for those who violate this section, saying that they "shall be fined not more than $10,000 or imprisoned not more than 20 years, or both."

RETENTION OF RIGHTS UNDER OTHER FEDERAL AND STATE LAWS

Section 603(a) says "* * * nothing in this act shall reduce or limit the responsibilities of any labor organizations (or any officer, etc., thereof) or any trust in which a labor organization is interested, under any other Federal law, or under the laws of any State, and except as explicitly provided to the contrary, nothing in this act shall take away any right or bar any remedy to which members of a labor organization are entitled under such other Federal law or law of any State."

Section 604 provides that "nothing in this act shall be construed to impair or diminish the authority of any State to enact and enforce general criminal laws with respect to robbery, bribery extortion, embezzlement, grand larcency, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, or assault with intent to inflict grievous bodily injury or conspiracy to commit any of such crimes."

These are the crimes listed in section 504(a) of the act, a conviction of which debars a person from holding union office for a period of 5 years.

Section 608 provides that punishments for criminal contempt committed outside the presence of the court "in connection with any civil action prosecuted by the Secretary or any other person in any district court of the United States under the provisions of this act" shall not be levied and imposed unless and until "the facts constituting such criminal contempt are established by the verdict of the jury in a proceeding in the district court of the United States." Such jury to "be chosen and impaneled in the manner prescribed by the law governing trial juries in criminal prosecutions in the District courts of the United States."

TITLE VII: AMENDMENTS TO THE LABOR-MANAGEMENT RELATIONS ACT, 1947, AS AMENDED

Section 701 of title VII deals with the National Labor Relations Board and requires: "(c) The Board shall exert jurisdiction over all labor disputes arising under this act."

Section 701(c) provides "the National Labor Relations Board * * * is hereby continued as an agency of the United States, except that the Board shall consist of seven instead of five members, appointed by the President."

Section 701(d) provides that "the Board is authorized to delegate to any group of three or more members any or all of the powers which it may itself exercise. The Board is also authorized to delegate to its regional directors its powers under section 9 to determine the unit appropriate for the purpose of collective bargaining, to investigate and provide for hearings, and determine whether a question of representation exists, and to direct an election or take a secret ballot under subsection (c) or (e) and certify the results thereof, except that upon the filing of a request therefor with the Board by any interested person, the Board may review any action of a regional director delegated to him under this paragraph, but such a review shall not, unless specifically ordered by the Board, operate as a stay of any action taken by the regional director.

These improvements, I believe, came primarily from the second Kearns bill. As is always true in this field, these are matters of some considerable controversy, and it is hard to say just what is right and what is wrong about them. This amendment, which I think was an improvement of the bill represents the best thinking of the committee at the time.

This section 701(a) requires the National Labor Relations Board to exercise jurisdiction over all unfair labor practices and questions of representation affecting interstate commerce.

ARGUMENTS IN FAVOR

1. The committee bill attempts to correct a disgraceful condition. In the National Labor Relations Act, Congress asserted Federal jurisdiction over all unfair labor practices, and questions of representation affecting interstate commerce. This enactment excludes State courts and State administrative agencies, and the Supreme Court of the United States has so decided in at least two cases. At present the National Labor Relations Board refuses to hear some cases falling within its jurisdiction with the results that the problems are not resolved by any tribunal. The bill corrects this injustice by requiring the Board to hear and decide these cases.

2. In this case, it is not a good solution to give the States jurisdiction over the cases which the National Labor Relations Board declines to hear. Only a dozen States have labor relations boards. Therefore, there is no agency for dealing with unfair labor practices, or for conducting elections in which employees can decide whether to be represented by a bargaining agent. Unless these problems are handled by the National Labor Relations Board, they will go unresolved and will result in the very conditions which the National Labor Relations Board was intended to correct.

3. Ceding jurisdiction to the States under these circumstances would subvert the National Labor Relations policy. Where there is no State labor relations law—and this is true in about 35 States—ceding jurisdiction would simply open the door to the State court injunctions which would be issued, I believe, in at least some instances, under the old common law doctrine that any combination of workers is an unlawful conspiracy. It might also permit the application of union-busting laws, such as the municipal ordinances which sometime level a tax on license of $2,000 on every union organizer, with an additional tax of from $100 to $500 for every employee who signs up as a member of the union. In reality, the plea of ceding jurisdiction to the States is a backhanded way of trying to restore antilabor injunctions and should be rejected.

4. Although the argument in this case is over comparatively small businesses, cumulatively the cases would affect the national economy. Their effect is not small when all the cases are added together.

5. Remember that under the present law the National Labor Relations Board has discretion to determine how much of its jurisdiction it will exercise. Today, there are comparatively few cases that the NLRB refuses to hear, but if we authorize the States to handle all cases which the NLRB declines to hear, there is nothing to prevent the NLRB from defining its jurisdiction still more narrowly so as to turn more cases over to the States. The National Labor Relations Board tried to do this in 1954. No mere administrative agency should be given power to deny thousands of employers and hundreds of thousands of employees protection against unfair labor practices, or to cut them off from machinery for resolving questions of representation by elections.

6. There is little basis for the argument that the NLRB cannot handle all these cases. Recent studies point to numerous ways of speeding up the Board's work. The exercise of its full jurisdiction would not add an appreciable number of cases to the workload.

Section 702 (a) of title VII provides that section 8 of the National Labor Relations Act (the one that describes and lists "unfair labor practices") is amended by adding at the end thereof the following new subsection:

"(e) It shall not be an unfair labor practice [for either the employer or the union] for an employer engaged primarily in the building and construction industry to make an agreement covering employees engaged (or who upon their employment will be engaged) in the building and construction industry with a labor organization of which building and construction employees are members * * * because (1) the majority status of such labor organization has not been established under the provisions of section 9 (determining collective bargaining representatives by elections) of this act prior to the making of such agreement, or (2) such agreement requires as a condition of employment membership in such labor organization after the seventh day following the beginning of such employment or the effective date of the agreement whichever is later. (3) Such agreement requires the employer to notify such labor organization of opportunities for employment with such employer, or gives such labor organization an opportunity to refer 'qualified applicants for such employment', or (4) such agreement specifies minimum training or experience qualifications for employment, or provides for priority in opportunities for employment based upon length of service with such employer in the industry or in the particular geographic area: *Provided,* [That no employer shall discriminate against an employee for nonmembership in the union involved, if he has reasonable grounds for believing that membership in said union was not available to the employee on the same terms and conditions generally applicable to other members].

"[The above provisions of section (a) shall not be construed as authorizing the execution of an agreement requiring membership in a labor organization as a condition of employment in any State that has a right-to-work law.]"

The above provision was in the Kennedy bill, S. 1555, as passed by the Senate.

The Landrum-Griffin bill would amend section 9(c)(1)(B) by adding the word "or" after the semicolon at the end of clause (B) and adding the following new clause, so as now to make it read as follows:

"Whenever a petition shall have been filed, in accordance with such regulations as may be prescribed by the National Labor Relations Board (C) by an employer primarily engaged in the building and construction industry and a labor organization acting in behalf of employees engaged (or who upon their employment will be engaged) in the building and construction industry, asserting that such employer recognizes such labor organization as the representative defined in section 9(a) (which says a union selected by a majority of the employees in a unit shall be the exclusive representative of the employees in such unit for the purpose of collective bargaining with respect to pay, wages, hours of employment, or other conditions of employment), and has entered into a collective bargaining agreement with such labor organization."

The Landrum-Griffin amendment further would amend section 9(c)(1) by adding thereafter:

"*Provided,* That the Board may, without prior thereto having conducted an election by secret ballot, certify a labor organization referred to in clause (C) (quoted above in parentheses) as the exclusive representative of all the employees of an employer referred to in said clause (C) in such unit as the Board may find is normally represented by the labor organization in the building and construction industry for the purpose of collective bargaining with respect to pay, wages, hours of employment, and other conditions of employment: *Provided further,* That the preceding proviso shall not apply where there is no history of a collective bargaining relationship between the petition employer and the labor organization prior to the current agreement, or an employee or group of employees, or any individual or labor organization acting in their behalf alleges, and the Board finds, that a substantial number of employees presently employed by the employer in the bargaining unit assert that the labor organization is not a representative as defined in section 9(a)."

The quoted section from the Landrum-Griffin bill is intended as a substitute for the entire section 702 of the committee bill. In explanation Mr. Landrum says: "It would permit the National Labor Relations Board to certify a union as the representative of employees in the construction industry without first conducting an election—if the union and the employer petition, such certification, and if there is a history of collective bargaining between the union and the employer. A substantial number of affected employees may challenge the majority status of the union and cause an election to be conducted."

Then, LANDRUM'S explanation says that subsection B of section 702 adopts verbatim the language of the corresponding subsection in the Senate and committee bills.

Section 702(c) appears to be controversial. It would amend section 8(b)(4)(A) of the NLRA to read as follows:

"It shall be an unfair labor practice for a labor organization '(4) to engage in, or to induce, or encourage the employees of any employer to engage in, a strike or concerted refusal in the course of their employment to use, manufacture, process, transport, and otherwise handle, or work on any goods, articles, materials, or commodities, or to perform any services whereof is (A) forcing or requiring any employer or self-employed person to join any labor or employer organization, or any employer or other person (herein called secondary employer) to cease using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease doing business with any other person (herein called primary employer) unless such second employer is engaged as a joint venturer, prime contractor, subcontractor, or cocontractor, together with the primary employer involved in a labor dispute in a construction project or similar undertaking at the site of such concerted activity.'"

Section 8(b)(4)(B) is also amended to read:

"It shall be an unfair labor practice for a labor organization to engage in or to induce, or encourage the employees of any employer to engage in a strike or a concerted refusal in the course of their employment, to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities, or to perform any services where an object thereof is.

"(B) Forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees, unless such employers are engaged together as joint venturers, prime contractor, and subcontractor, or cocontractor in a construction project or similar undertaking at the site of such concerted activity, or unless such labor organization has been certified as the representative of such employees under the provisions of section 9."

Section 702(d) was added to the committee bill in the House and it amends paragraphs (1) and (2) of section 303(a) of the Labor Relations Management Act of 1947, known as the boycotts and other unlawful combinations section, by making them, as I see it, conform to section 702(c).

Section 702(c) would amend the National Labor Relations Act in such a way as to permit a building trades union to picket a construction project on which a contractor is working with whom the union has a labor dispute, even though employees of other contractors working upon the same job refuse to cross the picket line. All other secondary boycotts in the construction industry, such as the refusal to work on nonunion goods would be unlawful. The committee felt that this change in the law was justified.

The justification for this change is as follows:

The Taft-Hartley Act did not expressly forbid the picketing of construction jobs under these circumstances. Section 8(b)(4)(A) forbids a union "to induce or encourage the employees of any employer to engage in a strike * * * where an object thereof is * * * forcing or requiring any employer * * * to cease doing business with any other person." In the construction industry there are numerous contractors on a single jobsite doing different kinds of work, plumbing, masonry, painting, electrical work, and so forth. If the International Brotherhood of Electrical Workers pickets a construction job and other workers on the jobsite respect the picket lines, the union will inevitably induce the carpenters, bricklayers, and other trades to strike with the consequence of preventing the contractors who employ them from doing business with the electrical contractor. Thus, the literal words of section 8(b)(4)(A) are violated by a picket line at a construction job which calls the job "unfair."

There are two reasons for making a change.

First, the amendment is necessary to extend to unions in the construction industry the rule which presently applies to employees in all other industries. Employees of a mine, or a mill factory may peacefully picket their place of employment in seeking higher wages, shorter hours, better conditions of employment, or other lawful objectives. They may ask other employees not to cross the picket line.

Construction workers are denied this basic freedom to picket the scene of a labor dispute, as explained above, because of the peculiar structure of the construction industry.

Second, none of the grounds for outlawing secondary boycotts apply to picketing of a construction site where the employer engaged in the primary labor dispute is actually working.

(a) When the picketing is confined to the construction site where the primary employer is working, there is no danger of the dispute's spreading through the community in the manner of true secondary boycotts.

(b) Where all the men are employed on the same project, the division into different trades or crafts, each with its own employer, must not be allowed to obscure this common interest—they work side by side and the wages and working conditions of one trade affect all the others. This situation is utterly unlike the situation in true secondary boycotts, as where carpenters in Los Angeles refuse to work on nonunion doors made in Minnesota by men whose wages could not affect the wages of carpenters in Los Angeles. The illegality of such a boycott would not be affected by this amendment.

The rule against picketing a construction project on a building site where there is a labor dispute has been criticized almost from the time the Taft-Hartley law was passed. In 1954, President Eisenhower recommended that it be changed to substantially embrace the amendment contained in the committee bill. Again amendments were recommended by the administration in 1958 and again this year.

Section 704 seeks to amend section 9(c)(4) of the National Labor Relations Act. Present law appears to allow the parties in a representation matter before the National Labor Relations Board to waive hearings by stipulation so that a consent election can be had forthwith.

The amendment says that the Board "through its designated representative (if there is reasonable cause to believe that a question of representation affecting commerce exists) may call an informal conference of the parties. * * * If at such conference no agreement is reached for a consent election, and if the appropriate bargaining unit is not in dispute, and there are no substantial issues of fact or law it should be resolved by a preelection hearing, the Board * * * may conduct an election * * * but not before the expiration of 30 days following * * * the filing of the petition."

Apparently, section 9(c)(4) as it now stands does not prohibit the parties from agreeing to "a consent election" to determine the question of representation involved. The amendment apparently would allow the Board to go ahead and hold an election even though the parties do not consent thereto, without a hearing. Apparently, under existing law the hearing is necessary when a petition is filed except that the parties might waive the hearing by stipulation for the purpose of a consent election to be held by the Board. This amendment gives the Board the power to call an informal conference of the parties and even though no agreement is reached for a consent election at the conference, the Board may proceed to conduct an election, after the expiration of 30 days, without a hearing.

Section 705(a)(1) would amend section 8(a) of the National Labor Relations Act by adding a new category of unfair labor practices by the employer, so that the new law would read:

"Section 8(a) It shall be an unfair labor practice for an employer—

"(6) who is a common carrier * * * to enter into any contract or agreement, expressed or implied, with a labor organization whereby such employer ceases or refrains or agrees to cease or refrain from handling, using, or transporting any of the products of any other employer, or to cease doing business with the same."

Then, section 705(a)(2) follows by making it an unfair labor practice for a union—

"(7) To enter into any contract or agreement, expressed or implied with any employer who is a common carrier, whereby such employer ceases or refrains or agrees to cease or refrain from handling, using, or transporting any of the products, or to cease doing business with same: *Provided*, That nothing in this paragraph shall be construed (a) to require any employee to enter upon the premises of an employer (other than his own employer) where such employer is engaged in a primary labor dispute, or (b) to invalidate a collective bargaining agreement which provides that such refusal shall not be cause for the discharge of such employee."

These are the famous hot-cargo clauses. A hot-cargo clause in a collective-bargaining agreement normally provides that employees will not be required to handle material from, or designated to plants where a union is conducting a strike. The state of the law with respect to these hot-cargo clauses in contracts is a bit indefinite. In 1949 the Board held that the hot-cargo clause does not constitute a variation of the ban against secondary boycotts contained in section 8(b)(4)(a) and that consequently action which would otherwise be in violation of this section is made legal by placing the hot-cargo clause in a contract. Later, in 1957, the National Labor Relations Board declared that hot-cargo clauses cannot be used by a union as a defense which would otherwise be a violation of 8(b)(4)(a). Later, the Supreme Court held that the Taft-Hartley Act does not prevent an employer and a union from entering into a hot-cargo agreement. The Court held that the union may not persuade employees to abide by the agreement, though the employer may choose voluntarily to instruct its employees not to handle struck goods.

Section 705(a) of H.R. 8342 bans hot-cargo agreements between a common carrier and a union. The House bill provision goes further and adds that the hot-cargo provision does not deny an employee the right to refuse to cross the picket line where an employer is engaged in a primary labor dispute. That provision was already contained in the Taft-Hartley Act.

Section 705(a)(2) makes it an unfair labor practice for a labor organization:

"(8) To picket * * * any employer with the object of forcing * * * said employer to recognize or bargain with a labor union as the representative of his employees, or forcing * * * the employees of said employer to accept * * * such labor organization as their collective bargaining representative—

"(A) Where the employer has recognized another labor organization, and a question concerning its representation of the employees may not appropriately be raised under section 9(c) of the National Labor Relations Act, or;

"(B) Where within the preceding 9 months a valid election under 9(c) of the National Labor Relations Act has been conducted unless such labor organization has been certified as the representative of employees of such employer pursuant to such election or unless such labor organization has been designated or selected as a representative for the purpose of collective bargaining by the majority of the employees in a unit appropriate for such purposes."

Mr. KEARNS. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. LAFORE].

Mr. LAFORE. Mr. Chairman, I rise in strong support of the Landrum-Griffin bill, believing that in the field of labor reform legislation it best represents a means to eradicate those practices uncovered during the investigations of the past 2½ years, particularly in its effective banning of those two vicious tools of the corrupt labor leader—the secondary boycott and the organizational picket line.

Our concern is not whether necessary legislation is prounion, antiunion, probusiness or antibusiness.

We legislate in this area because of authority granted to the Congress in our Federal Constitution "to regulate commerce." The beneficiary in that regard is basically the American public—consumers of the products of the efforts of both labor and management.

It does no good to deal with the problems by the use of labels. Although I am too young to remember it, I dare say that the business community felt that any effort to regulate its monopolistic practices in 1890 was "antibusiness." Yet, the Congress at that time enacted the Sherman Act and later in 1914 approved the Clayton Act.

Our history is full of situations wherein the Congress was called upon to enact legislation to meet a then existing problem. The test of such legislation has always been whether or not it provides an adequate solution for the problem at hand. That is our responsibility.

Mr. Chairman, this is the struggle that dates back to the forest primeval—the struggle between moral and righteous men and those who are corrupt and corruptible. Without adequate laws to protect them, the righteous men will disappear.

What is the basic problem? What is it that attracts gangsters and racketeers to unions? Why is it that autocratic men thrive in segments of our labor union movement? Let us be reasonable. When a man sees the rewards available to him through the medium of the unregulated labor field, and particularly through the use of such tools as blackmail picketing and the vicious secondary boycott, he cannot resist the temptation.

Consider these situations: Back in March I stated to this body that there was a meatpacking company in Pittsburgh that was the victim of a secondary boycott, and that it would not be able to withstand this pressure beyond March 30 unless legislation prohibited the practices used against it. Mr. Chairman, the Fried & Reineman Packing Co., that employed 400 persons on November 3 last year, is now out of business, thanks to local 249 of the Teamsters Union.

Less than 3 weeks ago, July 23, Horace F. Green was here in Washington and visited with a number of us. Those of you who saw him will recall that the entire upper left side of his body, including his face, was terribly seared by raw sulfuric acid. And he was but the latest victim of the tactics of hoodlums in the Tampa area of Florida. Yet, in a way, even more vicious than this attack has been the secondary boycott activity of the Teamsters against a nonunion trucking company. Agents of the Teamsters followed the trucks of the Redwing Carriers, Inc., to the premises of one of its customers. The particular customer that I refer to in this instance was the U.S. Air Force Petroleum Storage Depot at MacDill Air Force Base. MacDill is one of the largest strategic airbases in the country. The presence of the Teamsters pickets stopped the flow of supplies, material, food, and so forth, from moving into the base, and it also stopped construction work then being done on a hospital at the base.

Mr. Chairman, these examples demonstrate the basic problems in our labor-management scene today. The weapons of the racketeers, of the autocrats, are

the secondary boycott and the blackmail picket line.

Several months ago, in Chicago, a local Teamsters Union in that city sent a letter to all trucking companies in Chicago. That letter stated that the Teamsters were going to organize the office workers of those trucking companies. The method—the method to be employed was the organizational picket line. Inside of 3 weeks the office workers of 400 truckers were forced to join the Teamsters Union by their employers—the truckers—because the very existence of their jobs depended upon the continued operation of their employers' businesses. Believe me, when I say the very existence of these businesses was put in jeopardy. The appearance of a single picket in front of any one of these trucking companies would have cut off completely the movement of trucks in and out of that company's premises.

An identical letter to the one I referred to has now been sent to all truckers in the Wichita, Kans., area. This is the blackmail picketing to which we refer when we discuss needed labor reform. This is the blackjack placed in the hands of the corrupt.

These problems will not be solved by simply making these union men file financial reports with the Secretary of Labor. These practices will only be eliminated when we decide that corrupt labor leaders cannot be trusted with such unparalleled power. I believe the provisions of the Landrum-Griffin bill will go a long way toward eliminating these practices, and I urge its adoption.

Mr. KEARNS. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. SCHERER].

Mr. SCHERER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHERER. Mr. Chairman, basic attitudes toward the labor union movement will determine the type of legislation needed to cope with the corruption and abuse of power which everyone now must admit exists.

People are divided into three groups. The first of these is composed of those who are so closely tied to the labor bosses that they will follow their mandate for no legislation or for a window-dressing bill which will have so little effect on curing the evils that to pass it will be a fraud on the employers, the man in the shop, and the general public.

The second group is comprised of those who want to take advantage of the public revulsion against the corruption and abuse of power of certain labor bosses to mortally wound or destroy the labor movement as such.

The third group is comprised of those reasonable and well-meaning substantial citizens of this country who are determined to put an end to the unbridled and cynical abuse of economic and political power and at the same time preserve an effective union movement. I think my public record, both at the local and national level, places me in this latter group.

Mr. Chairman, I am not going to discuss the numerous provisions of the various bills that are before the House today. That has been and will be done over and over again by members of the Committee on Education and Labor who have lived with this problem for many months and who can be considered experts on the ramifications and legal effect of the innumerable provisions of the various bills.

I want to discuss briefly the general problem and some basic philosophy which should act as a guide or barometer to our final action on the legislation before us. I commence this discussion on the assumption that our basic and primary objective is to rid certain labor unions of corruption and abuse of economic and political power without hurting a legitimately and properly run labor union.

The AFL–CIO thought it could get rid of corruption by expulsion of the corrupt and Communist-dominated unions. As I have said on a number of occasions, the AFL–CIO is to be commended for its efforts. I think we can agree that expulsion has not been the answer. As an example, since its expulsion the Teamsters, the largest union in the world, has been more corrupt and certainly more powerful and arrogant. Hoffa has taunted and thumbed his nose not only at his own monitors but also at the AFL–CIO leadership.

As we all know, the CIO expelled a number of unions because of Communist domination. The Committee on Un-American Activities finds beyond the peradventure of a doubt that the Communist domination and control of these unions have been intensified rather than lessened since expulsion. In spite of expulsion, in spite of the best efforts of some union leaders to clean house, little or nothing has been accomplished with the corrupt and Communist-dominated unions.

Law-enforcement agencies for one reason or another have failed miserably to stop some of the most flagrant abuses. Two years of hearings and revelations by the McClellan committee and the sickening, sordid mess still remains. What is the answer? None that I can think of except sound, effective legislation.

Unless such legislation is enacted so that we will be able to get, as the union leaders say, the crooks out of the unions, the revulsion on the part of the public eventually will be such that we will really get penalizing and antiunion legislation that will seriously hurt the union movement. I do not want this to happen.

I know that most labor leaders will jump up and down when I say that we need some form of antitrust and antimonopoly legislation applied to labor unions. However, much of the legislation before us would not be necessary if we made unions which are now big business amenable to reasonable antitrust legislation.

How, except through some form of antitrust and antimonopoly legislation, can you deal with the coming Hoffa-Bridges alliance? A short time ago Harry Bridges, head of the Longshoremen's Union, which was expelled by the CIO because of its Communist domination, testified before the Committee on Un-American Activities. I know his testimony would have turned your stomach, as it did mine.

Bridges had just returned from a trip around the world, during which he negotiated with the top Communist labor leaders in the transportation field. Agreements were reached so that, when the time comes, Bridges and his Kremlin-directed colleagues can set up worldwide economic boycotts and strikes. Bridges, who in his testimony, called Chiang Kai-shek a bum, frankly stated that he would tie up shipping on the west coast even though there was no labor-management dispute, if it involved sending war material to be used against Red China. He went so far as to say that he would do this even though the President of the United States had decided that the safety and security of this Nation required such shipments.

It has been established that Bridges is now in the process of working out an alliance with Hoffa's Teamsters. Everyone knows that Hoffa, in his Texas speech, whistled the same tune as Bridges when he threatened a nationwide strike.

To date these two men have successfully defied the AFL–CIO and the Government of the United States on more than one occasion. They hold both in contempt. I ask: How, except through antitrust and antimonopoly legislation, can we head off the Bridgeses and the Hoffas and a number of lesser Caesars like them from eventually strangling both the economic and the political structure of this country?

Yet today the good union leadership in the United States opposes adequate and effective legislation which is the only tool left that can be used to correct the evils and abuses of which all of us are aware. Why? Simply because responsible union leadership is afraid that such legislation will in some way hamper or interfere with the operation of the legitimately and properly run unions. It is a fear similar to that expressed a little over a decade ago when Taft-Hartley was dubbed a "slave labor law." However, since Taft-Hartley, unions have grown in numbers and influence and power as never before.

This reaction by labor leaders is not without parallel and precedent in the management field. Big business at the turn of the century faced a somewhat analogous situation and felt and reacted the same way as big labor is doing today. We know that certain corporations became too strong and corrupt. There was too much concentration of wealth and economic and political power in the hands of certain industrialists who abused their position and power. We are all aware of the exploitation at that time of the man in the shop and the resulting harm to our economy and political integrity.

Mr. Chairman, not all business and industry in those days abused its power or was corrupt, no more than today are all labor unions corrupt. In fact, then

as now, the wrongdoers were by comparison only a few. Yet it became imperative for President Theodore Roosevelt to urge the passage and enforcement of the necessary antitrust and antimonopoly legislation.

This was the big stick which he needed to clobber into line those who became drunk with power. Roosevelt's position was sound. He said:

> These jacks in Wall Street I suppose never will understand that I am not against wealth because I make wealth obey the law * * * but they have had to take their medicine and any labor man who goes wrong will have to take his medicine too. * * * We can no more afford to tolerate tyranny from the labor unions than we can from a trust.

During and after T. R.'s day there was enacted a long series of laws to regulate corporations and big businesses in order to prevent the abuses that had arisen. In addition to the antitrust and other laws, numerous Federal and State regulatory agencies and commissions have been set up to prevent and eliminate abuses. I need only enumerate a few, namely, the Federal Trade Commission, Securities and Exchange Commission, the Federal Power Commission, and the Interstate Commerce Commission.

I need not point out that many segments of business and industry opposed the enactment of most of this legislation. They used arguments similar to those that union leadership is now using, namely, that the legislation was too restrictive; that it was going to interfere with, hamper, and destroy the business and industrial community. I know that our labor leaders would be the first to say that this regulatory legislation was necessary and that it has not harmed or destroyed those businesses which have been willing to play by the rules of the game.

By way of further illustration of the point I am trying to make, it could be pointed out that only a handful of the people of this country are embezzlers, robbers, or murderers. Yet it is necessary that we have hundreds of criminal laws to deal with these individuals so that crime may be kept at a minimum, and the rest of us can live in a somewhat decent society. No one will contend that this body of strong and restrictive criminal law interferes one iota with the daily life and well-being of the decent, law-abiding citizen.

I believe that we need unions—strong, virile, and effective unions. I believe that unionism has rendered a great service to the man in the shop and also to the welfare of this country. No one with a grain of sense would try to destroy the right of men to bargain collectively through unions for their mutual interest. But I oppose those in the labor movement who want more rights, more privileges, more immunities, and more power than the law gives to other persons in this country.

Mr. KEARNS. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Chairman, so much could be said, and indeed will be said that it is not easy to know where to begin. As my small contribution to this historic debate I should like to make a few observations, and try to answer some questions.

At the outset, I feel it important to stress again what others have already said. This legislation is important. It is complex and controversial. It is most difficult to formulate, and the ultimate effect of all the various provisions is impossible to predict with complete confidence. However, the difficulty of the task, the delicacy of the matter under discussion, should not divert us from the importance of moving ahead. In these efforts we must not lose sight of our main goal, since there is virtual unanimity that legislation in this field is urgently needed.

It is for that reason that we should all remember that undue partisanship has no valid role to play in our deliberations.

I recognize that a certain difference of opinion is healthy and cannot be avoided. All the same I believe we should seek to avoid drawing the lines of partisanship too strictly. Perhaps Congress should avoid being a rubber stamp for the executive branch but surely it need not ignore the specific and well-considered views of President Eisenhower simply because he is a Republican. If we develop a battle among the parties there is a real danger that our common fight to produce constructive legislation will be jeopardized.

SHOULD BE ABOVE PARTISAN POLITICS—RAYBURN

Personally I feel it a good omen that my two able friends, the gentleman from Georgia [Mr. LANDRUM] and the gentleman from Michigan [Mr. GRIFFIN] should form a common front. In seeking a reasonable compromise we all cannot be satisfied. Indeed perhaps no one will be entirely satisfied. Nonetheless if we can minimize party differences and reach a reasonable goal the achievement will be a real one.

Now, Mr. Chairman, I should like to take up two topics. I shall approach these topics by asking some questions.

First. Do any of the major bills now under discussion deserve to be called antilabor? Are the restrictions proposed, and the methods of enforcing the rights which are to be protected, unfair to organized labor as a whole? Will the labor movement, as some have charged, be set back 25 years? Will labor be unnecessarily hamstrung and hobbled as an effective force?

Second. Is there an overriding public interest in the prompt enactment of labor reform legislation? Is this the significance of the unusual, perhaps unprecedented, amount of mail which all of us have been receiving regarding labor reform legislation?

I recently conducted a poll among my constituents. I asked the question: Do you believe legislation is needed to curb abuses by certain labor unions? Of 7,060 who responded 6,685 or 94.7 percent replied "yes," while only 153 or 2.2 percent said "no." On the question "Should provisions be included to restrict secondary boycotts and 'blackmail' picketing?" 6,240 or 88.4 percent replied "yes" and 317 or 4.5 percent responded "no." This surely indicates that the average citizen recognizes that racketeering and corruption, and the misuse of power by certain union officials, represents what President Eisenhower has called "a national disgrace."

Perhaps labor leaders are honestly apprehensive as to the effect of laws which Congress may enact. Nonetheless this feeling should not result in Congress simply enacting no legislation. The public's demand for action, as some have charged, is definitely not the result of propaganda and hysteria. On the contrary, it reveals general recognition by our citizens of serious weaknesses in the machinery now available to combat corruption.

If most of us agree on the necessity of enacting some kind of legislation, a "powder puff" approach, which fails to grapple with the basic problems, would be worse than no law at all. We must face up to our responsibilities. We must grapple as best we can with the difficult question of how far should we go if we seek truly effective legislation. We must hope also that we can proceed so as to avoid labeling effective legislation as "punitive" and "reactionary."

Taking up next this antilabor charge, let me say, in all candor, that I believe none of these bills is in any sense antilabor. Labor unions over the years have rendered great public service, and they continue to deserve our full support. In my opinion, furthermore, there is in Congress no more than a handful who might like simply to punish labor. Surely the time is past when Congress can be accused with any real justification of desiring to crucify labor.

Yet Mr. George Meany has had little good to say about any of the major proposals now under consideration. It is not only Mr. LANDRUM'S bill which he criticizes. The Senate-passed bill, he feels, will be detrimental to the future of American labor. The so-called committee bill, he declares, is unacceptable to the AFL–CIO; it places unfair burdens on legitimate unions, and will do them grievous harm. The Landrum-Griffith bill he describes as a blunderbuss that would inflict grievous harm on all unions.

If I may reverse an old expression, Mr. Meany seems to praise all these bills with faint damns. Perhaps his attitude is to be expected. As spokesman for organized labor, Mr. Meany has every right to defend his area of special interest. That his damns are so faint, however, indicates that his objections need not be overriding. Many of the same sort of arguments, often less temperately phrased than Mr. Meany's with respect to these proposals, were raised prior to passage of the Taft-Hartley Act. Contrary to dire predictions then, organized labor has thrived since passage of that act. So too now passage of effective labor legislation can be of substantial assistance in helping labor clean its own house. In this way all Americans, including millions of union members, can benefit greatly.

Mr. Meany complains of the burdensome reports which small unions would have to file under the Landrum-Griffin bill. He objects also to any restrictions on blackmail picketing or secondary boycotts. He, and unfortunately other

labor leaders as well, cry "foul" if any attempt, no matter how cautious, is made to change existing practices. He even suggests that the trade union movement might be completely paralyzed if any legislation of the type under consideration should be enacted.

Perhaps we should examine Mr. Meany's line of reasoning. He describes as "punitive" and "antilabor" any measure which would "destroy legitimate union activities." Yet no one seeks to destroy legitimate activities, and if we are objective it seems incredible that legislation of the type we are considering could conceivably result in any such "destruction." True, in all three of the major approaches which we are considering, there are provisions limiting to some degree what are now "legitimate" activities, specifically in the field of "hot cargo," blackmail picketing and secondary boycotts. For this reason, among others, Mr. Meany condemns all three versions.

The fact of the matter is that we have overwhelming evidence regarding the serious abuses of which these so-called "legitimate" activities are capable. It is to control these abuses, and very definitely not to hurt trade unionism, that changes in the law are now being proposed. It is unfortunate that Mr. Meany cannot realize that everyone who advocates restrictions is not automatically working against the best interests of the labor movement. By maintaining his position Mr. Meany is repudiating many who feel, as do I, that we are seeking to protect, and certainly not to restrict, the welfare of working men and women. By his vigorous repudiation of the Senate-passed bill, the Elliott bill and the Landrum-Griffin bill, he is not only challenging the judgment of virtually all the members of the Education and Labor Committee, but of virtually the entire membership of the other body.

Actually what is being sought is the protection of the rights of the individual union member. These rights, Senator McCLELLAN's investigations have shown, need protection against abuses of power, including the misuse of funds, by unscrupulous union officials. What is sought are limitations on the exercise of certain practices which give such leaders a stranglehold on entire segments of our economy. These restrictions are being proposed solely to correct an unhealthy situation. If corrected, organized labor can be expected to thrive, and not be hampered. On the other hand if these abuses are not corrected, and if no legislation is enacted, the health of the labor movement could be endangered. This cancer, as the gentleman from Michigan [Mr. GRIFFIN] has described it, must be eradicated, even if the patient denies that a real danger exists.

Let us suppose for a moment—and this is a reasonable supposition—that Congress decides that certain restrictions must be written into law. Only by reform legislation, we feel, can we control flagrant racketeering and corruption in labor unions. If such a course is taken some protests are inevitable. These protests should not, however, deflect us from a necessary task. Nor should threats that we may not be reelected be decisive. Nor should we Members of Congress be diverted by unsubstantiated and unjustifiable charges that we are hobbling or wrecking labor.

Turning now to the question of whether the public interest is involved. The truth is, as President Eisenhower has said, that the Nation needs a law. We must meet these problems of racketeering, corruption and abuses of power. It is for that reason that we are discussing this problem today. We are concerned not only with the narrow question of how much uncontrolled power labor leaders should be able to exercise. We need to develop a law which will protect the rank-and-file member and also the small businessman. We are recognizing that Congress has a duty to protect the public interest.

Congress, it seems to me, has a responsibility in these matters which we cannot escape. The public interest demands that these problems be faced realistically. Lipservice to labor reform will not do. We must develop an effective answer to these problems. In my opinion this can be accomplished most easily by accepting the Landrum-Griffin bill.

Mr. BARDEN. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. GIAIMO].

Mr. GIAIMO. Mr. Chairman, at the outset let me state that I favor H.R. 8342, the committee bill.

My decision to support the committee bill was made after many weeks of study and evaluation of this whole problem of labor legislation, both in committee and as a Member of this House firmly dedicated to the belief that any decision as to labor legislation must be in the best interest of all our people and not just labor's or management's interests.

Our committee has worked hard and long these past months in attempting to bring to the floor of this House a proper and worthwhile piece of legislation. As a new member of the committee, I was very much impressed with the understanding and industry of all my colleagues on the committee.

The differences in approach to this problem were many; the differences in philosophy and concepts of what rights a labor organization should have were keen; but always there was the desire on the part of all members to work together in the best interests of all, as each, of course, with the highest of motives, interpreted the best interests to be.

I should particularly like to mention the fine contribution of our chairman, the distinguished and able gentleman from North Carolina, for the creditable task he performed in guiding the committee during its deliberations, always keeping it on course, always maintaining a sense of fairness, and always assuring each member of full and complete opportunity to express his views.

I compliment our chairman for a job well done in such a particularly difficult area of legislation.

We have before us in this House the question of adopting fair and equitable legislation in the field of labor-management relations designed primarily to correct certain abuses and corrupt practices which exist in some areas of organized labor, and, secondly to correct some of the inequities which exist in the National Labor Relations Act of 1947, as amended.

Unfortunately, however, we today find ourselves working on this proposed legislation not in an atmosphere of detachment and objectiveness but rather we find ourselves in the center of mass emotionalism and anger on the part of many people outside the halls of this House.

We find ourselves being asked to legislate not only in those areas which deal with union abuses, union corruption and racketeering in labor unions; nor merely with changes in the Taft-Hartley law necessary to correct certain defects and inequities which exist—such as the no-man's-land controversy or the problems peculiar to the building trade and construction unions.

We are now being asked by some, under the guise of correcting abuses and eliminating crime in a minority of unions, to strike at the very heart of organized labor and to so weaken and regulate it as to practically destroy the effectiveness of the free labor movement.

We must remember that we are writing law for 17 million American working men and women plus their families. Their future is at stake; their destiny is being debated here.

We are not writing a simple criminal law to deal with certain crooks and hoodlums and racketeers.

We are dealing with many millions of men and women who work for a living and whose welfare and economic well-being has been the paramount concern of their labor organizations since at least the beginning of this century.

What we decide here will affect them, and we must be careful that we do not destroy their great labor organizations in our honest efforts to rid the labor movement of its crooks and racketeers.

When we infringe upon the right of American working people to picket, we are touching upon a basic right of Americans and we must use a scalpel, not an ax. We must prohibit extortion and blackmail picketing and still leave the workingman and his union the rights of picketing which they have long possessed and which are so necessary.

When we speak of secondary boycotts we must realize that it is a subject which can easily be presented as an unfair labor practice, in actuality it often is but basically it is the important right of one involved in a dispute with his employer to seek economic assistance from those secondary employers favorable to his cause and concerned with his welfare. This has been a basic and honest weapon of the American workingman in his desire for protection through collective bargaining.

We must assure all union members of basic rights through an adequate bill of rights, but we must also remember that a labor organization is a militant economic organization concerned with collective bargaining and not a social or debating society.

In assuring the rights and privileges of union members we must not so weaken the structure of the organization and involve it in so much litigation

that it cannot act as an effective and unified bargaining unit.

Above all, we must not allow those who are determined to destroy labor to influence Congress—as they will always be ready to do—because they feel that the political climate is appropriate or that now is the opportune time.

A careful study of the history of this century should warn us of the perils inherent in destroying the free labor movement.

The bill that is best designed to correct the abuses at hand and yet safeguard organized labor is H.R. 8342.

I oppose H.R. 8400 and H.R. 8401 because, in my opinion, they go too far and would seriously harm the labor movement. I have great regard for the authors of H.R. 8400 and H.R. 8401 and I have enjoyed working with them in committee. I have the highest respect for their motives and beliefs, but in this instance I must disagree with their proposed legislation.

I should like to comment on title II of the committee bill briefly since it is the vital part of the act designed to correct abuses and corruption by disclosure of financial activities.

I emphasize that title II of the committee bill dealing with reporting by labor organizations, officers and employees of labor organizations, and employers, is the same as title II in Landrum-Griffin with one important exception—that of exemption of small unions from reporting.

Section 201 of title II in all three bills provides for the adoption of a constitution and bylaws and original report and the filing thereof with the Secretary of Labor by every labor organization as defined.

It provides for annual financial reports to be filed with the Secretary; it provides for the making available of the information contained in the reports to all its members; and for civil action in the U.S. courts to enforce the disclosure of such reports and of the records upon which they are based.

Subsections (f) and (g) of section 9 of the National Labor Relations Act as amended are repealed since they are duplications of the reports demanded by title II of these bills.

Subsection H of section 9 of the National Labor Relations Act as amended is repealed since it calls for affidavits by an officer of a labor organization stating that he is not a member of the Communist Party and as such does not advocate the overthrow of the Government by illegal means. Since the committee bill provides for the exclusion of Communists from union office, or employ in any official capacity, the section is no longer necessary.

Section 202 of title II provides for reporting by officers and employees of a labor organization concerning stock, bond, and security and other interests which he or his family held, or received from an employer which his union represents or whom it is trying to represent; or from such an employer with whom he does business, or from a labor relations consultant to such an employer.

Section 203 of title II deals with reporting by an employer. He must report any payments to labor organizations, its officers, and employees. An employer must also report any payments to his employees for the purpose of causing such employees to interfere with, coerce, or restrain other employees in the exercise of rights guaranteed under section 7 of the National Labor Relations Act as amended, or the Railway Labor Act as amended.

An employer must also report payment to a labor relations consultant or any other person in a business established for purposes of paying employees to interfere with, coerce, or restrain other employees in the exercise of their rights as aforesaid. The section also provides for reporting by a labor relations consultant.

Insofar as an attorney at law is concerned, the attorney-client privilege is safeguarded in any report he or the client may have to file.

The title provides that the reports filed with the Secretary shall be public information and available; provides for the retention for 5 years of basic records upon which the reports are predicated; and establishes the effective date of filing of the reports.

Subsection 208 provides that the Secretary of Labor may make regulations prescribing the form and publication of reports, and further, that the Secretary may prescribe simplified forms for small unions.

Willful violation of this title by any person, false statements and entries, failure to disclose or the concealing of material facts provide for criminal penalties imposing a $10,000 fine or 1 year imprisonment or both.

In addition to the criminal provisions of the title the Secretary of Labor can seek and obtain relief in the U.S. District Court when a person has violated or is about to violate any provision of this title. The relief available to the Secretary includes injunctive relief.

Section 201D of the committee bill provides for the exemption of small unions. Those having less than 200 members or less than $20,000 gross receipts are excluded from reporting unless the Secretary, after notice and hearing, determines that the exemption should be withdrawn because the members were denied the equivalent of the information required by the reports for labor organizations.

H.R. 8400 and H.R. 8401 provide for no exemptions to the reporting provisions of this title. There has been a hue and cry raised asserting that through this exemption we are excusing 70 percent of unions from the act or the title.

First, let me emphasize that all labor organizations, as defined, are subject to the act. This section excuses the small unions from reporting only, and then only for such time as they disclose to their membership and do not violate the substance of the title. Upon their failure to do so, the Secretary of Labor can compel them to report.

Secondly, when we are told that 70 percent of the unions are exempt from reporting we should also be told that the 70 percent of the unions excluded embraces but 10 to 15 percent of all members in organized labor.

Clearly then the great majority of members are in unions which are compelled to report.

Many small unions have very little money, if any, and nonsalaried officers who keep the books of the union at home. Without professsional assistance these unions offer very slim pickings for crooks and racketeers and should be excused from reporting as long as they live up to the spirit of the title.

I believe in all fairness that this provision is salutary and will not be helpful to the crooks and racketeers in the labor movement. I believe that title II as written and reported by the committee will go a long way to curb the crime and corruption which exists in some unions because of the bribes, payoffs and theft on the part of some union officers, employers, and labor relations consultants.

I urge your consideration of the committee bill as a fair piece of legislation; one which is neither antiunion nor antimanagement, and one designed to correct the existing defects. I respectfully urge adoption of H.R. 8342.

Mr. BARDEN. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, I had the privilege of sitting on the joint subcommittee that heard the testimony for pretty close to 3 months. And, as I have listened to the debate today, I cannot help but think, perhaps, we should have sat a little bit longer and got a little more testimony so that we could, perhaps, have straightened out some of the misconceptions which have arisen in the discussions today. I remember back in the year 1935 coming into this Chamber to listen to appeals for the enactment of the Wagner Act. Some of you will remember that in those days the balance of power across the bargaining table was considered to be so heavily on the side of management that we needed something to balance the scales, and we got it in the Wagner Act. Then, sometime later on, about 10 years from then or perhaps a little bit more, many people thought the balance of power had gone the other way, and we got the Taft-Hartley Act. Again, we seem to be going into a period where under the smokescreen of revelations by a great committee of the other body concerning less than 1 percent, and that is a figure admitted by everybody on all sides, less than 1 percent of labor union leaders having been shown to be corrupt or to have mismanaged union funds, we now see before us an attempt under that smokescreen to do what I believe to be a punitive act to the 99 percent of honest, useful, and forward-looking labor union leaders in our country. I think, too, we had an example a few minutes ago of what we can expect in the future.

The gentleman from Texas, I believe, said something about applying the antitrust laws to labor unions. The other day in my discussion with Senator GOLDWATER over the air, he stated flatly that this body at this time was not going at all at the disease itself but that it was

just going around the periphery and he was looking forward to the day when he could have really strong antiunion laws that would get at the disease itself. So, I think none of us should be fooled, and I hope we are not fooled, when the President of the United States speaks to us on behalf of a specific bill.

Mr. ZELENKO. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and fifty-six Members are present, a quorum.

The gentleman from California will continue.

Mr. ROOSEVELT. Mr. Chairman, as I was saying before the point of order was raised, I cannot help but believe that we should not be fooled for a moment as to what is actually trying to be done here in an effort to get at organized labor and to give more power to management and its side of the bargaining table.

In what way is the Landrum-Griffin bill different from the committee bill?

As has been indicated it practically eliminates both reporting requirements and penalties for employers. It imposes penalties on labor crooks, but in the matter of bribes we must remember there must be a bribe taker as well as a bribe giver. That has not been brought out sufficiently in any of this discussion.

It imposes criminal penalties for actions which might not be worse than errors in judgment against union officials and so injects the Government into day-to-day union affairs that it is doubtful if the Department of Labor would have men enough or time for prosecuting the crooks.

The Landrum-Griffin bill would keep union officers in court on an almost daily basis not for legitimate reasons but for the purpose of hamstringing union activities. Basically the bill means that decisions by every union officer at every level of every meeting must almost satisfy every union member every time.

I say that this provision is complete nonsense. This provision I think is purely and simply a device for harassment of legitimate unions by their enemies, some company spies, the Communists, and the crooks.

The Landrum-Griffin bill has many other provisions that are equally unfair and untenable.

The question has been asked as to why the Shelly bill eliminates much of title 7 which has to do with hot cargo contracts and with organizational picketing. I think a sufficient answer to that is to call attention to the statement made by Senator MCCLELLAN at the time he appeared before our subcommittee. This is what he said, and let us not forget it:

> Except for section 707 I think that title 7 might well be stricken from the bill and the subject matters therein developed be considered along with general revisions of Taft-Hartley.

Now why is Chairman MCCLELLAN so right? Because it has been shown that in these bills, let us take the Landrum-Griffin bill, in the guise of trying to get at some admitted evils, they would actually bring about the disorganization of every decent union movement in this country. Let me be specific about it. The proposed ban, for instance, on hot cargo is not limited to the trucking activities of common carriers. Any union dealing with an employer which happens to have a common motor carrier would be affected. In order to assist their fellow workers throughout the industry, the machinists secured an agreement with the employer that he will not purchase non-union-made automotive parts to be used in repair work. Under the present interpretation of the Taft-Hartley Act such an agreement is wholly valid in itself and is proven necessary, but under the Landrum-Griffin bill this would not be a reasonable or a possible thing for a legitimate union to do.

Under the proposed Landrum-Griffin bill such an agreement, which is made for the purpose of maintaining fair standards in an industry and which is in accord with the basic principles of honorable trade union philosophy, would become in itself an unfair labor practice. The same thing would be true with an agreement providing that a company not buy non-union-made uniforms for their drivers or not use non-union-made material in the construction or repair of their terminals.

These are some of the things that grant everything my good friend from Michigan has said; nevertheless, in curing them he would deprive the union organization of its rightful manner to protect their union rights.

To go on for a moment into organizational picketing. Why, we have known for years this is a tradition amongst labor unions. It has always been honorable. Now all of a sudden it is termed as something which would be a crime.

Let me give you an example of this. It would preclude any situation where union A, attempting to organize an unorganized employer by means of peaceful solicitation of employees, was suddenly confronted with the fact that the employer had executed a predated contract with a company-assisted union or committee. This so-called union, as the recognized bargaining representative of the employees, in any Board proceeding, could allege its contract as a bar to any further organizational picketing by the union. True, of course, the union could file an unfair practice complaint, but the Board's processes are slow and only after maybe a year could the union begin picketing, and obviously the cause would already be lost.

I could go on to many other instances, but I will give you just a few.

Again the Landrum-Griffin bill would prevent peaceful organizational picketing in the following factual circumstances which occurred in *Machinery Overhaul* (121 NLRB No. 153) and which the Board found to be an unfair labor practice. The Machinists, a certified union, but with whom no contract has been executed, was compelled to engage in an economic strike because of an impasse after prolonged bargaining. During the strike the scabs, or, to use a more polite term, economic replacements were hired, and because it was near the end of the certification year an RM petition was filed by the employer. Subsequently, an election was held and obviously, because anyone who works under such circumstances would vote against a union, the union lost the election. Despite this circumstance, however, in pursuit of prior economic demands, as well as in an organizational effort, the union continued to maintain pickets at the plant. The Board found this to be an unfair practice because one of the objects of our original demands was a union shop contract. However, under the language of this section, because a so-called valid election under section 9(c) had been conducted, the picketing activity, even without the union shop demand, would be termed an unfair labor practice. While this case is presently in the courts on appeal because of the belief that the picketing was justified and lawful, this amendment would proscribe this protest by means of peaceful picketing.

The Landrum-Griffin bill would also outlaw peaceful picketing where the picketing labor organization cannot establish that it has a "sufficient interest on the part of the employees" in having it represent them. This appears to be a double-barreled catchall in the event prior sections could not reach the activity. First, it is vague. And, second, it is wholly unfair and unreasonable. For example, union A again in peaceful solicitation of members in an organizational campaign is suddenly confronted with the fact that, despite the fact it does not have a sufficient interest or a majority of the employees in the plant so as to make a demand for recognition, its members in the plant have been discharged or cunningly replaced. In protest, as well as in an organizational effort, the union commences picketing. True, this section outlaws it. And, of course, again unfair labor practices may be filed, but again under the Board's present procedures and its method of handling these matters, too long a period elapses and too many intervening circumstances occur which can effectively preclude any subsequent organizational efforts. And in the meanwhile, however, peaceful picketing, despite the equities is proscribed by this proposed statute.

Again this section, like its predecessor, is vague and unfair; it places a premium on what is a "reasonable period of time" for purposes of organizing an unorganized employer. There are too many imponderable and too many intervening circumstances which can occur during an organizational campaign to set such a vague standard as a "reasonable period of time" to such activity. For example, under present Board standards, an employer may lawfully "free speech" his employees under captive audience conditions, which the union may not do. This adds to organizing time. There are many other like circumstances. The realities of the situation, however, are the following:

Organizing campaigns cost money; and prolonged ones can break a union. As unions can neither afford it nor do they want to waste money on such activity, as an economic issue, if for no

other reason, such picketing is not extended beyond "a reasonable period of time." I think it the wiser course under such circumstances to balance employer "free speech," with the counterbalance of organizational picketing. In this economic battle, the test of "reasonableness" is best left to the economic disputants and not to Government intervention in legitimate objectives of employees and unions.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. KEARNS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. ROOSEVELT. The Shelley bill also gets over the problem of no man's land, and let us not be at all fooled in any way, if we do not adopt the Shelley provision we will be laying down rules and regulations for one group which will be different from another group. One set of people side by side will have the decision of a State court, another group will have a decision from a Federal court. They will be working mainly under the same conditions. They will get different rules applied to them.

I can say to you in all honesty I am for the Shelley bill because I know that Mr. SHELLEY is an expert in labor-management relationships over the years, I know he is honest, and I know that he has written a bill which will get at the crooks, but he has written it carefully enough, and I believe it to be the only bill written carefully enough, so that honest labor practices will be protected and we will not have honest laboring men imperiled in any way. I do not think our country wants that.

So, even though I am the little Dutch boy with my finger in the dike, I would rather be in that position, believing as I do that experience has shown that the labor unions must be strong and remain strong. I would rather go down to defeat fighting for the 99 percent of honest laboring people in this country than have any part in weakening them so that we would again have the conditions that existed prior to the Wagner Act of 1935.

What America wants is reform, genuine, hard hitting, workable reform. That the Shelley bill provides.

Mr. KEARNS. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Chairman, I would like to direct my remarks to just one part of the controversy in these bills. It was stated earlier that the only difference between title II of the committee bill and the Landrum-Griffin substitute is the exemption from financial disclosures of unions who have less than 200 members or have annual receipts of less than $20,000.

One of the primary purposes of the current labor-management relations legislation is to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations with respect to the handling of union funds and property. In view of this basic purpose, it would appear that the broadest reporting and disclosure coverage would be desirable in order to ensure to the maximum number of union members that adequate information with respect to the management of their funds would be made available to them.

In spite of the inescapable logic of this analysis, the reporting and disclosure provisions of both the Senate-passed bill and the committee bill, that is the Elliott bill, contain a provision which could exempt a majority of local labor organizations from reporting. In this provision in the Senate-passed bill, however, there was one difference. It provided that the Secretary of Labor could exempt labor organizations that have fewer than 200 members and less than $20,000 per year in gross receipts from financial reporting, but in the House version it grants an automatic exemption if the labor organization has either fewer than 200 members at the end of its fiscal year or less than $20,000 in receipts during the year. The exemption is subject to revocation if the organization denies its members substantial equivalent information to that contained in the financial reports required of other unions. However, such revocation would have to be on due notice after opportunity to be heard.

Now, it has been said many times that this would exempt 70 percent of the unions. Then it is said also that this means only 10 percent of the members; however, 10 percent, if that figure were accurate, is not insignificant. In talking with the Department of Labor, they inform me that this means, by the 200-member exemption, about 3 million people. That is a substantial number of employees in this country. But, adding to that the $20,000 annual gross receipts, this would exempt an additional 1 million or 2 million members. So this exemption means something like 4.5 million employees exempted or somewhere between 17 and 25 percent of the union employees of this country.

Now, there is an additional factor that has been brought out before that I want to specify particularly—that is that a large percentage of these locals are reporting their financial transactions under 9(f) and 9(g) of the Taft-Hartley Act. The Department of Labor in fiscal year 1959 issued 26,411 compliance cards, indicating compliance with sections 9(f) and 9(g) of the Taft-Hartley Act; in other words, these 26,411 labor unions reported under the reporting requirements of Taft-Hartley during this period. Forty-three thousand four hundred labor organizations had at least filed one or more reports under 9(f) and 9(g). Of these there is a constant hard core of 80 or 90 percent which filed every year. Others only file when they feel they may need the use of the Board. So, it shows that a large number, probably 90 percent of those who are presently reporting under the Taft-Hartley Act would be exempt under the Elliott bill. And, why they should be exempt I do not know. All the bills provide that the contents of the reports and documents filed with the Secretary pursuant to sections 201, 202, and 203 shall be made public information. This means that even though the union would be required to let their members know the financial transactions in these small unions, there would be no way for the press to find out about those financial transactions when they are exempted. It is only if the press has access to this information that the public can be informed, and it has been said many times that this goldfish bowl attitude toward labor organizations will enable the members, the press, and the public to cause the organizations to keep straight and on a legitimate basis.

Another provision in all of the bills provides that the Secretary of Labor can prescribe simplified forms, so none need be exempted. In this way it will not be burdensome to the small unions. It has been said by some that reporting will be a burden to the small unions, but by prescribing a simplified form this would in no way be any more a burden than small unions are doing presently under Taft-Hartley. Also, if the small unions have to let their members know about financial transactions, there is no reason why they cannot put a carbon under it and send a copy to the Secretary of Labor and make it available to him and the public.

The last argument that should be brought out is that this exemption actually will be an important loophole through which the Johnny Dio paper locals could escape reporting financial transactions and that there is no correlation between the size of an organization and honesty in financial administration.

An exemption based on the size of a local will no doubt stimulate unscrupulous union officials to divide labor organizations in order to circumvent any disclosure of their financial transactions. Although the paper local situation in the New York Teamsters was examined primarily with respect to the impact on the election of officers, it would take little imagination to adapt this technique for the avoidance of financial responsibility.

Here are some examples of what I am talking about:

EXAMPLE NO. 1

Testimony before the Select Committee on Improper Activities in the Labor or Management Field—part 47, 85th Congress, 2d session, and 86th Congress, 1st session, pages 170056 and 170057—presents an example of the type of situation which would be readily adapted in order to circumvent financial reporting requirements by taking advantage of the exemption. It was revealed that of the 20,000-member local 134 of the IBEW, 200 men were in the so-called coin machine division, and something like $15,800 per year in dues went to the coin machine division. This division was headed by notorious "Jukebox" Smithy, a protege of "Umbrella" Mike Boyle and reputed to have a direct tie-in with underworld elements in the city of Chicago. "Jukebox" Smithy respectfully declined to answer all of the committee's questions when called to testify—part 47, 85th Congress, 2d session, and 86th Congress, 1st session, page 17163. It was revealed in the committee that the jukebox unit is an "autonomous unit" about which the parent organization—local 134—had no information. In all probability, small units such as the one operated by "Jukebox" Smithy would be-

come autonomous units in form, as well as in fact, in order to avoid revealing the details of their financial transactions.

EXAMPLE NO. 2

The hearings before the McClellan committee also made clear the type of local that will be completely free of any reporting requirements, should the exemption be retained. Take the case of local 228, UAW–AFL, the history of which was explained to the committee on August 5, 1957. The local was originally started by racketeer Johnny Dio in November 1953. In 1955 it "supplied officers" to man the "paper locals" set up to fix an election for John J. O'Rourke as president of Teamster Joint Council 16 in New York City.

Subsequently, the charter to this local was given to one Sam Getlan to house his independent local which had 100 members. It was a local composed of cigarette coin machine operators and employees. The dues were $5 a month and the members who owned machines were assessed 50 cents per machine. There were 4,000 machines, so Mr. Getlan's take was $2,500 a month or $30,000 a year. Salaries were paid to Getlan, a couple of other men to service the membership, and to a girl in the office. When asked how much per capita he sent to the international, Mr. Getlan said, "There wasn't anything for them after everything was taken out." Certainly this local is not the most likely candidate for exemption from financial reporting requirements, but it would be exempted by this bill.

EXAMPLE NO. 3

Another type of organization that would be benefited by these exemption provisions was revealed in testimony before the McClellan committee in connection with the imposition of a trusteeship over certain local unions in the New York City area by the International Union of Retail Clerks. When the international representative of the union went to the office of local 433 he found no one of authority in the office, found no books or records in the office. There was only a petty cash box. It took several weeks to find out who and where the membership was. In another local of the same union, local 413 which had jurisdiction over the amusement and concessionary employees and had less than 100 members, the representative found no books, or records, no membership list, in fact no indication of the existence of a union at all. They found two items, a gun and a billy.

EXAMPLE NO. 4

The minutes of a meeting of Teamster Local 266 operating in the New York area which were put into the record of the McClellan committee hearings, revealed another prime example of the type of union which will benefit by these exemption provisions. The local had jurisdiction over jukeboxes and game machines. At the meeting an increase in per unit assessment was voted to finance the union, the salaries of the secretary and president were raised from $150 to $250 per week, the president and secretary were empowered to sign checks up to $10,000 in amount, and allowed expenses of $100 per week. Each officer was allowed a car not to exceed $5,000. All these items were passed unanimously. The book in which the meeting was recorded was purchased 6 months after the meeting was allegedly held. This union was made up of less than 100 members.

I think these arguments conclusively prove that no unions should be exempt from reporting financial transactions.

Mr. KEARNS. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. ROBISON].

Mr. ROBISON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROBISON. Mr. Chairman, after more than 2 years of congressional investigations and exposures, the peril of corrupt and excessive labor union power still hangs over the head of America. We have seen countless examples of lawlessness, violence, arson, bribery, extortion, and the misuse of union funds by certain labor bosses, particularly in the Teamsters Union. We have watched while thugs, hoodlums, and ex-convicts in the labor movement stood behind the fifth amendment in replying to committee questions because they said an honest answer might incriminate them.

We have witnessed the growing power of international unions to tie up not just one employer but whole segments of our economy, and have listened, with growing concern, to the schemes of men of the Hoffa-Bridges ilk to coordinate those powers into a position from which they could call a general transportation strike that would truly cripple America.

We have uncovered a significant lack of democratic processes in certain unions, and have found that one-man dictatorships have thrived—in some instances for 20 to 30 years—and that through intimidation and fear, the rank and file union member has, to a large degree, been deprived of a voice in his own union affairs.

The responsibility for all this rests, in great measure on the shoulders of the Congress which, with the adoption of the Wagner Act in 1935, undertook to encourage and protect the union movement. Now, in like manner, but in behalf of labor's rank and file who need protection against force and fraud in their leadership, and in behalf of society as a whole, the Congress must assume responsibility for what has developed under its wing.

At long last, it appears that corrective action is about to be taken. In arriving at a proper course of action, it will be necessary for the Congress, in the face of enormous pressures and mounting emotionalism, to attempt to steer a safe course between those extreme measures demanded by labor's admitted enemies and the entrenched labor bosses who will only be satisfied with no legislation at all. This will be no easy task; however, there can no longer be any question wherein the congressional duty lies.

Once before, in 1947, when it was becoming apparent that, with Government protection, the unions were achieving unwarranted and intolerable economic power, the Congress enacted the Taft-Hartley law in an effort to redress the balance. That law was bitterly opposed and attacked by organized labor as a slave-labor law, but it has not proved to be such.

Now, in choosing one of the numerous legislative proposals which have been suggested to meet today's problems, the chief issue seems to be whether a limited approach designed to eradicate the various types of exposed corruption in the internal affairs of certain unions is sufficient or whether, in addition, the closing of certain loopholes that have developed in the application of the Taft-Hartley law and some dulling of certain labor weapons is required. I favor such broader approach.

Earlier this year the Senate passed the so-called Kennedy-Ervin labor reform bill. In my judgment, that bill contained much that was good in principle, but that needed extensive clarification in order that it could be applied and enforced without the need for continuous judicial interpretation. In my further judgment, that bill was defective, because it did not deal, either effectively or at all, with the most obvious Taft-Hartley loophole—outlawing of secondary boycotts—nor with the problem of misuse of organizational and recognition picketing and the existing no man's land between Federal and State jurisdiction over labor disputes.

The House Labor Committee, after extensive deliberations, adopted over 100 corrective amendments to the Kennedy-Ervin bill and reported its result to the House, where it is now under consideration. Again, however, the product of the House Labor Committee, now known as the Elliott bill, fails to come to grips with the three acute problems I have mentioned above.

Since this committee action, certain other Members of the House have banded together to introduce the so-called Shelley bill, which appears to be acceptable to most labor leaders, including the redoubtable Jimmy Hoffa.

As a further alternative, in a bipartisan fashion, Representative LANDRUM, a Democrat, from Georgia, and Representative GRIFFIN, a Republican, from Michigan, and both members of the House Labor Committee, have introduced a substitute measure which, for all practical purposes, is the Elliott bill except for the fact that it replaces civil redress by the restraining threat of criminal penalties against labor leaders who willfully violate a union member's rights by force or violence, and eliminates the reporting exemption contained in the Elliott bill for nearly 70 percent of the unions of the country including many of those smaller unions that have particularly been infiltrated by racketeers.

Then, and even more importantly, the substitute goes on to effectively close the Taft-Hartley secondary boycott loophole, under which innocent third parties to a labor dispute have so often been hurt, and provides for the elimination

of organizational picketing of the blackmail type, which has forced thousands of unwilling employees into unions they have not wished to join.

Finally, the substitute bill wisely discards the Elliott bill proposal to expand the National Labor Relations Board, already overloaded with cases, in order that it should take on all labor disputes, in favor of permitting State courts and labor boards to handle and settle, without undue delay and cost, the local disputes involving only a handful of employees, the parties to which have, in recent years, had no place to which to turn for help.

I have approached this overall problem with the sole thought in mind of giving paramount consideration to the interests of the individual union member and of the public. I firmly believe the Landrum-Griffin substitute bill will best serve those interests and yet, despite the protestations of certain labor bosses, is neither punitive nor extreme, and will not restrict or impair the legitimate purposes and powers of organized labor. To the contrary, by helping to restore the control of union affairs to union members, and by giving the labor movement the necessary tools with which to clean its own house, enactment of the substitute bill will do much to enable the hundreds of good unions, with their thousands of honest and dedicated officers and members, to come safely and proudly through their present ordeal.

The Landrum-Griffin substitute bill has the approval and endorsement of President Eisenhower who called it a "tremendous improvement" over the Senate and committee bills. It has the approval and endorsement of Senator McCLELLAN, chairman of the Senate Rackets Investigating Committee, who has stated that "the bill passed in the Senate and the one the House committee approved do not go far enough to cure or correct all the evils."

On the other hand, the Kennedy-Ervin bill, the Elliott bill, and the Landrum-Griffin bill have all been rejected by George Meany, AFL–CIO president, which fact I sincerely regret, as well as by Jimmy Hoffa, which fact only adds to my determination to support the Landrum-Griffin bill.

Frankly, I cannot understand the attitude of those responsible labor leaders, like George Meany and others, who are denouncing even the Elliott bill as being "punitive, vindictive, unreasonable, burdensome, and harassing legislation." I believe that, by such statements, they are doing a great disservice to their membership as well as to the future of the labor movement. None of the three proposals I have just mentioned can, by any stretch of the imagination, be accurately described as "union busting" measures. None of them touch in any way upon the keystones on which, today, labor's great power rests—industry-wide collective bargaining, legitimate and peaceful picketing, immunity from antitrust laws and the right to at least indirect use of union dues for purposes of political education.

None of them include any provisions relative to certain other suggestions that have been made to interfere with union powers or freedoms, such as loss of exemption from taxation on income, administrative sanctions that would make the Secretary of Labor a czar, or even such milder reforms as requiring a secret membership vote prior to going on strike. It seems to me, aroused public opinion being what it is, that the George Meany's might better graciously submit to the moderate restrictions and controls now proposed than to run the risk, after the inevitable failure of ineffective legislation to do the job that needs to be done, of having their whole house fall down upon them at the hands of a tougher-minded Congress than this one appears to be.

My most recent copy of Labor, the weekly newspaper published by 17 railroad labor organizations, in referring to the Landrum-Griffin bill, carries the following lead headline: "Killer Labor Bill Pressed by Tories." Even the public press has taken to referring to the Landrum-Griffin bill as being stringent or tough, while its sponsors say it is moderate and reasonable, and the very minimum legislation required to correct the corruption and abuses that have been brought to light.

This battle of tags and labels, and charges and countercharges, reminds me for all the world of the old lady who used to bake several top-crusted kinds of pies at once, marking them all with her knife "TM"—for " 'tis mince"—and "TM"—for " 'tain't mince." Only by eating could anyone discover the real difference and in the same way, here, only by the testing of time can the effectiveness of whatever measure we now adopt be determined.

My labor friends are appealing to me to vote only for legislation that will get the crooks out of organized labor. They wish me to stop there. Probably any one of the three major House bills would be of some help here but, as an attorney, I favor the Landrum-Griffin substitute because it carefully and concisely spells out the union members' rights we seek to guarantee, while the other two bills treat those rights in generalized language that would require constant judicial interpretation. There may, however, be room for compromise here, since we are dealing with the delicate task of trying to force democratic procedures upon free, voluntary associations and must act only with extreme caution.

I suppose that if we adopt a bill of rights that does serve to chase some corrupt elements out of the labor movement, we will have passed effective legislation. But is there anyone in this body who could then go home without the guilty feeling that this Congress had approached the problem of labor reform with blinders on? Inevitably, the passage of time would prove the halfway nature of our product.

My labor friends also argue that secondary boycotts are, when not abused, legitimate economic weapons. The key phrase is "when not abused." Here, as always with the adoption of restrictive legislation, the just may be affected along with the unjust. Nevertheless, it is the duty of Congress, in the interest of society, to force upon the unions acceptance of the responsibility that goes with the powers they wield. By adoption of the Landrum-Griffin bill we would outlaw practically all secondary boycotts—a result Congress thought it had accomplished years ago when it passed the Taft-Hartley Act. The Elliott and Shelley bills, on the other hand, would relax present judicial restrictions on secondary boycotts in the construction field, but otherwise leave this loophole unplugged.

The right to picket was not specifically covered by Taft-Hartley. Our courts have protected picketing as a form of freedom of speech. Perhaps it is, but again the proviso, only "when not abused." The Shelley bill would not restrict organizational picketing at all, and the Elliott bill would restrict it only where the picketed company has recognized another union legally, or the picketing union has lost a representation election within the preceding 9 months. Thus, under the Elliott bill, abusive economic pressure could still be brought to force employees to join unions against their will. The Landrum-Griffin substitute, however, would in effect permit such picketing only where there is a reasonable interest on the part of the picketed company's employees in becoming organized. What, in the name of democracy, can be wrong with that?

The challenge to this Congress to take corrective action in these areas comes from the American society as a whole. It comes particularly from the some 27 million people in the "small business community," owners and unorganized employees, who have been the principal victims of the deficiencies in our existing laws. As a member of the House Small Business Committee, I am acutely aware, too, of the frustration experienced by small business employers and employees as a result of the existing jurisdictional "no man's land." We cannot turn our backs on these people by the adoption of halfway measures.

In the Landrum-Griffin substitute, we have the bricks and mortar needed to build a good and lasting product. If, as a result, some of labor's present powers are diminished, it will be only another example of the working of a natural law.

The bread and butter days of unionism are over. It has come of age. And, as an infant is not legally responsible for its actions while an adult is, so labor must now accept its full share of responsibility for America's future, and, at the same time, just as big business and the financial world did before it, accept reasonable restrictions that will help bring its power back into that state of balance on which that future rests.

I have just finished reading a paper entitled "Labor Unions and the Concept of Public Service," by the highly respected Roscoe Pound, former dean and professor emeritus of the Harvard Law School. I believe he has unintentionally but concisely therein set forth the motives and intentions of those of us who are joining in the support of the Landrum-Griffin substitute bill, when he says:

> Nothing could be more untrue than that in seeking to adjust the situations in labor

today to rational principles there is a purpose of destroying or impairing the efficiency of the unions. Unions are an institution needed in the life of today. They are to be preserved and fostered as useful, even if we cannot treat them as peculiar favorites of government at the expense of the general public interest. What is sought is not to destroy or impair them, but to fit them into the legal, social, and economic system of the era on which we have definitely entered.

I firmly believe the Landrum-Griffin bill is the vehicle which will come the closest to accomplishing such a result.

Mr. KEARNS. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Chairman, I should like to thank the gentleman from Pennsylvania [Mr. KEARNS] for giving me this additional time. I had hoped I would have the opportunity to read a few excerpts from some letters which I have received from constituents in connection with the need for labor reform. I say excerpts only because one of these letters, as is easy to see, from one of my constituents, is some 8½ feet long of single-spaced typewritten advice to me. I read briefly from it:

I am much disturbed about the way Congress is handling these labor unions and their bandit leaders, asking for things and money that is not due them in any way. They want the impossible. * * * The McClellan committee and its members should make a powerful law to stop this type racketeering in labor by outlaw labor leaders, like Hoffa and the rest of them. They are not representing the public.

In another letter, a wife of a Teamster Union member writes to me:

As a wife of a Teamsters Union man, I have been much more enlightened to the situation of the graft and corruption in the Union under Mr. Hoffa and his goons, by the brave exposure by Robert Kennedy, the counselor for the Senate Rackets Committee in his plain and outspoken talk; he has told the truth to the little people on the Jack Paar Show. Please do not let the Senate's work go for nothing; you hold the cards, play them right. Therefore as a citizen, worried wife, and mother, I implore you to pass the law to control the unions before my husband and many decent union members are fired, hurt, or much worse is done to them and our great country. They as a majority do not want Hoffa or his controlled element in office, because they have no say at meetings, they have no choice, but to appeal to you. They wish you to pass the law for the little man and his family who has cast his vote to put you in office.

P.S.—My husband forbids me to write to you. He's scared. I'm disgusted.

In another letter from a constituent who runs a garage in one of the towns in my district he says:

My place of business was picketed by the Union during a telephone strike because the telephone company happens to store some of their trucks here. * * *

Bill H.R. 8400 tends to protect the small businessman like myself, as well as his employees from coercive picketing, takes care of the dangerous and annoying secondary boycott, and authorizes the State to handle disputes that are of a local character, which we need badly.

In still another letter a teacher of American history writes:

As a teacher of American history I am finding it increasingly difficult to explain democratic proceedings when every newspaper, magazine and television commentator is pointing out the injustices performed every day in the name of labor unions.

In still another letter the writer, who is the owner of a small plant employing about 30 people, says:

Within recent months it has been our sad lot to have the following experiences:

1. Payoff of a union business agent by our building contractor to "expedite" completion of our plant.

2. Threats to picket our plant if we did not stop doing business with a nonunion trucker—a secondary boycott.

3. Threats to picket the plants of our customers if we did not cease doing business with this same trucker.

4. Wrecking the trucks of this man in "accidents."

5. Threats of a picket line at the plant of my previous employer because the members of the "wrong" union were employed to move machinery into the plant. Trouble was avoided by a payoff of the union business agent in order to keep a picket line away.

6. Offers of a "sweetheart" contract if we would compel our employees to join two unions who were attempting to organize our plant.

Accordingly, I ask that you support our President in backing the Landrum-Griffin bill as a start toward correction of these abuses.

Mr. Chairman, examples of letters like these, correspondence of one sort or another could be multiplied by the thousands.

I think it demonstrates again there is a very real and understandable interest on the part of our average citizen in the need for legislation in this field.

Mr. BARDEN. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Chairman, we have heard a great deal about the abuses in the labor-management field during today's discussion. No one can deny that in a Republic such as ours, we must continue to perfect the ground rules under which we, as a free people, operate. Certainly, no one needs to convince me that we need labor-management reform legislation in this session of the Congress.

I spent last weekend in my district. We have been buffeted around here on all sides by those representing the various interested groups telling us what sort of labor-management reform bill we ought to vote for. But, this weekend I went home and talked to about 2,000 people on the street corners of my district. I wanted to know firsthand what the people back home want.

I found above all that my people want legislation in this session of the Congress. But, I also found that the people in my district understand the dynamics of our Republic a great deal more than some of the proponents and opponents who have spoken here today in this House on legislation pending before us. I found that the average American wants to get the crooks but not the unions.

We have heard of abuses during debate here today. We have heard of corruption. The gentleman from Michigan even went back to the year 1922 to remind us of the strike in Herrin. But, have we heard very much of what the legitimate American labor movement has done for America? Is there any nation in the world where the working man enjoys the dignity that the American working man enjoys? And the standard of living, too?

You would gather from some of the speeches that have been made here today that everything is evil and corrupt in organized labor. Under the guise of labor reform, we have seen proponents of one measure trying to put the whole labor movement into a virtual straitjacket. My friends, let me tell you as a member of this Committee on Education and Labor who has made an exhaustive study of this subject, and I think my colleagues on the committee will admit that I have worked, and worked very hard, day in and day out for the last five months on this very complicated subject, let me tell you, I am firmly convinced, if we put the honest working men and women of this country into a straitjacket, as is proposed in the Landrum-Griffin bill, they are someday going to be marching in the same cadence that the peoples of the enslaved countries of the world are marching in today. Read the Landrum-Griffin bill. Under its very restrictive provisions, this devastating legislation would deny to the American working men and women the right to participate in legitimate union activities through which they would hope to raise their standard of living. The very dynamics of a free enterprise system such as we have in this country under capitalism; a system that we want to preserve at all costs and a system for which countless thousands of Americans, including myself, have fought in two devastating wars to preserve; the working men and women of this country, through their legitimate unions, are able to wage a constant struggle with their employers for a better remuneration.

We Americans today enjoy the highest standard of living in the history of this country and it is therefore no surprise that many of us have forgotten that we have reached this high point only because our fathers and grandfathers, and their fathers and mothers, had the courage to fight for what was rightfully theirs.

Too many people today think it is evil for the working men, on the one hand, with the help of honest union officials, to engage in a struggle with the employer, on the other hand, who properly, is trying to preserve the highest return of profits on his investment. It is out of this struggle that we have carved for our people, and yes, for our American industry, this high standard of both wages and profits.

It is significant to me, Mr. Chairman, that throughout the rest of the world, wherever people have not been able to engage in this struggle within reasonable bounds between the worker and the employer, that we find the highest degree of poverty and exploitation of the working people.

As I stand here today, before man and God, it is my firm conviction that if we take away from organized labor the legitimate tools which it needs to carry on the process of collective bargaining, we may well be paving the way for some other ideology and yes, we may even plunge our Nation back to the

Dark Ages, when class strife and violent rebellions were the order of the day.

There is no question in my mind that many unions have abused their privileges and that, in too many instances, corrupt elements have infiltrated these unions and are now using them for their own personal wealth and power. We, as Members of Congress, are charged with the responsibility of writing legislation which will indeed eliminate the crooks and racketeers, but will not destroy the legitimate tools of trade unionism in the wake of this legislation.

I have said, "Read the Landrum-Griffin bill," because I am convinced that you will see the myriad of boobytraps written into this devastating proposal under the guise of labor reform.

Let me just cite one quick example:

Section 705, of the Landrum-Griffin bill would amend the present Taft-Hartley Act provision dealing with secondary boycott. The existing law provides that no union or its agent may engage in any activity to induce or encourage the employees of any employer to engage in a strike or a concerted refusal against their own employer who is doing business with another firm, which is out on strike.

Senator Taft, when he proposed this provision dealing with secondary boycotts, recognized that the secondary boycott used by honest unions is the backbone of the labor movement and that is why, quite properly, he limited its use only against a group of employees acting in concert. But Senator Taft recognized that it is the inalienable right of an American citizen to refuse to handle struck work so long as such a decision is made by the worker himself and he acts as an individual.

The Landrum-Griffin bill completely changes this concept and now says that even the individual cannot be advised that the work which he is handling comes from a struck plant. Under the Landrum-Griffin proposal, a union would be barred from informing an individual that the goods he is handling comes from a struck plant, under severe penalty of law.

The Landrum-Griffin bill is full of similar such prohibitive restrictions against the individual American worker.

I have studied the McClellan hearings thoroughly in the past 5 months and I have found that you can break the abuses down into three categories: First, internal union corruption; second, scandalous deals between crooked employers and union officials who have no business in the labor-management field; and third, a shocking breakdown of the machinery to enforce the present Taft-Hartley Act.

First of all, I would like to call your attention to the fact that all three bills pending before this Congress deal very effectively with the internal corruption of unions exposed by the McClellan committee—every one of them. And I fully support these provisions. The legislation I am supporting would give the worker a greater voice in his union and would provide jail sentences for any official who falsifies the financial statement of his union.

Regarding my second point, time does not permit me to read you the entire statement made by the chief counsel of the Rackets Committee, Bob Kennedy, on the "Jack Parr Show," when he was asked if management was guilty, too. He said:

There is not any question management, some of the big companies and corporations in the United States, set Dave Beck up in his various financial deals. We have exposed at least 50 big companies and corporations since the beginning of this committee—some of the biggest ones in the United States—who have been involved in various deals.

Mr. Kennedy continued:

You had some of the biggest restaurants in the Chicago area which were set up—hired gangsters and hoodlums—for a period of some 20 years to handle their labor-management relations. You have dozens of small corporations and companies which made "sweetheart" deals with gangster-run unions in New York City which result in starvation wages for tens of thousands of workers.

You all saw the middlemen representing big business take the fifth amendment before the Senate Rackets Committee when asked to disclose their union-busting activities in behalf of their employers.

But, Mr. Chairman, we have yet to hear a single supporter of the Landrum-Griffin bill, or any Republican come here before this body and say, "Give us a bill that is going to make the corrupt employer report to the same degree that you are asking the unions to report." On the contrary, both the Landrum-Griffin bill and the committee bill completely exclude the employer from reporting. It is my firm belief that only the Shelley bill meets this problem adequately.

Regarding point 3, we would think, to listen to some of these gentlemen, that there is no legislation in existence now to deal with some of the abuses. The reasons you have abuses in the secondary boycott and the reason you have abuses in organizational picketing and the "hot cargo" provision is because you have had a scandalous situation before the National Labor Relations Board, which has been picking and choosing the cases it will hear and has left thousands of American small businessmen and industrialists, on the one hand, and other thousands of honest unions, on the other hand, in a virtual no man's land regarding labor-management disputes.

You have heard some of those urging severe changes in the Taft-Hartley Act say that these changes are necessary because the unions have found loopholes in the present law. Nothing could be further from the truth and such statements merely act to shield the real intentions of big business which is to completely destroy legitimate labor unions' activities as part of our national labor policy.

The Supreme Court has sustained the National Labor Relations Board in the celebrated San Door and Plywood Company decision in which the Board held:

Inducements of employees that are prohibited under section 8(b)(4)(A) of the Taft-Hartley Act, in the absence of a hot cargo provision, are likewise prohibited when there is such provision. The Board has concluded that a union may not, on the assumption that the employer will respect his contractual obligation, order its members to cease handling goods, and that any direct appeal to the employees to engage in a strike or concerted refusal to handle goods is prescribed.

There is no occasion to consider the invalidity of hot cargo provisions as such. The sole concern of the Board in the present cases was whether the contractual provision could be used by the unions as a defense to a charge of inducing employees to strike or refuse to handle goods for the objectives proscribed by sections 8(b)(4)(A).

The only loophole in the law here is that the NLRB has refused to handle more of these cases because in most instances the Board claims that the employers are too small.

On the question of secondary boycotts, the National Labor Relations Board has been upheld in barring such boycotts wherever it was shown that either force or coercion were used against a secondary employer. The language of the Taft-Hartley Act is crystal clear and I hope that Members of this Congress will not be hoodwinked into believing it is too soft. On the contrary, the language in the Taft-Hartley Act is indeed extremely severe and has hindered the normal growth of legitimate trade unionism.

Since 1958, the NLRB had issued decisions in 235 contested secondary boycott cases, and in 230 uncontested cases. Here, too, the only loophole in the law is that the NLRB has refused to take jurisdiction which would help the small business man. Passing new legislation, I can assure you, to impose greater restrictions against legitimate labor unions will hinder rather than help the execution of laws now on the books which have been tested and upheld by the courts until now.

And finally, we come to the question of organizational picketing. In the celebrated Curtis case, the NLRB held that a union which picketed for recognition after the employees had rejected it in a Board election, was no longer availing itself of the constitutional freedoms guaranteeing free speech, but rather, the union was engaging in an activity which constituted economic coercion. This effort by the NLRB to curb the use of organizational picketing was promptly denounced and reversed by the U.S. Court of Appeals for the District of Columbia. The entire question of whether organizational picketing, when peaceful, is an expression of free speech or whether it is economic coercion, is now being reviewed by the U.S. Supreme Court. I think we all know that on previous occasions the High Court has held peaceful picketing to be an expression of free speech.

I have heard none of the proponents urging restrictions on organizational picketing suggest that we ought to rewrite the Constitution of the United States.

The committee bill at least attempts to bar the use of organizational picketing wherever another union already is being recognized or where the workers have rejected the union by a secret elec-

tion, the picketing would be barred for 9 months.

Mr. Chairman, if we can perfect the committee provision to make sure that the employer does not recognize either company unions or racketeering unions which sign a sweetheart contract with him to bar picketing by legitimate unions, I feel that I could support in good conscience this particular provision of the committee bill.

I cited these three examples merely to point out that we now have legislation dealing with the three most controversial provisions before this House today. During the past 5 months, I have made a thorough study of the National Labor Relations Board, and my investigation has been bolstered by a devastating report about the Board made by McKinsey & Co., Inc., a management consultant firm, which in great detail described the shocking inefficiency which now prevails at the NLRB.

I have pleaded with this Congress that we clean up the NLRB and then compel it to take jurisdiction over all labor disputes so that we will eliminate the no man's land. It is my firm and sincere belief that if the thousands of small businessmen and industrialists, on the one hand, and the honest unions on the other hand, had some effective agency to speedily handle their disputes, the racketeers would be driven out of business.

It is axiomatic that a racketeer can succeed only so long as he knows that his intended victim, in this case, the small businessman and industrialist, has no place to turn for help. Let us give these businessmen speedy relief at the NLRB and the crooks will stay away from them the way flies stay away from Flit.

Mr. Chairman, we are today dealing with legislation which is of such grave importance that it could affect the entire economic future and development of our Nation. Unfortunately, we are faced with the problem of debating this labor-management reform legislation in an atmosphere of disclosures before the Senate Rackets Committee affecting only a segment of the entire American labor movement.

I should like to stress just as earnestly as I know how that long after those who have been disclosed before the McClellan committee for violating their privileges as union officials are gone, the legislation which we adopt here today will remain to restrict the legitimate operations of honest unions.

Too few of us present here today realize that there are more than 75,000 local unions in America and that whatever legislation we adopt here is going to directly or indirectly affect all of them, regardless of whether they have a history of exemplary conduct in the field of labor relations or whether they have been among those few cited by the Senate Rackets Committee.

I am convinced that my constituents want effective legislation to give the individual union member greater democracy in his union; a right to a secret vote for his union officials; a complete accounting of all the union funds which the individual union member has contributed to; provisions in the law which will bar Communists and felons from holding office in a union; and, Mr. Chairman, after spending the weekend in Chicago polling my constituents, I am convinced that they want legislation to compel corrupt employers to make full disclosures of any secret deals that they may have made with union officers to the detriment of the rank and file membership.

I hope, Mr. Chairman, that reasonable men in this Congress are going to permit reason to prevail. Certainly we all want legislation which will stamp out abuses disclosed by the McClellan committee, but we do not want to destroy the rights of legitimate unions with it.

I want to join with the gentleman from Georgia, Congressman MILLER, who said over the weekend that one sure way not to get labor reform legislation in this session is to adopt the Landrum-Griffin bill because it will not be acceptable to the Senate.

If you want real reform legislation in this session, and I do, then go along with those of us who are trying to write a good, workable bill. Defeat of the Landrum-Griffin bill is our best assurance to pass a decent bill in this Congress and give the Nation, as well as those who represent the legitimate aims of organized labor the relief they so earnestly have sought from this Congress.

Thank you.

Mr. BARDEN. Mr. Chairman, I yield such time as he may require to the gentleman from Maryland [Mr. FOLEY].

Mr. FOLEY. Mr. Chairman, I am placing in the RECORD an analysis I have made of the first six titles of the Griffin-Landrum bill and the Elliott bill. I do not have the time available to cover the analysis in detail, but it will be in the RECORD and you can study it tomorrow.

This analysis has led to one conclusion only, that the Griffin-Landrum bill limits the rights of a member of the union which purportedly are to be protected; and, secondly, makes it very difficult for this union member for whom this legislation is designed, makes it more difficult for this union member to seek that protection for these restricted limited rights. I am placing in the RECORD this analysis, and if I may borrow the phrase which our distinguished chairman of the Rules Committee used, I challenge any member of the committee to contradict and controvert the results of this analysis:

TITLE I, SECTION 101(A)(1)—RIGHTS OF MEMBERS—EQUAL RIGHTS

In section 101(a)(1), page 10, lines 13–21, H.R. 8342 provides that every member of a union shall be accorded "all the rights and privileges" pertaining to membership under the union's constitution and bylaws. In section 101(a)(1), page 10, lines 14–21, H.R. 8400 provides that every member of a union has "equal rights and privileges" to: "(1) nominate candidates; (2) vote in elections or referendums of the labor organization; (3) attend membership meetings; and (4) participate in the deliberations and voting upon the business of such meetings." The foregoing rights and privileges are subject to reasonable rules and regulations of the union's constitution and bylaws.

In H.R. 8342, after referring to all the rights and privileges, the bill continues and says "including the (1) right to participate in determining the policies of such labor organization, (2) to attend membership meetings, and (3) to vote in any election or referendum conducted by the union."

The differences between the two bills are these: The Elliott bill protects all the rights and privileges that a union's constitution and bylaws provides for a member. It indicates certain of these rights which are not made exclusive, but by the use of the word "including" clearly indicates that other rights are protected in addition to those set forth in the section. However, in the Griffin bill, there is no all-inclusive protection of every right of membership that the constitution and bylaws of the union provides for a member. Rather by designating and listing particular rights, the effect of H.R. 8400 is to limit to a union member protection only for these designated rights. Thus, since the Elliott bill grants broad protection to all the rights of membership, the individual member of the union has greater protection under that bill than he would have under the Griffin bill.

TITLE I, SECTION 101(4)—PROTECTION OF THE RIGHT TO SUE

The Elliott bill, page 12, lines 12–18, provides that any aggrieved member of a union has the right to sue, in any court or before any administrative agency, his union or any officer of his union. In the Griffin bill, page 12, lines 18–23, a union member is protected in his right to sue in any court or before any administrative agency "irrespective of whether or not the labor organization or its officers are named as defendants or respondents in such action or proceeding." The Griffin bill provides that the member can sue anyone. This is surplusage for the most part. There has never been any question about the right of a member to sue anyone not connected with the union. Insofar as I know, no constitution or bylaw of any union precludes the right to sue anyone not a member of the union. Thus, the Griffin bill does not grant an additional protection which a union member does not now have.

The Elliott bill, page 12, line 22, requires that a member "shall" exhaust the internal remedies provided by the union's constitution and bylaws, both of the local and international organization. The Griffin bill, page 13, lines 2 to 6, is discretionary since it does not require the exhaustion of internal remedies before suit is instituted against his union or any officer of his union. The courts have uniformly held, except in rare cases, that such exhaustion of remedies must be made before resort is made to the courts. Under this rule, a member is not precluded from instituting suit in any court. But his action is not ripe for judicial decision under existing and controlling law, until his grievance has been considered by the appellate tribunals within the labor union establishment.

This requirement of exhaustion, under the Elliott bill, is mandatory. Under the Griffin bill, page 13, line 2, the member "may be" required to exhaust internal remedies, "but not to exceed a 4-month lapse of time" before filing suit against a union or any officer of the union. What a "four month lapse of time" means is not clear. Moreover, since exhaustion is not mandatory, but discretionary, the Griffin bill creates confusion as to the obligation of a member in connection with exhausting internal remedies. The Griffin bill does not indicate who will decide if and when a member is required to exhaust the internal remedies. Can the member decide? Can the union decide? Must a court decide? Must the Secretary of Labor decide? By making the exhaustion of remedies discretionary and without indicating who has the power to exercise the discretion, the Griffin bill creates confusion and does not define and protect any right of a union member.

Under the Elliott bill, in the second proviso, page 13, line 5–7, appears, "No employer" shall "directly or indirectly interfere or attempt to interfere with the internal affairs of any labor organization." This is a prohibition applying to every employer. However, in the Griffin bill, in the second proviso, page 13, lines 7–10, the prohibition applies only to an "interested employer or employer association." The Griffin bill omits the prohibition against interfering or attempting to interfere with the internal affairs of any labor organization. The prohibition applies only to an "interested" employer or employer association. And the prohibition is limited in that such interested person shall not directly or indirectly finance, encourage, or participate in "except as a party" any individual acton instituted by a member against his union or an officer of his union. By contrast, under the Elliott bill every employer is precluded from financing, encouraging, participating in, or supporting any action instituted against any labor organization under the act, except as a party to such action. The Elliott prohibition applies to any and every suit instituted by any member against his union or any other union for violations under the act. But the Griffin bill does not prohibit every employer, only an interested employer, and the inhibited action involved is the particular action of a union member against his union or an officer. The prohibition is not against participating in every action involving a union under the act. Thus, an employer, not a party to an action, under the Griffin bill, and one not interested in any particular lawsuit between the member and his union or an officer could finance and encourage that action. Moreover, such employer could finance and encourage any action under the act involving a union member. There is no definition of the word "interested employer or employer association" anywhere in the Griffin bill.

Thus, a union member could be approached, under the Griffin bill, by an employer, not his own—not directly involved in any proceeding, and persuaded and supported by such employer in his effort against a union or an officer of a union. The Griffin proviso, then, does not protect an individual member, but makes him a possible object for preying by an employer, to institute action against a union or an officer of a union. The Griffin bill, thus, provides an opening for the disruption of union operation. And this is made clear by contrast with the Elliott bill's blanket prohibition against every employer encouraging a lawsuit against any union under the act. Moreover the Elliott prohibition against every employer "interfering or attempting to interfere with the internal affairs of any labor union" and the absence of such prohibition in the Griffin bill is a clear indication, and in fact a positive invitation, for an employer to interfere with the internal affairs of a union.

The Labor-Management Relations Act, title 29, United States Code, section 158(a)(2) makes it unfair labor practice for an employer to dominate or interfere with the formation or administration of any labor organization. The Elliott bill clearly reflects this national policy. The Griffin bill would raise a genuine question as to whether or not this national policy has been changed.

The provisos in both bills are designed to discourage employer conception of lawsuits by individual members against unions. In this sense, both provisos are designed to protect individual members from approaches by employers for the purpose of instituting such action. The individual member gets greater protection under the Elliott bill from such approaches for every employer is prohibited from participating, financing, encouraging, and supporting every type of suit against any union under the act. There is less protection from harassment afforded to the member by the Griffin bill for the prohibition applies only to an interested employer or employer association, and is applicable only in a particular action by the member against his union or an officer of his union. The protection insured to the member by the Elliott bill is much greater, clearer in definition, comports fully with existing national policy, and must be preferred to the Griffin bill.

TITLE I, SECTION 101(5)—SAFEGUARDS AGAINST IMPROPER DISCIPLINARY ACTION

The Elliott bill, page 13, lines 12–15, provides that a union member disciplined by a labor organization "shall be afford a fair hearing on written charges." This is mandatory language guaranteeing to the individual member a fair hearing before the trial board of his union. The Griffin bill, page 13, lines 12–15, provides that no member "may be" disciplined "unless" certain procedures are followed. This raises a question as to whether or not discretion in the matter lodges with someone, either officers or the executive board of the union, concerning the disciplinary procedure. The mandatory language of the Elliott bill must be strongly preferred to protect and safeguard the rights of a member when subject to a trial by a union trial board.

Under the Griffin bill, page 13, lines 15–17, disciplinary action against a member cannot be taken "unless such member has been (A) served with written specific charges; (B) given a reasonable time to prepare his defense; (C) afforded a full and fair hearing." The Griffin bill, thus, spells out and limits specifically the only rights that a union member has in connection with disciplinary action against him. By contrast, the Elliott bill, page 13, lines 15–17, not only makes it mandatory that there be a fair hearing, but also protects the individual member on a mandatory basis in "other procedural safeguards" provided by the union constitution and bylaws. Thus, everything the constitution and bylaws provide from the standpoint of additional procedural rights in participating and being represented at the trial as well as appellate rights within the organization itself to the international general executive board and finally to the convention, are protected by the Elliott bill. None of these other vitally important procedural rights are guaranteed and protected to a member by the Griffin bill. Thus, the individual member has mandatory protection in all the procedural rights provided by a union's constitution and by-laws by the Elliott bill, and this protection must be preferred to the next to nothing provisions of the Griffin bill.

TITLE I, SECTION 102—ENFORCEMENT

Section 102(a) of the Elliott bill, page 14, lines 13–24, provides that a member may institute a civil action in a Federal district court when a right protected by section 101 has allegedly been violated. However, before the member can go to court, he must exhaust the internal remedies prescribed by the constitution and bylaws. No suit can be brought unless the member has diligently pursued the available internal union remedies and a final decision obtained within 6 calendar months.

Section 102 of the Griffin bill, page 13, lines 22–25, merely states that a person whose rights under title I has been violated may institute an action in a Federal district court for appropriate relief. It should be pointed out that the member is not required to exhaust the internal union remedies before instituting suit. The Elliott bill requires such exhaustion of remedies, as previously indicated. It is a genuine mystery why the Griffin bill in section 102 omits this requirement of exhaustion. This omission destroys effectively and renders meaningless a member's civil enforcement rights. For section 102 of the Griffin bill conflicts with its own section 101(4). This latter section, under the heading, "Protection of the Right to Sue," page 13, lines 2–6, provides that a member before suing anyone in a court or before an administrative agency may be required to exhaust reasonable hearing procedures within the organization, but not to exceed a 4-month lapse of time.

This provision clearly indicates that the authors of the Griffin bill do not authorize, prescribe, or condemn the exhaustion of internal union remedies. By omitting this exhaustion provision from section 102, however, the Griffin bill creates obvious conflict between the two provisions both presumably designed to protect a member. The conflict results in logical doubt as to when and how a member may resort to a Federal court for enforcement protection. Such doubt renders protection to the member a nullity.

But this conflict, though harmful, is not the only, and in fact is not the major, conflict the Griffin bill contains pertaining to civil enforcement. Though section 102 and section 101(4) conflict one with the other, both conflict with section 402(a) and (b), page 39, lines 12–24, and page 40, lines 1–18. This provision of the Griffin bill makes mandatory exhaustion of internal union remedies, diligent pursuit of these remedies, and no final decison within 6 calendar months after the internal remedies are invoked. By comparing the language of section 402(a)(2), page 39, lines 15–21, of the Griffin bill with section 102(a)(2), page 14, lines 16–22, of the Elliott bill it will be found that these two provisions are identical.

Thus, the Griffin bill uses the mandatory exhaustion procedures of the Elliott bill in one section, omits it in another relevant section, and finally renders it discretionary in an ambiguous manner for a shorter period of time in still a third relevant section. The sum total of these three conflicting civil enforcement provisions is all-pervading doubt and confusion as to a member's right to resort to court. This is not protecting a member. It is prevention of protection.

Section 102(b), page 15, lines 5–9, of the Elliott bill provides that the Federal court after a "trial upon the merits" and upon a preponderance of the evidence may restrain the violation and grant such other and further relief as the court may find appropriate. The provision that the court shall conduct a "trial upon the merits" mandatorily imposed upon the court the duty to explore and consider every aspect of the case involving the member and the alleged violation of his rights under section 101.

This provides the greatest civil protection for the individual member. Today, under existing law, the courts normally do not provide a trial de novo on the merits for internal union disputes. The courts merely determine the narrow union constitution and bylaw procedure point presented to them. If this procedural basis for the case is defective, the member loses, even though his case is just on the merits. The Elliott bill cures this defect. It gives Federal trial judges authority to consider the total merits of a member's case. This is a truly just basis for a civil trial for the rights of the adverse party are equally determined. Thus, this "trial upon the merits" provision insures that resort to the court for protection by a member has genuine substance that cannot be prevented by purely internal union procedural defects. Therefore, the Elliott bill provides a major advance in insuring evenhanded justice for all parties in dispute over internal union affairs governed by section 101.

Section 102 of the Griffin bill, page 13, lines 22–25, and page 14, lines 1–4, does not provide for a trial upon the merits by the Federal court in matters arising under section 101. This is a major defect. It alone justifies defeat of the bill. Clearly the mem-

ber cannot receive full protection from the court unless there can be a trial upon the merits.

That this is true is demonstrated by the Griffin bill itself. Section 402(c), page 40, lines 19–20, provides for a trial upon the merits in a Federal court in all disputed election cases. The member's rights under section 101 are certainly as valuable as his rights under section 401. There is no rational basis to provide a trial upon the merits in one case to a member but to deny him such a trial in another case. Such differentiation not only is arbitrary, it is ridiculous.

The Elliott bill provides a Federal court trial upon the merits in all cases. This maximum civil enforcement protection must be preferred to the conflicting, confusing, discriminatory provisions of the Griffin bill.

These deficiencies in titles I–VI of the Griffin bill, the internal union administration provisions, are apparent on the face of the bill itself. It was a rush order job. It represents a scissors and paste effort. As a result of this hurried effort, we have presented to us proposals creating confusion, conflict, and constriction of union membership rights.

Comparing the first six titles of the Griffin bill with the Elliott bill reveals the following: The definitions in both bills are the same. Titles III, titles IV, and title V are identical in every part in both bills. Title II is identical in both bills except that in section 201, there is no exemption provision in the Griffin bill. Title VI of both bills are identical except that in the Griffin bill, section 609 and 610 have been added. Title I, sections 103, 104, and 105, and section 101(a)(3), are identical in both bills.

That the Griffin bill is a scissors and paste job, done in haste on the Elliott bill, can be highlighted graphically. In the first six titles 1,236 lines are identical in both bills word for word, with the Griffin bill changing 43, adding 19, and deleting 20 lines. The 43 lines changed by the Griffin bill result in the following:

(1) Section 101(a)(1) limits the rights of a member protected by the act while the Elliott bill protects all the rights and privileges of membership provided by a union's constitution and bylaws.

(2) Section 101(4), protection of the right to sue, creates confusion as to the discretionary exhaustion of internal union remedies by failing to indicate who has the power to exercise this discretion. Furthermore, the Griffin bill limits the protection of an employee from harassment by an employer seeking to persuade, induce, or finance an action against a union or an officer. By contrast the Elliott bill prohibits all employers from inducing, persuading, financing, or supporting any action against any labor organization or officer of same. The Elliott bill reflects the national policy stated in the Labor-Management Relations Act making it an unfair labor practice for an employer to dominate or interfere with the formation or administration of any labor organization.

(3) Section 101(5) safeguards against improper disciplinary action, limits the rights of a member subject to union disciplinary action to only three procedural elements. The Elliott bill protects the member in all procedural rights provided by the union constitution and bylaws.

(4) Section 102, civil enforcement, maximizes confusion as to the rights of a member to seek civil-court protection. It establishes three, separate, distinct, conflicting requirements. One provides for discretionary exhaustion of internal union remedies with a 4-month interval before resort to court. Another permits the member immediately to resort to court in the same case where he would have to wait 4 months before going to court. Finally, the third provision makes mandatory the exhaustion of internal remedies with a 6-month interval before resort to court. Furthermore, section 102 of the Griffin bill does not provide for a "trial upon the merits" in a Federal court. Yet, in section 402(c) of that same bill such a "trial upon the merits" is insured to a member. Thus the total effect makes uncertain the right of a member to seek civil enforcement protection on the act. The important protection of a "trial upon the merits" is available in one limited type of case, but is not available in the multitude of cases where it would be of greatest protection to the greatest number of members. The Elliott bill provides a "trial upon the merits" in all cases. Moreover, there is no conflict over exhaustion of internal union remedies prior to resort to court protection.

The major defects of the Griffin bill involve basic, elemental, and essential elements of protection for a union member. The Griffin bill does not provide and in fact dilutes this protection. For these reasons I urge the Members of the House to vote against the Griffin bill.

Mr. BARDEN. Mr. Chairman, I have no further requests for time at the moment.

Mr. KEARNS. Mr. Chairman, if the gentleman would consider it I would suggest that he move that the Committee rise.

Mr. BARDEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WALTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 8342) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, had come to no resolution thereon.

PRESIDENT GEORGE MEANY OF THE AFL–CIO SELECTED BY THE VETERANS OF FOREIGN WARS OF THE UNITED STATES TO RECEIVE FIRST AMERICANISM GOLD MEDAL AWARD

Mr. SHELLEY. Mr. Speaker, under leave to extend my remarks in the RECORD, and in view of the debate today and the attacks that have been made on the American labor movement, I call to the attention of my colleagues that the VFW will present to George Meany, president of the AFL–CIO, the first VFW Americanism Gold Medal Award at the 60th Annual VFW Convention in Los Angeles, Calif., on August 31. In the announcement from John W. Mahan, national commander of the Veterans of Foreign Wars, Mr. Mahan points out that Mr. Meany has not "only championed the cause of American workers but has championed the rights of free people, and free trade unionists throughout the world." I am proud to extend my personal congratulations to George Meany on his receiving this award and I know that many of my colleagues join me in this expression. The text of the release follows:

WASHINGTON, D.C.—George Meany, president of the AFL–CIO, has been selected to receive the first VFW Americanism Gold Medal Award, John W. Mahan, national commander of the Veterans of Foreign Wars, announced today.

It will be presented at the 60th Annual VFW Convention in Los Angeles, August 31.

Mahan, in making the announcement said, "This annual award is presented to an individual who through his acts during the past year has distinguished himself in the cause of American ideals. President Meany," Mahan continued, "has vigorously fought communism and has consistently refused to honor or acknowledge Communist leaders, or so-called workers unions, when such individuals and groups have visited this country.

"George Meany has not only championed the cause of Amercan workers but has championed the rights of free people, and free trade unionists throughout the world. For this long and valiant fight to keep America secure and free, the Veterans of Foreign Wars has seen fit to present him the first Americanism Gold Medal Award."

HONORS FOR LAST SURVIVING VETERAN OF WAR BETWEEN THE STATES

Mr. FORRESTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (S.J. Res. 118) authorizing and requesting the President of the United States to issue a proclamation calling for the flag of the United States to be flown at half-staff on the occasion of the death of the last surviving veteran of the War Between the States.

The Clerk read the resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue, on the occasion of the death of the last surviving veteran of the War Between the States, a proclamation calling for the flag of the United States to be flown at half-staff, for such period of time as the President deems appropriate, in commemoration of the death of all veterans of the War Between the States.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KHRUSHCHEV'S VISIT

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, the right hand of the administration knows not what its left hand is doing. While the right hand was writing, "We shall not give up an inch on Berlin," the left hand was penning an abject invitation for Khrushchev to honor(?) us with his presence.

The House Committee on Un-American Activities and the Federal Bureau of Investigation suffered in silence before this contradiction in national policy. These two groups, so ably led by Representative FRANCIS E. WALTER, of Pennsylvania, and by J. Edgar Hoover, have protected the United States from espionage and subversion for many years.

Now the administration, anxious to placate and please the leader of communism, has in effect declared that their efficiency in ferreting out the dupes, the fellow travelers, the spies, and the traitors is no longer necessary. Good fellowship and coexistence will mellow Khrushchev and his conspirators. Unbelievable?

The White House has just put on its brandnew pair of rose-colored glasses. And lo, the whole world is seen in a different light. And a halo appears over the head of Nikita Khrushchev, the prophet of world unity, who knows how to nail down the peace, if we will only obey his orders. You must not be so skeptical. "K" and his American pals resent such doubts. You must try to understand this sensitive man, they advise. Other people in the past have upset him. They asked questions. They wanted proof as to his real intentions. They got it through a process known as liquidation that eased all tensions and solved all problems.

"So be polite at all costs," says the White House.

We are thinking of the costs which are far higher than any budget, and a greater threat to our security. The cost to our national self-respect. The cost in relaxed vigilance, and weakened morale. The cost to the captive peoples whose faith in this administration has been shattered by its eagerness to fraternize with their oppressors. The cost to our allies who fear a cynical two-power deal. The cost in moral principles so lightly brushed aside.

Did the administration pay any attention to the serious consequences that will be the inevitable harvest of its comradeship with the leaders of communism? We recognize that Ambassadors and Secretaries of State must maintain contacts with officials of other governments regarding international travel and trade, and to engage in special conferences on international problems. But we do not believe that any President has the right to invite a dictator who is determined to subjugate us by one means or another, to be an official guest here in our country.

By what authority does the President invite the sworn enemy of our independence and our freedoms to visit the United States, and ask the American people to honor this betrayer? It never happened before. Why now?

This raises questions, not only concerning the President's judgment in this matter, but the larger question of his powers, actual or implied. And it raises serious doubts whether he and his advisers understand the menace that is communism, and whether they are able to cope with it. The House Committee on Un-American Activities and the FBI must be discreet on this startling development, but it is safe to assume from their knowledge of the subtle methods by which communism infiltrates a country, that they must deplore the President's reckless invitation to Khrushchev.

How can we erase the demoralizing impression that will be conveyed to free people everywhere by the hospitality extended to Khrushchev by the President? We can protest. It is our right and our duty to protest, in the hope that this unfortunate visit will be canceled.

We have 1 month left in which to undo the damage. But if that should fail, there will be headlines, and pictures of administration officials arm in arm with Khrushchev. We shall keep these pictures. They will be interesting exhibits in the future.

But there must be other pictures to counteract this dismaying effect upon the free world. Pictures of Americans protesting, pictures of Americans in mourning, so that the rest of the world will know that we shall never shake hands with the Devil or make a marriage of convenience with communism.

VENEZUELA'S PROPOSAL AND TRUJILLO'S DISPOSAL

The SPEAKER. Under previous order of the House, the gentleman from Oregon [Mr. PORTER] is recognized.

Mr. PORTER. Mr. Speaker, Venezuela, a firm democracy, has a historic proposal today before the fifth meeting of consultation of the hemisphere's foreign ministers, a proposal that is in large part prompted by the existence of Trujillo's so-called Dominican Republic, an infirm tyranny.

The agenda for this meeing at Santiago de Chile, where Secretary of State Herter represents the United States, was adopted by the Council of the Organization of American States on July 30, 1959. It is as follows:

I. For the purpose of maintaining peace in the Americas, consideration of the situation of internaitonal tension in the Caribbean area in its general and several aspects, in the light of the principles and standards that govern the inter-American system, and of means to assure the observance by States of the principles of nonintervention and nonaggression.

II. Effective exercise of representative democracy and respect for human rights, including:

(a) Doctrinal study taking into account the strict maintenance of the principle of nonintervention, of the possible juridical relation between the effective respect for human rights and the exercise of representative democracy, and the right to set in motion the machinery provided by American positive international law;

(b) Procedure that will make it possible to measure compliance with two fundamental principles of American international law: the effective exercise of representative democracy and respect for human rights; and measures that should be taken in cases of noncompliance with those principles.

Mr. Speaker, all these items are important at this time, but let me call special attention to subsection "b" of part II. This was proposed by Venezuela. It calls for procedures to appraise a nation's right to call itself a democratic republic and to associate with its neighbors in the OAS as a nation worthy of respect.

"Effective exercise of representative democracy" is a phrase from the OAS Charter, a phrase which has been much neglected in favor of a strained interpretation of "nonintervention."

"Free elections" is another way of saying it, just as "respect for human rights" is another way to say "individual liberty."

These are usable yardsticks. Does a government hold free elections as the basis for its selection of officials? Are civil liberties allowed its citizens?

NONMILITARY INTERVENTION

What measures should be taken to cope with noncompliance? Certainly some should be taken if in fact we do believe in these yardsticks as being solidly based in our Christian ethics. We do not believe in governments based on terror and tribute. We want to discourage them. We can discourage them by means other than military intervention.

This is what the Foreign Ministers are discussing in Santiago de Chile.

Collective action against Stroessner of Paraguay, Somoza of Nicaragua, and Trujillo need not violate valid principles of nonintervention. The application of these above-mentioned "fundamental principles of American international law" would itself go a long way toward encouraging internal forces in oppressed countries to bring about desirable reforms.

For example, although I continue to believe in Fidel Castro's good faith as an adherent of democracy, the application of these standards to Cuba at this time would find Castro's government lacking on the first count; namely, the matter of free elections. No date for elections has been set. It should be.

Publicly of collective findings as to noncompliance would of course be in order. Castro needs an organized, legitimate opposition. Until he sets a date for elections, no later than 1960, no such opposition can have any base on which to organize, grow and operate as is necessary in any democracy.

Cuba's lapse, of course, is defensible because her people have just overthrown a tyrant and this is a time of transition. Furthermore, Cuba measures up very well against the second yardstick. It is not being run as a police state. Critics are not thrown in jail, tortured or killed.

THE ARCHCRIMINAL, TRUJILLO

The criminal of the hemisphere is, as everybody knows, Rafael Trujillo Molina, the self-styled benefactor. His abuse of democratic forms mocks the moral basis of the OAS compact. His hired murderers pay no attention to national boundaries.

Venezuela, by proposing this item on the agenda, has said to its sister states, "Do you really believe in free elections and individual rights? If you do, then let us set up a procedure to ascertain compliance and let us agree on measures to deal with noncompliance."

This is strong medicine for some foreign ministers who are used to treating tyrants like Trujillo as though they were respectable. But I suggest that

strong medicine is exactly what the doctor prescribes for the OAS at this time.

Let us consider a few of the facts OAS investigators could easily uncover about the declining Trujillo.

On July 21, Tad Szulc, correspondent for the New York Times, got ousted from the Dominican Republic for dispatching some adverse comments about Trujillo's regime. Mr. Szulc was lucky. Other critics, who could not count on the powerful facilities of the New York Times, have not fared so well.

On February 27, 1959, Vision, the sober Spanish language news magazine with headquarters in New York, printed a chilling story of the fate of one of their correspondents. In translation it reads:

ONE HAS TO DIE FROM SOMETHING

What you are about to read is not a tale. In fact, the main character of this story was called Teofilo Guerrero del Rosari. In its January 23, 1959, edition, the Dominican newspaper, El Caribe, announced without details that Teofilo had been found in a jeep, strangled.

Since the notice did not even suggest possible motives for the crime, everything leads one to suppose that it was published to inform his relatives and friends. In a country as methodical as the Dominican Republic, this news could also have been published that way for the sole purpose of keeping statistics up to date. But, whatever the reason, it is not important now. Teofilo, our correspondent in Ciudad Trujillo, has died.

This information is based on correspondence maintained between our correspondent, our central office, and in conversations held in Ciudad Trujillo between Teofilo and one of the directors of the magazine. It begins like this:

On September 14, 1956, Vinson received a cable dated in Ciudad Trujillo. Verbatim, it read:

"Secretary without portfolio (name deleted by the editors) called me Monday National Palace and accused sending Vision information prejudical Government. Asked who reported that, he answered that you had during visit. Not having transmitted such reports I am surprised at this slander and would be grateful for cabled explanation and send Generalissimo Trujillo informing him situation which can cause me serious difficulties, according to (name deleted by editors). Keep alert. Thanks.

"TEOFILO GUERRERO."

Days before, Vision had published a story about the case of Prof. Jesus de Galindez. Teofilo had not participated in that story, nor had even received the copy that contained it which had been stopped by the censor. As soon as we received his cable, we explained the situation. This was an unconscious error on our part which we will explain later.

A few days later we received two more cables:

"SEPTEMBER 20.

"I have article Chief Security Service stating Vision is in service international communism. Tell me if you want it cabled.

"TEOFILO GUERRERO."

"SEPTEMBER 26.

"Called to National Intelligence Service. Please take notice in case I do not cable this afternoon or tomorrow. Regards.

"TEOFILO GUERRERO."

Later we learned that Teofilo had been imprisoned and accused of being a Communist. The magazine made overtures through the Dominican Embassy in Washington; they let us know that Teofilo was a Dominican citizen and that they had proved his Communist activities.

The continuation of this story was announced in the edition of El Caribe of November 1, 1956. The newspaper said that Teofilo Guerrero had been condemned to 2 years in prison for being involved in organizing Communist cells. But before completing sentence, the same El Caribe announced on April 12 the appearance in Ciudad Trujillo of a weekly called La Semana directed by Teofilo Guerrero.

Since his post had not been covered during his absence, after he was free Teofilo continued to send us reports every time something happened in the Dominican Republic. Thus, he sent us, among others, reports to do with the arrival of Perez Jimenez, Peron, Batista, etc.

In the interim one of the editors of Vision spent a week in Ciudad Trujillo and had the opportunity of knowing Teofilo. This happened in August 1958.

We met Guerrero one very hot afternoon in the Hotel Embajador. He was a rather short man although erect, with very white teeth, his hair very short and gray. He spoke freely, a fact that we now remembered on hearing of his death. Nevertheless, he had been able to live his 33 years in the Dominican Republic. That day a homage to Trujillo was being held, a thing that nobody could forget because from 6 in the morning the radio, television, and hundreds of loudspeakers installed throughout the city did not stop announcing the celebration until 9 o'clock at night. In the bar at the Hotel Embajador Teofilo asked for a Cuba Libre.

"Can you imagine that all my life that is the only music I have heard," he began by way of introduction.

At his side there was a man who watched us attentively. We asked him if he knew him.

"No," he replied laconically. "It's possible that he is a spy."

"Aren't you afraid to speak like that?"

"Of course I am, but I have to die from something," he added.

"Why did they imprison you?"

"When ——— (name deleted by the editors) first called me he tried to make lies from the truth and to scare me. When he found out that I had sent you the first cable he understood that he had been put in an awkward situation. Unfortunately, I didn't know that until later."

"How did you get free?"

"They suggested that I write a letter to the generalissimo and also a pamphlet about him * * * you know, the formula. I said everything he wanted * * * now I am free and they pay me $200 a month so that I won't do anything.

"What are you thinking of doing?"

"Nothing, they will never give me a passport. If I don't talk, I will go on living."

It is possible that Teofilo kept on talking, it is possible that someone accused him of talking and * * * also, it is possible that Teofilo had to die from something.

I have had my own personal experiences with Trujillo's methods—from eerie after midnight calls to official Dominican intervention in my campaign for reelection.

The latest episode is a cable sent to me recently by La Voz Dominicana, Trujillo's radio station. In translation it reads:

Please inform us brand of whisky you use so we can send a good quantity to your head full of rotten apples.

Trujillo's henchmen first tried to scare me. Then they tried to bribe me. Now they are trying to insult me. Someone has his sequence reversed. It looks as if Trujillo and his boys are getting addled.

They have good reason to be worried sick. Their day of reckoning for 30 years of plunder, torture, and murder is on the horizon. Even the most vicious police state methods, backed by millions of dollars for propaganda and hush money, cannot hold back the mounting pressures on the regime.

THE TIDE TURNS

Tad Szulc, before he got kicked out of Trujilloland, reported on the growing opposition within the once formidable dictatorship.

"Perhaps for the first time since General Trujillo took power here almost 30 years ago," reports Mr. Szulc, "Dominicans are talking among themselves of the possibility of a change."

Mr. Szulc further points out:

Another factor that appears to be developing here is an indication that some of the Roman Catholic clergy in the Dominican Republic are joing the ranks of General Trujillo's opponents * * * A number of priests in the Dominican Republic have been refusing lately to include in their sermons laudatory references to the regime.

News that Trujillo's private "Murder Incorporated" is stepping up action against dissidents is seeping through tight censorship. We learn that Maj. Delio Gomez, leader in the recent unsuccessful invasion attempt to oust the little Caesar of the Caribbean, died of a "heart attack" while in prison awaiting trial. We learn that the Minister of Labor, Ramon Marrero Aristy, who apparently was plugging for a liberalization of the regime, died in his flaming car after an "accident."

Even the knowledge that Trujillo's "Murder Incorporated" does not respect frontiers has not deterred defections from the regime. Last month, Dr. Emilio Cordero Michel, First Secretary of the Dominican Delegation to the United Nations, resigned, as he himself put it, "because of the repulsive and constant violation by the Trujillo government of all fundamental principles of the universal human rights."

TRUJILLO'S AMBASSADOR DEFECTS

Later in the month, Dr. Homero Hernandez Almanzar, Dominican Ambassador to Ecuador, followed suit. I have received a letter from Dr. Hernandez that spells out the reasons which impelled him to take such a dire step. A translation of the letter follows:

QUITO, ECUADOR, *July 21, 1959.*

DEAR MR. PORTER: I have the honor to address you, prompted by the great respect and sympathy enjoyed by you in my country as well as in other countries of the American Continent, because of the courageous and responsible democratic stand adopted by you against those with governments-by-force such as the government of Rafael L. Trujillo which is a disgrace and an insult.

I want to tell you that all of the Dominican people are very grateful to you for and appreciative of the commendable campaign of denunciation and action undertaken by you against the multiple outrages and assassinations which have been committed by the most abominable of [all] tyrants in the world, the bloodthirsty despot Trujillo. That is the reason why you are not only a leader in your own country, but also in the other American nations which love freedom but which are, nevertheless, oppressed. Your vibrant voice of encouragement and stimulus is heard everywhere throughout this continent.

We Dominicans who have [perpetrated] no crimes and whose records are unblemished, admire you for your upright behavior and firmness of spirit. The Dominicans have voiced repeated comments such as: "PORTER has been an unassailable wall against Trujillo's millions."

We also know of the various controversies which you have had with our false diplomatic representatives, especially when the famous case of Jesus de Galindez was being aired in the United States.

I submitted my resignation in consequence of the latest events which occurred in my country after the 14th and 19th of June, when three courageous groups of fellow countrymen experienced in warfare, in open rebellion against the tyrant, set foot on Dominican soil to challenge and fight from our lofty mountains the wrath of the cocky and bloodthirsty satrap.

That incredible stunt provoked and irritated the old despot to such an extent as to make him lose the little control and serenity that were his, and, crazed as he was, he ordered mass massacres of the best families, people, and rural folk of the Dominican Republic, availing himself of that new development to undertake cruel political purges such as that of 1930, when by force and treachery he assailed the government then in the hands of Horacio Vazquez, who had always protected and helped him.

After that insolent exploit he dissolved all political parties, thus wresting sure victory from the national coalition, composed of the "binomial" (two-party ticket of?) Velasquez and Morales, the former represented by its leader, Lic. Federico Velasquez Hernandez, and the latter also by its leader Lic. Angel Morales, prominent and respected citizens of the (Dominican) Republic.

That lying and farcical government oppressing my country today is doomed to disappear, and when it least expects it, because the breezes of freedom are already drifting down from our virgin mountains. The patrician and honorable blood which is now being spilled in the grounds of the ancestral manor of America will not be spilled uselessly; it is our payment for future freedom.

Furthermore, the regime which is keeping my country under its yoke will be put on the stand and adjudicated in Santiago, Chile, at the Meeting of Ministers, upon careful examination of all of the principles which govern the inter-American system, inasmuch as everybody knows that the real troublemaker in America is Trujillo, with his enormous propaganda ranging from leaflets and books, distributed through the intermediary of his diplomatic representatives, to the shipment of arms manufactured in my country and purchased for other countries to stir up revolutions designed to upset the democratic governments of America, thus denying and violating all principles consecrated in the Charter of the Organization of American States.

The dictators have forgotten that the America of today has a well trained mind, and that the outdated pastoral times, propitious for dictatorship, have completely disappeared. That is the reason why all countries of this continent know what is happening in Santo Domingo, behind its Iron Curtain.

Let us look forward therefore anxiously to the decision of the Meeting of Ministers.

I take the liberty of informing you that the comments of the Ecuadorian press on my resignation have been very good and laudatory and supporting the stand taken by me. That noble and democratic country has offered me all kinds of guarantees, in spite of the fact that the cruel regime of the Trujillos knows no limits, nor frontiers, in committing its bloodthirsty crimes such as the well known case of Jesus de Galindez, Andres Requena, and Sergio Bencosme, in the United States; of the brothers Baez and Pipi Hernandez, in Cuba; the attack against the former diplomat Tancredo Martinez, in Mexico; and many others.

I assure you that this is the first time that in our country freedom breezes have been felt drifting from our mountains.

I sincerely believe that this is the beginning of the Dominican liberation, which will have strong national and international repercussions and will be sealed with the precious blood and the victory valiant and war-experienced rebels of the mountains, with the aid of the people.

With best regards,

Dr. HOMERO HERNANDEZ ALAMANZAR.

It is true that Trujillo managed to crush the rebel invasions last month. But the fires the rebels lit still burn. For the first time in almost 30 years Trujillo was challenged. The myth that all is stable, peaceful and progressive on Trujillo's plantation has exploded.

Meanwhile, the Organization of American States drove another nail in Trujillo's coffin. Many of the American Republics seated in the OAS Council have vivid memories of their own recent experiences with tyrannical governments. They remember, too, that Trujillo gave loving cooperation to his fellow despots. When Trujillo charged Venezuela and Cuba with fomenting the invasions, the OAS showed a commendable disinclination to prop up his regime.

Trujillo finds himself isolated, in disrepute in the international scene and sitting on a pressure cooker at home.

Venezuela has proposed, and the foreign ministers today start to discuss, how to measure this disrepute of Trujillo and his kind in terms of well-settled principles, then to take appropriate action to encourage the effective exercise of representative democracy.

CONGRATULATIONS TO VENEZUELA

I congratulate Venezuela and I earnestly hope that the hemisphere's foreign ministers in Santiago de Chile will meet this great challenge to put a moral backbone into the Organization of American States. There are many ways for collective action to promote these ideals without using force and violating well-settled doctrines of nonintervention.

The end of the era of Trujillo is at hand whatever the OAS may do in Santiago de Chile, but here is a marvelous opportunity for the OAS, thanks to Venezuelan initiative, faith, and foresight. Here is an opportunity to hasten Trujillo's collapse and to see rising out of his ashes, Phoenix-like, a dynamic hemispheric partnership for democracy, complete with individual liberties and better living conditions for millions of people.

HIGHWAY CONSTRUCTION

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. CLARK] is recognized for 45 minutes.

Mr. CLARK. Mr. Speaker, I have introduced H.R. 8512, which would enable the highway program to continue on an even keel for fiscal years 1961, 1962, 1963, and 1964. The present status of the highway program is a precarious one and since millions of dollars have been invested in this program by State highway people, private contractors and their associates, I believe every effort should be made to continue this program. Within the last 2 weeks some 25 States have had to shut down their highway programs completely. This is an intolerable situation. A large segment of the economy of the country will be affected if there is a slowdown in the program.

Further, a firm commitment I believe was made to the States when Congress passed the 1956 Highway Act setting up a long range construction program. I believe there is a moral obligation on the part of the Congress to see that the program is continued. My bill, H.R. 8512, would allocate 5 percent of the Korean excise tax to the highway trust fund for fiscal years 1961, 1962, 1963, and 1964 and, in addition would continue for the same fiscal period the 8-percent tax on parts and accessories and allocate these funds to the highway trust fund for the same period. This allocation would take care of the existing deficit anticipated for fiscal years 1961, 1962, 1963, and 1964. The bill will solve the emergency situation now existing in the highway program and allow the program to continue until the Congress could have the benefit of two tremendously important reports to be received from the Bureau of Public Roads in January 1961. These are the new estimates of cost for completing the system and the cost allocation study. Both of these reports will be before the Congress in January 1961.

I believe that the highway construction program can proceed substantially on schedule without undue delay by raising needed revenues from sources other than an increased tax burden on highway users. Also Congress must keep in mind the fact that substantial amounts of matching funds must be raised by the States through special highway user taxes. The States must match the regular Federal-aid program on a 50–50 basis and provide 10 percent of the funds for the interstate program. We should not encroach on the only source of revenue left to the States to meet their obligations. A bill which I have introduced, H.R. 8512, which is now before the Ways and Means Committee takes care of this situation in the most practical manner possible. It leaves the use of gasoline tax for revenue to the States and earmarks instead additional excise taxes (which have been imposed on "highway users") to the trust fund.

The proposal of the administration that either the highway users be saddled with additional taxes or the highway program be cut back or possibly suspended is unfair. It overlooks completely the history of the Federal-aid highway legislation and the fact that the highway users are still paying more than $1½ billion per year into the general fund from levies on new automobiles, trucks, buses, and trailers, parts and accessories, and lubricating oil, over and above the special taxes earmarked for the highway trust fund.

At the time that the Federal-Aid Highway Act of 1956 was adopted the Federal Government was collecting from highway users, through taxes on gasoline, diesel, and other special fuels, new vehicles, tires, tubes, lubricating oil, and

parts and accessories, almost $3 billion per year, and was spending on highways less than $1 billion per year, thus the highway users were paying into the general fund approximately $2 billion per year more than was being authorized for highways.

Despite these facts and, in response to the administration's arguments that it could not afford to spend any more on highways than was already being devoted to highways from taxes then in effect, the Congress increased the taxes on fuel, tires and tubes and new trucks, buses and trailers. In addition, it levied new taxes on tread rubber (used in recapping tires) and on trucks weighing more than 26,000 pounds. A highway trust fund was created for which these new taxes and part of the automotive taxes already in effect were earmarked. This action still left revenues from taxes on highway users amounting to more than $1½ billion per year flowing into the general fund.

Even this was not enough, however. Under the Federal-aid program there is a time lag between the authorization of funds for highways and the appropriation of money to pay for expenditures made in connection with the authorizations. Thus at the time of adoption of the 1956 act there was outstanding $1,958 billion in Federal highway funds authorized by the 1954 and prior Federal-aid highway acts, for which funds had not been appropriated. These authorizations were made liabilities of the highway trust fund thus relieving the general fund of obligations for them and saddling them upon the trust fund. While this transfer of the liability for highway expenditures already authorized from the general fund to the trust fund would not have made a great deal of difference over the life of the program under the construction and financing provisions of the House bills. This action made quite a difference over the short term especially in view of the Byrd amendment.

The trust fund as originally conceived contemplated a balanced program over a stated number of years with trust fund surpluses in the early years to be made up in the middle years by advances from the general fund. The pay-as-you-go principle adopted in the final legislation changed this to a one way concept with trust fund surpluses available for loan to the general fund but with the trust fund unable to borrow from the general fund.

Because the new and increased taxes brought revenues into the highway trust fund at a faster rate than expenditures, and because the previously authorized funds were made obligations of the trust fund, the Federal budget, and debt situation were eased during the fiscal years 1957, 1958, and 1959. In fiscal 1957, for example, the highway trust fund had revenues of $1.482 billion and expenditures of $966 million. The general fund, of course, had no expenditures for the Federal-aid highways. Thus, the general fund was able to borrow from the trust fund making it unnecessary to go to the public for this amount in needed funds. In fiscal 1958 trust fund income rose to $2.1 billion and expenditures also rose to $1.6 million. The trust fund balance at the close of fiscal 1958 was $1.048 billion, which was loaned to the general fund. In fiscal 1959, ended June 30, 1959, trust fund income was $2.185 billion while expenditures increased to $2.709. This cut into the surplus accumulated in the first 2 years and left the fund with a balance of only $524 million which was loaned to the general fund.

It is now anticipated that expenditures in fiscal 1960, the current year, will exceed income by about $1 billion wiping out the balance and creating a deficit of about $500 million by the close of fiscal 1960. Thus, after about 3½ years of surpluses, which were loaned to the general fund, the trust fund will need additional money.

The administration proposes to raise this money by increasing taxes on highway users who are already paying the entire cost of the highway program and in addition are contributing substantial sums to the general fund through special Federal taxes, or to reduce expenditures by cutting back on the construction program. It contends that the transfer of even part of the revenues from special taxes now paid by the users which go into the general fund—10 percent tax on new automobiles, 5 percent of the tax on new trucks, buses, and trailers, the 8-percent tax on parts and accessories and the 6-cents-per-gallon tax on lubricating oil—to the trust fund where it properly belongs, will throw the Federal budget out of balance.

Some arguments have been advanced that these nondedicated taxes are not really user taxes. The fact that these taxes do not go into the highway trust fund does not mean that they are not highway user taxes. If they are general taxes, to be used for general Federal Government expenditures, then it seems reasonable to expect that similar taxes should exist on other forms of transportation. For example, while highway transportation is paying special taxes on vehicles, parts, and accessories there are no similar taxes on other forms of transport. The obvious answer to this, of course, is that these are not general taxes, they are special taxes on highway users.

This means that the administration is looking to the Nation's highway users to pay the entire cost of the highway program through special taxes and through the same taxes to keep the Federal budget in balance. The inequity of this hardly needs discussion.

The transfer to the highway trust fund of one-half of the present 10-percent tax on automobiles, together with the 8-percent tax on parts and accessories would solve the current financing problem and would also permit the highway program to proceed as originally scheduled. Thus the urgent need to keep the highway program so essential to the Nation's welfare progressing without serious interruption would be met without additional taxes. All that need be done is to follow the principles of simple justice and equity and give the highway user a better return on his tax dollar than he is getting at the present time.

Mr. Speaker, I wish to include the following table as a part of my remarks:

Estimated revenue that would be available under H.R. 8512 (Congressman Clark) earmarking the following taxes for trust fund

[In millions]

Fiscal year	5 percent automobile excise tax (1)	8 percent parts and accessories tax (2)	Estimated total revenue (3)	Anticipated deficit in trust fund (4)
1960				[1] $490
1961	$670	$175	$845	715
1962	690	180	890	717
1963	715	185	900	779
1964	735	190	925	744
Total	2,810	730	3,540	3,445

[1] Can be taken care of by supplemental appropriation from general fund.

Mr. KNOX. Mr. Speaker, will the gentleman yield?

Mr. CLARK. I yield to the gentleman from Michigan.

Mr. KNOX. I am very much aware of the gentleman's concern relative to the highway program. The financing aspects of the highway program is under consideration by the Committee on Ways and Means. I would inform the gentleman from Pennsylvania that I introduced legislation last January providing for the earmarking of additional highway user funds for the Highway Trust Fund. I submitted my proposal as an alternative to the proposed gas tax increase for study and consideration. Since introducing this measure I have voted for economy measures more than sufficient to offset any revenue loss to the general funds that would result from the additional earmarking. However, because economy has not prevailed existing circumstances will preclude the Treasury from loss of the $600 million, that would have to come out of the general fund to be transferred to the trust fund. Is that not true?

Mr. CLARK. Under the bill I am talking about, 8512?

Mr. KNOX. That is correct.

Mr. CLARK. No, that is not correct. The anticipated deficit for the 1961 program under 8512 would be $715 million.

Mr. KNOX. Yes, I understand the gentleman in that regard; however, it would cause a transfer of some $600 million out of the general fund of the Treasury to the highway trust fund, which would leave a deficit in the general fund of the Treasury.

Mr. CLARK. The deficit, of course, would not occur in the total revenue under my bill if it were enacted.

Mr. KNOX. Is the gentleman speaking in regard to the deficit in the trust fund?

Mr. CLARK. Yes, I am speaking with reference to the trust fund.

Mr. KNOX. I understand that would be true because you have to transfer $600 million from the general fund to the trust fund, which, of course, then would tend to improve the solvency of the trust fund and it would produce about $1,500 million to $1,800 million a year for reallocation to the States. That is about the amount that would come under the provisions of the gentleman's

bill. However, I do think that the Congress should be aware of the fact that it would take some $600 million from the general funds if your legislation should be enacted into law. This would cause a deficit in the general fund of the Treasury of about $600 million—and I would point out that it is the general fund that is the source of financing for national security, many of our farm programs, and other necessary programs.

Mr. CLARK. I agree with the gentleman that some of this tax money that my bill proposes is actually going into the general fund at this time. I agree with the gentleman on that.

Mr. KNOX. That is correct. Of course, I introduced this legislation also to have an alternative that we could have under consideration by the committee when the problem came up. We had the contents of the gentleman's bill before the committee this morning.

Of course, there was no favorable report. However, that is not to say that something will not be worked out, because I believe there will be. I believe it is essential that the highway trust fund should be reimbursed through some new tax or transfers of funds in order that the highway program can proceed as it was intended by the Congress within the framework of a fiscally responsible solution.

As an example of such a solution that I supported I would cite a motion made by my distinguished colleague and ranking Republican member of the Committee on Ways and Means, Mr. SIMPSON, of Pennsylvania. Mr. SIMPSON issued a statement covering his motion and in view of my support of that motion I would include his statement as a part of my remarks. Before doing so, however, I would point out that I have voted for every feasible proposal that contained any promise of keeping the program going on a realistic basis.

The text of Mr. SIMPSON's statement follows:

Mr. Chairman, I have asked to be recognized so that I could place a motion before the committee and make a brief statement with respect to that motion.

I move that the Federal excise tax on motor fuels be increased by 1½ cents per gallon effective September 1, 1959, for the balance of fiscal year 1960 (10 months); and that, effective July 1, 1960, through June 30, 1964, the increase be reduced to 1 cent per gallon. I include as a part of my motion the amendment offered yesterday pertaining to the provisions of H.R. 5751 redefining "producers" of gasoline to include wholesale distributors.

My motion includes fiscal year 1964 to preserve the integrity of the so-called Byrd amendment and still permit apportionments to be made in 1963. We all realize that the Congress will in 1961 reexamine highway financing in the light of the cost allocation study that is due from the Bureau of Public Roads by January 1961 with the result that we can adjust the tax increase if it is feasible to do so.

The effect of the rate increases proposed in my amendment would make the total Federal tax 4½ cents per gallon for the balance of fiscal year 1960, and for fiscal years 1961, 1962, 1963, and 1964, it would be 4 cents per gallon.

The additional revenue from these rate increases would be a cumulative total of $3 billion in annually increasing amounts ranging from $574 million in fiscal year 1960 to $630 million in fiscal year 1964. This would make apportionments possible as follows: In fiscal year 1960, $1.8 billion, and in fiscal year 1961 through fiscal year 1963, $2 billion in each of those years for the Interstate System.

Mr. Chairman, I think the committee membership is aware of my personal convictions in regard to this subject. I do not want to see additional taxes imposed on the American motorist; similarly I refuse to vote for deficit financing or for any expedient that involves deficit financing either directly or indirectly. I would personally prefer that the authorization side of this highway program, which is not within the jurisdiction of this committee but is within the jurisdiction of the Public Works Committee, be recast so as to place less emphasis on Federal participation and greater emphasis on State participation. From the standpoint of road construction in Pennsylvania I am convinced my constituents would be better off paying for their own roads without having their highway taxes diverted to the Federal Government and then allocated, in part, back to the State.

I am very greatly concerned that what started out to be a $25 billion interstate program in 1956 and is now, in 1959, a $36 billion program without any commensurate increase in highway mileage, may by 1964 be a $45 or $50 billion program. If the Committee on Ways and Means is called on to recommend more taxes to pay for this program, then surely the Public Works Committee and the Bureau of Public Roads are called on to make sure that the highway program is soundly conceived and is administered to provide maximum highway mileage for the minimum tax dollar.

As I have participated in the public hearings and in the executive sessions held by our committee on this subject, I have come to the conclusion that the Congress will decide to continue the highway construction program without any substantial curtailment. Under such circumstances it is essential that we have the necessary tax revenues.

In large measure our present short-term difficulties can be attributed to the speedup in construction that was voted last year. Of the present sitting membership of the Committee on Ways and Means—87 percent of the Democratic members voted in favor of the speedup and not one Democratic member voted against it; only 40 percent of the Republican membership voted in favor of the speedup. I voted against the speedup because of my concern over the effect it would have on the program. I could with consistency as an individual Member oppose added financing at the present time. However, we must deal with the facts as they are. The facts are that the Congress voted to speed up the program and as a result the highway trust fund is in difficulty.

If we refuse to provide additional funds in some responsible way, a moratorium in Federal participaton in highway development will occur, but there will be no moratorium in the highway user taxes we have already enacted. The people will currently be taxed for highways that are not currently being built.

No satisfactory alternative proposal has been developed during our committee's long deliberations on this subject. The proposal to authorize the issuance of highway bonds bearing a 5 percent rate of interest is inconsistent with the Congress' previous decision to pay as we build; it is inconsistent with the committee's refusal to date to authorize an increase in the 3.26 percent yield on savings bonds. The highway bond proposal is objectionable on several other grounds. These bonds would compete with other obligations of the Federal Government and would have the effect of making public debt management both more difficult and more costly. The interest cost of the bonds would absorb funds that should be available for the construction of highways. Expenditures under a bond scheme would have the same inflationary effect as deficit financing. The bonds would compete for the savings that now supply the funds to finance home building, State and local government expenditures, and corporate expenditures for new plant and equipment. The bond plan would add further pressures in the already congested short-term bond market. The plan would establish a dangerous precedent. I would simply ask my colleagues on the committee—will we also resort to bond issues to make up the $11 or $12 billion deficit inherent in the program to its completion date in the 1970's? Our country stands as the richest nation in the world and yet we would impose a tax tomorrow for highways we propose to build today.

A second proposal to meet this financing problem calling for a diversion of general fund revenues to the highway trust fund is not acceptable unless the committee stands willing to make up the resulting budgetary deficit by raising revenues from some other source. If by reducing the revenues available for the general purposes of Government we were committing ourselves to reduce the general level of expenditures, I believe we could all support such a proposal. Regrettably, the prospects for demands on the general funds are in the opposite direction—the pressures are for expenditure increases. Built-in expenditure increases to carry out commitments already made and pressures for expansion in these and other programs do not bode well for a reduction in spending in the years ahead. An expansion in the earmarking principle creates problems for sound fiscal policy over the years. Highways are admittedly important, but there is no sound reason for giving them a prior claim on future general fund revenues in preference to defense, natural resources, medical research, and similar other activities of the Government. Instead of additional earmarking, we should preserve for future decision the allocation of general fund revenues on the basis of the priorities determined at that time by the Congress for all Government programs.

The proposal for additional earmarking presumes that the Treasury will be able to forgo the earmarked receipts in meeting the demands placed on the general funds. The committee will recall the statement the Director of the Budget made before the committee as to the growing revenue needs of the Federal Government. More than $7 billion will be required after fiscal year 1960 to complete Federal civilian public works projects that have already been started; commitments will be outstanding at the end of fiscal year 1960 for more than $3 billion of loan and grant assistance to communities for capital improvements, the annual cost of military retirement benefits, at present benefit rates, will be $1.3 billion higher by 1970 than currently; expenditures for veterans' pensions in 10 years will exceed current amounts by $600 million. We have in the years ahead of us the prospect of increasing revenue demands for space exploration, civilian airways, and national security as defense weapons become more complex.

I do not mean to lecture my committee colleagues on fiscal responsibility. During the period I have been privileged to serve on this committee under the chairmanship of Mr. Doughton, Mr. Knutson, Mr. Reed, Mr. Cooper, and our present distinguished chairman, Mr. MILLS, I have consistently been proud of my committee colleagues in the way in which they have responsibly met the issues of the day. We have in my judgment shown our House colleagues the way; they have not always followed us, but I believe in the long run, subsequent events have proved the wisdom of what we advocated.

And so it is today in dealing with this highway program. If it is the decision of the Congress to maintain the program at anything resembling its present construction rate, we have a responsibility to our colleagues in the House and to the American people to responsibly show the way to proper financing.

I have not in the past supported the proposals that have been made for augmented financing because they involved a resort to deficit financing, a suspension of the Byrd amendment, or the issuance of bonds. I am convinced that these expedients do not represent realistic solutions. And so today I have presented to the committee for the first time a motion that contemplates fiscal responsibility, that avoids, even impliedly, the suspension of the Byrd amendment, and that requires only a very modest decrease in the rate of highway construction. I would even suggest that within the revenue limits that my proposal would contemplate the Public Works Committee by appropriate adjustments in the ABC program could provide for the Interstate program to be developed without curtailment.

I do not like increased taxes, but even more, I do not like deficit financing. If we are going to have highways and pay for those highways as they are being built, my proposal is a possible technique for getting the job done.

Mr. CLARK. I thank the gentleman very much.

Mr. WOLF. Mr. Speaker, will the gentleman yield?

Mr. CLARK. I yield to the gentleman from Iowa.

Mr. WOLF. I want to congratulate the gentleman for his discussion of this subject which is so vital to America. Certainly it is a major consideration to many people in my district and many districts of the country. I have several factories at Cedar Rapids today that have major unemployment as the result of this slowdown in the highway program. I was interested the other day in that I had a member of the Bureau of Public Roads come to my office, and in the discussion it came out that the administration had asked for $25 billion in 1956, now we are told the road program will cost $36 billion. That was an election year. If the administration had suggested $36 billion they would also have had to recommend a tax increase which is never a popular thing, especially in an election year. I was also interested in the discussion with the Bureau of Public Roads that we were raising from excise and gas taxes about $3.6 billion a year, from vehicles and parts of vehicles and so on, and that actually only about $2.4 billion of this is going into the road-building program. It appears that this would be a good place to begin looking for funds for this program, and I congratulate the gentleman for his thinking on this particular subject.

Mr. CLARK. I thank the gentleman very much for his remarks.

Mr. KNOX. Mr. Speaker, will the gentleman yield further?

Mr. CLARK. I yield.

Mr. KNOX. I am rather amazed at the remarks of my colleague who just spoke. Every consideration, as far as making funds available are concerned, had bipartisan support in the committee. Of course, if you want to make this a political issue, then, of course, I think we better put the monkey where he belongs, because as far as the minority, the Republicans, are concerned, they do not have sufficient votes to pass legislation through this Congress without some help from the majority party. And, I regret very much that the gentleman wants to make it a political issue. It is not a political issue so far as I am concerned I am interested in the construction of highways. I am interested also in financing the highways on a pay-as-you-go basis. If you are going to take funds from the general fund of the Treasury, then you are not paying as you go and you are going to increase the national debt by that amount. Now, if you want to increase the national debt, then you have the votes to do it. I am of the opinion that we better live up to our responsibility and have the moral and political courage to levy the necessary taxes for any extended program or any new programs and not continue to saddle our children and our grandchildren with debts that we have created up to date.

Mr. WOLF. Mr. Speaker, if the gentleman will yield further, I would like to say that the point I was making was that in 1956, which is only 3 years ago, the administration asked for $25 billion and said this would take care of the program. Three years later they are coming back and saying it will take $36 billion. I am saying it was shortsighted, and I am wondering how they can explain this discrepancy. I am worrying about my kids, too, for I have some of my own, and what they will be paying on the national debt. I also hope that we will have roads to travel on.

Mr. KNOX. Of course, that is the responsibility of the Congress. Congress enacted the speedup last year that created the present difficulty. If the Congress does not act in the field of highway legislation, of course, then we will not build any highways. If we are going to have deficit financing, let us face up to it and inform the people of this Nation that we are increasing the national debt and say that we do not have the moral courage to raise the necessary taxes to meet the obligations which the Congress created when we had the speedup of the highway program. If we had not had the speedup, we would not be in this condition. In speaking of the $25 billion program previously announced, that is true, but the estimated cost today is $36 billion in order to complete it. That may go up to $50 billion before the highway program is actually completed.

Mr. WOLF. I would like to ask either of the gentlemen who have been involved in this colloquy here if it is possible that a 40-percent error was made in judgment only.

Mr. KNOX. I was not on the Committee on Ways and Means at the time. I have no knowledge of how it was arrived at. But I do have confidence in the membership of the Committee on Ways and Means, which was under the control of your party at that time. They believed that they were doing a job in the best interests of the Nation and that they had sufficient funds, according to the information they had, to do a responsible job. There were many uncertainties connected with the original estimates and they were recognized at that time. I might point out to the gentleman that last year when Congress enacted the speedup, the Congress was informed then of the financial plight of the trust fund and what the acceleration would do to add to the problems.

Mr. WOLF. Mr. Speaker, will the gentleman yield further?

Mr. CLARK. I yield.

Mr. WOLF. I would also like to ask, Is it not true that the Bureau of Roads is doing a study and analysis right now, and will bring in legislative recommendations within the next year and a half?

Mr. KNOX. That is true. A cost allocation study is being made that is due in January 1961.

Mr. WOLF. And would it not be possible to have a short-term money program here to keep the road program rolling at full speed until we find out what their recommendations will be?

Mr. KNOX. Let me say to the gentleman that is true. That is what the Committee on Ways and Means is attempting to do at the present time. We are seeking to find some method on which the committee can agree, to recommend to the Congress to take us over this period between allocations of 1961 and 1962. That is where we are in trouble. We are not in trouble immediately, as far as 1959 and 1960 are concerned because those allocations have been made. But in order to keep the program going it is necessary now, in 1959, that they allocate for 1961; and in 1960 the calendar year they would allocate for 1962.

Mr. WOLF. I think we are in trouble right now. I just got a telegram today that 800 people in one factory in my district were laid off. I think we are worried about it right now. They were laid off because nobody is buying the road machinery that they make. If this is true in the road machinery industry, I am sure it is true across the board in the road building industry. I am not one of those who advocates an increase in the gas tax, and I hope others feel this way. These short-term programs of tax increases in the gas tax suddenly become regular things and I have seen very few of these taxes eliminated once they are imposed. I am glad to see other alternatives being proposed.

Mr. KNOX. May I say to the gentleman that I am just as allergic to taxes as he is.

Mr. CLARK. I thank both the gentlemen for adding to this discussion.

Mr. GREEN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. CLARK. I yield.

Mr. GREEN of Pennsylvania. I take this opportunity to compliment my distinguished colleague from Pennsylvania on the excellent address he has made.

I feel very strongly that Congress this year should certainly do something to continue the highway construction program that is so badly needed not only by the States but in the interest of the national defense of the country.

Mr. CLARK. I thank the gentleman so much. I took this opportunity to address the House this evening because the need is very urgent that something be done and done immediately to take

care of our highway construction program that was started in 1956.

Mr. WOLF. Mr. Speaker, will the gentleman yield?

Mr. CLARK. I yield to the gentleman.

Mr. WOLF. I am glad the gentleman took the floor and I am glad to have the gentleman bring to the attention of the House the Interstate Road crisis. He is speaking in behalf of many worried people who have lost their incomes. We should continue this study in the interest of the national defense system, and until we are happily back to full speed on our very vital road program.

Mr. CLARK. I thank the gentleman from Iowa.

Mr. LIBONATI. Mr. Speaker, will the gentleman yield?

Mr. CLARK. I yield to the gentleman from Illinois.

Mr. LIBONATI. Mr. Speaker, I am very proud of the gentleman for having brought this issue to the floor at this time because it is a situation that is very vital to the States, for they have expanded their road programs. It is vital also to small contractors who have expanded their business and purchased equipment. They are now facing bankruptcy because of the forced retirement of funds from State matching with the Government abandoning its matching funds.

This has caused quite a controversy in Illinois. A delegation of State officials came here yesterday, including the speaker of the house and the whip of the House of the Illinois Legislature, to ask that something be done. The question of the employment of thousands is involved in this suspension of the road program. The problem is acute and the results to the State systems which have acted in compliance with legislation passed by the Congress lead the States to plan a large program on top of the present State program. So under the circumstances something must be worked out by this Congress in the near future; otherwise, the repercussions will be very serious in the various States, particularly those States which have advanced their programs in accordance with the stimulation that was given those States by the passage of legislation by this Congress. Again I congratulate the gentleman for his development of the subject.

Mr. CLARK. I thank the gentleman.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. CLARK. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Mr. Speaker, I join in congratulating the gentleman upon his effort to find some solution for the problem which is nationwide, and especially concerns our people of Michigan.

We have many highways under construction, many contracts which have just been let, but one difficulty up there is that every time a contract is let almost immediately there is a strike on for an increase of wages and the companies that supply the materials to build the highway boost their prices, so you get fewer miles for the same amount of money almost every month you go along with it.

I do not know whether when we let a contract it would be possible to write into the contract a clause limiting wages and the cost of materials.

Then, my mail is loaded down with protests against any tax on gasoline or any other tax. If the gentleman can find a way to build highways that will not cost the Government anything it would be a great relief to all of us, but I do not think that is possible and I know the gentleman is not going to undertake a solution or try to find an answer along that line.

Mr. CLARK. I thank the gentleman from Michigan. I will say that there is more than meets the eye as far as the labor issue is concerned and rising material costs. Those are but two of the many problems that arise when it comes to highway construction on the billion-dollar level that we have going on all over the United States.

But I want to be and to go on record against any gasoline tax at the Federal level. For one reason, every State in the union will have to meet matching money from the Federal level and the only way the States can do it will be by getting an increase in the State gasoline tax. So at this time I want to go on record as saying I am certainly hopeful something can come out of the Ways and Means Committee in the next few days that will give us a program, whether it is my bill, H.R. 8512, or a bill introduced by some other Member. I do not care about that, but I want them to know that a gas tax at the Federal level is not the answer. We certainly need that gas tax in the different States so that they can raise tax money with which to match the funds from the Federal Government.

Mr. GREEN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. CLARK. I yield to the gentleman from Pennsylvania.

Mr. GREEN of Pennsylvania. As a member of the Committee on Ways and Means, I want to say to my colleague from Pennsylvania that the committee has been working hard and long to come up with a solution to this problem. We have had a great number of suggestions made. The committee reported about a week ago a solution it felt was effective for the problem, but it did not meet with the approval of the administration or the Treasury Department. We will continue to see if we can do our part to solve this problem. I want to say to the gentleman my own position in the committee has been against any increase in the gasoline tax and I hope that I can continue to support my own position in the committee on that.

Mr. CLARK. I thank the gentleman.

Mr. WOLF. Mr. Speaker, will the gentleman yield for me to ask a question of the gentleman from Pennsylvania [Mr. GREEN]?

Mr. CLARK. I yield to the gentleman from Iowa.

Mr. WOLF. I am curious to know if the gentleman could enlighten us on some of the suggestions that were made in committee and some that might have public consumption at this time?

Mr. GREEN of Pennsylvania. With the committee in executive session I do not know that I could tell the gentleman exactly what has happened. Since I am a new member of the committee I do not want to violate any rules. However, a week or 10 days ago the committee agreed on a solution that would not affect the national debt but would raise a billion dollars on a bond issue and take part of the funds that are collected in the form on excise taxes on automobile parts and apply them to highway construction. The Public Works Committee met and I am not familiar with what happened there except I know that it did not meet with the approval of either the administration or the Treasury Department. We have had many votes in the committee, most of which have contained a tax on gasoline. We have not come up with a solution yet.

Mr. WOLF. I am happy to have the statement and I hope you will keep going until you have a solution to this problem.

THE DECLINING HOG MARKET

Mr. ANDERSEN of Minnesota. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes, to revise and extend my remarks, and include copy of a bill which I have today introduced.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. ANDERSEN of Minnesota. Mr. Speaker, I have so often criticized the present Secretary of Agriculture for his evident lack of enthusiasm for programs to support farm commodity prices that it seems appropriate for me to commend him on those occasions in which he gives some indication of an understanding of our farm problems in the Midwest.

On August 3 the Secretary had a press conference and the Department handed out a release on the subject of the declining hog market. Some of our colleagues from the cities may be surprised to know that we do have a severe slump in hog prices because, as brought out in that press conference, the retail and even the wholesale markets have not reflected that down-turn. Once more, the statistics of our farm and food economy show that the farmer-producer is taking the beating and the consumer is not enjoying any of the benefits.

One of the outstanding newspaper correspondents from the Midwest, Mr. Charles Bailey, who has an unusual understanding of these complex factors, brought up some very pertinent questions at that press conference. After reading the Department's release about the steps that had been taken and additional moves under consideration, Mr. Bailey asked the Secretary the question that I and my farmers have been asking for years. He wanted to know why pork marketing margins had gone up almost double in the last year while hog prices dropped one-third.

Mr. Bailey quotes the Secretary as criticizing processors, wholesalers, and other middlemen for increasing their marketing margins in the face of falling hog prices. In response to Mr. Bailey's question, the Secretary said he believed "there is little justification" in this trend during a period of heavier supplies. I

commend the Secretary for coming this far, but I would suggest to him that there is absolutely no justification for increased marketing margins on pork while our farmers suffer the economic pinch of falling hog prices.

Although I maintain that there is no moral or economic reason why our Midwest farmers should have to sell their hogs at these depressed prices, I still say that if we in rural America must make the sacrifice we should see to it that the consuming public at least finds some of the trend reflected in retailed prices. Like Mr. Bailey, I find it difficult to understand how men with conscience can pay farmers one-third less for their hogs and at the same time increase the spread between the live hog prices and the wholesale price almost 100 percent between July 26, 1958, and July 25, 1959. One dollar pork chops in Washington grocery stores have very little price relationship to $14 hogs in St. Paul and it is high time the public knew that.

On August 3 the Secretary of Agriculture announced an export program on lard, and that may be a practical move. As any hog producer knows, the price and supply of lard have a major effect on hog prices and I commend the Secretary for his recognition of that factor. However, I must point out that this action alone may not be of direct benefit to producers and if it encourages the marketing of overweight hogs it could have a long-range adverse effect.

The Secretary also called upon hog producers to help maintain an orderly marketing of hogs and urged farmers to bring their hogs to market as soon as they reach a profitable weight rather than fattening animals to heavier weights. This, Mr. Speaker, is a critical problem in our hog marketing process. As I said earlier, the price and supply of lard largely control the whole hog market. In addition, an oversupply of cheap feed such as we have today under the Benson program of lower price supports encourages farmers to feed hogs beyond their best market weights in an effort to get something out of their cheap corn. This, as I said, is a critical problem that has been with us for many years and we should do something about it. Everybody from the producer to the consumer suffers when too many overweight hogs are brought to market.

Something can be done about this, Mr. Speaker. In the 85th Congress I introduced a bill, H.R. 10420, to authorize incentive payments for the marketing of lightweight hogs. I am again introducing my bill to provide the means for accomplishing this desirable objective.

To our colleagues from the cities who are interested in high-quality pork at reasonable prices for their consumers I say that here is a means of bringing that about. To our colleagues from the hog-producing areas of our Nation I say that here is a way to prevent the bottom falling out of the hog market. To our colleagues from the range areas I say that here is an opportunity to halt the decline in hog prices which will surely lead to a similar decline in cattle prices if unchecked. And to the Secretary of Agriculture who properly said that lightweight hogs must be brought to market I say that here, Mr. Secretary, is the authority for a program that will help do the job. I hope that the Congress and the administration will see the wisdom of some such action as I here propose. If so, I urgently recommend consideration of appropriate legislation before we adjourn.

One final word, Mr. Speaker. I note from Mr. Bailey's timely story that the Secretary is ready to step into the market and buy pork for the school lunch program in the event such action is necessary to strengthen the hog market. As Mr. Bailey has so aptly said, there is serious cause for question and concern when the middlemen increase their margins at the same time farmers are receiving less and less for their hogs. I hope the Secretary does more than look into this question, as he has publicly promised. I hope that he brings to the attention of the American people the whole story and then takes the steps he legally can to meet the challenge. If it becomes necessary for him to launch a pork buying program as it very likely will, I believe we are within our rights to insist that the benefits of such purchases out of agricultural funds go to producers and not to the processors. The only justification for a pork purchase program on the part of the U.S. Department of Agriculture would be to help farmers get a better price for their hogs, and the purchase program should be designed to serve that purpose.

Properly administered, I know a purchase program can be helpful to producers.

However, the timing of action by the Department of Agriculture is equally as important as the action itself. Experience has shown that it is both costly and difficult to raise a market by Government intervention once it has hit the bottom. We know that almost without exception the entrance of the Government into a depressed market is, at best, a holding action and it takes a lot of time and a lot of money to move the market back up. That is why the timing is of such vital importance and if the Secretary is going to get into the market at all he should do so before it reaches the disaster level.

With a current market of less than $14 for top hogs, the price has fallen dangerously near to 60 percent of parity. Only seven commodities in the entire price index maintained by the U.S. Department of Agriculture are in that category and I do not believe that the Secretary, armed as he is with the powers and funds to act, should stand by and permit a major commodity such as hogs to fall to that disaster level. A hog market collapse can and must be prevented.

Because I personally believe the time has come for action, I have today called upon Under Secretary True Morse to initiate a pork purchase program in behalf of the school-lunch program. I have pointed out to him how much this depressed market is costing our farmers, and I have also reminded him how costly it would be to the Government to go into a hog market below 60 percent of parity and try to restore it to a decent level. The Department is aware of the urgent need in our school-lunch program for meat for our children's lunches at the opening of school terms in the next few weeks, and it would be to the advantage of everyone concerned to move into the market before it falls any lower.

In accordance with the clearly expressed intent of the Congress and in fairness to farm people all over the Nation, pork purchases should be initiated now. I trust the Secretary will not wait until the market has hit the bottom before he steps in with his vast powers, and when he does go into the market I expect him to vigorously and aggressively move to restore the hog market to a fair level. Fortunately, we have already provided him the authority and the funds to do the job.

Under leave to extend my remarks, Mr. Speaker, I am including in the RECORD at this point the provisions of the bill I have just introduced to provide for incentive payments for the marketing of lightweight hogs.

A BILL TO PROVIDE FOR INCENTIVE PAYMENTS FOR THE MARKETING OF LIGHTWEIGHT HOGS

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to assure the orderly marketing of an adequate national supply of hogs and pork products, to encourage the increased domestic consumption of pork and pork products, to maintain the productive capacity of our hog-farming industry, and to avoid the feeding of hogs to less desirable weights, the Secretary of Agriculture is authorized and directed, whenever he finds (1) that the annual pig crop for any year will exceed the average pig crop for the ten preceding years; or (2) that the national average price received by farmers for hogs is less than ninety per centum of the parity price therefor, to make incentive payments to hog producers to encourage the marketing of hogs for slaughter at live weights of two hundred pounds or less.

SEC. 2. The amounts of incentive payments under this Act shall be established by the Secretary at such level, not less than one dollar or more than three dollars per hundredweight, as he determines is necessary to carry out the purposes of this Act except that (1) whenever the national average price received by farmers for hogs in any month is less than eighty-five per centum of the parity price for hogs, the incentive payment for such month shall not be less than two dollars per hundredweight, and (2) whenever such average price for any month is less than eighty per centum of such parity price, the incentive payment for such month shall be three dollars per hundredweight. The Secretary of Agriculture is authorized and directed to establish grades of live hogs and to deny payments for live hogs of inferior quality. No producer shall be eligible to receive incentive payments under this Act totaling in excess of one thousand dollars in any calendar year.

SEC. 3. The Secretary is authorized to use any funds of the Commodity Credit Corporation, and any funds appropriated by section 32 of Public Law 320, Seventy-fourth Congress (49 Stat. 774; 7 U.S.C. 612c), as amended, in making payments provided by this Act: *Provided, however,* That no payment under this section shall be made in excess of ninety per centum of parity.

SEC. 4. Every purchaser of hogs for slaughter shall supply to the producer of such hogs a ticket, in such form as may be prescribed by the Secretary, showing the number of hogs sold in weight classes of two hundred pounds or less and the total weight of the hogs so sold. Such producer shall make application for the payment of incentive benefits under this Act by filing the

ticket received by him from the buyer with the county committee for his county appointed under section 8(b) of the Soil Conservation and Domestic Allotment Act.

SEC. 5. Payments shall not be made under this Act after December 31, 1965.

U.S. FOREIGN SERVICE

Mr. LAFORE. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. BENTLEY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BENTLEY. Mr. Speaker, in view of the recent and continued interest expressed by Members of the House regarding the sources and geographical locations from which officers of the U.S. Foreign Service are drawn, I felt it would be helpful from this point to read into the RECORD a copy of a letter dated August 5, 1959, and sent to me by Mr. Loy W. Henderson, Deputy Under Secretary of State for Administration. I believe that Mr. Henderson's remarks in this connection will prove of interest to those many Members of Congress and to people who, like myself, are deeply interested in the quality of our official diplomatic service and anxious to see it as broadly representative of the American people as possible.

Mr. Henderson's letter is as follows:

WASHINGTON, *August 5, 1959.*

The Honorable ALVIN M. BENTLEY,
House of Representatives.

DEAR MR. BENTLEY: As I wrote you on July 28, I inaugurated a study of statistics concerning the State origins and educational backgrounds of the 3,427 officers in the Foreign Service of the United States. I am pleased to report that this study has revealed that each of our 50 States as well as Puerto Rico and the Canal Zone is represented by native sons who are Foreign Service officers. Those among them who have college degrees come from 417 colleges and universities across the Nation. Only 649 received their bachelor degrees from the so-called Ivy League institutions.

The bulk of our officers do not come from wealthy families. Many of them had to earn at least a part of their own way through college. Our records show that they have come to the Service from many different occupations: Cowhands, merchant seamen, cashiers, salesmen, day laborers, waiters, typists, deckhands, and lumberjacks.

These officers have been commissioned on a basis of equality of opportunity. Their ancestors came to this country from Asia and Africa as well as from Europe. We do not know how many are drawn from particular national groups, for our records do not indicate race or religion. I know, however, for example, that there are Negroes in the Foreign Service Officer Corps and I also know that they are not confined—as has been suggested—to one or two showcase examples.

Another point of misapprehension has arisen, I think, from statistics which the Department of State itself made available to the Congress and the public. They were statistics covering colleges attended by 670 persons appointed to the Foreign Service Officer Corps between January 1, 1946, and September 20, 1952. A newsman quite correctly calculated, from these statistics, that 47 percent of these appointees came from 10 large colleges and universities. Those 10 schools, however, included not only several Ivy League schools but also California, Stanford, Chicago, Wisconsin, Georgetown, and George Washington, which are not. Since the period cited above, incidentally, we have made a number of changes designed further to encourage applicants to the Foreign Service from all the parts of the United States. Since mid-1955 the number of centers at which our written examination is given was increased from 16 to 65. The oral examination is being conducted in 23 cities so applicants from every corner of the United States may conveniently and inexpensively take it.

I am pleased to be able to provide you with these facts because the Department of State strongly shares the point of view expressed in the debate on the floor of the House of Representatives on July 21 that the Foreign Service of the United States should be broadly representative. I know you will agree, however, that it is also essential that the Foreign Service Officer Corps be composed of officers of the highest abilities and qualifications. The experience of nearly 200 years of participation by the United States in the field of international relations has made it clear that our diplomatic and consular representatives should be men of intelligence, with sound training for public service, and possessing a good education obtained from educational institutions or otherwise. The Foreign Service is a profession of a most demanding character. I am confident that you and your colleagues will agree that it would be unthinkable to admit a physician or a lawyer to their respective professions unless their educations met exacting standards. This is also true for the Foreign Service. It is, of course, important to have in the Foreign Service officers whose backgrounds reflect many varied experiences in all sections of our country. Character and intellectual attainment must, however, be controlling considerations in the selection of our officers.

I am deeply appreciative of your interest and of the interest shown by many other Members of the Congress in the effectiveness of the Foreign Service.

Sincerely,

LOY W. HENDERSON,
Deputy Under Secretary of State for Administration.

FORTIETH ANNIVERSARY OF THE ADOPTION OF THE GERMAN CONSTITUTION BY THE CONSTITUTIONAL ASSEMBLY IN WEIMAR

Mr. LAFORE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BOSCH] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BOSCH. Mr. Speaker, today marks the 40th anniversary of the adoption of the German Constitution by the constitutional assembly in Weimar. It is admitted that the Weimar constitution was based, in its fundamental concepts, on our own Constitution. One of the fundamental concepts was that of self-preservation which is so vital to the lifespan of any document. It is unfortunate that the emergency provisions of the Weimar constitution should have been so flagrantly abused rather than sparingly used. While the Hitler regime wholly disregarded the fundamental concepts of the Weimar constitution, history records that it has not been totally abolished. It is also true that today, while the West German Federal Republic practices a basic law, there is without doubt a firm conviction and belief that, while now dormant, if and when justice and equity prevail and there is a reunification of Germany, the Weimar constitution will in all probability be the revitalization of constitutional life in that country.

I trust that in the not too distant future this historic document which so closely resembles our own shall again be the beacon of truth and representative government in a reunited Germany dedicated to peace.

The Steuben Society of America, a national organization which I had the honor and privilege to serve as national chairman prior to my election to Congress, at its recent national council meeting in Chicago, Ill., adopted the following resolution which I respectfully commend to my colleagues:

Whereas August 11, 1959, marks the 40th anniversary of the adoption of the German Constitution by the Constitutional Assembly in Weimar;

Whereas the Weimar Constitution, in spirit as well as in language, is patterned after the U.S. Constitution and therefore is truly a child of our own basic law;

Whereas the Weimar Constitution, like our own, in its preamble states the immovable and immutable truth that "all power originates from the people," thereby sounding anew the rallying cry that has moved the hearts and the minds of human beings yearning for freedom, throughout the ages;

Whereas it behooves all of us, in the face of the many political and economic stresses filling the world of today, to be forever vigilant in the defense of our basic law and to learn from the decline and demise of other nations such as the Weimar Republic where the noblest sentiments and the highest ideals pronounced in the Weimar Constitution could not prevail against the powerful pressures from without and from within, finally bringing dictatorship and ruin to a great people; Therefore be it

Resolved, That the national council of the Steuben Society of America, a nationwide organization of American citizens of Germanic extraction, assembled for its annual meeting in the city of Chicago, do urge its own members as well as all other citizens of our Nation, to pay tribute in proper ceremonies to the men and women who gave form and content to the Constitution of the German Republic, four decades ago; and be it also

Resolved, That the Steuben Society of America do memorialize the United States Congress to do likewise on this, the 40th anniversary date of the Weimar Constitution, so that all of us may be alerted anew to guard against usurpations and encroachments upon constitutional government, which were to bring such total disaster to the German Republic and to many other once free nations now living in darkness.

Mr. LAFORE. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. REECE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. REECE of Tennessee. Mr. Speaker, I want to commend the gentleman from New York [Mr. BOSCH] for his able remarks and want to associate myself wholeheartedly with the sentiments he has just expressed.

I consider the Weimar Constitution of Germany to be actually a grandchild of our own supreme charter. The Constitution of the United States decisively influenced the text of the German Constitution which was adopted in 1848 by the Frankfurt National Convention, though it was ratified only by a minority of German States and was never put into force. However, when the representatives of the German people in 1919 met in national convention at Weimar, our U.S. Constitution directly and through the Frankfurt document of 1848 found some of its principal ideas reflected in the deliberations of that body assembled in Weimar.

Mr. Speaker, on Monday, May 4, of this year this House commemorated the 168th anniversary of the Polish Constitution of May 3, 1791. The gentleman from Illinois [Mr. PUCINSKI] found eloquent words of praise and pointed out that the freedom-loving people of Poland will not yield in their determined resistance to oppression until this constitution of May 3, 1791, again becomes a living document in Poland.

"Again a living document," Mr. Speaker, is a term well worth to underline for the benefit of our friends in Poland as well as in Germany.

In the words of one of our greatest legal minds, Chief Justice John Marshall, as propounded in the decision of Cohen against Virginia—1821:

> A constitution is framed for ages to come and is designed to approach immortality as nearly as human institutions can approach it. Its course cannot always be tranquil. It is exposed to storms and tempests, and its framers must be unwise statesmen indeed if they have not provided it, so far as nature will permit, with the means of self-preservation from the perils it may be destined to encounter.

Mr. Speaker, the Weimar Constitution of Germany certainly was endowed with those "means of self-preservation" which Chief Justice Marshall in his opinion in Cohen against Virginia considered so necessary. The Weimar charter may have been wholly disregarded, but was not abolished during Hitler's regime. In fact, in the years from 1933 to 1945 German courts frequently based decisions on clauses of the Weimar Constitution.

Nor was the Weimar Constitution abolished with the advent of the West German Federal Republic. The founders of the West German Republic wisely and with full intent did not adopt a new constitution which could have led to the erroneous belief that the Weimar Constitution is dead. Instead, they adopted a so-called basic law which expressly serves for the people of West Germany a provisional purpose until such time when a reunited Germany shall revitalize its constitutional life.

In the meantime, Mr. Speaker, what is the status of the Weimar charter?

The Weimar Constitution continues to live. After World War II, the decision in various cases that came up in the courts of Germany, as well as of Great Britain, Switzerland, and other countries have been based on clauses of the Weimar document.

The most that can be said is that the Weimar Constitution today is dormant. The legal interpretation of dormant is "in abeyance"; but surely it is not dead.

The second book of Coke's Institutes contains a sentence very pertinent to this situation: "Dormiunt aliquando leges, numquam moriuntur—The laws sometimes sleep, never die."

Let me point out that the Weimar Constitution, dormant, if you will, is yet one of the most important constitutional rivets that hold the German people—East and West—legally together as one nation. The political implications of this fact may not yet have been fully explored and developed.

Mr. Speaker, I am of course aware of various weak points in the clauses of the Weimar Constitution. The way to eliminate them will be by amendment. It may be appropriate, at this point to recall the debate in our own Constitutional Convention on September 17, 1787, when the engrossed text was read and numerous delegates hesitated to vote in favor of it. It was Benjamin Franklin who, while admitting his own disagreement with parts of it, pleaded for its adoption and it was Gouverneur Morris who posed the question: "Shall there be a National Government, or not?" and answered that he would "take the present plan," that is, the Federal Constitution, "with all its faults."

In his opinion in Cohen against Virginia, Chief Justice Marshall stated, with reference to the United States and its Constitution:

> That the United States form, for many and for most important purposes, a single Nation, has not yet been denied. In war we are one people. In making peace we are one people.

This, I believe, can also be properly applied to the German people and its Weimar Constitution, which on some future day will again be "a living document" throughout Germany.

NEW ENGLAND OIL MYSTERY

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, last March the President issued an order imposing mandatory controls on the importation of foreign oil which will result in costly fuel bills to New England home owners and industries.

OIL PRICE INCREASES WILL COST NEW ENGLAND ESTIMATED $100 MILLION ANNUALLY

I immediately asked the President to exempt New England from these import quotas, which, it is estimated, will result in increased oil costs of approximately $100 million annually to New England consumers. In his reply for the President, Mr. Gerald D. Morgan, the Deputy Assistant to the President said the President, after careful consideration, had decided that he had "no alternative but to put into effect a system of mandatory controls, being convinced that the present level of imports was threatening to impair the national security."

In view of the White House reply to me on last March 20 concerning the national security aspect of the decision to impose mandatory oil import quotas, I think that the following editorial from the Boston Herald of yesterday should be of extreme interest to the New England delegation in Congress:

NEW ENGLAND OIL MYSTERY

The Government's restrictions on residual oil imports is becoming more and more mystifying.

Residual oil is a heavy petroleum product left after other products are removed. It is well suited for electric power and industrial use and for hotels and apartment houses. New England especially welcomes it, because it comes cheaply from Venezuela. Yet we are now denied full access to it because of Government import restrictions placed on it in the name of defense.

Our national security makes it necessary, President Eisenhower said, "that we reserve to the greatest extent possible a vigorous healthy petroleum industry in the United States."

But the petroleum industry can be very healthy without the market for residual oil. Its production is falling off rapidly as more of the crude oil is turned into more valuable products. New England could have its residual oil imports without loss of security. In case of war residual oil could be brought from Venezuela by tanker more quickly than from domestic gulf sources.

But here's the curious feature of the thing. The other day we got a letter, which we published, from the National Coal Policy Conference saying that "the Office of Civil and Defense Mobilization and the President felt, after a thorough inquiry, that imports of petroleum, including residual oil, were threatening national security by weakening the domestic coal and petroleum industries."

Note here the reference to the domestic coal industry.

The inquiry into other petroleum imports was no doubt thorough, but the restrictions on residual oil were very hastily drawn, without consultation with anyone in the marketing end of the residual business. And there was no study whatever of coal in connection with the restrictions, and, indeed, no mention of coal anywhere in the stated objectives of the mandatory import program.

What we would like to know is how the coal people are so sure that the residual curbs were invoked to save the coal industry. Is it possible that the coal interests worked behind the scenes on this matter to put over a coup on their rival for the New England fuel market, residual oil? And then, when success crowned their efforts, assumed that coal must have been included in the national security findings?

What concerns New England is whether we are being cut off from our full supply of residual oil through some casual response to a plea from the coal industry, so casual, in

fact, that no mention was made of coal in the proclamation of the President.

The residual oil restrictions ought to be lifted at once, and a full study made of the security issue, taking into account the importance of this oil in the New England economy.

We can be patriotic, but only when it makes some sense.

BOLAND WILL ASK PRESIDENT EISENHOWER TO TAKE SECOND LOOK AT OIL IMPORT QUOTA ORDER

Mr. Speaker, New Englanders are already digging down into their pockets to pay for higher oil prices as a result of this "national security" quota imports on oil. Before they have to pay higher fuel bills next winter, I am going to ask President Eisenhower to take a second look at his oil quota import order of last March.

The mandatory order issued by the President limits the importation of residual fuel oil to 400,000 barrels a day for the entire eastern half of the Nation. This mandatory quota leads to price increases in domestic residual fuel oil and New England industries, colleges, electric powerplants, State and municipal institutions are paying the higher fuel bills. This has been a continuing problem with New Englanders over the years, and one that I have vigorously protested every time that talk of oil quotas has been heard in these Halls. New England depends upon a free flow of imported oil if it is to remain competitive with other burgeoning sections of the United States.

NEW ENGLANDERS CAN BE PATRIOTIC WHEN IT MAKES SENSE

Mr. Speaker, I agree with the editorial comment of the Boston Herald that New Englanders "can be patriotic, but only when it makes sense." The oil import quotas order in the name of "national security" does not seem to make that much sense.

TRIBUTE TO HADLEY ON OCCASION OF TERCENTENARY

Mr. BOLAND. Mr. Speaker, the town of Hadley in my congressional district is observing its tercentenary this year. Under leave to extend my remarks, I include an editorial in tribute to Hadley that appeared in the Daily Hampshire Gazette, published in the neighboring city of Northampton, on August 5, 1959:

HATS OFF TO HADLEY

Our friendliest felicitations to the town of Hadley, our good neighbor and friend, just across the Connecticut River, upon its fine celebration of its 300th anniversary. Northampton knows how it feels to be that age, having marked its tercentenary only a short time ago, in 1954.

For some months past, and especially in recent weeks, the fine story of "Old Hadleigh's" history has been nicely presented in word and picture, and has been climaxed by a fine 3-day program featuring pagentry and other events and closing with the splendid procession held this past Sunday afternoon.

Happily, the weather was ideal, with clear skies and mild temperature. It was a presentation equal to that one might expect of a much larger community.

A fine feature, of course, included the extensive participation in the procession by neighboring cities and towns, as is generally the case in these celebrations in our beautiful Pioneer Valley. Hadley is located in the heart of this fine part of western Massachusetts, which is outstanding in New England. Hadley has many special achievements in agriculture, in education, in its church and social life, and in community cooperation.

Hadley has a population of fine people who are carrying on in the best traditions of the town. May its past and present be followed by a still finer future. Knowing the Hadley spirit, one can fully expect that it will be.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mrs. ROGERS of Massachusetts, for 10 minutes, today.

Mrs. ROGERS of Massachusetts (at the request of Mr. LAFORE), for 10 minutes, on tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. BOLLING, to revise and extend his remarks made in Committee on H.R. 8342 and to include extraneous matter.

Mrs. KEE in three instances and to include extraneous matter.

Mr. BERRY and to include extraneous matter.

Mr. EVINS in two instances and to include extraneous matter.

Mr. MOORHEAD.

Mr. THOMPSON of New Jersey, to revise and extend the remarks he made in the Committee of the Whole and include extraneous matter.

Mr. SHELLEY, to insert in the body of the RECORD immediately following the debate on the labor bill his remarks and include a related editorial.

Mr. ALGER (at the request of Mr. LAFORE) and to include a bill H.R. 8003 in remarks he made during debate in Committee of the Whole on H.R. 8342.

Mr. MINSHALL and to include extraneous matter.

(At the request of Mr. LAFORE, and to include extraneous matter, the following:)

Mr. ALGER.

(At the request of Mr. WOLF, and to include extraneous matter, the following:)

Mr. COFFIN.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 137. An act to allow a deduction, for Federal estate tax purposes, in the case of certain transfers to charities which are subjected to foreign death taxes;

H.R. 451. An act to amend the Longshoremen's and Harbor Workers' Compensation Act, with respect to the payment of compensation in cases where third persons are liable;

H.R. 3682. An act to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the act of August 14, 1958;

H.R. 5138. An act to extend the grounds of the Custis-Lee Mansion in Arlington National Cemetery; and

H.R. 7508. An act to amend title 10, United States Code, to establish a Bureau of Naval Weapons in the Department of the Navy and to abolish the Bureau of Aeronautics and Ordnance.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 137. An act to allow a deduction, for Federal estate tax purposes, in the case of certain transfers to charities which are subjected to foreign death taxes;

H.R. 451. An act to amend the Longshoremen's and Harbor Workers' Compensation Act, with respect to the payment of compensation in cases where third persons are held liable;

H.R. 3682. An act to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the act of August 14, 1958;

H.R. 4243. An act for the relief of Peter Sergeevich Deryabin, also known as Theodore Stanley Orel;

H.R. 4644. An act to credit to postal revenues certain amounts in connection with postal activities, and for other purposes;

H.R. 5138. An act to extend the grounds of the Custis-Lee Mansion in Arlington National Cemetery;

H.R. 5849. An act to amend the act of July 7, 1958, providing for the admission of the State of Alaska into the Union, relating to selection by the State of Alaska of certain lands made subject to lease, permit, license, or contract;

H.R. 7508. An act to amend title 10, United States Code, to establish a Bureau of Naval Weapons in the Department of the Navy and to abolish the Bureaus of Aeronautics and Ordnance; and

H.R. 8283. An act making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1960, and for other purposes.

ADJOURNMENT

Mr. WOLF. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 29 minutes p.m.) the House adjourned until tomorrow, Wednesday, August 12, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1300. A letter from the Attorney General, transmitting the report of the Attorney General, pursuant to section 708(e) of the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

1301. A letter from the Director, Central Intelligence Agency, transmitting a report of claims paid by the Central Intelligence Agency for fiscal year 1959, pursuant to the Federal Tort Claims Act of 1946, Public Law 79–601; to the Committee on the Judiciary.

1302. A letter from the Deputy Secretary of Defense, transmitting a semiannual report relating to the authority to establish or develop installations and facilities required for advanced research projects, pursuant to section 403 of Public Law 85–685; to the Committee on Armed Services.

1303. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation entitled "A bill to improve the work of Federal employees through evaluation of work performance and to amend the Performance Rating Act of 1950"; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FORRESTER: Committee on the Judiciary. Senate Joint Resolution 118. Joint resolution authorizing and requesting the President of the United States to issue a proclamation calling for the flag of the United States to be flown at half-staff on the occasion of the death of the last surviving veteran of the War Between the States; without amendment (Rept. No. 827). Referred to the House Calendar.

Mr. O'BRIEN of New York: Committee on Interior and Insular Affairs. S. 822. An act to authorize the conveyance of certain property administered as a part of the San Juan National Historic Site to the municipality of San Juan, P.R., in exchange for its development by the municipality in a manner that will enhance the historic site, and for other purposes; without amendment (Rept. No. 828). Referred to the Committee of the Whole House on the State of the Union.

Mr. LANE: Committee on the Judiciary. S. 1330. An act to amend the act entitled "An act for the relief of the city of Fort Myers, Fla., and Lee County, Fla.," approved July 22, 1958; without amendment (Rept. No. 829). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINDSAY: Committee on the Judiciary. H.R. 7529. A bill to authorize the waiver of collection of certain erroneous payments made by the Federal Government to certain civilian and military personnel; with amendment (Rept. No. 830). Referred to the Committee of the Whole House on the State of the Union.

Mr. KASTENMEIER: Committee on the Judiciary. H.R. 8106. A bill to provide for the relief of certain members and former members of the Department of the Navy for the expenses of temporary storage of household effects; without amendment (Rept. No. 831). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOLEY: Committee on Post Office and Civil Service. H.R. 8241. A bill to amend certain provisions of the Civil Service Retirement Act relating to the reemployment of former Members of Congress; with amendment (Rept. No. 832). Referred to the Committee of the Whole House on the State of the Union.

Mr. LANE: Committee on the Judiciary. H.R. 2725. A bill to amend chapter 3 of title 18, United States Code, so as to prohibit the use of aircraft or motor vehicles to hunt certain wild horses or burros on land belonging to the United States, and for other purposes; without amendment (Rept. No. 833). Referred to the House Calendar.

Mr. MILLS: Committee on Ways and Means. H.R. 3151. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; without amendment (Rept. No. 872). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 4857. A bill to amend the Internal Revenue Code of 1954 to provide that the exemption from the admissions tax for athletic games benefiting crippled or retarded children shall apply where the participants are recent graduates of designated schools or colleges as well as where they are currently students therein; with amendment (Rept. No. 873). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALTER: Committee on the Judiciary. S. 355. An act to amend title 18 of the United States Code so as to prohibit the misuse by collecting agencies or private detective agencies of names, emblems, and insignia to indicate Federal agency; with amendment (Rept. No. 874). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committee were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. PFOST: Committee on Interior and Insular Affairs. S. 220. An act to direct the Secretary of the Interior to convey certain lands in Navajo County, Ariz.; without amendment (Rept. No. 834). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1945. An act for the relief of Josef Jan Loukotka; with amendment (Rept. No. 835). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 1455. A bill conferring U.S. citizenship posthumously upon Gerardo A. Dobarganes; with amendment (Rept. No. 836). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H.R. 1499. A bill for the relief of Gordon Langlands Johnston; without amendment (Rept. No. 837). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 1517. A bill for the relief of Oerlikon Machine Tool Works Buehrle & Co.; without amendment (Rept. No. 838). Referred to the Committee of the Whole House.

Mr. SMITH of California: Committee on the Judiciary. H.R. 1520. A bill for the relief of Eva Gurman; without amendment (Rept. No. 839). Referred to the Committee of the Whole House.

Mr. TOLL: Committee on the Judiciary. H.R. 1593. A bill for the relief of Melvin H. Baker and Frances V. Baker; without amendment (Rept. No. 840). Referred to the Committee of the Whole House.

Mr. TOLL: Committee on the Judiciary. H.R. 2077. A bill for the relief of Bernard Barrett; with amendment (Rept. No. 841). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 2090. A bill for the relief of Suor Candida Ferrante Giuseppa; with amendment (Rept. No. 842). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 3932. A bill for the relief of Rabbi Chaim B. Fink; without amendment (Rept. No. 843). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 6273. A bill for the relief of Maksym Hrycyk; without amendment (Rept. No. 844). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 7744. A bill for the relief of John I. Strong; without amendment (Rept. No. 845). Referred to the Committee of the Whole House.

Mr. HENDERSON: Committee on the Judiciary. H.R. 2582. A bill for the relief of the Worthington Oil Refiners, Inc.; with amendment (Rept. No. 846). Referred to the Committee of the Whole House.

Mr. KASEM: Committee on the Judiciary. H.R. 2631. A bill for the relief of the estate of Nathaniel H. Woods, deceased; with amendment (Rept. No. 847). Referred to the Committee of the Whole House.

Mr. HENDERSON: Committee on the Judiciary. H.R. 2301. A bill for the relief of Mrs. Gladys M. Ellison; without amendment (Rept. No. 848). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 2707. A bill for the relief of Gustav K. Broecker; without amendment (Rept. No. 849). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 4825. A bill for the relief of Jean K. Simmons; with amendment (Rept. No. 850). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 7225. A bill for the relief of Sylvester L. Gardner; without amendment (Rept. No. 851). Referred to the Committee of the Whole House.

Mr. TOLL: Committee on the Judiciary. H.R. 7263. A bill for the relief of Edward Ketchum; without amendment (Rept. No. 852). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 7447. A bill for the relief of Paul Levitt; without amendment (Rept. No. 853). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 7452. A bill for the relief of William B. Jackson; with amendment (Rept. No. 854). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 7857. A bill for the relief of Richard C. Long; with amendment (Rept. No. 855). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 8196. A bill for the relief of Everet Bumgardner; with amendment (Rept. No. 856). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 8197. A bill for the relief of Lawrence M. Furtado; without amendment (Rept. No. 857). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 8198. A bill for the relief of Martin Ackerman; without amendment (Rept. No. 858). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 8199. A bill for the relief of James J. Manning; without amendment (Rept. No. 859). Referred to the Committee of the Whole House.

Mr. KASEM: Committee on the Judiciary. H.R. 8310. A bill for the relief of Joseph H. Cornell; with amendment (Rept. No. 860). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 8277. A bill for the relief of Harold

William Abbott and others; with amendment (Rept. No. 861). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. House Joint Resolution 479. Joint resolution relating to the entry of certain aliens; with amendment (Rept. No. 862). Referred to the Committee of the Whole House.

Mr. CAHILL: Committee on the Judiciary. S. 196. An act for the relief of Grover J. Cole; without amendment (Rept. No. 863). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 2302. A bill for the relief of Agnes Lorraine Pank; with amendment (Rept. No. 864). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H.R. 4839. A bill for the relief of Peter F. de Ullmann; with amendment (Rept. No. 865). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 5910. A bill for the relief of Zelda Glick; without amendment (Rept. No. 866). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 6405. A bill for the relief of Vukasin Krtolica; with amendment (Rept. No. 867). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H.R. 6884. A bill for the relief of Mrs. Barbara May Boswell; without amendment (Rept. No. 868). Referred to the Committee of the Whole House.

Mr. SMITH of California: Committee on the Judiciary. H.R. 7256. A bill for the relief of Miss Remedious Villanueva; with amendments (Rept. No. 869). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 7518. A bill for the relief of Rudolph Rozman; without amendment (Rept. No. 870). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H.R. 7550. A bill for the relief of Vartanouche Kalfayan; with amendment (Rept. No. 871). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COOLEY:

H.R. 8609. A bill to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, by extending the authorities of titles I and II, strengthening the program of disposals through barter, and for other purposes; to the Committee on Agriculture.

By Mr. ANFUSO:

H.R. 8610. A bill to amend the National Aeronautics and Space Act of 1958 to provide payments to the survivors of astronauts who die while performing space flight; to the Committee on Science and Astronautics.

By Mr. BONNER:

H.R. 8611. A bill to remove geographical limitations on activities of the Coast and Geodetic Survey and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 8612. A bill to provide flexibility in the performance of certain functions of the Coast and Geodetic Survey and of the Weather Bureau; to the Committee on Merchant Marine and Fisheries.

H.R. 8613. A bill to continue the application of the Merchant Marine Act of 1936, as amended, to certain functions relating to fishing vessels transferred to the Secretary of the Interior, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BRADEMAS:

H.R. 8614. A bill to authorize the Secretary of the Army to lease a portion of the Kingsbury Ordnance Plant at Kingsford Heights, Ind., to Union Township of La Porte County, Ind.; to the Committee on Armed Services.

H.R. 8615. A bill to authorize the Housing and Home Finance Administrator to consent to the modification of the terms of any contracts or other agreements relating to the Southmore Mutual Housing Corp., project of South Bend, Ind.; to the Committee on Banking and Currency.

By Mr. BROOKS of Louisiana:

H.R. 8616. A bill to amend sections 4083 and 4082 of the Internal Revenue Code of 1954 to exempt certain sales of gasoline for nonfuel purposes from tax; to the Committee on Ways and Means.

By Mr. FLOOD:

H.R. 8617. A bill to amend the Internal Revenue Code of 1954 to increase the depletion allowance for coal and lignite; to the Committee on Ways and Means.

H.R. 8618. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct expenses paid during the taxable year for the repair (including painting and papering) of his home to the extent that such expenses do not exceed $500; to the Committee on Ways and Means.

H.R. 8619. A bill to provide for the increase, modernization, and stockpiling of railroad equipment in order to meet the needs of the commerce of the United States, of the postal service, and of the national defense; to create and establish a public agency with powers to carry out the provisions of this act; and for other purposes; to the Committee on Ways and Means.

H.R. 8620. A bill to provide voluntary coverage under the Federal old-age, survivors, and disability insurance system for self-employed physicians; to the Committee on Ways and Means.

H.R. 8621. A bill to provide that an individual who is not eligible upon reaching retirement age for old-age insurance benefits under title II of the Social Security Act may obtain a refund of the social security taxes which he has paid; to the Committee on Ways and Means.

H.R. 8622. A bill to amend section 112(n) of the Internal Revenue Code to provide that gain from the sale or exchange of the taxpayer's home will not be taxed whether or not he replaces it with another residence; to the Committee on Ways and Means.

By Mr. GLENN:

H.R. 8623. A bill to provide for stabilization and orderly marketing in the poultry industry; to the Committee on Agriculture.

By Mr. SIMPSON of Pennsylvania:

H.R. 8624. A bill relating to the income tax treatment of gain resulting from the involuntary conversion of property; to the Committee on Ways and Means.

By Mr. BREWSTER:

H.R. 8625. A bill to extend certain reduced third-class postage rates to volunteer organizations of firemen; to the Committee on Post Office and Civil Service.

By Mr. MORRISON:

H.R. 8626. A bill to amend chapter 37 of title 38, United States Code, to provide for the waiver of indebtedness to the United States arising out of a veteran's default in payment of a guaranteed home loan where the default occurred because of compelling reasons without fault on the part of the veteran; to the Committee on Veterans' Affairs.

By Mr. MULTER:

H.R. 8627. A bill to amend the Federal Reserve Act to provide for the retirement of Federal Reserve bank stock and the substitution of interest-bearing deposits in lieu thereof; to the Committee on Banking and Currency.

H.R. 8628. A bill to amend chapter 67 of title 10, United States Code, to provide retired pay for reservists who have 10 or more years of satisfactory Federal service and who performed active duty for 5 or more years in the aggregate during World War I, World War II, and the Korean conflict; to the Committee on Armed Services.

By Mr. QUIGLEY:

H.R. 8629. A bill to provide for the recognition of the Society of the Twenty-eighth Division, A.E.F., by the Administrator of Veterans' Affairs and the military departments; to the Committee on Veterans' Affairs.

By Mr. ANDERSEN of Minnesota:

H.R. 8630. A bill to provide for incentive payments for the marketing of lightweight hogs; to the Committee on Agriculture.

By Mr. METCALF:

H.R. 8631. A bill to provide for the establishment of cooperative outdoor recreation research and education centers; to the Committee on Interior and Insular Affairs.

By Mr. ELLIOTT:

H.J. Res. 494. Joint resolution to help make available to those children in our country who are handicapped by deafness the specially trained teachers of the deaf needed to develop their abilities and to help make available to individuals suffering speech and hearing impairments those specially trained speech pathologists and audiologists needed to help them overcome their handicap; to the Committee on Education and Labor.

By Mr. THOMPSON of New Jersey:

H. Con. Res. 378. Concurrent resolution authorizing the printing of the 16th Report of the Commission of Fine Arts as a House document; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALGER:

H.R. 8632. A bill for the relief of Walter W. Cook; to the Committee on the Judiciary.

By Mr. AYRES:

H.R. 8633. A bill for the relief of Maria A. Margaritis; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 8634. A bill for the relief of Franco Citrigno; to the Committee on the Judiciary.

By Mr. TOLL:

H.R. 8635. A bill for the relief of Patrick Anthony Linnane; to the Committee on the Judiciary.

By Mr. YATES (by request):

H.R. 8636. A bill for the relief of Meher K. Kanga and Kersasp H. Kanga; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

253. By the SPEAKER: Petition of the mayor, Sallisaw, Okla., relative to instituting appropriate action for the construction of the Markham Ferry Dam and Reservoir project on Grand River in Oklahoma; to the Committee on Public Works.

254. Also, petition of C. F. Diefenbach clerk of Council of the City of Toledo, Toledo, Ohio, relative to preventing any delay in the program of the construction of the new Interstate Highway System, and declaring an emergency; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Public Works Appropriations Bill of 1960 Rejects "No New Starts" Policy

EXTENSION OF REMARKS
OF
HON. JOE L. EVINS
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 11, 1959

Mr. EVINS. Mr. Speaker, we have passed and sent to the President the public works appropriation bill for the fiscal year 1960. In view of the continuing interest of Members of the House and others in the results of our action, I believe it is appropriate to point out further that in enacting this bill the Appropriations Committees of both Houses, and the Congress itself, did not accept the "no new starts" policy which was expressed in the budget presented by the Budget Bureau and the President. The action of the Congress in approving this bill evidences a rejection of the "no new starts" policy and a firm approval of a reasonable program of continuing construction of worthwhile and needed projects and studies of other future projects by both the Corps of Engineers and the Bureau of Reclamation of the Department of Interior.

It will be recalled that in submitting the public works budget the President and the Budget Bureau favored a policy of continuing the construction of projects already begun but of not undertaking any new starts or even the planning of new projects. The Appropriations Committee of this body disagreed with this policy and expressed itself in favor of carrying on the program of water resource development in an orderly and uninterrupted manner. The Subcommittee on Public Works Appropriations approved and recommended funds for 37 new construction starts and for the planning of 11 other projects. The House approved this recommendation in passing the bill.

The Senate added 30 additional starts and 33 new planning studies of other projects. The conferees compromised on 52 new starts and 30 planning studies. This decision by the conferees was accepted by both bodies in the passage of the public works appropriation bill for 1960.

It should be noted that the additional new starts and studies involve an added cost of less than $25 million over the budget as submitted to the Congress. So that, although the funds appropriated are close to the recommendation of the President, the policy underlying the use of the funds is quite different.

Apparently it is the philosophy of the Budget Bureau and the administration that the principal function of the public works program is to provide employment in poor times and that in good times we should stop or delay the development of the Nation's water resources.

In passing this appropriation bill, the Congress has refused to take such a narrow and limited view, and has, instead, looked upon our water resource development program as a positive program to develop the capabilities of our Nation for the continued growth and prosperity of the entire country. These programs are more than expenditures—they are investments in America. Our Nation must have a well-planned and continuing program of both construction and planning; in the long run this is more economical, practical, and represents sound policy.

Granting that in times of economic stress we can also use this program as an economic stimulant, it would nevertheless be foolish to restrict the surveying and planning of any new projects. Only with intelligent and deliberate planning can we make sure that we have on the shelf, as it were, well-thought-out projects that the Nation will need if an economic emergency should develop.

Therefore, in repudiating the no-new-starts policy, the Congress in my view acted wisely and with a forward-looking perspective, to provide for an orderly development of our resources at this time in step with the growth of our Nation.

Keenotes

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 11, 1959

Mrs. KEE. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I include a copy of my newsletter released yesterday:

KEENOTES
(By Representative ELIZABETH KEE)

The big news in Washington is the proposed exchange of visits planned by President Eisenhower and Premier Khrushchev.

Some people have expressed strong opposition to the forthcoming visit of Mr. Khrushchev. They believe we will in effect be rewarding Mr. Khrushchev to calm down the Berlin crisis—a crisis which he himself manufactured.

Mr. Khrushchev's attitude toward the West presents one of the most serious threats to peace. Ignorance of just what we want in the world is a big factor in this attitude. Also involved are fear and envy.

It seems to me that giving Mr. Khrushchev an opportunity to visit this country might help to overcome his present attitude. I am sure his misconceptions about "capitalist slavery" will be corrected.

The exchange of visits will not solve the world's problems. Certainly we have no intention of dividing up the world into two spheres of influence.

The great hope of the visits is that Mr. Khrushchev will discover that many of his fears about the United States are groundless and that Russians can live in peace without any fear of attack by us. Equally important, he may learn that his sabre rattling is not scaring anyone and that through a miscalculation he can touch off a war.

HOUSING BILL TRIMMED DOWN

The Senate Housing Subcommittee is working on a new housing bill. It is hoped that a bill acceptable to the President can be passed by Congress.

One thing is certain—Congress cannot adjourn without passing a housing bill. If it should, then the Federal housing mortgage guarantee program will come to an end. This would mean a virtual halt of home construction.

It was not many years ago that FHA was considered a dangerous invasion into private enterprise. Yet the years have demonstrated that this Federal program under which repayment of a major part of a home mortgage is guaranteed by FHA has proved to be a big boon to the housing industry.

The mortgage guarantee program is self-supporting. A fraction of 1 percent is added to the interest charges. This money goes into an insurance fund from which any losses are paid.

The bill which the Senate committee plans to bring out will not give the President everything he wants but it should be acceptable.

Minshall Traveling Office Set for Week of December 7

EXTENSION OF REMARKS
OF
HON. WILLIAM E. MINSHALL
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 11, 1959

Mr. MINSHALL. Mr. Speaker, during the 5 years in which I have been privileged to serve the 23d District of Ohio, every effort has been made to maintain the needs and desires of the people. In an effort to make the title "Representative" truly meaningful, I have made it one of my first duties to be continuously well-informed of the views of the residents of this outstanding district. This is possible only through frequent personal meetings, regular newsletters, television and radio reports, and opinion polls.

Like the family doctor, a Representative should always be "on call." Accordingly, a year-round Congressional office is maintained in Room 525 of the Federal Building in downtown Cleveland. This gives me the opportunity of meeting with people during frequent trips back home as my official duties in Washington permit. While I am at work in the Nation's Capitol, a competent staff is in charge of the Cleveland office. The dual office system means that at all times I am prepared to help constituents with the least possible delay in their dealings with the Federal Government.

A further service to the people of the 23d District is my "Washington Report," which in newsletter form periodically presents a concise accounting of events and views on Capitol Hill. In return, the opinions of the voters of my district are solicited through my annual questionnaire on major legislative issues. This constant interchange of ideas between voter and Representative has

helped me keep my finger on the pulse of the district.

Because of my heavy workload as a member of the Defense Department Appropriations Subcommittee, it has not been possible for me to return to Cleveland as often as I should have liked. Therefore, as has been done for the last 4 years, a traveling office has been scheduled once again in the various suburban communities which comprise the 23d District.

This method of meeting with the public has proven tremendously popular, and gives me a wonderful opportunity to discuss and learn firsthand the views and the individual needs of the people.

In that this 1959 session has run late into the year, I accordingly have planned this year's traveling office for the week of December 7–11. Meetings are scheduled so that every resident of the district may conveniently meet with me. The following schedule is a guide only—choose the time and place most convenient for you.

I wish to emphasize that these are not group meetings—they will be individual office conferences open to every person who has a problem involving the Federal Government, who wishes to express his views on national issues, or who just wants to chat and get better acquainted. No appointments are necessary. Individuals are urged to meet with me on the date and at the place most convenient.

The knowledge obtained through my traveling office has gone far in helping me give effective representation of the 23d District in the Congress of the United States.

I am most appreciative of the splendid cooperation given by the many officials who are making meeting places available for the traveling office.

Following is a schedule for the forthcoming office conferences:

Community	Location	Date	Time
Bedford, Bedford Heights, Valley View, Cuyahoga Heights, Walton Hills, Oakwood, Maple Heights, Glenwillow.	Bedford Police Station, 683 Broadway	Monday, Dec. 7	2 to 4:30 p.m.
Shaker Heights, University Heights, Beachwood	Shaker Heights City Hall, 3400 Lee Rd	do	6:30 to 9 p.m.
Chagrin Falls, Pepper Pike, Hunting Valley, Moreland Hills, Solon, Bentleyville, Chagrin Falls Township.	Chagrin Falls Library, 100 East Orange St	Tuesday, Dec. 8	2 to 4:30 p.m.
Warrensville Heights, Warrensville Township, North Randall, Woodmere, Orange.	Warrensville Heights Town Hall, Mayor's Office, 4700 Warrensville Center Rd.	do	6:30 to 9 p.m.
Berea, Olmsted Falls, Brookpark, Parma Heights, Westview, Strongsville, Middleburg Heights.	Berea City Hall, 47 East Bridge St	Wednesday, Dec. 9	2 to 4:30 p.m.
Fairview Park, Parkview, Linndale, North Olmsted	Fairview Park City Hall, 20785 Lorain Rd	do	6:30 to 9 p.m.
Rocky River	Rocky River City Hall, 21012 Hilliard Blvd	Thursday, Dec. 10	2 to 4:30 p.m.
Brecksville, North Royalton, Seven Hills, Broadview Heights, Brooklyn Heights, Independence.	Brecksville Town Hall, 49 Public Sq	do	6:30 to 9 p.m.
Bay Village, Westlake	Bay Village Town Hall, 350 Dover Center Rd	Friday, Dec. 11	2 to 4:30 p.m.
Lakewood	Lakewood City Hall, 12650 Detroit Ave	do	6:30 to 9 p.m.

Speaker Rayburn's Talk on Labor Reform

EXTENSION OF REMARKS
OF
HON. WILLIAM S. MOORHEAD
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 11, 1959

Mr. MOORHEAD. Mr. Speaker, all of the legislative wisdom gained in his more than 46 years in the House of Representatives he so dearly loves was summed up last night in a most important address the Honorable SAM RAYBURN delivered to the American people.

The gentleman from Texas spoke on the eve of what is likely to be the most important debate of this session.

His plea was for justice and reason rather than passion and emotionalism in enactment of legislation for labor-management reform.

As the gentleman so aptly put it, "to cut out the cancer of corruption we use a surgeon's scalpel instead of a butcher's cleaver."

Unfortunately, however, there are all too many forces now at work using this serious debate on the subject of reform to mount a shortsighted attack on the entire collective bargaining structure.

They are using the broad cleaver recklessly. Instead of curing one cancer they would create many more throughout the entire fabric of labor-management relations which has served this country so well.

If ours is to be a responsible legislative purpose in this debate, we must confine ourselves to efforts to cure corruption without harm to those honorable devices which decent working men and women have been using for years to improve their livelihoods.

In the hope that it will keep us on the path of responsible legislative purpose, I commend its reading to every Member of this House.

(For Mr. RAYBURN's speech, see remarks of Mr. THOMPSON of New Jersey, pp. 15538–15539 of House proceedings for today.)

Interest Rates

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 11, 1959

Mrs. KEE. Mr. Speaker, the question of interest rates is one in which the entire country has a vital stake. If interest rates continue to increase, just about every family in the Nation will be adversely affected.

For this reason, I trust that the House will not give its consent to a request by the administration for permission to remove the present ceiling of 4½ percent on the interest rate which the Government can pay.

If the ceiling is removed, the interest rate on Government bonds will go up immediately. And that will mean a significant increase in the interest rates which people must pay on the purchase of homes, automobiles, and appliances of all kinds.

Mr. Speaker, many respected economists insist that the Treasury Department does not have to have an interest rate increase to permit it to refinance Government bonds. This can be done, these economists tell us, by staying within the present interest ceiling.

Should this Congress permit the interest rate ceiling to be removed, we would be adding materially to the cost of living for millions of people.

I for one am not willing to approve such a move and if the issue ever reaches the House floor, I will vote against it.

Steel Strike Example of Union Monopoly

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 11, 1959

Mr. ALGER. Mr. Speaker, as a further example of the need for unions being placed under antitrust law, related to my remarks during debate today, I would like to point out that the current steel strike emphasizes once again that organized labor has the ability, whenever it wishes, to force the national economy to its knees. In this instance the Steelworkers Union has shut down the steel industry, cutting off production of this vital commodity in a time of serious military tension and throwing hundreds of thousands of men out of work.

Never in our history has any group wielded such life or death control over our industrial economy. The industrial trusts of the last century were puny weaklings in comparison with the power of labor unions today. The alarming fact is that this tremendous power is concentrated in the hands of a small number of men who head the national labor unions and control the policies and actions of those unions. In the steel situation reliable public opinion polls show that the overwhelming majority of the members of the Steelworkers Union and their families do not want the strike and, in fact, feel that the wage increases demanded by the national union officials

would simply mean corresponding increases in their living costs. In spite of this the top officials of the union forced the strike on the steel industry and upon its rank-and-file members.

The question now facing us is whether the people of the United States are going to permit the continuation of this absolute power in the union officers. Shall we allow them to force continual inflation upon us, to price American products out of world markets, to cut off interstate commerce at will, and rip apart the structure of our economic existence? Many serious and thoughtful people are now convinced that unless labor unions are put under the kind of reasonable restraints that are imposed upon business organizations by the antitrust laws, we are in for drastic times ahead.

On June 29 of this year, I introduced a bill, H.R. 8003, to limit and prevent concerted activities by labor organizations which obstruct or interfere with free production of goods for commerce and the free flow of goods in commerce. This bill was carefully drafted with a view toward providing proper protection to the public interest without restricting unions in the pursuit of their lawful and legitimate objectives. Among other things, this bill would prevent the national union officers from imposing dictatorial control over the bargaining policies and activities of the local unions. It would restore bargaining power to the local unions where it properly belongs. In this way the rank and file union members would have a direct voice in decisions to strike and other matters which vitally affect their welfare.

Under this bill the current steel strike could be enjoined as an illegal interference with interstate commerce resulting from an unlawful combination or conspiracy brought into existence by the national union officers to enforce industrywide wage demands and other conditions which would substantially affect the production and cost of steel.

I urge that each Member of Congress give serious consideration to H.R. 8003 the need for protection against restrictive trade practices and restraint of trade herein provided, as an amendment of this long overdue labor bill.

New Directions for Textiles

EXTENSION OF REMARKS

OF

HON. FRANK M. COFFIN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1959

Mr. COFFIN. Mr. Speaker, this morning the Cotton Subcommittee of the Committee on Agriculture opened hearings on H.R. 4033. The subcommittee encouraged discussion not merely on the legislation before it, but also on all present and future problems facing the cotton textile industry.

I took advantage of the opportunity to take a long look ahead at this industry. With the thought that my remarks may help stimulate a new vigor and new directions in our efforts, I am inserting at this point the testimony which I gave to the Cotton Subcommittee this morning:

Mr. Chairman, I would like to dwell for a few moments on what I think is the true significance of these hearings on the cotton textile industry. It lies not in the specific provisions of the legislation being discussed today. Nor does it lie in the mere fact that the cotton textile industry is beset with grave problems, which can be clearly seen behind the current flurry of welcome activity in rebuilding inventories.

The deepest significance in these hearings, in my opinion, lies in the fact that in cotton textiles the United States faces its first postwar challenge to one of its traditional industries. I am not speaking of such temporary challenges as that which the influx of small cars has posed to the automobile industry. Nor am I speaking of potential threats posed by resurging European industry. I am referring to an existing, permanent capacity in cotton textiles, which will inevitably multiply itself in the next decade.

Not only do we face fierce competition from Japan, Hong Kong, England, Italy, and India, but we are on the verge of dramatic starts in this industry in scores of the countries taking their first steps toward industrialization. Moreover, the textile export potential of the six European countries forming the Common Market (European Economic Community) is estimated to undergo dramatic growth.

In short, we are feeling the first impact of world industrialization in cotton textiles. The real question lurking behind the statistics is: How should this challenge be met? The answer is critical today for cotton textiles, and it is vital for many other industries in the years ahead.

The time has come to shake off complacency, to be dissatisfied with temporary expedients, to take a long look ahead, to clarify feasible objectives, and to follow such policies, in business and in Government, as will help us achieve these objectives. This, I submit, should be the charter and the philosophy of the new Textile Advisory Committee.

These are the areas in which we should be doing basic factfinding, thinking, and policy formation:

INFORMATION: WORLD SUPPLY AND DEMAND

First, since our U.S. cotton textile industry does not operate in a vacuum, it is only the heart of common sense to get a clear and detailed picture of the state of cotton textile manufacturing throughout the world, including projected trends over the next 10 to 15 years. This would place in perspective our own industry and its prospects. In other words, what do we face? This kind of information is essential to sound business decisions and sound government policy. The obtaining, analysis, and diffusion of this information can only be done by the Federal Government.

Equally important is a picture of the present and prospective markets for cotton textiles throughout the world. This is vital in order to help us analyze the potential threat to us of increasing world capacity. It is also important for us to be on the alert for new markets overseas for our own products. This kind of information should not be gathered only once, but should be kept up to date, and placed at the service of our industry. We ought also to know more about the cotton production and manufacturing capacity of Red China. We should not be afraid to explore the effect of expanded trade in food and fiber between ourselves and our allies and Red China. The importance of greater diversion of Japanese and Hong Kong cotton textile products to the Asian mainland is obvious.

The Textile Advisory Committee should imaginatively seek legitimate ways in which our Government apparatus can help spark a new, systematic, and aggressive exploitation of new world markets. For example, through cooperation between the Departments of Commerce and State, it could, from time to time, bring together design and sales experts in the industry and economic attachés from our many diplomatic posts abroad to discuss market opportunities, style and design preferences, etc.

RESEARCH

Our second requirement—after we know more about present and probable world conditions of supply and demand—is to possess more knowledge about domestic supply and demand, and about the uses of textile products. The sixth recommendation of the Pastore report is pertinent and thought-provoking on this point:

"6. It is evident that the textile industry needs and wishes to have an expanded research program. The dilemma facing the industry has been how to finance the additional research that is needed in the face of dwindling earnings. We recommend that some proportion of customs duties collected on textile products entering the United States be used to finance research—especially basic research designed to find new end uses for textile products, and economic research which would aid the industry in planning its future production program. Some of this research could be conducted by existing Government agencies. But grants could also be made to universities and other research organizations capable of effectively assisting the textile industry. There is a need, for example, for sound projections of the future industrial and consumer demand for textile products; for a well-conceived and carefully executed program of market research and for an expanded program of basic research to develop new industrial and consumer uses for fibers and fabrics. The Textile Interagency Committee mentioned in our first recommendation could be assigned the responsibility of supervising the program of research activities suggested here."

Although basic textile research should be stepped up, there is also a need for utilizing the fruits of existing research. It seems to me worth some exploration to look into the extent to which there are useful but unused ideas which have been the subject of patent applications, both successful and unsuccessful. The Small Business Administration publishes a monthly bulletin of newly patented products in which small business firms might be interested. It would seem to me a wholly legitimate function for Government to help its "crisis industries" to the extent of improving the dissemination of useful ideas.

COSTS

The third major area of attention—and perhaps the most obvious—is that of costs of operation.

The cost of plant and equipment can be made less burdensome—in effect, can be reduced—by more realistic depreciation rates to reflect the customary three-shift operation. Again, I can do no better on this point than to quote the seventh recommendation of the Pastore report:

"7. Depreciation rates now contained in Bulletin F of the Internal Revenue Service are obsolete. These rates are based on the assumption that textile machinery is operated on an average of 2,000 hours per year. With three-shift operations, much textile equipment in this country is operated at 6,000 hours per year, and the useful life of such equipment is correspondingly shortened. The current, long-term depreciation rates are hampering investment in an industry which must step up its modernization program if it is to remain viable. We

recommend that at the earliest opportunity the Internal Revenue Service publish a revised schedule of depreciation rates, taking into account current industry practices which would permit a more rapid writeoff of new equipment for tax purposes."

The most glaring, and most indefensible, shackle on the cotton textile industry is the present two-piece system under which all oversea mills can purchase our cotton at a 34-percent discount, which is denied the domestic mills. The gap between prices of cotton to foreign and domestic mills has recently widened. I doubt that, in the long run, it is wise to give such a discount, merely to aid the movement of our cotton crop. Present legislation, passed last year, is intended, over a period of years, to remove the two-price system. In the meantime, so long as there is any differential, there is an acute injustice being committed every day to our cotton industry. Its very existence is justification for the kind of countervailing duty to compensate for the differential, as described in the 9th recommendation of the Pastore report, and for H.R. 4033 and S. 314.

The first order of business of the new Textile Committee should be to find ways and means to expedite termination of the two-price system, and interim methods of compensation to the industry.

Apart from plant, equipment, and materials, the third major item of cost is productivity. This, in the last analysis, depends greatly on the efficiency of equipment and method. Private and governmental research activities, of course, lead to this end, as well as more effective dissemination of existing knowledge. There will be, increasingly, another source of ideas and techniques tending to improve productivity. It is the techniques employed by other countries. Although much of textile production techniques may remain shielded by the cloak of trade secrets, much of it—as in this country—is commonly known and often published. Again, the Textile Committee would perform a valuable service if it could enlist the efforts of the State and Commerce Departments in the systematic collection and distribution of all relevant information.

TRADE POLICY

A sensitive administration of quotas by categories, fluctuating according to changing conditions, would seem to be increasingly necessary during the next 5 years, unless the industry's share of the domestic purchasing dollar greatly improves. Perhaps more useful than the quota itself is the certainty that it would be promptly applied to avoid a massive invasion of a category or drastic price disorder. That is, if a manufacturer in country X were to know that overemphasis by him in a particular line would predictably bring the imposition of a category quota, the possibility is that he would not make too heavy an investment in tooling up for a short-lived venture. Hence, it may be well for the Textile Committee to frame a statement of policy which, if adopted by the Executive, would serve notice on other countries that there would be no bonanzas for overconcentration on particular lines.

A modest but helpful achievement would be the faster processing of escape clause and peril point cases. There is some merit to certainty about such matters, whether a decision is favorable or not.

FOREIGN AID

The fourth recommendation of the Pastore report was restrained and reasonable. It did not call for purchase of all textile commodities in the United States. What it said was this:

"4. What we suggest is that careful study be made of the long-run consequences of further expansion of world textile capacity before additional grants be made to other countries to expand their own textile production for the international market. There need be no fear of a lack of other investment outlets. And while the textile industry is attractive to underdeveloped countries because of the large number of jobs created per dollar of investment, there are numerous alternative investment opportunities which would provide new job opportunities and rising income in those countries."

As the result of two amendments to the Mutual Security Act which I sponsored last year, no development loan can be made without a consideration of the impact of the loan on our domestic economy. Moreover, studies must be made of the impact of our entire mutual security program on our economy. There have been, in Sudan, and Ethiopia, loans approved for the establishment of textile mills. In accordance with the new loan criterion, the possible impact on our economy was carefully considered. However, what was not considered was (1) whether, in the foreseeable future, the country in question could be a customer of the United States or any of our competitors; and (2) how such a country fitted into the worldwide picture I have mentioned before. That is, if India could be expected to supply Sudan in the next decade, or if Sudan eventually could be a cash customer of ours, or of India, or of Japan, then it is not farsighted to assist such countries to enter the industry. Nor is it a favor to them.

It may therefore be appropriate for additional and very stringent criteria to be invoked whenever U.S. assistance for competition to our crisis industries is sought.

On the positive side, Public Law 480 should not be abandoned as a useful means of assisting the industry. Last year Congress added cotton textile products to the list of goods which could be sold overseas for local currency. In the case of textiles, local currency could be received as payment for only the raw material part of the cost. The remainder had to be paid in dollars. The Department of Agriculture, it is only fair to say, did not view this amendment with approval. It has never made serious efforts to make this provision helpful. It has not surveyed markets to see if a deal for part local currency, part dollars would appeal to a buyer.

It may well be that more careful and sympathetic exploration of the possibilities of Public Law 480 would be fruitful. For example, resort to Public Law 480 could be conditioned on a depresed condition in textiles. It could be viewed as a counter cyclical weapon.

STABILITY IN THE INDUSTRY

Recently the industry has experienced 2-year cycles of prosperity and depression. Let me quote from page 10 of the Pastore report:

"One factor contributing to the periodic variations in textile output is the poor state of knowledge in the industry about the inventory situations at a given time and its effects on future prices. This is due to the lack of reliable and timely statistical data on the general state of the market; i. e., the relationship between production and inventories or the flow of goods through the production and marketing pipelines. Some industry spokesmen testified that there is need for greater discipline within the industry, and suggested that improved statistical data would permit mill managements to gear production more closely to the current level of demand."

Not only could the Textile Committee initiate the collection and publication of this data, but it could itself, by virtue of its meetings and discussions, be a major stabilizing force, a source of discipline voluntarily acted upon by the industry. At least the effort seems well worth making. Naturally, all possible antitrust implications would have to be thoroughly studied.

Only in the context of a determination to take the long view and to help textiles survive and prosper in a new world of omnipresent competition does a bill such as H.R. 4033 or S. 314 make sense. Without attention to these other matters, the industry faces a future of the most vigorous competition, ill prepared to meet it. The export subsidy of H.R. 4033 would help slow down the rate at which the boat sinks.

Mr. Howard Troutman, vice president of the Bates Manufacturing Co., has described the current relationship between Uncle Sam and the textile industry as a fairweather partnership. I have attempted to describe a relationship between coach and player. There are certain things Uncle Sam can do to prepare the cotton textile industry for its toughest competition. It can help get and spread the facts of life today and tomorrow. It can help stimulate basic technical and economic research. It can dramatically lower costs of operation through realistic depreciation rates and abolition of the 34 percent discrimination against domestic plants in cotton pricing. It can more sensitively administer the safety valves of quotas, and escape clauses. It can help acquire and distribute information on foreign markets and foreign techniques. It can exercise restraint when asked to add to the world's textile capacity by loan or grant. It can, particularly in times of textile depression, distribute textile products under Public Law 480 to needy peoples. And it can aid the disciplining of the industry by the collection and analysis of production, sales, and inventories data.

No one of these things can be called a crutch. There are other industries and economic pursuits where much more in the nature of Government assistance is both asked and received.

Let these things be done, however, and watch our cotton textile industry enter the lists without despair. But, first, take the shackles off its feet.

State Income Taxes on Out-of-State Corporations

EXTENSION OF REMARKS

OF

HON. ELIZABETH KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1959

Mrs. KEE. Mr. Speaker, recently I introduced legislation to prevent States from levying an income tax on a company that solicits business in the State but has no stock of goods there.

I am pleased to note that just last Thursday the Senate Finance Committee approved a bill similar to the legislation I proposed. I sincerely trust that the House Ways and Means Committee will also give prompt attention to this legislation.

A recent decision of the U.S. Supreme Court makes it imperative for the Congress to act. This decision sanctioned the application of a State income tax where no office is maintained in the State.

This decision, Mr. Speaker, threatens business and industry with a chaotic condition unless it is corrected. It means that the door has been opened for all the States to amend their tax laws to assess income taxes on out-of-State corporations even if the corporation's sole

activity consists of the solicitation of orders.

It is difficult to think of almost any type of business which could escape this new form of taxation.

The implications of the Supreme Court decision are far-reaching. It needs to be studied carefully. Senator BYRD has said he regards the bill reported out by his committee as stopgap legislation while Congress carefully reviews the problem and all of its ramifications.

I sincerely trust that the Congress will not adjourn without dealing with this serious yet little understood problem.

An Exceptional Statement on Free Enterprise

EXTENSION OF REMARKS
OF
HON. E. Y. BERRY
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 11, 1959

Mr. BERRY. Mr. Speaker, a bill was introduced by our colleague, ROBERT W. HEMPHILL, of South Carolina, which provided termination of the Catawba Indian Reservation in that State.

During the hearing Mrs. Gladys Thomas gave such an outstanding unrehearsed statement that I have asked permission to insert a portion of her remarks in the RECORD as follows:

These are the reasons we feel this way:

A lot of our people are kicking for tax reasons. They say we will have to pay property tax, which is the only tax that we don't have to pay. I pay tax on my income where I work. We pay taxes when we buy a car license, and every other kind of tax. For the additional benefits I would get for paying taxes, I would rather pay taxes.

The roads that we have passing our house are fit only for Army vehicles to be tried out on to see if they can take it. That is about what it amounts to. They are washed out in gullies. Then when we ask them to fix the road, they say, "You are not a taxpayer." That doesn't help us.

Not only that, the schools are not adequate for the children. My children don't go down there because I live on the new reservation. They have only two teachers and two classrooms for the children, and they do need more.

I think when you pay for anything you get exactly what you pay for. We feel if you go uptown to a store and buy a dress or a hat and pay a good price for it, you get good merchandise. If you pay a cheap price, you get exactly what you pay for.

We are just like the people on the outside—we want to be sure that we are able to collect the things owed to us as well as they do.

Our children are growing up. They tell them, "You are not taxpayers. You cannot do certain things." We live out in the country and use old country roads. When I went to school we were not even permitted to ride the schoolbus. I had to quit school in the ninth grade because they didn't allow our people on the reservation to hold public jobs which amounted to anything more than cutting sorghum. My father was not able to pay somebody to haul me to take me back and forth to high school every day. He did for a year and a half. I had to get up at 5 o'clock in the morning and go to the Rock Hill Printing & Finishing Co. to work, and come back at 6 or 7 o'clock at night, because at that time people were working 12 hours a day. That is the way we had to get what little education we have. They refused to let us ride the buses because we did not pay taxes. "You are a group of people who are ignorant." We cannot be considered people who can do just anything, because we don't pay taxes.

We feel that we want to be self-supporting people. When you can pay your own way, you feel more self-supporting.

I am not here hunting something for nothing. I feel if we are going to hunt for something for nothing, we will never amount to very much, because you don't get anything that way. You have to work for what you get; and when you feel you are working for what you have, you are a whole lot better off than if somebody hauls off and gives it to you. I know the rest of you know just what we mean.

We have some down there on the reservation for whom it would not work out, but they would be very few families. I would be willing to say 97 percent of our people are a thriving people. At least 98 percent of our people have hospital insurance and do not have to be on charity when they go to the hospital. Very few of them are getting welfare checks. A few are, but not very many.

Never in history have you ever heard tell of a Catawba Indian dying in a county home. We have never turned our people loose to die in the county home. Somebody was always taking care of them.

I feel if they are given a chance to make something of themselves, they can do it. There are some few who holler about doctors' bills. We are no different than anybody else. Why can't we pay our doctors' bills? Plenty of white people in our section are in worse condition. Plenty of colored people are worse. You might say some of them just exist. Some of them are just existing, but others are also living. We pay our own doctors' bills.

Don't you think when a person knows he has a responsibility he is going to try to do better? He is going to try to better himself in order to meet these things. It is just like a young man when he gets married. When he is single he has no responsibilities. He can say, "I can spend my money any way I please, and throw it away if I want to." But let him get married, and he knows he has a wife and family to take care of, and 90 percent of the time he straightens up. You find some who don't.

As we have said, we can pay for our insurance. We can afford to go to the hospitals when we are sick. We may not want or be able to afford a fancy private room, but 98 percent can afford a normal hospital bill, I would say. Not always has the Government paid it.

Mr. HALEY. You think the Indians would be much better off to have their own property, so they could go ahead and make the improvements that they want and have something so when they went into a bank to borrow money they would be in a position to put up some collateral, in order to improve their own situation; is that correct?

Mrs. THOMAS. Our people are just like any other nationality of people. We have some who would not try, but they are very few, not many. The majority will try. I think you would see better homes on the reservation. Some of them do not have a fine education and all that, but they have knowledge and foresight enough to see the benefits. You can do just so much and can't do any more. Most of our people are textile employees. On the average, you just don't have the money to spend $2,000 or $3,000 at one time for improvements. If you don't have it, they won't do it. We can go uptown and get credit for lumber for a few hundred dollars, which we have done. Otherwise, you can't do it.

Mr. ASPINALL. Mr. Chairman, I want to join with you in commending the witnesses, especially Mrs. Thomas, for stating perhaps better than I could, this Monday morning at least, my own particular philosophy of an American citizen. Usually Monday is a dark day for me. This Monday will be a bright day because of the statement which has been made.

If I may repeat what you said, you thought people get about what they pay for. I think that is right. I think you have stated the situation just as it is.

The fact that you folks feel that you would like to get some roads and receive the treatment which is given to citizens who are without any handicap, and you are willing to pay for it, is just a little bit exceptional in this day and age. That paternalistic way of life does not apply to any particular race. It applies to all races.

Mr. BERRY. Certainly the remarks of Mrs. Thomas are the best speech on free enterprise that I have heard in a long time. I want to commend you.

My only question is this: Would you have any objection if I inserted part of your remarks in the CONGRESSIONAL RECORD?

Mrs. THOMAS. No; I would not.

Bakersfield Californian Outstanding Conservation Newspaper

EXTENSION OF REMARKS
OF
HON. CLAIR ENGLE
OF CALIFORNIA
IN THE SENATE OF THE UNITED STATES
Tuesday, August 11, 1959

Mr. ENGLE. Mr. President, I recently issued a statement commending the Forest Service for the steps it has taken to implement recommendations on fire control made last year by a special subcommittee of the House Interior Committee. The Bakersfield Californian then followed up with a fine editorial commending the work of this committee of the Congress. Now in turn I want my colleagues to share with me this gratifying reaction to the work and deeds of a committee of Congress as reflected by the editorial.

During my long service in the State legislature and in Congress, I have found the management and editorial staff of the Bakersfield Californian dedicated to the sensible cause of conservation. It has been a privilege to meet and know Mrs. Bernice Harrell Chipman, president of the corporation; Mr. Walter Kane, publisher; Mr. James Day, managing editor; and Mr. Ralph Kreiser, editorial writer. The cause of conservation is capably advanced by their efforts.

I ask unanimous consent to have my statement of May 18 and the Bakersfield Californian editorial of May 21 printed in the CONGRESSIONAL RECORD.

There being no objection, the statement and editorial were ordered to be printed in the RECORD, as follows:

NEWS STATEMENT

Senator CLAIR ENGLE, Democrat, of California, announced today that the Forest Service has taken steps to implement recommendations on fire prevention and control made last year by the special subcommittee he headed as chairman of the House Interior Committee.

"The steps taken by the Forest Service are a real contribution to better fire protection in southern California," Senator ENGLE said. "Much remains to be done," ENGLE added, "but I am delighted to learn of the constructive measures the Forest Service has taken as a result of the committee's findings."

In October 1957, ENGLE took an eight-man subcommittee to southern California to see what could be done about preventing and controlling the disastrous forest and brush fires that have plagued that area. An 8-point program of prevention and control resulted from the committee's investigation and study, pointing up the need for—

1. More funds and year-long programs for southern California.
2. More advance measures preparatory to fire suppression, such as access roads, firebreaks, helicopter ports.
3. Improved employment conditions.
4. Better protection of forest and brush cover.
5. Newer and improved equipment and techniques.
6. Exclusion of heavy residential concentration from national forests.
7. More liberal authorization for postfire emergency treatments on denuded watersheds.
8. More active use of the Armed Forces trainees on national forests.

In a recent letter to Representative WAYNE ASPINALL, Senator ENGLE's successor as chairman of the House Interior Committee, the Forest Service stated that "several projects of the Forest Service recently undertaken are aimed at accomplishing some of the recommendations of the subcommittee," and that "overall, the committee's findings are particularly constructive, lending us helpful support in our efforts to cope with the many difficult problems involved."

EDITORIAL

PRAISE FOR FOREST SERVICE WORK

Prompt and energetic action on the part of the U.S. Forest Service to improve fire prevention and fire fighting techniques and strategy has brought warm praise from Senator CLAIR ENGLE, who conducted an investigation a few years ago as chairman of a special subcommittee of the House Committee on Interior Affairs, following a disastrous blaze that cost several lives in southern California.

The steps taken by the Forest Service, Senator ENGLE said this week, are a "real contribution to better fire protection in southern California." He declared he was delighted with the constructive measures taken by the service as the result of the findings of his subcommittee.

After interrogating witnesses, studying evidence and examining the situation from all angles, the committee came up with the following recommendations; more funds and the establishment of year-round programs for fire suppression, such as more access roads, firebreaks, helicopter ports and other means; better employment methods for firefighting crew recruitment and maintenance, better protection of forest and brush cover, newer and improved machinery and techniques and other equipment, the exclusion of heavy residential concentration from national forests, a more liberal authorization for postfire emergency treatments on denuded watersheds, and more active use of the Armed Forces trainees on national forests.

These recommendations embodied thoughts that had been expressed many times by experienced foresters who somehow had been unable to convince Congress of their desirability until Senator ENGLE, then chairman of the House Interior Committee, began to explore the subject. Many of these ideas had been included in reports by regional foresters as applicable to all forests having problems similar to those that are present in the southern California region.

Given the green light by the House committee and the encouragement of Senator ENGLE and others who are aware of the problems and needs of the Forest Service in its tremendous job of protecting the Nation's timber, grazing, watershed, and recreation areas from destruction, the Service has moved forward with skill and ability to accomplish as many of the objectives listed in the committee recommendations as possible. Forest Service leaders have expressed warm appreciation of the work of the committee, declaring that "overall, the committee's findings are particularly constructive, lending us helpful support in our efforts to cope with the many difficult problems involved."

It may be pointed out that local support could also be extended to the Forest Service along these lines in order to assist in its important work of protecting and developing the areas so important to the State's economy and progress.

Fraternal Order of Eagles Supports Youth Conservation Corps Bill

EXTENSION OF REMARKS

OF

HON. RICHARD L. NEUBERGER

OF OREGON

IN THE SENATE OF THE UNITED STATES

Tuesday, August 11, 1959

Mr. NEUBERGER. Mr. President, an excellent article explaining the proposed Youth Conservation Corps was published in the August-September 1959 issue of the Eagle magazine. Author of the article is the originator of the Youth Conservation Corps bill, the distinguished senior Senator from Minnesota [Mr. HUMPHREY]. As a cosponsor of Senator HUMPHREY's proposal, I heartily endorse the sentiments expressed in his article. When we consider the great gains for conservation made by the Civilian Conservation Corps under Franklin D. Roosevelt during the 1930's, we can realize that the Youth Conservation Corps in our own time faces a similar challenge and necessity.

It is appropriate that the periodical of the Fraternal Order of Eagles should publish this article by Senator HUMPHREY, because the Eagles have crusaded for many other causes such as social security and jobs after 40. Mr. President, I ask unanimous consent that the article by Senator HUBERT H. HUMPHREY, entitled "Why Not a Youth Conservation Corps?" be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHY NOT A YOUTH CONSERVATION CORPS?

(By Senator HUBERT H. HUMPHREY)

Senator, these boys just have nothing to do. They live in the street, they are bored with life, and about the only thing they have to look forward to is the next "rumble."

The man who said this to me knows what he is talking about. He is the pastor of a large church who has studied the mounting problem of juvenile delinquency and has devoted a good part of his life to helping underprivileged youngsters. He has not gained insight into juvenile delinquency by merely reading newspapers, reports, and studies. He has been educated in this field by spending long and heartbreaking hours beside the desk sergeants, the juvenile court judges, and the superintendents of reform schools. He has learned firsthand of the awful waste of young minds and bodies, and he is frightened.

"Too often we take the easy course of punishment and confinement, and so compound the tragedy rather than to strive for solutions which deal with the root of the problem. We must find them something to be proud of, some work so that at the end of the day they can have a feeling of accomplishment—a feeling they have contributed something worthwhile and that they are needed," my friend said.

He was right, of course, and from that moment on I have been seeking means to aid these youngsters who are doomed to useless lives unless they can be shown the correct path.

No one knows better than myself that I do not have all of the answers, but after a good deal of thought and consultation with authorities in the field I do have a plan I think would be of invaluable assistance to these boys and, at the same time, be of lasting benefit to our country. It is a plan which would aid in halting not only the erosion of the moral fiber of our young people, but also the forces which are constantly eroding and destroying our forests and plains.

My plan, which I have laid before the Senate as a bill, calls for the establishment of a pilot Youth Conservation Corps of approximately 150,000 young men. They would be enrolled in units of 50 boys and assigned to Federal conservation agencies. Recruitment, overall budgetary control, responsibility for the maintenance of minimum standards for working hours, and health and educational programs would be vested in a director under the Department of Health, Education, and Welfare. Essentially, these are the provisions of the bill:

1. Young men who have reached their 16th birthday would be permitted to enroll in the program. They would receive food, lodging, clothing, transportation, and be paid on a scale identical to that of any Army private.

2. They would be put into on-the-job training situations throughout the conservation field, receiving vigorous work under careful supervision.

3. In addition to the training they would receive from professional conservation people, 20 percent of their time would be devoted to other vocational and academic training.

Our objectives, as was mentioned previously, are two fold. First, we want to help these young men by giving them an opportunity to work on useful, constructive, and lasting projects. This, together with guidance and a chance to get some education which otherwise might not be available would be their therapy.

The Nation itself would benefit immeasurably, not only by regaining the usefulness of these young citizens, but we could do much to preserve our natural resources by taking steps to halt the destruction taking place in our vast public lands. Each year fires which could be prevented, floods that could be eradicated are laying waste to thousands upon thousands of acres of forest and fertile plains—all this at a time when the Forest Service predicts our future needs for lumber and wood products will be far greater than estimated yields.

No one who walks today through the green young forests—which in the early thirties were barren, burned-over tracts of waste—can fail to recognize the wonderful contribution made at that time by the boys who worked in the Civilian Conservation Corps. No one who visits our national parks can deny credit to the young men who, 25 years ago, did so much to beautify and pre-

serve these areas which are now enjoyed by millions of Americans each year. The relatively small investment we made in the CCC has returned handsome dividends even though we were not aware of the many advanced methods of conservation now available.

The Youth Conservation Corps could do much more by utilizing modern scientific methods in checking duststorms, floods, and forest fires. These young men could make vast contributions to future generations by adding to our ability to produce the food, fiber, shelter, water, and recreational areas our ever-expanding population will demand. I am convinced that, if given this chance, thousands of the boys who now roam the streets—unemployed and with nothing but time on their hands—would welcome the opportunity to spend a year or two in the great outdoors.

I am happy to say that this proposal has been received with enthusiasm from persons in all walks of life.

It has been most gratifying, and I am determined to press forward in my efforts to acquaint as many people as possible with what I believe is the vast potential of this proposal. If we can do this, I am sure that support for the program will be widespread.

The opportunity is here—not only to solve the "just nothing to do" statement of my pastor friend, but to strengthen the moral and mental fiber of our troubled youth and to enhance our Nation's natural resources as well.

Another Tirade Against TVA Answered

EXTENSION OF REMARKS
OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1959

Mr. EVINS. Mr. Speaker, we are all aware of the strong feeling of our colleague from Iowa [Mr. JENSEN] on the TVA. I am sure we all respect his right to hold and express his opinions on this and any other subject. But, Mr. Speaker, in his most recent expression under the heading "Khrushchev Would Feel at Home at TVA" appearing in the CONGRESSIONAL RECORD August 10 last, the gentleman from Iowa makes certain implications which as a Representative of the people of Tennessee, I cannot overlook and leave unanswered.

The people of Tennessee yield to no one in their devotion to the fundamental principles of our country and in their abhorrence of communism.

The people of Tennessee are patriots to the core. In fact, Tennessee has won the nickname of the "Volunteer State" because her sons have volunteered in such great numbers in all our wars to preserve our Nation and the principles for which it stands. Mr. Speaker, the people of Tennessee are notable for their rugged individualism and their devotion to liberty, freedom, democracy, and our great American way of life.

Tennessee is the Nation's most enchanting State. With TVA and our industries and agriculture we are building a sound economy and a high standard of living.

We are proud of our history, our traditions of the past—and we are proud of our present-day progress and our contributions to the future.

The implication in Mr. JENSEN's statement that the people of the TVA area are accepting and living with a Communist institution in our midst impugns both the patriotism and the intelligence of our people, not only of Tennessee, but also of the other States served by the TVA and even their Representatives in the Congress. Therefore, in answer I denounce the implications of the statement placed in the RECORD by the gentleman from Iowa on August 10, last.

The people of our country, through their Congress, established the TVA some 25 years ago. Recently the Congress has voted by decisive majorities to continue this great institution in the service of our Nation.

Two years ago the Senate voted 61 to 20 to continue the TVA by providing a means for self-financing its power operations.

This year the Senate voted again in favor of TVA by a vote of 73 to 17. During this session the House voted for the TVA on two occasions by margins of 245 to 170 and 242 to 167.

A few days ago the President signed into law the new self-financing bill approved by the Congress. Thus, the people of this Nation have repeatedly endorsed the TVA over the years and, on recent occasions, in spite of Mr. JENSEN's opposition.

This victory was won in spite of the opposition of the gentleman from Iowa [Mr. JENSEN]—and in fact his prediction that the bill would never become law. It is the law of the land today.

Mr. Speaker, I am sure that every one of those who voted in favor of the TVA bill and the President as well, in approving the measure, will resent strongly the implication that his vote and participation indicates any acceptance of any Communist ideas, as Mr. JENSEN would imply.

Mr. Speaker, I have my own reservations about Mr. Khrushchev's visit to our country. Personally, I do not think Mr. Khrushchev should have been invited to the United States. I see no reason why we should roll out the red carpet to those who have denounced our way of life and have dedicated themselves to the overthrow of democracy and our way of life. However, Mr. Khrushchev has been invited to become a guest of our country and should the President and the State Department include a visit to Tennessee in his itinerary, I will say to my colleague from Iowa that our people will proudly show the TVA to him—the world's greatest example of water resource development—where floods have been harnessed, navigation and commerce promoted and where great hydroelectric power dams produce low cost electricity for sale to the people and for the defense of our country. The TVA is one of the greatest showcases in America of democracy in action. Thousands of interested visitors annually come to visit and see this great system of rivers harnessed for the benefit of all the people of our Nation.

The TVA is not all that the people of Tennessee can show Mr. Khrushchev. We could proudly show him the great atomic energy plant where the atom was harnessed and where atomic energy was developed and the atomic bomb produced—the bomb that ended the war and saved the lives of millions of our own soldiers and those of our allies.

We could show him our great industries, farms, and factories.

We could proudly show him our great educational institutions—the University of Tennessee, Vanderbilt University, and a score of other great public and private colleges.

We could show him our great religious institutions—for ours is a State where religious freedom abounds to the fullest.

In Tennessee we could show him the homes and shrines of three great Presidents of the United States—Andrew Jackson, Andrew Johnson, and James K. Polk.

We could show him the mountains and hills and valleys from which the Volunteers marched forth to King's Mountain with Sevier to New Orleans with the immortal Andrew Jackson, and from which the sons of Tennessee have marched to every war for which our country has fought for freedom—freedom for ourselves and others.

In short, if Mr. Khrushchev comes to Tennessee we could show him at every turn a State where freedom is as natural and necessary to the lives of our people as the very air they breathe. We could show him a land of God fearing people, and churches and homes where Christianity abounds and communism is abhorred.

Thus, the implication in Mr. JENSEN's statement that if he visited the TVA area Mr. Khrushchev would find a little communistic island in our country is one which I highly resent, not only as an individual, but as the representative of the people of Tennessee.

I should point out that a few years ago a group of Soviet Russian agricultural experts, headed by the Soviet Minister of Agriculture, Vladimar Matskevich, visited the State of Iowa to inspect the great farms of that State—Mr. JENSEN's State. I recall that these officials, guests of our Nation, were accorded every proper courtesy while visiting in Iowa; and knowing the natural courtesy and hospitality of the fine people of Iowa, I am sure that these Soviet visitors were made to feel at home as much as possible under the circumstances.

Reports in the press at the time stated how much the visitors from Soviet Russia were impressed with the farms of Iowa. It would be ridiculous for anyone to imply that this common interest in farming evidenced any common interest on the part of the people from Iowa for collectivized farming or any other communistic ideas; but no more ridiculous than the aspersion about TVA which Mr. JENSEN makes in his statement.

The controversy about the TVA is old and has been bitter at times. I would be the first to defend any Member's right to express himself fully and completely on this subject—whether he is for the TVA or against the TVA. Mr. JENSEN is a known extremist on this subject and

we have respected his right to be extreme. But, Mr. Speaker, I submit that there are limits to intemperance on this or any other matter; and in this instance, the gentleman from Iowa, in my opinion, is exceeding those limits. In so doing he has not only impugned the good people of my State and the South, and the Members of this body, but has also done a disservice to the people of his own great State of Iowa—whose Governor recently publicly stated that the views of Mr. JENSEN did not represent the views of the people and citizens of Iowa. Tirades and extremism and attacks on our American institutions must be answered and stopped in the interest of preserving America.

SENATE

WEDNESDAY, AUGUST 12, 1959

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God, who in all the terror and tension of these convulsive days art sifting out the souls of men before Thy judgment seat, strip us, we pray, of our boastful illusions. Let the chastisements of Thy broken laws be our teachers. Open our eyes to the evils among us that we so readily condemn in others.

Let Thy enabling blessing rest upon all who here labor with true purpose of heart for the purification of public life, for the removal of all practices that betray and deny the democracy we profess, and whose zeal is the spread of the gospel of good will to which there are no frontiers.

May we be mastered by that love, akin to Thine, which seeketh not its own, which endureth all things, and never faileth.

So may the thoughts of our minds, the motives shaping our deeds, the words which pass our lips, and the meditations of our hearts, be this day, and always, acceptable in Thy sight, O Lord, our strength and our redeemer. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., August 12, 1959.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. FRANK CHURCH, a Senator from the State of Idaho, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. CHURCH thereupon took the Chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, August 11, 1959, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 554. An act for the relief of Argyrios G. Georgandopoulos; and

S. 967. An act for the relief of Lea Levi.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1665. An act for the relief of Mrs. Vassiliki P. Theodorou;

H.R. 1695. An act for the relief of Lt. Col. Francis E. Resta;

H.R. 2946. An act for the relief of Cecil E. Finley;

H.R. 3801. An act for the relief of Harry and Lily Stopnitsky;

H.R. 5530. An act for the relief of Leila Bernstorff Grauert;

H.R. 5645. An act for the relief of Christopher J. Mulligan;

H.R. 6886. An act for the relief of Liliana Caprara; and

H.R. 6954. An act for the relief of Frol Martin Simonov.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 1665. An act for the relief of Mrs. Vassiliki P. Theodorou;

H.R. 2946. An act for the relief of Cecil E. Finley;

H.R. 3801. An act for the relief of Harry and Lily Stopnitsky;

H.R. 5530. An act for the relief of Leila Bernstorff Grauert;

H.R. 5645. An act for the relief of Christopher J. Mulligan;

H.R. 6886. An act for the relief of Liliana Caprara; and

H.R. 6954. An act for the relief of Frol Martin Simonov; to the Committee on the Judiciary.

H.R. 1695. An act for the relief of Lt. Col. Francis E. Resta; to the Committee on Armed Services.

COMMITTEE MEETINGS DURING SENATE SESSIONS

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Foreign Relations Committee; the Committee on Agriculture and Forestry; the Subcommittee on Antitrust and Monopoly, of the Committee on the Judiciary; and the Committee on the District of Columbia, were authorized to meet during the session of the Senate today.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour for the transaction of routine business; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

CHANGE OF REFERENCE OF NOMINATION

Mr. FULBRIGHT. Mr. President, on July 28, 1959, there was referred to the Committee on Banking and Currency the nomination of Frank A. Southard, Jr., of New York, to be U.S. Executive Director of the International Monetary Fund for a term of 2 years.

Earlier this year the Committee on Foreign Relations asserted its jurisdiction under the rule over legislation dealing with the International Monetary Fund.

It seems proper that that committee should also consider the nominations of U.S. officials of the Fund.

I, therefore, ask unanimous consent that the Committee on Banking and Currency be discharged from further consideration of this nomination and that it be referred to the Committee on Foreign Relations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

If there be no reports of committees, the nominations on the calendar will be stated.

ATOMIC ENERGY COMMISSION

The Chief Clerk read the nomination of John H. Williams, of Minnesota, to be a member of the Atomic Energy Commission for the remainder of the term expiring June 20, 1961.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF STATE

The Chief Clerk read the nomination of Robert D. Murphy, of Wisconsin, to be Under Secretary of State for Political Affairs.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Livingston T. Merchant, of the District of Columbia, to be Deputy Under Secretary of State.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DIPLOMATIC SERVICE

The Chief Clerk read the nomination of Elbert G. Mathews, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Liberia.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. DISTRICT JUDGES

The Chief Clerk read the nomination of John A. Field, Jr., of West Virginia, to be U.S. district judge for the southern district of West Virginia.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Ted Dalton, of Virginia, to be U.S. district judge for the western district of Virginia.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. PATENT OFFICE

The Chief Clerk proceeded to read sundry nominations in the U.S. Patent Office.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

INDIAN CLAIMS COMMISSION

The Chief Clerk read the nomination of Arthur V. Watkins, of Utah, to be an Associate Commissioner of the Indian Claims Commission.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

ROUTINE FOREIGN SERVICE NOMINATIONS

The Chief Clerk proceeded to read sundry routine Foreign Service nominations.

Mr. JOHNSON of Texas. I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. JOHNSON of Texas. I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD of Virginia, from the Committee on Finance, without amendment:

H.R. 2405. An act to amend section 101 of title 38, United States Code, to provide that a child shall be deemed to be the adopted child of a veteran where the child was a member of the veteran's household and is adopted by the spouse of the veteran within 2 years of the veteran's death (Rept. No. 667).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, without amendment:

H.R. 4328. An act to amend provisions of the Canal Zone Code relative to the handling of the excess funds of the Panama Canal Company, and for other purposes (Rept. No. 673).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, with amendments:

S. 1105. A bill to improve the land tenure patterns on the Fort Belknap Reservation (Rept. No. 670).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 2188. An act to set aside certain lands in Washington for Indians of the Quinault Tribe (Rept. No. 669).

By Mr. NEUBERGER, from the Committee on Interior and Insular Affairs, with an amendment:

S. 2268. A bill to declare that the United States holds title to certain land in trust for the White Mountain Apache Tribe, Arizona (Rept. No. 671).

By Mr. ALLOTT, from the Committee on Interior and Insular Affairs, with an amendment:

S. 2435. A bill to provide that certain funds in the Treasury of the United States to the credit of the Confederated Bands of Ute Indians be transferred to the credit of the Ute Mountain Tribe of the Ute Mountain Reservation, Colo. (Rept. No. 672).

By Mr. BEALL, from the Committee on the District of Columbia, without amendment:

H.R. 6378. An act to authorize the American Society of International Law to use certain real estate in the District of Columbia as the national headquarters of such society (Rept. No. 681).

By Mr. BEALL, from the Committee on the District of Columbia, with amendments:

S. 1966. A bill to provide for the licensing of public insurance adjusters in the District of Columbia (Rept. No. 682);

H.R. 2317. An act to amend section 7 of "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902, as amended, so as to provide for the bonding of persons licensed to engage in a business, trade, profession, or calling involving the collection of money for others (Rept. No. 683); and

H.R. 2318. An act to provide for the regulation of closing-out and fire sales in the District of Columbia (Rept. No. 684).

By Mr. HARTKE, from the Committee on the District of Columbia, without amendment:

H.R. 7907. An act to amend the act entitled "An act to incorporate St. Ann's Infant Asylum, in the District of Columbia," approved March 3, 1863, as amended (Rept. No. 676);

H.R. 8225. An act to amend the Uniform Narcotic Drug Act of the District of Columbia, as amended, to permit paregoric to be dispensed by oral as well as written prescription (Rept. No. 674); and

H.R. 8527. An act to exempt certain pension and other employee trusts from the laws of the District of Columbia relating to perpetuities, restraints on alienation, and accumulation of income (Rept. No. 675).

By Mr. HARTKE, from the Committee on the District of Columbia, with amendments:

S. 1372. A bill to extend the jurisdiction of the domestic relations branch of the municipal court for the District of Columbia to cover the adjudication of the interests of husband and wife in personal and real property in the District of Columbia (Rept. No. 680);

S. 2035. A bill authorizing persons maintaining or defending actions in the District of Columbia on behalf of a minor to give releases of liability, and requiring persons receiving money or property in settlement of such actions or in satisfaction of a judgment in any such action to be appointed as guardian of the estate of such minor (Rept. No. 679);

H.R. 303. An act to provide for the conveyance of certain real property in the District of Columbia to the Association of the Oldest Inhabitants of the District of Columbia (Rept. No. 678); and

H.R. 4192. An act to prohibit the examination in District of Columbia courts of any minister of religion in connection with communications made by or to him in his professional capacity, without the consent of the parties to such communications (Rept. No. 677).

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without amendment:

S. 1973. A bill to extend the validity of the passport to 3 years (Rept. No. 685).

By Mr. FULBRIGHT, from the Committee on Foreign Relatons, with amendments:

S. 2065. A bill to amend Public Law 85-880, and for other purposes (Rept. No. 686).

By Mr. PASTORE, from the Committee on Interstate and Foreign Commerce, without amendment:

S. 1734. A bill to amend section 409(c) of the Communications Act of 1934, as amended, with respect to presentations in any case of adjudication which has been designated for a hearing by the Federal Communications Commission (Rept. No. 687);

S. 1735. A bill to repeal the honorarium provision in subsection (b) of section 4 of the Communications Act of 1934, as amended (Rept. No. 693);

S. 1736. A bill to amend the Communications Act of 1934, as amended, by eliminating the requirement of an oath or affirmation on certain documents filed with the Federal Communications Commission (Rept. No. 688);

S. 1738. A bill to amend section 5(c) of the Communications Act of 1934, as amended, to redefine the duties and functions of the review staff (Rept. No. 689); and

S. 1740. A bill to amend section 202(b) of the Communications Act of 1934, in order to expand the Federal Communications Commission's regulatory authority under such section (Rept. No. 691).

By Mr. PASTORE, from the Committee on Interstate and Foreign Commerce, with an amendment:

S. 1737. A bill to authorize the imposition of forfeitures for certain violations of the rules and regulations of the Federal Communications Commission in the common carrier and safety and special fields (Rept. No. 689).

By Mr. PASTORE, from the Committee on Interstate and Foreign Commerce, with amendments:

S. 1898. A bill to amend the Communications Act of 1934 with respect to the procedure in obtaining a license and for rehearings under such act (Rept. No. 690).

VETERANS' PENSION ACT OF 1959—REPORT OF A COMMITTEE—MINORITY VIEWS

Mr. BYRD of Virginia. Mr. President, from the Committee on Finance, I report favorably, with amendments, the bill (H.R. 7650) to modify the pension programs for veterans of World War I, World War II, and the Korean conflict, and their widows and children, and I

submit a report (No. 666) thereon. I ask unanimous consent that the report may be printed, together with minority views.

The ACTING PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Virginia.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NEUBERGER:

S. 2525. A bill to establish in the Public Health Service a National Poliomyelitis Vaccine Bank; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. NEUBERGER when he introduced the above bill, which appear under a separate heading.)

By Mr. MURRAY (for himself and Mr. MANSFIELD):

S. 2526. A bill prescribing minimum and maximum operation level of Flathead Lake, Mont.; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MURRAY when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK:

S. 2527. A bill to amend the Internal Revenue Code of 1954 in order to eliminate preferential treatment with respect to certain categories of taxpayers, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING:

S. 2528. A bill for the relief of John Lipset; and

S. 2529. A bill for the relief of Sultana Mosatche; to the Committee on the Judiciary.

By Mr. CAPEHART:

S. 2530. A bill for the relief of Irmgard Maria Keck Mahoney; to the Committee on the Judiciary.

By Mr. YARBOROUGH:

S. 2531. A bill to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex.; to the Committee on Foreign Relations.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD:

S. 2532. A bill for the relief of Margherita Pino; and

S. 2533. A bill for the relief of Mari Rose A. M. Dinha; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 2534. A bill for the relief of Stanley Alexander Yhap and Joycelyn Patricia Woo-Ming Yhap; to the Committee on the Judiciary.

By Mr. HART:

S. 2535. A bill to establish an agency of the legislative branch of the Federal Government authorized to conduct the election of Members of the Senate and the House of Representatives; to the Committee on Rules and Administration.

(See the remarks of Mr. HART when he introduced the above bill, which appear under a separate heading.)

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT—CHANGES IN ENROLLMENT OF BILL

Mr. EASTLAND. Mr. President, I submit a concurrent resolution, and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The concurrent resolution will be read for the information of the Senate.

The concurrent resolution (S. Con. Res. 71) was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the bill (S. 1719) for the relief of Lushmon S. Grewal, Jeat S. Grewal, Gurmale S. Grewal, and Tahil S. Grewal, to make the following changes, namely: On page 1, in line 4, strike the word "Naturalization" and insert in lieu thereof the word "Nationality" and on page 2, in line 2, strike the word "Naturalization" and insert in lieu thereof the word "Nationality."

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution was considered and agreed to.

RESOLUTIONS

Mr. SYMINGTON, from the Committee on Agriculture and Forestry, reported an original resolution (S. Res. 161) increasing the limit of expenditures for the Committee on Agriculture and Forestry, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. SYMINGTON, which appears under the heading "Reports of Committees.")

Mr. KERR (for himself, Mr. BENNETT, Mr. MURRAY, Mr. ENGLE, Mr. BIBLE, Mr. MOSS, Mr. CANNON, Mr. YARBOROUGH, Mr. MAGNUSON, Mr. CARROLL, Mr. MANSFIELD, Mr. GRUENING, Mr. BARTLETT, and Mr. ANDERSON) submitted a resolution (S. Res. 162) requesting the U.S. Tariff Commission to make an additional investigation under section 332 of the Tariff Act of 1930 of the domestic lead and zinc industries, which was referred to the Committee on Finance.

(See the above resolution printed in full when submitted by Mr. KERR, which appears under a separate heading.)

SALK VACCINE BANK WOULD AID EXTENSION OF POLIO PROTECTION

Mr. NEUBERGER. Mr. President, many sections of the United States are currently experiencing unusually high levels of polio incidence. A dozen States report near epidemic rates in particular areas.

My own State of Oregon is among those suffering from a polio siege. Dr. Harold Erickson, State health officer, reports that Oregon has recorded more fatal cases of polio, more paralytic cases, and more evidence of the presence of the highly dangerous type I polio virus during the past 17 weeks than in any other similar period over the past 3 years.

Oregon's polio situation is not likely to improve soon—

Dr. Erickson states—

because too few of the State's residents have obtained Salk vaccination to prevent an epidemic, the State's supply of vaccine is nearly exhausted, and the limited amounts of new vaccine coming on the market are being channeled to States which have been more severely hit by the disease.

While Oregon polio incidence has not reached epidemic levels so far in 1959, there are indications suggesting that incidence could reach epidemic levels within the next few weeks—

Dr. Erickson asserts.

Dr. Erickson has asked the Public Health Service to aid in obtaining needed vaccine. However, the Public Health Service has no vaccine supply of its own, and can only ask manufacturers to allocate available quantities to epidemic areas. Since Oregon has not been given this status, it may be 2 or 3 weeks before new vaccine is available in my State.

Principal reason for the existence of this situation in Oregon—and other States—is national reliance on private producers to feed into the market appropriate quantities of vaccine. Unfortunately, the system is not adequate. The reason is simple.

SALK VACCINE IN SHORT SUPPLY

Salk vaccine has an effective life of about 6 months when stored in vials. At the end of that period it must be retested or destroyed. Retesting is not commercially feasible due to cost.

In 1958, drug manufacturers overstocked the vaccine. A total of 11,024,000 units of outdated vaccine were destroyed. Manufacturers did not wish to make the same mistake again in 1959. Today in the current crisis there is a severe shortage of vaccine. While increased danger of contracting polio in epidemic areas has stimulated many to seek Salk shots, communities are canceling scheduled polio clinics because of lack of vaccine.

Mr. President, there is little we can do in connection with current epidemics but hope that supply soon catches up with demand in order that all who wish to be vaccinated may have that opportunity.

But Congress can and should do something to prevent a recurrence of this situation, and I introduce proposed legislation today to aid in achieving this aim.

My bill would create in the Public Health Service a Salk vaccine bank.

Under the provisions of the legislation I propose, the Public Health Service would be authorized to purchase Salk vaccine from private manufacturers and store it in appropriate commercial or Government facilities. States which required additional vaccine, but were unable to obtain it from drug companies, could request a vaccine loan to aid in dealing with the emergency situation. When demand for the vaccine lessened, the bank's depleted resources would be restored by purchase of new vaccine from funds paid by the States to cover cost of the units utilized during the shortage.

WHY RISK THE LIVES OF AMERICAN CHILDREN?

The effect of this system would be to provide a cushion so that sudden runs would not result in critical lack of vaccine. It would insure that more individuals become vaccinated, since the greatest incentive to take this action occurs in times when the disease is most

prevalent and the vaccine in shortest supply.

Mr. President, in 1955, when the Salk vaccine first became available, I urged establishment of a Federal allocation program to insure orderly distribution of the vaccine in the best interests of the Nation's health. At that time I pointed out the success of the Canadian Government in developing a comprehensive national program which foresaw the demand for the vaccine and sought to guarantee that immunizing innoculations were made available to all at prices all could pay. However, the Government purchase plan adopted by Canada, which allowed the orderly handling of this problem, was not utilized in this country.

It is too late now to alter the basic pattern set in 1955. But we should take any action which will aid in increasing the efficiency of the present operation.

It is in the best interests of all of us that every citizen in this country be protected against polio. I think my suggestion would help us reach that goal a little more quickly.

Mr. President, I ask that the bill be received and appropriately referred.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2525) to establish in the Public Health Service a national poliomyelitis vaccine bank, introduced by Mr. NEUBERGER, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

FLATHEAD LAKE, MONT.

Mr. MURRAY. Mr. President, on behalf of my distinguished colleague, the junior Senator from Montana [Mr. MANSFIELD] and myself, I introduce a bill for appropriate reference. The bill prescribes minimum and maximum operation levels for Flathead Lake, Mont. It is very important to the residents on that lake.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2526) prescribing minimum and maximum operation level of Flathead Lake, Mont., introduced by Mr. MURRAY for himself and Mr. MANSFIELD, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. MANSFIELD. Mr. President, in western Montana we have what I consider to be the finest and most beautiful natural fresh water lake on the North American Continent, Flathead Lake.

This lake is one of the scenic wonders of the West, it abounds with recreation potential. It is a sportsman's paradise. Along its shores you will find homes and summer cottages that are comparable to those anywhere in the Nation. Flathead Lake is the heart of a fertile valley. This lake also plays an extremely important role in the generation of power and control of floodwaters in the Northwest, as my distinguished senior colleague from Montana [Mr. MURRAY] and I know from personal, firsthand knowledge.

Periodically, since 1943, proposals are advanced which would alter the water level of this lake and suddenly local opposition develops with a firmness seldom found in a group of people with varied interests. This opposition is not without cause. If the level of the lake rises, it floods hundreds of homes and valuable property. If the lake is allowed to fall below a reasonable level the shoreline becomes an unsightly mud flat.

At the present time the surface level of Flathead Lake is maintained between a maximum elevation of 2,893 feet and a minimum elevation of 2,883 feet. This limitation is prescribed in the Federal Power Commission license for Kerr Dam.

My distinguished senior colleague, the chairman of the Senate Interior and Insular Affairs Committee [Mr. MURRAY], my distinguished and able colleague in the House, Representative LEE METCALF, and I have introduced today proposed legislation which would make the maintenance of these maximum and minimum water levels on the lake a Federal statute, applicable to all plans and proposals which are dependent on the use of the waters from Flathead Lake.

Flathead Lake has a tremendous role to play in the development of western Montana and this can be done without adversely effecting the water level of the lake. If not, then we shall oppose vigorously any plan to tamper with one of Montana's greatest natural resources. In doing so, we are holding fast to the policy which has motivated our thinking on this particular matter and in which we have been personally interested, since 1943.

Mr. President, I ask unanimous consent that the bill may be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That in the operation of Kerr Dam, and in the operation of the Flathead Lake Channel improvement project, if authorized and constructed, the surface level of Flathead Lake, Montana, shall at no time be raised above the elevation of 2,893 feet nor permitted to fall below the elevation of 2,883 feet as prescribed by the Federal Power Commission license for Kerr Dam.

ELIMINATION OF PREFERENTIAL TREATMENT WITH RESPECT TO CERTAIN CATEGORIES OF TAXPAYERS

Mr. CLARK. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code to require that gains from transfer of depreciable property used in trade or business and certain other types of property be taxed at ordinary income rates rather than at reduced capital gains rates not exceeding 25 percent.

It has been said, and I concur, that the capital gains subchapter of the code "has become one of the most impressive loopholes in the Federal revenue structure"—Joint Committee print, "The Federal Revenue System: Facts and Problems 1959," page 62.

Low capital gains rates are applicable, of course, only to income from transfers of capital assets. One of the chief reasons why the capital gains subchapter has become a tax-dodge refuge is to be found in the exceptions created by Congress to broaden the code definition of "capital asset."

Section 1221 of the code defines "capital asset" as follows:

> The term "capital asset" means property held by the taxpayer (whether or not connected with his trade or business), but does not include (1) stock in trade of the taxpayer or other property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year, or property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business; (2) property, used in his trade or business, of a character which is subject to the allowance for depreciation provided in section 167, or real property used in his trade or business;

The definition of "capital assets" underwent many legislative changes since Congress introduced the concept into the tax structure in the Revenue Act of 1921. Since the 1930's, however, the definition has been in substantially the same form as indicated above, that is, a sweeping inclusion of "property held by the taxpayer" and broad exclusions of large categories of property from which income is derived which could be regarded as the everyday profits of the business and commercial world.

The purpose of the exclusions and their application to the obvious situations are relatively clear; the normal receipts of the corner grocery store, the big city department store, and of the large manufacturing concerns are ordinary income even though they arise from the sale of "property." But a sale of stock on a stock exchange by the average investor, a sale of a parcel of undeveloped land purchased as an investment, or a sale of residence give rise to capital gain.

Many of the exceptions to the general definition of "capital asset" which have been created over the years by Congress are contained in section 1231 of the code. It is this section which would be amended by this bill to repeal provisions which have stretched the general definition of "capital asset" to include five types of property which were not originally considered to be capital assets.

Perhaps the largest loophole in the entire capital gains area involves the tax treatment as capital gains of depreciable personal property. As noted above, the general definition of capital asset expressly excludes depreciable property used in trade or business, and one would assume that gains realized from sale of such property would be taxed as ordinary income. This was the case until 1942. In the Revenue Act of that year, however, Congress legislated that gains realized from sale of depreciable property held for more than 6 months were to be treated as capital gains, although losses were to continue to be treated as ordinary losses. The justification for this change in the law was that treatment of gains from transfer of depreciable property as ordinary income had

"seriously adverse effect on replacement practices"—Joint Committee print, "The Federal Revenue System: Facts and Problems, 1959," page 47. This provision of the 1942 law is now contained in section 1231 of the 1954 code which asserts that "recognized gains on sales and exchanges of property used in trade or business held for more than 6 months into other property or money, shall be considered as gains from sales or exchanges of capital assets."

The new methods for claiming depreciation approved in the 1954 code, permitting the writeoff of about two-thirds of the cost of the property instead of 50 percent of the cost as previously provided, eliminated the major force of argument advanced earlier for extending capital gains treatment to income from transfer of depreciable personal property to encourage "replacement practices." In other words, replacement of property at low tax cost was given an enormous stimulus by the new liberal methods of claiming depreciation permitted in the 1954 code.

Commerce Department statistics show the spectacular rise in depreciation claims since the 1954 code went into effect. From a record high in 1953 of $11.8 billion, the volume of depreciation deductions almost doubled to reach $31.5 billion in 1958. Whereas depreciation was the source of only 30 percent of the funds spent by corporations for new capital goods and replacements in 1947, it was the source of 67 percent of all capital spending by corporations in 1958. A recent business survey by the McGraw-Hill Co. indicates that depreciation will continue to supply a greater volume of the funds needed for new plants and equipment for at least the next 4 years and that by 1962 the total will total $26 billion and depreciation will be the source of 79 percent of all capital spending.

Thus it can be seen that businessmen have found a reliable source of funds to use in financing replacement of used plant and equipment in fast writeoff depreciation deductions. To put on top of this the added incentive of permitting capital gains treatment of income from sale of depreciable property would no longer seem to be justified.

My amendment would tax such income at ordinary income rates. This should not have an appreciable effect on current replacement practices but it should substantially increase tax receipts.

PERIPHERAL ITEMS

Capital gains treatment has also been extended by Congress in recent years to cover income from a number of peripheral items which cannot properly be considered as "capital assets" in the normal sense of the term.

Thus in the Revenue Act of 1943, capital gains treatment was extended to income from cutting or disposal of timber which had previously been taxed at ordinary income rates.

In the Revenue Act of 1951, the same preferential treatment was permitted for income from sale of livestock held for more than 12 months which had previously been taxed at ordinary income rates.

In the same act, receipts from unharvested crops and coal royalties were held to be capital gains although both types of income had been subject to ordinary income rates until 1951.

My bill would prohibit preferential treatment of income from these peripheral items as capital gains and subject such income to ordinary income tax rates as was the case until these special privilege sections were written into the code.

I realize, Mr. President, that this bill would not completely rationalize the capital asset definition in the code. Ideally, perhaps, preferential treatment under the capital gains provision would be confined to income realized on the sale or exchange of assets such as corporate securities held over a substantial period of time where depreciation does not enter the picture. Other types of income currently receiving capital gains treatment, such as those representing compensation for personal services—distribution from retirement plans, stock options, patent royalties—anticipation of future income—in oil payments, life interests in estates—as well as gains from transactions involving inventory type assets—which are the subject of this amendment—should perhaps be taxed as ordinary income—Stanley S. Surrey, "Definitional Problems in Capital Gains Taxation," Harvard Law Review, April 1956.

However, the extensive rewriting of the code required to rationalize the capital gains laws to rule out preferred treatment of income from assets which are not true capital assets is obviously beyond the staff capabilities of any one Senator. I commend the capital gains area though, for the careful consideration of both the Treasury and the Mills committee next November when it undertakes a comprehensive review of the entire tax structure.

The regressive nature of the capital gains tax alone should compel a thoroughgoing review of the capital gains provision in the code.

An individual taxpayer may deduct 50 percent of a long-term capital gain so that only one-half of the gain is subject to tax. Further, if the rate of tax applicable to the remaining gain exceeds 50 percent—a point reached at $18,000 of income for a single person and $36,000 for a married person—no further tax is to be paid on the gain. Put differently, the entire capital gain is subject to a maximum rate of 25 percent, regardless of the total income of the taxpayer.

Statistics culled from the IRS publication of "Individual Income Tax Returns for 1956" indicate which taxpayers are benefiting and to what extent from present capital gains laws. More than 80 percent of the returns filed for 1956 showing adjusted gross income in excess of $200,000 reported capital gains and the average amount of tax saved on each of these returns because of claims of reduced capital gains rates was substantially in excess of $100,000. In fact, 81 percent of the returns showing adjusted gross income in excess of a million dollars reported capital gains, and the average tax saved by application of the reduced capital gains rates amount to $1.4 million per return. At the other end of the economic ladder only 2.4 percent of the returns filed for 1956 indicate adjusted gross income of less than $3,000 reported any capital gains and the average amount of tax saved by the reduced capital gains rate on those returns was $81 per return. These figures clearly indicate the need for a comprehensive review of the capital gains laws to bring them more in line with the fundamental theory of Federal taxation. Taxes should be levied according to ability to pay. Persons with equal income should be taxed equally regardless of source of income. I ask unanimous consent that a table showing the statistics be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

The capital gains tax (who benefits—how much—Treasury loss)

Adjusted gross income of taxpayer	Total number of taxable returns filed (excluding information returns)	Percentage of total returns reporting capital gains	Average tax saved on returns reporting capital gains [1]	Revenue loss to Treasury because of capital gains claims
Under $3,000	12,161,320	2.4	$81	$24,042,000
$3,000, under $5,000	14,808,530	3.3	108	52,370,000
$5,000, under $7,000	10,455,601	4.2	127	55,994,000
$7,000, under $10,000	5,723,893	7.6	189	82,269,220
$10,000, under $15,000	1,918,975	17.6	342	115,354,590
$15,000, under $20,000	497,449	30.7	566	86,762,550
$20,000, under $25,000	234,745	37.0	805	69,970,300
$25,000, under $50,000	346,246	46.2	1,843	294,855,440
$50,000, under $100,000	89,095	60.4	8,125	417,371,100
$100,000, under $150,000	14,057	72.6	28,117	287,013,500
$150,000, under $200,000	3,843	77.3	53,571	159,213,860
$200,000, under $500,000	4,031	82.0	122,431	404,513,920
$500,000, under $1,000,000	593	84.1	404,848	202,019,400
$1,000,000 or more	268	81.3	1,453,438	316,849,500
Total				2,568,599,380

[1] NOTE.—Tax savings computed at ½ the bracket rate, to a maximum of 25 percent. Bracket rate assumed to be the rate for the average taxable income per return at that adjusted gross income level, including 90 percent of excluded capital gains.

Source: Statistics of income, 1956—"Individual Income Tax Returns," U.S. Treasury, Internal Revenue Service.

Mr. CLARK. Mr. President, my bill, nevertheless, would take a long step toward capital gains tax reform by amending section 1231 to prevent capital gains treatment of income from five different types of property which cannot be considered as "capital assets" in any true sense of the term.

The junior Senator from Wisconsin [Mr. PROXMIRE] sponsored a substantially similar proposal in the bill (S. 2059) he introduced on May 29, 1959. There are three main differences between our bills. First, his proposal would prevent capital gains treatment, now permitted in section 1231, of gains from sale of real property used in trade or business. I did not follow that suggestion because depreciation deductions cannot, of course, be claimed with respect to real property, and it is the liberalization of the depreciation provisions of the code in 1954 which has led me to suggest that gains from sale of depreciable property should no longer receive preferred capital gains treatment. Second, the bill of the junior Senator from Wisconson would repeal section 421 of the code which permits capital gains treatment of sums received by exercise of stock options under certain circumstances. While I strongly favor tightening of the tax law regarding stock options, I have been advised that the law prior to enactment of section 421 was in some confusion and new clarifying language in addition to repeal would be desirable. Third, Senator PROXMIRE's bill links his loophole closing proposals to reduction of individual rates in excess of 65 percent.

I agree that the highest individual rates should be reduced, but I would propose such a change in the law only when: First, loophole closing and other tax reform measures have been enacted; second, our tax laws are bringing in enough revenue to finance needed public services, and debt retirement; and third, there is a balance available from anticipated revenues for tax reduction purposes.

The extent to which public revenues would be increased by taxing at ordinary income rates the gains from sale of depreciable property and other items of ordinary income now taxed at low capital gains rates has been estimated at $800 million by reputable economists. Since my proposal would accomplish a major part but not all of this reform because of the drafting problems indicated earlier, I estimate that my bill would raise something in excess of $500 million in public revenue annually. Government statistics of individual tax returns for 1956 show that $2.5 billion of public revenue was lost that year by application of reduced capital gains rates to income shown on individual returns. "Statistics of Income 1956 for Corporate Income Tax Returns," prepared by the IRS, indicates an additional revenue loss of $641.7 million for that year because of tax treatment of corporate income from various sources as capital gains rather than ordinary income. Thus a total of $3.2 billion was lost to the Treasury in 1956 because of the capital gains provisions of the code. The $500 million estimated yield from passage of my bill is based on the assumption that approximately one-sixth of the $3.2 billion saved by the capital gains device is accounted for by capital gains treatment of income from sale of depreciable and various peripheral property which would be treated as ordinary income by the terms of my bill. Income from these sources was taxable as ordinary income until special interest legislation was enacted in recent years.

In my judgment, there are good arguments in support of my own bill, although I expect to confer with the junior Senator from Wisconsin [Mr. PROXMIRE] to see if we cannot agree on an identical measure.

It is high time that we start to rationalize the capital gains tax laws. This bill would do much to achieve such rationalization and raise $500 million in public revenue so badly needed to finance additional public services and debt retirement and to insure a balanced budget.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2527) to amend the Internal Revenue Code of 1954 in order to eliminate preferential treatment with respect to certain categories of taxpayers, and for other purposes, introduced by Mr. CLARK, was received, read twice by its title, and referred to the Committee on Finance.

SAN BENITO INTERNATIONAL BRIDGE, RIO GRANDE, NEAR LOS INDIOS, TEX.

Mr. YARBOROUGH. Mr. President, I introduce for appropriate reference, a bill to authorize the San Benito International Bridge Co., a corporation, to build, maintain, and operate a toll bridge across the Rio Grande River in the vicinity of Los Indios, Tex.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2531) to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex., introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Foreign Relations.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a copy of a resolution by the Willacy County Commissioners Court requesting the construction of the bridge referred to, to facilitate trade and commerce between the United States of America and the United States of Mexico.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

"Whereas the citizens of the United States, living in the vicinity of San Benito, Tex., and Harlingen, Tex., and Valle Hermoso, Mexico, number approximately 175,000 in population; and

"Whereas the present bridges across the Rio Grande River serving the area in which this great population reside and conduct commerce are inadequate to accommodate the commerce between the United States and Mexico; and

"Whereas there is a genuine necessity for adequate bridge facilities south of San Benito and Harlingen, Tex., at or near Los Indios, Tex., to accommodate and promote commerce between Mexico and the United States; and

"Whereas public convenience and necessity demand that adequate bridge facilities be provided in this rich agricultural, industrial, and tourist area: now, therefore, be it

"*Resolved*, That the Senate and the House of Representatives of the United States be urged to pass enabling legislation permitting the San Benito International Bridge Co. (a corporation) to build, maintain, and operate a toll bridge across the Rio Grande in the vicinity of Los Indios, Tex."

THE STATE OF TEXAS,
COUNTY OF WILLACY.

I, W. F. Brownfield, county clerk and ex-officio clerk of the Commissioners' Court of Willacy County, Tex., do hereby certify that the foregoing is a true and correct copy of a resolution as passed by the Commissioners' Court of Willacy County, Tex., at a special meeting thereof held on the 4th day of August, A. D., 1959, at the regular meeting place of such commissioners' court in the courthouse at Raymondville, Tex., and as the same appears of record in the Commissioners' court minutes of said county in volume 8, pages 192–193.

Witness my hand and official seal, this the 7th day of August, A. D., 1959.

[COURT SEAL]

W. F. BROWNFIELD,
County Clerk and Ex-officio Clerk of the Commissioners' Court of Willacy County, Tex.
By MARJORIE IVY, *Deputy.*

CONGRESSIONAL ELECTIONS ACT

Mr. HART. Mr. President, I introduce, for appropriate reference, with the request that it lie on the table for a period of 2 weeks, a bill which would create an agency of the legislative branch of the Federal Government designed to insure that all citizens will have their right to vote protected.

The situation which now confronts us as a Nation is no longer tolerable. The evidence of continued denial of voting rights in various sections of the country disgraces us both in the eyes of our own citizens and in those of the rest of the world. The time has come for the Congress to face its responsibility and exercise its authority to regulate the election of its own Members.

The Constitution under article I, section 4, and under the 15th amendment, authorizes the Congress to make regulations as to the time, place, and "manner of holding elections for Senators and Representatives or to alter regulations prescribed by the State legislatures for such purposes, except as to the places of choosing Senators."

The judiciary cannot be expected to bear the burden of litigating the dilatory actions of innumerable local registration officials intent on frustrating the desires of eligible voters. In my opinion, we are witnessing today only the beginnings of these tactics.

It is unrealistic to believe the Department of Justice could litigate enough of the cases where individuals are denied their franchise to improve materially this situation. This is my view despite the fact that I would certainly applaud an increase in the Department's efforts on present laws.

While both are desirable, it is certainly less significant to press the Congress to enact such peripheral attacks on the basic problem as are proposed in constitutional amendments to abolish the poll tax and requirements that registration records be preserved than to make the basic decision this bill proposes.

This problem is the active election-by-election responsibility of the Congress, placed on the Congress by the Constitution, to insure the right to vote in each Federal election.

Nor is this a matter of States' rights. The States have only that authority in this field of congressional elections that is given them expressly by the Congress. It is the duty of the Congress itself to see to it that those who sit as its Members are elected by all the people. The buck on this issue stops here.

There is a long history of widespread and flagrant denials of the right to vote. The record of the hearings held by the Constitutional Rights Subcommittee of the Senate Judiciary Committee over the years tells the story. Further, the hearings held this year by the Commission on Civil Rights, expressly established by the Congress to look into voting practices, reveal a shocking illustration of the need for congressional action. Uncontested testimony before the Commission at its hearings in Montgomery, Ala., reveals only 4 registered Negro voters in Bullock County which has a Negro population of 11,000. In Macon County there are only 1,110 registered Negro voters in a total Negro population of 27,384—1950. In the same county there are 3,177 white citizens of which 3,016 are registered. Reports published by responsible private agencies indicate that this situation, while extreme, is not an isolated occurrence in a few counties. Even if it were, however, Congress cannot allow such a condition to exist without making a mockery of what we like to call free elections.

The proposal I make for the establishment of a Congressional Elections Commission as an arm of the Congress, is, as far as I know, a wholly new one. It may not be the best and it certainly is not the only approach that can be taken. My colleague, the senior Senator from Michigan, [Mr. MCNAMARA] has, for example, introduced a joint resolution calling for a constitutional amendment on this subject. The outstanding virtue of the bill I now introduce lies in the fact that it establishes a continuing agency of the Congress itself, designed to insure that registration and election procedures shall be reasonable, fair, and equally available to all our citizens. It can perform the same service for the Congress in the vital area of its elections which the Government Accounting Office, another agency of the legislative branch, does in matters involving the public purse.

It is not my intention to press so new a proposal for immediate action by the Senate, urgent as it may seem. It is my hope that it will receive the kind of study and discussion that will lead us to the best possible solution of an old, but not forgotten, problem.

To assist those interested in the proposal, I ask unanimous consent that the text of the proposed act, a section-by-section analysis of the bill, and excerpts from an excellent monograph on the constitutionality of national legislation on the election of Representatives and Senators, prepared by the Legislative Reference Service of the Library of Congress, be inserted at this point in my remarks.

THE ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill, analysis, and excerpts will be printed in the RECORD.

The bill (S. 2535) to establish an agency of the legislative branch of the Federal Government authorized to conduct the elections of Members of the Senate and the House of Representatives, introduced by Mr. HART, was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Congressional Elections Act."

TITLE I—STATEMENT OF PURPOSE: DEFINITIONS

SECTION 101. Taking cognizance of the fact that, although 89 years have passed since the Fifteenth Amendment was adopted, American citizens otherwise qualified to vote continue to be denied that right because of their race or color, and that qualified voters are thus arbitrarily and discriminatorily being denied a right to cast a vote for the selection and election of their representatives in the Senate and the House of Representatives; and recognizing the authority and the obligation of the Congress under the Fifteenth Amendment, and more particularly under article I, section 4, to assure that Members of the Senate and the House of Representatives are nominated and elected in a manner and pursuant to procedures which best assure that every qualified elector is afforded full opportunity to cast his vote, the Congress hereby determines that it is necessary, in order to assure to all qualified electors the opportunity to participate in the selection and election of Members of the Senate and the House of Representatives, that Congress establish an agency to conduct registration and voting in the primary, special, and general elections at which nominees to the Senate and the House of Representatives are elected.

SEC. 102. As used in this Act—

(a) The term "Commission" means the Congressional Elections Commission established by this Act.

(b) The term "special or general election" means any special or general election in any State or congressional district for the purpose of electing Members of the Senate and the House of Representatives, of the United States.

(c) The term "primary election" means any election, whether by convention, meeting, popular primary, or otherwise, in any State or congressional district for the purpose of choosing party nominees as candidates for the Senate or House of Representatives of the United States.

TITLE II—ESTABLISHMENT OF CONGRESSIONAL ELECTIONS COMMISSION

SEC. 201. (a) There is hereby established, as an agency of the legislative branch of the Federal Government, a Congressional Elections Commission, as an authority to conduct primary, special and general elections for Members of the Senate and the House of Representatives.

(b) The Commission shall be composed of three members who shall be appointed by the President by and with the advice and consent of the Senate. Not more than two of the members shall belong to the same political party. The President is requested in appointing members to provide, insofar as possible, representation for the various geographical areas of the United States.

(c) Each member of the Commission shall be appointed for a term of nine years, except that—

(1) the three members first appointed shall be appointed for terms expiring respectively on December 31, 1963; December 31, 1966; and December 31, 1969.

(2) a person appointed to fill a vacancy in the Commission occurring by reason of the death, disability, resignation, or removal of a member before the expiration of his term shall be appointed to serve for the remainder of such term.

(d) The President shall designate one of the members of the Commission as Chairman and one as Vice Chairman. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman or in the event of a vacancy in the office of Chairman.

(e) Subject to the provisions of subsection (f), a vacancy in the membership of the Commission shall not affect its powers.

(f) Two members of the Commission shall constitute a quorum thereof.

SEC. 202. Each member of the Commission, other than the Chairman, shall receive compensation at the rate of $20,000 per year. The Chairman of the Commission shall receive compensation at a rate of $20,500 per year.

TITLE III—REGISTRATION OF VOTERS BY THE COMMISSION

SEC. 301. The Commission is authorized to make and maintain temporary and permanent registers of voters qualified to participate in primary, special, and general elections in the various congressional districts. The Commission's making and maintenance of such registers of voters shall be in its discretion and it shall not be necessary, for the making and maintenance of such registers, for the Commission to have first determined to hold an election therein pursuant to title IV of this Act.

SEC. 302. No person shall be registered as a voter under Section 301 who does not have the qualifications requisite for electors of the most numerous branch of the legislature of the State in which the congressional district is situated. The Commission shall establish adequate procedures to assure that all persons placed upon its registers as qualified voters continue to have the residence and other qualifications requisite for electors of the most numerous branch of the legislature of the State in which the congressional district is situated.

SEC. 303. No State or local laws or ordinances governing the time, place, or manner of the registration of voters shall be applicable to or limit the power of the Commission to conduct registrations of voters pursuant to this title, but the Commission shall endeavor, as far as in its judgment is conducive to uniform and orderly election procedures, to conform its conduct of the registration of voters to the procedures governing time, place, and manner of registration, prescribed in the State or local laws or ordinances in effect in the congressional district.

TITLE IV—CONDUCT OF ELECTIONS BY THE COMMISSION

SEC. 401. The Commission is authorized in any congressional district to conduct the primary, special, or general elections for the purpose of selecting and electing Members of the Senate and the House of Representatives whenever—

(1) the Commission is officially requested so to do by the duly empowered official of the State in which the congressional district is situated, or

(2) the Commission determines that, unless such election is conducted by the Commission, persons having the qualifications requisite for electors of the most numerous branch of the legislature of the State in which the congressional district is located are likely to be denied their right in such primary, special, or general election to cast their votes and to have them fairly counted.

SEC. 402. Whenever the Commission conducts a primary, special, or general election, such election shall be the sole primary, special, or general election for the congressional district for Members of the Senate and the House of Representatives, and the results thereof shall in any primary election determine the authorized nominees, and in any special or general election determine the duly elected Member of the House of Representatives and the official vote of such congressional district for Members of the Senate and the House of Representatives at large.

SEC. 403. No person shall cast a vote in an election conducted pursuant to section 401 unless (a) he has been found by the Commission, pursuant to title III foregoing, to have the qualifications requisite for electors of the most numerous branch of the legislature of the State in which the congressional district is situated, or (b) he is registered on a State registration list which the Commission determines to be appropriate for utilization in the election conducted by it, as a person having the qualifications requisite for electors of the most numerous branch of the legislature of the State in which the congressional district is situated.

SEC. 404. The Commission shall immediately, upon determining to conduct an election pursuant to the authority contained in section 401(a) or (b), give notice of such determination to the Governor of the State concerned.

SEC. 405. No State or local laws or ordinances governing the time, place, and manner of conducting elections shall be applicable to or limit the power of the Commission to conduct elections pursuant to section 401, but the Commission shall endeavor, as far as in its judgment is conducive to uniform and orderly election procedures, to conform its conduct of elections to the standards of time, place, and manner prescribed in State or local laws or ordinances in effect in the congressional district.

TITLE V—CERTIFICATION OF RESULTS

SEC. 501. The Commission shall, upon the determination of the results of any primary, special or general election conducted pursuant to title IV, certify the results of such election to the Speaker of the House of Representatives, to the Secretary of the Senate, to the Governor of the State in which the election was conducted, and to other appropriate persons. Such a certification shall constitute the binding and conclusive determination of the results of the election.

TITLE VI—DELEGATION OF POWERS

SEC. 601. The Commission is authorized to delegate to any appropriate officer or officers of a State or local government, or to any agent, employee, or designee of the Commission, any or all of the powers granted by this Act, with the exception of the authority granted pursuant to section 301 to determine whether or not to make and maintain registers of voters in any congressional district, and the authority granted pursuant to section 401 to determine whether or not to conduct an election thereunder, which determinations shall be made only by a quorum of the Commission itself.

TITLE VII—JUDICIAL REVIEW

SEC. 701. Any citizen of a State having the qualifications requisite for electors of the most numerous branch of the legislature, who has made appropriate application for inclusion upon a register of qualified electors maintained by the Commission for the congressional district in which he is a resident, who is denied such registration or who, having once been so registered, is removed from such register or denied the opportunity to vote in a primary, special, or general election conducted by the Commission in such congressional district, shall have an action for declaratory and injunctive relief in the United States district court for such district.

TITLE VIII—PERFORMANCE OF COMMISSION FUNCTIONS

SEC. 801. The Commission is authorized to appoint and fix the compensation of such officers and employees as may be necessary to enable it to perform its functions and duties.

SEC. 802. In carrying out its functions the Commission is authorized to utilize on a temporary basis employees of the departments and agencies of the executive branch of the Government. Each department and agency of the executive branch of the Government shall fully cooperate with the Commission to the end that it may effectively carry out its functions and duties and shall, at the request of the President, assign on a temporary basis employees of such department or agency to the Commission.

SEC. 803. In carrying out its functions the Commission is authorized to utilize the services of State and local governmental officers and employees and the facilities of State and local governments. The Commission is authorized to reimburse any State or local officer or employee whose services are utilized under the authority of this section for travel expenses incurred, and to pay to any such officer or employee per diem in lieu of subsistence, in the same amounts as authorized by law for persons in the Government service serving without compensation. The Commission is authorized to reimburse any State or local government for the services of any officer or employee of such government, and for the facilities of such government, utilized under the authority of this section.

SEC. 804. (a) In carrying out its functions and duties, the Commission may sit and act at such times and places, hold such hearings, take such testimony, administer such oaths, require the attendance and testimony of such witnesses and the production of such books, records, or other written matter, procure such printing and binding, and make such expenditures as the Commission deems advisable. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission. Subpenas for the attendance and testimony of witnesses or for the production of written matter may be issued over the signature of the Chairman, or any member designated by him, and may be issued by any person designated by the Chairman or by such member.

(b) A witness attending any session of the Commission shall receive $4 for each day's attendance and for the time necessarily occupied in going to and returning from the same, and 8 cents per mile for going from and returning to his place of residence. Witnesses who attend at points so far removed from their respective residences as to prohibit return thereto from day to day shall be entitled to an additional allowance of $12 per day for expenses of subsistence, including the time necessarily occupied in going to and returning from the place of attendance. Mileage payments shall be tendered to the witness upon service of a subpena issued on behalf of the Commission.

(c) In case of contumacy or refusal to obey a subpena issued on behalf of the Commission, any district court of the United States or the U.S. court of any possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which the person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by the court as a contempt thereof.

SEC. 805. The Commission may promulgate such rules and regulations, not inconsistent with the provisions of this Act, as it deems necessary or desirable for the performance of its functions and duties under this Act.

SEC. 806. The Commission shall, on or before January 31 of each year, submit to the Congress a report of its activities under this Act together with any recommendations for suggested legislation which it finds desirable.

SEC. 807. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

SEC. 808. No provision of law contained in section 5, of the Act entitled, "An Act for the apportionment of Representatives in Congress among the several States under the Thirteenth Census", approved August 8, 1911; section 26 of the Revised Statutes; and section 27 of the Revised Statutes, which is inconsistent with this Act, shall be applicable to elections conducted under this Act.

The analysis and excerpts presented by Mr. HART are as follows:

ANALYSIS OF CONGRESSIONAL ELECTIONS COMMISSION BILL INTRODUCED BY SENATOR PHILIP A. HART

It is the purpose of the Congressional Elections Act to establish an agency of the legislative branch of the Federal Government with authority to conduct the elections of Members of the Senate and the House of Representatives.

TITLE I

Title I states that because of the continuing denial to American citizens, on grounds of their race or color, of their right to vote, particularly to vote in the election of Representatives and Senators, recognizing the authority of Congress under the 15th amendment and under article I, section 4 of the Constitution, to assure fullest participation of qualified electors in congressional elections, the Congress determines it necessary to establish an agency to conduct registration and voting in the primary, special and general elections at which Representatives and Senators are elected.

TITLE II

Title II establishes the Congressional Elections Commission as an agency of the legislative branch of the Federal Government authorized to conduct primary, special and general elections for Members of the Senate and the House of Representatives. The Commission is composed of three members appointed by the President with the advice and consent of the Senate, Commissioners to be appointed for a term of 9 years.

TITLE III

Title III authorizes the Commission to make and maintain registers of voters in

various congressional districts who are qualified to participate in primary, special and general elections of Members of the Senate and House of Representatives. The Commission may maintain registration lists in various congressional districts whether or not it has determined to run an election in the District. It is also provided that no person can become or stay registered on the Commission's lists who does not have the qualifications for electors of the most numerous branch of the State legislature. It is also provided that State and local laws and ordinances covering the time, place or manner of registration are not applicable to registrations conducted by the Comimssion, but the Commission is instructed to conform its conduct of registration as far as possible to the procedures in effect under State or local laws.

TITLE IV

Title IV authorizes the Commission to conduct primary, special or general elections in any congressional district for Members of the Senate and the House of Representatives either when (1) the Commission is officially requested so to do by the State in which the district is located, or (2) the Commission determines that unless it conducts such an election qualified voters are likely to be denied their right in such a primary, special or general election to cast their votes and have them fairly counted. Whenever the Commission conducts a primary, special or general election that shall be the sole primary, special or general election in the congressional district for Members of the Senate and the House of Representatives and the results thereof shall determine the party nominees, the elected Members of the House of Representatives and the official vote of the congressional district for Members of the Senate and the House of Representatives at large. No person may vote in an election conducted by the Commission unless he has either been registered under title III by the Commission or he is registered on a State registration list determined by the Commission to be appropriate for use in its own elections. The Commission, if it decides to conduct an election, shall immediately notify the Governor of the State.

TITLE V

Title V provides for the certification of results of election by the Commission to the Speaker of the House, the Secretary of the Senate, and the Governor of the State, and that such certification constitutes the binding and conclusive determination of the results of the primary, special or general election.

TITLE VI

Title VI authorizes the Commission to delegate to its own agents and employees or to appropriate officials of the State and local governments any of the powers provided by the act with the exception of the authority of the Commission to determine whether or not to maintain registers of voters or to conduct an election in any particular congressional district which powers shall be exercised only by the Commission itself.

TITLE VII

Title VII authorizes suits for declaratory and injunctive relief in the U.S. district court by any citizen qualified to vote who has applied for registration by the Commission and is denied it or after being granted registration is removed from the registry or is denied opportunity to vote in an election conducted by the Commission.

TITLE VIII

Title VIII contains miscellaneous provisions concerning the compensation of agents and employees of the Commission as well as officials of the State to whom Commission functions may be delegated; provisions for the taking of testimony by the Commission; attendance of witnesses; refusals to testify; promulgation of the Commission rules and regulations; reports to the Congress; and amendment of prior laws.

EXCERPTS FROM CONSTITUTIONALITY OF NATIONAL LEGISLATION ON ELECTION OF CONGRESSMEN AND SENATORS

1. This subject involves the division of legislative power as between the States and the National Government. The extent of the congressional power to legislate on elections is determined by the provisions of the U.S. Constitution. The provisions relating to elections are set forth in part 1 of this report. Attention is directed to article 1, section 4 which provides that Congress may make regulations as to the times, place, and "manner of holding elections" for Senators and Representatives or may alter regulations prescribed by the State legislatures for such purposes, except as to the places of choosing Senators. A distinction between prescribing the manner of holding elections and prescribing the qualification of electors must be recognized because article I, section 2 and the 17th amendment provide that the electors for Representatives and Senators shall have the qualifications requisite for electors of the most numerous branch of the State legislatures. The power of the State in this and other matters is subject to the limitations set forth in the 14th, 15th, and 19th amendments.

2. The Supreme Court decisions on the validity of State laws on the qualification of electors have been reviewed in this report because they bear upon the division of power between the States and the National Government and because the opinions in some of these cases contain statements that the right to vote is derived from the States and it is important to recognize that these statements were made in reference to the qualification of electors and not in reference to other election matters, such as the power to regulate the manner of holding Congressional elections. Thus, there is no fundamental conflict between these statements and statements in cases involving other issues that the right to vote for Representatives in Congress is derived from the U.S. Constitution.

3. The Supreme Court decisions on actions against racial discrimination after the civil rights legislation of 1870 are described in this report because they demonstrate the importance of respecting Constitutional limitations in drafting and interpreting legislation. Two of these decisions held certain sections of the civil rights laws unconstitutional (*United States* v. *Reese* and *James* v. *Bowman*). In both instances the difficulty was the failure of the statute involved to comply with the requirements of the 15th amendment and the decisions resulted from imprecise drafting of the legislation rather than from a lack of congressional power to deal with the matter in controversy. Two other racial discrimination cases (*United States* v. *Cruikshank* and *Ex parte Yarbrough*) demonstrate the difference in congressional power as between State elections and national elections. One case held that the U.S. Constitution does not prohibit private racial discrimination in State elections and the other held that there is constitutional power to prohibit private racial discrimination in the election of a Representative in Congress. These two cases involved, not the constitutionality of legislation, but the meaning of "rights or privileges secured by the Constitution" in a criminal statute protecting such rights.

4. The foremost exercise by Congress of its power under article I, section 4 of the Constitution was the enactment of several sections in the Civil Rights Acts of 1870–71 providing for the supervision of elections of Representatives in Congress. A number of these sections were held constitutional and no section of the civil rights legislation which dealt expressly with the election of Representatives in Congress was held unconstitutional. The Supreme Court decisions on these sections are set forth in part 4 of this report. The outstanding case is Ex parte Siebold. The sections involved were repealed in 1894 along with several others relating to elections.

5. After the repeal in 1894 of much of the national legislation on elections, controversies arose on whether criminal statutes punishing conspiracies to commit an offense against the United States, and conspiracies to interfere with rights secured by the Constitution were applicable to activities affecting elections. These cases are described in part 5 and some of them, notably *United States* v. *Gradwell*, discuss the scope and exercise of congressional power on elections, in the process of interpreting the conspiracy statutes.

6. The only congressional enactment dealing expressly with the election of Representatives and Senators which has been held unconstitutional was the portion of the Corrupt Practices Act relating to nominations and primary elections. *Newberry* v. *United States*, 256 U.S. 232 (1921). However, this decision has been virtually nullified by the subsequent decision in *United States* v. *Classic*, 313 U.S. 299 (1941). The cases on primary elections are reviewed in part 6 of this report. The Supreme Court decision in the Classic case interpreted "elections" in article I, section 4 as meaning "choice," and thus including the process of nomination. Also, the Court relied upon the "necessary and proper" clause in article I, section 8 of the Constitution.

7. The Supreme Court cases on congressional power to deal with registration procedures affecting congressional elections are less helpful than those relating to general and primary elections. A section of the 1870 Civil Rights Act which dealt mainly with registration was said to be valid in two Supreme Court cases but neither case appears to have involved registration itself. However, the Supreme Court opinion in the Classic case indicates that the authority of Congress to regulate the manner of holding elections is supplemented by the necessary and proper clause. If the administration of State registration laws was found to affect the right of a person to vote for a Representative or Senator, national legislation on the control of a State registration system would most likely be held constitutional, provided it complied with provisions of article I of the Constitution. These requirements may be summarized as (1) the legislation must expressly deal exclusively with the election of Representatives and Senators, (2) the legislation cannot prescribe the qualification of electors, (3) the legislation must relate to what is necessary and proper for the regulation of the manner of holding such elections.

INCREASED LIMIT OF EXPENDITURES FOR COMMITTEE ON AGRICULTURE AND FORESTRY—REPORT OF A COMMITTEE

Mr. SYMINGTON. Mr. President, from the Committee on Agriculture and Forestry, I report an original resolution increasing the limit of expenditures for the Committee on Agriculture and Forestry, and I submit a report (No. 668) thereon.

The ACTING PRESIDENT pro tempore. The report will be received and the resolution will be appropriately referred.

The resolution (S. Res. 161) increasing the limit of expenditures for the Committee on Agriculture and Forestry, was

referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Agriculture and Forestry is authorized to expend from the contingent fund of the Senate, during the Eighty-sixth Congress, $15,000 in addition to the amount, and for the same purposes, specified in section 134 of the Legislative Reorganization Act of 1946.

ADDITIONAL INVESTIGATION OF DOMESTIC LEAD AND ZINC INDUSTRIES

Mr. KERR. Mr. President, on behalf of myself, and Senators BENNETT, MURRAY, ENGLE, BIBLE, MOSS, CANNON, YARBOROUGH, MAGNUSON, CARROLL, MANSFIELD, GRUENING, BARTLETT, and ANDERSON, I submit a resolution requesting the U.S. Tariff Commission to make an additional investigation under section 322 of the Tariff Act of 1930 of the domestic lead and zinc industries. I ask unanimous consent that the resolution lie on the table through the first day of next week, August 17, in order to afford opportunity to other Senators to join as sponsors.

The ACTING PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, without objection, the resolution will lie on the table, as requested by the Senator from Oklahoma.

The resolution (S. Res. 162), submitted by Mr. KERR (for himself and other Senators) was referred to the Committee on Finance, as follows:

Whereas, pursuant to a resolution of the Senate Committee on Finance dated July 27, 1953, and a similar resolution of the House Committee on Ways and Means dated July 29, 1953, the United States Tariff Commission made an investigation under section 332 of the Tariff Act of 1930 (19 U.S.C. 1332) of the domestic lead and zinc industries and submitted a report of the results thereof to the said committees on April 19, 1954;

Whereas such measures as have been taken with a view to relieving the distressed condition of the domestic lead and zinc mining industries have failed to provide adequate relief: Be it therefore

Resolved, That the United States Tariff Commission is hereby directed, pursuant to the said section 332 of the Tariff Act of 1930, to make a further investigation along the lines of the aforesaid investigation and to submit a supplemental report to the Congress on or before March 31, 1960, bringing down to date the said report of April 19, 1954.

SEC. 2. The said supplemental report of the Tariff Commission shall include specific findings of the Commission with regard to the current condition of the lead and zinc mining industries and as to what additional import restrictions, if any (by way of increased duties or import quotas, or both), need to be imposed upon articles dutiable under paragraphs 72, 77, 391, 392, 393, and 394 of the Tariff Act of 1930, on zinc fume or zinc flue dust dutiable under paragraph 214 of the said tariff act, on zinc wire dutiable under paragraph 316(a) of the said tariff act, on zinc engravers' plates dutiable under paragraph 341 of the said tariff act, and on zinc alloys and lead and zinc mill products dutiable under paragraph 397 of the said tariff act, in order that lead and zinc mining operations in the United States may be conducted on a sound and stable basis. In the course of its investigation the Commission shall hold a hearing at which interested parties shall be given opportunity to appear and be heard.

AMENDMENT OF THE IMMIGRATION AND NATURALIZATION ACT—RETURN OF BILL BY HOUSE OF REPRESENTATIVES

Mr. EASTLAND. Mr. President, I ask unanimous consent to enter a motion to reconsider the vote of the Senate on July 22, 1959, in disagreeing to the amendment of the House to the Senate amendment in House bill 6118, entitled "An act to amend section 6 of the act of September 11, 1957."

The ACTING PRESIDENT pro tempore. Without objection, the motion will be entered.

Mr. McNAMARA. Mr. President, may we have an explanation?

Mr. EASTLAND. The bill involves an amendment to the Immigration and Nationality Act. The Senator from New York [Mr. KEATING] wanted a conference. He has now agreed to the House amendment.

Mr. JAVITS. Mr. President, may we have an idea of what we shall be doing legislatively if we agree?

Mr. EASTLAND. I wish to make a motion that the bill and the accompanying papers be returned to the Senate, at which time that question will arise.

Mr. JAVITS. In other words, we are not passing legislation; we are merely asking for the return of the papers?

Mr. EASTLAND. That is correct.

On motion by Mr. EASTLAND, and by unanimous consent, it was ordered that the House of Representatives be requested to return to the Senate the bill (H.R. 6118) to amend section 6 of the act of September 11, 1957, with the accompanying papers.

CHANGE OF REFERENCE

Mr. MAGNUSON. Mr. President, on April 27 I introduced, at the request of the Interstate Commerce Commission, 11 bills to implement certain recommendations contained in the Commission's last annual report. All of the bills were referred to the Committee on Interstate and Foreign Commerce. Among them was S. 1810, to repeal the provisions of section 5 of the act of July 28, 1916, as amended, relating to the furnishing of information to the Postmaster General by the Interstate Commerce Commission with respect to revenue received by railroads from express companies for the transportation of express matter.

The act of July 28, 1916, which S. 1810 seeks to amend in part, is the comprehensive Railway Mail Service Pay Act virtually all of which relates to postal matters and the Post Office Department.

S. 1810 is, in my opinion, a bill that properly could have been referred to the Committee on Interstate and Foreign Commerce or to the Committee on Post Office and Civil Service. However, in view of the fact that it does amend a basic postal statute and that the Committee on Post Office and Civil Service is presently studying and holding hearings on various matters affecting the express service and the parcel post system, I believe it would expedite the business of the Senate and be in the interest of orderly procedure to have S. 1810 considered by the Post Office and Civil Service Committee.

The Senator from Oklahoma [Mr. MONRONEY], who was the coauthor of the Legislative Reorganization Act of 1946, defining the jurisdiction of the several committees, and who is the Senate's expert in these matters, is in accord with my position. Furthermore, he has assured me that the Post Office and Civil Service Committee is prepared to give prompt consideration to S. 1810. I ask, therefore, that the Committee on Interstate and Foreign Commerce be discharged from further consideration of S. 1810, and that it be rereferred to the Committee on Post Office and Civil Service.

The ACTING PRESIDENT pro tempore. Without objection, the Committee on Interstate and Foreign Commerce will be discharged from further consideration of the bill, and it will be referred to the Committee on Post Office and Civil Service.

PROPOSED AMENDMENT TO CONSTITUTION, RELATING TO QUALIFICATIONS OF ELECTORS—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the names of Senators KENNEDY, CARROLL, and MOSS may be added as additional cosponsors of the joint resolution (S.J. Res. 126) proposing an amendment to the Constitution of the United States, relating to the qualifications of electors, introduced by the Senator from Florida [Mr. HOLLAND], for himself and other Senators, on August 6, 1959.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SETTLEMENT OF CURRENT STEEL STRIKE—ADDITIONAL COSPONSORS OF CONCURRENT RESOLUTION

Mr. SYMINGTON. Mr. President, I ask unanimous consent that at the next printing of Senate Concurrent Resolution 69, with reference to settlement of the current steel strike, the names of the Senator from Michigan [Mr. HART] and the Senator from Maine [Mr. MUSKIE] be added as additional cosponsors.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MORSE:

Statement by him before Senate Committee on Appropriations, August 12, 1959, concerning religious and racial discrimination amendment to mutual security appropriation bill, H.R. 8385.

By Mr. SALTONSTALL:

Report by him to the people of Massachusetts, entitled "Independence—The American Way."

By Mr. CHURCH:

Article written by Senator HUMPHREY entitled "East-West Trade: Advantages and Disadvantages," published in the May 1959 issue of Tradescope.

NOTICE OF HEARING ON NOMINATION OF EUGENE R. GILMARTIN, TO BE U.S. JUDGE FOR THE DISTRICT COURT OF GUAM

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for 2:30 p.m., Wednesday, August 19, 1959, in room 2300, New Senate Office Building, on the nomination of Eugene R. Gilmartin, of Rhode Island, to be judge for the District Court of Guam.

At the indicated time and place all persons interested in the above nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

THE POST OFFICE DEPARTMENT AND THE POSTAL SERVICE

Mr. DIRKSEN. Mr. President, on July 13 Newsweek magazine published a very considerable article on the Post Office Department and the operation of the postal service.

The Postmaster General has talked to me about this on occasion. I also note that the National Association of Postal Supervisors and others have written to the editor of Newsweek magazine and have taken exception to a good many of the statements which appeared in the article which was published in that magazine.

I ask unanimous consent to have printed in connection with my remarks in the RECORD a letter, signed by Donald N. Ledbetter, national secretary of the National Association of Postal Supervisors, addressed to the Postmaster General, and also a rather extensive analysis of the article published in Newsweek magazine. The analysis is in the form of a letter written by Charles E. Puskar, executive secretary-treasurer of that organization, and was addressed to the editor of Newsweek.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF
POSTAL SUPERVISORS,
Washington, D.C., July 31, 1959.

Hon. ARTHUR E. SUMMERFIELD,
Postmaster General,
Washington, D.C.

DEAR GENERAL SUMMERFIELD: The members of our association were greatly upset by the highly critical review of the postal service which appeared in the July 13 issue of Newsweek magazine. We feel that the article was an insult to every employee of the postal service, and that such an attack is wholly unwarranted.

Our national president, Fred J. O'Dwyer, has written a letter to Newsweek refuting the charges contained in the article, and expressing the feeling of humiliation which has been felt by the employees of the postal service as a result of the article.

President O'Dwyer asked that we send a copy of his letter to you so that you would know that the postal supervisors cannot take charges such as these lying down.

With kindest personal regards, I am,

Sincerely yours,

DONALD N. LEDBETTER,
National Secretary.

JULY 28, 1959.

The EDITOR, NEWSWEEK,
New York, N.Y.

DEAR SIR: The article relative to the postal service in your magazine of July 13, 1959, contains many misstatements and is colored to discredit the postal service. It is a reflection against the loyal and efficient postal employee. As the president of the National Association of Postal Supervisors, on behalf of our 24,000 members in every part of the United States, I strongly protest the article. Your consideration of correcting the false impression left in the minds of your readers will be appreciated.

It is inconceivable that you would indicate that the mail often travels no faster than it did on the Pony Express more than 99 years ago. I find it impossible to reconcile the delays indicated in the article with my personal experience. As president of the National Association of Postal Supervisors, I am in almost daily contact by mail with the officers of this association in every part of the country. Rarely have I received a letter that has been delayed. Airmail sent to me from our headquarters office in Washington, D.C., reaches me without fail on the following day and this is typical of airmail from every major city in the country. I happen to be a subscriber to a Washington, D.C., daily newspaper. Invariably this newspaper reaches me in San Francisco within 4 days. For example, the issue of July 20 reached me on July 23. The same excellent service is received by your subscribers in San Francisco. This is truthfully established through the paucity of complaints on file from Newsweek at this office. Recently on association matters I have had considerable correspondence with members in Honolulu. My airmail letter mailed today is received in Honolulu the following day, and their letter mailed today is received by me the following day. While I have cited airmail, ordinary mail invariably reaches me on schedule.

My correspondence is considerably heavier than the average individual. The fact that I rarely have experienced a delay in my mail makes me stop to wonder about the delays you cite. I do not say that delays never occur. With the human element involved, there will be mistakes. I would venture to say that they even occur in your business. No one or no business is exempt. On the other hand, with the tremendous volume of mail handled by the post office, the percentage of errors is infinitesimal.

Transportation in certain areas also contributes to delays. The discontinuance, as the article indicates, by the railroads of 7,800 of the 10,000 trains that carried mail is a significant item. Analysis of this phase would readily indicate supplemental service would be required. This challenge has been met and it is rare indeed that delays are now being experienced through transportation difficulties. In the large metropolitan areas 97 percent of the letters now receive next day delivery through the metropolitan plan.

You say that the post office methods are incredibly old-fashioned, and that Postmaster General Summerfield must operate the world's biggest business with hand tools and with labor, and yet you fail to mention that Congress has consistently refused to appropriate sufficient money for modernization. You say that residential deliveries were cut from two a day to one a day in April 1950 and later that business deliveries were also cut, yet you fail to indicate that the action became necessary because of the failure or inability of Congress to grant sufficient appropriations.

You say that Postmaster General Summerfield tried to cut deficits by increasing revenues yet you fail to mention that there had been no increase in rates in 25 years while the cost of everything else, which undoubtedly includes your publication and the advertising contained therein, has increased tremendously.

You say that Congress says, "Never mind the deficit, give the people service." Nevertheless, the deficit is a contributing factor in every appropriation consideration and, no doubt as a result of it, Congress has not been able or seen fit to appropriate the money to provide for the mechanization of the postal service. It is true recently that certain sums have been allocated for this purpose but when you stop to consider the amount of money spent by big business in research, engineering, modernization, and mechanization the amount allocated to the postal service is inconsequential.

Despite this, under the able guidance of Postmaster General Summerfield, there has been progress in the field of mechanization and modernization. You outline the progress in this field, which has tremendous future possibilities in the modernization of the postal service, yet your writer could not resist closing the article with a human error which could and did distort an otherwise reasonable closing.

It would seem to me that your publication would contact a reputable source before releasing an article that contains so many misstatements and reflects in many instances against the good name of the postal service but particularly against loyal and efficient postal employees. We offer our services and will be happy to cooperate with your representatives concerning any future articles relative to the postal service.

In closing I might add that everybody in the world seems to think he knows how to run the post office better than those who are actually engaged in that practice. Countless thousands of honorable and decent citizens of this great Nation have actually devoted their entire lives to the furtherance and betterment of a postal service because they, like all other decent people who have a job to perform, do so to the best of their ability. I would hate to be guilty of trying to tell you how to run your publication. However, whatever value your article is to Newsweek escapes me. At best, it can only promote unwarranted dissatisfaction with millions of our patrons because of fancied failures in postal transactions. It must create a wonderful feeling of accomplishment to be the author of such unhappiness, trivial though it may be. If such was the intent, it certainly was successful with the National Association of Postal Supervisors. You have done us a great disservice and temporarily made us wonder whether our chosen livelihood is worth what we put into it.

Sincerely yours,

FRED J. O'DWYER,
President.

NATIONAL ASSOCIATION OF
POSTMASTERS OF THE UNITED STATES,
Washington, D.C., July 17, 1959.

The EDITOR, NEWSWEEK,
New York, N.Y.

DEAR SIR: I think that, in view of the libelous insult to the 34,000 postmasters who are members of this association which you published in your July 13 issue, it is only fair that you print the attached letter in answer to your article.

It is unthinkable that the misstatements in your article should go unanswered and that the record should not be put straight.

Sincerely yours,

CHARLES E. PUSKAR,
Executive Secretary-Treasurer.

NATIONAL ASSOCIATION OF
POSTMASTERS OF THE UNITED STATES,
Washington, D.C., July 17, 1959.

The EDITOR, NEWSWEEK,
New York, N.Y.

DEAR SIR: In your issue of July 13, 1959, you have committed a gross mass libel on the more than 34,000 dedicated men and women who serve as the Nation's postmasters by accusing them of being involved in a nationwide conspiracy to commit Federal felonies on a wholesale scale. When you say, "postmasters are appointed not to deliver mail but to deliver votes," you are not only promulgating a vicious untruth, but you are ignoring the fact that Federal statutes make it a penal offense for a postmaster or any other career civil service employee to engage in partisan political activities.

The postmaster today is a Federal career executive dedicated to the task of attempting to move today's mail today in a business-like way. More than ever before postmasters are being appointed from the career postal service. The postmasters of such major U.S. cities as Pittsburgh, Cleveland, Denver, Buffalo, Houston, Dallas, and scores of others have come up through the ranks. Those postmasters who have been recruited from the business world have met the rigid civil service requirements and consider their life's work to be the post office, and they have no intention of endangering their careers by feloniously engaging in political activity.

And, as a postmaster who was appointed during the administration of President Franklin D. Roosevelt, I would like to go on record as saying that no Postmaster General has done more to take the post office out of politics, and to take politics out of the post office, than has Arthur E. Summerfield. He has given postmasters the feeling of job security they should and must have if they are to be efficient executives. As an official of the National Association of Postmasters, with 34,000 members, 1 in every city, village, and hamlet in the Nation, I want to say that the postmasters of the United States are grateful to General Summerfield not only for his nonpartisan fairness but also for his devotion to the postal service.

I might add that this egregious libel you have perpetrated on the postmasters of the United States is shoddy repayment for the hours of extra labor they have put in over the years expediting Newsweek through the mails despite the ridiculously low postage rates you pay. Almost at the very moment you were circulating this slanderous accusation that postmasters are scofflaws and political hacks, your circulation department was issuing a communication to postmasters requesting that we give you special service in handling your magazine.

This is not the only injurious and untrue statement you have made in your article. I know that it is fashionable to say the hard word about the postal service, but the picture you paint is an exaggeration. Nobody knows the present limitations of the service better than does Postmaster General Summerfield and the postmasters, and no one is more determined to improve and refine it to the ultimate degree. However, even today three out of every four letters mailed in the United States get next day delivery. Considering the number of letters which are mailed great distances, this is a commendable performance. In the so-called metropolitan areas developed by Assistant Postmaster General (Operations) Jack McKibbin, 95 percent of all letters posted before 5 p.m. are being delivered in that same metropolitan area the next morning. Since these metropolitan areas range from 6,000 square miles to 72,000 square miles in size, I think this record is also worthy of commendation. And, I might add, this improved service is being effected at scarcely any additional cost. It is achieved by more scientific scheduling and improved methods.

Furthermore, it is very misleading to compare the service in certain European countries with that in the United States without mentioning: (1) The volume per capita in those countries is only fractional compared to ours (for instance, the U.S. Postal Service handles more than two-thirds of the entire mail volume in the world); (2) the distances involved are not even comparable to ours; (3) European postal salaries average from one-half to one-quarter of what U.S. postal workers are paid; (4) despite last year's rate increase, European rates are still generally higher than ours.

And, talking about rates, you are dead wrong when you say that, "Since the earliest days of the Republic, since 1789, in fact * * * Congress, which holds the constitutional authority over the Post Office, has insisted that the Post Office is not primarily a business—but a public service." I call your attention to the act of February 20, 1792, the first after the adoption of the Constitution, fixing rates of postage on mail matter, which made it clear it was the will of Congress that the Post Office be self-sustaining. This was forcibly reiterated in 1849, 1851, 1859, and 1912. In 1951 the 82d Congress in Public Law 137 stated that all branches of Government dispensing specific services to identifiable users "shall be self-sustaining to the fullest extent possible." The House of Representatives in 1956 in H.R. 11380 stated in section 203(c)(4) that "the postal rates shall be adjusted from time to time so that the total amount of the adjusted revenues be approximately equivalent to the total amount of the expenses." You seem to have done quite a lot of unilateral scholarship on this subject.

And, incidentally, it borders on intellectual dishonesty to list certain recommendations of the Hoover Commission which, through no fault of its own, the Post Office has not been able to meet, and then to ignore the statement by the Commission in its report of February 21, 1949, that: "The Post Office is predominantly of a business nature; it is revenue producing and potentially self-sustaining."

If it were true, as you erroneously state, that "Congress consistently spelled out the same message: Never mind the deficit," then why do we charge postage rates at all? Why don't we let everyone send letters free of charge?

Actually, the Post Office is both a service and a business. It performs certain welfare functions which should be paid for out of general taxation and not by the users of the mails. These functions are spelled out in the Kelly law (39 U.S.C. 793). If their cost is eliminated from the postal budget, then it will be found that the Post Office had broken even from its inception until the end of World War II, but since that time skyrocketing costs and lagging postage rates have conspired to produce an overall multi-billion dollar deficit. The huge postal deficit of today is a wholly modern concept. To paint it as a wonderful old American tradition is to paint it in false colors and with improper perspective.

Sincerely yours,

CHARLES E. PUSKAR,
Executive Secretary-Treasurer.

CHICAGO SEWAGE PROBLEMS AND POLLUTION OF LAKE MICHIGAN

Mr. DOUGLAS. Mr. President, the people of the city of Chicago are very fond of our neighbor to the north, the city of Milwaukee. We like that city. We appreciate its many fine qualities, and we have a very high opinion of the people of Wisconsin.

As Members of the Senate know, however, Milwaukee and the State of Wisconsin have been opposing the request of the city of Chicago that an experimental 3-year study be conducted on how the difficult problem of treating Chicago's sewage can be solved in the most satisfactory fashion, including a 1-year experimental test of the diversion of an added 1,000 cubic feet of water per second, in order to bring more oxygen into the Chicago ship channel and Des Plaines River and hence to determine its effect on the pollution of the waters.

I regret that during the course of this discussion, the representatives of Wisconsin and of Michigan have made some violent attacks upon the city of Chicago and upon its method of sewage disposal, which we believe to be either the best in the United States or perhaps the next to the best. But to date we have refused to respond in kind; we have believed we should turn the other cheek and should pass over delinquencies on the part of our beloved neighbor to the north.

However, the attacks have been so persistent and so ill-founded that last week, in the hearings on the bill, I placed in the record certain administrative rulings of the Committee on Water Pollution of the State Board of Health of Wisconsin, ordering numerous cities and communities in Milwaukee County to cease polluting Lake Michigan and to cease discharging raw sewage into Lake Michigan. These orders were also applied to a number of industrial companies inside the city of Milwaukee.

The orders were issued in 1955. Upon investigation, however, we have found that they have not been carried out even as yet, and that the situation is still bad.

I am very glad to see my good friend, the Senator from Wisconsin [Mr. WILEY], on the floor at this time. I have notified him that I was going to submit certain material for the RECORD. I, therefore, now ask unanimous consent to have printed at this point in the RECORD an article published in the Milwaukee Sentinel for August 7, 1959.

The ACTING PRESIDENT pro tempore. Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POLLUTION CAUSES DECISION

Milwaukee's two south side beaches—South Shore and Bay View—will be closed to swimming permanently after this summer, City Health Commissioner E. R. Krumbiegel announced Thursday.

Polution from human and animal refuse, which cannot be coped with economically, is the reason for the closing, Dr. Krumbiegel told a meeting of city department heads at city hall.

Dr. Krumbiegel said that last May he had told the county park commission, which operates all the beaches, of his intentions to close the two.

SUGGESTS POOL

This was done, he said, so the commission could be forewarned before budget time.

He said he suggested to the commission that the beaches be left open for sunbathers and that a swimming pool be constructed at South Shore, which already has a bathhouse. He intends soon to send the commission a detailed written report of his reasons for ordering the closing, he said.

The city's two north side beaches—McKinley and Bradford—have been closed frequently this summer, principally because of weeds.

"But these are a safety hazard rather than a health problem," he said, adding that there was no plan to close those beaches. "How long Bradford will continue open is anybody's guess," he added.

CRITICAL BEACHES

Dr. Krumbiegel pointed out that pollution is also a critical problem at beaches outside the city chiefly at Grant Park in South Milwaukee and Big Bay and Klode Parks in Whitefish Bay, according to pollution studies made by the Metropolitan Sewerage Commission.

On frequent occasions this summer, pollution at those beaches had been worse than that at South Shore, he pointed out. Those beaches are not under his jurisdiction, however.

The health commissioner said he was ordering the closings because it is economically unfeasible to end pollution of the lake and impossible to detect pollution in time to close beaches on a day-to-day basis.

He estimated it would cost a half billion dollars to end the pollution problem, $250 million in tax money and the other $250 million from private property owners.

The solution would involve installing separate storm and sanitary sewers throughout the entire sewerage district and correcting those deficiencies in the combined sewer system which result in storm water being dumped into sanitary facilities.

Chlorination of water near the beaches would alleviate the problem, he said, but this would have to be done 7 days a week and would be expensive and impractical.

Dr. Krumbiegel listed the four main sources of the pollution as:

The 254 sewer outfalls which empty into the Milwaukee, Menomonee, and Kinnickinnic Rivers when sewers become surcharged due to rainfall.

Effluent from the sewage-disposal plant on Jones Island.

The sewer outfalls which lead directly into the lake from the foot of East Russell and East Oklahoma Avenues, near the two beaches.

Refuse from steamships entering the harbor and from cruisers docked at the South Shore Yacht Club.

The situation is especially critical at the South Side beaches, Dr. Krumbiegel explained, because much of the effluent pouring from the sewage plant and river mouth is carried south by the current and is kept from drifting out into the lake by the breakwater.

Summer winds, which are usually from the west or northeast, also push this refuse toward the beaches.

"This wouldn't be so bad if it was spread out over the whole year," he said, "but it comes in relatively short periods, during heavy rains."

Bacteriological tests enable the health department to know the degree of pollution at the beaches, but these take 48 hours to complete since they involve growing organisms taken from the lake in test tubes to determine the bacteria count.

"This only lets us know the water was polluted 2 days ago but it doesn't tell us how the water will be tomorrow," Dr. Krumbiegel said. The degree of pollution at any beach varies greatly from day to day, depending on the wind direction and sewer discharge.

Mr. DOUGLAS. Mr. President, the article is an account from this very eminent Milwaukee newspaper, giving the rulings of the city health commissioner, E. R. Krumbiegel; and I now read salient passages from the article:

Milwaukee's two south side beaches—South Shore and Bay View—will be closed to swimming permanently after this summer, City Health Commissioner E. R. Krumbiegel announced Thursday.

Pollution from human and animal refuse, which cannot be coped with economically, is the reason for the closing, Dr. Krumbiegel told a meeting of city department heads at city hall.

The article also states that the city health commissioner had notified the county park commission, last May, of his intention to close these two beaches, so that the commission could be forewarned; and the article also points out that:

The city's two north side beaches—McKinley and Bradford—have been closed frequently this summer, principally because of weeds.

However, I may say that these weeds have grown in part because of the nitrogenous discharges from the adjacent plant.

He pointed out also that pollution is a critical problem outside the city, chiefly at Grant Park in South Milwaukee and Big Bay and Klode Parks in Whitefish Bay, according to pollution studies made by the metropolitan sewerage commission.

As the commissioner stated, on frequent occasions this summer, pollution at those beaches had been made worse than that at South Shore. Those beaches are not under his jurisdiction, however.

Our friends from Wisconsin have been urging that we should use chlorination, and I think a full study of that possibility should be made; but it is interesting that the health commissioner of Milwaukee said that he was ordering its closing because "it is economically unfeasible to end pollution of the lake and impossible to detect pollution in time to close beaches on a day-to-day basis.

He estimated it would cost a half billion dollars to end the Milwaukee pollution problem, $250 million in tax money and the other $250 million from private property owners.

He says further that chlorination of water near the beaches would alleviate the problem, but it would have to be done 7 days a week and would be expensive and impractical.

The health commissioner listed the four main sources of the pollution, namely:

First, the 254 sewer outfalls which empty into the Milwaukee, Menominee and Kinnikinnick Rivers when sewers become surcharged due to rainfall.

Second, effluent from the sewage disposal plant on Jones Island—which, in the past, we in Chicago have paid tribute to as an efficient plant.

Third, the sewer outfalls which lead directly into the lake from the foot of East Russell and East Oklahoma Avenues, near the two beaches.

Fourth, refuse from steamships entering the harbor and from cruisers docked at the South Shore Yacht Club.

The article continues that the situation is especially critical at the south side beaches because much of the effluent pouring from the sewage plant and river mouth is carried south by the current and is kept from drifting out into the lake by the breakwater.

Now, Mr. President, we have known these facts for some time, but hitherto we have not wished to make them matters of public record. Since this information comes from a Milwaukee newspaper and deals with the problem with which Milwaukee has to cope, we think it is appropriate to introduce these matters into the RECORD. I think the information is of value in this respect: It indicates the very difficult problem which big cities have to face. The city of Chicago has a problem six times as great as that of Milwaukee. We believe we are coping with it efficiently, but the 10 percent that cannot be fully removed under present methods means that we have a pollution if we include industrial waste, equal to that of 800,000 or 850,000 people.

In view of the very caustic statements which my good friends from Wisconsin have made about Chicago, I hope this information may induce on their part a greater feeling that this is a common problem, and may cause them to look homeward and to lend their great talents to assisting the city of Milwaukee in satisfactorily dealing with their problem. I think I can assure the people of Milwaukee that we shall be very glad to send them our most experienced engineers to help them with their problem. For we want to be cooperative and we recognize that there has been a lot of pollution going on up in Milwaukee for a long time.

Mr. WILEY. Mr. President, I want to thank the Senator from Illinois for referring to the pollution problem south of Milwaukee. The lake is down 7 feet now. The mere fact that there is a pollution problem in Milwaukee is no justification for the pollution which exists around Chicago. It reminds me of the thief who was trying to justify his action by the thievery of another. There is only one issue we face, and it is before the committee. We should not try to solve it here. I cannot see any justification at this time for putting into the record the statement that because Milwaukee's sewage disposal is partially inadequate in times of low water, that is an excuse for Chicago's system to be entirely inadequate all the time.

There is another issue involved. It is whether or not taking a thousand additional feet is the cure, having already taken three rivers and 3,300 cubic feet per second out of the lake. The answer very clearly is that it is not a cure. Not only that, but we have about $1 billion invested in the St. Lawrence Seaway and in electric power systems. The result is if that much additional water is taken out of the lake, the investment in the St. Lawrence Seaway

will be jeopardized. I cannot see the relevancy of this particular statement at this time.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. DOUGLAS. The relevancy of my insertion is that the Senator from Wisconsin has constantly urged us in Chicago to be as efficient in sewage disposal as are the people of Milwaukee, and has represented Milwaukee as being a paragon and model of efficiency in dealing with sewage.

I wanted to introduce into the RECORD this information so as to indicate that Milwaukee has its problems, too, and to offer our cooperation in trying to solve them. Of course, the Senator knows that Milwaukee is dumping this sewage into Lake Michigan and polluting Lake Michigan, and that is exactly what Wisconsin is trying to force Chicago to do in a suit which it has before the Supreme Court. If we were to do that, we would pollute the entire southern portion of Lake Michigan.

Mr. WILEY. Let me answer that statement, please. I was present in the Senate last year when there was introduced into the RECORD information that in the plant at Milwaukee we purify sewage and put back into the lake 96 percent in liquid form and the solids are made into fertilizer. Chicago has brought the percentage of purification down into the eighties, and it does not send anything back into the lake. But if we are going to reduce the lake level, we are going to injure our investment of $1 billion in the St. Lawrence Seaway. We are going to further reduce the lake level, and the Chicago district now takes 3,300 cubic feet per second from the lake. The answer to the problem is not in taking additional water from the lake. The answer is in using purification methods which the record shows can be used effectively.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. WILEY. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. WILEY. I cannot understand why this matter is being placed into the RECORD at this time, before the committee has reached its decision. Is it to confuse the issues? I contend the issues are:

(a) Not what Milwaukee fails to do, but what Chicago is and has failed to do.

(b) If water is taken from our watershed for sewage flushing but not in aid of navigation is it legally justified?

(c) Can we violate, under the circumstances, our agreement with Canada?

(d) What about the damage to navigation, wharves, docks, and so forth, on Lake Michigan, resulting by such diversion?

Let us not forget that the problem Chicago has is caused by Chicago failing to do the necessary thing. She has enlarged her sewage area but not her sewage disposal plant.

Mr. PROXMIRE subsequently said: Mr. President, earlier today the senior Senator from Illinois attacked Milwaukee's sanitation system for allegedly polluting the waters of Lake Michigan.

Mr. DOUGLAS. I want to say I did not attack the system. I merely put into the RECORD a quotation from the Milwaukee Sentinel.

Mr. PROXMIRE. I did not get that.

Mr. DOUGLAS. I merely put into the RECORD an article from the Milwaukee Sentinel.

Mr. PROXMIRE. I thank the Senator for his clarification about putting in that article. I have read the remarks of the Senator from Illinois, the context, and the implications of the article as it was put into the RECORD, and in view of the identity of the Senator who put it in the RECORD, there are implications which I would like to clarify.

The insertion in the RECORD obviously implied that this alleged pollution was comparable to the failure of the Chicago Sanitation District to act to solve its own problems without additional diversion from Lake Michigan.

As soon as I could get a copy of the remarks of the Senator from Illinois [Mr. DOUGLAS] I telephoned to the chief engineer of the Milwaukee Metropolitan Sewage Commission, Mr. Raymond J. Leary, and asked him to comment on the article that was inserted into the RECORD by the Senator from Illinois. He gave me his replies, and I ask unanimous consent that the comments of this competent and qualified expert be inserted into the RECORD following the remarks of the Senator from Illinois earlier today.

There being no objection, the comments were ordered to be printed in the RECORD, as follows:

Senator DOUGLAS charged that an administrative order of the Wisconsin State Board of Health ordering Milwaukee and surrounding communities to cease polluting the lake has been ignored for several years.

Mr. Leary's comment: "This order was based on pollution situation caused by mixed raw sewage and storm water, not by discharge of raw sewage alone. After the order was made the city of Milwaukee immediately engaged the Chicago engineering firm of Alvord, Burdick, & Howson, 22 West Wacker Drive, Chicago, to make a study of the problem and submit recommendations. The study has been completed and the State Board of Health is now considering the recommendations based on this study. Hence, Milwaukee did not ignore the problem, but went to work right away to find a solution which was acceptable to the State board of health. If the Douglas revelations have any point at all in relation to the Chicago diversion they must be based on the assumption that Milwaukee completely ignored the order, which is emphatically and obviously not the case."

Senator DOUGLAS charged that closing of beaches in Milwaukee by city health officer Dr. Krumbeigel was the result of inefficient treatment of sewage by the city.

Mr. Leary's comment: "The fact is that the beaches were closed because of an increase in weed growth in beach areas due to low water level of the lake. Plant food is thus more abundant due to the increased supply of nitrates, phosphorous and protein, but this in itself is not an indication of increased pollution due to inefficient sewage treatment.

"I might add that this closing of the beaches only points out the increased hazard to Milwaukee if the lake level is lowered still further by the diversion of additional water by the city of Chicago."

Senator DOUGLAS charged that the sewage problem is so bad in Milwaukee that it will take one-half billion dollars to end it.

Mr. Leary's comment: "The fact is that an expenditure of $250 million would be required to eliminate combination storm and sewer systems still in existence at the present time in Milwaukee. This would result in a $50 million business loss during the construction work, which is quite different from the $250 million in tax money and an additional $250 million from private property owners cited by Senator DOUGLAS.

"The Milwaukee sewage system at this time has only 40 to 45 percent combination of sewage and storm systems. This system carries both sewage and storm water, putting an extra burden on the sewage treatment plant, as both sewage and water go into the plant during heavy rainfall.

"On the other hand, Chicago has a 100 percent combination system, which puts a tremendous burden on its sewage treatment plant when it rains, as all the rain and all the sewage go into the disposal plants at one time. This certainly is an indication of the inefficiency of the Chicago sewage disposal system."

REMOVAL OF CENSORSHIP GAG ON ICA INDONESIA EMPLOYEES AID TO ACHIEVEMENT OF MORE EFFECTIVE FOREIGN AID PLAN

Mr. NEUBERGER. Mr. President, on May 13, 1959, the Director of the ICA mission to Indonesia, James C. Baird, Jr., issued a directive to ICA personnel in that country stating that all private correspondence dealing with public affairs written by direct hire and contract employees and members of their families to Members of Congress would henceforth be cleared by the mission Director or Deputy Director prior to dispatch. The directive declared that—

It is considered inadvisable for our employees and their families to write their Congressmen from countries in various parts of the world to express opinions on the mutual security program, even with the best of intentions. Private letters on public affairs are often sources of embarrassment to the writer, to the employee's agency and to the U.S. Government. Views may be in conflict with policies established by the Department of State and with plans of the ICA presented to Congress of each year.

ICA RESCINDS GAG DIRECTIVE

On June 4, 1959, I obtained a copy of this directive, and on June 9, 1959, I wrote to James W. Riddleberger, Director of the ICA program in Washington, requesting an explanation of the directive. On August 5, 1959, I received a letter from Mr. Riddleberger informing me that the directive had been rescinded and that ICA was in the process of rewording its personnel regulations to make it clear that censorship of ICA employee correspondence with Members of Congress is not in accordance with ICA policy.

This decision was made public by the agency yesterday.

Mr. President, our foreign aid program has many critics who seek its curtailment or abandonment. I am not one of these. But those of us who support the principle of foreign aid carry with our advocacy the responsibility to subject its administration to stern and steady scrutiny. The result can only strengthen our position of support.

Such a result has been achieved by the decision of James W. Riddleberger to rescind the censorship gag on ICA employees in Indonesia imposed by the head of our mission to that country.

DIRECTIVE CONTRARY TO PUBLIC INTEREST

The Indonesia directive was contrary to law, and ICA policy.

It represented an improper and obnoxious restriction of the right of free speech of ICA employees in that country

It lowered morale and hence decreased the efficiency of men and women assigned to implement the ICA program in Indonesia.

It was an attempt to prevent dissemination of information which might be adverse to ICA operations and officials in that country.

Its total effect was contrary to the best interests of this country in terms of personal liberty, public confidence in public officials, allocation of Federal funds, and our relations with other nations.

Mr. President, efforts to silence criticism of the ICA program by individuals with the most intimate knowledge of its operational imperfections—the men and women who are attempting to bring to fruition its goals through day-to-day supervision of individual projects—work only to the detriment of the United States.

CENSORSHIP HURTS ICA PROGRAM

Such action reinforces the charges, valid or not, of those who seek termination of the program. Persons who initiate, foster, or support censorship help to cripple the very endeavor they assert they are protecting.

Mr. President, I do not believe that increased efficiency and effectiveness in our foreign aid program will be realized through indiscriminate slashes in the amount of funds made available for its implementation. If such were the case, then the work of ICA would best be carried out with no funds at all.

Greater efficacy in the foreign aid program will result from continual clarification of policy goals and constant examination of administrative procedures. The Indonesia directive represented a block to achievement of both these aims. Rescinding of the directive is a gain in our attempts to insure the most for our money in our foreign aid program.

Mr. President, I ask unanimous consent that there be printed in the RECORD at the conclusion of my remarks an article from the Washington Daily News of August 11, 1959, by Marshall McNeil, entitled "Aftermath of Complaints: ICA Boss Rescinds Censorship Gag on Indonesia Employees," together with an editorial of the same date from that newspaper commenting on the rescission decision, the text of Mr. Riddleberger's letter of August 3 to me, and the text of the directive issued by the head of the ICA mission in Indonesia.

There being no objection, the article, editorial, letter, and directive were ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, Aug. 11, 1959]

AFTERMATH OF COMPLAINTS: ICA BOSS RESCINDS CENSORSHIP GAG ON INDONESIA EMPLOYEES

(By Marshall McNeil)

James W. Riddleberger, director of foreign aid operations, has instructed the U.S. mission in Indonesia to rescind its order of May 13 imposing a censorship gag on American employees there.

The gag affected not only foreign aid employees in Indonesia, but their families, numbering altogether several hundred. They were forbidden by the U.S. Operations Mission from writing to Congressmen or others about "public affairs of the United States or of any foreign government," unless their letters were first "cleared" by top officials of the agency.

EX-ENVOY

Mr. Riddleberger, former Ambassador to Greece, took office here May 29 as director of the International Cooperation Administration, the agency that manages foreign aid spending. This was 13 days after the censorship was issued in Djakarta by James C. Baird, Jr., head of the U.S. mission.

The new ICA Director heard complaints about the censorship gag in a letter from Senator RICHARD NEUBERGER, Democrat, of Oregon, dated June 9. Another complaint was made to Under Secretary of State Douglas Dillon by Senator J. W. FULBRIGHT, Democrat, of Arkansas, chairman of the Foreign Relations Committee.

A third complaint is en route to ICA from the American Civil Liberties Union, signed by Patrick Murphy Malin, its executive director. Mr. Malin said he was "shocked" to hear of the "unadulterated censorship."

Mr. Riddleberger told Senator NEUBERGER in a letter dated August 3 that the censorship order was "not in accord with ICA policy or instructions" and that "we have therefore directed the mission to rescind it."

Mr. Baird, incidentally, is being replaced as foreign aid director in Indonesia, according to Alphonso Smith, special information assistant to Mr. Riddleberger. He has been there 4 years. Mr. Smith said he knew of no connection between the censorship order now rescinded and the shift. Mr. Baird will be replaced, Mr. Smith said, by Raymond Allen, chancellor of the University of California.

Mr. Riddleberger pointed out to Senator NEUBERGER that the Federal law says:

"The right of persons employed in the civil service of the United States, either individually or collectively to petition Congress, or any Member thereof, or to furnish information to either House of Congress, or to any committee or member thereof, shall not be denied or interfered with."

He quoted State Department regulations: "An officer or employee of the (Foreign) Service shall not correspond in regard to the public affairs of any foreign government except with the proper officers of the United States, except as authorized by the Secretary."

He said ICA regulations were being reworded so that they would be identical with corresponding State Department rules.

[From the Washington Daily News, Aug. 11, 1959]

FOREIGN-AID CENSORSHIP

Sometimes, when Members of Congress try hard enough and wait long enough for results, they can persuade the foreign-aid spenders to correct mistakes.

An incident has just come to light. On May 13 the chief of our International Cooperation Administration mission in Indonesia issued an order to all Americans under his supervision—including families—not to write letters on public affairs to Members of Congress without clearing them with him or his deputy chief. The reason for this obviously improper censorship order was that such letters might "embarrass" the agency or the U.S. Government.

On June 9, Senator NEUBERGER of Oregon complained about the gag rule to James Riddleberger, Chief of the ICA here in Washington.

Last week, on August 3, Mr. Riddleberger notified Senator NEUBERGER that the Indonesian directive had been rescinded, because it was contrary to law and policy.

Although it required nearly 3 months to get results, we congratulate Mr. Riddleberger on the correction of this mistake. For we agree with the American Civil Liberties Union, which observed that although "an employee's opinion can embarrass the mission and the U.S. position abroad * * * both are strong enough to withstand criticism without collapsing. It is also conceivable that such comment could help our position by pointing up necessary improvements in the mission's operation."

There is ample evidence of the need for such improvements. Senator MIKE MANSFIELD'S Foreign Relations Subcommittee has undertaken an inquiry on some aspects of our foreign-aid program in Vietnam, which should get results if pursued vigorously.

That will involve far more than listening to the blanket denials of self-satisfied foreign-aid officials. It should include on-the-scene appraisals by the subcommittee's own investigators, in Vietnam as well as other countries where billions of U.S. tax dollars are being spent.

INTERNATIONAL COOPERATION ADMINISTRATION,
OFFICE OF THE DIRECTOR,
Washington, D. C., August 3, 1959.

Hon. RICHARD L. NEUBERGER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR NEUBERGER: This is in further response to your letter of June 9, 1959, relating to a directive issued on May 13, 1959, by the ICA mission to Indonesia establishing a clearance procedure for correspondence from members of the mission staff and their families to Members of Congress dealing with public affairs.

The directive issued by our Indonesia mission is not in accord with ICA policy or instructions. We have therefore directed the mission to rescind it.

With regard to the general question of correspondence by agency employees with Members of Congress, there are two provisions of law which are directly pertinent. One is section 652(d) of title V of the United States Code, which reads as follows:

"The right of persons employed in the civil service of the United States, either individually or collectively to petition Congress, or any Member thereof, or to furnish information to either House of Congress, or to any committee or member thereof, shall not be denied or interfered with."

The other is section 1004(a) of the Foreign Servce Act of 1946, as amended (22 U.S.C. 806), which reads as follows:

"An officer or employee of the Service shall not correspond in regard to the public affairs of any foreign government except with the proper officers of the United States, except as authorized by the Secretary."

The general ICA instruction on this subject is found in section IV C of ICA Manual Order 451.1, a copy of which is attached hereto. This manual order section is in-

tended to prescribe for ICA personnel instructions which correspond in substance to those which the Department of State has established on this subject for its oversea personnel (see attached extracts from the State Department Foreign Service Manual). To make this intention entirely clear, we are now rewording the ICA manual provision so that it will be identical with the corresponding State Department regulation. I might add that ICA and the Department apply these instructions liberally, in order to give maximum opportunity for employees to communicate with Members of Congress and in keeping with our desire to furnish to Congress and the public full information regarding the mutual security program.

With every good wish.

Sincerely yours,

JAMES W. RIDDLEBERGER.

(Enclosures: ICA Manual Order 451.1; portions of the Foreign Service Manual relating to authorized correspondence (1 FSM II, secs. 111, 113, and 263); portions of the Foreign Service Manual relating to conditions of service (1 FSM IV, sec. 600).)

UNITED STATES OF AMERICA,
OPERATIONS MISSION TO INDONESIA,
INTERNATIONAL COOPERATION ADMINISTRATION,

Djakarta, May 13, 1959.

Subject: Clearances on correspondence by USOM staff and members of their families to Members of Congress concerning matters of public affairs.

I. PURPOSE

To establish mission policy, regulations and procedures with respect to correspondence by USOM staff and their families to Members of Congress concerning matters of public affairs.

II. AUTHORITY

MO 451.1 (formerly 461.0), personal conduct, dated May 10, 1955.

III. POLICY

A. All correspondence by USOM direct hire and contract employees and members of their families, concerning public affairs of the United States or of any foreign government, must be considered official. It is considered inadvisable for our employees and their families to write their Congressmen from countries in various parts of the world to express opinions on the mutual security program, even with the best of intentions. Private letters on public affairs are often sources of embarrassment to the writer, to the employee's agency and to the U.S. Government. Views may be in conflict with policies established by the Department of State and with plans of the ICA presented to Congress of each year.

B. In view of the above, all private letters and other types of correspondence dealing with public affairs must be cleared with the mission Director or Deputy Director prior to dispatch.

C. All other provisions set out in Mo 451.1 with respect to clearances of speeches and interviews, writing for publication, etc., will be complied with in the manner prescribed therein.

IV. PENALTIES FOR VIOLATION

MO 451.1 indicates that personnel violating above-mentioned regulations are subject to disciplinary action including possible dismissal from the service.

JAMES C. BAIR, Jr., *Director.*

PROPOSED WEST POINT FOR DIPLOMATS

Mr. SYMINGTON. Mr. President, I thank the distinguished junior Senator from Tennessee [Mr. GORE] for the kind remarks he made for the RECORD yesterday about an article I wrote recently entitled, "Let's Have a West Point for Diplomats."

As usual the remarks of the able Senator carried clarity and wisdom. I would hope that, working with him and others, this badly needed academy could become a reality in the near future.

Mr. President——

The ACTING PRESIDENT pro tempore. The Senator from Missouri has the floor.

TESTIMONY OF SECRETARY OF AGRICULTURE BENSON BEFORE THE COMMITTEE ON AGRICULTURE AND FORESTRY

Mr. SYMINGTON. Mr. President, during a colloquy yesterday on the Senate floor with the distinguished junior Senator from Arizona [Mr. GOLDWATER], I referred to certain changes which had been made in Secretary Benson's testimony before the Agriculture and Forestry Committee.

These changes were significant. They were made when the original transcript was edited in the Department of Agriculture.

I assured the junior Senator from Arizona that duplicates of the original testimony and of the testimony as edited would be shown to him. Arrangements in that respect have already been made.

Other Senators have also expressed interest in this edited testimony. Consequently, any Senators who wish to examine it can do so by checking at the desk.

HONEYMOONING IN WYOMING

Mr. McGEE. Mr. President, I indulged a few days ago in a discussion of a very interesting topic on the floor in the morning hour in an informal way, on the subject of women. This morning I should like to take the next step in this little series of 3-minute indulgences, and talk about young love.

I noted in last evening's paper the headline of an article "Couple To Honeymoon in Hills of Wyoming."

Mr. President, this suggests what is evident in many other ways in this country; that is, the westward movement of this modern day. In the older times Niagara Falls was the epitome of every honeymooner's dream. It is not without significance that now young love thinks of the West as the ideal for the honeymooning spot.

I think it is significant that Steven Rockefeller and Anne Marie Rasmussen have chosen Wyoming to launch their new career. As a resident of Wyoming, I want to be the first to welcome them to this wonderful area.

As the Senator from Idaho [Mr. CHURCH], the present Presiding Officer of the Senate fully recognizes, the topography of the area in which these young people will be spending their honeymoon is outstanding. The area lies just over the Teton Range and over the border from the Senator's State of Idaho. Indeed, there could be no finer area for a honeymoon.

I suggest, however, that young Rockefeller and his chosen mate will discover what all of us have discovered in the West; that is, that a honeymoon is not a short-time thing, but it becomes perpetual in the Rocky Mountains. For that reason, we may fully expect this young couple ultimately to settle either in Idaho or in Wyoming, in that same area.

I conclude by suggesting, Mr. President, perhaps this is even a more meaningful summit conference, that these two persons have projected out there at the top of America, in the Tetons of Wyoming, than some others which have been discussed from time to time.

Mr. President, I ask unanimous consent that the newspaper account of the honeymoon planned to be spent in Wyoming by Steven Rockefeller and Anne Marie Rasmussen be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COUPLE TO HONEYMOON IN HILLS OF WYOMING

KRISTIANSAND, NORWAY, August 11.—Steven Rockefeller and Anne Marie Rasmussen plan an extended honeymoon in the hills of Wyoming after their wedding August 22, friends here said today.

After their return to New York, Anne Marie will enroll at Columbia University to continue art studies she began at New York's Metropolitan Museum during the months Steven was courting her.

TO ENTER FAMILY BUSINESS

Steven has said he would go into "family business," training to play a role in the administration of one of the greatest fortunes in the world.

For the present the son of New York Gov. Nelson Rockefeller and the onetime maid in the Rockefeller home kept their whereabouts a secret from the world.

Steven, "Mia" and her parents motored out of the Rasmussen's home village of Sogne, near here for a week of privacy.

WELL-KEPT SECRET

The wedding was in the cards for a year and a half, said Andreas Hoelaas, 27-year-old architect who once studied at Columbia in New York. His father bought the old Rasmussen home, a 200-year-old beauty spot, and the two families have been close friends.

"We knew about the romance long before it hit the headlines," he said in an interview.

"Anne Marie told us she was secretly engaged but she asked us never to tell anyone of her ties to the Rockefeller family as she did not want any sensationalism to spoil it. Steven came here later. He wore blue jeans and rubber shoes and he climbed the steep cliff on our island like a goat. He has a direct, straightforward manner that is very charming and he never hid his joy at seeing Anne Marie in the beauty of her homeland."

THE VERMONT VACATIONLAND

Mr. PROUTY. Mr. President, on Friday, Saturday, and Sunday of this week, 200 years after the original event, some of my neighbors in the northeast kingdom of Vermont will reenact in pageant and song the stirring story of Maj. Robert Rogers and his Rangers. This pageant will be repeated on August 21, 22, and 23 in Waterford, Vt., on the shores of the Connecticut River.

For many years Indians had been using the Quebec village of St. Francis as a takeoff point for raids on New England settlements—raids in which they killed the men, carried off women

and children, stole portable property and burned the homesteads. Gen. Jeffrey Amherst ordered Major Rogers to destroy the Indian village and to end the reign of terror.

On September 13, 1759, Major Rogers and 200 rangers and friendly Indians set off in whaleboats to sail up Lake Champlain and reach their objective. This they did 22 days later. Their retaliatory attack destroyed the village and made New England safe from terror in the night.

The men and women of northeastern Vermont are staging this pageant to tie this significant bit of history into the Champlain-Hudson Festival Year of History as proclaimed by the President. The President's proclamation was issued in response to Senate Joint Resolution 59, of which I am proud to have been a cosponsor. This requested the President to issue a proclamation designating 1959 for the observance of the 350th anniversary of the historic voyages of Henry Hudson and Samuel de Champlain.

In the spirit of that proclamation the people of Vermont and New York State have already produced, and for the remainder of the year have scheduled, many outstanding events of various kinds, all of great and pleasurable interest.

If this session of this Congress should adjourn in the near future—and I truly believe it must adjourn sometime—my friends and colleagues will be in need of rest and recreation so that they may be in physical and mental condition to perform the important tasks which will face them in the second session. To them I recommend the healing and invigorating properties of Vermont's green mountains, verdant valleys, shining lakes, free-flowing rivers and streams and its clean, fresh air.

The healthful, delightful, and refreshing properties to be found in Vermont are not, of course, restricted to Members of Congress. They are God's gift to everyone who will do himself the favor of traveling through them or living, for however long or short a time, among them.

Whether traveling, or staying, the visitor will not benefit fully unless he utilizes every opportunity to meet and become acquainted with the people of Vermont. With their historical background of self-reliance, independence of thought and action and fierce love of liberty, today's Vermonters can contribute to the inquiring visitor an independent, commonsense point of view grounded in the oldtime virtues but as up to date as today.

I can think of no better way for a visitor to meet the people than to attend some of the many interesting events which, as I noted earlier, have been scheduled for the remainder of the year in this year of history. Of course, I can only call attention to a very few of the many. In addition to the Rogers Rangers Pageant the visitor can attend such functions as the reenactment of the Battle of Bennington on August 16 at Bennington; the Lumberjack Roundup at Lake Dunmore on August 14 and 15; the watershow and regatta at St. Albans on August 15 and 16 and the reenactment of the Confederate raid on St. Albans on the 17th.

During September those traveling through or visiting in Vermont will be able to meet and learn to appreciate Vermonters at the Craft Mart in Rutland from the 24th to the 26th; at the Green Mountain Horse Association Trail-Ride at South Woodstock from the 26th to the 29th; at the Champlain Valley Exposition at Essex Junction from August 31 through September 5; at the Rutland Fair from September 7 through September 12 and at the justly famed "World's Fair" at Tunbridge on September 17, 18, and 19.

And in October Vermont offers nature's most beautiful art show, the fall foliage. The reds, yellows, greens, and browns of the turning maple and other leaves are then ablaze throughout the State. Annually the towns of Danville, Peacham, Barnet, Passumpsic, Groton, and Ryegate stage a Fall Foliage Festival with many old-fashioned hometown events where the visitor can meet Vermonters at their best.

After the fall foliage come the winter snows and Vermont's more than half-a-hundred winter sports centers are famous for their skiing, skating, snowshoeing, tobogganing, and fishing through the ice.

Should a visit to Vermont be on Mr. Khrushchev's itinerary he might well learn some things that could do him some good. He would learn what it means to live among free and independent men. For, in the words of President Calvin Coolidge:

> If the spirit of liberty should vanish in the United States and our institutions should languish, it could all be restored by the generous store held by the people in this brave little State of Vermont.

Mr. ROBERTSON. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. BARTLETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. McGEE in the chair). Without objection, it is so ordered.

MAJ. GEN. JOHN H. MICHAELIS, CHIEF OF LEGISLATIVE LIAISON, DEPARTMENT OF THE ARMY

Mr. BARTLETT. Mr. President, on August 11, 1959, the Secretary of the Army Wilber M. Brucker, at an impressive ceremony in his office in the Pentagon, awarded the Legion of Merit—third Oak Leaf Cluster—to Maj. Gen. John H. Michaelis who, after 3 years as Chief of Legislative Liaison, Department of the Army, is leaving Washington for a new assignment in Alaska.

General Michaelis has been closely associated with Members of both Houses of Congress since November 1956, and has been most eloquent in his representation of the U.S. Army. The outstanding services rendered by General Michaelis have been most helpful, not only in giving Congress a clearer understanding of the roles, missions, and requirements of the Army, but in also providing answers to questions raised by congressional constituents regarding Army policies, procedures, and operations.

I am sorry to see General Michaelis leave Washington, but I am pleased that he is assigned as commanding general, U.S. Army, Alaska, where our association will continue.

The citation that accompanied the award of the Legion of Merit—third Oak Leaf Cluster—to General Michaelis bears repeating, since it clearly expresses the professional competence and accomplishments of this fine officer, who has served his Nation so devotedly and bravely in wartime as well as peacetime.

The citation follows:

> The President of the United States of America authorized by act of Congress July 20, 1942, has awarded the Legion of Merit (third Oak Leaf Cluster) to Maj. Gen. John H. Michaelis, U.S. Army, for exceptionally meritorious conduct in the performance of outstanding services:
>
> General Michaelis distinguished himself by exceptionally meritorious service in a duty of great responsibility during the period October 15, 1956, to August 19, 1959. As Chief of Legislative Liaison, Office of the Secretary of the Army, Department of the Army, Washington, D.C., General Michaelis served as the direct representative of the Secretary of the Army and the Chief of Staff with the U.S. Congress in the interpretation and presentation of Department of the Army philosophy and policy of critical consequence to the Nation. Of equal importance, General Michaelis served as the principal adviser to the Secretary of the Army and the Chief of Staff in their relationships with the Congress and in the formulation of decisions of far-reaching and fundamental significance to the U.S. Army and to the country. His unerring acumen, perception, and brilliant grasp of the complexities of the National Legislative requirements and the intertwined relationship of military, international, and domestic affairs were of inestimable value to the Department of the Army and to the U.S. Congress. The exceptional confidence and trust reposed in him by the Members of Congress served directly to enhance the prestige and understanding of the U.S. Army with the Congress. General Michaelis' service has been of the highest order, true to the most cherished military traditions, and reflects great credit upon himself, the military service, and the Government.

Mr. MARTIN. Mr. President, the Congress has been particularly fortunate in recent years, in its day-to-day dealings with the Army, because of the identity of the Army's Chief of Legislative Liaison. That officer, since November of 1956, has been one of the outstanding combat leaders of this mid-20th century era—Maj. Gen. John H. Michaelis, famed for battlefield exploits in both World War II and the Korean war. But after nearly 3 years in this liaison assignment, General Michaelis now is returning to the fieldwork which he enjoys the most, as commander of U.S. Army Forces in Alaska.

General Michaelis truly is a storybook fighting leader. Born on August 21, 1912, he enlisted in the Army at the age of 19 and after 2 years of service in the ranks was admitted to the U.S. Military Academy at West Point.

Tabbed early in his officer career as a potential top leader of troops, he sprang to public attention in Europe in September of 1944 by his heroic leadership of the 502d Parachute Infantry Regiment in its historic airborne invasion of Holland. Again in Korea, then Colonel Michaelis' daring leadership of the 27th Infantry Regiment won for that Regiment the nickname "Fire Brigade" and for himself the title of "Fire Chief."

I know that all of my colleagues in the Senate will join in wishing this much-decorated fighting hero the greatest of success in his new assignment. The Nation's fighting forces in Alaska will gain from our loss, in Congress, of our capable and effective liaison officer.

ANNIVERSARY OF WEIMAR CONSTITUTION IN GERMANY—RESOLUTION

Mr. DIRKSEN. Mr. President, yesterday marked the 40th anniversary of the adoption of what is known as the Weimar Constitution, by the Constitutional Assembly in Weimar, Germany.

The event was significant, and is significant. The anniversary date becomes something of a point in the life of the Steuben Society of America, which has always dedicated itself to constitutional government.

In honor of that anniversary, it has adopted a resolution memorializing the Congress in the interest of continuing constitutional government, and emphasizing the importance of standing on guard against encroachments against freedom and constitutional government.

In connection with my remarks, I ask unanimous consent to have printed in the RECORD at this point the resolution adopted by the National Council of the Steuben Society of America.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

STEUBEN SOCIETY OF AMERICA RESOLUTION

Whereas August 11, 1959, marks the 40th anniversary of the adoption of the German Constitution by the Constitutional Assembly in Weimar; and

Whereas the Weimar Constitution, in spirit as well as in language is patterned after the U.S. Constitution and therefore is truly a child of our own basic law; and

Whereas the Weimar Constitution, like our own, in its preamble states the immovable and immutable truth that "all power originates from the people", thereby sounding anew the rallying cry that has moved the hearts and minds of human beings yearning for freedom, throughout the ages; and

Whereas it behooves all of us, in the face of the many political and economic stresses filling the world of today, to be forever vigilant in the defense of our basic law and to learn from the decline and demise of other nations such as the Weimar Republic where the noblest sentiments and the highest ideals pronounced in the Weimar Constitution could not prevail against the powerful pressures from without and from within, finally bringing dictatorship and ruin to a great people: Therefore be it

Resolved, That the national council of the Steuben Society of America, a nationwide organization of American citizens of Germanic extraction, assembled for its annual meeting in the city of Chicago, do urge its own members as well as all other citizens of our Nation, to pay tribute in proper ceremonies to the men and women who gave form and content to the Constitution of the German Republic, four decades ago; and be it also

Resolved, That the Steuben Society of America do memorialize the U.S. Congress to do likewise on this, the 40th anniversary date of the Weimar Constitution, so that all of us may be alerted anew to guard against usurpations and encroachments upon constitutional government, which were to bring such total disaster to the German Republic and to many other once free nations now living in darkness.

OTTO HEERLEIN,
National Chairman.
J. H. MEYER,
National Secretary.

HOUSING VETO AND THE INTEREST RATE—FEWER HOMES AT HIGHER PRICES

Mr. YOUNG of Ohio. Mr. President, President Eisenhower's veto of the housing bill, S. 57, again clearly demonstrates that the present administration is standing fast in its refusal to allow America to move full force into the 20th century.

It is an administration dedicated to the proposition of not doing today what can be put off until tomorrow. This is a mark-time administration.

At present, about two-thirds of America's population lives in urban areas, and this proportion is expected to rise to 80 percent by 1980.

With this rapid increase in the number of city dwellers, the problem of slums will become an ever-pressing one. Today there are 5 million people living under substandard conditions. Action is needed not only to improve present conditions, but to prevent their spread.

We need college dormitories and college classrooms for the expected increase in our college population. The future of America is in our educated youth. Every time a dormitory or a classroom is dropped from the appropriation, America's future is diminished to some extent.

We need adequate housing for our elderly citizens whose numbers are constantly increasing. They deserve a place to live in dignity and comfort.

The United States is the most prosperous Nation in the world and has come far along the road to industrial prosperity. Still, there are many families who have not been able to share in this high standard of living and who cannot meet one of the most basic needs—adequate housing.

In Moscow today, our $14,000 model house is proving one of the main attractions at our exhibition. The average Russian is amazed at what many of us have come to take for granted.

Yet, a glance at the tragic slum conditions in any of our cities or a drive through any of a thousand rural areas, would easily convince us this is a problem for all Americans and, as such, requires and deserves Federal assistance.

A Nation with millions of its citizens ill-housed and ill-fed cannot long remain free and strong. We must rise to meet this challenge with all resources at our command.

The Housing Act of 1959 was in no sense an extreme one, but represented a compromise. In its final form, it called for the very least we should do under existing circumstances.

Therefore, it was a blow to men, women, and children living in slums and hovels, and to millions of forward-looking Americans when the President vetoed S. 57.

The President stated in his veto message that 100,000 of the housing units already authorized had not been built. But he neglected to state that each of these 100,000 units is already under commitment and that there are over 50,000 additional applications on file at this very moment.

The veto message has exposed the essential ineptness of the antispending and anti-inflation policies of this administration.

It comes following the President's request for lifting the interest rate ceiling on long-term Government bonds from the present 4¼-percent limitation which has been in effect for 41 years. Only this morning, in his news conference, he stated that such an increase was vital.

This move would increase the interest rate throughout the entire economy. In fact, within the past 10 days two short-term bond issues have been offered at 4¾-percent interest. This policy will cost our taxpayers billions of dollars for years to come—many more times what an adequate housing bill will cost.

This is shocking at a time when many of our corporations and businessmen can borrow money at less than this rate. I note in the latest issue of Financial World, an extremely conservative magazine, that of 11 selected bond issues of corporations, 8 are selling at interest rates below what the Federal Government is now paying.

Is their credit more sound than that of the United States? Has 7 years of a Republican administration brought the credit standing of the Government to this low ebb where it must pay as much, or more, to borrow money as many of our ordinary citizens?

I hope to speak of this particular matter at greater length in the near future. However, it is interesting and astonishing that the price of money and its effect on general price stability apparently does not concern the President.

Still, the President feels that the slight cost of providing decent housing for Americans is inflationary. The net effect of this veto and the proposed lifting of the interest rate ceiling is to build fewer houses at higher prices.

If we allow this philosophy to carry over into other areas of our economic life, it will spell economic stagnation for America.

The President's failure, or refusal, to understand the problems concerned with our economic growth and well-being, and his obsession with inflation and spending, will mean an end to reasonable social welfare legislation.

It will cause our dynamic economy to slacken.

If we allow this veto to stand, it will be to the detriment of the Nation and the entire free world.

KOWALSKI WINS A MAJOR BATTLE FOR GI AND TAXPAYER

Mr. PROXMIRE. Mr. President, Representative FRANK KOWALSKI, whom I have never met, has been carrying on a fighting crusade to save the GI from serving as a nursemaid and baby sitter instead of as a fighting man serving his country.

A small, inconspicuous announcement in the papers this morning indicates that KOWALSKI has won a signal victory for the long-suffering GI and the overburdened taxpayer who has to pay the high cost of each enlisted American soldier. KOWALSKI has convincingly shown that literally thousands of our American soldiers and sailors are used for menial servant jobs, and his fight has gotten results. This morning the Associated Press reported as follows:

> The Army moved to meet criticism in Congress of the use of enlisted men as household servants for generals.
>
> A new regulation distributed today allows one orderly to each general officer. This ended a provision permitting one orderly for each commanding officer of a battalion, regiment, or group.

This is an excellent first step. But it is only the first step. There is no more reason for a general officer to have an orderly than for a captain to have an orderly. Generals are retired at an age when they are still physically vigorous. They are required to keep in strong physical condition. They should certainly be able to handle the husbandly chores in a modern household without a houseboy. Senators do it. Congressmen and college presidents do it. Why should generals enjoy servants at taxpayers' expense?

NEW CHANCE IN LITTLE ROCK

Mr. JAVITS. Mr. President, the whole world will be watching Little Rock today, where the high schools are reopening and they are to some extent seeking to comply with the Supreme Court's mandate on desegregation of the public schools.

Mr. President, the whole world will be watching Little Rock today, and then the whole world will be watching the U.S. Senate tomorrow on the issue of civil rights. While I am confining my remarks to Little Rock today, I hope to speak on the floor tomorrow at some length about civil rights and where we stand and what we have to do, because I think our duty is very clear.

Mr. President, Little Rock has become a symbol to the whole world as to whether or not the United States means what it says in respect to equality of opportunity for its peoples, whatever may be their color. We can express the hope today that Little Rock will be deeply conscious of the representative capacity which it occupies for all lands and the people of the world.

Let us never forget that with a billion people in the free world, in two-thirds of the free world are peoples whose skins are yellow or black. They are the people who will decide whether freedom or communism will be the rule of the world. Their decision will be heavily influenced by our good faith in terms of world leadership and whether we will give all people an even break whatever may be their color.

Mr. President, I think it is very auspicious that the school board of Little Rock should already have made a statement that it will deal with troublemakers firmly, fairly, and effectively. This is a determination which the New York Times this morning says can only be applauded.

I repeat, Mr. President, the whole world will watch with bated breath what takes place in Little Rock today, and I hope very much that the citizens of Little Rock will be conscious of their responsibility for us all.

On the morrow I shall speak as to the fact that the whole world will then be watching the U.S. Senate to see what it will do.

Mr. President, I ask unanimous consent that there may be made a part of my remarks an editorial from the New York Times of today entitled "New Chance in Little Rock."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NEW CHANCE IN LITTLE ROCK

The world will be watching Little Rock today. The unhappy history of that city's high schools in these past 2 years has brought Little Rock notoriety and provided ammunition for Communists and other critics of this Nation. Today, when Little Rock's public high schools are scheduled to reopen with token integration in two of them, a new chance presents itself to those who live in Arkansas's capital. It is a chance to make up for the mistakes of the past, and a chance to meet Little Rock's obligation to its high-school-age youngsters who have been the chief victims this past year while the public high schools have been closed.

Many no doubt will criticize the Little Rock school board for the almost infinitesimal amount of integration it has consented to for the schools opening today. But at least the board has made a beginning. And its excellent statement that troublemakers will be dealt with firmly, fairly, and effectively shows a determination that can only be applauded. That determination will be needed is suggested by the threats of segregationist fanatics, their talk of boycotts, demonstrations and worse.

Five years ago, when the Supreme Court issued its historic decision outlawing school segregation, it was clear that the adjustment would not be an easy one in the South. With that in mind the Court gave its ruling that the change be made with "all deliberate speed," language which allowed scope for men of goodwill who respect the law to move slowly if need be, but yet to move toward the goal of full equality for all our children.

The present Little Rock school board, the evidence suggests, represents that moderate section of Southern opinion that understands both the law and the needs of the times. Would that the same could be said of the Governor of Alabama. His statement that any integration in his State will be over my body raises the question whether he thinks the law of the land is different for his State than it is for the other 48.

WORLD REFUGEE YEAR: HOPE FOR THE HOPELESS

Mr. JAVITS. Mr. President, I have presented for the RECORD two of a series of articles by Kitty Hanson in the New York Daily News on the European refugee problem. I am presenting the third and final one of the series for the body of the RECORD today.

The Subcommittee on Immigration of the Committee on the Judiciary afforded hearings for the various proposals for the relief of escapees, but no action has as yet come out of that subcommittee or out of the Judiciary Committee.

Mr. President, while civil rights legislation is to the fore, let us not forget the critical importance of the fact that we are in the World Refugee Year, and that we are expected as one of the leaders of the free world to give a new impetus to the resettlement of refugee-escapees, especially those from behind the Iron Curtain.

A good deal has been said here about the captive nations resolution which we passed and which the President proclaimed. Great satisfaction has been derived from the fact that this proved to be a real bur under Premier Khrushchev's saddle of complacency.

Mr. President, one of the essential elements in our action with respect to the captive nations is that we are trying to help in every way open to us. One of the great ways open to us is to encourage their most productive young people to escape from behind the Iron Curtain, behind which they are presently immured, so as to enable them to devote their best talents and best genius to the hope that the free world may use its great influence ultimately to bring about a self-determination by the captive nations, to which the free world's prayers were directed in the resolution to which I have referred.

This is an assurance of our interest; it is a sanction of our concern with what happens to the captive nations, which again represents practicing what we preach.

I express the expectation that the necessary legislation may be before us before sine die adjournment so that we may again, as we did in the Refugee Relief Act a few years ago, and as we did in the Displaced Persons Act, consider the whole problem of refugees and escapees now in free Europe and those who may come out by taking our fair share, which has always been the way in which the task of resettlement, to finally settle the problem, has been begun.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REFUGEE YEAR: NEW HOPE FOR THE LOST ONES

(By Kitty Hanson)

Escapees from Yugoslavia, who constitute nearly 90 percent of the refugees now fleeing Communist tyranny, are creating the world's newest and touchiest refugee problem. In Western Europe today, more than half of them are being forcibly repatriated.

They are the hapless victims of a new "double standard," which is clamping down an Iron Curtain of the West along the Yugoslavia border.

To explain this strange "double standard," a new term has been coined by the "asylum" countries. It is "economic migrant." It is used to differentiate from "political refugee" and it covers a multitude of reasons for refusing fugitives asylum. Without political refugee status an escapee faces forcible repatriation.

Returnees have found varying receptions, depending on the mood of the Yugoslav Government at the moment. Sometimes they

are imprisoned for only a brief period. Other times they go to prison for months. Some are exiled. And some find that they are permitted to live and work as though they had never gone away, until the 90th day after their return. Then they disappear.

A WAY OUT: SUICIDE

It is hardly surprising that a number have chosen to commit suicide rather than be sent back to their homeland.

The most frightening aspect of the general discrimination against Yugoslav refugees is the fact that it is "catching." The asylum countries are beginning to tighten up against all escapees, serving notice on the rest of the world that they want more help—or else.

World Refugee Year, which began July 1, may or may not turn out to be the "crash program" that opens a new era for the world's homeless.

Voted by the United Nations over the opposition of the Communist nations, World Refugee Year (WRY) is a sort of desperation play by which the free countries of the West hope to focus a bored and indifferent world's attention on the plight of Iron Curtain refugees.

IF IT FAILS, THEN WHAT?

So many hopes have, in fact, been pinned on World Refugee Year, that leaders in the field of refugee work are gravely worried about the consequences if it should fail.

This concern was bluntly stated by Marcus Daly, a former New Jersey businessman who is the present Director of the Intergovernmental Committee for European Migration (ICEM).

"It will be disastrous," he remarked in his office at ICEM's headquarters in Geneva, "if people get the idea that the refugee problem is something that can be solved in a year. We've got to make people feel that refugees are their personal responsibility, not just a problem for governments. If people don't respond, their governments won't."

Once the governments of the free world accept the fact that the refugee problem cannot be wished away, perhaps some international, coordinated, and continuing program can be set up.

Meantime, the problem will still continue to be tackled piecemeal by the various international and national agencies, coordinating their efforts as best they can.

Chief among these are the office of the United Nations High Commissioner for Refugees (UNHCR), the U.S. escapee program (USEP), and ICEM.

The United Nations, in appointing a high commissioner for refugees, stipulated that his work be social and humanitarian. His office assists the neediest of the refugees who come under his mandate (about 175,000, although no one really knows how many refugees there are in Western Europe). The UNHCR tries to get refugees assimilated in their countries of asylum, or resettled in a country outside Europe.

But the U.N. does not provide the high commissioner with any funds. Therefore, he must first decide on a program, then act as a one-man fundraising campaign to implement it, and then scale down the program to fit the funds he was able to raise.

The U.S. escapee program, which has assisted more than 150,000 refugees since it was started in 1952, gives a wide range of assistance. At Camp Lavrion, in Greece, I saw such items as surplus cheese, dried milk, sheets, blankets, mattresses, and amenity kits containing soap, razor, shaving cream, and toothbrush.

The ICEM is the only organization having both the machinery and the know-how for moving large numbers of people. Although it was originally set up primarily to organize the transport of European migrants and refugees, ICEM has branched out into programs that make these people movable.

At Latina, near Rome, and Helbrunn, at Salzburg, Austria, ICEM operates cheerful, modern processing centers where refugees are interviewed, receive medical examinations and treatment, and are helped with the reams of paper work that are needed to move them across the world. In these two centers, ICEM has reduced almost every refugee in the country to an IBM card on which his vital statistics are punched holes. With these, they can fill orders from receiving countries.

Hours and hours of human effort, millions of dollars, mountains of paper work and an eternity of waiting are being poured into the refugee problem—and still it constitutes only a finger in the dike, because it is always done piecemeal. The free countries of the world are bored with the whole thing. They are tired of doling out money. They'd like to pretend the problem isn't there. But as World Refugee Year moves into high gear, there are still these problems to be faced:

Refugees in camps. The U.N. High Commissioner's "clear the camps" drive is well on the way toward its goal, although it may not make the 1960 deadline. But in Italy, it hasn't even started.

Refugees living out of camps. Frequently these people who have moved their families out of the demoralizing influence of camp life are living in worse conditions than camp residents, but their independence has made them ineligible for many kinds of assistance. There are about two and a half out-of-camp refugees for every one in camp.

The difficult cases—the refugees who would have to be taken out of pure humanitarianism. These are the aged, the ill, the mentally disturbed, the unwed mothers, the widows with children—the people nobody wants.

The ordinary refugees. These people just miss being eligible for resettlement—either there are too many children in the family, or one of the youngsters is ill or retarded, or the father is too old (in some countries, 40 is too old.)

NOBODY WANTS THEM ANYWAY

There is a subway car card urging support of the Voice of America as a means for getting truth to the people behind the Iron Curtain. "And the truth shall make them free," says the message. But the old man and woman shown listening to that truth would be foolish to make the flight to freedom. Nobody in the West would want them.

The countries with "mass migration" schemes—those who will agree to take so many thousand a year—probably err most in the muscle-squeezing selection of only the young and the strong.

The United States, with an "individual" migration system which demands that each immigrant have someone to sponsor him, has such difficult criteria that refugees talk about coming to the United States as though they were talking about winning the Irish Sweepstakes: It would be wonderful, but how many people do?

CRASH PROGRAM ONLY SOLUTION

The cost of maintaining one refugee in or out of camps in misery and disillusionment for years runs into five figures. If only a fraction of that amount had been spent to rehabilitate him and give him a stake and a break in the free world, he could, by now, be a productive, taxpaying citizen of some society.

A crash program, experts feel, is what is needed; one that will continue until every camp is cleared, every unofficial camp has been razed and the refugee problem is on a current basis. Perhaps then the free world can give communism's escapees some better samples of democracy than a rotting barracks, a rat-infested slum, and years of gradual demoralization. Until then, the refugee problems will remain an international scandal.

PROPOSED DEPARTMENT OF URBICULTURE

Mr. KEATING. Mr. President, several weeks ago, I introduced a bill to establish a Department of Urbiculture, which would be responsible for coordinating and directing all of the activities of the Federal Government with regard to cities and city life. I have been gratified at the enthusiastic response from all over the country endorsing this proposal.

Over two-thirds of all Americans now live in urban areas. The problems of our cities are perhaps the greatest domestic problems which we face. Unfortunately, they have been given all too little attention on the national level. Let me name just a few of the problems: the existence of huge blighted areas, congested highways and outmoded public transporation systems, the spread of smoke and smog and consequently of disease. Each of these and many more confront two-thirds of our citizens every day of their lives.

Mr. President, the American Planning and Civic Association is an excellent example of a group of Americans who are actively interested in solving the Nation's pressing urban problem. At their recent conference in Memphis, the president of the Downtown Association of Memphis, Mr. Bernard Pincus, presented a thoughtful and cogent analysis of our Nation's urban complex. In his address, Mr. Pincus specifically urged the establishment of a department to coordinate and direct Federal activities relating to urban affairs. This recommendation by Mr. Pincus is one which I hope Congress will endorse in the near future.

Mr. President, I ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A BOLD NEW LOOK AT A BRAVE NEW WORLD

(Address by Bernard Pincus, president, Downtown Association of Memphis, at national citizen's planning conference, Memphis, Tenn., June 19, 1959)

This exciting—and, we hope—history-making conference nears its end. Your Memphis hosts and your Washington hosts of the American Planning and Civic Association, sincerely trust that you have found these 3 intensive—and comprehensive—days truly memorable and valuable.

It is my pleasant privilege to preside at this final get-together. Permit me then to seize this rare opportunity to discuss my favorite subject, the future of America's cities, especially their pricelessly important downtown or core areas. At this time, in this instance, let us attempt together to peer behind the veil of the future, to focus our attention on 1980, when more than 200 million people will inhabit our Nation. What can we citizens of today do to make it genuinely America the beautiful for this vast population, this brave new world?

It is almost impossible to say something either original or earth shaking in the closing stages of a 3-day meeting. As a matter of fact, as I listened to the gifted, well-informed speakers and panelists on our program, my heart sank lower and lower. Practically every point I had prepared to make was vigorously propounded by one expert or another.

I confided my perturbation to one of my good friends on your board of trustees. His answer was to the point, "Go ahead and say it anyhow; you can't give people too much of a good thing." For better or worse, I will go ahead and give you more and more of what I hope will prove a good thing to take home.

All of us here assembled are familiar with the tremendous problems facing metropolitan areas today and tomorrow. Most of our deliberations at this conference have been directed toward immediate solutions for these problems. We in Memphis and Shelby County take particular pride in our own accomplishments and forward planning—we now look forward to rapid and definitive implementation of the unfinished business encompassed by these superb plans.

In discussing the long-range future, I do not wish to imply that all immediate problems are close to solution. For a sound, clear perspective on the gravity of the immediate problems facing Downtown, U.S.A., I recommend that you read the speech recently made by Mayor deLesseps Morrison of New Orleans to our Memphis Downtown Association. Our executive secretary, Cliff Penland, will be glad to provide copies upon request through our office.

Many great cities throughout the Nation have already undertaken the massive projects needed to bring downtown out of the shadows of blight, congestion, and obsolescence. Pittsburgh, Newark, Kansas City, San Francisco, and New Orleans (among others), have led the way. Other cities, equally beleaguered, are fighting rearguard actions to maintain minimum standards for traffic conditions, parking, slum clearance. Such attempts, while wholly meritorious, serve only to alleviate temporarily bad conditions but will not even begin to make full provision for the explosive future we are scrutinizing today.

Let us examine briefly the almost incredible statistical projections of the U.S. Census Bureau. The conservative estimate for 1975 is 207 million population—up from the current population of 175 million—up 32 million in less than 16 years. And where will all these additional people live? In cities—or metropolitan areas, if you prefer. I quote from a speech at the recent Newark Conference on the Future of the American City, sponsored by ACTION:

"The movement of people into urban centers is part of a long evolution that has accelerated enormously in the last 10 years. Eighty-five percent of our population growth between 1950 and 1956 occurred in the 180 urban clusters defined by the Bureau of the Census as 'metropolitan areas.' At least one expert on this field has forecast that all of the population growth from 1956 to 1975 will be concentrated in these metropolitan complexes."

This point is so vital to planners and builders of the future that it must be stressed over and over again. Slow evolution has become explosive revolution, which must in turn cause a thoroughgoing revision of all—I repeat, all—our planning for the future. In our generation's hands lies the responsibility. We must not stand accused by our own children and grandchildren of doing too little, too late.

This amazing transformation of our population pattern is not a matter of guesswork or prophecy. It has been going on for the last decade and is now speeding up. For example, between the years of 1953 and 1956, our urban population increased from 89 million to 104 million—almost 17 percent; our farm population decreased in the same 3-year period from 23 million to 21,500,000—about 7 percent.

Here are some more startling facts about this same 3-year revolution. The budget of the Department of Agriculture, which is devoted to the welfare of this diminishing—less than 14 percent—segment of our population rose from $2.8 billion to $4.9 billion—I said billions—an increase of 76 percent. The 63 percent of our population classed as urban is still at the low end of the totem pole.

There is a bill now before our Congress to create a Federal Department for Urban Affairs, with full Cabinet status. The enactment of such recognition of the crying needs of our cities demands the concentrated support of all State and local officials, all professional planners, all newspapers and periodicals, and all public-spirited citizens.

In urging that the Federal Government give this belated recognition to the demanding and growing needs of the two-thirds of its citizens who dwell in urban areas, I am fully aware of the conventional objections: First, the burdensome cost involved and second, the excuse that urban redevelopment is a purely local matter. I categorically reject both these outworn cliches.

The expense need not be great, as I shall explain in a moment. Moreover, it can be easily handled by a moderate reduction in the cost of our incredibly wasteful—not to say disgraceful—farm program. The welfare of two-thirds of our citizens should be a matter of at least as much national concern as the welfare of a diminishing and quite well-heeled one-seventh.

Farm property, which was valued at $107 billion in 1950 is now worth $146 billion—up almost 40 percent; while the number of farms has decreased from 5,648,000 to 4,964,000—down more than 12 percent; in other words, much more wealth in the hands of many less owners.

As for the plaintive cry that State and local governments must assume the whole burden of this great enterprise—to make our cities of the future better places to live in—permit me to point out that in this same short period (1953–56) the Federal debt decreased—yes, I say decreased—$2,700 million (despite the extravagant farm program) while State and local debt increased $14,100 million. (Incidentally, all my statistics are taken from the current Economic Almanac prepared by the impeccably conservative National Industrial Conference Board.) The problems of financing State and local governments are even more burdensome when we realize—as Mayor Morrison states—that the Federal Government sops up 94 percent of tax money, leaving only 6 percent for States and municipalities which must grapple with the inescapable needs for schools, streets, sewers, and all the other costly appurtenances of urban living for millions more people than our present outmoded metropolitan patterns and facilities can even begin to handle.

A Department of Urban Affairs, properly conceived and intelligently planned, need not be a costly Federal investment toward safeguarding our glorious future. Its prime and continuing functions should be research and development. For example, it could work with the engineering and architectural schools in our great universities, to train an adequate number of qualified experts to plan and execute the dynamic cities of the future. Again, it could serve as a vital center of information, collecting data from successful undertakings for the guidance of embryo projects and developments elsewhere. Its financial support for urban rehabilitation could be set up wholly or partly on a self-liquidating basis. Our history is studded with successful examples: the FHA, the RFC, the Federal land banks, etc.

Another important research function that our national Department of Urban Affairs could fulfill could be the guidance of various metropolitan areas toward more efficient, less expensive per capita self-government; the elimination of overlapping functions among municipalities and counties; the reduction of the high and wasteful cost of multiple elected and appointed officials. I need not elaborate on this thorny problem—it has been touched upon many times during this conference's deliberations. But I must stress two points: First, that because of tax revenue difficulties, the efficient reorganization of metropolitan governments is a matter of national, as well as local concern; second, that proper corrective measures demand the services of experts who can survey nationwide all successful as well as failing attempts at solution in order to prescribe scientific methods of attaining maximum efficiency and service to our citizens.

And—speaking of governmental multiplicities—we might mention that the relatively few urban redevelopment functions that are now undertaken by Washington are scattered among a number of unrelated agencies. Certainly, the effective coordination of these increasing and intensely valuable services is to the best interest of our Government and our citizens.

Let us now go a step further in this look at tomorrow's brave new world. As our national supervision of urban affairs becomes streamlined, a second imperative will emerge; namely, that State and local governments give maximum recognition to their own responsibilities toward efficient urban redevelopment. The creation and growth of so-called planning commissions has been haphazard. Many such commissions are bogged down in politics, or time-wasting wrangles over zoning problems, or conflicts in authority with other appointed or elected commissions.

The tough problems of today and the even greater complexities of the future demand a thoroughgoing reappraisal of the functions and powers of our present planning groups.

The fulfillment of our unquestionable requirements for the planned growth of cities involves:

1. The scientific determination of the duties and obligations of those in charge of planning.

2. The creation of adequately manned, adequately financed organizations to carry out these assigned tasks.

3. The enactment of enabling legislation to assure the rapid, effective implementation of adopted programs.

Parenthetically, I suggest that the very name "Planning Commission" be dropped as quickly as possible. We have witnessed in recent years what has been termed "A plethora of planning and a paucity of action." Urban renewal itself has been called scheduling the inevitable. Perhaps we should name the groups of experts who shall direct the scientific growth of our cities "commissions for urban development."

And—as the final step in rallying the manpower and the brainpower without which it will be impossible to achieve a finer America for all—I venture to predict the emergence of a new, elite professional group, to take equal rank with the architects and engineers of tomorrow. Indeed, our new expert in urban affairs will be part architect, part engineer, part scientific researcher, and most of all an organizer. He must be a mobilizer of all the myriad projects and people involved in long-range planning, short-range planning, highway and street patterns, traffic flow and parking, mass transportation, housing, zoning, parks and even financing—all of which and many more are integral parts of better living for our citizens.

Just to give this new vital profession a name, let us call it urban science. Governor Meyner advanced the convincing suggestion that our State universities undertake such a program. I would like to add a plea that our private universities have an equal obligation to the citizenry of tomorrow. These great institutions, which have poured out a profusion of doctors, lawyers, architects, engineers, scientists, and other professional men of magnificent talents and matchless accomplishments, can meet this challenge. The law of supply and demand

requires that the present limited courses in city planning be expanded to greater academic stature. As citizens eager to build for the future of our Nation, we must support—morally and financially—the development of collegiate faculties and facilities for urban science. We must supply this support with as much enthusiasm as we have given our superb new Air Academy, for example. Surely, in the American tradition, the pursuits of peace are at least as worthy as the profession of war.

To sum up the steps I have outlined in my temporary role as prophet of the brave new world of 210 million American people:

1. The immediate creation of a Federal Department of Urban Affairs to coordinate all present functions and activities; then to set up a streamlined program for massive redevelopment of metropolitan areas and for the guidance of their patterns of growth.

2. The creation of competent, authoritative State and local boards to supervise and implement all governmental urban development activities right down to the level of final accomplishment.

3. The education and training of a new, superior corps of professional directors for urban growth.

I have left the role of the private citizen in creating a greater tomorrow until last, because it is perhaps the most vital, neverending, and dynamic role of all. Public-spirited citizens are the only means of making all these projects, these prophecies, these dreams if you will, come true. Only by urging officials to act, by supporting for public office men with progressive ideas, and the ability to carry out these ideas, by teaching the next generation its responsibilities to our explosively growing Nation, by complete dedication to our own share in the disciplined development of our own cities can we assure these United States the unchallenged leadership of a brave new world.

I pay tribute to all civic leaders everywhere who have labored so strenuously for better planning, better cities in which to live. I offer special tribute to my fellow citizens of Memphis who have been essential and dynamic factors in achieving the progress which you have witnessed at this conference.

Let each and every one of us dedicate ourselves to the rapid completion of the projects already set forth, and even more to the almost inconceivably greater accomplishments of tomorrow.

PROPOSED NEW YORK WORLD'S FAIR IN 1964

Mr. KEATING. Mr. President, yesterday I submitted for the RECORD two editorials applauding the proposed 1964 world's fair. Support among New Yorkers is nearly unanimous in favor of another New York World's Fair in 1964. Today I should like to call attention to another example of this wide support.

Mr. President, I ask unanimous consent that an editorial published in the New York Daily News of August 11, 1959, be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WORLD'S FAIR—NEW YORK CITY—1964

A committee of 25 distinguished New Yorkers, headed by Thomas J. Deegan, Jr., is working on plans for a monster world's fair here in 1964, and Mayor Robert F. Wagner and Gov. Nelson A. Rockefeller give enthusiastic endorsement to the proposal.

BIGGER, BETTER THAN 1939–40 FAIR

Estimated cost would be $500 million, and it is hoped the fair would bring around $6 billion worth of assorted business to the city. The 1939–40 fair cost $155 million, and was worth about $1 billion to the city, despite the beginning of World War II on September 1, 1939.

These plans look fine on the face of them, and we hope they may jell, with the necessary assistance from Congress and the President. Aside from the business advantages, the 1939–40 fair was one grand and glamorous jamboree and the sooner the city repeats the performance on a bigger scale, we think, the better.

CONSERVATION RESERVE PLAN HAS NOT HELPED SURPLUSES

Mr. HUMPHREY. Mr. President, one of the features of the current agricultural policy of our Government is known as the conservation reserve plan. The conservation reserve provides for long-term contracts designed to take productive soil out of production, and thereby reduce acreage and afford an improved program of conservation upon the idle acres.

A number of articles relating to farmers' views on certain agricultural policies have been written recently by Samuel Lubell. One of the articles relates to the conservation reserve plan. I ask unanimous consent that an article entitled "The Farmers Speak: Conservation Reserve Plan Hasn't Helped Surpluses," which was published in the Washington Daily News on August 6, be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE FARMERS SPEAK: CONSERVATION RESERVE PLAN HASN'T HELPED SURPLUSES

(By Samuel Lubell)

Topsy-turvy results show up wherever one looks at the farm problem.

Take the innovation of having the Government rent whole farms for 5 to 10 years.

This program, which will cost $375 million next year, has been sold to Congress as a painless way of retiring excess farm acreage and cutting surpluses, without bothersome acreage controls or price supports.

But how has this conservation reserve worked out?

SURVEY

An intensive survey in Iowa and several nearby States indicates that so far the plan has had only a small effect in reducing surplus production. But it has had the surprising results of opening an investors' paradise and a new form of rural old-age relief.

Older people on poorer land stand out as the largest single group who have put their farms into the reserve. In Iowa my sampling showed nearly 60 percent of the signers were over 55 years old.

"The land was tired and so were we," was one elderly farm wife's reason for going into the program. Others were in feeble health; few had sons to take over the land; many had been the victims of bad economic luck.

The second largest group of sign-ups seems to consist of widows, managers of estates and investment-minded owners of farm property.

INVESTMENT

In its practical effect the conservation reserve turns the land into the equivalent of a gilt-edged, coupon-clipping investment. The farm owner doesn't have to worry about any of the normal risks of farming, such as drought or crop failure. All he or she does is seed down the land, mow the weeds and clip the coupons.

In at least three counties which I checked local bankers had put in farms they owned. I was also told of two instances where farms were bought as investments after they had been put into the reserve.

Another attraction of the plan to investment-minded farm owners is "you don't have to bother with renters." As the conservation reserve grows bigger—23 million acres already have been signed up with 5 million more acres to be added this year—it is bound to cut down on the opportunities for renting farms.

LAW

The law forbids farm owners from pushing renters off farms so they can be put into the reserve. But in three counties I ran into instances where this has happened.

Still other farmers have used the conservation reserve to purchase a farm at the Government's expense. In Union County, Iowa, one young farmer told me he had bought a farm and put it into the reserve, while he continued farming another place which he was renting.

The Government pays him $2,889.90 a year. In 5 years, he estimated, the farm will be half paid for through conservation reserve rentals alone.

RESULT

What will happen to the land after the conservation contract period is up? The replies I got do not bear out the belief expressed by Secretary of Agriculture Ezra Benson that much of this land will stay out of production permanently.

Generally the farmers in the reserve talk of building up the land so it can be worked in the future.

COMMISSION TO STUDY THE TRENDS OF RURAL LIFE

Mr. HUMPHREY. Mr. President, I call to the attention of the Senate an editorial entitled "Ghost Towns," which relates in part to the subject matter of the conservation reserve plan. The article was published in the Willmar Daily Tribune, of Willmar, Minn. It is one of the finest daily newspapers in Minnesota, and the publisher of that newspaper is one of Minnesota's most distinguished citizens. The editorial comments in particular upon the proposal, which I introduced some time ago, for a Rural Life Commission or a Country Life Commission to study the trends of rural life and what is happening to rural America.

I believe such a study is long overdue. In America there are tremendous technological changes, great economic changes, changes in the pattern of production and distribution, all of which are having their impact upon rural living.

I ask unanimous consent that the editorial, which was published on June 8, 1959, be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Willmar Daily Tribune of June 8, 1959]

GHOST TOWNS

Senator HUBERT HUMPHREY has introduced legislation providing for a commission which will study the trends of rural life and what is happening to it. A good idea.

Perhaps then the public will get some official facts of some regrettable changes that are going on in rural America, changes which are not for the better. At a time when the problem of metropolitan cities is causing some to look to Washington for help, the change in rural America just feeds that problem and makes it worse. For when you move

people from the land they are apt to land in our big cities and aggravate the overpopulous conditions there.

Is that what we want, the Nation wants? Roger Babson, the noted economist, for years has advocated a back-to-the-land movement, but the politicians, bent on creating bigger and bigger farms, have turned a deaf ear.

If the Humphrey proposal is adopted that survey committee may find some ghost towns in some States—and other States, if the farm liquidation continues, will show severe trends in the same direction of some day becoming scenes of more ghost towns. The handwriting is on the wall.

For you cannot see the small farmer go without sounding the death knell of the rural village and a hurt also to the rural city—both will suffer, but the rural village will face obliteration. We understand that is true in North Dakota where once thriving, prosperous, sober, sensible, and sound rural villages have been wiped off the map. As one clergyman from that area told us, "You could almost weep to see what has happened." Yes, one could, knowing that such was not necessary and also weep if something similar happens around here.

You cannot have 800,000 fewer farms in 1959 then you had in 1952 without that situation having a major impact on rural States and every rural community. And Minnesota has taken its share of this huge loss, a loss to every rural businessman.

Whether the survey suggested will do any good or not to those who will not see or do not care or those who will let conditions take their course in the worship of bigness in this country, it is hard to tell. We doubt whether we can look to private interests to do anything. They seem to want to have ghost towns. The only recourse is to change the administration at Washington, from the White House and down.

THE FAMILY FARM DEVELOPMENT ACT

Mr. HUMPHREY. Mr. President, of late I have noticed that certain comments have been made in regard to the failure of the administration to present to the Congress an agricultural program.

Last week, the senior Senator from Minnesota introduced a comprehensive overall agricultural program, the Family Farm Development Act. One of the requirements of that measure, if enacted by Congress, would be for the Secretary of Agriculture to present to Congress a comprehensive agricultural policy upon which Congress could base long-term agricultural legislation.

I am hopeful that the Secretary of Agriculture will study this particular piece of proposed legislation, and will give us the benefit of his advice and counsel; and I hope that the Department's report will not be adverse. We have been cursed with adverse reports on every proposal which has been made in regard to agricultural policy.

Mr. President——

The PRESIDING OFFICER. The Senator from Minnesota.

THE CIVIL AIR PATROL INTERNATIONAL AIR CADET EXCHANGE

Mr. HUMPHREY. Mr. President, on August 5 I had the privilege of addressing a gathering of young men who are participants in the Civil Air Patrol International Air Cadet Exchange. These young men, from 19 countries besides our own, had just returned from an extensive visit to various host States, from New Hampshire to California. Meeting again in Washington on August 4, as the guests of the national headquarters of the Civil Air Patrol, these fine young men—all from free and friendly nations—had a unique opportunity to exchange views and to meet with their opposite numbers in the 20 other countries involved. This was the 11th consecutive year of the International Air Cadet Exchange—an exchange created to foster an international brotherhood of airminded youth of the free world.

The first exchange held by the United States was with Canada and Great Britain in 1948. In participating this year with the Civil Air Patrol, 19 foreign nations were represented: Belgium, Brazil, Canada, Chile, Denmark, France, Great Britain, Greece, Israel, Italy, Mexico, The Netherlands, Norway, Peru, Portugal, Spain, Sweden, Switzerland, and Turkey.

A total of 280 American and foreign air cadets are taking part in the program. The exchange was made on a 5 for 5 basis, except in the cases of Canada and Great Britain. Twenty-five cadets were exchanged with each of these countries. One Civil Air Patrol officer and one U.S. Air Force officer accompanied each U.S. group going abroad. Two adult escorts accompanied each group visiting the United States.

Civil Air Patrol cadets participating in the exchange are selected from each State in the Union, as well as from Puerto Rico and the District of Columbia. Selections are based on character, service, ledaership, and other honor traits. American cadets are between the ages of 17 and 19.

The cost of the exchange in the United States is financed by the Civil Air Patrol with donations from industry and public-spirited individuals. The expense of the American International Air Cadet Exchange activities overseas is borne by the sponsoring foreign aeronautical agencies. The U.S. Air Force provides the necessary overseas airlift for both the American and the foreign participants.

The PRESIDING OFFICER. The time available to the Senator from Minnesota, under the 3-minute rule, has expired.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that at this time I may proceed for an additional 3 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, the visiting exchange participants from overseas arrived in New York on July 20, and departed for 18 States, where they were the guests of local Civil Air Patrol organizations.

The Civil Air Patrol host wings for the 1959 foreign exchanges were: New York, Belgium; Michigan, Brazil; Virginia, Canada; New Mexico, Chile; Florida, Denmark; West Virginia, France; Minnesota, Great Britain; Alabama, Greece; New Jersey, Israel; Delaware, Italy; Tennessee, Mexico; Oklahoma, Netherlands; Connecticut, Norway; Iowa, Peru; New Hampshire, Portugal; Illinois, Spain; Montana, Sweden; California, Switzerland; Nebraska, Turkey.

It was a real pleasure to address these splendid young men when they were luncheon guests of Pan American Airways, as well as of a number of civic organizations. It was a further pleasure to be introduced by Col. Barnee Breeskin, of the Civil Air Patrol—a vigorous and active supporter of the CAP movement—and to share the platform with my good friend, Representative JOHN FOLEY, Gen. Stephen McElroy, national commander of the CAP, and other distinguished guests.

At the luncheon, Mr. President, I felt it would be an interesting experiment to solicit from these young men, who have just visited our country for the first time, their candid opinions on what they have experienced. I asked them to write me on this subject, and also to indicate to me what they felt that very high-ranking visitor, the Chairman of the Council of Ministers of the Union of Soviet Socialistic Republics, Mr. Khrushchev should see, above all else, in the United States.

I have already received a number of letters from these fine young men who visited our country, and I intend to make the letters public, because they represent an interesting analysis of American life, as seen through the eyes of these young visitors from other countries to the United States.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD excerpts from my remarks at the luncheon on August 5, 1959.

There being no objection, the excerpts from the address were ordered to be printed in the RECORD, as follows:

The air cadet exchange program is one of the finest demonstrations of my thesis; that one of the secrets of building good international relations is to turn loose the young people.

I truly hope that you have found a warm welcome here as guests of our country. Of course, I am pleased that my own State of Minnesota has been among the 19 host States for a group of you young men.

I am interested in your impressions of our country. You have been here for a month, a long time. You have had a chance to see us pretty much as we are, with our faults and our virtues.

Now let me put some questions to each of you. You know that our own President Eisenhower has just invited the Soviet Premier to visit the United States. As a recent visitor to the United States, what would you suggest that Mr. Khrushchev ought to see here? In other words, what part of our American life, what part of our American society, do you think would be most illuminating and informative for Mr. Khrushchev to see?

I believe that you will find at your places a pen and paper.

If you will take the time before you leave the country this week, or when you have returned to your own homes, to jot down some ideas on this subject, I will guarantee you that they will be given intensive study. Your ideas would be valuable to us.

Let me put to you a second question: What did you think of us—quite candidly? What are your principal impressions of your visit here to America? I would truly like to know.

If you will write me—Senator HUBERT H. HUMPHREY, at the Senate Office Building in Washington, D.C.—I will be most grateful.

I seriously feel that consideration should be given to inviting over some other teenagers. I think that it would be well for the United States and the free world allies together, to extend a broad invitation to visit us, not only to the Russian Premier but also to a large number of high school students from the Soviet bloc of nations.

An exchange program—whether between White House and Kremlin or between schoolhouse and schoolhouse—offers at least the opportunity to destroy mistrust and misunderstanding.

The free world should welcome the chance to exchange young people with the Soviets. Personally, I think it almost as important to have several thousand youngsters from the Communist nations visit us as to have Mr. Khrushchev come over. For vital as it is that the present Communist leadership come to understand us, it is equally vital that the next generation, the leaders of tomorrow, should understand us.

Let them see us, warts and all, just as you have seen us; let them see us with our faults as well as our virtues, in short, see the truth about America and Americans.

It is perhaps time, too, that the free nations undertake the sponsorship of a youth festival in which the free and unimpeded exchange of ideas among students of all nations will be permitted, rather than the kind of festival in which the rules are rigged to block any meaningful exchange.

It is as important for the youngsters from the Communist bloc to visit your nations as to come to the United States. We of the free world should open our doors wide to these young people, and issue a friendly challenge to the leaders of the Soviet bloc to let their high school students come to our countries on extended visits.

We, in turn, should be prepared to send the best of our young people over to the nations of the Communist bloc on reciprocal visits.

I want to emphasize most strongly that the West must continue to maintain its shield of military strength and to solidify Western economic and political ties. But it is not only our physical strength that is being tried. We are being severely tested not simply by the Communist military and economic challenge, but, more fundamentally, our courage is being measured, our good sense, our patience, and our steadiness.

It is not enough to be stronger militarily and economically, when the task of genuine leadership also demands qualities of spiritual greatness. We must be willing to rise above the arms race and the ruble war, to seek some common ground with the peoples now behind the Iron Curtain, and to have the courage to permit our institutions and our political economic system to meet the test of sharp and even hostile critics.

We in the West seem to have survived the occasional problems rising from our own intra-Western student exchange programs, and our increased participation in cultural and athletic events abroad and in international trade fairs since the Humphrey-Thompson Act of 1956 has also been a notable success. These exchange programs do work.

The baby must learn to crawl before it can walk, and before we can hope to see any genuine cooperation between East and West, there are whole mountain ranges of hostility and distrust and sheer misunderstanding to surmount. A grassroots exchange program among students could be the beginning of an eventual era of increased cooperation.

Is it not within reason to at least hope for the day when East and West will turn from the dreary works of war to an exhilarating competition in the works of peace. Let us at least now take these small steps to establish communication, in the hope that out of the emerging leadership of the Communist bloc there may come leaders who will be willing to join us in the only war worth fighting, the war against man's ancient enemies of poverty, disease, hunger, and ignorance.

TVA SELF-FINANCING BILL SETS PRECEDENT FOR COLUMBIA RIVER DEVELOPMENT CORPORATION LEGISLATION

Mr. NEUBERGER. Mr. President, now that the TVA self-financing bill has been signed by President Eisenhower, I believe the Senate should note the parallels between this legislation and our Bonneville power regional corporation bill presently before the Senate, S. 1927.

These similarities are ably and clearly set forth in an editorial published in the Portland Oregonian of August 10, 1959, and I ask unanimous consent that this editorial be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TVA BONDING PRECEDENT

The Tennessee Valley Authority self-financing bill signed into law last week by President Eisenhower establishes another firm precedent for converting the Bonneville Power Administration into a Federal corporation and providing the machinery for sale of revenue bonds for Columbia Basin power projects authorized by Congress.

TVA has had no congressional appropriations for power expansion since 1953, while the President repeatedly has asked for self-financing legislation. The Authority, however, has built some steam plants by using its revenues. Now it will be able to sell revenue bonds on the open market. If the bonds cannot be sold at a reasonable price, the U.S. Treasury will buy them, and resell them when the market is right.

The President refused to sign the bill until leaders of both Senate and House agreed to adopt separate legislation restoring executive authority in recommending TVA projects to Congress. The bill as it stands virtually bypassed the White House. But the Senate already has adopted the amendment and the House should act promptly.

TVA directors, appointed by the President, were apprehensive of a power shortage within 3 years had Congress continued to delay the revenue bond proposal and also to deny appropriations. The third generator of TVA's Gallatin steam plant was placed in operation recently. This brought TVA's total capacity to 10,847,210 kilowatts. Steam generation now is almost double hydroelectric generation, 7,119,750 kilowatts to 3,727,460 kilowatts.

Senator RICHARD L. NEUBERGER'S bill to transform the Bonneville Power Administration into a self-financing Federal corporation may not be reported out of the Senate Public Works Committee until early in the next session of Congress. Bond revenues would be used to finance hydroelectric dams to be built by the Army Engineers or Bureau of Reclamation and thermal plants, including atomic plants when feasible, to be built by the Bonneville Power Corporation itself.

Congress would continue to appropriate funds for the costs of hydroelectric projects allocated to flood control and navigation. Congress also would establish the contributing share of power revenues to assist irrigation. Under the Neuberger bill, some BPC power revenues also could be used to help sustain the fishery.

Revenue bond financing for the St. Lawrence Seaway and now the Tennessee Valley Authority establishes firm administration and congressional precedents for removal of self-liquidating Federal activities from the appropriative process and permitting them to stand on their own feet.

TVA now will begin repaying $1 billion of the $1,200 million appropriated by Congress since 1934 for that corporation, plus interest of 3 percent on the unpaid balance. TVA's surplus revenues last year amounted to $99 million, and the surplus will be larger this year.

The Bonneville Administration is ahead of its 50-year payouts schedule in returning to the Treasury the money voted by Congress for power facilities of Columbia Basin hydroelectric projects and also has been paying interest. It would have no difficulty in changing to a self-financing status which would encourage long-range planning, uninterrupted construction and a sufficiency of power for all utilities and industries, public and private, which will need power.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had further insisted upon its disagreement to the amendment of the Senate numbered 1 to the bill (H.R. 7040) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1960, and for other purposes; agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. THOMAS, Mr. YATES, Mr. CANNON, Mr. OSTERTAG, and Mr. TABER were appointed managers on the part of the House at the further conference.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 4120) for the relief of certain officers of the Public Health Service, and it was signed by the Acting President pro tempore.

HOUSING ACT OF 1959—VETO MESSAGE

Mr. JOHNSON of Texas. Mr. President, I ask that the Chair lay before the Senate the veto message from the President and the accompanying housing bill.

The PRESIDING OFFICER. The Chair lays before the Senate the veto message from the President of the United States, which, without objection, will be printed in the RECORD without reading.

The message is as follows:

To the Senate of the United States:

I am returning herewith, without my approval, S. 57, "An act to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes."

For many months I have been looking forward to approving a sound and constructive housing bill. New homes are now being built at near record rates. I have hoped to receive from the Congress legislation that would further advance

the cause of better housing for Americans within the limits of fiscal responsibility.

To my disappointment, the Congress has instead presented me with a bill so excessive in the spending it proposes, and so defective in other respects, that it would do far more damage than good.

First, the bill is extravagant and much of the spending it authorizes is unnecessary. Its spending authorizations total a minimum of $2.2 billion—all of which would be available for commitment without further congressional or Presidential action. The comparable budget recommendations of the administration totaled $810 million.

Its authorizations of $900 million for urban renewal—telescoped into 2 years—are excessive.

Even though we have over 100,000 previously authorized public housing units as yet unbuilt, the bill would authorize 190,000 more.

A new program of direct Federal lending is authorized for housing for elderly persons when needs in this area can be adequately met by private funds invested under the protection of Federal insurance. The college housing loan program would be continued with increased authorizations at interest rates below the cost of money to the Treasury and a new program for college classrooms and related academic facilities at the same subsidy interest rates would be started. Although the amounts initially authorized for the latter program would be relatively small, the eventual demand for these loans would reach staggering proportions. To the extent that these and other programs merely displace private financing they lead to Federal spending that is entirely unnecessary.

Second, the bill is inflationary. The spending authorizations of S. 57, taken together with other seriously objectionable provisions would be inflationary and therefore an obstacle to constructive progress toward better housing for Americans. One of the most damaging effects of inflation is that it dries up the sources of long-term credit. There is perhaps no industry in the Nation more heavily dependent for its operations on long-term funds borrowed at reasonable rates of interest than the housing industry. We have made good progress in the fight against inflation but we cannot win that fight if we add one spending program to another, without thought of how they are going to be paid for, and invite deficits in times of general prosperity. No one can gain from a fiscal policy of this inflationary type—least of all, the housing industry.

Third, the bill would tend to substitute Federal spending for private investment. Many provisions of the bill, instead of stimulating private investment, would drive private credit from areas where it is urgently needed.

The requirement that the Federal National Mortgage Association buy mortgages at par under its special assistance program, regardless of the price that these mortgages command in the open market, would have this effect.

So also would the provision of the bill limiting the fees that FNMA may charge when purchasing mortgages.

The provisions authorizing college housing and college classroom loans at subsidized interest rates, additional Federal purchases of cooperative housing mortgages and a new program of short-term loans by the Federal Government on the security of mortgages would similarly substitute public for private financing.

Fourth, the bill places needless limitations on the FHA program and contains provisions that would impair FHA's soundness. Instead of removing the wholly unnecessary limit on the amount of the mortgage insurance authority of the Federal Housing Administration, the bill would continue these important programs on an uncertain, hand-to-mouth basis.

Through lower downpayments and longer maturities the bill would introduce underwriting provisions of questionable soundness into a number of FHA's loan insurance programs.

Fifth, the bill contains provisions which are discriminatory and unfair. The way the bill is written a few large cities, by making early application, could tie up all the funds available under the urban renewal program. The Administration would be specifically prohibited from preventing this discrimination against our smaller cities which have not yet entered the program or which do not have large planning staffs.

Under present law cities can count streets and other local improvements, which they had already intended to construct, as a part of their share of the costs of an urban renewal project. S. 57 would extend these credits retroactively to include such improvements made by cities up to 5 years before commencement of the project. As it is, the local cash contribution has averaged only about 14 percent of the cost of acquiring and preparing a project site for development. S. 57 would reduce such contributions even further.

In view of these defects, I have withheld my approval from this bill.

There remains, however, a need for the enactment in this session of the Congress of legislation, such as I recommended last January, which will carry forward our important housing programs on a sound basis:

1. The insurance authority of the Federal Housing Administration, which does not involve the lending of Federal funds and does not cost the taxpayer a cent, is nearly exhausted. Additional mortgage insurance authority should be granted by eliminating the ceiling on this authority.

2. The Federal Housing Administration program for insurance of property improvement loans, which expires September 30, 1959, should be extended at least through this fiscal year.

3. The Federal Housing Administration program for insurance of Capehart military housing loans expired on June 30, 1959, and should be extended for 1 year.

4. The voluntary home mortgage credit program, which expires July 31, 1959, should also be continued.

5. Authorizations for urban renewal grants should be replenished, the local share of the costs should be increased, and the college housing program proposed in the budget message should be enacted.

6. The statutory interest rate ceilings governing mortgages insured under the Federal Housing Administration's regular rental housing and cooperative housing programs should be raised.

Legislation along these lines will help make private housing funds available for investment in housing and related construction, will promote the effective use of the resources and energies of State and local governments in housing and urban renewal activities, and will allow the Federal Government to play its part in a truly constructive and noninflationary manner. This is the way to provide more and better housing for the American people.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *July 7, 1959.*

The PRESIDING OFFICER. The Senate will now proceed to reconsider the bill.

The Senate proceeded to reconsider the bill (S. 57) to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes.

The PRESIDING OFFICER. The question is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that on this question, 3½ hours be allowed for debate, to be divided equally between the majority leader and the minority leader, and to be subject to the usual terms of unanimous-consent agreements in the Senate.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The unanimous-consent agreement was subsequently reduced to writing as follows:

Ordered, That during the reconsideration of the bill S. 57, the Housing Act of 1959, returned by the President to the Senate without his approval, debate be limited to 3½ hours, to be equally divided and controlled by the majority and the minority leaders.

Mr. JOHNSON of Texas. Mr. President, under the agreement which has just been entered, the indications are that the vote will be taken sometime between 3 and 4 p.m. There will be a quorum call before the vote is taken. I hope all Members will be on notice that we anticipate that at about that time the Senate will vote on the question presented by the veto message, and also that later this evening the Senate may vote on the two treaties which are on the Executive Calendar.

The PRESIDING OFFICER. The provisions of the unanimous-consent agreement which just now has been entered into are now in effect.

Mr. JOHNSON of Texas. Mr. President, I ask the Senator from Alabama [Mr. SPARKMAN], to control the time allotted to me, in my absence.

Mr. SPARKMAN. I shall be very glad to do so.

Mr. JOHNSON of Texas. Mr. President, under the agreement which has been entered into, 3½ hours are available for debate on this question, to be divided equally. I have assured the Senator from Pennsylvania that he will have at least 45 minutes.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that certain members of the staff of the Banking and Currency Committee and of its Housing Subcommittee may have the privilege of the floor during the course of this debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, at this time I yield myself 15 minutes.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 15 minutes.

Mr. SPARKMAN. Mr. President, I speak in behalf of the majority of the Committee on Banking and Currency and recommend that the Senate vote to pass S. 57, the objections of the President to the contrary notwithstanding.

The committee believes that the President's veto of S. 57 was unwarranted. The hearings held by the Subcommittee on Housing demonstrate conclusively that S. 57 was not "extravagant," "unnecessary," "inflationary," "discriminatory," nor "unfair"—all those terms being used in the President's veto message. Furthermore, the veto message contained intemperate, misleading, and incorrect statements.

The veto message states:

> First, the bill is extravagant and much of the spending it authorizes is unnecessary. Its spending authorizations total a minimum of $2.2 billion—all of which would be available for commitment without further congressional or Presidential action.

These two sentences contain several misleading or incorrect ideas. Among them are the following:

First. "Spending" authorizations do not total $2.2 billion—they total $.925 billion. The $2.2 billion is apparently composed of $925 million in grants, $450 million in loans, and $825 million representing an estimated cost of 45,000 units of public housing for the next 40 years. The "spending" estimated to occur in fiscal year 1960 is only $2.7 million above the President's program.

Second. All of the authorizations would not be available for commitment without further congresional or Presidential action. The $50 million loan fund to provide housing for the elderly must be appropriated by the Congress and approved by the President before any loan commitment may be made. The same is true of funds for urban planning, graduate scholarships in city planning, defense hospital construction, and farm housing research—totaling $25.4 million. Furthermore, all other authorizations must be made available to executive agencies by the President himself before any loan or grant commitments can be made.

Third. The authorizations are not extravagant or unnecessary. Programs cited to illustrate extravagance or lack of necessity were loans to build housing for elderly persons, loans to build college dormitories and classrooms, and grants for urban renewal and public housing. The committee received ample evidence that these programs are necessary; and the overwhelming preponderance of the evidence showed that the amounts proposed were at minimum levels and were certainly not extravagant.

Under the heading quoted above, the veto message states that "Even though we have over 100,000 previously authorized public housing units as yet unbuilt, the bill would authorize 190,000 more."

This statement is misleading in the following respects:

First. The message implies that the 100,000 units are available to communities whose needs are not being met. This is a false implication. The message fails to state that these 100,000 units are already under contract; that applications for over 57,000 units—an effective demand of over 35,000—are now on file with the Public Housing Administration; and that many communities cannot proceed with urban renewal programs because authorization for public housing units is exhausted.

Second. The message states that "the bill would authorize 190,000 more" units of public housing. This statement is misleading. The message fails to state that only 45,000 units are authorized directly; that any units above this number may be used only upon the direct action of the President himself, and then only at a rate of 35,000 units a year beginning in fiscal year 1961; and that, depending upon costs of construction, costs of financing, and operating expenses of the projects, the total number of units—including those subject to Presidential discretion—may amount to only 145,000.

The veto message states:

> The bill is inflationary. The spending authorizations of S. 57, taken together with other seriously objectionable provisions, would be inflationary and therefore an obstacle to constructive progress toward better housing for Americans.

These two sentences make a bold and damaging assertion that cannot be substantiated. Several witnesses categorically denied the validity of the veto message on this subject, among whom were representatives of the AFL–CIO, the National Association of Home Builders, and Dr. Seymour Harris, of Harvard University.

The only witness testifying on this subject who gave any support to the veto message was Mr. William McChesney Martin, Jr., Chairman of the Board of Governors of the Federal Reserve System. The only features of the bill which impressed Mr. Martin as inflationary are not in the public sector—or "spending" authorization. They are in the private sector and relate to downpayments and maturities of FHA-insured or VA-guaranteed loans. Ironically, administration witnesses stated that the downpayment features were acceptable to them.

Even more ironic is the fact that the primary agency of Government charged with maintaining price stability in our economy—the Federal Reserve—was not even consulted on the question of inflation or upon any other feature of the veto message.

Estimating the inflationary effects of any piece of legislation is a difficult exercise in economics. I do not believe that S. 57 would be inflationary and no one has been able to demonstrate to me that it would be inflationary.

The veto message states:

> Third, the bill would tend to substitute Federal spending for private investment. Many provisions of the bill, instead of stimulating private investment, would drive private credit from areas where it is urgently needed.

These sentences are an excellent illustration of the misleading and half-true character of the veto message. I call particular attention to the use of the word "spending"—Federal "spending" as a substitute for private "investment." Even if the charge were true, the message should be candid and refer to Federal "investment."

The provisions of S. 57 mentioned to justify this "substitution" charge relate to the Federal National Mortgage Association, and loans for college classrooms and dormitories. Before one 'investor" can drive a second "investor" from a market, both investors must be active in the market. The facts of the matter are—and this was demonstrated in the hearings—that private investors are not sufficiently active in the markets here involved.

On the other hand, data submitted during the hearings by Dr. John A. Hannah, president of Michigan State University, clearly indicates that the Federal program has not decreased private financing of dormitories, but has substantially increased the total amount of financing available.

It would have been much more candid and forthright if the veto message had said:

> The Congress proposes programs which recognize that many necessary and worthy purposes cannot be served during periods of investment shortages unless the Federal Government attempts to channel some investment resources toward meeting such needs. I disagree with this policy and believe that investment resources should be channeled to the highest bidder—regardless of the purposes to be served.

Such a statement would reveal the true differences between the Congress and the President regarding many features of S. 57.

The veto message states:

> Fourth, the bill places needless limitations on the FHA program and contains provisions that would impair FHA's soundness.

This sentence refers to provisions in S. 57 which continue the limitation on FHA insurance authorization—which limitation has existed and has been raised from time to time since the Agency was established in 1934—and provisions giving administrative discretion to reduce downpayments and increase maturities of loans insured by the FHA.

The President has been in office since 1953 and during that period he has made six requests to the Congress for increases in the limitation on FHA insurance authorization. The Congress has always responded to such requests.

Quite aside from the fact that the Congress should retain its ability to periodically review the scope of FHA insurance activities, it is difficult to believe that the President seriously objects to a process which has worked so well for over 25 years.

Although the veto message states that provisions giving discretionary power to reduce downpayments and increase maturities "would introduce underwriting provisions of questionable soundness into a number of FHA's loan insurance programs," neither the veto message nor the testimony of administration witnesses offer any justification for this statement. In fact, administration witnesses testified that all of the provisions of S. 57 discussed in the fourth objection, except that relating to longer maturities, would be acceptable to the administration.

The veto message states:

> Fifth, the bill contains provisions which are discriminatory and unfair.

Under the above quoted heading, the veto message charges that "a few large cities could tie up all the funds available under the urban renewal program." This is an incorrect statement. The law, as it would have been amended by S. 57, would provide that urban renewal loans and grants would be made first to those cities which have already filed acceptable applications. Testimony revealed that such applications are now on file from 134 localities in the approximate total amount of $272 million. These localities cannot possibly be characterized as large cities, and it would, therefore, be impossible for large cities to tie up all the funds. These facts were admitted by administration witnesses.

Under the same heading quoted above, the veto message implies that local governments contribute only about 14 percent of the cost of acquiring and preparing a project site for development under the urban renewal program. It is true that the veto message uses the words "cash contribution" to preface the 14-percent figure, but it is also true that local taxpayers contribute an additional 22 percent in the form of local public works projects recognized by the Federal Government as being contributory to, and directly related to, the urban renewal projects. Thus, the total contribution by local taxpayers is approximately 36 percent of the cost of an urban renewal project; and there is no provision in S. 57 which would cause a reduction in the share being contributed by local taxpayers.

There are other statements in the veto message which would not bear close scrutiny. Perhaps it is sufficient to say that having taken a posture of opposition to housing legislation being considered in the Congress, it was necessary for the President's advisers to recommend a veto even though the differences between the President's program and S. 57 were slight and even though it would be necessary to recommend a message unbecoming to the place it will take in official documents of the United States of America.

Mr. President, I urge Members of the Senate to join with me in voting for the passage of S. 57, the President's objections to the contrary notwithstanding.

Mr. BENNETT. Mr. President, who has control of the time in support of the President's veto?

The PRESIDING OFFICER. The minority leader.

Mr. JAVITS. Mr. President, I can yield time to the Senator. How much time does the Senator from Utah desire?

Mr. BENNETT. I should like to have 15 minutes, with the understanding that I may need a little more time.

Mr. JAVITS. Mr. President, I yield 15 minutes to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah may proceed.

Mr. BENNETT. Mr. President, since the President's veto of S. 57, there has been much discussion on the other side of the aisle of the President's veto message on the housing bill. The discussion was largely directed at discrediting the facts and conclusions in the President's message. It has been contended on the floor of the Senate that statements in the veto message were misleading. Rather than this being true, much that was said in attacking the message seems to me to be misleading, the errors no doubt arising from a failure to understand the very real importance to our national economy of reducing Federal expenditures and also how the building and mortgage lending industries really work.

For example, the President was criticized for claiming that the vetoed bill would be inflationary. Of course the bill would be inflationary. It is easy to take each separate item of the bill and belittle the impact which it would have in encouraging inflation. However, this approach would prevent us from ever making a beginning in protecting the savings and earnings of our people. We must draw a reasonable line with respect to each of the many provisions of housing legislation, as well as with respect to all the spending legislation that comes before us. The floods of inflation are fed by many streams and we must control those we can at their source.

I, for one, was happy to see the President make such a strong statement as to the inflationary effects of this bill. In a sense the bill is contradictory of itself. It proposes to aid the housing industry. Yet, at the same time, together with other budget-busting proposals of Congress, it adds to the fires of inflation. Inflation, in turn, damages the sources of long-term credit, an essential ingredient to the housing industry.

This contradiction is emphasized when we examine the current healthy status of the construction industry, and particularly the housing industry. The annual home building rate since last October is 1.3 to 1.4 million starts. The number of housing starts for the first 5 months of 1959 totalled 572,500 units, a new record for this period. Barring a new pinch on mortgage money, which could be adversely affected by inflation, 1959 will exceed 1955 and 1950, the previous alltime record years for housebuilding. The seasonally adjusted annual rate of spending for private nonfarm residential construction is in excess of $21 billion, the biggest ever. Why should Congress trot out the most expensive housing bill in history at the same time home building is setting alltime records? As the President aptly put it in his veto message:

> "No one can gain from a fiscal policy of this inflationary type—least of all, the housing industry."
>
> Further demands upon the labor and materials resources of the construction industry which is already operating at this record level would be encouraged by the additional dollar authorizations contained in S. 57. An inflationary increase in housing demand would also be encouraged by the provisions, which are not now timely, to extend the maximum maturities for FHA-insured and VA-guaranteed mortgage loans from 30 to 35 years. Still other seriously inflationary aspects of S. 57 concern the provisions which would open the flood gates of credit expansion through FNMA. First, FNMA would be authorized by S. 57 to make 1-year loans, under its secondary market operations, to be secured by FHA-insured or VA-guaranteed mortgages. This new loan program would enable lenders to raise cash by borrowing from FNMA during a tight money period when they could invest the funds in short-term nonhousing loans yielding a higher return than the mortgage interest rate. Such operations could lead to rapid short-term credit expansion and counteract the efforts of monetary authorities to restrict credit expansion during an inflationary period. The requirement that FNMA buy mortgages at par in its Special Assistance program is likewise inflationary.
>
> It is certainly true that the vetoed bill would have resulted in expenditures almost three times as great as those proposed by the President. It is also clear that the vetoed bill would have needlessly pumped Federal money into activities which can best be financed by the normal operations of our private enterprise economy. My friends across the aisle deny that the vetoed bill would cost almost three times as much as the administration's proposals. However, it is clear from the comparison which the very able chairman of the Housing Subcommittee placed in the July 15 CONGRESSIONAL RECORD at page 13459 that the President's message stated some simple unrefutable facts. The able chairman complains of an $874 million figure in the table attributed to the cost of 45,000 units of public housing.

It seems to me that he has completely missed the point which is simply this—within a year or two, firm commitments could be entered into under the bill under which this money would be required to be spent. The President called it a spending authorization, and I know of no better way to characterize it. It is immaterial for this purpose that the Federal funds will be spent over a period of about 40 years. Nobody ever contended otherwise. It is also immaterial that the funds do not become, for technical bookkeeping purposes, "new obligational authority" upon the enactment of the bill. Rather, it is an immediate spending authorization which technically becomes new obligational authority when the inevitable appropriations are made.

Once the contracts are entered into as contemplated by the bill within the next year or two, the appropriations must follow, as the night the day, because the failure to appropriate would then be called a breach of contract by the Federal Government.

I was also happy that the President saw through the urban renewal section

of the bill in his veto. The sponsors of the bill put in a $900 million urban renewal authorization accompanied by great ballyhoo to the effect that it was less than the $1.35 billion originally asked for by the administration.

Actually for the 2-year period involved, the administration proposed a $600 million authorization. This represents a 50 percent increase, and is one of many examples of the true difference of approach between the President and his critics. It is a difference of degree, but a significant one. Much was made on the floor of the Senate with respect to the large number of applications already made and expected to be made which could well utilize the $900 million proposed by S. 57. No one ever contended differently. Indeed, if we would attempt all at once to clear all the blighted areas of our cities, all our tax money would be insufficient. The true measure of statesmanship is to balance all the worthwhile claims upon the Federal budget, and indeed upon the economic resources of our Nation, against each other. The capital grant authorization proposed by the President represents a balanced judgment of what it takes to keep this program moving forward at a reasonable rate of speed. It must be remembered that there are not only financial limitations on our budget, but also limitations on the ability of local real estate markets to absorb cleared land for rebuilding. On page 13459 of the July 15 CONGRESSIONAL RECORD there appears a list of cities and the amount of their outstanding requests for capital grant funds. No indication is given of the funds which these cities have already obtained and how far along they are in using them in connection with existing projects already authorized.

For example, New York City has outstanding requests of about $23.5 million. It has already obtained $156 million, of which $41 million is still in the planning stage. Of the remainder, $60.5 million represents projects where the land acquisition is not completed. Philadelphia has requests of about $10 million. Its existing reservations total $59 million, but of these, $14 million are still in the planning stage and $11 million represents projects still in the land acquisition stage. Newark, N.J., has outstanding requests for $8 million. It has already obtained $21 million, of which $15.5 million represents projects still only in the planning stage. Buffalo, N.Y. has requests totaling $11 million. Of its existing reservations totaling $12.5 million all represent projects which are still either in the planning or in the land acquisition stage. St. Louis is requesting $41.5 million. Of the $31 million which has already been reserved for that city, $29.5 million represents projects where land acquisition is not yet complete.

It is well to recognize that the urban renewal program is intended to build up our cities, not merely to tear them down. When land acquisition has been completed, the building task still lies ahead. It is always easier to tear something down than to build it up, and I think we can afford to be somewhat less precipitous about the extent of the increase in the program while we get on with our land disposal and rebuilding jobs. The program will move forward more smoothly and at less cost to both the Federal and local taxpayers if the localities space the availability of expensive cleared land so that it does not get ahead of the effective economic demand.

S. 57 failed to provide limits on the proportion of urban renewal funds that could go to any one State. Under that bill funds would be committed on a "first come" basis. Thus, the big cities with already-developed plans for huge projects would simply drain the pipeline before the small cities could even get projects on the planning boards.

During the same discussion on the floor of the Senate my friends on the majority side attacked the President because he referred to the 101,000 units of low-rent public housing for which Federal aid contracts have been entered into, but which have not yet been started. They say that these units are in a pipeline; they imply that these units are ready to come out of the pipeline; and that then the pipeline will be dry. They have not placed the facts in proper perspective. These 101,000 units are not all flowing through a pipeline; many of them are available in a rather deep and adequate well.

The low-rent public housing program was authorized by the U.S. Housing Act of 1937. The total number of units completed and started under that act, together with defense housing units converted to low-rent use, is less than 500,000. This is the amount of federally aided public housing that was produced over a 22-year period. Surely, then, the 101,000 units which are under contract, but not yet started, are sufficient to keep this program moving are more than its normal rate.

It is true that the program is moving slowly. It is wrong to blame the Federal Government. The Federal Government has already obligated itself to assist projects which were proposed by local communities, and now it is the turn of the local communities to find the land and start construction. I know that there are difficulties which the localities face in obtaining sites and in wrestling with many of the other local problems which have unfortunately bedeviled this program. However, these difficulties cannot be laid at the door of Washington officials, notwithstanding the insistent efforts of many to place blame where none exists. I have been unable to find anything done or left undone by Federal officials which prevents the great cities of New York, Chicago, Philadelphia, and many others from proceeding with the low-rent public housing projects with respect to which the Federal Government has already entered into aid contracts.

On page 13460 of the July 15 CONGRESSIONAL RECORD, there appears a list of public housing applications which are pending. These applications involve 57,500 units never placed under Federal contributions contracts. The truth of the matter is that these units include a very high proportion which have been on the books for many years, simply because the local community was not ready to proceed and may never be ready to proceed. Thus, 21,700 of these units are represented by requests received prior to the enactment of the Housing Act of 1956 and have had 3 or more years in which to be placed under contract.

In view of these facts it is easy to see why the supporters of the vetoed bill play down or ignore the potential costs of public housing in S. 57. If a President exercised all the statutory authority granted in S. 57, particularly with respect to 190,000 new housing units, the total cost of the bill would have been over $5 billion. This includes $3.7 billion for the public housing section—computed at the rate of $13,600 per unit for 190,000 units, plus financing charges—and $1.375 billion for the other features of the bill. It is this latter figure of $1.375 billion which went out via the press services to the public, and which was most misleading to the public. Without the inclusion of the other potential costs the net effect was misleading.

The PRESIDING OFFICER. The Senator's 15 minutes have expired.

Mr. BENNETT. Mr. President, I ask for 3 more minutes.

Mr. BUSH. Mr. President, I yield 3 additional minutes to the Senator from Utah.

Mr. BENNETT. The President is also criticized for objecting to new direct loan programs. It is contended that we must have new direct loan programs because our private-enterprise system has failed to provide the housing needed. Housing for the elderly is given as an example. Far from failing, our private enterprise system has, with mortgage insurance aid, begun to provide a substantial and increasing number of housing projects for the elderly. The administration recommendations, and also S. 57, contain provisions which would have materially improved FHA mortgage-insurance aids for this purpose. Both bills would have for the first time encouraged profit-motivated enterprise to provide FHA-aided rental housing especially for the elderly. To start making direct Government loans at subsidized interest rates would drive out private funds at the very time when they are needed, and can be expected to flow, in increasing amounts.

Similarly, some very important statements by the President in his veto message have been dismissed with the utterly misleading comment that they constituted mere "filler." For example, one of these was the President's sincere and serious objection to the S. 57 requirement that the Federal National Mortgage Association must pay par for the many millions of dollars of mortgages it purchases in its special assistance program. The par purchase requirement would have the direct effect of driving private funds away from mortgages most needed for special purpose housing, such as housing for the elderly, for military personnel, and for families displaced by urban renewal. This FNMA program is now working very satisfactorily and mortgages are purchased at a price which is somewhat above the current market price because the mortgages are not yet fully acceptable by investors. However, the price is fixed from time to

time at an amount which will accomplish special housing purposes without needlessly discouraging private investment where that is feasible. This balancing of considerations would be made impossible by the flat, par-purchase requirement in the vetoed bill. Far from being "filler," this item in the veto message reflects the President's longstanding concern that Federal-aid programs to segments of our economy should supplement, and not supplant, private enterprise.

In place of the extravagant provisions of S. 57, which the President has so wisely vetoed, Congress should concentrate on legislation which will bolster and expand the nonsubsidized productive programs which serve as an aid to free enterprise which is already doing a magnificent home building job, and not as a replacement for it. These are the FHA mortgage insurance program; the property improvement loan program; and the voluntary home mortgage credit program, which aids home buyers in finding private mortgage lenders, and other such constructive and necessary programs. All of these programs are in keeping with a private enterprise economy.

When the President vetoed the omnibus housing bill, S. 57, cries immediately went up that this would be a blow to the housing industry. I think just the opposite; I think it was a blessing to the housing industry. It was a veto in favor of free private enterprise and against the needless expansion of the Federal Government's activities in the housing field.

We need a housing bill, but we do not need the extravagant provisions of S. 57.

I hope the Senate will vote promptly to sustain the President's veto, so that the Committee on Banking and Currency can get back to the job of writing a more satisfactory and acceptable housing bill.

Mr. SPARKMAN. Mr. President, I yield 5 minutes to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 5 minutes.

Mr. FULBRIGHT. Mr. President, over 6 months ago, when this bill was first taken up on the floor of the Senate, I made my last speech as chairman of the Senate Committee on Banking and Currency.

I reminded the Senate at that time of the old sayings that politics is the art of the possible and that the legislative process is the art of compromise. I predicted that the bill then under discussion would be attacked from the right and the left—that it would be described as inflationary on the one hand and repressive on the other.

I said that I was more concerned with accomplishing work and meeting the needs of the people in the light of practicalities than with creating issues.

What has happened to the bill since that time, I believe, demonstrates that my predictions were correct.

Senators will recall that further compromises in consideration of the administration's view were made on the floor of the Senate and still further compromises were made in the conference committee, most of them in an effort to accommodate the desires of the majority of the Congress to the wishes of the President.

We have heard a great deal lately to the effect that the President participates in the legislative process. There is no doubt about that. He has the right of veto. And as I warned the Senate on February 4, there was then and there is now every indication that the President is aware of his veto power and is not averse to using it.

But, as the President participates in the legislative process, he should also consider that the legislative process is the art of compromise. He certainly has a duty to take into account the views of a majority of the Congress equal to the duty which the leadership of the Congress and the individual Members have to taking into account his views. Otherwise the inevitable result is stalemate and stagnation, not only in this housing program, but in the entire legislative process. Stalemate and stagnation we can little afford at this time.

The leadership of this Congress and those of us who share the view that our objective is solid accomplishment rather than political propaganda have been abused unduly. On the one hand, because we have believed and acted with the knowledge that the President participates in the legislative process, we have been accused of forming an unholy alliance which has some remote relationship to our State of origin. On the other hand, we are not spared from the administration propaganda about wild spenders and inflationists.

Personally, there is no political mileage so far as I am concerned, in those parts of the housing bill which primarily benefit the great population centers. I have consistently supported them, however, on the theory that there is a national benefit and an indirect one to the people of my State. I may also say that my support of them goes back for a good many years before some of their present most ardent advocates came to the Congress. However, my support becomes more and more difficult from a personal as well as a political standpoint when the result is criticism from all sides.

In the face of these difficulties, the President of the United States sent to the Congress a veto message on S. 57 which was unworthy of his great office and beneath the dignity of the Congress to which it was sent. It is not factual. It is intemperate. It was obviously designed to catch newspaper headlines and radio and television news blurbs.

It demonstrates no appreciation of the Presidential duty, particularly in times of divided political control, to take into account the wishes of the Congress and to attempt to meet them on a reasonable basis. The veto ought to be overridden for these reasons alone even though some Members may have some objections to some provisions of the bill. Those who believe that responsible relations between the Congress and the President demand mutual respect and consideration should vote to override the veto.

THE NEED FOR HOUSING LEGISLATION

Mr. CASE of New Jersey. Mr. President, yesterday afternoon the Senator from Colorado [Mr. ALLOTT], the Senator from Kentucky [Mr. COOPER], the Senator from New York [Mr. KEATING], and the Senator from Maine [Mrs. SMITH] joined with me in the issuance of a statement concerning our position in the attempt to override the President's veto of the housing bill. I ask unanimous consent that our statement be printed in the RECORD at an appropriate place in the debate on the question of overriding the veto of the President.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

We believe in and are supporters of a balanced housing program, including federally assisted urban renewal and public housing programs.

We supported the housing bill, S. 57, which passed the Senate on February 5, 1959, and the conference report which was adopted by the Senate on June 22, 1959.

The President vetoed S. 57 as embodied in the conference report. It was apparent that the bill could not be passed over the President's veto. Apart from whatever the Senate might do, substantially less than two-thirds of the House membership had voted for the conference report.

Accordingly, we were in agreement with the apparent decision not to attempt to override the veto but rather to reach agreement on the best possible bill which could actually be enacted into law. Despite the progress which had been made in this direction, a sudden change in plans took place and it was decided Tuesday by the majority leadership to attempt to pass S. 57 over the President's veto.

As we have already noted, this attempt cannot succeed. It cannot, therefore, be regarded as a serious effort to achieve sound housing legislation at this session of the Congress. In the circumstances, a vote by us to override the President's veto would in no way help to secure housing legislation at this session. Its significance would be purely symbolic—symbolic of two things: (1) Repudiation of the President in general, and (2) rejection of the President's leadership in the fight against inflation.

That this would in nowise be our intention would make no difference. This is what our vote to override would be taken to mean.

Accordingly, we shall vote to sustain the President's veto of the housing bill. We shall continue to work for housing legislation which meets both public and private needs and which can be enacted into law at this session.

Mr. BUSH. Mr. President, I allow myself 15 minutes.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 15 minutes.

Mr. BUSH. Mr. President, I rise in support of the President's veto of S. 57, the omnibus housing bill, and to urge the Senate to reject the recommendation, made by a bare majority of the Committee on Banking and Currency, that the bill be passed notwithstanding the President's objections.

President Eisenhower based his veto on these five grounds:

First, the bill is extravagant and much of the spending it authorizes is unnecessary.

Second, the bill is inflationary.

Third, the bill would tend to substitute Federal spending for private investment.

Fourth, the bill places needless limitations on the FHA program and contains provisions that would impair FHA's soundness.

Fifth, the bill contains provisions which are discriminatory and unfair.

A bare majority of the Committee on Banking and Currency, which has recommended, by a vote of 8 to 7, that S. 57 be passed notwithstanding the President's action, has criticized the veto message as misleading, unwarranted, and intemperate, echoing attacks upon it made by some members of the Subcommittee on Housing during the recent hearings.

During those hearings, the language of the message was scrutinized in minute detail, and was subjected to a great deal of what might be termed "nit-picking" and criticism because it did not expand at length upon highly technical provisions of the housing laws.

Mountains were sought to be built from molehills in a concerted effort to show that isolated passages in the language of the message were not factual in a strictly technical sense.

In the final analysis, one's views of S. 57 and the President's veto message must rest on individual opinions and judgment.

After considering testimony presented to the subcommittee, by witnesses hostile to the administration as well as those speaking for it, my own conclusion was and is that President Eisenhower's message, when considered as a whole and without strained distortions of the plain meaning of words, accurately described the vetoed bill.

In my view, S. 57 was extravagant and authorized much unnecessary spending; some provisions were inflationary, as the President said; the bill as a whole would add fuel to the inflationary psychology which is so strong and so dangerous in the economy at the present time; it would tend to substitute Federal spending for private investment; it would adversely affect the FHA program; and it did contain provisions which were discriminatory and unfair.

THE SUBCOMMITTEE RECOGNIZED THE JUSTIFICATION FOR THE PRESIDENT'S CRITICISM OF THE BILL

The Subcommittee on Housing recognized that many of the President's criticisms were justified when it accepted modifications and amendments proposed by the administration as it proceeded to write a new bill—a bill which I deeply regret is not now before the Senate.

I ask unanimous consent that a portion of the proposed report on the Housing Act of 1959, recommended to the full Committee on Banking and Currency by a majority of its subcommittee on housing, may be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

DIFFERENCES BETWEEN S. 57 AND S. ——

S. —— is basically the same as S. 57, which was passed by the Congress on June 23, 1959. After reconsideration of S. 57 and consideration of S. 612, S. 65, S. 2378, and other proposals presented to the committee, 30 changes were made in the text of S. 57. These changes represent 7 deletions, 15 modifications, and 8 additions.

DELETIONS

Maximum maturity: S. 57 would have authorized the Federal Housing Commissioner and the Administrator of Veterans' Affairs to increase to 35 years the maximum maturity of mortgages insured or guaranteed. The veto message expressed opposition to this discretionary authority and these provisions are not contained in S. ——.

FNMA par purchase: S. 57 contained a provision which would have required the Federal National Mortgage Assocation to pay 100 percent of par for mortgages purchased under its special assistance functions. The veto message expressed opposition to this provision, and it does not appear in S. ——. The committee bill contains another provision designed to minimize the depressing effect of FNMA discounts and fees, which provision is discussed subsequently.

FNMA short-term loans: S. 57 would have authorized the Federal National Mortgage Association, under its secondary market operations, to make short-term (12-month) loans to be secured by FHA-insured or VA-guaranteed mortgage loans. The veto message expressed opposition to this provision, and it is not contained in S. ——.

Crediting the cost of local public works: S. 57 contained a provision which would have permitted credit toward satisfying a locality's share of the cost of an urban renewal project, as a noncash grant-in-aid, of eligible local public works started within 5 years prior to execution of the loan-and-grant contract for the urban renewal project. Since, under existing law, such projects can be credited if started after approval of a preliminary plan for the project, which approval can occur as much as 3 years prior to the signing of the loan-and-grant contract, and because the veto message expressed opposition to the provision, the committee decided to make no change in existing law. Therefore, this provision does not appear in S. ——.

Payment of user charges by public housing authorities: S. 57 contained a provision which would have permitted a local public housing authority to pay user charges for governmental services, if such charges are levied against private persons generally. After reconsideration of this subject, and in view of administration opposition, the committee decided that this provision is not necessary. It is not contained in S. ——.

Amendment of public housing contracts: S. 57 contained a provision directing the Public Housing Administration to amend existing contracts upon the request of a local public housing authority, if such amendments would bring the contracts into conformity with changes made in law subsequent to execution of the contracts. Since existing law permits the Public Housing Administration to extend the provisions of any new laws to outstanding contracts, and in view of administration opposition, this provision appeared to be unnecessary. It is not contained in S. ——.

Study of housing needs of migratory farm workers: S. 57 contained a provision directing the Administrator of the Housing and Home Finance Agency to study the housing needs of migratory farmworkers. Since this is a problem primarily related to Federal activities in the field of agriculture, the committee decided to delete this provision and it is not contained in S. ——.

MODIFICATIONS

Extension of programs: S. 57 contained provisions extending the FHA property improvement program until September 30, 1960, extending the FHA military housing program until September 30, 1960, and extending the voluntary home mortgage credit program until July 31, 1961. The committee reconsidered these matters and determined to extend all three programs until October 1, 1961 (secs. 101, 701(a), and 807).

FHA insurance authorization: S. 57 contained provisions which would have increased the general mortgage insurance authorization of the Federal Housing Administration by $5 billion upon enactment, and by $5 billion on July 1, 1959. Under these provisions, any portion of the first $5 billion increment which was unused on June 30, 1959, would not have been added to the revolving fund. Since S. 57 was not enacted by July 1, 1959, these provisions are not appropriate. S. —— increases the general insurance authorization by $12 billion upon enactment. Any portion of this $12 billion which is unused by October 1, 1961, will lapse.

S. —— also contains a provision which prohibits the Federal Housing Commissioner from exceeding the general mortgage insurance authorization by the use of any procedures which would extend the contingent liability of the Federal Government beyond the amount specified in law. Thus, the legal ceiling on FHA insurance activity will be strictly limited as provided in law, and insurance contracts and bona fide commitments to insure will be the only acceptable procedures for operating under this limitation (sec. 107).

Maximum insurable loans for relocation housing: S. 57 contained provisions increasing the maximum insurable loans under section 21 of the National Housing Act from $9,000 to $10,000, and from $10,000 to $12,000 in high-cost areas. During hearings on the veto message, administration witnesses pointed out that by retaining the basic limit of $9,000 and by raising the high-cost area limit from $10,000 to $12,000, it would be possible to maintain the low-cost characteristics of the relocation housing program and still permit higher amounts in areas where higher amounts are necessary. Consequently, S. —— retains the basic limitation of $9,000 and increases the high-cost area ceiling from $10,000 to $12,000. Thus, the maximum amount permitted could vary between $9,000 and $12,000 depending upon cost factors in a particular area (sec. 110).

Fees and charges under FNMA special assistance functions: S. 57 contained a provision limiting fees and charges under its special asisstance programs to a maximum of 1 percent of the principal amount of the mortgage, and providing further that the amount collected at the time of commitment could not exceed one-quarter of 1 percent. Upon reconsideration of this subject the committee accepted an administration proposal which gives the Association discretion in fixing fees and charges under its special assistance functions (sec. 303).

FNMA special assistance for cooperative housing mortgages: S. 57 contained a provision increasing by $37.5 million the Federal National Mortgage Association fund for purchasing, on a special assistance basis, mortgages insured under section 213 of the National Housing Act. This increased amount would have provided $25 million for consumer cooperatives and $12.5 million for builder-sponsor cooperatives. Because of opposition expressed in the veto message and in spite of needs testified to in the hearings, the committee reconsidered this provision, and S. —— increases this special assistance fund by only $25 million, equally divided between consumer cooperatives and builder-sponsor cooperatives (sec. 304).

Early acquisition of property in urban renewal areas: S. 57 contained a provision which would have permitted a local public agency to acquire and clear property prior to the signing of a loan and grant contract with the Federal Government. This action would have been permitted only if sanctioned by local law and in the understanding that the land could not be disposed of until the urban renewal plan was finally approved. S. —— contains a modified version of this provision, which modifications

were made to clarify local responsibility for repaying loans made to finance such early acquisition and to clarify language relating to disposition of the property so acquired (sec. 403).

Urban renewal capital grant authorization: S. 57 contained a provision increasing the urban renewal capital grant authorization by $500 million on July 1, 1959, and by $400 million on July 1, 1960—a total of $900 million. The veto message characterized this amount as "excessive." Hearings on the veto message revealed that applications totaling $320 million were on hand at the end of July and that another $230 million in applications are ready for submission. This $550 million in applications has developed in spite of discouraging circumstances since funds were exhausted last fall.

In view of objections raised in the veto message and in recognition of the current backlog of applications, S. —— provides that the urban renewal authorization shall be increased by $650 million upon enactment. Of this $650 million, $100 million is to be used at the discretion of the President to satisfy the needs of cities with a population of 100,000 or less, if such needs would not be served otherwise. The additional amount for allocation to cities with a population of 100,000 or less is provided in response to the unwarranted charge in the veto message that smaller cities would be harmed by provisions of the bill (sec. 405(1)).

Priority for approval of urban renewal applications: S. 57 contained a provision directing the Urban Renewal Commissioner to process applications on a first-come, first-served basis. S. —— modifies this provision to give discretion to the Administrator to consider relative need and feasibility in approving such applications in the order of their receipt.

The committee intends that the general rule for approving applications will be on a first-come, first-served basis. The committee does not intend the language in S. —— to be construed to authorize "fragmentation" of well-planned projects in an attempt to "ration" available authorization. Furthermore, since urban renewal projects have been significantly delayed by a shortage of Federal funds beginning in the fall of 1958, the committee intends that this new authorization shall be made available as rapidly as contracts can be executed—quarterly allotment procedures of the Bureau of the Budget notwithstanding (sec. 405(3)).

Public housing projects in urban renewal areas: S. 57 contained a provision to facilitate the construction of low-rent public housing in urban renewal areas. S. —— modifies this provision to provide that the Public Housing Administration when purchasing land for development of a low-rent housing project shall pay a price equal to the fair value of the site for the most likely alternative use (sec. 411).

Public housing rent ceilings for displaced families: S. 57 would have eliminated application, to displaced families, of a provision of existing law which requires a 20-percent gap between the upper rental limits for admission to low-rent housing and the lowest rents at which private enterprise is providing a substatnial supply of decent, safe, and sanitary housing. The purpose of this provision was to give preferential treatment to families displaced from their homes by governmental action. Under existing law, requiring a 20-percent gap, some of the displaced families whose incomes would call for rents within the gap would not be eligible for public housing and, at the same time, could not afford to pay the rents being charged for decent private housing. Upon reconsideration the committee decided that reduction of the gap requirement from 20 percent to 5 percent, for displaced families, would be preferable to complete elimination of the 20-percent requirement. S. —— so provides (sec. 503).

Public housing authorization: S. 57 contained a provision specifically granting contract authority for approximately 10,000 units to be available until July 1, 1961, and 35,000 units to be available until June 30, 1963. S. 57 also granted the President discretion to authorize additional units up to the limit contained in the Housing Act of 1949, which discretion could not be exercised until July 1, 1960, and which discretion could not be used to contract for more than 35,000 units in any one year.

Although the veto message objected to this provision of S. 57, testimony by administration witnesses developed information that applications for approximately 57,000 units are now on hand and that attrition will reduce this number by about 19,000 units. Thus, applications now on hand represent an effective demand for approximately 38,000 units.

In view of opposition in the veto message, in recognition of applications now on hand, and in spite of needs which would not be served, S. —— rewrites this provision and grants contract authority for only 37,000 units of public housing to be available upon enactment and until used. The bill also provides that any units, under contract from prior authorizations, which are recaptured by the Public Housing Administration, may be reallocated to satisfy applicants. In this event any units so reallocated will be charged against the 37,000-unit authorization aforementioned (sec. 505).

College housing loan authorization: S. 57 contained a provision increasing the college housing loan fund by $300 million, which included $37.5 million for "other educational facilities" and $37.5 million for student-nurse and intern housing. The veto message objected to this provision under a heading which characterized S. 57 as "extravagant" and "unnecessary." The representative of the overwhelming majority of all colleges and universities in the country testified that this $300 million authorization "is an absolute minimum."

In view of the veto message and in spite of the need for a larger authorization, S. —— reduces these amounts to $250 million, $25 million, and $25 million, respectively (sec. 601).

College classrooms and educational buildings: S. 57 provided for a new loan program to assist colleges and universities in constructing or rehabilitating classrooms, laboratories, and related facilities, including equipment and utilities. As originally passed by the Senate, the new loan fund would have been $125 million. In an effort to meet administration opposition, the fund was reduced to $62.5 million by the conference committee. In view of opposition in the veto message, and in spite of testimony that the "$62.5 million finally approved by the Congress * * * is clearly an absolute minimum," S. —— reduces the fund to $50 million (sec. 602).

Sale of housing project: S. 57 contained general language authorizing the Commissioner of the Public Housing Administration to modify the terms of any contract under which he had sold a housing project to a cooperative. S. —— modifies this provision to restrict its application to the contract by which the Southmore Mutual Housing Corp. purchased a housing project from the Public Housing Administration (sec. 809).

Planning scholarships and fellowships: S. 57 contained a provision authorizing appropriation of $300,000 for a 3-year period, which funds were to be used by the Housing and Home Finance Agency to provide scholarships and fellowships for the graduate training of professional city planners and housing technicians and specialists. S. —— retains this provision but reduces the authorization to $250,000 (sec. 810).

Mr. BUSH. Mr. President, I refer to the sections of the committee print of the proposed report which appear on pages 3 through 7, under the heading "Differences Between S. 57 and S. ——", the new draft, with subheading entitled "Deletions," and "Modifications."

The subcommittee made these changes in the bill after the administration had made substantial concessions to the viewpoint of the majority. In the new bill, S. 2378, which I offered, with the cosponsorship of the distinguished Senator from Utah [Mr. BENNETT] and the minority leader, the distinguished Senator from Illinois [Mr. DIRKSEN], many provisions represented concessions to the majority's positions.

For example, the President has felt strongly—and I share his views—that States and local communities should share equally with the Federal Government in the net cost of urban renewal projects. Yet, in a spirit of honest compromise, my bill, S. 2378, omitted the President's proposal that the Federal Government's share of the cost be gradually reduced from the present two-thirds to one-half, with corresponding increases in the State or local share.

State participation is an important principle because I am convinced that urban renewal faces an uncertain, and, indeed, a bleak future if States do not take a greater interest in the welfare of their communities. However, I reluctantly compromised on this point because of my desire that this session of Congress enact a sound, adequate housing bill.

On the other side, the Subcommittee on Housing has recognized the validity of the President's criticism of the first-come, first-served provisions of the urban renewal title of the bill. The President criticized these provisions as discriminatory and unfair because a few large cities, by making early applications, could gobble up a lion's share of the funds made available for urban renewal.

I must frankly admit that the language of the veto message was unfortunate in that it referred to all the funds made available under the urban renewal program when, in fact, existing applications for Federal capital grants would not be affected by the rigid, first-come, first-served provisions of the bill to which the President objected.

What the President had in mind, I believe, was the undisputable fact that after these applications, made by 134 cities and totaling $272 million, had been filled, all the remaining urban renewal funds authorized in S. 57—some $628 million—would have been subject to capture by a few large cities.

The validity of the President's criticism, when interpreted in this light, was acknowledged by the subcommittee.

It modified the language of the first-come, first-served provisions in accordance with the amendments proposed in my bill, S. 2378, which was endorsed by the administration in that respect, so that the Urban Renewal Administrator, in acting upon applications, could consider questions of need and feasibility of projects as well as the order in which applications are filed.

The subcommittee went further: In recommending $650 million for urban renewal, it proposed that $100 million be reserved to the President so that he could protect the smaller cities against the danger that the large cities could monopolize all the remaining available funds.

I shall not burden the RECORD, or detain the Senate, with an elaborate defense of the veto message.

In my view, the President was entitled to his opinions on S. 57; he expressed his opinions clearly and forcefully in his message. In so doing he fulfilled his plain duty to inform the American people of his reasons for withholding his signature from the bill; and he was right to have done so.

To those who may feel resentful because of the language of the veto message, and to those who may be moved by partisan feelings arising from a Republican President's disagreements with a Democratic majority in control of both Houses of Congress, I make this appeal:

Do not in emotion, or in anger, or for sake of fancied partisan gain endanger the enactment of any meaningful housing legislation in the present session by voting to override the veto.

For we are fighting time at this stage of the session. A housing bill already has been too long delayed. Each additional day of delay further imperils the chances for a good, sound, reasonable housing program which will represent a reconciliation of the opposing viewpoints which have been expressed.

THE PRESIDENT WANTS A GOOD HOUSING PROGRAM

President Eisenhower has been represented as threatening a veto of the bill as modified by the Subcommittee on Housing.

I know of no basis for such representations. The President sponsors a good housing program. He has demanded one.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. BUSH. I yield.

Mr. JAVITS. Does the Senator know of any basis for the statement that the President will sign such a compromise bill as is now before the subcommittee? In other words, if the Senator does not have any basis for saying that the President will veto such a bill, does the Senator have any basis for saying that the President will sign it?

Mr. BUSH. I do not.

Mr. JAVITS. I thank the Senator from Connecticut.

Mr. BUSH. It is true that the administration has objections to certain provisions of the subcommittee's proposed bill. I believe those objections should have been considered by the full Committee on Banking and Currency, in discussion of amendments which I and others in the minority were prepared to offer.

Instead, the President has been confronted with a take-it-or-leave-it demand on the part of a bare majority of the full committee.

Because of rumors that the bill would be vetoed by the President if it remained in the form recommended by the subcommittee—rumors which, to my knowledge, have no basis in fact—a bare majority of the full committee has recommended that S. 57 be readopted by the Senate in spite of the grave danger this would create for enactment of any reasonably adequate housing bill in the present session. This is no way to legislate.

I submit that President Eisenhower and the Republican Party are affirmatively for a good housing program—a program which will provide adequate funds for slum clearance and urban renewal; a program which will continue the present program for housing for the elderly, which is beginning to move into high gear, and which would be improved by amendments the President has proposed; a program which would continue the present college housing program until new ways of aid to higher education, now stalled in the Committee on Labor and Public Welfare, can be tried; and a program which would provide adequate authorizations for the Federal Housing Administration to continue the mortgage insurance program, which has been of such great help to the homebuilders of America and to the millions of American families who want to own their own homes.

The administration, as I have said, does object to certain provisions of the bill recommended by the Subcommittee on Housing.

The President objects to financing housing programs by the so-called backdoor method of authorizing direct borrowings from the Treasury, instead of the normal process of authorizing appropriations.

He objects to the inclusion in the bill of two completely new programs—one for direct loans for housing for the elderly; and one for direct loans for college classrooms, laboratories, and other nonhousing facilities.

He objects to provisions which would give a relatively few cities substantial windfalls, by permitting land purchases by colleges for campus expansion to be credited as part of the local contribution to an urban renewal project, even if such purchases were made 5 years before the project was approved.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The 15 minutes the Senator from Connecticut has allotted to himself have expired.

Mr. BUSH. Mr. President, I yield myself an additional 3 minutes.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for an additional 3 minutes.

Mr. BUSH. Mr. President, there are other objections of a more technical nature. I shall not burden the Senate by going into detail in regard to them; but the foregoing items are those which I regard as of the most serious concern from the standpoint of essential principles at stake.

The main point I wish to make is that the President's objections to the subcommittee's proposed bill are not frivolous, nor are they submitted in any spirit of obstruction. They do raise valid points of basic policy which deserve serious consideration by the full Committee on Banking and Currency and by the Senate.

Instead, a bare majority of the committee has recommended to the Senate that President Eisenhower be forced to submit at the point of a gun; that we present him with a threat of legislative blackmail; that we say to him, "take Senate bill 57—or nothing."

I submit that President Eisenhower does not deserve such cavalier treatment. The President of the United States, whether he be a Republican or a Democrat, is a part of the legislative process.

The Constitution imposes upon him the duty to withhold his signature from bills which he considers unwise from the standpoint of the general welfare. He and the Vice President are the only Federal officers elected to represent the people of all the United States, not merely the people of a single State or a congressional district. Thus, he speaks for all the people.

The Constitution gives us, the Senate, and the House of Representatives the power to override a Presidential veto by a two-thirds vote of both Houses.

This power should not be exercised lightly, or irresponsibly, or in a spirit of anger.

Instead, a decision to override a veto should be made only after a President's objections to proposed legislation have been given full and careful consideration, in an atmosphere of calm and sober judgment, with political partisanship kept at a minimum.

This, I submit, was not the case in yesterday's decision by a bare majority of the Committee on Banking and Currency. No opportunity was given to explain the President's reservations concerning certain provisions of the bill proposed by the Subcommittee on Housing. In an emotion-charged atmosphere, an ill-considered recommendation to override the veto was made by 8 members of the 15-man committee.

For all these reasons, I urge the Senate to reject the majority's recommendations, and, by its vote, to instruct the Committee on Banking and Currency to report to the floor a bill which will provide for the Nation's essential housing needs—a bill which will incorporate the many concessions to the majority's viewpoint which already have been made by the administration, and a bill which will represent a reasonable accommodation to the opinions expressed by the President of the United States.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a memorandum entitled "Points in the Housing Veto Message Challenged in Hearings of the Senate Subcommittee on Housing, Thursday, July 23, 1959." The memorandum includes criticisms by Members of the Senate, on the one hand, and facts stated in answer to those criticisms, on the other.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

POINTS IN THE HOUSING VETO MESSAGE CHALLENGED IN HEARINGS OF THE SENATE SUBCOMMITTEE ON HOUSING, THURSDAY, JULY 23, 1959

Criticism by the committee: (1) Amounts spent for public housing annual contributions should not have been included in the $2.2 billion estimate of spending authorized by S. 57.

Facts: The veto message sought to give a full statement of costs. The contributions in question are paid to cities over a 40-year period and can only be estimated at this time, but they were conservatively estimated on the basis of 10 years' experience. Although appropriations would have to be made for these contributions, the Federal Government would have had no alternative but to appropriate the money in accordance with the commitments authorized in S. 57.

Criticism by the committee: (2) The veto message compares the full 2-year ($900 million) urban renewal program of S. 57 with 2 years ($600 million) of the administration's 6-year program. It was maintained that the message should have included the full 6-year program proposed by the administration.

Facts: Only 2 years of the administration's program was included in order to make it comparable wtih the 2-year program provided for by S. 57.

Criticism by the committee: Lending authorizations should not have been counted as spending authorizations in estimating the cost of S. 57.

Facts: Lending operations involve budgetary expenditures, like any other disbursement, and are properly included to give a full account of cost.

Criticism by the committee: The veto message was incorrect in stating that "much of the spending it (S. 57) authorizes is unnecessary."

Facts: The message stated that, to the extent that spending authorized by S. 57 would merely displace private financing, it was unnecessary. This would be true particularly in the case of the direct loan program for housing for elderly persons. The FNMA par purchase requirement of S. 57 would also invite public financing where private funds would otherwise suffice.

Criticism by the committee: (5) The veto message was wrong in characterizing the $900 million authorization of urban renewal grants in S. 57 as "excessive."

Facts: The Housing and Home Finance Agency believes it would be difficult to make prudent use of $900 million in a 2-year period. Approximately $1.3 billion of urban renewal grant funds has been reserved for specific cities since the program started in 1949, but almost $500 million of this sum is for projects still in the planning stage.

In any case, additional authorizations of $900 million are excessive in view of all other demands on the Federal budget at this time.

Criticism by the committee: (6) The veto message did not correctly represent the status of the public housing programs in stating: "Even though we have over 100,000 previously authorized public housing units as yet unbuilt, the bill would authorize 190,000 more."

Facts: 242,000 units have been built under the Housing Act of 1949. Commitments for annual contributions contracts have been entered into for another 101,000. These have not as yet been built. At present, there are applications for about 57,000 units on hand, though only 30,000 to 35,000 of these are regarded as active.

S. 57 would have authorized 10,000 units of carry-over and an additional 35,000 units. Beyond that, it would have authorized the President, at his discretion, to make commitments for an estimated 145,000 additional units. No account was taken of the "discretionary" units in estimating the cost of S. 57. If these had been included, the cost of the bill would have been raised to more than $5 billion.

Criticism by the committee: (7) The veto message was wrong in stating that "the way the bill is written a few large cities, by making early application, could tie up all the funds available under the urban renewal program."

Facts: Although it is true, as pointed out in the hearings, that not more than 12½ percent of the funds could go to cities in any one State, the fact remains that a few large cities could tie up the bulk, if not all, of the funds. Even though this provision of S. 57 would require the processing of the present backlog of applications first, this only means that the full effect of the discriminatory features would not be felt at once.

No attempt was made in the hearings by the committee members to defend this provision of S. 57.

Criticism by the committee: (8) It was maintained that the veto message was misleading in its reference to the fact that cash contributions by local authorities have met only 14 percent of project costs.

Facts: The reference to 14 percent is a correct factual statement and was not challenged as such. The administration called attention to this point to show that the 5-year retroactive feature of S. 57 would reduce cash contributions which are already low.

Criticism by the committee: (9) In a prepared statement read at the start of the hearing, Senator PROXMIRE maintained that there was an urgent need for the proposed new program of direct loans for housing for elderly persons. The veto message questioned the need for this program. No opportunity was given at the time to answer Senator PROXMIRE's statement.

Facts: The Housing and Home Finance Agency finds that the largest part of the need for elderly housing lies in the field covered by the proposed new nursing home program. Surveys indicate that 88 percent of the elderly are satisfied with their present quarters.

Criticism by the committee: (10) An effort was made in the hearings to establish that the administration was willing to accept "back door financing" in its housing programs, and that this was inconsistent with its opposition to such financing in other connections.

Facts: Although it is true that the administration's recommendations of last spring would have continued certain existing programs on a back door financing basis, it did not recommend any new programs on this basis and now opposes such financing even for existing programs in view of the increasing need for tighter budgetary controls.

The new housing bill introduced by Senator BUSH (S. 2378) contains no back door financing provisions.

Mr. BUSH. Mr. President, I yield back the remainder of the time available to me.

At this time I yield 15 minutes to the distinguished Senator from New York [Mr. JAVITS].

The PRESIDING OFFICER. The Senator from New York is recognized for 15 minutes.

Mr. JAVITS. Mr. President, I rise to state my views in regard to the veto message.

I am not especially happy about what I have to state, Mr. President, but it must be stated. The people of the country sent the Members of the Senate here to do their duty, not just to do the easy things.

Mr. President, after deep thought, I have decided that I must vote to override the President's veto of the housing bill. That is a serious decision for a Republican Senator to make, and therefore I owe both to the Senate and to my constituents an explanation of the reasons why I shall vote to override the veto.

I do not believe I need to express here my loyalty and my affection and my admiration for the President of the United States, Dwight D. Eisenhower. I was one of those who advocated his candidacy and his election many years before he, himself, took that position; and I hope to have the opportunity again to express my loyalty to him and my affection and my admiration for him.

Incidentally, Mr. President, I did my utmost to avoid the need to meet this challenge. I voted yesterday, as a member of the committee, against reporting the bill back to the Senate, with a recommendation that the bill pass, the objections of the President of the United States to the contrary notwithstanding, inasmuch as I felt that we should get on with the business of writing another housing bill.

I hope that if the present attempt to override the President's veto fails, we shall proceed immediately, tomorrow morning, to write another housing bill.

But, Mr. President, the issue now before the Senate must be faced by all Members of the Senate. Senators cannot now take a vacation; they must vote either yea or nay on the question of whether the bill shall pass over the President's veto. On that question, I shall vote to override the veto.

Mr. President, the fundamental reason for my decision to vote that the bill shall pass, the objections of the President to the contrary notwithstanding, is that I do not see in the President's message a promise of his approval of a bill which I believe is the kind of bill which is essential to meeting the housing needs of the people of the Nation. Therefore, if by my vote—whatever may be the outcome of the vote in the Senate on this issue—I can indicate my deep conviction that it is essential that a reasonable provision, even a modest provision, but at least some provision, for public housing be included in the bill, and that the Congress must do something real in regard to urban renewal, housing for the elderly, and all the other housing problems which assail the American people, but which the President does not cover in his message, then I must cast my vote in favor of the passage of the bill, to override the President's veto, because I owe that to my State and to the almost 17 million people whom I represent.

The President has told us exactly what he thought should be included in a housing bill. In his veto message he made six specifications.

He said legislation along these lines is what is needed for housing. Those specifications are:

First. Increasing the insurance authority of the Federal Housing Administration. Everybody agrees to that.

Second. Extending the program for insurance of property improvement loans. Everybody agrees to that.

Third. Extending the program for insurance of Capehart military housing. Everybody agrees to that.

Fourth. Extending the voluntary home mortgage credit program—essentially a farm program. Everybody agrees to that.

Fifth. Authorizations for urban renewal grants should be replenished, but the local share of the costs should be increased—and I do not believe they

should be—and the college housing program in the budget message should be enacted. That is $200 million. I do not think that is adequate.

Sixth. The statutory interest rate ceilings governing mortgages insured under the Federal Housing Administration's regular rental housing and cooperative housing programs should be raised.

Mr. President, I am very unhappy about that, but I will go along with it if I have to.

Public housing is not mentioned at all and a number of other items included in the bill are not mentioned.

Mr. President, I would much rather vote to sustain the President's veto. It would be much happier for me to do so.

I have sought some assurance that there would be some expansion of these specifications. I have been unable to get them. Therefore, I must indicate by my vote that I want a better housing bill than that which is indicated in the message, and that is the reason for how my vote will be cast.

Mr. President, the needs of my State for housing legislation are very great. They are probably the greatest of those of any State. It is the common supposition that urban renewal is the need only of great cities like New York, Chicago, and Philadelphia. In my State there are 28 cities engaged in urban renewal programs. They range in population from less than 10,000 to that of 8 million, which is the population of New York City. The program in Buffalo, for example, is absolutely critical to a continuance of the effective urban development of that city.

Mr. President, I ask unanimous consent that a list of those communities may be printed in the RECORD at this point as a part of my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

NEW YORK STATE COMMUNITIES IN URBAN RENEWAL PROGRAM

Albany, Binghamton, Buffalo, Catskill, Glen Cove, Greenburgh, Hastings-on-Hudson, Huntington, Ithaca, Long Beach, Middletown, Newburgh, New Rochelle, New York, Niagara Falls, North Tarrytown, Nyack, Peekskill, Port Chester, Poughkeepsie, Rochester, Rockville Centre, Rome, Schenectady, Syracuse, Tarrytown, Utica, and Yonkers. Total, 28.

Mr. JAVITS. Mr. President, in any housing bill, a provision for public housing represents a modest measure of social justice. This administration has always been for some modest amount of public housing. As a matter of fact, in New York City public housing represents roughly 10 percent of new construction. When there is taken into consideration construction that gets any kind of public aid, such as title I or State loans and tax exemptions, it represents about 10 percent of all existing housing.

I would say that public housing is indispensable to a balanced housing program. We have figures which show that one-third of the families of New York City cannot afford to pay the upper bracket for even public housing, which is $17 a room. So, as an essential measure of social justice, a housing bill should contain a modicum of public housing.

We are asking for the tremendous number of 45,000 units. That figure must be compared with 35,000 per year, which has become a sort of pattern for some years past. I do not see any reason why, when we can afford $40 billion for defense, we cannot afford a modest amount for public housing.

Mr. President, it is not inapposite to state that one of the most dramatic and revealing statements made before the Committee on Banking and Currency was a recorded speech of Robert Taft, one of the fathers of public housing in this body, expressing his belief that whatever might be the given circumstances at a given time, we owe it to ourselves and the people of the United States to have some modicum of public housing in any housing program we have, if it is to be really balanced.

Mr. President, urban renewal exercises a tremendous influence in private investment and private development, as well as in public investment and public development. It fructifies at the rate of 5 to 1. For example, the Federal, State, and city governments have put about $143 million into the first 13 urban renewal projects in New York—of this $95 million was in Federal funds—and private enterprise has put $457 million into the same projects. When we consider the projects as they are now, in execution, planning, and construction, we find over $1 billion in urban renewal projects invested in New York by private enterprise.

Mr. President, many persons argue that housing legislation is inflationary, and therefore we should not have a bill except of the most minimum character at this time. It seems to me if that assertion were logical, they should say what my colleague the Senator from Utah [Mr. BENNETT] has said—that there should not be any bill at all; that there should not be any inflationary impact at all. Obviously, such a stand flies in the face of the realities and the humanities, and thus they do not say that, but they say it is inflationary.

Mr. President, I am a businessman. I have been in business all my life, as well as having been in the profession of law. I have spent less than all my life in the legislature. I cannot understand how we ever determine that something is inflationary, when it adds one of the most tangible, effective, producing assets to the total wealth of the country. Is it less inflationary to have those bricks and clay in the ground, and the labor power in the backs of men who are not using it, than to have it in the homes which have to be furnished, lived in, and which give satisfaction to human beings?

Mr. President, when Vice President NIXON came back to this country from the Soviet Union, what did he see there as one of the major defects in the system of the Soviet Union? He pointed to the lack of adequate housing, and the fact that the Government did not do much about it. The leaders preferred to have guns to that kind of necessities for their people. I do not want us to make the same kind of mistake. We have to beat them, and beat them decisively. One of the ways to beat the Soviets is to show that we have more solicitude for our people than they do.

Mr. President, I know that a great many people argue—and I can understand their argument—that this is a kind of Democratic Party proposal, a bit of emotional excitement. They say that the Democrats have decided they cannot get any assurance as to what kind of bill the President will sign, so they are going to bring up this veto message and at least be able to cast their votes of resentment on the record; and, if they lose, as they probably will, they will go back to writing a bill.

Mr. President, I cannot indulge in these flights of fancy or emotion, nor can the American people, in my opinion. I cannot engage in all the permutations of mind and flights of imagination which will tell me what the House of Representatives will do, what the Senate will do, what the Banking and Currency Committee will do, or what the President will do. I would probably be a much better politician if I could do so. The fact is, I cannot. I have to face every issue as it arises before me. I think S. 57 was a reasonable effort—at a time when we must face the fact that inflation is a threat—to try to cut a housing bill to the cloth of economic facts. I think, too, it was eminently reasonable in that regard. Believing it to be eminently reasonable, whatever the reasons for bringing the matter up at this time, whether emotions, politics, or anything else, I feel it is my duty to vote my convictions. That is why my constituents sent me here. That is why, so long as I remain here, I shall seek to render them the service to which they are entitled.

Mr. President, let the people who talk about the housing bill being inflationary, and who assert that it is essentially a bill for the benefit of people in urban communities, examine the farm program, which costs billions and billions of dollars in subsidies, which get us nothing more but more surpluses and frustrations, before they talk about the housing program being inflationary. We do not see those people saying that the billions which go into price supports for agricultural crops are inflationary. Yet housing costs but a fraction, a tittle, of the cost for price supports.

It is said that $40 billion for war and the preparation for war is absolutely necessary; but, still, we are living, and if we can do it, and I believe we can, we should do something about living, too.

The big pork barrel bill for rivers and harbors and a great many other public works provides for expenditures of over $1 billion for only 1 year—facilities which many communities could build themselves. Yet those who benefit from such expenditures are not telling us how inflationary they are.

Mr. President, I believe in simple and common justice to the American people. They deserve a housing bill. I do not know whether they will get one. All I know is that I have the opportunity to cast my vote to give them one today, and I intend to do so.

Mr. President, I yield back the balance of my time.

Mr. DOUGLAS. Mr. President, I yield myself 20 minutes.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The Senator from Illinois is recognized for 20 minutes.

Mr. DOUGLAS. Mr. President, I support the recommendation of the Committee on Banking and Currency to approve S. 57 over the President's veto.

I believe the Senate should override the veto for two compelling reasons. First, S. 57 is a compromise bill which cannot logically or conscientiously be compromised any further. Second, this veto message misrepresents the facts about existing and proposed housing programs to the point where it tends to corrupt the legislative process which brings them into being. In support of these two propositions, I shall discuss the three titles of S. 57 which are the prime targets of the veto message: "Title IV—Urban renewal; title V—Low-rent housing; and title II—Housing for the elderly."

URBAN RENEWAL

The slum clearance and urban renewal program was started a decade ago by the Housing Act of 1949 with an initial authorization of $500 million, to which was added another $500 million in 1955, and $350 million in 1957—a total of $1.35 billion over the 10-year period. The entire authorization is now reserved for eventual disbursement to some 650 projects in nearly 400 localities in more than 40 States. S. 57 provides for an additional $900 million to become available by July 1, 1960, to meet a need of more than $1 billion for new projects ready to go, according to the testimony of the American Municipal Association, the U.S. Conference of Mayors, and the professional experts who work in the program.

The original Senate bill provided for $2.1 billion over a 6-year period in recognition of the fact that slum clearance and urban renewal require considerable lead-time to insure sound planning and orderly administration. The original House bill provided for $1.5 billion over a 3-year period. As a conferee on these two bills, I felt that the $1.5 billion figure was a reasonable minimum to deal with the steady year-to-year growth of urban blight. I think it is obvious that the $900 million urban renewal authorization in S. 57 is a bare minimum if we are to even keep up with the added blight over the next 2 years. The HHFA Administrator was aware of this need when he said at the hearings on the veto message—and I quote from page 139:

> The need, the demand, the wish for urban renewal far exceeds, as we all know, any immediate figure that even S. 57 or any of the programs has set.

Yet the veto message speaks not of the need, the demand, the wish for urban renewal. It categorically labels the authorization as "excessive." Now, it may be that the authors of the message felt they had chosen the correct label, in view of the fact that the policy of the administration apparently is to shift the burden to the localities—which they cannot bear—as many years of hearings and hundreds of witnesses have proved beyond any reasonable doubt.

But the message does not stop there. It goes on to indulge in a shockingly irresponsible distortion of fact and reality. It asserts that a few large cities—the Housing Administrator at the hearing said eight large cities—could tie up all the funds available under the urban renewal program. This is simply not a true statement, as pointed out so forthrightly at the hearings by the ranking minority member of the committee, the distinguished senior Senator from Indiana [Mr. CAPEHART].

I wish to pay tribute to the Senator from Indiana [Mr. CAPEHART] for the integrity which he has shown in the discussion of this whole affair.

Mr. President, what are the facts? The facts are that under the existing law, on the books since 1949 and not changed by S. 57, the principle of setting a State limitation high enough to take care of the more populous States has not been detrimental to smaller cities. The reality—which is misrepresented and distorted by the veto message—is that, of the 386 localities in the program as of December 31, 1958, nearly half had populations of under 25,000; 103 projects were located in 91 towns of under 10,000 population; 119 projects were in 96 localities in the 10,000 to 25,000 class, and so on.

This distortion of fact and reality in the veto message is, I regret to say, an unconscionable attempt to provoke the smaller cities. The veto message raised for the first time this specter of the large cities grabbing the entire authorization. The message is simply not accurate in terms of the experience since 1949, in terms of the distribution of cities, with applications currently on file classified by size, nor is there any likelihood that there will be any different size pattern in the future.

The veto message contains other distortions of the facts and realities of urban renewal. These were exposed in the hearings and are reviewed in the excellent statement by the chairman of the Housing Subcommittee, the distinguished and able junior Senator from Alabama [Mr. SPARKMAN].

PUBLIC HOUSING

Title V of the bill authorizes an addition 45,000 units of public housing upon enactment and gives the President the discretionary power to complete the 1949 act authorization—which involves another 100,000 units—at a rate of not more than 35,000 units in any one year. As a conferee on the original Senate and House bills, I was opposed to giving the administration this discretionary power on the ground that the administration has stifled the program and appears intent of killing it off entirely. I do not believe in putting foxes in charge of the protection and care of chiselers. The Housing Administrator did say at the hearings that he needs "a year's breather" to study the program. Another witness characterized this position as follows:

> In essence, the Administrator has proposed that the fire hoses be turned off while the house is burning so that the fireman can retire to a study room to find out whether there really is a fire.

The veto message contains an especially misleading assertion when it implies that "over 100,000 previously authorized public housing units as yet unbuilt" are somehow available to meet existing needs when the Housing Administration knows perfectly well that the contracts have been let, the construction is underway, and these units are not available for new applications. These needs currently amount to applications for 58,000 units, for which there is no authorization. In addition to this immediate measurable need, there is a growing need resulting from urban renewal and highway construction which are displacing an increasing number of families—at least half of whom have incomes so low that they can qualify for admission to public housing units. We need at least 50,000 housing units a year for this purpose alone.

Mr. President, we have had a public housing program for 22 years. It has been an indispensable part of our housing policy and programing. Despite intense controversy about the program, it is time, I believe, that we should candidly admit that neither private enterprise nor government has come up with a workable alternative to the existing method of providing decent shelter for our low-income families. And we should also meet squarely our moral obligation to continue this 22-year-old program until there is such an alternative and as long as there is a demonstrable need for it, as there is right now.

HOUSING FOR THE ELDERLY

Mr. President, possibly the most baldly inaccurate sentence in the veto message is this:

> A new program of direct Federal lending is authorized for housing for elderly persons when needs in this area can be adequately met by private funds invested under the protection of Federal insurance.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield.

Mr. PROXMIRE. Does the Senator from Illinois recall, in hearings at which Mr. Mason and his assistants testified before the committee, that I asked Mr. Mason about this particular question?

Mr. DOUGLAS. I do.

Mr. PROXMIRE. I asked him whether or not it was proved that the elderly people in this country needed additional housing.

Mr. DOUGLAS. I remember that question very well.

Mr. PROXMIRE. Is it not true that when I asked the question he referred to a study which had been made in Battle Creek, Mich., his own study? Did he not say that as a result of that study it was found that 12 percent of the elderly people over 65 years of age said they needed additional housing?

Mr. DOUGLAS. That is true.

Mr. PROXMIRE. If we accept the position taken by the President's own spokesman, that 12 percent of the more than 15 million people over 65 needed additional housing, that means that there are 1,800,000 old people in America who need public housing, on the basis of the President's spokeman's own analysis?

Mr. DOUGLAS. That is true; and I do not believe Battle Creek would present an exaggerated situation. It is a medium-sized city, and a relatively prosperous city.

Mr. PROXMIRE. Let me ask one further question in connection with this same issue.

As I understand, the position of the administration is that the FHA program provides, if not an adequate answer, something close to an adequate answer. The Administrator was questioned about the rents on FHA projects. The lowest amount he could cite to the committee was $48 a month. The statistics which we had pointed out that the median, the average, or the middle income for the 3,400,000 people over 65 living alone was $980. This would mean that if they paid $48 a month, 60 percent of their entire income would go for rent. What would they have left for food?

Mr. DOUGLAS. They would not have anything. Roughly, $48 out of every $80 a month would have to go for rent. That would mean that the elderly people in need of housing would not be adequately sheltered. In many cases there would be starvation. It is not called starvation among the elderly. It is called malnutrition.

Mr. PROXMIRE. On the basis of the administration's own figures and analysis, it seems that the need is very clearly brought out; and, as the Senator from Illinois says so eloquently in his text, which I have before me, there is no question whatever that the statement by the President of the United States to which the Senator from Illinois has referred is baldly inaccurate.

Mr. DOUGLAS. That is true.

Mr. PROXMIRE. I thank the Senator.

Mr. DOUGLAS. I thank the Senator from Wisconsin.

I also thank the senior Senator from Michigan [Mr. MCNAMARA], who testified on this subject and who showed, I believe, pretty clearly the needs for a program to provide better shelter for our senior citizens, especially for the elderly people who are in the lower half of the income scale.

Mr. PROXMIRE. Mr. President, will the Senator yield for one further observation?

Mr. DOUGLAS. I am happy to yield.

Mr. PROXMIRE. It seems to me that this project is an absolutely essential part of the housing program.

Mr. DOUGLAS. I agree.

Mr. PROXMIRE. Anyone with a heart in him, anyone with any humanitarian instincts whatever, must recognize that there is a desperate need among our old people for housing.

Mr. DOUGLAS. That is correct.

Mr. PROXMIRE. No housing bill that is worthy of that name in 1959 should be without provision for housing for the elderly.

Mr. DOUGLAS. I agree.

Mr. PROXMIRE. I serve notice that if the administration thinks the junior Senator from Wisconsin will quietly or gently accept a bill which does not have provision for housing for the elderly, it is sadly mistaken.

Mr. DOUGLAS. I strongly urge every Senator who has not already done so to read the analyses presented at the hearings by the junior Senator from Wisconsin [Mr. PROXMIRE], a member of our committee, and by the senior Senator from Michigan [Mr. MCNAMARA], who serves as chairman of the Subcommittee on Problems of the Aged and Aging, of the Labor and Public Welfare Committee. Their testimony brings out clearly the need to proceed immediately with a program to assist in providing better shelter for our senior citizens, especially for the elderly who are in the lower half of the income scale.

The elderly housing provisions of S. 57 may very well turn out to be a landmark in the history of housing legislation of which we can all be proud. They are the result of many years of study and thought under the leadership of our subcommittee chairman, Senator SPARKMAN, who pioneered in the field some years ago. At first, an FHA insurance program was started as an experiment; it has proved it can serve the needs of elderly persons at the upper half of the income scale, and this part of the elderly housing program is improved and strengthened in S. 57. The second step taken was to make it a little easier for elderly people at the bottom of the income scale to be admitted to public housing projects; this has also proved a worthwhile step, and S. 57 recognizes this by adding to the public housing law the policy objective of providing low-rent housing for the elderly. The third step was to extend FHA insurance coverage to nursing homes, under appropriate safeguards.

The fourth step, which originated in the House, was to develop a program to assist the elderly who have too little income for FHA-insured homes, and too much to qualify for public housing. The new program adopts a financing technique copied from the college housing loan program. The elderly housing program would be available to nonprofit borrowers such as churches and unions. Despite the fears expressed by the administration at various stages in the legislative development of this new program, it is readily apparent to virtually all observers that it would not supplant the FHA insurance program, but would supplement it.

Mr. President, the three programs I have just briefly described have certain things in common. They are all in the public sector, which means they depend for sustenance on Federal loans and grants, and consequently are attacked by the veto message as unwarranted spending programs. Yet the fact is that the impact on the fiscal 1960 budget would be $8 million in loans and nothing in grants for urban renewal; $5 million in loan advances and nothing in grants for public housing; and $2.5 million in loans for elderly persons housing. This is a total of $15.5 million in loans for all three programs in 1960, and nothing in grants. These figures come as a surprise to many people, but the explanation is not difficult to understand. All of them require long leadtimes between authorization and final disbursement—perhaps 3 to 10 years in the case of the $900 million authorized for urban renewal by S. 57; 40 years or more for public housing, for it takes that long to retire the bonds, and 2 to 5 years for elderly housing, since it is a new program and will be slow getting started.

To smear these programs as excessive and extravagant spending programs is to toy with fact and reality. To smear urban renewal, for example, as inflationary when in fact it could be anti-inflationary in the sense that it is a wealth-producing program and contributes to a reduction of local expenditures for city services in blighted areas is to confuse the issue of combating inflation. Even the Chairman of the Federal Reserve Board, Mr. Martin, who testified at the hearings and who is often cited by the administration for his fears about inflation, would not go along with the tone of the veto message, save for an observation that public expenditures at certain times could have an adverse "psychological" effect. Moreover, he said he was not even consulted on the veto message.

In fact, the question of who drafted the message is the mystery of the year. The Housing Administrator passed the buck up the line for the language of the draft. The Bureau of the Budget witness at the hearings passed the buck down for the factual materials, passed it up for the language and style, and sideways to the Federal Reserve Board on the inflation issue, although, as I have just pointed out, the Federal Reserve washed its hands of the whole thing. In any event, it is easy for well-paid speechwriters and administrative bureaucrats living in comfortable homes in Northwest Washington and ensconced in air-conditioned offices in historic surroundings to write caustic messages condemning any effort to clear the slums, rehouse the poor, and help to take care of the aged. But the slums are one of the two greatest blots upon America. They are bad from the standpoint of health, character, and morals and they are aesthetically ugly and indeed hideous as well. We talk a great deal about juvenile delinquency or why kids go wrong. The slums probably help to make more juvenile delinquents than any other force. In order to give the rising generation a decent chance and to redeem our cities, both large and small, from the blight which has been infecting them for so long, we need the minimum program of S. 57. Nothing less will do.

The PRESIDING OFFICER. The 20 minutes the Senator allotted himself has expired.

Mr. DOUGLAS. I yield myself 5 minutes more.

The PRESIDING OFFICER. The Senator may continue.

THE VETO MESSAGE TENDS TO CORRUPT THE LEGISLATIVE PROCESS

Mr. DOUGLAS. Mr. President, the veto message raises a profound issue which should be dealt with by the Senate on a bipartisan basis. It is an issue which need not depend upon how one views the substantive policy question—whether one is for or against urban renewal, for or against public housing, for or against housing for the elderly. These substantive policy questions are issues

about which we have frequent disagreements and debates, and undoubtedly we shall have them in the future. But during our debates we hold one another to rather high standards in how we deal with fact and reality. We expect each of us to base the major portion of our arguments on fact and on a logical interpretation of reality. I believe we conduct ourselves in this manner because we realize that it is a prime duty of a public official to express himself accurately, to handle the language within bounds of reason and plausibility, to regard the public documents we produce as instruments of public education for the present day and for many years to come.

This veto message represents the exercise of Executive power by which the Executive is an integral part of the legislative process. It therefore gives us a close-up view, within the framework of a specific set of policy issues, of the Exective standard as compared with our own.

Mr. President, I submit in what I feel is a nonpartisan spirit that the veto message misrepresents fact and reality about existing housing programs to the point that it tends to corrupt the legislative process and the whole area of public discussion of which it is now a part. I do not believe we should let it pass into history as a public document without protest by the legislative branch. And in my opinion the only way we can prevent this from happening is to pass S. 57. For that is the legislative expression of the reality which the veto message, in my opinion, distorts beyond recognition.

Finally, if we should permit this veto message to stand, we shall be inviting a kind of administrative nihilism, which will be suckled on the success of such deviations from sound standards of public performance. And in the long run, the inevitable result will be the subordination of the legislature to the Executive. Not content with administering the laws, the President and his advisers seem determined to legislate as well. And their guiding motive seems to be—little or nothing for the poor, the weak, the elderly, the students. As we spend billions to reconstruct countries abroad, we must also face up to our responsibilities at home.

Mr. President, for the reasons I have given, I urge that the Senate pass S. 57 notwithstanding the disapproval of the Executive.

Mr. MORSE. Will the Senator yield?

Mr. DOUGLAS. I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I was deeply impressed with the statements made by the Senator from Illinois [Mr. DOUGLAS] and the Senator from Pennsylvania [Mr. CLARK]. It would be difficult for any of us to improve upon the remarks of either Senator. I would like to have the RECORD show that I associate myself completely with their arguments.

In view of the limitation of time, the senior Senator from Oregon will not make a speech that he had prepared for delivery in the Senate today in opposition to the President's veto of S. 57.

Mr. President, I ask unanimous consent that my statement on this topic be printed at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WAYNE MORSE

In recommending to the Senate that the President's veto of S. 57 be overridden, I think the Senate Banking and Currency Committee made a sound and courageous decision. The majority who made the recommendation deserve the thanks of the American people, and I hope they will be upheld by this body.

Their recommendation was a sound one because it followed where the facts led.

Few Presidential messages have contained so many misleading and inaccurate statements and conclusions, and these have been described here already at some length. On point after point, the hearings of the Banking and Currency Committee destroy the case of the President's veto message.

Let me mention one example which is of particular interest to me. It is the part of S. 57 which continues and expands the college housing program. When I was a member of the Banking and Currency Committee, and of its housing subcommittee, I participated in the establishment of the college housing program. It has been an enormous success, both from the standpoint of the institutions and their students, and of the U.S. Treasury, which has yet to lose money on these loans.

As a cosponsor of S. 57, I was happy to see the college housing section enlarged by an increase in the loan authority, and an extension of it to classroom and library facilities. But when S. 57 reached the Senate floor, I was advised by committee members that the $400 million college loan program might well be more than was needed, and I therefore proposed an amendment to reduce it to $300 million, so that the administration might not have any objection to our bill on the ground that the college loan program was excessive. This change was joined in by several other Senators, and was approved.

Yet in his message, the President calls for a further reduction, back to $200 million.

John Hannah, president of Michigan State College, testified on the college housing section for the American Association of Land-Grant Colleges and State Universities, the American Council on Education, and three other academic organizations. He called the $300 million figure an absolute minimum, and went on to say, "The figure of $200 million proposed by the administration to meet the needs of both fiscal 1959 and fiscal 1960 would not be enough to cover even the $213 million in approved and pending loan applications received up to June 30, the end of fiscal 1959. The very real need for college housing is demonstrated by the fact that applications in the amount of more than $31 million were received in the month of June alone. In view of this demand, the colleges and universities view with grave concern the recommendation of the President that this vital program be terminated at the end of fiscal 1960.

"In testimony earlier this year we supported also the inauguration of a new program of loans for academic facilities—classrooms, laboratories, libraries—patterned after the successful college housing loan program. The figure we proposed was $250 million. The $62.5 million finally approved by the Congress, which is only one-fourth of our recommendation, is clearly an absolute minimum."

Mr. Hannah's statement begins on page 368 of the hearings.

I have already heard from one of the two colleges in Oregon which has had an application for a loan approved and for which a contingent reservation has been made. But I have also heard from another college in my State, a denominational one, which had intended to make application for a college housing loan but has not done so because of the doubt cast over the entire program by this veto.

As a matter of fact, all three of these Oregon schools are small, private colleges. Judging from the list of applications with contingent reservations of funds which is found on pages 388–389 of the hearings, I would say that it is the small institutions which are making the greatest use of this program.

It is simply incredible to me that the President could urge Congress to cripple and then kill this program, which has meant so much to our small, nonpublic educational institutions.

Much the same can be said of the public housing, housing for the elderly, and urban renewal provisions of S. 57 and the President's objections to them.

I also call attention to the statement of Carl T. Mitnick, president of the National Association of Home Builders. He says of the general housing picture: "Frankly, our view of the relatively near future is not as optimistic as I should like to make it. There are strong indications that the increasing tightness in the money markets may well have a seriously depressing effect on housing production next spring. Despite the action of the Congress in increasing the maximum GI interest rate to 5¼ percent, the level of mortgage discounts today is adding seriously to both the costs and difficulties of producing and marketing houses at prices within the means of the mass market.

"I do not claim to be a monetary expert, but the best advice and information I can get give me no real basis for hope that this situation will improve in the foreseeable future. Quite to the contrary, it looks once again as though the situation will worsen before it improves. This is not the first time in recent years that we in the homebuilding industry have been caught in the money squeeze."

In their discussion of the FHA loan provisions and FNMA lending functions, Mr. Mitnick, and his associates from the National Association of Home Builders demolished, in my opinion, the President's objection to S. 57 on the ground that it was inflationary and would supplant private credit with Federal spending.

Most important, the recommendation of our Banking and Currency Committee that the veto be overridden is a courageous one. By following it, I believe the Senate will fulfill its rightful function to follow where the facts lead and to pass legislation we know is needed for the public interest. To reject it is to follow a course of expediency, a course which is dictated not by what is right, but by what someone else in our Government thinks and what someone else favors.

I think the 86th Congress has sometimes been guided too much by the latter consideration, rather than the former. How often have Members of the Senate been appealed to with arguments that a bill should not be reported out of committee because the Senate won't pass it; or, the Senate shouldn't waste time with a measure because the House won't pass it; or, even if Congress passes it, the President will veto it?

I say that the Senate is responsible for what the Senate does; it is not responsible for what the Members of the other body, or another branch of Government do. We must answer to our constituents for our own actions and our own failures to act.

The whole system of checks and balances in the legislative process falls to pieces when the Congress, or one House of Congress, takes the position that nothing should be acted upon until everyone who passes upon it is in agreement. Why have a two-House legislature and a Presidential veto power at all in our Constiuttion, if everyone must agree on everything before action is taken?

We have heard too much of the notion that success is the only standard of legislative excellence. To be on the losing side in a vote has come to be regarded as a greater evil than being on the wrong side. A party platform or an election promise is rendered meaningless by this notion.

Moreover, how many winning causes actually come that way? How many times in the history of this Congress has it taken years and years of defeat before a piece of legislation in the public interest has finally become a winning cause?

It may well be that two-thirds of the Senate cannot be mustered to override this veto. It also may be that even if the Senate does override, the House will not.

Be that as it may, this Senator will never go home to his constituents and say, "Well, I promised I would try to get this housing bill through, but it didn't seem to have much chance, so I didn't even try."

I know this bill, S. 57, to be in the public interest. It has been cut down in every area to the bare minimum, as statement after statement in the hearings indicate. I also think the American people will let us know eventually that they want a decent and adequate housing program. They may wait and let us know at the polls instead of writing about it, but it is not an issue that can be ducked with the excuse that the President wouldn't go along.

The Senate, in my opinion, now has the obligation to follow where the facts lead, and uphold the recommendation of our Banking and Currency Committee by voting to enact S. 57 over the President's veto.

Mr. DOUGLAS. I thank the Senator. I yield 3 minutes to the Senator from Alaska.

Mr. GRUENING. Mr. President, I likewise desire to associate myself completely with the eloquent, persuasive, and forthright statement which the Senator from Illinois has given to this body. Not only has he a record of great understanding and sympathy for public needs in which housing and slum clearance are clearly important, but above all he is an economist and no one is better qualified than he to reject and to repudiate the utterly misleading statements in the President's message, that this modest housing bill the Senate passed is inflationary and extravagant. It is nothing of the kind. Indeed it is anti-inflationary and prudent in its provisions.

So, Mr. President, I rise to speak briefly in support of the recommendation of the Senate Committee on Banking and Currency that the President's veto of S. 57 be overridden.

As one of the cosponsors of the bill as it was originally introduced, it was my feeling that as it was passed finally by both houses it proposed a modest housing program designed to meet the Nation's minimum housing needs. As such it represented a capital inmprovement investment in the economic future of the country.

Mr. President, we are endeavoring to exercise a leadership role in world affairs. That role we have not sought—it has been thrust upon us by the course of history's events because of our wealth, our strength, and our ideals.

And one of our ideals is respect for the dignity of the individual. We cannot—we should not—stand idly by while large segments of our population are in dire want of adequate and decent housing, while our senior citizens have grossly unmet housing needs, while so many of our urban areas are sorely in need of renewal of blighted sections.

The issue on this recommendation to override the President's veto is essentially simple.

In the exercise of our legislative judgment—in the fulfillment of our duty—the Congress passed a housing bill and sent it to the President for his concurrence or disapproval.

In the exercise of his Executive judgment—in the fulfillment of his duty—the President disagreed with the overwhelming majorities of both Houses of the Congress and vetoed the bill.

The PRESIDING OFFICER. Does the Senator from Illinois yield additional time to the Senator from Alaska?

Mr. DOUGLAS. I yield an additional 2 minutes to the Senator from Alaska.

Mr. GRUENING. Mr. President, this action on the part of the Chief Executive poses no insoluable problem. It was a situation clearly foreseen by the Founding Fathers when they established a governmental system consisting of three branches of government, each, in its own sphere, equal and coordinate. They foresaw an issue such as we have before us today where there would be disagreement on the type of legislation to be enacted and provided a means of overriding a Presidential veto.

The issue, therefore, is whether we disagree with the President and his advisers and believe, as legislators, that S. 57—watered down as it has been in an attempt in advance to meet the President's wishes, is good legislation—good for the Nation and the people.

It seems to me that in this legislative process we must not overlook our own responsibilities to enact good, sound legislation. If the Founding Fathers had intended that the Congress should bow to every whim of the Executive—should enact legislation which meets the specifications prescribed by the Executive down to the last crossed "t" and dotted "i", then they would have made no provision for overriding the President's veto—indeed they might not have made provision for a Congress functioning as an entity distinct from the executive branch.

The Founding Fathers placed certain duties and responsibilities upon us as legislators. We must arrive at a judgment independent of the Executive as to whether S. 57 is legislation which should be placed on the statute books. Under the Constitution, the final determination in the enactment of legislation has been vested clearly in the Congress.

In the exercise of that judgment, I, for my part, will vote to override the President's veto because in my legislative judgment, and in the exercise of the responsibilities placed upon me by my assumption of my present position, Senate bill 57 is sorely needed by the Nation. It is needed not only today—it is needed in order to build a secure and healthy economy for the future strength of America.

Mr. DOUGLAS. I yield 2 minutes to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, I congratulate the distinguished Senator from Illinois [Mr. DOUGLAS] on his clear exposition of the position of the Senate majority and of those of us who cosponsored and supported the Housing Act of 1959.

Mr. President, I think the speech of the distinguished Senator from Illinois is a notable message for a number of reasons, including the need for the housing program and the need for the assertion of legislative prerogative—no less. Congress is a coordinate branch of the Government. If Congress continues to sit supinely by and take orders from the Executive every time the Executive happens to disagree with the Congress on a bill, the historical power position of Congress will have been lost, and we will become a rubberstamp Congress, bowing to the whims of the Executive.

I call attention to the fact that independent authors of texts on the U.S. Government now being published in the United States, are already pointing to the decline in legislative power which has been taking place over the course of the past few years. No one has robbed Congress of that power, no one has reached out and seized it from the Congress, it has been eroded away, and we abdicate it when we fail to assert our duty.

I congratulate the Senator from Illinois in putting his finger clearly on the difference of opinion and approach on governmental questions between the executive branch and the legislative branch. If there be any difference, it is this: The legislative branch, during the past 3 or 4 years, has been asserting some rights on behalf of the people of the country: The need for housing, for increases in social security benefits, increases in the meager old-age pensions, and, above all, improvement in support for public health, and aid to education. The administration has shown utter obliviousness to the need for improved public housing, for education improvements and benefits, and increased support for the public health. Every advance which has been made in these fields in the past 4 or 5 years has been made by the Democratic Party through its majorities in Congress.

One other point: For the first time, the housing bill contains a provision for loans for college classrooms. I recently read an editorial in a newspaper which said that this bill provided gifts to colleges. That is not correct. The bill provides for loans only, but loans for critically needed college dormitories and college classrooms.

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mr. DOUGLAS. I yield an additional 2 minutes to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, the original bill provided a modest $300 million for college dormitories and $150 million for college classrooms. That amount has been whittled away and whittled away, notwithstanding the fact that college administrators tell us that the potential college enrollment in 1965 will be double the enrollment for 1955, simply because the sons and daughters of the veterans of World War II will then be old enough to go to college. We are

not beginning to provide sufficient dormitories for them; neither are the classrooms being provided for educating this coming generation.

The bill provides a modest start to lend money at interest to those colleges. The President says that is inflationary and would substitute public for private financing. I know of no private money market anxious to lend money for college dormitories and classrooms. The reason is unsound, and it tends to deny the youth of today an opportunity to attend college.

Dr. Teller, who is given credit for inventing the H-bomb, has said that unless we step up our educational effort, that by 1969 Russia will be ahead of us in science. When Admiral Rickover returned from his visit to Russia with the Vice President, he said he was frightened, not by Russia's present implements of war, but by the Russia's educational system and advancement.

I join with the distinguished Senator from Illinois in asking the Senate to vote to override the veto, not for the purpose of turning the President down, not to be against the President, but to be for the people of the United States. This is a bill for the people of the United States; a vote to override the veto is a vote for the educational advancement of the American people. A vote to override the veto is not a negative vote against somebody; it is an affirmative vote for the people of the United States. A vote to override the veto is a vote of faith in a growing country and a growing economy.

Mr. GRUENING. Mr. President, will the Senator from Illinois yield a half minute to me, so that I may propound a question to the Senator from Texas?

Mr. DOUGLAS. I yield 30 seconds to the Senator from Alaska.

Mr. GRUENING. The distinguished Senator from Texas made the point that the difference of opinion illustrated the diversion between the point of view of the legislative branch and that of the executive branch. Does not the Senator also think it illustrates the profound difference which separates the philosophy of the Democratic Party from that of the Republican Party?

Mr. YARBOROUGH. I appreciate the Senator's question. The bill does show the profound philosophical differences between the philosophy of the Democratic Party and that of the Republican Party. If there be a real difference—and there is a real difference—this is it. There is this difference between the parties. The Democratic Party is for the people first, it is for housing, education, public health; the Republican Party is for money first, and the people last.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, the time for the quorum call not to be charged to either side.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

Mr. DOUGLAS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, I yield 35 minutes to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, the junior Senator from Alabama and the senior Senator from Illinois have so effectively destroyed the arguments set forth in the President's veto message of the Housing Act of 1959 (S. 57) that I shall deal only in passing with that document. I associate myself completely with their statements.

As the Senator from Alabama has well said, it is an intemperate and misleading message, replete with half-truths and incorrect statements, quite unworthy of the President of the United States, who signed it.

Every Senator will recognize that the President did not write this message himself, and diligent inquiry by the Commission has failed to reveal a single Presidential adviser who is willing to acknowledge paternity, in whole or in part, of the veto message.

Perhaps we should draw the veil of charity over this ugly and obviously illegitimate orphan, regretting that it has become a part of the State papers of an essentially honorable and decent gentleman—a gentleman who, had he been told the truth, the whole truth, and nothing but the truth about the bill he has disapproved, would certainly never have affixed his signature to a document so unworthy of those high standards of integrity and character he has always set for himself.

I turn rather to the substantive provisions of Senate bill 57, which a majority of the Committee on Banking and Currency are now asking the Senate to reenact by a two-thirds vote despite the President's veto. These substantive provisions are conveniently classified in the bill in eight titles. I shall discuss the first six of them briefly, pointing out what the Senate felt was desirable in each instance when S. 57 first passed this body last February by a vote of 60 to 28, then pointing out the extent to which these desirable provisions were curtailed, added to or changed in the conference report which the Senate approved in July by a vote of 56 to 31, and finally pointing out the bleak prospects which confront American families in all income categories unless the Presidential veto is overridden.

The eight titles are: First, FHA insurance programs; second, housing for the elderly; third, Federal National Mortgage Association; fourth, urban renewal; fifth, low-rent public housing sixth, college housing; seventh, armed services housing; and eighth, miscellaneous provisions.

The last two titles are of relatively minor importance so far as the question of overriding the veto is concerned.

TITLE I—FHA INSURANCE PROGRAMS TITLE III—FEDERAL NATIONAL MORTGAGE ASSOCIATION

It is convenient to consider these two titles together because they supplement each other in providing credit and a ready mortgage market for financing the construction of homes of various categories for middle- and upper-class income groups. Because millions of American families do not have the available capital to purchase a home by making the downpayment required by a conventional mortgagee, the purchasers of approximately one-fourth of the new private housing being built today utilize FHA insurance of mortgages and are helped, directly or indirectly, in obtaining a market for these mortgages through the activities of FNMA.

The bill passed by the Senate last February contained useful provisions extending the home improvement loan program of FHA, providing increases in mortgage ceilings for one-, two-, and three-family homes, and needed increases in the maximum insurable mortgage amount for low-cost housing in outlying areas. Also included were: a new program of FHA mortgage insurance designed to provide housing for the more affluent elderly, needed liberalization of the regular rental housing program which has been lagging, and an increase in maximum interest rates on FHA-insured mortgages, meeting, in part, the administration's request in this regard. Useful changes were made in the requirements for FHA loans on cooperative housing. The general mortgage insurance authorization was increased to permit the program to pick up all valid and available mortgages for which insurance was requested. There were useful and liberal provisions to encourage the construction of private housing badly needed in urban renewal areas, and equally important changes to make section 221 of the National Housing Act dealing with relocation housing more attractive to private builders. Downpayments were decreased in certain categories and the term of the mortgage increased to lower the monthly payments required of the purchaser of the home. Finally, there was a provision intended to assure that a deserving homeowner would not lose his home because of temporary unemployment. This latter provision, which was designed to avoid unnecessary foreclosures, gave the FHA Commissioner discretionary authority to include unpaid interest in the debentures issued to the mortgagee in case of default and subsequent foreclosure, and would also authorize the Commissioner on a discretionary basis in hardship cases to acquire the mortgage in return for the debentures. Similar authority has been present and useful in the GI loan program since its inception.

Complementary provisions were included with respect to FNMA increasing the limits of the amount of the loan which that corporation could purchase under its secondary market operations and under the special assistance function. Purchases at par under FNMA's special assistance functions were permitted to continue and increased latitude given to FNMA to invest funds that are temporarily in excess of current operating needs.

A number of these provisions were either reduced or eliminated in S. 57 as a result of the conference between the two

Houses. On the other hand, the Senate conferees agreed to increase the special assistance grants for cooperative housing and to accept a new program of housing for the elderly which appeared in the House bill.

In his veto message, the President specifically objected to both of these new programs, as well as to many of the liberalized FHA and FNMA provisions, particularly those dealing with lower downpayments and longer maturities discussed above.

In view of the President's comments the outlook is indeed bleak for all of these useful programs unless the veto can be overridden. It is true that in his message the President requested legislation which would remove all limits on FHA insurance authority and would extend the FHA program for insurance of home improvement loans. However, this is a far cry from the comprehensive provisions discussed above; and the attitude of the FHA witnesses at the hearings held before the Housing Subcommittee during the last week in July gave little ground for hoping that the President would approve any of these desirable measures in any bill which the Congress might subsequently pass if the effort to override the veto should fail.

So far as the dilemma of the homebuilders is concerned, it seems pertinent to paraphrase the statement of Mr. Carl T. Mitnick, president of the National Association of Home Builders, before the subcommittee. He expressed concern lest private housing starts which were running at a seasonally adjusted annual rate of 1,360,000 through the first 6 months of 1959 would shortly fall off in volume. He pointed out that even this volume came nowhere near increasing the production of new housing to a level commensurate with the needs of today's American economy. New starts at the annual rate of 2 million are required to make an appreciable dent in the present backlog of unsafe or unsanitary housing in which millions of American families presently live. Mr. Mitnick stated that there were strong indications that the increasing tightness in the money market created by the monetary policies of the Treasury and the Federal Reserve Board would have a seriously depressing effect on housing production next year. He noted that similar tight-money policies in 1955 foreshadowed, and indeed contributed to, a major economic break in 1957. He praised the Emergency Housing Act of 1958, passed under the leadership of the junior Senator from Alabama and reluctantly signed by the President, as one of the finest things that ever happened to our economy. He pointed out that our home building volume in absolute numbers stands only where it was in 1950, while our population and family formation have increased enormously.

Mr. Mitnick noted that—

> So long as we continue to produce housing at levels no higher than we now enjoy, we must face two cold, blunt facts. We are barely meeting the minimum demands for new housing created by family formation and increased population in our cities. We are doing absolutely nothing to forestall a further deterioration in our existing stock of houses.

He expressed his strong conviction, which a majority of the subcommittee shares, that the building industry should not be discriminated against—

> That we should, rather, be placed in a position where in times of shortage we can compete on a basis of equality with other sectors of the American economy. * * * It seems inconceivable to me that the manipulation of housing as a counter-cyclical device is a sound national policy.

I, for one, agree with Mr. Mitnick.

TITLE II—HOUSING FOR THE ELDERLY

I am confident that no Senator could read the testimony recently given to the subcommittee by the junior Senator from Wisconsin [Mr. PROXMIRE] and the senior Senator from Michigan [Mr. MCNAMARA] without becoming convinced that the President was quite wrong when he said in his veto message:

> A new program of direct Federal lending is authorized for housing for elderly persons when needs in this area can be adequately met by private funds invested under the protection of Federal insurance.

As the Senator from Wisconsin told the subcommittee:

> In this single sentence, the President manifests a staggering lack of knowledge and understanding about (1) the housing needs of elderly persons, and (2) the ability of the private market, even with FHA insurance, to meet these needs.

The Senator from Wisconsin discussed the well-known data, available to all, with respect to the number of Americans 65 years of age and over who now make up 9 percent of our total population and their available income. Quoting from actual on-the-spot studies, he showed that it would take a monthly income of between $212 and $354 to afford a typical FHA insured elderly housing unit. He concluded that the FHA insurance program is geared to serve only the upper half on the income scale among the elderly, and cannot serve the lower half.

The senior Senator from Michigan [Mr. MCNAMARA] is the chairman of the special Subcommittee on Problems of the Aged and Aging of the Committee on Labor and Public Welfare. I have the privilege of serving as a member of that subcommittee. In his testimony before the housing subcommittee, the senior Senator from Michigan summarized the evidence he had received on problems of the aged, and again in recent months, and stated that this evidence convinced him of the misinformation, the lack of understanding, perhaps lack of sympathy, shown by the President in his veto message. Senator MCNAMARA noted that his subcommittee had learned:

First. That about three-fifths of the older people of America have annual incomes of $1,000 or less.

Second. That the proportion of older Americans' income going to rent or house payments and upkeep is very much larger—in some areas double—the proportion of that of younger renters and owners.

Third. That, while many elderly men and women live in homes they own, a large proportion of these homes are too large and too expensive for them to maintain, and are frequently substandard.

The Senator from Michigan noted that one of the experts in his first hearing commented that a Charles Dickens is needed to describe life in these places. He quoted from testimony given by the Florida Department of Public Welfare, the Evangelical Lutheran Church, Volunteers of America, and the mayor of Berkeley, Calif., all of whom supported his position. He recommended immediate enactment of the minimum program contained in the bill vetoed by the President, and an increase, at the first opportunity, of the authorization for the direct loan program.

Another aspect of housing for the elderly is the provision for aid to nursing homes, called for both by Senate bill 57, as it originally passed the Senate, and by the amendments thereto approved in conference. The Senator from Wisconsin and the Senator from Michigan both pointed out with a wealth of supporting evidence, the need for Federal assistance and Federal standards to bring these nursing homes, to which so many of our elderly citizens must retire, up to minimum standards of safety, sanitation, and care.

Testimony which also was recived indicated the desirability of special recognition for those prepared to build nonprofit housing for the aged.

In the light of this testimony, none of which was controverted successfully by administration witnesses, it seems very clear indeed to me that the provisions of Senate bill 57 for housing for the elderly are a rockbottom minimum. But if the veto is not overridden, what chance is there that the President would accept these provisions in a subsequent bill, in view of his strenuous objection to them in the veto message?

Mr. PROXMIRE. Mr. President, will the Senator from Pennsylvania yield to me?

The PRESIDING OFFICER (Mr. Moss in the chair). Does the Senator from Pennsylvania yield to the Senator from Wisconsin?

Mr. CLARK. I am very happy to yield to my good friend, the Senator from Wisconsin, whom I have had the pleasure of quoting during the course of my remarks.

Mr. PROXMIRE. Mr. President, I congratulate the Senator from Pennsylvania on his fight for this bill, which does contain some provision for housing for the elderly.

I also congratulate him at this time on the great ingenuity he showed in the committee, by calling so dramatically to the attention of the committee the speech which the late Senator Taft made on housing; I refer to the historic speech which Senator Taft made in 1953.

Mr. CLARK. The Senator from Wisconsin will recall that that was one of the last speeches Senator Taft made before his unfortunate death, and that the committee was privileged to hear, at its hearing a recording of that speech, and that in the speech Senator Taft reiterated his views in support of the provisions for public housing and a decent

home for every American, which were parts of the 1949 act.

Mr. PROXMIRE. Yes. That was a dramatic occasion, when we had the opportunity to hear the voice of Senator Taft pleading so effectively and so forcefully for the enactment of a housing program.

I shall never forget the last words in that speech, when Senator Taft said that in providing housing for the elderly, we would make a reexamination of the need, and should work out a program which, he hoped, would insure that the constantly increasing population of our country would have adequate and decent housing, particularly for the low-income families. This is exactly what this housing program attempts to do.

Let me ask the Senator from Pennsylvania whether he agrees that it is true that the heart and soul of the housing-for-the-elderly provisions of this bill is a loan program, not a grant program.

Mr. CLARK. I certainly agree.

Mr. PROXMIRE. Does the Senator from Pennsylvania also agree that it is a loan program based on a relatively long amortization period and a low interest rate?

Mr. CLARK. That is also correct.

Mr. PROXMIRE. The result is that we are not asking the American taxpayers to make a handout or a gift of any kind, but we are simply providing for the making of an investment which will be repaid.

Mr. CLARK. Yes, and it will be one of the soundest investments the American taxpayers could be called upon to make, in my judgment.

Mr. PROXMIRE. We are asking them to make an investment on the basis of the overwhelming evidence, including that brought out in the course of the colloquy between the Senator from Pennsylvania and myself, and emphasized and corroborated by the administration witnesses themselves. That evidence showed the desperate housing need of hundreds of thousand of American citizens over 65 years of age, which they cannot now meet. They will not be able to obtain that housing without this program.

Mr. CLARK. The Senator from Wisconsin is correct.

Mr. McNAMARA. Mr. President, will the Senator from Pennsylvania yield to me?

Mr. CLARK. I am very happy to yield to the senior Senator from Michigan, whom I also have quoted during the course of my remarks.

Mr. McNAMARA. I wish to compliment the Senator from Pennsylvania on his very hard-hitting speech in support of the decision of the committee to vote to override the President's veto of the housing bill.

I agree with the Senator from Pennsylvania; and I refer particularly to his remarks in reference to housing for the aged—those who simply are not in an economic position to provide housing for themselves, as the testimony the Senator from Pennsylvania is presenting here indicates very clearly.

The Senator made reference to the fact that three-fifths of the people of the United States who are 65 years of age or older have incomes of less than 1,000 a year. Is it not a fact that in the veto message, the President said that, despite that fact, this part of the problem should be left to the private builders of the country? That simply is no answer at all. Does the Senator from Pennsylvania not agree?

Mr. CLARK. I could not agree more completely. I think the President's position is completely untenable. I can only conclude that the President does not know the facts.

Mr. McNAMARA. Again I thank the Senator from Pennsylvania for his presentation, particularly in regard to this phase of the problem.

Mr. CLARK. I thank my friend, the Senator from Michigan, for his kind words.

TITLE IV.—URBAN RENEWAL

Mr. President, it is sardonic to think, on this mid-August day in 1959, of the high hopes we had for the enactment of legislation for urban renewal, at the time of the first meetings of the Housing Subcommittee of the Banking and Currency Committee, last January. A bold program, of which one of the principal sponsors in 1949 was the late Senator Robert A. Taft, for the removal of blight from our cities was finally getting off the ground 10 years after it was adopted.

Where, for many years only the larger cities had had the resources and the foresight to plan constructively and intelligently for the removal of their slums, city after city was beginning to go into the urban renewal program. As of that date, nearly 400 cities of America, well over half of them with a population of 50,000 or less, and nearly half of them with a population of 25,000 or less, had filed requests for urban renewal authorizations with the Urban Renewal Administration. It is clear that many another city is on its way to revitalization and rebirth. The American Municipal Association, the U.S. Conference of Mayors, the National Housing Conference, and the National Association of Housing and Revelopment Officials were among the well-informed groups which urged a 10-year program of $600 million a year to keep the slum clearance and urban renewal programs and the fight against blight on the road. Speaking as a former mayor, I have not a shadow of a doubt that they clearly established in their testimony the need for this grant authorization program. With the benefit of the economic studies which have been made available to the Committee on Banking and Currency, I have not a shadow of a doubt that this program, far from bankrupting the Federal Treasury, would have created untold wealth and enormous additional sources of tax revenue for all levels of government. A conservative estimate is that for each dollar of public money invested in urban renewal, $10 of private investment is stimulated, with a resulting increase in the Federal tax revenues which, in short order, more than repays the Treasury for its advances.

We thought, in those hearings earlier this year, we had made a case. But even in those days the fear of a presidential veto was ever present in our minds. The original bill sent to the Senate called for a 6-year program, not of $600 million a year, but of only $350 million. At the last minute, on the Senate floor I was able to persuade my colleagues to accept an amendment which could have increased the annual grant authorization to $500 million a year at the cost of cutting the program from 6 to slightly over 4 years.

On the House side, under the leadership of the gentleman from Alabama [Mr. RAINS], a 3-year program of $500 million annually was agreed upon.

Again, fears of a veto, now proved to have been well grounded, resulted in a majority of the conferees cutting the grant to a mere $900 million for a 2-year period, obviously not enough to meet even immediate and pressing requirements.

And now the President bases his veto, in part at least, on this authorization which he calls "excessive" and "unnecessary."

How the mighty have fallen.

Perhaps the major question confronting the Senate today, as it deals with this veto, is whether it is prepared to turn its back on the cities of America—not just large cities, but middle-sized cities and small ones, too. Is the dream of a decent home for every American family to be sacrificed on the rock of so-called "fiscal soundness"—a fiscal soundnes as wrong-headed, as economically illiterate, and as downright foolish as any policy which has come out of the White House in many a long year?

The public-interest groups say "No." Mayor Daley of Chicago; Mayor Dilworth of Philadelphia; Mayor Enloe of Raleigh; Mayor Kelly of East Orange, N.J.; Governor Lawrence of Pennsylvania, formerly mayor of Pittsburgh; Mayor Sedita of Buffalo; Mayor West of Nashville; Mayor Zeidler of Milwaukee; Mayor Anthony of Altoona, Pa.; Mayor Briggs of South Norfolk, Va.; Governor Brown of California; Mayor Burbank of Warren, Ohio; Mayor Downey of Meridian, Miss.—note that—Mayor Downey, of Meridian, Miss.

Mayor Celebrezze of Cleveland; Mayor Coleman of Woonsocket, R.I.; Mayor Dark of Sylacauga, Ala.; Mayor Evans of Durham, N.C.; the Board of City Commissioners of Fargo, N. Dak.—Note that, the Board of City Commissioners of Fargo, N. Dak.;

Mayor Gibbs of Catlettsburg, Ky.; Mayor Grady of Baltimore; Mayor Gragson of Las Vegas, Nev.; Mayor Hansen of Tacoma, Wash.; Mr. C. A. Harrell, city manager of Cincinnati; Mayor Jacobs of Paducah, Ky.; Mayor Knoop of Little Rock, Ark.—Note that, Mayor Knoop, of Little Rock, Ark.;

Mayor Kurfees of Winston-Salem, N.C.; Mayor Lackey of Hopkinsville, Ky.; Mayor McDevitt of Reading, Pa.; Mayor Maher of Long Branch, N.J.; Mayor Martin of Florence, Ala.; Mayor Mingledorff of Savannah; City Manager Julian H. Orr of Portland, Maine; Mayor Paterson of Port Huron, Mich.; Bruce M. Rockwell, chairman of the Urban Renewal Authority of Denver, Colo., representing Mayor Richard Y. Batterton of Denver; Mayor Sensenbrenner of Columbus, Ohio; Mayor Shebell of As-

bury Park, N.J.; Mayor Sikes of Luverne, Ala.; Mayor Smith of Irvine, Ky.; Mayor Suozzi of Glen Cove, Long Island; Mayor Tedesco of Bridgeport, Conn.; the Tennessee Municipal League through Herbert J. Bingham, its executive secretary; Mayor Truitt of Morganfield, Ky.; Mayor Tucker of St. Louis; Mayor Wagner of New York City; Mayor Waldrop of Parrish, Ala.; the Wisconsin League of Municipalities through Ed Johnson, its executive director—each and every one of these individuals and organizations expressed concern and disappointment at the President's veto. The overwhelming majority of them strongly urged that the Congress override the veto.

When one considers that the President gave as a reason for objecting to the urban renewal provisions in the conference report the possibility that the large cities in the country might usurp all of the authorization contained in the bill, it is rather sardonic to note the very large number of mayors from very small cities who urged the Senate to override the veto.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. CLARK. I yield to my colleague from Wisconsin.

Mr. PROXMIRE. I think the information the Senator from Pennsylvania has just given the Senate is tremendously significant. As the Senator has pointed out, the mayors of not only the larger cities of the country, but a representative group from the smaller cities, and, furthermore, mayors who represent important associations and who can speak for themselves, but who could not be present, overwhelmingly recommended that the Congress override the veto of the President on this issue.

Mr. CLARK. The Senator is correct.

Mr. PROXMIRE. I am sure that if the Senator totaled up the population which is directly represented by those mayors, it would be found they represent a significant, substantial number of all the people of the country.

Mr. CLARK. We would come pretty close to a majority.

Mr. PROXMIRE. I am sure if we were able to get all the mayors of the country to testify, and if they were asked that question—of course, that was impossible, and we had to limit ourselves to a relatively small number—there is no question we would get an overwhelming majority of those who have to cope every day with this tremendously perplexing and difficult housing problem to say to the Congress of the United States, "Yes, override the veto. We need housing legislation."

Mr. CLARK. The Senator is correct.

Mr. PROXMIRE. And they would make that recommendation having full respect for the office and person of the President of the United States.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield to the Senator from Missouri.

Mr. SYMINGTON. First, I congratulate the distinguished Senator from Pennsylvania for his thought-provoking and constructive address on a problem which will affect the lives of so many Americans.

I should like to ask the Senator if he is not somewhat surprised at the hundreds of expressions from many mayors of the country. For example, the mayor of St. Louis, Mr. Tucker, is very conservative, and a former college professor——

Mr. CLARK. He is a grand gentleman, whom I am proud to call a friend.

Mr. SYMINGTON. I know he will be equally proud to hear that. Here is a man with a conservative background, who is very anxious to have this housing bill passed in the interest of the people of his city and State.

I should like to ask the able Senator from Pennsylvania if he does not think it peculiar that, whereas the President has vetoed the bill on the ground that it is poor business, so many men with business backgrounds who have gone into government are in solid support of the bill because they believe it is a good business investment for the people of the country.

Mr. CLARK. Of course, the Senator is quite correct. While we are speaking about conservatives, I may point out that a former Member of the House of Representatives, now mayor of Los Angeles, Mr. Norris Poulson, has completely reversed the position he took on urban renewal since he has left the Congress, and there is an application for a Federal grant for urban renewal for Los Angeles of $3,028,000.

Perhaps the most telling testimony received by the subcommittee came from Mr. Ira S. Robbins, chairman of the National Housing Conference, who, at the conclusion of an eloquent appeal in support of overriding the veto said:

> We urge this committee to recommend that the veto be overridden. If ever an override was necessary to correct a grave error of this executive branch of the Government, it is on S. 57. The Congress itself should seek to expunge the record of this dishonest and immoral veto message which was submitted to the President for his signature. In signing it the President made a great error. We urge this committee to recommend that the veto be overridden.

Mr. President, I ask unanimous consent that there may be printed in the RECORD at this point in my remarks a table entitled "Urban Renewal Program—Title I, Capital Grant Contract Authorization; Applications on Record as of June 30, 1959," furnished by the HHFA.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

URBAN RENEWAL PROGRAM

Title I capital grant contract authorization; applications on record as of June 30, 1959

State and locality:	*Amount requested*
Total 134 localities	$272,192,572
Alabama:	
Florence	86,667
Huntsville	500,000
Sylacauga	479,100
Alaska: Anchorage	255,700
Arizona: Phoenix	2,497,494
Arkansas: Little Rock	4,663,846
California:	
Fresno	$1,936,732
Los Angeles	3,028,000
Pittsburg	368,140
Richmond	346,184
Santa Cruz	266,436
Santa Monica	2,092,333
Vacaville	311,111
Vallejo	700,402
Colorado: Denver	275,251
Connecticut:	
Bridgeport	7,952,500
Bristol	3,190,000
Danbury	262,414
New Britain	398,651
New Haven	1,168,723
Norwich	484,600
Washington	105,731
District of Columbia: Washington	8,000
Florida:	
Gainesville	556,468
Tampa	789,162
Georgia:	
Atlanta	2,365,266
College Park	437,000
Decatur	550,000
Douglas	6,202
Fitzgerald	356,667
Illinois:	
Alton	33,712
Chicago	8,401,275
Galesburg	76,000
Indiana:	
Kingsford Heights	335,196
Michigan City	374,714
Mishawaka	1,802,569
Kansas: Kansas City	843,353
Kentucky:	
Hopkinsville	322,000
Louisville	11,408,587
Maine: Bangor	1,375,792
Maryland: Baltimore	4,045,357
Massachusetts:	
Boston	16,263,283
Chelsea	124,994
Fitchburg	1,808,233
Haverhill	1,108,000
Malden	708,482
Plymouth	967,873
Michigan:	
Detroit	2,022,260
Hamtramck	1,567,911
Hazel Park	405,495
Muskegon	493,122
Plymouth	425,414
Wayne	3,000,000
Ypsilanti	228,973
Mississippi: Cleveland	411,726
Missouri:	
Independence	953,679
Jefferson City	617,522
Joplin	174,747
Kansas City	2,000,000
Kirkwood	297,200
Mexico	514,000
St. Louis	41,659,000
St. Louis County	194,307
Nevada: Reno	108,265
New Jersey:	
East Orange	749,890
Franklin Township	417,883
Glassboro	414,000
Jersey City	330,593
Mount Holly	297,126
Newark	8,312,300
Orange	339,101
Perth Amboy	102,500
Woodbridge	910,774
New York:	
Binghamton	1,132,000
Buffalo	11,216,000
Glen Cove	1,055,313
Huntington	1,020,000
Lewisboro	246,408

Title I capital grant contract authorization; applications on record as of June 30, 1959—Continued

Title I capital grant contract authorization; applications on record as of June 30, 1959—Continued

State and locality:	Amount requested
New York—Continued	
Little Falls	$461,271
Lockport	744,375
Middletown	941,761
Mount Kisco	405,669
Newburgh	866,784
New York	23,641,467
North Tarrytown	31,343
Rockville Centre	319,888
Rome	766,739
Port Chester	112,486
Sloatsburg	335,244
Suffern	360,267
Troy	820,000
Tuckahoe	407,676
White Plains	5,500,000
North Carolina:	
Durham	1,000,000
Greensboro	2,490,000
Greenville	569,000
Laurinburg	200,000
North Dakota:	
Southwest Fargo	97,349
Ohio:	
Akron	1,520,000
Cincinnati	779,000
Cleveland	457,596
Middletown	899,703
Oregon: Coos Bay	270,444
Pennsylvania:	
Altoona	966,507
Carnegie	3,700,000
East Pittsburgh	3,200,000
Homestead	1,065,000
McKeesport	807,776
Philadelphia	10,042,754
Pittsburgh	16,364,523
Pottsville	687,493
Sharon	406,536
Sharpsburg	1,810,000
Tarentum	2,325,000
Turtle Creek	4,750,000
Wilkes-Barre	1,088,400
Tennessee:	
Clinton	251,500
Knoxville	1,600,000
Murfreesboro	399,681
Waverly	25,367
Texas:	
Clute	277,586
Corpus Christi	1,850,839
Stanton	223,376
Waco	1,057,660
Virginia:	
Alexandria	977,066
Hampton	297,666
Portsmouth	97,722
Roanoke	11,616
Washington:	
Seattle	2,000,000
Tacoma	1,007,000
West Virginia:	
Bluefield	668,000
Charleston	1,004,600
Wisconsin:	
Madison	11,700
Milwaukee	951,133
Puerto Rico	122,300

TITLE V. LOW RENT PUBLIC HOUSING

Mr. CLARK. Mr. President, I turn now to title V, low rent public housing.

The Senate bill passed last February authorized the construction of approximately 50,000 units of additional public housing through the medium of providing for 35,000 new units and extending the availability of existing and unused authorizations for 1 year.

Of equal importance were amendments in that bill to the declaration of policy objectives which vested additional responsibility in local housing authorities free from the domination of the Washington bureaucracy, and contemplated the construction of public housing units for large families and for elderly persons. A number of other helpful amendments dealing with income limits and rents, the use of existing dwellings as public housing units, and more equitable provisions for dealing with overincome tenants, were included. An important new provision permitted the acquisition of public housing sites in urban renewal areas without requiring the local community to make the double contribution of tax exemption and one-third of the loss incurred in buying, clearing and disposing of the land. The HHFA Administrator was authorized to treat the local tax contribution as sufficient to satisfy the locality's one-third share of any loss attributable to making available a portion of the urban renewal area for use as a public housing project.

In conference, while many of these salutary provisions were retained, a number were modified or rejected.

Added were helpful provisions permitting the local public housing agency to charge the cost of public services and facilities of a municipality which makes charges therefor separate from real and personal property taxes against the annual contribution contract.

The authorization for additional low-rent housing was changed to call for 35,000 units on July 1, 1959, and not more than 35,000 units on July 1 of each fiscal year thereafter at the option of the President, after consultation with the Council of Economic Advisers, this authorization to terminate in 4 years.

The President, as the junior Senator from Alabama has so ably pointed out, misconstrued these provisions in his veto message, indicating that "even though we have over 100,000 previously authorized housing units as yet unbuilt, the bill would authorize 190,000 more." This misinterpretation of the bill has been so thoroughly exposed through the hearings of the Housing Subcommittee and in the speech of the junior Senator from Alabama that there is no need for me to labor the point further.

A word should be said, however, about the great need for additional public housing authorization. One of the best statements before the subcommittee was made by Mayor Anthony J. Celebrezze, of Cleveland, in his capacity as president of the American Municipal Association. On the question of low income housing, Mayor Celebrezze quoted the 1959 policy statement on housing of that association as follows:

> The 1950 census revealed that there were 10 million substandard nonfarm housing units. President Eisenhower's Advisory Committee on Government Housing Policies and Programs pointed out that local governments with their limited taxing powers are not in a position to provide standard housing for the low- and middle-income groups of our society. Private enterprise has also failed to provide adequate shelter for these same income groups.
>
> Low-income housing is designed to serve a cross section of families having low incomes and living in substandard shelter, not through choice, but because they cannot afford standard housing provided through normal private channels. That basic purpose must be continued, although more emphasis is required on the specialized needs of the large family, the senior citizen, and the fatherless family. Efforts should be made to integrate low-income housing into the normal total community making use of rehabilitated homes as well as new structures. In size and scope it should be adequate not only for these needs but to provide relocation housing for families that are being displaced through urban renewal program activities.
>
> The low-income housing program should be strengthened by (1) restoring the original provisions set forth in the 1949 act, and (2) providing greater local discretion and autonomy in setting rents and income limits and in the general administration of the program.

S. 57 meets these requirements. The President's program does not.

Even Mr. Charles E. Slusser, Commissioner of the Public Housing Administration, and even Mr. Norman F. Mason, Administrator of HHFA, when they appeared before the subcommittee some 2 weeks ago, admitted under cross-examination by the Senator from Alabama [Mr. SPARKMAN] that there were presently pending in the agency office applications which could not be filled for additional public housing for at least 37,000 units.

The hearings also developed that all of the unbuilt units referred to in the President's message had been allocated and were not available to fill the pending applications. It was also made clear that even if some of these units might conceivably be surrendered they would not be available under existing law for transfer to other cities which needed them for relocation purposes because of their urban renewal and highway plans.

Indeed, the hearings in July buttressed and confirmed the conclusion of the subcommittee, arrived at as a result of the hearings in January, to the effect that the additional number of public housing units contained in the vetoed bill are essential to the health, well-being, and growth of America's cities. Without them, it is clear, urban renewal will eventually grind to a halt, because safe and sanitary housing will not be available for thousands of low-income families who will have no place to lay their heads.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The time of the Senator from Pennsylvania has expired.

Mr. CLARK. Mr. President, I ask the Senator from Illinois to yield me 7 additional minutes.

Mr. DOUGLAS. Mr. President, I yield 7 more minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for an additional 7 minutes.

Mr. CLARK. Mr. President, it is equally clear that this program is well within the financial capabilities of the Federal Government. In fact, it can well be said that the United States can ill afford not to make this investment in the wealth of our cities and the social well-being of lower income American families.

TITLE VI. COLLEGE HOUSING

In the bill recommended to the Senate last February provision was made for

continuing the college housing loan fund authorizations, which first appeared in the Housing Act of 1950, by increasing the authorization $400 million, part of which was reserved for housing for student nurses and interns. A new program of direct loans or guaranteed loans for the construction of classrooms, laboratories, libraries, and related facilities was included in the bill with an annual grant authorization of $125 million.

The first of these sums was decreased by the conference bill to $300 million. The second was cut down in conference to $62,500,000.

These programs were recommended in the testimony last winter of witnesses representing the American Council on Education, the Association of American Colleges, the American Association of Land Grant Colleges and State Universities, the Association for Higher Education, the American Medical Association, and the American Hospital Association, all of which have advocated a substantially higher loan authorization than provided for in either bill.

The new academic facilities program is justified by clear and present need to provide aid to institutions of higher learning. During the next 10 years the enrollment in our colleges and universities will increase from about 3 million—which, in itself, is almost three times the number attending college before World War II—to 6 million.

Eighteen billion dollars will be required in the next 10 years to provide adequate facilities for this increased enrollment. It can be stated categorically that the resources available to our higher educational institutions, both public and private, are utterly inadequate to provide for these vitally needed facilities.

Despite these clearly established facts, the President in his veto message criticized the low interest rate called for on the loans and implied that these programs merely displaced private financing and thus led to Federal spending that is entirely unnecessary.

It is sardonic to note that the President himself has recommended a far more expensive program for aid to higher education than that called for by the vetoed bill.

At the recent hearings before the Housing Subcommittee, John A. Hannah, president of Michigan State University, representing most of the educational organizations mentioned above, and President Calvert N. Ellis, of Juniata College, Pa., representing the Association of American Colleges, reconfirmed the testimony given in January. President Hannah's testimony is particularly pertinent, and I read from page 370 of the hearings:

> In testimony earlier this year we supported also the inauguration of a new program of loans for academic facilities—classrooms, laboratories, libraries—patterned after the successful college housing loan program. The figure we proposed was $250 million. The $62.5 million finally approved by the Congress, which is only one-fourth of our recommendations, is clearly an absolute minimum.
>
> In short, we believe that the funds authorized by S. 57 for loans are actually far below what the colleges need for meeting their responsibilities to the able young people of this Nation. We submit that the financing of needed dormitories and academic facilities by Government loans, at the average rate paid by the Government for its borrowed funds, plus one-fourth of 1 percent for administration, is as sound an investment in the welfare and security of our people as the Government can make. As we see it, the charge that a subsidy is involved in this interest rate is not supported by the facts.

The statements filed by Dr. Hannah and Dr. Ellis fully confirmed the conclusions quoted above.

For myself, speaking as a member of the Committee on Labor and Public Welfare, to which the Presidents' educational program has been referred, I can only state my conviction that the President's recommendations are entirely unworkable and unsound and that the program called for in S. 57 is a far better way of dealing with a very serious crisis in American higher education, a crisis which we will continue to ignore at our peril.

If the veto of S. 57 is not overridden, the prospect of obtaining desperately needed aid for our higher educational institutions will be bleak indeed. To be sure, the President has himself recommended a $200 million increase in the program for loans to construct dormitories and eating halls. This sum, however, is far less than the established need, and the President has firmly set his face against a new program for loans for academic facilities—a program, incidentally, which President Hannah and President Ellis testified was more important to the future of higher education than the existing program for facilities for board and lodging. That this conclusion is sound appears from the clearly established fact that a higher percentage of college students each year are living at home. In addition, it must be obvious that the construction of a laboratory or a library is far more important to the future of American education than the building of a dormitory or an eating hall.

CONCLUSION

I suggest that this review of the six important titles of S. 57 establishes, first, the clear need for the proposed legislation; and, next, the high degree of probability that no bill containing most of these needed provisions will receive the approval of the President. Under these circumstances, I submit that the Senate has a clear duty to override the veto.

This duty is all the more apparent when considered in the light of the extravagant and ill-founded assertions in the President's veto message, so clearly exposed by the junior Senator from Alabama and the others who have spoken in this debate.

The Housing Act of 1959 is not extravagant; it authorizes no unnecessary expenditures; its impact on the Federal budget is minimal. Testimony taken by the subcommittee clearly refutes the President's contention that the bill is inflationary. Even Mr. William McChesney Martin, Governor of the Federal Reserve Board, was unable to support the President in this connection. Nor would the bill tend to substitute Federal spending for available private investment. The contention of the President that the bill contains provisions which are discriminatory and unfair was clearly refuted in the testimony recently taken by the subcommittee.

The alternative program recommended by the President would merely make additional credit available for housing for the upper middle income and high income groups of our country. It would do nothing to help those who really need a decent home. The President's recommendations for urban renewal grants are inadequate and unworkable and his recommendation for increasing the statutory interest rate ceilings on mortgages would merely increase unnecessarily the existing cost of homes for American families.

In my judgment, it would be better to pass no housing bill at all than the one recommended by the President.

Since we still have the opportunity to pass this watered-down once-thought-to-be-veto-proof measure, so far from the high hopes we cherished in January—but so very much better than no bill at all—I urge my colleagues to override the President's veto and enact S. 57, the Housing Act of 1959.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks two tables taken from the printed hearings, one showing the public housing backlog, and the other the college housing backlog.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

PUBLIC HOUSING BACKLOG

PUBLIC HOUSING ADMINISTRATION

List of places with outstanding applications for reservations, or with units reserved, but not yet under annual contributions contract

Units in "Under reservation" column relate to projects for which applications were received when authorization to enter into annual contributions contracts had not yet run out. Reservations were granted on a general showing of need for the units, with no requirement that the site be chosen or that plans and specifications be submitted. Units in "Application pending" column relate to applications made after it was clear that existing authorization would not be sufficient to cover the units. Accordingly, there has been no processing of the applications to determine the general need.

State and place	Application pending	Under reservation
Total	18,494	39,097
Alabama:		
Adamsville		115
Anniston		36
Ariton	150	
Ashland		28
Birmingham		750
Blountsville		20
Boaz	150	
Brent	80	
Carbon Hill	50	
Cherokee	60	
Childersburg	80	
Clanton	200	
Collinsville		20
Columbiana	75	
Cordova		40
Demopolis	200	
Detroit	30	
Flomaton	100	
Gadsden		200
Gardendale		62
Geneva		34
Goodwater		18
Graysville		74
Hobson City		20
Kennedy	50	
Kimberly		62

List of places with outstanding applications for reservations, or with units reserved, but not yet under annual contributions contract—Continued

State and place	Application pending	Under reservation
Alabama—Continued		
Leeds	50	
Leighton		30
Lineville	50	
Millry		14
Mobile		2,180
Mulga		230
New Brockton	150	
Newville	150	
Northport	400	
Opp	60	
Ozark	120	
Parrish	25	
Red Bay	40	
Sylacauga	250	
Arizona:		
Maricopa County		150
Tolleson		20
Arkansas:		
Camden		80
Dequeen		28
Dierks		26
Horatio		2
Lewisville		16
Little Rock		72
Lockesburg		10
Mineral Springs		8
Nashville		34
California:		
Atwater		15
Bythe	26	
Calipatria area		25
Eureka		60
Holtville area		50
Imperial area		25
Colorado: Denver		1,500
Connecticut:		
Ansonia		60
East Hartford		50
Groton	500	
New Haven		130
New London		176
Norwich	500	
Putnam		1
Rockville	100	
Stratford		36
Southington		50
Willimantic		50
Delaware: Wilmington		500
Florida:		
Altha	75	
Bristol	150	
Carrabelle	150	
Cottondale		6
Graceville	20	
Jacksonville		1,266
Lauderdale		66
Levy County	350	
Miami		168
Milton	150	
Monticello	150	
New Smyrna Beach	150	
Ocala		98
Pensacola		328
Titusville		54
Wewahitchika	150	
Collins		18
Hernando	100	
Laurel		176
Leakesville	120	
Louin	30	
Meadville	60	
Meridian	60	
Mount Olive		10
Newton		30
Prentiss		16
Tupelo		30
Tylertown	100	
Yazoo		12
Missouri:		
Kansas City		326
St. Charles		2
St. Louis County		110
New Hampshire: Portsmouth		1
New Jersey:		
Asbury Park	50	
Atlantic City		278
Bayonne		4
Burlington		100
Camden		164
Edison Township	40	
Franklin Township		30
Jersey City		82
North Bergen		40
Orange		20
Passaic		46
Paterson		8
Rahway		79
Trenton		10
Union City		45
West New York	200	
New York:		
Buffalo		1,583
Cohoes		130

List of places with outstanding applications for reservations, or with units reserved, but not yet under annual contributions contract—Continued

State and place	Application pending	Under reservation
New York—Continued		
Herkimer	50	
Lackawanna		150
New York City		1,787
Niagara Falls	100	
Rome	180	
Troy		80
North Carolina:		
Apex	100	
Concord		90
Jacksonville		50
Laurinburg		73
Wake Forest	100	
Wayne County		45
Wendell	100	
Zebulon	100	
North Dakota: Williston		16
Ohio:		
Cincinnati		5
Cleveland		2,074
Columbus		648
Dayton		200
Lorain		12
Portsmouth		190
Oregon: Portland		398
Pennsylvania:		
Abington Township		50
Altoona		500
Ambridge		44
Carnegie		90
Connellsville		100
East Pittsburgh		100
East Stroudsburg	56	
Greensburg		100
Jeannette		100
McKees Rocks		14
Nanty Glo		50
New Brighton		2
Philadelphia		2,230
Pittsburgh		748
Portage	200	
Scalp Level Borough	200	
Scranton		100
Sharon		50
Smith Township		60
Stoud Township	44	
Rhode Island:		
Pawtucket		222
Providence		206
South Carolina:		
Bennettsville		65
Charleston		557
Chester	250	
Duncan		10
Winnsboro		68
Tennessee:		
Bolivar	200	
Chattanooga		500
Decaturville	250	
Etowah	100	
Franklin		16
Gallatin		40
Jamestown		40
Knoxville		577
La Follette		50
Lake City		50
Laurenceburg	300	
Lebanon	60	
Livingston	100	
Manchester		40
McMinnville	240	
Morristown	330	
New Tazewell		14
Oneida		25
Paris		64
Parsons	250	
Sparta		50
Springfield		50
Waverly	112	
Texas:		
Alice	200	
Anahuac		10
Bryson		4
Cross Plains		10
Crystal City	70	
Daingerfield		20
Dallas	250	
Del Rio		70
Deport		10
Dodson	50	
Donna	50	
Fort Worth		200
Frisco	75	
Jacksonville	200	
Levelland		40
Liford		10
McGregor		12
Mercedes	100	
Panhandle		10
Port Arthur		132
Post		28
Robstown		70
Roby		10
Rotan		36

List of places with outstanding applications for reservations, or with units reserved, but not yet under annual contributions contract—Continued

State and place	Application pending	Under reservation
Texas—Continued		
San Antonio		1,500
Sinton		36
Stamford		4
Tahoka		2
Terrell		140
White Settlement		100
Virginia:		
Charlottesville		225
Richmond		6
Roanoke		300
South Norfolk		30
West Virginia:		
Fairmont	100	
Huntington		500
Wisconsin: Milwaukee		868
Puerto Rico:		
Arecibo	300	
Barceloneta		1
Carolina	200	
Cayey	250	
Ceiba	80	
Guanico	150	
Humacao	200	
Isabella	200	
Lares	80	
Las Marias	30	
Loiza	100	
Manati	200	
Mayaguez		1
Ponce	500	
Salinas	50	
San Lorenzo	200	
San Sebastian	200	
Yanco	250	

College Housing Backlog

Applications for college housing loans

COLLEGES WITH CONTINGENT RESERVATIONS

State	Number	Federal funds	Service facilities
Alabama	5	$2,930,000	$300,000
Arizona	3	6,000,000	
Arkansas	2	1,761,000	
California	8	12,713,000	1,711,843
Colorado	4	4,645,000	142,000
Connecticut	2	3,800,000	
Delaware			
District of Columbia			
Florida	1	100,000	
Georgia	1	337,000	
Territory of Hawaii			
Idaho	1	110,000	110,000
Illinois	10	14,949,000	3,750,000
Indiana	1	1,280,000	
Iowa	1	950,000	
Kansas	7	2,865,000	148,000
Kentucky	6	6,669,000	626,000
Louisiana			
Maine			
Maryland	1	1,128,000	
Massachusetts	8	10,114,000	3,100,000
Michigan	2	1,718,000	
Minnesota	2	1,985,000	
Mississippi			
Missouri	7	5,123,000	300,000
Montana	3	3,232,000	504,633
Nebraska	1	425,000	425,000
Nevada			
New Hampshire	1	2,250,000	
New Jersey	5	5,311,000	1,058,000
New Mexico	3	1,606,000	
New York	3	8,921,000	
North Carolina	3	1,800,000	
North Dakota	1	1,200,000	
Ohio	4	4,150,000	500,000
Oklahoma	3	1,375,000	30,000
Oregon	2	1,050,000	285,227
Pennsylvania	2	1,190,000	70,000
Puerto Rico			
Rhode Island	3	3,050,000	
South Carolina	2	2,240,000	60,000
South Dakota	2	765,000	
Tennessee	6	3,404,000	
Texas	8	5,356,000	243,000
Utah	1	690,000	
Vermont	2	3,325,000	690,000
Virginia	1	713,000	40,000
Washington	2	5,050,000	832,000
West Virginia	3	2,690,000	1,400,000
Wisconsin	3	1,392,000	418,000
Wyoming			
Alaska			
Total	136	140,362,000	16,743,703

COLLEGE HOUSING BACKLOG—Continued

Applications for college housing loans—Continued

STUDENT NURSE AND INTERN HOUSING

State	Total	Reservations of funds	Approved loans	State	Total	Reservations of funds	Approved loans
Arkansas	$500,000		$500,000	New Jersey	$500,000		$500,000
California	234,000		234,000	New York	3,529,000		3,529,000
Florida	200,000		200,000	Ohio	1,359,000	$500,000	859,000
Georgia	795,000	$620,000	175,000	Oklahoma	500,000		500,000
Illinois	702,000		702,000	Oregon	500,000		500,000
Kansas	544,000	294,000	250,000	Pennsylvania	2,853,000		2,853,000
Maryland	500,000		500,000	South Dakota	500,000	500,000	
Massachusetts	300,000	300,000		Texas	375,000		375,000
Michigan	523,000		523,000	Virginia	575,000	400,000	175,000
Minnesota	310,000		310,000	Wisconsin	250,000		250,000
Missouri	1,075,000		1,075,000				
Nebraska	515,000		515,000	Total	17,139,000	2,614,000	14,525,000

PENDING APPLICATIONS

Project No.	Institution	Amount
Ark. 3-CH-35(D)	Harding College	$400,000
Ark. 3-CH-38(D)	Arkansas State Teachers College	675,000
Ark. 3-CH-39(D)	University of Arkansas	1,559,200
Colo. 5-CH-41(D)	The Colorado College	308,200
Ill. 11-CH-98(S)	Monmouth College	375,000
La. 16-CH-24(D)	Northeast Louisiana State College	2,000,000
La. 16-CH-25(DS)	Loyola University	2,809,000
Minn. 21-CH-29(DS)	Carleton College	1,800,000
Miss. 22-CH-24(S)	Tougaloo Southern Christian College	450,000
Mo. 23-CH-57(S)	Central Missouri State College	700,000
Nebr. 25-CH-23(D)	The Creighton University	750,000
N.Y. 30-CH-107(D)	Dormitory Authority of New York State	10,000,000
N.Y. 30-CH-108(DS)	College of Mount St. Vincent	1,600,000
N.Y. 30-CH-109(D)	F.I.T. Dormitory Corp	1,770,000
N.Y. 30-CH-110(S)	Brooklyn College Student Services Corp	1,125,000
N.Y. 30-CH-111(S)	Syracuse University (Utica College Campus)	950,000
N.Y. 30-CH-112(D)	Wagner Lutheran College	400,000
N.Y. 30-CH-113(D)	Elmira College	630,000
N.Y. 30-CH-114(D)	Rosary Hill College	946,000
N.Y. 30-CH-115(D)	Barnard College	870,000
Ohio 33-CH-94(D)	The College of Wooster	552,640
Okla. 34-CH-19(D)	Southeastern State College	626,600
Okla. 34-CH-22(D)	Central Christian College	450,000
Okla. 34-CH-24(D)	St. Gregory's College	595,251
Pa. 36-CH-101(D)	University of Pennsylvania	600,000
Pa. 36-CH-102(D)	The Pennsylvania Military College	375,000
S.D. 39-CH-24(DS)	South Dakota State College	3,124,000
Tenn. 40-CH-32(D)	Cumberland University	194,259
Tex. 41-CH-92(D)	Lubbock Christian College	300,000
Tex. 41-CH-105(DS)	West Texas State College	1,630,000
Tex. 41-CH-109(S)	Texas Technological College	750,000
W. Va. 46-CH-29(D)	Salem College	600,000
W. Va. 46-CH-34(S)	West Virginia State College	500,000
W. Va. 46-CH-35(D)	Alderson Broaddus College	350,000
Total (34 applications)		40,765,150

Mr. SYMINGTON. Mr. President, will the Senator from Illinois yield me 5 minutes?

Mr. DOUGLAS. I yield 5 minutes to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, in my opinion the President of the United States, in his veto message of July 7, turned his back on the future. I believe the veto of the housing bill was a step backward for this country.

The President gave a number of reasons for this rejection. In effect, he said we could not afford to spend the money so badly needed for adequate housing.

He said S. 57 was inflationary.

The President also told us we cannot afford a single cut in our foreign aid expenditures during the present fiscal year.

Foreign aid expenditures which result in the export of goods from this country obviously have a greater inflationary effect than housing expenditures which add to the physical assets and goods in our country. But he favors the former as sound and necessary; and opposes the latter as inflationary and unnecessary.

As has been brought out so well by the distinguished Senator from Pennsylvania [Mr. CLARK], America's population is increasing by more than 3 million persons a year.

It is estimated that by 1975 we will have 253 million people.

Our cities are rapidly expanding.

By ignoring these facts, and not providing for this growth, we merely pass the buck to the future.

By not facing up to the need for an orderly attack on urban problems, the President is increasing manifold the total cost of renewing our cities; is placing on the future the social cost of slum areas which should have been cleaned up by this generation.

This veto is a particular blow to our urban population, for it means costly and uneconomic delay in the important work of fighting the spread of the slum blight.

Once we have begun an orderly program of plant expansion and investment in the future of a company, it does not make sense to deliberately slow down this schedule and thereby incur increased overall costs.

My own city of St. Louis is a case in point. As indicated in a letter inserted on page 287 of the recent hearings, from Mayor Raymond R. Tucker, one of our most distinguished municipal leaders, rejection of S. 57 would be a great blow to orderly progress on three major projects now under way in St. Louis, the second stage of Kosciusko, the Tandy, and the first stage of the Murphy.

Nearly $50 million is to be invested in the form of capital grants and relocation funds for these important projects to insure that the growth of blight in the city is checked.

Another example of the negative approach of the administration is its opposition to the administrative change in S. 57 which would authorize the local public housing agency to rent space in its building to the urban renewal agency, where both operate through a combined central office staff. This latter provision would result in substantial savings of money and result in increased efficiency in the operation of housing agencies in several cities, including St. Louis.

The housing bill by the Congress was a positive step toward eradication of the costly and unhealthy slum areas of our cities.

It was a positive step in improving the administration of our housing programs.

America's problems require a breadth of view, and vision with respect to the future of our country.

I hope the Congress will override this veto, and demonstrate its wisdom by investing in the future of America.

Mr. DOUGLAS. Mr. President, I yield 5 minutes to the Senator from Michigan [Mr. MCNAMARA].

Mr. MCNAMARA. Mr. President, I rise to support the motion to override the President's veto of the housing bill.

I find it incredible that we are preparing for such a vote. It is impossible to believe that a bill—of such moderate content—was unacceptable to the President.

A quick glance at the housing needs of the Nation is enough to prove that this bill is inadequate. But I know that it was a sincere attempt by the committee—and the leadership—to come up with a bill which could be enacted into law.

The President's response to this sincere effort by the Congress was an insulting veto message. In that response, for example, the President denied the existence of any great need of housing for the aged, but said what need there was, private enterprise could meet.

It is ironic to listen to such pious pronouncements on private enterprise from a man who—for most of his adult life—has received his housing at the public expense.

My own dismay at the President's veto was heightened by the facts we have gathered in the hearings of the Subcommittee on the Problems of the Aged and Aging.

Briefly, these facts are:

First. The majority—about three-fifths of the older people in America—have annual incomes of $1,000 or less. For 3.4 million persons living alone or with nonrelatives in 1957 the median income was $918.

Second. The proportion of older Americans' income going to rent or house payments and upkeep is way above—in some areas, twice—the proportion of younger renters and owners.

Third. While many elderly men and women live in homes they own, a large

proportion of these homes are too large and too expensive to maintain. And they are too often substandard.

Fourth. If we take only those nursing homes classified as good homes—the best types of nursing homes—we are informed by the President's own Secretary of Health, Education, and Welfare that 108,000 out of the 221,000 beds in these homes—nearly 50 percent—are unacceptable, substandard, because they are in fire traps and with poor medical facilities.

The bill which was vetoed by the President provided for direct loans for construction of housing for the aged. A nonprofit organization could obtain a low-interest loan up to a maximum of 98 percent of total development costs for housing for the elderly.

Yet the President casually brushed off this program by stating that "needs in this area can be adequately met by private funds invested under the protection of Federal insurance."

Mr. President, the evidence we obtained in our hearing on the problems of our older citizens indicates that this is absolutely false.

Either Mr. Eisenhower has not talked with his housing advisors—I know he has not talked with any of the aged—or his aides deliberately distorted the facts of housing for the aged.

As to the President's belief that private funds protected by Federal insurance can do the job, the sad fact is that up to July 1, 1959, only 1,100 units had been financed by FNMA.

If we add up all the rental and sales units now under way assisted in some way by Government funds, you find there are slightly more than 18,000 such units designed for use by the aged.

Another approximately 80,000 elderly persons live in low-rent public housing projects.

Thus, there are not even 100,000 older persons who will benefit from any kind of Government assistance in housing.

One hundred thousand out of 15 million persons over 65, Mr. President, means that less than 1 percent of the aged are benefited by any form of Government housing program.

It should be apparent that we now face a Chief Executive who has dedicated his remaining months in office to a so-called balanced budget, regardless of the hardship and distress that results.

I hope that we can override the veto. We owe the older citizens of the Nation at least that much.

And in doing so we can lay the groundwork for real progress in the future.

Mr. SPARKMAN. Mr. President, how much time is there remaining?

The PRESIDING OFFICER. The proponents have 4 minutes remaining, the opponents 54 minutes.

Mr. SPARKMAN. Would the other side use some of their time?

Mr. BUSH. May I say for the information of the Senator from Alabama that we have two more speakers, one for 15 minutes, possibly, and another for just 2 or 3 minutes.

Mr. SPARKMAN. If the Senator from Connecticut would consent, I should like to borrow about 5 minutes.

Mr. BUSH. I shall be glad to yield 5 minutes to the Senator from Alabama?

Mr. SPARKMAN. Not at this time.

Mr. BUSH. Mr. President, does the Senator want me to yield for a brief moment?

Mr. WILLIAMS of New Jersey. I ask for recognition for 2 minutes.

Mr. BUSH. I shall be glad to yield 2 minutes to the Senator from New Jersey.

Mr. SPARKMAN. May I ask the Senator from New Jersey to yield? In connection with the request I made of the Senator a few minutes ago, if the Senator from New Jersey would like to proceed now, very well. I had not intended to call him until later, but it is all right.

Mr. BUSH. If the Senator from Alabama would like me to, I shall be glad to yield him 2 minutes from my time.

Mr. WILLIAMS of New Jersey. I am willing to await the pleasure of the Senator from Connecticut.

Mr. BUSH. I am about to yield to the distinguished minority leader 15 minutes.

Mr. DIRKSEN. Let me inquire, by way of general information, how much time remains on either side.

The PRESIDING OFFICER. Four minutes remain for the proponents, but an additional 5 minutes have been yielded by the Senator from Connecticut, making it 9 minutes. The opponents have 51 minutes.

Mr. DIRKSEN. Mr. President, I ask unanimous consent, without charging the time to either side, that we have a quorum call at the present time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. DIRKSEN. I suggest the absence of a quorum.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. I yield 2 minutes to the distinguished Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I wish to speak in opposition to the motion to override the President's veto on the housing bill, S. 57. I voted against this measure when it was before the Senate, because I felt it committed the American people to excessive and unsound expenditures, without meeting the needs. I believed that the interests of the people who need better housing and the national economy as a whole would not have been effectively served by this measure.

Therefore, I naturally support the veto of the President, which expressed similar judgment. The matter of rehashing the President's veto, however, is not the real challenge we face.

Mr. President, the people of the United States need a housing bill. This is the overwhelming fact which we face, and we must face it fully, directly, and objectively.

Mr. President, we must recognize that the President's approval is part of our legislative process. His recommendations cannot be taken lightly since the management of all the programs of the Government are part of his responsibility and he must consider the impact of all individual programs on the Nation as a whole. We must take into account the President's recommendations, the best judgment available to the Congress, the evidence which the committee has obtained, and the needs of the American people as we know them to be in terms of adequate housing and in promoting a sound national economy.

When the Subcommittee on Housing undertook its current hearings, I was encouraged that an honest and creative effort would be made for a bill which would offer genuine progress on housing needs consonant with what the President could accept. I must say, however, I am greatly disappointed by the committee's action yesterday which in my judgment seems to be a negative approach to the problem. We are back where we started in February, or worse, since the basic issues have now been clouded.

What is needed, Mr. President, is a fresh approach based on merit, need, and the efficient use of our national resources.

I hope, Mr. President, that we will dispatch the immediate business at hand and get down to the real core of the matter quickly—a housing bill for the American people—to meet their needs efficiently and at a cost the people are willing and able to pay.

Mr. DIRKSEN. Mr. President, I yield myself 10 minutes.

On occasions like this, my regard and esteem for the wisdom and the vision of the Founding Fathers takes on a freshness and a new intensity for, as we approach a vote on the Presidential veto, there comes into sharp focus the safeguards and the beautiful balances of the Constitution of the United States. I think often of the fact that the Founding Fathers gave the Members of the House of Representatives 2-year terms, but also gave them the exclusive power to initiate tax legislation, so that if they fastened an undue burden upon the people, they could quickly and expeditiously be hauled out of office.

On the other side of the legislative branch, a 6-year term was provided for Members of the Senate, one-third of the membership being renewable every 2 years.

There is the additional fact that no bill can become law unless it has been passed by both branches of Congress and either has had the approval of the President or has become law without his signature. Of course, there is the 4-year term of the President in between.

But here, then, are the fine balances wherein the President can check Congress and Congress can check the President, Congress having the authority to override his disapproval of a bill by a two-thirds vote in both branches.

That indicates that the President is a part of the lawmaking process. We are often apt to forget that fact. Yet it is as clear as crystal in the Constitution, for the Constitution provides specifically that if the President disapproves a measure, he shall send it back to Congress with his objections. Those objec-

tions are noted on the record, and then the position of the President can be rejected only by a two-thirds vote of both branches of Congress, on the record, because the Constitution requires the yeas and nays. That is one of those happy balances in our form of government.

So today there is before us the disapproval of the President of the bill passed by both branches of Congress, a bill which he, in his judgment, does not believe to be a prudent piece of proposed legislation. In that respect, he has exercised his constitutional authority, and we are called upon today to exercise our constitutional authority, on the record, by a yea and nay vote, to determine whether the President or Congress shall prevail upon this measure.

When the President sent his message of disapproval, I thought it made a splendid case. I thought that by all odds it was one of the most rounded and effective veto messages which have come to Congress in my time. I need take only a few minutes to summarize what the President said when he noted his objection to the bill now before the Senate.

He said, first of all, that the bill was inflationary. Second, he said it dried up long-term investment funds. He said that the urban renewal program was excessive, because although he had called for $500 million for 2 years, Congress provided $900 million.

He said there was no discretion with respect to urban renewal grants: It was always possible for the metropolitan centers to secure prior and preferential treatment, because they are staffed for that sort of thing. Obviously, the administrative authorities have to give heed when these applications are filed.

The President said that where there ought to be larger resort to local credit, that would not result under the bill. The bill contained a provision that where projects had been consummated as far back as 5 years ago, a locality could secure credit under the loan and grant provisions of the bill. That is a pretty excessive provision.

The President said there were no direct Federal loans for housing for the elderly, and that the state of the money market and the availability of credit being what they are, that provision was not necessary and was an unneeded tax upon the Federal revenues.

The President pointed out also in the veto message that the amount allowed for college housing was entirely too large.

He noted that the interest rate established was such that actually the Treasury would have been financing at a loss. We are up against that problem in other fields today. I hope we will not compound our folly by doing it again. I think the President was on good ground in that respect.

The President objected to the fact that college classrooms are included in the housing bill, and that the interest rate was subsidized. I am opposed to that, too, in any kind of housing bill. If we are to deal with it, let us have a bill reported by the Committee on Labor and Public Welfare. Let us deal with it directly, instead of insinuating that kind of provision in a housing bill.

The President objected also to the provision that there was to be mandatory purchase at par by FNMA of the special assistance mortgages, and that the net effect must ultimately be to drive away private credit.

The President said also that the authority of the FHA to insure mortgages was too limited. The bill originally fixed a limit as of July 1, 1960, when, as a matter of fact, the authority ought to be fluid and continuing.

So once more the President was on good ground.

Still another objection made by the President was that he was alarmed at the prospect that the Federal Housing Administration techniques, procedures, and soundness would be impaired. What was the basis for that conclusion? The reduction in down payments on housing, the increase in maturities, and the increase in par unit mortgage ceilings which will be provided by the bill.

There was still another provision, namely, the Federal Housing Administration purchase of defaulted home mortgages, instead of leaving that matter in the hands of local lenders.

What the bill does finally is to shift the function of a Federal agency which ought not to be done.

There was one other item to which the President alluded. There was a preference or priority in the bill to former owners of so-called section 608 or title 9 apartments, where those apartments failed and had to be sold by the Federal Housing Administration. To give any one class of bidders a preference or priority would discourage every other bona fide bidder; and in so doing, it would mean a loss to the reserve fund of the Federal Housing Administration.

I can imagine no more succinct, no more persuasive veto mesage than this. It ought to be sustained by a very substantial vote of the Senate this afternoon.

In the interest of a good housing program; in the interest of keeping damped down the fevers of inflation; in the interest of keeping Congress from going overboard with excessive provisions like those in the bill before the Senate; in the interest of preserving private credit and not driving it away by letting public credit flow in, and thus drying up private credit; in the interest of preventing us from committing a mistake of having the Treasury borrow and lend under Treasury borrowing costs, which, of course, is an indefensible practice, I hope the Presidential veto will be sustained.

I have nothing more to say. I am now prepared to yield to the distinguished Senator from Indiana [Mr. CAPEHART], who has done so much work in the housing field. I believe that fact is readily recognized by Senators on both sides of the aisle.

Mr. President, I yield 5 minutes to the Senator from Indiana.

Mr. CAPEHART. Mr. President, I voted for the vetoed bill. I voted for the conference report. I thought the bill was a good bill. I still think it was a good bill. I thought the committees of Congress did a fair job. I can find things to complain about, yes, but provisions in the bill about which I would complain are points about which the President did not complain.

One of the features I disliked about the bill was that it provided for an increase in the amount of mortgage on housing, and a decrease in the downpayment. In other words, we provided for increased payments for those who are best able to pay. But when it came to public housing, urban renewal, and housing for the elderly, we said we would not do it that, we should not do it. Those are the features I would have complained about had I been vetoing the bill, and had I been speaking for the veto.

I will vote to sustain the President's veto because the Subcommittee on Housing, of which the able junior Senator from Alabama [Mr. SPARKMAN] is the chairman, and I, and other Senators, have developed and drafted what I believe is a better bill than S. 57 the vetoed bill.

I feel confident that if the President's veto is not overridden—and I do not think it will be—then I will vote to sustain what the subcommittee has already reported to the full committee, namely, what I consider to be a good bill. In my opinion, the full committee will report that bill, in substance, with a few changes which can be made and should be made. When that happens, the Senate, in my opinion, will vote unanimously for that bill. My best judgment is that when it goes to the House, the House will support the bill. But the things to which I would object were not objected to by the President in the veto message.

The real inflationary part of the bill are its provisions extending the insurance to $20,000, $25,000, and $30,000 homes and lowering the downpayments. No inflation would result from the provisions for low-rent housing or urban renewal or housing for elderly persons. But inflation would result from extension of the insurance to the more expensive houses and from decreasing or lowering the amount of the downpayments.

Mr. SPARKMAN. Mr. President, will the Senator from Indiana yield to me?

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Does the Senator from Indiana yield to the Senator from Alabama?

Mr. CAPEHART. I yield.

Mr. SPARKMAN. I think the Senator from Indiana is making a very logical point, although I do not agree entirely with him about it.

Is it not true that the provision to increase the maximum amounts of the mortagages which would be subject to FHA insurance was included at the request of the administration?

Mr. CAPEHART. That is correct.

Mr. SPARKMAN. Is it not also true that the Congress did not vote even to increase those amounts as much as the administration requested?

Mr. CAPEHART. That is correct. That was provided in the bill which I introduced for the administration last January. There is no question about that.

But fortunately—and I say "fortunately" because I think we must look

after those who cannot look after themselves—the new bill which will be reported to the Senate provides for urban renewal and public housing and other things which I believe very, very desirable.

I dislike the President's veto message, and I said so. I am the world's worst politician, because everyone knows exactly where I stand, for I always state what I believe to be correct, and I do not hesitate to say so. I believe that the President's veto message in many respects did not mean what it said.

But I shall vote to sustain the veto, and I urge my colleagues to do likewise.

Mr. DIRKSEN. Mr. President, I am prepared to yield back the remainder of the time under my control, if the Senator in charge of the time for the other side on this issue is prepared to do likewise.

Mr. SPARKMAN. Mr. President, several other Senators wish to have time yielded to them. In fact, I may have to ask the distinguished minority leader to make available, in that connection, some of the time under his control.

At this time I yield 3 minutes to the distinguished junior Senator from New Jersey [Mr. WILLIAMS].

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 3 minutes.

Mr. WILLIAMS of New Jersey. I thank the Senator from Alabama.

Mr. President, I know that I am only one of many, many Senators who deeply resent and regret the suggestion, which has gotten into the public discussion of the issue before the Senate, that the very distinguished junior Senator from Alabama [Mr. SPARKMAN] and his subcommittee have been the victims of some dictation or have been involved in some kind of "deal" in connection with the housing bill.

First of all, I express to the distinguished Senator from Alabama [Mr. SPARKMAN] the deep gratitude of the overwhelming majority of those in my State concerned with housing. I have been a Member of this body only since January, but I have followed housing legislation for many years, because it is a matter of deep concern to me. I have watched the record of the Senator from Alabama in providing leadership in the field of housing. My admiration has increased this year, first during the original hearings held in January; subsequently during the conference on Senate bill 57, and then during the hearings and sessions to mark up a new bill in the subcommittee in recent weeks.

I know that not one Member of the Senate would question the statesmanlike approach the Senator from Alabama has taken toward the housing bill, not only this year, but in past years. While there are, and always will be, disagreements, I want to state flatly and unequivocally that charges of "deal" or dictation, when applied to the Senator from Alabama with respect to this housing bill, are about as ridiculous as the veto message itself.

There are several reasons why I believe the Senate should vote to override the veto. As the Senator from Alabama has demonstrated, the veto message is filled with misrepresentations and half-truths. It is clearly a political document, and not one befitting the Archives of the United States.

Second. In Senate bill 57 the Congress went more than halfway toward accommodating its views with those of the administration.

Third. Many individual members of the committee were willing, despite the nature of the veto message, to hear the reasons for some of the statements made in that message. We waited and we listened, but we did not receive any reason which would hold even one drop of water. We were willing to report a bill more to the President's liking. We worked long and hard on it, and we did look to the administration witnesses for suggestions which would maintain the integrity of the bill, while making alterations more acceptable to the President.

Here again, we did not receive answers or suggestions. We merely heard, once again, the old arguments which had been refuted many times over.

And now, although the subcommittee has worked long and hard to prepare a new compromise bill, we have not received any real evidence that the President has altered the position he took when he made his veto. The attempt to compromise has been made in the Senate of the United States, but not in the Executive Office.

Down to the hour of the full committee hearing on yesterday, administration lobbyists were representing that the only measure they would accept was one that was written in the White House and rubber stamped in the Congress.

Mr. President, is the Senate of the United States going to abdicate its legislative responsibility to Executive dictation? I think not.

I hope the Senate will vote to override the President's veto of Senate bill 57, which is a very good piece of legislation.

Mr. HUMPHREY. Mr. President, will the distinguished minority leader yield 3 minutes to me?

Mr. DIRKSEN. I yield 3 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 3 minutes.

Mr. HUMPHREY. I appreciate the courtesy of the minority leader.

Mr. President, both the housing bill, as originally passed by the Senate, and the conference report on that bill were supported by me. Of course, I felt that the bill originally passed this year by the Senate was justified by the facts and the need and the record in regard to the necessity for a housing program.

It will be recalled that when the modified version of the housing bill was returned to the Senate, and was so ably presented by the Senator from Alabama [Mr. SPARKMAN], I supported that measure, not because I thought it provided all that should be provided, but because I felt that at least a conscientious and sincere effort had been made to accommodate the will of the Congress, on the one hand, to the desires of the executive branch, on the other.

It was quite obvious that the President was going to utilize the budget argument and the inflation argument in his attempt and in the administration's attempt to limit the housing program. The conferees were cognizant of that; and therefore they designed a measure which provided for considerably less than what was provided by the original Senate bill, and yet would have met for the next 2 years some of the genuine problems confronting the Nation's economy and confronting those who are in need of housing.

Regrettably, Mr. President, the President of the United States vetoed that compromise bill, that moderate bill, which was designed to adjust the difference between the views of the Congress and those of the executive branch in regard to the housing situation.

As I said at the time of the receipt of the veto message, I regretted that the message was full of misinformation and of emphasis which was not justified by the facts. Certainly I regret that whoever advised the President in regard to the veto message did him a great disservice and certainly did a disservice to the housing program.

There are two or three features in the housing bill which appeal to me most strongly and which, in the limited time I have, I should like to emphasize. No. 1, urban renewal is a program in which 400 municipalities currently participate. Without an effective urban renewal program such as was outlined in the bill which the Congress passed, these efforts of our municipalities will be brought to a standstill. This is a waste of money. I would let the executive branch know that if the urban renewal programs are stopped, there will be a tremendous loss of money and resources—

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. DIRKSEN. I yield 1 additional minute to the Senator.

Mr. HUMPHREY. May I have 2 minutes?

Mr. DIRKSEN. I yield the Senator 2 minutes.

Mr. HUMPHREY. Urban renewal is not an expenditure. Urban renewal is an investment. If there is any one area in which the Congress of the United States has failed in its responsibilities, it is in the area of urban living, the problems relating to urban communities or metropolitan areas.

We owe a debt of gratitude to the Senator from Pennsylvania in particular for his efforts to bring the Congress of the United States into closer contact with the problems that relate to our urban communities.

Urban renewal is a sound public and private investment, and the President's veto strikes a death blow to one of the best private and public investments this country has ever seen.

Mr. President, I vote for foreign aid. I wonder how many Members of the Congress realize that the President has sent to Congress foreign aid requests in the sum of over $9 billion? Over $9 billion, and every time we get ready to touch one dollar of it, it is asserted that there is a threat to our security in so doing.

A Government that can afford to spend $9 billion a year in foreign aid, in all its many manifestations, can afford to have a housing program which, as the Senator from Alabama has pointed out, is modest in its proportions, an investment which pays dividends and returns.

Mr. President, this is not a $9 billion program. No matter how one calculates it, is is slightly over $2 billion; and actually, in new money slightly over $900 million.

Finally, one of the features in the bill that I applaud is the feature relating to education. We have heard from leaders of our country, the Vice President, and others, how important is education, and about the challenge of education from the Soviet Union. The bill provides a loan fund in the modest sum of $62½ million for facilities such as libraries, and a certain amount of money for dormitories. Certainly, these loan funds are a sound investment. They are paid back with interest.

I hope the Senate will override the veto, and demonstrate its faith in American enterprise and capacity.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from Tennessee.

Mr. KEFAUVER. Mr. President, first let me join with other Senators here in commending a majority of the Senate Banking and Currency Committee for its wise decision to reconsider Senate bill 57.

Considerable constructive thought went into the writing of S. 57. It was debated and approved by wide margins in both the Senate and the House.

I was amazed when the President vetoed the measure.

The President, in returning the bill, termed it both "extravagant" and "inflationary."

Such words lately have become administration catch phrases which have been used to cover a bushel basket of neglected responsibilities.

In urging passage of S. 57 by a greater than two-thirds majority, I would like to make these observations:

No. 1: S. 57 is not extravagant. Actually, S. 57 adds only about $24 million to the budgeted spending for fiscal 1960, or about twice the cost of three new jet planes ordered for use by the President and his Executive staff. I would be the last to suggest that the President should not be afforded the best possible air transportation. At the same time, I would be one of the first to say a difference of some $24 million should not stand in the way of a housing bill affecting many millions of Americans.

My second point is this: S. 57 is not inflationary. The inflation now running at large in the Nation does not stem from an excess of demand over supply. This is not an inflation in which prices have risen because there are too many buyers chasing too few goods. Hearings and reports of the Senate Subcommittee on Antitrust and Monopoly have rather definitely established that the present inflation is the result of an upward manipulation of prices by large firms in concentrated industries. A typical pattern has been for such firms to grant wage increases and then boost their prices two or three times the cost of the wage increase. This has occurred when demand was falling as well as when demand was rising. Therefore, it follows that if the administration is really concerned about inflation, it should address itself to the type of inflation which we are now experiencing.

My third point is this: The need for a forthright housing bill such as S. 57 is self-evident.

I shall cite a few reasons. Some 134 cities have applied for a total of $272 million in Federal aid for urban renewal. In addition, there is another huge backlog of applications from 400-odd cities, both large and small. Urban renewal means a rebirth of areas which—if not already—soon will become slums. The underlying philosophy of urban renewal is in the ounce-of-prevention tradition. We must not turn our backs to these greying areas in the hope that they, somehow, will go away.

Neither should public housing be neglected, because we know that a major and vital function of public housing in many cities is to provide shelter for people displaced by urban renewal.

It seems to me strange that anyone can deny the need for Federal housing aid to colleges. Some 170 institutions of higher learning have applied for such assistance as a means of accommodating their vastly increased enrollments. Shortly after the launching of Sputnik No. 1, the President stressed the need for a stepped-up education program as a major defense against Soviet gains in science.

I submit the suggestion that the talking stage long since has passed.

I could list other important provisions of S. 57, but they have been most impressively explained by several of my distinguished colleagues.

My fourth point, quite briefly is this: The sharp division of power between the executive, judicial and legislative branches of our Government has been well defined and jealously guarded over the years. If there is a lack of purpose, or a lack of initiative, or a lack of foresight, on the part of one branch, most certainly it should be confined. I feel sure the Congress never will succumb to a peculiarly crippling virus which might be identified as creeping vetoism. I feel sure this Congress will approve a valid housing bill—one we may be proud of, one in which the American people will benefit. Indeed, it is the clear-cut responsibility of Congress to hear, debate, and vote on what it believes will best serve the people.

This, and this alone, must be our guiding principle.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the distinguished Senator from Alabama [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. President, first, I wish to pay my compliments to Senators who have participated in the debate today. I think the debate has been entirely objective, and completely without any display of emotions. I think everyone has looked at this matter seriously, with the purpose of considering some kind of arrangement by which homes can be assured for American families.

I may say the same kind of spirit activated the subcommittee in its work, as it did the full committee in its various deliberations with regard to housing legislation.

I was pleased to hear the distinguished Senator from Indiana express his confidence that we would get a housing bill enacted into law this year.

Mr. President, it seems to me a Senator voting to sustain the President's veto, if he is interested in having a housing program for this country, takes upon himself considerable responsibilities toward seeing to it that there is worked out and enacted into law during this session of Congress an adequate housing program. I do not believe any Member of the Senate wants to go home without housing legislation having been enacted.

Whatever is the argument of those who are trying to override the President's veto, if we should lose and not get the required two-thirds majority, it certainly will be my purpose to do everything I can to work out an adequate housing program; and by that I mean a comprehensive housing program, and not just a simple resolution some persons seem to think we might put through to extend the insurance authorization of FHA.

We want an adequate overall housing program, and I call upon every Senator, regardless of how he votes on the pending proposal, to keep working until we get at a good housing program to provide homes for American families.

The PRESIDING OFFICER. The time of the Senator from Alabama has expired.

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the distinguished majority leader.

Mr. JOHNSON of Texas. Mr. President, at this point I should like to make my position on the forthcoming veto vote absolutely clear.

I am going to vote to override the veto. It seems to me that we have reached a situation in which there is little else to do.

It is unfortunate that such a basic need as housing for our people should be torn by partisan politics to the extent that this measure has been assailed. What should be an issue to be resolved by prudent and reasonable men in the public interest has become a football.

We seem to have entered a period in which too many people have nailed to the masthead the banner "All or nothing."

As far as I personally am concerned, I would have preferred the original bill passed by the Senate. But it was the judgment of men who are experienced in this field and who know far more about it than I do that under the circumstances the conference version was a better one to send to the White House.

I should like to pay tribute to some of those men. For many years, the Senator from Alabama [Mr. SPARKMAN] and the Senator from Arkansas [Mr. FULBRIGHT], former chairman of the Banking and Currency Committee, have been working in this field.

From a personal standpoint, I think all of us would agree there is very little in

housing legislation for either one of them. They acted as they did because as good Americans they recognized a national need that required national attention.

I think it is fair to say that without their efforts we would not have progressed nearly so far in this field.

We are now being told that one of the most basic realities of our form of Government should not apply when it comes to housing. That basic reality is the fact that under any circumstances legislation and law are matters of responsible accommodation among reasonable men.

On the one hand, we have a veto pistol which is ready to go off at any moment. On the other hand, we have some who insist that whatever the facts may be, we must march into the mouth of that veto pistol.

And the voices are so loud that it seems almost impossible to hear the legitimate claims of our people for responsible legislation to meet the needs of our great cities.

I know what the outcome of this vote will be. I do know that we must find some way of arriving at achievement.

This is difficult when there appears to be no give or take in one of our major branches of government.

Mr. President, the American form of Government depends upon reasonable men who recognize that in this world we cannot always have everything exactly the way we want it. There appears to be little doubt that Congress is being confronted with a "take it or else" attitude. Under the circumstances, I believe the record should be absolutely clear so that everyone will know the situation we are facing and so that no one can claim in the future that any stone was left unturned.

I shall vote to override the veto.

Mr. DIRKSEN. Mr. President, I yield back the balance of my time.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The Senator will state it.

Mr. JOHNSON of Texas. As I understand the situation, under the provisions of the Constitution the yeas and nays are automatically ordered.

The PRESIDING OFFICER. The Senator from Texas is correct.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum, and I shall ask unanimous consent to have the order withdrawn shortly, so that we can have a vote.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, will the Presiding Officer state the question?

The PRESIDING OFFICER. The question is, Shall the bill (S. 57) pass, the objections of the President of the United States to the contrary notwithstanding? Under the Constitution the yeas and nays are required.

Mr. DIRKSEN. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DIRKSEN. Do I correctly understand that a vote "nay" is a vote to sustain the objections of the President?

The PRESIDING OFFICER. The Senator from Illinois is correct.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN (when his name was called). Mr. President, on this vote I have a pair with the distinguished Senator from North Dakota [Mr. LANGER] and the distinguished Senator from Wyoming [Mr. O'MAHONEY] who is in the hospital. I understand that if the two Senators I have named were present and voting they would vote "yea." If I were at liberty to vote I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from North Dakota [Mr. LANGER] is absent because of death in his family, and his pair has been previously announced.

The yeas and nays resulted—yeas 55, nays 40, as follows:

YEAS—55

Anderson	Hart	Mansfield
Bartlett	Hartke	Monroney
Bible	Hayden	Morse
Byrd, W. Va.	Hennings	Moss
Cannon	Hill	Murray
Carroll	Humphrey	Muskie
Chavez	Jackson	Neuberger
Church	Javits	Pastore
Clark	Johnson, Tex.	Proxmire
Dodd	Johnston, S.C.	Randolph
Douglas	Jordan	Scott
Ellender	Kefauver	Smathers
Engle	Kennedy	Sparkman
Ervin	Kerr	Symington
Frear	Long	Williams, N.J.
Fulbright	McCarthy	Yarborough
Gore	McGee	Young, Ohio
Green	McNamara	
Gruening	Magnuson	

NAYS—40

Aiken	Curtis	Prouty
Allott	Dworshak	Robertson
Beall	Eastland	Russell
Bennett	Goldwater	Saltonstall
Bridges	Hickenlooper	Schoeppel
Bush	Holland	Smith
Butler	Hruska	Stennis
Byrd, Va.	Keating	Talmadge
Capehart	Kuchel	Thurmond
Carlson	Lausche	Wiley
Case, N.J.	McClellan	Williams, Del.
Case, S. Dak.	Martin	Young, N. Dak.
Cooper	Morton	
Cotton	Mundt	

NOT VOTING—3

Dirksen	Langer	O'Mahoney

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Two-thirds of the Senators present and voting not having voted in the affirmative, the bill is not passed over the veto.

COMMITTEE MEETING DURING SENATE SESSION

Mr. ROBERTSON. Mr. President, I announce that there will be a meeting of the Senate Committee on Banking and Currency at 10 o'clock a.m. tomorrow to consider a housing bill.

I ask unanimous consent that that committee may be permitted to meet during the session of the Senate tomorrow, with the hope that before the end of the day we may complete a bill.

In the near future we expect to report to the Senate a comprehensive bill, and one which we believe can be enacted into law.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Virginia? The Chair hears none, and it is so ordered.

CONVEYANCE OF CERTAIN LANDS TO THE STATE OF ILLINOIS

The Senate resumed the consideration of the bill (S. 747) to provide for the conveyance of certain lands known as the Des Plaines Public Hunting and Refuge Area to the State of Illinois.

The PRESIDING OFFICER. The question is on agreeing to the motion to recommit the bill, with instructions. There is a limitation of time of 20 minutes, divided equally between the proponents and the opponents.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry. For the information of the Senate, as I understand there is pending now a motion to recommit, with instructions, the so-called Des Plaines Public Hunting and Refuge bill, and there was a unanimous-consent agreement with respect to a limit on the time.

The PRESIDING OFFICER. The Senator is correct.

Mr. DIRKSEN. Ten minutes for the proponents, 10 minutes for the opponents, after which there will be a yea-and-nay vote on the motion to recommit, with instructions, made by the Senator from Oregon.

The PRESIDING OFFICER. The Parliamentarian informs the Chair that the yea-and-nay vote has been ordered. The statement of the Senator from Illinois is correct.

The Senator from Oregon is the proponent of the motion to recommit, with instructions. He has 10 minutes. The minority leader will have 10 minutes in opposition.

Mr. MORSE. Mr President, I yield myself 8 minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 8 minutes.

Mr. MORSE. Mr. President, I wish to call the attention of the Senate to my motion to send this bill back to the committee with instructions to report a bill back on August 18th.

I made my motion because my analysis of the record of the committee and of the hearings on the bill satisfy me that we are entitled to further information from the committee before a final vote on the bill is taken.

I wish to say at the outset, Mr. President, that I am very desirous of working out an arrangement which will make it possible for the State of Illinois to have the benefit of the proposed park or wildlife refuge, but I want it worked out consistent with a policy to which Senator after Senator has adjusted himself for many years; namely, that surplus Federal property shall be disposed of

only on the basis of the taxpayers of this country receiving 50 percent of appraised fair market value when it is to be sold for public use.

Mr. President, the next point I desire to make is that in my judgment the disputed piece of property, which involves 1,500 acres of land, will go to the State of Illinois under the bill in its present form, at a cost to the taxpayers of the United States involving a loss to them of not less than $200,000, and possibly $250,000. I think the committee owes it to the Senate to report the facts as to what the value of this property is. This leads me to my third point.

The 1,500 acres of land in question has never been appraised. There is not a Member of this body who knows what the value of that land is at this moment. I insist that the Senate should not be acting on the basis of buying a pig in a poke. The committee owes it to the Senate to bring back a report which will furnish us a statement of the value of this 1,500 acres of land.

My fourth point is that the Army is against the proposed transfer. The Army says it needs this land for Army purposes. The Bureau of the Budget is against the transfer.

My fifth point is this: A negotiated arrangement has apparently been worked out by the General Services Administration, the two Senators from Illinois, the Governor of Illinois, and others, whereby if the State of Illinois will pay $286,000 plus for so-called parcel 3, which contains 946 acres, then parcels 1 and 2 will be sold for industrial purposes. Apparently that is what the two parcels are best suited for, although we have no such finding of fact anywhere in the record, and under the law the General Services Administration ought to make a finding one way or another. I think the bill should be sent back to the committee for that finding of fact.

If the State of Illinois will pay $286,000 for 946 acres, then under the bill it is going to get 1,500 acres for nothing.

It would be paying too much for parcel 3. It should not pay more than half the appraised fair market value for parcel 3, whatever that value is. I think an accurate figure ought to be brought back to us in the intervening time, and the State should be credited with that amount against the purchase of the 1,500 acres.

Mr. President, when we are asked to act on a bill when we do not even know the value of the disputed piece of property that is involved, 1,500 acres, when we are asked to act on a bill which provides for property to go to the State of Illinois without payment, I think we are being asked to establish a very bad precedent.

Mr. President, it is not unfair to a Senate committee which acts as our agent simply to say, "Gentlemen, we need some more facts. Would you please give us the additional facts we need before we finally vote on this, with assurance that you are going to get your bill back here within a short period of time for final action?"

I wish to stress, Mr. President, that the proposed transfer is for State park purposes. Let us beware of setting such a precedent, a precedent whereby the Congress of the United States would give to States Federal property for State park purposes.

We have an interest in State parks, Mr. President, but not a 100 percent interest. Under the formula I have urged and fought for so many years in the Senate, in fact since 1946, I have said that I think 50 percent is all they should be expected to pay for Federal lands to be transferred for State park purposes. This represents the fair value of the interest of the taxpayers of the United States.

I am for the State of Illinois getting this property on the basis of 50 percent of its appraised fair market value, unless—and this is the last question of fact I think the committee ought to answer for us in the intervening time—under Title 16, section 667, subsections (a) and (b), there might not be a finding under existing Federal statutes that this particular land could qualify for a game refuge as described under the statute, and thus be eligible for transfer to the State of Illinois for nothing.

Mr. President, the Senator from Oregon is not taking the position that he wants to charge the taxpayers of Illinois a price beyond what, under the law, they are required to pay as far as game refuges are concerned. In the debate yesterday I said to the Senator from Illinois that it may be that if we apply the provisions of title 16, section 667, to this land, it could qualify, and the State of Illinois could then have it for nothing for game refuge purposes and for domestic wild fowl. If under the law the State of Illinois is entitled to it on that basis, than I would be for it.

But, Mr. President, I cannot support the policy of the pending bill in its present form and then apply the 50 percent appraised fair market value formula to every other Senator in regard to other land transfers.

I say most respectfully that I think the two Senators from Illinois and the taxpayers of Illinois would be in a stronger position if we asked our committee to take this matter under advisement for the few days between now and August 18, get the answers to the questions of fact that I have raised, bring the bill back on August 18 with those questions answered, and then see what our course of action should be.

I will tell Senators what I think will be the case. I think that once these 1,500 acres can qualify under title 16 of the United States Code as a domestic game refuge, then the taxpayers of the State of Illinois will be asked to pay some $200,000 to $250,000 more for this tract. I have a hunch that if the taxpayers of Illinois understood the principle I have been fighting for, of protecting all the taxpayers of the Nation from this type of giveaway, amounting to more than $200,000 on the basis of the facts as they now stand on the record, they would agree, even though it applied to the State of Illinois.

Mr. DIRKSEN. Mr. President, I yield myself 6 minutes.

Perhaps I can package the whole problem before us in a rather brief way. In 1944 the Army took more than 36,000 acres of very good land in northern Illinois. They have had it for 17 years. They removed it from the tax base of our State and our counties. The Department of the Interior moved in in 1948 and took charge of 4,400 acres, which they leased to the State of Illinois, so that our conservation department could do something with it in the interest of recreation, conservation, and wildlife.

Then, in 1958—last year—the Army declared surplus 3,500 of those acres, of which 2,400, or thereabouts, were involved in this matter. The sportsmen and conservationists in Illinois, through the department of conservation and the Governor, through the senior Senator from Illinois, and the junior Senator from Illinois, through the Izaak Walton League, and other agencies, have asked that this surplus land be made available for wildlife and conservation purposes. As a result, the senior Senator from Illinois [Mr. DOUGLAS] introduced a bill. Then came a development. It lies in an area where we have land which is ideally suited for industrial development because of the St. Lawrence Seaway.

Interested persons came here to discuss the matter with me. I had hoped that some of the land could be set aside. Out of all the conferences, out of all the meetings, the General Services Administration, which had charge and jurisdiction of the surplus land, finally decided to ascertain what it was worth. They divided the land into three parcels and took bids. On the industrial tract, they figured they could get $1,000 an acre. I thought that was a good deal, because the money goes into the Treasury. On still another tract, of a little less than 1,000 acres, they got a bid of $303 an acre.

So the Governor called me and said, "We will take that 1,000 acres and will pay $303, but I think in all fairness, since we have done a lot of developing out there, you can give us 1,500 acres, or thereabouts."

There were two tracts which could be given. One contained 1,350 acres, the other 1,500 acres; 1,500 acres has been used for training purposes, but 1,350 acres can be used for that purpose. There was a joint operation with the conservationists who were working in that 1,500 acres.

So when we got it all spelled out, what we had was a package which received the approval of the GSA. It has the approval of the Director of Conservation. It has the approval of the committee. It has the approval of the Governor. It has my approval. It has the approval of the senior Senator from Illinois [Mr. DOUGLAS]. So all interests and all causes will be served.

But the distinguished senior Senator from Oregon [Mr. MORSE] has some criteria, and he is not satisfied with the bill. He wants to send the bill back to committee, notwithstanding the fact that it has been handled through the General Services Administration. I have had representatives of the Army in my office. I have talked with our Governor and our director of conservation. I have talked with representatives of the Izaak Walton League and other outdoor

people. I have talked with many recreationists—hundreds of them, as a matter of fact. We have settled on a bill which is agreeable to all concerned, notwithstanding some objection on the part of the Army.

It has been said in Illinois that that one tract was for a time a sort of little private hunting ground. I do not make that allegation; however, I have heard it out there.

But the Army will still have how much? Well, the Army will still have 32,000 acres of our land, land which has been removed from the tax base of the State and counties of Illinois. Considering that the Army has had 36,000 acres for 18 years, and measuring the taxes the State and counties have lost, I wonder whether anyone can ever say that there has been a giveaway. The Army moved in and took over the land.

It might be said, "Well, consider the number of jobs which have been provided by the arsenal." The fact of the matter is that the powder plant, enclosed in a barbed wire fence which goes around the 36,000 acres, is almost inoperative, and there are no jobs connected with it.

Representatives of the chambers of commerce and the labor unions of the towns close by have come to Washington to testify in favor of the bill.

I trust that the motion to recommit will be rejected by the resounding voice of the Senate, and that the bill will be passed this afternoon. It was reported favorably by the subcommittee and the full committee.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield myself an additional minute, and I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. Does the bill as it is to be voted upon retain a reversionary clause which was in the bill as reported?

Mr. DIRKSEN. If the land is no longer used for recreational and wildlife purposes, then it will revert to the United States.

Mr. CASE of South Dakota. Does the United States also reserve the right to reenter the land, if necessary?

Mr. DIRKSEN. Oh, I think so. I think the United States reserves that right under the general law.

Mr. CASE of South Dakota. That right was also reserved in the bill as reported.

Mr. DIRKSEN. The General Services Administration went into that question thoroughly, and in a letter to the chairman of the committee, the distinguished Senator from Arkansas [Mr. McCLELLAN], dated August 3, 1959, dealt with it. Here is the significant sentence:

> Therefore, GSA favors enactment of the proposed amendment of S. 747—

That was the amendment I first offered, and which was modified by the committee—

> which, together with sale of the 946 acres to the State of Illinois, as discussed above, would constitute an acceptable resolution of the problem under all of the circumstances.

So the bill has the approval of the General Services Administration, which is empowered under the statute to deal with the question of surpluses.

Mr. President, I reserve the remainder of my time.

Mr. MORSE. Mr. President, I desire to reserve my remaining 2 minutes.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield 1 minute to the Senator from Maine.

Mr. MUSKIE. I feel certain that I cannot add anything to the enlightenment of the Senate on the subject which I did not say yesterday, and which the Senator from Illinois has not added this afternoon.

I assure the Senate of the accuracy of what has been said by the distinguished junior Senator from Illinois: That the committee devoted long hours—indeed, I would say, in terms of the importance of this issue on the national scene, we have devoted a disproportionate amount of time, to the consideration of the issue before the Senate. It may be that we have not followed all the lines of inquiry which other Members of the Senate, including the senior Senator from Oregon, might have followed if they were members of the committee. I assure the Senate that we followed every line of inquiry which appeared to us to be pertinent to the resolution of the problem.

When a decision was made by the subcommittee, it was made on the basis that the members felt that we had before us all the pertinent facts, which made it possible for us to reach a judgment as to the most equitable disposition of the property. We had the benefit not only of the hearings, but also of a great deal of discussion, as has been pointed out by the junior Senator from Illinois. There was much discussion of the subject outside the formal hearings and outside the executive session, because our effort was to bring together a great many persons who were interested. At times, in order to reach them, we had to do so by telephone, by conferences in our own offices, and even by conferences in the Capitol when Senators were available. Therefore much time has been spent on the bill.

We might not have been able to answer all the conceivable questions which might have been asked. I feel certain that no matter how many hearings might have been held, additional questions would have been asked.

So far as I am concerned, I am convinced that the proposal offered in the bill is sound, and that it is in the best interest of the United States and of the people of Illinois.

Mr. LAUSCHE. Mr. President, will the Senator yield me one minute?

Mr. DIRKSEN. I yield one minute to the distinguished Senator from Ohio.

Mr. LAUSCHE. Mr. President, I had contemplated joining with the Senator from Oregon in the views which he had advanced with regard to the bill. However, I have concluded that inasmuch as the bill contains language which provides for the reversion of the ownership of the land to the U.S. Government, in the event the land is not used for recreational purposes, the transfer ought to be made. My judgment is that the U.S. Government, economically, will be better off by having the State of Illinois own, operate, and manage the property, and spend money to preserve it as public ground.

I commend the Senator from Oregon for the good work he has done. I stand by his principle; but I do not believe it is applicable.

Mr. GRUENING. Mr. President, I should like to have 1 minute.

The PRESIDING OFFICER. One minute remains under the control of the Senator from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from Alaska.

The PRESIDING OFFICER. The Senator from Alaska is recognized for 1 minute.

Mr. GRUENING. Mr. President, I have great respect for the position taken by the Senator from Oregon. But I respectfully submit that this problem was a complex and difficult one to solve, and the subcommittee has, after great effort, worked out a solution.

It seems to me that the opposition by the Senator from Oregon demonstrates the accuracy of the saying that the perfect is the enemy of the good. Certainly if one wanted to be an obstructionist and wished to stop the functioning of the Government, he would only have to insist that no bill was as good as it should be, and that all the bills should be recommitted until they were made perfect.

I think this bill is an excellent one. It has the support of both the Senators from the State involved, who are of opposite political parties; the bill has likewise the support of the Governor of Illinois; and it also has the support of the conversationist organization. In fact, the bill has almost unanimous public support.

Mr. President, I share the view of the chairman of the subcommittee, the distinguished junior Senator from Maine [Mr. MUSKIE] that the bill is decidedly in the public interest. The bill will cause this very desirable program to move forward, and will provide positive and desirable action. It achieves, after protracted hearings, a reconciliation of divergent interests and achieves a positive and beneficial result. It puts land formerly little used to diverse and beneficent use.

So I hope the motion to recommit will be rejected.

The PRESIDING OFFICER. The time yielded to the Senator from Alaska has expired.

Mr. MORSE. Mr. President, I shall state very quickly two points:

First, the bill is opposed by the Department of the Army. All that Senators have had to say about the endorsement by the General Services Administration is irrelevant to the issue, because the General Services Administration has no jurisdiction over this property at this time. The property is now in the jurisdiction of the Department of the Army, and the Department of the Army has not declared the property surplus, and is opposed to the proposed transfer. The committee should make an investigation of that fact, before the Senate is asked to vote on the bill.

My second point is that not one Member of the Senate knows the value of the 1,500 acres, because they have never been appraised. Furthermore, the Bureau of the Budget has pointed out that it would be a mistake to transfer this property at this time.

The Department of the Army and the Bureau of the Budget are opposed to the proposed transfer. On the other hand, the General Services Administration favors the proposed transfer. However, the General Services Administration has no legal jurisdiction over the property at this time.

Now let me say a word in regard to what the Senator from Ohio stated: Every time such property is transferred, it is the practice to include in the bill a reversionary clause; but the only effect of the inclusion of such a clause is to decrease the value of the property, insofar as the appraisal is concerned. Whatever the property is worth, even with a reversionary clause included, certainly the taxpayers of the Nation have a right to receive from the State of Illinois, 50 percent of the appraised fair market value of the property.

Unless Senators wish to begin making a grabbag in connection with every piece of federally owned property that any Senator may wish to have revert to ownership by one of the States, from its ownership by the Federal Government, certainly Senators should vote in favor of adoption of the motion to recommit.

The PRESIDING OFFICER. All time available on the pending question has expired.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the role.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DIRKSEN. What is the pending question?

The PRESIDING OFFICER. The pending question is on agreeing to the motion of the senior Senator from Oregon [Mr. MORSE] that Senate bill 747 be recommitted, with instructions.

On this question, the yeas and nays have been ordered.

Mr. GRUENING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Alaska will state it.

Mr. GRUENING. On this question, a vote "yea" will be in favor of recommitting the bill; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. GRUENING. And a vote "nay" will be in opposition to recommitting the bill, will it not?

The PRESIDING OFFICER. That is correct.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. MORSE. On this question, a vote "yea" will be to recommit the bill with instructions to report the bill to the Senate by August 18; is not that correct?

The PRESIDING OFFICER. The Senator from Oregon has correctly stated the pending question.

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

I further announce that, if present and voting, the Senator from Wyoming [Mr. O'MAHONEY] would vote "nay."

Mr. KUCHEL. I announce that the Senator from North Dakota [Mr. LANGER] is absent because of death in his family.

The result was announced—yeas 13, nays 83, as follows:

YEAS—13

Bartlett	Morse	Stennis
Chavez	Prouty	Symington
Cooper	Proxmire	Young, Ohio
Fulbright	Russell	
Green	Scott	

NAYS—83

Aiken	Ervin	McGee
Allott	Frear	McNamara
Anderson	Goldwater	Magnuson
Beall	Gore	Mansfield
Bennett	Gruening	Martin
Bible	Hart	Monroney
Bridges	Hartke	Morton
Bush	Hayden	Moss
Butler	Hennings	Mundt
Byrd, Va.	Hickenlooper	Murray
Byrd, W. Va.	Hill	Muskie
Cannon	Holland	Neuberger
Capehart	Hruska	Pastore
Carlson	Humphrey	Randolph
Carroll	Jackson	Robertson
Case, N.J.	Javits	Saltonstall
Case, S. Dak.	Johnson, Tex.	Schoeppel
Church	Johnston, S.C.	Smathers
Clark	Jordan	Smith
Cotton	Keating	Sparkman
Curtis	Kefauver	Talmadge
Dirksen	Kennedy	Thurmond
Dodd	Kerr	Wiley
Douglas	Kuchel	Williams, N.J.
Dworshak	Lausche	Williams, Del.
Eastland	Long	Yarborough
Ellender	McCarthy	Young, N. Dak.
Engle	McClellan	

NOT VOTING—2

Langer O'Mahoney

So the motion of Mr. MORSE to recommit, with instructions, was rejected.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Is it in order for me to call up my next amendment?

The PRESIDING OFFICER. Is it an amendment to the committee amendment?

Mr. MORSE. Yes.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment. The amendment of the Senator from Oregon is in order.

Mr. MORSE. Mr. President, I call up my amendment to the committee amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment to the committee amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 5, line 18, it is proposed to strike out "the sum of $286,638" and insert in lieu thereof "an amount equal to 50 per centum of the fair market value of the land conveyed as determined by the Administrator after appraisal of such land."

On page 6, line 7, it is proposed to strike out "and (2)" and insert in lieu thereof the following: "(2) that all oil, gas, and mineral rights in the property conveyed shall be reserved to the United States; and (3)."

On page 6, lines 19 and 20, it is proposed to strike out "without consideration,".

On page 8, between lines 9 and 10, it is proposed to insert the following new subsection:

(c) The conveyance authorized to be made pursuant to subsection (a) of this section shall be conditional upon the payment by the State of Illinois to the Secretary of the Army as consideration for such conveyance of an amount equal to 50 per centum of the fair market value of the land conveyed as determined by the Secretary of the Army after appraisal of such land.

Mr. MORSE. May we have order in the Chamber, Mr. President?

The PRESIDING OFFICER. The Senator from Oregon will not proceed until the Senate is in order. Senators will please desist from conversation.

The Senator from Oregon may proceed.

Mr. MORSE. Mr. President, although somewhat bloody, but unbowed, I shall make my next attempt to try to bring the bill in line with what I think time will prove to be sound policy in the Senate.

I wish to point out that the so-called parcel 3, which Senators will find designated on the chart at the rear of the Chamber, involves 946 acres of land. This land has been declared surplus, Mr. President. The State of Illinois has agred to pay $286,638 for this land. If that is a fair appraised market value of the land, Mr. President, the State of Illinois has agreed to pay twice what it ought to pay. The taxpayers of the State of Illinois are being asked to pay twice what they ought to pay for that piece of land.

Mr. President, what my amendment seeks to do is apply the Morse formula to this tract of land, to require payment of only 50 percent of the appraised fair market value.

I am not going to vote, Mr. President, for a bill which seeks to exact from the people of the State of Illinois twice the value for a piece of property that we have been collecting from taxpayers of other States when surplus property has been transferred through Government agencies for park purposes, recreational purposes, and other purposes.

Mr. President, it is only fair that we cut back the price which the State of Illinois must pay for the piece of property to 50 percent of the appraised fair market value.

Mr. President, I am going to let the whole amendment go to a vote, but I understand the parliamentary situation is such that I can subsequently offer a separate amendment with respect to the matter of the reservation of mineral rights.

Senators will notice I propose in the amendment that on page 6, line 7, we

strike out "and (2)" and insert in lieu thereof the following:

(2) That all oil, gas, and mineral rights in the property conveyed shall be reserved to the United States;

Mr. President, that is a common reservation. I am surprised it is not in the bill. It illustrates, again, why I think the matter should go back to the committee for further consideration, because most respectfully, I say, in my opinion, many of these points were overlooked by the committee when the committee reported the bill to the Senate.

Let us assume a hypothetical, Mr. President. Senators may say, "Oh, it is not likely to happen," but, Mr. President, it is these possible "fact" situations which ought to cause us to insist upon writing a bill to protect these important principles. Let us assume that we transfer this property and let us assume a week thereafter oil or some other mineral of value is found on this property. The property can still be used for recreational purposes, but who will own the oil?

Mr. President, the general reversionary clause in the bill would not cover the finding of oil or the finding of other minerals for the duration of the time the State of Illinois maintained possession of the property. All I am asking is that the almost stereotyped reservation clause we provide for transfers of Federal property in such circumstances as this be written into the bill, to provide "That all oil, gas, and mineral rights in the property conveyed shall be reserved to the United States."

Third, Mr. President, we must consider the 1,500 acres I talked about a few moments ago in connection with my motion to recommit the bill. That is parcel 4 of the transfer. It is parcel 4, comprising 1,500 acres now under the jurisdiction of the Army. These 1,500 acres are not surplus. These are 1,500 acres over which the General Services Administration does not have jurisdiction at the present time. We are in effect declaring this land surplus, Mr. President, by the proposed legislation. The Bureau of the Budget does not think these 1,500 acres of land should be sold under these circumstances, Mr. President. We do not know what the land is worth. It is worth something. Whatever it is worth, Mr. President, 50 percent of its appraised fair market value ought to be paid into the Treasury of the United States.

Mr. President, the land is not worth the same amount of money it would be worth if we did not have a reservation clause, which is the point made by the Senator from Ohio, but it is very valuable property with a reservation clause attached to the transfer. Purchaser after purchaser would be very glad to buy the land with a reservation clause attached. Whatever the value of the land is with the reversionary clause attached, I take the position that we ought to ascertain the value and the taxpayers of the country ought to receive 50 percent of the appraised fair market value.

That is my case for the amendment, Mr. President. I yield the floor.

USE OF GREAT LAKES VESSELS ON THE OCEANS

Mr. MAGNUSON. Mr. President, I ask the Presiding Officer to lay before the Senate a message from the House on the bill, H.R. 4002, to authorize the use of Great Lakes vessels on the oceans.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 4002) to authorize the use of Great Lakes vessels on the oceans, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MAGNUSON. Mr. President, I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BARTLETT, Mr. ENGLE, and Mr. BUTLER conferees on the part of the Senate.

CONVEYANCE OF CERTAIN LANDS TO THE STATE OF ILLINOIS

The Senate resumed the consideration of the bill (S. 747) to provide for the conveyance of certain lands known as the Des Plaines Public Hunting and Refuge Area to the State of Illinois.

Mr. MUSKIE. Mr. President, as chairman of the subcommittee I feel some obligation to comment upon the amendment offered by the distinguished Senator from Oregon [Mr. MORSE].

I should like to repeat what I said at considerable length yesterday, and that is that the proposal encompassed in Senate bill 747, as it is before the Senate today, represents a resolution of conflicting interests, and of opposing points of view relative to the disposition of this property.

The first portion of the amendment offered by the Senator from Oregon proposes to change the compensation to be received by the Treasury of the United States for parcel No. 3. Let me review again, for the benefit of Senators who were not present yesterday, the view the subcommittee took of the total problem.

As I said yesterday, we felt that we were dealing, in fact with one parcel of property. The numbers 1, 2, 3, and 4, to which we have referred in the discussion on the floor of the Senate, are simply designations for portions of the total area for purposes of convenience in referring to them. So in the subcommittee, as we considered what the United States should receive for this property, we viewed it as a whole.

Under the proposal which is implemented in part by Senate bill 747, and which will be implemented in part administratively, what would the U.S. Government receive for this property? The bids which were obtained for parcels 1 and 2 indicate that the U.S. Government would receive a minimum of $1,050,000 by sale to private individuals for industrial development purposes.

The testimony in the committee indicated that undoubtedly the sum realized for these two parcels would exceed that amount; but we are talking about a minimum of $1,050,000.

With respect to parcel No. 3, the bid received by the General Services Administration from an industrialist bidder was $286,000; and the bill provides that the State of Illinois shall pay this amount for that parcel.

The bill further provides that parcel No. 4 shall be transferred to the State of Illinois without reimbursement.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MUSKIE. I am happy to yield.

Mr. DOUGLAS. If the amendment of the Senator from Oregon is defeated, it is my intention to offer a clarifying amendment to make it clear that the $286,000 to be paid by the State of Illinois will be for parcels 3 and 4; so the question of the transfer of parcel 4 without consideration will be removed.

Mr. MUSKIE. I thank the Senator for his comment.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. MUSKIE. I am happy to yield.

Mr. LAUSCHE. Will the Senator explain why there has not been included in the proposed conveyance language which would reserve to the United States rights to minerals which might be found in the land?

Mr. MUSKIE. I shall be happy to reply to the question of the Senator from Ohio.

Such language was omitted relative to parcel No. 3, because in connection with parcel No. 3, the United States would receive full value, or $286,000—full value as measured by the bids which had been received. The General Services Administration advised us that it was the policy of that agency in such circumstances, when the United States was receiving full value, not to reserve the oil and gas rights. This is not a policy of the subcommittee. It is a policy of long standing of the General Services Administration. I point out to the Senator from Ohio that the reservation of oil and gas rights is provided in the bill relative to parcel No. 4.

With respect to reimbursement to the U.S. Government for this entire area of land, involving some 3,946 acres, the proposal which is encompassed in part within the bill, and which will be implemented in part by administrative action, will return to the U.S. Treasury a minimum, as the committee understands, $1,353,000.

What is the value of parcel No. 4? The acquisition cost was something like $247,000, as I remember. I do not have the figure at the tip of my tongue. Parcel No. 4, as disclosed by the testimony before the committee, is comparable to parcel No. 3. Parcel No. 3 brought bids of $303 an acre. If we apply that figure to parcel No. 4, parcel No. 4 is worth $450,000.

Yesterday the distinguished Senator from Oregon [Mr. MORSE] introduced the opinion of the Army to the effect that parcel No. 4 is worth $450 an acre, which would be a total of $650,000. Whichever of the two figures we take, the $450,000 or the $650,000, obviously

the $1,350,000 which the U.S. Government would receive is far in excess of 50 percent of the value of the total area, on the basis of such evidence as the committee had.

The Senator from Oregon says we should consider parcel No. 4 separately from parcel No. 3, as I understand, and that because parcels 1 and 2 are going to private individuals for industrial uses, the State of Illinois should receive no benefit from the sum received from the sale of those two parcels, in computing what the State of Illinois should pay for parcels 3 and 4.

The Senator from Oregon is entitled to his opinion; but the position of the committee is that we have one area of land, all of which, for 10 years, has been managed by the State of Illinois, by permission of the Department of the Interior of the U.S. Government, as a wildlife and recreational area. It has been used as one area for this single purpose by the State of Illinois; and the only reason we are concerned with this question now is that the General Services Administration must dispose of the land. So the committee faced the very practical problem of how to insure its disposition in such a way as to insure that all portions of it will be utilized for their most valuable uses.

We found that a part of it was chiefly valuable for industrial purposes, and a part for recreational purposes. We found that because a part of it had been declared surplus, and a part of it had not, the total problem could not be solved unless the subcommittee was willing to recommend legislative action to the Senate.

As I stated yesterday, members of the subcommittee have no personal interest in the question. The Senator from Alaska lives thousands of miles from Illinois. I live thousands of miles from Illinois. We invited the Senator from Illinois [Mr. DOUGLAS] to bring his people up to Maine for their recreation; but he felt that that could not be accomplished over a weekend, and that there should be some recreational areas within the State of Illinois.

None of us had any personal interest. This is a practical problem. According to the figures offered by the Army Uncle Sam will get 66 percent of the total value of this area; or, based upon the figures suggested on the basis of the value of parcel 3, he will receive 70 percent of the value of the total area.

I did not conceive the Morse formula, and I have not fought for it over the years. I am not prepared to say that this proposal is an accurate application of the Morse formula to this property, but I say that, so far as the committee is concerned, this is a good trade for the Government of the United States. It is a good trade for the taxpayers of the United States, and it is a good trade for the citizens of Illinois. I think it is a very practical solution, as I stated yesterday, of a very practical problem.

Another group of Senators considering the same problem might have come forth with some of the suggestions contained in the amendment offered by the Senator from Oregon; but I do not see that the committee can take any other position than that the solution it has recommended, after long hours and weeks of work, is still a sound solution.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. CARROLL. As I listened to the debate yesterday on this question a thought came to my mind, and I do not care to be raising legal questions, or what the Senator from Illinois yesterday called legal quibbles. But in the statute giving the GSA the right to sell surplus property, to dispose of it, does the statute contain certain guidelines, standards, for the sale and disposal of property?

Mr. MUSKIE. The statute to which the committee looked for guidance provides that "upon request, real property which is under the jurisdiction or control of a Federal agency and no longer required by such agency" may be transferred without reimbursement or transfer of funds if it "can be utilized for wildlife conservation purposes by the agency of the State exercising administration over the wildlife resources of the State wherein the real property lies and is chiefly valuable for use for any such purpose."

It is a little difficult to determine what standards we are to use in measuring the value of the property. Land which might bring bids of $1,000 an acre, as parcel No. 1 did for industrial purposes, would not bring any such bids for wildlife purposes because there is no market in the same sense that there is for industrial purposes. So dollars are not the only measure when we are trying to apply the statutory standard, and the Administrator of the GSA recognized the difficulty. As I said yesterday, he was not sure how he would resolve this problem if it came back to him for decision.

Mr. CARROLL. Will the Senator yield further?

Mr. MUSKIE. I yield.

Mr. CARROLL. One of the reasons why I raised this question is my desire to determine whether or not the General Services Administration has discretion. In other words, what is the need for statutory enactment if they have the discretion to make a determination?

Mr. MUSKIE. The General Services Administration was in the process of making such a determination, and for the purpose of establishing some objective standard, it divided this top 2,400 acres arbitrarily into three parcels for the purpose of receiving bids. It was in the process of receiving bids when the distinguished Senator from Illinois introduced the original bill, and the Senator from Illinois introduced the original bill because he was fearful that the decision of GSA might be adverse to the conservation interests in his State. When he introduced the bill, then the committee asked GSA to suspend the making of any decision under the statute, and we held hearings to determine the status of the situation, to get some guide lines for action.

May I say that the original bill provided for transfer of parcels 1, 2, and 3, without any reimbursement by the State of Illinois, but it became apparent in the hearings that some of this area was chiefly valuable for industrial purposes and some of it chiefly valuable for recreational purposes.

Mr. CARROLL. Mr. President, will the Senator yield further?

Mr. MUSKIE. I yield.

Mr. CARROLL. There is a point I hope to make, because it is very important, if I may disgress for a moment.

We have had Fort Logan, in Colorado. That has been one of the famous military posts since 1887. It has now been declared surplus, and we find that certain State groups have come in and are getting the property. A problem arose which is almost identical with that now confronting the Senate, where very choice land is going to certain private groups who desire to build on it a housing project which will be of tremendous profit to them in a locality where three counties want to put in a recreational area.

I commend the Senator from Illinois. Notwithstanding the guidelines heretofore given by statutory enactments and standards, I had not thought in terms of Congress acting entirely on a monetary or financial basis which sometimes runs counter and contrary to the public interest.

I say to the Senator from Oregon that this situation obtains right in my area today, where we have three counties, none of which has the financial capacity to move into an area involving some 100 or 200 acres, and we know of a private group which can come in.

Here is an area that is used for recreational purposes. It is needed for recreational purposes, and I had not thought about this problem until I heard the discussion in the debate yesterday and I wondered how it could be handled, and I see the Senator from Illinois has provided for it in the bill.

I pose the last question. If the bill becomes law, then, notwithstanding the previous statute, will it be mandatory on the General Services Administrator to follow the mandate of Congress?

Mr. MUSKIE. If this becomes law it will be mandatory upon payment by the State of Illinois of the amount required of it by the bill.

Mr. CARROLL. And notwithstanding the previous standards which we delegated to the General Services Administrator, not only will there be a discretion but a mandate to follow this statutory enactment?

Mr. MUSKIE. The Senator is correct.

Mr. CARROLL. Will the Senator yield further?

Mr. MUSKIE. I am happy to.

Mr. CARROLL. I wish to say to the distinguished Senator from Oregon that he has performed a great service here, notwithstanding the vote, and I do not know what the vote was. The Senator from Oregon has presented on this issue, as clarified for the RECORD, a fine legal argument which has been very helpful to the junior Senator from Colorado, and while I cannot agree with his legal position, I understand the nature of it, and I also join in commending the distinguished Senator from Illinois because it has now given us an

opportunity to find out how these things can be accomplished without monetary and financial considerations.

I thank the Senator from Maine also for his very clear, lucid presentation of this very involved issue.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, we expect to bring up tomorrow Order No. 533, Senate 812. I have discussed this with the author of the bill, the Senator from Minnesota [Mr. HUMPHREY], and the chairman of the subcommittee [Mr. RANDOLPH] and the distinguished minority leader [Mr. DIRKSEN]. We would like to have the Senate convene early tomorrow and have a consent agreement when this bill is taken up.

I have an agreement with the Senators I have mentioned. Therefore I ask unanimous consent that during the consideration of S. 819 there be 3 hours for debate, to be equally divided, and 30 minutes on amendments, to be equally divided.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, as subsequently reduced to writing, is as follows:

Ordered, That during the consideration of the bill (S. 812), the Youth Conservation Act of 1959, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 30 minutes, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 3 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. DIRKSEN. Mr. President, will the majority leader yield?

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. It is my understanding that we will have votes on two treaties on the Executive Calendar tonight. Is that correct?

Mr. JOHNSON of Texas. That is correct. We hoped to do it immediately following the last yea-and-nay vote, but we were unable to get all the Senators interested then. We would like to have the votes this evening as quickly as we can get to them. The treaties are noncontroversial. We anticipate that they will be acted upon unanimously, but we do have to have yeas and nays on treaties.

Mr. MORSE. May I be informed what the unanimous-consent agreement is about?

Mr. JOHNSON of Texas. The unanimous-consent agreement that was entered into?

Mr. MORSE. I did not understand what agreement we had entered into.

Mr. JOHNSON of Texas. It related to Order 533, Senate bill 812, the bill of the Senator from Minnesota [Mr. HUMPHREY].

Mr. MORSE. Very well. I thank the Senator from Texas.

Mr. JOHNSON of Texas. We will have a very brief statement on the treaties, and then we will bring them up.

I might also say that if I could work out a unanimous-consent agreement, I should like to take up the bill from the Finance Committee some day when it is agreeable to the Senator.

Mr. President, if I could, and if it would suit the convenience of the Members of the Senate, I should like to suggest that on the Teague bill, the veterans' bill that was reported by the Finance Committee today, we have a unanimous-consent agreement, when we bring it up, of 3 hours on the bill, to be equally divided, and 1 hour on each amendment, to be equally divided.

Mr. KEATING. Reserving the right to object, Mr. President, and I have no objection to that, I do not understand the majority leader's unanimous-consent request to have anything to do with the rule of germaneness.

Mr. JOHNSON of Texas. The provision of germaneness is contained in all unanimous-consent agreements when they are reduced to writing. We have a standard form——

Mr. KEATING. I am familiar with the standard form. When was it planned to take up this bill?

Mr. JOHNSON of Texas. The Committee on Finance, of which the distinguished Senator from Virginia [Mr. BYRD] is the chairman, is of the opinion that if the Senate could convene at 10 o'clock tomorrow morning, action could be completed on the bill by tomorrow afternoon. I am very desirous to have the Senate go over from Thursday until Monday. I have found that by having the intervening days open, Senators are enabled to visit their States, handle their mail, and take care of appointments. I think that much time is gained by having the Senate go over from Thursday until Monday.

Mr. KEATING. And important committee meetings also can be held on Friday.

Mr. JOHNSON of Texas. Yes; that is true. I am fearful that in the last days of the session—whenever we reach that time, and it may be that we are approaching it now—it will be necessary for us to be here some evenings and to come in early, and also to hold some Saturday sessions. But the committees have not yet produced a housing bill, and a road bill. The labor bill will probably go to conference, and some time will be spent on the labor bill conference report.

A civil rights bill has not yet been reported. So until those bills are ready for action by the Senate, I intend to try to have the Senate go over from Thursday until Monday, if I can get unanimous consent agreements on the other bills and if the Senate will act upon them.

Mr. KEATING. The majority leader is very persuasive. I withdraw my objection.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That during the consideration of H.R. 7650, relating to a modification of veterans' pension programs, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 3 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. JOHNSON of Texas. Another bill reported by the Committee on Finance, which I desire to call to the attention of the Senate, is S. 2524, Calendar No. 665, a bill relating to the power of the States to impose net income taxes on income derived from interstate commerce.

I ask unanimous consent that during the consideration of Calendar No. 665, S. 2524, which we will attempt to have follow action on the veterans' bill, there be not to exceed 2 hours on the bill and not to exceed 30 minutes on each amendment, the time to be equally divided.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. JAVITS. I should like to ask the Senator from Virginia, through the Senator from Texas, whether this is the bill which carries out or comes near to carrying out some of the recommendations of the Select Committee on Small Business, which go back to some of the Supreme Court decisions on taxes of small businesses for business within a State, although the business is interstate commerce?

Mr. BYRD of Virginia. That is correct. It is a bill which will prevent the taxation of interstate commerce, for example, when a salesman goes into a State. The purpose of the bill is to correct, to some extent, the Supreme Court decisions.

Mr. JAVITS. I thank the Senator from Virginia. I hope the bill can be brought up.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senater from Texas? The Chair hears none, and it is so ordered.

The unanimous-consent request, reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That during the consideration of the bill S. 2524, relating to the power of the

States to impose net income taxes on income derived from interstate commerce, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 30 minutes, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

ORDER FOR ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JAVITS. Mr. President, do I understand that the Committee on Banking and Currency has unanimous consent to meet notwithstanding the early hour for the convening of the Senate tomorrow?

The PRESIDING OFFICER. Unanimous consent was granted earlier for that purpose.

Mr. JAVITS. I thank the Chair.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I desire to modify that order and ask that the Senate convene at 9:30 a.m. tomorrow. I am informed that two Senators desire to make speeches which do not relate to any of the bills I have mentioned. They desire to make their speeches in the morning. We can have the regular morning hour; then there will probably be more than an hour during which the Senators can speak, before the Senate begins to consider any of the bills about which agreements have been reached.

I therefore ask unanimous consent to modify the order, so as to provide that the Senate will convene at 9:30 tomorrow morning, if that is agreeable.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas to modify the order so as to modify the order so as to provide that the hour of convening tomorrow will be 9:30 a.m.? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I anticipate that there will be a delay in the consideration of the bills tomorrow morning of about an hour, while Senators deliver their speeches. Senators may understand that their presence on the floor will not be required before 10:30—except those who desire to make speeches.

Mr. KEATING. Or who desire to listen to them.

Mr. JOHNSON of Texas. Then we will take up the bills as I have outlined them. If it is possible to conclude action on the bills, we will go over from Thursday until Monday.

CONVEYANCE OF CERTAIN LANDS TO THE STATE OF ILLINOIS

The Senate resumed the consideration of the bill (S. 747) to provide for the conveyance of certain lands known as the Des Plaines Public Hunting and Refuge Area to the State of Illinois.

Mr. MORSE. Mr. President——

Mr. JOHNSON of Texas. Mr. President, will the Senator from Oregon indicate how long he may take?

Mr. MORSE. I could not indicate that with accuracy; not very long.

Mr. President, I wish to reply to the Senator from Maine [Mr. MUSKIE] and then to comment on the statement of the Senator from Colorado [Mr. CARROLL].

The more I listen to the members of the committee explain the theories they have followed in connection with reaching their decision, the clearer it becomes to me that the Senate made a great mistake in not sending the bill back to committee. The argument of the Senator from Maine is a very interesting one, indeed. He thinks the committee made a pretty good trade. The people of Illinois got a good trade, but the people of the United States lost, I think, somewhere between $200,000 and $250,000 in the trade. I think the record will sustain my view on that point.

Let us consider the theory of the committee. Parcels 1 and 2 are being sold for industrial purposes. Parcels 1 and 2 are being sold to private purchasers. Parcels 1 and 2 have nothing to do with the State of Illinois. The State of Illinois has no interest or claim in those parcels. I respectfully submit that if those parcels are chiefly valuable for commercial and industrial purposes, then they should be sold for industrial purposes, and are being sold for industrial purposes.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MUSKIE. I think it should be indicated that parcels 1 and 2, if the bill shall not be enacted, will not necessarily—at least so far as any Executive or administrative or legislative decision which has been made up to this point is concerned—be sold for industrial purposes, unless the legislation and the proposition of which it is a part are implemented.

It may very well be—and the Senator from Oregon is entitled to speculate—that if the bill fails, and if jurisdiction over parcels 1, 2, and 3 revert to the General Services Administration, some part or all of the three parcels may go for industrial purposes; but within the discretion of the Administrator of General Services, they could also go for wildlife and recreation purposes.

So I do not think it is strictly accurate to suggest that parcels 1 and 2 will go for industrial purposes and should be excluded from the consideration of the subcommittee and the Senate as we considered the disposition of this entire area.

Mr. MORSE. I think the conclusion just expressed by the Senator from Maine is a very unsound one, on the basis of what has already taken place in regard to this property. Parcels 1 and 2 are surplus. They have been declared surplus. Under the law, it is the duty of the General Services Administration to dispose of parcels 1 and 2. The General Services Administration has already considered bids for these properties for industrial purposes.

I respectfully point out to the Senator from Maine that it is not reasonable to assume that the Director of General Services will now offer this property for nonindustrial purposes.

He has been considering its use for industrial purposes; he has received bids for its use for industrial purposes; and the debate shows that he is requesting further bids, because he does not believe the bids already received are high enough.

This property is within 45 minutes of the Chicago Loop, and is highly valuable. I think there is every reason to assume that this very valuable property will be sold for at least the amount already bid for it. In all probability it will be sold for more than that; and we should note that the bids made thus far are based upon its industrial and commercial value.

Therefore, although the General Services Administration has not yet made a finding, under the law, in regard to the chief value of the property, although the committee should have done what it could to obtain such a finding, and I say respectfully that the committee should not have reported the bill until it had that knowledge. To argue that the Senate has a right to consider the value of parcels 1 and 2, in connection with its determination of the value which Illinois should receive for parcel 4, is a good example of an illogical and poor argument.

Parcels 1 and 2 have been declared surplus. Parcel 4 has never been declared surplus. We should wait until the status of parcel 4 is determined.

But be that as it may, I think there is no question about the fact that the bids for parcels 1 and 2 were made by private concerns who were interested in using the property for industrial purposes; and there is quite strong evidence that those parts of the property are valuable for use for industrial purposes.

If the Senator from Maine thinks the Senate should wait until the General Services Administration determines what the chief value of that property is, then the Senator from Maine could well move that the vote be postponed until that determination has been made. But the Senator from Maine should not attempt to argue both ways; he should not attempt to argue that parcels 3 and 4 should be transferred to Illinois, and that then the Senate should consider the question of the price which should be

paid by Illinois for parcels 1 and 2, and, in connection with that determination, should include in the calculation the amount which private concerns are willing to pay for parcels 1 and 2. It is at that point that the Senator from Maine uses arithmetic which would do great damage to the interests of the taxpayers of the Nation as a whole, and would give undue advantage to the taxpayers of Illinois.

Mr. MUSKIE. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield.

Mr. MUSKIE. Let me say that I am not interested in imposing my will upon that of any other Member of the Senate. During the last 8 months, I have observed, without making much comment, the operations here on the floor of the Senate; and I realize that any Senator who attempted to impose his will upon that of another Member of the Senate would be fighting a losing battle.

My observation in regard to parcels 1 and 2 is that the Senator from Oregon has been criticizing the committee severely because he says it has not obtained evidence, and has made decisions which were not based upon facts.

I am simply saying to the Senator from Oregon that it is a fact that no one, independent of the committee's recommendation and independent of whatever action the Senate may take on this matter, has decided in any binding way that parcels 1 and 2 will be sold, or should be sold, for use for industrial purposes.

I said that it is perfectly fair for the Senator from Oregon to make any assumptions he thinks the record supports; but I say to him that it was equally fair for the subcommittee to make such assumptions as it felt were supported by the record.

What we are dealing with here is a compromise, and I do not attempt to disguise it as being anything else. It is a compromise; it is an attempt to resolve the conflicting interests of people who have good intentions and who have in mind the best interests of the State of Illinois.

It is quite evident to the committee, and I think it is evident to the Senator from Oregon, that parts of this area are chiefly valuable for use for industrial purposes. When the decision is made—either by the Senate, in connection with the action it takes on this measure, or by the Administrator of the General Services Administration, if he becomes the one to make the decision—undoubtedly some part of this area will be sold for use for industrial purposes; and I am not interested in semantics which would confuse that point.

But it is equally clear that some portion of the property should be used for recreational and conservation purposes, although it is not likely to be used for those purposes, or it will be less likely to be used for those purposes, if the Senate does not make a decision in regard to that matter, for the reason that parcel 3 contains only 946 acres, which, in terms of the use to which the area is to be put, is not sufficient acreage to permit a decent job to be done in order to serve the recreational and conservation and wildlife needs.

Therefore, in order to make available an area large enough for those purposes, we felt it wise to include an additional 1,500 acres which are controlled by, and are held by, the Army, but which we believe the Army does not have sufficient need for, to warrant giving priority to the purpose or the use the Army has in mind for the property.

Mr. MORSE. Mr. President, the Senator from Maine does not change a single fact by calling the proposal now before us a compromise.

But let us consider the so-called negotiated statement which the two Senators from Illinois, the Governor of Illinois, and the General Services Administration are trying to work out prior—as the Senator from Maine says—to any determination by the General Services Administration of the chief value of the property. The so-called negotiated settlement was based upon treating parcels 1 and 2 as chiefly valuable for use for industrial purposes. Otherwise, no bids, in terms of use for industrial purposes, would have been made.

But the whole negotiated settlement which the Senator from Maine calls a compromise is based primarily upon the commercial value of parcels 1 and 2. The Senator from Maine has already said, in stating his side of this issue, that even under the so-called negotiated settlement, the General Services Administrator is not willing to accept the bids which have been made, because apparently he thinks higher bids should have been made. He is willing to call for further bids—all of which strengthens my argument that this property, which is only 45 minutes from the Chicago Loop, is highly valuable for use for industrial purposes. The added amount which would be paid for the property, for use for industrial purposes, should be received by the taxpayers of the whole Nation.

So I do not propose to vote for a bill which would shortchange the taxpayers of the Nation, by causing less than the value of the property to be received. That is my position.

As for parcel 3, I say Illinois would be paying 50 percent too much for it, because the assumption is that under the negotiated settlement, that part of the property would be used for park purposes. But I do not believe there should be a fee simple transfer of that part of the property to Illinois. I think the Federal interest in the property is such that the area contiguous to parcel 4 should also be included in the park area, and the totality should be subject to reversion to ownership by the Federal Government in case Illinois ceases to use the land for park purposes.

That is one reason why I believe Illinois should pay only 50 percent of the appraised fair market value of the property, and that the standard clause reserving oil and mineral rights should be included both as to this part of the property and parcel 4.

What I wish to ascertain—but it cannot be ascertained until further consideration by the committee is given to it—is what parcel 4 really is worth. Whether the 1,500 acres are worth what the Army claims, namely, $450 an acre; or whether they are worth what the committee apparently assumed, namely, $303 an acre is my question. I do not know what those 1,500 acres are worth, and I am satisfied that the committee does not know.

All I am trying to do is get the Senate to recognize that the only land over which it has jurisdiction, in connection with the pending question, is the land in parcels 3 and 4, because parcels 1 and 2 are to all intents and purposes, being treated, under the so-called negotiated settlement, as industrial property; and the taxpayers of the Nation are entitled to have a fair value amount paid for that part of the area. But I do not intend to agree that parcels 1 and 2 be included in the calculations of what the people of Illinois should pay for parcels 3 and 4, because parcels 1 and 2 will be purchased by private parties. It would not be proper to add what the private parties pay for that part of the property to the value of parcels 3 and 4, and thereby reduce the amount which Illinois would pay for them.

We are merely confronted with a simple problem of arithmetic.

The Senator from Maine is trying to cut down on the Morse formula, by giving the people of Illinois the benefit of the high industrial-use price which private parties will pay for parcels 1 and 2, thereby reducing the amount which the people of Illinois would pay for the rest of the property.

Let me say that if such a principle were ever to be established by the Senate, it would invite various persons to search the records for comparable factual situations relative to Federal property. They would then attempt to have the Senate consider proposed legislation which would reduce the cost to the people of their State, by including in the calculations the amount which private purchasers would pay for property which would have a great deal of value for use for industrial purposes.

It is wrong in principle. It is wrong in its results. It is not fair to the people who own the property. Those people are not the people of Illinois alone, but the people of the entire Nation, including the people of Illinois.

That is my case at the present moment.

I yield to the majority leader.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, there are a number of Senators who are not participating in this debate, but who want to be recorded on two yea-and-nay votes. I want as many Senators to be able to vote on a call of the roll as possible. Therefore, I ask unanimous consent that the Senate proceed to the consideration of the two treaties on the Executive Calendar, so we may have those yea-and-nay votes. Then we may continue with this present discussion as long as Senators may desire to speak.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of executive business, and the clerk will state the first treaty on the Executive Calendar.

Mr. JOHNSON of Texas. Mr. President, there are two executive agreements before the Senate. I understand there is no opposition to them, and I ask unanimous consent that one yea-and-nay vote may be taken on the two treaties, the vote to apply to each.

The PRESIDING OFFICER. Is there objection to having one yea-and-nay vote applied to both treaties? The Chair hears none, and it is so ordered.

THE TELEGRAPH REGULATIONS

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of Executive G, 86th Congress, 1st session.

The Senate, as in Committee of the Whole, proceeded to consider Executive G (86th Cong., 1st sess.), the Telegraph Regulations (Geneva Revision, 1959) with final protocol to those regulations (Ex. G, 86th Cong., 1st sess.), signed for the United States at Geneva on November 29, 1958, which was read the second time, as follows:

FINAL PROTOCOL TO THE TELEGRAPH REGULATIONS (GENEVA REVISION, 1958)—ANNEXED TO THE INTERNATIONAL TELECOMMUNICATION CONVENTION (BUENOS AIRES, 1952)

At the time of signing the Telegraph Regulations annexed to the International Telecommunication Convention, the undersigned delegates take note of the following statements:

For Belgium, France, Luxembourg, Netherlands, Federal German Republic:

"In signing the present Telegraph Regulations, the delegates of Belgium, France, Luxembourg, the Netherlands and the Federal German Republic once more express regret:

"That the Geneva Telegraph Conference did not consider it necessary to accept the figures reached by the C.C.I.T.T. as a result of costing studies of European transit rates;

"That the said Conference also refused to allow Administrations in the European tariff system the complete freedom existing in the extra-European system as far as rates are concerned.

"In these circumstances, they formally reserve the right of their Administrations to fix terminal and transit charges at their own convenience; hence, they do not undertake to accept any obligations whatsoever deriving from the provisions of article 8 of the Regulations." (Original: French.)

For Belgium, France, Luxembourg, the Netherlands, Federal German Republic:

"When signing the present Telegraph Regulations, the delegates of Belgium, France, Luxembourg, the Netherlands, and the Federal German Republic wish to state they reserve the positions of their respective Administrations with regard to the possible application of some of the provisions of Chapter XXV (Phototelegraph Service)." (Original: French.)

For China:

"In signing the present Telegraph Regulations the delegation of China declares to reserve the right of not undertaking the provisions of article 44 section 3 in its entirety in view of the fact that telegrams in four figure groups taken direct from the official telegraph dictionary of the Chinese Administration, which has been admitted as plain language, are never collated in the Chinese system." (Original: English.)

For the Republic of Colombia:

"The Delegation of the Republic of Colombia, at the time of signing the Telegraph Regulations, declares that it does not accept any obligation imposed by article 7, section 4, on parity of rates in the two directions, or by section 6, on monetary equivalents.

"In addition, the Delegation declares that it reserves the right to establish a minimum of less than fourteen (14) words for press telegrams (art. 7, sec. 3, of the Regulations)." (Original: Spanish.)

"The Delegation of the Republic of Colombia, in signing the Telegraph Regulations, declares that it does not accept that terminal and transit rates can be fixed by private operating agencies, with respect to Colombia, and it therefore submits a reservation regarding article 9, section 1, of the said Regulations." (Original: Spanish.)

For the Republics of Colombia and Venezuela:

"The delegations of the Republics of Colombia and Venezuela at the time of signing the Telegraph Regulations, declare that they cannot accept any undertaking whatsoever in respect of the minimum of fourteen (14) words for press telegrams (art. 67, sec. 4)." (Original: Spanish.)

For the United States of America:

"1. The United States of America formally declares that the United States of America does not, by signature of the Telegraph Regulations (Geneva Revision, 1958) on its behalf, or by ratification thereof, accept any obligation in respect of the application of any provision of the Regulations to service within the United States with respect to telegrams between the United States, on the one hand, and Canada, Mexico, and Saint-Pierre and Miquelon Islands, on the other hand, and to the rates applicable to such service.

"2. The United States of America formally declares that the United States of America does not accept the authority in article 85 of the Telegraph Regulations (Geneva Revision, 1958) to restrict the reception of radiocommunications, and it expresses the hope that other Administrations will not exercise such authority.

"3. The United States of America formally declares that the United States of America will permit press rates to be accorded press queries, press orders, and press administrative messages sent from the United States of America, and expresses the hope that other Administrations will permit press rates to be accorded press queries, press orders, and press administrative messages.

"4. The United States of America formally declares that the United States of America does not accept any obligation in respect of the application of any provision of the Telegraph Regulations (Geneva Revision, 1958) to service over telecommunication channels other than those open to public correspondence.

"5. The United States of America formally declares that the United States of America does not, by signature of the Telegraph Regulations (Geneva Revision, 1958) on its behalf or by ratification thereof, accept any obligation in respect of the following provisions of the said Regulations: Article 20, section 3, insofar as the paragraph prohibits the admission of message texts containing groups made up of combinations of letters, figures or signs which have a secret meaning, produced by automatic cryptographic processes; article 7; article 9; article 10; article 11; article 12, sections 2 and 3; article 16, section 5, in reference to the figure case symbols for signals numbered 22 and 26: article 48; article 49; article 50, section 2; article 52, section 1; article 53, section 4(1); article 59; article 83, section 5; article 67, sections 1, 2, and 6; article 70, section 7(1); article 80, section 5; article 88, section 1 p); article 89, section 3; article 91, (1); article 94, section 6; article 101, section 5; and appendix 2." (Original: English.)

For the Republic of Indonesia:

"In signing the present Telegraph Regulations on behalf of the Administration of the Republic of Indonesia, the Indonesian delegation to the Administrative Telegraph and Telephone Conference, Geneva 1958, reserves its rights with respect to the use by the public of the cross or addition sign." (Original: English.)

For Mexico:

"In signing the Telegraph Regulations the delegation of Mexico declares that it does not accept any obligation in respect of the establishment of parity of rates in the two directions provided for in article 7, section 4, and reserves the right to apply, whenever necessary, the provisions of article 7, section 3." (Original: Spanish.)

"In signing the Telegraph Regulations, the Delegation of Mexico reserves the right to apply the Recommendations of the C.C.I.T.T. insofar as they may solve both problems of a world-wide international character and specific regional requirements." (Original: Spanish.)

For the United Kingdom of Great Britain and Northern Ireland:

"We declare that our signatures in respect of the United Kingdom of Great Britain and Northern Ireland cover the Channel Islands and the Isle of Man." (Original: English.)

In witness whereof, the undersigned delegates have drafted the present Protocol and have signed it, in a single copy, which shall remain deposited in the archives of the International Telecommunication Union, which shall forward one certified copy to each of the signatory countries.

Done at Geneva, the 29th of November 1958.

(The signatures follow:)

(The signatures following the Final Protocol are the same as those which follow the Telegraph Regulations.)

Mr. JOHNSON of Texas. Mr. President, the proposed Telegraph Regulations—Geneva Revision, 1958—with final protocol to those regulations, was signed for the United States at Geneva on November 29, 1958. The main purpose of the Telegraph Regulations is to provide an operating manual for international telegraph service by wire, cable, and radio throughout the world.

For the most part, the Telegraph Regulations now under consideration contain no important substantive changes from the regulations adopted at Paris in 1949, and ratified by the Senate on September 26, 1950.

The Committee on Foreign Relations has satisfied itself that the telegraph industry and interested Government departments were carefully consulted prior to and during the course of the negotiations of these Telegraph Regulations, and have been given adequate opportunity to file any objections. In addition, the committee ascertained that the acceptance of the Telegraph Regulations would not involve any additional administrative expenses to agencies of this Government, nor would it increase to this Government the annual cost of our participation in the International Telecommunications Union.

The committee was advised that 64 nations have signed the Telegraph Regulations, which shall enter into force on January 1, 1960, in respect of those countries which by that date have taken necessary action to become parties thereto.

The committee believes that early ratification of the pending Telegraph Regulations, subject to the reservations and declarations set forth, is in the public interest.

Mr. President, several clerical and typographical errors appear in the print of Executive G, 86th Congress, 1st session, the pending Telegraph Regulations—Geneva Revision, 1958—with final protocol to those regulations which now is before the Senate. In order that these errors may be corrected, I ask unanimous consent that the following changes be made at the desk:

At page 4a in declaration No. 5, after article 7, insert "except section 3"; and strike out the figure "94" and insert in lieu thereof the figure "95."

The PRESIDING OFFICER. Without objection, the corrections will be made.

Without objection, Executive G, 86th Congress, 1st session, will be considered as having passed through its various parliamentary stages up to the point of the consideration of the resolution of ratification, which the clerk will read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive G, 86th Congress, 1st session, the Telegraph Regulations (Geneva Revision, 1958) with Final Protocol to those regulations, subject to the declarations set forth below:

1. The United States of America formally declares that the United States of America does not, by signature of the Telegraph Regulations (Geneva Revision, 1958) on its behalf, or by ratification thereof, accept any obligation in respect of the application of any provision of regulations to service within the United States with respect to telegrams between the United States, on the one hand, and Canada, Mexico, and Saint-Pierre and Miquelon Islands, on the other hand, and to the rates applicable to such service.

2. The United States of America formally declares that the United States of America does not accept the authority in article 85 of the Telegraph Regulations (Geneva Revision, 1958) to restrict the reception of radiocommunications, and it expresses the hope that other administrations will not exercise such authority.

3. The United States of America formally declares that the United States of America will permit press rates to be accorded press queries, press orders, and press administrative messages sent from the United States of America, and expresses the hope that other administrations will permit press rates to be accorded press queries, press orders, and press administrative messages.

4. The United States of America formally declares that the United States of America does not accept any obligation in respect of the application of any provision of the Telegraph Regulations (Geneva Revision, 1958) to service over telecommunication channels other than those open to public correspondence.

5. The United States of America formally declares that the United States of America does not, by signature of the Telegraph Regulations (Geneva Revision, 1958) on its behalf or by ratification thereof, accept any obligation in respect of the following provisions of the said regulations: Article 20, section 3, insofar as the paragraph prohibits the admission of message texts containing groups made up of combinations of letters, figures or signs which have a secret meaning, produced by automatic cryptographic processes; article 7, except section 3; article 9; article 10; article 11; article 12, sections 2 and 3; article 16, section 5, in reference to the figure case symbols for signals numbered 22 and 26; article 48; article 49; article 50, section 2; article 52, section 1; article 53, section 4(1); article 59; article 83, section 5; article 67, sections 1, 2 and 6; article 70, section 7(1); article 80, section 5; article 88, sections 1(a) (1) 2, 3, 4; article 88, section 1(p); article 89, section 1; article 89, section 3; article 91, section 1; article 95, section 6; article 97, section 1 (2); article 101, section 5; and appendix 2.

TAX CONVENTION WITH NORWAY

The PRESIDING OFFICER. The Senate will now proceed to the consideration of Executive D (85th Cong., 1st sess.).

The Senate, as in Committee of the Whole, proceeded to consider Executive D, 85th Congress, 1st session, the convention between the United States of America and Norway, signed at Oslo on July 10, 1958, modifying and supplementing the convention of June 13, 1949, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, which was read the second time, as follows:

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND NORWAY MODIFYING AND SUPPLEMENTING THE CONVENTION OF JUNE 13, 1949, FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME

The President of the United States of America and His Majesty the King of Norway, desiring to modify and supplement in certain respects the Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Washington on June 13, 1949, have decided to conclude a supplementary Convention for that purpose and have appointed as their Plenipotentiaries:

The President of the United States of America: Frances E. Willis, Ambassador extraordinary and plenipotentiary of the United States of America to Norway, and His Majesty the King of Norway: Halvard Lange, Minister of Foreign Affairs, who, having communicated to one another their full powers, found in good and due form, have agreed as follows:

ARTICLE I

The Provisions of the Convention of June 13, 1949, are modified and supplemented by inserting immediately after article VI thereof the following new article:

"ARTICLE VI–A

"(1) The rate of United States tax on dividends received from a United States corporation by a resident or corporation or other entity of Norway, not engaged in trade or business in the United States through a permanent establishment therein at any time during the taxable year, shall not exceed 15 percent. The rate shall, however, not exceed 5 percent in the case of such dividends received by a Norwegian corporation if (a) during the part of the United States corporation's taxable year preceding the payment of the dividend and during the whole of the prior taxable year, such Norwegian corporation either alone or in association with not more than three other Norwegian corporations owned more than 50 percent of the voting stock of the United States corporation, provided each Norwegian corporation owned at least 10 percent of the voting stock of the United States corporation, and (b) not more than 25 percent of the gross income of the United States corporation for the taxable year immediately preceding the payment of the dividend is derived from interest and dividends other than interest and dividends received from its subsidiary corporations.

"(2) The provisions of the preceding paragraph shall apply, mutatis mutandis, in the case of dividends received from a Norwegian corporation by a resident or corporation or other entity of the United States.

"(3) Dividends paid by a Norwegian corporation shall be exempt from United States tax except where the recipient is a citizen, resident, or corporation of the United States.

"(4) Dividends paid by a United States corporation shall be exempt from Norwegian tax except where the recipient is a resident or corporation of Norway."

ARTICLE II

(1) The present supplementary Convention shall be ratified and the instruments of ratification shall be exchanged at Washington as soon as possible.

(2) The present supplementary Convention shall, upon exchange of instruments of ratification, become effective with respect to taxable years beginning on or after the first day of January following the calendar year in which such exchange takes place. It shall continue effective indefinitely as though it were an integral part of the Convention of June 13, 1949, subject to the provisions of article XXII of that Convention with respect to termination.

DONE at Oslo, in duplicate, in the English and Norwegian languages, the two texts having equal authenticity, this tenth day of July 1958.

For the President of the United States of America:

[SEAL] FRANCES E. WILLIS.

For His Majesty the King of Norway:

[SEAL] HALVARD LANGE.

Mr. JOHNSON of Texas. Mr. President, the pending convention was transmitted to the Senate by the President on August 14, 1958. In July 1959, the chairman of the Foreign Relations Committee asked the staff of the Joint Committee on Internal Revenue Taxation to analyze and report on the convention. On August 10, the chief of staff of that committee, Mr. Colin F. Stam, reported that in general the convention is—"in accord with the principles underlying the provisions of existing tax conventions which the Senate has previously approved."

On the following day the Committee on Foreign Relations held a public hearing at which time supporting testimony was received from National Foreign Trade Council and the Department of the Treasury. No opposition to the convention has been brought to the committee's attention.

The convention would add to the 1949 convention between the United States and Norway a new article relating to the income-tax treatment of dividends. It appears that although the sums of money involved under the modifying provisions will be small, the net effect will be a slight increase in the revenue of the U.S. Treasury.

The PRESIDING OFFICER. Without objection, Executive D (85th Cong., 1st sess.), will be considered as having passed through its various parliamentary stages up to the point of the consideration of the resolution of ratification, which the clerk will read.

The legislative clerk read as follows:

Resolved, two thirds of the Senators present concurring therein, That the Senate advise and consent to the ratification of Executive D, 85th Congress, 2d session, the Convention between the United States of America and Norway, signed at Oslo on July 10, 1958, modifying and supplementing the

Convention of June 13, 1949, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income.

The PRESIDING OFFICER. The question is on agreeing to the respective resolutions of ratification, as amended. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Louisiana [Mr. ELLENDER] and the Senator from Montana [Mr. MURRAY] are absent on official business.

I also announce that the Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

I further announce that, if present and voting, the Senator from Louisiana [Mr. ELLENDER], the Senator from Montana [Mr. MURRAY], and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from North Dakota [Mr. LANGER] is absent because of death in his family.

The Senator from Arizona [Mr. GOLDWATER] is detained on official business, and, if present and voting, would vote "yea."

The result was announced—yeas 93, nays 0, as follows:

YEAS—93

Aiken	Frear	Mansfield
Allott	Fulbright	Martin
Anderson	Gore	Monroney
Bartlett	Green	Morse
Beall	Gruening	Morton
Bennett	Hart	Moss
Bible	Hartke	Mundt
Bridges	Hayden	Muskie
Bush	Hennings	Neuberger
Butler	Hickenlooper	Pastore
Byrd, Va.	Hill	Prouty
Byrd, W. Va.	Holland	Proxmire
Cannon	Hruska	Randolph
Capehart	Humphrey	Robertson
Carlson	Jackson	Russell
Carroll	Javits	Saltonstall
Case, N.J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S.C.	Scott
Chavez	Jordan	Smathers
Church	Keating	Smith
Clark	Kefauver	Sparkman
Cooper	Kennedy	Stennis
Cotton	Kerr	Symington
Curtis	Kuchel	Talmadge
Dirksen	Lausche	Thurmond
Dodd	Long	Wiley
Douglas	McCarthy	Williams, N.J.
Dworshak	McClellan	Williams, Del.
Eastland	McGee	Yarborough
Engle	McNamara	Young, N. Dak.
Ervin	Magnuson	Young, Ohio

NAYS—0

NOT VOTING—5

Ellender	Langer	O'Mahoney
Goldwater	Murray	

The PRESIDING OFFICER. Two-thirds of the Senators present concurring therein, the resolutions of ratification of Executives G and D are deemed to have been agreed to by the same vote.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be notified that the Senate has today agreed to the resolutions of ratification of the treaties on the Executive Calendar today.

The PRESIDING OFFICER. Without objection, the President of the United States will be notified forthwith of the approval by the Senate this afternoon of the resolution of ratification of each of the treaties.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the resolutions of ratification of the treaties were agreed to.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

FORTHCOMING VISIT TO THE UNITED STATES BY SOVIET PREMIER NIKITA S. KHRUSHCHEV

Mr. GORE. Mr. President, on August 3, 1959, the President of the United States announced that he had invited Mr. Nikita Khrushchev, Premier of the Union of Soviet Socialist Republics, to make an official visit to the United States and that the President had accepted an invitation to make a return visit to Russia. Undoubtedly, there are valid reasons why the President issued the invitation and accepted the Soviet leader's invitation for a return visit. The advice of the Senate was not sought and, insofar as I am informed, advice was not sought from any Member of the Senate.

The decision to invite Mr. Khrushchev was made by President Eisenhower, which was his constitutional right. It is not the purpose of the junior Senator from Tennessee at this time to measure the wisdom of the President's decision, though in the interest of candor I should go so far as to say that my own sentiments and views have not allowed me to applaud it.

The fact is that the invitation has been extended and accepted and I believe the impending visit of Mr. Khrushchev will be a matter of historic importance. It may prove to be a crucial, if not a critical, event of the cold war. Unquestionably, it has potentialities for good. Hazards, too, are involved, it seems to me.

The President of the United States has publicly stated his belief that Mr. Khrushchev should be accorded hospitable and courteous treatment. In this the President deserves the support of all American citizens and officials. The Vice President of the United States and also various Members of both Houses of Congress have urged the American people to be mannerly and responsible on the occasion of this visit of state. I, too, have urged the people of my native State, where I understand Mr. Khrushchev may visit, to observe the amenities and proprieties of the occasion.

Discourteous treatment would demean only those responsible for it, and in the eyes of the world would reflect unfavorably upon the United States, certainly not upon Soviet Russia.

I have been disturbed by public expressions of opinion that the Congress of the United States should in all events adjourn or recess prior to the arrival of Mr. Khrushchev, lest the Congress be placed in an allegedly embarrassing position of inviting him to address the legislative branch of our Government. Apparently such expressions and sentiments are based upon the feeling on the part of some that an appearance by Mr. Khrushchev before the Congress would be inappropriate and would brand those extending such an invitation, or listening to such a speech, as being soft on communism. If such sentiments should prevail in Congress and if such an example should be emulated by the people of our country, whatever possibility may exist that this visit would lead to a lessening of international tensions and an improvement in the chances for peace might be irrevocably lost.

Can we reasonably expect the American people to be more mannerly and hospitable than their chosen representatives in the U.S. Senate, who have the responsibility of a limited partnership with the President in foreign affairs? A snub by the U.S. Senate of a guest of state, the Premier of the second most powerful nation in the world, invited by the President of the United States, would set an unfortunate example for the citizens of our country. This visitor will be the guest of the American people. He will be a guest in our house, so to speak. I propose to treat him as such. In this connection, I am more concerned with proving the decency of the American people and the responsibility and statesmanship of the U.S. Senate than I am with the possible political interpretation that hospitality constitutes an approval of a visitor's conduct.

It will be the American people who will be judged by their conduct and the conduct of their officials toward Khrushchev and his official party.

If the Senate is in session at the time of Mr. Khrushchev's visit, I shall introduce a resolution to invite him to address the Senate and I shall invite and hope for bipartisan sponsorship. The resolution will contain three parts: First, an invitation to the Russian leader to visit and address the United States Senate; second, an invitation to President Eisenhower to introduce his guest to the Senate; and, third, the designation of three calendar days next following the address of Mr. Khrushchev for debate upon the questions of world peace, fidelity to international obligations, the inalienable right of all peoples to self-determination, disarmament, freedom and security.

Mr. LAUSCHE subsequently said: A short while ago the Senator from Tennessee suggested that Khrushchev be extended an invitation to appear before and speak to this Senate.

I do not want any time to pass before expressing my opposition to that proposal. The President has invited Khrushchev to our country. That courtesy, in my opinion, was adequate and proper. I do not believe that anything can be gained, either by ourselves or by anyone else, in suggesting that he appear before the Senate to address us. We know his views. He cannot offer anything that will be of help to the

Members of the Senate, hence I am obliged to express my disagreement with the proposal that he be asked to address this honorable body.

CRITICISM OF NAACP

Mr. JOHNSTON of South Carolina. Mr. President, I send to the desk a news item from the New York Times of August 12, 1959, quoting Dr. J. H. Jackson, president of the National Baptist Convention, the Nation's largest Negro religious denomination, as having severely criticized the National Association for the Advancement of Colored People for suing the Little Rock, Ark., School Board.

It is indeed refreshing to me to see a Negro leader, who is a member of the NAACP, criticize that organization for its harassment of school officials, and to look beyond the so-called letter of the law to the all-important question of constructive human relations and good will.

I ask that this item from the New York Times be printed in the RECORD immediately after my remarks.

There being no objection, the item was ordered to be printed in the RECORD, as follows:

NEGRO HITS NAACP—BAPTIST LEADER SAYS GROUP HARASSES LITTLE ROCK BOARD

CHICAGO, August 11.—The Reverend Dr. J. H. Jackson, minister of Olivet Baptist Church, sent a telegram to the National Association of Colored People today protesting the organization's action against the Little Rock, Ark., School Board.

He urged the organization to give the board a chance.

Dr. Jackson is president of the National Baptist Convention, the country's largest Negro religious denomination. It has a membership of nearly 5 million. He is also a member of the NAACP.

"The struggle for democracy in education is not only a legal question," Dr Jackson said. "It is also a question of achieving constructive human relations and good will. We must not sacrifice the latter in a meticulous contention for the letter of the law."

The association's suit challenges the board's placement of only six Negroes in high schools that have been all white.

CONVEYANCE OF CERTAIN LANDS TO THE STATE OF ILLINOIS

The Senate resumed the consideration of the bill (S. 747) to provide for the conveyance of certain lands known as the Des Plaines Public Hunting and Refuge Area to the State of Illinois.

Mr. MORSE. Mr. President, I wish to complete my answer to the Senator from Maine, and I should like to comment on the remarks made by the Senator from Colorado.

The point I had previously made was that in my judgment, there is no justification whatsoever on the part of the committee considering the industrial-use price offer for parcels 1 and 2 as a basis for diminishing the price the State of Illinois should pay for parcel No. 4. My reasoning is that parcels No. 1 and No. 2, if, as, and when sold, must stand on their own footing. If sold to private purchasers, as they apparently are to be sold, for commercial and industrial uses, then certainly the State of Illinois is entitled to no credit on its account with the Federal Government for the price the Federal Government receives for such industrial-use sale.

Mr. President, the Senator from Maine points out that the General Services Administration has not yet determined what the chief value of this property is, and I said I was not going to let him have this both ways. He should make up his mind exactly what value is to be fixed on this property in this debate, so far as his theory of this case is concerned.

The so-called negotiated settlement is allegedly based upon what was considered to be at least the top bid for parcels 1 and 2 for industrial purposes. Even the bids for parcels Nos. 1 and 2 apparently were so low that under the so-called negotiated settlement or package deal, or compromise, to which the Senator from Maine has referred so many times in this debate, that the General Services Administration, as I understand, was not going to accept them. It was going to resubmit the property for further bids. Why? Because it thought it could get even more money than was offered.

Mr. President, that is why I say parcels 1 and 2 have no basis for consideration in this debate or in connection with this bill as it relates to the disposal of parcel No. 4. I had a chat with the Senator from Georgia [Mr. RUSSELL], and I know that he would not object to my pointing out the fact that this property has not been declared surplus. It is perfectly clear that we do not know what the value of parcel 4 is, and the people of this country ought to know the facts before their Congress disposes of their property. I think it is just as simple as that. That is what I have been pleading for. It further shows why I think the committee brought in a bill before the committee completed the work which ought to have been done.

Let us go on for a moment more, and although I speak critically, I speak with no unkindness in my motivation. I say most respectfully this is a most interesting bill the committee has brought to the Senate in regard to parcel No. 3. Let us take a look at what the committee recommends to us about parcel No. 3.

Turn to page 5, line 14:

(b) The conveyance authorized to be made pursuant to subsection (a) of this section shall be conditional upon the payment by the State of Illinois to the Administrator of General Services as consideration for such conveyance of the sum of $286,638.

I digress from the bill a moment to point out, Mr. President, that we have been told over and over again in this debate, that this 946 acres is needed for game refuge wildlife purposes and recreational purposes. The State of Illinois is seeking to obtain it for these purposes. It is willing to pay $286,000-plus for it. That is too much money. I am not in favor of collecting $286,000.

If $286,000-plus is the fair market value of parcel No. 3 and it is to be used for a public purpose, then the people of the State of Illinois ought to be required to pay only 50 percent of its fair market value. My amendment seeks to accomplish that purpose.

I read further from the bill about parcel 3, because it is very interesting language, so far as its legal effect is concerned, as can be found further in the bill, starting with line 19:

(c) The land authorized to be conveyed pursuant to subsection (a) of this section shall be conveyed subject to such easements for railroad rights-of-way as shall, in the determination of the Administrator of General Services, be necessary or appropriate to provide railroad service for the purchasers of adjoining tracts of land from the United States.

(d) The instrument of conveyance authorized by this section shall expressly require (1) that in the event the property conveyed by such instrument ceases to be used for wildlife conservation or recreational purposes, all right, title, and interest therein shall immediately revert to the United States to be held in the same manner as it was held prior to such conveyance.

It is obviously from the debate— and I speak goodnaturedly and respectfully— that the language appears to appeal to the Senator from Ohio [Mr. LAUSCHE]. I would have the Senator from Ohio take a further look at this section, because it does not mean what it says in its legal effect, as I shall show in a moment. Of course, it makes a good appeal on the floor of the Senate to say that 946 acres will be taken and set up as a State park for wildlife and recreational purposes, but that if the State of Illinois ceases to use the property for that purpose, the property shall revert to the Federal Government. That would be true if the period in the bill were placed at that point in the language of the bill on page 6, line 7. That would be true if instead of the semicolon after the word "conveyance" there were a period. But the bill goes on to declare something else. I now read from the bill on page 6, line 7. I call this to the attention of the Senator from Ohio:

And (2) that the reversionary interest of the United States, at the request of the State of Illinois, be relinquished to such State by the Administrator of General Services upon payment to the United States of the fair market value thereof at the time of relinquishment.

Senators have no guarantee under the bill that this property will continue to be used for park purposes; to the contrary, the bill specifically provides that the State of Illinois can get out of that reversionary clause at its request at any time; and all it has to do is to pay the fair market value of whatever that reversionary clause is. But what would it be? Under the terms of the bill, I respectfully submit, and I submit this especially to the Senator from Ohio, it would be zero. Why? Because it is contended by the authors of the bill and by the Senator from Maine [Mr. MUSKIE], the chairman of the subcommittee, that the $286,000-plus which is to be paid for this property by the State of Illinois is its fair market value. If the State of Illinois is paying fair market value, then the reversionary clause becomes meaningless any time the State of Illinois wants to say, "We want the United States to relinquish its reversionary clause."

I say it is a persuasive argument the proponents have made, but it is bait.

It is not expected that there would be a careful legal analysis of the meaning of this section of the bill. All the talk in this debate about the reversionary clause means nothing, because if the State of Illinois can get that reversionary clause relinquished at any time it wants to, all it has to do is to go into court and find out what the value is, and they will come and say, "Look at what we paid for the property in the first place. That was its fair market value." Let me say that any jury passing upon the value of that reversionary clause would, in all likelihood, come out with a verdict of "zero."

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MUSKIE. I do not intend to interrupt the Senator from Oregon or to break up the continuity of his speech. The Senator from Oregon has suggested that the committee in making this proposal included certain bait, which the committee presumably hoped would divert the attention of the Senate from a close legal analysis of the bill.

Mr. MORSE. That is a complete misinterpretation. I am saying that the effect of this language on the Senate is bait, and it ought to be so called. I am not attributing any motivation to the Senator from Maine or to any other member of the committee. I am pointing out what the effect of this language in the bill is on the action of the Senate, because I am satisfied that Senator after Senator on the floor of the Senate was greatly persuaded because he thought this language gave assurance that in perpetuity this property would be used for park purposes, and that if it were not used for park purposes, it would come back to the Federal Government.

All I say to the Senator from Maine, most respectfully, is that legal counsel ought to have made a more careful analysis of the language and have so advised the committee than apparently happened when the bill was brought to the Senate, with what I call this bait language in here, because it has appeal. I can understand why it appeals to me.

Mr. MUSKIE. May I comment on that? If there is bait in the bill which the committee wrote, the committee knew what it was doing. Whether or not the Senator from Oregon agrees that we did so, on the basis of sufficient facts, we felt we had sufficient facts. We are not trying to sell a bill of goods to anyone. We are not trying to sell a pig in a poke. We have presented to the Senate for its acceptance or rejection what we consider a reasonable proposition. If the Senator from Oregon chooses to believe this is not a reasonable proposition, that is his privilege. I respect his right to entertain it. But I do feel it incumbent upon me at any time the question is raised, and in protection of fellow members of the subcommittee, to insist, over and over and over again—and I will every time the Senator from Oregon raises this point insist over and over and over again—that we were not negligent in considering the bill; that we really probed for the facts which we considered important; and that we acted after deliberate consideration of those facts, and reached a judgment which we thought was fair.

We are not trying to impose a bill on the Senate. We are simply here with the cleanest hands we could manage and are saying to the Senate: Here are two alternatives; take your choice. We think this is reasonable; if you agree, fine. If you do not, and you say we should allow the law as it is now written to operate, to allow the Administrator of General Services to dispose of the property, that is fine. Disagree with us as long and as much as you wish. But I insist, for the benefit of the Senator from Oregon, that the committee worked hard, conscientiously, and, I think, effectively to reach the conclusion which it did.

Mr. MORSE. I say to the chairman of the subcommittee that he is entitled to any evaluation of his committee work that he wants to put on it; but when he was doing that committee work he was working as an agent of the whole Senate. As the senior Senator from Oregon, I am entitled to evaluate the work of the committee. I think the committee did a poor job. I want the RECORD to show that evaluation. I submit that the language on the reversionary clause is clear proof of what a poor job the committee did, because the committee brought to the Senate language in the bill which led Senator after Senator to believe, in my opinion, from the language in the debate on the bill, that the United States was going to get a reverter of the property if the property ceased to be used by the State of Illinois for wildlife and recreational purposes. Yet the language which the committee wrote into the bill authorized the State of Illinois, at its request, at any time it desires, to get the reverter clause removed through payment of whatever is the fair market value. I submit that—

Mr. MUSKIE. May I comment——

Mr. MORSE. Not until I have finished.

I submit that the purchase price of $286,000-plus, which has been written into the bill on the basis of the contentions throughout the debate, is treated as fair market value for this property, and, therefore, there would be no value assignable to the reversionary clause. The only thing we have is a procedure which would permit the State of Illinois, once transfer was made, at any time thereafter to request to have the reversionary clause removed and to pay fair market value. I say that would be zero.

I say to the Senator from Maine that I do not know of another piece of legislation which has ever come before us with such a reversionary clause included, when a property transfer involving the Morse formula was under consideration.

Mr. MUSKIE. I should like to comment on that point; and my remarks will be brief.

Mr. MORSE. I yield.

Mr. MUSKIE. Not once in my discussion of the bill on the floor have I referred to the reversionary clause or suggested what its meaning was, nor have I ever held it out as an attraction to the Senate. All the technical language of the bill, as it relates to the reversionary clause, and to oil and gas rights, and so forth, was provided by the General Services Administration, on the basis of its practices, procedures, and policies. So, Mr. President, if the Senator from Oregon takes issue with those provisions, he takes issue with the General Services Administration.

Mr. MORSE. No, Mr. President; I take issue with the committee, for the committee—not the General Services Administration—reported the bill to the Senate; and the bill is the baby of the committee, not the baby of the General Services Administration; and the committee, not the General Services Administration, clothed the bill in this language.

This part of the bill makes it seriously defective, in my opinion, insofar as the reversionary clause is concerned; and I think this part of the bill tends to mislead the Senate into believing that a State park will be established for recreational and wildlife purposes, whereas, in fact, Illinois has had included in the bill a provision which will make it possible for Illinois to get rid of the reversionary clause whenever it wishes to do so, and then proceed to use the property for any purposes, other than wildlife purposes, that it might desire.

One of the arguments, made during the debate, about including these 1,500 acres, instead of 1,500 acres across Highway 66, which the Army has been offering to Illinois, was that Illinois wanted contiguous property, not property in two parts, with the result that the pheasants would have to walk across the highway. But that was not my argument; it was made by the proponents of the bill, and was used by them during the debate, as shown by the CONGRESSIONAL RECORD. They want contiguous property to be provided, because they want the 946 acres, plus the 1,500 acres, to be used together for wildlife refuge and recreational purposes.

But now we find that under this bill the Congress would be giving to Illinois authority to eliminate the 946 acres whenever it wished to do so. The only provision in regard to a reversionary clause is in connection with the 1,500 acres.

I think that would be a very serious and very dangerous precedent, and I do not believe it should be established. Certainly the Senate should not pass a bill which contains such a reversionary clause provision, because if such a bill were passed, it would rise to plague the Senate time and time again, in connection with future legislation.

Now I turn to some of the suggestions which were made by the Senator from Colorado [Mr. CARROLL], in regard to whether the Senate should pass the bill in its present form, because of some practices which apparently the General Services Administration has been following in Colorado, where some private housing developers apparently have taken over a piece of property and have used it for private housing developments—if I correctly understood what the Senator from Colorado said—when, in his opinion, it would have been better used for park purposes.

I have two things to say about the comment made by the Senator from Colorado. First, if the Senator from Colorado thinks the present Surplus

Property Act should be amended, he should propose amendments to it, and should not be taking this approach to the problem of disposing of surplus property. Second, I suggest to him that he give consideration to what the law already provides.

In that connection, I refer to title 50 of the Federal Code appendix, at page 7646. I now read title 50, appendix, section 708, subsection (h):

(h) Public parks, recreational areas, and historic-monument sites

(1) Notwithstanding any other provision of this Act [former sections 1611—1614, 1615—1622, 1623—1632 and 1633—1646 of this Appendix], any disposal agency designated pursuant to this Act [said sections] may, with the approval of the Administrator of General Services, convey to any State, political subdivision, instrumentalities thereof, or municipality, all of the right, title, and interest of the United States in and to any surplus land, including improvements and equipment located thereon, which in the determination of the Secretary of the Interior, is suitable and desirable for use as a public park, public recreational area, or historic monument, for the benefit of the public. The Administrator of General Services, from funds appropriated to the War Assets Administration, shall reimburse the Secretary of the Interior for the costs incurred in making any such determination.

(2) Conveyances for park or recreational purposes made pursuant to the authority contained in this subsection shall be made at a price equal to 50 per centum of the fair value of the property conveyed, based on the highest and best use of the property at the time it is offered for disposal, regardless of its former character or use, as determined by the Administrator of General Services. Conveyances of property for historic-monument purposes under this subsection shall be made without monetary consideration: *Provided*, That no property shall be determined under this paragraph to be suitable or desirable for use as an historic-monument except in conformity with the recommendation of the Advisory Board on National Parks, Historic Sites, Buildings and Monuments established by section 3 of the Act entitled "An Act for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (49 Stat. 666) [section 463 of Title 16], and no property shall be so determined to be suitable or desirable for such use if (A) its area exceeds that necessary for the preservation and proper observation of the historic monument situated thereon, or (B) it was acquired by the United States at any time subsequent to January 1, 1900.

That is the law; but not one word about it is included in the committee report; and not one reference to that law has been made before now in the debate.

That law, which now is on the statute books, and the finding of the General Services Administration make perfectly clear that any surplus property which is to be used for park purposes, and is to be turned over to any State or to any subdivision of a State, shall bring a price of 50 percent of the fair market value.

Mr. President, I do not believe that section of the code should be repealed indirectly, in respect to one piece of property. I believe in uniform application of the law. Basic to American jurisprudence is the precious concept that in this country there shall be uniform application of the law; and in my opinion, this section of the code is four square with the Morse formula, in respect to the transfer to a State of property to be used for park purposes.

As to use of the property for wildlife purposes, title 16, section 667, subsection b applies.

Let me state for the record that I am under no illusions about what will happen, for I have been in similar positions, time and time again, during my 15 years in the Senate; and I am accustomed to have to stand here and fight for the application of a principle such as the one for the application of which I am fighting now—the principle of uniform application of the law to all the people and all the States. I do not intend to support an attempt to make an exception in the case of Illinois, in regard to this matter.

Title 16, section 667, subsection b, provides the following:

§ 667b. Transfer of certain real property for wildlife conservation purposes; reservation of rights.

Upon request, real property which is under the jurisdiction or control of a Federal agency and no longer required by such agency, (1) can be utilized for wildlife conservation purposes by the agency of the State exercising administration over the wildlife resources of the State wherein the real property lies or by the Secretary of the Interior; and (2) is chiefly valuable for use for any such purpose, and which, in the determination of the Administrator of General Services, is available for such use may, notwithstanding any other provisions of law, be transferred without reimbursement or transfer of funds (with or without improvements as determined by said Administrator) by the Federal agency having jurisdiction or control of the property to (a) such State agency if the management thereof for the conservation of wildlife relates to other than migratory birds, or (b) to the Secretary of the Interior if the real property has particular value in carrying out the national migratory bird management program. Any such transfer to other than the United States shall be subject to the reservation by the United States of all oil, gas, and mineral rights, and to the condition that the property shall continue to be used for wildlife conservation or other of the above-stated purposes and in the event it is no longer used for such purposes or in the event it is needed for national defense purposes title thereto shall revert to the United States. (May 19, 1948, ch. 310, § 1, 62 Stat. 240; June 30, 1949, ch. 288, title I, § 105, 63 Stat. 381.)

Mr. President, no such determination has been made; but it should be made before the Senate passes on this bill. No determination has ever been made that parcel 4 is chiefly valuable for use for wildlife purposes. If it is, Illinois should get it. In that event, under this section of the code, Illinois would be entitled to it without paying a red cent of consideration for it. I favor that. I favor following the law in this case.

But I respectfully submit, that the bill in its present form seeks to circumvent existing statutes in several respects. It would circumvent title 50, appendix, to which I have referred, if the transfer were made for use for park purposes. The bill would circumvent title 16, to which I have referred just now, if the transfer were to be made for use for wildlife purposes.

Why does not the bill call for following the law which now is on the statute books? Why does the bill call for making such an exception? It would be most dangerous to make such an exception; and certainly it will be in the long-term interest of the people of Illinois to follow the law.

Mr. President, to summarize the provision of title 16, section 667(b), it simply provides that if there is a finding by the General Services Administration that the chief value of parcel 4 is for wildlife purposes, Illinois could get the land for nothing; and I think we ought to get the finding.

Mr. LAUSCHE. Mr. President, will the Senator yield? I should like to put a question to him.

Mr. MORSE. May I complete this argument first, and then yield, because I think it is important for continuity in the RECORD?

I desire to close, Mr. President, by saying I think that the position which the Senator from Oregon has taken is not only within the framework of existing law, not only in keeping with the formula he has applied to all transfer of property bills on the unanimous-consent call of the calendar; but the Senator from Oregon also thinks it is a desirable course of action for the Senate to follow tonight, unless we are willing to make a grab bag of Federal surplus property.

I am at a loss to understand why the Administrator of the General Services Administration ever sat down and entered into any such negotiations on the basis of which the committee has submitted its report. I say most respectfully, Mr. President, in my judgment, the Administrator of the General Services Administration was acting beyond his power and legal right until he first made the determinations heretofore mentioned.

I submit, Mr. President, that, as a matter of law, the Administrator of the General Services Administration had no legal authority to enter into negotiations concerning parcel 4, because it is not surplus. He had no jurisdiction over it. I think the Administrator of the General Services Administration is deserving of criticism for the course of action he has followed in this matter, because the law is perfectly clear as to his duties. His duties are to make findings as to what the chief value of the property is. He does not have the right to sit as a David Harum, disposing of the taxpayers' property in this country.

Mr. President, on any one or on all of the grounds I have raised in opposition to this bill, I am willing to rest my case.

As to my future course of action in this matter, it is my desire to cooperate with the leadership and also my opponents in this debate. I intend to follow this course: I intend to ask, after a quorum call, provided a sufficient number of Senators can reach the floor so that it can be said there is a representative group of Senators voting on this bill, to ask for a vote on my amendment.

I said yesterday—and my word is my bond—that I would not ask for a yea-

and-nay vote except on the motion to recommit. I cannot bind anybody else in the Senate. I shall not ask for a yea-and-nay vote, but I shall ask for a voice vote if there is a reasonable number of Senators on the floor of the Senate. I would feel that I had not carried out my trust and duty if a vote were to be taken with only 10 or a dozen Senators present on the floor. If I lose on my amendment, I intend to offer two additional amendments.

I intend to offer an amendment on the gas and oil reservation, and I intend to offer an amendment on parcel 3 for 50 percent of its appraised fair market value, with a real reversionary clause attached to it. I shall do this because I do not think the people of Illinois should have to pay for its full value, irrespective of whether the Senate agrees with me or not. I do not think it is fair to charge the people of Illinois for the full value of parcel 3.

I shall offer those two amendments. Then, so far as I am concerned, unless I become interested in some other comment made during the course of the debate, I shall have concluded.

Mr. LAUSCHE. Mr. President, will the Senator yield? I should like to ask a question.

Mr. MORSE. Suppose I yield the floor, and let the Senator from Maine take the floor.

Mr. LAUSCHE. The Senator from Oregon has pointed out that on page 6 of the bill there is a condition (2) which reads:

> That the reversionary interest of the United States, at the request of the State of Illinois, be relinquished to such State by the Administrator of General Services upon payment to the United States of the fair market value thereof at the time of relinquishment.

The Senator from Oregon has made the statement that the value of that reversionary interest will be nil, because it has now been declared that the total value of the land is the amount that has been designated.

I should like to ask the proponents of the bill what their interpretation of this provision is concerning the determination of fair value of the reversionary interest.

Mr. MUSKIE. Mr. President, I shall be happy to answer the question of the distinguished Senator from Ohio. It is the full intention of the State of Illinois to use parcel No. 3 for wildlife and recreational purposes. There is the possibility in the future, remote though it may be, that circumstances may change so that some other purpose may be more valuable. Representatives of the State of Illinois felt that because they were paying what they believed to be the full value of this piece of land, they should have the right, at their request, to utilize it in anyway that the future might indicate they should use it for.

So far as the subcommittee or the sponsor of the bill is concerned, it is not a "killing" matter. If it seemed objectionable, we were sure that the two views could be accommodated.

Mr. LAUSCHE. I appreciate very much the statement of the Senator from Maine.

Mr. MUSKIE. I may say that this, too, was done at the recommendation of General Services Administration.

Mr. LAUSCHE. Frankly, when I voted against the motion to recommit, I assumed the reversionary right was complete. I am glad to hear the statement of the Senator from Maine that this matter is not of consequence, and that the State of Illinois contemplates using the land as recreational ground and as a refuge.

Does the Senator suggest he would be willing to accept an amendment that would strike subsection (2)?

Mr. MUSKIE. I would be happy to accept such an amendment. I would also be happy to accept an amendment with respect to the reservation to the United States of the oil and gas rights in parcel No. 3. Neither seemed to be a "killing" matter, but seemed to be consistent with the price that was being paid.

Mr. MORSE. Mr. President, if the Senator will yield, I thank the Senator from Ohio and the Senator from Maine for this discussion. The discussion does substantiate every word I have said about the reversionary clause. I am satisfied, and the Senator from Maine can disagree with me to his heart's content, that if this matter had ever been called to the attention of the committee, he would have taken the same position then that he takes now, because I do not think it was ever the intention of the committee that this land should be transferred to be used by the State of Illinois except for wildlife and recreational purposes. May I say to the Senator from Ohio that the statement that the State of Illinois at the time intends this land to be used for wildlife and recreational purposes is undoubtedly true.

The Senator knows that administrations come and go. We do not know who will be in control of the State of Illinois 10, 15, or 20 years from now. I say that so far as the reversionary clause value is concerned it is very difficult, after one has paid what would be considered and could be proved, I think, before a jury, to be the value of the land on a fee simple title basis, to get anything for the reversionary clause, because the average juror would say, "After all, they got a good price for the land at that time and it was contemplated it was the full market value, so they are not entitled to any more."

Mr. LAUSCHE obtained the floor.

Mr. MUSKIE. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. MUSKIE. I wish to make one or two comments.

The fact that I am willing to accept an amendment to a provision of the bill which I do not think is a killing matter either to the Senator from Illinois or to the Senator from Oregon does not seem to me to justify the conclusion that this indicates the committee and I gave no attention to this provision of the bill in the committee. If it is impossible to compromise except to suggest such implications, then what is the point in undertaking to accommodate points of view?

Mr. MORSE. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. MORSE. There is no such implication in my remarks at all. I assume that as the result of the discussion on the floor of the Senate the Senator from Maine has recognized this language I have been objecting to in the bill is language which some Members of the Senate did not fully comprehend, because they thought they were getting in perpetuity a wildlife recreational center, subject to reversion to the United States in case the State of Illinois did not want to use the land for that purpose.

Mr. MUSKIE. If that was the Senator's intention in his remarks, I withdraw my comments.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KUCHEL. Is the amendment offered by the Senator from Oregon now pending?

Mr. LAUSCHE. Mr. President, I believe I have the floor. I am willing to yield for a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the parliamentary inquiry.

Mr. KUCHEL. All I wish to do is propound a parliamentary inquiry, to ask whether the amendment offered by the Senator from Oregon is the pending question.

The PRESIDING OFFICER. It is.

Mr. KUCHEL. Then I ask my friend from Ohio if he will yield.

Mr. LAUSCHE. I yield.

Mr. KUCHEL. I am thinking about the procedure and any accommodation which might be made for the benefit of Senators. If the Senator from Ohio desires to offer an amendment which will be accepted by the chairman of the subcommittee and which is in line with what the Senator from Oregon suggested would be something he would favor, I should like to know, thinking of the problem of two more amendments which the Senator has in mind offering in connection with the bill, what action might be agreed upon.

Mr. MORSE. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. MORSE. I should like to have the attention of the Senator from Illinois [Mr. DOUGLAS], the Senator from Maine [Mr. MUSKIE], as well as of the acting majority leader [Mr. MANSFIELD], the acting minority leader [Mr. KUCHEL], and the Senator from Ohio [Mr. LAUSCHE].

I should like to cooperate procedurally in any way I can at this point, so I desire to raise a parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Would I be in order if I were to propose at this time to withdraw temporarily the Morse amendment, which is now under consideration, and to offer, as a cosponsor with the Senator from Ohio, as the author of the amendment, an amendment relating to the gas, oil, and mineral rights reservation; then,

following that, to offer an amendment which would strike the language on page 6 of the bill starting after the semicolon on line 7, going down through line 11; which would leave us with a direct issue of voting on the amendment; I would then offer regarding 50 percent of the appraised fair market value for parcel No. 3. I am perfectly willing to take the 50 percent amendment separately, with a final amendment which I would offer—and I am all through discussing the amendments, I will say to the Senators from Maine, Illinois, and Ohio—regarding 50 percent of the appraised fair market value for parcel 4?

I think we could get rid of the bill in 10 minutes, if we follow that course of action, if it would be in order.

Mr. MUSKIE. If we have the appropriate language to consider.

Mr. LAUSCHE. Mr. President, I think I have the floor.

The PRESIDING OFFICER. The Senator from Oregon propounded his request in several sections. It is the opinion of the Chair that the Senator from Oregon, since the yeas and nays have not been ordered on the amendment, may follow the courses of action he has outlined.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. LAUSCHE. Mr. President, I think I have the floor.

The PRESIDING OFFICER. The Senator from Ohio has the floor.

Mr. LAUSCHE. I wish to say to the Senator from Oregon and to the Senator from Maine that I contemplated offering an amendment which would achieve exactly what the Senator from Oregon has suggested. It would reserve to the U.S. Government the minerals under parcel 3 and would strike from the bill as it is now written that language which requires the relinquishment of reversionary interest if and when the State of Illinois pays the reasonable value.

I am willing to facilitate the matter.

Mr. MORSE. Mr. President, I withdraw my amendment temporarily, with the understanding on my part that I am not estopped later from offering it or any part of it which I may wish to offer. Will the Parliamentarian advise me if I can withdraw the amendment, and if my withdrawal does not stop me from later offering another amendment which may include part of this amendment?

The PRESIDING OFFICER. The Chair advises the Senator from Oregon that he could not offer an amendment to any amendment which has been agreed to unless the vote is reconsidered.

Mr. MORSE. I am not proposing that. I am simply proposing to withdraw my total amendment, to let the Senator from Ohio offer his amendment. Then I will decide what other parts of my amendment I may wish to offer as separate amendments.

The PRESIDING OFFICER. As to another section of the bill, amendments would be in order.

Mr. MORSE. Mr. President, I withdraw my amendment.

Mr. LAUSCHE. Mr. President, I offer an amendment to the committee amendment to provide that on page 6, line 7, there be stricken out "and (2)" and that there be inserted in lieu thereof the following:

(2) That all oil, gas, and mineral rights in the property conveyed shall be reserved to the United States; and (3).

Also, that on page 6, line 7, beginning with the semicolon, at about the middle of the line, and going down through the end of the paragraph to the period, that the language be stricken, and that in lieu of the semicolon in line 7 there be substituted a period.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. MUSKIE. I think there would have to be one other technical amendment; that in line 2, on page 6, in the middle of the line, the figure "(1)" should also be stricken.

Mr. LAUSCHE. That is correct. I will include that in my amendment.

Mr. MUSKIE. Mr. President, the amendment, as proposed, is acceptable.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the committee amendment offered by the Senator from Ohio. [Putting the question.]

The amendment to the committee amendment was agreed to.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

Mr. MORSE. Mr. President, we have agreed to the oil, gas, and mineral rights reservation. We have stricken the language on page 6 in regard to the power of the State of Illinois to have the reversionary interest relinquished upon request.

Mr. President, I now desire to offer an amendment. If the clerk will take the amendment 8–4–59—A which I have at the desk he can follow it along with me as I now modify the amendment.

I now offer the following amendment: On page 5, line 18, strike out "the sum of $286,638" and insert in lieu thereof "an amount equal to 50 per centum of the fair market value of the land conveyed as determined by the Administrator after appraisal of such land.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon to the committee amendment.

Mr. MUSKIE. Mr. President, there seems to be some doubt as to the position of the proponents. We oppose the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE] to the committee amendment. [Putting the question.]

The amendment to the amendment was rejected.

Mr. MORSE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I ask for a vote on my amendment.

The PRESIDING OFFICER. The Senator's amendment was rejected.

Mr. MORSE. No. Before the Chair announced that it was rejected I suggested the absence of a quorum. The Chair put the question; and before the Chair announced the result, I suggested the absence of a quorum.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the vote by which the amendment of the Senator from Oregon was rejected be reconsidered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Oregon to the committee amendment.

The amendment to the amendment was rejected.

Mr. MORSE. Mr. President, I now offer my final amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Oregon to the committee amendment will be stated.

The CHIEF CLERK. On page 6, lines 19 and 20, it is proposed to strike out "without consideration,".

On page 8, between lines 9 and 10, it is proposed to insert the following new subsection:

(c) The conveyance authorized to be made pursuant to subsection (a) of this section shall be conditional upon the payment by the State of Illinois to the Secretary of the Army as consideration for such conveyance of an amount equal to 50 per centum of the fair market value of the land conveyed as determined by the Secretary of the Army after appraisal of such land.

Mr. MORSE. Mr. President, I shall take a moment to explain my amendment. All it means is that a determination shall be made as to the value of the 1,500-acre tract known throughout the debate as tract No. 4, the value of which has never been determined, but the value of which, the Army says, is at least $450 an acre. It is land which has not been declared surplus.

If we pass this bill we shall be saying that the Congress is taking it upon itself to declare land surplus which the Army says is not surplus to its needs.

If we are to do so, I say that whatever the land is worth—and I do not know what it is worth, and no one else knows what it is worth, because it has never been officially appraised—50 percent of the fair market value of the property, with the reversionary clause—which, of course, would reduce its market value, as every reversionary clause does—should be paid to the taxpayers of all the United States by the taxpayers of Illinois, in order to gain the property.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE] to the committee amendment.

The amendment to the amendment was rejected.

Mr. MORSE. Mr. President, the senior Senator from Oregon has made his case as far as this bill is concerned. As a law-

yer, I stand by the verdicts of court as far as the case in concerned, although at a time of rehearing or appeal or reconsideration, I always, as a lawyer, would be willing to stand on the record I made in the court below.

I want to say to the Senator from Illinois [Mr. DOUGLAS] and to the Senator from Maine [Mr. MUSKIE], it has been a vigorous debate. It has been a debate in which we have each expressed our sincere convictions about a matter of public policy.

In the course of the debate we used language that we all could understand, sometimes rather pointed language, but I want to say to the Senator from Illinois and to the Senator from Maine that the senior Senator from Oregon does not inject any personal animus or motivation or intent in any of his debate, although at times he judges from some of the replies he received from some of his colleagues that they feel a little bit hurt, but those hurts are not intentional. As I said last night in the debate, I hope that on the next issue the three of us will be standing shoulder to shoulder.

Mr. DOUGLAS. Mr. President, I am very happy that this debate has resulted as it did. I assure the Senator from Oregon that I have only the kindliest feelings toward him, and I hope that our affairs of friendship may join and continue to join and we may continue to be very close to each other and cooperate together on many matters of common interest.

The PRESIDING OFFICER. The question is on the committee amendment, as amended.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subject to the provisions of subsections (b), (c), and (d) of this section, and section 3, the Administrator of General Services is authorized and directed to convey, by quitclaim deed, to the State of Illinois, for wildlife conservation or recreational purposes, all right, title, and interest of the United States in and to the following described lands, together with all buildings and improvements thereon, situated in Will County, Illinois:

All that part of fractional sections 29, 32 and 33, township 34 north, range 9, east of the third principal meridian, in Will county, Illinois, described as follows: Beginning at a point of intersection of the west line of Route 66 (Federal Aid Route 77), as monumented and fenced and a line 1,000 feet south of and parallel to the north line of said section 33 (said point of intersection is 167.4 feet west of the east line of said section 33); thence south 885 feet; thence south 4 degrees 1 minute 10 seconds west 2,961.68 feet; thence south 00 degrees 15 minutes 20 seconds west 416.81 feet; thence south I degree 2 minutes 40 seconds west 33.42 feet to the south line of said section 33, all of the above dimensions taken on the westerly line of said Route 66 as monumented and fenced (said last point is 352.7 feet west of the southeast corner of said section 33); thence west along the south line of said section 33 and fractional section 32, 10,082.43 feet to the southwest corner of said fractional section 32; thence northerly along the west line of said fractional section 32, 4,486 feet more or less to the southeasterly edge of the Des Plaines River; thence northeasterly along the south easterly edge of said river to a point on a line described as follows: (Beginning at a point of intersection of the west line of Route 66 and a line 1,000 feet south of the north line of said section 33; thence westerly along a line 1,000 feet south of and parallel to the north line of said section 33 and fractional section 32, 5,300 feet; thence northwesterly along a line forming an angle of 115 degrees with said parallel line from east around north to northwest 4,800 feet more or less, to the southeasterly edge of the Des Plaines River); thence southeasterly along the previously described line 4,800 feet to a point on a line 1,000 feet south of and parallel to the north line of said section 33 and fractional section 32, said point being 5,300 feet west of the west line of said Route 66; thence easterly along a line 1,000 feet south of and parallel to the north line of section 33, 5,300 feet to the place of beginning (excepting therefrom those portions lying along said river as deeded to the State of Illinois and recorded in the recorder's office as document numbered 414965, book 691, page 31; document numbered 414965, book 691, page 34, and document numbered 414965, book 691, page 35; also excepting those portions deeded to John Flom and recorded in the recorder's office as document numbered 458161, book 759, page 38; also excepting that portion deeded to Three Rivers Yacht Club and recorded in the recorder's office as document numbered 695487, book 129, page 625; also excepting therefrom that portion deeded to Robert Berglund and Hugh Black and recorded in the recorder's office as document numbered 846871, book 1698, page 303; also excepting that portion included within the lines measured 100 feet outward from the existing high bank on both sides of Grant Creek Cutoff and Grant Creek) containing 946 acres more or less.

(b) The conveyance authorized to be made pursuant to subsection (a) of this section shall be conditional upon the payment by the State of Illinois to the Administrator of General Services as consideration for such conveyance of the sum of $286,638.

(c) The land authorized to be conveyed pursuant to subsection (a) of this section shall be conveyed subject to such easements for railroad rights-of-way as shall, in the determination of the Administrator of General Services, be necessary or appropriate to provide railroad service for the purchasers of adjoining tracts of land from the United States.

(d) The instrument of conveyance authorized by this section shall expressly require (1) that in the event the property conveyed by such instrument ceases to be used for wildlife conservation or recreational purposes, all right, title, and interest therein shall immediately revert to the United States to be held in the same manner as it was held prior to such conveyance; and (2) that all oil, gas, and mineral rights in the property conveyed shall be reserved to the United States.

(e) The property authorized to be conveyed pursuant to subsection (a) of this Act has been declared to be surplus to the needs of the United States.

SEC. 2. (a) Subject to the acquisition by the State of Illinois of the property described in the first section of this Act, the Secretary of the Army is authorized and directed, notwithstanding the provisions of section 2662 of title 10 of the United States Code, to convey, by quitclaim deed, without consideration, to the State of Illinois, for wildlife conservation or recreational purposes, all right, title, and interest of the United States in and to the following described lands, together with buildings and improvements thereon, situated in township 33 north, range 9, east of the third principal meridian, Will County, Illinois, containing 1,500 acres, more or less:

All of section 4;

All of section 5;

All of section 8 lying north of the Kankakee River; and

All of section 9 lying north of the Kankakee River.

(b) The instrument of conveyance authorized by this section shall (1) reserve to the United States all oil, gas, and mineral rights in the property; (2) reserve such improvements, rights-of-way, easements, and other interests as the Secretary of the Army determines should be retained in the public interest; and (3) contain provisions expressly requiring that (A) in the event the property conveyed by such instrument ceases to be used for wildlife conservation or recreational purposes, all right, title, and interest therein shall immediately revert to the United States to be held in the same manner as it was held prior to such conveyance, and (B) whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this section is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including all buildings and improvements thereon, for a period not to exceed the duration of such state of war or national emergency plus six months, and upon the termination of such use by the United States, the property shall be returned to the State of Illinois, together with all buildings and improvements thereon.

SEC. 3. The authority contained in this Act shall expire one year from the date of enactment of this Act if the State of Illinois has not during such one year period, made commitments, satisfactory to the Administrator of General Services, with respect to the acquisition by such State of the property authorized to be conveyed under the first section of this Act.

The title was amended so as to read: "A bill to provide for the conveyance of certain lands which are a part of the Des Plaines Public Hunting and Refuge Area and the Joliet Arsenal Military Reservation, located in Will County, Illinois, to the State of Illinois."

Mr. MUSKIE. I move to reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. MUSKIE. Mr. President, I simply want to add my comments to those made by the Senator from Oregon and the Senator from Illinois.

This has been an interesting experience for me. I would not have recommended to myself that I indulge in debate with the Senator from Oregon in my first experience with the Senator. I should have known better, but I did not, and it has been an interesting and enjoyable experience. I look forward to the next time we indulge in debate on the floor, whether we are on the same side or on opposite sides.

Mr. CARROLL. Mr. President, I should like to say that I have listened to this debate through many hours. The Senator from Maine has distinguished himself, not only with his clarity of vision but his sincerity and earnestness of purpose. The Senator from Illinois, as always, has expressed himself in the public interest; but by the same token the Senator from Oregon has highlighted some of the legal problems involved in this sort of legislation.

I should like to have this serve as a precedent, that when the Congress of the United States delegates power to the General Services Administration, it is not a power that is absolute, but is a power which can be withdrawn in the public interest, as it was in this case. It will serve for the junior Senator from Colorado as a precedent for action that may be taken in the future.

One of the most interesting parts of the debate was when the Senator from Oregon said that the chief value of these projects should have been determined by the Administrator. They were not, but the important point is the question, who gave him the power to determine the chief value? Did the Congress? If Congress could give him the power, it could withdraw the power, and this is what it has done by its action. This ought to serve notice on the General Services Administrator that as we delegate power, we also have the power to withdraw the delegation, and Congress could do so in the public interest.

I agree with the Senator from Oregon, and I think the Senator from Maine agrees with me, that what we ought to do is to establish new standards. When we delegate a particular authority to the executive branch, it does not mean that there is no power to control that at all. It means the power is reposed within this body, and if we seek to withdraw that power for a specific purpose, we can do it, as we have done here today.

I would recommend to whatever committee has jurisdiction that we ought to change the standards. We ought to change the guidelines and tell the executive branch that when we have a statutory power delegated to them, the real power resides in the Congress itself.

On many points the Senator from Oregon is absolutely right, but notwithstanding the brilliant legal argument—the power resides in us to determine, in the public interest, what we call the chief value, and that is what we have done today in the public interest. I hope the General Services Administration will take into consideration the fact that we are not talking about a financial power, a monetary power. There are some things which transcend that power, and one is the public interest, the national interest, the interest of a State, or a county, or an area.

This debate has been very valuable to all of us, and I commend the distinguished Senator from Oregon for his valiant effort, and wish to say that he should not be discouraged about the Morse formula. I make only one last comment. Let us not restrict it to a financial formula, but think of it in terms of the general public interest in the field of recreation.

Mr. DOUGLAS. Mr. President, I pay tribute to the junior Senator from Maine for the care which he has shown in the conduct of the hearings and the preparation of the bill for the floor.

Intrinsically the measure was not of transcendent importance and the Senator from Maine was very unselfish in devoting time and attention and skill to it.

He has had his baptism of fire here on the floor in countering the Senator from Oregon, who has the sharpest legal mind in the Senate, and the Senator from Maine has acquitted himself magnificently. We can now see at firsthand what we formerly took on trust, that there was good reason why a Democrat of the type of Senator Muskie was twice elected Governor of Maine, and then elected Senator from Maine. It so happens that I grew up in the State of Maine, and as a Yankee Democrat who was rather lonely as a boy in the State of Maine, it is a great joy to see so brilliant and fine a Democrat as the Senator from Maine come to represent that old Yankee State.

Mr. MANSFIELD. Mr. President, I wish to add my words to those already spoken in praise of the distinguished junior Senator from Maine [Mr. MUSKIE] for the fine leadership he displayed in the Senate this afternoon. He was caught between two giants, in the form of the Senator from Oregon [Mr. MORSE] and the Senator from Illinois [Mr. DOUGLAS]. The Senator from Maine conducted himself in the finest traditions of the Senate. He has made an auspicious start to what I believe will be a remarkably fine and outstanding career in the Senate.

YOUTH CONSERVATION ACT OF 1959

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 533, Senate bill 812.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 812) to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with an amendment, to strike out all after the enacting clause and insert:

SHORT TITLE

SECTION 1. This Act may be cited as the "Youth Conservation Act of 1959".

STATEMENT OF PURPOSE

SEC. 2. The purpose of this Act is (1) to provide the opportunity for healthful training and employment of young men in carrying out such programs of conservation planned and designed by, and under the immediate supervision of, the various governmental agencies charged with the responsibility of planning and carrying out such programs; and (2) to enable the governmental agencies charged with the responsibility of conserving and developing natural resources to accelerate programs planned by such agencies to fulfill such responsibility.

ESTABLISHMENT OF A YOUTH-CONSERVATION CORPS

SEC. 3. In order to carry out the purposes of this Act, there is hereby established within the Department of Labor a Youth-Conservation Corps (hereinafter referred to as the "corps") which shall be administered and directed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate, and whose annual salary shall be $20,000.

AUTHORITY OF SECRETARY OF LABOR

SEC. 4. The Secretary of Labor (hereinafter referred to as the "Secretary") shall, with the advice of the Commission hereinafter provided for, have authority—

(1) to formulate rules and regulations for the operation of the corps;

(2) to appoint, in accordance with the civil service laws and regulations, such personnel as he deems necessary for the efficient and economic discharge of the functions of the corps, the compensation of all such appointees to be fixed in accordance with the Classification Act of 1949, as amended;

(3) to establish adequate standards of safety, health, and morals for enrollees of the corps;

(4) to enter into agreements with Federal and State agencies charged with the responsibility of conserving, developing, and managing the natural resources of the Nation, and of developing, managing, and protecting recreational areas, whereby the enrollees of the corps may be utilized by such agencies in carrying out, under the immediate supervision of such agencies, programs planned and designed by such agencies to fulfill such responsibility. Any such agreement with a State agency shall provide that the State will defray one-half of all costs incurred with respect to any enrollees utilized by such State;

(5) to enter into agreements with, and otherwise cooperate with, other governmental departments, agencies, and instrumentalities in carrying out the purposes of this Act;

(6) to provide a system of educational services to enrollees of the corps, in addition to the regular program of work and on-the-job training;

(7) to formulate such other rules and regulations, establish such other procedures, enter into such contracts and agreements, and generally perform such functions as he may deem necessary or desirable to carry out the provisions of this Act;

(8) to authorize the performance by the Director of any functions of the Secretary under this Act.

YOUTH-CONSERVATION COMMISSION

SEC. 5. There is established a commission to be known as the Youth-Conservation Commission (hereinafter referred to as the "Commission"). The Commission shall be composed of four members as follows: The Secretary of Labor who shall be Chairman, a representative of the Department of Health, Education, and Welfare, a representative of the Department of Agriculture, and a representative of the Department of the Interior, each of whom shall be appointed by the Secretary of the department of which he is a representative. Members of the Commission shall be reimbursed for actual and necessary traveling and subsistence expenses incurred while engaged in the authorized functions of the Commission.

FUNCTIONS OF THE COMMISSION

SEC. 6. (a) The Commission shall consult with and advise the Secretary with respect to all phases of the operation of the corps.

(b) Each member of the Commission shall act in a liaison capacity between the agencies of the Federal department represented by him and the Youth-Conservation Corps in

carrying out any agreement between such agency and the corps.

ADVISORY COMMITTEE

SEC. 7. (a) There is established an Advisory Committee of nine members, including the Secretary who shall be the Chairman. The Advisory Committee shall meet semiannually in order to review the operations of the corps, in general, the kind of work performed, and the training provided the enrollees.

(b) The members of the Advisory Committee shall serve without compensation for their time and expenses if any spent in fulfilling their duties. Eight members shall be appointed upon recommendation by appropriate organizations.

COMPOSITION OF THE CORPS

SEC. 8. (a) The corps shall be composed of male individuals who are citizens of the United States of good character and health, and who are not less than sixteen nor more than twenty-one years of age. The number of enrollees in the corps shall not exceed in the case of the fiscal year ending June 30, 1960, 50,000; in the case of the fiscal year ending June 30, 1961, 100,000; and in the case of the fiscal year ending June 30, 1962, or any succeeding fiscal year, 150,000. The Secretary, in accepting applications for enrollment in the corps, shall, subject to the provisions of subsection (d), give priority to applications submitted by any Indian on tribal rolls for work to be performed on a reservation of such tribe, or lands adjacent thereto.

(b) In order to enroll as a member of the corps an individual must agree to comply with rules and regulations promulgated by the Secretary for the government of members of the corps.

(c) Enrollment in the corps shall be for a period of six months; if permitted by the Secretary, an individual may reenroll, but his total enrollment shall not exceed two years.

(d) For purposes of accepting enrollment in the corps in any year, (A) 50 per centum of the total number of the authorized enrollment of the corps for such year shall be allocated to the various States on the basis of the ratio that the total population of each State bears to the total population of the United States, and (B) 50 per centum of the total number of the authorized enrollment of the corps for such year shall be allocated throughout the United States, within the discretion of the Secretary, taking into account areas of substantial unemployment. The population categories referred to above shall be determined in accordance with the most recent statistics available from the Bureau of the Census and the Department of Labor.

COMPENSATION, QUARTERS, SUBSISTENCE, AND SO FORTH FOR ENROLLEES

SEC. 9. (a) (1) The base compensation of enrollees shall be at a rate of $60 per month for the first enrollment and an additional $5 per month for each subsequent enrollment. Up to an additional $10 per month may be paid on the basis of assigned leadership responsibilities, or special skills.

(2) The Secretary shall establish procedures whereby each enrollee may make an allotment to his parent, dependent, legal guardian, or any fund established for his benefit of part of the periodic compensation to which he is entitled under this Act, and such allotment shall be paid directly to the person or fund in favor of which it is made.

(b) In addition to compensation authorized in subsection (a), enrollees shall be furnished with such quarters, subsistence, transportation (including travel from and to the place of enrollment), equipment, clothing, medical services, and hospital services as the Secretary may deem necessary or appropriate for their needs. Such quarters, subsistence, and equipment shall be furnished to enrollees of the corps through the governmental agencies under the direction and supervision of which such enrollees are working under agreements between the Secretary and such agencies which provide for reimbursement to such agencies from funds appropriated for the corps.

SEC. 10. Existing provisions of law with respect to hours of work, rate of compensation, sick leave, vacation and unemployment compensation shall not be applicable to any individual because of enrollment in the corps.

SEC. 11. (a) Enrollees shall for the purpose of the administration of the Federal Employees' Compensation Act (39 Stat. 742, as amended) be deemed to be civil employees of the United States within the meaning of the term "employee" as defined in section 40 of such Act and the provisions thereof shall apply to enrollees except as hereinafter provided.

(b) For the purposes of this section—

(1) The term "performance of duty" in the Federal Employees' Compensation Act shall not include any act of an enrollee—

(A) while he is on authorized leave or a pass; or

(B) while he is absent from his assigned post of duty, except while participating in an activity authorized by or under the direction or supervision of the corps.

(2) In computing compensation benefits for disability or death under the Federal Employees' Compensation Act, the monthly pay of an enrollee shall be deemed to be $150 a month.

(3) The term "injury" as defined in section 40 of the Federal Employees' Compensation Act shall not include—

(A) mental disease or illness except where such disease or illness is caused by a disabling physical injury sustained while in the performance of duty; or

(B) any other disease or illness which does not arise naturally out of service in the corps or naturally or unavoidably result from a physical injury.

(4) Compensation for disability shall not begin to accrue until the day following the date on which the injured enrollee is discharged from the corps.

SUPPLIES, MATERIAL, AND EQUIPMENT

SEC. 12. The Secretary may expend such amounts as he deems necessary for supplies, materials, and equipment for enrollees to be used in connection with their work, instruction, recreation, health, or welfare.

APPROPRIATIONS AUTHORIZED

SEC. 13. For the purpose of carrying out the provisions of this Act, there is authorized to be appropriated for the fiscal year commencing July 1, 1959, and for each succeeding fiscal year such amounts as the Congress may determine to be necessary to carry out the provisions of this Act.

REPORTS

SEC. 14. Not later than ninety days after the close of each fiscal year the Secretary shall prepare and submit to the Congress a full and complete report on the activities of the corps during such year, and not later than ninety days after the close of the third fiscal year that the corps has been in existence the Secretary shall prepare and submit to the Congress a full complete report on the activities of the corps during the preceding three fiscal years, together with recommendations for such legislation as he may deem desirable.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, in view of the fact that a time limitation is attached to the pending measure, I ask unanimous consent that the pending business be temporarily laid aside, so that no time can be applied under the agreement already reached by unanimous consent.

The PRESIDING OFFICER. Without objection, it is so ordered.

INFLATION AND SPENDING BY THE FEDERAL GOVERNMENT

Mr. MOSS. Mr. President, the new crusade to which the Eisenhower administration has dedicated itself becomes more blatant and astonishing every day. This crusade seeks to convince the American people of two facts: First, that inflation is almost entirely caused by excessive Government spending and an unbalanced budget; and second, that the Democrats in Congress are solely responsible for that unbalanced budget.

The Republican Party seems to believe that if this thesis is repeated often enough by leading spokesmen, and bolstered with stern enough purpose by the propaganda mills of satellite organizations, it will emerge, in the 1960 political campaign, as resplendent truth.

Mr. President, I do not believe the American people are that gullible. They will label the campaign for what it is—a violent, desperate propaganda effort of a two-term administration which in 6½ years has failed to keep the promises it made to the American people to reduce Government spending and balance the budget, and which is deeply frightened by the continuing drop in party popularity as evidenced by the public opinion polls.

The people know that under our Constitution, the President not only has the veto power over legislative actions, but he also can refuse to spend funds appropriated by the Congress if he does not approve of the amounts and the uses for which they were designated. They also know that most of the money which the Congress has appropriated during the past 6 years has been requested by the President himself. As a matter of fact, the Congress has consistently appropriated less than the President has asked for. In the last 5 years the Congress has cut the President's budget requests by $10½ billion.

The propaganda, however, has been so misleading that I am sure most of the American people would be surprised to learn that the net budget deficits for the 6 Eisenhower years have been $22.1 billion, as compared to a deficit of $2.1 billion for the 6½ peacetime years under President Truman. In other words, almost 10 times as much.

Because I have had many letters from Utah commenting on the budget and Government spending, and because it is not possible to give a full reply in a letter, I wish to discuss the problem here in more detail, and to explain my approach and some of my thinking on it.

I propose to look first at the inflation issue, at the insinuation which, in the hands of unskilled exponents, often becomes the bald charge, namely, that the inflation which is hurting so many Americans has been brought on by Government spending.

A good sample of the propaganda designed to frighten the people is the series of studies on the economy released by the National Association of Manufacturers, and the special feature releases

which accompany the studies. One of the studies, "The High Cost of Inflation in the 11 Western States, 1947–59," came to my desk the other day together with a release entitled "The Case of the Missing Millions." The release begins:

One of the cleverest, most sinister sneak thieves to operate in the State of Utah is still at large, despite the fact that millions and millions of dollars have been stolen from savings accounts and salary checks over the past 12 years. No one knows exactly how much money has been pilfered as complete records are impossible to obtain. But it is known that between the years 1947 to 1955, the total is roughly $855,800,000.

The release continues by pointing out that the money has been taken from the pockets of every citizen in Utah—and that the missing millions are over 4.9 times the amount spent for public schools in Utah over the past 12 years; 21.7 times the total worth of all of the hospitals, and 2.5 times Utah's share of the interstate and defense highway system.

A few days later a copy of a prominent Utah weekly newspaper reached my office. The lead editorial, frankly based on the study released by the National Association of Manufacturers, pointed out how many millions of dollars the State has lost through inflation—lost in terms of new homes and new cars and college educations—and then concluded:

Inflation can be halted through reduction of wasteful Government costs and services, by employment of a balanced budget, and, as Government economies take effect, through reduced taxation, the NAM stated.

Thus the crusade runs rampant across the country.

Mr. President, inflation is like sin—we are all against it. We know how the cheaper dollar has cut into the life savings of our senior citizens, and made it impossible for many of them to live in decency. We know what it has done to life insurance policies and rainy-day funds.

But to tell the American people that their Government, simply by spending less money and balancing the budget, can halt inflation and restore to them the value of their dollar is cruel and deceitful.

And to use a table of current monetary value of incomes on which to calculate the "loss" suffered by inflation is downright dishonest.

What this table does is to say, "Utah, your income for 1955 was $967 million. But these were 1955 dollars which had gone down in value. If that $967 million income had been in 1947 dollars, you would have had another $175 million to spend in that one year alone."

The catch here, of course, is that the number of dollars available as spendable income would not have been as great had there been no economic acceleration and growth. These same people constantly tell us that increased wages are a cause of increased prices. If this is true, a good portion of this increase in the cost of goods has gone to wages, hence more dollars in workers' pockets or more spendable income. We all have more dollars to spend—many more.

The most interesting thing about the NAM figures is a comparison that they do not make. That is between Utah's spendable income in 1947 and 1955 showing both years in terms of 1947 dollars. This, using their own chart, shows that Utah had 173 million more 1947 dollars to spend in 1955 than we had in 1947. Is this being robbed of income?

Again, I reiterate, the American people are too smart to buy the argument. They know something about the causes of inflation themselves. They have been experiencing it now for 10 or 12 years in a serious form. They know that the inflation which occurred immediately after World War II was so-called classic inflation which is primarily caused by too much money chasing too few goods. However, there is no shortage of consumer or any other type of goods now, so why, they ask, should Government spending, by itself, cause inflation?

I ask unanimous consent to have printed at this point in the RECORD two tables taken from the U.S. Council of Economic Advisers Economic Report of the President for 1959. The first is a table of consumer price indexes from 1929 to 1958, and the second a table of wholesale price indexes, 1947–48.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE D–37.—*Wholesale price indexes, by stage of processing, 1947–58*

[1947–49=100]

Period	Finished goods						Special groups of industrial products [1]		
	Total	Consumer finished goods				Producer finished goods	Crude materials [2]	Intermediate materials, supplies, and components [3]	Consumer finished goods excluding foods
		Total	Foods	Other nondurable goods	Durable goods				
1947	95.9	96.8	97.0	97.4	94.8	92.8	92.9	95.3	96.6
1948	103.5	104.1	105.8	103.5	101.3	101.1	108.5	103.7	102.8
1949	100.6	99.2	97.2	99.2	104.0	106.1	98.6	101.0	100.6
1950	102.4	100.9	99.2	100.8	105.0	108.7	109.9	105.7	102.1
1951	112.1	110.3	111.3	108.5	112.1	119.3	120.8	118.5	109.6
1952	111.5	109.0	110.4	105.9	113.0	121.3	109.3	114.7	108.0
1953	110.4	107.1	104.6	106.9	113.8	123.1	108.5	116.2	108.9
1954	110.7	107.1	103.8	107.2	114.7	124.7	103.3	116.7	109.4
1955	110.9	106.4	101.1	107.8	115.9	128.5	113.4	120.1	110.2
1956	114.0	108.0	101.0	109.9	119.7	138.1	120.0	126.0	112.8
1957	118.1	111.1	104.5	112.4	123.3	146.7	118.3	129.3	115.7
1958 [4]	120.8	113.5	110.5	111.7	125.0	150.3	113.7	129.1	115.8
1957—January	116.7	109.9	102.3	111.8	122.9	144.3	123.5	128.7	115.2
February	117.0	110.2	101.8	112.9	123.0	144.7	121.2	129.0	115.9
March	116.9	109.9	101.3	112.7	122.9	145.1	119.7	129.0	115.8
April	117.4	110.5	102.7	112.8	122.7	145.3	117.1	129.1	115.8
May	117.4	110.5	103.1	112.5	122.7	145.5	117.6	129.0	115.5
June	117.6	110.7	104.2	112.0	122.7	145.5	121.4	128.9	115.3
July	118.5	111.6	106.2	112.2	122.9	146.4	121.3	129.5	115.4
August	118.6	111.6	106.2	112.2	123.1	147.2	121.2	129.8	115.5
September	118.8	111.6	106.0	112.4	123.0	147.8	118.3	129.8	115.6
October	119.0	111.8	106.2	112.4	123.5	148.4	114.4	129.8	115.7
November	119.6	112.2	106.8	112.3	124.7	149.8	112.1	129.8	116.1
December	119.9	112.5	107.2	112.6	124.9	150.1	112.5	129.8	116.3
1958: January	120.6	113.3	109.2	112.5	125.1	150.1	112.2	129.7	116.3
February	120.6	113.3	110.1	111.8	124.9	150.1	112.9	129.2	115.8
March	121.4	114.4	113.1	111.5	124.9	150.0	112.0	128.8	115.6
April	120.9	113.7	111.9	111.1	124.8	150.1	110.2	128.6	115.3
May	121.0	113.9	112.5	110.9	124.7	150.0	109.7	128.5	115.2
June	120.7	113.6	111.6	111.0	124.7	150.0	111.2	128.5	115.2
July	120.8	113.7	111.5	111.4	124.7	150.0	112.4	128.5	115.5
August	120.6	113.3	110.0	112.0	124.7	150.0	114.7	129.1	115.8
September	120.9	113.7	110.8	112.2	124.6	150.1	115.9	129.4	116.0
October	120.6	113.3	109.6	112.2	125.0	150.3	117.8	129.6	116.1
November	120.6	113.0	108.5	112.0	126.0	151.6	118.5	129.7	116.3
December [4]	120.5	112.8	107.7	112.1	126.2	151.9	116.5	129.8	116.5

[1] Includes, in addition to subgroups shown, processed fuels and lubricants, containers, and supplies.
[2] Excludes crude foodstuffs and feedstuffs, plant and animal fibers, oilseeds, and leaf tobacco.
[3] Excludes intermediate materials for food manufacturing and manufactured animal feeds.
[4] Preliminary.

NOTE.—For a listing of the commodities included in each sector and their relative importance, see Monthly Labor Review December 1955.

Source: Department of Labor.
U.S. Council of Economic Advisers Economic Report of the President, 1959.

TABLE D–38.—*Consumer price indexes, 1929–58, for city wage earner and clerical-worker families*

[1947–49=100]

Period	All items	Food	Housing		Apparel	Transportation	Medical care	Personal care	Reading and recreation	Other goods and services
			Total	Rent						
1929	73.3	65.6	(1)	117.4	60.3	(1)	(1)	(1)	(1)	(1)
1930	71.4	62.4	(1)	114.2	58.9	(1)	(1)	(1)	(1)	(1)
1931	65.0	51.4	(1)	108.2	53.2	(1)	(1)	(1)	(1)	(1)
1932	58.4	42.8	(1)	97.1	47.5	(1)	(1)	(1)	(1)	(1)
1933	55.3	41.6	(1)	83.6	45.9	(1)	(1)	(1)	(1)	(1)
1934	57.2	46.4	(1)	78.4	50.2	(1)	(1)	(1)	(1)	(1)
1935	58.7	49.7	71.8	78.2	50.6	69.6	71.4	54.6	58.1	67.2
1936	59.3	50.1	72.8	80.1	51.0	70.2	71.6	55.3	59.1	67.0
1937	61.4	52.1	75.4	83.8	53.7	71.3	72.3	58.5	60.8	68.8
1938	60.3	48.4	76.6	86.5	53.4	71.9	72.5	59.8	62.9	69.4
1939	59.4	47.1	76.1	86.6	52.5	70.2	72.6	59.6	63.0	70.6
1940	59.9	47.8	76.4	86.9	53.2	69.8	72.7	59.5	64.1	72.8
1941	62.9	52.2	78.3	88.4	55.6	72.2	73.1	61.0	66.4	74.2
1942	69.7	61.3	81.8	90.4	64.9	78.5	75.1	66.9	69.5	76.3
1943	74.0	68.3	82.8	90.3	67.8	78.2	78.7	73.8	75.3	80.2
1944	75.2	67.4	84.7	90.6	72.6	78.2	81.2	79.0	83.4	82.4
1945	76.9	68.9	86.1	90.9	76.3	78.1	83.1	81.5	86.8	85.7
1946	83.4	79.0	88.3	91.4	83.7	82.1	87.7	87.4	89.7	88.6
1947	95.5	95.9	95.0	94.4	97.1	90.6	94.9	97.6	95.5	96.1
1948	102.8	104.1	101.7	100.7	103.5	100.9	100.9	101.3	100.4	100.5
1949	101.8	100.0	103.3	105.0	99.4	108.5	104.1	101.1	104.1	103.4
1950	102.8	101.2	106.1	108.8	98.1	111.3	106.0	101.1	103.4	105.2
1951	111.0	112.6	112.4	113.1	106.9	118.4	111.1	110.5	106.5	109.7
1952	113.5	114.6	114.6	117.9	105.8	126.2	117.2	111.8	107.0	115.4
1953	114.4	112.8	117.7	124.1	104.8	129.7	121.3	112.8	108.0	118.2
1954	114.8	112.6	119.1	128.5	104.3	128.0	125.2	113.4	107.0	120.1
1955	114.5	110.9	120.0	130.3	103.7	126.4	128.0	115.3	106.6	120.2
1956	116.2	111.7	121.7	132.7	105.5	128.7	132.6	120.0	108.1	122.0
1957	120.2	115.4	125.6	135.2	106.9	136.0	138.0	124.4	112.2	125.5
1958 [2]	123.4	120.4	127.7	137.7	106.9	140.1	144.1	128.6	116.7	127.2
1957: January	118.2	112.8	123.8	134.2	106.4	133.6	135.3	122.1	109.9	123.8
February	118.7	113.6	124.5	134.2	106.1	134.4	135.5	122.6	110.0	124.0
March	118.9	113.2	124.9	134.4	106.8	135.1	136.4	122.9	110.5	124.2
April	119.3	113.8	125.2	134.5	106.5	135.5	136.9	123.3	111.8	124.2
May	119.6	114.6	125.3	134.7	106.5	135.3	137.3	123.4	111.4	124.3
June	120.2	116.2	125.5	135.0	106.6	135.3	137.9	124.2	111.8	124.6
July	120.8	117.4	125.5	135.2	106.5	135.8	138.4	124.7	112.4	126.6
August	121.0	117.9	125.7	135.4	106.6	135.9	138.6	124.9	112.6	126.7
September	121.1	117.0	126.3	135.7	107.3	135.9	139.0	125.1	113.3	126.7
October	121.1	116.4	126.6	136.0	107.7	135.8	139.7	126.2	113.4	126.8
November	121.6	116.0	126.8	136.3	107.9	140.0	140.3	126.7	114.4	126.8
December	121.6	116.1	127.0	136.7	107.6	138.9	140.8	127.0	114.6	126.8
1958: January	122.3	118.2	127.1	136.8	106.9	138.7	141.7	127.8	116.6	127.0
February	122.5	118.7	127.3	137.0	106.8	138.5	141.9	128.0	116.6	127.0
March	123.3	120.8	127.5	137.1	106.8	138.7	142.3	128.3	117.0	127.2
April	123.5	121.6	127.7	137.3	106.7	138.3	142.7	128.5	117.0	127.2
May	123.6	121.6	127.8	137.5	106.7	138.7	143.7	128.5	116.6	127.2
June	123.7	121.6	127.8	137.7	106.7	138.9	143.9	128.6	116.7	127.2
July	123.9	121.7	127.7	137.8	106.7	140.3	144.6	128.9	116.6	127.2
August	123.7	120.7	127.9	138.1	106.6	141.0	145.0	128.9	116.7	127.1
September	123.7	120.3	127.9	138.2	107.1	141.3	146.1	128.7	116.6	127.1
October	123.7	119.7	127.9	138.3	107.3	142.7	146.7	128.8	116.6	127.2
November	123.9	119.4	128.0	138.4	107.7	144.5	147.0	129.1	117.0	127.3

[1] Not available.
[2] January–November average.

Source: Department of Labor.

Mr. MOSS. Mr. President, from these tables it may be seen that there is little or no direct year-to-year relationship between periods of particularly great price rises and periods of budget surpluses and deficit. Using annual data, the years following World War II in which there were the greatest price increases were the last half of the fiscal year 1946, all of fiscal years 1947 and 1948, the first half of the fiscal year 1949, the last half of the fiscal year 1951, and the first half of the fiscal year 1952. During fiscal years 1946, 1949, and 1952 there were budget deficits. During fiscal years 1947, 1948, and 1951 there were budget surpluses.

This would seem to indicate that in the past the extent to which Government expenditures were kept in line with Government income had no relationship to whether inflation was increasing at a gallop or slowed down to a walk.

This fact has been borne out again recently. During the past 12 months of the fiscal year 1959 when the budget deficit was nearly $13 billion, prices have been as stable as they have been for a long time.

There are many theories on what is causing the new inflation, but it seems obvious that inflation is related not only to Government monetary and fiscal policies, but also to wages, productivity and profits. There are those who maintain that wage increases won by organized labor, and the administered price policies of industry, which push prices up without direct relationship to supply and demand, are both key factors in spawning inflation. This is one of the thorniest problems of current economic analysis, and I am glad to note that the Joint Economic Committee of the Congress, and several other groups, have announced plans to study it. Inflation is a complex problem, born of many factors, and there is no simple, single answer.

It appears beyond question, however, that the administration is fostering policies in the name of dollar stability which are actually not keeping prices down. The tight money policy, first applied in 1953 and 1954, and now being reactivated, is a good example.

We all remember back in 1955, when those who were directing our national economic policies decided that we were moving too fast, and that inflation was our greatest danger. High interest rates were applied as a brake. They struck first and hardest at the homebuilding industry, since it cost more to finance mortgages. As a result thousands of buyers were kept out of the market. The slowdown in the building industry chain reacted to the lumber industry, and associated building industries, and from there to factory towns. The recession of 1956–57 was the result.

It was not until the Democratic Congress seized the initiative from the administration, and enacted a series of public works measures, including an acceleration of the highway construction program—that the country began to pull out of the slump. During this period, however, prices did not drop, but continued to inch upward.

Now that we are in high gear once more, administration leaders are again making hard money and budgetary retrenchment the order of the day on the basis that it will slow us down and curb inflation. The Nation's money managers in the Federal Reserve seem bent on pushing interest rates to their highest point in modern history.

The President has aked for, and gotten, an increase in VA and FHA interest rates, and has requested the removal of the 4¼ percent interest rate ceiling on long-term Government bonds. Interest on money is going up for the home buyer, for the farmer who needs new machinery,

for the small businessman who must buy a new truck—for anyone who buys on credit. The school district which is going to build new classrooms and the community which is going to construct a new hospital must increase the amount of their bond issue to pay the extra interest costs. All of this hardship will be heaped upon America because the administration is again trying to curb inflation with an experiment which fizzled out like a malfunctioning missile several years ago—an experiment which did not stop inflation, but did contribute to a slump.

Mr. President, it is time we differentiated between inflation and economic growth. The question at issue is whether, by playing skillfully upon our fear of inflation, the administration will keep the Nation from pursuing those goals which will assure a stable and long-range economic growth. The question at issue is whether by trying to force dollar stability through a reduction in certain types of Government spending, we, as a nation, will fail to make reasonably full use of our manpower and plants and new technology, whether we will fail to develop our vast heritage of natural resources, whether we will adequately provide for our national defense.

Even today, when the administration feels we are moving upward too fast, more than 5 percent of our population is unemployed, and another 1 percent is limited to part-time work. Even without the steel strike our industry is not operating at full capacity. Surely it is obvious that only an expanding economy can provide jobs for the thousands of new workers who pour into the labor market each year, and whose numbers will greatly increase as the wartime and postwartime crop of babies reaches maturity.

Now let me turn briefly to the premise that it is the Democrats who are the Federal "spenders" and "budget busters."

It becomes increasingly clear each day that in the eyes of the Republicans only the Government spending which they propose is good spending. If the project has the blessings of the administration—even though it has not been budgeted, it is highly desirable. Administration foreign aid requests, for example, are untouchable. On the other hand, if the Democrats recommend more money than the President has deemed necessary for housing, for flood control or new irrigation starts, for medical research, airports or hospitals, that is bad spending and it will somehow start a whole new wave of inflation.

One of the most amusing facets to the whole controversy is that of back-door spending. Some of the propagandists infer that the Democrats are slipping into bills spending items which the President has not requested, and that as a result of this maneuver millions of extra dollars are being squandered on programs the Democrats favor and the administration does not. Most high school political science students know that no spending bill can become law until the President signs it.

Again I point out that the President has both the veto power, and the power not to spend appropriated funds if he so desires. It is hard to see how Congress is slipping spending through the back door when the President has either approved or vetoed every bill which has come before him, and no veto has ever been overridden.

This year particularly the propagandists are working overtime to try to convince the American people that a Democratic Congress is responsible for the $13 billion deficit, which I mentioned earlier, for the fiscal year 1959 which has just ended.

A careful examination will show that a great slice of that deficit—$6 billion to $7 billion—results from the falling off of Federal receipts because of the recession. This recession—born principally of the hard money policy—also caused an increase in Government expenditures—in unemployment compensation and welfare payments, in price supports and expenses of the Department of Agriculture. Defense spending also increased during this fiscal year.

During the past fiscal year, according to Chairman CLARENCE CANNON of the House Appropriations Committee, "the Government has levied more taxes, has incurred the greatest national debt, has lost more gold, has incurred the greatest deficit, and is tonight in the greatest financial distress in any peacetime period in the history of the Nation."

Small wonder the administration propagandists are looking for a devil to blame for the mess in Washington.

Mr. President, the well-organized attempt to lay the blame for inflation and an unbalanced budget on the Democrats is the first shot of the presidential campaign—the Republicans' cross-continental ballistic missile for 1960. The best defense against it is the truth, and we should start giving it to the people now.

Again I emphasize that all of us recognize that inflation causes great tragedy, and that a sharp upward spiral of prices must be prevented. The administration, however, would gain greater stature in the country if the President and his Budget Bureau would take a more responsible position in trying to cut back military fat and waste, in carefully evaluating the enormous increase in the cost of administering the farm program, and in rooting out laxity and maladministration in the foreign aid and domestic programs, rather than in trying to shift the blame for any deficiencies which have occurred in the past 6 years to the backs of the Democrats in Congress, who have not had the authority to administer the funds.

And we in Congress should continue to do what we can to see the purposes for which we appropriate money are carried out and that the money is wisely and honestly disbursed. We cannot be indifferent, nor can we trust blindly in the good faith and performance of the executive departments in administering these programs.

We shall make our greatest mistake, however, if we allow the great emphasis which is being placed on inflation to blind us to the total economic picture—if we let ourselves be sold the line that we are in worse shape, instead of better. The propagandists constantly tell the people how much has been "stolen" by inflation since World War II. Much more important is the progress we have made—the measure of the well-being our people have been able to buy, even though the dollar is worth less than it was. In terms of goods, how does the present situation compare?

I noted the recent story, published in the U.S. News & World Report, based on the Department of Labor pamphlet entitled "How Buying Habits Change." The pamphlet details the transformation which has taken place in America in the past 50 years, turning it into a land of high productivity, high incomes, and the highest living standard in the world.

This transformation has given the American worker more pay for less work—18 cents an hour, in 1900, for a 72-hour week, compared to $3 an hour today, for a 40-hour week, with overtime, paid vacations, pensions, and other fringe benefits.

In 1900, only 1 out of every 5 workers owned his own home, whereas today 3 out of 5 do. In 1918, only 1 out of 18 families of city workers had cars; today, 2 out of 3 families do.

The key to the whole picture, however, is this paragraph from the Labor Department report:

> Although the rise in prices cut the purchasing power of each dollar by 66 percent between 1901 and 1950, for example, incomes rose enough to support the purchases of 2½ times as many goods and services in physical-quantity terms.

Some of this increase in abundance and comfort and good living has come to the American people since the end of World War II. The figures used by the Labor Department in its analysis of purchasing power in physical-quantity terms cover this post-World War II period.

Obviously, in order to maintain this high standard of living for our rapidly increasing population, America must have a high rate of economic growth. It should be the policy of both the Congress and the administration to obtain this high rate without cutting the value of the dollar.

Inflation vitally affects every American family. I deplore the efforts of the administration to make a political football of inflation. We in the Congress and those in the administration should be working together to find a solution to the most important economic question of the day—namely, How can we stabilize the value of the dollar, and at the same time enjoy the high rate of economic growth which is essential to the well-being of our people?

This cannot be done effectively unless we root out waste and inefficiency in the Government. The apparent indifference of officials of various branches of the executive arm of the Government to the value of the dollar, and the failure of administrative officers to apply sound economic practices, contribute far more to unbalancing the budget than do some of the efforts of the Democratic Congress to conserve and develop our human and natural resources and keep our economy functioning at a high level.

For example, I refer to the inefficient and wasteful noncompetitive practices

followed by the Department of Defense in its purchasing activities, as recently discussed on this floor by the chairman of the Select Committee on Small Business [Mr. SPARKMAN], and the stories of maladministration of foreign-aid funds in Laos, Vietnam, and Bolivia. These examples are currently in the limelight. Six months ago, I would have pointed to others.

I am also concerned about the millions of dollars which are lost to the Federal Government through tax loopholes, such as those which allow night-club tabs, the cost of theater-party tickets, and the cost of African safaris to be deducted as business expenses, and the failure to provide for withholding dividend income at the source.

Since I came to the Senate, I have supported amendments to control foreign aid, through an end to blank-check spending; and I have voted to close some of the more flagrant tax loopholes. I shall look for other opportunities to take further action in these fields. We must cut waste, and we must assure tax revenue on the basis of a fair formula.

Mr. President, a reduction in Government spending, a reduction in the national debt, and the eventual reduction in taxes which such an accomplishment would make possible, are not exclusively the property or the goal of the Republican Party. Everybody is for them. The question is how we can best get them. The American people want action—not political propaganda. Instead of calling names, let us work for stability and growth in America.

ORDER FOR RECESS UNTIL 9:30 A.M., TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, instead of the order for the Senate to adjourn until 9:30 tomorrow, it be ordered that when the Senate conclude its business this evening, it stand in recess until tomorrow at 9:30 a.m.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Is there objection? Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, what is the unfinished business?

The PRESIDING OFFICER. The unfinished business is Calendar No. 610, Senate bill 1514, to amend the act of August 9, 1955 (69 Stat. 618).

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

On request of Mr. MANSFIELD, and by unanimous consent, the State Department Subcommittee of the Foreign Relations Committee was authorized to meet during the session of the Senate tomorrow.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, under the order previously entered, I now move that the Senate stand in recess.

The motion was agreed to; and (at 7 o'clock and 3 minutes p.m.), the Senate took a recess, under the order previously entered, until tomorrow, Thursday, August 13, 1959, at 9:30 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 12, 1959:

ATOMIC ENERGY COMMISSION

John H. Williams, of Minnesota, to be a member of the Atomic Energy Commission for the remainder of the term expiring June 30, 1961.

DEPARTMENT OF STATE

Robert D. Murphy, of Wisconsin, to be Under Secretary of State for Political Affairs.

Livingston T. Merchant, of the District of Columbia, to be Deputy Under Secretary of State.

DIPLOMATIC SERVICE

Elbert G. Mathews, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Liberia.

U.S. DISTRICT JUDGES

John A. Field, Jr., of West Virginia, to be U.S. district judge for the southern district of West Virginia.

Ted Dalton, of Virginia, to be U.S. district judge for the western district of Virginia.

U.S. PATENT OFFICE

The following-named persons to be Examiners in Chief in the U.S. Patent Office:

James L. Brewrink, of Maryland.
Malcolm F. Bailey, of Maryland.
James E. Keely, of Maryland.
Joseph C. Manian, of Maryland.

INDIAN CLAIMS COMMISSION

Arthur V. Watkins, of Utah, to be an Associate Commissioner of the Indian Claims Commission.

DIPLOMATIC AND FOREIGN SERVICE

The following-named persons, now Foreign Service officers of class 2 and secretaries in the diplomatic service, to the office indicated:

To be consuls general

Byron E. Blankinship, of Oregon.
A. David Fritzlan, of Kentucky.
Max McCullough, of Texas.

The following-named person, now a Foreign Service officer of class 3 and a secretary in the diplomatic service, to the office indicated:

To be consul general

Weldon Litsey, of Texas.

The following-named persons for appointment to the offices indicated:

To be Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service

Stanislaus B. Milus, of New York.
Donald Kaye Palmer, of Michigan.

The following-named Foreign Service officers for promotion from class 6 to the offices indicated:

To be Foreign Service officers of class 5 and to be also consuls

William M. Kahmann, of Missouri.
Miss Margaret Ruth Kelley, of California.
David H. McCabe, of Maryland.
Miss Irene L. Rossi, of Pennsylvania.
Benjamin J. Ruyle, of Washington.
Charles T. Warner, of West Virginia.

The following-named persons for appointment to the offices indicated:

To be Foreign Service officers of class 5, consuls and secretaries in the diplomatic service

Ramón S. Alfonzo, of New Jersey.
J. Anthony Armenta, of California.
John Coffey, of Illinois.
Randolph Dickins, Jr., of Virginia.
Stanley H. Schaub, of Maryland.
Anthony E. Sega, of New York.

The following-named person for promotion from Foreign Service officer of class 7 to office indicated:

To be Foreign Service officer of class 6

Julius W. Walker, Jr., of Texas.

The following-named persons for appointment to the offices indicated:

To be Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service

Richard B. Andrews, of Illinois.
James O. Belden, of New York.
Eugene E. Champagne, Jr., of New York.
Harold A. Church, of Massachusetts.
Ellis V. Glynn, of Pennsylvania.
Benjamin C. Goode, Ohio.
Miss Hazel E. Gordon, of Minnesota.
John W. Haigh, of New Hampshire.
Reppard D. Hicks, of Florida.
Stanley M. Howe, of Illinois.
Samuel Karp, of Pennsylvania.
Darold W. Keane, of California.
Frederick J. Lindow, of Florida.
Miss Olga Lukashewich, of New York.
Mrs. Kathryn Z. McCoy, of Indiana.
Miss Mary E. Mellette, of South Carolina.
Mrs. Marian D. Miller, of Massachusetts.
Arthur Parolini, of California.
Miss Ruth E. Wagner, of New York.
Miss Eleanor Frances Welch, of Ohio.
Raymond S. Yaukey, of Maryland.
Miss Betty Lou Zimmerman, of Texas.

The following-named Foreign Service officers for promotion from class 8 to the office indicated:

To be Foreign Service officers of class 7

Herbert Eugene Horowitz, of New York.
Nelson C. Ledsky, of Ohio.
Robert von Pagenhardt, of California.
Howard L. Worthington, Jr., of Virginia.

The following-named persons for appointment to the offices indicated:

To be Foreign Service officers of class 7, vice consuls of career, and secretaries in the diplomatic service

Joe L. Alarid, of Colorado.
Miss Elsie C. Bell, of California.
Frank L. Berry, of Kentucky.
Miss Anne L. Carroll, of Idaho.
Ernst Conrath, of Wisconsin.
Howard B. Crotinger, of Iowa.
Miss Margot J. Fellinger, of New Jersey.
Thaddeus J. Figura, of Illinois.
Coradino E. Gatti, of Massachusetts.
John O. Grimes, of Alabama.
Thomas J. Grimes, of Illinois.
Kenneth O. Harris, of West Virginia.
Miss Lorraine C. Herron, of Minnesota.
Frank P. Irwin, of Illinois.
Don C. Jensen, of California.
Mrs. Lucy N. Johansen, of Oregon.
James Kidder, of Ohio.
Thomas R. Kresse, of Ohio.
Robert C. LaPrade, of Massachusetts.
Miss Helen H. Larson, of Minnesota.
Joaquin Mariota, of California.
Miss Clare Ree Moore, of California.
Wilbur N. Nadel, of New Jersey.
Roy C. Nelson, of New York.
William M. Nikolin, of Indiana.
Joseph E. Olenik, of Pennsylvania.
Edward B. Pohl, of Louisiana.
Robert Prieto, of Wisconsin.
Miss Mary K. Richmond, of Oregon.
Valentine E. Scalise, of New York.
Miss Constance V. Stuck, of Arkansas.
Eugene S. Szopa, of Maine.
James Richard Vandivier, of Indiana.
Louis Villalovos, of California.
Frank E. Wallace, of Pennsylvania.

The following-named persons for appointment to the offices indicated:

To be Foreign Service officer of class 8, vice consul of career, and secretary in the diplomatic service

Thomas D. Boyatt, of Ohio.
Thomas Stanley Brooks, of Wyoming.
Garrett C. Burke, of Iowa.
Francis B. Corry, of Wisconsin.
John James de Martino, of the District of Columbia.
Stamps Farrar, Jr., of Louisiana.
Norman H. Frisbie, of Massachusetts.
Robert E. Fritts, of Illinois.
Joseph M. Hardman, of Oregon.
Serge P. Horeff, of New Jersey.
Arthur V. Laemmerzahl, of New Jersey.
George A. McFarland, Jr., of Texas.
Richard R. Martin, of the District of Columbia.
Thomas R. Pickering, of Pennsylvania.
Peter Andrews Poole, of New York.
Pierre Shostal, of New York.
Michael B. Smith, of Massachusetts.
John W. Stahlman, of the District of Columbia.
Miss Sara Ann Stauffer, of Rhode Island.
William O. Sugg III, of Tennessee.
Donald P. Swisher, of California.
Richard W. Teare, of Ohio.
Olin S. Whittemore, of Michigan.
Michael G. Wygant, of Massachusetts.
John R. Yodzis, of Pennsylvania.

The following-named Foreign Service staff officers to the office indicated:

To be consuls

Richard T. Hamilton, of Virginia.
Abraham N. Hopman, of New York.
Walter H. Hummel, of North Dakota.
William Lipper, of Arizona.
Ralph S. Smith, of Maryland.
William H. Smith, of Maryland.

The following-named Foreign Service Reserve officers to the offices indicated:

David H. Cohn, of Florida.
Charles I. Cooper, of Massachusetts.
Harold I. Fiedler, of New Jersey.
Robert W. Hamerschlag, of New York.
Richard Linthicum, of Virginia.
Nestor D. Sanchez, of New Mexico.
Harry V. Scott, of Maryland.
Michael C. Sednaoui, of Colorado.
George W. Steitz, of Connecticut.

To be vice consuls

Robert C. Bodden, of Florida.
William C. Boner, Jr., of Massachusetts.
Paul R. Brown, of Pennsylvania.
John F. Murnane, of Virginia.
William J. Murray, Jr., of Washington.
Winston C. Oliver, of Pennsylvania.
Thomas B. Peck, Jr., of Virginia.
Jonathan D. Petry, of California.
Frank Rettenberg, of New York.
Samuel H. Rickard III, of Michigan.
Robert M. Schram, of Pennsylvania.
J. Bruce Scrymgeour, of New York.
Stephen J. Shuttack, of Wisconsin.

To be Secretary in the diplomatic service

William Anderson, Jr., of Virginia.
Vincent J. Augliere, of Virginia.
Roger M. Bearce, of Maine.
William L. Clark, of the District of Columbia.
Benjamin C. Evans, Jr., of the District of Columbia.
Paul V. Harwood, of Pennsylvania.
Frank W. Jones, Jr., of Connecticut.
Thomas H. Karamessines, of Virginia.
William F. Miller, of Massachusetts.
Jean M. Nater, of Connecticut.
Donald M. Richardson, of Virginia.
Robert L. Skidmore, of the District of Columbia.
James R. West, of California.
Robert P. Wheeler, of the District of Columbia.
Oscar Zaglits, of the District of Columbia.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 12, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

II Corinthians 3: 5: *Not that we are sufficient of ourselves but our sufficiency is from God.*

Most merciful and gracious God, grant that during this day we may achieve a greater gain in helpful things and experience a more blessed joy in higher things.

We earnestly beseech Thee that the Members of this legislative body may be directed by Thy divine counsel for without Thy guidance their wisdom is folly and they labor in vain.

May their constituents daily commend them to Thy all-sufficient grace that in their deliberations and decisions they may be endowed with clear vision and right judgment.

Inspire the nations and their leaders to pursue the ways of peace and good will and seek to extend and enlarge the boundaries of the kingdom of righteousness.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

INDEPENDENT OFFICES APPROPRIATION BILL, 1960

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7040) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1960, and for other purposes, together with Senate amendment No. 1 thereto and agree to the further conference requested by the Senate on the disagreeing votes of the two Houses thereon.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. THOMAS, YATES, CANNON, OSTERTAG, and TABER.

COMMITTEE ON APPROPRIATIONS

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a conference report on H.R. 7509, the public-works appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CALL OF THE HOUSE

Mr. BARDEN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 128]

Alexander	Davis, Tenn.	Kasem
Allen	Elliott	McDowell
Barrett	Flynn	Powell
Bowles	Gallagher	Shelley
Canfield	Gray	Whitten
Celler	Hoffman, Ill.	
Cramer	Jackson	

The SPEAKER. On this rollcall 415 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

Mr. BARDEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 8342) to provide for reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 8342 with Mr. WALTER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the gentleman from North Carolina [Mr. BARDEN] had 1 hour and 15 minutes remaining and the gentleman from Pennsylvania [Mr. KEARNS] had 1 hour and 34 minutes remaining.

The Chair recognizes the gentleman from Pennsylvania [Mr. KEARNS].

Mr. KEARNS. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. HOLT].

Mr. HOLT. Mr. Chairman, I shall make my remarks brief today because there is a shortage of time and so I will not yield for any questions.

Mr. Chairman, I would like to say that I was one of those who voted to get the committee bill out of the Committee on Education and Labor for the purpose of having it before the House so that House could work its will, because I feel very strongly, after 7 years on the Committee on Education and Labor, that labor legislation is necessary. I represent a district with many union members. I support the Landrum-Griffin bill now because I feel that it is in the best interests of our country and both union and management. My concern has been not for big business or big unions. My concern has been and is for the people of America. I have concern for small business. I feel that it is necessary that they do have some protection.

I also feel that due to some of the disclosures before the McClellan commit-

tee there is need to protect the union members and to guarantee them certain rights.

At this time I want to say this, that I believe the members of the Committee on Education and Labor deserve a compliment, and I want to compliment my colleagues not only on the Republican but on the Democratic side as well, because they had a majority of 20 to 10 on our committee, but they were very polite and respectful and gave us every opportunity to debate our views.

I also want to say I am sorry that there has been talk of politics. Questions have been asked who wrote the Landrum-Griffin bill. The members of the committee voted on the legislation it contains in committee and that is why we are for it now. I am sure the other members will tell you just that.

I will not go into too much specific detail, because I want you to read the remarks in the RECORD tomorrow, together with some material which I will insert that I will put with my remarks. It is too detailed to speak about at this time.

I want to talk about exemptions. Of concern to me is the exemption in the committee bill and the Shelley bill which would exempt unions of 200 members or less and those who have less than $20,000 gross receipts. I feel that the small unions deserve protection. Under this legislation a union with 400 or 500 members, if it did not have $20,000 worth of receipts, would be exempt.

I am going to put in the RECORD some financial statements now filed down at the Department of Labor under the Taft-Hartley law, unions that were investigated by the McClellan committee. They found a lot of things wrong with them. I want to tell you a little bit about them.

Local 228, UAW-AFL, originally started by Johnny Dio, a racketeer. This union would be exempt under the committee bill and the Shelley bill from filing any reports.

Local 813 of the Garbage Haulers Union in New York, under the domination of Vincent J. Squillante, allegedly a protege of the notorious, tough Albert Anastasia, formerly head of Murder, Inc. This union also undoubtedly would be exempt under the committee bill and the Shelley bill from filing any statements.

And, I will put in the RECORD also, as far as the rights of members go, testimony concerning Local 621 of the Teamsters Union. Testimony before the McClellan committee showed that a member who continued asking questions at meetings was termed an "agitator" and the president of the local stated that he would have the member "taken care of." Shortly afterward the agitator was severely beaten. I am putting their financial statement in the RECORD.

There are about 26,000 unions that now file financial statements and organizational statements with the Department of Labor. They have to do that if they want to appear before the National Labor Relations Board and get their services. Under the committee bill and the Shelley bill those unions would not have to file any more statements at all, so that would be a step backward. I think it is urgent that we put that on the record, get it before the House of Representatives and the American people, that that legislation to which I just referred to does not protect many union members and their finances. I implore you to read all the statements, and to make up your minds, because as far as I am concerned this legislation is going to affect the whole course of history in America.

I came to the House of Representatives from Korea and saw the gains of communism firsthand. I feel very strongly that America is entering an era of a "cold trade war" with the Soviet Union. It will be our system versus the Russian system. I do not want to see big unions or big business, or the employer or the employee, have any advantage one over the other. Our system must work at its very best if we are going to win this cold trade war, this war of business throughout the world, as well as keeping our strong defense. That is why I feel so very strongly that labor legislation is necessary to keep our country in balance. We cannot let any one group run the country; I do not care whether it is big business or anything else. I am not worried about big business or the NAM, or any special group in particular. I am thinking of America and its future. I urge the Members to do the same. Let your conscience be your guide.

Local No. 228, UAW-AFL, the history of which was explained to the McClellan committee on August 5, 1957, was originally started by racketeer Johnny Dio. In 1955 it supplied officers to man the "paper locals" set up to fix an election for John J. O'Rourke as president of the Teamster Joint Council 16 in New York City. Subsequently, the charter to this local was given to one Sam Getlan to house his independent local which had only 100 members. It was a local composed of cigarette coin machine operators and employees. The dues were $5 a month and the members who owned machines were assessed 50 cents per machine. There were 4,000 machines, so Mr. Getlan's take was $2,500 a month or $30,000 a year. Salaries were paid to Getlan, a couple of other men to "service" the membership, and to a girl in the office. When asked how much per capita he sent to the international, Mr. Getlan said, "There wasn't anything for them after everything was taken out."

Budget Bureau No. 44-R700.4
Approval expires July 1, 1954.

LABOR ORGANIZATION REGISTRATION FORM

PUBLIC LAW 101—80TH CONGRESS

To BUREAU OF LABOR STANDARDS,
UNITED STATES DEPARTMENT OF LABOR,
Washington 25, D.C.

Section 9 (f) and (g) of the Labor Management Relations Act, 1947 (Public Law No. 101, 80th Cong., 1st sess.), requires that the following information be filed with the Secretary of Labor and kept up to date annually, before the National Labor Relations Board is authorized on petition or charge of a labor organization to take certain action in representation and unfair labor practice cases or in requests for election on a union shop. This report must be filed not only by any labor organization desiring to raise any such question before the Board, but also by any national or international labor organization of which such labor organization is an affiliate or constituent part.

Check one: First filing √ Subsequent filing ____.

1. Full name of organization: Coin Machine Employees Union Local 228 A. F. of L.
2. Principal business address: 10 Park Avenue, Mount Vernon, N.Y.
3. Name and address of parent national or international union: United Automobile Workers of America, AFL, Washington, D.C. (If none, check ☐)
4. (*a*) List the names, titles, and compensation and allowances of your three (3) principal officers who served during the preceding fiscal year. Indicate the manner in which they are elected or appointed or otherwise selected.

Name	*Title*	*Total compensation and allowances for the year*	*How selected*
1. Sam Weiss	President	$6,250	Elected.
2. Sam Getlon	Secretary-treasurer	8,840	Elected.
3. Canio Trotta	Recording secretary	None	Elected.

(*b*) List the names, titles, and compensation and allowances of all *other* officers or agents whose compensation and allowances for the preceding fiscal year exceeded $5,000. Indicate the manner in which such officers or agents are elected or appointed or otherwise selected. If none, check √

Name	*Title*	*Total compensation and allowances for the year*	*How selected*

NOTE.—If there has been no change in the information requested in items 5 through 7, inclusive, since the last report filed with the Secretary of Labor, the words "no change" may be used.

5. The initiation fee or fees which new members are required to pay to join union is $25.00.*
6. The regular dues or fees which members must pay to remain in good standing are $5.00 per month.* (See footnote.)

*(In case of a national or international union, specify any regulation regarding fees or dues.)

NOTE.—If additional space needed to answer questions, attach extra sheet of paper marked with corresponding numbers.

LABOR ORGANIZATION REGISTRATION FORM—Continued

7. *A copy of the constitution and bylaws of your organization is required to accompany this registration form on the initial filing; it must also be submitted with subsequent filings if it has been amended in any way.* Please indicate which paragraphs or sections of your constitution and bylaws show the procedure followed with respect to the items listed below. If your constitution does not cover each of the items specified, a detailed statement explaining the procedure followed by your organization with respect to the items not covered should be attached to this reply form and marked with the corresponding items numbers.

(a) Qualifications for or restrictions on membership	None.
(b) Election of officers and stewards	Art. V.
(c) Calling of regular and special meetings	Art. VIII.
(d) Levying of assessments	Art. VI, sec. 6.
(e) Imposition of fines	Art. X.
(f) Authorization for bargaining demands	Art. IV.
(g) Ratification of contract terms	Art. IV, sec. 3.
(h) Authorization for strikes	Art. IV, sec. 3.
(i) Authorization for disbursement of union funds	Art. IV, sec. 3.
(j) Audit of union financial transactions	Art. IV, sec. 3.
(k) Participation in insurance or other benefit plans	None.
(l) Expulsion of members and the grounds therefor	Art. X.

8. Submit with this registration a report showing (a) the beginning and closing dates of your fiscal year; (b) all of your receipts of any kind and the sources of such receipts for the fiscal year; (c) your total assets and liabilities as of the end of your last fiscal year; and (d) your disbursements made during such fiscal year, including the purposes for which made.

The annual financial report prepared by most unions may be used for this purpose as long as report contains the above information. Where the union's annual financial report is not used, the following form may be used:

Financial report for preceding fiscal year (12 months) from July 1, 1954, to June 30, 1955:

Receipts:		
Dues	$5,685.00	
Assessments	20,123.35	
Initiation	80.00	
Total receipts		$25,888.35
Disbursements:		
Salaries	$13,254.00	
Auto and traveling expense	4,125.89	
Auto insurance	152.44	
Organizing and picketing expense	1,927.00	
Office cleaning	96.00	
Legal and accounting	1,269.00	
Notes—Auto	1,165.00	
Rent—Office	600.00	
Contributions and donations	324.00	
Telephone	2,100.98	
Bank charges	23.10	
Office stationery, postage, etc	902.90	
Payroll taxes	54.98	
Total disbursements		25,995.29
Excess disbursements over receipts		106.94

Total assets at end of fiscal year (cash, investments, property, etc.): $1,000.

Total liabilities at end of fiscal year (per capita or other taxes owed, other outstanding debts): ____ If no outstanding liabilities, check ☐.

I, a duly authorized official of the above-named union, certify that the information submitted herewith is true to the best of my knowledge and belief.

SAM GETLEEN,
Secretary-Treasurer.

SEPTEMBER 8, 1955.

If telegraphic service is requested in connection with this filing it must be at your expense

Teamster Local No. 813, a garbage haulers' local with around 200 members, was under the domination of Vincent J. Squillante, allegedly a protege of the notorious, tough Albert Anastasia, formerly head of Murder, Inc. Sixty percent of the members are small employers with no right to vote or run for union office or to speak up with regard to union affairs. One of the members testified that in 3 years in local 813, he received one postcard notice of a meeting and then a letter saying he didn't need to attend because he was an employer. One small company composed of six members of one family and one outside employee were all required to belong to local 813. Each one paid $6 a month dues and $3 a week for welfare benefits.

Form R
(Rev. May 1957)

Form Approved
Budget Bureau No. 44-R700.7

LABOR ORGANIZATION REGISTRATION FORM

Act of June 23, 1947, as amended (61 Stat. 136, 29 U.S.C. 141 et seq.)

TO: Bureau of Labor Standards,
United States Department of Labor, Washington 25, D.C.

Section 9 (f) and (g) of the National Labor Relations Act, as amended, requires that the following information be filed with the Secretary of Labor and kept up to date annually, before the National Labor Relations Board is authorized on petition or charge of a labor organization to take certain action in representation and unfair labor practice cases. This report must be filed not only by any labor organization desiring to raise any such question before the Board, but also by any national or international labor organization of which such labor organization is an affiliate or constituent part.

Check one: First filing _____ Subsequent filing _____

1. Full name of organization (local number, if any)
Private Sanitation Union Local 813—Int'l. Bro. of Teamsters
2. Principal business address (street, city, zone, State)
221 4th Ave., New York, N.Y.
3. Name and address of parent national or international union, if none, check ☐ [1]
Int'l. Bro. of Teamsters, 100 Indiana Ave. NW., Washington, D.C.
4. (a) List the names, titles, and compensation and allowances of your three (3) principal officers who served during the preceding fiscal year. Compensation includes salaries or fees for personal services rendered. Indicate the manner in which they are elected or appointed or otherwise selected.

Name	Title	How selected	Total compensation for the year excluding allowances	Total allowances for the year	
					List separately non-cash items
1. Carmine Villano	President	Elected	$10,140.00	$105.00	None
2. Bernard Adelstein	Secy-Treas	do	20,800.00	30.00	None
3. John Devito	Vice-Pres	do	None	270.00	None

[1] In the case of a national or international union indicate federation or other affiliation to which per capita dues or other payments are regularly submitted.

LABOR ORGANIZATION REGISTRATION FORM—Continued

(b) List the names, titles, and compensation and allowances of all other officers. Employees and agents whose compensation and allowances for the preceding fiscal year exceeded $5,000. Compensation includes salaries or fees for personal services rendered. Indicate the manner in which such officers, employees and agents are elected or appointed or otherwise selected. If none, check ☐.

Name	Title	How selected	Total compensation for the year excluding allowances	Total allowances for the year	
					List separately non-cash items
Anthony Davanza	Business agent	Appointed	$9,620.00	$15.00	None
Amelio Migliore	do	do	9,360.00	30.00	None
Alfred Kregel	do	do	9,360.00	15.00	None
Frances Masiello	Bookkeeper	do	8,250.00	None	None
Sophie Herman	do	do	6,325.00	None	None

5. The initiation fee or fees which new members are required to pay to join union is $ no change.
If more than one rate applies, indicate:
Minimum $----------
Maximum $----------

6. The regular dues or fees which members pay to remain in good standing are $---------- per no change. (Yr., Mo., Etc.)
If more than one rate applies, indicate:
Minimum $----------
Maximum $---------- per ---------- (Yr., Mo., Etc.)

7. Are per capita taxes or dues received from or rebated to affiliated organizations? Yes ☐ No ☐
If "Yes," complete the following:
Amount of initiation fees received or retained per new member $----------
Amount of dues $---------- received or retained per member per ---------- (Yr., Mo., Etc.)

NOTE.—If additional space needed to answer questions, attach extra sheet of paper marked with corresponding numbers.

BALANCE SHEET—STATEMENT OF ASSETS AND LIABILITIES

	Beginning of fiscal year Jan. 1, 1958		End of fiscal year Dec. 31, 1958	
	Amount	Total	Amount	Total
ASSETS [1]				
Cash:				
1. Petty Cash				
2. Revolving Funds				
3. Checking Accounts	$9,822.82		$13,006.33	
4. Savings Accounts	25,814.35		25,814.35	
5. Cash on Hand		$35,637.17		$38,820.68
Securities:				
6. Government Bonds				
7. Non-Government Bonds				
8. Corporate Stock				
Fixed Assets (Net of Reserves):				
9. Land and Buildings (Itemize in Schedule H) [2]				
10. Furniture and Fixtures		5,185.65		4,639.27
11. Notes and Accounts Receivable (see Schedule J)				
12. Other Assets (Itemize in Schedule K)				
13. Total Assets		40,822.82		43,459.95
LIABILITIES AND NET WORTH				
14. Accounts Payable		6,737.84		6,469.43
15. Notes Payable				
16. Mortgages Payable				
17. Other Liabilities (Itemize in Schedule L)				
18. Total Liabilities		6,737.84		6,469.43
19. Net Worth—(excess of Assets over Liabilities) (line 13 less line 18)		34,084.98		36,990.52
20. Total Liabilities and Net Worth		40,822.82		43,459.95

[1] Assets used as security or collateral or otherwise pledged during the fiscal year must be itemized in Schedule M. If none, check: ☐ None.

[2] Although Line 9 pertains only to property held in the name of the union, Schedule H should contain a description of all land and buildings owned by the union whether held in the name of the union, or trustees, or a building corporation for the union.

R-1(F)
(Revised May 1957)
U.S. Department of Labor

Form Approved
Budget Bureau No. 44-R700.7

LABOR ORGANIZATION FINANCIAL REPORT

STATEMENT OF ALL RECEIPTS AND DISBURSEMENTS FOR THE FISCAL YEAR BEGINNING JAN. 1, 1958, AND ENDING DEC. 31, 1958

Line			
1.	Cash balance at the beginning of the fiscal year		$35,637.17
	Add cash receipts:		
2.	Dues (or per capita tax from affiliates)	$138,230.00	
3.	Fees excluding work permits	15,153.00	
4.	Work permits		
5.	Fines		
6.	Assessments		
7.	Income from investments (dividends, interests, etc.)		
8.	Receipts from sale of assets (itemize in schedule A)		
9.	Receipts from sale of supplies (labels, buttons, etc.)	804.00	
	Other receipts:		
10.	From members	12.00	
11.	From affiliated organizations		
12.	From repayment of advances or loans (itemize in schedule B advances or loans to officers or staff)		
13.	From other sources (itemize in schedule D)	23,995.76	
			178,194.76
14.	Total cash receipts (sum of lines 2 through 13)		213,831.93
15.	Total cash accountability (sum of lines 1 and 14)		
	Deduct cash disbursements:		
16.	Per capita tax and assessments	9,989.80	
17.	Other payments to affiliated organizations	3,523.65	

LABOR ORGANIZATION FINANCIAL REPORT—Continued

Line		Number of persons	
18.	Salaries: Officers	9	$62,902.00
19.	Staff	2	145,75.00
	Allowances:		
20.	Travel and related expenses		653.72
21.	Other (itemize in schedule E)		1,075.00
22.	Advances or loans (itemize in schedule C advances or loans to officers or staff)		
23.	Taxes		1,710.50
24.	Fees for legal services		6,900.00
25.	Fees for other professional services		2,071.25
26.	Office and administrative expenses		16,800.73
27.	Benefit payments to or for members or dependents		35.00
28.	Contributions, gifts, grants, etc. (itemize in schedule F contributions, gifts, grants, etc., to officers or staff not reported as salaries or allowances)		5,501.71
29.	Publications, publicity, and educational expenses		453.40
30.	Purchase of assets		1,243.00
31.	Other disbursements (itemize in schedule G)		47,576.49
32.	Total cash disbursements (sum of lines 16 through 31)		$175,011.25
33.	Cash balance at the end of the fiscal year (line 15 less line 32)		38,820.68

8. A copy of the constitution and bylaws of your organization is required to accompany this registration form on the initial filing; it must also be submitted with subsequent filings if it has been amended in any way. Please indicate which paragraphs or sections of your constitution and bylaws show the procedure followed with respect to the items listed below. If your constitution does not cover each of the items specified, a detailed statement explaining the procedure followed by your organization with respect to the items not covered should be attached to this reply form and marked with the corresponding item number

(a) Qualifications for or restrictions on membership	Art. 2, sec. 2(a), Art. 21.
(b) Election of officers and stewards	Art. 2, sec. 4.
(c) Calling of regular and special meetings	Art. 13, sec. 2(b).
(d) Levying of assessments	Art. 10, sec. 2.
(e) Imposition of fines	Art. 10, sec. 11(d), Art. 12, sec.11.
(f) Authorization for bargaining demands	Art. 12, sec. 1(a).
(g) Ratification of contract terms	Art. 12, sec. 11.
(h) Authorization for strikes	Art. 12, sec. 1(b).
(i) Authorization for disbursement of union funds	Art. 22.
(j) Audit of union financial transactions	Art. 10, secs. 9, 11.
(k) Participation in insurance or other benefit plans	Art. 12, sec. 4.
(l) Expulsion of members and the grounds therefor	Art. 18.

9. The financial report form R-1(F), detailing receipts and disbursements, assets and liabilities, must be completed in full. (NOTE.—A report of audit made and signed by a certified or licensed independent public accountant may be submitted in lieu of this financial report, provided that such report contains all of the information and in the detail requested in the financial report form R-1(F).)

ATTENTION.—A false statement submitted on or in connection with this registration form and financial report is punishable at law.

We, the undersigned, duly authorized officials of the above-named union, declare, under appropriate penalties of law, that the information submitted herewith (including the information contained in any accompanying documents) has been examined by us and is to the best of our knowledge and belief, true, correct and complete.

Signed at New York, N.Y., this 4th day of March 1959.
(City and State)

AMELIO MIGLIORE,
President (or Chief Executive Officer).

Signed at _____ this 5th day of March 1959.
(City and State)

BERNARD ADELSTEIN,
Secretary-Treasurer (or Chief Financial Officer).

If telegraphic service is requested in connection with this filing, it must be at your expense.

Form R-1(F)
(Revised May 1957)
U.S. Department of Labor

Form Approved
Budget Bureau No. 44-R700.7

Financial report schedules

(Attach separate statement if additional space is required)

Full name of organization (local number, if any): Private Sanitation Union Local 813, International Brotherhood of Teamsters.
Fiscal year ending Dec. 31, 1958.
Principal business address (street, city, zone, state): 221 4th Ave., New York, N.Y.
Instructions, Schedule A; Itemize any receipts from sale of assets included on line 8. Statement of Receipts and Disbursements, giving details with respect to each asset sold, except securities, inventory, equipment, furniture and fixtures.

Schedule A. Receipts From Sale of Assets: None

Kind of Property (If realty give location)	Year acquired	Gross sales price (contract price)	Cost or other basis	Net value on the books	Expense of sale
		$	$	$	$

Instructions, Schedule B: List the name of any officer who repaid advances or loans, with the total amount repaid. List the name of any staff member who repaid advances or loans in excess of a total amount of $500, with the amount repaid.

Schedule B. Repayment of Advances or Loans: None

Name	Amount
	$

Instructions, Schedule C: List the name of any officer who received advances or loans, with the total amount received. List the name of any staff member who received advances or loans in excess of a total amount of $500, with the amount received.

Schedule C. Disbursement of Advances or Loans: None

Name	Amount
	$

Instructions, Schedules D, E, G, K, and L: Separately identify each individual item representing one or more transactions during the year with an individual or organization if the total amount of such individual item is in excess of 25% of the schedule total. Grouping of other items under customary accounting classifications is permissible.

Schedule D. Receipts from Other Sources

Item	Amount
Dance Tickets & Journal Ads	$18,115.75
Redeposit Returned Checks	364.00
Exchanges (awards)	5,516.01
Total	23,995.76

Schedule E. Other Allowances

Person	Amount
Executive Board Meetings	$930.00
Shop Steward	15.00
Pickets & Time Lost	130.00
Total	1,075.00

Financial report schedules—Continued

Schedule F. Contributions, Gifts, Grants, etc. to officers or staff not reported as salaries or allowances		Schedule G. Other Disbursements	
Recipient	Amount	Item	Amount
		Strike Expenses	$50.00
		Exchanges (awards)	5,489.00
		Refunds	25.00
		Others *	24,806.07
		Meeting Expenses	2,357.87
		Automobile Expenses	12,532.15
		Meeting Hall Rents	1,840.00
		Fares & Hotels	476.40
		Total	47,576.49

Schedule H. Land and Buildings

1. Kind and location of property (Note: Indicate by use of an asterisk (*) property not included in the amount shown on Line 9-Balance Sheet.)	2. Year acquired	3. Cost or other basis of valuation	4. Total depreciation charged, if any, on buildings since acquisition	5. Net value as shown on the books
		$	$	$

Instructions, Schedule J: List the name of any officer who has any advance or loan outstanding at the end of the fiscal year and state the amount. List the name of any staff member who has any advance or loan outstanding at the end of the fiscal year in excess of $500 and state the amount.

Schedule J. Notes Receivable

Name of officer	Amount	Name of staff member	Amount
	$		$

Schedule K. Other Assets		Schedule L. Other Liabilities	
Item	Amount	Item	Amount
	$		$
Total		Total	

Schedule M. Assets Pledged or Used as Collateral or Security

Description of assets	Value	By whom pledged or used
	$	

*See the following:

Employees Retirement Trust Fund	$22,072.00	Dance & Journal Expenses	$2,397.57
Flowers & Funerals	94.50	Total	24,806.07
Returned Checks	242.00		

Testimony concerning a Teamster's Local No. 621 indicated that a member who continued asking questions at meetings was termed an "agitator," and the president of the local stated that he would have the member "taken care of." Shortly afterward, the "agitator" was severely beaten by a stranger. Identifications tended to show that the assailant was an ex-prizefighter who had been hired by the union as an organizer and had been seen in the union office on the day of the beating.

Form R-1
(Rev. May 1957)

Form Approved
Budget Bureau No. 44-R700.7

LABOR ORGANIZATION REGISTRATION FORM

Act of June 23, 1947, as amended (61 Stat. 136, 29 U.S.C. 141 et seq.)

To: BUREAU OF LABOR STANDARDS, UNITED STATES DEPARTMENT OF LABOR, WASHINGTON, 25 D.C.

Section 9 (f) and (g) of the National Labor Relations Act, as amended, requires that the following information be filed with the Secretary of Labor and kept up to date annually, before the National Labor Relations Board is authorized on petition or charge of a labor organization to take certain action in representation and unfair labor practice cases. This report must be filed not only by any labor organization desiring to raise any such question before the Board, but also by any national or international labor organization of which such labor organization is an affiliate or constituent part.

Check one: First filing_____ Subsequent filing __X__;

1. Full name of organization (local number, if any)
Chauffeurs, Teamsters & Helpers Local Union No. 621
2. Principal business address (street, city, zone, State)
311 Morgan Street, Knoxville, Tennessee
3. Name and address of parent national or international union. If none, check ☐ [1]
International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers of America, 25 Louisiana Ave., Washington, D.C.
4. (a) List the names, titles, and compensation and allowances of your three (3) principal officers who served during the preceding fiscal year. Compensation includes salaries or fees for personal services rendered. Indicate the manner in which they are elected or appointed or otherwise selected.

LABOR ORGANIZATION REGISTRATION FORM—Continued

Name	Title	How selected	Total compensation for the year excluding allowances	Total allowances for the year	
					List separately non-cash items
1. Sam A. Leiter	(Sup. & Temp. Pres.)	Appt	$7,360.00		$3,020.00
2. Hubert L. Payne	(Secy-Treas.)	Appt	5,330.00		2,305.35
3. John G. Brawley	(Vice Pres.)	Appt	(allowance included in Sch. E. Board Members expense)		76.00

(b) List the names, titles, and compensation and allowances of all other officers, employees and agents whose compensation and allowances for the preceding fiscal year exceeded $5,000. Compensation includes salaries or fees for personal services rendered. Indicate the manner in which such officers, employees and agents are elected or appointed or otherwise selected. If none, check ☐.

Name	Title	How selected	Total compensation for the year excluding allowances	Total allowances for the year	
					List separately non-cash items
			$	$	

5. The initiation fee or fees which new members are required to pay to join union is $_____.

If more than one rate applies, indicate:
Minimum $5.00
Maximum $25.00

6. The regular dues or fees which members pay to remain in good standing are $_____ per _____ (Yr., Mo., etc.)
If more than one rate applies, indicate:
Minimum $4.00 Month
Maximum $5.00 per _____ (Yr., Mo., etc.)

7. Are per capita taxes or dues received from or rebated to affiliated organizations? Yes ☐ No ☐
If "Yes." Complete the following:
Amount of initiation fees received or retained per new member $_____
Amount of dues $_____ received or retained per member per _____ (Yr., Mo., etc.)

[1] In the case of a national or international union indicate federation or other affiliation to which per capita dues or other payments are regularly submitted.

NOTE.—If additional space needed to answer questions, attach extra sheet of paper marked with corresponding numbers.

BALANCE SHEET—STATEMENT OF ASSETS AND LIABILITIES

	Beginning of fiscal year Jan. 1, 1958		End of fiscal year Dec. 31, 1958	
	Amount	Total	Amount	Total
ASSETS [1]				
Cash:				
1. Petty Cash	$100.00		$100.00	
2. Revolving Funds	.00		.00	
3. Checking Accounts	4,903.24		4,214.46	
4. Savings Accounts	.00		.00	
5. Cash on Hand		$5,003.24		$4,314.46
Securities:				
6. Government Bonds	.00		.00	
7. Nongovernment Bonds	.00		.00	
8. Corporate Stock	.00	.00	.00	.00
Fixed Assets (Net of Reserves):				
9. Land and Buildings (Itemize in Schedule H)[2]		.00		.00
10. Furniture and Fixtures (see attached marked line 10)		3,883.24		5,949.26
11. Notes and Accounts Receivable (see Schedule J)		.00		.00
12. Other Assets (Itemize in Schedule K)		.00		.00
13. Total Assets		8,886.48		10,263.72
LIABILITIES AND NET WORTH				
14. Accounts Payable		310.59	(WH & FICA)	.00
15. Notes Payable		.00		.00
16. Mortgages Payable		.00		.00
17. Other Liabilities (Itemize in Schedule L)		.00		.00
18. Total Liabilities		310.59		.00
19. Net Worth (excess of Assets over Liabilities) (line 13 less line 18)		8,575.89		10,263.72
20. Total Liabilities and Net Worth		8,886.48		10,263.72

[1] Assets used as security or collateral or otherwise pledged during the fiscal year must be itemized in Schedule M. If none, check: ☐ None.

[2] Although Line 9 pertains only to property held in the name of the union, Schedule N should contain a description of all land and buildings owned by the union whether held in the name of the union, or trustees, or a building corporation for the union.

R—1(F)
(Revised May 1957)
U.S. Department of Labor

Form Approved
Budget Bureau No. 44-R700.7

LABOR ORGANIZATION FINANCIAL REPORT

STATEMENT OF ALL RECEIPTS AND DISBURSEMENTS FOR THE FISCAL YEAR BEGINNING JAN. 1 1958, AND ENDING DEC. 31, 1958

Line		
1.	Cash balance at the beginning of the fiscal year	[1] $5,003.24
	Add cash receipts:	
2.	Dues (or per capita tax from affiliates)	$47,740.00
3.	Fees excluding work permits (reinstatements)	844.50
4.	Work permits (application fees)	1,741.50
5.	Fines (withdrawals and transfers)	21.25
6.	Assessments (death benefit fund assessments)	154.00
7.	Income from investments (dividends, interest, etc.)	0
8.	Receipts from sale of assets (itemize in schedule A)	0
9.	Receipts from sale of supplies (labels, buttons, etc.) for 2 buttons	5.00
	Other receipts:	

LABOR ORGANIZATION FINANCIAL REPORT—Continued

LINE				
10.	From members:			
	Health and welfare		$221.50	
	Pension		168.00	
11.	For phone calls		6.50	
12.	From repayment of advances or loans (itemize in schedule B advances or loans to officers or staff)		37.93	
13.	From other sources (itemize in schedule D)		7.58	
14.	Total cash receipts (sum of lines 2 through 13)			$50,953.76
15.	Total cash accountability (sum of lines 1 and 14)			55,957.00
	Deduct cash disbursements:			
16.	Per capita tax and assessments		$8,555.80	
17.	Other payments to affiliated organizations		.00	
	Salaries:	*Number of persons*		
18.	Officers	2	[2] 11,231.70	
19.	Staff	3	4,381.86	
	Allowances:			
20.	Travel and related expenses		4,772.96	
21.	Other (itemize in schedule E)		5,898.35	
22.	Advances or loans (itemize in schedule C advances or loans to officers or staff)		[3](400.00)	
23.	Taxes		[2] 3,415.09	
24.	Fees for legal services		1,392.49	
25.	Fees for other professional services		160.75	
26.	Office and administrative expenses (phone, supplies, rent)		3,394.42	
27.	Benefit payments to or for members or dependents (death benefit fund)		941.00	
28.	Contributions, gifts, grants, etc. (itemize in schedule F contributions, gifts, grants, etc., to officers or staff not reported as sa laries or allowances)		20.00	
29.	Publications, publicity, and educational expenses		.00	
30.	Purchase of assets		131.52	
31.	Other disbursements (itemize in schedule G)		7,346.60	
32.	Total cash disbursements (sum of lines 16 through 31)			51,642.54
33.	Cash balance at the end of the fiscal year (line 15 less line 32)			[4] 4,314.46

8. A copy of the constitution and bylaws of your organization is required to accompany this registration form on the initial filing; it must also be submitted with subsequent filings if it has been amended in any way. Please indicate which paragraphs or sections of your constitution and bylaws show the procedure followed with respect to the items listed below. If your constitution does not cover each of the items specified, a detailed statement explaining the procedure followed by your organization with respect to the items not covered should be attached to this reply form and marked with the corresponding item number.

(a) Qualifications for or restrictions on membership	Art. II, sec. 2A.
(b) Election of officers and stewards	Art. XXI, sec. 3.
(c) Calling of regular and special meetings	Art. XIV, sec. 2.
(d) Levying of assessments	Art. X, sec. 2.
(e) Imposition of fines	Art. XVIII.
(f) Authorization for bargaining demands	See attached.
(g) Ratification of contract terms	Do.
(h) Authorization for strikes	Art. XII.
(i) Authorization for disbursement of union funds	See attached.
(j) Audit of union financial transactions	Art. X, secs. 9 A, B; secs. 11 A, B, C, D, and E.
(k) Participation in insurance or other benefit plans	See attached.
(l) Expulsion of members and the grounds therefor	Art. XVIII, secs. 6 and 7.

9. The financial report form R-1(F), detailing receipts and disbursements, assets and liabilities, must be completed in full. (NOTE.—A report of audit made and signed by a certified or licensed independent public accountant may be submitted in lieu of this financial report, provided that such report contains all of the information and in the detail requested in the financial report form R-1(F).)

ATTENTION.—A false statement submitted on or in connection with this registration form and financial report is punishable by law.

We, the undersigned, duly authorized officials of the above-named union, declare, under appropriate penalities of law, that the information submitted herewith (including the information contained in any accompanying documents) has been examined by us and is to the best of our knowledge and belief, true, correct and complete.

Signed at Knoxville, Tenn., this 20th day of April 1939.
(City and State)

SAM A. LEITER,
President (or Chief Executive Officer).

Signed at Knoxville, Tenn., this 20th day of April 1939.
(City and State)

HUBERT L. PAYNE,
Secretary-Treasurer (or Chief Financial Officer).

If telegraphic service is requested in connection with this filing, it must be at your expense.

[1] General fund balance, $4,903.24 plus petty cash of $100.
[2] See attached sheet for breakdown.
[3] See schedule C.
[4] General fund balance, $4,214.46, plus petty cash of $100.

Form R-1(F)
(Revised May 1957)
U.S. Department of Labor

Form Approved
Budget Bureau No. 44-R700.7

Financial report schedules

(Attach separate statement if additional space is required)

Full name of organization (local number, if any): Chauffeurs, Teamsters & Helpers, Local Union No. 621.
Fiscal year ending December 31, 1958.
Principal business address (street, city, zone, State); 311 Morgan Street, Knoxville, Tennessee.
Instructions, Schedule A: Itemize any receipts from sale of assets included on line 8. Statement of Receipts and Disbursements, giving details with respect to each asset sold, except securities, inventory, equipment, furniture and fixtures.

Schedule A. Receipts From Sale of Assets: None

Kind of Property (If realty give location)	Year acquired	Gross sales price (contract price)	Cost or other basis	Net value on the books	Expense of sale
		$	$	$	$

Instructions, Schedule B: List the name of any officer who repaid advances or loans, with the total amount repaid. List the name of any staff member who repaid advances or loans in excess of a total amount of $500, with the amount repaid.

Schedule B. Repayment of Advances or Loans

Name	Amount
Sam A. Leiter	$8.63
Hubert L. Payne	29.30
(Each of the above officers were advanced $200.00 for Dallas conference trip and the above represents the amount not used which was returned to the Local Union.)	

Instructions, Schedule C: List the name of any officer who received advances or loans, with the total amount received. List the name of any staff member who received advances or loans in excess of a total amount of $500, with the amount received.

Schedule C. Disbursement of Advances or Loans

Name	Amount
Sam A. Leiter	$200.00
Hubert L. Payne	200.00
(This $400.00 was advance for travel and allowance to Dallas conference and is included in line 20 of financial report).	

Financial report schedules—Continued

Instructions, Schedules D, E, G, K, and L: Separately identify each individual item representing one or more transactions during the year with an individual or organization if the total amount of such individual item is in in excess of 25% of the schedule total. Grouping of other items under customary accounting classifications is permissible.

Schedule D. Receipts from Other Sources

Item	Amount
Refund from Barton, Curle & McLaren Bonding Company for bond premium on employees.	$7.58
Total	7.58

Schedule E. Other Allowances

Person	Amount
See attached sheet	
Total	

Schedule F. Contributions, Gifts, Grants, etc. to officers or staff not reported as salaries or allowances

Recipient	Amount
Knoxville Police Benefit for widows and orphans	$20.00

Schedule G. Other Disbursements

Item	Amount
See attached sheet marked Schedule G	
Total	$7,346.20

Schedule H. Land and Buildings: None

1. Kind and location of property (Note: Indicate by use of an asterisk (*) property not included in the amount shown on Line 9-Balance Sheet.)	2. Year Acquired	3. Cost or other basis of valuation	4. Total depreciation charged, if any, on buildings since acquisition	5. Net value as shown on the books
		$	$	$

Instructions, Schedule J: List the name of any officer who has any advance or loan outstanding at the end of the fiscal year and state the amount. List the name of any staff member who has any advance or loan outstanding at the end of the fiscal year in excess of $500 and state the amount.

Schedule J. Notes Receivable: None

Name of officer	Amount	Name of staff member	Amount
	$		$

Schedule K. Other Assets; None

Item	Amount
	$
Total	

Schedule L. Other Liabilities: None

Item	Amount
	$
Total	

Schedule M. Assets Pledged or Used as Collateral or Security: None

Description of assets	Value	By whom pledged or used
	$	

INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA,

Knoxville, Tenn., April 27, 1959.

BUREAU OF LABOR STANDARDS,
U.S. DEPARTMENT OF LABOR,
Washington, D.C.

GENTLEMEN: Reference is made to form R–1, "Labor Organization Registration Form" filed by Teamsters Local No. 621.

First of all we do not understand why the address on line No. 2 is checked in red. This is the correct address of local 621 and in fact our local union office is located at this address. Secondly, the writer's name and title is underscored in red. Sam A. Leiter is the supervisor and temporary president of this local union. This title is used because the local union is under international trusteeship and the writer was appointed by the international trustee, C. A. Mandoiza, 1142 Shelton Avenue, Nashville, Tenn.

FINANCIAL STATEMENT AND BALANCE SHEET INFORMATION

The savings account to which you refer is not a savings account and actually is not an asset nor a liability to the local union. This is a death benefit fund belonging to the members of Teamsters Local No. 621. Same was set up several years ago by the membership of this local union. Each member participates in this fund by paying into the fund, after the death of a fellow member, $1 per member per month for 3 consecutive months. These assessments are only levied when the fund reduces below $3,000.

The assessments are received by this local union on a bookkeeping machine key marked "D.A." which means death assessments. When the bookkeeping machine is closed out at the end of each month a check is drawn on the general fund account which is in the North Knoxville branch of Hamilton National Bank and made payable to the death benefit fund which is in a different bank, Tennessee Valley Bank.

The local union employees or officials do not have access to this fund.

Our auditors inadvertently errored in referring to this as a savings account which is the reason we have completely omitted these figures from our latest report to you. We are attaching hereto a complete breakdown of this fund for the fiscal year January 1, 1958 through December 31, 1958, said breakdown includes the balance carried forward December 31, 1957, all receipts for 1958 (itemized by month) and the disbursements which are itemized showing the check number, the payee who is the beneficiary of the deceased member, and the balance in accordance with the bank statements at the end of the year.

Arrangements are now being made to have the death benefit fund committee, which are three rank and file members elected by the general membership, collect these death assessments so they will not enter our books in any manner.

We shall be glad to cooperate with you in any way possible, however, we have had our books audited by a licensed public accountant and we truly believe that they are correct. We further resubmit the last report returned to us with this detailed explanation of the death benefit fund which you refer to as a savings account in the hopes that this will clear up the matter to your satisfaction.

If we can offer further information please call upon us. You probably realize that we are most anxious to have this report OK'd so that we may stay in compliance with the Board. Please advise us immediately.

In the event this report and explanation is not satisfactory we respectfully request another 30-day extension.

Thanking you for your cooperation.

Very truly yours,

SAM A. LEITER,
Supervisor and Temporary President.

Balance carried forward Dec. 31, 1957	$3,276.13
Plus receipts for 1958:	
January 1958	793.00
February 1958	46.00
March 1958	80.00
April 1958	12.00
May 1958	5.00
July 1958	2.00
November 1958	3.00
Total receipts	941.00
Total	4,217.13
Less total disbursements for 1958:	
Check No. 64, dated Mar. 19, 1958, to Ruby Sharp, wife and beneficiary of Lawrence L. Sharp, Associated Transport, Inc., driver killed Mar. 19, 1958	1,000.00
Check No. 65, void	
Check No. 66, dated Dec. 29, 1958, to Wallace Burroughs administrator of the estate of Jim Webster, employee of American Marietta Co., deceased at U.T. Hospital on Dec. 4, 1958	1,000.00
Check No. 67, dated Dec. 29, 1958, to Emily J. Cauble, wife and beneficiary of Charles W. Cauble, driver of Associated Transport, Inc., deceased on Dec. 28, 1958	1,000.00
Total disbursements	3,000.00
Balance in death benefit fund account at Tennessee Valley Bank Dec. 31, 1958	1,217.13

Line 18 of financial report

	Gross salary	Less W.H. and F.I.C.A.	Net salary
2 officers	$13,190.00	$1,958.30	$11,231.70
3 staff	5,015.80	633.94	4,381.86

Line 23 of financial report

Withholding tax from employees	$2,529.70
FICA withheld from employees	303.70
FICA for employer's share for the fourth quarter 1957 and year of 1958	365.35
Tennessee Department of Employment Security Tax	86.51
District Director, Internal Revenue Service for Federal Unemployment Tax	129.83
Grand total of all taxes	3,415.09

Schedule E, other allowances

Sam A. Leiter, temporary president and supervisor, expense allowance	$3,029.00
Hubert L. Payne, secretary-treasurer, expense allowance	2,305.35
Paul D. Vandergriff, organizer for January, expense allowance	175.00
Executive board members (5), expense allowance	360.00
P. V. Martin expense for clocking mileage	29.00
Total	5,898.35

Depreciation—Line 10, balance sheet

Schedule of furniture and fixtures:	
Gross amount, Jan. 1, 1958 (A)	$3,883.24
Bookkeeping machine purchased Jan. 27, 1958 (B)	2,559.55
Filing cabinet purchased Oct. 16, 1958 (C)	79.20
Plate glass purchased, for 2 desks, Oct. 27, 1958 (D)	26.16
Plate glass purchased, for 2 desks, Nov. 5, 1958 (E)	26.16
Total gross	6,574.31
Depreciation:	
A, less 10 percent for 1 year	388.32
B, less 10 percent for 11 months	234.63
C, less 10 percent for 2½ months	1.21
D & E, less 10 percent for 2 months	.89
Total depreciation	625.05
Furniture and fixtures, net	5,949.26

Schedule G, other disbursements

LaSalle National Bank, account No. 3500:	
Health and welfare for members	$224.50
Health and welfare for employees	401.25
LaSalle National Bank, account No. 7000:	
Pension for members	222.00
Pension for employees	364.00
John F. English, payments on bookkeeping machine	1,630.55
Refund of dues to members	20.00
Teamsters Local Union No. 519 for transfer of D. H. Walden	25.00
State Bonding Co., bond for W. J. Reynolds, former business agent	1,000.00
Cash, to reimburse petty cash fund (postage, etc.)	370.63
Barten, Curle & McLaren for bookkeeper's bond	6.00
Cherry & Cherry public accountant for audit of books	900.00
F. M. George Co., for changing combinations on safe	10.00
National Cash Register Co., maintenance agreement on machine	82.50
Southern Conference of Teamsters, repayment of loan	500.00
Lydia-Mapes Williams Florist, flowers for funerals	117.76
School and Office Supply Co., service on mimeograph machine	7.50
Teamsters Local No. 549 for E.T. and W.N.C. organizing expense	1,194.00
National Cash Register Co., changing keys on bookkeeping machine	50.00
M. P. Brewer, expense to Louisville on sleeper operation	77.76
Paul D. Vandergriff, expense on Gluck and NLRB hearing	30.00
International Business Machines, repairs on typewriter	40.15
Lucy J. Howsare, bookkeeper, for Christmas gift	25.00

Schedule G, other disbursements—Continued

Paul D. Vandergriff, expense on Roddy case	$60.00
Total	7,346.60

Mr. BARDEN. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. LOSER].

Mr. LOSER. Mr. Chairman, I should like to express to the distinguished chairman of the Committee on Education and Labor my deep appreciation for affording me this opportunity to express my views on the pending legislation.

I rise in support of the Landrum-Griffin labor-management reform bill for reasons I will hereafter give in detail.

But before I begin my discussion of the legislation I should like to call attention of the House to a situation over which I have no control. Last year, I stated to the House, in a discussion of labor-management reform measures, that I thought that such a measure should not be encumbered with highly controversial amendments to the National Labor Relations Act—Taft-Hartley. It was my view that the legislation should be confined to a correction of the abuses disclosed by Senator MCCLELLAN'S committee.

But I cannot choose the ground rules under which this House is considering labor-management reform legislation. Therefore I will have to state my position under the conditions decreed by the great Committees on Education and Labor and Rules. There will be, I believe, three bills before the House during the time this legislation is considered.

My chief reason for supporting the Landrum-Griffin bill as a substitute for the committee bill is on account of its very wholesome provisions dealing with the rights and prerogatives of the rank-and-file members of organized labor.

Therefore, I shall confine my remarks at this time to the so-called bill of rights appearing in the three bills—the Elliott bill, the Shelley bill, and the Landrum-Griffin bill. But before that discussion is begun let me give you a bit of background on my position as it is related to the trade union movement.

I was born the son of a union printer and he remained a union printer until his death. In 1890 my father was the first vice president of the International Typographical Union. In later years, and for a quarter of a century, he was the secretary-treasurer of the Nashville Typographical Union. At the time of his death he was a proofreader in the composing room of a Nashville newspaper.

In my late teens I went to work in a printing office and later I was employed on a daily newspaper in Nashville where I served an apprenticeship as a printer. Before I became 20 years of age I became a member of the Nashville Typographical Union as a journeyman and was employed on Nashville newspapers as a Linotype operator. During all of the intervening years, although not working at the trade, I have maintained an active membership in this organization, and just the other day paid my

dues for the month of July 1959, amounting to $20.85.

While I have practiced law for over 30 years, yet I have willingly paid on at least three occasions 10 percent of my earnings to support members of the Typographical union who were engaged in a labor dispute of one sort or another. I now recall a Chicago newspaper strike. I paid 10 percent of my earnings into a fund to support this group of men and women. I also went through the 48-hour-week strike, paying 10 percent of my earnings, notwithstanding the fact that I was not engaged in the business. All this during the time I was practicing law.

I am speaking today if you please, Mr. Chairman, on behalf of the hundreds of thousands of the rank-and-file of labor who want a decent labor-management reform bill in order that they may work in peace, with harmony in their homes and educating their children and exercising the rights and privileges of honest workingmen with the right to have something to do with the affairs of their local unions. I say to you that the Landrum bill is the only bill that confers rights and benefits upon the working man to have a voice in the affairs of his union. I hope, if there is time, after I have concluded, that any man or woman in this House will ask me something about the provisions of the committee bill or the provisions of the Shelley bill or of the Landrum bill. I will point out to you how the rights of the working man are guaranteed under the Landrum bill. I will show you how under the Landrum bill the rights guaranteed to the working men and women in every way are protected. While, on the other hand, we do not have a single right that is worth the cost of the paper on which the bill is printed in the committee bill or in the Shelley bill.

Someone may inquire, with this long-time union membership, why do you support the Landrum-Griffin bill, since it is opposed by so many labor leaders?

Here is the reason—I reserve to myself the right to determine what is good for the rank and file of labor—the men and women who contribute, as I have done for 40 years, of their means to the cause of honest labor. I believe I am able to determine this question.

I reserve the right to do in this situation what I consider to be right and proper, and I shall delegate that responsibility to no one.

I need no hired lawyer to tell me what the bill means.

Therefore, I have determined to vote for the Landrum-Griffin bill as a base from which the House can work its will. I do so because it is the only bill that has a real bill of rights for the rank and file—the men and women who earn their livelihoods by the sweat of their brow and who furnish the wherewithal by and through which the trade union movement has reached its high place in the affairs of the Nation. I will not submit to the goons and hoodlums in some of the unions who have brought disrepute to union men everywhere. Unless these unworthy union leaders are checked, and the rights of the rank and file are protected, the American labor movement will be destroyed. I imagine that old Sam Gompers has turned over in his grave as a result of the disclosures of the McClellan committee. Let it be understood by all that I have great admiration and respect for the overwhelming majority of the men and women in the labor movement in the United States. All of the representatives of labor from Nashville—and who are now in Washington performing their duties—are my personal friends, yet, I must live with myself. I must exercise my own judgment in this situation.

There may be provisions in the Landrum-Griffin bill that I will vote to amend. For instance, I am dissatisfied with section 702, dealing with the building and construction industry. Should I have an opportunity I will vote to amend it. There will possibly be other sections that I will vote to amend, but I consider the Landrum-Griffin substitute as affording the very best base from which the House can work its will because of its wholesome provisions dealing with the rank-and-file union members. It sets forth, in unequivocal language, a bill of rights that is unexceptionable. The provisions of the Elliott and Shelley bills in this regard are a snare and a delusion, and in my opinion a hoax.

BILL OF RIGHTS

Now for a discussion of the bill of rights.

You will observe that the Elliott or committee bill on page 10, dealing with the rights of members of labor organizations, provides that:

> Every member of a labor organization shall be accorded, subject to reasonable qualifications uniformly imposed, all rights and privileges pertaining to membership under the constitution and bylaws of such labor organization, including the right to participate in determining the policies of such labor organization, to attend membership meetings, and to vote in any election or referendum conducted by such labor organization.

You will find in the Shelley bill identical language to that in the Elliott or the committee bill. It therefore necessarily follows that the rights of the membership of every labor organization accorded under these two bills is limited and restricted to the rather elusive and equivocal phrase, "subject to reasonable qualifications uniformly imposed under the constitution and bylaws of such labor organization."

Under such uncertain language every right that a member of a labor organization should have could be hamstrung by a change in the constitution and bylaws of a labor organization. The language "subject to reasonable qualifications uniformly imposed" is like a Mother Hubbard, it covers the whole subject. As contrasted with this language, let us see what we find in the Landrum-Griffin bill with reference to a bill of rights for members of labor organizations. It provides that:

> Every member of a labor organization shall have equal rights and privileges within such organization to nominate candidates, to vote in elections or referendums of the labor organization, to attend membership meetings, and to participate in the deliberations and voting upon the business of such meetings, subject to reasonable rules and regulations in such organization's constitution and bylaws.

While the Shelley and the Elliott bills limit the rights of members to the constitution and bylaws of the labor organization, together with the rather elusive phrase referred to awhile ago, the Landrum-Griffin bill unequivocally guarantees every member equal rights and privileges and provides in subsection (b) of section 101(5) that:

> Any provision of the constitution and bylaws of any labor organization which is inconsistent with the provisions of this section (bill of rights) shall be of no force or effect.

Therefore, under the Landrum-Griffin bill the rank-and-file members of a labor organization have a real bill of rights, and nothing can be done by any organization under its constitution and bylaws or by "reasonable qualifications uniformly imposed" to deprive such members of the rights conferred upon them by this bill.

RIGHT TO SUE

Under the Elliott and Shelley bills the right of the rank-and-file members of a labor organization to resort to the courts of the land is very materially limited and he or she may be required to wait 2½ years or more before an aggrieved member of a labor organization could resort to the courts for redress of a wrong visited upon him or her which, of course, includes suspension or expulsion by a tyrannous labor leader. While the Elliott and Shelley bills accord an aggrieved member the right to bring suit in any of the courts, State or Federal, that right is limited by the terms of subsection (4) of section 101 of both bills. There is a proviso, identical in both bills, that requires the aggrieved member "to exhaust the reasonable remedies available under the constitution and bylaws of such labor organization and of any national or international labor organization of which such labor organization is an affiliate or constituent body before instituting any judical or administrative proceeding against such labor organization or any officer thereof for violation of such member's rights in such labor organization."

Mr. Chairman, it will at once appear to the Members of the House that a member, rank and file, if you please, will be required, under the bylaws and constitution of a labor organization, if he feels aggrieved by the action of the local organization, to appeal finally to an International Convention before he can resort to the courts for redress. Many of these organizations meet in international convention only at 2-year periods. While this aggrieved member is exhausting the remedies provided by the laws of the national organization he remains under suspension or expulsion and is on the blacklist for a period of years.

In the meantime he has lost his home, and his children, if any, are approaching starvation. If he lives in a community that is well organized he cannot possibly get employment while pursuing the rather devious processes by which he might exhaust the remedies available to

him under these bills—Shelley and Elliott. Someone will say that the Shelley and Elliott bills provide that "any provision of the constitution and bylaws of a labor organization which is inconsistent with the provisions of this section shall be of no force or effect," yet it will be observed, even by a wayfaring man, that these provisions of the Shelley and Elliott bills are not inconsistent with the provisions of a vast majority of bylaws and constitutions of labor organizations. As a matter of fact, I am sure you will find in the bylaws and constitutions of all major organizations that the very procedural processes found in these two bills for the redress of wrongs visited upon the rank-and-file members are in almost identical language to the provisions of these bills. Therefore, this inconsistency clause found in subsection (c) on page 15 of the Shelley bill and in subsection (c) on page 14 of the Elliott bill is meaningless.

Not so with the Landrum-Griffin bill. It has a provision requiring that "Any such member—aggrieved—may be required to exhaust reasonable hearing procedures—but not to exceed a 4-month lapse of time—within such organization, before instituting legal or administrative proceedings against such organizations or any officer thereof." And, I repeat, it further provides that any bylaw or constitutional provision of a labor organization in conflict with the bill of rights contained in this bill shall be of no force or effect. This is a bill of rights that is meaningful and guarantees that the members of organized labor shall not be deprived of any of the rights and privileges provided in the Landrum-Griffin bill.

SAFEGUARDS AGAINST IMPROPER DISCIPLINARY ACTION

It would be well for the Members of this House to read the Elliott and Shelley bills on the question of safeguards against improper disciplinary action. These bills provide that a member "who is fined, suspended, expelled, or otherwise disciplined by a labor organization or any officer thereof, except for nonpayment of dues, shall be afforded a fair procedural safeguards as provided in the constitution and bylaws of such labor hearing on written charges and other organization."

This simply means that there can be no relief in the courts of the land or otherwise until he has exhausted his remedies provided by the bylaws and constitution of the labor organization and, I repeat, this will deny to him a right guaranteed to him under the Constitution of the United States to call upon the courts of the land for redress of wrongs visited upon him for at least 2½ years or more, and in the meantime his family will be on the verge of starvation and he will probably lose his home. During this period of time, awaiting a final decision, the suspended or expelled unionist will be walking the streets of his hometown trying to get a job.

In the Landrum-Griffin bill, on page 13 thereof, it is provided that "No member of any labor organization may be fined, suspended, expelled, or otherwise disciplined, except for nonpayment of dues, by such organization or by any officer thereof unless such member has been (A) served with written specific charges; (B) given a reasonable time to prepare his defense; (C) afforded a full and fair hearing," and it further provides that any provision of the constitution and bylaws of any labor organization which is inconsistent with the provisions of this section shall be of no force and effect. It further provides that the rank-and-file member, whose rights have been enfringed upon, may bring an action in the district court of the United States for such relief as may be appropriate, and, of course, this means that injunctive relief against unwarranted expulsion or suspension might be obtained in a proper case. It is fair to state, in my opinion, that the Shelley and Elliott bills give rank-and-file members certain rights and then by limiting their action take these rights away from them for a long period of time and in many instances for a period of at least 2½ years. As a matter of fact, the Elliott and Shelley bills provide that the member who has exhausted his reasonable remedies available under the constitution and bylaws of a labor union and of any national or international labor organization with which such labor organization is affiliated, or has diligently pursued such available remedies without obtaining a final decision within 6 calendar months after their being invoked, may bring a civil action for redress of the wrongs. This simply means that after an International Convention which, in many instances, does not meet oftener than every 2 years, has assumed jurisdiction of the aggrieved member's case, he must wait 6 months after that period before exercising his rights under the Constitution of the United States to call upon the courts of the land for redress of the wrongs visited upon him.

In the Landrum-Griffin bill, on the question of safeguards against improper disciplinary action, it is provided that any person whose rights secured by the provisions of this title have been infringed may bring an action in the district court of the United States for such relief as may be appropriate.

EXEMPTION OF CERTAIN UNIONS

The provision of the Elliott or committee bill, which is identical in the Shelley bill, completely deprives the rank-and-file member of a labor organization having less than 200 members of any of the provisions in the so-called bill of rights of these two bills. This exempts 38,000 of the 55,000 unions in the United States.

On page 20 of the Elliott bill and on page 21 of the Shelley bill it is provided that:

> A labor organization shall be exempt from the requirements of subsection (b) with respect to a fiscal year at the end of which it had less than 200 members * * * unless the Secretary determines, after due notice and opportunity for a hearing that the exemption of such labor organization should be withdrawn, permanently or conditionally, because the membership of that labor organization has been denied the substantial equivalent of the information required by subsection (b).

This exempts 70 percent of all the unions from the provisions of the bill relative to financial reports.

While subsection (b) of section 201 of title II of Shelley and Elliott, deals with the reporting phase of the bills, yet subsection (c) provides that:

> Every labor organization required to submit a report under this title shall make available the information required to be contained in such report to all of its members.

In other words, the members of all labor organizations having less than 200 members are denied the benefit of the information required to be filed and furnished by organizations having over 200 members as provided in subsection (b). This is a vicious discrimination against union members belonging to a local group having less than 200 members. The membership of these smaller unions does not have available to it information with reference to assets and liabilities, receipts of any kind and the sources thereof, the salary, allowances paid to officers, direct or indirect loans made to officers, direct or indirect loans to any business enterprise, together with a statement of the purpose, security, if any, and arrangements for repayment, and other disbursements made by it, including the purposes thereof.

Therefore SHELLEY and ELLIOTT, under the provisions of both of these bills, deny the rank-and-file members of every labor union in America, having less than 200 members, including, of course, subordinate unions, any information involving the financial status and the disposition of its funds, and this exemption provided in these two bills is self-executing. This exemption cannot be taken away from unions having a membership of less than 200 members unless the Secretary of Labor should determine after a hearing that the membership "has been denied the substantial equivalent of the information required by subsection (b)" as referred to heretofore. The phrase "substantial equivalent" is elusive and ambiguous, and the Secretary may be years in determining it. This exemption completely deprives the membership of unions having less than 200 members of any information about its financial affairs.

If the Secretary of Labor seeks to withdraw the exemption of unions of 200 members or less on the reporting phase of these bills (Shelley and Elliott), he must notify the unions in writing and hold a hearing with the view of determining whether the members of those exempted unions will raise the "substantial equivalent" required in the bill. "Substantial equivalent" of information to be furnished the members of unions having over 200 members. There are 38,000 out of the 55,000 unions in the country exempted from the reporting phases of the bill, and if the Secretary worked 5 days a week hearing these withdrawal cases and should conclude 1 case each day, it would take him 152 years to remove the exemption afforded these smaller unions in the committee and the Shelley bills.

The Landrum-Griffin bill on this subject requires that every member of a

labor organization, without reference to the number of members, is entitled to a complete report, showing the disposition of its funds, its assets and liabilities, and the salary, allowances and disbursements, including loans, and so forth, shall be available to all of its members, and upon denial of such information it can be obtained by a suit in any court of the land without delay.

I am very happy to say that I am a member of a labor organization that will not have the slightest difficulty about the provisions of the Landrum-Griffin bill with reference to these reports on its financial structure. As a matter of fact, it publishes this information monthly in the Typographical Journal and forwards it to every member of the organization in North America, and, by the way, it is available to any person whether a member of the organization or not who would seek the information.

It is solely and alone by reason of the provision called the bill of rights for union members found in the Landrum-Griffin bill that impels me to vote for this measure as a substitute for the Elliott or the committee bill.

It is my considered opinion that every working member of organized labor in the Nation who toils with his hands and mind would support the bill of rights of labor organizations set forth in the Landrum-Griffin bill if he or she would read its provisions carefully and understandingly.

Mr. KEARNS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. WAINWRIGHT].

Mr. WAINWRIGHT. Mr. Chairman, before going into any details, let me pay special tribute to four Democratic members of the House Labor Committee. They are the gentleman from Alabama [Mr. ELLIOTT], the gentleman from New Jersey [Mr. THOMPSON], the gentleman from Arizona [Mr. UDALL], and the gentlewoman from Oregon [Mrs. GREEN]. Without their hard-working efforts, without their courage, we probably would not be considering a labor bill today.

With your permission, Mr. Chairman, I would like to point to two specific examples of labor abuses on Long Island. In the first case, some 40,000 users of bottled gas were deprived of service because of intra-union strife. Who was hurt? The public and management. They were the ones who suffered because of this intra-union fight. In the second case, that of the Welch Asphalt Co., you have a good example of secondary boycott and blackmail picketing. The two letters outlining these situations are herein set forth.

These are specific instances of big labor versus small business. These are specific instances where big labor can crush small business. Neither the Shelley bill nor the Elliott bill offers a correction for this kind of abuse. Certain provisions of the Landrum bill offer some hope.

There are certain misconceptions in regard to the bill of rights. They are worth clarifying. In the first place, the reasons for the bill of rights were adequately brought forth by the McClellan hearings. Furthermore, I would like to call your attention to a special study done by the Fund for the Republic. They covered some 70 unions involving 16 million members. The study is dated August 1959. Certainly the Fund for the Republic cannot be considered either antilabor or promanagement. The summary of the study of the union constitutions was directed toward democracy in union life. The conclusions reached were, in essence, that democracy was widely lacking in the overwhelming number of unions involving approximately 16 million members. The following is a direct quotation from page 38 of the pamphlet entitled "Union Constitutions":

> The potentially disturbing procedural problems are primarily found in six areas of union life:
>
> (1) Admissions: Apprenticeship rules are a bar to a person seeking membership in the union and sometimes provide an informal means for racial or political discrimination ("fraternal" approval of the applicant by the membership has the same effect).
>
> (2) Concentration of power: Generally speaking, most American unions reveal a concentration of power in the hands of the international president and grant only a limited effectiveness to the executive board in its task of overseeing all policy decisions.
>
> (3) The convention: All the unions in the sample designate the convention as the supreme body of the organization, but here again the president's power to appoint convention committee in some cases, and to preside over the convention in others, strengthens the tendency toward a concentration of executive power.
>
> (4) Discipline: In unions like the ITU, the UAW, and the Upholsterers, there is a sensitivity to procedural rights in disciplinary cases, but in many of the unions in the sample the disciplinary board is staffed by the local executive committee or the local president—a dangerous situation because accused members are usually in opposition to the local administration.
>
> (5) Union press: In almost all of the unions, the press is under the control of the incumbent administration, so that the official newspaper tends to be monopolized by a few people at the top of the union hierarchy and excludes vigorous controversy or opposition to prevailing administration policies.
>
> (6) Procedures: There is a democratic design and intent in the constitutions of the American unions, but there are serious structural deficiencies which can act to the detriment of the democratic rights of the membership.
>
> The problem areas should not obscure the fact that there are unions that have taken important steps along the road to insuring democratic functioning through the authority of a constitution. The procedures of unions like the Typographical Union, the Automobile Workers, the Upholsterers' Union, and a number of others assure a considerable degree of membership control. And the evidence of this laudable attempt is in the detail with which their constitutions spell out rights and duties. In the light of the ideals stated in the Ethical Practices Code of the AFL–CIO, one urgent task of the labor movement today is to deepen and extend the democratic guarantees it must provide for its members.

Also, I wonder how many of my friends are familiar with the American Civil Liberties Union pamphlet entitled "A Labor Union Bill of Rights." I doubt that many of you who are going to vote for the Shelley bill feel that the American Civil Liberties Union is a tool of management. Yet the ACLU, in this pamphlet, which is dated September 1958, urged a labor union bill of rights broken down into six sections under the following titles: "Section I—Freedom of Speech, Press, and Assembly"; "Section II—Freedom of Elections and Balloting"; "Section III—Trusteeships and Local Union Rights"; "Section IV—Accounting of Union Funds"; "Section V—Equal Treatment by the Union"; and "Section VI—Due Process Within the Union." The Shelley bill contains, for all intents and purposes, no bill of rights. The Elliott bill contains a weakened bill of rights. The Landrum-Griffin bill contains a bill of rights almost identical to that recommended by the ACLU. The ACLU is not afraid of big labor. Consequently, it is urging what the workingman really needs in the way of protection.

Another misconception is that Senator KENNEDY is for the Elliott bill or the Shelley bill. In a strongly worded letter to a leading Newark, N.J., newspaper last month, Senator KENNEDY called for a "strong and effective labor-management reform bill—not a political issue."

Finally, as to the Landrum-Griffin bill itself, confining myself to the bill of rights section, section 101(a), first, equal rights, is actually weaker than the McClellan bill; second, freedom of speech and assembly, is, for all intents and purposes, identical to the McClellan bill; third, dues, initiation fees, and assessments, is identical with the Elliott bill; fourth, protection of the right to sue, is identical with the Senate-passed labor bill with the exception that the time period has been reduced from 6 to 4 months; fifth, safeguards against improper disciplinary action, is identical with the Senate-passed bill.

Section 102, civil enforcement, is identical with the Senate-passed bill; section 103, retention of existing rights, is identical with the Senate-passed bill; section 104, right to copies of collective bargaining, was formerly in the miscellaneous section of the Senate-passed bill but is identical as to the wording.

Based on the information that I have just supplied you, I fail to see why there is all the fuss about the Landrum-Griffin bill of rights section. It seems incredible to me that union leaders have the gall to complain about a bill of rights for their own people. It is amazing and astonishing.

Mr. KEARNS. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, I should like to propound a question either to Mr. GRIFFIN or to Mr. LANDRUM, the authors of one of the bills, relative to secondary boycotts. If I understood their testimony before the Committee on Rules correctly, the authors of this bill stated their bill will deal properly with secondary boycotts.

My question concerns the picketing of customer entrances to retail stores selling goods manufactured by a concern under strike. Would that situation be prohibited under the gentleman's bill?

Mr. GRIFFIN. Let us take for example the case that the President talked

about in his recent radio address. A few newspapers reported that the secondary boycott described by the President would be prohibited under the present act. It will be recalled that the case involved a dispute with a company that manufactured furniture. Let us understand that we are not considering, as I understand your question, the right to picket at the manufacturing plant where the dispute exists.

Mr. BROWN of Ohio. That is right. We are looking only at the problem of picketing at a retail store where the furniture is sold.

Mr. GRIFFIN. Then, we are not talking about picketing at the place of the primary dispute. We are concerned about picketing at a store where the furniture is sold. Under the present law, if the picketing happens to be at the employee entrance so that clearly the purpose of the picketing is to induce the employees of the secondary employer not to handle the products of the primary employer, the boycott could be enjoined.

However, if the picketing happened to be around at the customer entrance, and if the purpose of the picketing were to coerce the employer not to handle those goods, then under the present law, because of technical interpretations, the boycott would not be covered.

Mr. BROWN of Ohio. In other words, the Taft-Hartley Act does not cover such a situation now?

Mr. GRIFFIN. The way it has been interpreted.

Mr. BROWN of Ohio. But the Griffin-Landrum bill would?

Mr. GRIFFIN. Our bill would; that is right. If the purpose of the picketing is to coerce or to restrain the employer of that second establishment, to get him not to do business with the manufacturer—then such a boycott could be stopped.

Mr. BROWN of Ohio. Not to sell the goods of some concern that is on strike. Would that same rule apply to the picketing at the customer entrances, for instance, of plumbing shops, or newspapers that might run the advertising of these concerns, or radio stations that might carry their program?

Mr. GRIFFIN. Of course, this bill and any other bill is limited by the constitutional right of free speech. If the purpose of the picketing is to coerce the retailer not to do business with the manufacturer, whether it is plumbing——

Mr. BROWN of Ohio. Advertising.

Mr. GRIFFIN. Advertising, or anything else, it would be covered by our bill. It is not covered now.

Mr. BROWN of Ohio. Would either of the other two bills cover it?

Mr. GRIFFIN. Absolutely not; they would make no change in the existing law on that point.

Mr. KEARNS. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Chairman, I should like to ask the coauthor of the Landrum-Griffin bill a question which follows along the lines of the questioning of the gentleman from Ohio [Mr. BROWN]. Specifically, under the Griffin-Landrum bill, let us say there is a picket in front of a business establishment, and he carries a sign, "This establishment is not affiliated with the AFL." Could that be accomplished legally under the Griffin-Landrum bill?

Mr. GRIFFIN. First of all I assume the gentleman is talking about primary picketing. We are not talking about a secondary boycott in this situation?

Mr. GUBSER. That is right.

Mr. GRIFFIN. We must look to the purpose of the picketing in the particular situation. Under H.R. 8400, looking at page 66, it provides that where an object of the picketing is to force or require employees to accept or select such labor organization as their bargaining agent, then the picketing in that case would be illegal unless the union can show that at least 3 out of 10 of the employees are interested in the union. This is subject, however, to the constitutional right of free speech. Unless the picketing is for the coercive purpose indicated, it would not be affected by this language. In other words, whether it is the handing out handbills or putting an ad in the paper or picketing, if it is done in such a way so as clearly to be nothing more than an exercise of free speech, then the provision would not be violated.

Mr. GUBSER. I thank the gentleman.

Mr. KEARNS. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. BOSCH].

Mr. BOSCH. Mr. Chairman, I take this time merely because of the fact that I had 6 years on the Committee on Education and Labor. Otherwise I would hesitate to take the floor in discussion on a bill coming out of a committee other than the one with which I am affiliated.

Mr. Chairman, when the Taft-Hartley bill was being considered, union leaders attacked it on the ground that it was a slave labor bill. They denounced it as antilabor legislation designed to destroy labor unions. The term "antilabor" seems to mean anything that the union hierarchy does not like. Taft-Hartley has been in effect for 12 years but it has not produced any slaves and it certainly has not destroyed James Hoffa. The current slogan used by union leaders—and even some Members of this House—is that any really effective labor reform bill is a punitive bill.

What do they mean by punitive? Isn't this just another smokescreen by using an adjective, for we all know that a punitive bill is simply a bill that means what it says—it is simply a bill without the gimmicks and loopholes which have made it possible for some union leaders to brazenly misuse the hard-earned money of their members; to force helpless and unwilling employees to pay them tribute; and to use picketing as a means of extortion and blackmail—all within the law as presently written.

The select committee in the other body has found that James Hoffa has shamelessly abused the members of his union and his trust and that the combined weight of the U.S. Government and public opinion has been unable to stop him. If he remains unchecked, the committee declared, "the cause of decent unionism is lost and labor-management relations in this country will return to the jungle era." I do not have sufficient time to go into all of the abuses that the committee has revealed, but let me read just a few excerpts from the report filed last March. It stated that:

> Union funds in excess of $10 million were either stolen, embezzled, or misused by union officials.

The chairman of said committee has stated that the hearings "conclusively revealed practices of corruption, breach of trust, violence, abuse of power, denial of basic rights and democratic processes to union members, collusion between dishonest management, and unscrupulous labor officials."

But that is not all. The report is replete with many examples of flagrant and willful abuses by certain union leaders—all to the detriment of the rank and file union member.

No one seriously argues that these conditions do not exist. The facts are on the record for all to see. Yet, we are told not to pass a harsh or punitive bill. How can we deal with the gangsters and hoodlums who have infiltrated labor unions unless we do pass a bill with punitive powers? But, Mr. Chairman, the Griffin-Landrum bill is only punitive with respect to those who engage in the abuses that it is designed to stop.

And so I say that we need a bill with punitive powers insofar as the activities of the Hoffas, the Dave Becks, the George Stuarts, the Elsie K. Lowers, and the Johnny Dios are concerned.

Those who oppose the Griffin-Landrum bill would have us believe that it is punitive in that it would punish the decent union officers and members of America—and I would be the first to agree that the vast majority of them are honest, decent citizens. But is it punitive to give union members a meaningful bill of rights? Are union members punished, for example, by making it a crime, as the Griffin-Landrum bill does, for a union thug to willfully violate their rights by force and violence? Is the bill labeled punitive because it would ban recognition or blackmail picketing to force unwilling employees into a union? This is a common practice today, yet the committee bill does not deal effectively with this problem.

What are some of the other so-called punitive provisions of the Griffin-Landrum bill? It would give union members the right, under Federal law, to speak freely at union meetings; to nominate candidates for union offices; and the right to sue a union or testify freely in the courts or before a congressional committee. The right to have at least a hearing before being disciplined by a union leader is also among the rights protected by the bill. The committee bill provides no effective protection of even these basic rights to which all union members are entitled.

It is said that there is no need to protect workers from union bosses—that union members themselves are not complaining. But let me point out that according to a statement by an NRLB official, as recently reported in the press, a majority of the charges of discrimination against employees do not come from

unions—they come from individual employees. And it has been clearly demonstrated that in most instances an individual union member has no effective remedy against union abuses.

I am told that a large percentage of the complaints made to the National Labor Relations Board in New York City are against so-called sweetheart agreements between union leaders and employers and similar activities in which workers are denied their rights. I realize that it takes two to make an agreement of this kind and, of course, I hold no brief for employers who enter into such arrangements or who are guilty of any other abuses.

One of the most important provisions of the Griffin-Landrum bill, in my opinion, is the provision dealing with boycotts against what are known as secondary employers—employers in no way involved in a labor dispute. One of the most vicious types of secondary boycotts arises out of James Hoffa's so-called hot-cargo agreements. Under such agreements trucking firms are not permitted to handle the products of a nonunion firm or a firm engaged in a labor dispute. Although the committee bill purports to deal with the situation, it provides only a partial remedy. It would only ban such agreements where the employer is a common carrier subject to part II of the Interstate Commerce Act. As pointed out by the gentleman from Georgia [Mr. LANDRUM], thousands of employers would not be covered by this language because they are not covered by the Interstate Commerce Act.

Furthermore, by dealing expressly with this particular group of hot-cargo agreements, the bill would be construed, in my opinion, as indirectly sanctioning all others. The Griffin-Landrum bill contains no such loophole.

If there is anything upon which all decent men should be able to agree it is that the use of violence and threats against the working men of America should be stopped. Here is one problem which certainly must be faced in order to deal with labor racketeers. In the past the argument has been that the problem of violence should be left exclusively to the States. But anyone who has followed the testimony of the thugs, racketeers and hoodlums who have paraded before the select committee knows the story.

The widespread use of violence and intimidation to attain union objectives is a national disgrace.

The Griffin-Landrum bill makes it a Federal crime for a racketeer to use force, violence, or threats against a union member to prevent him from exercising any of the legal rights to which he is entitled under the bill. To my mind this is one of the most important and essential provisions of the bill. My own view is that this should be extended to protect a man's rights under the Taft-Hartley as well. The Senate bill contains a similar provision but the committee bill does not.

The Taft-Hartley law was not a slave labor bill and the Griffin-Landrum bill is not a punitive bill, except as applied to the gangsters and hoodlums that it is designed to catch. It is endorsed by the President, by the chairman of the select committee, and by the cochairmen—a Republican and a Democrat—of the House subcommittee which has just heard over 98 witnesses on this subject.

The select committee in the other body has found that James Hoffa has "shamelessly abused the members of his union and his trust." What is Hoffa's reply? "To hell with them," he says. Let there be no mistake about the issue here. We have a choice between supporting the decent working men of America or bending to the threats of certain labor leaders such as James R. Hoffa. I am not going to be dictated to. I intend to vote for the Griffin-Landrum bill as being in the best interests of the American people.

Mr. BARDEN. Mr. Chairman, I yield 10 minutes to the gentlewoman from Oregon [Mrs. GREEN].

Mrs. GREEN of Oregon. Mr. Chairman, the gentleman from Tennessee [Mr. LOSER], who was talking on the floor a few moments ago in favor of the Landrum-Griffin bill, said he is a member of a union.

I also come to you today as a former member of a union, and I speak for the committee bill. I urge the enactment of this committee bill which, in my opinion, will accomplish the major task that is before us today and that is the task of casting a decisive blow against the racketeers who have infiltrated the field of labor-management relations, whether under the protective shield of a union card or behind the camouflage of an executive briefcase.

The committee bill is opposed by the National Association of Manufacturers on the ground that it is too weak; the committee bill is opposed by labor organizations because it is too tough. All I can say is that if the committee bill were anywhere near as weak and as ineffective as the National Association of Manufacturers claim or that some of the speakers this afternoon have claimed, then surely Hoffa and his boys would not have been as overbearing and as intense in their pressure against its passage as they have in the past few weeks, when this bill has been under consideration in our committee and the full House.

Mr. Chairman, examples have been given and reference made to individuals who have been beaten up at labor meetings and other beatings by labor goons. These incidents, of course, are deplored by every Member of this House, but I say to the gentleman from New York who just preceded me, and other people, that this is no argument for punitive legislation; in fact, it is no argument for any new laws. The laws are on the books at the present time against such abuses. It is an argument for more real concern about local law enforcement procedure, their enforcement of the laws that now exist.

In the last few weeks I have been accused of being antilabor. A magazine this week said that I am fighting for a union-busting bill. That is not true, as I see it. I have been fighting for a bill which will help get the racketeering out but which will not be punitive in its intent nor in its effect.

The gentleman from New York, who just preceded me, admitted that the Landrum-Griffin bill was punitive in certain respects. All the testimony and all of the evidence that has been given before the subcommittee and before the full committee, as well as before the McClellan committee, indicates that the vast majority of unions and the vast majority of union officials are honest, with a major record of accomplishment in many fields—accomplishments as far as raising the living standards, as far as improving working conditions, eliminating sweatshops, eliminating child labor, establishing minimum wages. The unions of this country have lifted the labor of a man from the status of a commodity to the status of a respected calling. To those who say that, because I am supporting the committee bill I want to wreck the unions, I say flatly it is not true. I have nothing but high praise for the part that the laboring man has played in securing social security legislation, decent housing programs, slum clearance, and scores of other pieces of progressive legislation.

Democracy in this country, whether it is political democracy or whether it is economic democracy, will never be strengthened by shackling the labor unions. However, I am absolutely convinced that there must be reform legislation, not because all of labor needs it and not because all of management needs it, but because some crooks have wormed their way into the labor-management field.

I support the committee bill for many reasons, but partly because it does have, in my opinion, an effective bill of rights.

There has been discussion on the floor this afternoon saying that the committee bill has a meaningless bill of rights provision. The area of controversy as far as the bill of rights is concerned between the Landrum-Griffin bill and the committee bill is largely in the area of criminal penalties. The Landrum-Griffin bill has criminal penalties attached; the committee bill has civil remedies—remedies through the courts. I support the committee bill because it does cover organizational picketing; because it does have a hot-cargo provision.

A great deal has been said about secondary boycotts. Those are already illegal under existing law. I might say that titles III, IV, and V are identical in the Landrum-Griffin bill and in the committee bill. I do not want a weak bill; I want a bill with some teeth in it.

The committee bill is not a labor-drafted bill. The committee bill is not a management-drafted bill. The committee bill is in the public interest.

Let me discuss in the brief time allotted me two specific provisions where it seems to me there has been a great deal of misunderstanding, and as far as the discussion this afternoon is concerned, there has also been misunderstanding. The impression has been given, either intentionally or unintentionally, that small unions are exempt from the provisions of the committee bill.

The President the other night in his speech said that the committee bill exempts about 70 percent of all unions from the reporting of their finances, but the point has not been made that this 70 percent of the union organizations include less than 10 percent of the members of unions in the United States. At least 90 percent of the union members are covered by every single provision in this bill. I repeat—every single provision in this bill.

Now, from what are these small unions exempt, the 10 percent of the members in the small unions? From one provision, and one provision only, that covers about one page out of a 72-page bill, and even then there are appropriate proceedings whereby the Secretary of Labor can revoke this one exemption either permanently or conditionally, and this one exemption is in 201(b) on the detailed financial report of a small union. Why? To make it less burdensome for the volunteer, nonpaid officer of this small union who works all day at his trade and does his bookkeeping work at home in the evening. And, as I say, if there is crookedness going on, this exemption can be revoked by the Secretary of Labor. In other sections the committee bill imposes the highest fiduciary standards on all union officers in their financial dealings.

The committee bill does not exempt the small unions from protections guaranteed in the bill of rights. This bill does not exempt small union officers from filing reports on outside income where there might be a conflict of interest. This bill does not exempt officers of small unions, or anyone, from criminal penalties for false reports or embezzlement or any one of a dozen other possible charges. It does not exempt the small unions from the trusteeship provisions, from the fair election procedures, from the bonding requirements, or any of the other provisions in this 72-page bill.

Every section, I repeat, but one applies to every union, big or small.

Reference had been made to the Johnny Dio paper locals, that they are going to be exempt under the committee provisions of the bill. I declare flatly that that is not true. There are any number of places in the bill that will put them out of business. In the first place, the Johnny Dio paper organizations do not have assets which would be required to be reported under this one exemption.

Now, let me go quickly to another provision contained in this bill, and this is the no man's land about which we have heard a great deal. First, it should be made crystal clear that the Landrum-Griffin bill does not put an end to the no man's land. This is as plain as day from the language of the substitute. And, I would suggest that the substitute Landrum-Griffin bill is a substitute to punish labor instead of one that would end racketeering only, as the President requested the other night in his message.

Now let us examine the language. First, the Landrum-Griffin bill says that the board may, either case by case or by duly adopted rules, decline to assert jurisdiction over any labor dispute where the board feels the effect of such a dispute upon interstate commerce is insufficient to warrant the exercise of its jurisdiction. In the Landrum-Griffin bill the States may—or may not, as they choose—take jurisdiction over such disputes as the NLRB declines. There is absolutely no guarantee, under the Landrum-Griffin bill, that any small businessman will actually have a remedy, if he does not have one now, or even if he has one now, and the Board decides not to consider it at a later date.

In the no man's land of wartime, from which this figure of speech derives, we have an area which is strewn with unforeseen and unforeseeable perils. Mines, buried and forgotten, shell craters, entrenchments, make the no man's land of military conflict a place where no man can be assured of anything, good or bad. Just so with the Landrum-Griffin proposal. Under the committee bill, the small businessman may or may not like what he knows will happen, but at least he knows.

The committee bill puts a clean and decisive end to the "no man's land" problem. The committee bill—in unmistakable language—directs the Board to assert jurisdiction over every dispute arising under the act. The small businessmen—as well as the unions—know what their remedies are; they are assured of having a remedy—and of having the law uniformly applied.

Mr. Chairman, I wish I might discuss this further, and the so-called blackmail picketing. My 10 minutes does not allow it.

May I simply say in conclusion: If you want a fair bill, an effective bill, one that will end racketeering but will not be punitive in nature, then you will support the committee bill.

Mr. KEARNS. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I rise for three purposes. First, to report for the record that on the rollcall taken earlier today, rollcall 128, I had just entered the Chamber, having been delayed by emergency business in my office, when the Speaker terminated the rollcall, but I want the record to show me present which these remarks serve to substantiate. Secondly, I am not a member of the committee involved, Education and Labor, but my district is certainly involved in some of the issues that I believe must be brought to light in the discussion of these bills. In my opinion, the Landrum-Griffin bill is the only bill before us that affords any remedy to the people of my district, who are stunned by revelations of labor violence, and those union and nonunion laborers who have been suffering numerous acts of physical abuse, and which would to any extent protect members of unions and nonunion members from such acts of violence.

Just let me show you a few examples of acts of violence in my district which, in my opinion, clearly show the violence that can result from blackmail picketing and secondary boycotts. And, I want to point this out to you. Take the comparative print of the Senate bill and compare it with the Elliott, the committee, bill. It clearly shows, as you will see on page 86 of the comparative print, that any remedy available to a person who is coerced by the use of bodily injury or is deprived of any of his rights under the bill of rights section by such bodily injury is denied any such remedy under the committee bill because such relief under the Elliott bill is stricken out. But such acts of violence are a crime under the Landrum-Griffin bill. This is a most significant weakness on the part of the committee or the Shelley bill as compared to the Landrum-Griffin bill.

Specifically, the following language is stricken out in all bills except 8400:

> It shall be unlawful for any person through the use of force or violence, or the threat of force or violence * * * to deprive a union member of any of his rights under this act.

And so forth.

Now, what am I talking about as far as acts of violence in my district are concerned? The gentleman Horace Green, from Tampa came to Washington just recently to appear before the McClellan committee. He was subjected to an acid bomb attack. Look at the acid burns all over the left side of his face [showing picture]. Look at the acid burns over the left side of his face and body. He was 10 percent burned. He almost lost his eye. If he had not been wearing glasses and a cap, he probably would have been blinded. This gentleman had the intestinal fortitude to come to Washington and ask for relief from these acts of violence so far as the proper jurisdiction within the Federal law is concerned.

Let us take another example involving the same strike which took place during the last few months. This was a labor dispute between the V–C Chemical Co. and the International Mineral Workers Union in which the union struck and picketed V–C. There was a strike going on over a labor dispute. These persons to whom I will refer and were injured were not members of the union but were nonunion employees of a trucking firm hauling material to the struck plant, at which there was a picket line. Here are some things which were done so far as the pickets themselves are concerned. A truckdriver, as he drove through the picket line, or as he left the picket line, had a rock thrown through the window of his truck. He got out of his truck about 500 yards away to try to get the glass out of his cab and out of his clothes, and they shot him in the leg. There is no question about who was responsible for this act of violence as it was in connection with this strike. This is part of a conspiracy in which numerous acts of a similar nature have occurred.

Here is what happened with regard to an organizational strike by the Teamsters in my district some 4 years ago in 1955. This is the sort of thing in particular, as I see it, that the Landrum-Griffin bill is trying to do something about and we, as Members of the U.S. House of Representatives are going to have to back up the American people and the union and nonunion workers and give them some of the protection to which they are entitled

against this type of blackmail picketing that has led to such personal injuries and which, in many instances, they do not get from local law-enforcement officials.

Here is what the Teamsters Union did 4 years ago in my district. They picketed MacDill Air Force Base, if you please, in an effort to organize a trucking firm, the Red Wing trucking firm. They picketed MacDill Air Force Base—a defense installation—to try to keep Red Wing from hauling gas for planes used in the defense of our Nation. They shot up a truck and exploded it when it attempted to cross that picket line. Numerous other acts of violence occurred in this organizational effort by the Teamsters.

Returning to the recent V–C strike, here is another instance of unwarranted violence. A driver of Red Wing was attacked after he had been through the picket line at V–C. He went to a sandwich shop to get a sandwich and three thugs caught him and beat him up and put him in the hospital.

These are a few examples of what is going on in my district that is similar to what is going on in many places throughout this Nation. That is why the people demand a labor bill with enough teeth in it to do something about these circumstances, or at least not give unions the opportunity, through blackmail picketing and secondary boycott activities, to perpetrate acts of violence of this nature upon a union member or a nonunion member.

I say that the Landrum-Griffin bill tries to give a remedy so far as protecting rights, under the bill of rights section, so far as the use of violence is concerned by making such acts a crime. For further information I am glad to provide for the record my statement to the McClellan committee on July 24 concerning these acts of violence in my district, and it follows herewith:

STATEMENT BY CONGRESSMAN WILLIAM C. CRAMER, OF FLORIDA, BEFORE THE SENATE SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD, JULY 24, 1959

Mr. Chairman, members of the committee, I appreciate a great deal the courtesy of your chairman and membership in calling this special emergency hearing in order to hear firsthand a resident of my district, Mr. Horace F. Green, who suffered great personal injury as a result of an acid bomb with a bottle of acid being thrown into the cab of a truck he was driving as an employee of Red Wing Carriers, doing business in Tampa, Fla.

This incident, according to news reports, occurred on July 17 at approximately 1 a.m. just as Mr. Green crossed the Hillsborough County line, after making a delivery of acid to the nonstriking Kaiser Aluminum plant at Mulberry.

This incident occurred 5 miles from the strike-bound Virginia-Carolina Chemical Corp. plant at Nicholas, Fla., to which the Red Wing Carriers do haul, but I repeat Mr. Green had not at any time been hauling to Virginia-Carolina at Nichols, nor has he at any time crossed any picket line. The Nichols plant is being struck by the International Minerals and Chemical Workers Union in a labor dispute, but for emphasis I again state that Mr. Green has in no way at any time been involved with this strike in crossing or passing picket lines in any way.

It is true in addition that some 4 months ago, in March, an organizational election was held at Red Wing Carriers by the Teamsters Union, which has been trying to organize Red Wing since 1955.

On the same night another of the Red Wing trucks, following the same route as Mr. Green, going in the same direction, some 30 minutes later, also had an acid bomb thrown at his truck that burst on the windshield and the paint and part of the metal of the truck was eaten through in the attack.

Mr. Green apparently believes he was also followed after the attack in that there was a car following closely behind him, and he speeded up in an effort to get away in hopes of stopping to wash the acid off, as he had been taught was helpful in this type situation, but he indicates he was afraid to stop in that he felt he was being followed, so he drove some 20 miles in excruciating pain because of his fear of further attack.

In addition to this, and in direct connection with the picketing at the strike-bound Virginia-Carolina Chemical Corp. plant at Nichols, a driver for Red Wing, by the name of Dewey Dukes, on July 16, was beaten up outside a drive-in restaurant at Mulberry while he was on his way to the strike-bound plant. Dukes was making his second trip to Nichols, having made the first one the day before, and he stopped at Mulberry for coffee and a sandwich, and as he came out of the restaurant he was halted by four men according to the news stories. He was stopped by one of the attackers and asked if he had been driving past the picket lines at Nichols, and he said he had only one time. Upon that, the questioner hit him in the face knocking him to the ground. A second man said Dukes was lying, and said his truck had crossed the line many times, and Dukes was hit again. Dukes suffered cuts on the left cheek and behind the left ear. A cut on his eye, required three stitches to close. Apparently the attackers used brass knuckles. Mr. Dukes ended up in the hospital.

On June 16, as is stated in local news stories, and relating to this same plant strike, Charles Wilson, of Tampa, was shot in the upper left leg with a small caliber bullet when he stopped his truck to shake glass slivers from his clothes after crossing the picket line. He had just stepped out of his truck to shake the glass off his clothes and body, resulting from bricks being thrown through his windshield as he left the plant after crossing the picket line.

There had been previous reports of shooting and bottles being thrown at drivers and the puncturing of some 150 tires in the picket line area.

Rightfully so, the citizens of this area, as well as myself, are justifiably aroused over the use of such force and violence in a labor dispute as being contrary to our American way of life, and the right of a person, be he union or nonunion, to his personal safety and to protection against such violent acts, apparently perpetrated by labor goon squads in an effort to accomplish whatever the objectives may be in a strike dispute.

After learning of this and other incidents, I requested Mr. Green to come to Washington in the hopes that he would be permitted to appear before this committee and before any other Members of Congress, many of whom are concerned about labor practices of this nature, and are desirous of doing something about it.

Mr. Green has talked with the Honorable GRAHAM BARDEN, chairman of the House Committee on Education and Labor, and did so the morning before the final meeting was held at which a labor bill was voted out of the committee which I believe to be a surrender to labor bosses bill. It is substantially weaker than the Senate bill and in dire need of strong amendments on the floor.

As Representative of this District, and as Mr. Green's Representative in Congress, I felt it my duty to call to the attention of the leaders in Washington what is going on in one area of this country so far as the use of force and violence and intimidation on the part of certain unscrupulous labor leaders is concerned in an effort to accomplish a labor goal.

So far as Red Wing Carriers, who also operate Rockana Carriers, is concerned, there has been a long history of violence in the efforts of Teamsters to organize that company, including the shooting and exploding of their trucks and the destroying of other property in connection with the 1955 organizational effort when the Teamsters picketed MacDill Air Force Base, to which Red Wing was delivering airplane fuel, and it was in the crossing of this picket line that one of the Red Wing trucks was shot at when loaded and it exploded.

There were numerous other acts of violence involved in this effort to organize as well.

I know the members of this committee are just as shocked at these displays of force and violence, which apparently go on with the perpetrators being undetected in that, to my knowledge, there has not been a single conviction in any of these instances and in the most recent incident there hasn't even been a suspect.

I directed a letter to Congressman BARDEN, Chairman of the House Labor Committee, on July 21, explaining the circumstances of this and other instances, and asked that the committee consider remedial legislation. Of course, I realize this is not a legislative committee and, even if it were, the responsibility is now left up to the House to do something about this and other labor practices that must be curbed. I can only assure the committee that it will be my objective to vote on the floor of the House for a strong bill to accomplish these objectives.

I would like to request that this committee immediately authorize an investigation of not only this specific acid bomb incident involving Mr. Green, but also the other incidents of violence in connection with the Teamsters' efforts to organize, as well as the International Chemical and Mineral Workers Union strike actions at the Nichols plant. As a matter of fact, I think the committee should take a look at the entire labor strike and organizing picture in Florida, in that there is a very definite hard-hitting drive to organize Florida with the use of many underhanded tactics.

I suggest this be done immediately because I am fearful for the safety of other innocent persons such as Mr. Green because it appears obvious that this series of incidents could not occur unless there was a planned program to intimidate and coerce anyone directly or indirectly involved in a labor dispute, and certainly Mr. Green was about as far removed when he was attacked from the Nichols strike area and problem as a person could be.

It will be my objective on the floor of the House to vote for amendments to protect people like Mr. Green under our labor laws. Much has been said about a Bill of Rights, and certainly a union or nonunion man has a right to personal safety while on the job, let alone in his home, and with incidents such as these occurring Congress has the duty to act and act effectively.

I am submitting to the committee a copy of the letter I addressed to Chairman BARDEN, together with a letter from Mr. C. E. Mendez, President of Red Wing Carriers, as well as enclosed newspaper articles dating back to 1955, which he refers to in his letter as involving the "troubles we encountered with the Teamsters' Union and the many acts of gangsterism, violence, threats, etc., in a strike against us for the purpose of forcing us to recognize the Teamsters' Union without an election."

I am also enclosing editorials from the local newspapers calling for a curb of these acts of violence, and also newspaper articles in

specific relation to Mr. Green's case and some of the other more recent cases which I have cited.

I also call your attention to the fact that Paul Dervaes, vice president of Red Wing, has wired the Governor of Florida asking for police protection, in which telegram he said: "We do not feel while this labor unrest exists that proper protection is being rendered by the local authorities and appeal to you for your personal investigation," and he pleaded further for the protection of his employees, and points out that he believes employees are entitled to protection in that his firm is entitled to protection as common carriers serving the public.

I am very hopeful that after hearing the evidence submitted in this instance by Mr. Green and the information made available to this committee on other instances occurring in the central west coast area of Florida your committee will see fit to authorize a full investigation, which I think is essential in the name of decency and in an effort to curb such acts of violence. In my opinion, Mr. Green, appearing on my request before this committee, represents the conscience of the average American citizen who is demanding corrective legislation, the conscience of the average labor union member, who likewise demands the enactment of a labor bill of rights, and demands protection against such acts of violence, and also represents the conscience of the nonunion member who demands the right to be free from coercion and intimidation in exercising his free choice with regard to union membership or nonunion membership.

Thirdly, Mr. Chairman, I want to discuss one other subject very briefly, if I may. I was very concerned about this. I have tried to approach this bill as impartially as it is possible to do. I sat down and talked to the Teamsters at length. I went to their breakfast, because I wanted to hear their point of view. One major objection raised by them has received my serious consideration, and it is in the following question raised by them on the hot-cargo section of the Landrum-Griffin bill. I said I would consider this objection and research it, and the following is the result of this research:

QUESTION

The issue was raised by the Teamsters with the argument that under section 8(e) of the bill employees could lose their jobs unless they become strikebreakers.

Does section 8(e) of the Landrum-Griffin bill, relating to hot cargo, make illegal a collective-bargaining clause by which the employer agrees not to discipline an employee for refusal to cross a picket line? Therefore, does it make strikebreakers out of those banned by hot cargo?

RELEVANT LANGUAGE IN THE GRIFFIN-LANDRUM BILL

The problem arises because section 8(e) on page 65 of H.R. 8400 and H.R. 8401 adds a new unfair labor practice known as the hot-cargo provision. This section makes an unfair labor practice and declares unenforceable and void a collective agreement whereby an employer, in effect, would agree to cease or refrain from, first, handling, using, selling, transporting, or, second, otherwise dealing in any products of any other employer, or, third, ceasing to do business with any other person.

An amendment similar to that in the Landrum-Griffin bill is incorporated in section 707 of S. 1555, which passed the Senate. The principle involved in the two is identical, the only difference being that the Senate bill's provision is confined to the trucking industry.

The chief sponsor—Senator KENNEDY—of the Senate bill answered the question raised above as it applied to section 707 of that bill. He stated after passage in the Senate and after due deliberation, "There is no requirement in section 707 that an employee must go through a picket line and certainly nothing in the section which necessitates that such an employee be discharged if he does." Certainly the Senator's conclusion is a reasonable interpretation of the hot cargo section of the Senate bill and the same conclusion is reasonable and applicable to the closely corresponding language on page 65 of the Landrum-Griffin bill.

TAFT-HARTLEY PROTECTION

With respect to the Senate provision the principal sponsor—the Senator from Massachusetts—of the bill also added:

As a matter of fact the Taft-Hartley Act already protects the right of an employee to refuse to cross the picket line of an employer other than his own employer, if the employees of such an employer are engaged in a strike ratified or approved by a representative of such employees.

He stated that this rule, too, was unchanged.

It is likewise unchanged by the Landrum-Griffin bill because the Taft-Hartley rule or proviso on this subject, as relied on by the sponsor of the Senate bill, is expressly restated on page 64 of H.R. 8400–8401 in the amendments to section 8(b)(4) of the Taft-Hartley Act. The restated proviso is:

Provided, That nothing contained in this subsection (b) shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under this act.

Does the quoted Taft-Hartley protection to the employee apply with respect to the hot cargo provision? The sponsor of the Senate bill so concluded with respect to it. The conclusion applies here with equal force. The protecting proviso under both bills is left in section 8 of the Taft-Hartley Act and the hot cargo provision is added at the very end of the section. The protecting proviso is specifically a part of section 8(b)(4) which deals with secondary boycotts. The language in that section is broad enough that it covers hot cargo and other secondary boycott practices, making them an unfair labor practice. Therefore, the proviso would protect the individual employee from being required to cross a picket line arising out of a hot cargo situation. The subsequent amendment addressed solely to hot cargo restates it as an unfair labor practice and writes into the statute the rule laid down by the NLRB and the courts that such contracts are not enforcible—see *Local 1976, etc.* v. *NLRB*, 357 U.S. 93, 1958; *NLRB* v. *Milk Drivers, etc.*, 357 U.S. 345, 1958. It in no way changes the substance of the declarations in section 8(b)(4) including the proviso which protects an employee from being forced to cross a picket line.

The *Rockaway News* case (345 U.S. 71 1953), which is based on the proviso would therefore continue to be law under the Landrum-Griffin bill. It stands for the proposition that "contracting parties may embody in their contract a provision against requiring an employee to cross a picket line if they so agree. And nothing in the (Taft-Hartley) act prevents their agreeing upon contrary provisions if they consider them appropriate to the particular kind of business involved. An employee's breach of such an agreement may be grounds for his discharge without violating the act."

Employees and unions could validly execute such contracts were the proposed bill to become law.

What the Teamsters and their kind are trying to accomplish by their attack on the hot cargo provision is an amendment to the Taft-Hartley Act which would legalize the refusal of a union member to cross a picket line set up by "wildcat strikers" and minority pickets who did not have the approval of the employees working in the picketed plant. An employee should be aware of the fact that his right to cross a picket line is restricted. He can lose his job if he refuses to cross a picket line set up by a minority of the employees or of a group of employees without authorization of the majority union in the appropriate unit. However, he should also be aware of the right he has under Taft-Hartley and also the Landrum-Griffin bill which can be used to prevent his discharge for failing to cross a picket line so long as such picket line has been ratified by the majority union of the employees in the appropriate unit.

Thus, I have reached the following, and I believe correct, conclusion on the question raised:

First. The Landrum-Griffin hot-cargo provision puts in statutory form the existing rule of the NLRB and the courts, including the Supreme Court, that hot-cargo contracts are unenforcible. It in no sense disturbs the further rule under which employees may agree with the contracting union that an employee may—or may not—be disciplined for refusal to cross a picket line at another employer's establishment. No reasonable interpretation of the language gives it such a meaning that would interfere with this rule and no such interpretation is intended.

Second. The proviso in 8(b)(4) of the Taft-Hartley Act, which specifically affords protection to the individual employee who would not cross a picket line, is carried forward by the Landrum-Griffin bill. As picketing situations arising from hot-cargo disputes are described in that section [8(b)(4)] it would protect the employee even though section 8(e), that is, the hot-cargo section, also specifically applied.

Third. What the Teamsters and their kind want is full and unrestrained leeway to refuse to cross any picket line at their own discretion, regardless of whether it is established by a union entitled to representation rights.

Fourth. To conclude that the language of 8(e) bans an agreement not to discipline employees who refuse to cross the picket line reads into it a meaning that the wording of the section simply does not incorporate. What the wording clearly does is to describe as an unfair labor practice a hot-cargo contract between an employee and a labor organization and then pronounce it unenforcible and void. Nothing is said in the section about the individual employee. Nothing in the language requires him to go through picket lines and nothing in it imposes a duty on the employer to discharge him if he refuses.

Mr. PUCINSKI. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. PUCINSKI. Mr. Chairman, in view of the disparity of time, whereby the proponents of the Landrum-Griffin bill have 4 hours while the proponents of the committee bill and the Shelley bill have 1 hour each, is it possible under the rules for the gentleman from Pennsylvania [Mr. KEARNS] who controls the time on the other side to share some of that time with some of us here who would like to ask some questions about the Landrum-Griffin bill?

The CHAIRMAN. Of course, that is entirely possible, but that is in the discretion of the gentleman from Pennsylvania.

Mr. PUCINSKI. I thank the Chairman.

Mr. BARDEN. Mr. Chairman, let me just say that I am doing the best I can in handling the time on this side. I think we will get along all right.

Mr. Chairman, I yield 10 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, as I come into the well of the House today to discuss the provisions of H.R. 8342 and of the much talked about Landrum substitute, I hear the clarion voice of a great American liberal emanating from the Democratic National Convention Hall in the city of Chicago, in 1896.

At this time the great commoner, William Jennings Bryan, launched a vicious attack on an antilabor plank in the Democratic national platform. The great Nebraskan liberal said, "You shall not press down on the brow of labor this crown of thorns. You shall not crucify labor on a cross of gold."

Should you, my colleagues, vote down the committee bill and substitute the so-called Landrum amendment, you will turn back the clock of labor relations at least two generations—back to a time when the law of the jungle prevailed. This was before the Wagner Act or the Norris-La Guardia Act.

You will not only press down on the brow of labor this crown of thorns, you will emblazon across this crown the glaring words, "Second Class Citizens." You will not only crucify labor on a cross of gold, you will crucify them on a cross of public opinion whipped into a frenzy that demands everybody's head when what we seek to do here today is to punish only the guilty.

May I make clear my own position. I am for the strongest possible legislation to control racketeering. All of the proposals being discussed do a fairly good job in this respect. I am just as strongly opposed to the idea of rewriting our basic labor laws in order to punish a few malefactors who thrive on lax or no enforcement of existing criminal statutes.

This Landrum substitute, like the old Mecklenburg Declaration of the early colonial days of the Carolinas, covers everything from the "cut of a man's coat to the trimming of a woman's bonnet." If they overlooked anything, it was because the National Association of Manufacturers, the U.S. Chamber of Commerce, and Jerry Morgan, the President's legal adviser on labor matters, failed to think of it.

The chairman of our House Labor Committee, the distinguished gentleman from North Carolina [Mr. BARDEN], is opposed to the pending committee bill. This means he is merely using the committee proposal as a vehicle for getting before the House the more stringent Landrum substitute, which has many of the provisions of his own proposal, H.R. 4474, which was roundly beaten in the House Labor Committee.

Mr. Chairman, when I accepted membership on the House Education and Labor Committee in 1949, I immediately became embroiled in a fight to repeal the Labor-Management Act of 1947, which was approved by the 80th Congress and is commonly referred to as the Taft-Hartley law.

I was told then by Chairman BARDEN, a member of the committee, and by the ranking Republican member, Mr. KEARNS, the present ranking Republican member of the committee, that the Taft-Hartley law was the finest piece of legislation that had been placed on the statute books in 25 years.

If the Taft-Hartley law was so perfect 10 years ago, what, might I ask, is wrong with it today? The substitute proposal which the gentleman from Georgia [Mr. LANDRUM] will offer makes major changes in 11 of the 16 provisions of the Taft-Hartley law. Two of these changes might, by a wide stretch of the imagination, be considered favorable to organized labor. The other basic changes offer a direct threat to the very existence of the organized labor movement, and I want to make it clear at this point that these changes are opposed by every labor organization in the United States.

While I am opposed to some of the basic provisions of the Taft-Hartley law, I have lived with it for the past 10 years. The Nation has likewise lived with it. What is needed most today is enforcement of existing laws. The press of the Nation has informed us that the steel strike has already cost our economy more than a billion dollars, and is costing us 30 million daily. I would be remiss in my duty to you, my colleagues, if I failed to call your attention to President Eisenhower's continued refusal to invoke the 80-day clause provided in the Taft-Hartley law, which gives him authority to set up a factfinding board which would have given him the data on which to base a settlement prior to the actual strike.

Mr. Chairman, I can only surmise why the action to forestall this strike was not taken. In this connection, I am forcibly reminded of the close personal ties existing between the occupant of the White House and the former Secretary of the Treasury, George Humphrey, who happens to be chairman of the board of the National Steel Co., one of the 12 major companies involved in the present labor dispute.

Could it be, Mr. Chairman, that the White House was aware of the mounting profits of the steel companies and did not want the factfinding board considering a basis of settlement at the time these skyrocketing profits became public knowledge.

Now that the President has thrown his support behind H.R. 8400—the Landrum substitute—the other parts of the jig-saw puzzle fall properly into line. There is the minority floor leader, Mr. HALLECK, who seeks political preferment as a candidate for Vice President, and the great obstructionist, Congressman SMITH, from Virginia, who holds fast to the idea that the Democratic Party is not a national entity, but exists only to serve sectional needs.

The gentleman from Virginia should be reminded that the committee bill, H.R. 8342, contains two and possibly three paragraphs lifted bodily from the language contained in H.R. 3, which he succeeded in driving through the House earlier in the session. It might be well for the gentleman to check to see if the Landrum substitute has these safeguards.

Speaking as one who has experienced the "double cross" in my efforts to provide Federal aid for constructing school classrooms, may I alert my colleagues south of the Mason-Dixon line to the point that they take a second look at some of their playfellows in this drive to destroy organized labor.

In this connection, I have here a copy of H.R. 3147, sponsored by Chairman CELLER of the House Judiciary Committee. This is the so-called Civil Rights Act of 1959, being considered by his committee.

Some 3,300 local school districts over the Nation are sharing in Federal funds under the school impact legislation under Public Laws 815 and 874. Many of these districts are in the "Solid South." This program is practically nullified by section No. 501 and subsections a, b, and c of the Celler bill. They were put in the civil rights bill at the request of the administration as the result of the testimony of Secretary Flemming of the Department of Health, Education, and Welfare. Shall we be for civil rights in labor matters and against these rights in other matters?

I sincerely hope none of my friends from the South will be naive enough to think they can trust their school interests to designing politicians. Once more, I suggest you take a look at some of your playfellows today.

As a final thought for you, my colleagues, to keep in mind as we strive for a solution of this quite controversial question, may I remind you that the Senate has already approved by an 88 to 1 vote their version of a labor reform bill. Do you think they—the Senators—are about to tell the Nation that they were all wrong and that a new approach

in the form of the Landrum-Griffin substitute is better than their proposal approved after 2 years of hearings and months of committee deliberations.

The committee bill, H.R. 8342, is the House version of the Kennedy-Ervin bill. It does not have the blessing of either management or labor. It could be the basis of an agreement with the Senate.

Shall we as a party sever the ties of half a century in which our working agreement with labor and liberal groups has given the Democratic Party national stature with supporters in every hamlet throughout the length and breadth of the Nation.

Mr. KEARNS. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. AYRES].

Mr. AYRES. Mr. Chairman, I have been a Member of this distinguished body for only 9 years. My election in 1950 was called a freak, a surprise, an upset. How could a Republican win in a district with nearly 70,000 union members, against an incumbent who did not owe his soul to the company store, but rather to the CIO?

Well, Mr. Chairman, 1950 was the year the political leaders of labor set out to destroy the late Senator Taft. Slander, lies, threats, vegetable throwing, vicious comic books, slogans "Taft the rat"—yes, they stooped to anything in an effort to defeat one of the greatest statesmen, and true friend of labor, America has ever known.

Why were these men, disguised as friends of working people, unsuccessful? Why was Senator Taft returned to the U.S. Senate with the greatest majority ever given a candidate for this office from Ohio?

I knew the Senator well and I think I have the answer. The answer is that honest, sincere God fearing working people heard a voice in him they were fearful of expressing themselves; and in my judgment, that same condition exists today.

I made my position clear then. I am going to make it clear today and I am convinced the citizens of America will let their position be known come November 1960.

Many of you are Members of Congress for the first time. Many of you, like my first election, were elected by small majorities.

Labor reform is not a partisan issue. Republicans and Democrats alike are against sin. The issue before us is how much sin are you going to tolerate regardless of your political affiliation.

There are four things that I know I am. First, I am a believer in Christian principles. Second, I am an American. Third, I am a Member of Congress, and last, I am a Republican. The importance I place on these are in the order I gave them. I think it is about time that we start putting the interest we have back home, the confidence that the people have had in us by electing us to Congress first, and ahead of any partisan remarks made on this floor or anywhere else.

The rank-and-file workers of America today believe in Christian principles and they are Americans to the core. Witness after witness, employees as well as employers, made this very clear when they appeared before our committee. Working people realize that without employers they cannot have jobs, and without jobs there can be no unions.

In this connection, Mr. John L. Lewis made one of the most profound statements. Printed on page 1095 of the hearings are the words of Mr. Lewis, and I quote:

> As a matter of practical consideration, there will never be a time in this country when all the people who work will be members of labor unions simply because a great many of them prefer not to be members. When they are treated with tolerance and proper reward by the benevolent employers in the way that they esteem is right, they do not seek to join labor unions.

What are we facing today?

The tactics some labor organizations are using against employees and employers in an effort to organize them against their will must be stopped.

Now, insofar as organizational picketing is concerned, let us take a look at what is happening throughout America today. When the AFL–CIO could no longer cope with the Teamsters, they thew them out. Immediately Mr. Hoffa doubled his efforts to increase his membership. He was out to show the country that he was bigger than the Government and bigger than legitimately operated unions. In fact, if the AFL–CIO had any control over Mr. Hoffa, some of the legislation we are proposing might not be necessary.

Permit me to explain a typical example of organizational picketing forced on employees and employers who either do not want to join a union or at least the union they are being picketed by. Again, the hearings conducted by our committee are full of harassment picketing.

Here is how it works. A small business, a restaurant, employing as few as one-half dozen people finds outsiders coming in to parade in front of the business carrying signs such as these: "Get more money," "Strike," "Join the Teamsters and live better," "Don't be a scab."

Now what happens? Teamster delivery drivers refuse to cross the picket line. The employer has difficulty in getting merchandise. Potential customers are fearful of being jostled if they try to enter the establishment. What is the end result? Join up against your will or go out of business.

There are those who argue about the use of the word "blackmail." I do not care what you call this type of picketing. It is not fair, it is not Christian and the American people, in and out of legitimate unionism, want it stopped.

None of the bills before the House interfere with legitimate picketing. The only weapon the members of a union have when disagreement arises over a contract is the right to strike. When on strike, they have the right to picket. This right is protected and my vote will always be cast for that protection.

Picketing is also justified when a reasonable number of employees have shown a desire to have union representation—say 30 percent. If a certification is not granted, that is, a majority of the employees do not vote for union representation, within a reasonable time—say 30 days after an election is requested—then the picketing in all fairness should cease. How can anyone oppose such a proposition?

Now, why all this pressure? I have received more mail on this issue than anything since President Truman fired General MacArthur.

First we had the Kennedy bill, JOHN, that is. Then the Senate-passed Kennedy bill, the bill Senator MCCLELLAN tried so hard to make a good bill. Then the amended Senate bill; and what amendments. Over 100, a long string of them and this bill is just about as strong as the strength of this string.

These amendments became the Elliott bill. Then we had H.R. 8400, the bipartisan Landrum-Griffin bill, a moderate approach to the problem of labor reform.

We all thought that was the end of the confusion, but we were wrong. My good friend from California, JACK SHELLEY, came along with his sprinkling can and watered down everything except the wholehearted support of the political labor bosses, truly a bill of appeasement and you all know it.

Mr. Meany appeared before our committee for the second time on June 3, 1959. He had now, after a month's consideration, decided that the Senate-passed Kennedy bill did not meet with his personal approval. I quoted Senator KENNEDY'S comments regarding his bill and I quote:

Here I quote from the record:

> The Senate labored long and hard. It can be proud of the results. The Kennedy-Ervin bill as it passed the Senate meets every necessity. It is a strong bill. It is workable. It is fair. It is effective. Without doubt there will continue to be criticisms of this bill from extremists on both sides, from those who are antilabor rather than anti-racketeering, and from those who take a partisan view of this nonpartisan problem.

To this, Mr. Meany replied:

> That is just a political speech.

Mr. Meany, having accused the Senator of playing politics with his bill, left the committee looking for another bill and another candidate.

At first we thought Mr. Meany's bill would be the string of amendments but when so many members of the Labor Committee passed up the honor of introducing the new 100-plus amendment bill, we were at a loss, and finally the gentleman from Alabama had that honor bestowed on him.

And then to the rescue of Mr. Meany came the gentleman from California [Mr. SHELLEY]. Post cards, telegrams, letters, phone calls—"Vote for the Shelley bill"—"Save the labor bosses' pride."

I received more than my share. I decided to phone many of the good union members who had sent me post cards requesting me to support the gentleman from California [Mr. SHELLEY]. I did not find one person who had read the Shelley bill. I did not find one person who had mailed his card voluntarily. In fact, several asked me just what they had signed. Most of them said "Use

your own judgment, BILL. I know you wouldn't do anything to harm the working people." They all thanked me for calling them. Since they had to return their cards to the shop steward for mailing, they at least knew he had followed through and got them in the mail box.

Why, you would be amazed at some of the answers I got from these people who sent the cards. I did not find one person who had ever read the Shelley bill, let alone who have ever seen it. I did not find one person who had mailed his card voluntarily. In fact, several asked me to tell them just what they had signed.

Now, Mr. Chairman, how silly can we be? How much of this so-called pressure are you going to subject yourself to at the expense of the working people and all the citizens of America?

Mr. Chairman, the working people of America want a labor reform bill passed that is fair to all. Those who do not want to join a union want to have this harassment of their lives and their very livelihood stopped. Those who belong to good unions do not want their unions weakened by legislation but they do want the crooks and racketeers removed. The American people want a bill that will protect the rights of all.

As an individual, BILL AYRES has but one vote to cast. That vote may not be the deciding factor on the final outcome of this legislation. Although there are those who are trying to cloud the issues there will be no cloudiness in my conscience when I cast my vote for the Landrum-Griffin bill. It will be crystal clear.

Mr. BARDEN. Mr. Chairman, I yield 6 minutes to the gentleman from New York [Mr. TELLER].

Mr. TELLER. Mr. Chairman, I persist in hoping that our deliberations over the provisions of a labor-management reform law, because they touch upon the internal management and affairs of labor unions which are a lifeblood in the sensitive field of collective bargaining, will be approached in a spirit of restraint, nonpartisanship and understanding. What we in Congress do in anger the public may pay for dearly in unnecessary labor strife. Our task is to attack evil and wrongdoing without weakening the fabric of our essentially free private collective bargaining system.

We may take as our text the statement by Senator MCCLELLAN when, in testifying before our Committee on Education and Labor, he said that the people of this country need unions, strong unions, decent unions. We all have a pretty good idea of the characteristics of a decent union, and our committee bill, H.R. 8342, mandates by law for all unions the standards established and privately enforced under the AFL–CIO's code of ethics.

H.R. 8342 is an effective anti-racketeering law. It compels the public disclosure of union finances under criminal penalties; limits the use to which union funds may be put; tightens provisions dealing with bribery of union officials by employers, whether by direct payments or through so-called "middlemen"; regulates trusteeships; outlaws extortionate picketing and interdicts embezzlement of union funds. These and other provisions which are outlined in the committee report accompanying H.R. 8342 strike a body blow at corrupt practices in union-management relations. Some of the provisions duplicate already-existing State law; embezzlement of union funds is a crime in every State. Some persons may question the propriety of creating additional situations where the same act is a crime under both Federal and State law, and my own thoughts on the subject are not settled. Many provisions of H.R. 8342, however, plow new fields, create new obligations, such as the public reporting and disclosure of union finances.

We come now to the subject of democracy in the internal affairs of labor unions and, in evaluating the provisions of H.R. 8342, on this subject we must equate them with the need for strong unions. In my view a strong union is a stable union, a union which operates under strong and reasonable leadership, a union which has a sense of understanding of the industry in which it bargains and a sense of proportion as to union demands and collective bargaining settlements, a union which lives up to the terms of collective bargaining agreements. The American people are wedded to democracy but they abhor needless labor strife because it can, in the interdependence of modern industry, shake the very foundations of our great production facilities and the Nation's prosperity.

Protecting our unions against subversion has been a national policy for a number of years. We know that the international Communist conspiracy covets the labor union movement in free societies, and seeks to subvert the collective bargaining process from a private voluntary institution to an instrument of revolution through chaotic labor strife. A strong union, I would think, would be able to combat subversion, and we ought not, I hope we will not, weaken the capability of our free American labor union leaders to trample the forces of left wing conspiracy.

One of the most important provisions of H.R. 8342 is its requirement of periodic secret ballot elections of union officials. If we did little more than this, coupled with the requirement for public disclosure of union finances, we would be legislating a great advance in internal union democracy. For Americans, if given the means to do so, can solve their own problems, and American union members will normally bend the union leadership to their own free will when a guaranteed secret ballot election is placed at their disposal.

The so-called bill of rights for union members in H.R. 8342 is also a major advance, if its provisions are canalized within banks which will keep them from overflowing into a Tower of Babel kind of irresponsibility. I believe that the provisions of H.R. 8342 on the subject are wiser than those contained in S. 1555, the Senate-passed Kennedy-Irwin bill. H.R. 8342 places greater reliance on union constitution and bylaw provisions for the protection of members' rights, and allows a reasonable period for exhaustion of internal union remedies. The language is somewhat tightened, and discipline may be meted out in the first instance subject to prescribed hearing procedures.

But a bill of rights must necessarily be written in general terms. The right of free speech, for example, is stated in the simplest terms in our Federal and State Constitutions, yet the judicial gloss upon this right is as enormous as it is complicated and ever-growing. I have heard it said often that a union member should have the same right of free speech and other democratic rights in his union as an American has in relation to his Government. I agree with the spirit of this analogy, but I doubt that it can be applied with inexorable precision. At the outset, for example, would the proponents of this analogy give to a union the same right to invoke martial law when in the course of industrial strife it it is threatened with extinction as our Government has the right to invoke when it is threatened with destruction, as by war?

There are, however, deeper reasons why the analogy may well be questioned, reasons having to do with the unique nature of the collective bargaining process. I not wish to be understood as denying the broadest possible right of a union member to be protected against unfair disciplinary proceedings. But if the loud mouth, the subversive, or the neurotic were allowed to call the tune at union meetings or in the drafting of union demands or in the working out of fair collective bargaining settlements, the resulting industrial strife might well cause recurring crises in our economy.

Responsible democracy requires organization lest it show its weaknesses and defeat its own purposes, as France before De Gaulle showed to a dismayed free world.

Therefore I do not believe that the necessarily general and untried language of a bill of rights for union members should carry a criminal penalty. Americans are a law-abiding people, and our mandates will be obeyed if we announce them, particularly where we buttress them with a requirement for periodic secret ballot elections. Let us take heed, that in the pursuit of so-called strong legislation we do not sacrifice the social interest in maintaining strong and stable unions.

But I have heard it said, more often than the justice of the contention would excuse, that American labor union leaders do not represent the will of their members, that union members if emancipated from their leaders would behave differently—would behave better from the viewpoint of the persons who make this contention. Now and then this may be true, but even casual experience both in the field of collective bargaining and in the history of labor legislation should teach that this is a mistaken concept.

We have seen our Congress seduced by this concept when in the War Labor Disputes Act—Smith-Connally Act—of 1943, it required balloting by workers for authorizing a strike. The idea apparently was that union members would

repudiate their strike-happy leaders if given a chance to do so by secret ballot.

What actually happened? Virtually all strike votes taken under the act resulted in majority authorization for striking. In its ninth annual report, the National Labor Relations Board—which supervised the voting—stated that the purposes of such votes in practice appeared to be, one, to dramatize the union's demands so as thereby to secure the support of employees in favor of striking; two, to bring pressure on Government agencies, by strike threats, in an effort to coerce governmental intervention favorable to the strikers.

Far from discouraging wartime strikes and coercive pressures, in other words, the War Labor Disputes Act of 1943 provided Government machinery which served to enhance industrial unrest. What a frightful waste of the taxpayer's money. The Congress soon repealed the strike-balloting procedure, at least in effect, by refusing to appropriate any funds for further balloting.

This should have served as a lesson to Congress that artificial legislative filigree hurts more than it helps when the realities of the collective bargaining process are ignored.

But it did not. When Congress passed the Taft-Hartley Act in 1947, it did the very same thing, this time in the form of a requirement that no union shop agreement could be validly executed by a union leader with an employer unless a majority of the employees in the bargaining unit voted in a secret ballot election to authorize such an agreement.

Again millions of dollars of the taxpayers' money were wasted on these elections. Again the employees voted overwhelmingly to authorize the union shop which their union leader had negotiated in their behalf with employers. And in the so-called Taft-Humphrey amendment the election requirement was repealed.

I do not wish to go afield of the legislation before us, though under the open rule by which the Committee on Rules has reported H.R. 8342 to the House all types of proposals and amendments seem to be cognizable for consideration, nor is it my purpose to touch on the intricate questions raised by management's insistence that its direct communication with its employees should not be hampered by the bar of union leaders, whether in the grievance process or in the procedure of collective bargaining. But I sense a dangerous tendency on the part of some of our lawmakers to disparage the existence of union leadership, to gage the correctness of proposals for altering the internal machinery of unions by the extent to which they will allow the rank and file to repudiate their leaders.

I ask those of my colleagues who have an enthusiasm for this type of approach to bear in mind that the American labor movement, while the wisdom of some of its wage and other policies may be debated, is a dam against much more pervasive radicalism, an institution which frustrates many disparate radical claims and contentions, and with all of its faults seems to be a workable way of reconciling the industrial revolution with the bitter employer-employee strife which the factory system has perhaps naturally brought about. If the American labor movement has this aspect, this highly important and I believe desirable aspect, it has it because of its institutional characteristics. And we ought to think deeply about the American labor movement as an institution. Our legislation ought to be a statesmanlike appraisal of American trade unionism and its place in our modern industrial society.

Such an appraisal would have to recognize that precepts of political democracy cannot be applied to union-management relations in doctrinaire fashion but must be accommodated to the collective bargaining process. Our statutory conception of the exclusive bargaining representative accounts for a substantial part of the stability of our union-management relations, and the absence of this conception in European democratic countries has partly accounted for unnecessary strife in these countries. The union shop, which is described as union security by those who favor it and as compulsory union membership by those who oppose it, has also lent stability to our union-management bargaining process. We espouse exclusive bargaining representation, and allow the union shop to exist as a matter of national policy at least, though they may very well run afoul of the rights of minority factions if we applied political democracy thinking to the situations.

And if on the one hand political democracy precepts are not entirely suited to union-management relations, on the other hand the theories underlying business competition and monopoly cannot be applied in gross to concerted union activities. The laws against monopoly are designed to protect and to promote competition, whereas the labor union by its very existence is dedicated to lessening competition by individual workingmen, to substituting collective for individual bargaining. We deprecate jurisdictional or interunion strikes by labor unions, but if game rules applicable to business practices were automatically applied to such strikes they could be justified—extolled, indeed—as legitimate competition among workingmen for job opportunities. When, of course, a union combines with an employer or an employer's association to limit prices or restrict markets, the antitrust laws apply. This is established law. But when unions act alone and their concerted activities are carried on in good faith for their own labor objectives, the Federal law has determined that the antimonopoly laws are not apposite as a source of interdiction.

I would think it would be more profitable to get down to cases when talking about the rights and wrongs of concerted union activity. The generally phrased antimonopoly view does not help in finding solutions for concrete problems. Coining a phrase, in fact, may please the writers but may do more harm than good in the serious and complicated business before us.

I call upon the Members of the House to think of the American labor union as a unique institution and to consider the realities of the collective bargaining process, and I believe that if we do so we may have second thoughts on proposals which at first meeting may have allure. They may, even if refurbished by temporary political advantage, be badly tarnished by the harm they cause in actual practice.

The public interest, of course, is paramount, and neither union stakes nor management viewpoints in the collective bargaining process are determinative. But the experience of those who live with the difficult problems of this process should be considered in our deliberations, for out of knowledge of this experience we may be helped to serve the public interest.

Our Committee on Education and Labor worked hard and sincerely, and H.R. 8342 is its product. It is a better bill, I believe, than the Senate-passed S. 1555. Of the 100-odd amendments which the committee adopted to S. 1555—which was used as the basis for our deliberations—a substantial number came from my bill H.R. 7811, which I introduced as a compromise bill. We eliminated or modified from S. 1555 many of its provisions which were adopted after meager debate on the Senate floor. We refined language and took greater account of the realities of collective bargaining. It is regrettable that we did not persevere in an effort to work out a bill which would be supported by a majority of our committee members. As a result, the committee bill is in need of substantially greater refinement and clarification.

The provision in section 103 safeguarding State laws in the bill of rights field, for example, may subject interstate unions to a variety of burdensome State regulations. I do not know that this was our intention.

The fiduciary relationship of the union leader has to be recast so that conflict of interest cases aside, legitimate union expenditures are not prohibited.

The secret ballot election procedures are worded with undue breadth. The availability of membership lists, for example, ought to be circumscribed without unduly hindering access to insurgent candidates. Some way should also be found to reduce the expenditures necessarily incidental to such elections when there is no contest.

Now I want to speak about two characteristics of the committee bill, one highly desirable, to my mind, the other questionable.

The first, a sharp departure of our committee bill from S. 1555, has to do with the extent to which the obligations of the proposed law are given over to the Secretary of Labor for enforcement. S. 1555 goes overboard on this; the Secretary of Labor is given enormous powers of rulemaking and enforcement. Estimates of the annual cost of administering S. 1555 have varied from $25 million to anywhere up to $100 million. Our committee bill H.R. 8342 substitutes

the courts for the Secretary in most instances, and provides remedies which aggrieved individuals may enforce without the Secretary's permission. This will save the taxpayer millions of dollars annually, and accords with our traditions without reducing the effectiveness of the enforcement procedure.

The second relates to title VII of H.R. 8342, which deals with the so-called Taft-Hartley amendments. These amendments have nothing to do with racketeering. They are not, they should not be, a part of a law aimed at corruption, the safeguarding of union finances, the protection of union members' rights. They have been pending in the area of sharp controversy for a number of years. They raise questions of policy for honest unions and honest management. The atmosphere of an antiracketeering inquiry is not conducive for resolving them. They ought to be excised from the committee bill.

Both in the 85th Congress and in the present Congress I introduced a proposed concurrent resolution for the establishment of a joint Senate-House committee on union-management relations. The committee would be in the nature of a study group whose mission it would be to recommend labor legislation to the Congress. We have had insufficient liaison between the Senate and the House in the vital field of labor law. A joint committee of the kind I have in mind would have lasting value and it might be able to withdraw from the consideration by the Congress at least a measure of the politics which has accounted for the hasty and imperfect drafting of labor legislation.

The Congress is properly of a mind to enact labor-management reform legislation. I favor such legislation, and my bill H.R. 7811 was introduced for this purpose. I hope that in the process of enacting such legislation we do not weaken the fabric of our free private voluntary collective bargaining machinery. The effectiveness of collective bargaining as an instrument of industrial peace ought not to be weakened. We are faced with a great responsibility and an even greater opportunity to improve the national policy so that decent free unions and honest free management can solve their own problems in the public interest.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. TELLER. I yield.

Mr. PERKINS. Mr. Chairman, I want to compliment the gentleman from New York on the great contribution that he made in the writing of the committee bill and in being more or less the author of the present bill of rights in the committee bill.

A few moments ago mention was made by the gentleman from Michigan [Mr. GRIFFIN], if I understood him correctly, that under the Taft-Hartley law, dealing with a secondary employer, picketing back of a warehouse or a store would be legal today. Is that statement correct or not?

Mr. TELLER. I would doubt it. I think there may have been some misunderstanding. I have a very high regard for the gentleman from Michigan [Mr. GRIFFIN]. He is a student and, indeed, he is a scholar in the field of labor law. But I think picketing at a retail store because of a dispute with a manufacturer would be just as illegal in front of the store under the Taft-Hartley Act today as it would be in the back of the store or at the warehouse insofar as it induced employees not to cross the picket line and refuse to deliver the goods.

Mr. BARDEN. Mr. Chairman, I yield such time as he may require to the gentleman from Oklahoma [Mr. JARMAN].

Mr. JARMAN. Mr. Chairman, on the basis of a recent trip to my congressional district, which I believe represents a cross section of the good people of this Nation, I am convinced that the most important single issue facing the Nation today is the question of labor reform.

The public has issued a mandate and, in my estimation, no decree has ever been clearer or more authoritative in its terms. The American public demands that we enact legislation that will clean up the corruption revealed by the McClellan committee. The people want laws passed that strike at the very root of the evil. The American people desire legislation that will see the cessation of the dishonest and unethical actions of men like Beck and Hoffa. They want legislation that will effectively protect the rights and interests of the rank-and-file union man, as well as all other citizens of the country. There can be no doubt that in my district, as well as in other congressional districts, the populace expects effective labor legislation. They do not want inexplicit laws that merely claim to accomplish these things—they want concrete remedies, and they want them now.

Mr. Chairman, I submit that the citizenry of this Nation has been dismayed and appalled by the revelations of the select committee. These hearings have made it abundantly clear that the two coercive techniques of secondary boycott and blackmail picketing are the most devastating instruments used by corrupt labor officials to ascend to power. In correcting these abuses, the public will not stand for vagueness and evasiveness. They will not stand for empty gestures or indulgences in pleasant platitudes, but demand instead words of substance that will give real force and meaning. Unless this mandate is accepted by the 86th Congress, in clear conscience I do not think we can say to the American people, "Here is a labor reform bill."

Mr. Chairman, because this question is of such vital importance to the people and the welfare of this Nation, I feel strongly that this is not the time for compromise. The Congress of the United States must have the courage and the wisdom to stand up and be counted. If we do not assume that courage, but listen instead to the admonition of the Hoffas and the Becks, then, Mr. Chairman, I contend that we have reached a sad day in the course of human events. We must meet the menace of labor racketeering head on and, therefore, I shall support the Landrum-Griffin substitute bill and look forward to labor reform that is in the best interests of all America.

Mr. BARDEN. Mr. Chairman, I yield 7 minutes to the gentleman from Pennsylvania [Mr. DENT].

Mr. DENT. Mr. Chairman, this report will be devoted in the main to some observations on the Washington scene. In all our deliberations and public utterances, we talk loudly and freely about free enterprise, free and equal competition, equality of opportunity and on and on into practically every field of endeavor. We make a point of our great policy of treating everybody alike.

Somehow, much of our talk falls flat when you take time to analyze even a few of the areas where double, and in many cases, triple standards are in vogue.

Some say this is true because of the different jurisdictions in our governmental makeup—the executive, legislative, and judicial, plus the Federal-State relationship peculiar in our democracy where line of authority seems to be everlastingly conflicting and subject to review and change constantly. Aside from these reasons, let us examine just a few areas where our thinking seems to be flexible enough to allow the greatest inconsistency.

In this field one can sit up nights trying to make some sense out of the manner in which the Congress treats those who work in the shops, mills, and mines of this Nation, and on the other hand, those who earn their living on a farm.

When we mention farmers, we picture a hard-working, dawn-to-dusk toiler in the fields without whom we could not survive and therefore we share our income with him, by paying subsidies to guarantee him a livable income. When we mention "labor," we see a brick-tossing roughneck bent upon taking our profits from us and who somehow just wants too much and so we have to tie him up where he can not be pushing us around.

Now this is the great mystery. How does it happen to be almost a universally accepted public position?

In the press, radio, and TV, and especially in one major political party and in two out of the three branches of the other major party, they say that "labor needs put in its place" and somehow or other these 60 million or more Americans who work for a living have to be saved from their leaders, their unions, their contracts, and especially from themselves.

I have yet to find a Member of Congress who is not a friend of labor, and yet labor as such is at its lowest point in our generation in the field of governmental concern. True, some of labor's top echelon leaders have made pitiful and personally disgraceful records. Is this not true of every other field of endeavor where large sums of money are dealt with?

For every Dave Beck in labor, there are the Alexander L. Gutermas of industry, and their counterparts in banking, commerce, and the professional fields.

This is no defense or apology for Beck or Guterma, but I fail to see why labor, and I mean the salaried and hourly workers of our Nation, should be pictured as hoodlums, thieves, racketeers,

and worse any more than the stockholders of Bon Ami and other companies who elected Guterma as president of their controlling company.

What I do see is the same crowd, the same profit-seeking mob that in its own way can be more ruthless, more inhuman, more intolerant than any organized group in the Nation.

Labor presently is haunting the Halls of Congress pleading, petitioning for fair treatment of its own Magna Carta, the union charter for the right to organize to fight organized capital on the economic war front.

It has been this way ever since I can remember and especially over the 25 years I have spent in legislative work.

There have always been more bills introduced against labor than for labor. Why do so many of us flirt with every union leader, every laborer at election time, during charity drives, and for community projects, but immediately shy away from anything that looks like labor as soon as the votes are counted and the receipts tallied? Any politician can be a "friend of labor" on election day but it takes more guts in the off-season.

Labor as such is not a large organized group with a united purpose in all fields. In fact, the contrary is too often the case. However, if this periodic congressional attack upon labor unions, their leaders, their rights, and their members continue they will be driven by adversity to do something they do not seem to be able to do for themselves—that is to reunite into one large union with all the political, economic and civic power their members can command.

Yesterday, during the debates on this floor, I took time to look over the gallery as well as the House.

On the House floor I noticed cliques of Members, some for, some against, some undecided, but all a little worried—some worried about not going far enough, some afraid they were going too far, and some not knowing where they were going.

In the gallery I saw many men, some of whom I have known over these many years, both in and out of the labor movement. I was particularly struck with a setting in the right-hand corner of the gallery. Four men were sitting there together—one an international representative of the Steelworkers, AFL–CIO, one a field representative of the Mineworkers, one a Washington representative of the United Electrical Workers, and the other a joint council officer of the Teamsters.

A thought struck me at the time—here are four men together, all interested in one single issue, against punitive destructive legislation.

These men belong to separate unions that once were part of the labor organization. The UE was tossed out of the—McCarthyism—parent union because of charges of communism. The Teamsters were thrown out because of racket charges—McClellanism. The Mineworkers left because of political differences—Americanism.

Suddenly I realized that here they have an opportunity to all get together because of—Kennedyism. It may well be the end result of this type of legislative action that may drive the warring factions of labor together.

If we pass the Landrum-Griffin bill they will either join up and hang together, or they will hang separately.

If we pass the Speaker-endorsed bill, the so-called middle-of-the-road bill, the unions may end up in the greatest civil war in labor in history, for the weak will have to give into the strong or perish.

If this Congress is honestly interested in dealing with crooks, rackets and the evil elements in our society, there is only one answer and that is the Shelley bill.

To do more is to injure 70 million workers. To do less is to do wrong to law and order. To do the right thing, do the best thing, vote for the Shelley bill as it appears before us.

In one aim, all of labor joins hands, organized as well as the unorganized. There are no dissenters in the fight for better working conditions, pension and welfare funds, higher wages, overtime pay, paid holidays, shorter workweeks, unemployment, occupational and injury compensations, insurance, medical and hospital plans and so forth.

The dissenters are few and even the critics who seem to have the "preference in the press" status fail to measure up when the facts are placed before them. The protectors of the rank and file are strangely silent when labor leaders are beaten up and ridden out of town, when organizers' families are terrorized by hooded, cowardly company agents, when whole families are made destitute and hungry because they joined the union to protect themselves with seniority, split work shifts and protection against company persecution because of race, color or religion.

Where are all of the Johnny-come-lately friends of the little man when the silent, cold and weary men and women mill around in endless picket lines, hungry but determined to get their contract, to have their union, to raise not alone their living standards for themselves, but also for the millions of unorganized, who in all too many cases join the critics and jeer and boo the picketers, but their arms almost fall out of their sockets when they reach for the benefits the unions have made possible?

It was easy during the depression and the heyday of the Roosevelt era to be friendly to the workingman. It was also good politics because main streets, the professional crowds, and particularly small businesses were all starving and labor's fight for raises in pay and a wider division of jobs available was their only hope.

It is not so easy now. Most of us are fat and sassy and you can hear a speech like this in any office:

"We're making more money on stock deals and interest money than we are selling goods or services and why should these labor leaders always be wanting more money, more time off. It's those crooks like Beck and Hoffa and those commies like Reuther and Curran that's the crowd, always demanding more pay and pushing the little guy around. Sure we're for labor but we don't like their leaders, their strikes, their contracts, their bylaws and constitutions, their checkoffs, penal assessments, and especially their trying to tell us who and how to vote even if they did give us money and work at the polls on election day.

"Anybody that doesn't think I'm a friend of labor—just look at my record. I attend union meetings during campaign, I put some of them on my mailing list, I voted for foreign aid and reciprocal trades like they asked me to. Why I even voted for public housing and aid to education. What the heck do they want—the moon on a silver platter?

"I can't take a chance on losing my election even if it does make it tough on some union members.

"Personally, I'm for labor, but—"

I want to add at this time a speech by Judge Leedom, Chairman of the NLRB. I believe he too sees the danger lurking in this legislation:

A Backward Step—NLRB Head Says Management Waging "War" on Labor Unions

The Chairman of the NLRB told an assembly of lawyers in Miami, Fla., last month that he was distressed at the undeclared war management in America is waging against unions.

In an address before the Florida State bar, Chairman Boyd Leedom said that behind the "facade of general acceptance of our national labor concept" lurks "an actual rejection by much of management" of the rights of workers to organize and bargain collectively.

Leedom told the Florida lawyers that the "basic principle of our present Federal law which recognizes the worker's right to organize in dealing with his employer, or not to join with others so to deal, is here to stay and that it is right and just; and that the alternative would be a backward step ultimately subjecting all workers to the paternalism of their employers."

Mr. Leedom also outlined the NLRB's function as an impartial umpire in labor disputes and scored those lawyers who view the Board as part of a "devilish scheme" to put some union in charge of his client's business.

"Many employers, and apparently some of their attorneys, seem to feel it is still their God-given right to determine unilaterally what is best for their particular employees, and that unions and the Board are usurpers of that right," he said.

In his speech, Leedom called on the lawyers to seize every opportunity to reconcile the opposing forces of labor and management rather than fixing their "eye on a fee" and making a million by "keeping the union out at all costs."

Mr. Leedom conceded that many businessmen have a right to be provoked at the unjust and sometimes violent attacks by some unions, but he said this situation might be reversed if management's attitude toward unions were different.

"Since hostility is likely to beget hostility, I raise the question as to whether this attitude may in turn be at least partly responsible for union conduct that many people regard as quite unreasonable even though lawful. It is quibbling to embrace the abstract principle of collective bargaining and then fight tooth and nail to deny it to one's own employees. When our businesses and industries of common characteristics seem to find it good and necessary to join together to solve their common problems and advance their common purposes, and delegate all sorts of specialized functions to agents of their choice, it seems difficult to find a valid objection to workers' concerted action through agents of their choice," Leedom said.

In his concluding remarks, Leedom called on the potential Thomas Jeffersons and Patrick Henrys within his profession to act as

reconciling forces in the dynamic and controversial field of labor-management relations—lawyers "not concerned primarily about the fee but great principles founded in righteousness."

Another important phase of this discussion is covered in part by excerpts contained in a new 252-page historical review entitled "How American Buying Habits Change," published by the U.S. Department of Labor. The Department of Labor of these United States gives the soundest argument yet advanced for the elimination of the union stifling sections of the labor reform bill considered by the House.

For it shows how the determined struggle of American workers for higher wages, lower hours, more leisure and self-respect in their jobs—largely under union leadership—has spurred the economy to higher and higher levels of achievement.

In its introductory chapter, the Department recounts with justifiable pride the huge progress that has been made during the past 70 years in giving "ease and status for the worker." It tells of the cut in working hours from 60 and more hours to today's 40-hour week. It tells of men earning as low as $2.29 a week in sweatshops as compared with an average of more than that for 1 hour in the pay of factory workers today. It tells of the new status of work in the shop.

Directly or indirectly because of unionization—

The review says—

a multitude of factors has combined to give the worker a sense of equity in his job. The concept and practice of seniority, the vast development of private pension funds, and looming very important indeed, the systematic processing of grievances, freedom from arbitrary dismissal, and the right to equity through his union's representation in the assessment of discipline are pertinent examples.

All of these huge advances, observes the book, are due to the astonishing rise of American productivity. It points out that—

The individual American worker's output today in a 40-hour week is three times that of his grandfather in a 70-hour work span.

It further notes:

A given factory worker's budget for 1948 cost $49.51 a week at that time. A worker in 1914 would have had to work about 100 hours a week to buy the things it included; the 1948 worker, less than 34 hours.

Today the number of hours needed would be far less.

This phenomenon of the tremendous increase in American productivity, of course, is at the heart of today's economic debate.

Is this viewpoint static, as many economists claim? Is it in conformity with past American history?

The Labor Department's own review—while stressing the great importance of productivity increases—nevertheless cites Emil Levasseur, noted French economist as observing in 1900:

The inventive genius of the American is perhaps a natural gift, but it has certainly been stimulated by the rate of wages. * * * The higher the price of labor, the greater will be the effort of the entrepreneur to economize in its use.

The democratic spirit of the American people has assisted materially in preserving the custom of high wages—

Also observed Levasseur.

All through the Labor Department's study runs the thread—high wages, increased consuming power, increased productivity, higher and higher goals of material and spiritual well-being.

Without strong militant labor unions this Nation would still be an infant in the industrial world.

It is hard to believe that the United States is going to change its historical economic pattern now.

The reform bill that goes beyond the field of reform and interferes in the delicately balanced and continuing economic warfare between men who work and men who profit from labor will not only destroy the effectiveness of today's labor-management negotiations, but will encourage the growth of the low-wage high-profit-seeking, unscrupulous employer who would destroy not alone the labor movement, but in turn stabilized industry and our American way of life.

It is tragic that on the floor of the Senate this measure was transformed into a weapon for the harassment of the union movement, a weapon which the House committee has only slightly blunted.

The Senate, which was set to enact a very useful bill, was stampeded by political demagogs who want an issue and not a bill. The result is that unless the mischief can be undone in the House, a brilliant opportunity will have been lost. * * *

It is still conceivable that the labor reforms can be saved if the leadership in Congress and if the President in the White House want to save them. But they must reckon with the demagogs who do not want a bill, because it would deprive them of an issue to beat their breasts about.

To date, the very forces to which Mr. Walter Lippmann alluded have been victorious.

We do not believe the fight is lost. We are convinced that those, who truly believe with us that Federal legislation can meet the problem of corruption and yet not destroy legitimate union activities, will pass this bill on the floor of the House of Representatives so as to achieve a measure that could legitimately bear the title "reform legislation."

In principle, we are opposed to writing legislation on the floor. It was exactly this tactic which changed the Senate bill into punitive legislation. But the majority of the House committee failed in its task. In response to pressure, the majority conceived a bill only slightly better than the Senate version and have reported one which could only be classed as antilabor.

In order that the air may be cleared I wish to give the principal differences between the Shelley substitute and the committee bill, H.R. 8342.

This is the identical bill introduced by POAGE, ROOSEVELT, myself and over 40 other Members of Congress.

First. Unions would be safeguarded in section 101(b) of the Shelley substitute against irresponsible abuse of rights guaranteed in title I—Rights of Members. No such provision is included in the committee bill.

Second. The encouragement for States to enact union members' bills of rights, which is contained in section 103 of the committee bill, is omitted from the Shelley substitute. Section 103 of the Shelley substitute safeguards union members' rights and remedies under their union constitutions and bylaws and the authority of unions over the conduct of their own internal affairs, except as explicitly provided in the bill.

Third. The employer and labor relations consultant reporting provisions, which are hardly more than the merest sham in the committee bill, have been made substantially more effective in section 203 of the Shelley substitute.

Fourth. Section 306 of the Shelley substitute omits the confusing language of the committee bill under which the bill's regulations applicable to trusteeships would be superimposed on all of the complicated and varying State regulations and decisions. When actions are filed by the Secretary of Labor to enforce the bill's trusteeship provisions, the district courts would have exclusive jurisdiction under the Shelley substitute.

Fifth. The Shelley substitute omits the provision contained in section 301(b) of the committee bill, which would make the membership lists of all unions where members are covered by some form of union security agreement available for copying by every bona fide candidate for union office who could in turn give or sell them to an employer, the Communist Party, or commercial advertising concerns. In place of this provision, section 301(b) of the Shelley substitute contains provisions similar to those contained in the Senate-passed bill, S. 1555.

Sixth. The Shelley substitute contains in section 501 carefully drafted provisions defining and enforcing the accountability of union officials for embezzled union funds for which they are responsible and for any income or profit they receive in connection with any transaction that conflicts with the interests of their union. This provision takes the place of section 501 of the committee bill under which the propriety of many types of expenditures of union funds could be challenged by members' suits in the Federal courts. The Shelley substitute, like the committee bill, makes embezzlement of union funds a Federal crime.

Seventh. Section 502 of the Shelley bill corrects defects in the union officials' bonding requirements contained in the committee bill. Enforcement would be through injunctive action brought by the Secretary of Labor in the Federal courts instead of through criminal proceedings, which hardly appear to be appropriate for the enforcement of such types of requirements.

Eighth. The provisions disqualifying persons convicted of certain crimes from serving as officers of unions, as labor relations consultants, or as officers or employees of employer associations dealing with unions, which are contained in section 504 of the committee bill, have been broadened in the Shelley substitute to apply in addition to service as employers' labor relations officers or em-

ployees or as other personnel officials of employers.

Ninth. The Shelley substitute restores the Senate-passed amendment of section 302(c)(4) of the Taft-Hartley Act permitting the voluntarily authorized checkoff of periodic payments to unions in lieu of membership dues, as well as the checkoff of union dues, fees, and assessments now permitted under existing law.

Tenth. In place of the vague and indefinite language of section 602 of the committee bill, making extortionate picketing a Federal crime, punishable by a prison term of up to 20 years, the Shelley substitute restores improved language from the Senate-passed bill banning shakedown picketing. The penalty for violation would be the same under the Shelley substitute as under the committee bill. Shakedown picketing would also be an unfair labor practice when engaged in by a union under section 705 of the Shelley substitute.

Eleventh. Section 603(a) of the committee bill, which is designed to encourage States to enact State legislation imposing additional restrictions on labor unions' conduct of their own internal affairs, has been omitted from the Shelley substitute.

Twelfth. The provisions contained in section 701 of the committee bill, which would take away from the National Labor Relations Board and confer on the General Counsel authority over the personnel in the Board's regional and field offices, have been omitted from the Shelley substitute.

Thirteenth. The Shelley substitute omits the language contained in section 704 of the committee bill which, by making the prehearing election procedures authorized therein inapplicable whenever the appropriate bargaining unit is in dispute, would largely nullify the value of these procedures.

Fourteenth. Section 705 of the Shelley substitute makes shakedown picketing engaged in by a union an unfair labor practice. Picketing for purposes of extortion is also made a Federal crime under section 602. These provisions take the place of the punitive restrictions which the committee bill would impose on traditional and perfectly legitimate trade union practices under the guise of banning so-called hot-cargo agreements and organizational and recognition picketing.

Fifteenth. The Shelley substitute adds to the bill a provision making the bill effective 120 days after the date of enactment.

Technical improvements are also made by the Shelley substitute in the form of language of various provisions of the bill.

There has been a lot of misinformation given to the Congress on the question of the position of organized labor.

I believe it to be imperative to put into the RECORD at this time the position of decent, honest, and reasonable organized labor.

Their official position follows:

This is a critical moment in the legislative history of American labor. Congress is in the process of enacting what is described as labor reform legislation. The Senate already has passed a bill on this subject which the trade union movement considers detrimental to the future of American labor. Now the House of Representatives is about to consider several bills on this subject namely, the Elliott bill, reported by the House Committee on Education and Labor—the Landrum-Griffin bill which has the support of a coalition of Republican and southern Democratic Members and the Shelley bill which has the support of the AFL–CIO.

Whatever legislation is finally enacted on this subject will undoubtedly affect labor-management relations for years to come. Beyond that if the final measure enacted places the trade union movement in the legalistic straitjacket that some of labor's enemies so ardently desire, there is a grave possibility that the Nation's economy might be adversely affected.

Let me say as emphatically as I can that the AFL–CIO is in complete accord with the great majority of the American people in favor of legislation that will help get the crooks without harassing and impeding the forward progress of legitimate and decent labor unions.

Unfortunately, there are forces at work whose only real purpose is to hamper and, if possible, to destroy the effectiveness of legitimate trade unions. They consider the exposure of corrupt leadership in a small minority of unions as too good an opportunity to be missed in order to fasten restrictive legislation on the entire movement.

Under the guise of legislation against corruption, they want to tie up legitimate union activities with legal knots—thus making it difficult, if not impossible, for the trade union movement to carry on its work for economic and social progress.

As part of their antilabor strategy these people are deliberately circulating rumors to the effect that labor is not really opposed to this bill or that bill or that labor wants no legislation at all or that labor as represented by the AFL–CIO is not really concerned with the problem of corruption.

These rumors are all false and can be proved by a quick look at the record of the AFL–CIO on this subject.

On February 9, 1955, almost 5 years ago, the American Federation of Labor and the Congress of Industrial Organizations reached agreement on a set of principles under which the two national trade union centers would merge into one organization. Among the principles adopted was the following, and I quote:

"The merged federation shall constitutionally affirm its determination to protect the American trade union movement from any and all corrupt influences."

On December 5, 1955, the AFL–CIO at its first convention, wrote this principle into its constitution and provided the means for its implementation.

In the summer of 1956, many months before the McClellan committee came into existence, the AFL–CIO proposed to the platform committees of both major party conventions that they pledge their party to the enactment of public reporting and disclosure laws to guard against abuses and corruption in the administration of health and welfare funds held in trust for the benefit of union members. Such a law has since been enacted.

Less than a year later, following the early hearings of the McClellan committee, the AFL–CIO urged extension of the same legal safeguards for all union funds. We testified before the House and Senate Labor Committees in favor of the enactment of legislation—strong and enforceable legislation—to prevent union officials from stealing the dues money of their members or committing other flagrant abuses.

In 1957, through the authority and directives contained in the AFL–CIO constitution, the executive council drew up a comprehensive set of codes of ethical practices for trade unions and trade union officials and presented them to our convention in December 1957, where they were made part of the basic law of the federation.

Was the AFL–CIO content with mere statements and constitutional declarations against corruption in the labor movement? Or did it take action to give life and meaning to its declared principles on this subject? The answer to these questions is crystal clear.

At the same convention of December 1957, at which it adopted its ethical practices codes, the AFL–CIO, upon the recommendation of its executive council, and under its democratic procedure, expelled three of its unions as being under corrupt control. This was accomplished by more than the two-thirds rollcall vote required by the constitution. Among the unions expelled was the International Brotherhood of Teamsters, the largest union in the Federation. The combined membership of the three unions expelled represented more than 10 percent of our entire membership.

Shortly thereafter, in March of 1958, the AFL–CIO recognized that there was still a problem to be met—the problem of protecting the membership of expelled unions as well as protecting the general public from the consequences of corrupt practices on the part of those unions.

At this juncture, the AFL–CIO publicly advocated the passage of labor reform legislation by Congress—legislation to protect the funds of union members—legislation to safeguard the rights of union members—legislation to help the Government get rid of crooks operating in the labor-management field.

This was a truly significant action. Here was a group of private citizens saying to government: "We will assist you in writing legislation to regulate and govern certain of our actions." Where else in American life is there a parallel? What business organization has ever done such a thing? And the record shows, incidentally, that business is not immune to sin nor free of racketeering elements.

The AFL–CIO at that time made one reservation: that we would not support or accept any legislation, under the guise of reform legislation, that would restrict and punish honest trade unions. That reservation still stands.

Let us see how the pending bills measure up to this test.

The Elliott bill contains provisions that safeguard the funds of union members, that protect union members against abuses, and that provide criminal penalties for a variety of intolerable racketeering practices. We are 100 percent in favor of these provisions.

But the Elliott bill also contains other provisions. It would place the officers of 65,000 local unions in jeopardy of being found in violation of a Federal criminal statute in discharging their normal duties. It would prohibit honorable organizational practices and procedures upon which labor has built its present day structure. It would expose unions to the danger of endless litigation not over real issues but at the whim of one or two individuals, who might be subsidized by hostile employers or by Communists to undertake such harassment. It would make it extremely difficult for the average union to conduct its normal business in a straightforward, effective way. Because of these provisions, we must oppose and we do oppose the Elliott bill.

Now let's see how the Landrum-Griffin bill measures up. It also contains a number of antiracketeering provisions which are similar to those in the Elliott bill. Again the AFL–CIO is 100 percent in favor.

But the Landrum-Griffin bill goes a lot further than the Elliott bill in penalizing legitimate practices of legitimate unions. It would subject a union presiding officer to

a 2-year jail sentence merely for blocking a disorderly person from disrupting a meeting. It would require even the smallest local unions, without paid officers, to file a burdensome amount of red-tape reports. It would force union members against their will and against their basic principles to handle struck goods. It would prohibit any union from advertising to the public that an employer is unfair to labor, pays substandard wages or operates a sweatshop, despite Supreme Court decisions that have held a union has not only a right but a duty to speak out against such abuses. It would make it virtually impossible for the average, decent union to function effectively.

For these reasons the AFL–CIO strongly opposes the Landrum-Griffin bill.

Finally, we come to the Shelley bill. It contains provisions against thievery and racketeering which are even stronger than those in the Elliott bill or the Landrum-Griffin bill.

Unlike those bills, the Shelley bill would also require full reporting from business firms of expenditures for union-busting activities and the hiring of labor spies.

But it does not contain any provisions which would restrict, harass or punish the legitimate activities of honest and decent unions. In other words, the Shelley bill is aimed at getting rid of crooks, instead of getting rid of unions. For those reasons we support it fully and we hope that the House of Representatives will adopt it.

We in the AFL–CIO recognize that the worst enemies of labor are those few crooked union officials who have betrayed their trust and sold out their members and made alliances with the underworld.

Because of the excesses they have committed and gotten away with, pressure has been built up for legislation that would victimize all unions, the great majority of good ones along with the few that have been corrupted.

Basically, the cure for this problem is better law enforcement. If the present laws on the statute books of our States against theft, corruption and racketeering had been properly enforced, there would be no need for new Federal law.

One thing is certain—new legislation should be aimed at the crooks, not at the decent, law-abiding unions and their decent, law-abiding members.

The Elliott bill fails to meet this test. It places unfair burdens on legitimate unions. The Landrum-Griffin bill is much worse. It is a blunderbuss that would inflict grievous harm on all unions. It is supported by the very elements in Congress which have consistently through the years voted for the program of big business and against every progressive measure that would benefit all the American people.

That leaves the Shelley bill. We sincerely believe it will do the job of getting rid of the crooks who have wormed their way into a few unions. We believe it will do an effective job of preventing unholy alliances between dishonest unions and dishonest employers. We are convinced that it will not interfere unnecessarily in legitimate labor-management activities. The Shelley bill is antiracketeer, not antilabor.

These are the objectives that the AFL–CIO seek in labor reform legislation. We urge Congress to keep its sights on these objectives. If you want to stop corruption and not harm legitimate unions, we hope you will let your Congressman know immediately that you favor the Shelley bill.

Mr. LANE. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from Massachusetts.

Mr. LANE. Mr. Chairman, labor, management, and the general public want Congress to pass a labor-management reporting and disclosure bill at this session.

This area of agreement will be to no avail if extremists insist on no bill, or a vengeful bill.

I am supporting the Shelley bill because it will eliminate corruption in the labor-management field, and will cure the disease without killing the patient.

This bill relies on civil enforcement of members' rights, and requires strict accountability and reporting from the unions.

It does not tighten secondary boycott restrictions under existing law; makes no change in the law on hot-cargo contracts; but it does ban extortion picketing and empowers the NLRB to act in all labor dispute cases whether large or small.

The other and drastic labor bills that have been proposed, would turn the so-called no man's land cases back to the States for action. These are the cases that have been considered too small for the Federal courts to handle. But the no man's land would still exist in those States that do not have labor relations boards. The only solution is for the NLRB to have jurisdiction over all cases, irrespective of size.

As to secondary boycotts, the administration would have the public believe that they are entirely without justification. But let us look at the other side of the picture. What about a struck employer who sends his work to be done by another employer? If the striking employees are prevented from bringing to the attention of the employees of the second plant how they are being used to wreck a legitimate union activity, then the right to strike is being defeated by this ruse on the part of management.

The secondary boycott is necessary to protect the rights of the workers who are out on strike. To kill it would do lasting harm to the legitimate rights of organized labor.

Necessary reforms are one thing, but reform must never be used as a pretext to destroy.

Elimination of the secondary boycott would compel union members to handle struck goods, and force them, in violation of their conscience and their basic beliefs, to frustrate and defeat the aspirations of the workers on strike.

Here we come to the heart of the matter.

The repressive bills start out with provisions to safeguard the funds of union members; to protect union members against abuses; and to crack down hard on corrupt and racketeering practices.

So far, so good.

Not only does organized labor support these provisions completely, but it was first to request such legislation.

At this point, the temptation to exploit reform legislation as a tool to destroy the labor union movement could not be resisted by those who figured that this was the time to turn back the clock of progress, and undo all that has been accomplished since 1933.

Under the cloak of legitimate reforms which responsible labor, and responsible management, and responsible public opinion demand, a reactionary but powerful coalition has inserted provisions in pending legislation aimed at the weakening and eventual destruction of organized labor as a whole.

This is not reform. It is assassination by strangulation.

The Shelley bill, on the other hand, will eliminate the racketeers without wrecking the unions. It will require full reporting by the unions and by business firms engaged in union-busting activities who have conspired and cooperated with the racketeers who have infiltrated a few unions.

It is not one-sided legislation. It will protect all Americans from the corrupt elements in both management and labor.

The AFL–CIO is to be complimented for its candor and courage in advocating passage of the Shelley bill.

The Shelley bill is antiracketeer, not antilabor, and for that reason should be passed to protect labor, management, and the general public.

Mr. BARDEN. Mr. Chairman, I yield 5 minutes to the gentleman from Montana [Mr. METCALF].

Mr. METCALF. Mr. Chairman, I, too, served for 6 years on the Committee on Education and Labor under the chairmanship of the distinguished gentleman who so graciously yielded me time. When each of these bills were introduced I studied them with a great deal of care. After examination of them I came to the conclusion that the committee bill was an adequate bill; that the committee bill would do the job that needed to be done.

I read the bill introduced by the gentleman from Georgia [Mr. LANDRUM] and the gentleman from Michigan [Mr. GRIFFIN], both of whom I respect as lawyers and as members of the committee, but after analyzing their bills I came to the conclusion that it was extreme.

Then I began hearing these charges that the committee bill was weak, that the committee bill would not do the job, so I turned to the one man who, in my opinion, knows more about racketeering in labor unions than anyone else, the man who has been chief counsel of the select committee of the Senate, the McClellan committee, who has been the prosecutor, the interrogator, the examiner, the investigator, the man who has filled the record with almost 20,000 pages of examination of various racketeers and gangsters and hoodlums, and I asked him: "Will the committee bill do the job? Will it cure the abuses disclosed by the McClellan committee?"

I want to read you his response. This is on the letterhead of the U.S. Senate Select Committee on Improper Activities in the Labor Movement Field and is addressed to me. Copies of the letter have been mailed to each Member of the House, and this is going into the RECORD. Mr. Kennedy said this:

(U.S. Senate, Select Committee on Improper Activities in the Labor or Management Field, pursuant to S. Res. 44, 86th Cong.; John L. McClellan, of Arkansas, chairman; Karl E. Mundt, of South Dakota, vice chairman; John F. Kennedy, of Massachusetts; Sam J. Ervin, Jr., of North Carolina; Frank Church, of Idaho; Barry Goldwater, of Arizona; Carl T. Curtis, of Nebraska; Homer E. Capehart, of Indiana; Robert F. Kennedy, chief counsel.)

AUGUST 11, 1959.

The Honorable LEE METCALF,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: I received your inquiry in regard to my opinion of the various labor bills before the House of Representatives. I think it is appropriate, of course, that I limit my views to relating how the various bills match the findings and recommendations of the select committee.

Based upon those investigations and findings, my conviction has been that any bill, to be effective, must include:

1. Safeguards for union funds, with appropriate penalties for the falsification or destruction of union records and the embezzlement of union dues.

2. Safeguards for union member rights and democratic procedures, including secret ballots, regular elections and an opportunity for opposing nominations.

3. Safeguards against secret conflict of interest transactions by, or loans to, union officers.

4. Safeguards against employer payoffs to interfere with union organization or "sweetheart" contracts.

5. Safeguards against the abuse and prolongation of union trusteeships.

6. Safeguards against the use of felons as union officers.

7. Safeguards against the use of picket lines to extort money.

8. Safeguards against Teamster "hot cargo" contracts and fictitious unloading fees affecting companies covered by the Interstate Commerce Act.

9. Safeguards against the surreptitious and improper activities of undisclosed management middlemen.

In my opinion, the bill that passed the Senate would effectively write these provisions into law, as would the Elliot bill in a comparable form—thus carrying out all the recommendations of the McClellan committee.

I am concerned that the Landrum-Griffin bill, on the other hand, going beyond the scope of the McClellan committee's findings to affect the economic balance at the bargaining table by honest and legitimate unions and employers, might cause such controversy in conference with the Senate that there would be no bill. This would be tragic—and make many months of effort on the McClellan committee go for naught—for, if legislation is not passed this year when the McClellan committee is coming to an end, it will never pass.

For this reason I am strongly in favor of the Elliott bill; and I am convinced that its passage by the House will lead to the House-Senate conference producing a bill which will do the job this committee is recommending.

Sincerely yours,

ROBERT F. KENNEDY,
Chief Counsel.

I repeat what Robert F. Kennedy, counsel for the McClellan committee, says:

In my opinion, the bill that passed the Senate would effectively write these provisions into law, as would the Elliott bill in a comparable form, thus carrying out all the recommendations of the McClellan committee.

It grieved me to hear some statements on the floor to the effect that unfortunately the constitutional right of free speech prevents further controls of organizational picketing or boycotting. We have talked a great deal about bills of rights for members of labor unions, but we are forgetting about a more fundamental and a more sacred Bill of Rights, the first amendment to the Constitution, that says:

Congress shall make no law * * * abridging the freedom of speech.

The Landrum-Griffin bill is a law that does abridge freedom of speech.

In your zeal to give a bill of rights to labor you are infringing on the fundamental Bill of Rights of the Constitution of the United States, you are infringing on the ordinary, legal, legitimate weapon of labor unions. A legitimate, peaceful picketline is something that labor needs in order to continue to exist.

I urge you to enact a bill that will reform but not punish, a bill that will regulate the gangsters and racketeers and the crooks, but not a bill that will infringe on the sacred rights provided under the Constitution of the United States.

Mr. KEARNS. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. RIEHLMAN].

Mr. RIEHLMAN. Mr. Chairman, I rise in support of the Landrum-Griffin bill.

Mr. Chairman, at the outset I should like to express my appreciation to those 16 members of the House Committee on Education and Labor who, although many were opposed to H.R. 8342 for a variety of reasons, had the courage and sense of responsibility to the Congress and the American people to report to this floor a bill on which the membership of the House could work its will. Whatever the final result, we will have come a great deal closer to fulfilling our responsibility to the people by opening this controversial subject to free debate by the greatest legislative body on earth rather than letting labor reform die on the committee vine.

Seldom have we seen so many personal and political interests dominate a field that, in my opinion, demands objective and nonpartisan consideration. I am truly taken aback by the ridiculous attempts to emplant in the minds of the American public the belief that the battle lines for this struggle have been drawn on the basis of party affiliation. There are some in this body who are trying to rekindle in the American people the belief that he who carries the Republican banner is a tool of big business and an enemy of the workingman and he who carries the Democratic banner is the friend and protector of the workingman. Seldom have we been confronted with an issue that so completely strips this toothless cliche of any semblance of truth. I can tell you with a clear conscience that I am not, have never been, and never will be subservient to the desires of either big labor or big business. My decisions have always been based on what I feel is best for the American people as a whole. My only interest in this particular issue is to legislate in the best interests of the workingman and in the best interests of this country.

The real battle lines are so clear cut that I feel certain they cannot and have not escaped the American people. On one side of the fence are the Members of Congress who recognize the clear and present dangers of failure to correct the abuses of public trust brought to light by the McClellan committee. It is an inescapable fact that the correction of these abuses will require some strong amendments to the Taft-Hartley Act. On the other side of the fence are those Members who, for reasons I do not choose to comment upon, would have us ignore these abuses. Particularly, they would have us exclude from consideration the secondary boycott and blackmail picketing, two weapons that represent gross deprivations of individual liberty, whether they be in the hands of crooked or honest union leaders. Here is the true division—the men who want to correct proven inadequacies in the law and the men who, for reasons best known to themselves, want the loopholes left open and mere gestures made in the direction of checking the unbridled power of union bosses.

In my opinion, the statement that a vote for Landrum-Griffin is a vote against the workingman, is irresponsible and unfair. I should like to point out today what I feel are the three major areas of contention involved in our consideration of labor reform legislation. These are areas in which Congress, in the name of responsibility and individual freedom, must make its weight felt with strong and effective legislation. I should like to discuss these three points as they are dealt with by the Landrum-Griffin bill and I should like to know where any unfairness lies.

First, we must include an enforceable and effective bill of rights. With few exceptions, I think we are agreed that a bill of rights is necessary. The big difference lies in varying provisions for enforcement. If a union member feels his individual rights have been violated, the Landrum-Griffin bill would allow that member to go to court after seeking justice within the union structure for a period of 4 months. It provides for stiff criminal penalties in the case of denial of those rights by violence, either actual or threatened. It might well place a union official in bad financial position if that official was given to depriving members of their constitutional rights by force. But I ask any rank-and-file union member if this provision in the Landrum-Griffin bill will destroy his union or be unfair to him. It represents a virtual guarantee of his freedom from coercion in intraunion affairs. I am certain it will give a union membership a freer hand in the operation of its organization's affairs. And, if a union is presently being operated in this manner, then what has it to fear from this provision?

Second, we must legislate effectively against what has been so aptly termed blackmail picketing. There is little difference of opinion among us over the propriety of picketing a plant when the law requires the employer to recognize another union. But, the practices that I feel must be covered are picketing to force recognition of a union the employees themselves have rejected and picketing to force recognition of a union which, because it does not represent enough employees, cannot even qualify to file an election petition. The Landrum-Griffin bill deals effectively with

these practices. Let me call to your attention an example of the type of picketing that must be curbed. Just this morning I heard from an industrial concern in Syracuse. The employees of that firm have consistently refused to be unionized. As recently as February, two unions were defeated in NLRB election by a margin in each case of about 3 to 1. Under present law, there is nothing to prevent a union from picketing that firm this afternoon in an attempt to close its business functions off from the rest of the world and force the employees to recognize it as a bargaining agent. If those employees are opposed to union membership in that degree, they should be protected from having the union forced upon them by tactics such as blackmail picketing. The Landrum-Griffin bill provides that protection. What rights would be denied the working men and women in that industrial concern? What rights would be denied the union members by prohibiting their officials from hiring stranger pickets to coerce an employer and employees who have so clearly demonstrated their unwillingness to be unionized? In my opinion, a point that union leaders consistently refuse to recognize is the fact that this is not a country of rule by force, violence, intimidation, and economic power. It is a country in which every individual, unionized or not, has the right of freedom from coercion and dictation. If the union organizers, in their quest to get their fingers into every possible source of income, will not recognize this right then it is the duty of Congress to set it forth in clear, understandable terms.

Third, we must close the loopholes in the existing ban on secondary boycotts. It was the intention of Congress as far back as 1947 to outlaw all forms of the secondary boycott, but so many loopholes have been cut in the Taft-Hartley Act that the secondary boycott today is a common practice. The crux of the matter in this field is the protection of the rights of the innocent third parties who have no dispute with either the union or the primary employer, but who are subjected to coercion, threats, picketing and possible loss of jobs simply because the union bosses are permitted to use them as a lever in the quest for greater power. What rights would we be denying the workers employed by these secondary companies if we kept them from being used by power-grabbing union bosses? What rights would we be denying union members by prohibiting their officials from trampling on other peoples' rights? And other people do have rights. We must make it clear to Messrs. Hoffa, Meany and Reuther that no organization's best interests are so sacred that it can be allowed to deprive other individuals or organizations of freedom from coercion, economic or otherwise. The Landrum-Griffin bill makes this clear. None of the others do.

Are we depriving the working men and women of this country of their rights when we pass a law that will keep the racketeers and unscrupulous labor bosses out of the union till? How can any workingman say we hurt him by erasing the black marks that have been placed on the trade union movement and the great American right to freedom of choice?

Seldom has Congress considered an issue of such wide-spread interest and far-reaching importance. The American people are up in arms, and rightly so, over the countless abuses of union power that have been brought to light. This is no simple labor-management struggle. This is a battle for economic freedom and the preservation of fundamental human rights between the moneyed labor bosses and the great mass of the American people. The people demand the strong, corrective and fair legislation embodied in the Landrum-Griffin bill.

Mr. Chairman, I would not favor legislation designed to destroy the legitimate trade union movement. Honest unionism has played an important role in American growth. It has brought better lives to countless working men and women. I firmly believe that the legitimate interests of trade unionism should be protected. The Landrum-Griffin bill is neither punitive nor destructive. It is not harmful to what I consider labor's legitimate objectives. It is, in my opinion, in the best interests of the strength, security, and economic freedom of this country. Not the least of these attributes is its protection of the rights of the workingman. I urge you to deal a death blow to corruption and violence by passing the Landrum-Griffin substitute.

Mr. KEARNS. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas [Mr. AVERY].

Mr. AVERY. Mr. Chairman, unlike most Members in the Chamber today, I do not consider myself an expert on labor reform legislation. When I received a copy of a letter from the gentleman from Montana who just addressed you from the well of the House, indicating that he sought some outside advice on this legislation, I, too, went to the other side of the Capitol Dome with the idea that perhaps I could get some advice. Only I did not go to the hired man, I talked to the boss.

I called Senator MCCLELLAN this morning, and I asked him if he had seen the letter and was aware of the reply. He said he had not seen the letter and asked me what was in the reply. I read excerpts from it, particularly at the bottom of the page where counsel for the committee was quoted as saying:

> I am concerned that the Landrum-Griffin bill goes beyond the scope of the McClellan committee.

Leaving the inference that the Landrum-Griffin bill was not supported by the McClellan committee nor any report coming from it.

Here is what Senator MCCLELLAN authorized me to say here today:

> That may be Mr. Kennedy's own personal opinion, but the official record of the Select Committee on Improper Activities in the Labor or Management Field has not been published and certainly that statement does not represent my view. I have said many times that the record of the hearings clearly discloses with compelling evidence that any legislation passed by the Congress must contain provisions banning secondary boycotts if Congress is to meet our full responsibility in the field of labor reform legislation.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. AVERY. I yield to the gentleman from Michigan.

Mr. CEDERBERG. I would like to say, coming from the Press Club and listening to a speech he made, in which he said that he believes the Landrum-Griffin bill is the one bill that will do the job, that the bill passed by the other body and the committee bill will not do the job. And I may say that to the best of my knowledge neither the chairman of that committee nor any other member of his family is in the process of gaining delegates to any party's national convention.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. BARDEN. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. BRADEMAS].

Mr. BRADEMAS. Mr. Chairman, I believe it is very important that this session of Congress pass legislation in the field of labor-management reform. As a member of the House Education and Labor Committee, which spent several weeks of hard work on this highly controversial issue, I want to make clear my own support of the committee bill H.R. 8342, the bill introduced by the distinguished gentleman from Alabama [Mr. ELLIOTT].

Mr. Chairman, just as I am for the committee bill, I am militantly opposed to the Landrum-Griffin bill. All of us have had terrific pressures on us during the last several days concerning this issue, and those of us on the committee have had them for several weeks. It seems to me that as representatives of the people in Congress it is our responsibility to resist pressures from the extremes and to speak up for the public interest, because if we, as Members of the House of Representatives, do not speak up for the public, then who will? This means speaking up for a fair and effective labor bill, and I believe the committee bill is such a bill.

The committee bill is violently opposed by Jimmy Hoffa and by the National Association of Manufacturers. Hoffa says the bill is too strong and the National Association of Manufacturers says it is too weak. That is about as good an indication as any that the bill is a fair and reasonable one.

Mr. Chairman, I voted to report the bill because I am confident that the overwhelming majority of the American people and the overwhelming majority of the decent labor leaders and union members in our country want Congress to take action on a labor reform bill. I may say that I have been publicly attacked in my State of Indiana by the Hoffa organization for favoring such legislation as other Members have in their States.

But just as we must resist such pressures against labor reform legislation, we must work hard against attempts to cripple the clean labor movement in America. It is just such an attempt that the Landrum-Griffin bill represents, an attempt to break labor's back in the guise of labor reform. Such a vin-

dicative bill would certainly lose the support of many of us who have stood firm for fair legislation.

Now, Mr. Chairman, there are some persons, and I do not say all, most of them on the other side of the aisle, who are not nearly as interested in getting a labor reform law in 1959 as they are in getting a political issue for the elections of 1960. That is the real reason they are working hard for the Landrum-Griffin bill.

I believe we owe the American people more than that. We must put our responsibility to the public interest above following the party line, and we will not meet that responsibility by passing a bill we all know in our hearts has little chance of becoming law.

Only this morning Joseph Alsop, a self-confessed, card-carrying Republican, declared in his syndicated column that if the distinguished minority leader, my colleague and friend from Indiana, Mr. HALLECK—and here I quote from Mr. Alsop—"passes his 'killer' bill in the House, no law will reach the statute books, for the Senate conferees will never accept the 'killer,' whereas they would accept with cheers the bill that Hoffa's own lobbyist says Hoffa cannot live with." And, of course, the bill that Hoffa's own lobbyist says Hoffa cannot live with is the Elliott bill, the committee bill, the bill we are told by some forces is too weak.

And, as the distinguished Senator from Massachusetts [Mr. KENNEDY], said on several occasions in recent days:

> The adoption (of the Landrum-Griffin bill) would endanger final passage of any reform legislation by complicating the chances for a conciliation of the Senate and House versions.

Last week there came into my office a group of businessmen from the chamber of commerce of my home town. They wanted a labor reform bill. I told them I did, too, and that I had been severely criticized by certain elements of organized labor because I had been working for one. But, I also told them that if they were pushing the Landrum-Griffin bill, they were playing directly into the hands of Jimmy Hoffa. Why? Because, as Senator KENNEDY and Bob Kennedy have said, and as all of us know, the Landrum-Griffin bill will in all likelihood not be acceptable to the other body. You may say, we should do what we want to do in the House regardless of the other body. I say, do you want a labor reform law or do you want an issue? I want a fair and effective labor reform law.

Now, I want to speak about one title in the committee bill and see what that title does not help combat corruption and racketeering in labor unions. I refer to title IV on elections. The McClellan committee made it very clear that clean union elections are one essential element to having clean unions.

Mr. Chairman, here are the major provisions of the committee bill on union elections:

First. Requires election of constitutional officers and members of executive boards of international unions at least every 5 years by secret ballot or by delegates elected by secret ballot.

Second. Requires election of constitutional officers and members of executive boards of local unions at least every 3 years by secret ballot.

Third. Protects members' right to nominate candidates and to vote in union elections without being subject to improper interference or reprisals.

Fourth. Gives every bona fide candidate for union office an opportunity to inspect and copy the list of members of a labor organization subject to a union shop agreement.

Fifth. Requires that all candidates shall have the opportunity to have observers present at the balloting and at the counting of the ballots in a union election.

Sixth. Prohibits use of union funds to promote individual candidacy in union elections.

Seventh. Prescribes procedures whereby a union officer guilty of serious misconduct in office may be removed by a secret ballot vote after court proceedings if the union's constitution does not provide adequate machinery for such removal.

Eighth. Empowers Federal courts to direct and supervise new elections where an election was improperly conducted.

Ninth. Preserves members' rights to enforce union's constitution under State laws with respect to trusteeships and safeguarding fair procedures before an election.

There, Mr. Chairman, are the provisions for honest elections in the committee bill, the bill that has been described as weak and watered down.

What about the provisions for honest elections in the Landrum-Griffin bill, the bill that has been described as strong and firm?

Why, Mr. Chairman, they are exactly the same. They are copied word for word, verbatim, from the committee bill.

Apparently, Mr. Chairman, such provisions are weak if they are in the committee bill but strong if, word for word, in the Landrum-Griffin bill.

This title on elections is thus just one more indication of the fact that the committee bill does indeed do the job that needs to be done and is deserving of the support of Members on both sides of the aisle who want to meet squarely their responsibility to the American people, who want, not a political issue in 1960, but a labor reform law in 1959.

Mr. Chairman, I hope the committee bill is passed.

Mr. BARDEN. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. O'HARA].

Mr. O'HARA of Michigan. Mr. Chairman, in the sections having the most to do with racketeering and corruption, the substitute bill introduced by the gentleman from Georgia and the gentleman from Michigan either copies the provisions of the committee bill word for word or substantially adopts them.

Title I, which enumerates certain rights of members and has been called a union member's bill of rights, is substantially the same in both bills.

Title II, which deals with reporting by labor organizations, employers and labor relations consultants, is copied by the Landrum bill except for the exemption of the smallest unions.

Title III, dealing with trusteeships, is copied from the committee bill word for word, as is title IV dealing with free and secret elections of union officers.

Title V, which contains safeguards for labor organizations, is treated in identical fashion by both bills.

Title VI, which contains various important miscellaneous provisions, is identical in the two bills except that the Landrum bill makes some language changes of no substance in the section imposing fines and up to 20 years imprisonment for extortion picketing, and the Landrum bill contains criminal penalties for violations of the bill of rights.

The real differences between the bills, as every Member of this House knows, are in title VII, the amendments to Taft-Hartley, the portion of the bill that has the least to do with corruption and racketeering.

The committee bill guarantees to every union member all of the privileges of membership in the organization; it spells out the privilege of every member to free speech and assembly, to participation in the deliberations of the meetings and to full expression of his views and opinions; it assures that dues, initiation fees and assessments shall be raised only by a majority action of the membership expressed in the usual manners; it protects the rights of union members to bring suit against the union or its officers; it assures that members of the union shall not be disciplined by the union without a full and fair hearing.

These rights are enforced effectively and fairly by civil actions in the Federal courts. In such suit the court can award money damages to compensate any loss suffered by a member through denial of any of the enumerated rights and can enjoin any repetition of actions which deprive the member of his rights. Disregard of the court's injunction will result in the imposition of criminal or civil contempt penalties upon offenders.

Nor are these rights, as has been alleged, limited by the constitution and bylaws of the labor organization. The only mention of constitution and bylaws is in the section which provides that each member shall equally enjoy all the rights of membership granted by the constitution and bylaws. The Landrum-Griffin substitute provides no more than this same equality.

Supporters of the substitute also make some to-do over the fact that in the subsection protecting the right to sue, the committee bill restates the common law doctrine that a member before bringing suit should exhaust such available remedies under the union's constitution and bylaws as are reasonable under the particular circumstances of his case. The Landrum-Griffin bill does likewise but attempts to qualify this requirement by providing that it shall not apply for an excess of 4 months. This is mere window dressing without effect. It should be remembered that we are not, in this legislation, giving union members the right to sue. They now possess this right under the common law of the States or not at all. We can only

provide that unions shall not impair the right. This does not affect the doctrine of exhaustion of remedies as applied by State courts and the States will continue to apply their own independent judgment on this matter.

The committee bill does not stop with an enumeration of membership rights. It provides other safeguards. Among them are the provisions of title V of the committee bill which punish embezzlement, theft or conversion of a union's funds by fine and imprisonment; which require that union officers be bonded to the faithful performance of their duties; which limit the total amount of money that may be loaned to union officers and employees; which prohibit a union from paying the fine of an officer or employee convicted of a violation of the act; which ban from union office and labor relations consultation Communists or persons convicted of certain crimes; and which spell out the fiduciary responsibility of officers and employees of labor organizations. The Landrum-Griffin substitute pays tribute to these antiracketeering and anticorruption provisions of the committee bill by incorporating their exact language in the substitute.

Nor is it our intention that the courts, State or Federal, or any other governmental agency, shall second guess union officers and employees on the question of whether a particular investment or expenditure is included within the "special problems and functions of a labor organization." If it is made in accordance with, and for a purpose permitted by, the constitution, bylaws or regularly adopted resolutions of the union's constitutional governing bodies, the officer or employee will not be required at his peril to determine whether or not the constitution, bylaws or resolution goes beyond the legitimate purposes and objectives of the organization. To do this would place them in an impossible position and would paralyze the legitimate operations of unions. If an officer or employee of a labor organization failed to invest or expend the union's funds in accordance with the wishes of the membership, he would be guilty of a breach of his duties to the organization, and if he did act in accordance with their wishes, he might at some later time be told by a court of law that he breached the trust placed in him by doing so. The intention of this section is simply that union officers and employees must act as the agents of the membership. They must conform their actions to the will of the membership, and they will be held strictly accountable for any loss to the organization or gain to themselves when they do not do so.

Under the provisions of title II of the committee bill, reporting of internal procedures and processes is required of every union, no matter how small. Reporting of financial transactions is required of all but the smallest unions; reporting and disclosure of payments, direct or indirect, by employers or labor relations consultants to interfere with, coerce, or restrain employees in the exercise of their right to organize and bargain collectively must be reported.

Much furor has been made over the exemption of small unions from the financial reporting provisions of the committee bill. We believe that the exemption is justified. Small unions are generally the most democratically run, have small treasuries, unpaid officers, and volunteer, untrained office help. To impose detailed financial reporting requirements on such locals would subject them to a heavy burden without a corresponding benefit to the public.

Opponents of the bill object because paper locals, which, by definition, have no members, would be exempt from financial reporting. That is true. The financial reporting provisions of the Elliott bill are not aimed at paper locals. It must be remembered that a paper local, since it has no members, has no treasury. It has no receipts, no disbursements, no paid officers, and no funds with which to make loans to officers. To require financial reporting of paper locals would be of no value whatsoever since they have no transactions subject to the reporting section. The committee felt that there was no profit in subjecting honest small locals to onerous requirements for the sake of making a useless gesture in the direction of the paper locals.

What the opponents of the committee bill do not tell you is that under it every labor organization, whether it has one member or a thousand, is subject to every other provision of the bill, and these are the provisions that are aimed at the corrupt paper locals. Paper locals first came into being to create additional delegates to conventions who are pledged to the support of corrupt international officers. The elections section of the Elliott bill effectively stops this by providing that no delegate may vote at a convention unless he has been elected by a secret ballot of a local's membership and paper locals have no membership. Nor can a person like Johnnie Dio set himself up as president of a paper local since officers must be elected by secret ballot of the membership and there is no membership.

Paper locals have used the charter given them for corrupt purposes. They threaten employers with labor trouble unless they submit to extortion. Section 505 of the Elliott bill declares unlawful the demanding or acceptance of any bribe by any official of a labor organization and prohibits the unloading fee racket engaged in by corrupt Teamster locals. The Elliott bill also punishes picketing for an extortionate purpose by fine and by imprisonment of up to 20 years.

Paper locals are often staffed by racketeers with criminal records. Such people are barred from union office by the provisions of section 504 of the Elliott bill.

The bill of rights, reporting and disclosure and safeguards of union membership titles, when combined with the elections, trusteeships, miscellaneous and Taft-Hartley amendments titles, make the Elliott bill an effective, meaningful assault on racketeering and corruption in the labor movement. It does so by striking at the abuses revealed by the McClellan committee. It does so with a rifle and not with a shotgun. Members of the House who want a real antiracketeering bill can support the Elliott bill and owe an apology to no one.

Mr. KEARNS. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Chairman, no legislation is of more vital importance to the individual workingman and the general public than that presently pending before us. It is obvious from all that has been said and done since this legislation was first initiated that there are sharp differences of opinion as to the type of legislation that should be enacted. The Committee on Education and Labor, which held extensive hearings on the subject, is itself divided on the approach that should be made to the profound problems that have arisen in the field of labor-management relations.

From the beginning, to this very day, considerable pressure has been brought to bear on all of us. Surely this great deliberate body will not yield to selfish demands of any one group or organization. Surely we have the backbone to stand up against these pressures and, as servants of all the people, to do only that which will best advance the welfare of the individual workingman, to protect him and the general public from shocking abuses and gross evils that have been revealed by the McClellan select committee and by the House Education and Labor Committee.

We do not want to weaken unions. The great labor movement has done much for the average workingman. We do not want to interfere in legitimate collective bargaining. We do not want to be punitive. We want to be protective. Our sole purpose should be to free the individual from coercion by corrupt union officials and dishonest employers. If we proceed with determination and with courage, setting aside all possible political considerations, we will ultimately enact labor reform legislation which will give new life and vigor to the whole labor movement.

One of the basic underlying principles upon which our form of government rests is the guarantee through democratic processes of individual freedom and individual rights. It behooves us to apply this same principle to the union movement. It certainly behooves us to provide by law adequate protection of the individual workingman in his basic rights. We must make certain that he is fully protected in his right to be free from employer interference and his right to be free from union domination. It has been abundantly and conclusively demonstrated by the investigations and studies that have been made that he does not now have that protection.

Blackmail picketing has proven to be the coercive, browbeating process, which forces employees to join a union they do not want. By this process, recognition of a union is forced upon employees, even compelling employers to recognize a union while the law requires him to recognize another. The evidence of record clearly shows that many employers have been put out of business by blackmail or-

ganization picketing. When the economic pressure of organizational picket lines threatens the existence of jobs of the individual workingman, the employees have no real opportunity to make a free choice. He is denied the freedom and the rights that are his guaranteed him by our Constitution.

A second procedure by which the individual workingman is denied his freedom and rights as an individual is the secondary boycotts and hot cargo. By the secondary boycott coercive pressure is brought against an employer and his employees who are not even a party to a dispute. In order to force an employer to agree to the demands of the union boss, the employer's customers and suppliers are coerced. They are subjected to all manner of violence to force them to comply. Where is the freedom of the individual workingman if he is forced out of work by violence, and threats of all kinds, simply because he works at an establishment that does business with a company that is engaged in some kind of a labor dispute? Hundreds of workingmen have suffered severe financial losses resulting from secondary boycotts, making them a party to a dispute in which they have no voice whatsoever.

We who are elected to the offices we hold consider it fundamental that the people have the right to express themselves freely. We insist upon this right as fundamental in our form of government. To insure this right we instituted the secret ballot.

It seems to me that it is just as fundamental that in a labor union organization, whose decisions directly affect the individual workingman and his family, he have guaranteed to him the right to express himself freely, without coercion from anyone, as to the kind of organization he shall have, what dues he shall pay and who shall be his elective officials. But that right is being denied him by an unscrupulous few who seek only to serve their own personal greed for power and for money that does not belong to them.

Many cases have been brought to light where the union constitutions have been perverted and, in some instances, ignored. Through fear and intimidation and violence the rank-and-file union member has been denied a voice in the determination of who shall officiate and what shall be done with the money he has contributed to the organization. In many cases, if he should object to the officials of his union, he meets with violence; and, in many cases, the use of the secret ballot has been denied him.

Should there not be the same democracy in the election of union officials by the rank-and-file membership as there is in our own election to the duties and responsibilities of being a Member of this House? And, should there not be the same right of the individual workingman to require an accounting of the stewardship of his elected officials over his interests as is required of us as elected officials?

As Members of Congress we annually enact appropriation bills, by which we spend money that is not ours. It belongs to the taxpayers, and to them we must regularly explain why we spent as we did. The dues and assessment on the individual workingman for membership in the union belong to the rank-and-file union member. Is he not entitled to know what is done with his hard-earned dollars, just as he is entitled to know what we did with his hard-earned dollars paid in taxes?

This is a democracy. The success of our form of government has been the right of the people to know the facts and their right to act on those facts according to their wisdom. It is our obligation to enact legislation which will enable the individual union workingman to know the facts and to know what is done with the funds he regularly contributes to his union. Only by so doing can we have a union movement which will be free of gangsters and hoodlums.

It is hardly necessary to recount now—it has already been discussed at length and based on unimpeachable evidence—the extent to which the corrupt have used the hard-earned funds of the individual workingman for their own personal uses. We must thus have effective laws which will make it possible for the individual union workingman to know exactly what is being done with the money he and his fellow union members contribute.

You need only to read the interim report of the McClellan committee to learn the methods and the extent to which the union officials have misused the funds of the individual union member. There have been outright thefts and so-called borrowings for personal profit amounting to several billion dollars. There have been loans to favored officers. No individual union member has any such opportunity to get a gift or even borrow from his own funds, belonging to him and his fellow workers.

Is not the individual union workingman entitled to know what is done—how and why—with his contributory funds to the union as the individual taxpayers are entitled to know—how and why—what we in Congress did with their tax contributions to the running of our Government?

I think President Eisenhower extremely well summarized the situation in his recent televised speech on the subject of labor reform legislation when he said: "Any reform bill worthy of the name must also protect the individual rights of union members—within their unions. It must assure fair elections. It must assure them of honest handling of their money, money made from dues often collected under the auspices of Federal law. It must also give the Government effective authority to investigate and enforce these provisions." Unless such things as these are done we will have no effective labor reform legislation at all.

I am supporting the Landrum-Griffin bill. It is a bipartisan measure. It is a realistic and effective approach to correcting the abuses and the evils so evident in the labor movement.

The enactment of the Landrum-Griffin bill will be a constructive step, not just a meaningless gesture, toward bringing democracy into the labor union movement. It will provide protection to the individual workingman in his individual rights. It will serve to restore labor unions to him and give him an effective voice in how his union is run and by whom it is run.

The Landrum-Griffin bill translates into law the constitutional guarantee of freedom, not only for the individual workingman but for the general public.

Mr. BARDEN. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. ZELENKO].

Mr. ZELENKO. Mr. Chairman, we find it necessary at this time to correct certain abuses in labor-management relations. These abuses have come to our notice as a result of recent disclosures dealing with the infiltration into a small segment of labor and industry of unscrupulous hoodlums, racketeers and goons. Their activities have caused widespread alarm and the need for legislation to cope with and eliminate this economic cancer. We have before us today the consideration of three proposed laws on this subject. Before discussing them may I say I have been in the forefront of the fight to eliminate corruption and racketeering in labor and in every other part of the American scene. I voted for and supported the Kennedy-Ives bill in the last session of Congress and in the course of the committee hearings have insisted that proper measures be taken to accomplish this objective.

After serious consideration it is my opinion that the bill that will most adequately serve our purpose is that proposed by our distinguished colleague from California, Congressman SHELLEY. It is unnecessary at this time to outline all of the details of the proposed legislation. You have before you the committee reports, the analyses, and have heard the details explained by those who have preceded me.

It is well, however, in a situation such as this not only to look at the bills themselves but also the sponsors and supporters of each of the legislative proposals. No one in this House and very few in the country speak with more knowledge and more bitter experience than does Congressman SHELLEY. Outside of these halls his chief supporters have been the AFL–CIO. This organization is made up of millions of members, hundreds of national and international unions and thousands of subordinate lodges. It has led the fight for clean, decent and ethical labor practices. As a matter of fact, it has requested the aid and assistance of the Congress in this direction. It is aware, as are all of us, that when racketeers and hoodlums move into any community, whether it be labor, industry or a neighborhood, the decent people are forced and coerced into suppression and subjugation.

The president of the AFL–CIO, George Meany, a great American, has testified on numerous occasions before various committees of the House and Senate. He and his organization have aided and assisted us at every turn. However, the record is void of any such activities on the part of industry.

Perhaps his being a lone witness has caused us to lose sight of the fact that Mr. Meany not only represents himself but could have brought with him hundreds of other labor people for examination by the Congress and the American

people as to the cleanliness and the Americanism of 99 percent of American labor. Surely we will not fall into the error of believing that the quantity of witnesses or the hysteria engendered by a conniving few will overcome the quality of his testimony. He and his organization have advocated the promulgating of legislation assuring the rights of the individual laborer, the protection of his union funds, and the assurance of labor freedom. All of this is embodied in the Shelley bill.

What the American people do not want is a restriction and elimination of the traditional rights of American labor such as the right to strike, the right to picket, and the other economic weapons which are labor's legitimate heritage and for which it has fought throughout the years, as a result of which a higher standard of living now exists in America than anywhere else in the world. And this can also be said of its activities in connection with its fight against world communism.

As to the committee bill, it has been drawn by some of my distinguished colleagues on the Labor Committee. It has been called by them and others a compromise measure. This bill also protects the rights of the individual laborer. However, in the field of labor's traditional protection by strikes and picketing it is my opinion that these colleagues have compromised on principle and not on factual situations, thus they have weakened the traditional and legitimate arm of labor protection. Therefore, I could not find myself in full support of it in the Labor Committee. With proper amendment, I would now do so.

The third bill, H.R. 8400, which the administration advocates has been sponsored by those who traditionally have had no appreciation of nor affection for the rights of organized labor.

The Landrum bill by its strange and unrealistic so-called bill of rights will make it impossible for a decent labor official to perform his services. Most times these services are without pay or remuneration. Although purporting to extend the freedom of the individual laborer within his own organization its nefarious title 7 removes labor's traditional right to express itself in the form of legitimate strike or picketing. The Landrum bill will create an economic ghetto for labor by permitting so-called freedom and lack of discipline within the confines of its own organization, but will stifle and eliminate its protective devices when dealing with industry and create for it a new no man's land. By surrounding it with the wall of oppressive regulation it will prevent labor from free excursions into the field of collective bargaining.

All of us have been shocked by the activities of the goons and hoodlums and have read some of the letters of individuals complaining against these persons. But no one has yet produced a letter or request from a laboring man in the country in favor of limiting his right to strike or picket.

In another portion of the Landrum bill it forces 60,000 or 70,000 small laboring groups to file financial reports without regard to size, and without exempting the smaller ones, most of which have unpaid officers. In both the committee and Shelley bills the public, industry, and labor are protected in case of wrongdoing by permitting the Secretary of Labor to step in immediately and eliminate the exemption. The Landrum bill, however, requires absolute enforcement of these provisions from everyone, regardless of size. This will cost the American people at least $50 million a year to activate and require the services of at least 20,000 additional competent accountants and labor experts in the Labor Department. It will place the Department of Labor in the union lodges and into the businesses of this country on a permanent basis. It will serve no purpose but to harass legitimate labor unions, increase the bureaucracy of the Government, and raise the taxes of the American people. However, unrealistic as this is, it is still within the area of the legitimate scope of this necessary legislation.

Its attempt to strangle legitimate labor by stepping out of the field of the real purpose of this legislation is nothing but a palpable subterfuge by shortsighted persons in industry. It is well to remember that American industry has thrived and prospered as the result of strong trade unionism and not in spite of it. The standard of living has risen and has been maintained by the help of strong trade unions because labor has been free. Its legitimate bargaining process has not been restricted. The need for the present legislation dealing with hoodlums and racketeers has been caused in some respects by the breakdown of local law enforcement. Most of the crimes are covered by local and State legislation. The question of adequate enforcement and prosecution locally and statewide, would have been of great interest to this House, but there has been a sparsity of evidence on the subject.

Recently, in my own city of New York, it has been brought to the attention of the public that the largest grocery chain in America had initiated, instituted and connived with two labor racketeers against 10,000 of its employees in drawing up a spurious labor contract. I have not heard one word on this floor to the effect that it is now necessary to restrict and tighten up the laws of public corporations because of the act of this one company. Likewise this would be unfair. Our legislation must be designed in such a way so that the guilty will be deterred and punished but that the decent people in a legitimate enterprise must be encouraged and strengthened in their activities. The Shelley bill accomplishes this. The opinions of its outside chief supporters the unions of the AFL–CIO, should be relied upon for they represent decent American labor.

To disregard their testimony and their arguments is to close our eyes to the realism of the situation and to legislate by hysteria and emotion rather than by judgment.

For the preservation of equitable collective bargaining and for the preservation of the liberty of labor I ask you to support the Shelley bill which removes the economic underworld from labor management relations but will not tread upon the freedom of labor.

Mr. KEARNS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this week the debate is the most historic of this session of Congress. No doubt history will be written here this week.

At the outset we must be cognizant of the fact that in 1935 we wrote the Wagner Act. Twelve years later we wrote the Taft-Hartley Act. Today, 1959, after the lapse of another 12 years, we find ourselves confronted with the necessity of writing a new labor-management relations bill.

I am sorry, indeed, that the two fine subcommittees of the Committee on Labor and Education were unable to draft a bill that could have been brought to the floor which each and every Member of this body in his judgment would consider to be a fine bill. However, that was not the case, because as we see from the statements made thus far in the consideration of this legislation, the six Members who voted out the bill did not participate in the hearings that were held in the Committee on Education and Labor.

What a contrast, going back to 1947. Then the Committee on Education and Labor reported out the Taft-Hartley law by a vote of 19 to 6, and when we went before the Rules Committee there was a determination on the part of the members of our great committee that we had made a decision to bring it before this body for its deliberations. And what a wonderful debate that was. We passed the bill. When the President vetoed it the veto was overridden by the greatest majority by which any veto has been overridden, the vote being 365 to 55 with 15 not voting.

While looking at those figures and the past legislation in this field, we must admit that we have a poor bill to work with. There is a good bill in the offing. I do not see how any good labor leader, how any conscientious American could ever go wrong in supporting the Landrum-Griffin bill. It is a good bill. It answers the questions. It is not punitive. It does the job for the people, and when this Congress does a job for the people then we have performed our duty.

I would like to say in closing that we are very fortunate to have the good people we have to represent. We owe it to ourselves and we owe it to the Nation to do the best job that we know how to do here as we study these bills.

I would like to paraphrase the words of a great President of the United States by saying, and I would like every one of you to listen as I make this statement:

> The world will little know or long remember what we say here but it will never, never forget what we do here.

Mr. BARDEN. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. RHODES].

Mrs. PFOST. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Pennsylvania. I yield to the gentlewoman from Idaho.

Mrs. PFOST. Mr. Chairman, the question of labor legislation is one of the most important issues facing us during

this session of the Congress. And judging from the amount of publicity devoted to this subject in newspapers, television, and radio, as well as the interest of the citizens as shown in their letters to us, it is the issue.

There is no doubt as to the wishes of the vast majority of the American people—they want an effective labor reform bill. They want, and need, legislation that will eliminate the evils of racketeering and intimidation, or gangsters in high places and of shady financial practices. It is time to call a halt to the defiance of congressional committees by corrupt witnesses who plead innocence on the one hand, while brazenly raiding union treasuries on the other.

At the same time, however, the people of America have made it clear that this legislation should not penalize the honest, hard-working men and women who make up the rank and file of labor unions. They constitute the backbone of the clean labor movement in this country and I am certain that any proposal that would smash this movement is doomed to defeat. Let us not forget that these very workers need protection from their unscrupulous leaders just as much as does the average citizen. Our watchword should be, "Get the crooks, not the honest union members."

These decent, law-abiding members are no different than any other American citizens; they deserve the right to vote and to speak freely in their union meetings without fear of violence—the right to fair and equitable dues and to equal treatment by their officers. Any denial of these rights is like a cancer eating away at the framework of our democratic society, placing a premium on lawlessness and making a mockery of justice.

There are three labor proposals before us: The Education and Labor Committee bill prepared after weeks of hearings and studies; the Landrum-Griffin substitute bill, and the Shelley measure.

My purpose in addressing the House today is to emphasize that our constituents have sent us here to represent them, and they have told us in unmistakable language that they want an effective labor law now.

Last year, we had an opportunity to approve effective labor legislation as contained in the Kennedy-Ives bill. I voted for that bill, but unfortunately, it failed to pass. As a result of that failure, caused largely by the Republican opposition to the bill, labor conditions have worsened to the point where the people, both in and out of unions, are demanding relief from intolerable conditions.

It is our duty to face up to the responsibility of passing a labor bill at this session—a labor bill that means something; a bill that will answer not only today's needs, but those of tomorrow as well.

Mr. RHODES of Pennsylvania. Mr. Chairman, we are considering labor legislation today in an atmosphere charged with tension, conflict, and confusion.

Only a handful of Members of the House have had direct, personal experience in the organization, administration, and leadership of labor unions. I am one of these Members, having served as a labor organizer and as president of the Reading Central Labor Union for 23 years. I want to share with my colleagues some of my observations on labor-management relations based on my years of association and experience.

I have never advocated or condoned violence, but I have seen it flare up in the absence of good faith and good sense.

One of the things which all Members should keep in mind, is that we would not be dealing with such questions as secondary boycotts, hot cargo clauses, organizational picketing, and other similar problems if the proper climate and legal framework existed in this country which would encourage sound collective bargaining and promote enlightened labor-management relations. What are the basic causes of these problems? They are economic weapons in the hands of a union, resorted to when collective bargaining efforts fail. The breakdown in collective bargaining machinery can be the result of many types of circumstances, including the union leadership and the objectives of the membership, the willingness of management to bargain, the personalities involved, the type of industry, the economic climate, and many other factors.

Good labor-management relations break down with the policy adopted by large segments of industry to curb the growth of legitimate unions. We see a punitive attitude toward labor unions reflected in right to work and other anti-union laws enacted in many States, and in ordinances adopted by a number of cities and towns requiring special licenses for union organizers costing thousands of dollars. It is seen in recent attacks and beatings administered to textile union organizers often condoned or even encouraged by local law enforcement officers.

The point I am trying to make is that this climate has made it increasingly difficult for responsible unions and responsible management to bargain collectively in good faith because both Federal and State laws have been directed at punishing labor instead of at ways to promote collective bargaining, mediation, and arbitration as a way to solve problems which naturally arise between a union and the employer.

It is significant to note, Mr. Chairman, that the abuses in the labor-management field which have been dramatized by the McClellan committee investigation have taken place in situations where healthy collective bargaining attitudes on the part of management or labor have been conspicuously absent.

Corruption and racketeering, "extortion picketing" or "sweetheart contracts" could not exist if there was not the willingness of some employers to give a bribe, as well as for unscrupulous labor leaders to accept it. The McClellan hearings clearly showed that some employers would rather deal with a corrupt union leadership than to engage in collective bargaining with a legitimate union sincerely dedicated to work for the best interests of its members. Clean, honest unions are effective unions at the bargaining table and in safeguarding the rights of their members against arbitrary management.

The major abuses in the labor-management field take place in a relative handful of unions, whose leaders have betrayed the best interests of their membership for personal gain. They occur and continue to exist because of undemocratic practices within these unions and the apathy of their members. They could not flourish if it were not for the acceptance and actual encouragement received from some segments of management, who still cling to the 19th century labor-management concepts. Reactionary management refuses to accept the role which legitimate labor unions have in our economic society. Enlightened management knows that unions can be an important asset in promoting increased efficiency, productivity, and equitable labor-management policies.

In my opinion, the Griffin-Landrum bill fails to recognize, let alone implement, basic considerations necessary for sound labor-management relations. It goes in the opposite direction because it contains the philosophy that labor is necessarily evil and must be punished. It proceeds from a mistaken premise that union members must be rescued from union leadership. Except in a few instances, this is not a valid premise. It is labeled as a reform measure, but would in reality cripple and hamstring the legitimate functions of clean and decent labor unions.

Much has been said about the need for curbing abuses in the Teamsters Union. The McClellan hearings show that most labor unions in which corruption was found to exist have much in common with the big business community in terms of philosophy, objectives, and methods of operation. Dave Beck is a good example of union leaders who scorn efforts of more responsible segments of the labor movement in behalf of social reform and welfare legislation. His opposition to social reform legislation made him an idol of a large section of the business community and a respectable Republican labor leader.

No decent, fair-minded, intelligent person can condone the practices of some labor unions as revealed by the McClellan committee.

I wholeheartedly support reform legislation designed to eliminate racketeering and corruption in the labor-management field. Corrupt labor leaders have not only betrayed the trust placed in them by their members but have also given the enemies of social and economic reform programs a golden opportunity to block social progress.

Behind the drive for the Griffin-Landrum bill are reactionary interests which over the past generation have bitterly and consistently opposed every piece of legislation of benefit to the average citizen. They are using the slogan "Get Hoffa," yet they know there is nothing in any of the bills which will automatically force Hoffa out of his leadership position. It raises the question whether Hoffa is the real target or whether it is the average citizen, who benefits from improved living conditions and social progress which decent unions promote and which big business bitterly opposes.

No section of our society is free from evil. Equally shameful as labor corruption which has been exposed is the "call girl" racket which flourishes in some big businesses. The television quiz racket revealed by a grand jury in New York and Sylvia Porter's exposure of the infiltration of gangsters and racketeers into the stock market are other examples of business corruption.

What has the business community or its organizations done to root out this type of corruption? What about the cancellation of insurance policies by some companies to avoid payment of sick and hospital benefits to old folks? What about stock options which permit privileged individuals to grab overnight more money than the average workingman can earn in a lifetime of honest labor? Why not some efforts against these evils?

Labor organizations have been among the most vocal and effective opponents of these policies. Is this one of the reasons why labor must be shackled and silenced? If decent unions can be crushed by the punitive legislation the road would be clear for these selfish interests and for those who seek to destroy the social and economic gains won by the people during the New Deal years.

For the past decade political writers and Madison Avenue propagandists have sought to create a political climate in which these programs could be crippled or destroyed. They have invented such smear words as "do-gooder," "egg head," "labor boss," and "intellectual" to discredit and smear responsible persons who believe in and support progressive programs such as housing, health, minimum wages, education, and full employment.

Much has been said about the role of labor in politics. But those who seek to destroy labor as a political force in this country have control of all the major avenues of public opinion—the press, radio, television, and magazines. By use of these powerful channels of information they are an effective force in choosing and electing public officials at all levels of government. They are an effective force in opposing social legislation. In magazine articles, syndicated columns, and canned editorials they are politicking 365 days a year seeking to create the political climate favorable to those who share their philosophy and their selfish interests. Yet the costs of this brainwash has been transferred to the public, which pays hundreds of millions of dollars annually for postal subsidies. As an example, Luce publications alone benefit to the tune of $1 million a month. But what can be learned in these publications about these evils?

The public also pays for tax deductions for subtle political institutional advertising by the same corporate interests which seek to destroy labor's right for political expression and activity.

If it were possible to add up the cost of all this brainwash, the cost of magazine and newspaper space, the cost of TV and radio time, and the cost in salaries, fees, and expense accounts for newsmen, public relations men, and propagandists, labor political spending by comparison would be a drop in the ocean.

A good example of the bias of those who control the channels of news and information is seen in the presentation of the President's views on the legislation being considered today, without providing equal opportunity for opposite views to be heard.

The many defects of the Griffin-Landrum bill were dealt with in detail by members of the committee, but I would like to refer to one of the basic inequities which it contains. This bill would prohibit all organizational picketing, thus denying a union an effective method of organizing workers employed under sweatshop conditions.

While denying a union this organizing right, the Griffin-Landrum bill would permit employers to use any method against union organization, including coercion, blacklisting, community pressures, and layoffs.

Personally, I have no liking for picketing or strike actions. They can and sometimes do cause violence, injury, and destruction of property. But is it not also violence for an employer to resort to intimidation, threats, blacklists, and other methods to prevent union organization?

Mr. Chairman, I know my colleagues share the hope that we may pass a good bill to eliminate labor abuses, corruption, and racketeering, and protecting the financial stake which members have in their unions. I cannot support the Griffin-Landrum bill that, under the guise of reform, would penalize all working men and women.

I will vote for an effective and workable labor reform bill to help the labor movement rid itself of thieves and gangsters without imposing restrictions on legitimate union activity.

I do not share the fears of labor unionists and the hopes of antilabor forces that unions will be destroyed. The Landrum bill would inflict serious harm and injustice. But time and history are against those who believe they can stem the tide of human progress. A punitive bill which unfairly restricts the rightful activities of working men and women will stimulate greater public interest in political activity than ever before.

The voting record on the Landrum-Griffin bill will be such a stimulant.

The very effort to pass this punitive bill may be a blessing in disguise if it creates the kind of interest that is essential in cleaning up racketeering, corruption, and other evils which exist in all segments of our society.

Efforts to deceive the public will have some temporary success. But when the air clears more citizens will learn the truth and understand the real objectives of punitive legislation. Indeed, many impartial observers and experts on labor-mangement relations are well aware of the effort to make unions a whipping boy. This fact is revealed in a splendid article by Father William J. Smith, S.J., director of St. Peter's Institute of Industrial Relations, in Commonweal magazine entitled "Labor's Wrongs—and Rights":

UNIONS MADE WHIPPING BOYS FOR SINS OF MODERN SOCIETY

That corruption has wormed its slimy way into some sections of the labor movement is a fact. Yet the parade of unsavory witnesses before the Kleig lights, with snatches of testimony widely publicized, has highlighted this phase of the subject out of all proportion to the whole.

The sordid features of the picture should neither be minimized nor concealed. They exist. But to present this caricature as the image of organized labor is a distortion of the fact.

Unions and corruption are not synonymous terms, and to attempt to identify the misdeeds of the minority with the good deeds of the majority is to do violence to justice.

No one class of our citizens has a monopoly on evil, a copyright on corruption or the exclusive rights to the ill effects which have fallen upon the human race because of original sin. And to draw the conclusion from the findings of the McClellan committee investigation that the entire labor movement is tainted is simply a distortion of the law of logic. To infer further that the labor unions, and they, alone, symbolize sin in American life is simply a surrender of reason.

Obviously, the public today has a right to scrutinize and evaluate the activities of the organized labor movement in America. There should not be, however, one standard of judgment for labor and another for individuals and groups who represent the various segments which comprise the whole of American society. The trade union movement is not something isolated, unrelated to the rest of American life, standing alone in solitary segregation. It is part of an organic cultural whole.

A second fact about the labor movement which seems to cause concern to the public revolves around what antiunion critics call the monopoly power of labor. "The unions have become too strong, too powerful," is a common complaint. "They are a threat to the common good. They should be cut down to size."

The trade unions did not originate the capitalistic economic system. They have been compelled to fit into and to follow the pattern of bargaining which they found in the marketplace. The giant union is, consequently, the direct and natural reaction to the giant corporation.

At the present time we have 68 such commercial and financial insitutions, each of whose corporate assets run from $1 billion at the lowest rung of the ladder to $20 billion at the top. The economic, social, and political power of these, and other lesser giants, is all too evident. It seems just naive to talk about cutting the unions down to size while saying not a word about the accumulated power of the big unions' counterparts in industry.

In a democracy such as we have in this country and within the framework of an economic system that has happily but haphazardly evolved from an original false premise to something resembling an ordered industrial life, trade union organizations are entitled to exercise economic, political, and what management may think is good for labor, but the common good as it is reflected in the integrity and ability of labor's leaders and the legitimate strength derived from the social activities of its organized membership.

When and if the power possessed by labor unions is used to the detriment of the public welfare, whether it be in a large-scale operation or in a thousand small ways or circumstances on the local level, it is clearly both

the right and the duty of public authority to enforce corrective legislation.

I would be a grave injustice, however, to attempt to restrict the political action of labor unions simply because labor's critics entertain an opposite political philosophy. It would be an equal injustice to attempt to restrict the economic power of labor unions simply to protect and expand a preusurped power held by the affiliates of organized management.

Nor need one (to qualify as pro-American) accept the National Association of Manufacturers' philosophy of individualism or the doctrinaire, antiquated economic theories of an automatic economic system still nurtured by some economists associated with the national chamber of commerce.

Labor unions must have power—economic, social, and political power—if they are to carry out the social responsibilities that the very form of modern society places upon them. If the critics of the trade unions were to say "the craven, the immoral, the corrupt individual official must be rooted out of the American labor movement," no one could reasonably disagree with them. Power, any degree of power, in the hands of irresponsible and unscrupulous possessors of it, is certainly a danger and a threat.

Nor can it be questioned that some union officials have at times indulged in an arbitrary use of possessed power. No excuse or defense should be made for the labor tyrant whether he carries a union card or cracks the whip over unorganized workers in a sweatshop. That is one thing. But to talk in terms of denying to organized workers their rightful exercise of economic, social, and political power is something else.

And no one has the right to assume the only place you will find corruption in American life is in the labor movement. The unions should not be made the whipping boy for all the sins and weaknesses that run all through modern society.

I see behind the Landrum bill those totalitarian groups who are flooding the Nation with an avalanche of propaganda aimed not only at destroying labor unions but all the social gains such as social security, unemployment insurance, housing, and other programs to lift the living levels of the average citizen.

Their weapons are deceptive slogans, scare words, mud, and slander. Like the commies, they have set up all kinds of front organizations with fancy names seeking to attract the uninformed and innocent in fighting against their own and their Nation's welfare.

Mr. Chairman, I include with my remarks an article pertaining to empty slogans by President Al Hayes, in the current issue of the Machinist:

OUR BATTLE AGAINST FALSE SLOGANS

I am sure it's not news to you that we face the most strongly organized opposition in our history. Organized wealth is stopping at nothing in an effort to put organized labor in its place, so that once again industry—including this industry that you here represent—can have the sole right to dictate the terms and conditions of labor.

So thoroughly have the opinion-forming media, the press, radio, TV, and the magazines distorted the truth about labor that today many people seem to believe the chief problem confronting union members is their union. The impression is abroad that if union members had no union they would have no problems.

This impression, false as it is, is being carefully spread, in an effort to develop a hysteria in Washington, in an effort to convert an essentially liberal Congress into an antiunion legislature capable of exploiting tragic infiltration of crooks in a few unions to push through punitive class legislation that will strip our members of their power to defend their wage rates and their working conditions.

PROFITS AND WAGES

In the steel industry, the distortion is even more absurd. A conscious effort has been made to give steelworkers a guilt complex about seeking a small, well-justified wage increase. A long-term propaganda campaign has so thoroughly misled the public that they now frequently blame high prices on wage rates when, in fact, wage rates have little to do with prices.

I don't have to remind this audience that unit labor costs—not wage rates—influence prices. It's not how much a man earns, but how much he produces that determines cost.

Somehow, the American people and the Canadian people have been led to believe that high corporation profits are the just due of stockholders—economically desirable and socially admirable. On the other hand, any increase in the wage rates of workers is considered socially unjust and economically undesirable. Higher interest charges by banks and insurance companies are cheered—even when paid by a Government that is admonishing everyone else to reduce their demands for Government funds.

We used to be told that increased purchasing power would help Americans consume the products of our farms and factories. Today we are told that increased purchasing power is inflationary even when our industry is working at less than capacity.

The situation is no more absurd than if we began to believe that night is day and that up is down. Perhaps if enough newspapers, and magazines, and politicians uttered these absurdities often enough, people would believe them too.

The propaganda barrage, which is today victimizing the steelworkers, was not prepared for them alone. We must expect that when our negotiations begin in a few months, the aerospace industry will not be outdone. Then the barrage will be aimed at our members, as today it is aimed at the steelworkers.

During this debate Walter Reuther has again been the target of unfair and unethical attacks. While I have respect for all Members of the House, I do not hesitate to say that in character, integrity, loyalty, patriotism, and as a foe of corruption, Walter Reuther stands as high as any Member of this Congress.

Anyone who courageously and effectively fights for social reform will make powerful enemies as Walter Reuther has. While he is hated by extremists of both the right and left many decent and honorable opponents of Reuther respect him for his honesty.

Mr. William R. Matthews, editor and publisher of the Tuscon (Ariz.) Daily Star, who favors right-to-work legislation, had this to say about Walter Reuther in an editorial on April 27, 1959:

May I point out how one of the most feared and controversial characters, and one of the largest and strongest unions, has emerged from the ordeals of the McClellan committee with a greatly enhanced reputation. I refer to Walter Reuther and the UAW.

Walter Reuther did not have to be subpenaed; he appeared voluntarily demanding to be heard. He did not plead the fifth amendment. He offered freely all of his personal records. He had nothing to hide. He is a courageously honest man. He has been true to the men he represented. He has chosen to remain a man of modest means, when he could have become a man of wealth. He is still the toughest labor leader with whom to negotiate.

Moreover, he freely opened the books of his union to the Senate committee's accountant and sleuths. The Senators could find nothing wrong. Indeed, they found the UAW and its president uncorrupted and highly responsible.

I salute, respect, and honor a man who has, in the most difficult kind of circumstances, been courageously honest in both his private and official life. I'll take my chances with him any day with whatever his political ideals may be. One can have the confidence that such a man in his obvious search for truth will, when he finds himself mistaken, quickly change his mind. In any event, he is entitled to have his own political beliefs.

Mr. Chairman, the confusion associated with this legislation is not accidental for there are those who want no bill passed so they can have a hot political issue next year.

Walter Lippmann, one of the Nation's most respected columnists, several weeks ago exposed efforts of those who are most vocal about labor reform actually prefer an issue rather than legislation against corruption.

With permission of the House, I include herewith this Lippmann column:

THE CHOICE IS LABOR REFORM OR A HOT POLITICAL ISSUE

There is a strong probability that after all the investigations and the big talk this Congress will fail to do anything about the regulation of labor unions. If this happens, the reason will not be the opposition of Hoffa and of John L. Lewis. The reason will be that the Senate, which was set to enact a very useful bill, was stampeded by political demagogues who want an issue and not a bill. The result is that unless the mischief can be undone in the House, a brilliant opportunity will have been lost.

The gist of the matter is this. In April, after prolonged hearings and study, the Senate Committee on Labor and Public Welfare reported out a bill which the majority of the committee believed would "drive criminals" from the labor movement" and "deal with breaches of trust and other shady transactions" which are incompatible with a strong and honestly run labor movement. The bill was remarkable in that it provided powerful remedies and yet had the support of the AFL–CIO.

One basic principle of the 59-page committee bill, usually referred to as the Kennedy bill, is that a reform of the abuses disclosed by the McClellan committee on racketeering must be founded on comprehensive reporting and disclosure of the financial transactions of the unions. That this is of great practical importance is attested by the fact that in the section dealing with reporting and disclosure the Kennedy bill is substantially the same as the bill introduced by Senator GOLDWATER on behalf of the administration. The difference between the two bills lies in the penalties imposed for a violation, although both bills call for criminal penalties if union officials do not make full and accurate reports.

The Kennedy bill provides criminal penalties for at least six other abuses: the embezzlement of union funds, tampering with or destroying union records, bribing employee representatives, corruption in union elections, and in the so-called trusteeships.

Quite evidently, the bill reported to the Senate is in no sense a soft and timid affair. Yet it had the support of Mr. George Meany, the president of the AFL–CIO. It is not

often that a powerful special interest will be found supporting laws to regulate itself. It is not often that a powerful special interest invites public disclosure of its intimate and internal affairs. When such an extraordinary thing occurs, one might fairly expect Congress to seize the opportunity to get the agreement signed, sealed, and ratified.

But this is not what happened. On the floor of the Senate, without hearings, or study in committee, amendments were added containing bits and pieces of a so-called bill of rights. These rights, as Mr. Meany has pointed out, all of them are legitimate rights and are, in fact, included in most union constitutions and bylaws. But what the amendments would do is to make these rights enforceable in the courts. In Mr. Meany's view, this opens up the prospect of endless lawsuits and, therefore, he is now opposing the amended bill.

Whether the amendments are good, bad, or indifferent, is not the main point. The bill, before it was amended, was the strongest bill that could count upon real support within the trade union world. No doubt, it is not the best conceivable bill. No doubt, it is not a panacea. But it compels real reforms and it is the best bill that it is possible to enact.

It would be a great pity if Congress passed up the chance to enact a good bill in order to give itself the pleasure of trying to write an even better one. It would be a great pity if the President and those who support him are so insistent that the Kennedy bill be strengthened that they prevent the very significant labor reform that is now possible.

It is still conceivable that the labor reforms can be saved if the leadership in Congress and if the President in the White House want to save them. But they must reckon with the demagogues who do not want a bill because it would deprive them of an issue to beat their breasts about.

Mr. KEARNS. Mr. Chairman, this will answer a lot of questions over on the other side. Because the chairman of the Committee on Education and Labor, Mr. BARDEN, has been most generous under the circumstances with his members over there, I yield the balance of my time to the chairman of the full committee, Mr. BARDEN.

Mr. BARDEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. BARDEN. Mr. Chairman, first I want to express my sincere thanks to the gentleman from Pennsylvania [Mr. KEARNS] for the time given me. I have had a pretty rugged time trying to keep up with allotting time under the three bills when part of the time we did not know which bill they were supporting, and they did not seem to have a very clear view themselves. But I can understand that situation.

I wish the gentleman from Pennsylvania, though, had not compared me to the horse and rabbit, because it so happens that the cause he espouses has received far more than its share of the time.

Anyway, I cannot be right. I have never been right as far as satisfying everybody is concerned. But that does not keep me from trying.

Mr. Chairman, we are coming to the close of the debate. I do not know of a single piece of legislation that has come before this House in the last several years as important as this piece of legislation.

Mr. Chairman, we can waste money and recover. We can misappropriate money and recover. But, there are some things that if we are careless with and let them leave us we suffer irreparable injury. Seldom have you or I ever seen a nation that regained them, and they are the rights and the liberties of men, and that is what we are dealing with here. We cannot toy with them. We cannot compromise with evil. We have got to meet it head on. This Nation never would have grown great, if it had been founded by men who were afraid; it was not built by men who were afraid. It was not defended by men who were afraid. And, when I hear men trying to tell me that I have to compromise with evil to hold a job, no, I do not buy that. I will not, and I know you will not.

Mr. Chairman, I started off with this committee, a joint committee of 12 men, the ranking minority member, and myself making 14 men. I attended the hearings. I attended the committee meetings and the executive sessions. I have seen it develop from one angle to the other. We closed the hearings on the 10th of June and then we started in executive sessions. We went along very well, and I was encouraged, though I recognized the problem confronting us, because whether you realize it or not, the Labor Committee is the third base of this Congress. They hit them at you straight and hard. You either glove them or swallow them. But, we got along very well, and I was encouraged. We took the bills and decided to use the Senate-passed bill to work from. Well, we decided first to skip over the bill of rights and go to the reporting. We did a pretty good job on the reporting section. There are one or two things in there that I do not like. I do not like the exemption provision. But my objective was to bring a bill on the floor of this House. It was the request of the leadership and far louder than that, it was the request of the American people—that some kind of a bill had to come to the floor of this House before we could accomplish anything.

I must review something, because I think the House ought to be aware of it, and sometime, probably after I have gone off the stage, it ought to remedied.

I remember one day I was talking to my friend, the gentleman from New Jersey [Mr. THOMPSON] and two or three others, and I passed out compliments to the CIO–AFL. I said, "I am delighted at one thing, that they have not come up here and acted like some folks I have heard about." And, I was quite complimentary. And, about 3 days after that—I believe it was about that time—Mr. Biemiller, Mr. Meany, and Mr. Hoffa's men moved in. Well, there was not much I could do. It was definitely unfair to the men, definitely unfair to them, and when I adjourned the committee meetings they convened theirs. The thing that burned me and caused me to flare out was this: There I was trying to work out the best kind of a bill I could, and there was the distinguished gentleman, the ex-Congressman from Wisconsin, Mr. Biemiller, and his cohorts sticking their fingers in the face of some older Members and some younger ones and saying, "Listen, you. This is it. You will do so and so, or else." Well, now, that is all right, maybe.

But I do not like it when anybody talks like that. I give to every person in America the right to come to my office to talk to me, to present their point of view. All of the Members are like that. I spend a lot of time that way. But a man who threatens me never returns to my office; I will guarantee him that—he will not return to my office.

I did not know that there was any precedent for that kind of moving in but I found one. And I do not say this in any way as a personal attack. I just say that I do not think it is proper. Maybe it is, to some people, but I do not govern the propriety of things here.

There was a speech made at the convention of the AFL–CIO in Oregon on Monday, August 3, 1959. And there the speaker had reference to the very bill that is now referred to as the committee bill. This is what I read in the speech, and this is what was delivered, by the Honorable JOHN F. KENNEDY, Jr., Senator from Massachusetts, author of the bill from the other body which is now the so-called House committee bill:

I share their regret—

That is, the AFL–CIO—

that the reasonable, fair and responsible bill reported by the Senate Labor Committee, worked out carefully with President Meany and his lawyers and supported by the executive council was altered undesirably and unfortunately altered on the floor of a supposedly friendly Senate.

I do not know whether it is against the rules to tell you where it was or not, but that is the quotation.

That is what happened. As for me, no NAM, no chamber of commerce, no special interest, no labor organization is going to sit around the table and take charge of writing a piece of legislation for the American people, where I am sitting. But I shall let that go. There has been a lot in the papers about me and I wanted you to know I felt as I do.

I am not going into this bill in detail. I want to say that this matter has been going on for about 3 years. The McClellan committee has reached more millions of people in the last 3 years and spread the horrible record before them, than any other medium that I know anything about.

The American people want some action. Make no mistake about that. I am not afraid of the threats of the gentleman from Indiana, or the suggestion that this will retire me from the Congress. If it does—just so the retirement is for a good cause—then, OK—as far as that is concerned. But, everybody knows this racketeering, crime, disregard of law and the rights of good Americans has been bad. I want to quote what Mr. Meany said when he appeared before the Senate Select Committee.

Mr. Meany said:

We thought we knew a few things about trade union corruption, but we did not know the half of it, the tenth of it, or the hundredth part of it.

That was on November 2, 1957.

Further quoting in the same paragraph:

We did not know that we had unions where a criminal record was almost a pre-

requisite to holding office in the national union.

Now we know those things. All of us know them. Right today it is going on. It is going on all over America. Under the law, they have worked out technicalities to avoid the present law. Four lethal weapons are now in the hands of unscrupulous labor leaders, and do not forget it:

First. The secondary boycott.

Second. Blackmail and organizational picketing.

Third. Hot cargo.

Fourth. The "no man's land."

These are four lethal weapons, and I say to you, you can call H.R. 8342 the committee bill, if you want to, but the committee bill does not stop it or protect the people from what they are now suffering. There is not a Member in the House of Representatives who does not know that the so-called committee bill does not stop it. I am not going to compromise with evil. I am not going to compromise on the treatment that these people are getting, and not only in the last 2 or 3 years, but that is going on today. They are quite confident that they are above the law. Nobody seems to take this situation of the "no man's land" seriously. You have seen the letter, the photostatic copy, that came from Michigan to each Member. I got to thinking about how mean those folks had been treated, so on Sunday I called them up. I just called the place, the Sno White restaurant. A young man answered. I said I would like to speak to the manager. He said, "I am the manager, sir." I told him who I was and I asked him whether the same conditions existed that had been prevailing there for the last 5 months. He said, "Yes, sir; they are, and it certainly has caught me. I graduated from Michigan State. My mother and father were getting old in this restaurant business. I thought I had worked out everything clearly to the point where I could get married. So I got married. Five days after my wedding, the first one who walked in was the Teamsters. They made their demands as to what had to be done. Well, 40 out of the 45 employees said 'No,' they did not want to join any union. Then, up came the Waitresses, Cooks, and Bartenders Union. No; they did not want to join that union either. Then the pickets and all of that came."

Well, they did not do anything but strew tacks all over the parking lot. Then they put on something that I never heard of before and that was a toothpick picket line. This is what they did. About 100 of them walked into the restaurant and took up all the tables. During the 2 hours that were usually taken up for the mealtime hour, they sat there with a toothpick and a cup of coffee. That is going on now. What is the result? This young man said, "Mister, we are caught in that 'no man's land,' whatever that is." The Federal law would not touch them. The State law could not touch them. They are getting their economic brains beat out. Why? Because they are small—just small—that is all. Now why do these union heads want these weapons? Why do they? If they do not want to use them, to hurt people, and if they did not expect to use these lethal weapons, why do they want them? Yes, they expect to use them. They have been using them, they are now using them, they will continue to use them if we do not stop them with the Landrum-Griffin bill as coldbloodedly as headhunters. I regret so much that Mr. Biemiller and Mr. Meany let Mr. Hoffa scare them so badly. For when that happened they all get in together.

Now this Congress must simply bring order out of chaos in this deal. If you do not, then you are licked because you cannot go home and explain anything. Nothing will please the American people but an adequate law. You cannot say, "I did not know so-and-so"—yes, you do know it. You cannot say, "Well, this so-called committee bill is a middle-of-the-road bill"—no, it is not. It is way over in the bushes. It is clear out of the road. The people are not going to accept that because you will hardly get home before these kind of things will be popping up in your own neighborhood. Then—what are you going to say? Now I have had some experience with the committee bill, and I say to you, I have let everybody who is connected with me know exactly how little I think of it as a remedy or a cure for the existing evils brought about by unscrupulous racketeers. It is not an overnight decision with me—not a bit. We simply could not work out a bill. We simply did not work out a meaningful bill. You know from the report that we could not, and the same situation happened here as when the Senate bill came out of the Senate.

It was not a 90-to-1 vote that expressed that sentiment in the Senate on this bill; it was 47 to 46, and 46 to 45 on the McClellan amendments. Then when that passed they said: "All right," and they did just like I did, just like PHIL LANDRUM did, just like Mr. GRIFFIN did, and others—voted to report it out; and the only reason in the world we voted it out was to have something here on the floor. Instead of being a committee bill it is a committee excuse for bringing some kind of legislation to the floor and letting the House work its will.

Mr. COHELAN. Mr. Chairman, will the gentleman yield to me?

Mr. BARDEN. No, I am sorry; I cannot yield. I do not believe you would help me much.

I am not saying that as any reflection on my committee. We have a lot of people there, 30 members, and a lot of different views, and I am just as hardheaded as any one of them, as far as that is concerned, because when I am thoroughly convinced that I am right I am just as right as if I were right. I just do not believe in bending around over something that is a clear-cut issue, and this is a clear-cut issue; we cannot make anything else out of it.

Members during the debate have gone way back to the Taft-Hartley days. I suffered through those days and even through the Wagner Act days. You never heard such wild predictions as were made about me in all your life. But do you know what happened? There were 107 men in this House out of 435 who voted against that bill. Talk about replacements, regardless of that the Taft-Hartley law has never been repealed. Then some stand up and tell me that I ought to get scared to death about being defeated. No, I am not going to get scared to death about being defeated, and I do not think it is very appropriate, frankly I do not like to hear it, because I do not believe men and women, Members of Congress, will sacrifice their views on anything as serious, anything as dangerous, as the matter with which we are dealing right now just because somebody tries to scare them.

I asked a while ago, what do the union heads want with those weapons? Secondary boycotts, organizational picketing, hot cargos, and no-man's land. I do not know, but they will not even stop using those weapons while we are here considering their fate. They know it is evil to use them; they know it is wrong to use them. They know that the hot cargo proposition is vicious and wrong morally, legally, and every other way as it possibly can be.

Listen, let me show you something, Mr. Chairman. You see these papers I have in my hand? Do you know what they are? They come from every section of this country, and I examined Mr. Hoffa's men before the committee on them. Whenever I got right close to finding out something about this racket they would not know much about it; they really did not know much about it. But these papers are receipts on trash paper, half checks, shipping paper, anything and everything. And do you know what those receipts are for? For some hard-earned money from fellows who drove trucks into Washington, Philadelphia and other cities. I will call off a few of them. This one was collected in Somerville, Mass. Here is one from Jersey City, Richmond, Philadelphia, New York, Baltimore. And so it went—$20 to $25 apiece. For what? Because this poor devil went up there with his truck loaded with vegetables that the good men, women, and children of New York eat.

When he drove up to the warehouse, out came a teamster: "You cannot unload your truck until you pay our charges."

"What do you mean, for unloading? I do not need any help." "Well you are going to have some whether you need it or not and pay for it."

Every one of these cases is a local Teamsters Union. There they are. They said: "We have a contract with the warehouse. It won't do you any good to see him." A vicious secondary boycott problem or hot goods contract or both.

Let me read you some of these receipts and affidavits. Every one of them is the same:

That on the 12th day of January 1959, this affiant was operating a truck owned by J. Earl Lewis; that in connection with his employment, he was called upon to transport a cargo of citrus from Orlando, Fla., to Somerville, Mass.

That upon his arrival at the point of destination, he reported his arrival to the consignee and with said report his readiness to unload said cargo, but he was informed that he would not be permitted to unload said cargo for the reason that the consignee was

under contract with the Teamsters Union and that the charges of the Teamsters Union would have to be paid for moving said cargo to the tailgate of the truck or to the edge of the platform.

That this affiant was required to pay said Teamster the sum of $18.80 for this service, which was wholly unnecessary as far as the transportation company was concerned, for this affiant could have performed the same service and done his own checking without loss of time and without any assistance from the Teamster, and said service by the Teamster was of no practical value whatsoever to the transportation company, the shipper, or the consignee, and required 2 hours to complete the unloading of said cargo.

Here are some of the receipts:

MARCH 9, 1959.

Received from Williamson Truck Lines for unloading A. & P., Springfield, Mass., $18.60. Paid.

RAY DESOTELL,
Local 404.

MARCH 10, 1959.

Received from Williamson Truck Lines for unloading at A. & P., Springfield, Mass., $18.60. Paid.

RAY DESOTELL,
Local 404.

MARCH 16, 1959.

Received of driver No. 62, Baltimore Avenue, A. & P. warehouse, $19.60.

KOMEGAY M.,
Local No. 107.

A. & P. PRODUCTS,
Albany, N.Y., March 18, 1959.

Received $20.53 for unloading load at A. & P. warehouse, Colonie, N.Y.

LEO FISSETTI,
Local No. 294.

Driver Lester Willis to A. & P. Tea Co., ——— ——— Poultry Co., Philadelphia.

FEBRUARY 17, 1959.

Received of unloading truck from Potters Truck Co., $19.60. Paid to Earnest Roberson. $19.60 to city man local No. 929.

Lot No. 428. Union driver, A. & P. stores. Date, July 23, 1958. Firm B. F. Hardison. Received $21.68 less S.S. For union services rendered. Withhold F.I.C.A. Wages and taxes. 1,292 packages. [redacted] xxx-...

RAY JACKSON, *Driver.*

JANUARY 14, 1959.

Unloading truck, A. & P. Yeadon, Pa., $19.60. SS— [redacted].

LOUIS MARANCO.

RECEIPT FOR PAYMENT OF CASUAL WAGES

I certify that I, the undersigned, have received the amount of $23.60 for 500 celery in the city of Jersey City. Date January 12, 1959. Union Local No. 617.

Name: JOSEPH WILLIAMS.
Address: 57 Clarton Ave., Jersey City.
City: Jersey City, N.C.

DRIVERS AFFIDAVIT

I declare on my oath that I paid the abovenamed person the exact amount as shown on the date specified for the services rendered.

Driver: NAT ARMINGTON.
Tractor No.: 3.

JULY 16, 1958.

One thousand two hundred and twenty-one watermelons unloaded in Landover, Md., Safeway Stores, $16.

BILLY CAHOON,
Lot No. 392.

JULY 14, 1958.

Unloaded 1,240 watermelons, Richmond, Va., A. & P., $16.50.

BILLY CAHOON,
Lot No. 341.

RECEIPT FOR PAYMENT OF CASUAL WAGES

I certify that I, the undersigned, have received the amount of $16.85 for unloading in the city of Washington, D.C. Date: January 4, 1959. [redacted] xxx-xx-xxxx. (Social security numbers must be obtained without exceptions.)

Name: Donald Childress.
Address: 1108 61st Avenue NE.
City: Maryland.

DRIVER'S AFFIDAVIT

I declare on my oath that I paid the abovenamed person the exact amount as shown on the date specified for the services rendered.

Driver: Clifton Taylor.
Tractor No. 4.

Here they are, from $20 to $25 charge going against the vegetables, and these include watermelons, cantaloups, oranges, and anything you want to name that human beings eat. That is going on now. This is what you might call daytime stealing, perpetrated on the operator of the truck only because it is a gang against an individual.

Then we go home and try to explain that to our people—farmers, and so forth, men who with their families grow the vegetables, produce, and so forth from which they hope to get money upon which to live.

Further than that, just pick up your newspaper to see what is going on. We hear a lot said about juvenile delinquency. In my opinion, the greater part of juvenile delinquency comes from the examples and the inspirations furnished by adult delinquents. What kind of a generation will we have if we see these things going on, men being beat up and mistreated, their money taken away from them? Why, the kids will pick it up. Do not worry about that. These men who do the acid throwing would never do it if they did not know they could get away with it. They are men that are employed. Those who come from nowhere, the strangers, picketers, and goons, and take over a man's business.

I read this in the paper the other day, and it pretty well cornered me. These are some quotes from Mr. Hoffa, and I am not just jumping on Mr. Hoffa. I have found some more bear tracks, and I know who else is in league with them. They were attempting to take over my committee. Now, my folks know this.

Listen to this arrogance, defiance, and challenge of not only the Congress but all Government, then talk about giving ground to these folks. We must meet the challenge headon or America will suffer.

We, the Teamsters, will not be stopped by the McClellan committee, by laws, or by the courts.

We the Teamsters may eventually do what labor unions do in Europe, call general strikes.

We, the Teamsters, are organizing in all transportation fields. We are trying to create a conference of transportation unions. We are not in a position to control the strike issues.

If Congress is stupid enough to pass a bill banishing secondary boycotts, we will fix it so all contracts expire on the same day.

They talk about secondary boycotts. We can call a primary strike across the Nation that will straighten out employers once and for all.

They, the Congress, can pass all the bills they want to and it won't mean a thing. None of the bills worries me.

Here is the last rare gem he turned loose the other day about the Senate committee: "To hell with them, the U.S. Senate."

Now, power in the hands of one man or a small group is dangerous. Power tends to corrupt. Absolute power corrupts absolutely, and that is known to all.

They are calling for more power than bad men should have or good men should ask for.

I for one shall stand for them to take responsibility commensurate with the power they wield, to Government—our Government—to our decent society and by all means to our American way of life. I have faith in America. It will never adopt the slogan that "might makes right."

Mr. ALGER. Mr. Chairman, the Landrum-Griffin bill is the least reform merited by the disclosures of congressional committees of union abuses.

In a major step toward dealing effectively with the serious, growing problem of union monopoly power, an amendment is needed creating antitrust laws to govern labor organizations. Such an amendment would return control of union bargaining to local union officers at the local union level. And it would curb prevalent union practices such as price fixing, restricting use of new methods and technology, and excluding products from the market which restrain trade and effective competition.

This amendment is based on H.R. 8003 which I introduced earlier this year, discussed in the RECORD of August 11, yesterday, page 15533.

Labor unions now are generally immune to Federal antitrust laws which, 70 years ago, were enacted to curb business and industrial monopolies then threatening competition and the free enterprise system.

While the laws themselves did not specifically provide an exemption for unions, the Supreme Court in 1941 read such an exemption into the law. In effect, the Court said:

> If you are a labor union and you determine in your mind that what you desire to do—although unlawful to everybody else—is in the self-interest of your union, it becomes legal. No matter how much damage this activity may inflict upon the economy, society or individuals, it is legal—because you say it is in the union's self-interest.

Then—in a 1945 decision—the Court opened the door still wider to union freedom from legal restraint. In simple terms it said:

> Labor unions have a license to impose whatever economic restraints they wish * * * without regard to their effect upon the rest of society.

Uncurbed, the unions waxed strong. No longer was wage bargaining a matter for elected local union leadership. Now, professional labor leaders at the national or international level did the dickering,

setting wage patterns for whole industries. And they called the shots on strikes, work stoppage, and other means of enforcing their demands.

No longer was there regard for the economic problems of individual business firms or the impact of demands upon any local industry or area affected.

Small businessmen felt the impact again and again; for as leaders of big unions belted out wage contracts with a few big companies and the businessmen met those wage demands—or demands of their supply of labor was "shut off" until they did. Often, this was an automatic procedure, with their wage costs established by national unions in bargaining at the national level with major companies.

If employers chose to sidestep a union's monopoly of the labor supply—to hire nonunion workers—then economic restraints were applied by union leaders, again often from the national level.

Pickets curtailed deliveries both to businessmen's plants and to their customers. And then later to escape threatened labor trouble in their own plants turned from businessmen to other sources for substitute products or services.

As Jimmy Hoffa, Teamsters' boss, so aptly explains it:

> First, we close down this guy's outfit where the trouble is. Then, if he won't settle, we close him down in the surrounding States. Then, if he still won't settle we close him down across the whole goddam country.

In the 18 years since unions won immunity from antitrust laws, their economic dominance has grown to threaten the actual survival of America's free enterprise system. And their threat is much greater than that posed by the industrial monopolies which resulted in the enactment of Sherman Antitrust Act.

While the industrial monopolies regulated prices of only a few commodities, labor monopoly has its impact upon all of them. And while business monopolies were limited to certain industries or areas, labor monopoly's nationwide force has unlimited power over all business.

Recently, the Teamsters' Hoffa threatened a general strike that would "straighten out employers once and for all" if Congress passed labor reform legislation not to his liking.

Hoffa's threat crystallizes the awesome proportions of labor monopoly power. For through his use of it from his Washington office and his whim one man could paralyze all business activity within the United States by stopping a nation's transportation.

And in many industries, using labor monopoly power, the unions have eliminated for all practical purposes any effective competition at either production or marketing levels. They keep products from the market, control prices, and limit production at their whim and fancy.

Chief victims of labor monopoly power remain the consumer and the small businessman. For when competition is restricted and when prices are set by artificial arrangement or combination rather than by the natural economic laws of supply and demand the consumer no longer may purchase a product or service at the lowest possible cost.

Antitrust laws have minimized the threat of business monopoly to competition and the public interest for many years. Yet these laws were neither popular nor without opposition in many quarters when first proposed. But they were necessary to preserve free enterprise and protect the consumer. And they were passed.

Through restraint of trade and economic dominance, labor monopoly now looms as an even greater threat to the public interest and well-being. It requires a separate and independent legislative approach to protect competition and the free market.

H.R. 8003, with its companion bills, provides this approach. Yet the rights of unions to develop and utilize their economic strength will not be curtailed. And control of unions will rightfully be returned to rank-and-file union members at the local level.

The American public needs the protection inherent in this bill. And that protection will be forthcoming when Congress receives sufficient vocal support from the Nation's small businessmen and the great majority of decent people, who believe that no single minority should have unrestricted power to jeopardize the free enterprise system which has made this country healthy and strong.

Mr. DERWINSKI. Mr. Chairman, I believe that absolute frankness is needed in the discussion today of the labor reform proposals.

As in the often repeated quotation, "You can't see the forest for the trees," I am fearful that as we debate the merits and weaknesses of conflicting labor reform proposals, we may be too engrossed in technical language, in emotional attachment to one idea or another, and for these and other reasons may lose sight of the one vital reason for studying this legislation.

Mr. Chairman and my fellow colleagues, I submit for your consideration that the one reason we, as elected representatives of the people, must enact an effective, fair and comprehensive labor reform bill is for the wellbeing of our Nation and its citizens. We must place the general public, union officials and members, employers, farmers and all classes of society in one common denominator; that is, their rights and privileges as American citizens and their further right to enjoy the fruits of an ever developing standard of living in a free land.

I wish to emphasize that we are not dealing primarily with legal terminology and interpretation. We are dealing with the effect that organized labor in its proper relation to the employees it represents and the employers with which it deals has upon our Nation's productivity, industries, ability to meet foreign competition, initiative of individuals, as both employers and employees, and the relation these all have to our citizens.

The Senate Rackets Committee devoted enough time and effort to at least prove that there are some segments of organized labor that are conducting their operations in conflict with the best interests of their members. The Committee disclosed that in some unions there is a shocking disregard for the welfare of the average member. The investigations disclosed autocratic and dictatorial regimes in a few of the labor organizations. It disclosed an obvious lack of control by rank-and-file members of the policies and operations of some unions.

May I reemphasize that corruption in unions is not universal. I reemphasize that autocratic rule in unions is not universal. May I emphasize that there are unions that are completely above reproach in their operations. May I also emphasize that the areas of corruption, racketeering, ironfisted rule are so obvious that labor reform legislation is necessary primarily for the rank-and-file members as American citizens.

Contrary to the brainwashing to which union members are being subjected by their union bosses, labor reform legislation is not an attempt to destroy the labor union movement in the United States. Citizens who question the policies of labor union leaders should not immediately be classified as being anti-labor. I wish to state emphatically my belief that labor is the backbone of the Nation and the initiative and spirit of enterprise of the rank-and-file union member must be maintained at all times.

If in this debate we must ascertain who the true friends or enemies of labor unions really are, I believe that those who would, under pressure of the unscrupulous segment of labor union leadership, water down a bill to the point of ineffectiveness could be classified as the true enemies of the workingman. Political affiliation should not enter into our discussion today since this issue is so important to the Nation as a whole that the political pressure exerted by union bosses contrary to the best interests of rank-and-file members should be disregarded.

It seems obvious to me that unless labor unions are placed under intelligent restraint they will learn, as monopolistic business did many years ago, that an aroused public can go to great extremes and put them in a straitjacket. I wish to reemphasize that there is no force that is attempting to restrict labor unions to the point of ineffectiveness. Wholesome control, however, is needed.

We, as legislators, must remember that the labor movement in the United States has to be composed of free men and women voluntarily joined together to help bring economic and social improvements to all workers. A legitimate labor movement cannot be held together by coercion, force, or fear to successfully represent its members.

Each and every one of us has received thousands of letters from individual citizens asking for labor reform legislation that will give to the entire Nation a healthy environment for employee-management relations. These letters basically, when emanating from rank-and-file union members, have said: Please give us the tools to rid our unions of the practices of corruption that have

been spreading, so that the stigma that these exposures have given to legitimate labor unions may be eradicated. They have pleaded for opportunities to effectively control the course of action of their individual groups. They have pleaded for protection from force. They have pleaded for the right of secret ballot—effective secret ballot—may I say, in order that they, themselves, might determine some of the policies within their organization. The rank-and-file union members have indicated very strongly that they desire proper inspection of the financial records of their organizations.

The union member and the general public want more democracy in unions and legal guarantees to protect the rights of the members. I believe we are under an obligation to give them a law assuring that all members have equal rights and privileges in voting; in speaking up at union meetings, a law to guarantee each and every one the right to vote by secret ballot in election of officers, in the question of increasing union dues, and in the question of final approval or disapproval of strikes.

On behalf of the people we represent, we must present legislation that will provide a proper set of guiding principles while at the same time preserving all of the collective-bargaining rights of legitimate unions.

In the formative years of our country, the Bill of Rights to the Constitution was adopted to protect the rights of citizens. A bill of rights giving the rank-and-file union member full protection of his rights as a union member must be adopted. The purpose of the bill of rights is to protect union members against the rules and practices of some unions which effectively stifle all expression of opposition to the union bosses. In this bill of rights the basic rights of free expression; the right to meet with other union members, and so on, is absolutely vital to a constructive labor reform measure.

The issue is clear. Will this body enact constructive legislation on behalf of rank-and-file members and the general public, or will the undue pressure from the dictatorial union bosses result in the passage of an ineffective reform bill? We must meet this issue clearly. The bill we finally approve must not be an ineffective reform bill. The bill we finally approve must not be an instrument in the hands of labor bosses to perpetuate crimes exposed by the Senate Rackets Committee, but instead must be an instrument in the hands of rank-and-file members of unions to effectively control the organizations that they need to represent them.

Mr. Chairman, Members of the House, to sum up the issue again, to my mind it is one of providing the means whereby we will have a free, capable, sound union movement benefiting rank-and-file members and holding a respected place in American society, or will we have dictatorial organizations controlled by a few corrupt and power mad labor bosses.

Mr. BERRY. Mr. Chairman, I shall support the Landrum-Griffin substitute for the committee bill.

The rackets which plague the honest men and women of the American trade unions must be stopped before the trade-union movement itself is destroyed by decay from within created by the power-mad core of criminal and corrupt elements.

The President's recent speech sums up the case which has been shaped through more than 2 years of McClellan committee hearings in the Senate when he forthrightly points out that there can be no compromise in dealing with gangsters, thugs, hoodlums, and corrupt leaders. The Landrum-Griffin bill, he said, "is a good start toward a real labor reform law."

Mr. Chairman, this is the first opportunity since the exposure of corruption in certain unions, as pointed up by the McClellan committee hearings, that this Congress has had an opportunity to do a job in ridding the trade-union movement of the thugs and racketeering element that has grown up within certain unions because the law did not give the members themselves the opportunity to protect their own rights.

The people of America are looking to Capitol Hill today wanting to know whether freedom to which union members are entitled will be restored by the adoption of strong, workable, protective legislation—the kind of strength and protection which the Landrum-Griffin bill comes much closer to providing than either the committee bill or the Shelley substitute.

Mr. Chairman, the people of the country are firmly behind the President in his stand for strong labor reform legislation and in his support for the Landrum-Griffin bill in order to obtain that legislation. The people are behind Congress in demanding a strong reform bill. Now they ought to know if Congress will stand behind the country and adopt the type of legislation needed to bring an end to the abuses perpetuated against some of these labor unions.

Mr. Chairman, last year after 2 long years of hearings by the McClellan committee, the Senate passed a labor bill which was a step in the reform direction. The people of America were deprived the opportunity of getting any teeth into the Senate bill because of a parliamentary maneuver in the House. This is the first time Congress has reached the point where it can do a job of providing the Nation with labor reform legislation.

The Landrum bill provides legislation with teeth and yet is not punitive in nature. It will restore democracy to the trade unions and give the ordinary member an opportunity to help keep his organization clean.

The working people of America deserve a fate better than the failure to pass any legislation at this session of Congress or the failure to adopt a bill strong enough to provide the protection the people of the union and the people of the Nation have been demanding.

Mr. Chairman, the interest in this labor legislation is evidenced most forcefully even in my home State. I have here letters, telegrams, and messages from home urging the adoption of the Landrum-Griffin substitute as the only effective step that can be taken. I would like to take a moment to cite just some of these messages:

A telegram I received from Belle Fourche Chamber of Commerce reads:

> Business progress is burdened by secondary boycotts, picketing influences, and pressured tactics that can and have been exploited by ruthless labor leaders. Help GRIFFIN and LANDRUM turn their bill into needed legislation.

Another typical example is a letter I received from the Sioux Falls Chamber of Commerce which reads in part as follows:

> I sincerely urge you to support the Landrum-Griffin labor reform bill, H.R. 8400. In our estimation this bipartisan labor reform bill as supported by President Eisenhower will be a major step toward adopting effective measures to correct serious abuses disclosed by the McClellan Labor Rackets Committee.
>
> We in Sioux Falls most certainly enjoy excellent labor-management relations. However, there are many areas of the country who do not have the high type labor leaders we have in our city and consequently, we feel national legislation is the only answer to a total corrective policy. We feel this bill is the most effective method currently under consideration to deal with the criminal type union officials. It is a must for the laboring people and small-business men not only in Sioux Falls and throughout South Dakota, but over all America.

I wish to quote further from a letter received from the Brookings Chamber of Commerce, as follows:

> Regarding the labor bill that the House Labor Committee recently drafted. * * * According to my information, and I think it is quite reliable, 16 of 18 of the recommendations that Hoffa submitted to the committee are in the bill.
>
> Do you call that good legislation for the people of South Dakota and the country as a whole?
>
> I sincerely hope that both you and Congressman MCGOVERN will support the Landrum-Griffin labor reform bill instead of the travesty that came out of the House Labor Committee.

Mr. PELLY. Mr. Chairman, I have noted that section 702(a) of the Elliott bill differs from the Landrum-Griffin bill with respect to the prehire agreements permitted in the building and construction industry. I believe the Elliott bill and the Shelley bill are the same in this respect.

I wish to record my support for the method contained in the Elliott bill which is the same as the provision in the Senate-passed Kennedy-Ervin bill and, as I said, the Shelley bill is the same also.

In other words, I hope if the Landrum-Griffin bill is adopted by the House, that the House-Senate conferees will agree on the pre-hire language of the Senate bill.

This same issue came up in the other body when the Kennedy-Ives and also the Kennedy-Ervin bills were considered. On both occasions the other body rejected the certification without election procedures provided in the Landrum-Griffin bill and accepted the more workable method of validating the prehire agreements as contained in the Elliott bill.

The Elliott bill recognizes that a contractor must know what wage rates he will pay before he files his bid and commences work on the building job. Section 702(a) provides that the making of such a prehire agreement is not an unfair labor practice.

The section has been written carefully and has adequate safeguards against abuses. "Paper" local unions will not be able to avail themselves of section 702(a) because the only prehire agreement permitted is an agreement between a "labor organization of which building and construction employees are members (not established, maintained, or assisted by any action defined in section 8(a) of this act as an unfair labor practice)." The intention of these provisions to safeguard against "paper" local unions is made entirely clear by the language appearing on page 20 of the committee report on the bill.

Furthermore a prehire agreement made valid solely by reason of section 702(a) will not bar a representation proceeding when such proceeding is available under the procedures of the National Labor Relations Board.

It should also be recognized that the enactment of section 702(a) will not affect section 14(b) of the act or State right-to-work laws which are valid under that section. It is specifically provided in section 702(b) of the Elliott bill that—

> Nothing contained in the amendment made by subsection (a) shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law.

In other words, the issue of section 14(b) of the Taft-Hartley Act is not presented by the Elliott bill.

My principal objection to the certification-without-election procedure of the Griffin-Landrum bill is that it would disrupt the work of the national joint board for the settlement of jurisdictional disputes in the building and construction industry. The national joint board is a private body established by the employer associations and unions in the construction industry which has made a record of outstanding accomplishment in the last 10 years. The certifications issued under the Griffin-Landrum bill will define the "appropriate unit" in words which may conflict with jurisdictional awards of the national joint board. It has been ruled by the National Labor Relations Board that in the event of such conflict the union having the certification will prevail—*Fuller Paint and Glass Co.*, 42 LRRM 1100.

If certifications issue on a large scale basis, as would result from the adoption of section 702 of the Griffin-Landrum bill, the jurisdictional disputes in this industry will be transferred to the National Labor Relations Board and the national joint board will not be able to carry on its useful work. It is also apparent that the National Labor Relations Board is not equipped to perform the kind of job which has already been successfully handled by the national joint board.

The certification without election procedure would also discriminate against new employers in this industry. A new employer cannot utilize this procedure because it is not available "where there is no history of a collective bargaining relationship between the petitioning employer and labor organization prior to the current agreement." There is no justification for such discrimination.

I am also in favor of clauses 3 and 4 of section 702(a) of the Elliott bill which would place an explicit statutory foundation under the union hiring halls in the building and construction industry. I have introduced bills at this and previous session of the Congress to aid labor and management in utilizing the union as a source of skilled workmen. The relief provided by the Elliott bill is applicable to the building and construction industry. My bills on this subject would have provided relief also for the maritime and entertainment industries. I shall work toward the object of having the House Committee on Education and Labor bring up for consideration at the earliest possible time appropriate relief measures for these other industries.

In conclusion, I state my conviction that all of the building and construction amendments in the Elliott bill, including the proposal to reverse the Denver building trades rule, are justified on the merits and should secure bipartisan support.

Mr. LAIRD. Mr. Chairman, in this week's mail I received a very interesting letter from the chairman of the Wisconsin Employment Relations Board, Hon. Lawrence E. Gooding. This letter supplements the views of another member of the Wisconsin board, Hon. Morris Slavney, which were made a part of yesterday's RECORD by Wisconsin's senior Senator Mr. WILEY.

The letter reads as follows:

THE STATE OF WISCONSIN,
EMPLOYMENT RELATIONS BOARD,
Madison, Wis., August 7, 1959.

Hon. MELVIN R. LAIRD,
Member of Congress,
House Office Building,
Washington, D.C.

DEAR MEL: I am writing you to advise that I am strongly in favor of H.R. 8400, the so-called Landrum-Griffin substitute for the bill reported by the House Labor Committee.

It seems unnecessary, in view of the testimony before the select Senate committee, to call attention to Members of Congress of the necessity for legislation that will in some way have a tendency to prevent the same labor-union officers from abusing the power vested in them by virtue of their office.

I am strongly in favor of the bill of rights for union members contained in title 1 of the Senate bill. Particularly because it restores criminal penalties provided by the Senate bill for interference of the rights of individual members. Leaving the enforcement of these rights to procedures instituted by individual members, is in effect denying the right to such individuals. In the first place very few of them would be in a position to incur the expenses to protect these rights by injunctive proceedings, and if they were able to afford it, would in most cases be intimidated from doing so.

It is also my opinion that the limitation of recognition picketing contained in the substitute is far superior to the reported bill. With reference to the hot-cargo agreements, some argue that the committee bill could be interpreted as licensing all hot-cargo contracts except in agreements with common carriers. I am satisfied that such an interpretation would mean that the grievance, sought to be eliminated, would still exist in the great bulk of the trucking industry.

On the State level we are particularly interested in a strong provision which would permit the States to handle those labor cases rejected by the National Board. It seems somewhat silly for Congress to adopt legislation to require the National Board to accept all cases within its jurisdiction. A large percentage of the cases that the courts have held come within the jurisdiction of the Board involve purely local questions that have a minimum effect on interstate commerce. Requiring that Board to attempt to process those cases, would mean that it would have to be done, at the risk of not being able to properly process those cases which actually do effect interstate commerce in a substantial manner. The provision in the substitute amendment H.R. 8400 is far superior to the provisions of section 701 contained in the Senate bill which would permit States to in effect administer the Federal law. I am satisfied that this State at least will not be in a position to administer the national act on a State basis without enabling legislation by the State legislature. While the legislature may be willing to enact a statute similar to the Federal statute, it may be unwilling to require a State agency to administer Federal law.

Very truly yours,

L. E. GOODING,
Chairman.

Mr. DONOHUE. Mr. Chairman, for the better part of 2 days we have been dutifully listening to the sponsors and proponents of these several labor-management reform proposals explain the substance of their different intents and designs, down to their last technical meaning and application. I think they should all be commended for their earnestness, sincerity, and painstaking efforts, even though we may not fully agree with each of them.

I am not going to inflict upon you any tiresome repetition of their various theses. Out of all these thorough presentations, it seems to me one clear conclusion can be reasonably drawn. They have the common patriotic objective and intent of restraining unscrupulous individuals and ridding labor-management operations of the corrupt practices revealed by the Senate investigating committee; the unwholesome and unhealthy conditions that have properly shocked the public and legislative conscience. The only difference among these measures and their advocates, in this House, is the debatable question of the degree of legislative discipline that is required and the extent to which it shall be exercised, to accomplish the united patriotic objectives involved.

Mr. Chairman, I submit that the legislative challenge that is thus brought about is nothing new to the accepted responsibilities of this body or any similar body at any legislative level. It is the same problem inherent in any controversial matter that comes before a legislative assembly. In this instance, the scope of the problem rightfully becomes magnified because of the importance to our economic well-being of the two vitally concerned parties—labor and management—who are now, one might say, standing before this legislative bar, and the more paramount stake of the

general public, which is composed in the majority of the average American working man and woman.

Under these circumstances, and mindful of the disastrous and tragic reaction that could well result from any extreme legislative imposition, we must ask ourselves what our sensible approach to the enactment of just legislation should be. In deciding that approach we should, in my earnest judgment dwell on three recognized and traditional fundamentals.

In good order we should first recollect upon the allwise counsel available to us in the revelations from the Bible. Particularly pertinent to our present task is the divine wisdom contained in the stern admonitions: "Vengeance is mine, saith the Lord," and "A house divided against itself, must fall."

Secondly, we should carefully reflect on a summary history of the development of this legislative problem to its current point. Following Senate committee hearings revealing corrupt and collusive practices the Senate, on June 17, 1958, passed, by a vote of 88 to 2, the Labor Management Reporting and Disclosure Act of 1958, S. 3974. This measure was presented to the House, under suspension of the rules, on August 18, 1958, and failed of passage, because of the two-thirds requirement, by a vote of 198 yeas to 190 noes, with 41 not voting. Subsequently, in this new Congress, and after further Senate committee hearings this year, the Senate passed on April 25, 1959, the Labor Management Reporting and Disclosure Act of 1959, by a vote of 90 to 1, S. 1555. The House committee reported out its own bill, of the same title, and that proposal, with pending substitutes, is now before us.

Mr. Chairman, I relate this short history for practical and sensible reasons and because there are some here who advocate almost total disregard of the actions of what is sometimes called "the upper Chamber," which I am sure is one thing upon which the Members of this House do not concur.

In the midst of this emotionally charged atmosphere, I think it is well to remind ourselves, and to emphasize, that honest, sincere, and patriotic Members of the U.S. Senate, including Senator McCLELLAN, before whom these labor-management investigations occurred, approved, in one instance, in 1958 a measure that they conscientiously felt served the full purpose of reasonable discipline and restraint by a vote of 88 to 2, and in a more recent instance, after additional investigation, approved another bill, which they certainly felt was sufficient to that end, by an even more overwhelming vote of 90 to 1, again including Senator McCLELLAN.

In the face of those who now ask us to practically ignore and reject a unique demonstration of Senate unanimity on an admittedly bitter controversial subject, I respectfully ask the Members of this Body to consider deeply the unfortunate results of any such rejective action. They ask us to dismiss the temperate action and patriotic compromise spirit of the Senate without realizing the practical effect of the depth of conviction revealed by such overwhelming votes and without apparent reflection upon the legislative facts that the Senate must again pass upon the determination that we make here. It is obviously the height of practical foolishness to think that 90 Members of the Senate will meekly accept a rejection of their conscientious conviction. It is further obvious that if we do not reasonably agree to the expressed Senate sentiment, in this controversy, it might well be that there shall be no corrective or restraining legislation passed in the face of the public demand and the public interest. If that disastrous development should occur then the extreme advocates of the House in this debate will be solely responsible.

The third fundamental that we should scrupulously recall is the basic axiom that punitive, extreme legislation, emanating from emotion, prejudice and misguided fervor is the worst sin that any legislative body can commit. All the pages of legislative history disclose that axiom and on it all legislative authorities agree.

Mr. Chairman, in summary then I implore this Membership to put aside the extremes of pressure that have been lately placed upon them. In the enactment of legislation under our democratic processes we have come to expect the efforts of special groups to interject their passions, prejudices and particular interests. As conscientious legislators it is our duty to closely examine these pressures and concentrate our attention upon the enactment of a reasonable compromise designed primarily to inspire observance of the law with good will because of its essentially impartial nature.

Let us forcefully remind ourselves that the original intent and patriotic objective in dealing with this problem was to enact legislation that would rid labor-management operations of "crooks and gangsters", eliminate certain corrupt practices, while at the same time insuring that the rank and file American workingman and woman is not deprived of the rights and benefits developed for themselves and their families through the legitimate activities of labor and management within our economic society. There are no irreconcilable provisions within the Senate passed measure and the proposals before us that cannot be sensibly fused and compromised by reasonable men.

Let us then look into our hearts, our minds, and our consciences in patriotic devotion to our duty of enacting a Labor-Management Reporting and Disclosure Act that will effectively cure the evils that we all decry while it preserves and strengthens the stability of our economic household, which, divided against itself, in adamant controversy, will surely fall an easy prey to the Communist enslavement design, almost on the eve of the visit of the chief Communist dictator to this Nation which proudly proclaims itself the cradle of justice.

The CHAIRMAN. The time of the gentleman from North Carolina has expired. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

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Sec. 1. Short title.
Sec. 2. Declaration of findings, purposes, and policy.
Sec. 3. Definitions.

TITLE I—RIGHTS OF MEMBERS OF LABOR ORGANIZATIONS

Sec. 101. Rights of members.
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Sec. 103. Retention of existing rights
Sec. 104. Right to copies of collective bargaining agreements.
Sec. 105. Information as to Act.

TITLE II—REPORTING BY LABOR ORGANIZATIONS, OFFICERS AND EMPLOYEES OF LABOR ORGANIZATIONS, AND EMPLOYEES

Sec. 201. Report of labor organizations.
Sec. 202. Report of officers and employees of labor organizations.
Sec. 203. Report of employers.
Sec. 204. Attorney-client communications exempted.
Sec. 205. Reports made public information.
Sec. 206. Retention of records.
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Sec. 209. Criminal provisions.
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TITLE III—TRUSTEESHIPS

Sec. 301. Reports.
Sec. 302. Purposes for which a trusteeship may be established.
Sec. 303. Unlawful acts relating to labor organization under trusteeship.
Sec. 304. Enforcement.
Sec. 305. Report to Congress.
Sec. 306. Complaint by Secretary.

TITLE IV—ELECTIONS

Sec. 401. Terms of office; election procedures.
Sec. 402. Enforcement.
Sec. 403. Frequency of elections.
Sec. 404. Effective date.

TITLE V—SAFEGUARDS FOR LABOR ORGANIZATIONS

Sec. 501. Fiduciary responsibility of officers of labor organizations.
Sec. 502. Bonding.
Sec. 503. Loans to officers of labor organizations.
Sec. 504. Prohibition against Communists, ex-Communists, and persons convicted of certain crimes holding certain offices and employment.
Sec. 505. Amendment to section 302, Labor-Management Relations Act, 1947.

TITLE VI—MISCELLANEOUS PROVISIONS

Sec. 601. Investigations.
Sec. 602. Extortionate picketing.
Sec. 603. Retention of rights under other Federal and State laws.
Sec. 604. Enactment and enforcement of State laws.
Sec. 605. Service of process.
Sec. 606. Administrative Procedure Act.
Sec. 607. Other agencies and departments.
Sec. 608. Criminal contempt.
Sec. 609. Separability provisions.

TITLE VII—AMENDMENTS TO THE LABOR-MANAGEMENT RELATIONS ACT, 1947, AS AMENDED

Short title

SECTION 1. This Act may be cited as the "Labor-Management Reporting and Disclosure Act of 1959".

Mr. LANDRUM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LANDRUM: Strike out all after the enacting clause and insert in lieu thereof the following:

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"Sec. 1. Short title.
"Sec. 2. Declaration of findings, purposes, and policy.
"Sec. 3. Definitions.

"*Title I—Bill of rights of members of labor organizations*
"Sec. 101. Bill of rights.
"Sec. 102. Civil enforcement.
"Sec. 103. Retention of existing rights.
"Sec. 104. Right to copies of collective bargaining agreements.
"Sec. 105. Information as to Act.
"*Title II—Reporting by labor organizations, officers and employees of labor organizations, and employers*
"Sec. 201. Report of labor organizations.
"Sec. 202. Report of officers and employees of labor organizations.
"Sec. 203. Report of employers.
"Sec. 204. Attorney-client communications exempted.
"Sec. 205. Reports made public information.
"Sec. 206. Retention of records.
"Sec. 207. Effective date.
"Sec. 208. Rules and regulations.
"Sec. 209. Criminal provisions.
"Sec. 210. Civil enforcement.
"*Title III—Trusteeships*
"Sec. 301. Reports.
"Sec. 302. Purposes for which a trusteeship may be established.
"Sec. 303. Unlawful acts relating to labor organization under trusteeship.
"Sec. 304. Enforcement.
"Sec. 305. Report to Congress.
"Sec. 306. Complaint by Secretary.
"*Title IV—Elections*
"Sec. 401. Terms of office; election procedures.
"Sec. 402. Enforcement.
"Sec. 403. Frequency of elections.
"Sec. 404. Effective date.
"*Title V—Safeguards for labor organizations*
"Sec. 501. Fiduciary responsibility of officers of labor organizations.
"Sec. 502. Bonding.
"Sec. 503. Loans to officers of labor organizations.
"Sec. 504. Prohibition against Communists, ex-Communists, and persons convicted of certain crimes holding certain offices and employment.
"Sec. 505. Amendment to section 302, Labor Management Relations Act, 1947.
"*Title VI—Miscellaneous provisions*
"Sec. 601. Investigations.
"Sec. 602. Extortionate picketing.
"Sec. 603. Retention of rights under other Federal and State laws.
"Sec. 604. Enactment and enforcement of State laws.
"Sec. 605. Service of process.
"Sec. 606. Administrative Procedure Act.
"Sec. 607. Other agencies and departments.
"Sec. 608. Criminal contempt.
"Sec. 609. Prohibition on certain discipline by labor organizations.
"Sec. 610. Deprivation of rights under Act by violence.
"Sec. 611. Separability provisions.
"*Title VII—Amendments to the Labor Management Relations Act, 1947, as amended*
"Sec. 701. Federal-State jurisdiction.
"Sec. 702. Building and construction industry.
"Sec. 703. Elections during strike.
"Sec. 704. Vacancy in office of General Counsel.
"Sec. 705. Boycotts and recognition picketing.
"Sec. 706. Effective date of amendments.

"*Short title*

"SECTION 1. This Act may be cited as the 'Labor-Management Reporting and Disclosure Act of 1959.'

"*Declaration of findings, purposes, and policy*

"SEC. 2. (a) The Congress finds that, in the public interest, it continues to be the responsibility of the Federal Government to protect employees' rights to organize, choose their own representatives, bargain collectively, and otherwise engage in concerted activities for their mutual aid or protection; that the relations between employers and labor organizations and the millions of workers they represent have a substantial impact on the commerce of the Nation; and that in order to accomplish the objective of a free flow of commerce it is essential that labor organizations, employers, and their officials adhere to the highest standards of responsibility and ethical conduct in administering the affairs of their organizations, particularly as they affect labor-management relations.

"(b) The Congress further finds, from recent investigations in the labor and management fields, that there have been a number of instances of breach of trust, corruption, disregard of the rights of individual employees, and other failures to observe high standards of responsibility and ethical conduct which require further and supplementary legislation that will afford necessary protection of the rights and interests of employees and the public generally as they relate to the activities of labor organizations, employers, labor relations consultants, and their officers and representatives.

"(c) The Congress, therefore, further finds and declares that the enactment of this Act is necessary to eliminate or prevent improper practices on the part of labor organizations, employers, labor relations consultants, and their officers and representatives which distort and defeat the policies of the Labor-Management Relations Act, 1947, as amended, and the Railway Labor Act, as amended, and have the tendency or necessary effect of burdening or obstructing commerce by (1) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (2) occurring in the current of commerce; (3) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods into or from the channels of commerce, or the prices of such materials or goods in commerce; or (4) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for goods flowing into or from the channels of commerce.

"*Definitions*

"SEC. 3. As used in titles I, II, III, IV, V (except section 505), and VI of this Act—

"(a) 'Commerce' means trade, traffic, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof.

"(b) 'State' includes any State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act (43 U.S.C. 1331–1343).

"(c) 'Industry affecting commerce' means any activity or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry 'affecting commerce' within the meaning of the Labor-Management Relations Act, 1947, as amended, or the Railway Labor Act, as amended.

"(d) 'Person' includes one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, or receivers.

"(e) 'Employer' means any employer or any group or association of employers engaged in an industry affecting commerce (1) which is, with respect to employees engaged in an industry affecting commerce, an employer within the meaning of any law of the United States relating to the employment of any employees or (2) which may deal with any labor organization concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work, and includes any person acting directly as an employer or indirectly as an agent of an employer in relation to an employee but does not include the United States or any corporation wholly owned by the Government of the United States or any State or political subdivision thereof.

"(f) 'Employee' means any individual employed by an employer, and includes any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice or because of exclusion or expulsion from a labor organization in any manner or for any reason inconsistent with the requirements of this Act.

"(g) 'Labor dispute' includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

"(h) 'Trusteeship' means any receivership, trusteeship, or other method of supervision or control whereby a labor organization suspends the autonomy otherwise available to a subordinate body under its constitution or bylaws.

"(i) 'Labor organization' means a labor organization engaged in an industry affecting commerce and includes any organization of any kind, any agency, or employee representation committee, group, association, or plan so engaged in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and any conference, joint board, or joint council so engaged which is subordinate to a national or international labor organization, other than a State or local central body.

"(j) A labor organization shall be deemed to be engaged in an industry affecting commerce if it—

"(1) is the certified representative of employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended; or

"(2) although not certified, is a national or international labor organization or a local labor organization recognized or acting as the representative of employees of an employer or employers engaged in an industry, business, or activity affecting commerce; or

"(3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employees of employers within the meaning of paragraph (1) or (2); or

"(4) has been chartered by a labor organization representing or actively seeking to represent employees within the meaning of paragraph (1) or (2) as the local or subordinate body through which such employees may enjoy membership or become affiliated with such labor organization; or

"(5) is a conference, joint board, or joint council, subordinate to a national or international labor organization, other than a State or local central body.

"(k) 'Secret ballot' means the expression by ballot, voting machine, or otherwise, but in no event by proxy, of a choice with respect to any election or vote taken upon any matter, which is cast in such a manner that the person expressing such choice cannot be identified with the choice expressed.

"(l) 'Trust in which a labor organization is interested' means a trust or other fund or organization (1) which was created or established by a labor organization, or one or more of the trustees or one or more

members of the governing body of which is selected or appointed by a labor organization, and (2) a primary purpose of which is to provide benefits for the members of such labor organization or their beneficiaries.

"(m) 'Labor relations consultant' means any person who, for compensation, advises or represents an employer, employer organization, or labor organization concerning employee organizing, concerted activities, or collective bargaining activities.

"(n) 'Officer' means any constitutional officer, any person authorized to perform the functions of president, vice president, secretary, treasurer, or other executive functions of a labor organization, and any member of its executive board or similar governing body.

"(o) 'Member' or 'member in good standing', when used in reference to a labor organization, includes any person who has fulfilled the requirements for membership in such organization, and who neither has voluntarily withdrawn from membership nor has been expelled or suspended from membership after appropriate proceedings consistent with lawful provisions of the constitution and bylaws of such organization.

"(p) 'Secretary' means the Secretary of Labor.

"(q) The term 'officer, agent, shop steward, or other representative', when used with respect to a labor organization, includes elected officials and key administrative personnel, whether elected or appointed (such as business agents, heads of departments or major units, and organizers who exercise substantial independent authority), but does not include salaried nonsupervisory professional staff, stenographic, and service personnel.

"(r) 'District court of the United States' means a United States district court and a United States court of any place subject to the jurisdiction of the United States.

"TITLE I—BILL OF RIGHTS OF MEMBERS OF LABOR ORGANIZATIONS

"Bill of rights

"SEC. 101. (a)(1) EQUAL RIGHTS.—Every member of a labor organization shall have equal rights and privileges within such organization to nominate candidates, to vote in elections or referendums of the labor organization, to attend membership meetings, and to participate in the deliberations and voting upon the business of such meetings, subject to reasonable rules and regulations in such organization's constitution and bylaws.

"(2) FREEDOM OF SPEECH AND ASSEMBLY.—Every member of any labor organization shall have the right to meet and assemble freely with other members; and to express any views, arguments, or opinions; and to express at meetings of the labor organization his views, upon candidates in an election of the labor organization or upon any business properly before the meeting, subject to the organization's established and reasonable rules pertaining to the conduct of meetings: *Provided,* That nothing herein shall be construed to impair the right of a labor organization to adopt and enforce reasonable rules as to the responsibility of every member toward the organization as an institution and to his refraining from conduct that would interfere with its performance of its legal or contractual obligations.

"(3) DUES, INITIATION FEES, AND ASSESSMENTS.—Except in the case of a federation of national or international labor organizations, the rates of dues and initiation fees payable by members of any labor organization in effect on the date of enactment of this Act shall not be increased, and no general or special assessment shall be levied upon such members, except—

"(A) in the case of a local labor organization, (i) by majority vote by secret ballot of the members in good standing voting at a general or special membership meeting, after reasonable notice of the intention to vote upon such question, or (ii) by majority vote of the members in good standing voting in a membership referendum conducted by secret ballot; or

"(B) in the case of a labor organization, other than a local labor organization or a federation of national or international labor labor organizations, (i) by majority vote of the delegates voting at a regular convention, or at a special convention of such labor organization held upon not less than thirty days' written notice to the principal office of each local or constituent labor organization entitled to such notice, or (ii) by majority vote of the members in good standing of such labor organization voting in a membership referendum conducted by secret ballot, or (iii) by majority vote of the members of the executive board or similar governing body of such labor organization, pursuant to express authority contained in the constitution and bylaws of such labor organization: *Provided,* That such action on the part of the executive board or similar governing body shall be effective only until the next regular convention of such labor organization.

"(4) PROTECTION OF THE RIGHT TO SUE.—No labor organization shall limit the right of any member thereof to institute an action in any court, or in a proceeding before any administrative agency, irrespective of whether or not the labor organization or its officers are named as defendants or respondents in such action or proceeding, or the right of any member of a labor organization to appear as a witness in any judicial, administrative, or legislative proceeding, or to petition any legislature or to communicate with any legislator: *Provided,* That any such member may be required to exhaust reasonable hearing procedures (but not to exceed a four-month lapse of time) within such organization, before instituting legal or administrative proceedings against such organizations or any officer thereof: *And provided further,* That no interested employer or employer association shall directly or indirectly finance, encourage, or participate in, except as a party, any such action, proceeding, appearance, or petition.

"(5) SAFEGUARDS AGAINST IMPROPER DISCIPLINARY ACTION.—No member of any labor organization may be fined, suspended, expelled, or otherwise disciplined, except for nonpayment of dues, by such organization or by any officer thereof unless such member has been (A) served with written specific charges; (B) given a reasonable time to prepare his defense; (C) afforded a full and fair hearing.

"(b) Any provision of the constitution and bylaws of any labor organization which is inconsistent with the provisions of this section shall be of no force or effect.

"Civil Enforcement

"SEC. 102. Any person whose rights secured by the provisions of this title have been infringed may bring an action in a district court of the United States for such relief as may be appropriate. Any such action against a labor organization shall be brought in the district court of the United States for the district where the alleged violation occurred, or where the principal office of such labor organization is located.

"Retention of existing rights

"SEC. 103. Nothing contained in this title shall limit the rights and remedies of any member of a labor organization under any State or Federal law or before any court or other tribunal, or under the constitution and bylaws of any labor organization.

"Right to copies of collective bargaining agreements

"SEC. 104. It shall be the duty of the secretary or corresponding principal officer of each labor organization, in the case of a local labor organization, to forward a copy of each collective bargaining agreement made by such labor organization with any employer to any employee who requests such a copy and whose rights as such employee are directly affected by such agreement, and in the case of a labor organization other than a local labor organization, to forward a copy of any such agreement to each constituent unit which has members directly affected by such agreement; and such officer shall maintain at the principal office of the labor organization of which he is an officer copies of any such agreement made or received by such labor organization, which copies shall be available for inspection by any member or by any employee whose rights are affected by such agreement. The provisions of section 210 shall be applicable in the enforcement of this section.

"Information as to act

"SEC. 105. Every labor organization shall inform its members concerning the provisions of this act.

"TITLE II—REPORTING BY LABOR ORGANIZATIONS, OFFICERS AND EMPLOYEES OF LABOR ORGANIZATIONS, AND EMPLOYERS

"Report of labor organizations

"SEC. 201. (a) Every labor organization shall adopt a constitution and bylaws and shall file a copy thereof with the Secretary, together with a report, signed by its president and secretary or corresponding principal officers, containing the following information—

"(1) the name of the labor organization, its mailing address, and any other address at which it maintains its principal office or at which it keeps the records referred to in this title;

"(2) the name and title of each of its officers;

"(3) the initiation fee or fees required from a new or transferred member and fees for work permits required by the reporting labor organization;

"(4) the regular dues or fees or other periodic payments required to remain a member of the reporting labor organization; and

"(5) detailed statements, or references to specific provisions of documents filed under this subsection which contain such statements, showing the provision made and procedures followed with respect to each of the following: (A) qualifications for or restrictions on membership, (B) levying of assessments, (C) participation in insurance or other benefit plans, (D) authorization for disbursement of funds of the labor organization, (E) audit of financial transactions of the labor organization, (F) the calling of regular and special meetings, (G) the selection of officers and stewards and of any representatives to other bodies composed of labor organizations' representatives, with a specific statement of the manner in which each officer was elected, appointed, or otherwise selected, (H) discipline or removal of officers or agents for breaches of their trust, (I) imposition of fines, suspensions, and expulsions of members, including the grounds for such action and any provision made for notice, hearing, judgment on the evidence, and appeal procedures, (J) authorization for bargaining demands, (K) ratification of contract terms, (L) authorization for strikes, and (M) issuance of work permits. Any change in the information required by this subsection shall be reported to the Secretary at the time the reporting labor organization files with the Secretary the annual financial report required by subsection (b).

"(b) Every labor organization shall file annually with the Secretary a financial report signed by its president and treasurer or corresponding principal officers containing the following information in such detail as may be necessary accurately to disclose its finan-

cial condition and operations for its preceding fiscal year—

"(1) assets and liabilities at the beginning and end of the fiscal year;

"(2) receipts of any kind and the sources thereof;

"(3) salary, allowances, and other direct or indirect disbursements (including reimbursed expenses) to each officer and also to each employee who, during such fiscal year, received more than $10,000 in the aggregate from such labor organization and any other labor organization affiliated with it or with which it is affiliated, or which is affiliated with the same national or international labor organization;

"(4) direct and indirect loans made to any officer, employee, or member, which aggregated more than $250 during the fiscal year, together with a statement of the purpose, security, if any, and arrangements for repayment;

"(5) direct and indirect loans to any business enterprise, together with a statement of the purpose, security, if any, and arrangements for repayment; and

"(6) other disbursements made by it including the purposes thereof.

"(c) Every labor organization required to submit a report under this title shall make available the information required to be contained in such report to all of its members, and every such labor organization and its officers shall be under a duty enforceable at the suit of any member of such organization in any State court of competent jurisdiction or in the district court of the United States for the district in which such labor organization maintains its principal office, to permit such member for just cause to examine any books, records, and accounts necessary to verify such report. The court in such action may, in its discretion, in addition to any judgment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

"(d) Subsections (f), (g), and (h) of section 9 of the National Labor Relations Act, as amended, are hereby repealed.

"(e) Clause (i) of section 8(a)(3) of the National Labor Relations Act, as amended, is amended by striking out the following: 'and has at the time the agreement was made or within the preceding twelve months received from the Board a notice of compliance with sections 9 (f), (g), (h)'.

"Report of officers and employees of labor organizations

"SEC. 202. (a) Every officer of a labor organization and every employee of a labor organization (other than an employee performing exclusively clerical or custodial services) shall file with the Secretary a signed report listing and describing for his preceding fiscal year—

"(1) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child derived directly or indirectly from, an employer whose employees such labor organization represents or is actively seeking to represent, except payments and other benefits received as a bona fide employee of such employer;

"(2) any transaction in which he or his spouse or minor child engaged, directly or indirectly, involving any stock, bond, security, or loan to or from, or other legal or equitable interest in the business of an employer whose employees such labor organization represents or is actively seeking to represent;

"(3) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child directly or indirectly derived from, any business a substantial part of which consists of buying from, selling or leasing to, or otherwise dealing with, the business of employer whose employees such labor organization represents or is actively seeking to represent;

"(4) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child directly or indirectly derived from, a business any part of which consists of buying from, or selling or leasing directly or indirectly to, or otherwise dealing with such labor organization;

"(5) any direct or indirect business transaction or arrangement between him or his spouse or minor child and any employer whose employees his organization represents or is actively seeking to represent, except work performed and payments and benefits received as a bona fide employee of such employer and except purchases and sales of goods or services in the regular course of business at prices generally available to any employee of such employer; and

"(6) any payment of money or other thing of value (including reimbursed expenses) which he or his spouse or minor child received directly or indirectly from any employer or any person who acts as a labor relations consultant to an employer, except payments of the kinds referred to in section 302(c) of the Labor Management Relations Act, 1947, as amended.

"(b) The provisions of paragraphs (1), (2), (3), (4), and (5) of subsection (a) shall not be construed to require any such officer or employee to report his bona fide investments in securities traded on a securities exchange registered as a national securities exchange under the Securities Exchange Act of 1934, in shares in an investment company registered under the Investment Company Act of 1940, or in securities of a public utility holding company registered under the Public Utility Holding Company Act of 1935, or to report any income derived therefrom.

"(c) Nothing contained in this section shall be construed to require any officer or employee of a labor organization to file a report under section (a) unless he or his spouse or minor child holds or has held an interest, has received income or any other benefit with monetary value or a loan, or has engaged in a transaction described therein.

"Report of employers

"SEC. 203. (a) Every employer who in any fiscal year made—

"(1) any payment or loan, direct or indirect, of money or other thing of value (including reimbursed expenses), or any promise or agreement therefor, to any labor organization or officer, agent, shop steward, or other representative of a labor organization, or employee of any labor organization, except payments of the kind referred to in section 302(c) of the Labor Management Relations Act, 1947, as amended; or

"(2) any payment (including reimbursed expenses) to any of his employees, or any group or committee of such employees, for the purpose of causing such employee or group or committee of employees to interfere with, coerce, or restrain any other employees of such employer in the exercise of rights guaranteed to such employees by this Act, section 7 of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended, unless such payments were contemporaneously or prior thereto disclosed to such other employees; or

"(3) any payment (including reimbursed expenses) to a labor relations consultant or other person pursuant to any understanding or agreement under which such person undertook to compensate employees of such employer for (A) interfering with, coercing, or restraining any other employees of such employer in the exercise of rights guaranteed to such employees by this Act, section 7 of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended, or (B) procuring confidential information from other employees of such employer concerning the exercise of such rights; or

"(4) any payment (including reimbursed expenses) to any person pursuant to any agreement or understanding by which such person undertook to provide such employer with the services of an individal, company, agency, or instrumentality engaged in the business of interfering with, restraining, or coercing employees in the exercise of rights guaranteed by this Act, section 7 of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended,

shall file with the Secretary a report, in a form prescribed by him, signed by its president and treasurer or corresponding principal officers showing in detail the date and amount of each such payment, loan, promise, or agreement and the name, address, and position, if any, in any firm or labor organization of the person to whom it was made and a full explanation of the circumstances of all such payments, including the terms of any agreement or understanding pursuant to which they were made.

"(b) Every person engaged in providing services to an employer as a labor relations consultant pursuant to any agreement or arrangement under which in any fiscal year he received a payment from an employer which must be reported by such employer under the provisions of subsection (a) (3) or (4), shall file a report with the Secretary in a form prescribed by him, signed by its president and treasurer or corresponding principal officers, showing in detail the date and amount of each such payment, and the name and address of the employer concerned, the names and occupations of any employees of such employer to whom compensation was paid under subsection (a) (3), and the name of the agency or instrumentality providing services under subsection (a) (4), and a full explanation of the circumstances of all such transactions, including the terms of any agreement or understanding pursuant to which they were made.

"(c) Nothing contained in this section shall be construed as an amendment to, modification of, or limitation upon, the rights protected by section 8(c) of the National Labor Relations Act, as amended, nor shall any person be required to file a report with the Secretary in regard to any matter protected by section 8(c) of such Act.

"(d) The term 'interfere with, restrain, or coerce' as used in this section means interference, restraint, and coercion which, if done with respect to the exercise of rights guaranteed in section 7 of the National Labor Relations Act, would, under section 8(a) of such Act, constitute an unfair labor practice.

"Attorney-client communications exempted

"SEC. 204. Nothing contained in this Act shall be construed to require an attorney who is a member in good standing of the bar in any State, or any client of such an attorney, to include in any report required to be filed pursuant to the provisions of this Act any information which is confidential between the attorney and such client in the course of a legitimate attorney-client relationship, including but not limited to the existence of the relationship of attorney and client, the financial details thereof, or any information obtained, advice given, or activities carried on by the attorney within the scope of the legitimate practice of law.

"Reports made public information

"SEC. 205. (a) The contents of the reports and documents filed with the Secretary pursuant to sections 201, 202, and 203 shall be public information.

"(b) The Secretary shall by regulation make reasonable provision for the inspection and examination, on the request of any person, of the information and data contained in any report or other document filed with him pursuant to section 201, 202, or 203.

"(c) The Secretary shall by regulation provide for the furnishing by the Department of Labor of copies of reports or other documents filed with the Secretary pursuant to this title, upon payment of a charge based upon the cost of the service. The Secretary shall make available without payment of a charge, or require any person to furnish, to such State agency as is designated by law or by the Governor of the State in which such person has his principal place of business or headquarters, upon request of the Governor of such State, copies of any reports and documents filed by such person with the Secretary pursuant to section 201, 202, or 203, or of information and data contained therein. No person shall be required by reason of any law of any State to furnish to any officer or agency of such State any information included in a report filed by such person with the Secretary pursuant to the provisions of this title, if a copy of such report, or of the portion thereof containing such information, is furnished to such officer or agency. All moneys received in payment of such charges fixed by the Secretary pursuant to this subsection shall be deposited in the general fund of the Treasury.

"Retention of records

"SEC. 206. Every person required to file any report under this title shall maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Secretary may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions, and shall keep such records available for examination for a period of not less than five years after the filing of the documents based on the information which they contain.

"Effective date

"SEC. 207. (a) Each labor organization shall file the initial report required under section 201(a) within ninety days after the date on which it first becomes subject to this Act.

"(b) Each person required to file a report under section 201(b), 202, or 203 shall file such report within ninety days after the end of each of its fiscal years; except that where such person is subject to section 201(b), 202, or 203, as the case may be, for only a portion of such a fiscal year (because the date of enactment of this Act occurs during such person's fiscal year or such person becomes subject to this Act during its fiscal year) such person may consider that portion as the entire fiscal year in making such report.

"Rules and regulations

"SEC. 208. The Secretary shall have authority to issue, amend, and rescind rules and regulations prescribing the form and publication of reports required to be filed under this title and such other reasonable rules and regulations (including rules prescribing reports concerning trusts in which a labor organization is interested) as he may find necessary to prevent the circumvention or evasion of such reporting requirements. In exercising his power under this section the Secretary shall prescribe by general rule simplified reports for labor organizations or employers for whom he finds that by virtue of their size a detailed report would be unduly burdensome, but the Secretary may revoke such provision for simplified forms of any labor organization or employer if he determines, after such investigation as he deems proper and due notice and opportunity for a hearing, that the purposes of this section would be served thereby.

"Criminal provisions

"SEC. 209. (a) Any person who willfully violates this title shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

"(b) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any document, report, or other information required under the provisions of this title shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

"(c) Any person who willfully makes a false entry in or willfully conceals, withholds, or destroys any books, records, reports, or statements required to be kept by any provision of this title shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

"(d) Each individual required to sign reports under sections 201 and 203 shall be personally responsible for the filing of such reports and for any statement contained therein which he knows to be false.

"Civil enforcement

"SEC. 210. Whenever it shall appear that any person has violated or is about to violate any of the provisions of this title, the Secretary may bring an action for such relief as may be appropriate, including injunctions, to restrain any such violation and to compel compliance with this title. Any such action may be brought in the district court of the United States where the violation occurred or, at the option of the parties, in the U.S. District Court for the District of Columbia.

"TITLE III—TRUSTEESHIPS

"Reports

"SEC. 301. (a) Every labor organization which has or assumes trusteeship over any subordinate labor organization shall file with the Secretary within thirty days after the date of the enactment of this Act or the imposition of any such trusteeship and, semiannually thereafter, a report, signed by its president and treasurer or corresponding principal officers, as well as by the trustees of such subordinate labor organization, containing the following information:

(1) the name and address of the subordinate organization; (2) the date of establishing the trusteeship; (3) a detailed statement of the reason or reasons for establishing or continuing the trusteeship; and (4) the nature and extent of participation by the membership of the subordinate organization in the selection of delegates to represent such organization in regular or special conventions or other policy-determining bodies and in the election of officers of the labor organization which has assumed trusteeship over such subordinate organization. The initial report shall also include a full and complete account of the financial condition of such subordinate organization as of the time trusteeship was assumed over it. During the continuance of a trusteeship the labor organization which has assumed trusteeship over a subordinate labor organization shall file on behalf of the subordinate labor organization the annual financial report required by section 201(b) signed by the president and treasurer or corresponding principal officers of the labor organization which has assumed such trusteeship and the trustees of the subordinate labor organization.

"(b) The provisions of sections 201(c), 205, 206, 208, and 210 shall be applicable to reports filed under this title.

"(c) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

"(d) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any report required under the provisions of this section, or willfully makes any false entry in or willfully withholds, conceals, or destroys any documents, books, records, reports, or statements upon which such report is based shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

"(e) Each individual required to sign a report under this section shall be personally responsible for the filing of such report and for any statement contained therein which he knows to be false.

"Purposes for which a trusteeship may be established

"SEC. 302. Trusteeships shall be established and administered by a labor organization over a subordinate body only in accordance with the constitution and bylaws of the organization which has assumed trusteeship over the subordinate body and for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of such labor organization.

"Unlawful acts relating to labor organization under trusteeship

"SEC. 303. (a) During any period when a subordinate body of a labor organization is in trusteeship, it shall be unlawful (1) to count the vote of delegates from such body in any convention or election of officers of the labor organization unless the delegates have been chosen by secret ballot in an election in which all the members in good standing of such subordinate body were eligible to participate, or (2) to transfer to such organization any current receipts or other funds of the subordinate body except the normal per capita tax and assessments payable by subordinate bodies not in trusteeship: *Provided*, That nothing herein contained shall prevent the distribution of the assets of a labor organization in accordance with its constitution and bylaws upon the bona fide dissolution thereof.

"(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than 1 year, or both.

"Enforcement

"SEC. 304. (a) Upon the written complaint of any member or subordinate body of a labor organization alleging that such organization has violated the provisions of this title (except section 301) the Secretary shall investigate the complaint and if the Secretary finds probable cause to believe that such violation has occurred and has not been remedied he shall, without disclosing the identity of the complainant, bring a civil action in any district court of the United States having jurisdiction of the labor organization to prevent and restrain such violation and for such other relief as may be appropriate. Any member or subordinate body of a labor organization affected may bring a civil action in any district court of the United States having jurisdiction of the labor organization to prevent and restrain any violation of this title (except section 301) and for such other relief as may be appropriate.

"(b) For the purpose of actions under this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization (1) in the district in which the principal office of such labor organization is located, or (2) in any district in which its duly authorized officers or

agents are engaged in conducting the affairs of the trusteeship.

"(c) In any proceeding pursuant to this section a trusteeship established by a labor organization in conformity with the procedural requirements of its constitution and bylaws and authorized or ratified after a fair hearing either before the executive board or before such other body as may be provided in accordance with its constitution or bylaws shall be presumed valid for a period of eighteen months from the date of its establishment and shall not be subject to attack during such period except upon clear and convincing proof that the trusteeship was not established or maintained in good faith for a purpose allowable under section 302. After the expiration of eighteen months the trusteeship shall be presumed invalid in any such proceeding and its discontinuance shall be decreed unless the labor organization shall show by clear and convincing proof that the continuation of the trusteeship is necessary for a purpose allowable under section 302. In the latter event the court may dismiss the complaint or retain jurisdiction of the cause on such conditions and for such period as it deems appropriate.

"Report to Congress

"SEC. 305. The Secretary shall submit to the Congress at the expiration of three years from the date of enactment of this Act a report upon the operation of this title.

"Complaint by Secretary

"SEC. 306. The rights and remedies provided by this title shall be in addition to any and all other rights and remedies at law or in equity: *Provided*, That upon the filing of a complaint by the Secretary the jurisdiction of the district court over such trusteeship shall be exclusive and the final judgment shall be res judicata.

"TITLE IV—ELECTIONS

"Terms of office; election procedures

"SEC. 401. (a) Every national or international labor organization, except a federation of national or international labor organizations, shall elect its officers not less often than once every five years either by secret ballot among the members in good standing or at a convention of delegates chosen by secret ballot.

"(b) Every local labor organization shall elect its officers not less often than once every 3 years by secret ballot among the members in good standing. Every bona fide candidate shall have the right to inspect and copy a list containing the names and last known addresses of all members of the labor organization who are subject to a collective bargaining agreement requiring membership therein as a condition of employment, which list shall be maintained and kept at the principal office of such labor organization by a designated official thereof. Adequate safeguards to insure a fair election shall be provided, including the right of all candidates to have an observer at the polls and at the counting of the ballots.

"(c) Officers of intermediate bodies, such as general committees, system boards, joint boards, or joint councils, shall be elected not less often than once every four years by secret ballot among the members in good standing or by labor organization officers representative of such members who have been elected by secret ballot.

"(d) In any election required by this section which is to be held by secret ballot a reasonable opportunity shall be given for the nomination of candidates and every member in good standing shall be eligible to be a candidate and to hold office (subject to section 504 and to reasonable qualifications uniformly imposed) and shall have the right to vote for or otherwise support the candidate or candidates of his choice, without being subject to penalty, discipline, or improper interference or reprisal of any kind by such organization or any member thereof. Not more than 45 days and not less than 15 days prior to the last possible date on which nominations can be made, notice of the time and manner of making nominations and of the place and date of election shall be given in a manner which is reasonably calculated to inform all or substantially all of the members eligible to vote in such election. Each member in good standing shall be entitled to one vote. No member whose dues have been withheld by his employer for payment to such organization pursuant to his voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to vote or be a candidate for office in such organization by reason of alleged delay or default in the payment of dues. The votes cast by members of each local labor organization shall be counted and the results shall be published separately. The election officials designated in the constitution and bylaws or the secretary, if no other official is designated, shall preserve for one year the ballots and all other records pertaining to the election. The election shall be conducted in accordance with the constitution and bylaws of such organization insofar as they are not inconsistent with the provisions of this title.

"(e) When officers are chosen by a convention of delegates elected by secret ballot, the convention shall be conducted in accordance with the constitution and bylaws of the labor organization insofar as they are not inconsistent with the provisions of this title. The officials designated in the constitution and bylaws or the secretary, if no other is designated, shall preserve for one year the credentials of the delegates and all minutes and other official records of the convention pertaining to the election of officers.

"(f) No moneys received by any labor organization by way of dues, assessment, or similar levy, and no moneys of an employer shall be contributed or applied to promote the candidacy of any person in an election subject to the provisions of this title. Such moneys of a labor organization may be utilized for notices, factual statements of issues, and other expenses necessary for the holding of an election.

"(g) If upon petition of any member of a labor organization, a district court of the United States finds the constitution and bylaws of such labor organization do not provide an adequate procedure for the removal of an elected officer guilty of serious misconduct, a district court may order that for the cause shown and after due notice and opportunity for a hearing, an election shall be conducted by the officers of such labor organization among the members in good standing, voting by secret ballot, and in accordance with its constitution and bylaws insofar as they are not inconsistent with the provisions of this title, for the purpose of determining whether such officer shall be removed from office. For purposes of this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization in the district in which such labor organization maintains its principal office. The court in such action may, in its discretion, in addition to any judgment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

"Enforcement

"SEC. 402. (a) A member of a labor organization—

"(1) who is aggrieved by any violation of section 401, and

"(2) who (A) has exhausted the reasonable remedies available under the constitution and bylaws of such organization and of any national or international labor organization with which such organization is affiliated, or (B) has diligently pursued such available remedies without receiving a final decision within six calendar months after their being invoked,

may bring a civil action against such labor organization in any district court of the United States for the district having jurisdiction of such labor organization to prevent and restrain such violation and for such other relief as may be appropriate, including the holding of a new election under the supervision of the Secretary and in accordance with the provisions of this title. Where an election has already been held at the time such action is brought, such election shall be presumed valid pending a final decision thereof, as hereinafter provided, and in the interim the affairs of the organization shall be conducted by the officers elected or in such other manner as its constitution and bylaws may provide. The court shall have power to take such action as it deems proper to preserve the assets of the labor organization.

"(b) For the purposes of this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization in the district in which such labor organization maintains its principal office. The court in such action may, in its discretion, in addition to any judgment awarded to the plaintiff, or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

"(c) If, upon a preponderance of the evidence after a trial upon the merits, the court finds—

"(1) that an election has not been held within the time prescribed by section 401, or

"(2) that a violation of section 401 affected the outcome of an election,

the court shall declare the election, if any, to be void and direct the conduct of a new election under supervision of the Secretary and, so far as lawful and practicable, in conformity with the constitution and bylaws of the labor organization. The Secretary shall promptly certify to the court the names of the persons elected, and the court shall thereupon enter a decree declaring such persons to be the officers of the labor organization.

"(d) An order directing an election, dismissing an action, or designating elected officers of a labor organization shall be appealable in the same manner as the final judgment in a civil action, but the court, in its discretion, may refuse to stay an order directing an election pending an appeal therefrom.

"Frequency of elections

"SEC. 403. No labor organization subject to the provisions of this title shall be required by law to conduct elections of officers with greater frequency or in a different form or manner than is required by its own constitution or bylaws, except as otherwise provided by this title. Existing rights and remedies to enforce the constitution and bylaws of a labor organization with respect to elections prior to the conduct thereof shall not be affected by the provisions of this title. The remedy provided by this title for challenging an election already conducted shall be exclusive.

"Effective date

"SEC. 404. The provisions of this title shall become applicable—

"(1) ninety days after the date of enactment of this Act in the case of a labor organization whose constitution and bylaws can lawfully be modified or amended by action of its constitutional officers or governing body, or

"(2) where such modification can only be made by a constitutional convention of the labor organization, not later than the next constitutional convention of such labor organization after the date of enactment of this Act, or two years after such date, whichever is sooner. If no such convention is held

within such two-year period, the executive board or similar governing body empowered to act for such labor organization between conventions is empowered to make such interim constitutional changes as are necessary to carry out the provisions of this title.

"TITLE V—SAFEGUARDS FOR LABOR ORGANIZATIONS

"Fiduciary responsibility of officers of labor organizations

"SEC. 501. (a) The officers, agents, shop stewards, and other representatives of labor organizations occupy positions of trust in relation to such organization and its members as a group. It is, therefore, the duty of each such person, taking into account the special problems and functions of a labor organization, to hold its money and property solely for the benefit of the organization and its members and to manage, invest, and expend the same in accordance with its constitution and bylaws and any resolutions of the governing bodies adopted thereunder, to refrain from dealing with such organization as an adverse party or in behalf of an adverse party in any matter connected with his duties and from holding or acquiring any pecuniary or personal interest which conflicts with the interests of such organization, and to account to the organization for any profit received by him in whatever capacity in connection with transactions conducted by him or under his direction on behalf of the organization. A general exculpatory provision in the constitution and bylaws of such a labor organization or a general exculpatory resolution of a governing body purporting to relieve any such person of liability for breach of the duties declared by this section shall be void as against public policy.

"(b) When any officer, agent, shop steward, or representative of any labor organization is alleged to have violated the duties declared in subsection (a) and the labor organization or its governing board or officers refuse or fail to sue to recover damages or secure an accounting or other appropriate relief within a reasonable time after being requested to do so by any member of the labor organization, such member may sue such officer, agent, shop steward, or representative in any district court of the United States or in any State court of competent jurisdiction to recover damages or secure an accounting or other appropriate relief for the benefit of the labor organization. No such proceeding shall be brought except upon leave of the court obtained upon verified application and for good cause shown, which application may be made ex parte. The trial judge may allot a reasonable part of the recovery in any action under this subsection to pay the fees of counsel prosecuting the suit at the instance of the member of the labor organization and to compensate such member for any expenses necessarily paid or incurred by him in connection with the litigation.

"(c) Any person who embezzles, steals, or unlawfully and willfully abstracts or converts to his own use, or the use of another, any of the moneys, funds, securities, property, or other assets of a labor organization of which he is an officer, or by which he is employed, directly or indirectly, shall be fined not more than $10,000 or imprisoned for not more than five years, or both.

"Bonding

"SEC. 502. (a) Every officer, agent, shop steward, or other representative or employee of any labor organization (other than a labor organization whose property and annual financial receipts do not exceed $5,000 in value), or of a trust in which a labor organization is interested, who handles funds or other property thereof shall be bonded for the faithful discharge of his duties. The bond of each such person shall be fixed at the beginning of the organization's fiscal year and shall be in an amount not less than 10 per centum of the funds handled by him and his predecessor or predecessors, if any, during the preceding fiscal year. If the labor organization or the trust in which a labor organization is interested does not have a preceding fiscal year, the amount of the bond shall be, in the case of a local labor organization, not less than $1,000, and in the case of an international labor organization or of a trust in which a labor organization is interested, not less than $10,000. Such bonds shall be individual or schedule in form, and shall have a corporate surety company as surety thereon. Any person who is not covered by such bond shall not be permitted to receive, handle, disburse, or otherwise exercise custody or control of the funds or other property of a labor organization or of a trust in which a labor organization is interested. No such bond shall be placed through an agent or broker or with a surety company, in which any labor organization or any officer, agent, shop steward, or other representative of a labor organization has any direct or indirect interest. Such surety company shall be a corporate surety which holds a grant of authority from the Secretary of the Treasury under the Act of July 30, 1947 (6 U.S.C. 6–13), as an acceptable surety on Federal bonds.

"(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

"Loans to officers of labor organizations

"SEC. 503. (a) No labor organization shall make directly or indirectly any loan or loans to any officer or employee of such organization which results in a total indebtedness on the part of such officer or employee to the labor organization in excess of $2,500.

"(b) No labor organization or employer shall directly or indirectly pay the fine of any officer or employee convicted of any willful violation of this Act.

"(c) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

"Prohibition against Communists, ex-Communists, and persons convicted of certain crimes holding certain offices and employment

"SEC. 504. (a) No person who is or has been a member of the Communist Party or who has been convicted of, or served any part of a prison term resulting from his conviction of, robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury, or a violation of title II or III of this Act, or conspiracy to commit any such crimes, shall serve—

"(1) as an officer, director, trustee, member of any executive board or similar governing body, business agent, manager, organizer, or other employee (other than as an employee performing exclusively clerical or custodial duties) of any labor organization, or

"(2) as a labor relations consultant to a person engaged in an industry or activity affecting commerce, or as an officer, director, agent, or employee (other than as an employee performing exclusively clerical or custodial duties) of any group or association of employers dealing with any labor organization,

during or for five years after the termination of his membership in the Communist Party, or for five years after such conviction or after the end of such imprisonment, unless prior to the end of such five-year period, in the case of a person so convicted or imprisoned, (A) his citizenship rights, having been revoked as a result of such conviction, have been fully restored, or (B) the Board of Parole of the United States Department of Justice determines that such person's service in any capacity referred to in clause (1) or (2) would not be contrary to the purposes of this Act. Prior to making any such determination the Board shall hold an administrative hearing and shall give notice of such proceeding by certified mail to the State, county, and Federal prosecuting officials in the jurisdiction or jurisdictions in which such person was convicted. The Board's determination in any such proceeding shall be final.

"(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

"(c) For the purposes of this section, any person shall be deemed to have been 'convicted" and under the disability of "conviction" from the date of the judgment of the trial court or the date of the final sustaining of such judgment on appeal, whichever is the later event.

"Amendment to section 302, Labor Management Relations Act, 1947

"'SEC. 302. (a) It shall be unlawful for of section 302 of the Labor Management Relations Act, 1947, as amended, are amended to read as follows:

"SEC. 302. (a) It shall be unlawful for any employer or association of employers or any person who acts as a labor relations expert, adviser, or consultant to an employer or who acts in the interest of an employer to pay, lend, or deliver, or agree to pay, lend, or deliver, any money or other thing of value—

"'(1) to any representative of any of his employees who are employed in an industry affecting commerce; or

"'(2) to any labor organization, or any officer or employee thereof, which represents, seeks to represent, or would admit to membership, any of the employees of such employer who are employed in an industry affecting commerce; or

"'(3) to any employee or group or committee of employees of such employer employed in an industry affecting commerce in excess of their normal compensation for the purpose of causing such employee or group or committee directly or indirectly to influence any other employees in the exercise of the right to organize and bargain collectively through representatives of their own choosing; or

"'(4) to any officer or employee of a labor organization engaged in an industry affecting commerce with intent to influence him in respect to any of his actions, decisions, or duties as a representative of employees or as such officer or employee of such labor organization.

"'(b) (1) It shall be unlawful for any person to request, demand, receive, or accept, or agree to receive or accept, any payment, loan, or delivery of any money or other thing of value prohibited by subsection (a).

"'(2) It shall be unlawful for any labor organization, or for any person acting as an officer, agent, representative, or employee of such labor organization, to demand or accept from the operator of any motor vehicle (as defined in part II of the Interstate Commerce Act) employed in the transportation of property in commerce, or the employer of any such operator, any money or other thing of value payable to such organization or to an officer, agent, representative, or employee thereof as a fee or charge for the unloading, or in connection with the unloading, of the cargo of such vehicle: *Provided*, That nothing in this paragraph shall be construed to make unlawful any payment by an employer to any of his employees as compensation for their services as employees.

"'(c) The provisions of this section shall not be applicable (1) in respect to any money or other thing of value payable by an employer to any of his employees whose

established duties including acting openly for such employer in matters of labor relations or personal administration or to any representative of his employees, or to any officer or employee of a labor organization, who is also an employee or former employee of such employer, as compensation for, or by reason of, his services as an employee of such employer; (2) with respect to the payment or delivery of any money or other thing of value in satisfaction of a judgment of any court or a decision or award of an arbitrator or impartial chairman or in compromise, adjustment, settlement, or release of any claim, complaint, grievance, or dispute in the absence of fraud or duress; (3) with respect to the sale or purchase of an article or commodity at the prevailing market price in the regular course of business; (4) with respect to money deducted from the wages of employees in payment of membership dues in a labor organization: *Provided,* That the employer has received from each employee, on whose account such deductions are made, a written assignment which shall not be irrevocable for a period of more than one year, or beyond the termination date of the applicable collective agreement, whichever occurs sooner; (5) with respect to money or other thing of value paid to a trust fund established by such representative, for the sole and exclusive benefit of the employees of such employer, and their families and dependents (or of such employees, families, and dependents jointly with the employees of other employers making similar payments, and their families and dependents): *Provided,* That (A) such payments are held in trust for the purpose of paying, either from principal or income or both, for the benefit of employees, their families and dependents, for medical or hospital care, pensions on retirement or death of employees, compensation for injuries or illness resulting from occupational activity or insurance to provide any of the foregoing, or unemployment benefits or life insurance, disability and sickness insurance, or accident insurance; (B) the detailed basis on which such payments are to be made is specified in a written agreement with the employer, and employees and employers are equally represented in the administration of such fund, together with such neutral persons as the representatives of the employers and the representatives of employees may agree upon and in the event the employer and employee groups deadlock on the administration of such fund and there are no neutral persons empowered to break such deadlock, such agreement provides that the two groups shall agree on an impartial umpire to decide such dispute, or in event of their failure to agree within a reasonable length of time, an impartial umpire to decide such dispute shall, on petition of either group, be appointed by the district court of the United States for the district where the trust fund has its principal office, and shall also contain provisions for an annual audit of the trust fund, a statement of the results of which shall be available for inspection by interested persons at the principal office of the trust fund and at such other places as may be designated in such written agreement; and (C) such payments as are intended to be used for the purpose of providing pensions or annuities for employees are made to a separate trust which provides that the funds held therein cannot be used for any purpose other than paying such pensions or annuities; or (6) with respect to money or other thing of value paid by any employer to a trust fund established by such representative for the purpose of pooled vacation, holiday, severance or similar benefits, or defraying costs of apprenticeship or other training programs: *Provided,* That the requirements of clause (B) of the proviso to clause (5) of this subsection shall apply to such trust funds."

"TITLE VI—MISCELLANEOUS PROVISIONS

"Investigations

"SEC. 601. (a) The Secretary shall, when he has probable cause to believe that any person has violated any provision of this Act, other than a provision of title I, make an investigation, and in connection therewith he may inspect such records and accounts as may be necessary to enable him to determine the facts relative thereto.

"(b) For the purpose of any investigation provided for in this Act, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act, as amended (15 U.S.C. 49, 50), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary or any officers designated by him.

"Extortionate picketing

"SEC. 602. (a) It shall be unlawful to carry on picketing on or about the premises of any employer for the purpose of, or as part of any conspiracy or in furtherance of any plan or purpose for, the personal profit or enrichment of any individual (except a bona fide incease in wages or other employee benefits) by taking or obtaining any money or other thing of value from such employer against his will or with his consent.

"(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned not more than twenty years, or both.

"Retention of rights under other Federal and State laws

"SEC. 603. (a) Except as explicitly provided to the contrary, nothing in this Act shall reduce or limit the responsibilities of any labor organization or any officer, agent, shop steward, or other representative of a labor organization, or of any trust in which a labor organization is interested, under any other Federal law or under the laws of any State, and, except as explicitly provided to the contrary, nothing in this Act shall take away any right or bar any remedy to which members of a labor organization are entitled under such other Federal law or law of any State.

"(b) Nothing contained in titles I, II, III, IV, V (except section 505), or VI of this Act shall be construed to supersede or impair or otherwise affect the provisions of the Railway Labor Act, as amended, or any of the obligations, rights, benefits, privileges, or immunities of any carrier, employee, organization, representative, or person subject thereto; nor shall anything contained in said titles of this Act be construed to confer any rights, privileges, immunities, or defenses upon employers, or to impair or otherwise affect the rights of any person under the National Labor Relations Act, as amended.

"Enactment and enforcement of State laws

"SEC. 604. Nothing in this Act shall be construed to impair or diminish the authority of any State to enact and enforce general criminal laws with respect to robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, or assault with intent to inflict grievous bodily injury, or conspiracy to commit any of such crimes.

"Service of process

"SEC. 605. For the purposes of this Act, service of summons, subpena, or other legal process of a court of the United States upon an officer or agent of a labor organization in his capacity as such shall constitute service upon the labor organization.

"Administrative Procedure Act

"SEC. 606. The provisions of the Administrative Procedure Act shall be applicable to the issuance, amendment, or rescission of any rules or regulations, or any procedure, authorized or required pursuant to the provisions of this Act.

"Other agencies and departments

"SEC. 607. In order to avoid unnecessary expense and duplication of functions among Government agencies, the Secretary may make such arrangements or agreements for cooperation or mutual assistance in the performance of his functions under this Act and the functions of any such agency as he may find to be practicable and consistent with law. The Secretary may utilize the facilities or services of any department, agency, or establishment of the United States or of any State or political subdivision of a State, including the services of any of its employees, with the lawful consent of such department, agency, or establishment; and each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to provide such information and facilities as he may request for his assistance in the performance of his functions under this Act. The Attorney General or his representative shall receive from the Secretary for appropriate action such evidence developed in the performance of his functions under this Act as may be found to warrant consideration for criminal prosecution under the provisions of this Act or other Federal law.

"Criminal contempt

"SEC. 608. No person shall be punished for any criminal contempt allegedly committed outside the immediate presence of the court in connection with any civil action prosecuted by the Secretary or any other person in any district court of the United States under the provisions of this Act unless the facts constituting such criminal contempt are established by the verdict of the jury in a proceeding in the district court of the United States, which jury shall be chosen and empaneled in the manner prescribed by the law governing trial juries in criminal prosecutions in the district courts of the United States.

"Prohibition on certain discipline by labor organization

"SEC. 609. It shall be unlawful for any labor organization, or any officer, agent, shop steward, or other representative of a labor organization, or any employee thereof to fine, suspend, expel, or otherwise discipline any of its members for exercising any right to which he is entitled under the provisions of this Act. The provisions of section 210 shall be applicable in the enforcement of this section.

"Deprivation of rights under act by violence

"SEC. 610. It shall be unlawful for any person through the use of force or violence, or threat of the use of force or violence, to restrain, coerce, or intimidate, or attempt to restrain, coerce, or intimidate any member of a labor organization for the purpose of interfering with or preventing the exercise of any right to which he is entitled under the provisions of this Act. Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than two years, or both.

"Separability provisions

"SEC. 611. If any provision of this Act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

"TITLE VII—AMENDMENTS TO THE LABOR-MANAGEMENT RELATIONS ACT, 1947, AS AMENDED

"Federal-State jurisdiction

"SEC. 701. Section 14 of the National Labor Relations Act, as amended, is amended by

adding at the end thereof the following new subsection:

"'(c)(1) The Board, in its discretion, may, by rule of decision or by published rules adopted pursuant to the Administrative Procedure Act, decline to assert jurisdiction over any labor dispute involving any class or category of employers, where, in the opinion of the Board, the effect of such labor dispute on commerce is not sufficiently substantial to warrant the exercise of its jurisdiction.

"'(2) Nothing in this Act shall be deemed to prevent or bar any agency or the courts of any State or Territory (including the Commonwealth of Puerto Rico, Guam, and the Virgin Islands), from assuming and asserting jurisdiction over labor disputes over which the Board declines, pursuant to paragraph (1) of this subsection, to assert jurisdiction."

"Building and construction industry

"SEC. 702. (a) Paragraph (1) of subsection (c) of section 9 of the National Labor Relations Act, as amended, is amended by inserting the word 'for' after the semicolon at the end of clause (B) and adding the following new clause:

"'(C) by an employer primarily engaged in the building and construction industry and a labor organization acting in behalf of employees engaged (or who, upon their employment, will be engaged) in the building and construction industry, asserting that such employer recognizes such labor organization as the representative defined in section 9(a) and has entered into a collective bargaining agreement with such labor organization;'.

"(b) Such paragraph (1) is further amended by inserting a colon before the period at the end thereof and adding the following language: *'Provided,* That the Board may, without prior thereto having conducted an election by secret ballot, certify a labor organization referred to in clause (C) of this paragraph as the exclusive representative of all the employees of an employer referred to in said clause (C) in such unit as the Board may find is normally represented by the labor organization in the building and construction industry for the purposes of collective bargaining with respect to rates of pay, wages, hours, and other conditions of employment: *Provided further,* That the preceding proviso shall not apply where there is no history of a collective bargaining relationship between the petitioning employer and labor organization prior to the current agreement or an employee or group of employees or any individual or labor organization acting in their behalf alleges, and the Board finds, that a substantial number of employees presently employed by the employer in the bargaining unit assert that the labor organization is not a representative as defined in section 9(a)'.

"Elections during strike

"SEC. 703. The second sentence of section 9(c)(3) of the National Labor Relations Act, as amended, is amended by inserting immediately before the period at the end thereof a colon and the following: *'Provided,* That in any lawful strike in which recognition was not an issue when the strike began, no direction of election pursuant to a petition filed after the commencement of the strike by any person other than the bargaining representative shall issue prior to the termination of such strike as determined by the Board or the expiration of a six-month period from the commencement of such strike (or a twelve-month period if the petition is filed by an employer), whichever occurs sooner'.

"Vacancy in office of General Counsel

"SEC. 704. Section 3(d) of the National Labor Relations Act, as amended, is amended by adding after the period at the end thereof the following: 'In case of a vacancy in the office of the General Counsel the President is authorized to designate the officer or employee who shall act as General Counsel during such vacancy, but no person or persons so designated shall so act (1) for more than forty days when the Congress is in session unless a nomination to fill such vacancy shall have been submitted to the Senate, or (2) after the adjournment sine die of the session of the Senate in which such nomination was submitted.'

"Boycotts and recognition picketing

"SEC. 705. (a) Section 8(b)(4) of the National Labor Relations Act, as amended, is amended to read as follows:

"'(4)(i) to engage in, or to induce or encourage any individual employed by any person engaged in commerce or in an industry affecting commerce to engage in, a strike or a refusal in the course of his employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services; or (ii) to threaten, coerce, or restrain any person engaged in commerce or in an industry affecting commerce, where in either case an object thereof is:

"'(A) forcing or requiring any employer or self-employed person to join any labor or employer organization;

"'(B) forcing or requiring any person to cease, or to agree to cease, using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease, or agree to cease, doing business with any other person, or forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provisions of section 9;

"'(C) forcing or requiring any employer to recognize or bargain with a particular labor organization as the representative of his employees if another labor organization has been certified as the representative of such employees under the provisions of section 9;

"'(D) forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class, unless such employer is failing to conform to an order or certification of the Board determining the bargaining representative for employees performing such work: *Provided,* That nothing contained in this subsection (b) shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under this Act: *Provided further,* That nothing contained in clause (B) of this paragraph (4) shall be construed to make unlawful where not otherwise unlawful, any strike against, or a refusal to perform services for any person who has contracted or agreed with an employer to perform for such employer work which he is unable to perform because his employees are engaged in a strike not unlawful under this Act or in violation of a collective bargaining agreement, if such strike was ratified or approved by the representatives of such employees whom such employer is required to recognize under this Act, and the refusal is limited to services which would ordinarily be performed by the striking employees.'

"(b)(1) Section 8 of the National Labor Relations Act, as amended, is amended by adding at the end thereof the following new subsection:

"'(e) It shall be an unfair labor practice for any labor organization and any employer to enter into any contract or agreement, express or implied, whereby such employer ceases or refrains or agrees to cease or refrain from handling, using, selling, transporting or otherwise dealing in any of the products of any other employer, or to cease doing business with any other person, and any collective bargaining contract entered into heretofore or hereafter containing such an agreement shall be to such extent unenforcible and void.'

"(2) Any contract or agreement between an employer and a labor organization heretofore or hereafter executed which is, or which calls upon anyone to engage in, an unfair labor practice under section 8(e) of the National Labor Relations Act, as amended, shall to such extent be unenforcible and void.

"(c) Section 8(b) of the National Labor Relations Act, as amended, is amended by striking out the word 'and' at the end of paragraph (5), striking out the period at the end of paragraph (6), and inserting in lieu thereof a semicolon and the word 'and', and adding a new paragraph as follows:

"'(7) to picket or cause to be picketed, or threaten to picket or cause to be picketed, any employer where an object thereof is forcing or requiring an employer to recognize or bargain with a labor organization as the representative of his employees, or forcing or requiring the employees of an employer to accept or select such labor organization as their collective bargaining representative, unless such labor organization is currently certified as the representative of such employees:

"'(A) where the employer has lawfully recognized in accordance with this Act any other labor organization and a question concerning representation may not appropriately be raised under section 9(c) of this Act, or

"'(B) where within the preceding twelve months a valid election under section 9(c) of this Act has been conducted, or

"'(C) where the labor organization cannot demonstrate that it has a sufficient showing of interest on the part of the employees to support a petition for an election under section 9(c), or

"'(D) where such picketing has been engaged in for a reasonable period of time (not exceeding thirty days) and at the expiration of which period no petition under section 9(c) has been filed.

Nothing in this paragraph (7) shall be construed to permit any act which would otherwise be an unfair labor practice under this section (8)(b).'

"(d) Section 10(1) of the National Labor Relations Act, as amended, is amended by adding after the words 'section 8(b),' the words 'or section 8(e) or section 8(b)(7),'.

"(e) Section 303(a) of the Labor Management Relations Act, 1947, is amended to read as follows:

"'(a) It shall be unlawful, for the purpose of this section only, in an industry or activity affecting commerce, for any labor organization to engage in any activity or conduct defined as an unfair labor practice in section 8(b)(4) or section 8(b)(7) of the National Labor Relations Act, as amended.'

"Priority in case handling

"SEC. 706. Section 10 of the National Labor relations Act, as amended, is amended by adding at the end thereof a new subsection as follows:

"'(m) Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of subsection (a)(3) or (b)(2) of section 8, such charge shall be given priority over all other cases except cases of like character in the office where it is filed or to which it is referred and cases given priority under subsection (1).'

"Effective date of amendments

"SEC. 707. The amendmets made by this title shall take effect sixty days after the date of the enactment of this Act and no provision of this title shall be deemed to make an unfair labor practice, any act which is performed prior to such effective date which did not constitute an unfair labor practice prior thereto."

Mr. LANDRUM (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that the further reading of the amendment be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

Mr. WIER. Mr. Chairman, reserving the right to object, H.R. 8400 that you have just offered, is that the same bill that was introduced the other day? Have there been any changes made in it?

Mr. LANDRUM. None whatsoever.

Mr. WIER. It is the same bill that you introduced a week ago?

Mr. LANDRUM. It is the same bill that was introduced on July 27 by me.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANDRUM. Mr. Chairman, the amendment which has just been proposed is H.R. 8400, as it was introduced into the House of Representatives, and explained in the RECORD of that day by the gentleman from Georgia who is now addressing you, and with H.R. 8401 introduced into the House on that same day by the gentleman from Michigan [Mr. GRIFFIN]. We appeared at that time as cosponsors and explained its provisions.

Now, briefly, I would say that we need to think about only one thing in the consideration of whether this amendment shall prevail or whether it shall not, and that one thing is this: Shall we remove from the hands of those who would corrupt, and who have abused and corrupted the great labor movement in America, the weapons which they have utilized and the weapons which they will continue to use if we leave them in their hands?

Now, there has been a lot of talk about the bill of rights for union members. That is good. But, no American living today, whether he is a member of a union or not, is without the rights contained in this so-called bill of rights, because they are substantially contained in the Bill of Rights of the Federal Constitution. The only argument is that we may be applying them in a field that is completely new.

Title II in the reporting section of the amendment is exactly the same as that in the so-called committee bill, except for the fact that we remove the exemption of unions with less than 200 members or receipts of less than $20,000. It is substantially the same except for that.

So then we come to the three key differences between the amendment now being proposed, and the committee bill, and those differences are: Shall we remove and clarify once and for all this no man's land business? Shall we give to the small business men and women and the small union men and small union women all over this country a forum to hear the complaints that they have, or shall we continue to confuse them, as the committee bill does, by bringing everything to Washington? Our bill corrects that. Shall we remove from the hands of the would-be gangsters and the nickel-and-dime crooks who have corrupted this movement through the blackmail picket line, or shall we leave it in their hands?

It is admitted by all that the committee bill does not deal effectively with the so-called organizational picketing problem.

Shall we remove from the hands of the would-be nickel-and-dime gangsters who have abused, and continue to abuse and corrupt this labor movement, the lethal weapon of secondary boycotts and hot cargo? It is admitted on the floor that the committee bill does not do this.

The question is simply this. Are we going to delude the people of America into believing that we have passed meaningful reform legislation, and then find ourselves back here next year, and the year after and the year after that, continually faced with the picketing and the boycotting of women like the young lady from Peoria, Ill., or the young lady from Duluth, Minn., or the applegrower in California, or the poultry processor in Gainesville, who has been reduced from a very profitable business employing more than 130 people to a work force of less than one-third that number?

The CHAIRMAN. The time of the gentleman from Georgia [Mr. LANDRUM] has expired.

Mr. PERKINS. Mr. Chairman, I offer a substitute for the amendment offered by the gentleman from Georgia.

The Clerk read as follows:

Amendment offered by Mr. PERKINS of Kentucky as a substitute for the amendment offered by Mr. LANDRUM of Georgia:

Strike out all after the enacting clause and insert in lieu thereof the following:

"TABLE OF CONTENTS

"Sec. 1. Short title.
"Sec. 2. Declaration of findings, purposes, and policy.
"Sec. 3. Definitions.

"Title I—Rights of members of labor organizations

"Sec. 101. Rights of members.
"Sec. 102. Enforcement.
"Sec. 103. Retention of existing rights.
"Sec. 104. Right to copies of collective bargaining agreements.
"Sec. 105. Information as to Act.

"Title II—Reporting by labor organizations, officers and employeers of labor organizations, and employers

"Sec. 201. Report of labor organizations.
"Sec. 202. Report of officers and employees of labor organizations.
"Sec. 203. Report of employers.
"Sec. 204. Attorney-client communications exempted.
"Sec. 205. Reports made public information.
"Sec. 206. Retention of records.
"Sec. 207. Effective date.
"Sec. 208. Rules and regulations.
"Sec. 209. Criminal provisions.
"Sec. 210. Civil enforcement.

"Title III—Trusteeships

"Sec. 301. Reports.
"Sec. 302. Purposes for which a trusteeship may be established.
"Sec. 303. Unlawful acts relating to labor organization under trusteeship.
"Sec. 304. Enforcement.
"Sec. 305. Report to Congress.
"Sec. 306. Complaint by Secretary.

"Title IV—Elections

"Sec. 401. Terms of office; election procedures.
"Sec. 402. Enforcement.
"Sec. 403. Frequency of elections.
"Sec. 404. Effective date.

"Title V—Safeguards for labor organizations

"Sec. 501. Fiduciary responsibility of officers of labor organizations.
"Sec. 502. Bonding.
"Sec. 503. Loans to officers of labor organizations.
"Sec. 504. Prohibition against Communists, ex-Communists, and persons convicted of certain crimes holding certain offices and employment.
"Sec. 505. Amendment to section 302, Labor Management Relations Act, 1947.

"Title VI—Miscellaneous provisions

"Sec. 601. Investigations.
"Sec. 602. Extortionate picketing.
"Sec. 603. Retention of rights under other Federal and State laws.
"Sec. 604. Enactment and enforcement of State laws.
"Sec. 605. Service of process.
"Sec. 606. Administrative Procedure Act.
"Sec. 607. Other agencies and departments.
"Sec. 608. Criminal contempt.
"Sec. 609. Separability provisions.

"Title VII—Amendments to the Labor Management Relations Act, 1947, as amended

"Short title

"SECTION 1. This Act may be cited as the 'Labor-Management Reporting and Disclosure Act of 1959'.

"Declaration of findings, purposes, and policy

"SEC. 2. (a) The Congress finds that, in the public interest, it continues to be the responsibility of the Federal Government to protect employees' rights to organize, choose their own representatives, bargain collectively, and otherwise engage in concerted activities for their mutual aid or protection; that the relations between employers and labor organizations and the millions of workers they represent have a substantial impact on the commerce of the Nation; and that in order to accomplish the objective of a free flow of commerce it is essential that labor organizations, employers, and their officials adhere to the highest standards of responsibility and ethical conduct in administering the affairs of their organizations, particularly as they affect labor-management relations.

"(b) The Congress further finds, from recent investigations in the labor and management fields, that there have been a number of instances of breach of trust, corruption, disregard of the rights of individual employees, and other failures to observe high standards of responsibility and ethical conduct which require further and supplementary legislation that will afford necessary protection of the rights and interests of employees and the public generally as they relate to the activities of labor organizations, employers, labor relations consultants, and their officers and representatives.

"The Congress, therefore, further finds and declares that the enactment of this Act is necessary to eliminate or prevent improper practices on the part of labor organizations, employers, labor relations consultants, and their officers and representatives which distort and defeat the policies of the Labor Management Relations Act, 1947, as amended, and the Railway Labor Act, as amended, and have the tendency or necessary effect of burdening or obstructing commerce by (1) impairing the efficiency, safety, or operation

of the instrumentalities of commerce; (2) occurring in the current of commerce; (3) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods into or from the channels of commerce, or the prices of such materials or goods in commerce; or (4) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for goods flowing into or from the channels of commerce.

"(c) It is declared to be the policy of the United States to advance the objective and protect the national interests referred to in subsection (a), and correct the evils referred to in subsection (b), by (1) defining certain rights and remedies of members of labor organizations engaged in an industry affecting commerce, (2) requiring labor organizations, employers, labor relations consultants, and their officers and representatives engaged in industries affecting commerce to file with the Secretary of Labor (hereinafter in this Act referred to as the "Secretary") certain reports and information concerning their administrative practices and financial transactions, which shall be public information, (3) regulating the appointment of trustees or receivers by labor organizations engaged in industries affecting commerce to administer the affairs of subordinate labor organizations, (4) providing that labor organizations engaged in industries affecting commerce shall elect their officers periodically either directly by secret ballot or through delegates chosen by secret ballot, and (5) providing procedures for preventing acts and omissions of labor organizations, employers, labor relations consultants, and their officers and representatives which are detrimental to the rights and interests of individual employees and the public, and imposing criminal penalties for willful violations of provisions of this Act.

"Definitions

"SEC. 3. As used in titles I, II, III, IV, V (except section 505), and VI of this Act—

"(a) 'Commerce' means trade, traffic, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof.

"(b) 'State' includes any State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act (43 U.S.C. 1331–1343).

"(c) 'Industry affecting commerce' means any activity or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry 'affecting commerce' within the meaning of the Labor Management Relations Act, 1947, as amended, or the Railway Labor Act, as amended.

"(d) 'Person' includes one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, or receivers.

"(e) 'Employer' means any employer or any group or association of employers engaged in an industry affecting commerce (1) which is, with respect to employees engaged in an industry affecting commerce, an employer within the meaning of any law of the United States relating to the employment of any employees or (2) which may deal with any labor organization concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work, and includes any person acting directly as an employer or indirectly as an agent of an employer in relation to an employee but does not include the United States or any corporation wholly owned by the Government of the United States or any State or political subdivision thereof.

"(f) 'Employee' means any individual employed by an employer, and includes any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice or because of exclusion or expulsion from a labor organization in any manner or for any reason inconsistent with the requirements of this Act.

"(g) 'Labor dispute' includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

"(h) 'Trusteeship' means any receivership, trusteeship, or other method of supervision or control whereby a labor organization suspends the autonomy otherwise available to a subordinate body under its constitution or bylaws.

"(i) 'Labor organization' means a labor organization engaged in an industry affecting commerce and includes any organization of any kind, any agency, or employee representation committee, group, association, or plan so engaged in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and any conference, joint board, or joint council so engaged which is subordinate to a national or international labor organization, other than a State or local central body.

"(j) A labor organization shall be deemed to be engaged in an industry affecting commerce if it—

"(1) is the certified representative of employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended; or

"(2) although not certified, is a national or international labor organization or a local labor organization recognized or acting as the representative of employees of an employer or employers engaged in an industry, business, or activity affecting commerce; or

"(3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employees of employers within the meaning of paragraph (1) or (2); or

"(4) has been chartered by a labor organization representing or actively seeking to represent employees within the meaning of paragraph (1) or (2) as the local or subordinate body through which such employees may enjoy membership or become affiliated with such labor organization; or

"(5) is a conference, joint board, or joint council, subordinate to a national or international labor organization, other than a State or local central body.

"(k) 'Secret ballot' means the expression by ballot, voting machine, or otherwise, but in no event by proxy, of a choice with respect to any election or vote taken upon any matter, which is cast in such a manner that the person expressing such choice cannot be identified with the choice expressed.

"(l) 'Trust in which a labor organization is interested' means a trust or other fund or organization (1) which was created or established by a labor organization, of one or more of the trustees or one or more members of the governing body of which is selected or appointed by a labor organization, and (2) a primary purpose of which is to provide benefits for the members of such labor organization or their beneficiaries.

"(m) 'Labor relations consultant' means any person who, for compensation, advises or represents an employer, employer organization, or labor organization concerning employee organizing, concerted activities, or collective bargaining activities.

"(n) 'Officer' means any constitutional officer, any person authorized to perform the functions of president, vice president, secretary, treasurer, or other executive functions of a labor organization, and any member of its executive board or similar governing body.

"(o) 'Member' or 'member in good standing', when used in reference to a labor organization, includes any person who has fulfilled the requirements for membership in such organization, and who neither has voluntarily withdrawn from membership nor has been expelled or suspended from membership after appropriate proceedings consistent with lawful provisions of the constitution and bylaws of such organization.

"(p) 'Secretary' means the Secretary of Labor.

"(q) The term 'officer, agent, shop steward, or other representative', when used with respect to a labor organization, includes elected officials and key administrative personnel, whether elected or appointed (such as business agents, heads of departments or major units, and organizers who exercise substantial independent authority), but does not include salaried nonsupervisory professional staff, stenographic, and service personnel.

"(r) 'District court of the United States' means a United States district court and a United States court of any place subject to the jurisdiction of the United States.

"TITLE I—RIGHTS OF MEMBERS OF LABOR ORGANIZATIONS

"Rights of members

"SEC. 101. (a)(1) RIGHTS OF MEMBERSHIP.—Every member of a labor organization shall be accorded, subject to reasonable qualifications uniformly imposed, all the rights and privileges pertaining to membership under the constitution and bylaws of such labor organization, including the right to participate in determining the policies of such labor organization, to attend membership meetings, and to vote in any election or referendum conducted by such labor organization.

"(2) FREEDOM OF SPEECH AND ASSEMBLY.—Every member of any labor organization shall have the right to meet and assemble freely with other members and to express his views, arguments, and opinions, including the right to express at any meeting of such labor organization his views upon any candidate or candidates in any election conducted by such labor organization or upon any other business properly before such meeting.

"(3) DUES, INITIATION FEES, AND ASSESSMENTS.—Except in the case of a federation of national or international labor organizations, the rates of dues and initiation fees payable by members of any labor organization in effect on the date of enactment of this Act shall not be increased, and no general or special assessment shall be levied upon such members, except—

"(A) in the case of a local labor organization, (i) by majority vote by secret ballot of the members in good standing voting at a general or special membership meeting, after reasonable notice of the intention to vote upon such question, or (ii) by majority vote of the members in good standing voting in a membership referendum conducted by secret ballot; or

"(B) in the case of a labor organization, other than a local labor organization on a federation of national or international labor organizations, (i) by majority vote of the delegates voting at a regular convention, or at a special convention of such labor organization held upon not less than thirty days' written notice to the principal office of each local or constituent labor organization entitled to such notice, or (ii) by majority vote of the members in good standing of such

labor organization voting in a membership referendum conducted by secret ballot, or (iii) by majority vote of the members of the executive board or similar governing body of such labor organization, pursuant to express authority contained in the constitution and bylaws of such labor organization: *Provided*, That such action on the part of the executive board or similar governing body shall be effective only until the next regular convention of such labor organization.

"(4) PROTECTION OF THE RIGHT TO SUE.—Except as provided herein, the right of any aggrieved member of a labor organization to institute any action in any court of the United States or any State, or a proceeding before any administrative agency of the United States or any State, against such labor organization or any officer thereof shall not be limited or impaired, nor shall any such member be denied the right to appear as a witness in any judicial, administrative, or legislative proceeding, or to petition any legislature or communicate with any legislator: *Provided*, That any such member shall be required to exhaust the reasonable remedies available under the constitution and bylaws of such labor organization and of any national or international labor organization of which such labor organization is an affiliate or constituent body before instituting any judicial or administrative proceeding against such labor organization or any officer thereof for violation of such member's rights in such labor organization: *And provided further*, That no employer shall, directly or indirectly, interfere or attempt to interfere with the internal affairs of any labor organization or, directly or indirectly, finance, encourage, participate in, or support, unless named as a party, any action, suit, or proceeding instituted against any labor organization under the provisions of this Act.

"(5) SAFEGUARDS AGAINST IMPROPER DISCIPLINARY ACTION.—Any member of any labor organization who is fined, suspended, expelled, or otherwise disciplined by a labor organization or any officer thereof, except for nonpayment of dues, shall be afforded a fair hearing on written charges and other procedural safeguards as provided in the constitution and bylaws of such labor organization.

"(b) Nothing in subsection (a) shall relieve any member of a labor organization of responsibility for the abuse of any right prescribed in subsection (a) nor impair the authority of any labor organization to adopt and enforce disciplinary sanctions in conformance with paragraph (5) of subsection (a), and to adopt and enforce rules for the purpose of insuring proper and orderly conduct of the meetings and business of such labor organization, requiring loyal observance by every member of such labor organization of his responsibility as such toward the labor organization as an institution and toward the labor movement as a whole, or restraining conduct by any member or members that interferes with the performance by such labor organization of any of its legal or contractual obligations.

"(c) Any provision of the constitution and bylaws of any labor organization which is inconsistent with the provisions of this section shall be of no force or effect: *Provided*, That the provisions of section 404 of this Act shall apply with respect to any modification or amendment of the constitution or bylaws of any such labor organization which may be required by the provisions of this section.

"Enforcement

"SEC. 102. (a) Any person—

"(1) who is aggrieved by any violation of section 101; and

"(2) who has exhausted the reasonable remedies available under the constitution and bylaws of a labor organization and of any national or international labor organization with which such labor organization is affiliated, or has diligently pursued such available remedies without obtaining a final decision within nine calendar months after their being invoked:

may bring a civil action in any district court of the United States having jurisdiction of the labor organization involved to prevent and restrain such violation. For purposes of this subsection, district courts of the United States shall be deemed to have jurisdiction of a labor organization in the district where the alleged violation occurred, or in which the labor organization maintains its principal office.

"(b) If, upon a preponderance of the evidence after a trial upon the merits, the court finds that a violation of section 101 has occurred, the court shall have jurisdiction to restrain such violation and to grant such other and further relief as may be appropriate.

"Retention of existing rights

"SEC. 103. This Act shall not limit or impair any rights or remedies of any member of any labor organization under the constitution and bylaws of such labor organization, nor shall this Act in any way limit or impair the authority of any labor organization with respect to the conduct of its internal affairs, except as explicitly provided in this Act.

"Right to copies of collective bargaining agreements

"SEC. 104. It shall be the duty of the secretary or corresponding principal officer of each labor organization, in the case of a local labor organization, to forward a copy of each collective bargaining agreement made by such labor organization with any employer to any employee who requests such a copy and whose rights as such employee are directly affected by such agreement, and in the case of a labor organization other than a local labor organization, to forward a copy of any such agreement to each constituent unit which has members directly affected by such agreement; and such officer shall maintain at the principal office of the labor organization of which he is an officer copies of any such agreement made or received by such labor organization, which copies shall be available for inspection by any member or by any employee whose rights are affected by such agreement. The provisions of section 210 shall be applicable in the enforcement of this section.

"Informations as to Act

"SEC. 105. Every labor organization shall inform its members concerning the provisions of this Act.

"TITLE II—REPORTING BY LABOR ORGANIZATIONS, OFFICERS AND EMPLOYEES OF LABOR ORGANIZATIONS, AND EMPLOYERS

"Report of labor organizations

"SEC. 201. (a) Every labor organization shall adopt a constitution and bylaws and shall file a copy thereof with the Secretary, together with a report, signed by its president and secretary or corresponding principal officers, containing the following information—

"(1) the name of the labor organization, its mailing address, and any other address at which it maintains its principal office or at which it keeps the records referred to in this title;

"(2) the name and title of each of its officers;

"(3) the initiation fee or fees required from a new or transferred member and fees for work permits required by the reporting labor organization;

"(4) the regular dues or fees or other periodic payments required to remain a member of the reporting labor organization; and

"(5) detailed statements, or references to specific provisions of documents filed under this subsection which contain such statements, showing the provision made and procedures followed with respect to each of the following: (A) qualifications for or restrictions on membership, (B) levying of assessments, (C) participation in insurance or other benefit plans, (D) authorization for disbursement of funds of the labor organization, (E) audit of financial transactions of the labor organization, (F) the calling of regular and special meetings, (G) the selection of officers and stewards and of any representatives to other bodies composed of labor organizations' representatives, with a specific statement of the manner in which each officer was elected, appointed, or otherwise selected, (H) discipline or removal of officers or agents for breaches of their trust, (I) imposition of fines, suspensions, and expulsions of members; including the grounds for such action and any provision made for notice, hearing, judgment on the evidence, and appeal procedures, (J) authorization for bargaining demands, (K) ratification of contract terms, (L) authorization for strikes, and (M) issuance of work permits. Any change in the information required by this subsection shall be reported to the Secretary at the time the reporting labor organization files with the Secretary the annual financial report required by subsection (b), or, if the labor organization is exempt from the filing of a financial report under the provisions of subsection (d) of this section with respect to a fiscal year, within ninety days after the end of such fiscal year.

"(b) Every labor organization shall file annually with the Secretary a financial report signed by its president and treasurer or corresponding principal officers containing the following information in such detail as may be necessary accurately to disclose its financial condition and operations for its preceding fiscal year—

"(1) assets and liabilities at the beginning and end of the fiscal year;

"(2) receipts of any kind and the sources thereof;

"(3) salary, allowances, and other direct or indirect disbursements (including reimbursed expenses) to each officer and also to each employee who, during such fiscal year, received more than $10,000 in the aggregate from such labor organization and any other labor organization affiliated with it or with which it is affiliated, or which is affiliated with the same national or international labor organization;

"(4) direct and indirect loans made to any officer, employee, or member, which aggregated more than $250 during the fiscal year, together with a statement of the purpose, security, if any, and arrangements for repayment;

"(5) direct and indirect loans to any business enterprise, together with a statement of the purpose, security, if any, and arrangements for repayment; and

"(6) other disbursements made by it including the purposes thereof.

"(c) Every labor organization required to submit a report under this title shall make available the information required to be contained in such report to all of its members, and every such labor organization and its officers shall be under a duty enforcible at the suit of any member of such organization in any State court of competent jurisdiction or in the district court of the United States for the district in which such labor organization maintains its principal office, to permit such member for just cause to examine any books, records, and accounts necessary to verify such report. The court in such action may, in its discretion, in addition to any judgment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fees to be paid by the defendant, and costs of the action.

"(d) A labor organization shall be exempt from the requirements of subsection (b)

with respect to a fiscal year at the end of which it had less than two hundred members, or during which it had gross receipts of less than $20,000 (including all sums paid over as dues or per capita tax to a parent or affiliated labor organization and excluding payments received by trustees which are permissible under section 302(c) (5) or (6) of the Labor-Management Relations Act, 1947, as amended), unless the Secretary determines, after due notice and opportunity for a hearing, that the exemption of such labor organization should be withdrawn, permanently or conditionally, because the membership of that labor organization has been denied the substantial equivalent of the information required by subsection (b).

"(e) Subsections (f), (g), and (h) of section 9 of the National Labor Relations Act, as amended, are hereby repealed.

"(f) Clause (i) of section 8(a)(3) of the National Labor Relations Act, as amended, is amended by striking out the following: 'and has at the time the agreement was made or within the preceding twelve months received from the Board a notice of compliance with section 9 (f), (g), and (h)'.

"Report of officers and employees of labor organizations

"SEC. 202. (a) Every officer of a labor organization and every employee of a labor organization (other than an employee performing exclusively clerical or custodial services) shall file with the Secretary a signed report listing and describing for his preceding fiscal year—

"(1) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child derived directly or indirectly from, an employer whose employees such labor organization represents or is actively seeking to represent, except payments and other benefits received as a bona fide employee of such employer;

"(2) any transaction in which he or his spouse or minor child engaged, directly or indirectly, involving any stock, bond, security, or loan to or from, or other legal or equitable interest in the business of an employer whose employees such labor organization represents or is actively seeking to represent;

"(3) any stock bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child directly or indirectly derived from, any business a substantial part of which consists of buying from, selling or leasing to, or otherwise dealing with, the business of an employer whose employees such labor organization represents or is actively seeking to represent;

"(4) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child directly or indirectly derived from, a business any part of which consists of buying from, or selling or leasing directly or indirectly to, or otherwise dealing with such labor organization;

"(5) any direct or indirect business transaction or arrangement between him or his spouse or minor child and any employer whose employees his organization represents or is actively seeking to represent, except work performed and payments and benefits received as a bona fide employee of such employer and except purchases and sales of goods or services in the regular course of business at prices generally available to any employee of such employer; and

"(6) any payment of money or other thing of value (including reimbursed expenses) which he or his spouse or minor child received directly or indirectly from any employer or any person who acts as a labor relations consultant to an employer, except payments of the kinds referred to in section 302 (c) of the Labor Management Relations Act, 1947, as amended.

"(b) The provisions of paragraphs (1), (2), (3), (4), and (5) of subsection (a) shall not be construed to require any such officer or employee to report his bona fide investments in securities traded on a securities exchange registered as a national securities exchange under the Securities Exchange Act of 1934, in shares in an investment company registered under the Investment Company Act of 1940, or in securities of a public utility holding company registered under the Public Utility Holding Company Act of 1935, or to report any income derived therefrom.

"(c) Nothing contained in this section shall be construed to require any officer or employee of a labor organization to file a report under subsection (a) unless he or his spouse or minor child holds or has held an interest, has received income or any other benefits with monetary value or a loan, or has engaged in a transaction described therein.

"Report of employers

"SEC. 203. (a) Every employer engaged in an industry affecting commerce shall file with the Secretary a report, signed by its president and treasurer or corresponding principal officers, listing and describing for the preceding fiscal year—

"(1) any expenditure (including reimbursed expenses) during the fiscal year, where an object thereof, directly or indirectly, is to persuade employees to exercise or not to exercise, or persuade employees as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing, or is to obtain information concerning the organizing or bargaining activities or concerning a labor organization: *Provided*, That nothing herein shall be construed as applying to publicly disclosed changes in wages, working conditions, or employee benefits; and

"(2) any payment, expenditure, loan transaction, or arrangement involving such employer, or which a report is required from an officer or employee of a labor organization under the provisions of section 202(a) (1), (2), (5) and (6).

"(b) Every employer engaged in an industry affecting commerce who makes or agrees to make—

"(1) any agreement or arrangement by which any person undertakes activities where an object thereof, directly or indirectly is to persuade employees to exercise or not to exercise, or persuade employees as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing, or undertakes to supply such employer with information concerning the organizing or bargaining activities of employees or concerning a labor organization.

"(2) any payment or loan, direct or indirect, of any money or other thing of value, or any promise or agreement therefor, to any labor organization, except (i) payments pursuant to a collective bargaining agreement the terms of which have been fully disclosed to the employees in the bargaining unit, (ii) compensation paid to an officer or employee of a labor organization for, or by reason of, his services as an employee of such employer, (iii) payments or loans made by any National or State bank, credit union, insurance company, savings and loan association, or other credit institution, and (iv) payments of the kind referred to in section 302(c) of the Labor Management Relations Act, 1947, as amended;

shall file with the Secretary within thirty days after such agreement or payment, and annually thereafter, a report signed by its president and treasurer or corresponding principal officers describing such agreement in detail and showing the date and amount of each payment or expenditure, made or to be made, and the name, address, and position, if any, in any firm or labor organization of the person to whom it was made, together with a full explanation of the circumstances of all such payments or expenditures.

"(c) Every person who pursuant to any agreement or arrangement with an employer engaged in an industry affecting commerce undertakes activities where an object thereof is, directly or indirectly—

"(A) to persuade employees to exercise or not to exercise, or persuade employees as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing; or

"(B) to supply an employer with information concerning the organizing or bargaining activities of employees or concerning a labor organization in connection with a labor dispute.

shall file within thirty days of entering into such agreement or arrangement, and annually thereafter, a report with the Secretary, signed by its president and treasurer or corresponding principal officers, containing the following information:

"(1) the name under which such person is engaged in doing business and the address of his principal place of business;

"(2) receipts of any kind from employers on account of labor relations advice or services, designating the sources thereof;

"(3) disbursements of any kind, including reimbursed expenses, in connection with such services and the purposes thereof; and

"(4) a detailed statement of the terms of such agreement or arrangement;

"(d) Nothing in this section shall be construed to require any employer or other person to file a report covering the services of such person by reason solely of his giving or agreeing to give advice to such employer or representing or agreeing to represent such employer before any court, administrative agency, or tribunal or arbitration or engaging or agreeing to engage in collective bargaining on behalf of such employer with respect to wages, hours, or other terms or conditions of employment or the negotiation of an agreement or any question arising thereunder.

"(e) Nothing contained in this section shall be construed to require an employer to file a report under subsections (a) or (b) unless he has made or agreed to make expenditures, payments, or loans of the kind described therein. Nothing contained in this section shall be construed to require any other person to file a report under subsection (c) unless he was a party to an agreement or arrangement of the kind described therein.

"Attorney-client communications exempted

"SEC. 204. Nothing contained in this Act shall be construed to require an attorney who is a member in good standing of the bar of any State to include in any report required to be filed pursuant to the provisions of this Act any privileged information which was lawfully communicated to such attorney by any of his clients in the course of a legitimate attorney-client relationship.

"Reports made public information

"SEC. 205. (a) The contents of the reports and documents filed with the Secretary pursuant to sections 201, 202, and 203 shall be public information.

"(b) The Secretary shall by regulation make reasonable provision for the inspection and examination, on the request of any person, of the information and data contained

in any report or other document filed with him pursuant to section 201, 202, or 203.

"(c) The Secretary shall by regulation provide for the furnishing by the Department of Labor of copies of reports or other documents filed with the Secretary pursuant to this title, upon payment of a charge based upon the cost of the service. The Secretary shall make available without payment of a charge, or require any person to furnish, to such State agency as is designated by law or by the Governor of the State in which such person has his principal place of business or headquarters, upon request of the Governor of such State, copies of any reports and documents filed by such person with the Secretary pursuant to section 201, 202 or 203, or of information and data contained therein. No person shall be required by reason of any law of any State to furnish to any officer or agency of such State any information included in a report filed by such person with the Secretary pursuant to the provisions of this title, if a copy of such report, or of the portion thereof containing such information, is furnished to such officer or agency. All moneys received in payment of such charges fixed by the Secretary pursuant to this subsection shall be deposited in the general fund of the Treasury.

"Retention of records

"SEC. 206. Every person required to file any report under this title shall maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Secretary may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions, and shall keep such records available for examination for a period of not less than five years after the filing of the documents based on the information which they contain.

"Effective date

"SEC. 207. (a) Each labor organization shall file the initial report required under section 201(a) within ninety days after the date on which it first becomes subject to this Act.

"(b) Each person required to file a report under section 201(b), 202, or 203 shall file such report within ninety days after the end of each of its fiscal years; except that where such person is subject to section 201(b), 202, or 203, as the case may be, for only a portion of such a fiscal year (because the date of enactment of this Act occurs during such person's fiscal year or such person becomes subject to this Act during its fiscal year) such person may consider that portion as the entire fiscal year in making such report.

"Rules and regulations

"SEC. 208. The Secretary shall have authority to issue, amend, and rescind rules and regulations prescribing the form and publication of reports required to be filed under this title and such other reasonable rules and regulations (including rules prescribing reports concerning trusts in which a labor organization is interested) as he may find necessary to prevent the circumvention or evasion of such reporting requirements. In exercising his power under this section the Secretary shall prescribe by general rule simplified reports for labor organizations or employers for whom he finds that by virtue of their size a detailed report would be unduly burdensome, but the Secretary may revoke such provision for simplified forms of any labor organization or employer if he determines, after such investigation as he deems proper and due notice and opportunity for a hearing, that the purposes of this section would be served thereby.

"Criminal provisions

"SEC. 209. (a) Any person who willfully violates this title shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

"(b) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any document, report or other information required under the provisions of this title shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

"(c) Any person who willfully makes a false entry in or willfully conceals, withholds, or destroys any books, records, reports, or statements required to be kept by any provision of this title shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

"(d) Each individual required to sign reports under sections 201 and 203 shall be personally responsible for the filing of such reports and for any statement contained therein which he knows to be false.

"Civil enforcement

"SEC. 210. Whenever it shall appear that any person has violated or is about to violate any of the provisions of this title, the Secretary may bring an action for such relief as may be appropriate, including injunctions, to restrain any such violation and to compel compliance with this title. Any such action may be brought in the district court of the United States where the violation occurred or, at the option of the parties, in the United States District Court for the District of Columbia.

"TITLE III—TRUSTEESHIPS

"Reports

"SEC. 301. (a) Every labor organization which has or assumes trusteeship over any subordinate labor organization shall file with the Secretary within thirty days after the date of the enactment of this Act or the imposition of any such trusteeship and, semiannually thereafter, a report, signed by its president and treasurer or corresponding principal officers, as well as by the trustees of such subordinate labor organization, containing the following information: (1) the name and address of the subordinate organization; (2) the date of establishing the trusteeship; (3) a detailed statement of the reason or reasons for establishing or continuing the trusteeship; and (4) the nature and extent of participation by the membership of the subordinate organization in the selection of delegates to represent such organization in regular or special conventions or other policy-determining bodies and in the election of officers of the labor organization which has assumed trusteeship over such subordinate organization. The initial report shall also include a full and complete account of the financial condition of such subordinate organization as of the time trusteeship was assumed over it. During the continuance of a trusteeship the labor organization which has assumed trusteeship over a subordinate labor organization shall file on behalf of the subordinate labor organization the annual financial report required by section 201(b) signed by the president and treasurer or corresponding principal officers of the labor organization which has assumed such trusteeship and the trustees of the subordinate labor organization.

"(b) The provisions of sections 201(c), 205, 206, 208, and 210 shall be applicable to reports filed under this title.

"(c) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

"(d) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any report required under the provisions of this section, or willfully makes any false entry in or willfully withholds, conceals, or destroys any documents, books, records, reports, or statements upon which such report is based, shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

"(e) Each individual required to sign a report under this section shall be personally responsible for the filing of such report and for any statement contained therein which he knows to be false.

"Purposes for which a trusteeship may be established

"SEC. 302. Trusteeships shall be established and administered by a labor organization over a subordinate body only in accordance with the constitution and bylaws of the organization which has assumed trusteeship over the subordinate body and for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of such labor organization.

"Unlawful acts relating to labor organization under trusteeship

"SEC. 303. (a) During any period when a subordinate body of a labor organization is in trusteeship, it shall be unlawful (1) to count the vote of delegates from such body in any convention or election of officers of the labor organization unless the delegates have been chosen by secret ballot in an election in which all the members in good standing of such subordinate body were eligible to participate, or (2) to transfer to such organization any current receipts or other funds of the subordinate body except the normal per capita tax and assessments payable by subordinate bodies not in trusteeship: *Provided*, That nothing herein contained shall prevent the distribution of the assets of a labor organization in accordance with its constitution and bylaws upon the bona fide dissolution thereof.

"(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

"Enforcement

"SEC. 304. (a) Upon the written complaint of any member or subordinate body of a labor organization alleging that such organization has violated the provisions of this title (except section 301) the Secretary shall investigate the complaint and if the Secretary finds probable cause to believe that such violation has occurred and has not been remedied he shall, without disclosing the identity of the complainant, bring a civil action in any district court of the United States having jurisdiction of the labor organization to prevent and restrain such violation and for such other relief as may be appropriate. Any member or subordinate body of a labor organization affected may bring a civil action in any district court of the United States having jurisdiction of the labor organization to prevent and restrain any violation of this title (except section 301) and for such other relief as may be appropriate.

"(b) For the purpose of actions under this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization (1) in the district in which the principal office of such labor organization is located, or (2) in any district in which its duly authorized officers or agents are engaged in conducting the affairs of the trusteeship.

"(c) In any proceeding pursuant to this section a trusteeship established by a labor organization in conformity with the procedural requirements of its constitution and

bylaws and authorized or ratified after a fair hearing either before the executive board or before such other body as may be provided in accordance with its constitution or bylaws shall be presumed valid for a period of eighteen months from the date of its establishment and shall not be subject to attack during such period except upon clear and convincing proof that the trusteeship was not established or maintained in good faith for a purpose allowable under section 302. After the expiration of eighteen months the trusteeship shall be presumed invalid in any such proceeding and its discontinuance shall be decreed unless the labor organization shall show by clear and convincing proof that the continuation of the trusteeship is necessary for a purpose allowable under section 302. In the latter event the court may dismiss the complaint or retain jurisdiction of the cause on such conditions and for such period as it deems appropriate.

"Report to Congress

"SEC. 305. The Secretary shall submit to the Congress at the expiration of three years from the date of enactment of this Act a report upon the operation of this title.

"Complaint by Secretary

"SEC. 306. Upon the filing of any action by the Secretary pursuant to section 304(a) of this title, the jurisdiction of the district court over the trusteeship involved in such action shall be exclusive and the final judgment shall be res judicata.

"TITLE IV—ELECTIONS

"Terms of office; election procedures

"SEC. 401. (a) Every national or international labor organization, except a federation of national or international labor organizations, shall elect its officers not less often than once every five years either by secret ballot among the members in good standing or at a convention of delegates chosen by secret ballot.

"(b) Every local labor organization shall elect its officers not less often than once every three years by secret ballot among the members in good standing. Such labor organization and its officers shall be under a duty, enforcible at the suit of any bona fide candidate for union office in the district court of the United States for the district in which such labor organization maintains its headquarters or principal office, to comply with all reasonable requests of any candidate to distribute by mail or otherwise at the candidate's expense campaign literature in aid of such person's candidacy to all members in good standing of such labor organization and to refrain from discrimination in favor of or against any candidate with respect to the use of lists of members. Whenever such labor organization or its officers authorize the distribution of campaign literature on behalf of any candidate, similar distribution at the request of any other bona fide candidate shall be made by such labor organization and its officers, with equal treatment as to the expense of such distribution. Adequate safeguards to insure a fair election shall be provided, including the right of any candidate to have an observer at the polls and at the counting of the ballots.

"(c) Officers of intermediate bodies, such as general committees, system boards, joint boards, or joint councils, shall be elected not less often than once every four years by secret ballot among the members in good standing or by labor organization officers representative of such members who have been elected by secret ballot.

"(d) In any election required by this section which is to be held by secret ballot a reasonable opportunity shall be given for the nomination of candidates and every member in good standing shall be eligible to be a candidate and to hold office (subject to section 504 and to reasonable qualifications uniformly imposed) and shall have the right to vote for or otherwise support the candidate or candidates of his choice, without being subject to penalty, discipline, or improper interference or reprisal of any kind by such organization or any member thereof. Not more than 45 days and not less than 15 days prior to the last possible date on which nominations can be made, notice of the time and manner of making nominations and of the place and date of election shall be given in a manner which is reasonably calculated to inform all or substantially all of the members eligible to vote in such election. Each member in good standing shall be entitled to one vote. No member whose dues have been withheld by his employer for payment to such organization pursuant to his voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to vote or be a candidate for office in such organization by reason of alleged delay or default in the payment of dues. The votes cast by members of each local labor organization shall be counted and the results shall be published separately. The election officials designated in the constitution and bylaws or the secretary, if no other official is designated, shall preserve for one year the ballots and all other records pertaining to the election. The election shall be conducted in accordance with the constitution and bylaws of such organization insofar as they are not inconsistent with the provisions of this title.

"(e) When officers are chosen by a convention of delegates elected by secret ballot, the convention shall be conducted in accordance with the constitution and bylaws of the labor organization insofar as they are not inconsistent with the provisions of this title. The officials designated in the constitution and bylaws or the secretary, if no other is designated, shall preserve for one year the credentials of the delegates and all minutes and other official records of the convention pertaining to the election of officers.

"(f) No moneys received by any labor organization by way of dues, assessment, or similar levy, and no moneys of an employer shall be contributed or applied to promote the candidacy of any person in an election subject to the provisions of this title. Such moneys of a labor organization may be utilized for notices, factual statements of issues and other expenses necessary for the holding of an election.

"(g) If upon petition of any member of a labor organization, a district court of the United States finds the constitution and bylaws of such labor organization do not provide an adequate procedure for the removal of an elected officer guilty of serious misconduct, a district court may order that for the cause shown and after due notice and opportunity for a hearing, an election shall be conducted by the officers of such labor organization among the members in good standing, voting by secret ballot, and in accordance with its constitution and bylaws insofar as they are not inconsistent with the provisions of this title, for the purpose of determining whether such officer shall be removed from office. For purposes of this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization in the district in which such labor organization maintains its principal office. The court in such action may, in its discretion, in addition to any judgment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

"Enforcement

"SEC. 402. (a) A member of a labor organization—

"(1) who is aggrieved by any violation of section 401, and

"(2) who (A) has exhausted the reasonable remedies available under constitution and bylaws of such organization and of any national or international labor organization with which such organization is affiliated, or (B) has diligently pursued such available remedies without receiving a final decision within six calendar months after their being invoked,

may bring a civil action against such labor organization in any district court of the United States for the district having jurisdiction of such labor organization to prevent and restrain such violation and for such other relief as may be appropriate, including the holding of a new election under the supervision of the Secretary and in accordance with the provisions of this title. Where an election has already been held at the time such action is brought, such election shall be presumed valid pending a final decision thereof, as hereinafter provided, and in the interim the affairs of the organization shall be conducted by the officers elected or in such other manner as its constitution and bylaws may provide. The court shall have power to take such action as it deems proper to preserve the assets of the labor organization.

"(b) For purposes of this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization in the district in which such labor organization maintains its principal office. The court in such action may, in its discretion, in addition to any judgment awarded to the plaintiff, or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and cost of the action.

"(c) If, upon a preponderance of the evience after a trial upon the merits, the court finds—

"(1) that an election has not been held within the time prescribed by section 401, or

"(2) that a violation of section 401 affected the outcome of an election,

the court shall declare the election, if any, to be void and direct the conduct of a new election under supervision of the Secretary and, so far as lawful and practicable, in conformity with the constitution and bylaws of the labor organization. The Secretary shall promptly certify to the court the names of the persons elected, and the court shall thereupon enter a decree declaring such persons to be the officers of the labor organization.

"(d) An order directing an election, dismissing an action, or designating elected officers of a labor organization shall be appealable in the same manner as the final judgment in a civil action, but the court, in its discretion, may refuse to stay an order directing an election pending an appeal therefrom.

"Frequency of elections

"SEC. 403. No labor organization subject to the provisions of this title shall be required by law to conduct elections of officers with greater frequency or in a different form or manner than is required by its own constitution or bylaws, except as otherwise provided by this title. Existing rights and remedies to enforce the constitution and bylaws of a labor organization with respect to elections prior to the conduct thereof shall not be affected by the provisions of this title. The remedy provided by this title for challenging an election already conducted shall be exclusive.

"Effective date

"SEC. 404. The provisions of this title shall become applicable—

"(1) ninety days after the date of enactment of this act in the case of a labor organization whose constitution and bylaws can lawfully be modified or amended by action of its constitutional officers or governing body, or

"(2) where such modification can only be made by a constitutional convention of the

labor organization, not later than the next constitutional convention of such labor organization after the date of enactment of this Act, or two years after such date, whichever is sooner. If no such convention is held within such two-year period, the executive board or similar governing body empowered to act for such labor organization between conventions is empowered to make such interim constitutional changes as are necessary to carry out the provisions of this title.

"TITLE V—SAFEGUARDS FOR LABOR ORGANIZATIONS

"Fiduciary responsibility of officers of labor organizations

"SEC. 501. (a) Any person who embezzles, steals, or unlawfully and willfully abstracts or converts to his own use or the personal enrichment of another any of the moneys, funds, securities, property, or other assets of a labor organization of which he is an officer or by whom he is employed directly or indirectly shall be fined not more than $10,000 or imprisoned for not more than five years, or both.

"(b) Every officer or employee of a labor organization engaged in an industry affecting commerce shall be accountable in a fiduciary capacity to such labor organization and its members for any funds or property of such labor organization entrusted to his custody or possession which have been embezzled, stolen, or unlawfully and willfully abstracted or converted by such officer or employee to his own use or by him to the personal enrichment of another and for any income or other benefit with monetary value obtained by such officer or employee, directly or indirectly or through his spouse or minor child, in connection with any transaction that conflicts with the interests of such labor organization, notwithstanding any exculpatory clause or action purporting to exempt him from such responsibility.

"(c) When any officer or employee of a labor organization engaged in an industry affecting commerce has embezzled, stolen, or unlawfully and willfully abstracted or converted to his own use or the personal enrichment of another any money or property of such labor organization in violation of subsection (a), or when any such officer or employee has received any income or other benefit of monetary value for which such officer or employee is accountable to such labor organization and its members under subsection (b), and the labor organization or its governing board or officers refuse or fail to sue to recover such money or property or the value of the same or for other appropriate relief within a reasonable period of time after being requested to do so by any member of such labor organization who is aggrieved thereby, such member may sue such officer or employee in any district court of the United States or in any State court of competent jurisdiction to recover such money or property or the value thereof or for other appropriate relief for the benefit of the labor organization. No such proceeding shall be brought except upon leave of court obtained upon verified application and for good cause shown, which application may be made ex parte. The trial judge may allot a reasonable part of the recovery in any action under this subsection to pay the fees of counsel prosecuting the suit at the instance of the member of such labor organization and to compensate such member for any expenses necessarily paid or incurred by him in connection with the litigation.

"Bonding

"SEC. 502. (a) All officers, agents, shop stewards, and other representatives of any labor organization engaged in an industry affecting commerce who handle funds of such organization shall be bonded for the faithful discharge of their duties in the handling of such funds, during any fiscal year of such organization, in an amount not less than one-tenth of the gross income of such organization for the fiscal year of such organization immediately preceding such fiscal year, or $250,000, whichever is the lesser.

"(b) All officers, agents, shop stewards, and other representatives of any labor organization or employer engaged in any industry affecting commerce or of any trust in which such labor organization is interested who handle funds of such trust shall be bonded for the faithful discharge of their duties in the handling of such funds in an amount not less than 25 per centum of the amount of such trust, or $250,000, whichever is the lesser.

"(c) No such bond shall be placed through an agent or broker or with a surety company, in which any labor organization or any officer, agent, shop steward, or other representative of a labor organization has any direct or indirect interest.

"(d) The provision of section 210 shall be applicable to this section.

"Loans to officers of labor organizations

"SEC. 503. (a) No labor organization shall make directly or indirectly any loan or loans to any officer or employee of such organization which results in a total indebtedness on the part of such officer or employee to the labor organization in excess of $2,500.

"(b) No labor organization or employer shall directly or indirectly pay the fine of any officer or employee convicted of any willful violation of this Act.

"(c) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

"Prohibition against Communists, ex-Communists, and persons convicted of certain crimes holding certain offices and employment

"SEC. 504. (a) No person who is or has been a member of the Communist Party or who has been convicted of, or served any part of a prison term resulting from his conviction of, robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury unless deliberately provoked, or a violation of title II or III of this Act, or conspiracy to commit any such crimes, shall serve—

"(1) as an officer, director, trustee, member of any executive board or similar governing body, business agent, manager, organizer, or other employee (other than as an employee performing exclusively clerical or custodial duties) of any labor organization, or

"(2) as a labor relations consultant to a person engaged in an industry or activity affecting commerce, or as an officer, director, agent, or employee (other than as an employee performing exclusively clerical or custodial duties) of an employer if engaged in advising or representing such employer concerning employee organizing, concerted activity, or collective bargaining activities or of any group or association of employers dealing with any labor organization,

during or for five years after the termination of his membership in the Communist Party, or for five years after such conviction or after the end of such imprisonment, unless prior to the end of such five-year period, in the case of a person so convicted or imprisoned, (A) his citizenship rights, having been revoked as a result of such conviction, have been fully restored, or (B) the Board of Parole of the United States Department of Justice determines that such person's service in any capacity referred to in clause (1) or (2) would not be contrary to the purposes of this Act. Prior to making any such determination the Board shall hold an administrative hearing and shall give notice of such proceeding by certified mail to the State, county, and Federal prosecuting officials in the jurisdiction or jurisdictions in which such person was convicted. The Board's determination in any such proceeding shall be final.

"(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

"(c) For the purposes of this section, any person shall be deemed to have been "convicted" and under the disability of "conviction" from the date of the judgment of the trial court or the date of the final sustaining of such judgment on appeal, whichever is the later event.

"Amendment to section 302, Labor Management Relations Act, 1947

"SEC. 505. Subsections (a), (b), and (c) of section 302 of the Labor Management Relations Act, 1947, as amended, are amended to read as follows:

"'SEC. 302. (a) It shall be unlawful for any employer or association of employers or any person who acts as a labor relations expert, adviser, or consultant to an employer or who acts in the interest of an employer to pay, lend, or deliver, or agree to pay, lend, or deliver, any money or other thing of value—

"'(1) to any representative of any of his employees who are employed in an industry affecting commerce; or

"'(2) to any labor organization, or any officer or employee thereof, which represents, seeks to represent, or would admit to membership, any of the employees of such employer who are employed in an industry affecting commerce; or

"'(3) to any employee or group or committee of employees of such employer employed in an industry affecting commerce in excess of their normal compensation for the purpose of causing such employee or group or committee directly or indirectly to influence any other employees in the exercise of the right to organize and bargain collectively through representatives of their own choosing; or

"'(4) to any officer or employee of a labor organization engaged in an industry affecting commerce with intent to influence him in respect to any of his actions, decisions, or duties as a representative of employees or as such officer or employee of such labor organization.

"'(b) (1) It shall be unlawful for any person to request, demand, receive, or accept, or agree to receive or accept, any payment, loan, or delivery of any money or other thing of value prohibited by subsection (a).

"'(2) It shall be unlawful for any labor organization, or for any person acting as an officer, agent, representative, or employee of such labor organization, to demand or accept from the operator of any motor vehicle (as defined in part II of the Interstate Commerce Act) employed in the transportation of property in commerce, or the employer of any such operator, any money or other thing of value payable to such organization or to an officer, agent, representative, or employee thereof as a fee or charge for the unloading, or in connection with the unloading, of the cargo of such vehicle: *Provided*, That nothing in this paragraph shall be construed to make unlawful any payment by an employer to any of his employees as compensation for their services as employees.

"'(c) The provisions of this section shall not be applicable (1) in respect to any money or other thing of value payable by an employer to any of his employees whose established duties include acting openly for such employer in matters of labor relations or personnel administration or to any representative of his employees, or to any officer or employee of a labor organization, who is also an employee or former employee of such employer, as compensation for, or by reason of, his services as an employee of such employer; (2) with respect to the payment or delivery of any money or other

thing of value in satisfaction of a judgment of any court or a decision or award of an arbitrator or impartial chairman or in compromise, adjustment, settlement, or release of any claim, complaint, grievance, or dispute in the absence of fraud or duress; (3) with respect to the sale or purchase of an article or commodity at the prevailing market price in the regular course of business; (4) with respect to money deducted from the wages of employees in payment of membership dues in or other periodic payments to a labor organization in lieu thereof: *Provided*, That the employer has received from each employee, on whose account such deductions are made, a written assignment which shall not be irrevocable for a period of more than one year, or beyond the termination date of the applicable collective agreement, whichever occurs sooner; (5) with respect to money or other thing of value paid to a trust fund established by such representative, for the sole and exclusive benefit of the employees of such employer, and their families and dependents (or of such employees, families, and dependents jointly with the employees of other employers making similar payments, and their families and dependents): *Provided*, That (A) such payments are held in trust for the purpose of paying, either from principal or income or both, for the benefit of employees, their families and dependents, for medical or hospital care, pensions on retirement or death of employees, compensation for injuries or illness resulting from occupational activity or insurance to provide any of the foregoing, or unemployment benefits or life insurance, disability and sickness insurance, or accident insurance; (B) the detailed basis on which such payments are to be made is specified in a written agreement with the employer, and employees and employers are equally represented in the administration of such fund, together with such neutral persons as the representatives of the employers and the representatives of employees may agree upon and in the event the employer and employee groups deadlock on the administration of such fund and there are no neutral persons empowered to break such deadlock, such agreement provides that the two groups shall agree on an impartial umpire to decide such dispute, or in event of their failure to agree within a reasonable length of time, an impartial umpire to decide such dispute shall, on petition of either group, be appointed by the district court of the United States for the district where the trust fund has its principal office, and shall also contain provisions for an annual audit of the trust fund, a statement of the results of which shall be available for inspection by interested persons at the principal office of the trust fund and at such other places as may be designated in such written agreement; and (C) such payments as are intended to be used for the purpose of providing pensions or annuities for employees are made to a separate trust which provides that the funds held therein cannot be used for any purpose other than paying such pensions or annuities; or (6) with respect to money or other thing of value paid by any employer to a trust fund established by such representative for the purpose of pooled vacation, holiday, severance or similar benefits, or defraying costs of apprenticeship or other training programs: *Provided*, That the requirements of clause (B) of the proviso to clause (5) of this subsection shall apply to such trust funds.'

"TITLE VI—MISCELLANEOUS PROVISIONS

"Investigations

"SEC. 601. (a) The Secretary shall, when he has probable cause to believe that any person has violated any provision of this Act, other than a provision of title I, make an investigation, and in connection therewith he may inspect such records and accounts as may be necessary to enable him to determine the facts relative thereto.

"(b) For the purpose of any investigation provided for in this Act, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act, as amended (15 U.S.C. 49, 50), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary or any officers designated by him.

"Extortionate picketing

"SEC. 602. (a) It shall be unlawful to carry on picketing on or about the premises of any employer for the purpose of, or as part of any conspiracy or in furtherance of any plan or purpose for, the personal profit or enrichment of any individual, by taking or obtaining any money or other thing of value from such employer against his will or with his consent: *Provided*, That nothing herein shall be construed to apply to any bona fide effort to secure employment, or wage or other employment benefits.

"(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned not more than twenty years, or both.

"Retention of rights under other Federal and State laws

"SEC. 603. Nothing contained in titles I, II, III, IV, V (except section 505), or VI of this Act shall be construed to supersede or impair or otherwise affect the provisions of the Railway Labor Act, as amended, or immunities of the obligations, rights, benefits, privileges, or immunities of any carrier, employee, organization, representative, or person subject thereto; nor shall anything contained in said titles of this Act be construed to confer any rights, privileges, immunities, or defenses upon employers, or to impair or otherwise affect the rights of any person under the National Labor Relations Act, as amended.

"Enactment and enforcement of State laws

"SEC. 604. Nothing in this Act shall be construed to impair or diminish the authority of any State to enact and enforce general criminal laws with respect to robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, or assault with intent to inflict grievous bodily injury, or conspiracy to commit any of such crimes.

"Service of process

"SEC. 605. For the purposes of this Act, service of summons, subpena, or other legal process of a court of the United States upon an officer or agent of a labor organization in his capacity as such shall constitute service upon the labor organization.

"Administrative Procedure Act

"SEC. 606. The provisions of the Administrative Procedure Act shall be applicable to the issuance, amendment, or recession of any rules or regulations, or any procedure, authorized or required pursuant to the provisions of this Act.

"Other agencies and departments

"SEC. 607. In order to avoid unnecessary expense and duplication of functions among Government agencies, the Secretary may make such arrangements or agreements for cooperation or mutual assistance in the performance of his functions under this Act and the functions of any such agency as he may find to be practicable and consistent with law. The Secretary may utilize the facilities or services of any department, agency, or establishment of the United States or of any State or political subdivision of a State, including the services of any of its employees, with the lawful consent of such department, agency, or establishment; and each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to provide such information and facilities as he may request for his assistance in the performance of his functions under this Act. The Attorney General or his representative shall receive from the Secretary for appropriate action such evidence developed in the performance of his functions under this Act as may be found to warrant consideration for criminal prosecution under the provisions of this Act or other Federal law.

"Criminal contempt

"SEC. 608. No person shall be punished for any criminal contempt allegedly committed outside the immediate presence of the court in connection with any civil action prosecuted by the Secretary or any other person in any district court of the United States under the provisions of this Act unless the facts constituting such criminal contempt are established by the verdict of the jury in a proceeding in the district court of the United States, which jury shall be chosen and empaneled in the manner prescribed by the law governing trial juries in criminal prosecutions in the district courts of the United States.

"Separability provisions

"SEC. 609. If any provision of this Act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

"TITLE VII—AMENDMENTS TO THE LABOR MANAGEMENT RELATIONS ACT, 1947, AS AMENDED

"SEC. 701. (a) Section 14 of the National Labor Relations Act, as amended, is amended by adding thereto the following new subsection as follows:

"'(c) The Board shall assert jurisdiction over all labor disputes arising under this Act.'

"(b) Section 10(a) of the National Labor Relations Act, as amended, is amended by repealing the proviso thereto.

"(c) The first three sentences of section 3(a) of the National Labor Relations Act, as amended, are amended to read as follows: "The National Labor Relations Board (hereinafter called the "Board") created by this Act prior to its amendment by the Labor-Management Reporting and Disclosure Act of 1959, is hereby continued as an agency of the United States, except that the Board shall consist of seven instead of five members, appointed by the President by and with the advice and consent of the Senate. Of the two additional members so provided for, one shall be appointed for a term of five years and the other for a term of six years. Their successors, and the successors of the other members, shall be appointed for terms of seven years each, excepting that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed.'

"(d) Section 3(b) of such Act is amended to read as follows:

"'(b) (1) The Board is authorized to delegate to any group of three or more members any or all of the powers which it may itself exercise. The Board is also authorized to delegate to its regional directors its powers under section 9 to determine the unit appropriate for the purpose of collective bargaining, to investigate and provide for hearings, and determine whether a question of representation exists, and to direct an election or take a secret ballot under subsection (c) or (e) and certify the results thereof, except that upon the filing of a request therefor with the Board by any interested person, the Board may review any action of a regional director delegated to

him under this paragraph, but such a review shall not, unless specifically ordered by the Board, operate as a stay of any action taken by the regional director.

"'(2) A vacancy in the Board shall not impair the right of the remaining members to exercise all the powers of the Board, and four members of the Board shall, at all times constitute a quorum of the Board, except that two members shall constitute a quorum of any group designated pursuant to the first sentence hereof. The Board shall have an official seal which shall be judicially noticed.'

"(e) Section 3(d) of such Act is amended by adding at the end thereof the following: 'In case of a vacancy in the office of the General Counsel the President is authorized to designate the officer or employee who shall act as General Counsel during such vacancy, but no person or persons so designated shall so act (1) for more than forty days when the Congress is in session unless a nomination to fill such vacancy shall have been submitted to the Senate, or (2) after the adjournment sine die of the session of the Senate in which such nomination was submitted.'

"SEC. 702. (a) Section 8 of the National Labor Relations Act, as amended, is amended by adding at the end thereof the following new subsection:

"'(e) It shall not be an unfair labor practice under subsections (a) and (b) of this section for an employer engaged primarily in the building and construction industry to make an agreement covering employees engaged (or who, upon their employment, will be engaged) in the building and construction industry with a labor organization of which building and construction employees are members (not established, maintained, or assisted by any action defined in section 8(a) of this Act as an unfair labor practice) because (1) the majority status of such labor organization has not been established under the provisions of section 9 of this Act prior to the making of such agreement, or (2) such agreement requires as a condition of employment, membership in such labor organization after the seventh day following the beginning of such employment or the effective date of the agreement, whichever is later, or (3) such agreement requires the employer to notify such labor organization of opportunities for employment with such employer, or gives such labor organization an opportunity to refer qualified applicants for such employment, or (4) such agreement specifies minimum training or experience qualifications for employment or provides for priority in opportunities for employment based upon length of service with such employer, in the industry or in the particular geographical area: *Provided*, That nothing in this subsection shall set aside the final proviso to section 8(a)(3) of this Act: *Provided further*, That any agreement which is valid solely by reason of clause (1) of this subsection, shall not be a bar to a petition filed pursuant to section 9(c) or 9(e).'

"(b) Nothing contained in the amendment made by subsection (a) shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law.

"(c) Section 8(b)(4)(A) and section 8(b)(4)(B) of the National Labor Relations Act, as amended, are amended to read as follows:

"'(A) forcing or requiring any employer or self-employed person to join any labor or employer organization or any employer or other person (herein called secondary employer) to cease using, selling handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease doing business with any other person (herein called primary employer) unless such secondary employer is engaged as a joint venturer, prime contractor, subcontractor, or cocontractor together with the primary employer involved in a labor dispute, in a construction project or similar undertaking at the site of such concerted activity; (B) forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such employers are engaged together as joint venturers, prime contractor and subcontractor, or cocontractors in a construction project or similar undertaking at the site of such concerted activity or unless such labor organization has been certified as the representative of such employees under the provisions of section 9;'.

"(d) Paragraphs (1) and (2) of section 303(a) of the Labor-Management Relations Act, 1947, are amended to read as follows:

"'(1) forcing or requiring any employer or self-employed person to join any labor or employer organization or any employer or other person (herein called secondary employer) to cease using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease doing business with any other person (herein called primary employer) unless such secondary employer is engaged as a joint venturer, prime contractor, subcontractor, or cocontractor together with the primary employer involved in a labor dispute, in a construction project or similar undertaking at the site of such concerted activity;

"'(2) forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such employers are engaged together as joint venturers, prime contractor and subcontractor, or cocontractors in a construction project or similar undertaking at the site of such concerted activity or unless such labor organization has been certified as the representative of such employees under the provisions of section 9 of the National Labor Relations Act, as amended;'.

"SEC. 703. Section 9(c)(3) of the National Labor Relations Act, as amended, is amended by striking out the second sentence thereof.

"SEC. 704. Paragraph (4) of section 9(c) of the National Labor Relations Act, as amended, is amended by adding at the end thereof the following:

"'Notwithstanding the provisions of paragraph (1) of this subsection, the Board through its designated representative, if there is reasonable cause to believe that a question of representation affecting commerce exists, may call an informal conference of the parties upon due notice. If at such conference no agreement is reached for a consent election, and there are no substantial issues of fact or law which should be resolved by a preelection hearing, the Board, through its designated representative, may conduct an election in an appropriate unit but not before the expiration of thirty days following the date of the receipt of notice of the filing of the petition. Any party aggrieved by such proceeding may file a motion for hearing with the Board, but such motion shall not, unless specifically ordered by the Board, operate as a stay of the election. Unless such motion is granted prior to the election or is withdrawn, the Board shall afford the moving party an opportunity for hearing prior to certifying the results of such election.'

"SEC. 705. (a) Section 8(b) of the National Labor Relations Act, as amended, is amended by striking out the word 'and' at the end of paragraph (5), striking out the period at the end of paragraph (6), and inserting in lieu thereof a semicolon and the word 'and', and adding a new paragraph to read as follows:

"'(7) to carry on picketing on or about the premises of any employer for the purpose of, or as part of any conspiracy or in furtherance of any plan or purpose for, the personal profit or enrichment of any individual, by taking or obtaining any money or other thing of value from such employer against his will or with his consent: *Provided*, That nothing herein shall be construed to apply to any bona fide efforts to secure employment, or wage or other employment benefits.'

"SEC. 706. Section 10 of the National Labor Relations Act, as amended, is amended by adding at the end thereof a new subsection as follows:

"'(m) Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of subsection (a)(3) or (b)(2) of section 8, such charge shall be given priority over all other cases except cases of like character in the office where it is filed or to which it is referred and cases given priority under subsection (1).'

"SEC. 707. Except as herein specifically provided, this Act shall become effective one hundred and twenty days after enactment thereof."

Mr. PERKINS (interrupting the reading). Mr. Chairman, I ask unanimous consent that further reading of the substitute be dispensed with, and that it be printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. DAVIS of Georgia. Mr. Chairman, reserving the right to object, what is the number of the gentleman's bill?

Mr. PERKINS. The number of the substitute is H.R. 8490, commonly known as the Shelley bill, introduced by about 14 Members of the House.

Mr. DAVIS of Georgia. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Chairman, I offer the Shelley-Roosevelt substitute because I feel it will promote better labor-management relations of any of the bills, and at the same time eliminate corruption.

I well realize there is much feeling about this legislation. Many of the members on the Education and Labor Committee have different views and have different approaches to the problem. Personally, I can see the different viewpoints of the people sponsoring this legislation, and through my association with the various members on the Education and Labor Committee, I feel that all of them are seeking to serve the public interest first of all, not any special interest of any kind. Legislation in the labor-management field is certain to give rise to controversy of the bitterest kind. The present Labor-Management Reporting and Disclosure Act is no exception.

In the hearings before the joint subcommittees of the Committee on Education and Labor, we found that most of the witnesses were in agreement on the need for effective reporting and disclosure provisions, prescribing rules for union financial accounting and reporting, employer reporting, conflicts of interest and union safeguards. There were some witnesses, however, and some members of the subcommittees who thought that Congress should supplement provisions of this kind with a legally enforcible bill of rights of union members

and with additional provisions declaring and enforcing the so-called fiduciary responsibilities of union officers.

Also, many witnesses, and some members of our subcommittees, wanted us to deal with problems in the field of labor-management relations, as well as in the field of labor-management reform, by means of amendments to the Taft-Hartley Act dealing with such subjects as the so-called no man's land, union security agreements in the building and construction industry, voting by economic strikers in union representation elections, prehearing election procedures, and so forth. It was, and is, the effort to deal with these highly controversial subjects that has resulted in the bitter disagreements we now confront in connection with the legislation that is presently before us.

Mr. Chairman, as I listened to the testimony that was given before our subcommittees, and as I participated in the deliberations of the Committee on Education and Labor that ultimately produced the bill which the committee has favorably reported to this House, I became more and more convinced that the inclusion of provisions on these subjects should be considered separately. As I said in a separate statement of my views, which has been included in the committee report: "I have felt all the way along that the Taft-Hartley amendments should be dealt with in separate legislation and that the present legislation should be strictly an antiracketeering bill." However, a majority of my colleagues on the committee did not agree with me. As a result, we have legislation before us that is much more than simply labor-management reform legislation.

The three principal bills before us—the Elliott committee bill, the Landrum-Griffin bill, and the Shelley bill are virtually identical (except with respect to a very few provisions) insofar as their provisions on reporting and disclosure, union trusteeships, and union elections are concerned. They differ greatly, however, with respect to the provisions they contain to guarantee union members certain basic rights of membership, to declare and enforce the "fiduciary responsibilities" of union officers, and to amend the Taft-Hartley Act.

Let me say that while there is very little difference between the three bills from the standpoint of eliminating and preventing corruption in the labor-management field, both the Landrum-Griffin bill and the committee bill contain provisions that would do great harm to decent, honest unions and to healthy collective bargaining relationships. The Shelley bill omits these provisions, and for this reason I am offering the Shelley-Roosevelt substitute for the Landrum-Griffin and the committee bills. No doubt legislation may be needed in these areas but I feel the Education and Labor Committee should bring out legislation dealing with this subject matter in a separate bill.

Title I of each of the three bills includes provisions designed to safeguard basic democratic rights of union members. The Landrum-Griffin bills contain, however, the hastily drafted bill of rights adopted by the Senate as a substitute for the original McClellan bill of rights. They provide for enforcement through civil suits to be brought by any person whose rights have been infringed or by the Secretary of Labor in the U.S. district courts, and they impose criminal penalties for the use of force or the threat of force to restrain or intimidate any union member for the purpose of interfering with or preventing him from exercising any right to which he is entitled under the provisions of the act. The committee bill's provisions are more carefully drafted. They provide for enforcement through civil suits to be brought by aggrieved persons in the U.S. district courts. Similar provisions are included in the Shelley bill. Neither the committee bill nor the Shelley bill would subject unions or union officers to criminal penalties for violations of title I. The Shelley bill would, however, add to section 101(b), a very reasonable and desirable provision safeguarding unions against irresponsible abuse by union members of the rights guaranteed them by title I. It would also substitute for the encouragement for States to enact State bills of rights of union members, which might well be substantially more restrictive than the Federal rights, that is contained in section 103 of both the Landrum-Griffin bill and the committee bill, provisions that would preserve union members' rights and remedies under their union constitutions and bylaws and the union's authority over the conduct of its own internal affairs, except as explicitly limited by the bill. Here, it is clear to me, the Shelley bill is preferable to either of the other two bills.

Title II of each of the three bills deals with reporting and disclosure. It is the same in each bill, except that the Landrum-Griffin bills omit the exemption for small unions having gross annual receipts of less than $20,000 or fewer than 200 members that is contained in both the committee and Shelley-Roosevelt bills. Criminal penalties are provided in the Shelley-Roosevelt bill for failure to file reports, false reporting, and false recordkeeping, or disruption of records. In addition, injunction actions by the Secretary of Labor in Federal courts is provided for to enforce title II reporting requirements.

Title III of each of the three bills deals with trusteeship.

Title IV of each of the bills deals with the union elections.

There are other variances in the bills in the first six titles which I will not undertake to enumerate.

Since we have under consideration certain Taft-Hartley amendments in all three bills, it is my belief that the Landrum-Griffin bill's provision on the so-called "no man's land" problem would open the door to widespread and serious undermining of the uniform national labor policy which has been established and maintained over nearly 25 years under the National Labor Relations Act. The Shelley-Roosevelt substitute which I am offering, requires the National Labor Relations Board to take jurisdiction in all labor disputes.

Mr. Chairman, I have tried to indicate the personal reasons why I believe that of the three bills, the Shelley-Roosevelt bill is least likely to cause disruption in labor-management relations, yet is fully as effective, if not more effective, than either of the other two bills.

In the circumstances, Mr. Chairman, it is my hope that the House will approve the Shelley-Roosevelt bill as a substitute for the other two bills.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. PERKINS. Mr. Chairman, I ask unanimous consent that I may proceed for an additional 5 minutes.

Mr. MASON. Mr. Chairman, I object to all extensions of time.

Mr. ROOSEVELT. Mr. Chairman.

The CHAIRMAN. For what purpose does the gentleman from California rise?

Mr. ROOSEVELT. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. ROOSEVELT. Mr. Chairman, there is some confusion in the minds of some as to the proper procedure from this point on. Now that the substitute amendment and the second substitute amendment have been offered, I would like to inquire, Mr. Chairman, as to whether there is any limit to the number of amendments which may be offered to each of the substitute amendments.

The CHAIRMAN. There is no limit on the number of amendments that may be offered, but only one amendment at a time may be considered to each of the pending amendments.

Mr. ROOSEVELT. I thank the Chairman.

Mr. THOMPSON of New Jersey. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, by the introduction of the two substitute amendments, the issue is now drawn. It will be the responsibility of the Committee of the Whole to accept either one of the substitute amendments or to reject both amendments. It is my earnest hope that both substitute amendments will be rejected and that the committee bill will be adopted.

In the remarks of our distinguished chairman on the floor a few moments ago, he was quite accurate in his report of the conversation which I would like to clarify. He did, indeed, at one time talk to me and to some others, and in that conversation, as he related it, did say that there had been little or no interference from the labor organizations which he named. Subsequently, I can say that the gentleman from New Jersey has not received pressure from any but the Teamsters. Speaking of pressures, which have been tremendous on us as individuals and on the Members of this body as a group, I might say that they have come from both extremes and that both extremes will be heard from before this debate is ended. The pressures have come not only from Hoffa and his mob, but also from the U.S. Chamber of Commerce, the National Association of Manufacturers and from other sources.

In his remarks on his bill the gentleman from Georgia discussed the "no man's land," and this is just one of the great issues. Those of us on the committee who sat for more than 26 days in

executive session do not think that any part of our bill is window dressing, and those of us who supported it are quite flattered by the adoption of such a huge percentage of the bill in both the substitutes.

With regard to the question of "no man's land," it will be enlarged upon later, but I would like to call the attention of the Committee to the following facts:

Under the present law there are many small employers and their employees who have no legal solution to their labor problems. The State law cannot apply because the business affects interstate commerce. However, the National Labor Relations Board refuses to act on the ground that the case is too small. This situation must be corrected. It is corrected by the Elliott bill. It is not really corrected by the Landrum-Griffin bill.

Suppose that there is a question at a small electric power company affecting commerce as to whether the employees wish the Electricians' Union to be their bargaining representative. Today, if the power company is small, there is no way in which the employer or employees can get an election in order to settle the dispute because the NLRB would decline to hear the case. Such disputes often end in strikes. This is unfair to both employers and employees.

The Landrum-Griffin bill pretends to solve the problem by authorizing the States to act. This is no solution. About 35 States have no machinery for conducting elections. In these States the cause of the labor dispute would still go uncorrected and a wasteful strike would occur.

The Elliott bill supplies a simple remedy. It directs the NLRB to conduct the election.

Consider another illustration. Suppose that the employees of a gas company start to join a labor union. The employer fires everyone whom he sees wearing a union button. Today the NLRB might refuse to hear their complaints if the gas company were small despite its effect upon interstate commerce. The discharged employees would have no remedy.

The Landrum-Griffin bill does not provide an answer to this problem. If jurisdiction was turned over to the States there are 30 or 35 States in which there would be no remedy for the employees who were discharged for daring to join a labor union.

The Elliott bill does solve the problem. It requires the National Labor Relations Board to handle all cases of unfair labor practices against both employers and labor unions. It also puts into law the recommendations of an expert firm of management consultants which will expedite the handling of cases.

With these changes the NLRB can handle all cases in the "no man's land."

The Landrum-Griffin bill does nothing except enable employers to go to State courts to get injunctions against labor union activities. The Elliott bill provides both employers and employees with fair and impartial remedies.

Much has been made of the fact that only five members voted to report out the committee bill. We have had a whole parade of members of the committee coming down here to apologize for having voted out something that they have characterized as worthless. I make no such apologies, for I am proud of our work and its product.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. WIER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I am sure most of the Members of the House are acquainted with the fact that I spent most of the adult part of my life in the trade union movement. I joined the local union of which I am still a member, way back in 1914. That is a long while ago. I was not active in that union until after World War I. When I came back from the war I became quite active. As a result of my activity in Minneapolis I became the organizer and financial secretary of the Minneapolis Central Labor Union.

I served in the labor movement during the time of a great many trials and tribulations. I remember the open-shop drive by the employers of this Nation to drive the unions out of business. I remember most vividly the days of the depression when there was no employment for members of the trade union movement. So I know a great deal about trial and tribulation, of trade unionists. I doubt if there is anybody in this House who has organized as many unions as I have during the 28 years I served in the Minneapolis Central Labor Union. As a matter of fact, I would still be there had it not been that the 80th Congress passed the Taft-Hartley Act. That is what started me to Congress, and a lot more Members who came here in 1949.

History will repeat itself, especially if the Landrum-Griffin bill is passed. Of that I can assure you. The people of my district know where I stand on the Landrum-Griffin bill because the Minneapolis papers have carried my views, and I am very frank about stating them.

The Minneapolis papers have carried my position, and I am very frank to tell them of my position. The thing that disturbs me more than anything else is these small unions, 65,000 of them around the United States, that you are really putting the handcuffs on. It is only through help that these small new unions can survive when they have to compete with employers. The only thing I can see in connection with this bill is the destruction of the small unions. I want to warn you, you are going to drive these small independent unions into the position of joining the big, strong unions. If I were organizing today, and had the Landrum-Griffin bill as law, I would advise them: That you cannot survive under this bill as a small union here in competition with the employer. You cannot go on strike unless you can get some help from your fellow workers.

As far as Mr. Hoffa is concerned, and he is the principal target of this urge for labor reform, I have watched the proceedings very carefully over the months we have had these hearings. I want to say to you that I can for the moment put myself in Mr. Hoffa's position right now. As the international president of the Teamsters Union, with an executive board, Mr. Hoffa's problems in many cases would be lessened by this act for the simple reason that the Teamsters would not have to help other unions when they are in trouble. And certainly the trade union movement cannot survive unless it has the aid of its fellow workers in this Nation. So Mr. Hoffa can wash his hands of any attempt to help any other union that may be in trouble.

The only thing you have done in the Landrum-Griffin bill as far as Mr. Hoffa is concerned, and I do not think anyone can deny the fact he will still be secure, is that he will probably remove from all of his contracts the question of his drivers carrying hot cargo through a picket line or into a struck plant or a move-away plant. He can take that out of his contract and he will still operate, very successfully.

I do not see any one thing in the Landrum-Griffin bill that is going to hurt Hoffa at all. But you are going to hurt about 15 million trade union members of the smaller locals of this Nation. I am sure you people believe in the craft unions. You have always taken the position that you have not been opposed to the small or craft unions. This will merge unions, this will cause small unions in need of help in order to sustain their union to join with and become a part of the larger unions, such as the Steelworkers, the Teamsters, and others. It will cause the building and construction trades to unite into one construction union.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. POWELL. Mr. Chairman, I offer an amendment to H.R. 8400.

The Clerk read as follows:

Amendment offered by Mr. POWELL to the amendment offered by Mr. LANDRUM: Page 10, line 21, after the period insert: "Except that no labor organization shall discriminate unfairly in its representation of all employees in the negotiation and administration of collective bargaining agreement, or refuse membership, segregate or expel any person on the grounds of race, religion, color, sex, or national origin."

Mr. POWELL. Mr. Chairman, I rise to strive to remove the elements of hyprocrisy and of deceit which now exist in all of the labor bills before you.

How ridiculous it is for any human being, from whatever section of this country they may come, to speak of a bill of rights in connection with any legislation whatsoever, and exclude from that bill of rights any mention of civil rights. To do that is nothing but outright hypocrisy and deception of the lowest type. No one is more aware of that than the gentlemen who drew up this bill of rights, because as the bill of rights came to us from the Senate it had been amended by a gentleman from the South so that it did include some semblance of equal rights, even though that semblance was woefully inadequate. In our committee even that semblance was gutted upon the motion of two gentlemen from the North.

I rise today not only on behalf of myself but on behalf of all decent thinking people throughout this country, those who are in favor of labor reform bills

and who say that you are going to clean up labor.

Then let us clean it up, let us not do a partial job. Let us not say we are going to clean up the internal affairs of labor and still let labor close the door in the faces of the 20 million colored people of this Nation, the millions of Mexicans, Puerto Ricans, and orientals, and in some places millions of Catholics. If you say you are going to clean up the internal affairs, then be honest and do so. If you do not you are branding yourself as someone who is not sincere, and honest.

I have just received phone calls from outstanding religious leaders led by Dr. Maxwell, president of the Baptists, supporting this amendment, as well as many people from all over this Nation whose names I will include later in my remarks from St. Louis, Chicago, St. Paul, Minneapolis, Cincinnati, Cleveland, Denver, San Francisco, Toledo, Louisville, Kansas City, South Bend, St. Joseph, Wichita, Des Moines, all outstanding leaders in their communities.

Unless this amendment is adopted, then this legislation is an exercise in deception. How can we call for equal rights in labor, especially this now being pressed by a gentleman from a certain area in this country when in that same area there exists the most unequal lack of rights? How can you call for a bill of rights for labor and ask the Federal Government to step in with its law enforcement when in other fields in the same areas where men are being lynched and little children are being prevented from going to school by mobs, you do not want the Federal Government to step in? Let us for once and for all be honest and let us get rid of hypocrisy. Let us say that we will have a nation under God with liberty and justice for all; not just for some but for black and white, for Jew and gentile, for Protestant and Catholic; for all. If this is not accepted, then you are going forth knowing full well in your hearts and your consciences that you have failed your God, because you will go forth knowing that you have passed legislation which is anti-civil rights, anti-bill of rights, and anti-equal rights.

I will offer this amendment to other bills that come before us. I ask you, for the sake of our country, what will Tass and Pravda print tomorrow in Russia prior to Khrushchev's visit to the United States? Will they print tomorrow that Khrushchev is going to come here to a land of hypocrisy, where black men, brown men, orientals, Jews, Latin Americans do not have a chance to work because the U.S. Congress refuses to give them that right? Or, will they print tomorrow that this is a land of honesty, that this is a land where men are men and where they put the welfare of this Nation above everything else?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LANDRUM. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would like the very careful attention of the membership, if I may have it, because I think this is an extremely important matter. I think the membership should be completely informed as to what we are doing here.

We do not seek in this legislation, in no way, no shape, no guise, to tell the labor unions of this country whom they shall admit to their unions. No part of this legislation attempts to do that.

I would direct your attention to a careful reading of section 101(a) of the amendment which I have proposed, which says this: "Every member of a labor organization shall have equal rights within that organization," and then it enumerates the things: to nominate candidates and to vote in elections or referendums. We do not seek to deny any man in America, a member of a union, the right that he shall enjoy with his fellow union members. This law is not designed to do that. This law is designed only to say that, if he is a member of a union, he shall have equal rights. Is there anything wrong with that? I cannot see how the gentleman from New York can take exception to that.

Moreover, there is a provision now in the Taft-Hartley Act, section 8(b)(1)(A), which says this:

Provided, That this paragraph shall not impair the right of a labor organization to prescribe its own rules with respect to the acquisition and retention of membership therein.

We do not here seek to repeal that. We do not here withdraw or take away from the unions the right to fix their own rules for the acquisition or retention of membership. We simply say that if you bring them into the union, if you charge dues, if you cause him to do this in order to work at his trade, in order to make a living, then within that local he shall have equal rights. I will stand on that anywhere. I can see nothing wrong with that. I stand before the same God that the gentleman preceding me referred to and say that if we do that, if we require a man to join a union before he can earn a livelihood, and take his dues by way of a checkoff, under the law, then by all that is good and holy he ought to have equal rights. I stand for that.

Mr. ROOSEVELT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise, of course, to support the amendment offered by the gentleman from New York. I think the gentleman from Georgia who has just spoken has made a case for that amendment better that it could have been made probably by anybody else, for in the Griffin-Landrum bill you will find in section 101, which is headed "Equal rights" and which starts off with such fine phraseology, at the end, the following:

Subject to reasonable rules and regulations in such organization's constitution and by-laws.

Everyone knows that this has been used unfortunately in some unions in this country to provide for segregation and to provide that certain rights will be denied because of race or color or creed. The amendment of the gentleman from New York strikes at the heart of that big loophole.

I am not going to completely belabor the Griffin-Landrum bill. I have tried to find some good points in it and I think I have found at least one thing which shows that we are making some progress. You will find, for instance, on page 58 of the Griffin-Landrum bill in title IV a statement which applies to the entire act and says that a union which attempts to suspend, expel or otherwise discipline any of its members for exercising any right to which he is entitled under the provisions of the act—that is the whole bill—then the enforcement shall be found in section 210. And in section 210 which is on page 29 we find that we have given the power to the Secretary of Labor under the Griffin-Landrum bill to bring an action for such relief as may be appropriate, including injunctions to restrain any such violation and to compel compliance with the title; and that the action may be brought in the district court of the United States where the violation occurred or, at the option of the parties, in the U.S. District Court for the District of Columbia.

This is the very thing which the gentlemen from the South, up to this time, in other bills of rights have fought with all their hearts to eliminate from civil rights procedures and have told us is wrong. I am happy to see it in the Griffin-Landrum bill. It means that there will be a precedent, because I have heard no one get up, Judge SMITH or anybody else, to say that this was wrong. And so, while I think it would be a dark day if the Griffin-Landrum bill were adopted I would have to say that there is at least that silver lining, that there seems to be some beginning of the understanding of the necessity for civil rights to be employed in a proper way in order to have them enforced as the law of the land and not just of any one particular section of it.

We will now see whether our Republican colleagues will vote against civil rights for the sake of preserving the coalition that fights real progress and protection for all, not some, Americans.

Mr. GRIFFIN. Mr. Chairman, I regret that I must rise in opposition to the amendment.

A similar amendment was offered in the committee by the gentleman from New York. I opposed it then, as did the overwhelming majority of the members of both parties in the committee, not because we were not in sympathy with the purported purpose of the amendment, but because we knew that it did not belong in this legislation at this time.

It is very interesting, of course, that the amendment was offered to H.R. 8400 rather than to the Shelley bill. We might ask the sponsors of the committee bill whether they would accept a similar amendment. We might ask the gentleman from California [Mr. SHELLEY] whether he would accept a similar amendment.

Mr. ROOSEVELT. If the gentleman will yield to me I should like to say that the gentleman from California [Mr. SHELLEY] has told me that he would be happy to accept it for his bill.

Mr. GRIFFIN. Mr. Chairman, this is a very serious matter. Everybody knows why this particular amendment was offered at this time—to kill the legislation. The labor reform legislation before the House at this time is directed at the regulation of the internal affairs

of unions. It does not touch or deal in any way with the admission to, or retention of, membership in a union. There is a proviso in the Taft-Hartley Act which union leaders and the union members want preserved. I refer to a proviso to section 8(b) which reserves to unions the right to prescribe rules and regulations for the admission and retention of membership. I personally think that in some instances this privilege has been abused by some unions. However, our committee did not go into that matter in its hearings. The subject of the amendment is outside of the scope of the legislation and the hearings that were held on labor reform legislation. Under the circumstances, I urgently plead with the House not to jeopardize this legislation by adopting an amendment which is so obviously designed for the purpose of killing the bill.

Mr. FULTON. Mr. Chairman, I rise in support of the amendment to provide an adequate labor bill of rights.

Mr. Chairman, I would like to have the attention of the House for a short time. I do not think I will use the entire 5 minutes.

Mr. Chairman, this is a serious matter concerning the rights and dignity of individual working men and women and the question should be looked into, and covered in this legislation. I compliment the gentleman from New York [Mr. POWELL] for coming from his sickbed to offer this amendment under very difficult and adverse circumstances. I believe every Congressman has the right to put in an amendment and no one should question his motives, but decide the question on its clear merits.

I believe the gentleman from New York [Mr. POWELL] firmly thinks his amendment is just—and I do too. I hope the members on the Republican side do also.

I believe we should, when we are deciding what is fair play and what is fair practice in unions, look at the particular provisions that the gentleman from New York [Mr. POWELL] has put in his amendment. I think you will find they are just, fair, reasonable, and responsible. For example, he says in his amendment:

> No labor organization shall discriminate unfairly in its representation of all employees in the negotiation and administration of collective bargaining agreements.

I am in favor of that 100 percent.

I would say to you—I am an employer on five newspapers—five weekly newspapers. There was a strike for 5 weeks last year. I had quite a bit of trouble before the election, but that is the right of the employees to exercise their rights of collective bargaining under the law, including the right to strike, and I must add, against me, too.

I likewise am a self-confessed, card-carrying Republican member of the AFL–CIO myself. I like them. I think they are fine people. All the union members who are in unions today are not people to be looked down on. They are to be respected. They are working people. They are the reason that this country is strong. I want a good strong labor bill and I am going to vote for one. But, I want a fair labor bill. When we talk of a labor bill of rights, let us not have it on a sectional basis. Let us have a good bill of rights for the whole American people.

Let us see what else there is here. The amendment offered by the gentleman from New York [Mr. POWELL] says: "Or refuse membership, segregate or expel any person on the ground of race, religion, color, sex, or national origin."

What is wrong with that? What can we, Americans, who want fair play and who want equal treatment and who fought for those principles—what can we say against such a thing? If we are going to have the unions operate well outside with management, Congress had better have them operate well inside as regards their members.

If you feel a response to some of these Congressmen who are crying for rights for union members, if you think the union members need it, then vote for these basic rights. Then, let us see who, on the teller vote that I will ask for, stands up to give the union members the rights that are being talked about so much here in the Congress.

I do not care from which side of the House an amendment like this comes. If it is fair and right, and if it is legitimate and if it is honest, I am going to vote for it. I have found that popularity is so much easier than principle.

I compliment the gentleman from Michigan [Mr. GRIFFIN] when he said that he thinks personally there have been some abuses on this membership business in unions. I do, too.

I also compliment the gentleman from Michigan [Mr. GRIFFIN] when he forthrightly says that he is against this amendment of Mr. POWELL not because he is not in sympathy with the purpose of this amendment, but because he does not feel it has any place in this bill.

I disagree with my colleague on the Republican side, the gentleman from Michigan. Principle has a place in every bill of the U.S. Congress. I say to you—if union members' rights are worth anything, they are worth everything. Protect the union member, and you protect the union. Good union members are the basis of good unionism. Good unionism protects the worker, the employer, and the consumer. Good unionism is a stanch and loyal support of our U.S. free enterprise system. It is one of the mainstays of our U.S. production and efficiency. Give the U.S. worker and union member the right to be a sound, honest, decent human being without discrimination of any kind. Give each union member every right that everybody else has in the handling of the administration of collective bargaining agreements by the union officers, as well as in all union procedures and actions. The good unions follow this policy now. Why should not all unions follow these good practices? They should. To do less is intolerable to justice, dignity, and equality of the American workingman and workingwoman.

I hope that the Congress will support the union equal-rights amendment, and have a real bill of rights for labor.

Mr. BARDEN. Mr. Chairman, I rise to see if we can agree on some limitation of debate on this amendment. I ask unanimous consent, Mr. Chairman, that all debate on this amendment close in 10 minutes.

Mr. HOFFMAN of Michigan. Mr. Chairman, reserving the right to object, I would like to ask the gentleman if he intends to follow this procedure all along and jam this bill through?

Mr. BARDEN. I will say to the gentleman from Michigan that I expect to be my normal, natural, fair self.

Mr. HOFFMAN of Michigan. I was inquiring as to what the gentleman considered that to be in connection with this bill.

Mr. BARDEN. I will say to the gentleman that I have found that few things happen exactly alike in this House.

Mr. HOFFMAN of Michigan. What has that to do with my question?

Mr. BARDEN. It just simply means I am not ready to announce that I am going to follow any particular pattern on every amendment that is offered. I just gathered that the House was ready to vote.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that all debate on the pending amendment close in 10 minutes. Is there objection?

There was no objection.

The CHAIRMAN. Nine Members have indicated a desire to be heard on the amendment. That will give them approximately 1 minute each.

The gentleman from California [Mr. KASEM] is recognized.

Mr. KASEM. Mr. Chairman, it is indeed a strange proceeding that we see today. This House is seeking to protect the rights of the workingmen, union members, all workingmen. Are we for the unions only or are we for all workingmen? We have heard such noble words about the workingman as well as the right of a man to work for a living. We have heard them from the strangest places, but the record discloses that the interest has not been for very long.

The gentleman from New York [Mr. POWELL] has offered an amendment that is designed to protect the workingman.

The CHAIRMAN. The gentleman from Michigan [Mr. CEDERBERG] is recognized.

Mr. CEDERBERG. Mr. Chairman, it should be obvious to every Member that this amendment is designed to kill the Landrum-Griffin bill. I have always voted for civil-rights bills and shall continue to. It is interesting to note that at the time we were considering the housing bill the gentleman from New York [Mr. POWELL] offered a civil-rights amendment to the Herlong substitute. Later a civil-rights amendment was offered to the housing legislation by the gentleman from California [Mr. BALDWIN]; but when it came to voting on this civil-rights amendment, the gentleman from New York walked right down this aisle with most of his liberal colleagues, and they all voted against civil rights.

This inconsistency is obvious.

Mr. POWELL. Mr. Chairman, I ask that the gentleman's words be taken down.

The CHAIRMAN. The Clerk will report the words objected to.

Mr. POWELL. Mr. Chairman, out of my Christian character and upbringing, which can be made more obvious by those who may not have it, I withdraw my request that the gentleman's words be taken down.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, as one who does not view labor as such a terrible threat to the United States but as one who opposes racketeering, graft, and corruption in the labor movement, I am happy to see this amendment offered today.

I have received a good deal of correspondence from members of chambers of commerce, from members of the National Association of Manufacturers, and have heard my friends here tell us how we must protect the rights of union members. Yet we see the distinguished author of the Landrum-Griffin bill rise up and say:

We are going to protect the rights of union members, we are going to put union officials in jail for violating those rights, but we are going to do it only so long as they are white. We are not going to do it where the members of the union or the workers whose rights might be infringed may happen to have a little different colored hide than, let us say, the majority of the people in the particular union.

This is a fair amendment, it is proper, and I support it.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. BENTLEY].

Mr. BENTLEY. Mr. Chairman, I would like to ask the author of this amendment if he would mind telling the Committee just what labor unions have practiced this discrimination which his amendment would seek to correct.

Mr. POWELL. First, right here in the District of Columbia, and it was recorded in the local press, local 25 or 26 of the International Brotherhood of Electrical Workers; then there have been cases before the various State courts in reference to railroad workers. There is one pending now in the New Jersey State courts on the Electrical Workers. Then there are the railroad brotherhoods. Then there are Jim Crow locals within existing locals that set the colored people aside especially in the South but, also, in the North.

Mr. BENTLEY. Any large unions of the North?

Mr. POWELL. In the North the construction workers and isolated cases here and there.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Chairman, I just want to call attention to section 101 which provides, as the gentleman from Georgia read, that every member of a labor organization shall have equal rights and privileges to participate in deliberations. Take out the words "a labor organization," substitute the word "Congress," and apply that provision to the fact that the proponents of the Landrum bill received 4 hours of the time for debate while the supporters of the committee bill received only 1 hour, and under the Landrum bill those Members of Congress responsible for allocation of time would be subject to 1 year in the penitentiary.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Chairman, I want to refer to the words of this gentleman over here when I walked up who said "Mr. Hoffa." My name is not "Hoffa," never was, and never will be.

My colleague from Michigan wanted an example. Hoffa's union in Detroit discriminates.

But I want to compliment the House upon the courtesy and consideration which the coalition north and south is showing to Members who do not happen to belong.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I take this time solely for the purpose of clarifying the RECORD to some extent in regard to the remarks of the distinguished gentleman from California [Mr. ROOSEVELT] concerning an attempted comparison of this bill, the Landrum-Griffin bill, with the so-called title III of the civil rights provision. The gentleman from California very adroitly failed to mention and apparently purposely overlooked the matter which clarifies the matter that was an issue in the civil rights bill, that is, the issue of trial by jury. The Landrum-Griffin bill provides fair trial by jury in any criminal contempt as is provided in section 608, page 57, of the Landrum-Griffin bill, which was the real issue in that civil rights fight and the right of trial by jury in criminal contempt cases is specifically protected under the Landrum-Griffin bill as it was provided for on the floor of the Senate in the Kennedy-Ervin bill.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from California.

Mr. ROOSEVELT. What I referred to is not a criminal case; it is a civil action.

Mr. CRAMER. Contempt in the form of criminal contempt is the means of enforcing a court order in a civil action of injunction as I am sure the gentleman realizes and as was successfully argued, at least in the Senate, for the civil rights bill and those objections have been overcome in H.R. 8400 by section 608 and I am glad to see that the majority as well accepts that doctrine now in that it is also included in the committee bill and was unanimously made a part of the Senate bill.

Section 608 of the Landrum-Griffin bill provides, in this connection, the following:

CRIMINAL CONTEMPT

SEC. 608. No person shall be punished for any criminal contempt allegedly committed outside the immediate presence of the court in connection with any civil action prosecuted by the Secretary or any other person in any district court of the United States under the provisions of this act unless the facts constituting such criminal contempt are established by the verdict of the jury in a proceeding in the district court of the United States, which jury shall be chosen and empaneled in the manner prescribed by the law governing trial juries in criminal prosecutions in the district courts of the United States.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. POWELL].

Mr. POWELL. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. BARDEN and Mr. POWELL.

The Committee divided, and the tellers reported that there were—ayes 160, noes 215.

So the amendment was rejected.

Mr. UDALL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in opposition to both of the pending substitutes. Indeed, I think the more debate progresses, the more it becomes inflamed and emotion replaces reason, the more we will be driven to the center position.

I want for a moment to discuss what I think is the most controversial issue of all. There has been more emotion poured into it than anything so far in the debate, and that is the secondary boycott problem. And I should like to show you why we must come back to the middle position. The Shelley bill, I regret to say, does nothing about this problem. The Griffin bill, in the words of a prominent Member of this body, is a "killer" bill. So your choice is between a bill that does not do anything in this important area and a bill that is a "killer." It is about that simple. Indeed, the dispute between the committee bill and the "killer" bill, is not whether something should be done about secondary boycotts, but what remedy should be employed. It seems we are having trouble sticking with the facts, but I want to outline three facts for my colleagues.

One is that the Taft-Hartley Act outlawed all ordinary secondary boycotts. That is fact. It happened 12 years ago.

Fact No. 2 is that certain loopholes have developed.

Fact No. 3 is that 70 percent of the secondary boycott troubles rotate around the hot-cargo loophole and its use by the Teamsters Union. The committee bill closes that loophole and solves the main problem.

There are other smaller loopholes that are very difficult to close without hitting at the legitimate activities of labor unions. This is the problem. I am sick and tired of hearing, because of what I have gone through in this business, speaker after speaker come down to the well of the House and say the committee bill does nothing about the secondary boycott loopholes. I think there is a practical test of the effectiveness of the committee bill.

The minority leader came out of the White House yesterday and complained that the Teamsters were putting pressure on Members of the House who were for the Landrum-Griffin bill. Well, we are glad to have him and his colleagues

aboard. He is about 2 months late—the "heat" from this quarter on some of us began long ago. I have here the August issue of the Teamsters magazine which came out 2 days ago. It is their monthly bulletin. Right next to Jimmy Hoffa's report to the members, here is a special report on the labor reform bills. It says, "Union busting bill reaches floor of the House. Strike breaking bill voted out by committee."

What bill is the Teamsters magazine referring to? Not the Landrum-Griffin bill, but the Elliott bill. Whose pictures do they have here? Senator KENNEDY, Representative O'HARA, Mrs. GREEN, and myself—and the caption states "Led Fight for Union-Busting Bill." And they say that our bill does nothing about secondary boycotts? Well, I say if it does not close the hot cargo loophole someone should get word to Jimmy Hoffa, for heaven's sake, and do it quick, and get him off our backs.

So, Mr. Chairman, this debate dramatizes once again that the only way out is the middle way. The committee bill is it. We do something about secondary boycotts, and despite what Mr. Hoffa says we do not have a union-busting bill. This is a bill which does something effective in the secondary boycott area without harming the legitimate activities of labor unions.

Mr. UDALL. I yield.

Mr. THOMPSON of New Jersey. If they will do that much for us, to take Hoffa off our backs, maybe we can help to take Mr. HALLECK off their backs.

Mr. UDALL. Mr. Chairman, I yield to no one.

There has been talk this afternoon of pressure exerted by various lobbying groups. I think the five of us who signed the committee report have had more real pressure than anyone. With the help of other members of the committee we framed a good bill. Let us stick by the committee bill as a reasonable compromise that can become law.

Mr. BARDEN. Mr. Chairman, I ask unanimus consent that all debate on the Shelley substitute amendment do now close.

Mr. SHELLEY. Mr. Chairman, reserving the right to object, I am inclined to object because not being a member of the committee, and the amendment having been offered by a member of the committee, I have not had an opportunity to say a word. I think I am entitled to a chance to speak on my bill.

Mr. BARDEN. May I say to my colleague, the gentleman from California, that I was putting out a feeler and, of course, I got a response.

Mr. SHELLEY. I react somewhat quickly to that kind of feeler.

Mr. BARDEN. Mr. Chairman, I ask unanimous consent that all debate on the Shelley substitute close at 5 o'clock.

Mr. SHELLEY. Mr. Chairman, reserving the right to object, with the understanding that I may have 5 minutes, I will not object.

Mr. BARDEN. Mr. Chairman, while I have no right to make the suggestion to the Chair, I do hope the Chairman will recognize the gentleman from California immediately so that he will have his 5 minutes.

Mr. SHELLEY. Mr. Chairman, I have reserved the right to object, and will not object, with the understanding that I may have 5 minutes.

The CHAIRMAN. In putting the unanimous-consent request, the Chair will include the request made by the gentleman from California, so there will be no misunderstanding.

Mr. SHELLEY. Mr. Chairman, I want to thank the gentleman from North Carolina [Mr. BARDEN], the very able and fair chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina [Mr. BARDEN] that all debate on the Shelley substitute amendment, and all members thereto, close at 5 o'clock.

There was no objection.

The CHAIRMAN. The gentleman from California [Mr. SHELLEY] is recognized for 5 minutes.

Mr. SHELLEY. Mr. Chairman, I think just about 15 minutes ago we had an example of what I tried to warn you against yesterday, when some of the Members of this body got a little carried away by emotion. I simply tried to point out to you yesterday and I want to point it out again today with all the sincerity inside my broken-down body and very limited mental capacity, and after my years of experience in labor relations, I know we are now sitting in the same atmosphere that exists when negotiations are going on; and when emotion comes in the door reason goes out the window.

If you are going to legislate emotionally and in that kind of setting, you are not going to have any bill this session. That may be the desire of some people; some people would probably rather have a political issue. Personally I want to see a bill, my bill, which will eliminate racketeering, which will make union officers account for the funds they handle, which will prohibit the possibility of people with criminal records becoming officers of unions, which will set up a decent and fair fiduciary responsibility between the union officers and their members. That is what H.R. 8490, known as the Shelley bill, seeks to do. It seeks to do exactly what the McClellan committee set out to do. It seeks to do exactly what the original McClellan bill as it came to the floor seeks to do; and in neither the Labor Committee of the House nor the Labor Committee of the Senate has there been a prolonged, a sufficient and detailed study of these amendments to Taft-Hartley. We are enacting legislation not only in haste but also in hatred, and this is not good.

I hear about pressures; yes, there is pressure. You should see some of the telegrams I am getting from some of the corporations around this country, and the ones that do not come from my district in San Francisco get quick disposal in the wastebasket. They can vote for or against me and they probably will pour money in against me; they always have. I am getting some from business people in San Francisco with whom I negotiated labor contracts commending my position, and I am getting some others.

I think the members of labor organizations, Teamsters, AFL–CIO, have as much right to be around these hallways as do the representatives of the gas companies, the railroads, the banks, the investment houses, whom I recognize after my 10½ years' service, buttonholing Members in support of the Landrum-Griffin bill.

We are here to pass a bill which will clean up the very sad situation that was exposed by the McClellan committee hearings, and that is clean the crooks out of the labor movement, and I repeat this very vehemently.

The labor movement generally has asked that this be done. They are not afraid of it; they want it, but they do not want the Congress in this situation to go further and enact legislation which has not been considered and which will punish labor.

The gentleman who preceded me a while ago, the lead man on the so-called committee bill, talked about the secondary boycott. I was a little astounded when I listened to the speech by the President of the United States. I do not think the President wrote the speech, but certainly whoever wrote that speech for him either does not know labor relations or deliberately misrepresented the situation.

Secondary boycotts are prohibited under Taft-Hartley. The Landrum-Griffin bill extends the interpretation of secondary boycotts into a field where it could prevent a primary boycott, and this is its great viciousness. Even some of its supporters realize that now.

As to organizational picketing it is sometimes very necessary where employers just simply fire their employees. There a new employer comes in and takes over. The unions lose the contract, the men have lost their jobs.

Gentlemen, let us let reason guide us in our debate on this measure and not emotion and hysteria.

I have said this before to you my colleagues in the House and I will say it again—the bill I have supported here today will clean up labor and will also let labor grow and prosper as is the right of labor in a free democracy.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, I yield to the gentleman from California [Mr. SHELLEY].

Mr. SHELLEY. Mr. Chairman, let me tell you of a situation that was called to my attention a couple of weeks ago.

A group of service stations in San Francisco with whom the union had a contract for 4 years, was owned by a man who sold his interest to another man. The new man came in and he fired the employees and hired new ones and said they did not want to join the union. The union said: We have a contract here. But there was no existing contract. It could not go to the NLRB, it could not go anywhere. They put a picket line out. That was termed organizational picketing. But, in my opinion, it is something they had a right to do.

The new owner rushed into court, and in all this hysteria an injunction was issued calling it blackmail picketing. In 3 days the injunction was dissolved because there is no such law now. That is the hysterical emotion that is going on at this time.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, there are over 16,600,000 members of organized labor in the United States. There are about 1,600,000 in the Teamsters Union. Most of the witnesses paraded before the McClellan committee were officers from that particular union.

Mr. Chairman, nothing has been said about the fact that Mr. Meany, president of the AFL–CIO, was before that committee, or that Mr. Reuther, of the CIO, was before that committee, and both were investigated thoroughly and given clean bills of health. They are the leaders of about 15 million workers throughout the United States.

Mr. Chairman, I wish I had time to go further into this matter. There are Members of this House who will vote for the Shelley bill and for the committee bill both. I am against the Landrum-Griffin bill because it is an unjust bill.

Mr. Chairman, in California we have 1,700,000 members of organized labor. They are the basis for our great industrial production capacity. I would estimate that there are more than 6,000 paid union officials in California. The McClellan committee sent their skilled investigators into California and examined the labor organizations, their procedures, the handling of their finances, and the personal finances and actions of the labor union officials.

What was the result? The McClellan committee has preferred charges of misconduct against two California labor officials. These two may be guilty or they may be innocent. I do not know the facts. But if they are guilty, I say that this percentage of crooks in California labor is pretty small. I doubt if the percentage of crooks in banking or business is any smaller.

We believe that we have as clean a labor union movement in California as there is in any State of the Union and some of us who have defended the rights of labor over the years are not going to be stampeded at this late date into voting for unwise legislation which will cripple and penalize the millions of legitimate trade union members and honest trade union officials.

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, I have worked for years in the field of industrial relations and in the trade union movement. For the past 15 of those years I have been arguing for badly needed reforms in the labor movement as well as working against corruption from within the movement. Like my colleague from California, Congressman SHELLEY, I am a member of the International Brotherhood of Teamsters and I look with pride upon the record of those years spent in fighting with him for the welfare of the working people of our State.

Firsthand experience within labor has shown me the very real need for reforms preventing conflicts of interest, requiring full financial disclosure by both unions and employers and protecting democratic union election procedures. And this is no small thing, as some would have us think, for time and time again the record of the McClellan committee hearings reveals corrupt practices which have been prevented by just such laws. These reforms would be established by the Shelley bill. Furthermore, this bill contains effective barriers against extortion or "shakedown" picketing. I support this measure and have introduced a companion bill.

Years of experience in the labor movement have also convinced me that to go beyond these basic reforms—to interfere with labor's traditional rights to organize and to sit at the bargaining table as an equal—is not to improve the trade union movement but to cripple it. In recent weeks, my consultations with prominent legal experts and educators in the field of industrial relations at a number of universities has confirmed my conviction that the Landrum-Griffin bill does go too far and would seriously interfere with the legitimate and traditional rights of a labor union.

May I insert in the RECORD at this point for your careful attention a financial statement that is rendered by the local union I formerly had the honor to represent and which has been following this practice since 1944. We do not suggest that this be required of all unions, we subscribe to the reporting procedures which are in all bills before us today, but we submit as an example of what one affiliate of a Teamster union was doing long before the hysteria created by recent exposures.

For the 15th consecutive year, we make a public report on our union's financial affairs. We make these reports out of a feeling of responsibility to our members and to the public we serve—a feeling that grows from the deep conviction that all of us, whatever our walk of life, share common problems and common hopes—and that our welfare is closely interrelated.

Our primary concern—the basic reason for our union—has been to improve our wages and working conditions through fair and democratic collective bargaining. The results of the wages and conditions established in this way spread out in ever-widening circles to benefit other workers, business and professional men—and their families.

We have been concerned, too, about our economic security but in a way that brings benefits to many others who face the economic hazards of daily living. Security against sickness, against unemployment, industrial accident and old age has been established—but not for us alone. Many thousands share these benefits with us. And improvements in these safeguards would benefit them, too.

Harsh and vindictive laws that interfere with democratic collective bargaining relationships injure you, as well as us, for they injure the welfare of all of us.

All of us share in the benefits of decent living standards, economic and social security and democratic participation in the political and economic life of our country.

Milk Drivers and Dairy Employees Union, Local 302, Alameda and Contra Costa Counties (affiliated with the International Brotherhood of Teamsters): Harry Powell, President; William Correia, Vice President; Peter Josephs, Recording Secretary; Alfred Silva, David Klugman, Earl Sharer, Trustees; George A. Hunt, Willard E. Nelson, Business Representatives.

15th annual financial report, 1958

EXPENDITURES

Running our union (to maintain offices, pay our officers and staff, meet other expenses of negotiating contracts, administering our union's affairs)	$79,173.93
For welfare (we paid $20,658.28 in sick, disability benefits; $9,331 in death benefits. It also includes contributions to charitable and welfare organizations, Childrens' Fairyland, supplementary pay for members on jury duty and other welfare activities)	40,415.20
Payments to affiliates (payments to our International and other labor bodies represent our share in local, regional, and national labor activities. It also includes emergency expenditures for defense against political attacks, financed by membership contributions for that purpose)	$43,286.21
Total expenditures	162,875.34

INCOME

From our members (membership dues, initiation fees, and assessments finance our activities—the members themselves decide what those activities will be)	143,863.44
Returns on savings (interest and dividends on investments of our reserve funds)	2,552.52
Other income (including the credit union's share of office expense; wage claim settlement and withdrawals from reserves)	17,575.52
Total income	163,991.48

BALANCE SHEET, DEC. 31, 1958

Assets:	
Cash on hand, on deposit	$40,569.22
Investments:	
U.S. savings bonds	15,180.00
Municipal bonds	24,236.88
National securities	19,287.25
Value line securities	21,750.09
Credit union shares	14,306.92
Mass. investors trust	27,992.98
Other assets	1.00
Loans receivable	5,000.00
Total	168,324.34
Liabilities:	
Liabilities	None
Surplus	168,324.34
Total	168,324.34

ALBERT BROWN,
Secretary-Treasurer, Local 302.

(Condensed from annual audit report submitted by National Audit Bureau, C. C. Meredith, CPA.)

This is why we can say that we recognized the importance of reporting procedures long before the hubbub and cry

for reform and we backed up our feelings by practicing what we preached. We said then and we say now that had the basic reform procedures of the Shelley bill been a part of the 1947 Labor Management Relations Act, the revelations of the McClellan committee in regard to abuses of funds, conflicts of interest and violation of free election procedures would never have happened.

We urge your support of the Shelley bill. We urge you to give the organized labor movement the tools to clean its own house. We urge you to relate legislation to the goals at hand which are the protection of the workers and his rights without destroying his important institutions.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Chairman, I rise in support of the Shelley bill—the only bill before this House which, in my opinion, offers an effective and fair approach to labor-management legislation.

I stress those words—both "effective" and "fair."

There has been much talk about the "emotion" involved in this debate, but we must not spoof ourselves. What we are seeing is less "emotion" than cold calculation.

We have people in this country who for years have wanted to smash the power of unions, and who now see a chance to exploit the hearings of the Senate select committee to pass a union-busting bill. We have others who, for their special purposes, want this House to pass the so-called toughest bill possible, in the hope of killing all legislation to keep alive what they imagine is a useful political issue.

Confusion has been spread, and it has been spread deliberately, and the people have been manipulated into thinking that this House is split wide open on the question of whether unions shall be run honestly and democratically, whether union funds shall be treated as a trust, whether union elections shall be conducted honestly.

Nothing could be further from the truth, and there is not a Member of the House who does not understand it.

The Shelley bill is a strong bill in its provisions on union elections, money, and trusteeships. A union official who willfully violated its provisions could be sent to prison for years and penalized, in addition, by heavy fines.

Is there anything soft about this? There is not, and there is not anything soft about comparable provisions in the other two major proposals that have been offered—the committee bill sponsored by the gentleman from Alabama [Mr. ELLIOTT] and the gentlemen from Georgia [Mr. LANDRUM] and Michigan [Mr. GRIFFIN].

In these areas all these bills are for practical purposes the same. Each one of the bills covers, in what I consider an effective manner, the abuses disclosed in the hearings of the Senate select committee. In these areas, this House could honorably vote for any of the bills.

Then what are we arguing about? We are arguing about other matters entirely—matters which have almost nothing to do with the Senate select committee's operations—picketing, boycotts, and what the President in a holier-than-thou manner treats as the only righteous method of dealing with the so-called issue of the no-man's land in labor-management relations.

I am not alone in believing that some people in this country are seeking to exploit the Senate committee's hearings for antilabor purposes.

The labor reporter for the New York Times, Joseph A. Loftus, wrote in his paper last Sunday that all this stuff we hear about picketing and boycotts and the no-man's land figured only in a secondary way in the Senate committee hearings.

Mr. Chairman, let me make a point which I urge the House to heed. The distinguished New York Herald Tribune syndicated columnist, Mr. Walter Lippmann, pointed out, a couple of months ago, that organized labor in cooperating in the direction of Federal legislation toward reform had taken an absolutely unprecedented step. Another columnist, Mr. Joseph Alsop, who is syndicated by that widely recognized archspokesman for the Republican Party, the Herald Tribune, made the same point.

Let me remind you that a couple of years ago George Meany, the president of the AFL–CIO, commented that his only anxiety about the Senate select committee was that enemies would exploit unfavorable publicity to fasten shackles on labor that had nothing to do with the evidence developed at the hearings.

We are getting into a ridiculous situation. People are talking about getting the steel strike over in a hurry, so that Comrade Khrushchev will not see smokeless chimneys when he arrives in mid-September, and others are suggesting, in effect, that somebody ought to keep the strike alive so that Comrade Khrushchev can go talk to the workers, and learn about their freedom and how much they love the possibility that public opinion can be exploited by their enemies to persuade Congress to pass a bill that it should not pass.

The Shelley bill is superior to the other measures before us because it is fair as well as effective. It is confined to the areas of abuse that were disclosed in the Senate committee hearings. It is wrong for any of us to attempt to go beyond these hearings, although I have no word of criticism for those who believe that the committee bill is designed and framed with care and honesty.

There is one other reason I shall vote for the Shelley bill: It is the only measure pending before us which, in my opinion, deals effectively with the issue of management corruption—the businessmen who hire lawyers and other middlemen to smash union organizing drives, who cooperate gladly with labor crooks whose real interest is not to get better wages and working conditions for members but to get bribes from management.

The other two major measures are almost meaningless on the subject of management corruption. Do you know what they say? They tell management, Hire yourself some lawyers to bust the unions, and you do not have to tell the Federal Government anything about your activities. Or do some union chasing in the guise of regular employer-employee activities and you do not have to tell the Federal Government about that.

The President took to the air waves the other night—and he said not a word about management corruption. Yet look at what the Senate committee said about the operations of the "middleman" Nathan Shefferman and the corporations that hired him for what the committee, in its official interim report, called "union-busting".

The committee's report named the great corporations that had hired Shefferman, and it said that nothing in existing law would curb him. It said that "as long as there are employers who persist in the antiquated notion that all unions are evil and their organization attempts may be met by any tactics, fair or foul, Shefferman and other fixers and middlemen like him will continue to exist and prosper."

The President may not be concerned about this, but the House should be.

The President may not be concerned about the fact that only the Shelley bill contains effective restraints on management corruption as well as union abuses, but this House should be.

This debate is somewhat more serious than many have thought. It involves the fairness of the House itself, the integrity of our legislative process. The question is whether manipulators can stampede this House into doing something that the majority of members, under other circumstances, would never dream of doing—passing class legislation bearing with heaviest impact on the wage earner, his honest elected union leaders, the union organizations which through collective bargaining have given our industrial society a unique glory in the history of democracies.

I shall vote for the Shelley bill, which in my opinion should be passed as both fair and effective, as the kind of legislation the House ought to pass.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, Caesar has spoken and the populace has gathered for the crucifixion.

I knew him who at Caesar's command is being readied for the crucifixion when women on fashionable State Street in Chicago worked as clerks for $1.50 a day, when many heads of households, with mouths of wives and children to feed, toiled up to 12 hours a day for as little as $10 and $12 a week.

I knew him who at Caesar's command is now being dragged to the crucifixion when the best paid mill hands in America, those employed in our steel works and rolling mills, received an average pay of $681 a year—$2.25 a day for 303 days of hard, grinding work in the steel mills. The next

paid average daily income of a worker in this Nation of ours, our own United States, were the steam railroad employees—$659 a year being the average.

Yes, Mr. Chairman, all this in the adult life of the gentleman from Illinois who now is delaying the crucifixion to say a word or two concerning the condemned. I think there were those in the curious mob at Mount Calvary who would have wished such opportunity.

In 1915, when the gentleman from Illinois had been a humble instrumentality in arousing the people of America to the pitiable wages paid to America's workers, the average yearly pay of men wage earners in the United States, boys excluded, but steelworkers and railroaders included, was $513.76—less than $1.70 for every working day, and but $1.41 for each of the 365 days in the year. Take at that time a family of seven—husband, wife, four children, and one grandparent. The children were small, the grandparent feeble, the wife had all she could do at home. The husband was the only wage earner. If he worked in a steel mill and got the average pay, he had 27 cents a day for each member of his family—but 20 cents a day if he got the average pay of an average earner.

Mr. Chairman, I emphasize this was in my lifetime, in my adult lifetime; indeed at a period when I was old enough to be Lieutenant Governor of Illinois and chairman of a commission investigating the wages of American workers, a commission you will find, if you take the trouble to look into the newspaper files of the period, that aroused the conscience of America.

What, Mr. Chairman, raised America's labor from this position of ignominy, when the best paid workers in our country toiled away their youth and prime and in return had 27 cents a day to meet the food and lodging requirements of each member of their families?—not, Mr. Chairman, in a far remote era; but in the adult lifetime of the gentleman from Illinois who now addresses you. What was the God-blessed agency that rescued America's workers from this sad plight? Even the youngest of schoolchildren must know the answer. It was the drive, the determination, the dedication of organized labor.

In every advance we made in the betterment of our social fabric, organized labor led the way. Everybody benefited, since with adequate wages the workers, not only enjoyed the dignity God intended for them, but had the money to buy the things they needed and thus contributed to the buying power and the expanding economy of our Nation.

I knew and worked with Samuel Gompers. Together, Sam Gompers and I traveled to Washington to the inauguration of President Taft. I knew and worked in the Chicago area with John Fitzpatrick, Ed Nockels, Victor Olander. I know the character and the quality of the leaders, and of the rank and file, who made organized labor in our country the greatest savior of mankind in our times.

But how can I, who abhor rascality and wish to drive the crooks and the money changers from the temple of labor and the marts of trade, have faith in Caesar who forgets the crooks to use the honest indignation of decent people to strike not at crooks but at the temple of labor itself?

The CHAIRMAN. The time of the gentleman from Illinois has expired.

The chair recognizes the gentleman from North Carolina [Mr. BARDEN] to close debate.

Mr. BARDEN. Mr. Chairman, I would like to move the previous question without any further debate.

The CHAIRMAN. All time has expired. The question is on the substitute offered by the gentleman from Kentucky [Mr. PERKINS].

The question was taken, and the chairman announced that the noes appeared to have it.

Mr. SHELLEY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. KEARNS and Mr. PERKINS.

The Committee again divided, and the tellers reported that there were—ayes 132, noes 245.

So the substitute was rejected.

Mr. BARDEN. Mr. Chairman, I ask unanimous consent that all Members may have the privilege of extending their remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. QUIGLEY. Mr. Chairman, I regret that the proponents of the Landrum-Griffin bill who profess to be so dedicated in their determination to bring democracy and fairplay to union-management matters, did not let a little of both rub off on themselves when it came to alloting the time in this important debate. The debate has been characterized by a steady dribble of speeches on behalf of the Landrum-Griffin bill while the proponents of the committee bill or the Shelley bill seem to have trouble getting a word in edgewise. It does not argue well for democratic procedures in this body when one sees nonmembers of the Committee on Labor and Education being allowed to orate their antilabor views almost to their heart's content while members of the committee—including members of the subcommittee which conducted the hearings on this important bill—are being limited to a mere 5 minutes in the well of the House. Such a situation is inevitable, however, when those in charge of the debate saw to it that the time was divided in a way that gave two-thirds of the time to those who cared to speak on behalf of the Landrum-Griffin substitute while a mere one-sixth of the time was given to an explanation and discussion of the committee bill and a like amount to the Shelley substitute.

One can only hope that whatever labor-management reform law is finally enacted that it will bring more true democracy to the union halls of America than has so far been allowed to be manifested in this important debate in this Hall of Congress. Under the prevailing circumstances, Mr. Chairman, I can do little more than to take advantage of the House rules which permit me to extend my remarks in the CONGRESSIONAL RECORD so that I may get on record on the side of reason and in the interest of having enacted into law the effective labor-management reform legislation which the country needs and the people of America rightly demand.

Mr. Chairman, the way to this legislation is the committee bill. This is not to suggest that the committee bill is the best possible bill, but I am convinced that it is the best bill possible. In fact, it may be the only bill which stands any chance of being enacted into law. All three bills are really not at great odds when it comes to dealing with the matter of racketeering and controlling the other abuses brought out by the McClellan committee. This end could be accomplished effectively by the Shelley bill and it is to the credit of the AFL–CIO that they have endorsed this legislative proposal to help rid the labor movement of the undesirable element which in recent years in a few—but still too many—places has been able to creep in and corrupt honest unionism. Certainly the crooks and racketeers could be effectively controlled by the provisions of the committee bill. The best proof of this is the fact that 70 to 80 percent of the Landrum-Griffin bill is copied word for word from the committee measure, and whatever is wrong with the Landrum-Griffin bill—and there are many things wrong with it—it cannot be said that it, too, would not get to the basic problems of racketeering and gangsterism in labor-management matters.

Unfortunately, the real need, the true purpose for labor-management reform legislation, to correct the abuses exposed by the McClellan committee, have been all but tossed aside during the course of the last week. It is no longer a question of getting the crooks and racketeers who operate in labor and management affairs. The struggle we are now witnessing arises from the efforts of those on the one hand who, for political or other selfish reasons, do not want any labor-management reform bill passed in this Congress and those, on the other hand, who would use the need for labor reform as a vehicle to carry into law their own antiunion prejudice.

I want a labor-management reform law. I want it to be effective. I want it in this Congress. In my judgment, the fatal weakness of the Shelley bill is not that it will not do the job of controlling abuses in unions but that it stands no chance of being enacted. Realistically, it cannot pass this House. If it did, it would face substantial rewriting in conference and even so, in the end—if last week's TV appearance gave us any indication of the President's knowledge and convictions on the subject—it would probably be vetoed. But on the other hand, the Landrum-Griffin bill has many defects but certainly one of the best arguments for voting against it is that its passage by this body gravely threatens the possibility of enacting any labor reform legislation in this Congress. Senator JOHN F. KEN-

NEDY has explained why this is so when he said last week:

This Congress must pass a labor-management reform bill. We cannot go home without enacting a responsible, effective measure that will strike hard at racketeers without penalizing honest union members—a bill that will carry out all the recommendations of the McClellan committee.

The Griffin-Landrum bill now offered as a substitute for the Elliott bill is not such a measure—and its adoption would endanger final passage of any reform legislation by complicating the chances for a conciliation of the Senate and House version.

The Griffin-Landrum bill seeks to undo the conscientious efforts of the House committee members by substituting a punitive measure—restricting the rights of all honest union members—for a responsible measure aimed at the Hoffas, the Dios, and the Shefermans, based on the McClellan committee's reports and compatible with the strong, workable bill which passed the Senate 90 to 1.

The hodgepodge substitute bill, on the other hand, goes far beyond the recommendations of the McClellan committee—threatening to restrict the antiracketeering efforts of honest unions, to bog down small unions and the bill's administration in a welter of redtape, and to weaken labor's legitimate rights at the bargaining table. Far more than that, it strengthens the grip of racketeers. I am hopeful that it will be promptly rejected by all those truly interested in passing a strong antiracketeering bill during this session of Congress.

The junior Senator from Massachusetts is not alone in understanding why the Landrum-Griffin bill seriously jeopardizes the chances of passing any labor-management reform legislation. For example, his brother, Robert Kennedy, chief counsel for the Select Committee on Improper Activities in the Labor or Management Field, stated quite frankly his concern in this regard earlier this week when he said:

I am concerned that the Landrum-Griffin bill, on the other hand, going beyond the scope of the McClellan committee's findings to affect the economic balance at the bargaining table by honest and legitimate unions and employers, might cause such controversy in conference with the Senate that there would be no bill. This would be tragic—and make many months of effort on the McClellan committee go for nought—for, if legislation is not passed this year when the McClellan committee is coming to an end, it will never pass.

For this reason I am strongly in favor of the Elliott bill; and I am convinced that its passage by the House will lead to the House-Senate conference producing a bill which will do the job this committee is recommending.

There has been so much oratory and so much propaganda about what the committee bill doesn't do that it might be well to state specifically just what it does do. This is what the committee bill will do.

Shakedown picketing is punished with a $10,000 fine and a 20-year prison sentence.

Embezzlement of union funds is punished even more severely.

Union officers are made personally and legally responsible for their use of funds and must be bonded.

All unions of any appreciable size must make full financial reports.

Union officers must be elected periodically by secret ballot.

The so-called hot cargo contracts, which have formed the basis of much of Jimmy Hoffa's power, are specifically outlawed.

Organizational picketing is strictly regulated.

An expanded NLRB will handle the so-called no man's land.

This is what the committee will do. And this is what a bill should do to correct the abuses brought out by the many months of testimony before the McClellan committee. The committee bill is, in the words of Speaker RAYBURN, "aimed at reforming without ruining, at curing without crippling." But the most important thing that can be said on its behalf is that it is a bill which can become law; a bill which will give to the American people the labor reform legislation to which they are entitled. It will do this without jeopardizing the legitimate rights of unions and union members. It is, as I said before, not a perfect bill. It is not the best possible bill, but it is the best bill possible.

Mr. WOLF. Mr. Chairman, this speech was never made. I was precluded from speaking by the "gag rule." But I want the RECORD to show how I felt on these issues.

Mr. Chairman, I saw many excellent speeches and have witnessed some great comment on this labor debate but I want to pay particular tribute to the great and gentle lady from Oregon [Mrs. GREEN]. She has demonstrated tremendous courage and a remarkable intellect and has clarified many points.

I too want to get the crooks out of labor, but only the crooks. I do not want to be party to wrecking the philosophy of collective bargaining which has brought the highest standard of living in the world to America. The committee bill in my opinion does the right job and I shall give my support to this bill.

Mr. Chairman, throughout this entire debate much has been made of the racketeering labor union leader who makes deals for private purposes and private gain. We have heard the labor union movement criticized and we have heard that union leaders are putting tremendous pressures on the Congress to vote a soft labor bill.

I, for one, am fed up with the picture that has been presented to the Congress and to the American people that the business interests in this country are in no way involved in the racketeering and crookery of certain labor union leaders. For every crooked labor leader who makes a deal there is a crooked businessman with whom the deal was made.

I would like to give you some examples of this fact and I hope that when we vote on this matter and when we tell the story of labor racketeering to the people between now and the next election we will include the sordid story of the corporations, great and small, that made deals with crooks in the labor movement to destroy the legitimate rights and economic benefits coming to working people. These businessmen, whom I will describe, were more interested in profits than moral scruples. Consequently, it ill behooves many of these corporations to adopt an angelic or holier-than-thou attitude to this problem before the American public. So, as Al Smith used to say "Let's look at the record."

The International Longshoremen's Association, formerly headed by the racketeer Joe Ryan, was a creature of management to secure low-wage contracts and to destroy other legitimate objectives of working people on the waterfront. As A. H. Raskin, the New York Times reporter, has pointed out—by the way, I shall have something to say about the New York Times later:

The sordid story of employer collaboration in the degradation of the International Longshoremen's Association is * * * a quarter-century in the making and it wound up in the transformation of what had been a union into an amalgamation of gangs so powerful that the insurance companies and the police joined with the shipping lines and the stevedores in acknowledging and confirming their supremacy. The ILA was a Frankenstein monster of the employers' own fabrication. They subverted the union over the years; they kept its president, Joseph P. Ryan, in automobiles and expensive clothes, right down to the pajamas he wore to bed at night; they subsidized the hooligans Ryan recruited from Sing Sing to hold the rank and file in subjection. At no time even when its investments in "harmonious labor relations" ceased to pay any dividends, did the shipping industry undertake any discernible role of leadership in the campaign to dislodge the ILA from its dominant position on the piers. On the contrary, the employers took sanctuary in the pious defense that the law required them to be neutral in union affairs.

For every labor thug on the waterfront, Mr. Chairman, there is a business thug on Wall Street and Park Avenue. In volume 4 of the "History of Labor in the United States," by Professors Perlman and Taft, there is an extensive discussion of employer crookery in the building trades. It is clear, from the analysis of these experts, that where racketeering exists, it is also the employer that is the benefactor.

Charges of widespread graft in the building industry have frequently been made. Evidence that the business agent has often extorted money payments through threats of strikes has been produced. Nevertheless, the business agent has been neither the sole nor the chief beneficiary of the system which made graft possible. Favored employers also benefited. Contractors and suppliers of material have used the grafting business agent to gain monopolies, to harass competitors, or to escape penalty when unable to complete the work on the date specified. Furthermore, the graft came out of the pockets of the builder, and ultimately the consumer, and as long as wages and job conditions were improving, the building tradesmen, far from feeling depressed by the leader, viewed him as an efficient fighter for their interests.

We have heard bandied about these Halls the names of Beck and Hoffa and how they are the crooks that are hated by business which recognizes them for what they are. Well, let us look at the record again.

Business Week—in January 1948—said about Dave Beck that his methods "have endeared Beck to an ever-widening circle

of local businessmen on the Pacific coast. To them he is the businessman's labor leader." That same year, Time magazine also added to this story. They said:

> The great majority of employers (in the Northwest) think he is wonderful and applaud like happy seals when he speaks to the chamber of commerce.

And what about this businessman's friend who announced his support for President Eisenhower on the steps of the White House in 1956? Well, Beck, before he retired as Teamster president made a loan out of union funds of $1.5 million to the Fruehauf Trailer Co. and then received in exchange a personal loan of $200,000 from that company. This corporation knew their friend. Beck, of course, knew the business psychology. As he was fond of saying, "I run my union like a business. We deal in one commodity—labor."

What about some of our other high-class billion-dollar corporations?

The Senate Rackets Committee charged in 1958 that the A. & P. food chain had entered into a 5 year collusive agreement with Max Block, head of the two meatcutters' unions to freeze out two other unions. According to Charles Douds former regional director of the National Labor Relations Board in New York, the company forced its grocery clerks to join Block's union while two other unions were in the process of organizing them. The company recognized Block's union and according to the charges of the Senate Rackets Committee probably made itself millions of dollars as a consequence of this sweetheart arrangement. While A. & P. competitors were working 40 hours a week, A. & P. employees labored 45 hours a week for about the same pay. This was reckoned to be about a $400 saving per year per employee on the part of A. & P.

These are things that the mass media does not publicize. Consequently the American people are not aware of this kind of crookery on the part of big business. On the subject of the press, even the august New York Times is not without dirty hands. The New York Times paid off, through a strawman, certain union crooks over $43,000 in order to get their paper delivered. They did this rather than expose those crooks. And there is only one reason why they did this, they were more interested in profits than public service. It should also be noted that this was deducted as a business expense. It is good to report, however, that the New York Times has stated that it would never enter into such crooked dealings again. As Senator MUNDT told Amory Bradford, vice president of the New York Times:

> I think it should be said too, that as long as people do pick up the tab to finance extortion like this, it tends to make that extortion profitable. Once the corporate community decides it is not going to be blackmailed, and is not going to get involved in paying the fee that these racketeers prescribe, it will be very helpful in correcting the situation.

Other newspapers such as the New York Journal-American, a Hearst newspaper, also paid this tribute to the labor gangsters.

Mr. Chairman, I hope that this incomplete rundown of certain employer violations is enough to get the point across. Let us not overlook the businessman who participates willingly in the sweetheart contract, in the backdoor under-the-table deal which benefits him economically. Let us remember that for every labor crook there is a business crook who countenances and encourages such behavior.

Mr. Chairman, I am for the strongest possible labor-management antiracketeering bill but I know that until businessmen also clean house and realize that they too are involved in immorality and illegality when they play ball with the labor racketeer and when they employ crooks to do their bidding for the purpose of having a higher annual profit report, we cannot solve this problem by just the simple act of writing a new law. The Justice Department better get busy now and enforce existing laws, too.

We must get the crooks, all of them, in industry, in banks, in the Government, in the legal profession, in the medical profession, in labor unions, or wherever they exist.

Mr. BARDEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WALTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 8342) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, had come to no resolution thereon.

INDEPENDENT OFFICES APPROPRIATIONS, 1960

Mr. THOMAS submitted a conference report and statement on the bill (H.R. 7040) making appropriations for the sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1960, and for other purposes.

THE HOUSING BILL

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McDONOUGH. Mr. Speaker, since the Senate today sustained the President's veto of the extravagant and inflationary housing bill S. 57 by a substantial majority of 40 "no" to 55 "yes," where a two-thirds vote was necessary to override his veto, the following facts in support of the President's veto message are revealing and justify President Eisenhower's position.

This bill has had an unusual history having been considered by the Congress since January 7 in both the House and Senate Banking and Currency Committees, and by lengthy debate and vote both in the Senate and in the House.

The most unusual procedure which has no precedent in the legislative history of the Congress was the last action by the Housing Subcommittee of the Senate Banking and Currency Committee when a hearing lasting a week was held on the President's veto message. Most of the witnesses testifying at that hearing were critical of the President's veto message, but in spite of this testimony the subcommittee voted to report a new bill to the Senate Banking and Currency Committee rather than to attempt to override the President's veto.

This recommendation was reversed by the whole Senate Banking and Currency Committee which by a vote of 7 to 8 recommended that the Senate should proceed to vote on the veto message in an attempt to override the President's veto.

The astounding results of the vote in the Senate of 40 "no" to 55 "yes," where a two-thirds vote is required to override proves that all of the parliamentary devices that have been used to defeat the President's proposals on an adequate housing bill and the attempts that have been made to pass an extravagant, inflationary housing bill have delayed action on this important legislation.

I trust that we will now proceed to write a bill which will meet the requirements of adequate housing.

For the information of the interested Members of Congress, I submit herewith a statement of facts in support of the veto message with which the vote in the Senate today indicates they agree:

HOUSING: FACTS SUPPORT VETO MESSAGE

At a July 23 hearing before the Senate Subcommittee on Housing, a number of objections to the President's veto message on the housing bill were voiced. Here are the major objections cited, with the facts in each case:

The subcommittee: Amounts spent for public housing annual contributions should not have been included in the $2.2 billion estimate of spending authorized by S. 57 (the vetoed bill).

The facts: The veto message sought to give a full statement of costs. The contributions in question are paid to cities over a 40-year period and can only be estimated at this time, but they were conservatively estimated on the basis of 10 years' experience. Although appropriations would have to be made for these contributions, the Federal Government would have had no alternative but to appropriate the money in accordance with the commmitments authorized in S. 57.

The subcommittee: The veto message was wrong in characterizing the $900 million authorization of urban renewal grants in S. 57 as "excessive."

The facts: The Housing and Home Finance Agency believes it would be difficult to make prudent use of $900 million in a 2-year period. Approximately $1.3 billion of urban renewal grant funds has been reserved for specific cities since the program started in 1949, but almost $500 million of this sum

is for projects still in the planning stage. In any case, additional authorizations of $900 million are excessive in view of all other demands on the Federal budget at this time.

The subcommittee: The veto message did not correctly represent the status of the public housing programs in stating: "Even though we have over 100,000 previously authorized public housing units as yet unbuilt, the bill would authorize 190,000 more."

The facts: 242,000 units have been built under the Housing Act of 1949. Commitments for annual contributions contracts have been entered into for another 101,000. These have not as yet been built. At present there are applications for about 57,000 units on hand, though only 30,000 to 35,000 of these are regarded as active. S. 57 would have authorized 10,000 units of carryover and an additional 35,000 units. Beyond that, it would have authorized the President, at his discretion, to make commitments for an estimated 145,000 additional units. No account was taken of the discretionary units in estimating the cost of S. 57. If these had been included, the cost of the bill would have been raised to more than $5 billion.

The subcommittee: The veto message was wrong in stating that "The way the bill is written a few large cities, by making early application, could tie up all the funds available under the urban renewal program."

The facts: Although it is true, as pointed out in the hearings, that not more than 12½ percent of the funds could go to cities in any one State, the fact remains that a few large cities could tie up the bulk, if not all, of the funds. Even though this provision of S. 57 would require the processing of the present backlog of applications first, this only means that the full effect of the discriminatory features would not be felt at once. No attempt was made in the hearings by the committee members to defend this provision of S. 57.

The subcommittee: In a prepared statement read at the start of the hearing, Senator PROXMIRE maintained that there was an urgent need for the proposed new program of direct loans for housing for elderly persons. The veto message questioned the need for this program. No opportunity was given at the time to answer Senator PROXMIRE'S statement.

The facts: The Housing and Home Finance Agency finds that the largest part of the need for elderly housing lies in the field covered by the proposed new nursing home program. Surveys indicate that 88 percent of the elderly are satisfied with their present quarters.

The subcommittee: An effort was made in the hearings to establish that the administration was willing to accept "back door financing" in its housing programs, and that this was inconsistent with its opposition to such financing in other connections.

The facts: Although it is true that the administration's recommendations of last spring would have continued certain existing programs on a "back door financing" basis, it did not recommend any new programs on this basis and now opposes such financing even for existing programs in view of the increasing need for tighter budgetary controls. The new housing bills introduced by Senator BUSH (S. 2378) and by Representative MCDONOUGH (H.R. 8181) contains no "back door financing" provisions.

The subcommittee: The veto message compares the full 2-year ($900 million) urban renewal program of S. 57 with 2 years ($600 million) of the administration's 6-year program. It was maintained that the message should have included the full 6-year program proposed by the administration.

The facts: Only 2 years of the administration's program was included in order to make it comparable with the 2-year program provided for by S. 57.

The subcommittee: Lending authorizations should not have been counted as spending authorizations in estimating the cost of S. 57.

The facts: Lending operations involve budgetary expenditures, like any other disbursement, and are properly included to give a full account of cost.

The subcommittee: The veto message was incorrect in stating that "much of the spending it (S. 57) authorizes is unnecessary."

The facts: The message stated that, to the extent that spending authorized by S. 57 would merely displace private financing, it was unnecessary. This would be true particularly in the case of the direct loan program for housing for elderly persons. The FNMA par purchase requirement of S. 57 would also invite public financing where private funds would otherwise suffice.

RECENT SUPREME COURT TAX DECISION

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, a recent Supreme Court decision opens the gates to a flood of taxation and redtape that could ruin American business, industry, and commerce. In effect, that decision says that any State can tax a corporation doing business within its boundaries even though it has no plant, or warehouse, or office there.

This "tax on sales in the individual States" would mean that a company doing a nationwide business would have to pay 50 separate and additional taxes on top of the heavy tax burden it is carrying at the present time. With all the States looking for more money, you can be sure that they would exploit this opportunity to the fullest, unless corrective legislation is passed by the Congress.

With producing States taxing payrolls, and marketing States taxing sales, those firms doing an interstate business could be taxed up to 100 percent of net. Industry, already burdened with the wasteful paperwork forced upon it by Government, would be swamped by the necessity of filing comprehensive and detailed returns in 50 States leading to a bookkeeping nightmare.

The saying that "The power to tax is the power to destroy" would become the hideous reality that would break the back of private enterprise. In order to survive, concerns engaged in interstate business would have to limit their sales to one State, and our Federal Union would become a patchwork of 50 separate economic islands that would shrivel progress and ruin everything we have accomplished by the free marketing system within the United States.

This possibility not only threatens big business; it will affect the tens of thousands of small businesses that sell any product outside of the one in which they maintain their plant, warehouse or office. Already harried by mounting costs, this would be the "coup de grace."

Congress has been quick to note the serious implications of this Supreme Court decision. Several bills have been introduced which would limit this power to tax out-of-State business enterprises. One of these bills submitted by Representative FRANCIS WALTER of Pennsylvania, House Joint Resolution 450, would be most effective in preventing tax anarchy since it is in the nature of stopgap legislation to stay the enforcibility of the Supreme Court decision for a period of 2 years, until such time as the Congress will have an opportunity to hold extensive hearings and report new legislation on this important subject matter.

The legitimate taxing powers of government for the purpose of raising essential revenues must not be permitted to run wild and turn our country into a tax jungle that would stifle initiative and progress.

WHAT POSSIBLE GOOD?

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks and include extraneous matter at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, the hope expressed by the administration that a "campaign of smiles" will convert Nikita Khrushchev to reasonableness if he should visit the United States is sheer fantasy.

It may or may not buy a little time, and this alleged need for time would seem to indicate lack of nerve or lack of preparation, vis-a-vis the administration's previous declaration that "we shall not yield an inch" on Berlin.

No public relations stunt is going to swerve Khrushchev and the Communist conspirators from their avowed purpose to overwhelm us.

This bowing and scraping before Khrushchev will be interpreted by him as the beginning of appeasement.

History will label the visit of Khrushchev to the United States at the request of the administration, as "the great illusion" on the part of a free government, that subsequently made the situation more difficult for the free world.

Not all of our press has the perception or the courage to see through this wishful thinking. I am proud that the leading newspaper of Essex County, Mass., after weighing the pros and cons of the proposed visit observes "What Possible Good?"

I recommend for your serious consideration the following realistic editorial appraisal from the August 4 edition of the Evening Tribune, published in Lawrence, Mass.

WHAT POSSIBLE GOOD?

Should President Eisenhower have invited Nikita Khrushchev to the United States?

Vice President NIXON obviously thinks so. He announced before departing Russia the other day that the dictator of the Soviet Union should "at some time" come here. His reason: Khrushchev's misconceptions about our people and our policies would be swept away by a first-hand look at America.

Several noted Senators of both parties declared Sunday that they favored a visit by

Khrushchev, concurring with the Vice President's opinion concerning misconceptions.

Said one of them: "I believe the impact of facts as they (Khrushchev and other hard-shelled Communists) would find them here would impress on them the realization that we are really a peaceful country and that they have nothing to fear if they stop their aggressive programs."

Khrushchev himself coyly allowed last weekend that he'd be delighted to visit the United States, "when the time is ripe."

And Monday, of course, the President put himself on the side of those figuring a visit by Khrushchev would be an excellent diplomatic move by announcing that the two heads of state would swap visits in the fall.

The time will be ripe for Mr. Khrushchev in late September, apparently. And the President will trek to Russia a little later, probably in October.

As for ourselves, we disagree with the feeling that any good will come from Khrushchev paying the United States a visit, much less having the President reciprocate by jaunting off to Russia at a later date. We think absolutely no good will come of it at all.

Just what good can result from Khrushchev coming here? Maybe, as our leaders apparently think, a few of the Soviet Premier's wrong impressions would be erased if he toured America. But so what? What difference will that make in the long run?

It won't make a particle of difference to Khrushchev to find that Americans really do enjoy the material fruits of democracy now on exhibition in Moscow. He couldn't care less that Americans are peace-loving people, that we are strong and united behind our leaders.

Khrushchev is supreme ruler of Russia, and chief exponent of communism. He's the boss, the topman, the prime mover and guiding light in the Communist movement. And need it be repeated again that the ultimate aim of the Communist movement is, quite simply, domination of the entire world?

Ten days of making like a highclass tourist here aren't going to change any of the cold, calculated, ruthless convictions he embraced as a young miner 40 years ago.

Nor will 10 days of bathing in the admittedly warm glow of Mr. Eisenhower's personality affect him. Remember when President Roosevelt headed off to a conference during the war in the expectation that his magnetic charm would influence that old iceberg, Stalin?

The warm breezes currently blowing from Moscow continue to carry the prattlings of peace and peaceful coexistence. But as Americans must realize by now, "peace" in the Communist lexicon means not what we recognize it as, but the total subjugation of all nations to Russia. And "peaceful coexistence" is a Communist catchword meaning that all nations should lay down their arms and wait their turn to be gobbled up by Russia.

Why do we delude ourselves that this is going to change, that—just perhaps—a visit from Khrushchev, and reciprocity on the part of the President, is going to mend the rift between Russia and the United States?

There have been thaws in the cold war before, perhaps, it is true, none as warm as the current one, but they have always ended whenever Russian propaganda policy dictated. So will this one, probably the day after Mr. Eisenhower finishes his tour of Russia.

If Mr. Khrushchev has to come here to discover that the United States is a strong nation, and willing to take backtalk from no one, then something is wrong with Russian diplomacy and Russian intelligence. This we refuse to believe.

Should this swapping of autumn tours really come to pass, we predict that Khrushchev is in for a rough time here: It is almost certain that it will be impossible to restrain our many refugees and national groups representative of countries ground under the Russian heel from causing unpleasant, if not worse, incidents.

If Khrushchev should be buffeted about, or worse, while here, what will be the fate of our President in Russia?

We say again that we can see no good end to having Khrushchev here. And that goes for having the President visit Russia, too.

SAFETY STANDARDS FOR PASSENGER-CARRYING MOTOR VEHICLES PURCHASED FOR USE BY FEDERAL GOVERNMENT

Mr. BOLLING from the Committee on Rules reported the following privileged resolution (H. Res. 342, Rept. No. 885) which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1341) to require passenger-carrying motor vehicles purchased for use by the Federal Government to meet certain safety standards. After general debate, which shall be confined to the bill, and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AMENDING COMMUNICATIONS ACT OF 1934 WITH RESPECT TO FACILITIES FOR CANDIDATES FOR PUBLIC OFFICE

Mr. BOLLING on behalf of Mr. DELANEY, from the Committee on Rules, reported the following privileged resolution (H. Res. 343, Rept. No. 886) which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7985), to amend the Communications Act of 1934 with respect to facilities for candidates for public office. After general debate, which shall be confined to the bill, and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

PRESIDENT EISENHOWER CALLS FOR SPEEDY ADOPTION OF LEGISLATION TO EXTEND THE DEADLINE ON CEASE SERVICES TOMBSTONE PROMOTION FEATURE

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, the President of the United States yesterday signed into law the so-called Navy hump bill, an act to provide for improved opportunity for promotion for certain officers in the naval service. In connection with this action, however, the Chief Executive issued a statement in which he put himself firmly and unmistakably on the side of those like the gentleman from Alabama [Mr. HUDDLESTON] and myself, who have introduced legislation, H.R. 8549 and H.R. 8550, to extend the deadline for the provision in the hump bill which would terminate the 34-year-old tombstone promotion arrangement on November 1 of this year. Because of the President's special knowledge in this field, and because he obviously speaks not just for a single service but for all of the services as well as for the country in general, I believe that his statement should be of interest to all Members of this body and the other body, and I hope that the leadership in both bodies will soon take action to adopt our legislation as the President has recommended.

Also of interest to Members of the Congress will be an editorial on this subject which appears in the August 15 issue of the Army, Navy, Air Force Register and Defense Times.

Under leave to extend my remarks, I include the full text of the statement by the President as well as the editorial from the Army, Navy, Air Force Register and Defense Times:

WHITE HOUSE STATEMENT BY THE PRESIDENT, AUGUST 11, 1959

I have today signed H.R. 4413 "an act to provide improved opportunity for promotion for certain officers in the naval service, and for other purposes."

One provision of the act repeals effective November 1, 1959, a 1925 law which, as amended, requires upon their retirement, the honorary advancement to the next higher grade of Navy and Marine Corps officers who were specially commended for performance of duty in actual combat prior to January 1, 1947.

The November 1 deadline poses a serious problem for those active duty officers who are presently eligible for honorary promotion upon retirement. A number of these officers are, of course, on sea duty or at stations abroad. In a very short time they must decide either to effect their retirement by the November 1, 1959, deadline, or to continue on active service beyond that date in the hope that they will receive a regular promotion in due course.

This decision is made more difficult by the principle provisions of H.R. 4413 which will bring about the forced retirement of many officers in order to prevent a stagna-

tion in the promotion of their juniors. I believe that it would be only fair to officers, who by their noteworthy combat service, have shown their dedication to our country, that they be allowed an additional period of time during which to make what is for them a momentous decision.

Out of consideration for the service which these officers have rendered I hope the Congress will promptly accord them such additional time.

[From the Army, Navy, Air Force Register and Defense Times, Aug. 15, 1959]

TOMBSTONE PROMOTIONS

For the past 34 years Navy and Marine officers with distinguished combat records to their credit have enjoyed the unique privilege of automatic promotions on honorable retirement from active service.

The law that awarded "tombstone promotions," as these jumps in rank were commonly called, was never enlarged to cover officers of the Army or the Air Force, and it should be said that neither the Army or the Air Force ever put up much of an effort to get the same prestige for the holders of combat decorations in those services.

On the contrary the Air Force only recently declined to back an effort to have the law broadened to include the ground and air arms, and, in effect, denounced the "tombstone promotions" as meaningless and unnecessary. The Army high command was a bit more gentle with the Navy's pet law, though some individual officers of the Army have long contended that the law was discriminatory. Neither the Army or the Air Force made any genuine attempt to back up the Navy's play to keep the law on the books.

After November 1, 1959, Navy and Marine officers combat decorations will be retired in the highest rank held on active duty, just as Army and Air Force officers are.

Whether the 34-year-old law was justified in the first place is an "iffy" question. We personally cannot see that it ever did any harm. It never cost anybody a dime, since no increase in pay was attached to the "tombstone promotion," only a bit of belated recognition to men who had served their country well in time of grave danger, and the privilege of being addressed (sometimes) as "admiral" or "general" instead of the more modest "captain" or "colonel."

And, of course, to be buried in Arlington in a uniform with a star on the shoulder strap, or a wide strip of gold braid on the sleeve, and to have the higher rank carved on the grave marker * * * hence the name "tombstone promotion."

None of this amounted to very much, except to the people directly concerned. It was one of the prerogatives of the officers of the Sea Service and they put a good deal of store by it.

In our view the law should have covered all the services, or none of them. Combat service, be it on the ground, in the air or on the sea, is all dangerous. No one service can, or would ever, claim a corner on sacrifice or valor.

Be that as it is, Congress certainly went far out of its way to be as quiet as possible in doing away with the law that granted sailors and marines this honorary promotion. For the fact is an amendment to another bill had already abolished the privilege before the naval and Marine people knew it was under consideration.

This was a particularly callous and almost brutal way to slap in the face some 2,400 Navy and Marine officers who will soon be up for forced retirement under the "plucking" law designed to thin out the senior officers in those two services. Being forced out of one's career years earlier than expected is tough enough. Being kicked in the pants as you go out of the door was hardly in keeping with the honorable records of devotion of these men.

It is not so much what the Congress did to the Navy and Marine people as the way the lawmakers went about it. If the solons thought that what they were doing was right and just then why did they have to sneak around behind the door to do it?

MAJ. GEN. JOHN H. MICHAELIS, CHIEF OF LEGISLATIVE LIAISON, DEPARTMENT OF THE ARMY

Mr. KARTH. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MCCORMACK. Mr. Speaker, on August 19, 1959, a familiar face will be missing from Capital Hill; Maj. Gen. John H. Michaelis is completing his assignment as Chief of Legislative Liaison, Department of the Army, and is being assigned to command the U.S. Army in Alaska.

General Michaelis has provided outstanding service to the Congress since his assignment as Chief of Legislative Liaison in November 1956. His sincere and lucid representation of the U.S. Army's capabilities and requirements were most helpful to individual Members and committees of Congress in their considerations on matters pertaining to our national defense.

Before General Michaelis leaves Washington for his important and challenging assignment in our most northern and largest State, Alaska, I would like to summarize briefly the outstanding highlights of his career to date. General Michaelis first entered the Army as an infantry private in June of 1931, he graduated from the Military Academy at West Point in June 1936 and served in the continental United States and overseas between that time and the time of America's entry into World War II; his record in World War II won for him a battlefield promotion to colonel in July 1944 and he saw action in France, Holland, and Germany. At the end of the war, and following his release from the hospital where he had been under treatment for wounds, he served in Washington with the Office of the Assistant Chief of Staff for Personnel and as senior aide to General of the Army Dwight D. Eisenhower, Chief of Staff of the Army, and in March of 1948 became the Department of the Army liaison officer with the House Armed Services Committee; after attending the Armed Forces Staff College, General Michaelis was sent to Japan as Assistant Chief of Staff for Operations of the 8th Army in March of 1949; in July 1950 he assumed command of the 27th Infantry (Wolfhound) Regiment which he commanded with distinction in Korea until March 1951 when he was appointed assistant division commander of the 25th Infantry Division. Since leaving Korea he has served as deputy for training in the Organization and Training Division of SHAPE, as commandant of cadets, USMA, as commanding general, Southern European Task Force, and finally in November 1956 he became Chief of Legislative Liaison, Office of the Secretary of the Army.

General Michaelis' decorations include the Distinguished Service Cross, the Silver Star with Oak Leaf Cluster, the Legion of Merit with three Oak Leaf Clusters, the Bronze Star Medal with "V" Device and two Oak Leaf Clusters, the Air Medal, and the Purple Heart with Oak Leaf Cluster. His foreign decorations include the French Croix de Guerre with Palm, the Belgian Croix de Guerre with Palm, the Netherlands Bronze Lion, the Italian Order of Merit Grade of Commander, the Chilean Army Military Medal First Class, and the Korean ULCHI with Gold Star.

I regret to see General Michaelis departing the Washington scene, but I am certain that he will be most happy and extremely successful in his new assignment in Alaska.

On August 11, 1959, the Secretary of the Army, Wilber M. Brucker, in recognition of the outstanding services rendered by Major General Michaelis, presented him with the Legion of Merit—Third Oak Leaf Cluster—the citation accompanying the award follows:

The President of the United States of America authorized by act of Congress July 20, 1942, has awarded the Legion of Merit (Third Oak Leaf Cluster) to Maj. Gen. John H. Michaelis, U.S. Army, for exceptionally meritorious conduct in the performance of outstanding services:

General Michaelis distinguished himself by exceptionally meritorious service in a duty of great responsibility during the period October 15, 1956, to August 19, 1959. As Chief of Legislative Liaison, Office of the Secretary of the Army, Department of the Army, Washington, D.C., General Michaelis served as the direct representative of the Secretary of the Army and the Chief of Staff with the U.S. Congress in the interpretation and presentation of Department of the Army philosophy and policy of critical consequence to the Nation. Of equal importance, General Michaelis served as the principal adviser to the Secretary of the Army and the Chief of Staff in their relationships with the Congress and in the formulation of decisions of far-reaching and fundamental significance to the U.S. Army and to the country. His unerring acumen, perception, and brilliant grasp of the complexities of the national legislative requirements and the intertwined relationship of military, international, and domestic affairs were of inestimable value to the Department of the Army and to the U.S. Congress. The exceptional confidence and trust reposed in him by the Members of Congress served directly to enhance the prestige and understanding of the U.S. Army with the Congress. General Michaelis' service has been of the highest order, true to the most cherished military traditions, and reflects great credit upon himself, the military service, and the Government.

CENTRAL AMERICAN UNION: MOVEMENT REVIVED

The SPEAKER. Under previous order of the House, the gentleman from

Pennsylvania [Mr. FLOOD] is recognized for 10 minutes.

Mr. FLOOD. Mr. Speaker, because it is one of the great crossroads of the world, the Isthmus of Panama is often visited by important national leaders. The latest one to stop there was President Miguel Ydigoras of Guatemala.

Notable in his public utterances, as reported in a news story in the July 14, 1959, issue of the Panama Star & Herald, were his advocacy of the union of central American nations and his urging of Panama to join their common market system.

The idea of the confederation of the nations of Central America goes back to the assembly that, on July 1, 1823, proclaimed the independence from Mexico of those countries as a federal republic. It later drew up a federal constitution for a central American federation, consisting of five Provinces: Guatemala, El Salvador, Honduras, Nicaragua and Costa Rica. The first President was Manuel Jose de Arce of El Salvador—1825–29—the second, Francisco Morazan of Honduras—1830–39.

Unfortunately, a combination of factors too complicated for recording here caused a breakup of the union. Though numerous later attempts at confederation failed, the idea of a central American federation has never died among the statesmen of that area.

The creation in 1951 of the Organization of Central American States—ODECA—which appropriately held its first formal conference, August 18–24, 1955, in the 17th century University of San Carlos Boromeo in Antigua, Guatamala, colonial capital of the Spanish captaincy general of what is now called Central America, was an important milestone in the history of that region. The establishment of the Central American Phytosanitary Organization—OIRSA—development of a Common Market system, creation of a Defense Council, and finally the approaching completion of the Pan American Highway are powerful incentives toward eventual unity of Central America through the process of evolution.

As to Panama, which did not join the Organization of Central American States, it should be noted that this Isthmian Republic, though often thought of by some as part of Central America, is historically linked with South America rather than Middle America because until 1903 it was a part of Colombia. In addition, Panama has important treaty interests in the Panama Canal, which would have to be considered in a realistic appraisal of its association with any Latin American government or organization.

In these general connections, however, I would express the view that no union of Central America could prove effective or enduring unless or until the affected nations reach the angle of political repose essential for the success of such undertaking. The revolutionary outbreaks and governmental overthrows, which have so long characterized the history of these nations, must be permanently succeeded by stability, else any confederation cannot hope to succeed.

The indicated news story follows:

[From the Panama Star and Herald, July 14, 1959]

YDIGORAS URGES PANAMA TO JOIN CENTRAL AMERICAN MARKET

President Miguel Ydigoras of Guatemala, yesterday advocated Panama's entry into the proposed federation, which has started out as a common market. He said one of the reasons for his official visit to Panama was to discuss this possibility.

The Chief Executive, who returns today to his country, also declared at a press conference that Guatemala will recover from Britain the territory of Belize (British Honduras) "by the force of right or by the right of force."

Ydigoras had a busy schedule yesterday. He started the day with a 7 a.m. press conference at the Guatemalan Embassy, placed wreaths at the foot of busts of the founders of the Republic, made a partial transit of the canal, visited the National Institute and the University of Panama, paid a formal call at the U.S. Caribbean Command Headquarters, and hosted a reception for President and Mrs. Ernesto de la Guardia, Jr.

On his way to Santa Ana and Cathedral Plazas for the wreath ceremony, Ydigoras' car was slowed down by a student parade in celebration of the 50th anniversary of the National Institute. When he learned what the reason for the delay was, the Guatemalan President came out of his car and joined the marchers.

At his press conference, Ydigoras was asked what is Guatemala's stand in the diplomatic crisis between Panama and the United States. He said he is not thoroughly familiar with the problems between the two countries, adding he could only hope Panama would solve its canal problem. He praised the U.S. spirit of fair treatment.

Plugging for the union of the Central American nations, Ydigoras said Panama could join the present common market system and if such a step proved disadvantageous Panama could freely withdraw. He indicated he has had no commitment from Panama.

He also was asked about his views on the proposed inter-American police force. He replied his experience was that "when the big ones meet, it is to squeeze the small ones."

The Guatemalan Chief Executive talked at length on the disputes between Guatemala with Mexico, over the strafing of shrimp boats in Guatemalan waters, and with Britain, over the territory of British Honduras.

Newsmen were his guests for breakfast during the press conference.

Ydigoras and his party transited the canal from the north end of Miraflores Locks to Gamboa aboard the crane boat *Atlas*. Acting Governor John M. McElheny was the host. Following the canal trip, Ydigoras, who is a civil engineer also, visited the preliminary work on the $20-million bridge at Balboa. A briefing in Spanish was conducted by Lt. Col. R. D. Brown, Engineering and Construction Director of the Panama Canal.

The Quarry Heights visit took place at 5 p.m. Ydigoras was accorded full military honors.

During the reception last evening, Ydigoras decorated President De la Guardia with the Order of the Quetzal. * * *

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. LAFORE, for 10 minutes, tomorrow.

Mr. HALPERN (at the request of Mr. LAFORE), for 10 minutes, on Thursday, August 13.

Mr. FLOOD (at the request of Mr. KARTH), for 10 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. HEMPHILL (at the request of Mr. KARTH), special order for today was transferred to Friday next.

Mrs. ROGERS of Massachusetts, for 10 minutes, on tomorrow, vacating her special order for today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. FOGARTY and to include extraneous matter.

Mr. PORTER.

Mr. RHODES of Pennsylvania, to revise and extend remarks made in Committee of the Whole today.

Mr. HOLT and to include extraneous material in his remarks made in Committee of the Whole today.

Mr. ANFUSO (at the request of Mr. KARTH) in two instances and to include extraneous matter.

Mr. WILLIS (at the request of Mr. KARTH) and to include extraneous matter.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4120. An act for the relief of certain officers of the Public Health Service.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 162. An act for the relief of Henri Polak;

S. 593. An act for the relief of Angelinas Cuacos Steinberg;

S. 1053. An act for the relief of Rosa Maria Montenegro;

S. 1104. An act for the relief of Pak Jae Seun;

S. 1135. An act for the relief of Alice Kazana;

S. 1371. An act to repeal the act approved March 3, 1897, and to amend the act approved December 20, 1944, relating to fees for transcripts of certain records in the District of Columbia;

S. 1407. An act for the relief of Mrs. John M. Cica;

S. 1442. An act for the relief of Kim Fukata and her minor child, Michael (Chaney);

S. 1500. An act for the relief of Yee You Gee;

S. 1533. An act for the relief of Ho Rim Yoon Holsman;

S. 1558. An act for the relief of Theopi Englezos;

S. 1601. An act for the relief of Mrs. Erika Elfriede Ida Ward;

S. 1611. An act for the relief of Adeodato Francesco Piazza Nicolai;

S. 1669. An act for the relief of Evagelia Elliopulos;

S. 1684. An act for the relief of Mr. and Mrs. Carl Skogen Woods;

S. 1705. An act for the relief of Ivan (John) Persic;

S. 1724. An act for the relief of Tse Man Chan;

S. 1773. An act for the relief of Alan Alfred Coleman;

S. 1829. An act for the relief of Herman Luchner;

S. 1946. An act for the relief of Vicente Soliva Empleo;

S. 2471. An act to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes; and

S.J. Res. 118. Joint resolution authorizing and requesting the President of the United States to issue a proclamation calling for the flag of the United States to be flown at half-staff on the occasion of the death of the last surviving veteran of the War Between the States.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on August 11, 1959, present to the President, for his approval, a bill of the House of the following title:

H.R. 4405. An act to authorize and direct the Secretary of the Interior to conduct studies and render a report on the feasibility of developing the water resources of the Salt Fork and the Prairie Dog Town Fork of the Red River in the State of Texas.

ADJOURNMENT

Mr. KARTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 18 minutes p.m.) the House adjourned until tomorrow, Thursday, August 13, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1304. A letter from the Acting Secretary of Agriculture, transmitting a report on a violation of section 3679 of the Revised Statutes, as amended, involving an overobligation of an allotment of funds as of June 30, 1958; to the Committee on Appropriations.

1305. A letter from the Comptroller General of the United States, transmitting a report on the review of selected phases of the low-rent housing operations of the Housing Authority of the City and County of San Francisco, Calif.; to the Committee on Banking and Currency.

1306. A letter from the Under Secretary of Labor, relative to the restoration of $468.10 to the accounts of the Bureau of Employees Compensation, pursuant to Bureau of the Budget Circular A23; to the Committee on Government Operations.

1307. A letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation entitled "A bill to amend the Rural Electrification Act to provide a revolving fund for certain loans by the Secretary of Agriculture, for improved budget and accounting procedures, and for other purposes"; to the Committee on Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 6781. A bill to authorize the Secretary of the Interior to acquire certain additional property to be included within the Independence National Historic Park; with amendment (Rept. No. 876). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 7870. A bill to amend the Revised Organic Act of the Virgin Islands, as amended; with amendment (Rept. No. 877). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS: Committee on the Judiciary. H.R. 7559. A bill to provide for reasonable notice of applications to the U.S. courts of appeals for interlocutory relief against the orders of certain administrative agencies; without amendment (Rept. No. 878). Referred to the House Calendar.

Mr. DAVIS of Tennessee: Committee on Public Works. H.R. 616. A bill to designate the dam across the Lampasas River in Texas as Stillhouse Hollow Dam; without amendment (Rept. No. 879). Referred to the House Calendar.

Mr. MORGAN: Committee on Foreign Affairs. House Joint Resolution 281. Joint resolution authorizing and requesting the President to issue a proclamation with respect to the 1959 Pacific Festival, and for other purposes; without amendment (Rept. No. 880). Referred to the House Calendar.

Mr. SPENCE: Committee on Banking and Currency. S. 2099. An act to provide for the striking of medals in commemoration of the 100th anniversary of the admission of West Virginia into the Union as a State; without amendment (Rept. No. 881). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee on Banking and Currency. House Joint Resolution 19. Joint resolution to authorize the issuance of a gold medal in honor of the late Prof. Robert H. Goddard; without amendment (Rept. No. 882). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee on Banking and Currency. H.R. 8409. A bill to extend the International Wheat Agreement Act of 1949; with amendment (Rept. No. 883). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee on Banking and Currency. House Joint Resolution 493. Joint Resolution making a technical correction in section 5136 of the Revised Statutes (relating to national banks); without amendment (Rept. No. 884). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOLLING: Committee on Rules. House Resolution 342. Resolution for consideration of H.R. 1341, a bill to require passenger-carrying motor vehicles purchased for use by the Federal Government to meet certain safety standards; without amendment (Rept. No. 885). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 343. Resolution for consideration of H.R. 7985, a bill to amend the Communications Act of 1934 with respect to facilities for candidates for public office; without amendment (Rept. No. 886). Referred to the House Calendar.

Mr. THOMAS: Committee of conference. H.R. 7040. A bill making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1960, and for other purposes (Rept. No. 887). Ordered to be printed.

Mr. CANNON: Committee of conference. H.R. 7509. A bill making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes (Rept. No. 888). Ordered to be printed.

Mr. DAWSON: Committee on Government Operations. H.R. 766. A bill to amend section 5 of the act of July 16, 1914, relating to penalties for the use of Government-owned vehicles for other than official purposes; with amendment (Rept. No. 889). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. H.R. 2386. A bill to direct the Administrator of General Services to convey to the city of Mobile, Ala., all the right, title and interest of the United States in and to certain land; with amendment (Rept. No. 890). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. H.R. 3722. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer firefighting organizations, and for other purposes; with amendment (Rept. No. 891). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 1735. A bill to provide for conveyance of certain real property of the United States in Yalobusha County, Miss., to W. A. Nolen and Wiley W. Walker; with amendment (Rept. 875). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills, and resolutions were introduced and severally referred as follows:

By Mr. HARRISON:

H.R. 8637. A bill to facilitate management of the public debt, to permit the Secretary of the Treasury to designate certain exchanges of Government securities to be without recognition of gain or loss for income tax purposes, and for other purposes; to the Committee on Ways and Means.

By Mr. SIMPSON of Pennsylvania:

H.R. 8638. A bill to facilitate management of the public debt, to permit the Secretary of the Treasury to designate certain exchanges of Government securities to be without recognition of gain or loss for income tax purposes, and for other purposes; to the Committee on Ways and Means.

By Mr. ABERNETHY:

H.R. 8639. A bill to create an Agricultural Research and Development Commission, to provide for more effective research programs designed to expand markets for agricultural and forestry products, to reduce surpluses, to increase farm income, and to benefit consumers, and for other purposes; to the Committee on Agriculture.

By Mr. DIXON:

H.R. 8640. A bill to create an Agricultural Research and Development Commission, to provide for more effective research programs designed to expand markets for agricultural and forestry products, to reduce surpluses, to increase farm income, and to benefit consumers, and for other purposes; to the Committee on Agriculture.

By Mr. ANDERSON of Montana:

H.R. 8641. A bill to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions; to the Committee on Agriculture.

By Mr. MAILLIARD:

H.R. 8642. A bill to amend subsection (b) of section 1823 of title 28, United States

Code, to provide that employees of the United States or the District of Columbia called as witnesses in judicial proceedings shall not be charged with loss of salary or authorized leave of absence with pay; to the Committee on the Judiciary.

By Mr. METCALF:

H.R. 8643. A bill prescribing minimum and maximum operation level of Flathead Lake, Mont.; to the Committee on Public Works.

By Mr. PATMAN:

H.R. 8644. A bill to provide for the establishment of cooperative outdoor recreation research and education centers; to the Committee on Interior and Insular Affairs.

By Mr. PORTER:

H.R. 8645. A bill to authorize the appropriation of funds for carrying out provisions of section 23 of the Federal Highway Act, to enable the Secretary of Agriculture to construct timber access roads, to permit maximum economy in harvesting national forest timber, and for other purposes; to the Committee on Public Works.

By Mr. TOLL:

H.R. 8646. A bill to amend the Civil Service Act of January 16, 1883, to eliminate the provisions of section 9 thereof concerning two or more members of a family in the competitive civil service; to the Committee on Post Office and Civil Service.

By Mr. McFALL:

H.R. 8647. A bill to amend title II of the Social Security Act to permit retirement by all persons in the United States at the age of 60 years with benefits that will assure full participation by elderly persons generally in prevailing national standards of living, to provide like benefits for disabled persons, and to provide benefits for certain female heads of families and for certain children; to provide for the establishment and operation of this system of social security by an equitable gross income tax; and for other purposes; to the Committee on Ways and Means.

By Mr. KEOGH:

H.R. 8648. A bill to make permanent the existing suspensions of the tax on the first domestic processing of coconut oil, palm oil, palm-kernel oil, and fatty acids, salts, combinations, or mixtures thereof; to the Committee on Ways and Means.

By Mr. KING of California:

H.R. 8649. A bill to make permanent the existing suspensions of the tax on the first domestic processing of coconut oil, palm oil, palm-kernel oil, and fatty acids, salts, combinations, or mixtures thereof; to the Committee on Ways and Means.

By Mrs. ROGERS of Massachusetts:

H.R. 8650. A bill to amend the Veterans' Preference Act of 1944 to provide retention preference to certain blind employees in cases of reductions in force; to the Committee on Post Office and Civil Service.

By Mr. SMITH of California:

H.J. Res. 495. Joint resolution calling upon the motion picture industry to take appropriate action to make certain that no damage will be done to the foreign relations of the United States by the showing in foreign countries of movies which misrepresent our Nation or its people; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DELANEY:

H.R. 8651. A bill for the relief of Giuseppe Gaetano Fiore; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 8652. A bill for the relief of Antonio Bombace; to the Committee on the Judiciary.

By Mr. LANE:

H.R. 8653. A bill for the relief of American President Lines, Ltd., Nitto Shosen Co., Ltd., and Koninklijke Java-China-Paketvaart Lijnen N.V. (Royal Interocean Lines); to the Committee on the Judiciary.

By Mr. MURPHY:

H.R. 8654. A bill for the relief of Harold Meyerberg; to the Committee on the Judiciary.

By Mr. OSMERS:

H.R. 8655. A bill for the relief of Patricio Pina-Diaz; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Letter to the French Ambassador

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 12, 1959

Mr. ANFUSO. Mr. Speaker, on August 6, 1959, a story was published in the press that 16 Members of the House of Representatives urged the French Government to enter into negotiations to end the Algerian war and my name was listed as one of the 16 House Members. I have no knowledge of having signed such statement and do not subscribe to the views as expressed in that statement.

I have informed the French Ambassador that I am not in accord with the contents of the statement. Under leave to extend my remarks in the RECORD, I wish to insert the text of my letter to the French Ambassador as follows:

AUGUST 13, 1959.

His Excellency Mr. HERVE ALPHAND,
Ambassador of France,
French Embassy, Washington, D.C.

DEAR MR. AMBASSADOR: Since writing to you on August 4, my attention has been called by my good friend Congressman EMANUEL CELLER, and also by Mr. Joseph M. Levy, that on August 6, 2 days after writing to you such letter lauding President de Gaulle, I allegedly joined 15 other Congressmen in a statement concerning Algeria.

I have no knowledge of signing such letter and am unable to check whether my secretary signed such statement without my knowledge, since she is presently away on vacation.

However, since the contents of such statement has now been made known to me, I wish to state emphatically that I am not in accord with its contents since it demonstrates interference with the internal and domestic policies of our great ally, the French Republic.

I repeat that, regardless of what my feelings toward France may have been prior to President De Gaulle, I am now convinced and have been since President de Gaulle came into power, that we are dealing with a new France, with a united country under the splendid leadership of a great friend of the United States and a stanch foe of communism.

With warm regards, I remain,
Sincerely yours,

VICTOR L. ANFUSO,
Member of Congress.

East-West Trade: Advantages and Disadvantages

EXTENSION OF REMARKS
OF
HON. FRANK CHURCH
OF IDAHO
IN THE SENATE OF THE UNITED STATES
Wednesday, August 12, 1959

Mr. CHURCH. Mr. President, the question of expanding trade with the Soviet Union promises to grow larger and larger as the exchange of visits between Soviet and the United States becomes more frequent. It is well known that Russia is anxious for more trade markets in the west, as Mr. Mikoyan and Mr. Koslov made clear when they were here. The question is: Would greater trade with Russia be valuable and profitable for us?

A very well-reasoned discussion of this subject may be found in an article written for the May issue of Tradescope by the distinguished senior Senator from Minnesota [Mr. HUMPHREY] who concludes that increased trade can, if handled wisely, "be a net advantage for the United States and the free world."

I ask unanimous consent that the article, "East-West Trade: Advantages and Disadvantages," be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Tradescope, May 1959]

EAST-WEST TRADE: ADVANTAGES AND DISADVANTAGES

(By Senator HUBERT H. HUMPHREY)

Since earliest times the interchange of goods between nations has exerted a profound influence on the political relations of the trading partners. Political commitments have in turn cast their shadow over trade. This two-way impact is illustrated in the relationship between the Soviet bloc and the free world today. Until quite recently, the leaders of the Soviet Union have avoided extensive exchange of goods with the non-Socialist world economy. On the other hand, the free world has been able to develop only as much trade as the Soviet state-trading system was willing to permit.

During the past 5 years, however, there has been an increasing drive on the part of the Soviet bloc to enter the marketplace of the world. Because of its sudden emergence, it has often been suggested that the current Soviet economic offensive is merely a drive for political advantage with the ultimate aim of dividing the free world. Premier Khrushchev is reported to have said that "trade is not economics, it is power."

In assessing the advantages and disadvantages that might result increasing East-West trade, certain considerations should be noted.

Russia's monolithic trading mechanism with all its geographic subdivisions can con-

centrate with telling effects on strategic objectives and thus challenge the West, precisely because Russia is not concerned with profits or taxes. Its state trading monopoly is in a position not only to sell but also to buy vast quantities of goods or raw materials at a politically propitious moment because price is no object and all attendant costs, such as transportation, are absorbed by the state. Russia and the satellites, who are part of her economic orbit, are not concerned with the wage and price problems of the free enterprise system. This preponderant advantage is strengthened even more because the free world is composed of trading competitors who are also maneuvering for a more profitable share of the world markets. Operating as individual units, they are not fully equipped to meet massive Soviet competition.

Increasing shipments from the West have the effect of assisting the Soviets to overcome weaknesses and deficiencies, and thus inevitably to strengthen their war potential. In the past, however, our refusal to lift the embargo on strategic trade items with the Soviet Union has not proved wholly successful in containing Soviet economic advance. Although our efforts certainly slowed momentarily the economic advance of the Soviet Union, we have failed to deter her. In fact, our limited trade policies have often served to stimulate the Soviets to accelerate development and expand production. This is exactly what happened when we refused to sell aluminum to the Soviet Union immediately after World War II. By concentrated efforts, the Union was not only able to construct plants, but to produce aluminum at sufficient capacity that she was able to place a large volume on the world market last year and break the existing price structure.

The current drive for the easing of restrictions of East-West trade is more in the direction of strengthening the industrial, military, and economic prowess of the Communist bloc. What the Soviet trade agencies want above all, of course, is goods that are strategically important, yet whose export had hitherto been prohibited under our Battle Act. Several of our trading partners have long been under pressure by their business communities to sell such goods to Russia. Thus, ships, power generators, machine tools, presses, mining machinery, communications and transportation equipment are now being sent behind the Iron Curtain as a result of the gradual relaxation of controls. In return the Russians sell and ship grain, fish, and raw materials such as lead, zinc, copper, hides, and fur, plus a small amount of machinery. Underdeveloped areas can use the development equipment, but any deal with the industrialized West always includes a request for capital goods.

OBJECTIVES OF RUSSIA'S TRADE OFFENSIVE

It seems as if the aim of Russia's trade offensive is to attract the smaller nations (underdeveloped areas with major raw material exports) into its commercial orbit, while at the same time undermining the competitive position of Western trading nations. Thus Russia has had enormous success in buying up the pressing surpluses of Finland, Burma, Iceland, Egypt, Uruguay, and Argentina. The West has been unable to step up its own small programs of preclusive buying simply because of the Russian advantage whereby its trade monopoly can engineer deals without regard to the usual commercial terms, prices, or quality. This initial advantage and the willingness to engage in such large-scale buying have been pressed to the point of establishing commercial dominance. In the countries where aggressive export campaigns have been waged, Russia has succeeded in capturing a large percentage of that country's import market, notably Afghanistan 30 percent, Finland 20 percent, Egypt 20 percent, and Iceland 22 percent.

Trading relations with the industralized West are beginning to resemble increasingly the trade between Old Russia and Europe—fundamentally, the exchange of Russian foodstuffs and raw materials for manufactured goods. Her enormous industralization plan necessitates increasingly larger supplies of specialized machinery—for example, the colossal extension of her chemical industry depends on Western machinery. Trade in these items cannot depend on barter deals, but requires hard currencies and gold. To earn the hard currency the Russians are concentrating on the supply and export in very specific sectors—like scientific instruments for schools—of a quality and at prices that cannot be met by the United States of America.

The West may be willing to trade with the Soviets, but certain difficulties have to be overcome. Notably foreign customers' unfamiliarity with Soviet products; the West's lack of knowledge of Soviet suppliers; the problem of service and spare parts; the known Russian stand against the extension of commercial credit to private foreign buyers; the dependability of performance on deliveries; and finally the question of whether trade relations may not be severed at will by the Russian political leaders if they wish to switch to more promising markets in line with their political objectives.

THE VOLUME OF SOVIET TRADE

The Soviet Union is now making a conspicuous effort to increase its commercial range outside the Communist bloc. By deliberate policy, three-fourths of all trade is reserved for its Communist trade partners. Since 1953, trade with the outside world has been gaining in volume. Measured by the extra-orbit portion of her trade, Russia is not a very important trading nation. To cite one figure, annual exports to all free countries at present amount to about $1 billion. In terms of rank among trading nations, this puts her in our hemisphere somewhat ahead of Argentina but behind Brazil. In Europe, the size of Russia's annual volume of exports, excluding the bloc countries, places her somewhat between Austria and Denmark.

Russia's largest trade partners outside the bloc are the following six countries: Finland, United Kingdom, Egypt, West Germany, India, and France. To the first of this group, Finland, the value of annual exports in 1957 amounted to $150 million; to the last, France, $67 million. With the United States, the volume of trade conducted is a negligible affair. Soviet exports to the United States amounted to only $16 million in 1957.

The important thing to note is that the Soviet Government has undergone a change of heart toward trade. It no longer considers it a strategic liability. In recent years, it has been able to expand its trade all along the three main lines of geographic distribution, namely with the bloc nations, with the industrialized nations of the West, and with the underdeveloped countries. The latter, it is true, are, for the most part, a new element in Soviet trade. Yet, as mentioned above, two of Russia's principal trade partners outside the bloc are underdeveloped nations, Egypt and India.

ADVANTAGES OF EAST-WEST TRADE

An important fact to bear in mind is that the movement of trade between East and West continued as a fairly active race during the worst years of the postwar period. The natural resources of the East have always exerted a strong commercial pull upon the West. This is especially true in Europe. The East possesses a variety of raw material needed in the West. Russia and her satellites are in a surplus position in forest products, fertilizer, fuels, flax, a number of minerals, and they regularly export a wide variety of foodstuffs, ranging from grain to eggs.

At the same time, the countries of the East have always served as an outlet for industrial products from the West. In many areas of technology, especially in the less strategic industries, Western producers have always appreciated the opportunity to broaden their market potential by keeping open the door to the East. True, it is an extremely unpredictable market. They buy at the margin, and they usually buy basic types of production equipment on a one-shot basis, but even a single sale of this sort, from the standpoint of the manufacturer, can be a large, profitable transaction. Above all, a channel for cooperation in a peaceful field.

One aspect of this problem is often overlooked. Rising living standards in the Soviet Union, resulting from increased trade, or other factors, may make a contribution to peace and may ultimately help to moderate the Communist dictatorship itself. As consumer aspirations are increasingly realized, it will become more difficult for the Soviet people to accept as valid the official image of the West as their mortal enemy. They will be more inclined to see the United States for what it is. A growing professional-managerial class may be a force for moderation as it balances the power of the military and political elites. I do not believe in economic determinism, but I do believe that economic factors influence the character of political institutions.

In conclusion, I support an increased volume of East-West trade because, if handled wisely, I believe it can be a net advantage for the United States and the free world. There is little risk in expanding the volume of nonstrategic trade. In addition to the mutual economic values deriving from such an exchange of goods there are certain noneconomic byproducts which may be even more important. Trade always means person-to-person contact, and sometimes means idea-to-idea contact, among the trading partners. Such contact may lead to greater political understanding. We should neither underestimate nor overestimate the contribution of international commerce to international peace, but in these days of serious conflict let us not arbitrarily close any door to the greater exchange of goods, persons, or ideas.

Louisiana Champion, From Lafayette, Competing in National Teenage Safe Driving Road-e-o Here

EXTENSION OF REMARKS
OF
HON. EDWIN E. WILLIS
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 12, 1959

Mr. WILLIS. Mr. Speaker, I am justly proud of the fact that the Louisiana champion in this week's finals of the National Teenage Safe Driving Road-e-o, taking place here in Washington, is from my congressional district. He is 17-year-old Bill Young, son of Mr. and Mrs. Pierre Young, of Lafayette, La.

The winner of the Louisiana title is competing with representatives from the other States in the written and skill phases of this contest sponsored by the Junior Chamber of Commerce of the United States. Accompanying him to the Nation's Capital is Second Vice President Cary Moore, of the Lafayette Junior Chamber of Commerce, son of Mr. Guilliam Moore, Sr., of that city. The Louisiana finals of the road-e-o were

conducted in Jefferson Parish—county—where approximately 50 young people, winners in the local contests conducted by the various junior chambers of commerce throughout the State participated.

The written tests this week have been given at the Statler-Hilton Hotel and the skill events staged at the National Guard Armory. First, second, and third place national winners will receive scholarships worth $2,000, $1,500, and $1,000, respectively, during the presentation of awards at a banquet Thursday night.

Among the events arranged for the contestants during their stay here was a visit to the White House where Bill Young was photographed standing next to the President.

The Lafayette Junior Chamber of Commerce, with a membership of around 40 young men active in community affairs, sponsors numerous civic events in addition to the safe driving competition which is open to both boys and girls. The organization, formed several years ago, meets for a luncheon program on the first Wednesday of each month and gathers for a night meeting on the third Wednesday. The officers are headed by President Carroll Baudoin and the others, in addition to Cary Moore, are Alvin O'Fleruity, first vice president; Scotty Brane, treasurer; and Gerry Bush, secretary.

A Letter From the White House: No Invitation to Chou En-lai

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 12, 1959

Mr. PORTER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following correspondence between myself and the President and a brief statement which I issued to the press today:

AUGUST 4, 1959.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: I agree with you that an exchange of visits between you and Premier Khrushchev may create better understanding between the United States and the Soviet Union and thereby promote the cause of peace. It seems to me that the cause of peace could be promoted for exactly the same reasons if you and Chou En-lai were to exchange visits.

China, like the Soviet Union, is more enemy than friend. China's internal hate campaign against the United States is well known, as are China's aggressions in Korea and against Taiwan. But surely, if better understanding might lead to peace between us and the Soviet Union, we should at least attempt better understanding through visitor exchanges with China, at all levels, to promote the cause of peace in this area.

Of course this involves recognition of China. This can be done without turning "soft." Recognition does not mean forgiveness or approval. William Macomber, Jr., Assistant Secretary of State, wrote me July 31, 1959:

"As I have mentioned in previous letters to you the fact that we maintain normal diplomatic relations with a particular country does not imply that we approve or disapprove of its internal policies or practices."

Your hopes and efforts, applauded by almost everyone, to achieve the end of nuclear tests require that we recognize China. No feasible inspection agreement can be concluded without the participation of China, the world's largest and most populous nation.

Considering your great responsibilities and the state of your health, your agreement to go to Europe and to the Soviet Union may very well rule out a trip by you to China in the near future. With this in mind, and with deep admiration for your selfless decision to make the trips to Europe and the Soviet Union, I offer this alternative suggestion: That you encourage visitor exchange on other levels. I refer particularly to Members of Congress, journalists, national leaders, teachers, and students.

Such visitor exchanges with China might also lead to better understanding which would promote peaceful relations with China just as we are now trying to do with the Soviet Union.

Sincerely,

CHARLES O. PORTER,
Member of Congress.

AUGUST 7, 1959.

The Honorable CHARLES O. PORTER,
House of Representatives,
Washington, D.C.

DEAR MR. PORTER: Thank you for your letter. I am glad to have your suggestion that I exchange visits with Chou En-lai, as well as your view that we should afford recognition to Red China.

I cannot agree with you that it would be desirable for this country to give diplomatic recognition to Communist China or for me to invite Chou En-lai to visit this country. So long as the balance of advantage lies in maintaining our present policies in the Far East, I believe we should not change them. I believe these policies best serve the cause of peace.

With best wishes.

Sincerely,

DWIGHT D. EISENHOWER.

STATEMENT OF CONGRESSMAN CHARLES O. PORTER, DEMOCRAT, OF OREGON, AUGUST 12, 1959

I appreciate the President's personal attention to my letter. However, I regret that the only matter of substance was his flat assumption that "the balance of advantage lies in maintaining our present policies in the Far East." On the basis of this reasoning the President apparently believes that "the balance of advantage" has tipped the wrong way with respect to the Soviet Union. That is presumably why he has invited Khrushchev to visit us, but not Chou En-lai. In my opinion the President holds no such views but they would naturally follow from his letter to me.

The President did not comment on my statement that visitor exchanges at all levels with China could promote peace just as the existing and expanding visitor exchange program with the Soviet Union promotes better understanding and peace.

Nor does the President suggest how we can achieve an end to nuclear weapons testing unless China subscribes to the inspection agreement.

While it is virtually unique, as well as an honor and a pleasure, to receive a letter from the President, and while it is gratifying to know he has personally considered this important matter, I would rather have received a more responsive letter from one of his assistants. Disputed issues of this magnitude need responsive and responsible discussion.

Report by Senator Saltonstall to People of Massachusetts

EXTENSION OF REMARKS
OF
HON. LEVERETT SALTONSTALL
OF MASSACHUSETTS
IN THE SENATE OF THE UNITED STATES
Wednesday, August 12, 1959

Mr. SALTONSTALL. Mr. President, the United States is a proud Nation today—proud of its democracy, proud of its industry and especially proud of its people—of the rights of the individual.

Mr. President, we must remain ever on guard to see that this Nation remains interested in the individual and that we remain and grow as a Nation of the thrifty and hard-working. Of recent interest has been the proposal to broaden the number of those who are able to provide for their old age and declining years through their personal efforts rather than through Government means.

We now have industrial and corporate pension plans where in a perfectly proper way employers provide for the retirement of their employees—showing concern for them as individuals. But, Mr. President, we must show that same concern for those individuals not covered by corporate pension plans. Feeling as I do on this subject, Mr. President, I recently wrote a report to my constituents in Massachusetts. I ask unanimous consent that it be printed in the CONGRESSIONAL RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

INDEPENDENCE—THE AMERICAN WAY

The foundation of the great democracy we enjoy in the United States is the respect our citizens hold for each other as individuals.

Starting with our Declaration of Independence representatives chosen by our people have sought to build upon that foundation.

Congress has always sought to keep the balance of equal respect for all individuals.

At the present time a source of unbalance is the law surrounding the ability of each individual to provide for his own security in later years.

The law now provides, for example, that employers may set up pension plans for their employees. An employer can deduct the annual payments as a business expense. The employee is not taxed until he receives the pension in later years. Thus the whole amount is not taxed to either employer or employee for an interim period. This legislation has led to the establishment of many corporate pension funds and even to a few set up by partnerships and individual employers.

But this law omits the person who works for himself. This man, independent and self-supporting, deserves equal treatment under the law, for his enterprise has contributed greatly to our country's growth.

Our self-employed persons are the backbone of the country. They include the highly trained professional people, many of the master mechanics, small businessmen who own their own commercial establishments, and some manufacturers. From these people come many of the ideas and efforts that help build our country.

At present they are not permitted tax deductions to set aside funds for their retire-

ment even though they are, in essence, their own employers and might be doing it for their employees.

President Eisenhower recognized the problem when as a candidate in 1952 he said, "When this legislation was being considered, self-employed individuals were evidently forgotten, yet they get old and sick just as other people do." Later, in his state of the Union message in 1953, he stated that encouragement of pension plans for private individuals should be an important part of the legislative program.

Since then little has been done, unfortunately to put this request into effect.

A bill now before the Senate Finance Committee which passed the House of Representatives would correct a large part of this deficiency in the present law.

H.R. 10 provides that self-employed persons can set aside, in an irrevocable trust, up to $2,500 per year. This amount will be deductible from gross income for purposes of income tax for the year the money was received, but will be considered taxable income upon retirement. The rate of tax at retirement will probably be substantially less, since the individual will no longer have taxable earned income. The bill sets up certain conditions as to the type of fund into which the money is put and restrictions as to the conditions under which any of the funds thus set aside can be withdrawn.

The Senate Committee on Finance scheduled another hearing on this bill for August 11, and there is no way of determining at this time whether it or a similar bill will be reported by the Committee for Senate action. One reason for this has been the Treasury Department's opposition. The Treasury has been concerned that the tax relief offered will decrease the Federal revnue and put the budget out of balance.

It correctly believes that the inflation caused by the deficit financing arising from an unbalanced budget will in effect weaken the retirement programs of all of us—employed as well as self-employed.

I believe the Treasury must work to find a way whereby a positive approach can be taken to correct the inequity in our present law, as the legislation basically is extremely important and only fair to large numbers of our citizens. To avoid an unbalanced budget the Treasury Department must seek alternative revenue thereby avoiding deficit dangers.

The Treasury Department, in its opposition to H.R. 10 has stated that it believes: (1) that it might cost the Federal Government $300 million in tax revenue the first year, (2) that the bill is not fairly written, for although it corrects some of the inequities in our present setup, it does not correct them all, (3) that if the inequities were corrected it might reduce Federal revenue as much as $3 billion.

Advocates of the bill have stated that they believe it will reduce revenue by only $100 million and that although it may not correct all of the inequities the opportunity to correct some of them should not be lost.

The principle of this legislation is too important to be lost through a difference over the way in which it should be put into effect. It may be possible that by judicious amendment of the present legislation much can be accomplished to correct many of the inequities.

As far as the loss of revenue to the Treasury is concerned, both sides are talking about substantial sums of money. To this a reasonable answer must be found. But since this matter has already dragged on for so many years, the best thing would be to get the principle of a self-employed retirement fund program established as soon as possible. The revenue loss to the Treasury could be arranged so that the Treasury would have a period of time to build up the alternative revenue sources.

The United States has too long depended upon its self-employed not to continue to encourage them today. The self-employed of this Nation are hardworking people. They will continue to be so but we must not discriminate against them.

I look forward to action on H.R. 10 or its equivalent, and hope that the Finance Committee can report a bill before the end of this session. Too much depends upon this matter of principle. The people have demanded it; an inequity exists that must be corrected.

The individual and individual opportunity have been part of our proudest heritage in this democracy. H.R. 10 helps fulfill this principle.

LEVERETT SALTONSTALL.

The Impact of Science on Our Society

EXTENSION OF REMARKS
OF
HON. JOHN E. FOGARTY
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 12, 1959

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks, I should like to include an address which I delivered at the 96th commencement of Bryant College on July 31, 1959. The address is entitled "The Impact of Science on Our Society":

THE IMPACT OF SCIENCE ON OUR SOCIETY

(Address of the Honorable JOHN E. FOGARTY, Member of Congress from the Second District of Rhode Island, Veterans Memorial Auditorium, Providence, R.I., at the 96th commencement of Bryant College)

Gathered here this morning are several hundreds of young men and women who have successfully met another in the long series of challenges by which each human being is measured, from his first learned response to his last influence before or after his death.

Gathered here, too, are several thousands of men, women, and children for whom this commencement also signifies the successful meeting of a challenge. For the award of a diploma to an individual is not just tangible recognition of that individual's academic accomplishments; it is also, symbolically, recognition of the accomplishment of parents and loved ones who have given much of themselves in order that a new and potentially valuable member may be added to the family of man.

Bryant College has witnessed many occasions such as this. Thousands of students have studied here and, enlightened and enriched by the experience, gone on to productive, rewarding careers. For nearly a century, the college has been a source of pride to the community it serves by blending specialized education in business techniques and administration with the more general education required for useful citizenship in our complex and dynamic society. It has had the vision and courage to pioneer in educational methods and curriculum. Yet it has never lost sight of its primary mission: To educate the individual.

The educated individual is the key factor governing the strength and effectiveness of our democracy. The incredibly rapid sweep of events in the 20th century places a special responsibility on all of us, not only to keep abreast of our times, but in a sense to keep ahead of our times. This is nowhere more evident than in the field of science. That is why I have chosen to share with you today some thoughts on science and its impact on society.

What image do you have in your mind when you think of the term "science"? Is it the picture of nuclear power for instruments of peace and weapons of destruction? Is it manned missiles encircling the earth or exploring the surfaces of the moon? Is it probing the depths of the ocean, the molecular structure of metals, the chemistry of the cells of the human body?

This is the kind of image most people have when they think of science. They endow science with qualities that tend to remove it from the society it serves—to set it apart as something mysterious and almost frightening in its potential for engendering sudden and unpredictable change in our way of life. In the same vein, scientists are commonly viewed as obsessively motivated, highly intellectual, socially naive individuals who spend their lives satisfying their intense curiosity to understand the phenomena of the world and the universe about them.

Such images tend to create barriers to public understanding of science, and public understanding is essential if science is to be an even more effective force for the achievement of goals that are set by society.

Textbooks tell us that the essence of science is the facts or principles or rules which are used to explain or hold together what man knows, and to help him discover what he still does not know. The abstract sciences deal with things that cannot be touched, like numbers or thoughts; the natural sciences deal with things in nature, such as men and stones and stars; and the human or social sciences deal with the way we think and act, alone or together. No mater how it is classified, however, science is characterized by what is known as the scientific method. And the application of the scientific method to the study of man and his universe has been a primary force directing and conditioning the growth of civilization as we know it.

It is easy for us today to look back over those relatively few years in which man on this planet has recorded his history and see how primitive science has evolved into modern science. The use of metals—the control of fire, the domestication of animals, the planting and harvesting of crops, the discovery of the wheel, the invention of written language—these were scientific accomplishments which had a marked effect on the subsequent history of mankind.

In the forward movement of science through the intervening centuries—movement associated with such names as Aristotle, Archimedes, Copernicus, Galileo, Kepler, Newton—there is evidence of a characteristic of science that must be understood by all of us who live today in a world that is rapidly becoming a scientific world. This characteristic is, if you will, the fallibility of science. It is the only source of knowledge whose truth can be tested by experiment. Its methods and results must be reliable or they are discarded. But what is called scientific truth is not, and must not be thought to be, always absolute and final. Often the information on which scientific conclusions are based is incomplete. Thus scientific knowledge is continually growing and continuously being revised. Science cannot answer, and it is not the answer to, all of the questions of society. It cannot tell all about man, where he came from or where he is going. It cannot tell all about the universe. And while we build and strengthen science because we expect it to build and strengthen our society, it is important that we recognize both the limitations of science and the dangers it brings along with its many blessings.

I shall not try to summarize the ways science affects our daily life. Directly and indirectly, it has made us richer—not only in material and technological miracles that

are accepted as commonplace, but in leisure time, tools for study, and opportunity to create things of beauty. The tempo of scientific discovery in the 20th century has been incredibly rapid. All sciences have moved forward and literally hundreds of new sciences have been generated. Terms like supersonics, thermodynamics, plastics, biochemistry, nuclear physics and astronautics become meaningful parts of our vocabulary. And we invest heavily in programs seeking greater control of power, new forms of matter, freedom from hunger and disease. Yes, science is a dominant force in our society. Its evidences are everywhere—in our homes, in our industrial and agricultural economy, in our transportation and communications systems, in our communities, in our places of work and of learning. One has only to think of the ways science and scientific advances have influenced your own chosen field of business administration and practices to realize the extent to which science is interwoven into the total fabric of our society.

We tend to think of the product and influence of science in positive terms. But just as in the scientific process each major advance highlights other scientific problems that require solution, so the total forward movement of our scientifically oriented society is threatened by dangers which must be recognized and met.

Can we, for example, find ways to use for human betterment the powers that science has given us for weapons of destruction?

Can we use our advanced communications systems to achieve the kind of understanding that will lead to peace among the peoples of the earth?

Is there a solution for the situation which find some nations producing in excess of their nutritional needs while other nations are starving?

Although science can make nearly everything necessary for life out of certain raw materials, not all nations have a supply of these raw materials. Can we learn to share them so that no nation will have to go to war to win its share of needed substances? Moreover, there are just so many raw materials in the earth and no more. Can science find substitutes for old sources of energy before the earth's resources are depleted?

Can we find certain ways to protect ourselves against the environmental hazards and stresses that we ourselves have created?

Can we eliminate or bring under control the diseases that cause crippling and premature death?

Is there a way for society to manage its affairs so that everybody has an equal chance? Can economic and social and political forces learn how to avoid peaks and depressions in a total economy?

These are the kinds of challenges we face. Under a broad and comprehensive definition of science, they are scientific challenges—or, more precisely, challenges in the ultimate application of the scientific method.

Whether the challenges will be met is dependent upon man himself. Man lifted himself above the level of animals because he alone, of all the forms of life on earth, was able, by thought and work, to gain control over the forces of nature. He lifted himself from savagery and barbarism to civilization. This has not been a steady gradual process. Social organization and moral ideals have lagged behind the control over nature. We must use all of our talents and capacities to bridge the great gap that exists between the scientific accomplishments of man and his much less advanced social thinking and action.

This is one of the reasons why the individual and his education are of such critical importance today. For each individual member of our society is a precious resource, to be nurtured, challenged, and given every opportunity to make a contribution to the solution of the great and small problems that beset society as it moves ahead to meet—as I know it will meet—the challenges that lie ahead.

There are many ways in which the functions of an elected representative of the people to the Federal Government permit him to contribute to the achievement of the goals we all share. I, for example, have served the people of the Second District of Rhode Island for nearly two decades in the House of Representatives. There are three general ways in which that responsibility is reflected in my actions.

First, it is my responsibility to act for and on behalf of the people of my district. This means I must know them, their views, and their wishes, and faithfully reflect them on all matters of interest to my constituency.

Second, it is my responsibility to take an active and informed part in all matters of national and international consequence. In this sense, each elected representative serves the people of the Nation as a whole, as well as his own constituents.

Finally, it is my special responsibility to review and recommend appropriations for the activities of two departments of the executive branch—the Department of Labor, and the Department of Health, Education, and Welfare. This committee assignment gives me an opportunity to study in depth the work of many Federal agencies that have a direct and personal effect on the lives of all of us. Out of the complex of activities in these Departments, I have chosen to mention here today two that bear on my topic "The Impact of Science on Society."

Within the U.S. Office of Education, there has recently come into being a program which loans funds to brilliant young students in order to help them acquire higher education in the physical sciences. Called the National Defense Education Act and now in its second year, this program will help recruit and train a number of young people for careers in one segment of our Nation's total scientific endeavor.

While I gave my support to this program, and would do so again under the present circumstances, I know I will not be misunderstood if I say I wish it had not been necessary for this legislation to be enacted.

In the first place, such emergency programs are always less efficient and effective than the orderly and sustained growth in depth and in strength of the total educational system. A nation such as ours should be well able to afford a system of elementary, secondary, and higher education which would have the capacity routinely to meet our national needs; more than this, we cannot afford not to have such a system. But there are grave present inadequacies in our educational system—inadequacies which threaten to become critical deficits in the years ahead. Our educational facilities are being outdistanced by population growth and change. The salaries and other compensations for teachers are not commensurate with their services, and the teacher shortage becomes increasingly acute. And higher education is fast becoming out of reach for too many of our young men and women who should have an opportunity for such education.

The crisis in education is a local, State, and national problem. The public has a right to expect vigorous, enlightened leadership from Washington so that our full resources can be directed to its solution. I regret to say that such leadership has not been forthcoming. The administration has toyed with the problem but has backed away from any affirmative action. As a result, little bits of the problem—like the special impetus to science education to which I just referred—have been touched. But the heart of the problem remains, and will remain until the people of the United States decide how much importance they attach to sound education and make their views known to their representatives in government at all levels.

A second scientific activity of the Federal Government with which I am closely associated is medical research. In this activity, I am happy to be able to report that the public interest is being well served. During the past 15 years, there has been gratifying and sustained growth in the Nation's investment in medical research, with about equal support from Federal and non-Federal sources. What began in 1946 as a spotty, uncertain program has emerged into a comprehensive, stable, productive effort of which every citizen can be proud. We are now able to provide for the needs of most of the competent scientists who have sound research ideas and work in an established research environment. At the same time, recognizing that investments in science are long-term investments, we have an active program for the advanced training of medical research scientists and another to assist in the construction of medical research facilities.

I am proud to say that my name is closely linked with that part of this effort which has Federal origin, particularly the National Institutes of Health, a bureau of the U.S. Public Health Service in Bethesda, Md. I have supported this program because of my deeply rooted conviction that the health of our people has a direct correlation with the strength, well-being, and productivity of our Nation—a conviction that has been borne out by the progress that has been made since we embarked on a renewed medical research activity after World War II.

There are all sorts of objective measures of the advances which have occurred when knowledge derived from medical research has been applied in medical and public health practice. There are increases in life expectancy. There are diseases that can be prevented, conditions that can be ameliorated or cured, lives that can be saved. In the health sciences as in the other sciences, an endless succession of ever more complex problems stretches out ahead. But we can be glad that we have taken and are taking and will take the necessary steps to assure that one by one, as scientific knowledge permits, the major health issues of today will crumble before the diversified and brilliant attack of our medical research workers. Perhaps not in my lifetime, but almost certainly in yours, we will see better ways to prevent or cure cancer, better ways to control heart disease, better ways to protect against and treat certain of the mental illnesses.

It is this thought—this awareness of the intimate relationship between medical research and the people's health, and between science and the fulfillment of man's total aspirations—that I would leave with you today.

You who are being honored here for the completion of your work at Bryant College have essential roles in our complex world of tomorrow. Science has made all of us world citizens. It has enlarged our spheres of activity so that neither we, our community, nor our Nation can be in fact separate or independent. This places a high premium on the responsibility of society to provide an opportunity for each of its individual members to reach his full potential. And it emphasizes the responsibility of the individual to use his full potential for the betterment of the society of which he is a part.

To you who are graduating from this fine institution—best wishes in whatever you do in the years ahead. You have been well educated here. Use your education.

To your parents and friends who have come here this morning because they love you, are proud of your accomplishment, and would not willingly be anywhere else when you are being singled out for recognition—to them, congratulations for a different kind of accomplishment, a kind you will

understand better when it is your sons and daughters who are graduating from college.

To those who administer and instruct at Bryant College—a special word of gratitude. There is no finer contribution that an individual can make than to educate.

And to all of you—students, parents, staff, and friends—may I convey the abiding respect and confidence that is shared by all who have reason to know Bryant College and its graduates. The people of Providence and of Rhode Island are proud of Bryant's long and distinguished service and are proud, too, that it is numbered among this little State's large family of educational institutions.

I am sure that those who are graduating today will do honor to Bryant College as, in their work and in their daily lives, they reflect what they have learned here.

World Coffee Production

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 12, 1959

Mr. ANFUSO. Mr. Speaker, the results of two recent surveys on world coffee production and U.S. coffee consumption are of great interest to those of us concerned with inter-American trade relations.

These surveys were published by the Pan-American Coffee Bureau, an instrument of 13 Latin American coffee-producing nations. One survey relates to coffee consumption in this country, the largest coffee importing nation in the world, from 1950 to 1959.

The studies are detailed and authoritative. The bureau has published its annual statistical review of world coffee trade for the past 22 years. It has conducted regular surveys of U.S. coffee consumption since 1950. This year, the U.S. survey was made by an independent research agency, Corby Research Service of New Rochelle, N.Y.

The report on coffee consumption by the people of the United States is a study in depth of the current market in this country. It reveals that since 1950 our people have increased their coffee drinking by 100 million cups a day, from 290 to 390 million. It further shows that 75 percent of our population, 10 years of age or over, now drinks coffee on an average of four cups a day.

The report states that the most striking increase in U.S. coffee drinking in the past decade is a spectacular rise of 100 percent in the number of cups being drunk between meals—that is, during coffee breaks. The coffee break has become well established as a national institution and now accounts for 28 percent of our total coffee consumption.

Americans between the ages of 30 and 40 comprise the largest category of coffee drinkers, according to the report, consuming an average of more than four cups daily. On a regional basis, the far West leads the Nation in its coffee consumption, followed by the Midwest, the East, and the South.

For the inveterate coffee drinker, the most interesting aspect of this study relates to what might be termed the "quality gap" between U.S. coffee consumption and U.S. coffee use. While we now consume 35 percent more coffee than we did 10 years ago, we are using only 10 percent more pounds. This means, according to the report, that "Americans are drinking a much weaker brew—than the average cup of coffee being served in U.S. homes today is being brewed at a rate of nearly 65 cups to the pound, whereas the recommended rate for the best flavor and maximum body is 40 cups to the pound."

The report explains that the trend toward weak coffee began a few years ago when coffee prices were high and has not yet reversed itself, even though coffee prices are again at 1950 levels or below. In this connection, the survey also points out that while wholesale and retail coffee prices are back to 1950 levels, 87 percent of all eating places now charge a dime per cup, while in 1950 more than half charged a nickel.

All of this is, of course, interesting sociological data, but it is more. For those concerned with inter-American trade relations and the economic welfare of our hemisphere, these statistics have a special significance. This can best be illustrated by relating the information supplied in the U.S. report to that included in the Bureau's statistical review of world coffee trade.

During 1958, the world review informs us, six Latin American countries relied on coffee for more than half of their foreign currency receipts. For Guatemala, Haiti, and El Salvador, the proportion last year exceeded 70 percent. For Colombia, 85 percent. And for Brazil, which in a recent year obtained almost 70 percent of its foreign trade receipts from coffee exports, the 1958 level fell to 55 percent, due to relatively low shipments.

To further realize the dependence of our Latin American coffee-producing neighbors on U.S. imports and consumption, consider these economic factors:

First. In terms of dollar volume, coffee remains the most valuable agricultural commodity imported into this country, ranking second only to petroleum products in total import value.

Second. Of total world exports of 36½ million bags of coffee in 1958, the United States imported approximately 20 million. Latin American producing nations supplied 72 percent of the world total and 85 percent of the U.S. total.

Third. In turn, Latin American coffee-producing nations comprised nearly 20 percent of the total U.S. export market, purchasing nearly $3½ billion worth of merchandise from this country.

Fourth. Because nearly a million more tons of coffee were grown than were consumed last year, foreign exchange earnings of the Latin American producing nations continued to decline, since coffee accounts for an average of 24 percent of the exchange earnings of the area.

Fifth. Between 1957 and 1958 the decline in dollar earnings from U.S. imports from Pan American Coffee Bureau nations amounted to nearly $205 million. As the report points out, where this reduction occurred in countries depending heavily on dollar earnings, and where it was relatively substantial, the result in hemispheric trade relations was more balance-of-payments and internal fiscal difficulties.

However, the report states, despite overproduction and accumulating surpluses of green coffee, an orderly market was maintained during 1958 through concerted action by all of the Latin American producing countries. Credit is given here to the operation of the Latin American Coffee Agreement, which went into effect October 1, 1958.

These two reports shed light on Latin American coffee's role as the indispensable denominator of inter-American trade and a healthy hemispheric economy. If any conclusion is to be drawn from these studies, it is that the United States, as the world's largest coffee importer and as the good neighbor of Central and South America, has a definite stake in the efforts being made to solve the growing world coffee crisis.

We cannot stand detached while the economies of 15 Western Hemisphere nations struggle for stability and survival, nor can we safely adhere to a wait-and-see attitude. For, as I have said before, events are moving swiftly in Latin America, and our own self interest dictates that we must anticipate rather than react to consequences.

Our Latin American coffee-producing neighbors have taken giant strides with considerable sacrifice toward solving their dilemma. But it is not simply their problem, it is ours as well. Only through an active interest in this problem and through continued cooperation can we of the United States maintain the symbol of coffee as the cup of friendship in the Americas.

Religious and Racial Discrimination Amendment to Mutual Security Appropriation Bill, H.R. 8385

EXTENSION OF REMARKS
OF
HON. WAYNE MORSE
OF OREGON
IN THE SENATE OF THE UNITED STATES
Wednesday, August 12, 1959

Mr. MORSE. Mr. President, today I testified, together with the Senators from New York [Mr. JAVITS and Mr. KEATING], in support of my amendment to the mutual security appropriation bill, H.R. 8385. My amendment deals with the elimination of religious and racial discrimination on the part of any country which enters into mutual security agreements with the United States. As the debate on this matter previously showed, Saudi Arabia, Norway, and Iceland, for example, follow discriminatory practices against some Americans because of their race, religious faith, or color.

This matter was before the Senate when my amendment to the mutual security authorization bill was defeated by

a vote of 47 to 43, although I am satisfied that a considerable number of Senators who voted against my amendment did so, as they have told me since, because they were not aware of the importance of the amendment.

I thought I owed it to the Committee on Appropriations—and the Senators from New York agreed with my position procedurally—to offer the amendment in committee for the committee's consideration, so that when it reached the floor later, if it were not adopted by the committee, the argument could not be raised that the amendment had not been offered in committee.

My testimony speaks for itself. I ask unanimous consent that the testimony I offered in the Committee on Appropriations in support of my amendment be printed in the RECORD.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. KUCHEL. While I was in the Committee on Interior and Insular Affairs this morning, and not in the Committee on Appropriations, at the time the able Senator from Oregon spoke, I did attend the latter part of the hearing before the Committee on Appropriations. I took occasion to read the printed comments of the Senator from Oregon. I think they present as excellent and as persuasive a document as I have read with respect to any given issue. I merely desired to have the Senator from Oregon know my reaction.

Mr. MORSE. I appreciate the remarks of the Senator from California very, very much.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR WAYNE MORSE BEFORE SENATE APPROPRIATIONS COMMITTEE, AUGUST 12, 1959, ON RELIGIOUS AND RACIAL DISCRIMINATION AMENDMENT TO MUTUAL SECURITY APPROPRIATIONS BILL, H.R. 8385

Mr. Chairman and members of the committee, I appreciate this opportunity to appear before your committee to urge acceptance of an amendment to the mutual security appropriations bill which will put the Congress of the United States on record in opposition to any policy by our Government which acquiesces in discrimination against American citizens on the grounds of their race or religion.

The U.S. Senate is firmly opposed to such discriminatory practices, I am convinced. The question is whether this is the legislative time and place to raise this issue. My answer is that it is always appropriate to raise this issue, and it is especially appropriate when we are discussing a measure to strengthen the United States and the free world.

The adoption of the amendment I now propose will make for a stronger America. It will make clear to the world that we mean it when we say we are a Nation of free men dedicated to the preservation of human rights and the dignity of man.

The language of the amendment I ask you to adopt reads as follows:

"It is the sense of Congress that none of the funds appropriated or otherwise made available by this Act should be used for furnishing assistance to any nation which as a matter of declared policy or practice, as determined by the President, creates distinctions because of their race or religion among American citizens in the granting of personal or commercial access or any other rights otherwise available to United States citizens generally."

This amendment is modeled on the Lehman resolution which was unanimously adopted by the Senate on July 25, 1956. That resolution reads as follows:

"Whereas the protection of the integrity of United States citizenship and of the proper rights of United States citizens in their pursuit of lawful trade, travel, and other activities abroad is a principle of United States sovereignty; and

"Whereas it is a primary principle of our Nation that there shall be no distinction among United States citizens based on their individual religious affiliations and since any attempt by foreign nations to create such distinctions among our citizens in the granting of personal or commercial access or any rights otherwise available to United States citizens generally is inconsistent with our principles: Now, therefore, be it

"Resolved, That it is the sense of the Senate that it regards any such distinctions directed against United States citizens as incompatible with the relations that should exist among friendly nations, and that in all negotiations between the United States and any foreign state every reasonable effort should be made to maintain this principle."

The Lehman resolution was adopted because of the widespread revulsion in this country against our Government's toleration of discriminatory practices by certain Near East countries against American Jews. There was particular concern over our agreement with Saudi Arabia which permitted that country to bar American soldiers of Jewish faith from a base which our country maintained at Dhahran.

All of you are familiar with these facts. I am confident that there is universal disapproval of this policy of exclusion and discrimination. Certainly no one in the administration or in the Congress would want to defend this policy on the ground of principle or morality.

It is interesting to note that after the Lehman resolution was adopted unanimously by the Senate in 1956, both the major political parties adopted strong planks on this issue at their national conventions in the summer of that year.

The Democrats said at Chicago:

"We oppose, as contrary to American principles, the practice of any government which discriminates against American citizens on grounds of race or religion. We will not countenance any arrangement or treaty with any government which by its terms or in its practical application would sanction such practices."

And the Republicans said at San Francisco:

"We approve appropriate action to oppose the imposition by foreign governments of discrimination against U.S. citizens, based on their religion or race."

The language of both statements is clear and forthright. It is regrettable that in too many instances those fine statements constitute mere words.

The U.S. agreement with Saudi Arabia, which was negotiated in 1952, was to expire early in 1957. There was every reason to hope, in view of the Senate resolution and the declaration of both the political parties, that the administration would say to the Saudi Arabian Government, firmly and honestly, that this was a reciprocal agreement conferring benefits on both parties; that it obligated each to respect the other, and that we could no longer accept an arrangement which contradicts the fundamental American principle that all Americans are entitled to the equal protection of the law in the United States. We hoped that we would tell Saudi Arabia that the United States could not permit any country to degrade any American into second-class citizenship.

King Saud came to Washington in 1957. He was given a most unusual welcome. President Eisenhower went to the airport to receive him personally. It is true, of course, that he did not receive a red carpet reception in New York City, a fact which displeased him, but which should not have surprised him too much since so many people who live in New York would not be allowed to enter Saudi Arabia on any kind of a carpet.

It is to be regretted that the agreement between the United States and Saudi Arabia in respect to the Dhahran Air Base extended another 5 years without providing for the termination of these offensive anti-Jewish screening procedures. It has been stated that we made some protest to Saudi Arabia—but the King was in no mood to defer to our concern. As the late Secretary Dulles told the press at a conference on April 23, 1957:

"We brought up the matter * * * during the talks that took place when King Saud was here. I did not find his attitude at that moment very receptive, largely perhaps * * * because of the fact that he felt that he had not been given nondiscriminatory treatment himself in the city of New York."

But, the new agreement went much further than the old. For we now agreed to extend substantial economic and military aid to Saudi Arabia. We agreed to train Saudi Arabian pilots and naval personnel and to expand the port at Damman.

In following this course of action, we renewed and confirmed an offensive and un-American arrangement. We made possible the practice of discrimination against Americans overseas and, in certain instances, the abridging of the rights of American citizens here in the United States.

This was an abysmal surrender of principle, an abasement unworthy of our country, repugnant to our Constitution, defamatory of our flag. We did this, apparently, because the administration believed that we had to surrender principle to convenience, because it was necessary to yield up the dignity of Americans for consideration of expediency. This degrading course of action was followed because some people thought, apparently, that it was in the best interests of U.S. foreign policy.

Mr. Chairman, I am vitally concerned about the security and defense of the United States. But I insist that there is not a single valid consideration which dictated or justified this course of action. It was expediency, nothing more nor less.

Is the base at Dhahran so essential to the defense of the United States that it must be maintained at the expense of precious human rights? Should we discriminate against our own fellow citizens by signing international agreements conceived in bigotry and born of shameful expediency? Should we accept the alibi that the security of the United States makes this base at Dhahran a vitally important one?

I deny this categorically. For the Dhahran base is not a military base.

I have the testimony of the late Secretary of State himself.

The Department of State Bulletin, August 26, 1957, page 348, quotes a remark made by Mr. Dulles during his August 6, 1956, press conference. He was asked about applying inspection procedures to bases in the Middle East. He replied:

"Answer. Well, we have no bases in the Middle East (addendum: excluding North Africa) unless you include Turkey, and that would be covered in this plan, I presume.

"Question. Dhahran?

"Answer. That is not a military base.

"Question. Mr. Secretary, on another subject, don't you think that—

"Answer. Excuse me. We have certain rights there but we do not—but that is not operated as a military base."

Mr. Thomas K. Finletter, former Secretary of the Air Force, believes that "* * * the

value of the Dhahran base is relatively small and that it can be replaced, but that the value of the principle involved is high and cannot be replaced." He has stated:

"There has been much unfounded talk about the 'vital' necessity of the Dhahran airfield to the interests of the United States. I think I am reasonably aware of the importance of the base structure of our Air Force and I cannot agree with the idea that any one base such as Dhahran is vital. I happen to believe that our base structure should be strengthened well beyond its present state but there are many places other than Dhahran where a substitute base for Dhahran and the additional bases which are needed could be located. I do not believe that the need for the Dhahran airbase in any way requires us to sacrifice the principles in which the American people believe."

Are we making this intolerable concession to expediency because of oil? Since oil was first discovered in Saudi Arabia, we have been warned periodically that the Arabian American Oil Co. might lose its advantageous position in Saudi Arabia unless our foreign policy conformed with that of King Saud. We heard this in 1948; we were then threatened with the loss of oil if we supported the United Nations resolution calling for the partition of Palestine. It turned out to be an empty threat then. It will always be empty as long as Saudi Arabia has no place to sell its oil except to the West and as long as oil reserves continue their enormous expansion. Saudi Arabia needs oil royalties just as much as Aramco needs oil. And let no one confuse the corporate and constitutional entities that are known as Aramco and the United States. They are not one and the same.

We will lose Saudi Arabia as an ally? This question is predicated on illusion. I seriously question whether Saudi Arabia would ever consider itself an ally of the United States. This is not the place for an extended review of our policy. But I do want to place on record my view that our Government miscalculated in 1957. At that time, there was a belief in high quarters that King Saud would embrace the Middle East doctrine, which was then under debate, and that he might become the kingpin of our Middle East policy. This was the reason for the elaborate state visit and the lavish favors conferred on Saudi Arabia at that time. But within a few months, Saudi Arabia again insisted on being neutralist. It wanted no part of the Middle East doctrine. During the 1957 Syrian crisis, Saudi Arabia's U.N. delegate lashed at the United States and the West at the United Nations in language so intemperate and shocking that our Government was constrained to ask whether he was really expressing the views of his King. Was he? We have never found out. However, anyone who thinks the United States can ever count on the King of Saudi Arabia as an ally of the United States in the cause of freedom holds a view that I think is very questionable. The King of Saudi Arabia does not believe in democracy. He is no respecter of human rights. He is a tyrannical absolute monarch who still maintains a slave market. Human rights, human dignity, human liberty for the masses of the people are as foreign to his form of totalitarianism as is the case with communism.

Let us be clear on one major point. The United States will never succeed in establishing a strong and respected policy in the Middle East unless it is prepared to demonstrate its strength—and not its weakness. I am not talking about any fleet maneuver or military parade of might—I am talking about strength of conviction and loyalty to principle. I believe—and I know that many experts on the Near East have felt this way—that the peoples of the Arab world—indeed, the peoples of Asia and Africa—will have much more respect and admiration for us if we refuse to be deflected from our fundamental principles. Our loyalty to the guarantees of the Constitution of the United States is our great strength. When we retreat from the principle of equal citizenship for all of our citizens because of pressure from a foreign monarch who threatens to deny us airbase accommodations unless we surrender to expediency, we lose prestige and respect all over the world. The foreign policy of the United States must be made in Washington, not in any foreign capital. It must be consistent with the equality of citizenship rights of the Constitution of the United States. It should strengthen the human rights goals of the Charter of the United Nations. It must not be trimmed or tortured to fit the prejudices and passions of other governments.

But instead of strength, we have shown weakness. Once a democratic government yields and retreats before the threats of prejudice and expediency in the formulation of international agreements, it becomes less and less able to resist undesirable diplomatic pressure and it subjects itself to further and more intolerable diplomatic impositions. It is no accident that the Arab boycott against American Jews grew in intensity after the renegotiation of the Saudi Arabia base. In early 1958, the leading American Jewish organizations submitted to this body a document in which they pointed out:

"The Arab blockade and boycott of Israel has now been extended by the Arab League to a systematic boycott and blacklisting of any American enterprise that maintains permanent business connections with Israel or with Israel firms and indeed to a worldwide effort to boycott any business owned by Jews.

"The Arab League maintains a public blacklist of American and other companies that invest in Israel, maintain branches, assembly operations, or distribution outlets there, or that license patents for Israel use.

"American vessels that stop at Israel ports are denied permission to make calls at Arab ports.

"American planes that land in Israel are forbidden to fly over Arab territories.

"No American is permitted to enter an Arab land from Israel except on official business.

"Americans who are Jews are a special target of the Arab boycott. Saudi Arabia, particularly, refuses to allow the Arabian-American Oil Co. or other concessionaires to employ Jews for work in Saudi Arabia. Most Arab League states refuse visas to Jewish travelers and some refuse to allow Jews to land even in transit. * * *

"The Arab League has been circulating questionnaires to chambers of commerce and individual companies throughout the world inquiring whether specified companies were controlled by Jews or employed Jews. * * *

"The United States has subsidized the export of wheat to (Arab) countries * * * out of tax funds supplied by all our citizens. The Arab League States refuse to ship their American wheat on blacklisted vessels or to buy wheat from American exporters who are Jews or who have dealings with Israel. * * * In effect, therefore, the United States submits to the operation of the Arab boycott and Americans are taxed for a wheat subsidy plan from which they are barred."

The Jewish organizations which submitted this memorandum declared:

"The Arab boycott of Americans is international intimidation; it thrives on appeasement and capitulation. We are confident that Americans deplore the Arab boycott and will want to resist this impairment of the rights and privileges of American citizenship. We are confident, too, that if the U.S. Government would strongly oppose this international blackmail and medieval bigotry, the Arab boycott against Americans inevitably would end.

"In the light of the foregoing, we, the undersigned, declare our repugnance of the Arab boycott and urge all commercial firms to resist it with every legal means at their command. At the same time, we express our firm hope that our own Government will prohibit racial or religious discrimination against American citizens in the administraton of any treaties or executive agreements to which it affixes its signature."

Mr. Chairman, I wish to emphasize that my amendment is intended and designed by me to be universal in its application. I have not singled out Saudi Arabia or any other Arab country for singular or exceptionable treatment. My amendment would apply to any and all foreign powers that insist on including in any international agreement with the United States discriminations between and among U.S. citizens based upon race, color, or religious faith.

It is true that the Government of Saudi Arabia has been a notorious offender in this matter because of the anti-Semitic policies toward American Jewish citizens which it has insisted must be acceded to by our Government in its international agreement with Saudi Arabia under the Dhahran airbase. However, there are other instances of discriminatory practices against certain American citizens followed by other governments, and there is the constant danger that if we surrender our ideals in respect to this principle to one nation, other nations in diplomatic negotiations may use it as a bargaining threat.

I am informed that Norway still discriminates against American citizens who may be Jesuit clergymen. My amendment would apply to that situation, as well. I understand that Iceland discriminates against American citizens who may be Negroes. My amendment would cover that situation also.

Further, let me make clear that I do not argue in support of the proposition that we have any right to interfere with the sovereign right of a foreign government to determine for itself its own domestic public policy in regard to its attitude toward the people of any particular race, color, or religious faith. What I do argue is that in exercising our sovereign rights as a democratic government based upon the constitutional guarantee of equality of citizenship, we have the duty to make clear to any foreign sovereign power that we will not enter into a treaty or executive agreement with such a government unless it is willing to grant the same rights and privileges under that agreement to all American citizens irrespective of their race, color, or religious faith.

Mr. Chairman, I submit to you that the time has come to stop this abject accommodation to the hatreds and hostilities of others. I do not suggest that we should try to reform the world. I know, Mr. Chairman, that we are subject to the charge that our hands are not as clean as we should like them to be. Much can be said in criticism of our own failings on the domestic scene. And I do not believe that we can use the mutual security program as an instrument whereby we will persuade other governments to revise domestic practices with respect to their own citizens which seem inequitable to us. But I do insist, Mr. Chairman, that we must always resist any policies or practices by foreign governments which create distinctions between Americans, and which deny some of our citizens rights which are accorded to others. And certainly, we should not place our blessing on such intolerable affronts by subsidizing them with grants and loans provided by American taxpayers—even, ironically, by some who are the victims of these discriminations.

The history of American diplomacy is replete with many examples of a stirring and honorable stand taken by our Government in defense of the rights of the American people regardless of their race or creed. Secretary

of State Lewis Cass declared that the object of our foreign policy is "not merely to protect a Catholic in a Protestant country, a Protestant in a Catholic country, a Jew in a Christian country, but an American in all countries." (Quoted in "American Diplomacy," by J. B. Moore, p. 135; 1905.)

In 1885, when Austro-Hungary refused to accept an American minister-designate because his wife was Jewish, Secretary of State Thomas F. Bayard declared:

"Religious liberty is the chief cornerstone of the American system of government, and provisions for its security are imbedded in the written charter and interwoven in the moral fabric of its laws.

"Anything that tends to invade a right so essential and sacred must be carefully guarded against, and I am satisfied that my countrymen, ever mindful of the sufferings and sacrifices necessary to obtain it, will never consent to its impairment for any reason or under any pretext whatsoever.

"It is not believed by the President that a doctrine and practice so destructive of religious liberty and freedom of conscience, so devoid of catholicity, and so opposed to the spirit of the age in which we live, can for a moment be accepted by the great family of civilized nations or be allowed to control their diplomatic intercourse.

"Certainly it is, it will never, in my belief, be accepted by the people of the United States nor by any administration which represents their sentiments."

The United States refused at that time to support the Austro-Hungarian position. In his annual message to Congress, December 8, 1885, President Cleveland declared:

"Question has arisen with the Government of Austria-Hungary touching the representation of the United States at Vienna. Having under my constitutional prerogative, appointed an estimable citizen of unimpeachable probity and competence as Minister at that court, the Government of Austro-Hungary invited this Government to take cognizance of certain exceptions, based upon allegations against the personal acceptability of Mr. Keiley, the appointed envoy, asking that in view thereof, the appointment should be withdrawn. The reasons advanced were such as could not be acquiesced in, without violation of my oath of office and the precepts of the Constitution, since they necessarily involved a limitation in favor of a foreign government upon the right of selection by the Executive, and required such an application of a religious test as a qualification for office under the United States as would have resulted in the practical disfranchisement of a large class of our citizens and the abandonment of a vital principle in our Government. The Austro-Hungarian Government finally decided not to receive Mr. Keiley as the envoy of the United States, and that gentleman has since resigned his commission leaving the post vacant. I have made no new nomination, and the interests of this Government in Vienna are now in the care of the Secretary of Legation, acting as chargé d'affaires ad interim."

In 1880 an American Jew was expelled from czarist Russia once his Jewish identity became known. This brought a sharp protest from John W. Foster, the American Minister to St. Petersburg and the grandfather of the late Secretary of State Dulles. Mr. Foster had the backing of the Department of State.

In 1908, in his speech of acceptance of the Republican nomination for the Presidency, William H. Taft noted:

In some countries * * * distinctions are made in respect to the treatment of our citizens traveling abroad and having passports of our Executive, based on considerations which are repugnant to the principles of our Government and civilization.

He committed his party and administration "to make every endeavor to secure the solution of such distinctions which in our eyes are both needless and opprobrious."

On December 15, 1911, Secretary of State Philander C. Knox notified Russia that the United States had decided to abrogate the treaty between the United States and Russia of 1832 because Russia was refusing to honor American passports duly issued to American citizens on account of race or religion. This action of our Government was strongly approved by the Republican National Convention in 1912, and in the same year by the Democratic National Convention and the Progressive Party Convention.

I offered my amendment to the Mutual Security Act on July 8 because this is the right place for us to make our stand.

This year, the Mutual Security Act contains a new statement of purpose. We say:

"It is the sense of Congress that peace in the world increasingly depends on wider recognition, both in principle and practice, of the dignity and interdependence of man, and that the survival of free institutions in the United States can best be assured in a worldwide atmosphere of expanded freedom."

If we believe this statement to be true, then I suggest, Mr. Chairman, that we should not allow a single American dollar to be used to confirm and subsidize policies which mock that high purpose.

If we believe in the dignity of man and in the survival of free institutions, and in expanding freedom, then let us back up our ideals with action which is consistent with those ideals. Let us take our stand, once and for all, against practices which dishonor men, which deny their equality, and which subvert free institutions. Let us not vote money which perpetuates these practices and which weaken America as the leader of the free world.

The amendment I offered on the floor of the Senate was defeated by a close vote, 47 to 43. I believe that some Members of the Senate may not have been fully informed of the issue involved when the roll was called, because some who voted "no" were among the sponsors or supporters of the original Lehman amendment. Accordingly, I announced my intention of pursuing this matter further. I have been greatly encouraged by the extraordinary decision which was handed down by the Supreme Court of New York State on July 15, when the court overruled a ruling by the New York State Commission against discrimination which had allowed Aramco to question job applicants about their religion, on the ground that Jews would not be allowed to enter Saudi Arabia.

The New York State Commission had granted Aramco an exemption from the operation of New York law after our Department of State had reported to the agency that denial of an exemption might affect American policy in the Middle East.

The New York Supreme Court said:

"If the enforcement of the public policy of New York State would embarrass the State Department in the Near East, then it should be said that the honor of American citizenship—if it remains for New York State to uphold it—will survive Aramco's fall from Arab grace."

In other words, Aramco has now been told that it may not violate New York law at the behest of a foreign government. It now remains for the Congress of the United States to tell our Department of State that it must not underwrite discriminatory practices against American citizens by any foreign government. The New York Supreme Court decision may mark a decisive turning point in this unpleasant controversy. The decision struck a long overdue blow against sacrificing equal rights of citizenship for all Americans in international agreements upon the altar of unconscionable expediency. I ask this committee to take a similar position. I believe that this is the right place to make this request because we are concerned here with a measure which should strengthen not weaken U.S. foreign policy and enable our country to continue in its place of high leadership in the free world. We cannot presume to lead the free world coalition in the defense of freedom if we are parties to its subversion.

SENATE

THURSDAY, AUGUST 13, 1959

(Legislative day of Wednesday, August 12, 1959)

The Senate met at 9:30 o'clock a.m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of all mankind, here at the altar of Thy grace we bow seeking the renewal of our inner strength for these are troublous times and we stand in need of courage and fortitude and stability.

The world is full of the clamor of the violent, the boasting of those who trust alone in material might and the agony of enslaved people, and we would be valiant when the hearts of many turn to water in them.

Renew, we implore Thee, our faith in Thy power and in the victory of Thy purposes and in eternal verities which outlast the noise of any turbulent day. Measure us with the global tasks of our time, that like our forefathers and foremothers we, too, strong and unafraid, may dare the wrath of demons and the scorn of godless men who have not Thee in awe.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, August 12, 1959, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

S. 162. An act for the relief of Henri Polak;

S. 593. An act for the relief of Angelinas Cuacos Steinberg;

S. 1053. An act for the relief of Rosa Maria Montenegro;

S. 1104. An act for the relief of Pak Jae Seun;

S. 1135. An act for the relief of Alice Kazana;

S. 1371. An act to repeal the act approved March 3, 1897, and to amend the act approved December 20, 1944, relating to fees for transcripts of certain records in the District of Columbia;

S. 1407. An act for the relief of Mrs. John M. Cica;

S. 1442. An act for the relief of Kim Fukata and her minor child, Michael (Chaney);

S. 1500. An act for the relief of Yee You Gee;

S. 1533. An act for the relief of Ho Rim Yoon Holsman;

S. 1558. An act for the relief of Theopi Englezos;

S. 1601. An act for the relief of Mrs. Erika Elfriede Ida Ward;

S. 1611. An act for the relief of Adeodato Francesco Piazza Nicolai;

S. 1669. An act for the relief of Evagelia Elliopulos;

S. 1684. An act for the relief of Mr. and Mrs. Carl Skogen Woods;

S. 1705. An act for the relief of Ivan (John) Persic;

S. 1724. An act for the relief of Tse Man Chan;

S. 1773. An act for the relief of Alan Alfred Coleman;

S. 1829. An act for the relief of Herman Luchner;

S. 1946. An act for the relief of Vicente Soliva Empleo;

S. 2471. An act to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes; and

S.J. Res. 118. Joint resolution authorizing and requesting the President of the United States to issue a proclamation calling for the flag of the United States to be flown at half-staff on the occasion of the death of the last surviving veteran of the War Between the States.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the following committees or subcommittees were authorized to meet during the session of the Senate today:

The Committee on Agriculture and Forestry.

The Subcommittee on Agricultural Production, Marketing, and Stabilization of Prices of the Committee on Agriculture and Forestry.

The Subcommittee on Constitutional Amendments of the Committee on the Judiciary.

The Committee on Interior and Insular Affairs.

The Committee on Foreign Relations.

On request of Mr. KEATING, and by unanimous consent, the Internal Security Subcommittee of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

ORDER FOR THE TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be the usual morning hour, for the presentation of petitions and memorials, the introduction of bills, and the transaction of other routine business, and that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF RURAL ELECTRIFICATION ACT, RELATING TO REVOLVING FUND FOR CERTAIN LOANS

A letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Rural Electrification Act to provide a revolving fund for certain loans by the Secretary of Agriculture, for improved budget and accounting procedures, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

REPORT ON OVEROBLIGATION OF AN APPROPRIATION

A letter from the Acting Secretary of Agriculture, reporting, pursuant to law, on the overobligation of an appropriation in that Department; to the Committee on Appropriations.

REPORT ON INSTALLATIONS AND FACILITIES REQUIRED FOR ADVANCED RESEARCH PROJECTS

A letter from the Deputy Secretary of Defense, reporting, pursuant to law, on the establishment or development of installations and facilities required for advanced research projects, for the period January 1, and June 30, 1959; to the Committee on Armed Services.

REPORT OF ATTORNEY GENERAL

A letter from the Attorney General, transmitting, pursuant to law, his report dated August 10, 1959, relating to voluntary agreements and programs under section 708(e) of the Defense Production Act (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON REVIEW OF HOUSING AUTHORITY, CITY AND COUNTY OF SAN FRANCISCO, CALIF.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of the Housing Authority of the City and County of San Francisco, Calif., Public Housing Administration, Housing and Home Finance Agency, dated August, 1959 (with an accompanying report); to the Committee on Government Operations.

REIMBURSEMENT OF CERTAIN OWNERS AND TENANTS OF LANDS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the head of any executive agency to reimburse owners and tenants of lands or interests in land acquired for projects or activities under his jurisdiction for their moving expenses, and for other purposes (with an accompanying paper); to the Committee on Government Operations.

REPORT PRIOR TO RESTORATION OF BALANCES, DEPARTMENT OF LABOR

A letter from the Under Secretary of Labor, transmitting, pursuant to law, a report prior to restoration of balances, Bureau of Employees Compensation, Department of Labor, as of June 30, 1959 (with an accompanying report); to the Committee on Government Operations.

REPORT ON TORT CLAIMS PAID BY CENTRAL INTELLIGENCE AGENCY

A letter from the Director, Central Intelligence Agency, Washington, D.C., reporting, pursuant to law, on tort claims paid by that Agency, for the fiscal year 1959; to the Committee on the Judiciary.

ESTABLISHMENT OF CERTAIN SCIENTIFIC POSITIONS IN DEPARTMENT OF AGRICULTURE

A letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation to amend section 1(e) of the Act of August 1, 1947 (Public Law 313, 80th Cong.) as added by section 12(c) of the Federal Employees Salary Increase Act of 1958 (with accompanying papers); to the Committee on Post Office and Civil Service.

PERFORMANCE EVALUATION ACT

A letter from the Chairman, United States Civil Service Commission, transmitting a draft of proposed legislation to improve the work of Federal employees through evaluation of work performance and to amend the Performance Rating Act of 1950 (with accompanying papers); to the Committee on Post Office and Civil Service.

PETITION

The PRESIDENT pro tempore laid before the Senate a letter in the nature of a petition from Mrs. Lewis Howard, of Garrard, Ky., relating to the enactment of a strong labor bill to curb labor racketeering, which was ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

H.R. 109. An act to designate the dam and reservoir to be constructed on the Pound River near Bartlick, Dickenson County, Va., as the "John W. Flannagan Dam and Reservoir" (Rept. No. 696);

H.R. 802. An act to validate and confirm a contract entered into between the United States and the town of Bridgeport, Wash. (Rept. No. 697);

H.R. 1074. An act to repeal the act of August 9, 1939, creating the Louisiana-Vicksburg Bridge Commission (Rept. No. 701);

H.R. 2191. An act to designate a stream in California as the "Petaluma River" (Rept. No. 698);

H.R. 2193. An act to designate the Coyote Valley Reservoir in California as Lake Mendocino (Rept. No. 699);

H.R. 2465. An act to authorize the conveyance by the Secretary of Commerce of certain lands in Arlington County, Va. (Rept. No. 700); and

S.J. Res. 115. Joint resolution authorizing the purchase of certain property in the District of Columbia and its conveyance to the Pan American Health Organization for use as a headquarters site (Rept. No. 695).

By Mr. CHAVEZ, from the Committee on Public Works, with an amendment:

S. 1654. A bill to provide for the construction, alteration, and acquisition of public

buildings of the Federal Government, and for other purposes (Rept. No. 694).

By Mr. JOHNSTON of South Carolina, from the Committee on Agriculture and Forestry, with an amendment:

S. 2449. A bill to extend the International Wheat Agreement Act of 1949 (Rept. No. 704).

By Mr. AIKEN, from the Committee on Agriculture and Forestry, with amendments:

S. Res. 21. Resolution expressing the sense of the Senate concerning the making of loans by the Rural Electrification Administration (Rept. No. 703).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, without amendment:

S. 1576. A bill to provide for the construction of a salt-water research laboratory at Seattle, Wash. (Rept. No. 717);

S. 2264. A bill to amend the Federal Power Act to prohibit abandonment of facilities and service without the consent of the Federal Power Commission (Rept. No. 718);

S. 2483. A bill to provide flexibility in the performance of certain functions of the Coast and Geodetic Survey and of the Weather Bureau (Rept. No. 719);

H.R. 4329. An act to provide for the conveyance to any public or private organization of the State of Virginia of certain dwellings acquired in connection with the Chantilly airport site, Virginia, and for other purposes (Rept. No. 721);

H.R. 5854. An act to clarify a provision in the Black Bass Act relating to the interstate transportation of fish, and for other purposes (Rept. No. 705); and

H.R. 7112. An act to amend section 1005(c) of the Federal Aviation Act of 1958 to authorize the use of certified mail for service of process, and for other purposes (Rept. No. 706).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, with an amendment:

S. 1262. A bill to direct the Secretary of the Interior to establish a research program in order to determine means of improving the conservation of game fish in dam reservoirs (Rept. No. 707);

S. 1575. A bill to amend the act of August 1, 1958, to authorize and direct the Secretary of the Interior to undertake continuing studies of the effects of insecticides, herbicides, fungicides, and other pesticides, upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources and for other purposes (Rept. No. 708);

S. 2086. A bill to provide for the establishment of a National Wildlife Disease Laboratory (Rept. No. 709); and

S. 2185. A bill to provide appropriate public recognition of the gallant action of the steamship *Meredith Victory* in the December 1950 evacuation of Hungnam, Korea (Rept. No. 720).

By Mr. THURMOND, from the Committee on Interstate and Foreign Commerce, without amendment:

S. 2053. A bill to provide for the acceptance by the United States of a fish hatchery in the State of South Carolina (Rept. No. 710).

By Mr. JACKSON, from the Committee on Armed Services, without amendment:

H.R. 2934. An act to provide for the conveyance of certain real property of the United States to the city of Fort Walton Beach, Fla. (Rept. No. 711);

H.R. 4656. An act to amend section 401b of the act of July 14, 1952, to permit applications for moving costs resulting from any public works project of a military department to be filed either 1 year from the date of acquisition or 1 year following the date of vacating the property (Rept. No. 712); and

H.R. 6500. An act to amend Public Law 85-818 (Rept. No. 713).

By Mr. JACKSON, from the Committee on Armed Services, with an amendment:

H.R. 5888. An act to authorize the Secretary of the Navy to transfer to the Massachusetts Port Authority, an instrumentality of the Commonwealth of Massachusetts, certain lands and improvements thereon comprising a portion of the so-called E Street Annex, South Boston Annex, Boston Naval Shipyard, in South Boston, Mass., in exchange for certain other lands (Rept. No. 714).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, with amendments:

S. 1565. A bill to amend the act entitled "An act relative to employment for certain adult Indians on or near Indian reservations," approved August 3, 1956, so as to enable certain Indians who do not reside on trust property to participate in the program authorized by such act (Rept. No. 722).

DESIGNATION OF GREEN PETER DAM AND RESERVOIR, OREG., AS DOUGLAS McKAY DAM AND RESERVOIR—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS

Mr. CHAVEZ. Mr. President, from the Committee on Public Works, I report favorably, without amendment, the bill (S. 2440) to designate the Green Peter Dam and Reservoir on Middle Santiam River, Oreg., as the Douglas McKay Dam and Reservoir, and I submit a report (No. 702) thereon. I ask unanimous consent that the report may be printed, together with individual views.

The PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from New Mexico.

HOUSING ACT OF 1959—REPORT OF A COMMITTEE

Mr. SPARKMAN. Mr. President, from the Committee on Banking and Currency, I report an original bill to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes, and I submit a report (No. 715) thereon.

The PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar.

The bill (S. 2539) to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes, reported by Mr. SPARKMAN, was read twice by its title, and placed on the calendar.

REPORT ENTITLED "SMALL BUSINESS PARTICIPATION IN DEFENSE SUBCONTRACTING"—REPORT OF A COMMITTEE (S. REPT. NO. 716)

Mr. SMATHERS. Mr. President, from the Select Committee on Small Business, I submit a report entitled "Small Business Participation in Defense Subcontracting," which I ask be printed.

The PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from Florida.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. THURMOND. Mr. President, as in executive session, from the Committee on Armed Services, I report favorably the nominations of four major generals and six brigadier generals for temporary appointment in the Marine Corps. I ask that these nominations be placed on the Executive Calendar.

The PRESIDENT pro tempore. The nominations will be placed on the Executive Calendar, as requested by the Senator from South Carolina.

The nominations placed on the Executive Calendar are as follows:

August Larson, Richard C. Mangrum, Frederick L. Wieseman, and Victor H. Krulak, for temporary appointment to the grade of major general in the Marine Corps;

William T. Fairbourn, and sundry other officers of the Marine Corps, for temporary appointment to the grade of brigadier general.

Mr. THURMOND. Mr. President, also, from the Committee on Armed Services, I report favorably one permanent appointment in the grade of captain in the Marine Corps and 260 appointments and promotions in the Regular Air Force in grades of captain and below. All of these names have already appeared in the CONGRESSIONAL RECORD. In order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Vice President's desk for the information of any Senator.

The PRESIDENT pro tempore. Without objection, the nominations will lie on the desk, as requested by the Senator from South Carolina.

The nominations ordered to lie on the desk are as follows:

1st Lt. James B. King, Jr., U.S. Marine Corps, for permanent appointment to the grade of captain;

Homer L. Phillips, and sundry other persons, for appointment in the Regular Air Force;

Don H. Cagle, and sundry other distinguished aviation cadet graduates, for appointment in the Regular Air Force in the grade of second lieutenant;

Donald P. Adee, and sundry other distinguished military students of the Air Force Reserve Officers Training Corps, for appointment in the Regular Air Force, in the grade of second lieutenant; and

Ralph E. Adams, and sundry other officers, for promotion in the Regular Air Force.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CLARK (for himself and Mr. PROXMIRE):

S. 2536. A bill to amend the act of October 30, 1951, by placing an annual limitation on publishers' second-class mail subsidies; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. ERVIN:

S. 2537. A bill to confer jurisdiction on the U.S. District Court for the Eastern District of North Carolina to hear, determine, and render judgment on the claims of the town of Kure Beach, N.C., for damages arising out of the acquisition of certain real property by the United States; to the Committee on the Judiciary.

By Mr. NEUBERGER:

S. 2538. A bill for the relief of Kim Yong Cha, fiancee of Cpl. LeMaine Ellingson, RA55280245; to the Committee on the Judiciary.

By Mr. SPARKMAN:

S. 2539. A bill to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes; placed on the calendar.

(See the remarks of Mr. SPARKMAN when he reported the above bill, from the Committee on Banking and Currency, which appears under the heading "Reports of Committees.")

By Mr. DOUGLAS (for himself, Mr. MANSFIELD, Mr. KUCHEL, and Mr. SMATHERS):

S. 2540. A bill to continue until July 2, 1960, authority to promote upon retirement certain officers of the Navy, Marine Corps, and Coast Guard who have been specially commended for performance of duty in actual combat; to the Committee on Armed Services.

(See the remarks of Mr. DOUGLAS when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself and Mr. KEATING):

S.J. Res. 131. Joint resolution authorizing the President to invite foreign countries to participate in a World's Fair, New York, 1964; to the Committee on Foreign Relations.

(See the remarks of Mr. JAVITS when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. BENNETT (for himself, Mr. SCHOEPPEL, Mr. SYMINGTON, Mr. BIBLE, Mr. HRUSKA, Mr. HENNINGS, Mr. O'MAHONEY, Mr. CANNON, Mr. MOSS, Mr. KUCHEL, Mr. ALLOTT, Mr. CURTIS, Mr. CARLSON, Mr. ENGLE, and Mr. MCGEE):

S.J. Res. 132. Joint resolution authorizing the President of the United States to designate the year 1960 as Pony Express Year; to the Committee on the Judiciary.

(See the remarks of Mr. BENNETT when he introduced the above joint resolution, which appear under a separate heading.)

ADDITIONAL INVESTIGATION OF DOMESTIC FLUORSPAR INDUSTRY

Mr. ALLOTT (for himself and Senators BARTLETT, BIBLE, BENNETT, CANNON, COOPER, DIRKSEN, GRUENING, KERR, MANSFIELD, MORTON, MOSS, and MURRAY) submitted the following resolution (S. Res. 163), which was referred to the Committee on Finance:

Whereas, pursuant to a resolution of the Senate Committee on Finance dated August 14, 1954, the United States Tariff Commission made an investigation under section 332 of the Tariff Act of 1930 (19 U.S.C. 1332) of the domestic fluorspar industry and submitted a report of the results thereof to the said committee on June 6, 1955. The Committee by letter of June 27, 1955, requested certain supplemental information of the Commission which was furnished on July 22, 1955;

Whereas there is a disparity in the rates of duty on flurospar in that the highly refined and more valuable product carries a materially lower rate of duty and the lower grade and lower priced product carries a higher rate of duty and the reasons which originally existed for this unique situation may no longer exist;

Whereas such measures as have been taken with a view to relieving the distressed condition of the domestic fluorspar mining industry have failed to provide adequate relief: Be it therefore

Resolved, That the United States Tariff Commission is hereby directed, pursuant to the said section 332 of the Tariff Act of 1930, to make a further investigation along the lines of the aforesaid investigation and to submit a supplemental report to the Congress on or before February 29, 1960, bringing down to date the said report of June 6, 1955.

SEC. 2. The said supplemental report of the Tariff Commission shall include specific findings of the Commission with regard to the current condition of the fluorspar mining industry and as to what additional import restrictions, if any (by way of increased duties or import quotas, or both), need to be imposed upon articles dutiable under paragraph 207 of the Tariff Act of 1930 in order that fluorspar mining operations in the United States may be conducted on a sound and stable basis. The Commission shall also determine what action, if any, should be taken to correct the disparity in the existing rates of duty. In the course of its investigation the Commission shall hold a hearing at which interested parties shall be given opportunity to appear and be heard.

ANNUAL LIMITATION ON PUBLISHERS' SECOND-CLASS MAIL SUBSIDIES

Mr. CLARK. Mr. President, on behalf of the junior Senator from Wisconsin [Mr. PROXMIRE] and myself, I introduce for appropriate reference, a bill which would have the effect of reducing to reasonable proportions the mail subsidies that are at present being enjoyed by a few large circulation magazines in this country by placing a limitation on the publishers of such second-class mail. This bill would have the effect of reducing the proportion of mail subsidies which the Post Office Department has told us are presently being enjoyed by a few large circulation magazines and protecting the Department from further deficits which the Post Office says it incurs each year for the handling and delivery of these magazines.

According to the most recent figures I have been able to obtain from the Department, the Post Office loses each year more than $200 million on profitmaking newspapers and magazines. Certainly, Mr. President, this is the type of tax loophole which ought to be closed.

A part of this subsidy goes toward giving what I think most of us would agree is necessary assistance to small-circulation newspapers which deserve aid and encouragement in their task of informing the people. But a very large part of it is reaped by the larger publications in the industry which, whatever useful services they may perform, and I am sure those services are great, certainly do not require financial support from the American taxpayer.

The best estimate of the size of the subsidies being granted to individual magazines is still drawn from a study made by the Post Office Department in 1956. According to this study Life magazine in that year received a subsidy of more than $9 million. The Saturday Evening Post received about $6 million. Other magazines, such as Reader's Digest, Look, and the Ladies' Home Journal, received well over a million.

It is true that these figures are only approximate; and the magazines deny that they are accurate. They were based on figuring the average cost of handling all magazines and applying this figure to the volume of mail supplied by individual magazines. The figures thus arrived at obviously are not absolutely accurate for any particular magazine, but the Post Office Department still assures me that they are "reasonably accurate approximations of the cost of handling the individual magazines." In fact, Assistant Postmaster Hyde Gillette earlier this year told a House Appropriations Subcommittee that "magazines probably pay more than a hundred million dollars less than the cost of handling them," and that this deficit is only partly offset by the "extra amount that the first-class mail pays over and above its fully allocated cost."

What we need, of course, are accurate figures on the cost to the Post Office of handling individual magazines, based on a careful study by impartial expert accountants. I am sure many of my fellow Senators believed that we were voting for such a study as one of the provisions of the Postal Policy Act of 1958. We now learn from the Post Office Department, however, that the Department and its attorneys have not so interpreted the Postal Policy Act. They have conducted no study of the cost of handling individual magazines, they are not now conducting such a study, and they do not intend to conduct such a study in the future.

What we need to do is to enact a law which requires such a study to be made and then prohibit subsidies to individual magazines going beyond a reasonable limit.

Our bill would permit an annual subsidy of up to $100,000 to any single publication. Post Office costs for handling each publication beyond that figure would be charged to the publisher. This would permit almost all newspapers and magazines to continue to operate at the present reduced mail rates while the study is going forward, yet would provide for recovery of the major part of the loss if the study shows that the 1956 figures of the Post Office Department are approximately correct.

Furthermore, this bill would permit larger magazines and newspapers to adjust gradually to the loss of huge subsidies. In the last Congress the Junior Senator from Wisconson [Mr. PROXMIRE] and I offered a floor amendment to the postal rate readjustment bill, which is similar to the bill I am introducing today, that had been introduced in the House by Congressman GEORGE M. RHODES, of Pennsylvania.

At that time the large circulation magazines, carried on a vigorous and successful campaign to preserve their subsidies. Some of the arguments that they raised against the amendment at that time were not wholly without merit.

For example, they claim first, that suddenly to reduce subsidies from several million to 1 million a year would work a hardship on the large agriculture magazines, and, second, that since the amendment would limit the subsidy to be received by individual publishers, concerns such as the Luce and Curtis publications which publish a number of different magazines would be unfairly penalized.

The reduction of the subsidy is stretched over a 5-year period. During the first year after enactment Post Office Department deficits on handling any one magazine would not be permitted to exceed $5 million. The second year the maximum deficit per magazine would be cut to $3 million, the third year to $1 million, the fourth year to $500,000, and finally in the fifth year to $100,000. Thus a gradual adjustment to the loss of the subsidy would be possible. Meeting the second criticism of the magazine industry, our bill would permit a subsidy of $100,000 for every separate publication rather than for every publishing company. The Luce publications for example, would be permitted a subsidy of $100,000 for Time, another for Fortune, and a third for Life.

Both of these objections are met in the present bill. Let me point out that if, as some of these publishers claim, their magazines are not in fact receiving the subsidies indicated by the Post Office study of 1956, then they would not be adversely affected by this bill. If the detailed accounting study which will be necessary to administer our bill indicates that Life, Look, and the Saturday Evening Post are not receiving subsidies in excess of $100,000, then they will be entirely in the clear, but if the figures of 1956 are substantiated, then the subsidies will at once be reduced by law.

The PRESIDENT pro tempore. The Senator's time has expired.

Mr. CLARK. I ask unanimous consent that I may be permitted to continue for not in excess of 2 additional minutes.

The PRESIDENT pro tempore. Without objection, the Senator may proceed.

Mr. CLARK. Mr. President, before closing, I should like to call attention to two large groups in the Nation who suffer particularly as a result of the mail privileges given to the large magazines. The first are the many operators of street-corner and drugstore newsstands in our country. Mail subsidies have permitted the large magazines to deliver their publications through the postal service at such low rates that they have been able to cut the prices of mail subscriptions far below newsstand prices. The result has been that newsstand sales of these magazines have fallen off drastically in recent years.

The second group that suffers unfairly from magazine subsidies consists simply of every one of us who send letters and post cards through the mail. Last year you recall we granted the administration a 1-cent increase in the cost of each piece of first-class mail. The President has now asked us for another 1-cent increase. These increases, the administration has argued, are justified because the Post Office Department has been operating at a considerable total deficit. The fact is, however, Mr. President, that the Post Office does not lose a dime on first-class mail. The Post Office makes money on first-class mail, the ordinary letters that the great majority of people send and receive every day. The deficit comes from the loss on second-class mail, chiefly the handling of profit-making publications. The administration then asks us to make up this loss by adding another penny to the cost of sending a first-class letter through the mail.

There are, of course, only two ways in which we can avoid this increase. The first is to pay Post Office losses out of tax revenues or by other means of Government finance.

I personally am against that course. This would place an unnecessary and unfair burden on the general population. The second is to discontinue subsidies to second-class mail as is called for in my bill, and that course I strongly recommend to the Senate.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2536) to amend the act of October 30, 1951, by placing an annual limitation on publishers' second-class mail subsidies, introduced by Mr. CLARK (for himself and Mr. PROXMIRE), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

CONTINUATION OF AUTHORITY TO PROMOTE, UPON RETIREMENT, CERTAIN OFFICERS OF THE NAVY, MARINE CORPS, AND COAST GUARD

Mr. DOUGLAS. Mr. President, on behalf of myself, the Senator from California [Mr. KUCHEL], the Senator from Montana [Mr. MANSFIELD], and the Senator from Florida [Mr. SMATHERS], I introduce, for appropriate reference, a bill which would extend the date for "tombstone" promotions for Navy and Marine officers from November 1, 1959, to July 2, 1960.

PROVISIONS OF LAW NOW IN EFFECT

Under the present law a Coast Guard, Marine Corps, or Navy officer who has been specifically commended for performance of duty in actual combat before January 1, 1947, may, upon retirement, be promoted to the next higher rank. This practice has been in effect since 1925. The law has since been written to apply only to those Coast Guard, Navy, and Marine officers who were commended for performance of duty in actual combat before January 1, 1947, so that in fact "tombstone" promotions would automatically have come to an end in time by the normal retirement of such officers.

The provisions of the law, therefore, do not apply to Army and Air Force officers and do not apply to those who were in the Korean conflict. Consequently, it is something of an anachronism, and it is probably correct that it should be repealed.

The reason it is called a "tombstone" promotion is that it does not carry with it any increase in pay, allowance, pension, or retirement benefits and is, therefore, largely honorary and a recognition of bravery in combat.

In practice, such promotion is given only after a review of each individual case to determine whether the officer was, in fact, commended for performance under combat conditions. Those who hold the Congressional Medal of Honor and the Navy Cross probably more or less automatically qualify. Those who hold the Silver Star would most likely qualify. Those who hold the Legion of Merit or the Bronze Star would not automatically qualify for these awards are made for performance of both combat and noncombat duties. However, the holder of such medals, provided they were given for performance in combat, would probably qualify. I want to stress again that each case is examined on an individual basis by a Navy Department board.

NEW LAW

On July 27, 1959, the Senate passed H.R. 4413, the so-called Navy and Marine Corps "hump" promotion and retirement bill. Under a Senate amendment to the bill, the practice of "tombstone" promotions for Coast Guard, Navy, and Marine officers would end on November 1, 1959.

There are many reasons why we are introducing this bill to extend the period of time until July 2, 1960. In the first place, the new provision was inserted into the "hump" bill in the Senate committee and without much public knowledge that it had been done. Let me summarize what happened.

The bill passed the House without such a provision. The Senate Subcommittee of the Armed Services Committee on June 22 held 1 day of hearings on the "hump" bill. At that hearing the subject of "tombstone" promotions was raised more or less as a side issue, and the witnesses apparently had made no prior preparation on the subject, although the Defense Department had given a written opinion that the practice should not be extended to Army and Air Force officers. The hearings in total consumed 2 to 3 hours.

The bill was marked up and reported on July 23 and included the "tombstone" amendment.

The bill was passed on the following Monday, July 27, after a short debate. In fairness, the subject was mentioned, first in the presentation of the subcommittee chairman, the Senator from Mississippi [Mr. STENNIS], and again by the Senator from Nevada [Mr. CANNON], but there was relatively little debate and no clash of argument on this issue on the floor of the Senate.

The bill was then passed in the House with the Senate amendment and without a conference and went to the President's desk. He signed it into law, but he did take note of the "tombstone" amendment. He stated, in effect, that

the amendment would work a hardship and would make matters particularly difficult for those officers who are now serving at sea or who are serving abroad. These officers must decide between now and November 1, 1959, whether or not they will retire before that date in order to gain the "tombstone" promotion, or whether they will wait, in some cases a few months more, before retiring under the provisions of the "hump" bill.

Thus, Mr. President, while I make no criticism whatsoever of the committee, I would say that this provision was little noted by most of us and came as a surprise to many people.

DOUGLAS BILL

Now, our bill would not restore "tombstone" promotions on a permanent basis. It is probably correct that this practice should be ended and that it is discriminatory in that Army and Air Force officers have no such privilege.

However, it will work a hardship on a good many people. I have already mentioned those who are abroad or who are at sea and may well have difficulties in being informed of the situation and deciding whether or not they should retire by November 1 1959, especially when, in many cases, they will have no opportunity to consult personally with their families. Thus, that is one hardship which my bill would overcome.

In the second place, a great number of Navy and Marine officers began their careers in the month of June or July, as that is the month they graduated from the Naval Academy. Consequently, many of them may well wish to serve until next June or July in order that they may complete an additional year for retirement purposes. Consequently, they will have to balance the question of completing the full year and losing the "tombstone" promotion, or whether or not they will retire next November 1 with a "tombstone" promotion and lose a year for retirement purposes.

I may also say that we may find that a very large number of individuals may decide to retire within the next 2½ months, and that this could make for some very real problems in manning those units—ships and shore stations—which are scattered all over the world.

SUMMARY

In summary, let me say this: "Tombstone" promotions apply only to those Coast Guard, Navy, and Marine officers who were commended for performance in combat prior to January 1, 1947.

They do not cost the Government any additional money.

While it is probably correct that they should be discontinued because of the fact that they are discriminatory, the action of the committee was very quick and many people, through no fault of the committee, were nonetheless unaware of the committee action until after the bill had passed the Congress.

Consequently, the action could well work a hardship on those relatively few officers now serving and eligible for retirement who were commended in combat and who shortly will have to retire under the provisions of the "hump" bill. Many of them are abroad or at sea and unable to talk over this matter with their families. There are others who would like very much to serve out a full year for retirement purposes but who would otherwise take advantage of the "tombstone" promotion.

Thus, our bill would do no more than extend, from November 1, 1959, until July 2, 1960, the time when such a decision would have to be made. I think it is fair. It would not cost the Government any money. It applies only to a few officers who were actually commended for duty in combat before January 1, 1947.

For these reasons I very sincerely hope that the committee will act on this bill.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2540) to continue until July 2, 1960, authority to promote upon retirement certain officers of the Navy, Marine Corps, and Coast Guard who have been specially commended for performance of duty in actual combat, introduced by Mr. DOUGLAS (for himself, Mr. MANSFIELD, Mr. KUCHEL, and Mr. SMATHERS), was received, read twice by its title, and referred to the Committee on Armed Services.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am happy to yield to the Senator from Montana, who is one of the sponsors of the bill.

Mr. MANSFIELD. I think this is a most meritorious measure. I am delighted to be one of the cosponsors of the bill. I hope the Huddleston-Stratton bills in the House, plus the Douglas-Kuchel-Smathers bill in the Senate——

Mr. DOUGLAS. Do not forget MANSFIELD.

Mr. MANSFIELD. Will bring about a happy solution of the difficulty which confronts so few officers who are so much in need of this time at present.

I am glad that the Senator from Illinois brought out the fact that the President, in signing H.R. 4413, expressed great disappointment that the extension of time to July 2, 1960, as the Senator from Illinois has advocated, was not incorporated, and suggested that that be done.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement I have prepared concerning this matter and an editorial entitled "One-Two Punch," published in the Washington Evening Star of August 8, 1959. The editorial relates to the matter of administrative promotions.

There being no objection, the statement and editorial were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MANSFIELD

Section 9 of H.R. 4413, which has just been signed by the President, repeals 10 U.S.C. 6150, commonly referred to as the "tombstone" promotion provision, effective November 1, 1959. Section 6150, in effect for 34 years, authorized Reserve and Regular officers of the Navy, Marine Corps, and Coast Guard who had "been specially commended for performance of duty before January 1, 1947, in actual combat" to be advanced to the next higher grade after retirement without a corresponding increase in retired pay.

H.R. 4413 provides essential legislative relief for a personnel problem peculiar to the Coast Guard, Navy, and Marine Corps which has been created by the unusually large number of Regular officers now on active duty who were commissioned during World War II. Because of the requirement for the authority granted by H.R. 4413 the Navy Department has been forced to favor it despite the obviously undesirable feature of section 9 (tombstone promotion provision).

The November 1 deadline on "tombstone" promotions will have a dangerous disruptive influence on many Coast Guard, Navy, and Marine Corps commands during this period of continuing cold war crisis. In order to allow deserving officers to meet this unexpected deadline, many commands will necessarily remain for a period of time without a relief for these key officers since it will be impossible on such short notice to adequately reshuffle so many senior officers throughout the worldwide Navy and Marine Corps commands.

In addition to the serious problem raised for the Navy and Marine Corps by this November 1 deadline, numerous personal problems for career officers who have given their lives to the service of their country will be precipitated.

Retirement itself brings on a complete new way of life. Most men are allowed years to prepare for it, yet for those desiring to take advantage of what they consider an earned promotion they will have hardly more than 2 months. The loss of the additional 7 months of active duty pay to June 30, which all eligible officers would be entitled to even if forced out under the "hump" bill, is an unnecessarily high price to pay for the added prestige of promotion on retirement.

For those officers presently serving at sea or at oversea commands, out of contact with their families and friends, the hurried retirement to obtain a "tombstone" promotion may bring about decisions which would not be made if adequate time were given.

The retirement of many officers in November will require numerous personnel transfers among senior officers remaining in the active service. Unexpected transfers for these officers and their families in November will create many additional hardships.

It would appear that the Huddleston-Stratton bills (H.R. 8549, H.R. 8550), and now the Douglas-Kuchel-Smathers bill, which extend the November deadline to June, offer a fair compromise between the extreme haste of the present provision and the other alternative of letting 10 U.S.C. 6150 run its course.

[From the Washington (D.C.) Evening Star, Aug. 8, 1959]

"ONE-TWO PUNCH"

Representative RIVERS of South Carolina, a member of the House Armed Services Committee, has given an apt description of the abrupt action of Congress in eliminating the so-called "tombstone" promotions of Navy, Marine, and Coast Guard officers upon retirement. He said the ban on honorary stepups in rank, on top of "hump" legislation forcing early retirement of many combat veterans, constitutes a "one-two punch" to officers who have served their Nation well. It is not surprising that turmoil among officers immediately affected has resulted, with potentially serious effects on morale of the sea services.

The "tombstone" promotion ban was not an economy measure, since the one-grade elevations in rank on retirement of decorated Regular and Reserve officers do not cost the Government a penny. They are purely honorary promotions, not increasing retirement pay. They do have value to the officers involved, however, in their quest for jobs in civilian life. It is true that the Army and the Air Force have been discriminated against in this system, which for 34 years has applied only to Navy and Marine officers. It was because of this discrimination, apparently, that the Senate amended

the "hump" legislation to ban the retirement promotions.

But to end the 34-year-old practice by November 1 of this year, without advance notice to the many officers concerned, and without giving them adequate opportunity to revise their retirement plans, is to deliver a low blow to men who deserve, instead, a pat on the back, at least. It takes time to process retirement applications, and some officers who may wish to retire before the November 1 deadline on "tombstone" stepups are at sea or abroad and will have little or no time to consult their families on their future course of action.

Since both Houses of Congress have approved the sudden ban—with too little consideration of its far-reaching implications—there are only two ways in which the blow can be softened. One is by Presidential veto, which is unlikely because of the urgency of the "hump" legislation to which the ban amendment is attached. This legislation is desired by the Pentagon to smooth out the so-called hump of officers awaiting promotion—a hump resulting from the vast increase in officer personnel during World War II. The other way is one proposed by Representatives STRATTON, of New York, and HUDDLESTON, of Alabama. They have introduced a bill to postpone the cutoff deadline on retirement promotions until July 2, 1960. That would give the affected officers more time in which to consider their retirement problems and to make decisions.

The delay plan makes more sense than terminating "almost overnight" (as Mr. STRATTON put it) a 34-year-old procedure for giving retired officers a bit more prestige and a higher rank to be inscribed on their tombstones.

WORLD'S FAIR, NEW YORK CITY, 1964

Mr. JAVITS. Mr. President, I am today introducing, for myself and my colleague [Mr. KEATING] a joint resolution authorizing the President to invite foreign countries to participate in a World's Fair in New York City in 1964. The purpose of the fair is to commemorate the 300th anniversary of New York City; its theme, "Peace Through Understanding," recalls the theme of the 1939 New York World's Fair, "Building the World of Tomorrow." A similar measure is being introduced in the other body today by Representative EDNA F. KELLY, of New York.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 131) authorizing the President to invite foreign countries to participate in a World's Fair, New York, 1964, introduced by Mr. JAVITS (for himself and Mr. KEATING), was received, read twice by its title, and referred to the Committee on Foreign Relations.

Mr. JAVITS. An organizing committee for the fair has already been established by Mayor Wagner, and plans are under way for the financing of the exposition by private investment and business and commercial interests in New York City and elsewhere.

It is expected that Governor Rockefeller and the State of New York as well as the Federal Government, will give full cooperation.

The fair's sponsors estimate that some 70 million people will attend the fair, a figure far in excess of the 45 million who visited the 1939–40 exposition.

Some 10 million or more of the visitors are expected to come from Canada, Mexico, and other foreign nations, and will, it is estimated, spend between $1 billion and $2 billion of the $6 billion expected to be spent by the fair's visitors. The 1964 New York World's Fair will serve not only as a showcase of America for all those who will visit it but it will also serve to attract foreigners to our shores to visit the rest of the United States along with the fair. This is an excellent follow-up to Visit U.S.A. Year, 1960, and will go a long way toward making this country a truly international tourist attraction.

In its 300 years of existence New York City has grown from a colonial village to the world's leading metropolitan area and seaport of 7 million people. It has been the gateway for millions of immigrants who came to make the United States their future home. Each year its water and air facilities handle cargo measured in millions of tons and valued at billions of dollars. It is an outstanding center in learning, research and culture.

The 1964 fair has the enthusiastic endorsement of all segments of New York City's varied and active life. Foreign governments as well as private exhibitors will participate.

Mr. President, I think it is a great honor for my colleague and myself to have the privilege of introducing the joint resolution for New York's 1964 World Fair. I ask unanimous consent that the joint resolution, which I am today introducing be printed in the RECORD as a part of my remarks.

There being no objection, the joint resolution (S.J. Res. 131) was ordered to be printed in the RECORD, as follows:

SENATE JOINT RESOLUTION 131

Joint resolution authorizing the President to invite foreign countries to participate in a World's Fair, New York, 1964

Whereas there is to be held at New York City during the year 1964 a World's Fair which has for its purpose the commemoration of the 300th anniversary of the establishment of the city of New York; and

Whereas through the city of New York, since its establishment in 1664, the peoples, sciences, cultures, and products of all nations have passed into this continent and the United States of America, and said city has served as a beacon for freedom and democracy as exemplified in the Statue of Liberty, donated by the peoples of France to the peoples of the United States and whose torch lights the way into the harbor of this great city; and

Whereas because of its location and purpose, its scope and aims, said World's Fair is deserving of the support and encouragement of the Government of the United States of America: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and respectfully requested by proclamation, or in such manner as he may deem proper and appropriate, to invite foreign countries and nations to such proposed World's Fair with a request that they participate therein and to take such steps as may be appropriate to secure such participation.

DESIGNATION OF YEAR 1960 AS "PONY EXPRESS YEAR"

Mr. BENNETT. I introduce, for appropriate reference, a joint resolution authorizing the President to designate the year 1960 as "Pony Express Year."

Joining me as cosponsors of this joint resolution are Senators from the eight Pony Express States, Mr. SCHOEPPEL, Mr. SYMINGTON, Mr. BIBLE, Mr. HRUSKA, Mr. HENNINGS, Mr. O'MAHONEY, Mr. CANNON, Mr. MOSS, Mr. KUCHEL, Mr. ALLOTT, Mr. CURTIS, Mr. CARLSON, Mr. ENGLE, and Mr. MCGEE.

The Pony Express, which was established in April of 1860, wrote one of the most colorful and memorable chapters in the history of the West. During the year 1960, the National Pony Express Centennial Association, a nonprofit association, will sponsor a rerun of the complete route of the Pony Express from St. Joseph, Mo., to Sacramento, Calif. The Post Office Department and numerous historical associations are cooperating in this effort, and I think it is appropriate that Congress should ask the President to declare 1960 as Pony Express Memorial Year.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 132) authorizing the President of the United States to designate the year 1960 as Pony Express Year, introduced by Mr. BENNETT (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

REVISION OF FEDERAL ELECTION LAWS TO PREVENT CORRUPT PRACTICES IN FEDERAL ELECTIONS—AMENDMENTS

Mr. KEATING. Mr. President, I submit amendments, intended to be proposed by me to the bill (S. 2436) to revise the Federal election laws to prevent corrupt practices in Federal elections. I ask unanimous consent that the amendments be printed and ordered to lie on the table.

The PRESIDENT pro tempore. The amendments will be received, printed, and lie on the table.

Mr. KEATING. Mr. President, the purpose of the proposed amendments is to assure Federal regulation of primary elections, including preferential primaries, as well as conventions and caucuses of political parties held for the purpose of nominating candidates to the Federal offices of President, Vice President, Senator, and Representative in the Congress.

While the title of S. 2436 sets forth the claim that it would prevent corrupt practices in elections, its provisions deal with only a very small part of the problem. Any effort to revise our election laws that excludes primaries would be about as effective as an appendectomy in which only half the appendix was removed.

As we all know very well, the primary is the only election that counts in approximately one-third of the States.

Winning the primary election in these areas is tantamount to success in the final election. And while some States have run-off primaries in which the two candidates receiving the highest number of votes oppose each other in a second election, such an election is still classified as a primary, and consequently still outside the purview of Senate bill 2436.

There is no question that the Congress has the power to act in this field. From a constitutional standpoint, the road is clear. In the case of *United States* v. *Classic* (313 U.S. 299), decided by the Supreme Court of the United States in 1941, Congress was given a green light. For the Court held that regulation of primary elections was not within the exclusive jurisdiction of the several States, and that the Congress had the authority to oversee and supervise primary elections whose purpose was to nominate candidates to the Senate and the House of Representatives.

Furthermore, in 1947, language was inserted in the Taft-Hartley Act prohibiting a labor union, corporation, or national bank from making any expenditure "in connection with any primary election or political convention or caucus."

Thus it is abundantly clear that the Congress can act in the field of primary elections, if only it would.

But the history of its action—and "inaction" would be a far better word—has been one of such foot-dragging as to make the three-toed sloth look like Man-O'-War.

Why should we fear to grasp the nettle? Why should we legislate an illusion? If we say we are doing something about corrupt practices in elections, and then exempt primaries, conventions, and caucuses from the law, whom do we think we are kidding? Limiting the field of Federal regulation of election practices to general elections leaves us with only a glimpse of the whole picture.

No one could say what effect money spent dishonestly or corruptly in a primary campaign might have had in influencing the result of the final election.

Senate bill 2436 without my proposed amendments amounts to a declaration that the Congress suspects there might be corruption in the elections in two-thirds of the Nation, but one-third of the Nation is either so Simon-pure or so insignificant that we do not have to pay any attention to the only elections that matter in that part of the country.

Mr. President, if we mean to do anything about strengthening the laws to prevent corrupt practices in Federal elections, let us not do it halfway.

POWER OF STATES TO IMPOSE NET INCOME TAXES ON INCOME DERIVED FROM INTERSTATE COMMERCE—AMENDMENTS

Mr. SPARKMAN submitted amendments, intended to be proposed by him, to the bill (S. 2524) relating to the power of the States to impose net income taxes on income derived from interstate commerce, which were ordered to lie on the table and to be printed.

AUTHORIZATION FOR COMMITTEE ON AGRICULTURE AND FORESTRY TO FILE REPORTS DURING ADJOURNMENT OF THE SENATE

Mr. MUNDT. Mr. President, in view of the fact that the Committee on Agriculture and Forestry has ordered reported three measures of an emergency nature, and that the Senate will be in adjournment over the weekend, I ask unanimous consent that reports on those measures may be filed during the adjournment on S. 2504, S. 2323, and S. 2457.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. WILEY:

Remarks made by him before a subcommittee of the Committee on Public Works of the U.S. Senate, on August 7, 1959.

Program of proposed debates between teams representing the United States and the Soviet Union.

SENATE MAJORITY LEADERSHIP'S RESPONSIBILITY ON THE CIVIL RIGHTS BILL

Mr. JAVITS. Mr. President, as the world watched Little Rock yesterday, so it watches the U.S. Senate today. Here is where the determination will be made in the next few weeks as to whether or not a civil rights bill will be enacted during this session.

I think we might well adopt as a credo for action on civil rights the following extract from a statement made by the Committee for the Peaceful Operation of Free Public Schools, relative to the demonstrators:

> Apparently they were not aware that this community is united in its determination to succeed with the difficult task which is before us.

Mr. President, the disorders attendant upon school opening in Little Rock only emphasize the vital importance of demonstrating with firmness though with tact that the laws of the United States are paramount in respect to the equal opportunities guaranteed by the Constitution and that we do not propose to see them nullified in any State. This does not mean the use of force, but it means the use of every means of communication, education and mediation and with a final sanction of law, preferably civil law, if all else proves ineffective. The determination of the Congress to back law enforcement which is the essence of the civil rights bills therefore becomes more important than ever in serving notice on those who would seek to subvert or nullify our laws by force and violence, coercion or public disorder, and in defiance of the great majority of law-abiding Americans.

Certainly the desegregation of schools in Little Rock is most modest and minimal; it should incite only concern over its limited scope rather than inciting to riot. Municipal authorities who are enforcing the law are entitled to know that they are backed by the people of the United States and any officials who would defy the law should know that the people of the United States will do everything they can, practically, to see it enforced.

While most of us in the United States may find ourselves preoccupied with news stories about Khrushchev's visit throughout September, we can be sure that both Communist newspapers and non-Communist newspapers throughout the world, especially those in Asia, Africa, and the other Americas, will be following on page 1 the stories on desegregation in the schools of Little Rock, Ark.; Atlanta, Ga.; Nashville, Tenn.; and Alabama. The best insurance we can have that there will be no repetition of the past resistance and open, lawless defiance of U.S. court orders concerning public school desegregation, that hate bombing will be discouraged and that voting rights will be facilitated, is to be found in the enactment of a reasonable civil rights statute in the next few weeks.

We need a meaningful civil rights bill. I use the word "meaningful" because there is very great danger, in view of the time schedule, that because of the pressures incident to adjournment we shall not have a meaningful civil rights bill. In fact, we do not know that we shall have a civil rights bill at all.

There will—and must—be a meaningful civil rights bill enacted this year. This is agreed to by most people and is on the majority leader's list of "must" legislation. The question is how meaningful will the bill be? Will it contain an acceptable substitute for part III of the 1957 measure which would enable the U.S. Attorney General to go into court to safeguard the civil rights of the individual as guaranteed under the Constitution notwithstanding the efforts to suppress litigation by affected individuals embodied in the antibarratry statutes of at least six Southern States? Will the bill include a declaration recognizing that the Supreme Court decision against segregation in the public schools is the law of the land and should be obeyed? Will it also provide technical and financial assistance from the Federal Government for schools attempting to desegregate despite local or State governments in opposition? And will it deal with hate bombings?

This is the time schedule:

In 1957, we got a civil rights bill from the House of Representatives on June 18, 1957; on June 20, 1957, the Senate voted not to refer the bill to the Judiciary Committee and put it directly on the calendar; on June 19, 1957, 24 days of debate started in the Senate and ended on August 7, 1957—all of these dates are now behind us this year.

On August 27, 1957, the House took up the Senate amendments and final Senate concurrence took place on August 29,

1957. The next day the Congress adjourned.

From present appearances and clear indications, of what is at the very least a slowdown in the Judiciary Committee, we will be faced at best with some kind of civil rights bill at the very end of this session under the tremendous pressure that builds up for adjournment—and what is bound to be an unsatisfactory result for such a bill.

I cannot forget what happened to the supporters of adequate foreign aid appropriations last year—they were faced with the foreign aid appropriation bill on the very last day of the session and notwithstanding the Senate votes they took a bad and immediate beating in the conference and within a few hours had substantially undone everything they voted for. This is the threat which faces civil rights this year and civil-rights legislation advocates had best understand it clearly, starting right now.

At worst the Senate is unlikely to have a civil rights bill before it at all unless a motion is made to discharge the Judiciary Committee from further consideration of the subject, or such legislation is added onto another measure. Under these circumstances, to be realistic, it seems clear to me that such action is clearly indicated now and is a function of the leadership.

I made a similar speech on civil rights here on the Senate floor on July 1, 1959—nothing whatever has happened since to advance realistically the consideration of civil rights legislation here; hence this needs to be said again and again by me and I hope very much by others similarly interested. The responsibility for giving us a timely opportunity to act on civil rights legislation at this session is that of the leadership of the majority—that is the point which must be clearly before the country. The obligation for bringing a civil rights bill before us is an obligation of the majority leadership. What we do about it and the nature of civil rights legislation after we have the bill is a bipartisan responsibility. I believe that in the present situation, that point had better be crystal clear. Hence I make it again today.

COMMUNISTS, BOMBINGS, AND HATE MAIL

Mr. KEATING. Mr. President, in a recent article published in the New York Herald Tribune and other newspapers, the distinguished columnist, David Lawrence, raises the question whether Communist money is being used to back the printing and distribution of racist and hate literature throughout the world. In the same article he discusses the possibility that the bombings of synagogues in the South may also be a part of a Communist plot.

Mr. Lawrence's article is worth very serious consideration. My own visits to southern communities, in company with the present occupant of the chair, the distinguished senior Senator from New York [Mr. JAVITS], convinced me that the decent people of the South are as outraged by the incidents of violence and the influx of hate mail as are the people in any other part of the country.

Many local leaders in these areas expressed the view that such activities were fomented by outsiders and were part of a pattern of action which might very well be controlled by a single source. These sinister developments are all too reminiscent of typical Communist operations.

One of the factors relied on by David Lawrence is the upsurge of repressive activities against the Jews in the Soviet Union. Reports have been received from many informed sources attesting to discrimination against Jews and suppression of religious services and cultural activities of Jews in the Soviet Union. The incidents in the United States may be a reflection of this new trend in Moscow.

A very disturbing development has been the emergence of a new hate group in the United States which call themselves "Moslems," whose leader preaches a cult of racism for Negroes and extreme anti-Semitism and anti-Americanism. The name adopted by this fanatical organization is an insult to the members of the Moslem religious faith, which has absolutely no relationship to this group. Moreover, as David Lawrence points out, this so-called Moslem organization is causing great concern among responsible Negro leaders, and has been condemned by the NAACP.

These developments require the attention of Congress. We must always be on the alert to efforts by subversives in our midst masking under one false front or another to strike at the core of our democratic principles and freedoms. It obviously serves Communist interests to promote dissension among the Negroes in this country and to incite hatred against Americans of Jewish faith. Communism thrives on hate and dissension, and while it has always pretended to be a friend of minorities, those who have studied the history of its operations know that this is false.

Mr. President, there is much food for thought in this column. Because I know it will be of interest to many Senators, I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IS MONEY OF COMMUNISTS BACKING HATE LITERATURE?

(By David Lawrence)

WASHINGTON, August 9.—To what extent is Communist money back of the racist and hate literature being so widely spread throughout the world? Are the bombings of synagogues in the southern part of this country in some way related to an international conspiracy? If so, have not the people of the South been unjustly stigmatized and blamed for something with which they have had nothing to do? It is a Communist objective, of course, to foment discord and internal friction within all free countries.

The latest and most significant piece of information on the subject of hate literature has just come out in a formal report filed at the plenary assembly of the World Jewish Congress held in Stockholm, Sweden, only a week ago.

It says in part:

"There is evidence that anti-Semitic organizations, institutions or individual adventurers in this field have established interlocking international relationships in order to facilitate the dissemination of racist material on an international scale.

"Thus, Australia has been regularly supplied with material of the vilest kind exported from the United States and the United Kingdom while, from Australia itself, anti-Semitic literature has turned up in Turkey in quantities sufficiently significant to alarm the Jewish community.

"From Sweden there has come a ceaseless stream of anti-Semitic material ostensibly produced and distributed by a single individual, which has turned up in Germany, South Africa and various Latin American states, all areas carefully chosen because, for historical reasons, this material might make an impact.

"This by no means exhausts the story of the international effort to revive anti-Semitism; we have cited only a number of conspicuous examples which we have brought to the notice of the governments concerned and to the United Nations.

"These governments have invariably received our representatives with the utmost sympathy but, with rare exceptions, have equally invariably expressed their legal inability to deal with a phenomenon which we do not doubt they find deeply distressing."

RUSSIA'S ATTITUDE

In another statement placed before the Stockholm meeting by its director of international affairs, Dr. M. L. Perlzweig, of New York City, reference is made to the attitude of the Soviet Union towards Jews from that country who were invited to attend the World Jewish Conference. The Moscow Government claimed that the acceptance of the invitations was entirely up to Soviet Jews, but, although the invitations were sent to Jewish religious communities, their reply was that, since the assembly would be dealing with "political matters," it would not be proper for them to attend. The Stockholm report adds:

"Disquieting reports are reaching us regarding the position of Jewish religious life in the Soviet Union. We hear that synagogues are being closed, particularly the synagogue in Czernovitz. Many Jewish tourists are welcomed to the Soviet Union, but, among those who were refused visas, were a number of rabbis. All this is relevant to the answer we received from the Soviet Union."

On April 30, 1958, this correspondent wrote a dispatch calling attention to the bombing of a Negro school and a Jewish synagogue in Jacksonville, Fla., and pointed out that the anonymous telephone warnings used phrases about "undergrounds" and other words from the vocabulary of Communist agents.

On October 14, 1958, this writer noted that the bombing of a Jewish temple in Atlanta followed the pattern of similar incidents in Miami, Jacksonville and other parts of the South. Yet, as pointed out then, it is conceded widely that there is less anti-Semitism in the South than in any other part of the United States.

KEATING REMARK RECALLED

On December 15, 1958, reference was made in these dispatches to a statement made by then Senator-elect KENNETH B. KEATING, of New York, after a tour of the South. He said there was a "strong suspicion" that the bombing of schools, homes and places of worship in the South may have been fomented by Communists.

Then on January 26, 1959, this correspondent called attention to a series of five articles published by the New York Daily News. They were written by one of its staff reporters, David Burk, and in them he told the results of several months of investigation into "the men and the groups tailored into the network of hate and violence" in this country. He said there was "a mass of evidence of direct liaison between agents of the United Arab Republic and leaders of the

American race groups held responsible by U.S. authorities for the Atlanta bombing."

It seems strange, also, that there is a big organization of Negroes in the United States, claiming to be "Moslems," which is fighting the National Association for the Advancement of Colored People and is preaching anti-Semitism and anti-Americanism as its creed. Time magazine in its August 16 issue says:

" 'The Moslems' are of rising concern to respectable Negro civil leaders, to the National Association for the Advancement of Colored People, the police departments in half a dozen cities and to the FBI."

Where are all these anti-American organizations getting their money? This is a question that has not yet been answered.

SENATOR SCOTT'S STIRRING CHALLENGE TO AMERICA'S YOUNG PEOPLE

Mr. KEATING. Mr. President, the distinguished junior Senator from Pennsylvania [Mr. SCOTT] recently delivered a most interesting and provocative speech before the convention banquet of the Virginia Bar Association. In the course of his remarks the Senator from Pennsylvania suggested that American school children ought to be given a classroom assignment similar to that which confronted Vice President NIXON on his tour of the Soviet Union and Poland.

The Senator suggested that our young people be challenged to try to describe the United States and explain our form of government in such a way that it would be significant and meaningful to a Communist. He added that he hoped our schools would place more emphasis on teaching the principles of free government and about the noble heritage of America.

Mr. President, I am 100 percent for these ideas. I hope they will gain a wide acceptance all over our country. By drawing distinctions between democracy and communism, by pounding home the lessons of America's history and the need for greater patriotic endeavor, we can build a stronger, safer, more secure America.

I commend the junior Senator from Pennsylvania for focusing attention on this great issue of our times and how best to meet it. It is typical of the determined anti-Communist views and stern dedication to his country which have always characterized the activities of the Senator from Pennsylvania.

So that his remarks may have the wide readership they deserve, I ask unanimous consent that excerpts from his speech be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM ADDRESS DELIVERED BY SENATOR HUGH SCOTT, OF PENNSYLVANIA, BEFORE CONVENTION OF VIRGINIA BAR ASSOCIATION, WHITE SULPHUR SPRINGS, W. VA., AUGUST 8, 1959

When our schools reopen in September, I hope all teachers of history will use the most important news development of this month as an opportunity to underscore the meaning of the American system of government.

I suggest they give all their students a writing exercise as follows: "Suppose you had the assignment recently given to Vice President NIXON. How would you describe the United States and our system of government to a Communist audience?"

As a further exercise I would suggest: "How would you explain to an Asian student of your own age, the difference between the American and Communist systems?"

These are not idle exercises because there is much evidence that our high school and even college graduates have an imperfect understanding of free representative government, how it evolved, and what is required to keep it healthy and dynamic.

The only previous time in history that young Americans had to make a verbal defense of their system against hostile Communists, many of them failed. Of American fighting men taken prisoner by the Communists during the Korean war, fully one-third collaborated at least to a minor degree with the Reds. About 13 percent became active collaborationists and 21 Americans elected to remain with the enemy.

American students and teachers seem to lack the whetstone of an outside challenge to our shores. Our boys and girls frequently learn history by rote. Those who get a more intensive course often advance to a consideration of those things that are wrong with our system of government. But it is all too seldom that they understand all that is right.

Rarely does the average school child appreciate the scope and majesty of our history; rarely does he leave school with a love for America that comes from fundamental patriotism which is based on a solid understanding of the principles of free government.

Some Americans have an appalling ignorance of their own history. Dr. G. D. Lillibridge, associate professor of American history at the State College in Chico, Calif., reports that several years ago he stopped for a meal at a small town in Illinois.

He asked the waitress, "Was this where the Lincoln-Douglas debate was held?" The girl hesitated a moment and then replied, "Well, I really wouldn't know. You see, I only came on duty at 6 o'clock."

While many Americans are ignorant or apologetic about our national life, many foreigners look longingly at our freedoms. When Vice President NIXON was in Warsaw last weekend, the Monday New York Times reported:

"More than anything else it was the way the people looked and the way they smiled and blew kisses and threw flowers—their own flowers, not government issue—and the soft things they called into the cars of the (Nixon) caravan that made this a special sort of day in Warsaw, that made the arrival of the Vice President of the United States something more than another important man's visit to a foreign capital.

"Young men called, 'Bravo, bravo,' not just at the Vice President, but at every American in town. Some chanted, 'May you live a hundred years.' And some simply said over and over, 'America, America.'

"Tears were shed today, tears in the street and tears in the cars of the caravan."

I would like to see American boys and girls speak out for their heritage as people have spoken out for freedom since the beginning of civilization. I would have them declare as the ancient Herodotus wrote that a lover of liberty declared in his time: "You do not know what freedom is. If you did you would fight for it with bare hands if you had no weapons."

I would recall the words of the man who plays Washington in Maxwell Anderson's play "Valley Forge": "This liberty will look easy by and by when nobody dies to get it."

If we teach our children to remember that they inherit the pledge of the Founding Fathers of our lives, our fortunes, and our sacred honor, that it is necessary in our daily lives and work and thinking to live for liberty, indeed I think we may not then, by national default of our inheritance, be made again to die for it.

DEFEAT OF HOUSING BILL DELAYS DECENT HOMES FOR ALL

Mr. NEUBERGER. Mr. President, what happened in the Senate on August 12 has confirmed and sustained the judgment of the majority leader, the distinguished Senator from Texas [Mr. JOHNSON].

The majority leader had been under heavy attack from certain Senators of his own party to try to enact a stronger housing bill. Yet even the moderate bill which was passed by the Senate was vetoed by the Republican President, and now that veto has been upheld. In other words, if the veto of this moderate housing measure was sustained, what would have been the fate of a far stronger housing bill in the same parliamentary situation? It would have fared even less favorably, as is obvious.

I certainly do not agree with the majority leader on every issue, as our respective voting records will demonstrate. But I think his critics have now been proven wrong on the question of the housing bill, because the President's veto could not be overridden even where a comparatively moderate measure was at issue.

Furthermore, the housing bill vetoed by President Eisenhower—a veto now uphappily sustained—was, despite its moderation, a good bill and a sound bill. It provided adequately for residential housing and for many other aspects of the housing situation.

S. 57 liberalized FHA mortgage ceilings and downpayments, improved provision of aid for cooperative housing, provided help for construction of nursing homes, aided extension of mortgage insurance to housing for the elderly, increased loan authorizations for college housing, set up a farm housing research program, and made other needed improvements and extension of existing law.

It is always possible to assail any legislation, to insist upon utter perfection. Yet some sage of wisdom has said that "the perfect is the enemy of the good." Had Mr. Eisenhower signed S. 57, the country would have had a good bill. Now we must settle for a less adequate measure, and this skimping of the legitimate housing needs of America will be the responsibility of those who defeated S. 57.

Mr. GORE. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. GORE. It seems to me that the Democratic leadership of the Senate and of the Committee on Banking and Currency made a wise decision, despite the failure of the effort to override the veto of the housing bill. To use an old saying, "it is better to have loved and lost than never to have loved at all." I think in this instance it is better to have tried than not to have tried.

The vote yesterday to override the veto, which frankly all of us expected to fall short of success, served to dramatize the issue, which, of course, is an

issue not only on the floor of the Senate but before the entire country. It gave to all of us an opportunity to express our vigorous views by voting to override. Now, as a result of the satisfaction of having made an all-out effort, we are prepared to write another bill and to make another try. If at first one does not succeed, try, try again. I think the action of yesterday was not an exercise in futility but served very good purposes.

Mr. NEUBERGER. I merely wish to point out to the Senate—and I feel sure that the Senator from Tennessee will likewise agree with me—that Senate bill 57, which we passed, but which the President vetoed, was a good bill and an adequate bill, and provided for the housing needs of the Nation. I realize the bill has been criticized by certain members of our own party.

The PRESIDING OFFICER (Mr. KEATING in the chair). The time available to the Senator from Oregon, under the 3-minute limitation, has expired.

Mr. NEUBERGER. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. NEUBERGER. Yet, Mr. President, any measure drawn by human beings can be criticized. In that connection, let me remind my colleagues that, of course, when two people look at a glass which partially contains milk, one of them can say, "It is half full," and the other can say, "It is half empty." Certainly both statements will be true; yet they have entirely different connotations in terms of the semantics and the language employed.

I merely wished to stress that I felt the Democratic leadership had reached a wise decision, early in the session, to make Senate bill 57 a moderate bill around which persons of reasonable views could unite, rather than a bill which would be so strong or so extreme that it would invite overwhelming opposition and, finally, a veto.

Now the President is in the position of having vetoed a very modest and moderate bill; and now that the veto has been sustained, the people of the Nation must settle for a far less adequate measure in terms of their housing.

I agree with the Senator from Tennessee that, in view of the veto, the people of the country must settle for something less than Senate bill 57.

Mr. McGEE. Mr. President, will the Senator from Oregon yield?

Mr. NEUBERGER. I yield.

Mr. McGEE. I wish to join the Senator from Oregon in his remarks about the veto, because it seems to me that the leadership of the Senate endeavered to be reasonable and to accomodate the well-known views of the President on so-called economy and cutting down on spending; and the leadership likewise exercised the proper responsibility of the leadership, which is to meet the problems of America and, at the same time, with a proper sense of Democratic leadership, recognize that when in the White House there is a President of one party and when in the Senate there is a majority of the other party, that situation requires compromise and accommodation.

But when, in the face of the compromise and the accommodation, Presidential vetoes are still forthcoming, it seems to me that situation serves as a very sober warning to the people of the country that what is wanted from the White House is, not a solution of the problems, but, rather, trumped up issues in an attempt to influence an election.

I know the people of Wyoming will see the situation in that light. The people of Cheyenne have a desperate housing problem facing them right now.

The PRESIDING OFFICER. The additional time available to the Senator from Oregon has expired.

Mr. McGEE. Mr. President, I ask that I may proceed for an additional minute.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. McGEE. Mr. President, the people of Cheyenne now know that this administration is not interested in helping them meet that crowded housing condition, induced in part by the construction there of an Atlas missile base.

The people of Casper likewise are in desperate housing straits; and my colleagues and former students at the University of Wyoming, who are waiting for help with their campus housing problem, now must be turned down.

It seems to me this situation now places the blame where it properly belongs—namely, in the White House, where there is no disposition to try to solve problems.

I wish to join in the commendation of the reasonableness of the Democratic leadership.

Mr. NEUBERGER. I thank the Senator from Wyoming.

Certainly the Democratic leadership of the Senate went halfway with the President; but the President refused to go halfway with them, or even one-fourth of the way, or even one-fifth of the way.

Mr. JOHNSON of Texas. Mr. President, I should like to make a very brief comment apropos the statement made by the very able junior Senator from Oregon [Mr. NEUBERGER].

First of all, Mr. President, I agree with what the junior Senator from Oregon has said to the Senate about housing. As all of us know, there is no more thorough or sincere or genuine friend of the folks of this country than the junior Senator from Oregon [Mr. NEUBERGER].

Mr. President, some said yesterday that the reason why the attempt to override the President's veto was made was that the President had threatened to veto the housing bill reported by the subcommittee. I do not believe that to be a fact. The President has never made any such threats to me, either directly or indirectly either in personal conversation or by emissary.

The reason why an attempt to override the veto was made yesterday—the primary reason, so far as the majority leader is concerned—was to make it possible for Members of my own party to have a chance to vote on the question of overriding the President's veto.

And I think we are going to have to decide, whether we want issues or whether we want housing.

I think the vote on yesterday dramatically illustrated that there can be no back-door financing unless the President approves it. Congress has the power to withhold money—and this we have done to the tune of more than $10 billion since the President started to submit his own budget.

Congress cannot make money available to be spent unless the President approves or Congress can override his veto. A lot of talk has been going on around here about the recent conversion of some Members of Congress to a course of prudence and economy. Mr. President, I have repeated time and time again that on November 18, last, I pledged, as majority leader of the Senate, to the President of the United States a course of action that would be prudent, that would be economical, and that in my opinion would reduce by hundreds of millions of dollars the budget he submitted. I have repeated that viewpoint in January, and in February, and in March, and in April, and in May, and in June. And today I say that when the final chapter of this session of Congress shall have been written, we will have cut the President's appropriation requests by hundreds of millions of dollars.

Mr. President, I think the Members of the Senate had adequate opportunity to express their viewpoints—all the viewpoints they might have had—on the housing bill, in every manner, shape, or form, both in the committee and on the floor of the Senate.

We passed the bill in February. From February until June, the House and the Senate attempted to work out a bill which would accommodate the thinking of both bodies. Then we had an opportunity to act on the conference report, which was contested; and then each individual Senator answered the roll call on the question of agreeing to the conference report.

Finally, Mr. President, some people who want to have their cake and eat it, too, whispered around that some kind of agreement had been reached between the President and the leadership. That was untrue, and they knew it was untrue.

The PRESIDING OFFICER. The time available to the Senator from Texas, under the 3-minute limitation, has expired.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JOHNSON of Texas. But, Mr. President, notwithstanding that, they wanted to blame someone.

So, on yesterday, we had an ample opportunity to demonstrate to the Congress and to demonstrate to the country the wisdom of acting on the veto message.

The vote on the conference report was 56 to 31. There were 5 Senators absent who would have voted with the 31. That would make 36. There were at least four or five who voted for the con-

ference report who stated openly they would not vote to override the President's veto. Now we have had the vote. Members of our party have had a chance to override the veto. The veto was not overridden. It may result in a great gain to our party. I do not think so. I think it merely demonstrates that if a billy goat jumps up and hits his head against the wall and falls back, and if he hits his head against the wall again, and again falls back, he will realize the futility of it. So we had better proceed with the business at hand. I am delighted the chairman of the Committee on Banking and Currency has seen fit to have a prompt session of the committee today. I think we will get a bill to the Senate in short order. I hope the Senate will act on it with dispatch. I hope that the President will give careful and sympathetic consideration to our views and will permit this country to have an adequate housing bill.

Some people tell me they think it would be good for the Nation if we did not have a housing bill this year; that it would bring home to some people the necessity for taking an interest in this important subject. I am not one of those who feel that way. I want a housing bill this session. I have said so previously. I think we will have a housing bill. I think we will have a roads bill. I think we will have an adequate labor bill. I think we will have a civil rights bill. I think we will have an antipollution bill. I think we will do so on our own motion and initiative.

I think when we have done that, we shall adjourn. In the meantime, I think we ought to get on with the job.

Meanwhile, I hope it is clear to the President and to members of my own party that an all-or-nothing attitude will not work. All the laws and all the spending bills which have gone on the books since the President entered office have represented adjustments of differences between the two branches of Government. To have achievement, we must continue to be reasonable men—on both sides.

COMMUNISM, LENINISM-STALINISM, AND THE RUSSIAN TRADITION

Mr. McGEE. Mr. President, 2 weeks ago I was present on the campus of my former university, the University of Wyoming, where I attended a lecture. The lecture was on Russia, and was an attempt to dissect Russian motivation and the makeup of the Russian mind. It was such a brilliant exposition that I asked the lecturer for a copy of his remarks that I might include them in the RECORD for the benefit of my colleagues.

The brilliant Russian scholar, Dr. Julian Towster, of the University of California, was the author of the remarks. The occasion was his address at one of the sessions of the 13th Institute of International Affairs on the campus of the University of Wyoming.

Dr. Towster is one of many, many distinguished world scholars and political leaders who has graced the platform of the Institute of International Affairs at Laramie—a program with which I was very closely associated, myself, for 10 or 12 years.

I think it well to remind the people of this country that the problem of trying to fathom the Russians and trying to understand what American policy ought to be will never leave us, and that the more we can discuss it, the more we can concentrate on it, the more we can exchange differences about it, the closer we will come toward the realization of our objective, which is trying to understand ourselves, in order more wisely to act.

I think the Institute of International Affairs at Laramie has been serving in this direction in its many programs that have at times been devoted to the Far East or Communist China or the Soviet Union or Latin America or to the struggle for the minds of men, and that it has had an impact in an area of the United States that has relatively few people, but which still sends two Senators to this body.

In effect, the people of my State of Wyoming in sending two Senators to represent 300,000 people, whereas the distinguished Senator from New York now in the chair of the Presiding Officer [Mr. KEATING] is one of two Senators representing many, many millions of people, must face up to the fact that a voter in Wyoming has 40 or 50 times the potential implications in his ballot than a voter in New York has. This means greater resonsibilities for his actions. We think we can point to that fact as one of the reasons for the changing of a one time isolationist mind in Wyoming to one with an international grasp and understanding of the problem of national security in a world which is shrinking in size. That change is due in part to the efforts of my colleagues at the University of Wyoming through many of the programs focused in the Institute of International Affairs and its present Chairman, Dr. Charles P. Beall.

Mr. President, I shall ask to have included in the RECORD Dr. Towster's recent comments on the Soviet image and its motivations. Dr. Towster points out the fact that there are many parallels in present policies with those of old Russia's imperialists, which have only been capitalized on by Marx, Lenin, Stalin, and Khrushchev. It is this set of parallels which he sees that I think will provide thoughtful and provocative reading for the Members of this body. Therefore, I send to the desk a copy of his remarks, delivered on July 27, 1959, and ask unanimous consent that they may be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

COMMUNISM, LENINISM-STALINISM AND THE RUSSIAN TRADITION

In the ensuing remarks I shall endeavor to answer at least in elementary fashion the following questions: (1) What are the main theses of the Marxist founders' teachings concerning the progression of history, i.e., the march of time from past to present and what is envisioned as its inevitable culmination in the future in a Communist millennium; (2) what was Lenin's chief contribution to these teachings and how much has Stalin embroidered upon Lenin's theses; (3) what kind of sociopolitical order has resulted from these teachings in Russia; and (4) how much of the Soviet Union's present has roots in Russia's past.

1. THE ROAD TO COMMUNISM AS CONCEIVED BY MARX AND ENGELS

Marxism has often been referred to as a secular religion and the Marxist reading of history as a species of theological writing, and with good reason. It is characteristic of all theologies that they depreciate the sinful past and present and depict them as a series of events inevitably leading in the end to the heavenly city and the future salvation of man. Messianism is a fundamental ingredient of all theological histories; and a philosophy of history which condemns the present state of affairs, which sees decay and disintegration everywhere, which bestows its blessing on a particular group, and which offers it a prospect of a glorious future after a period of work and hardship, such a philosophy of history clearly falls heir to the theological tradition. And Marx's philosophy is precisely this kind of philosophy; i.e., his view of history is far more an act of faith than a result of empirical investigation.

For Marx, socialism was an absolute truth—the goal toward which all events lead and which will someday be universally realized. Karl Marx, a product of Jewish messianism and propheticism, a child of the enlightenment, wrote "Das Kapital" as a protest against the appalling social conditions in a rapidly industrialized Britain. Referring to the lengthening of the working day, he explaimed:

"All bounds of morals and nature, age and sex, day and night, were broken down. Even the ideas of day and night, of rustic simplicity in the old statutes became so confused that an English judge as late as 1860, needed quite a Talmudic sagacity to explain 'judicially' what was day and what was night. Capital celebrated its orgies" (Marx, "Capital," Mod. Lib. ed., p. 330).

On another occasion he wrote: "Capital comes dripping from head to foot, from every pore, with blood and dirt" (*ibid.* p. 833).

Marx named the chosen people, those who had been elected by the forces of history to carry the burden of remaking the present chaos into utopia. They were the proletarians of the world, the economic orphans of the industrial revolution, to whom Marx dedicated himself. They were the historical instrument, by which human happiness through world revolution would be achieved.

How did the chaos and the evil of the present come about, what has moved the historical process in the past, and in what manner will be Communist millennium be attained? The essence of Marx's explanation has come to be called dialectical materialism, and its main features can be summarized as follows: Historical phenomena are the outward manifestation of a fundamental material factor; the economic system of society and the mode of production and property relations which that system entails. For Marx, the material forces in history operated in accordance with a dialectical principle, which manifested itself in the relationship between social classes. Class versus class, the dialectical conflict of opposites, was the driving force of the historical process. What does "dialectical conflict of opposites" mean? Just as in a debate, the statement of one of the protagonists is contradicted by the argument of his opponent and out of the clash of the two views a third view—a conclusion—emerges which takes a little of each view and discards the rest, so all nature, said Marx, who borrowed the idea of the dialectic from Hegel, operates according to a pattern known as the triad, consisting of thesis, antithesis, and synthesis. For any given object or event—the thesis—a negation appears, the antithesis. From the interplay

of the thesis and antithesis, a second negation known as synthesis develops. The synthesis incorporates and eliminates certain features of both thesis and antithesis. Now a new cycle starts. The synthesis in turn becomes a new thesis, which brings forth its opposite—an antithesis—and the process repeats itself. Basic, therefore, to movement, evolution and interconnectic of all phenomena is the idea of contradiction of the struggle of opposites. This is dialectical materialism—a method of viewing history, of explaining the relation of men in the struggle for existence. Employing this method, said Marx, he found that the principle of contradiction in society operates in the conflict between classes and that the class was primarily a function of economic forces. Class conflict was the motive force of history—the productive forces in human society energized class struggle. And by applying the dialectic to history, Marx concluded, one cannot only see clearly the pattern of the past, but one can even predict the emerging future.

While this is somewhat difficult to understand, the complex but important thesis of Marx as to how and why class succeeds class in domination of society runs as follows. Whenever the relations of production lag behind the ever-changing forces of production, a disharmony responsible for sudden change comes into being. The disharmony in society is reflected by a polarization into two hostile classes, the status quo class and those representing the new forces which wish to overthrow the status quo. Economic evolution is displaced by this conflict between the haves and the have-nots. A political revolution follows which disestablishes the status quo, and a new equilibrium between the forces and the relations of production is thus achieved a new synthesis. But because the forces of production are constantly changing a new disharmony appears and the process is repeated. Thus the dialectical process—the struggle of class opposites—propels history forward. Only when communism will be achieved will the dialectic cease to operate in the economic sphere. With the end of class conflict and the disappearance of class barriers, social stability rather than social conflict will become the rule and man will at last be free to develop his capability as an integral part of a purposeful community.

Concretely, the story of the rise of classes and the prophecy of their ultimate demise and the withering sway of the state, which will usher in an era of harmony, freedom and abundance for humanity are depicted in the following terms. Originally man lived in a highly integrated, peaceful matriarchal society. Gradually mother right was replaced by father right and it came monogamy and the first division of labor between the sexes. Here was the first exploitation of man by man, i.e., the wife by the husband. The substitution of private property for tribal property was a final blow to the communal life of this golden state of nature.

The first great social division of labor occurred with the domestication of animals. The ensuing split of society into pastoral and agricultural groups led to conflict and war. The victors enslaved their defeated enemies and put them to work, and society thus became based on a master-slave economy. Tribes fused under the leadership of war chieftains into small nations with hereditary kings and aristocratic councils.

The second great social division of labor arose with the specialization in handicrafts. The succeeding prosperity brought a distinct widening in the gap between city and countryside and between the rich and the poor in the city. Then increased trade between cities and between nations led to a third great social division of labor in the new merchant class. Production no longer was in the hands of the producers. Products became commodities. The new merchant aristocracy soon replaced the older landed aristocracy. The chasm between rich and poor, master and slave widened.

The increasing economic power of the few at the expense of the many led to class conflict and the establishment of the state. The propertied minority seized political control of the community. The state with its taxes levied among the people to support the army, police, etc., does not represent the people—it is a public force independent of the people established by the dominant class for the maintenance of order and the oppression of the toiling masses. The state is entirely an instrument of the dominant class.

Thus human society has gone through five stages: The primitive, slave, feudal, bourgeois, and now the Communist stage, in each which the economic forces of production peculiar to that state determined the relations of production and accordingly the very structure of society.

During this course of history the masses have passed through three stages of servitude: slavery, then serfdom under the feudal lord, and now in our own epoch wage labor under the bourgeoisie. But this is the last time in history when a form of servitude still exists—present-day wage labor, and when class conflict rages—the struggle between wage labor and capital. The rise of the wage laborers, who form the proletariat in the bourgeois capitalist stage of society, will lead to revolution by the proletariat, which will establish its own dictatorship—the DP—nationalize the means of production, extinguish all bourgeois elements, and abolish all class divisions in society. Thus the exploitation of man by man will be ended and the state will wither away, since it will no longer be necessary for the coercion of the majority by the few. This classless and stateless society known as communism will be in spirit fundamentally a return to the original golden state of nature, but with all the technological advances of modern industrial civilization.

This, in barest outline, is the Marxist view of the march of man toward the present and on towards the millenium of communism. Two questions remain to be answered to round out the picture: (1) how will man fare in this new earthly paradise—what will be the principal change wrought in man himself; and (2) where on earth will socialism triumph first? We shall understand best Marx's answer to the first question, if we realize fully his extreme sense of condemnation of the capitalist order. Of course, Marx, who was for many years a keen and sympathetic observer of the chaotic social conditions produced by the industrial revolution in Britain, was not alone in condemning the changed state of affairs, wherein the individual—once a meaningful participant in the work of society—had become a helpless cog in a vast production machine. When the medieval bond of community was torn asunder, when the old society of industrial capitalism and laissez faire individualisms in which everyone had to shift for himself as best he could, when traditional pride in craftsmanship was replaced by the specialization of the mill towns, and when the enclosures threw hundreds of thousands of helpless country creatures into the urban labor markets and made man's life and labor cheap—conservatives like Thomas Carlyle and liberals like John Stuart Mill protested no less than Marx the loss of community and the social injustices and they urged a return to some form of mutual helpfulness and cooperation in place of the soulless competition and struggle for survival. But the venom of Marx's denunciations appeared to have no bounds and he evolved a theory and charted a course of revolutionary action whereby the slaves of capitalism would not only become free men but creative men as well.

The part of the theory which deals with man himself and what will happen to him under communism pertains to human nature and can be summarized briefly as follows: Labor, i.e., work, is fundamental to human nature. It is social in character, since man is a social animal who works in cooperation with his fellow men. But man is not only a social animal and a productive animal—he differs from other animals in that he is a conscious being who acts purposefully and, within the limits of the economic framework of society, is capable of creating his own conditions. In fact, man is a truly creative being; however, his creative ability has been debauched since he became a victim of class and class warfare. Modern class society, Marx wrote in "Capital" has made of the worker "a cripple, a monster, by forcing him to develop some highly specialized dexterity at the cost of a world of productive impulses and faculties. * * * Not merely are the various partial operations allotted to different individuals, but the individual himself is split up, is transformed into the automatic motor of some partial operation." In short, in capitalist society, man, the creative laborer, no longer creates, but just produces. Class division within society has resulted in the fragmentation of the individual. Under such conditions man is characterized by a mental shallowness, meager imagination, lack of sensitivity, inventiveness, and understanding, so that for the most part the individual ceases to act rationally in pursuit of worthwhile goals. Only with an abolition of classes under socialism will man regain the wholesomeness and creativity which he lost with the appearance of class division. Man can only achieve the complete self-realization of his potentiality through a close working relationship with other men. Communism will organize the cooperative society, which will open up the floodgates of opportunity for all the citizenry. Instead of a form of compulsion, labor will become "the prime necessity of life"—the natural need of mankind, in the higher phase of communism. And planned production, in place of the capitalist chaos of overproduction and underconsumption, will result in abundance for all. The division between town and countryside, and the gap between mental and physical toil, will vanish. For man everywhere will have the opportunity and disposition to grow and create, when society progresses first to socialism—which will still operate under the principle: "From each according to his ability, to each according to his work" and then to communism—which will function on the principle: "From each according to his ability, to each according to his needs." Thus man will once again become a whole person—a purposeful, insightful, free, and creative individual, who—as once before in primitive society—will live in the highly integrated, undifferentiated society of communism.

As for the question as to where socialism will become established first. Marx and Engels believed that socialism will emerge—more or less simultaneously—in the countries which are industrially most advanced and which have the largest capitalist economies (Great Britain, France, Germany, the United States, etc.) where the proletariat—increasingly pauperized and growing in numbers due to the progressive impoverishment of the peasantry and lower urban middle class—and also increasingly concentrated and conscious of its historical role—will rise in revolt, overthrow the existing order, and establish its own rule as a transitional stage on the road to communism.

So much for the Marxist founders vision of the progress of history from the past to present and the emerging future.

2. LENINISM-STALINISM: THE CHIEF CONTRIBUTIONS OF LENIN AND STALIN TO THE TEACHINGS OF MARXISM

Lenin's contributions to Marxist theory embrace his teachings on revolutionary strategy and tactics in general and on the strategy and tactics to be used by the CP's abroad, the nature of the administration of the state during the transitional period of the dictatorship of the proletariat, the role of the CP in Russia, and the nature and consequences of imperialism. Of these the last two—the role of the party and the doctrine of imperialism are the most important and with these two chief contributions we shall now deal. First, the role of the party.

It has been correctly pointed out that there are two aspects to Marxism: a mechanistic side and a dialectical approach. The mechanistic side is that part of Marxist theory which teaches the inevitable collapse of capitalism because of its own contradictions and iniquities. If that is the case, if this is an absolute certainty—an inescapable historical law—then there is nothing much for the individual to do. This leads to a species of quietism. By contrast, the dialectical approach is characterized by activism, since it considers man to be the master of his own destiny. But although Marx stressed action and revolution he did not elaborate much on the leadership and instigation of revolution; he assumed that the outraged proletariat, unable to bear its sufferings any longer, will rise in revolt. And somehow, the West European socialists who followed Marx, on the whole, likewise assumed the spontaneous nature of the eventual workers' revolt and were willing to wait for this consummation. Lenin, however, took violent issue with this approach. To depend on the spontaneous adoption of Marxism by the masses or on their spontaneous overthrow of the capitalist order, said Lenin, would be a dangerous hallucination. Left to themselves the workers cultivate a trade union consciousness not a revolutionary class consciousness i.e. the workers become satisfied to enter trade unions and through collective bargaining with their employers obtain better wages, shorter hours, and safer conditions of work. In order that the workers should become conscious of the irreconcilable antagonism of their interests to the entire modern political and social system, they must be taught revolutionary consciousness. Quoting the following remarkable statement made by the German Social-Democrat Karl Kautsky in 1901–02;

"The vehicle of science is not the proletariat, but the burgeois intelligentsia: it was in the minds of individual members of this stratum that modern socialism originated, and it was they who communicated it to the more intellectually developed proletarians."

Lenin argued that if the masses were to revolt against their burgeois masters, they must be aroused, organized and led by a hard core of professional Marxist revolutionaries. This was Lenin's idea of the kind of party that was needed to teach and lead the masses, and on this the RSDLP issue broke into two factions in 1903; the Mensheviks and Bolsheviks. While the Menshevik group was for a mass democratically organized party open to all interested workers and including mere sympathizers, Lenin with his Bolshevik group demanded a centralized, disciplined party limited in membership to professional revolutionaries, functioning secretly under a militarylike discipline of a central leadership. Only such a party of a highly trained and disciplined elite, he insisted, would become a powerful revolutionary instrument for inducing revolutionary class consciousness in the masses. After the Bolsheviks' seizure of power in Russia in 1917 and their gradual elimination of all opposing parties, including the Mensheviks and SR's, Lenin elaborated a theory to justify the monopoly of legality by the CP, that is the existence of the one-party system in Soviet Russia. It should, however, be pointed out, that although Lenin visualized the need of a state during the period of transition to communism in Russia, he referred to the Soviet state as already a semistate, i.e., a state which will progressively wither away as literacy and education spread and citizens learn to perform the rudiments of administration. And although Lenin wished to see substantive unity in the party ranks, he constantly harped nevertheless the intraparty democracy, and as long as he lived party congresses and conferences were lively assemblies with spirited and even violent debates on questions of party and state policy.

Lenin's second major contribution to Marxism was his doctrine of imperialism. Borrowing heavily from Rudolf Hilferding and J. A. Hobson, Lenin published in 1916 his book entitled "Imperialism: The Highest Stage of Capitalism." Its chief thesis is that by the beginning of the 20th century capitalism reached its monopoly stage, i.e., in place of the earlier competition, there have come into being financial monopolies—gigantic trusts, cartels and combines, which not only control home markets but seek maximum profits and raw materials abroad, and for that reason engage in violent conflicts with foreign capitalist monopolies over colonial and semicolonial areas. These conflicts result in wars—such as World War I for the redistribution of the world. The thesis helped to pull the Socialists out of a theoretical dilemma. Marx had predicted, of course, that as capitalism developed the conditions of the masses would grow worse and worse until society would consist of a vast, oppressed, poverty-stricken and overworked proletariat, dominated by a small group of ruthless capitalists. However, the state of Germany and other European countries after the Franco-Prussian war did not confirm Marx's predictions. On the contrary, in all capitalist countries the position of labor was constantly improving. The Socialists were embarrassed. How explain the failure of Marx's prophecy? Lenin's explanation was that imperialist exploitation of the subject peoples not only gave the capitalists of the imperialist countries greater profits, but enabled them to appease their own domestic proletariat by raising to some extent their standard of living. Thus, said he, the capitalist policy of imperialism was a stratagem designed to win over the internal (domestic) proletariat and to hinder the growth of a revolutionary class consciousness on the part of the workers, by granting them limited economic benefits and feeding them ideas of nationalism and patriotism. However, Lenin concluded, this will not save capitalism from its impending doom. At its highest stage—that of imperialism—it is moribund capitalism—doomed to die because of its inherent contradictions. These contradictions are three in number: (1) the conflict between capital and labor in the imperialist countries, (2) the antagonism between the backward colonial peoples and their imperialist masters, and (3) the conflict between the various imperialist powers, themselves, in their race for colonies. Since capitalism develops at an uneven rate in different countries, the jealousies and attempts to equalize their strength by various capitalist countries, breed conflict and war between them over division of territories and markets. That internecine strife weakens the world system of imperialism—it creates weak links in the chain of imperialism. Hence imperialism snaps at its weakest link. Thus, it is that Russia—the weakest link in the imperialist chain, snapped in 1917 and even though it was not a highly industrialized state took the road of revolution and broke away from world capitalism.

This, in the main, is the heritage of Lenin's contribution to Marxism. Building upon it, but exaggerating and adding to its worst features, Stalin further elaborated the teaching of strategy and tactics to include Communist aid to colonial revolts; contrary to both Marx and Lenin he introduced antiequalitarian and nationalist ideas and practices; from Lenin's theory of the "uneven development of capitalism" and the breaking away of the "weakest link," Stalin evolved his doctrine of "socialism and in one country" (as against Trotsky's emphasis on world revolution) in order to mobilize all of Russia's forces and resources to make Russia impregnable—hence ultimately a safer base from which to achieve universal communism; and last, but not least, he completely revised the Marxist theory of the state to reject the idea of the withering away of the state and demand instead the utmost strengthening of the Soviet state—its army, police, punitive organs, etc., and he erected the principle of party monolithism requiring the kind of absolute unity of thought, will, and action in the party, which completely emasculated the party assemblies and progressively centered all effective power in his own hands.

Thus, the teachings of Marx and Engels as developed and reinterpreted by Lenin and altered, expanded, and distorted by Stalin—resulted in the establishment in Russia of a totalitarian and authoritarian system in which the rights of the citizenry were trampled under foot and all distinction between might and right was obliterated in practice.

All this was done in the name of a new concept of collectivity—a new idea of community. This concept maintains that in the Soviet Union there is not and cannot be any divergence between the interests of the citizen and those of society and the state. In a socialist state the interests of individual and society are identical. Consequently, the Soviet citizen must help to realize the goals of the state through work and discipline. The Soviet state, guided by the Communist Party is the highest embodiment of the collective good and the collective will. "Freedom," said Marx once, "is the recognition of necessity." The party leaders, guided by the science of Marxism-Leninism, are leading Soviet society toward the glorious future with all of its zigzagging bypaths—they know at all times the dictates of necessity, and they have the supreme right to use both persuasion and violence in the pursuit of communism, since the achievement of that goal will mean the elimination of all violence and the building of a society without classes, without a state and hence without violence. Until that time the DP remains and as Lenin put it dictatorship means "a power not limited by any laws, not restrained by any absolute rules, resting directly on force." Hence the citizen of the Soviet Union must obey unquestioningly and even enthusiastically the edicts of party and state. Such obedience signifies recognition of historical necessity, i.e., genuine freedom. Only through identification with and sharing in the aims, goals, and work of the Soviet state collectively does the individual of the Soviet Union find his full self-realization. This is the theory of state, society, and individual evolved by Lenin and Stalin, and despite some changes in policies under the Khrushchev regime it is essentially still the fundamental theory on which the Soviet policy rests today.

And thus we have arrived at our last question: how much of this theory and practice has precedents in Russia's past.

3. THE PRECEDENTS AND PARALLELS OF RUSSIA'S HISTORIC PAST

As far as practice is concerned, it is a historical fact that such features of the Soviet present as: centralized power, the excessive

use of propaganda and violence, the symbolization of acclaimed highest leaders (Lenin, Stalin and now at least to some extent Khrushchev), the disposition of the populace toward conformity and submission to authority, suspicion of foreign intentions, changing tendencies toward isolationism and messianism—all of these have precedents and parallels in such features of the czarist past as: the position of the autocracy, the role of the church and the czarist police, the peasants' faith in the infallibility and benevolence of the czar, Russia's periodic aloofness from Europe, and the recurring missionary drive of her orthodoxy, pan-Slavism, and territorial expansionism.

The spiritual relationship is far more difficult to trace, yet there is undoubtedly a marked degree of affinity between the Soviet concept of collectivity and the old Russian tradition of collectivity as expressed in the doctrine of Sobornost, the indigenous Russian institution of the mir, and the overwhelmingly positive reception which both received in Russian thought of the 19th century. The doctrine of Sobornost taught that truth and love resided exclusively in the Sobor—the collectivity as a whole guards the orthodoxy of its members, who find their supreme realization in the faith of the church which they share with one another. No member can assert an individual truth, and if a member deviates and errs he can rejoin the communion of his brethren only by confessing and renouncing his erring ways. The religious philosopher and Slavophil A. S. Khomyakov defined Sobornost as "the combination of freedom and unity of many persons on the basis of their common love for the same absolute values." For him the church was an all-embracing organic unity, and freedom, truth and love could only lie within the collectivity. The Hegelian, Peter Chaadayev, said that freedom depends upon our subjection to a higher principle, God—if we do not subordinate our reason to a world consciousness, we slip into the trap of individualism which is a perversion of freedom. Y. F. Samarin argued that "only an artificial association" can be based upon an individual person who makes himself the measure of all things. Man's personal talents can only flower through the collectivity—the loving congregation, which is the measure of all truth. The doctrine of Sobornost greatly influenced Russian thought, culminating in the writings of Russia's greatest philosopher Vladimir Soloviev. And many of Russia's 19th century writers (such as K. S. Aksakov, Herzen, Chernyshavsky, etc.) venerated the Russian communal village—the mir—as a living embodiment of the doctrine of Sobornost—of the principle of collectivity in practice. Herzen even believed that the mir would provide the foundation of a Russian collectivistic society, which might blaze a path for the rest of Europe to follow. In sum, three basic features characterized Russian thought: religiosity, a historicism of a messianic nature, and instrumentalism—that is a conscious linking of theory and practice, of thought and action. In the apt analysis of the philosopher Berdyaev, the Russians were always a "people of the end," always straining to catch a glimpse of a millenium, and time and again they affirmed an apocalyptic belief in the salvation of the community. And "Russian thought," Berdyaev asserts, "was by its very intensity too totalitarian; it was incapable of remaining abstract philosophy; it wanted to be at the same time religious and social, and there was a strong ethical feeling in it." ("The Russian Idea," New York, 1948, pp. 156–157.) Thus, in interpreting the establishment of Bolshevism in Russia Berdyaev concludes: "The spirit of the (Russian) people could very easily pass from one integrated faith to another integrated faith, from one orthodoxy to another orthodoxy, which embraced the whole of life." (Ibid., p. 144.)

To summarize in conclusion, a striking parallelism exists between the old Russian and the Soviet concepts of collectivity. Certainly the older idea of collectivity, with its conception of the congregation as an organic unity and the sole seat of truth and freedom, which requires the service and absolute obedience of its members and through which alone the brethren attain their salvation, has its counterparts in the Soviet conception. In the Soviet conception, the new collectivity—the Soviet state is conceived as a monolithic unity, guided by the higher laws of the party's ideology, and demanding the disciplined conformance of the citizens in the name of their own self-realization through service to a supreme common cause in the present and emerging future. And the strands of religiosity, instrumentalism and messianism—as expressed in the thesis of a beautiful, classless and ultimately stateless order—are as strong in the Soviet concept as in the older Russian tradition. While it would be incorrect to say that the old tradition played an exclusive or even decisive influence, it unquestionably exercised a definite influence upon Soviet thinking, however, unconscious and unheralded.

Present day Soviet communism is a peculiar symbiosis of the rational and radical traditions of the Marxism of the west and the mystical and collectivist traditions of the Russian east. In taking Marx as a prophet and adapting his teachings to the Russian milieu, the Soviet leaders have made his ideas the servants of a religious fanaticism, with implications for the future of man and the world which lie at the heart of the current struggle for the hearts and minds of men.

BOXCAR SHORTAGE IMPERILS LUMBER AND FARMING INDUSTRIES

Mr. NEUBERGER. Mr. President, in my State, where lumbering and agriculture are the economic lifeblood, the prospects are for a bumper year. Farm produce is waiting to be transported to eastern and southern tables. The current resurgence of homebuilding starts has given great impetus to our lumbering industry. I know that other States are experiencing similar bounties.

This means that as the end of the summer approaches, the need for railroad freight cars to transport the products of our Nation's farms, forests, and factories will be greatly accelerated. In the second quarter of this year alone, the call for freight cars in Oregon was up almost 4,000 over that of a year ago. However, many railroads are finding a lack of freight cars to meet this increased demand.

Senate bill 1789, now before the Senate, is a helpful tool for ending the freight car shortage which plagues our railroads and threatens to impede our whole economy. This proposed legislation gives the Interstate Commerce Commission power to expedite the movement of existing railroad freight cars. In many cases these cars are languishing on the lines of railroads, who would rather pay a $2.75 per diem rental fee than acquire and maintain a freight car supply adequate to meet their own needs.

When it reported favorably on this bill, the Committee on Interstate and Foreign Commerce pointed out that—

(1) The current charge of $2.75 provides no profit for the car owner, over and above the "bare-bones cost of ownership," if indeed, it is sufficient for that purpose; (2) that the current charge is wholly inadequate to cover even the "bare-bones cost" of a new freight car, bought or built today at a cost which often exceeds $10,000 per car; and (3) that the current per diem charges are inadequate to provide sufficient incentive for acquisition or construction of additional new freight cars.

I want to congratulate the distinguished chairman of the Interstate and Foreign Commerce Committee, who is also the sponsor of this bill, Mr. MAGNUSON. He has done his usual excellent, comprehensive job. I am happy to support him in this endeavor, because I am confident that by passing this bill, we will be helping the farmer, the lumberman, and the small businessman who are so important to our Nation's welfare.

Mr. DODD. Mr. President, is morning business concluded?

The PRESIDING OFFICER. If there is no further morning business, morning business is concluded.

The Chair recognizes the Senator from Connecticut.

KHRUSHCHEV'S VISIT TO THE UNITED STATES

Mr. DODD. Mr. President, the long road to futility and failure, upon which man has journeyed for so much of his history, is marked with familiar tombstones, such as the Munich Conference, which have come in popular thought to be regarded as separate, independent events, turning points which ushered in great periods of tragedy and defeat.

But historians recognize that events such as Munich cannot be rightly judged, of themselves, as clear turning points. They were rather the culmination of a whole series of less spectacular events, which led to and foreordained those tragic happenings which became symbols of an age.

The appeasement at Munich was foreshadowed by a whole series of lesser appeasements. The failure to oppose Nazi rearmament, the failure of courage, of sacrifice, of patriotism, the failure of the free world to rearm itself morally and militarily, the failure to oppose Hitler's march into the Ruhr, the failure to oppose the seizure of Austria, the support given Hitler by free world industrialists and financiers, the deference and homage paid to Hitler by free world leaders, all these formed the pattern of which Munich was the logical and perhaps inevitable outcome.

I believe that in our own time we are repeating the same pattern of concessions to insatiable tyranny which 20 years ago reached the point of no return at the conference table in Munich.

For the past several years, our national policy has lacked the positive, virile, and resourceful characteristics that are necessary if we are to make progress against the Communists. We have not succeeded in projecting our system as the wave of the future. But while John Foster Dulles was at the helm, there was a steady and unyielding determination to avoid concession and appeasement.

While it cannot be said that we made forward progress, we did avoid appeasement. We held the line.

The role that Dulles played in resisting the forces of concession and compromise did not become fully apparent until his tragic illness and death removed him from the direction of affairs. Since his passing, there has been a slow but perceptible retreat. We are now observing the early examples of that retreat. It is imperative that we fight this trend at the outset. Tomorrow may be too late.

We have not yet committed a final, irremediable act of appeasement from which there is no return.

There is, therefore, hope that it can be averted and so long as there is that hope, I feel there is the duty to speak out, however unpopular or unwelcome my words may be.

I need not attempt to retrace the entire pattern of this midcentury appeasement; the record of the past year is sufficient to point up the danger.

On November 27, 1958, Communist Dictator Khrushchev issued an ultimatum to the United States, Great Britain, and France to get out of West Berlin or face the consequences of war.

Our immediate response to this challenge was one of apparent strength and firmness. But month by month, the Communists have chipped away that strength and firmness and a new pattern of appeasement has unfolded.

The latest and most significant concession, the most striking retreat from previous policy, is the President's invitation to Nikita Khrushchev to tour the United States as an official and honored guest of the American people.

The Khrushchev invitation was announced to the American people almost before there was any official indication that it was being contemplated. The President's swift and secret consummation of the Khrushchev visit was obviously aimed at preventing any opportunity for prior public discussion of the merits of such a proposal. Previous samplings of public opinion in this country had indicated that a considerable portion of the American people was flatly opposed to a Khrushchev visit. But there had been very little public discussion of the question and surely no organized attempt to stimulate public opposition.

If the President's timing was designed to choke off public controversy, it has been remarkably successful. The Members of Congress, suddenly presented with an accomplished fact, have, with only a few exceptions, either approved the President's action or remained silent.

The Nation's press has been faced with the choice of either supporting the President's action or of appearing to embarrass and thus hamper the official foreign policy of our country.

The American people, confronted now with exhortations to give Khrushchev a friendly reception, are being propagandized into a position of either applauding the Communist dictator or of appearing to hinder efforts to "relax tensions."

The tens of millions of Americans who oppose the Khrushchev visit are, therefore, almost without spokesmen in the Congress and in the press of the United States.

The full measure of the triumph we have accorded Khrushchev by inviting him to our country as a state guest can only be understood in the light of what happened at the Geneva Conference.

We said that we would not negotiate under ultimatum, but we have gone to Geneva twice without insisting on a formal retraction of the Khrushchev ultimatum which created the Berlin crisis.

We insisted that we would never recognize the East German puppet regime, but in according their representatives equal observer status with the West German representatives, we granted them a partial de facto recognition.

We said that our right of presence in Berlin derived from the occupation statute and could be terminated only by a treaty of peace with Germany, but we have now backed down to proposals which speak only of right of access, which make no mention of the occupation statute and our right of presence, and which, in effect, concede to the Kremlin the right to terminate or rewrite any Berlin agreement whenever it is so disposed.

We said that a solution of the Berlin impasse could be negotiated only as part of an overall German settlement, but we abandoned that concept and agreed to discuss Berlin as a separate question.

We insisted that the President would not go to a summit conference unless there were genuine progress at the Foreign Ministers' conference, but he is holding a White House summit meeting with Khrushchev nonetheless. Anyone else can describe it as he may, but I tell Senators it is a White House summit conference in fact.

There are many people who have misgivings about the Eisenhower-Khrushchev exchange but who feel that they must withhold judgment at least until after the Soviet dictator's visit. To these I would suggest that they look more closely at the first fruits of the invitation—because these fruits provide us with a foretaste of the bitter harvest to come.

The invitation to Khrushchev was extended in early July. The first result of the invitation was that the Soviets became more demanding and more insolent in the negotiations at Geneva. In the first session they insisted that the question of Berlin be discussed by itself and not within the framework of the Western package, which provided for the staged reunification of Berlin and Germany through democratic processes. In the second session, which convened on July 14, after the invitation to Khrushchev had been extended, they not only insisted that we accept their terms on Berlin; they took the stand that they would refuse to discuss the question of Berlin unless we accepted their proposal that the four great powers abdicate their responsibility for the reunification of Germany and turn the matter over to an all-German committee in which East and West would be equally represented.

Even more disturbing than their stepped-up demands was the personally arrogant manner of Soviet Foreign Minister Gromyko. Whereas during the first session, before the invitation, he had at least observed the diplomatic proprieties, in the course of the second session, after the invitation, he treated the Western Foreign Ministers with open contempt. It was, to put it mildly, a cat-and-mouse game in which the West was the mouse.

There were reports, according to the July 30 issue of the Christian Science Monitor, which I consider to be a responsible newspaper, that "Mr. Herter in recent weeks has lost all patience with and respect for the Kremlin's policy as executed here by Mr. Gromyko and has at times bluntly informed the Soviet Minister he will not tolerate the calculated Soviet denigration of the Western Foreign Ministers."

It is some consolation that Mr. Herter protested in strong terms. But the fact nevertheless remains that he did tolerate it and continued to tolerate it for 3 solid weeks.

This was the first fruit of our invitation to Khrushchev.

The second fruit was equally bitter, equally a portent. President Eisenhower, prior to announcing the invitation, had time and again stated that there could be no meeting at the summit unless there were some progress at Geneva to justify it. In an effort to make things as easy as possible for the Russians, our definition of what constitutes progress was watered down until it was understood to mean nothing more than a retraction of Khrushchev's Berlin ultimatum. Personally, I would question this definition of progress—but for the purpose of this argument I am willing to let it stand. Instead of retracting his ultimatum, Khrushchev repeated it—without a deadline but in more threatening terms—in the joint statement he issued with Polish Communist Chief Gomulka on July 22:

> If, despite the good will of the German democratic republic—

By which, of course, he meant the East German Communist puppet regime and other Socialist countries, meaning other Communist satellite countries—

> liquidation of the abnormal situation in West Berlin is not effected, then Poland and the Soviet Union will support East Germany in the measures which it may recognize as appropriate within the framework of its sovereign rights, to liquidate the abnormal situation in West Berlin.

The third fruit that has matured in the brief interval since the invitation was issued is the invasion of Laos by guerrillas based on Communist China and Vietnam, with Vietnamese and Chinese participation. I believe that it is of more than passing significance that at the very moment of President Eisenhower's consent to a new meeting at the summit, Khrushchev should thus brazenly reopen a crisis that was supposed to terminate with the signing of the Geneva Convention of 1955.

In all of these things I see unmistakable harbingers of the things to come, I read a portent of potential disaster unless we rally from the paralysis of understanding and of will which seems to afflict us.

Thus, the first objection to the President's invitation is that it represents a

major diplomatic defeat and is recognized as such in the Communist and non-Communist worlds alike. To the uncommitted nations of the world, so often pictured as watching to see who is winning the East-West struggle, Khrushchev must now appear the dominant personality in the world.

More compelling to me is the fact that the Khrushchev invitation is indefensible on moral grounds. Why is this so?

Vice President NIXON, in a peculiarly inept statement, has described Khrushchev as a man who "worked his way up from the bottom." Before we accept the Vice President's "rags to riches" summary of Khrushchev's career, let us get the facts into the record.

If Khrushchev's rise to power can be described as working up from the bottom, it should also be added that he did so through a singular career of murder, treachery, and betrayal.

Khrushchev first appears in history as a Communist official in the Ukraine in the early 1930's helping to direct the program of planned starvation which resulted in the death of 5 million Ukrainians.

In 1938 Khrushchev was appointed Communist chief in the Ukraine. He was appointed to that position as a reward for his previous ruthlessness and cruelty. His task was to direct the great Ukrainian purge of that year.

It is all a matter of history. I fear that some of our young people have never learned it. Some of our older people have forgotten it, and some of our leaders do not now want to remember it. Authorities on Ukrainian history estimate that 400,000 men, women, and children were murdered under Khrushchev's overall direction in that single year.

Perhaps a fully documented account of the purge in one of the districts of the Ukraine will give a graphic picture. I have the documentation. It is here, if anyone questions it.

Three months after Khrushchev rose to power in the Ukraine, 12,000 people were murdered in the small city of Vinnitsa; each of the victims was shot in the back of the neck—in some cases two or three times. They were thrown into mass graves. Their fate was unknown to their families and townspeople until the graves were accidentally discovered several years later.

The documentation on Vinnitsa is complete, with hundreds of photographs, reliable details of eyewitness accounts, and authoritative medical records. This is what Khrushchev did in one small city. The atrocities of Vinnitsa were repeated throughout the Ukraine.

He continued to rise in Communist ranks through his particiaption in other purges in the Ukraine right up to the German conquest of that area in 1941.

Following the war, he was sent back by Stalin to direct the crushing of the resistance of the Ukrainian people to the reimposition of Communist rule.

We have lived in an era of totalitarian regimes, regimes which have perpetrated crimes on so gigantic a scale that people cannot comprehend them, crimes so often repeated that our sensibilities become fatigued and our reaction dulled. Many who would be shocked by an individual murdered in their hometcwn have come to accept organized murder, the organized annihilation of distant millions as a fact of 20th century life. And when these crimes are obscured by the passage of 20 years, many cease to respond altogether. I cannot explain this, but I know it to be a fact. Perhaps someday psychologists will be able to explain it. Nevertheless, it remains a fact in our time, and it greatly assists the Communists and all other totalitarian regimes in carrying out their plans.

If there are those who feel that the mass murder of thousands of human beings loses its relevance after the passage of 20 years, I point out Khrushchev's role in the massacre of the Hungarian patriots in 1956. Perhaps in this way I can help them to understand a little more clearly. If time is at the root of their trouble in comprehending, understanding, or reacting to crime on an enormous scale and distant in time, then let us take a recent time, 1956.

It was Khrushchev who in 1956 ordered the Red army to invade Hungary, depose the legal government of Imre Nagy, and ruthlessly massacre Hungarian civilians in all areas where there was open opposition. It was Khrushchev who invited the Hungarian commanding officer and patriot, Gen. Pal Maleter, to negotiations under flag of truce—historically, traditionally, from ancient times, a custom of honor—and once he got him under the flag of truce, he then had him arrested by the chief of the Soviet secret police, General Serov. It was Khrushchev who lured Premier Imre Nagy and his colleagues out of their sanctuary in the Yugoslav Embassy by perfidiously offering them an assurance of safe conduct and then kidnaped them as they emerged from the Embassy.

It was Khrushchev who 1 year ago horrified the conscience of the free world by ordering the murder of General Maleter and Prime Minister Nagy after secret trials on fraudulent charges.

Nikita Khrushchev rose to Communist prominence as the hangman of the Ukraine.

He has maintained himself in power as the "butcher of Budapest."

He has on his hands the blood of countless thousands of innocent people who were murdered under his personal direction.

He is responsible for the continued suffering of millions in slave labor camps.

He is the principal world spokesman for the ruthless attack on religion under which Cardinal Mindszenty, Archbishop Beran, and countless other churchmen of various faiths have been persecuted.

He is the sponsor of the dreadful persecution of Jews within the Communist Empire. He maintains the iron grip of tyranny over a dozen captive peoples.

In addition to his personal crimes he is the principal representative of the system of concentration camps, mass murder, brainwashing, militant atheism, the organized promotion of falsehood and lies, and the planned ultimate enslavement of the entire non-Communist world.

This is the man whom the President has invited to our country as an honored guest. This is the man to whom we are asked to extend all of our courtesies, our kindnesses, our tokens of honor and esteem, our symbols of approval.

To those who deny that a state visit by Khrushchev implies approval for Khrushchev by our Government and people, let me point out what is involved in such a visit.

I doubt that our people have fully comprehended what is involved, and I doubt that my colleagues in Congress do now fully comprehend what is involved, and let me tell my colleagues why.

I think it is fair to assume that the normal customs observed during state visits will be followed with respect to Khrushchev. He has been invited to come here by our President. He comes as the head of the Communist dictatorship in Russia. I think it is not stretching anything to say that we should expect that all of the normal customs will be observed. We will be treated to a series of strange spectacles, each one more repugnant than the one before.

On the date of Mr. Khrushchev's arrival, will the Communist flag, the symbol of oppression, tyranny, murder, and slavery, be flying from all the posts along the Memorial Bridge and Constitution Avenue? Will all the Government employees be let out of work in order to line Khrushchev's path and cheer his arrival? Will he be invited to address a joint session of Congress from the rostrum heretofore reserved for friends of freedom?

He will undoubtedly receive a series of official greetings surpassing anything previous in our history. As the hysteria heightens, it is probable that from one end of this country to the other he will be embraced, deferred to, flattered, and fawned upon by our highest officials.

On television and in the press we and the world will be treated to a continuing parade of pictures of American leaders, and American people in friendly, approving, back-slapping poses with the Red dictator.

All the media of public communications will be open to him, presenting him with the opportunity for a propaganda victory which must be beyond the wildest dreams of the Kremlin.

Think about it for a moment. Let us try to get this picture in the proper perspective. What would the Senate and the country have thought if in 1939 President Roosevelt had invited Adolf Hitler to a barnstorming tour of the United States, fresh from his conquest of Czechoslovakia, Austria, and Poland in the midst of his extermination of millions of Jews?

Would the Members of this body have tolerated the hanging of swastikas in the center of our Capitol? Can we imagine Hitler in the White House? Yet, the Khrushchev visit amounts to exactly the same thing.

Between Hitler and Khrushchev, there is nothing to choose. The hammer-and-sickle emblem is no less offensive than the swastika.

The only thing that has changed is the attitude of the American Government, and I am saddened by this. I am depressed by it. Over the years there must

have been an imperceptible erosion of moral consciousness, more than any of us sensed, an erosion which is suddenly revealed by an incident of this kind.

The Communist propaganda machine will exploit to the fullest advantage everything that comes out of the Khrushchev tour of the United States. We can be certain that the satellite peoples, who still cling to the hope of liberty, will be flooded with photographs of Khrushchev being wined and dined, flattered and applauded by the leaders and people of our country. To the satellite peoples, Khrushchev's visit to the United States will be interpreted as a reflection of American acceptance of permanent Soviet domination of their lands.

We should also consider the effect this will have on our allies who are on the exposed free world perimeter, under the guns of communism. How will it affect morale in South Korea, and on Formosa, where more than a million anti-Communist soldiers are under arms? What will it do to the people of West Berlin, whose survival as a free people is dependent upon the continued firm resolve of the United States to resist every encroachment of communism? To our allies in the trouble spots of the world a series of friendly receptions in the United States will represent a softening of our determination to resist. Thus a Khrushchev visit will inevitably confuse our own people, it will dishearten and discourage our most active and stanch allies, and disillusion the 100 million people in the captive nations whose continued determination to resist communization and Russian thralldom constitutes one of the most effective deterrents to further Red aggression.

Another immediate result of the visit will be the upgrading of Khrushchev at home. Since the death of Stalin, no successor to him has reached the pinnacle of supreme and uncontested power that he exercised. There has been a power struggle going on within the Kremlin since the death of Stalin. Occasionally there comes to light an event which gives us a rare glimpse of this conflict, such as the murder of Beria, the removal of Malenkov, the downgrading of Bulganin, the exile of Molotov.

Khrushchev has thus far been the victor and is apparently moving steadily toward complete one-man domination. While this power struggle continues—and particularly if it should erupt more violently—the Communist regime is weakened to the corresponding advantage of the free world.

It is in our interest to prevent Khrushchev from attaining the undisputed control which Stalin exercised. It is in our interest that there be a continuation of whatever divisive, internecine conflicts now exist within the Kremlin. Therefore, anything that we do to promote Khrushchev, to increase his stature among his potential rivals, to build him up before the people of the Soviet Union, is to our own grave disadvantage.

Nothing could be more calculated to enhance Khrushchev's personal position and stature in the Communist world and in the non-Communist world than a successful, triumphant journey throughout the United States.

Looking beyond the immediate results of the Khrushchev visit, we should consider its long-range effects. One of those effects is the divisive effect which secret negotiations between President Eisenhower and Khrushchev may have on the free world alliance.

It is generally accepted that the shift toward a soft policy on Berlin started with the visit to Khrushchev by Prime Minister Macmillan of Great Britain. Now, for the first time in the cold war, the leaders of Russia and the United States will be negotiating alone. Newspaper reports indicate that France and West Germany look upon the Washington summit conference with a great deal of skepticism. Walter Lippmann writes:

> While exchange of visits has the formal approval of Western Europe, it is evident that only the British are pleased. Dr. Adenauer and General de Gaulle cannot like what has happened, and they are bound to have anxieties.

The Washington Post has reported accounts of a possible meeting between De Gaulle and Khrushchev and a meeting between Adenauer and Khrushchev. Thus Khrushchev has achieved an important victory in his long effort to divide the Western alliance. He is now negotiating with allied leaders one by one.

This has been a longtime objective of the Soviet leaders. Now they have it almost within their grasp. This is what they have wanted. It appears that we have handed it to them on a platter.

Khrushchev will do everything in his power to split the principal members of the free world alliance. Each of these governments must contend at home with a political opposition which can be counted on to exploit any indication that the United States and Russia are rearranging world affairs. The President may succeed—and I hope he will—in temporarily allaying the misgivings of our chief allies, but the danger of a beginning of distrust, suspicion, and division is a serious possibility.

If the free nations of the world are to maintain and strengthen their defenses against aggressive communism, and mount the necessary effort to reverse the pattern of Communist penetration, the peoples of these free nations, from whom political power flows, must be willing to continue and even to increase their sacrifices. Their willingness to do so will depend upon the extent to which they understand the evil of communism, and comprehend the menace which it poses for all free peoples.

That is the crying need of the hour—leadership which will help the people of the free world really to understand and comprehend the menace of communism, the evil of communism, what it means and what it poses for free people all over the world. God give us such leadership at this hour.

Recent history indicates all too clearly that where there is no strong public awareness of the danger, the defenses of free nations fall into disrepair. The foolhardy demobilization of the postwar era, and the periodic free world realizations which followed, demonstrate this all too clearly. History seems to be repeating itself over and over again. The danger was never greater than it is now. Yet there seems to be no sense of urgency on the part of the American Government or the American people.

I have no illusions about my role here today. I have lived long enough to believe that I am fairly sensitive to the tides of opinion, and to know that what I have said today and what I shall say in the remaining minutes of my speech will not be welcome or popular. But so long as God gives me the strength and the power to speak out on this subject, I shall do so. There are better voices and better minds in this body and in this land who should be speaking today, who should not be supine or cowed in this hour of crisis.

The same edition of the Washington Star which published the account of the President's invitation to Khrushchev carried also a story about NATO in the 10th year of its existence. That story pointed out that the free world has never taken the necessary steps to build up NATO to the point where it could carry out its mission of defending Western Europe against Russian attack. The Western alliance, despite repeated provocation by Stalin and Khrushchev, has an unbroken record of failure in reaching the stated goals of NATO strength. Even in the past months of tension over Berlin, there has been no perceptible buildup of NATO strength.

If our effort has proved unequal to the task even in periods of recognized danger, what will happen to free world defenses after the phony Khrushchev peace offensive has really gotten off the ground during his American tour? How bad will the danger get? How far can it go?

A few days ago the Secretary of the Army, Mr. Brucker, deleted from a major address those portions of his speech which realistically described the evil, aggressive nature of our Communist opponents. The Secretary of the Army of the United States wrote the truth in a speech and then took it out, presumably in an attempt to say or to do nothing which would be offensive to Mr. Khrushchev. This is the sort of thing which, repeated in a hundred different ways, will weaken our resistance, confuse our people, reduce their awareness of the danger, and therefore weaken the spirit of opposition to Communist aggression.

Perhaps nothing can do more to perpetuate a false feeling of security or to promote the mirage that everything will come out all right than a visit by Khrushchev to the United States. It will be an easy thing for him to demonstrate glowing friendship, affable qualities, and peaceful intentions for 2 weeks.

But it will be a hard thing, and it will take a long time for us, to overcome these deceptions and the false sense of safety they will give to the American people.

Those who have been soft on communism will grow softer. Those who are unconcerned about the Communist menace will become even more indifferent. Those who have been sounding the

alarms will find their difficulties multiplied. Those in the world who understand the nature of communism, and who have looked to the United States as the citadel of resistance, will become further discouraged. Advocates of the Khrushchev visit have advanced a number of reasons in its favor, reasons which I would like to discuss.

The most frequently quoted argument is that it is better to talk with Khrushchev than to fight a nuclear war with him. This is, of course, a complete non sequitur. Anyone trained in logic will not dispute my statement.

In the first place, we are not necessarily faced with either alternative, as the President has maintained for 4 years. Time and time again he has said that is not the position we are in and, of course, he has been correct. But now, all of a sudden, as a reason for inviting this Red tyrant to our country, this excuse, which the President has denounced for 4 years, is trotted out in support of the invention.

Mr. BYRD of West Virginia. Mr. President, will the Senator from Connecticut yield?

The PRESIDING OFFICER. Mr. GORE in the chair). Does the Senator from Connecticut yield to the Senator from West Virginia?

Mr. DODD. I yield.

Mr. BYRD of West Virginia. With whom were our representatives talking when the bombs fell on Pearl Harbor?

Mr. DODD. Of course, our representatives were talking then with the Japanese emissaries. I tell my friend, the Senator from West Virginia, who is a very distinguished and very well informed Senator, that even the terrible treachery of the Japanese cannot be compared with the treachery of the Communists; and the history of 40 years is replete with it.

How much must our people learn, how much history must be written, how much tragedy must be revealed, before they will awaken to this awful, simple, all-important, supreme fact of our time?

The question of Khrushchev's state visit to America should not be confused with the question of the feasibility or the necessity for negotiation. I think this is an important point. I would not object to a meeting between Eisenhower and Khrushchev under proper conditions. I hope I am realistic and practical; and I think I understand and recognize fully, as well as anyone else, the necessity for negotiations. But the point is that negotiations should never take place under conditions that imply concessions, under threats and conditions which imply approval of, or indifference to, Communist tyranny.

There are many who maintain that the complete failure of the Geneva conferences created an emergency which made President Eisenhower's invitation a necessity in a last great effort to avoid war. That is an intriguing thought. But, Mr. President, can that be true? I asked myself this question as I prepared myself for this hour on this floor. I said to myself, "Can this be true? Have we already forgotton that the Berlin crisis was manufactured by the Communists, for the very purpose of forcing free-world concessions?" To say that, in order to avoid war, we must yield to Khrushchev on the question of a summit conference leads inevitably, in logic, to the conclusion that, to avoid war, we must reach an agreement with Khrushchev, and must choose between appeasement or surrender. Up to now, our policy has been based on the proposition that sufficient military, economic, political, and moral strength would deter the Communists from attack. But the Communists have already won half the battle, if we now adopt the philosophy that peace is dependent on agreements with Khrushchev, agreements forced by the threat of war or by threat of attack.

It is held that when Khrushchev comes here and tours this Nation he cannot fail to be impressed by the size and strength of our country and the determination of our people to defend what we have.

Mr. BYRD of West Virginia. Mr. President, will the Senator from Connecticut yield again to me?

Mr. DODD. I yield.

Mr. BYRD of West Virginia. Does the Senator from Connecticut think for one moment that Khrushchev does not already know what we have in the way of military strength?

Mr. DODD. Of course he knows it.

Mr. BYRD of West Virginia. Does the Senator from Connecticut think for one moment that the Premier of Russia does not already know about the military strength of our Nation, and know more about it than either the Senator from Connecticut or the Senator from West Virginia knows about it?

Mr. DODD. The Senator from West Virginia is entirely correct, as he always is in connection with these matters.

Of course Khrushchev knows. Of course Khrushchev has a superbly intelligent and efficient spy system.

Mr. KUCHEL. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. Mr. President, I shall yield when I conclude my remarks. I do not wish to detain the Senate too long.

I feel that no brief visit, crowded with all the functions inherent in state visits, can give any visitor a real opportunity to assess the strength of our country, even if the visitor came with an open mind.

I suspect that Khrushchev, like other Soviet visitors to this country, will see here only what he wants to see. I am sure that he will not be impressed by tours of a few military bases or scientific establishments, even if he agrees to visit them. He is too used to staging guided tours and demonstrations of strength in Red Square to be impressed by them here.

We know that the Kremlin maintains constant surveillance of our magazines, newspapers, scientific journals, and statistical publications. The Kremlin has all that information. It is not hard to get. Khrushchev has at his fingertips exact information as to the capacity of our economy, the state of our scientific progress, and the status of our military strength. He can learn more about these subjects in a 2-hour briefing in the Kremlin than he can during a 2-week tour of the United States. I am confident that Khrushchev is already accurately informed as to the economic and military potential of the United States. There is every indication that he fully recognizes our industrial superiority. He talks about it all the time. As a matter of fact, he has publicly acknowledged it on many occasions.

Nor is the geographical size of this country likely to impress one who is used to traveling in the far larger Soviet Union.

He will doubtlessly be impressed by the standard of living here, the conveniences and the luxuries. But will he interpret them as signs of strength; or will he, with his cunning and canniness, interpret them as signs of weakness?

He may be impressed, not by the attractive features of our society, but by the absence of an effective civil defense program, by the absence of discipline, by the absence of dedication and sacrifice.

It is in the tradition of Communist dictators to mistake friendliness for fear, to mistake kindness for softness, to mistake courteousness for submissiveness. That has happened time and time again. It is not only in the tradition of the Communist dictators; it is likewise in the tradition of all other dictators. Dictators have made those mistakes throughout history.

Will the American people appear to him as determined and strong or will they appear as luxury-loving, frivolous, and incapable of the sacrifices that his own people are forced to endure? We cannot know.

In any whirlwind tour of the United States Khrushchev is likely to see only what he wants to see and to carry home the impressions that he had when he arrived. There is just as much danger that his interpretation of what he sees here will encourage him in his aggressive designs as there is cause for hope that he will be discouraged or that what he sees will deter him from his course.

It is often said that the free world can only gain from exchanges of this kind with the Communists and that if the price for having our President visit the Soviet Union is to have Khrushchev here, then the benefit is well worth the cost.

I dispute this. The Communist system is fully able to control any impressions that American visitors might make there. Any momentary personal triumphs which one or another of our representatives might score in various spots of the Soviet Union can be easily isolated and a variety of propaganda can be let loose to distort the words and actions of our visitors. The obstacles which were placed in Vice President NIXON'S path, the planted hecklers, the distortions and misrepresentations of his words and acts prove this.

Four decades of Communist tyranny and propaganda have cowed the peoples of the Soviet Union, reduced them to fearfulness and docility, and robbed them to a great extent of the capacity for independent thinking. And above and beyond this, the actions of the Soviet Government are not governed by the moods or wishes of the people.

Everything is reversed in the United States. There is no attempt to control or distort the news accorded Communist visitors and there is no means to do so even if there were the will. These visitors are great novelties; they have tremendous news value and they are given every opportunity to make exactly the kind of impression they want to make. Their attempts to disarm the American people, to disguise Communist motives, to erode away our moral indignation against communism are carried out under ideal circumstances.

Their visitors, their exhibits are calculated to weaken the basic resistance of the American people to communism. The greater their success, the greater likelihood that more and more Americans will cease thinking of communism as a dread, monstrous tyranny which seeks to destroy all that we stand for and begin to think of it as just another way of life that differs somewhat from our own, but which has its own good points.

The further this false doctrine spreads in this country, the stronger will be the clamor for foolhardy unilateral disarmament, the greater will be the resistance to continuing sacrifices to maintain our strength, and the easier will be the path of Communist infiltration and subversion.

An adequate national response to the challenge of world communism is impossible without a recognition of what it is. That is what is needed. We have got to make clearer to people what communism is.

A short time ago I made my own appraisal of communism. I repeat it now. Communism is total evil. It is all black. There is nothing gray about it. There is nothing good about it. Its ends are evil. Its means to those ends are evil.

If, by force of circumstances, Communists are for something right, it is only as an expedient to advance their evil ends.

If they occasionally appear in a worthy light, it is because they must make some appeal to human needs and aspirations.

When they educate the ignorant, it is to perfect their apparatus of enslavement.

When they industrialize, it is to strengthen their capacity for aggression.

When they talk peace, it is just another means of waging war.

When they allow long overdue improvements in living conditions, it is evidence that even Communist oppressors must make some concessions to the wishes of the oppressed.

There is no evil so appalling that Communists would shrink from it, if it would effectively advance their ends. There is no atrocity so hideous that they would not willingly commit it if it served their purposes.

There are those who say that after Khrushchev comes here he may be convinced of the true desire of the American people and its Government for peace in the world. Does anyone seriously contend that the tensions in the world are caused by Khrushchev's honest doubt that America seeks peace?

If the long record of our deeds throughout the six decades of Khrushchev's life has not convinced him of the desire of the American people for peace, then I am sure that no 2-week visit will do so. We do not have to prove our peaceful intentions.

What we must avoid, rather, is a mistaken estimate by Khrushchev, that the American people are so peace loving they do not have the will to fight for Berlin or for other free world territory and are prepared to surrender piecemeal rather than stand up against Communist aggression. Khrushchev knows the American people are peace loving. He is counting on that as one of the elements of weakness in the Western camp. There is no need to bring him here to find out what he already knows. There is no need to encourage him to demand further concessions that the American people must not grant.

For all these reasons, I am raising my voice today against the invitation to this infamous Red dictator to ply his wares on American soil.

The Governments of Norway and Sweden recently invited Khrushchev to visit their countries. To Moscow, these little nations so close to Soviet Russia, so relatively defenseless against Communist might, with their long tradition of neutrality, must have appeared inviting targets for Khrushchev's softening-up policy. Yet a wave of public opposition to Khrushchev's visit swept these countries. The opposition was spearheaded by churchmen, prominent intellectuals, Nobel Prize winners, university professors, writers, and student organizations.

When it became obvious that Khrushchev's Scandinavian visit would result in a propaganda defeat, instead of the expected victory, Khrushchev abruptly called off the trip.

The world's spiritual leaders are beginning to be heard on this question. Bishop Jonzon of Sweden told his countrymen:

> Inviting Khrushchev to our country is the same thing as letting the enemy through the frontline in a shooting war. Every word and action of his serves a definite purpose. It was shaking to see with what supreme skill Mikoyan played on every string during his visit to America—idealism, love of peace, sentimentality, naivete, sensation, vanity, business sense, mammon.

In our own country, Cardinal Cushing recently issued a statement which I would like to repeat:

> In behalf of millions of people in Russia and in countries held in bondage and slavery under the tyranny of Khrushchev and company, who cannot speak for themselves;
>
> In memory of the martyrs of Poland, Hungary, East Germany, and other countries murdered by the men of Moscow;
>
> In honor of our American boys killed in Korea, shot out of the skies, and suffering in prisons;
>
> I raise my voice against the proposed invitation to Khrushchev to visit our country and I call upon others who share the same sentiments to do likewise.

Mr. President, I wish there were more such voices raised, and I hope there will be.

I must confess that as my first session in the U.S. Senate moves toward an end, I feel ever more strongly an unavoidable conviction that the Government and people of our country are not measuring up to the challenge of our age.

Faced with the clear need for a vastly enlarged national defense effort, we have come forth with an inadequate defense budget.

Faced with the necessity for a more vigorous and dynamic mutual security program, we have failed almost completely to make any substantial improvement.

Faced with startling Communist advances in scientific technology and in education, our own plans for the revitalization of our education have fizzled and died out.

Faced with the crying need to communicate an ideology around which the peoples of the world can rally, we have seen our Vice President in Russia, in his presentation of the American way of life, place primary emphasis upon the luxuries, the appliances, and the conveniences which our people enjoy. This is not the essence of America, as the New York Times pointed out last Sunday. The essence of America is freedom. We need leaders, we need spokesmen, we need representatives who understand freedom and who understand tyranny, and who can articulate with respect to both.

If our failure to meet these challenges continues, the eventual result will be defeat. But we hasten the day of that defeat when we go beyond failure to do the right thing and begin again to do wrong things.

Bringing Khrushchev to this country is a dreadful wrong.

It is bound to hurt us and the causes we represent. In the interest of salvaging something from this debacle, in the hope of limiting the harm wherever possible, I have some recommendations to make. I never believe it is enough to say "no" in the face of reality. I do not believe that the invitation can be withdrawn. I have no illusion that any such thing will happen. It will stand. It was issued by the head of our country, the President.

What can we do in the midst of this situation? First, the President should take up with Khrushchev the issue of the captive nations, pointing out to him that the American people will regard further agreements as meaningless until there is evidence that the Soviet Government intends to respect its past agreements. That is one thing we ought to do.

Second, our Government should insist on a clear-cut retraction of Khrushchev's Berlin ultimatum before we engage in further negotiations.

Third, all of the concessions offered by the West at the Geneva Foreign Ministers' Conference in the hope of obtaining an agreement should be considered null and void since the Conference ended without agreement. Any future negotiations should have a fresh start.

Fourth, wherever possible, every attempt must be made by leaders of both parties who come into contact with Khrushchev to emphasize our firm resolve never to abandon the people of West Berlin.

Fifth, the American representatives and people who will meet Khrushchev during this tour should understand that their actions will be watched everywhere in the world.

The eyes of the world will be on us. What we do, what we say, how we conduct ourselves, will have an effect. Khrushchev must be accorded no ovations in the citadel of freedom. The conduct of the American people should be governed by restraint and dignity. It would be wrong for our Government to ask our people to pretend to an enthusiasm which violates their religious beliefs and political convictions.

Sixth, those officials who are charged with planning Khrushchev's visit should draw a clear distinction between Khrushchev and between the legitimate leaders of free nations whom we have welcomed to our shores.

I earnestly hope that this great body will never be disgraced by being summoned in joint session to hear Nikita Khrushchev address the Congress from the same rostrum which has so often been graced by the great leaders of our own country and by the decent God-fearing men who have come here from the other free nations of the world to receive the tribute and the recognition which they and their nations deserve.

I hope that during Khrushchev's visit we shall hear church bells in the land, tolling their remembrance for the murdered millions behind the Iron Curtain. I hope that there will be public observances of prayer for the deliverance of the captive nations. I hope there will be peaceful demonstrations of our dedication to that true peace which can only be achieved by spreading freedom and justice throughout the earth.

Let there be no cheers for the Red dictator, no crowds assembled to greet him, no flattery or flowers. Let our people be civil but silent.

Our Government has presented Khrushchev with an opportunity for a tremendous victory. It is my hope that the good sense of the American people will limit the proportions of that victory.

Mr. ENGLE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from California?

Mr. DODD. I yield.

Mr. ENGLE. Mr. President, I desire to compliment my colleague from Connecticut for a great speech.

Mr. DODD. I thank my colleague from California.

Mr. ENGLE. I observe in the next to the last sentence of the Senator's speech that he says, "Our Government has presented Khrushchev with an opportunity for a tremendous victory."

I should like to say that, in my opinion, our Government has presented Khrushchev with a great victory. It is my view that we ought to talk to the Russians and we ought to be willing to negotiate with them, as the distinguished Senator said. I think we have to recognize the realities of the world situation in which we live. I am not sure it makes a great deal of difference whether we talk to the Russians in the United States or whether we talk to them in Russia. I think perhaps there might be an occasion when a visit to this country by some Russian officials would serve some good purpose, but for the life of me I cannot understand either the timing of this visit or the method under which it is being handled.

I say that we have already presented Khrushchev with a great victory, because we issued the invitation at this particular time. Why did we do it? Was it because this administration did not want the world to realize the impact of the failure at Geneva, and thereby wanted to blur over the public reaction to the failure at Geneva? Is it not perfectly true that the President of the United States said that we would not yield on Berlin, and that we demanded some progress at Geneva before we would have a summit conference? What is this conference? One can say, "Well, we are not going to negotiate; we are simply going to talk."

I am satisfied that the people behind the Iron Curtain, and the neutral nations of the world, as well as our allies, know that things will be discussed which will be of interest to them. The President says he is going to Bonn, Paris, and London. I think that is perfectly appropriate. Now he is trying to negate the impact of what has occurred to our best and truest and greatest friends.

So the timing of this invitation is one of the strangest things I have ever seen in American diplomacy. I am glad the distinguished Senator from Connecticut mentioned it in his speech.

Beyond that, there is the question of the handling of the visit of Mr. Khrushchev. I compliment the Senator on the fifth point he made in his recommendations. I think he has made a sound case when he says that we ought to handle this situation now as best we can, on a formal and dipolmatic basis, keeping this big buffoon at a fair distance and dealing with him on a formal basis, as between governments, not painting him as a great hero.

If I may take a moment of my friend's time, I should like to invite the attention of Members of the Senate to an article entitled "Press and Khrushchev—It's the West Who Built Him Up," written by Edward Crankshaw and published in this morning's Washington Post. Mr. Crankshaw says:

> Plodding through the Soviet and the Western press after a pleasant rest from both—

Mr. Crankshaw evidently had been on that trip—

> I was struck by two things. First, that it is we, not the Russians, who have built Premier Nikita Khrushchev up into a garrulous father-figure, upon whose every word we hang. It is here in the West that he hogs the headlines with his lightest word while the Russians take him in their stride.
>
> This is partly an affair of the press, but only partly. Western statesmen, by exalting the so-called summit into a latter-day Mount Sinai, have done more than anybody else to turn Khrushcev into a sort of oracle of the steppes. Only Prime Minister Harold Macmillan, by treating him as one head of a great power among others, seems able to cut him down to size.
>
> For the rest, we watch every calculated or impetuous gesture with bated breath.

He is one of the greatest ham actors that have come across the stage in a long time.

I quote further from the article:

> Surrealist inconsequence and playing to the gallery, all recorded in the same size type, turn the man into the center of a new personality cult that is entirely a Western affair, not shared by the Russians, whose views about their leader are equivocal, to say the least.
>
> This seems to me a very interesting phenomenon. As far as the Soviet press is concerned, Khrushchev is like six characters in search of a stake. The Soviet press is simply not equipped to exploit his particular attack and put him across.
>
> The Western press seizes on him with glee. He is the only living politician (with Anastas I. Mikoyan and the lamented Georgi Malenkov as runners-up) who really know how to exploit the fantastic apparatus of public relations offered by the Western press of today—a stage in search of characters.

I emphasize what this gentleman has said. He has said that the Russian press is the reverse. It is six stages looking for a character.

ORDER OF BUSINESS—COMMITTEE MEETING DURING SENATE SESSION

Mr. JOHNSON of Texas. Mr. President, will the Senator yield to me?

Mr. DODD. I am glad to yield.

Mr. JOHNSON of Texas. I ask unanimous consent that the Senator from Connecticut may yield to me in order that I may ask unanimous consent that the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary be permitted to meet during the session of the Senate today.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, the Senate convened at 9:30 a.m. today. I shall endeavor to hold the Senate in session late tonight if any Senator wishes to speak. I was informed that the speeches contemplated would require 20 or 30 minutes. We have been in session nearly 2 hours, without having made any progress on the pending business. I wish every Senator to have the opportunity to make any statement he desires to make, but I should like to ask unanimous consent at this point to proceed to the consideration of the youth conservation bill, Senate bill 812, which is the pending business.

Then I shall be glad to yield to the Senator from Califorina to continue for a reasonable time.

Unless we follow such a plan, we shall be having rollcalls at 10 or 11 o'clock this evening. If I had my choice as between rollcalls and speeches at that hour of the evening, I would rather have speeches. I hope we can get the rollcalls out of the way while Senators are still available.

I ask unanimous consent that the Senator from Connecticut may yield to me for that purpose, following which I shall be glad to yield to the Senator from California for the purpose of asking any questions he wishes to ask.

The PRESIDING OFFICER. Is there objection?

Mr. DODD. Mr. President, I will not object. However, I should like to say that I understand the interest of the majority leader in getting on with other business. But, there is no business as important as the business we have been discussing.

Mr. JOHNSON of Texas. The only point I am making is that——

Mr. DODD. We may not have any houses worth living in, or any life worth living, if we do not win this struggle.

Mr. JOHNSON of Texas. I do not know whether we are going to win it on the floor of the Senate at 10:30 a.m., or 10:30 p.m. The only point I make is that we are not following the rules of the Senate. I should like to have some pending business before the Senate.

Mr. DODD. I was told 2 days ago that time would be available.

Mr. JOHNSON of Texas. It has been made available. All I am asking is that the pending business be laid down. If the Senator wishes to object, he may do so.

Mr. DODD. I do not intend to object. However, I think there is something to be said in response. It is our duty to discuss this question fully and now.

YOUTH CONSERVATION ACT OF 1959

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the pending business be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate the pending business.

The Senate resumed the consideration of the bill (S. 812) to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the committee amendment was agreed to be reconsidered.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

KHRUSHCHEV'S VISIT TO THE UNITED STATES

Mr. JOHNSON of Texas. Mr. President, I now yield to the Senator from Connecticut [Mr. DODD] such time as he may require.

Mr. ENGLE. Mr. President, I ask the Senator from Connecticut to yield to me for 5 minutes.

Mr. DODD. I am happy to yield 5 minutes to the Senator from California.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for an additional 5 minutes.

Mr. ENGLE. Mr. President, I desire to say to my friend from Connecticut that I think he has made an important speech on the floor of the Senate today, dealing with the most crucial issue which is now before this Nation and the world.

I was quoting from an article by Mr. Crankshaw. Mr. Crankshaw continued:

> So the Russian character without a popular press and the Western popular press without a character combine formidably.

I mention that article because I think it is extremely important, now that we have invited the Russian Premier to visit the United States, to handle this matter with extreme care in order not to build him up into a great world figure and gloss over the many crimes of which he has been guilty, and the kind of philosophy which his nation represents.

I say that the timing of this invitation was abysmally sad, and a terrible failure in the handling of our diplomatic affairs.

Secondly, if we do not manage this visit carefully, we can do ourselves irreparable harm throughout the world.

I join my distinguished friend from Connecticut in the recommendations which he has made. The water is over the dam. Nothing can be done here about the timing of the invitation or the visit of Mr. Khrushchev. But there are ways in which the visit can be handled so as not to maximize the victory which has been achieved, in my opinion, by Mr. Khrushchev by reason of the timing and handling of the invitation.

Again I compliment my distinguished friend on a very fine and great speech.

Mr. JOHNSON of Texas. Mr. President, I yield 5 minutes to the Senator from West Virginia [Mr. BYRD].

Mr. BYRD of West Virginia. Mr. President, I am very grateful to our distinguished majority leader for yielding to me.

I am thoroughly in accord with the views which have been so magnificently and ably expressed by the Senator from Connecticut. I feel that our people in this country need to be reminded of the past. Sometimes I think that they are inclined to forget too easily. The Senator from Connecticut has today performed a distinct and very great service to the people of this Nation in expressing his views on the impending visit of Mr. Khrushchev.

We have only to think back a little while to remember some of the things that have been said by the Communist leaders. I would like again to remind the people, as I have so many times, of the prophetic statement that was made by Dimitri Manuilsky just 25 years ago when he said:

> War to the hilt between communism and capitalism is inevitable. Today, of course, we are not strong enough to attack. Our time will come in 20 or 30 years. To win we shall need the element of surprise. The bourgeoisie will have to be put to sleep. So we shall begin by launching the most spectacular peace movement on record. There will be electrifying overtures and unheard of confessions. The capitalist countries, stupid and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends. As soon as their guard is down, we shall smash them with our clenched fist.

Not very long ago this very man who is to come to this country said to us Americans, "Whether you like it or not, history is on our side; we will bury you yet."

The American people have a great passion for peace, Mr. President, and that passion for peace, commendable as it is, sometimes blinds them to the past. I wish that more of the Members of this body and of the House of Representatives would remind those of our leaders who are responsible for issuing the invitation, of the miserable record of broken promises made by Soviet Communists, the present leader of whom is to see the Capital of the United States.

Mr. President, Khrushchev has been invited in the name of peace. Jeremiah in his day talked about peace. They had a false peace program then, I say to my colleague, the Senator from Connecticut, but Jeremiah, who was able to look at things in proper perspective, warned his people thusly. He said, "Peace, peace; when there is no peace." The same things are being said today, the same disillusionments prevail as prevailed in the prophet's day. Our country, through its President, has invited to these shores the man who is the epitome of the ideology which repudiates the very God, the only God, and the only force in the universe that can give us peace. Were Jeremiah to be heard today, he would say, "Peace, peace; when there is no peace."

Mr. President, Mr. Khrushchev is coming. If he lives he will be here, and I join with the Senator from California, who just spoke, in saying that we will have to make the best of it and hope for the best, but I believe that time will tell, as it always does, whether or not this has been a wise venture.

I will not stand along the streets to witness Khrushchev's triumphal passage through this city. Were I to stand along those streets, I would stand in silence. It would be a silence stern and cold. I have nothing but contempt for the man.

I hope that our people will be able to control their tempers and their passions, realizing that this is the Butcher of Budapest, that this is the man who has precipitated the crisis at Berlin, that this is the man who is a threat to the very liberties and freedoms that we love in this country, for which our men and women have died I say I trust that they will govern their passions, that there will not be any acts committed which might serve to compound our already great and grave problems. I trust that those who witness his passage through the streets will stand, as it were, in mourning and in sadness.

There has been some thought that the Senate and the House, if Congress is still in session, should sit and listen to this man, that he should be invited to address the Congress of the United States, in these very halls which have reverberated and rung in the dim but hallowed past with the sound of voices raised in behalf of liberty, freedom, and justice. I, for one, would never attend such a session.

Could the dead of yesterday but witness such a spectacle. The Congress of the United States sitting as a forum for the man who more than any man

living today, bears blood on his hands. As for me, Mr. President, I would rather resign from the United States Senate and wipe the dust of Washington off my shoes forever, than to sit in Congress assembled to listen to this man who deals in duplicity, treachery, perfidy, and murder.

Mr. President, these are perilous times, times when we are apt to be blinded to the realities that confront us. It perhaps would not be amiss to repeat the words of Kipling who, in another day, rather than yield to the glittering gewgaws of the moment, preferred to speak his conscience and his mind about his country, which at that time was virtually mistress of the world. His words, with reference to an empire whose sun was due to set, are appropriate for our day. They constitute a prophetic warning which we, of all people, might heed as diligently as though they were penned expressly for us:

God of our fathers, known of old—
Lord of our far-flung battle line—
Beneath whose awful hand we hold
Dominion over palm and pine—
Lord God of Hosts, be with us yet,
Lest we forget—lest we forget!

The tumult and the shouting dies—
The Captains and the Kings depart—

They are going to depart again one of these days. Just what this invitation means will then be assessed in time.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from West Virginia 2 additional minutes.

Mr. BYRD of West Virginia—

Still stands Thine ancient sacrifice,
An humble and a contrite heart.
Lord God of Hosts, be with us yet,
Lest we forget—lest we forget!

Far-called, our navies melt away—
On dune and headland sinks the fire—
Lo, all our pomp of yesterday
Is one with Nineveh and Tyre!
Judge of the Nations, spare us yet,
Lest we forget—lest we forget!

If, drunk with sight of power, we loose
Wild tongues that have not Thee in awe—
Such boastings as the Gentiles use,
Or lesser breeds without the law—
Lord God of Hosts, be with us yet,
Lest we forget—lest we forget!

For heathen heart that puts her trust
In reeking tube and iron shard—
All valiant dust that builds on dust,
And guarding calls not Thee to guard—
For frantic boast and foolish word,
Thy Mercy on Thy People, Lord! Amen.

Mr. DODD. Mr. President, I thank the Senator from West Virginia. He has always understood this problem.

It is a great encouragement to find that he is willing to raise his voice as is true of many others in this body, and I am sure many throughout this country. That is what we need in this hour, to understand that this is the great problem, that everything else is of lesser significance, and until and unless we solve that problem, there is not much we can do about the other problems.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE YOUTH CONSERVATION ACT OF 1959

The Senate resumed the consideration of the bill (S. 812) to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas.

Mr. JOHNSON of Texas. Mr. President, I yield 10 minutes to the senior Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I am constantly aware of the skill and stamina of the majority leader from Texas [Mr. JOHNSON] whose belief in the purposes of this bill has been translated into affirmative action. I now ask unanimous consent that three additional members of the staff of the Committee on Labor and Public Welfare be granted the privilege of the floor during the consideration of S. 812. We received valuable service from staff aides, including Stewart McClure, Samuel Merrick, and Robert Wolf.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, the Committee on Labor and Public Welfare, under the chairmanship of the dedicated senior Senator from Alabama [Mr. HILL], has reported favorably on S. 812, to establish a Youth Conservation Corps under the administration of the Department of Labor. Twenty-one Members of the Senate have joined in the sponsorship of the bill. The author of the original measure is the versatile Senator from Minnesota [Mr. HUMPHREY]. It has been my privilege to serve as chairman of the special subcommittee which conducted exhaustive hearings on the subject. Others who accepted the responsibility were Senators YARBOROUGH, CLARK, COOPER, and DIRKSEN. It is my purpose to discuss the background and the provisions of what we believe to be a most meritorious proposal.

The pending measure is a committee amendment in the nature of a substitute for the bill originally sponsored by the senior Senator from Minnesota [Mr. HUMPHREY]. Although it contains some refinements and certain important changes suggested by the hearings, the present proposal does not alter the overall purpose of the proposal as first introduced.

This legislation would establish a Youth Conservation Corps to be administered by a Director who would be appointed by the President with the advice and consent of the Senate.

It would invest the Secretary of Labor with the authority to formulate rules and regulations for the operation of the corps, to enter into agreements with Federal and State agencies and other governmental departments, and to provide adequate standards of health, safety, and morals for the enrollees.

The proposed measure would also establish a Youth Conservation Commission, composed of four members: the Secretary of Labor, who would be the Chairman of the Commission; a representative of the Department of Health, Education, and Welfare; a representative of the Department of Agriculture; and a representative of the Department of the Interior.

It would provide also for an Advisory Committee of nine members, including the Secretary of Labor as Chairman, which would meet semiannually to review the work of the corps and the training provided the enrollees.

The Youth Conservation Corps would be composed of boys and young men of good character between the ages of 16 and 21, with a maximum enrollment in the first year of not to exceed 50,000; in the second year not to exceed 100,000; and in each year thereafter not to exceed 150,000. The pending plan would establish an enrollment period of 6 months, with provisions for reenrollment at the discretion of the Secretary of Labor, but with no total enrollment in excess of 2 years.

The base compensation of enrollees would be $60 per month for the first enrollment, with an additional $5 per month for each subsequent enrollment, and up to $10 per month for assigned leadership responsibilities or special skills.

Attention is invited to the fact that the proposed program embodies the ideas and the ideals of the original Civilian Conservation Corps. But they have been modernized and improved by the experience of 9 years of CCC operation and a decade of operating State forest camps for delinquent boys. These experiences have provided a sound foundation on which we might build a new structure to mitigate against the shameful waste of both human and natural resources.

Mr. President, this is a waste which continues at an ever-increasing rate as our population increases and as growing technology in industry makes it increasingly difficult for boys and young men without specialized skills to find employment opportunities. Thus, the current measure is not aimed at correcting a temporary or a momentary dip in the national economy. It is concerned with filling a fundamental gap in our national life, with offering new and healthful opportunities to young men to engage in constructive and creative work, and with conservation and development of our natural resources not only for the present, but also for future generations.

The most cursory glance at population and employment statistics will indicate the need for the effort proposed in S. 812. In 1943—the birth year of present 16-year-olds—3,100,000 Americans were born. By 1947 this figure had increased to 3,800,000, and by 1954 to 4,100,000. Thus, in the next 10 years, the country

will have a 30-percent increase in the number of youths in their late teens.

While the population of this age group is increasing at such a rapid rate, the employment opportunities for them have by no means kept pace. According to statistics as late as April 1959 we have 1,132,000 unemployed in the ages 14 through 24. The unemployment rate for this group is 10.2 percent while for the 16- to 19-year-old age group it is 14 percent—as compared to 5.3 percent for the labor force as a whole.

Thus, as a result of the increased population in this important age group, the growing automation and specialization in industry, and the reduced manpower requirements of the armed services, we are faced with a chronic and growing condition of enforced ildleness within a large segment of our young male population.

Mr. President, one of the most obvious and distressing results of this condition has been the upsurge of juvenile delinquency during recent years. According to J. Edgar Hoover:

> In 1957, persons under 18 years of age represented 53 percent of all arrests reported for robbery, auto theft, burglary, and larceny. Figures from city police reports show that since 1952, the population group under 18 years of age has increased 22 percent, while arrests of persons under 18 have increased 55 percent.

Even more alarming figures are supplied by the California Youth Authority, which reports that, during 1957, arrests of boys 17 years old totaled 35.7 percent of California's total population of boys that age. Allowing for repeaters, the Authority reported that approximately 26 percent of the State's 17-year-old boys were arrested in 1957, with the 16-year-olds and 15-year-olds not far behind.

Most of these offenders are drawn from the great reservoir of idle, frustrated, and often disheartened youths who have dropped out of school before graduation. According to a study conducted by the Bureau of Labor Statistics, the typical offender is one of the 1½ million youths who annually quit school before graduation, after a final year or two of desultory and disinterested attendance. After leaving school, usually without any specialized vocational training, he finds opportunities limited, begins to drift about the streets with others in similar circumstances, and ends up in forseeable difficulties. One of the two main purposes of Senate bill 812 is to salvage these young men and boys before they embark upon careers of delinquency.

The other purpose of this measure, Mr. President, is to expand the overburdened recreational facilities of our national parks and forests and to strive to meet the staggering backlog of conservation projects and forests management tasks. The increased leisure and mobility of all Americans during recent decades have made the recreational facilities of our national forests and parks totally inadequate to the needs of the people. In 1953, for example, there were 32 million recreation visits to the national forests; in 1958, the number was 68.5 million; and by 1969, it is expected to be 130 million. The figures for the national parks are equally revealing: in 1956, 55 million visits; in 1958, 60 million; and by 1966, 80 million are expected.

The PRESIDING OFFICER (Mr. HART in the chair). The time yielded to the Senator from West Virginia has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 3 additional minutes to the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 3 additional minutes.

Mr. RANDOLPH. Mr. President, in order to meet these needs through the installation of improvements and new family units for camping and picnic sites, Mission 66 of the National Park Service, and Operation Outdoors of the Forest Service, estimate a needed expenditure of $2 billion. The proposed legislation would attempt to combine the fulfillment of these needs with the social and economic needs of a segment of our unemployed youth.

In addition, Mr. President, Senate bill 812 would attempt to help fulfill our generation's obligation to future generations in the conservation of our natural resources. One-third of the land area of the United States is federally owned, with forest and range lands under the management of the Federal Government totaling some 772 million acres. The major holdings are in the 500 million acres under the administration of the Bureau of Land Management, and are concentrated in Alaska and 15 Western States.

However, in our national forests there are 188 million acres which provide water for 1,800 towns and cities and over 600 hydroelectrical developments, grazing for sheep, cattle, and big game, and an annual timber cut of 7 billion board feet.

There are over 22 million acres in our national parks which are preserved for scientific, scenic, or historical reasons, and 16 million acres of federally managed lands in the Fish and Wildlife Service refuges.

The following is by no means an exhaustive list of the categories of Federal lands, but in each instance there is a prodigious backlog of conservation projects: reforestation and timber stand improvement work; reseeding of the range; gulley and channel stabilization; fire, insect, and disease control; road construction; and construction of lookout towers, service buildings and telephone lines. The list of unfulfilled projects is virtually endless. In our national forests alone, according to the Secretary of Agriculture, there is a need to increase expenditures, by the end of 5 years, to an annual amount of $200 million greater than the current level. On the other hand, according to a study described in the subcommittee hearings on Senate bill 812, in order to bring our conservation work up to the country's needs for the year 2000, an investment of some $18 billion will be required. Thus, Mr. President, the work projects envisaged under the pending measures are not leaf raking. They are urgent demands which need to be met if we are to preserve the legacy of future generations.

To consider now the functioning of the proposed Youth Conservation Corps, I draw the attention of my colleagues to the fact that it would not be an independent agency, as was the original CCC. The pending bill embodies recommendations of persons experienced in administering the CCC and the recommendations of the Bureau of the Budget, in that authority for the program would be vested within existing departments. Thus, the bill provides for a Youth Conservation Commission of four members, appointed by the Secretaries of the Departments of Agriculture, Interior, and Health, Education, and Welfare, with the Secretary of Labor—normally represented by the Director of the YCC—as its Chairman. The Commission would be an advisory group.

The Director would be the prime policymaker; and each of the Commission members would be the administrative head of the corps work and activities carried on within the department which he represents. There would be no overlapping of bureaucracy in connection with the development of the program.

Unlike the camps of the CCC, the proposed YCC camps would be flexible in size, and each camp would be under the control of the agency having jurisdiction of the land being improved.

In addition to the Youth Conservation Commission, we propose the establishment of an advisory committee of eight members, in addition to the Secretary of Labor, to provide communication between the Director and interested groups which might have suggestion for improving the program.

Although the YCC would have constant contact with at least four executive departments, it would be housed in the Department of Labor. The Bureau of Labor Statistics, the Bureau of Labor Standards, the Bureau of Apprenticeship and Training, and the Bureau of Employment Security have already developed the knowledge, information, skills, and standards most useful in handling the problems of recruitment.

The pending bill provides a formula for recruitment in terms of a State-by-State quota for 50 percent of the total enrollment. The remaining 50 percent would come from areas of substantial unemployment, allowing the Director wide latitude of discretion to draw from chronic labor surplus areas and from Indian reservations when the improvement work is to be done on such reservations or lands adjacent to them.

The PRESIDING OFFICER. The additional 3 minutes yielded to the Senator from West Virginia have expired.

Mr. JOHNSON of Texas. Mr. President, I yield 2 additional minutes to the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 2 additional minutes.

Mr. RANDOLPH. Thus, Mr. President, although certain States would be the chief beneficiaries of land improvement, other States and communities would receive greater benefits to their youth.

Although the corps would not be juvenile-delinquency oriented—as indicated by the good character requirement of enrollees—it is not intended to exclude young men because they have been apprehended by juvenile authorities.

The educational provisions of Senate bill 812 are more limited and more realistic than were the ones periodically developed in the CCC. Except for those unable to read or write, it would be expected that any formal educational activity of enrollees would be undertaken voluntarily. The chief educational activities envisaged are on-the-job-training opportunities which later would be translated into job opportunities on private lands and the acquisition of a sense of discipline, as related to a job.

With reference to the type of tasks that would be performed by the YCC, I should like to emphasize particularly two points: First, the primary work to be done is that which could be performed by relatively unskilled labor, in small crews, and with a minimum of heavy power equipment; second, it is intended that the YCC would not offer low-cost competition to contractors and wage earners who have established working conditions.

To substantiate these points, the subcommittee had a number of items pinpointed for YCC work, by the Assistant Chief of the Forest Service. Among these were such activities as reforestation and timber stand improvement, construction of picnic sites, fence building, forest fire protection, insect and disease control, and watershed rehabilitation. The total annual expenditure of the Forest Service specified activities amounted to $109 million.

Finally, Mr. President, in concluding our report, we emphasize that this is not a multibillion dollar spending program. There is provided a gradual increase in enrollment and expenditures. At an estimated annual cost of $2,500 per enrollee, the first year of operation would require a maximum expenditure of $125 million; this would be increased to about $250 million the second year and $375 million a year thereafter. But this should be considered as an investment rather than a spending, an investment which will yield measurable and tangible returns in such things as increased timber cutting, as well as the more important intangible returns in the lives of American youth.

Surely, Mr. President, if our Nation could support the CCC during the darkest years of the depression, we can invest in the much more modest program of the Youth Conservation Corps when our gross national product is pushing the $500 billion mark. To do less is to deny our own faith in the American future.

Mr. JOHNSON of Texas. Mr. President, does the Senator from Minnesota desire to speak now, or would he prefer that Members on the other side proceed now?

Mr. HUMPHREY. It is agreeable to me to alternate.

Mr. DIRKSEN. Mr. President, I yield 15 minutes to the Senator from Utah [Mr. BENNETT].

The PRESIDING OFFICER. The Senator from Utah is recognized for 15 minutes.

THE YOUTH CONSERVATION BILL, A DECEPTIVE BOONDOGGLE

Mr. BENNETT. Mr. President, S. 812 would establish a Youth Conservation Corps of 150,000 members, patterned after the depression-born Civilian Conservation Corps. The bill proposes a nonrepayable yearly Federal expenditure of $375 million to $450 million, and perhaps more since there is no spending limitation in the bill. In other words, S. 812 sets up a permanent program which would cost a 10-year minimum of nearly $4 billion, but with only the sky as the limit.

NO DEPRESSION TODAY

The bill's sponsors appear to advance three basic arguments in support of embarking on this vast, costly program. First, it is considered to be an antidepression remedy; second it is supposed to combat juvenile delinquency; and, third, it is urged as an aid in natural resources conservation.

The present state of our economy would hardly justify the resurrection of a depression-born program. The CCC was established in 1933 by Executive order, and was formally recognized by Congress in 1937. Its liquidation was completed by 1943. Even the most casual glance at the economic indicators which show the relative state of health of our economy reveals that we are now enjoying great prosperity. In 1933, there were 12,830,000 unemployed, comprising 24.9 percent of the labor force. Today, there are only 3,744,000 unemployed, just 5.1 percent of the labor force, and unemployment is on its way to even lower levels. There were 38.8 million people employed in 1933, but total employmentis now at 67½ million, the highest in the Nation's history.

The gross national product, or value of all goods and services produced, in 1933 was only $56 billion. Today it has reacher $470 billion. Total personal income in 1933 was $47.2 billion. Today it is $383 billion.

While there are admittedly some isolated pockets of unemployment in the United States, it can hardly be argued that we need embark on such a far-sweeping nationwide program to meet a few instances of localized unemployment.

S. 812 OF DOUBTFUL VALUE IN COMBATING JUVENILE DELINQUENCY

The problems today of our young men from 16 to 21, who would be eligible to join the revived CCC under S. 812, hardly seem comparable to those of the same age group in the depression. Some of our young men in the thirties could find no jobs; some were homeless and wandered the streets of our larger cities. It was for these young men that the CCC was created. Today, nearly all of our young men can find employment, and if they are wandering the streets it is only rarely because of job unavailability.

Assuming that 150,000 young men each year need social or economic or psychological assistance, is S. 812 the proper vehicle under which to grant it? The bill proposes that many, if not all, of the recruits for the corps will be taken away from parental influence for a period of 6 months to 2 years. In many, and probably most, cases they would be transported hundreds of miles away from their homes and from the influence of their minister, priest, bishop, social workers, and others who may be personally interested in the young men. No doubt they would be quartered with many others in barracks or similar hostels. Youths of 16 would evidently be mingled with men of 21.

Barracks life has never been particularly noted for producing the type of environment which is regarded as ideal for reclaiming errant youths or for training other youths who seek work or education in the conservation field. Moreover, I doubt that any social worker would recommend mixing 16-year-olds with men of 21. The bill does not provide for separate quarters to house varying age groups.

Although the bill has not received great notoriety in Utah, I have received several letters raising many serious questions about the bill, recalling the experience under the CCC program after which S. 812 is patterned. They want to know what the social effect will be on our local communities near which the YCC camps are located. What will the recruits do in their free time, including evenings and weekends? What degree of supervision will the recruits have? I think Senators will agree that these are very serious and very important questions to our Utah communities, since 74 percent of our land is owned by the Federal Government. These are the lands on which the conservation program under the bill would undoubtedly be carried out. My correspondents feel we have enough social problems of our own without importing more into the State.

One of the serious weaknesses of the bill is the complete lack of provision for cooperation by the Federal Government with State and local youth agencies, many of whom are already carrying out such programs and have had invaluable experience. For example, Salt Lake County in my own State has carried out a successful program in the Wasatch Forest under direction of the County Youth Advisory Committee. The State industrial school has set up a camp near Kamas. Utah County has a similar program. All three are closely supervised and policed. Yet, S. 812 completely ignores these groups and similar programs in other States.

Some of my good friends participated in the CCC program, and I know that much valuable work was done through it. However, even they would agree that S. 812 could never be justified as an antijuvenile delinquency measure. If they had $375 to $450 million each year to spend on reclaiming our youth, they could certainly devise many better and cheaper methods than a new CCC. No doubt S. 812 would furnish cheap labor, but it is not a good youth program. Paradoxically, while the bill purports to combat juvenile delinquency, it expressly

provides that enrollees shall be of good character. Unless the bill itself creates delinquents, they cannot be involved in the program under S. 812.

BETTER CONSERVATION MEASURES AVAILABLE

By the time another Federal bureau is created with office space in Washington and in the various States, and by the time all of the office supplies and equipment are paid for and the salaries of a new layer of Federal employees ar paid, we shall not get much conservation per dollar spent. Couple this overhead with the outlay for barracks throughout our public land States, together with furniture, other equipment, transportation of the youths from all over the Nation, medical services, hospital services, subsistence, education costs, and the conservation obtained per dollar spent would shrink to a wastefully low level.

The exhaustive studies made by the two Hoover Commissions clearly indicate that we need fewer agencies in the conservation field, not more. S. 812 proposes that yet another bureaucratic layer be created to add further to the present agency overlap, duplication and complexity. And, of all places, the new bureau will be placed under the Department of Labor, which has not hitherto dabbled in the conservation field. We have already gone well beyond the point of diminishing returns from our conservation dollars because of the vast overlay of existing competing bureaus.

Probably no more than $110 million of the proposed annual expenditure of $375 to $450 million would go to salaries of the recruits, who would be paid an average of about $65 per month. The other 70 to 75 percent would no doubt go mostly to the new bureaucracy. Surely our various existing Federal conservation agencies could develop more efficient conservation programs than that proposed in S. 812.

TREMENDOUS COST OF S. 812 WOULD UNBALANCE THE BUDGET AND ADD TO THE HUGE NATIONAL DEBT

Recently I received several hundred letters as a result of an excellent campaign waged by the Salt Lake Tribune and Deseret News, two of the Nation's leading newspapers. Both newspapers called attention to excessive spending by the Federal Government and to the resulting inflation which is robbing the value of savings, insurance, pensions, bonds, social security, and income. We have just incurred a $12.5 billion deficit for the fiscal year ended June 30, 1959, and the prospect of another deficit during the following 12 months. Yet, S. 812 would heap many more millions on the already huge national debt if Congress persists in unbalancing the budget.

While the bill probably would not result in much youth conservation, it most certainly would do nothing to conserve the value of the dollar. Unfortunately, the bill would not only conserve the national debt, but it would push it ever higher. The great legacy we would leave our youth would be the opportunity of paying for our profligacy and inability to live within our income.

Unfortunately, it is all too easy for Senators to introduce bills calling for immense spending. Couple it with such attractive labels and "virtue" words as "youth" and "conservation," and many people "back home" will regard their Senators as great heroes fighting for a holy cause. While it is not as glamorous, some Members of Congress must give some thought to paying the bills and to determining whether or not we can afford to embark on eye-appealing massive spending programs.

Over the years, I have been in the forefront of the battle to conserve and develop our natural resources. I shall continue to support well-conceived programs whenever they can be justified in the national interest. It should be noted that Federal conservation programs are going ahead throughout the Nation at a level higher than at any time in our history. They are not starved for funds. Admittedly, there is much to be done. There will always be much to do. It would be fine if we could devote new billions of dollars to conservation. There are many bills before Congress in other attractively labeled packages, which call for new big spending, which would add many billions to the present budget. Some think it would be nice to pass them all and take care of everyone. However, some Members of Congress must weigh each and all of these, together with existing programs, to see which are required in the national interest and which we can afford, recognizing that national solvency is also part of the national interest.

S. 812, for the many reasons I have cited, does not merit the approval of the Senate.

OF LITTLE BENEFIT TO UTAH YOUTH

S. 812 has been advanced by its Utah proponents as a measure which will be of great assistance to the youth of Utah. As I have already indicated, the bill will be worthless to the local governmental and civil groups who presently are carrying out similar youth programs. Moreover, it will be valueless to the high school and college students looking for summer employment, because the minimum enrollment period is 6 months. Thus, the two groups who could be most benefited from a program to use our young people in Federal conservation work are completely overlooked.

It may be that few Utahans would wish to participate in the program since they would have to enroll for at least 6 months. However, if there should prove to be a great demand, Utah youths would find that the bill is rigged against them, to favor young men in the eastern industrial States. This is true even though an overwhelming proportion of the public domain on which the Youth Conservation Corps work would be carried out is in the West.

One-half of the corps' proposed 150,000-man enrollment is allocated to the various States in direct ratio to their populations. Thus, Utah would be entitled to 375 enrollees out of 75,000. However, if a public lands ratio were used, Utah would be entitled to 6,698 enrollees, not including Alaska which has a unique situation. If Alaska were included, Utah would still be entitled to 3,548 enrollees. The same disparity prevails for nearly all of the public land States under the S. 812 formula. I ask unanimous consent that a table showing this disparity be printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

S. 812 formula to select one-half of 150,000 youth corps members

State	Number of enrollees under S. 812 population formula	Number of enrollees if allocated on basis of the ratio the total Federal lands in each State bear to the total Federal lands in the United States [1]
Alabama	1,350	195
Arizona	525	5,948
Arkansas	750	547
California	6,150	8,482
Colorado	750	4,410
Connecticut	975	----------
Delaware	225	8
District of Columbia	375	----------
Florida	1,950	615
Georgia	1,650	368
Idaho	300	6,330
Illinois	4,275	75
Indiana	1,950	60
Iowa	1,200	23
Kansas	900	60
Kentucky	1,350	180
Louisiana	1,350	292
Maine	375	23
Maryland	1,275	38
Massachusetts	2,100	8
Michigan	3,375	592
Minnesota	1,425	600
Mississippi	975	278
Missouri	1,875	308
Montana	300	5,145
Nebraska	600	128
Nevada	150	11,318
New Hampshire	225	128
New Jersey	2,475	15
New Mexico	375	5,048
New York	6,975	45
North Carolina	1,950	345
North Dakota	300	353
Ohio	4,050	38
Oklahoma	975	180
Oregon	750	5,805
Pennsylvania	4,800	98
Rhode Island	375	----------
South Carolina	1,050	195
South Dakota	300	585
Tennessee	1,500	285
Texas	4,050	480
Utah	375	6,698
Vermont	150	45
Virginia	1,725	390
Washington	1,200	2,325
West Virginia	825	165
Wisconsin	1,725	330
Wyoming	150	5,483

[1] Not including Alaska.

Mr. BENNETT. Mr. President, the other half of Youth Corps members are to be selected within the discretion of the Secretary of Labor, "taking into account areas of substantial unemployment." The latest analysis prepared by the Department of Labor reveals that nearly all of the areas of substantial labor surplus are in the industrial areas of the East. I ask unanimous consent that a statement setting forth the labor surplus areas be printed at this point in my speech.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

AREAS OF SUBSTANTIAL LABOR SURPLUS, MAY 1959, MAJOR AREAS

Alabama: Birmingham, Mobile.

Connecticut: Bridgeport, New Britain, Waterbury.

Illinois: Joliet.

Indiana: Evansville, Fort Wayne, South Bend, Terre Haute.
Kentucky: Louisville.
Maine: Portland.
Maryland: Baltimore.
Massachusetts: Brockton, Fall River, Lawrence, Lowell, New Bedford, Springfield-Holyoke, Worcester.
Michigan: Detroit, Flint, Grand Rapids, Muskegon.
Minnesota: Duluth-Superior.
New Jersey: Atlantic City, Newark, Paterson, Perth Amboy, Trenton.
New York: Albany-Schenectady-Troy, Buffalo, New York, Utica-Rome.
North Carolina: Asheville, Durham.
Ohio: Toledo.
Pennsylvania: Allentown - Bethlehem-Easton, Altoona, Erie, Johnstown, Philadelphia, Pittsburgh, Scranton, Wilkes-Barre-Hazleton, York.
Puerto Rico: Mayaguez, Ponce, San Juan.
Rhode Island: Providence.
Tennessee: Chattanooga, Knoxville.
Texas: Beaumont-Port Arthur, Corpus Christi.
Virginia: Roanoke.
Washington: Spokane, Tacoma.
West Virginia: Charleston, Huntington-Ashland, Wheeling-Steubenville.
Source: Department of Labor, Bureau of Labor Statistics.

Mr. BENNETT. Mr. President, thus, even the second half of the Youth Corps enrollee formula is geared to favor the East over the public-land States where the great bulk of the conservation work would be done. Instead of using the young men of the public-land States where the work is to be done, S. 812 calls for a mass importation of eastern labor into the West to displace western youths from jobs which they could do. Such a program can only result in greatly increased costs, not only for transportation but also for housing.

A BETTER APPROACH

If Congress wishes to develop a more worthwhile conservation program in which our young men may participate, I suggest that existing agency programs could be changed to allow more young people to participate. More agencies could enter into cooperative agreements with State and local youth groups, such as we have in Salt Lake and Utah Counties. This could be done without completely disrupting family, community, and religious life, since the young men of the particular area involved could be utilized, especially during the summer months, with a minimum of travel. It would do away with the need for creating another Federal bureau and with the need to build barracks all over the West. Many high school and college men contact me every spring seeking employment, and nearly all of them would be delighted to obtain jobs with a Federal conservation agency for the summer.

Perhaps such a program would require some increase in Federal expenditures. However, it would require only a fraction of the money called for under S. 812. Because of weather in most of the mountainous public land States, the average period of work each year would probably be limited to about 4 months, yet a young man has to sign up for 6 months. The average salary for unskilled labor paid by our Federal conservation agencies varies between $200 and $300 per month, which for 4 months would be $800 to $1,200. Since I doubt that more than 50,000 youths could be utilized efficiently, such a program would cost from $40 million to $60 million in salaries, less than one-sixth the total cost of S. 812, which will cost at least $375 million per year, and could cost $450 million.

Such a program could be accomplished at a fraction of the cost of S. 812. Yet, it would aid our young men and enhance the conservation of our natural resources. Moreover, by eliminating the bureaucracy proposed in S. 812, it would be sufficiently flexible so that it could be started at a time when funds are available and could be readily adapted to existing agency programs.

Mr. President, I hope the Senate will reject the proposals in S. 812.

I yield back the balance of my time.

The PRESIDING OFFICER. The time of the Senator from Utah has expired.

Mr. RANDOLPH. Mr. President, I yield 4 minutes to the venerable Senator from Alaska [Mr. GRUENING], whose interest in conservation is well known.

The PRESIDING OFFICER. The Senator from Alaska is recognized for 4 minutes.

Mr. GRUENING. Mr. President, I rise to support S. 812, the Youth Conservation Act of 1959.

On January 29 I was pleased to join the able and distinguished senior Senator from Minnesota [Mr. HUMPHREY] and a score of my colleagues from all parts of the Union in sponsoring this highly desirable bill. I consider it extremely important because it deals with the development and conservation of two of our Nation's greatest assets—our youth and our natural resources.

As set forth in the bill, the Youth Conservation Act of 1959 has two major purposes.

The first is "to provide the opportunity for healthful training and employment of young men in carrying out such programs of conservation planned and designed by, and under the immediate supervision of, the various governmental agencies charged with the responsibility of planning and carrying out such programs."

The second purpose is "to enable the governmental agencies charged with the responsibility of conserving and developing natural resources to accelerate programs planned by such to fulfill such responsibility."

The concept behind this proposal is not new. It aims to bring back the workings and accomplishments of the Civilian Conservation Corps.

That corps, Mr. President, was and is a symbol of the courage and foresight of a great leader of the American people, President Franklin Delano Roosevelt. It was bold in conception and farsighted in its execution. It made provision for America's future growth—the preservation and development of our natural resources.

To realize fully what a living tribute this program is to the vision of President Franklin Roosevelt one has but to wander through some of our forests and parks and, every once in a while, come upon a plaque with an inscription indicating that early development of the area could be attributed to the work of the Civilian Conservation Corps.

We are today the beneficiaries of the adoption of that bold program more than a quarter of a century ago. In tangible ways throughout the land there are monuments today to that program which continues to aid and add to the Nation's economic development and continued growth.

Consider, Mr. President, the irrigation projects worked on by the old CCC during its existence. The Bureau of Reclamation reported the following:

Over 60 million square yards of canals and draining ditches were placed in good condition by clearing or cleaning; 1,800,000 square yards were lined with impervious materials, and 2,800,000 square yards were riprapped for protection against erosion; operating roads were built along 3,000 miles of canals; 39,000 acres of reservoir sites were cleared of trees and brush, and 15,800 water-control structures in canals and ditches were built. In all, 7,153,000 enrollee man-days were expended on these and other related activities. Camps were operated at 83 separate locations on 45 projects in the 15 Western States.

And this is a record of accomplishment for but one phase of the total program in which the corps was engaged. It was of inestimable benefit to my State of Alaska.

Who can estimate the magnitude of the economic benefits to the Nation through the years since this work was performed? Statistics alone do not tell the entire story. These are real accomplishments in taking Nature's gifts to the people and preserving, protecting, developing and using them to the greatest advantage of that and future generations.

A quarter of a century from now, Mr. President, will they be able to say as much for our generation?

Will they at that time be able to say that we too recognized the need to conserve, protect, and develop two of our greatest resources and enacted constructive and timely measures to bring about such results?

Will that be the verdict of history?

Or will our generation be weighed in the scales of history and found wanting in foresight?

Will the judgment of history say that we showed little regard for the future development of the resources of our Nation?

Will the Fish and Wildlife Service 25 years from now be able to submit a report—as was submitted in 1943—to this effect:

Eighty-five large impoundment and diversion dams were built, involving excavation of about 13 million cubic yards of earth and rock, and the construction of nearly 900 water-control structures. Deficencies in vegetation have been overcome by the planting of tremendous quantities of aquatics, of shrubs, and trees for upland game, and of soil-binding and moisture-conserving grasses. Nesting islands have been built for the better protection of waterfowl and shore birds. Work preliminary to water impounding includes the excavation of nearly 3 million cubic yards of earth and rock from canals and ditches, clearing and cleaning of 4,500,000 square yards of water channels and 5,500

acres in reservoir, lake, and pond sites. Nearly 2,000 miles of fences have been erected, 190 foot and vehicle bridges, and 2,000 miles of truck and patrol trails have been built, and fire-protection systems including 60 lookout towers, 750 miles of telephone lines, and several hundred miles of firebreaks have been developed. Headquarter, patrol, and laboratory facilities, including nearly 900 dwellings, overnight cabins, and other buildings, including offices, laboratories, garages, and storage houses have been provided. As an erosion-control measure 700 permanent check dams have been built.

During the recent hearings there was some discussion as to whether the objectives of a Youth Conservation Corps—the development of natural resources and human resources—simultaneously within the same program were compatible.

There is nothing incompatible if the program is properly administered. That was proved by the Civilian Conservation Corps. In that connection observations contained in the final report of that agency are pertinent. I call special attention to two of these points:

The general type of program as planned and executed by the CCC was well received by all. Perhaps one of the greatest accomplishments of the Civilian Conservation Corps was that it brought to the minds of the people of this country the need and value of a sound, active conservation program.

The CCC not only taught the youth of our Nation in a very practical way the meaning and value of our natural resources, but helped to restore and strengthen the Nation's human resources.

In these remarks I have concentrated on the lessons to be learned from history and have emphasized the conservation and development of our natural resources. I have done so because I believe that should be the focal point of a Youth Conservation Corps program.

As to the effects which such a program would have upon the youths who might be selected to join the corps, I would bring to the attention of my colleagues some of the remarks made by Daniel Goldy, Assistant Commissioner of Labor, State of New Jersey, before the committee: He pointed out that our youth constitutes the group in the labor force with some of the greatest problems. In 1958 about 1.5 million students graduated from high school. About the same number, 1.5 million dropped out of school before graduation to seek work. About half of those who do graduate, approximately 750,000 go directly into the labor force to seek work. These youngsters, both the dropouts and the high school graduates who enter the labor force have severe occupational adjustment problems, and their numbers are going to increase rapidly.

For example, by 1962 there will be about 1.9 million graduates and an equal number of dropouts; and by 1966 over 2.5 million. These figures reflect the increased birth rates that occurred right after World War II and have continued to this day. The postwar babies will soon be graduating from high school and going into the labor market.

Many of the dropouts, and of the graduates who do not go on to college, are not academically of college caliber. They are not good college material. There have been some interesting studies of this by the Bureau of Labor Statistics.

From the standpoint of their capabilities, it may represent no great loss to the United States that many of these youngsters do not go on to college. But it does represent a severe loss to the country if the potential skills that these youths could develop are not developed. It is important that their skills be developed.

The labor force group of from 16 to 24 years of age has an unemployment rate that runs as much as 2 to 3 times higher than unemployment rates in the other age brackets. This is the group that suffers most severely from unemployment. Some of this represents a normal occupational adjustment; the switching from one type of job to another as youngsters try to determine what they are capable of doing and what they ought to do. But much of it is not normal. Much of it is due to limited opportunity and a failure to provide adequate counseling and guidance.

It is extremely important, during the period that their work habits are being formed and during the period that they are developing some sense of discipline which is acquired on a job that youths be given the kind of counseling, guidance, and assistance and the kind of work opportunities that can help make them most useful members of the labor force later.

To those concerned with the cost of this legislation I would point to the staggering cost to our society if the potential skills of these workers are not developed properly, and if they are not given the kind of opportunities they need to prepare them for economic self-maintenance.

The development of needed skills and the utilization of the latent capabilities of our youth—skills and capabilities which might otherwise be lost—are deserving of our early attention. The future of our country rests in great measure on how well we aid these youths to aid themselves.

Time does not stand still. Soil erosion continues day in and day out. Youths grow up and, lacking the full development of their skills, fail to make the contribution to their country's economic progress which they otherwise could have made.

The establishment and operation of a Youth Conservation Corps is a capital investment in America's future. That investment should be made without delay so that its benefits may be available in the years ahead.

It is my hope, therefore, that the Senate will pass this bill.

Mr. RANDOLPH. Mr. President, I yield 2 minutes to the persuasive Senator from Colorado, whose cosponsorship of this bill, gives added weight.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 2 minutes.

Mr. CARROLL. Mr. President, I am happy to be a cosponsor of this important bill.

Mr. President, the Youth Conservation Corps, as outlined in this bill, is a sound, economical, constructive, and much needed program designed not only to conserve our vast natural resources, but of far greater importance, to help conserve the physical and spiritual strength of our youth in a time of crises.

The objectives to be achieved by this bill are only part of the vital need for a bold and constructive approach to the growing problems affecting our youth, their welfare, and the welfare of the Nation.

The emergency nature of this problem is reflected by the increase in crime; by the increase in demand for greater appropriations to build larger penal and correctional institutions, both State and Federal; and by the increasing public demand for Government action at all levels, local, State, and Federal.

Although almost no one questions the necessity for a constructive solution to this important problem the question arises, how can we do what is necessary without unbalancing the budget? In other words, can we afford it? The answer is crystal clear. Can we afford not to take appropriate action in view of the conditions with which the Nation is confronted? Is it not more sensible, more economical, to spend "prevention" dollars rather than "punishment" dollars? Dollars spent for prevention get to the root of the cause. Dollars spent for punishment will grow and grow—the waste will multiply while the welfare of our youth and of our Nation deteriorate. The failure to act at this time creates only the illusion of thrift and saving, but I assert that action taken now will build and create not only a saving of dollars in the future but the preservation and conservation of values so important to each of us that they cannot be measured in terms of dollars and cents.

Since becoming a cosponsor of the proposed legislation I have received hundreds of letters from educators, law enforcement officers, welfare workers, judges, and religious and community leaders throughout Colorado enthusiastically endorsing such a program. I do not minimize the fine work that has been going on at the State and local levels and the imperative need that this work continue to have the active support and interest of every American. As I have indicated the Youth Conservation Corps meets the need for only a part of the huge task before us. This is a program to supplement, not to supplant community and State action. However, I feel that the Congress must begin to assume its share of the responsibility, helping wherever possible the fine local and State leadership which is working in this field.

Many congressional hearings have been held concerning youth programs and juvenile delinquency. This problem has been studied long enough. The solution to these important problems must be met head on. This legislation is only a step in the right direction. The time to take this step is now. This is the time for action.

I thank the Senator from West Virginia for his fine work on this program.

As I look at some of the photographs at the rear of the Chamber, I see one entitled "Eroded Watershed." This is a

soil condition in one of Colorado's great mountain areas.

For many years I have been familiar with the CCC camps. I know the wonderful work they did in our area, not only for the community, in the conservation of the soil, but in enriching the spirit of the youth of this Nation. When I think of what can be done in that direction, as well as in the direction of conserving the soil in our mountain areas, I am convinced that this is one of the most important pieces of legislation which has been before the Congress.

I thank the Senator from West Virginia for his fine work on this important piece of legislation.

Mr. RANDOLPH. Mr. President, I yield 2 minutes to the diligent and genial Senator from Michigan [Mr. McNAMARA].

Mr. McNAMARA. Mr. President, I rise to support the passage of S. 812, the Youth Conservation Corps Act of 1959.

There are a number of sound reasons why this bill should be quickly passed.

First, it would obviously give us a means to meet the growing conservation needs of the Nation. At a time when more and more people have made outdoor recreation, the main way in which they use their leisure time, it is important that our national parks and forests—be made available for their use.

Second, it would enable us to combat the tragic effects of unemployment on our younger people. Nothing is so wasteful as the unused talents and energy of youngsters in their early manhood.

Third, the benefits of getting young men to work in the outdoors, with decent clothes, housing and medical care, are one major way in which we can fight the rising incidence of juvenile delinquency.

But I should like to concentrate on the opportunities which will be given to all of our people, not just the members of the YCC as a result of the work done by the corps.

In Michigan we are fortunate to have a number of federally owned lands located in Michigan's most attractive country.

The Hiawatha, Huron, Manistee, Marquette, and Ottawa National Forests are outstanding examples. They contain some of the finest hunting, fishing and recreational grounds in the Nation.

Unfortunately, not enough of this territory is developed for full use. We need more trails, more campsites, more shelters, and more of the other facilities, which will enable the thousands of Michigan citizens and people from other States to use them to their full potential.

The YCC can do this. The work done by its model, the old Civilian Conservation Corps, is proof of that.

One of the main reasons why so many of our national lands are in their present excellent state is the work of the CCC.

I should also like to make it clear that the work of the YCC will not be in competition with work now done by experienced workmen.

The Committee on Labor and Public Welfare specifically pointed out that traditional construction and engineering contracts between private business and the conservation agencies would be continued. It is our intent that this be clearly understood.

But the work of firefighting, revegetation, land management, reforestation, and the like, can be done by the YCC, to the great benefit of the country.

We have in Michigan a system of correction camps. Young offenders do work similar to that which will be done by the YCC.

The program has been a greater success than was ever hoped for. Our State parks have been greatly improved, and the young men who served in the program have become far better citizens than they were upon entry.

For these reasons I urge the passage of the YCC bill.

In doing so the Senate will be preparing a better future for millions of Americans.

Mr. RANDOLPH. Mr. President, I yield 5 minutes to the experienced senior Senator from Montana [Mr. MURRAY], whose leadership in the field of natural and human resource legislation is outstanding.

Mr. MURRAY. Mr. President, after reviewing the excellent report of the majority on the Youth Conservation Corps there is very little that I can add to justify this excellent bill except some of my own personal observations. I have also read the minority views, and I am amazed that they have resorted to the scare technique that was used in the 1930's when the Civilian Conservation Corps program was started.

We were warned that the West would be filled with a lot of dangerous boys from the big cities who would somehow or other corrupt the people of our State. I recall very well that I was concerned and I was curious. I met a number of these boys when I was working in Montana and I would often pick them up on the highways and take them to town or take them to their camp. Every one of them that I became acquainted with was a fine boy and everyone in Montana became enthusiastic about this program because they had the same experience that I had had.

I do not think of the re-creation of the Civilian Conservation Corps with its new name, Youth Conservation Corps, as some sort of a depression antidote. It is really an adaptation of an old idea to the present day situation. What we propose to do in this legislation is build better citizens by taking our young men in their formative years and giving them an opportunity where none now exists. I am under no delusions as to the number of people this bill will help. At the most it will be 150,000, but each and every boy that joins the YCC will be a better man because of his experience. The second thing that we are going to do is to pay a debt we already owe to our children. We will enable important conservation work to be performed so that we can restore the productivity of our public forests and range.

I was surprised when I read the supplemental views of the Senator from Kentucky [Mr. COOPER] to see that he favored an accelerated program of reforestation but opposed the Youth Conservation Corps. The major job that the corps would have, in my opinion, would be to reforest the 5,600,000 acres of public land that presently needs to be brought back into production. On the national forests alone Secretary Benson estimates that $375 million needs to be spent on this project. This work certainly must be done and it will be of great benefit to coming generations.

I remember well when the CCC program started in the 1930's nobody knew just exactly what these boys would do. The conservation needs of the Nation were not well outlined. Experience with setting up camps was limited. President Roosevelt desired immediate action because he was trying to cope with the depression. Today conditions are different. We know what our conservation needs are to a great extent. We know how to set up these camps on an orderly basis and we need not rush in on an emergency basis and try and ship 100,000 boys out to camp in the space of a few months as was done in the 1930's. We can carefully select the boys that are needed, giving special preference to those from areas afflicted with chronic unemployment. We can locate the initial camps with regard to areas of great conservation need. In many cases, these will coincide with the areas where chronic unemployment is also a problem. West Virginia and Kentucky, for example, are two excellent examples of States where we need to restore our forests and protect our watersheds. On the other hand, we have large conservation problems in many of our Western States.

The thing that I like about this program is that it proposes to use the existing conservation agencies to administer the program and to run the camps, and that the Secretary of Labor will concern himself with the recruitment of boys and the coordination of the activities of the various conservation departments. Another compelling fact is that the administration will not have to rush into the operation of these camps. It can proceed in an orderly manner. It need not utilize the full authorization of 50,000 boys in the first year. It can carefully tailor and coordinate the fund requests to other conservation programs not suited to YCC-type labor. It can actually save money by using the program.

I point out that the corps could be justified alone in the work it can do in reforestation and range improvement plus the fact that those enrollees who have special capabilities can be formed into effective firefighting crews. I think it is important to realize that the benefits of improved fire protection alone and the savings in timber and rangeland from the terrible effects of fire will in all probability offset half of the cost of the YCC. I would like to urge that this bill be passed with the understanding that we in the Congress will expect the President to move carefully and cautiously in implementing its provisions so that we will be building the program on a solid and useful foundation. In this way the corps will serve its two stated purposes: To provide the opportunity for healthful training and employment of young

men; and to develop and conserve our natural resources.

Mr. President, I should like to add just a few words on the current need to help our youth which comes from one of the subcommittees in the White House Conference on Children and Youth. This subcommittee is trying to develop means for bridging the gap between school and regular employment.

The subcommittee study points out that the group which primarily requires help is not the academic or vocational high school graduate but the "dropout," who has little to offer in the labor market.

One of their major suggestions is that the Federal Government assistance in setting up youth work camps is essential as a supplement to the efforts of educators. They cite the growth of the teenage population and the number now with little in the way of job skills to equip them for the labor market.

Mr. President, I ask unanimous consent that the names of the members of this subcommittee of the President's Committee be printed in the RECORD at this point.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

G. Howland Shaw, Chairman, Committee for Bridging the Gap.

Mrs. Milton Dunn, Vice Chairman, Committee for Bridging the Gap.

Dr. Carl F. Hansen, Superintendent, District of Columbia Public Schools.

Mr. Fred Hetzel, Director, U.S. Employment Service for District of Columbia.

Mr. Isadore Seeman, Director, Health and Welfare Council.

Mr. George Butler, Director of Education, President's Committee on Government Control.

Mr. Sterling Tucker, executive director, Urban League.

Judge Orman W. Ketcham, judge of the juvenile court, District of Columbia.

Mr. Gerard M. Shea, Director, District of Columbia Department of Public Welfare.

Mr. Philip W. Amran, Health and Welfare Council.

Miss Selma Borchardt, American Federation of Teachers.

Mr. Robert Beardsley, HWC Youth Conference Group.

Dr. Mary E. Bradshaw, president, American Association of University Women.

Mrs. C. Rhodes Cox, president, District of Columbia Congress, PTA.

Dr. M. Virginia O'Neil, professor, LaSalle Laboratory School.

Mr. Victor O. Schinnerer, board of trade.

Mr. J. C. Turner, president, Greater Washington Central Labor Council, AFL–CIO.

Mr. Channing S. Walker, president, YMCA.

Miss Margaret Pepper, executive assistant to Superintendent, District of Columbia Public Schools.

Mrs. Virginia B. Parkinson, administrative aid to District of Columbia Committee.

Mr. RANDOLPH. Mr. President, I yield 5 minutes to the effective junior Senator from Montana [Mr. MANSFIELD] whose acumen in floor debate is a source of strength.

Mr. MANSFIELD. Mr. President, forest fires are a continuing and a real problem.

The most recent annual figures available to me show that 11,085 fires destroying 116,453 acres were fought by the U.S. Forest Service in calendar year 1958. The visible value of the trees and grass resources destroyed was $8,725,043. These cold figures do not tell the whole story. Timber and range burned and money spent to fight fire are like the view of an iceberg. The real story is hidden from quick recognition. The watersheds are damaged. Unless the soil is protected, it will erode. Forest and range land is taken out of productivity. Unless restored, the losses of today will be magnified as the land stands idle and wasting.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a table showing a few highlight figures on some recent large fires in July this year.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

State	Forest	Acres	Cost	Damage
Arizona	Tonto	28,000	$620,000	$700,000
Do	do	10,000	100,000	250,000
California	Tahoe	11,300	300,000	380,000
Do	Sequoia	8,620	350,000	321,000
Do	Shasta Trinity	900	150,000	232,000
Oregon	Fremont	1,200	60,000	200,000
Nevada	Toiyabe	11,900	12,000	15,000
Utah	Fishlake	1,200	20,000	(1)
California	San Bernardino	2,735	150,000	(1)
Do	Stanislaus	850	100,000	(1)
Idaho	Sawtooth	1,000	10,000	(1)
Oregon	Deschutes	21,300	110,000	(1)
California	San Bernardino	734	175,000	(1)

[1] Not available.

Mr. MANSFIELD. The Youth Conservation Corps will reduce these terrible losses. Arguments in opposition can be washed away with the facts and past experience.

In 1940 the 10 regional foresters of the U.S. Forest Service met to make comments and discuss the work of the Civilian Conservation Corps. I quote the comments of just two regional foresters to indicate the effectiveness of these young men.

The regional forester in Missoula, Mont., said:

In the early days of the CCC the general feeling throughout the field units here was that it required 3 enrollees to equal 1 hired firefighter. Today, the reverse is true. Most supervisors feel that they would sooner have one organized 25-enrollee unit than 50 to 75 men recruited on the street. It actually is heartwarming to see how efficiently these units operate from the time they leave their base camp until they return. The general public, too, appreciates this fact.

The regional forester at Ogden, Utah, also emphasizes the high value of the CCC as protection units, as follows:

The CCC's, whenever called upon, fight forest fires in a manner bespeaking of the true and red-blooded youth of the Nation. They are being relied upon more and more as the heat of the summer seasons make tinderboxes of the forest. With special training and experience these men of the CCC are being recognized more and more by hardened and experienced firefighters as the most highly valued men for that kind of work. And now the super squads are further raising the levels of accomplishment and performance. These squads are 25-men crews of enrollees from each company especially selected for their physique, endurance, spirit, and woodmanship. They are the cream of the crop and how they dig in and put out our forest fires is an accomplishment that will go down as making new history for the CCC.

The supersquads are now a part of every camp. It is these squads that are in constant readiness for the fire call. They go out first, day or night, and put in the first hard licks on the fireline when they count most. Well-trained and supervised, the spirit, zeal, and ambition of the supersquads portray the true spirit of the CCC and this in no small measure evaluates the true value of the CCC in any scheme of national defense.

I personally knew the Montana forester, Evan Kelly. He candidly states that originally his forest rangers had reservations about how effective these young men would be. Experience quickly taught his rangers that one CCC boy was worth three firefighters hired from the streets on an emergency basis. His point is amply developed in the second quotation above. Organization, training, esprit de corps, come from working together daily on regular conservation tasks. This bill provides a means to create an even better fire crew organization than was achieved under the original CCC program.

With 5,600,000 acres of Federal land needing reforestation now—with the Chief of the Forest Service telling the Nation on October 24, 1958, "Within the next 10 years 48 billion trees need to be planted if the wood requirements of a larger population are to be met by the year 2000"—we have more than an ample amount of constructive conservation work for those boys to do. They will also save the future of our Nation by effectively controlling forest and range fires and reducing the terrible animal losses we are experiencing.

We know these young men can do the job and do it well. We know that a Conservation Corps will benefit the Nation. We know that these young men will learn to be useful citizens, that they will be equipped to work productively and energetically. The dual conservation challenge—of youth and natural resources—will be met by this legislation.

The program worked before and now modified and improved to meet the challenge of our times, will again do a job that must be done.

Mr. RANDOLPH. Mr. President, does the minority desire time at this juncture?

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the distinguished Senator from Massachusetts [Mr. SALTONSTALL].

Mr. SALTONSTALL. Mr. President, I wish to express my opposition to S. 812, which would establish a Youth Conservation Corps somewhat similar to the depression-born Civilian Conservation Corps.

I have studied with great interest both the majority and minority views of the committee. I certainly agree with the essential objectives of the proponents of the bill. I do not concur with the majority on its assessment of the gravity of existing problems. Moreover, I am convinced that the methods embodied in the bill would seriously fail its objectives, which can better be served by existing programs.

The bill proposes to spend between $700 and $900 million over the next 3

years to provide healthful training for young men and thus combat juvenile delinquency; to provide employment as an antidepression remedy; and to aid Federal efforts in the conservation of natural resources.

The provisions of S. 812 seem to specifically exclude juvenile delinquents by requiring that those enrolled be of good character. Candidates are limited to the 16-21 year age group, whereas many experts claim that if a boy is not a juvenile delinquent by the age of 16, the chances are good that he will not become one. Furthermore, there is little evidence to indicate that the mere removal of these boys—for 6 months—from the city into the barrack life of forest camps would combat the basic problems of juvenile delinquency. This is particularly true when the enrollees would be handled and supervised by conservation personnel rather than youth experts.

There was some economic justification for such a program during the depression years when one out of every four of our citizens was unemployed, but this experience certainly has no application today when more Americans are employed than ever before in the history of our Nation. Currently, there are approximately 750,000 unemployed males of the age group involved, and the bill would provide approximately 150,000 positions. What would happen to the other 600,000? Should they not also have this opportunity? There is a possibility that the program might lure young men to leave high school; and it seems additionally undesirable to remove men from areas where the responsibility for vocational education exists so that they can work for an abnormal fragment of time in a field where it is perfectly obvious that career opportunities are very limited. There is current evidence, moreover, that jobs are available for young men during their summer vacations from school and that those leaving school seeking employment are having strong success.

The Departments of Agriculture and Interior reported that the Federal Government is heavily engaged in adequate resource conservation programs which already supply substantial employment opportunities for young men today, and that their acceleration was "neither necessary nor advisable." Aside from the fact that the conservation objectives of the bill can better and more cheaply be served by these existing programs, it is possible that the existence of a corps within the Department of Labor servicing all the various, differing programs scattered through the Federal Government would be administratively more of a hindrance than a help.

S. 812 attempts to do too much for too many, and thus ends up accomplishing very little for anyone—at a huge cost.

This measure makes the Department of Labor chiefly responsible for the administration of the corps, along with—serving on a Youth-Conservation Commission—the Departments of Agriculture, Interior, and HEW. It is hardly reassuring to note that three of these Departments, along with the Bureau of the Budget, stand against the bill, and that the Labor Department has not even been asked to give its evaluation of the bill, according to my information.

Mr. President, this bill contemplates an unsound and unnecessary expenditure of Federal funds which could eventually approximate one-half a billion dollars annually. For these reasons I hope that the Senate will defeat S. 812.

Mr. RANDOLPH. Mr. President, I ask for the yeas and nays on final passage of the bill.

The yeas and nays were ordered.

Mr. RANDOLPH. I yield 5 minutes to the seasoned senior Senator from Oregon [Mr. MORSE], whose legal talents are demonstrated time and again.

Mr. MORSE. Mr. President, I always find it a pleasure to reply to the senior Senator from Massachusetts. It so happens that the remarks he has just made fit in perfectly with the statement I want to make about the pending bill. I completely disagree once again with the position taken by the Senator from Massachusetts [Mr. SALTONSTALL].

I should like to address myself to the relationship of the proposed Youth Conservation Corps with the problem of juvenile delinquency. If the Senator from Massachusetts does not think we have a problem of juvenile delinquency, he should attend the hearings we are conducting on the juvenile delinquency problem.

I note with some interest that the minority in its report concludes either that there is no such problem and that the YCC would not cure it if there were. I have these past few months as a member of separate subcommittees participated in two series of hearings—the one on youth conservation, the other on a bill to furnish a little Federal leadership to the States in handling the problem of juvenile delinquency. My experience in these hearings has been instructive to me of the size of this problem that today faces this Nation.

The hearings on the juvenile delinquency legislation, now printed, have dealt with some cold facts such as these:

First. Judge Donald Long, presiding judge of domestic relations and juvenile court in Portland, Oreg., and a leader in the National Probation and Parole Association referred to the fact that we had 600,000 juvenile cases and an expected 1 million by 1965; last year he said we had 100,000, mostly boys, held in jails.

Second. The Department of Health, Education, and Welfare in its letter to the chairman of the committee regarding the pending measure said:

> For the ninth consecutive year juvenile delinquecny cases have continued to rise. The increase in the number of these cases coming before juvenile courts during this period was almost five times greater than the increase in the child population of juvenile court age (10–17).

Third. The California Youth Authority recently released perhaps the most carefully documented study, showing that 35.7 percent of all youths aged 17 had during their life been arrested at least once.

Do not tell me we do not have a juvenile delinquency problem. We are dealing here with a piece of proposed legislation which, it is generally agreed, would be of great help in handling juvenile problems of this country, because of its great potential for prevention.

Perhaps our powers of observation are wrong, but I think there is a problem.

The next question is, what will the Youth Conservation Corps do about it? As we all know, the youth camp tied in with conservation work has proved to be an excellent substitute for reform school in many parts of the country, an excellent device for rehabilitating young men with regular work experience and effective human contacts, the experience most delinquents need so badly. In Minnesota, California, Utah, Michigan, Wisconsin, Pennsylvania, and others, these camps have furnished proof of their success.

But the Youth Conservation Corps is not going to be a Federal work camp for local government to consign its delinquent youth. Instead it will be preventive—it will be the answer to the unemployment which is such a serious problem these days for many teenagers. The bill in section 8a makes clear that to be considered for enrollment, a young man must be of "good character." Good character is something we say of people not who are perfect, not who are saintly, but the vast run of people who most of the time live decent lives. Many young people, growing up, manage to misbehave and yet they remain of good character. The committee considered this problem most carefully, and its reports reflects its considered judgment. I want to read an excerpt from page 36 explaining our intent:

> The committee after careful consideration has retained the qualification of "good character." In so doing it is not intended to exclude young men because they have been apprehended by juvenile authorities. Being apprehended, as many of us know who have scattered at the sound of prankish destruction, is not by any means inevitable.
>
> For those who have become involved in serious offenses such as arson, narcotic use, assault with a deadly weapon, or sex aberrations, there clearly must be no place in the YCC program unless they are fully rehabilitated. A large area of petty offenses should have no weight whatever in the enrollment process.
>
> For the twilight area of offenses such as frequent gang fighting, repeated stealings, and the like, the YCC will parallel the experience of the Armed Forces, which by regulation attempt to insure a reasonable standard.

The important point is that the local enrollment office of the YCC, not a local official in charge of juvenile work, will make the decision on admittance.

I call the Senate's attention to the fine remarks of some of the witnesses for the bill regarding their estimate of what will be done. The staff has mimeographed some of them, and they have been distributed on the desks of Senators. I think these words illustrate what the YCC can be expected to do.

Next I urge the passage of the bill, Mr. President, because of the assistance it would be to the whole conservation program. I desire to describe briefly the vast conservation needs which represent

one of the two primary goals for the youth conservation program.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I do not have the time.

Mr. JAVITS. Mr. President, will the Senator yield? I want to ask about the juvenile delinquency problem.

Mr. DIRKSEN. I yield 2 additional minutes.

Mr. MORSE. I want the Senator to know that I would have been glad to yield.

Mr. JAVITS. I understand perfectly, and I agree with the Senator.

My point is this: The Senator from Illinois has yielded 2 additional minutes to the Senator from Oregon so I may make an inquiry.

I am much interested in the juvenile delinquency problem. As attorney general of New York, I was responsible for a program of minimum security camps, of which we have already established one, and one is being built. We dealt with the fact that young people would be referred by the courts, by private agencies, directly into this kind of atmosphere where they could be helped.

What disturbs me about the proposal which is before the Senate is that it says, and I read from section 8(a):

> The corps shall be composed of male individuals who are citizens of the United States of good character and health, and who are not less than 16 nor more than 21 years of age.

"Of good character and health" immediately would rule out all this juvenile delinquency business. I see no provision at all which ties this with the courts or with any of the established ways in which we establish a camp to help directly any juvenile delinquents in the youth corps.

Mr. MORSE. Mr. President, permit me to say that the report makes perfectly clear that the language "good character" does not rule out boys when the local authorities are satisfied that they are of sufficiently good character that it would be of help to them and of no damage to their associates to put them in this corps. This is the point of the excerpt of the report I just quoted. That is what these experts testified to in the hearings before the committee.

The point was stressed that we should not put into the Youth Conservation Corps boys of bad character, but it does not follow that because a boy has been involved once or twice in some juvenile delinquency matter of no serious consequence, that he is not a boy of good character. It is often a question of who gets caught, for example, in a car incident, or cases in which boys overcome with enthusiasm do a little reckless driving, and in which there are automobile chases, and so on. The point is that there are idle unemployed immature teenagers, and it would be desirable to get that kind of boy off the streets, out of automobiles and into the woods where he can come into a closer understanding of his Creator. That kind of benefit would flow from the kind of help he would have in this corps.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. Mr. President, I yield an additional minute.

Mr. JAVITS. May I ask just one more question? There is no tieup, however, between this corps and the courts. That is the traditional relationship which we have in these security camps.

Mr. MORSE. That is correct.

Going back to the conservation matter, those of us who have had the experience of traveling in the national parks and forests are aware of the inadequate facilities to meet the ever-growing needs of the country's enthusiasm for the outdoors. Visits, the statistical way of showing the increase, have increased in the national forests alone from 32 million in 1953 to 68.5 million in 1958, to an estimated 80 million in 1966. The work to be done on recreation areas, the way the CCC boys did, will satisfy, therefore, a real need.

Apart from recreation, our needs are enormous—for fire control, for reforestation, for timber stand improvement, disease control—all these things are needed to make our forests a productive enterprise—productive for a higher money return to the U.S. Treasury—productive to supply the lumber at noninflated prices for our growing population's housing needs.

Our committee report, reflecting the testimony of our hearings, gives a splendid summary of these needs.

I close by saying, Mr. President, that the work of this corps would give greater assurance that future generations of Americans will inherit a heritage of natural resources, adequately preserved by the type of service these boys would render.

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the distinguished Senator from Kentucky.

Mr. COOPER. Mr. President, the bill before the Senate holds great sympathetic appeal. When it was before the Committee on Labor and Public Welfare, of which I am a member, it held, at first impression, attraction for me. A proposal for legislation which would give healthful employment in the forests of our country to young men does have appeal, and certainly any measure which seeks to cope with the problems of juvenile delinquency must be considered seriously.

Yet, when we read the bill and read the report, it is evident that this bill cannot be called a measure to combat juvenile delinquency. It is true that a bill such as this which provides young men healthful employment in the forests of our country would have some value in preventing juvenile delinquency. But the bill cannot be classed as a straightforward attack on the problem of juvenile delinquency. By its very terms only youths of good character would be admitted to the corps.

The bill also had appeal for me because it would offer employment to young men in the depressed areas of the Nation. I have been deeply concerned about the problems of eastern Kentucky, problems which are similar to those in the coal regions of West Virginia. I am certain that it is concern for this problem, which has encouraged the support of my friends and colleagues, the Senators from West Virginia, for this bill.

It is true—it cannot be denied that although the economy is steadily advancing throughout the Nation—some areas such as the eastern section of my State are being left behind. They are left behind because of technological changes, particularly in the coal fields. They are left behind because, paradoxically, the formulas for road improvement and water development make it more difficult to secure funds to build roads and to develop the water resources in these depressed areas which need development most. Nevertheless, I decided in the committee that I would not support the bill.

What is needed in the underdeveloped areas of the Nation is a program along the lines of the programs which have been initiated for underdeveloped areas in other parts of the world. The estimated annual cost of this bill is $375 million to $450 million. I believe we could spend the money better for communications—for the development of roads in eastern Kentucky, West Virginia, and other underdeveloped areas of the Nation. And money could be spent to provide small airports in those areas, to make such regions more accessible, and available to our growing commerce.

A part of the cost of this bill if spent for the development of waterways, would provide water for industry and flood protection, vital necessities for the development of the industrial economy of depressed areas.

Certainly the forestry and agricultural programs in these section should be expanded, and new emphasis ought to be given to them, in such areas as eastern Kentucky, West Virginia, and other underdeveloped areas of the United States. But I believe that a part of the money which this bill costs would yield better results if it could be employed to develop the basic needs of the underdeveloped areas. I list among these roads, airports, development of water resources, forests, and agriculture. As I have said, the bill holds sympathetic appeal and while I have respect for the motives which have brought the bill before the Senate, I am constrained to believe, as I said in my independent views contained in the committee report, that it is at best a palliative which cannot meet the basic needs of the depressed and underdeveloped sections of the country.

I am concerned about the need for basic development of the under developed parts of the Nation, particularly in my own State. I would prefer to see the available money spent to meet these more basic needs. Therefore, I shall vote against the bill.

Mr. DIRKSEN. Mr. President, I yield 7 minutes to the distinguished Senator from South Carolina.

Mr. THURMOND. Mr. President, I oppose the bill. First, the bill is unwise and unnecessary from the standpoint of costs. The bill as introduced authorized appropriations up to $375 million annually for each of 3 fiscal years, or a total of $1,125 million, beginning with

July 1, 1960. The costs of the bill as reported would not be substantially less.

Second, there is no language in the bill to indicate whether the program is to be operated on a segregated or an integrated basis. For this reason, it may exclude a large number of States of the Nation.

Third, the bill would do nothing to combat juvenile delinquency, because the program is limited to youths of 16 to 21, and testimony before the committee was to the effect that the formative period in the growth process is reached before the age of 16. Furthermore, the program is limited to persons of good character, which would exclude those who had a criminal record or other characteristics of juvenile delinquency.

Fourth, one of the major motivations behind the bill was the effects of the recession of last year. Due to the decrease in unemployment, the increase in employment, and the lessening or disappearing of the effects of the 1958 recession, the need for legislation to combat the effects of that period likewise lessens and disappears.

Fifth, the bill cannot be justified as a conservation measure because of the high costs involved. The Department of the Interior criticized the bill as a conservation measure, and stated that acceleration of existing Federal conservation programs at the high cost outlined by this legislation is neither necessary nor advisable.

Sixth, the bill is opposed by the Departments of Agriculture, Interior, and Health, Education, and Welfare, and by the Bureau of the Budget.

Seventh, the bill would substantially add to the current national deficit.

I shall elaborate on one or two of these points.

Our country today is in a contest for survival. We should first provide for the national defense; then, whatever funds are left should be distributed for the operation of the different agencies of the Government.

During the fiscal year 1959, the Nation went $13 billion into debt. How can we continue to add new agencies when we are going into debt like that? The Treasury is paying higher interest rates today on Government obligations than it has ever been required to pay. There is no question in my mind that if we are to decrease the interest rates and are to place the Nation on a sound financial basis, Congress must reduce expenditures.

I realize that there is an obligation on the administration and the President of the United States to recommend budgets within the estimated income. In addition, Congress has its responsibility, for the final determination of expenditures lies with Congress. We cannot absolve ourselves from the responsibility of spending money under a budget simply because the President has submitted a particular recommendation. We are the final arbiters. The constituents of the various States of the Nation sent us here to represent them. They want us to use our own judgment and to make our own determinations. We should keep our expenditures within the income.

In my opinion, the greatest danger to the Nation lies not from without, although the Communist threat is a great threat; the greatest hazard to this country comes from within.

Mr. Khrushchev has said, "We will bury you." We know that the Communists have also said that they expect to break us down from within our own country. They want us to spend ourselves to death.

Mr. President, the pending measure calls for another spending program. But it is said that the program called for by the pending bill will help decrease or alleviate juvenile delinquency. I believe it has been said by a great religious leader, "Give me a child until he is 9 years of age, and then you can take him, for by then his character will have been formed."

But under the program now proposed, the young men would not be admitted to the camps until they were 16 years of age; and the bill requires that they be young men of good moral character. So the proposed program would not deal with the juvenile delinquency situation. Instead, the program would be another spending effort on the part of the Congress.

I realize that in some quarters and in some sections of the country there is a demand for enactment of the bill, on the ground that it would help the unemployment situation. But, today, the amount of unemployment in the country is relatively small. Today, our people have the largest per capita incomes that they have ever enjoyed, and they have more automobiles and better homes and the finest schools and the finest churches that they have ever enjoyed, and today the people are more prosperous than they have ever been before.

There may be some areas in which unemployment does exist. But we cannot cure every ill in every section of the country at the same moment.

We live in a country of free enterprise. Whenever we inject government into private business, by means of the operation of any type of government agency which usurps the rights of the people and the rights of the States, not only are we violating the Constitution, but we are continually eroding our system of government.

Mr. President, I sincerely hope that the pending bill, which will cause the expenditures of the Federal Government to be increased by approximately $1⅛ billion, will not be passed by the Congress; and I hope that the Senate will see fit to defeat the bill when it is voted upon.

Mr. RANDOLPH. Mr. President, will the Senator from South Carolina yield?

Mr. THURMOND. I yield.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The time yielded to the Senator from South Carolina has expired.

Mr. DIRKSEN. Mr. President, I yield 1 additional minute to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 1 additional minute.

Mr. THURMOND. I thank the Senator from Illinois.

Mr. RANDOLPH. Mr. President, I thank the Senator from South Carolina for yielding.

It is important that we do not receive the impression that within South Carolina—splendid State that it is—there is unanimity of opinion against the beneficial proposal which is pending in the Senate. I would remind the junior Senator from South Carolina that his senior colleague [Mr. JOHNSTON] is one of the 21 sponsors of the pending bill.

Mr. THURMOND. In reply, Mr. President, let me say that I have the highest respect for all the sponsors of the bill. But my colleague and I frequently differ. However, I came here to represent my people, and I must vote in accordance with my conscience.

I think the pending bill is wrong. It would result in the expenditure of an additional $1⅛ billion which I do not think is necessary.

Mr. President, even if I were to be the only Senator to vote against the bill, my position still would be, as it is now, that the bill is wrong.

Mr. DIRKSEN. Mr. President, I yield myself 15 minutes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 15 minutes.

Mr. DIRKSEN. Mr. President, when we reduce the pending bill to its simplest terms, we find, first of all, that it would establish a new function of government, notwithstanding the fact that we had the Civilian Conservation Corps back in 1933. I remember it very well, because I was a Member of the House of Representatives when the Civilian Conservation Corps was created. But it went into limbo.

Now it is proposed that we provide for another function and, along with it, create a new bureau within the Department of Labor.

Ostensibly, the new agency would last for only 3 years. However, there is every indication that what is designed and contemplated in this case would be a permanent function of the Government, as I shall demonstrate very shortly.

Under the provisions of the bill, those who would be eligible for enrollment in the camps would have to be between the ages of 16 and 21. It is contemplated that the initial enrollment would be 50,000, and that it would increase to 150,000, and that it might level off at that figure; or I suppose it could even increase beyond that point.

Enactment of this measure is proposed on the basis of the assertion that the program under it will be in the nature of an antidepression program, and that it will result in the creation of jobs.

Well, Mr. President, by legislative fiat, jobs can be created—as in the way proposed by means of the pending bill. Certainly jobs could be created by passing a bill which would put 50,000 or 100,000 or 150,000 persons on the Federal rolls. That would be one way to create jobs.

It is also alleged that the bill will have some mitigating effect on juvenile delinquency.

Then, of course, from reading the stump speech which is recited in the preamble of the bill, we find that it is

hoped that the program which would result from enactment of the bill would accelerate the development and the improvement of our natural resources.

Mr. President, let us consider first the argument in regard to mitigating juvenile delinquency.

In section 8(a) of the bill we find the following:

The corps shall be composed of male individuals who are citizens of the United States of good character.

Of course, Mr. President, if they must be of good character, one cannot very well say that the bill is designed to mitigate juvenile delinquency or to deal with the allegations that a national problem exists in the field of juvenile delinquency. If the enrollees must be of good character before they can enter the camps, it will not be possible for juvenile delinquents to be admitted to the camps.

Inasmuch as that is a requirement of the bill, obviously before an enrollee could enter one of the camps, he would have to be examined—at least, according to what is contemplated by the bill—and it would be necessary for some investigation to be made. For instance, it would be necessary to obtain testimony from his preacher, and it might be necessary to have the Red Cross make a certification, and it would be necessary to ask the young man's school teachers whether he was mischievous when he was in school or whether he was a good boy. By means of such investigations, the authorities would be able to determine whether the applicant was of good character. But if he was of good character, where would juvenile delinquency come into the picture?

Mr. President, let me refer to another point which has been overlooked. Section 8(a) provides that the enrollees not only must be of good character, but also must be of good health.

The sponsors of the bill talk about the great outdoors, and about the pine-scented air which energizes one's blood streams, and about what this program will do to build up the health of the enrollees, while they are out under the blue canopy of heaven, with the great sentinels of the forest, God's great handiwork, looking down on them.

But, Mr. President, the enrollees would not be emaciated boys from the pavements. Instead, the bill provides that they must be of good health before they can enter the camps. Certainly that is a rather interesting requirement.

So, Mr. President, on all those counts, I do not know what we would be accomplishing by having the proposed program function. It is said that the program now proposed would create great numbers of job opportunities; and it is also said that this measure is an antidepression measure.

Mr. President, one of the columnists said that I had some pronounced views on this subject, even though I had not attended all of the hearings on the bill. Of course I could not attend all of the committee's hearings. I belong to a large number of committees, and I cannot possibly attend all the hearings they hold. But I did attend several of the hearings on this bill. In that connection, I feel very much like one of the art critics who was visiting the Corcoran Art Gallery. A number of the critics were lambasting one of the paintings; and just then the artist came up to the group and fairly fulminated in his rage. He said to the critics, "What do you mean by criticizing my painting? What do you know about art? Are you artists?"

One of the critics replied, "Look, Mister, we are not chickens, either. But we know when an egg is no good." [Laughter.]

So, Mr. President, I do not have to be an expert on this matter to know whether the program now proposed would be good or would be bad.

This measure is advocated by some as an antidepression measure. But that argument simply will not stand up.

In 1933, when the bill for the creation of the CCC camps, was signed at the other end of the Avenue, 25 percent of the people of our country were out of work. But what is the situation today? Today, the labor force is 18 million larger than it was in 1933. The labor force now is 71 million. Now there are 4 million jobless. That is less than 5 percent. That is quite a different dish from 25 percent back in 1933.

But there is another factor involved, Mr. President. There were 250,000 young men in the Army, Navy, Air Corps, and Marine Corps in 1933. I dislike to think how long ago that was. It makes we feel rather old. It was 26 years ago. There were 250,000 men in uniform. Today there are 2½ million men in uniform, and we have made careers out of service in uniform.

Disposable income in 1933 was less than $46 billion. The last figure I saw for present income was $321 billion. It is seven times as great as it was in 1933. That is quite a different picture. There is prosperity in the land. There are jobs in the land, notwithstanding the 4 million jobless according to the last estimate.

Another reason why I am opposed to the bill is that it is a salute to such a little segment. Mr. President, have you any idea how many young men there are in this country between the ages of 16 and 21? I will not take advantage of you, Mr. President. I called up the Census Bureau about an hour ago. That is why I know the number. Otherwise I would not have known, either. I thought, "Is this a drop in the bucket or is it not?" The Census Bureau told me this morning there are 7,106,000 young men in the United States between the ages of 16 and 21.

Mr. President, I never was much good at arithmetic in school, and I have a hard time calculating the ratio of 50,000, the initial increment of young men in the camps, against 7,106,000 potential members. But if I am any good at all in arithmetic, it is seven-tenths of 1 percent, or less.

So we are going to propose to initiate a program, that will cost up to $400 million to start, for seven-tenths of 1 percent of the eligible young males in the country between the ages of 16 and 21. That is a pretty small segment for which to spend that kind of money and endanger the economy with an expenditure that would fan the inflationary fires.

The second reason why I oppose the bill is that I think what would be done under it would be an inefficient operation; and the testimony proves it. You see, Mr. President, before the committee there appeared Mr. Edward P. Cliff, Assistant Chief of the National Forest Resource Management. His testimony is in the record. Do you know, Mr. President, what he said about the efficiency of such an operation? He stated:

Our experience with CCC—

Which was called the sapling army 25 years ago—

would lead us to the conclusion that just measured in terms of work accomplished and forgetting other objectives, that it would cost more to perform a given amount of work with the use of CCC labor than it would have cost to accomplish it by employing people in the regular way.

Mr. Daniel H. Janzen, Director of the Bureau of Sport Fisheries and Wildlife, went infinitely further in his testimony. He said:

We estimate that on the average it took four enrollees to perform the same work performed by the average unskilled laborer ordinarily hired locally at wage board rates.

One to four, he said. So, Mr. President, if we wanted this resource work done, on the basis of that testimony, 100,000 could do what 400,000 enrollees would do. That was the experience in CCC days, and is there any reason to believe that it would be otherwise now?

The Departments of Agriculture and Interior officials testified that the natural resource work could be accelerated more rapidly if available funds were channeled through the normal procedures of the Departments of Agriculture and Interior.

Mr. President, that is hardly an endorsement of the efficiency of the operation.

This is supposed to be an educational program. Part of the time will be devoted to books, and the bill recites that it has an educational objective.

What has been our experience before? The committee had before it Mr. Conrad L. Wirth, Director of the National Park Service, and the committee counsel, Mr. Merrick, asked him this question:

Mr. MERRICK. I think the emphasis as far as the educational possibilities are concerned, at least by most of the witnesses, has been on the vocational type, on the job training type of thing, conceivably evening classes on diesel mechanics or something like that, rather than formal school work.

Dr. Wirth replied:

On the other hand, when you get a good day's work out of a boy it is pretty hard to keep him going at nighttime in a vocational program.

I do not think he absorbs too much of it. Yet he puts in a certain number of hours and gets a certain amount of credit. I think you have to find something within the human grasp there; sacrifice a little work for education or sacrifice education for your work.

So his estimate of the educational advantages does not add up to any endorsement for this bill.

In addition, Mr. Louis Levine, Assistant Director of the Bureau of Employment Security of the Department of Labor, also rather minimized the educational advantages of the proposal.

Of course, Mr. President, I am intrigued by the social possibilities involved, because perhaps now we shall have proposals for camps for girls. I am not being facetious. I give it to you out of the record, Mr. President. My distinguished friend from Minnesota [Mr. HUMPHREY] appeared before the committee and, among other things, he said:

> A fourth point of discussion has concerned the opening of the corps to girls.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. DIRKSEN. I yield myself 5 additional minutes.

I continue to quote from the statement of the Senator from Minnesota:

> I am sympathetic to a program for girls and young women. As many correspondents have pointed out, girls have difficult employment problems, and potential delinquency problems, as well as boys. * * *
>
> My feeling in this case, as in the question of accepting delinquent boys for a separate program, is that a study ought to be made of the possibility of a separate program for young women.

A "study," Mr. President. That will be the next thing, perhaps. We shall make a survey and ascertain whether we should not have a Youth Conservation Corps for the fine young ladies of America—50,000, 100,000, 150,000. It is mighty intriguing. We would have to resolve whether those young ladies should be single or married. All sorts of interesting questions arise. Would we have to space those camps a certain distance from the camps for the fine young men that we shall have established?

Then we get into a different problem. We have been talking about delinquency, but the bill provides that when they are selected, the young men must be of good character and have good health.

We are going to pick the cream of the crop for these camps, so that the fine, energizing air in the great State of Wisconsin, the State of the present Presiding Officer, can get into their bloodstreams, put their chins up, throw their shoulders back, so that we may show the visitors from the Soviet Union what great paragons of manpower we really develop in the pine-scented forests, on the streams and lakes of the great State of Wisconsin.

But what about these delinquents? Where do they fit into the picture? A young man cannot be of good character if he is a delinquent. Are we going to mix—5 percent delinquents with 95 percent of good character, 10 percent delinquents with 90 percent of good character? That opens great possibilities.

So there is to be a camp for boys of good character, from 16 to 21, and possibly a camp for girls of good character and in good health. Perhaps there will be separate camps for delinquents. Then perhaps the delinquents will say, "You can't do that to us. That constitutes segregation. We don't want to be segregated."

It is a great business. There are interesting administrative possibilities in this whole problem.

The Senator from Pennsylvania [Mr. CLARK] raised a still more interesting issue. When the colloquy was going on about the camps for girls, a question was raised, "What kind of work could they usefully do?" Obviously a nice, sweet, demure young lady, age 18, cannot tote a pine log on her shoulder. We do not want her to do that. So we have to find the kind of work she can do. That is important from the standpoint of the location of the camp. The suggestion was made that that is a problem, because we have to gear this to transportation. The idea was that perhaps there would be bus transportation going some 40 or 50 miles in the country every morning. It is an interesting thought.

Then, Mr. President, it is said, "This will help develop skills." Can any Senator show me where is the skill involved? Is there any skill in planting a little pine tree on an 800-acre plot? I know something about planting trees and flowers. That is my joy and pride. When these Senate sessions are not too long and I can get home before dark, I go out and nurture a little shrub or a little tree. I see how my marigolds are doing. I see whether the Japanese beetles have choked off my tree roses during the day, and how my Russian sunflowers are doing.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. DIRKSEN. Mr. President, I yield myself 5 more minutes.

I raise those sunflowers for the cardinals and for the bluebirds.

I fool around with the soil. It is great business. But of course that does not constitute a skill. Skill is quite a different thing.

If the youth are to spend 2 years in such a camp planting trees, doing conservation work, and that sort of thing, if the boy is taken in at 19 he will come out at 21. Then what? Where will he go? That is of considerable concern, I think, to the economy of the country. I see no hint in the language of the bill for development of skills, yet men with skills are the great need of the country today.

I have one concluding thought, Mr. President. The testimony before the committee, which included, I think, the best figures we could get, indicated that the total overall cost for a boy—referring to all administrative and other expenses—would be $2,700 per capita. We can use our own arithmetic. With 50,000 the initial increment, we can multiply it by $2,700. That indicates what the cost would be.

It would be $2,700 times 150,000, when that number is reached. How much is that, Mr. President? That is $405 million, if we reach the 150,000 enrollees.

Then in the future, if the commodities which are needed happen to cost more, the cost will rise.

We might think that after a couple of years there would be an end to it. But, Mr. President, will there be an end to it? Is that what the sponsors have in mind? I doubt it. All we need to do is look at page 17 of the bill. Section 13 provides as follows:

> For the purpose of carrying out the provisions of this Act, there is authorized to be appropriated for the fiscal year commencing July 1, 1959, and for each succeeding fiscal year such amounts as the Congress may determine to be necessary to carry out the provisions of this Act.

Of course, I know that Congress disposes according to its will. One Congress goes and another Congress comes in. One Congress puts a function on the books and another Congress can repeal it. One Congress appropriates and another Congress says, "We will not give you any money."

But when this proposed corps has been in operation for 3 years, when the camps are set up, when the buildings are obtained, when the instructors are available, when the books have been purchased, when the courses of education have been laid out, I know, from a quarter century of experience, how easy it will be to come along to say, "Yes; we have done this for 3 years, and it is a fine business. Now we need money for additional years."

The bill provides, "and for each succeeding fiscal year." If there is anything to indicate this could be a permanent installation that, my friends, is it.

I do not know of anything else I can say about the bill. I am distressed that I have to say this, because of the position of my very distinguished, longtime friend from West Virginia [Mr. RANDOLPH]. We served long together in the House of Representatives. Once he was the mayor of Washington, by virtue of his position as chairman of the House Committee on the District of Columbia, and then I became the mayor of Washington. Ours has been a long, affectionate and felicitous relationship. I am sorely distressed in spirit. My soul is agonized by the fact that I have to resist his bill.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. DIRKSEN. Mr. President, I yield myself 2 additional minutes.

Mr. President, I think the bill is not good. I do not believe it is in the interest of the country. I do not believe it is in the interest of the budget. I do not believe it is in the interest of the future.

There is one thing we sometimes forget. What fun we have authorizing expenditures of hundreds of millions of dollars, of continuing money, to be a charge upon future generations. I have said on occasion, what fun we could have if our unborn great-great grandchildren could only be present to see in what high felicitous mood we spend the money they are going to have to pay back.

Mr. President, I am not going to support such a proposal. I hope the bill will be defeated by a very substantial majority.

Mr. RANDOLPH. Mr. President, will my beloved colleague yield?

Mr. DIRKSEN. I yield, with pleasure.

Mr. RANDOLPH. I share the satisfaction of the Senator regarding our

service together in the Congress of the United States, when we were Members of the House of Representatives. And now, as Members of the Senate. We were on the House District Committee. There was no partisanship exhibited in the years we labored shoulder to shoulder. My personal esteem for the distinguished minority leader is as real today as it was a quarter of a century ago.

Please realize, my colleague from Illinois, that I am genuinely sorry that after 26 years he has deserted the spirit of forwardness which he expressed and espoused when he voted for the Civilian Conservation Corps in the year when we both came to the other body.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. DIRKSEN. Mr. President, I yield myself 2 additional minutes.

Mr. RANDOLPH. If the Senator will further yield, I recognize that a man's sympathies are subject to change. I wish, however, that the Senator from Illinois might feel today as he felt then.

Mr. DIRKSEN. Mr. President, I answer my distinguished colleague in the same felicitous spirit. I was a freshman in Congress then. I came here susceptible, I think, to all the political forces, to all the currents. I did not wish to make a mistake. Franklin Roosevelt had just become President of the United States. Everywhere there was the old feeling, "There is nothing to fear but fear itself." People back home said, "Go down to Washington and support the President."

I remember the first vote I cast, and the castigation and excoriation I received for it, even though my conscience and conviction told me the proposal was wrong. That vote was in connection with the old celebrated Economy Act. I lived to see the day when every word of it was expunged from the statute books.

But wisdom comes with maturity. Prudence comes with maturity. I suppose I can say, in the language of ancient Scripture, "The fear of the Lord is the beginning of wisdom." So wisdom comes with maturity. I speak with greater maturity than I possessed in the days when I was a freshman.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. DIRKSEN. I yield myself 1 additional minute.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. RANDOLPH. It was Longfellow who said, "Age is opportunity no less, than youth itself, though in another dress."

I know the spirit in which my friend speaks. He soliloquizes about the mistake he may have made in 1933. For the record, however, it is important to apprise Members of the Senate that 4 years later, on the rollcall in 1937 on a continuance of the Civilian Conservation Corps, the Senator from Illinois, then a Member of the House, voted for the continuation of the program, which had 4 years of experience behind it.

Mr. DIRKSEN. Prudence and wisdom were incubating then, Mr. President. It requires a little time.

I remember an old colleague of ours, Fred Vinson, who later became Chief Justice of the United States, with whom I had a long association.

The PRESIDING OFFICER. The time of the Senator from Illinois has again expired.

Mr. DIRKSEN. Mr. President, I yield myself 2 minutes additional.

I had a long conversation with Fred Vinson at the Mayflower Hotel. I had been here 10 years. I said, "Fred, I vote my convictions." He said, "Oh, don't give me that business. Ten years is not long enough to lose your political sea legs and walk right down the middle, as the heart and conscience dictate."

That was 4 years later; and, as I have said, prudence was incubating. Now it has attained full stature. So I speak from a sense of maturity when I say that I hope the bill will be roundly rejected, and that we shall not place this charge on the shoulders of the grandchildren of the future to pay back.

Mr. President, I yield the floor.

Mr. RANDOLPH. Mr. President, I yield 3 minutes to the well-informed Senator from Oregon [Mr. NEUBERGER], whose scholarly attainments are admired.

Mr. NEUBERGER. Mr. President, I thank my distinguished colleague from West Virginia, my seat mate, who is a principal sponsor of the bill.

There has never been an idea for the advancement of the human race which could not be subjected to very adroit ridicule by those who are adept in semantics and in the use of words.

On the floor of the Senate there were Members who once spoke of the wild folly of ever thinking of building a railroad over the Rocky Mountains to Oregon.

In 1951 I wrote a book about the Lewis and Clark Expedition. I researched extensively this topic. There were those in the Sente and House who denounced President Thomas Jefferson for the "extravagance" of spending $2,500 to send the first expedition of Americans overland with the American flag. There were people in the country who ridiculed the whole idea, and said that the expedition would never be heard from again; that it was a waste of money, anyway. We know how wrong they were.

One purpose of the Youth Conservation Corps is to conserve our national forests. I advise those who have been ridiculing the bill of the Senator from West Virginia to read Gifford Pinchot's autobiography entitled "Breaking New Ground." Let them read what was said when Teddy Roosevelt and Gifford Pinchot first proposed our national forests; what was said by some misguided Members of the Senate, to the effect that it would destroy the lumber industry, that it would take land off the tax rolls, and that it was extravagant.

Is there a Member of the Senate today who would propose that the national forests be done away with? Yet there were Senators at that time who could ridicule the marvelous and wise idea of Gifford Pinchot and Teddy Roosevelt.

Mr. President, we have before us today a bill designed to meet the challenges that this half of the 20th century has thrust upon us. As a nation we are just becoming an industrial giant—brought together by a huge network of high-speed roads and the marvels of the jet age—and, yes, space travel. As we diminish the distance between, we are also faced with a rapidly expanding population. The rise in the birth rate is even more rapid than our skills in meeting our complex problems.

But from where does our strength spring? From our people—our young people—and from our land.

Despite the progress we can boast we have new problems—created by an automated high-speed age, and we must meet and conquer them in our time.

Let me list the problems as I see them and show briefly how this Youth Conservation Corps bill will help us to overcome them.

We need more natural resources and our renewable natural resources offer our best hope. Forests and ranges can supply wood and grass in abundance if properly and fully managed. We have eroded range and treeless hills denuded by man and by natural causes. We are not even repairing the ravages. We must repair and do more—we must accelerate the growth of forest and range.

This legislation offers a tool to meet the conservation challenge.

BILL WILL HELP SOLVE JUVENILE DELINQUENCY

We have within our Nation weak spots in our economic fabric. In both good times and bad there are certain communities which are faring poorly. We need to give the young people in these communities opportunity. This bill will do just that.

In an automated age we have young people who are not trained to work. We need to train people—some of whom are not suited to the factory bench—to do the important larger conservation job that must be done. This bill will fill that order too. It will develop a reservoir of conservation workers trained for the industry of our forest and our range.

We cannot solve our juvenile delinquency problem with penal institutions. We can reduce delinquency by providing atmospheres which minimize the chance a boy will take the wrong turn on life's road. This bill will do this and do it well. Boys who today are school dropouts, unskilled—unhired—not wanted, will be given a constructive chance.

We will be extending the helping hand of opportunity and in the process preventing a boy from drifting. For every boy we turn into a productive citizen the benefits will be twofold. He will add to our wealth—spiritual and material. He will not be a drag and a public charge.

We need to keep the well of democracy full for the challenge to our way of life is large and growing. There are isms in this world that breed on dissatisfaction and lack of opportunity. This bill provides that a number of our young men will go into our forests—get their hands in the soil and draw from it the strength that led our Nation to its position of

eminence. I say that no man can work the land of our Nation—no man can constructively work to make our Nation better, and not know the love our Nation has for him and in return obtain a love of his land that nothing will ever shake. This bill will build better citizens.

CONSERVATION OF RESOURCES WILL BE ADVANCED

This bill is national in scope. Our national forests, parks, and public domain, are in virtually every one of the 50 States. In others where the Federal holdings are small there are State conservation lands, State forests and parks. The conservation job will be done in every State and the young men who will do the work will be drawn from every State.

Finally, I would say this bill is both imaginative and soundly drawn. No new Federal agency will be created. The existing conservation bureaus will do the job. Coordination is wisely provided by a commission representing the agencies charged with doing the job.

An advisory board is provided to make certain that informed public opinion is constantly available.

This is an authorization bill with no minimums but conservation maximums. The President can start with as few boys and camps as he desires. He need not start as did the old CCC to put 200,000 men into conservation work in 180 days. We cannot accept over 50,000 boys the first year, and none until the funds have been appropriated. The mechanics of the bill assure careful budgeting review so that only the conservation work of the regular land management agencies suited to this program will be undertaken.

In sum and in substance this bill gives us the chance we must avail to ourselves, to restore our forest and range; to provide the abundance of renewable natural resources our children will need, and to give opportunity to our young people. We owe a debt to the future far greater than our $280 billion national debt. We owe it to the future to restore the face of this earth which has treated us so well. Out in Oregon we have an organization dedicated to preventing forest fires known as "Keep Oregon Green." This bill will keep America green and if it did no other thing, it would merit support for this reason alone.

I repeat that, despite the very clever ridicule, and the very adroit catch phrases used to denounce our bill, it is a bill which looks to the future, both from the standpoint of conserving our human resources and from the standpoint of conserving our natural resources.

LIMITATION OF DEBATE

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there be a limitation of 30 minutes on further debate on the bill, 20 minutes to be controlled by the Senator from West Virginia [Mr. RANDOLPH] and 10 minutes by the minority leader [Mr. DIRKSEN].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. I notify the aides of the Senate that it is anticipated that there will be a quorum call after not to exceed 30 minutes, to be followed by a yea-and-nay vote.

Mr. President, have the yeas and nays been ordered on final passage?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. RANDOLPH. Mr. President, I yield 2 minutes to the convincing Senator from Texas [Mr. YARBOROUGH], whose valuable counsel as a member of the subcommittee was of much assistance.

Mr. YARBOROUGH. Mr. President, first, I wish to commend the distinguished Senator from West Virginia for his coauthorship, cosponsorship, and work on this measure, to authorize the Youth Conservation Corps. The distinguished Senator from West Virginia was chairman of the special Subcommittee on the Youth Conservation Corps, and ably and diligently made an outstanding record in these hearings. I also wish to commend the distingiushed senior Senator from Minnesota [Mr. HUMPHREY], as author of the bill, and other Senators who have cosponsored this measure. It is a privilege to cosponsor the bill with them.

This is a bill for the youth of America. We are not dealing with mere monetary statistics or preparedness probabilities, but we are dealing with the youth of the country, with their future, and the country's future.

We have heard it claimed that the next generation, and then our grandchildren, will be paying for this program. This is an entirely erroneous claim. This is a very modest bill, involving an expenditure for only 50,000 enrollees for the first year. It will be paid for year by year. Sixty dollars a month is all that will be paid to any of the boys in camp..

The program will not compete with the Armed Forces or any other activity for manpower, for the low pay and hard physical work will not cause youths to come here if more favorable opportunities can be found elsewhere. It will take boys out of danger spots and trouble spots, and give them an opportunity to grow in a natural environment.

We are considering an action which will have a very real, immediate, tangible, and direct bearing on the lives of thousands of American boys. It is a program of new hope for a better life.

It proposes to help free those youngsters now wandering through the asphalt jungles and let them breathe the spirit of the Sequoias; it intends to take boys now living in confusion, boredom, and misery and let them learn what it means to work in the outdoors of the universe with their hands, their hearts, and their minds.

Mr. President, it is my good fortune to have grown up in the piney woods country of east Texas and to have lived and worked out of doors until I was 24 years of age, and from this experience I believe that I understand full well how much this program could mean to those young men who need and who are searching for a better life. From this experience, I believe I understand full well how very much this program could mean to young men who need, and who are searching for, a better life.

Under this bill, young men between the ages of 16 and 22 could enroll for work in Federal and State forests and parks and other public owned lands, under the supervision of conservationists and other wild life specialists. Boys would receive base pay of $60 monthly, for their work, plus food, clothing, medical care, transportation, and education.

What better investment, Mr. President, can our Government make than in a program which would help thousands of youth, who have no place to go, into useful men with a purpose in life? Would you who oppose a Youth Conservation Corps, instead build more youth correction institutions?

Our prime concern in this program is conservation of our youth, for all of us must understand that the greatest resource of any nation is its youth. As things are now, we are wasting a shocking amount of citizen potential: permitting the young, the untrained, the undirected, to become citizen liabilities instead of human assets. This Youth Conservation Corps plan will help meet this problem. It is a charter of hope for youth now in a hopeless environment.

What is more, it will be a big step toward conserving our other national resources—our forests, our soil, our places of natural beauty. It seems to me that I seldom visit a worthwhile park or monument but what I marvel at the work done by the CCC boys over 20 years ago. Very few permanent improvements have been made in parks since the CCC was discontinued, and experts tell us we need about $2 billion worth of work done in our parks today. This is just one facet of the great work contemplated under this program.

The bill will save money in the long run. It will build conservation camps instead of institutions of correction.

This is a bill to strengthen America It is a conservation measure. It conserves the greatest of all assets, our human assets.

This bill is in the spirit of Governor Pinchot, whom the distinguished Senator from Oregon mentioned. The bill is in the spirit of Theodore Roosevelt, of Franklin D. Roosevelt, and of the other great conservationists of our country. It catches the spirit of idealism and progress of the decades of 1910 to 1930 and of the 1930's. This bill breathes hope for the future.

Mr. President, it is a great privilege to cosponsor this measure. The youth of our country, the conservationists of America, and the builders of a better future, all owe a debt of gratitude and thanks to the distinguished Senator from West Virginia [Mr. RANDOLPH] for his leadership and wisdom on this measure. I am proud to have worked for it under his banner of progress for our youth.

Mr. RANDOLPH. Mr. President, I yield 2 minutes to the very active Senator from Pennsylvania [Mr. CLARK], whose constructive ideas contributed to a sound bill.

Mr. CLARK. Mr. President, as a member of the subcommittee which conducted hearings on the pending bill

I rise in its support. There was clearly established by the overwhelming weight of the evidence before our committee the need for this type of legislation, a need which is rather varied.

In the first place, the enactment of the bill would help the depressed areas of my State and many another State by taking young men who have no jobs and putting them to useful work.

In the second place, this is a bill which will be effective in improving the condition of our national and our State parks, and our national and our State forests, and in my Commonwealth we have an enormous area of State forest land which will be rendered more valuable and will be a greater asset to our Commonwealth as a result of the proposed law.

Finally, this bill will be of great help, in my judgment, in bringing in young people who are on the verge of delinquency, not the hardened young criminal, but the young boy who is in trouble. It will put him in a healthy surrounding, with a decent background, doing healthy work.

For all these reasons I support the bill.

I ask unanimous consent that there may appear in the RECORD a typewritten statement wherein I give in greater detail my views on these subjects.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

This investment in boys, land, and trees will pay for itself many times over. It is the kind of investment we can ill afford not to make.

With the recent explosive growth of our population, the need for adequate recreation facilities has multiplied many times over. Attendance at State parks throughout the Nation has increased 2½ times since 1946. In 1958, the National Park Service reported more than 10 million visitors to State parks in each of the following States: New York, Michigan, California, Ohio, Illinois, Oregon, and Pennsylvania (and in Pennsylvania, we had 20 million visitors to State parks). Note that those are almost all States with large industrial and urban communities, in which the need for recreational facilities is urgent.

What kind of recreational use do people make of these State parks today? More and more, they go to the parks to vacation, rather than simply to spend an afternoon swimming or picnicking. Last year, for instance, there was a 24 percent increase over the year before in the use of camping and trailer facilities. The more we expand the Interstate Highway System and the greater the number of automobiles owned by Americans, the more will we need the kind of features required for longer visits in the parks.

Are the States keeping pace with this burgeoning demand? They have increased their expenditures for State park facilities by almost 500 percent since 1946. Yet, in all, they are spending only about 31 cents per visitor each year—a total of $73 million. In this program, as in most public programs, they are running into severe budget problems. The States are finding themselves in great difficulty trying to provide the revenues necessary to do the kind of job that needs doing in the field of recreation.

In my own State, we have a first-rate park program. A dozen new parks have been created in the past 4 or 5 years; a dozen more are underway. We now have a total of 66 State parks and 148 forest recreation areas, which are primarily picnicking spots. Isn't this enough?

Well, last year our Pennsylvania parks had 20 million customers. This represented a tripling of use in only 7 years. But indications are that the increase in rate of use is pyramiding even more rapidly this year. This May, there was an increase of 37 percent over use in May of last year.

Some will ask whether recreation has any economic value, whether we can afford to pump an additional $150 million into parks at a time when we are trying to balance the Federal budget.

In my State we are trying to balance the budget too, and we are also faced with one of the severest problems of areas of chronic depression that exists in the Nation. Let me quote, then, from a recent editorial in the Patton (Pa.) Union Press Courier:

"The impact of the location and construction of the Prince Gallitzin State Park already is beginning to rub off on the economy * * * adjacent to it. * * * It is partly responsible for the location of an industrial brush factory now being set up in Irvona, for the now-under-construction Lake View development of cabin sites, for a trailer court now being started, for a contemplated modern motel. * * *

"How many new jobs and services will be required to handle the people who will visit the park. * * * It will take people—and jobs—to maintain the park, to construct cottages, even to sell gasoline to the visiting public."

Patton, the town in which this editorial appeared, is in Cambria County, one of Pennsylvania's unfortunately many distressed areas. The new State park is one of the important factors sparking the location there of new industries. Pennsylvania's Secretary of Forests and Waters advises me that every day he gets requests for information about our recreational facilities from industries considering moving into Pennsylvania. Creation of new parks is leading also to recognition that recreation and tourism itself is an industry of great economic value to our Commonwealth. The city of Erie, for instance, estimates that $10 million of new income has been generated by Presque Isle State Park.

Where we have economic distress, we also have social distress, and one of the chief purposes of this measure would be to deal with some aspects of that social distress. S. 812 would provide constructive employment for hundreds of young men who are faced by the lack of job opportunities in their own communities. Young men who have not yet found themselves socially, economically, or vocationally are easy prey for delinquency, and the Youth Conservation Corps would give them an opportunity to live and work in healthful surroundings and in the company of worthwhile friends and leaders.

The Philadelphia Commissioner of Welfare, Randolph Wise, summed up the value of this program by saying that it would provide not only employment but "employment-plus. Plus represents an opportunity to develop healthy attitudes toward themselves, an appreciation of their own worth, so that they can respect the worth and the rights and the property of others."

"This can only be accomplished," he continued, "through providing an environment where they are exposed to adults whom they respect and with whom they can establish and maintain healthy, wholesome relationships."

What specific jobs could the boys in the Youth Conservation Corps do in Pennsylvania? They could build additional sanitary facilities in our parks to handle increasing crowds. They could drill wells for more water. They could take part in our timber management program—thinning where necessary, seeding where necessary. (In a State with as great a population as ours the need for lumber and for sound reforestation is constantly rising.) They could improve forest roads and the culverts under the roads. They could contribute to our fish and game development program.

All these activities would contribute to our economic wealth and to fulfilling our recreation needs. In addition, they would provide young men the chance to participate in programs in which they could develop productive personal relationships and work habits. In this rich Nation, we have got to offer our young people something more than economic and emotional dead ends in the years when the basic patterns of their lives are established. And at the same time, we have to raise the level of public activities such as conservation and recreation above where it is now, the level of barely keeping up with our growth. We are in a period of relative prosperity, and we can afford to invest in our Nation's future through wealth-producing programs like the Youth Conservation Corps.

Mr. RANDOLPH. Mr. President, I yield to my conscientious colleague from West Virginia [Mr. BYRD], whose prior legislative experience has been augmented by service of a high caliber in this body.

Mr. BYRD of West Virginia. Mr. President, I believe that S. 812 embodies one of the most worthwhile programs which have been proposed in this session of Congress. Therefore I respectfully urge the passage of the Youth Conservation Act of 1959.

The Youth Conservation Corps bill—of which I am a cosponsor, along with 20 other Senators—would create a national forestry corps for young men, which I believe would be of very real value to our Nation. The proposed Youth Conservation Corps would enrich America in two basic ways: First, by meeting some of the growing needs of our forest and land resources; and, second, by meeting some of the needs of our Nation's younger people. This double reward would make the Youth Conservation Corps a profitable national investment, both financially and sociologically.

Consider, first, some of the problems in regard to the youth of America today. The report which the Committee on Labor and Public Welfare submitted in reporting out the bill makes several very thought-provoking points. I quote:

A sudden, spectacular increase is taking place in the number of young men annually entering the labor force. * * *

In the 10 years immediately ahead, the country is destined to have nearly a 30 percent increase in the number of its youths. This represents a problem of adjustment of major significance. * * * This radical increase in the number of young people is a direct addition to the size of the labor force. * * *

One aspect of this population increase should be emphasized. During the past 15 years, our experience with the problems of absorbing youth into our labor force has been made easy. In this period, we had a decline in the number of workers under 25 years of age. This largely was a result of the prewar and depression years of low birthrates. It is also partly the result of longer school attendance and attendance on the part of a larger part of our population. By 1963, we will have an increase over 1962 of youngsters 16 years of age amounting to 800,000 in just that one year. In the total population, there will be some 3.8 million 16 years of age. By 1965, we are likely to have in our labor force 40 percent more

workers under 20 years of age than we currently have.

The report also gives these discomforting statistics:

The unemployment rate as of April 1959, for the 16- to 19-year-old age group is 14 percent, compared to the overall rate of 5.3 percent. * * * Moreover, many young men have become stranded in chronic areas of distress unemployment.

The report points out that the armed services are needing a slowly decreasing number of untrained young men, and then makes these points concerning juvenile delinquency:

Juvenile delinquency is an increasing phenomenon which is clearly aggravated by idleness and a feeling of being unwanted. There is a tremendous need for a program, the value of which has been demonstrated by the CCC, for furnishing the disciplines of a steady work experience and the sense of accomplishment. * * *

The Youth Conservation Corps is not designed as a cure for juvenile delinquency, by which hard-pressed communities can dispose of their juvenile problems by exiling them to distant forest regions. Nevertheless, the YCC, because it seeks to provide a solution to a cause of juvenile delinquency, can properly be termed a preventive measure.

I think that these are extremely pertinent points, Mr. President, for they indicate that it is incumbent upon us to take steps to meet the mushrooming problem of youth employment.

I feel that the final point, regarding juvenile delinquency, is of particular importance, as we are living in a day when shocking major crimes by teenagers are blazoned in newspaper headlines, and thousands of lesser juvenile offenses have become so commonplace that they usually are ignored by the newspapers. The FBI reports that juvenile crime has risen until it now comprises more than half of American crime in some categories. I would like to quote briefly from a summary written by J. Edgar Hoover, which appeared in This Week magazine last October and November. Mr. Hoover said:

America is facing an emergency, a crisis which threatens the very future of our Nation. It is the emergency of juvenile delinquency. The tide of youthful lawlessness is rising at a terrifying pace. By 1962, 1 million of our teenagers will be arrested each year—at the present rate. * * *

Here are the statistics that worry me and all law-enforcement officers: During 1957, persons under 18 years of age comprised 53 percent of all arrests for the major offenses against property. Last year, more than two-thirds of the auto theft arrests, over one-half of the burglary and larceny arrests, and one-fourth of the arrests for robberies in cities involved juveniles. Throughout the United States, an estimated 740,000 youngsters under 18 years of age were arrested last year. This is 3.3 percent of the population in the 10 to 17 age group, and it means that 1 out of every 30 youngsters was arrested for violating the law. Since 1952, our juvenile population has increased approximately 22 percent. Juvenile arrests in the same period have risen 55 percent. * * *

I am certain that here is proof once again you cannot dance without paying the piper. Over the past quarter of a century, all too many Americans have been ignoring the basic traditions of work, discipline, and vigilance on which our Nation was founded.

Mr. President, what better setting for work, discipline, and vigilance could be found than the wholesome environment of woodland camps, where young men would turn their superabundance of youthful energy into creative accomplishments in the great outdoors? I can envision no better method to give a young man a sound sense of values and to deter him from the mischief of idleness than to place him in the stimulating surroundings that are proposed in this program. Who can count the saving, Mr. President, if we take thousands of young men who are unable to find work and give them an opportunity to escape from idleness into a vigorous Youth Conservation Corps?

So much for the needs of our youth. Concerning the needs of our woodlands and the needs of our soil resources, much has been said in this Chamber during this session. On this subject, I would like to quote a few paragraphs from a summary written by the author of the Youth Conservation Corps bill, the distinguished senior Senator from Minnesota, as it appeared in the January issue of Harper's magazine.

The article set forth:

A critical shortage of forest products will come by the year 2000 if we do not expand our forestry programs now. Trees take time to grow. And, although our agricultural abundance is a concern today, demographers are predicting scarcity to come, if we continue to allow wind and water to wear away our topsoil at the present rate.

Last summer, the Natural Resources Council, made up of the heads of nationally important conservation groups, completed a searching estimate of the total job needed to bring the corrosive actions of man against nature under control, and to rebuild the productive capacity of our lands and waters enough to sustain the predicted population of 50 years from now. They came up with some hard figures. Over a 10-year intensive program, they said, we need to invest $3 billion to put our forests into adequate productive shape; $4.5 billion to halt the loss of topsoil and protect vital watersheds; $1 billion to stabilize the soils and increase the forage yields on our Western range lands; $2 billion for the upgrading and expanding of the areas of outdoor recreational facilities; and another $1 billion to improve refuges for wildlife. Many of these represent planned programs in the files of both Federal and State conservation agencies. They do not include the huge conservation needs of our new State of Alaska.

Take just one major resource—forest lands. Professional foresters estimate we have 275 million understocked forest acres in need of timberstand improvement, thinning, eliminating diseased trees, and reducing fire hazard. Another 52 million acres of open, unproductive land should be replanted in trees.

Water and topsoil are not inexhaustible. Yet hundreds of thousands of streams dump silt into our reservoirs and harbors. Stream banks can be stabilized—but only by human hands planting protective vegetation. Federal and State conservation agencies have simply not been able to tackle these and other conservation jobs on anywhere near the scale demanded. Manpower shortages and lack of funds, not ignorance, are holding them back. There is work enough to employ several hundred thousand men for a decade or more—at useful, not make-work, jobs.

Thus, Mr. President, we see that there are two clear-cut needs—first, the need for a stimulating program to give work in wholesome surroundings to idle young men, to lead them toward solid citizenhood instead of youthful crime; and second, the need for expanded efforts to improve our forests, watersheds, and soil resources.

A logical answer to both needs is the Youth Conservation Corps. A total not to exceed 150,000 young men, between the ages of 16 and 21, would be accepted in 6-month enlistments into the program. They would be put to work improving young stands of timber by thinning, helping to build new access roads and trails, planting seedlings on bare lands, stabilizing eroding stream banks by hand-planting, building picnic area facilities, constructing retaining walls, erecting earth dams to create upstream reservoirs, working to improve lakes, streams, and marshes for fish and wildlife, rebuilding game cover, fighting forest fires, reseeding deteriorated range lands, and many other needed chores.

Altogether, Mr. President, I feel that it is a program that will redound to the immense benefit of all America, and especially to the benefit of our most priceless resource: our youth.

Therefore, I respectfully urge the passage of S. 812, the Youth Conservation Act of 1959.

Mr. RANDOLPH. I yield 2 minutes to the forthright Senator from Washington [Mr. JACKSON], whose enthusiastic cosponsorship of this bill is in keeping with his interest in youth conservation.

Mr. JACKSON. Mr. President, first, I wish to compliment the members of the Committee on Labor and Public Welfare, and in particular the distinguished Senator from West Virginia who chaired the hearings on this important legislation, for doing an outstanding job.

This is a good bill, one that I am happy to have cosponsored, and one I shall vote for with enthusiasm, for it fills two important conservation needs of our time: the conservation of resources, and the conservation of youth.

It is anything but a make-work bill, As Senators MAGNUSON, CHURCH, NEUBERGER, and I pointed out in a joint statement supporting the bill in hearings, there is a pressing need for all kinds of development and rehabilitation work in our national forests which can be done by enrollees of the YCC. I am pleased to note that the report accompanying S. 812 spells out the need for this work and the potential benefits to our Nation, and I shall not dwell further on the point.

Of immeasurable importance as a result of the enactment of the bill is the opportunity for youth to be healthfully and gainfully employed. Those to be affected are our most rapidly expanding age group. In the next 10 years the 16 to 21 youth segment of our population will have increased by 30 percent. Our wartime and postwar babies are now young men and women looking for opportunity and jobs. Yet this, again, is the age bracket with the highest level of unemployment—some 14 percent for the group 16 to 19, and some 10.2 percent for all under 25—in contrast to a national average of 5.3 percent. The YCC is designed to help fill this gap of idleness, a gap, incidentally, not filled by our military programs. The YCC is geared

to the type of young man low on experience and training. It will give him both—and better equip him to obtain and hold employment.

The proposed legislation, further, will help achieve our Nation's goal of improved physical fitness. Looking back, briefly, to the CCC of the thirties, statistics show that the average CCC boy gained 11 pounds during his stay in the corps. This figure includes weight lost when muscle replaced fat, as well as weight gains for the undernourished.

Finally, nobody has asserted the program will end our problems of juvenile delinquency, but it will certainly remove pockets of idleness which turn many of our youth to delinquency and crime. Its constructive purpose will help build mature character, which in turn will help deter delinquency and crime.

For these and many other good reasons set forth in the report and in the remarks of my colleagues, the bill has my unqualified support. I hope the vote for passage will be unanimous.

Mr. RANDOLPH. Mr. President, I yield 2 minutes to the energetic Senator from Idaho [Mr. CHURCH], whose voice is often heard in enlightened debate in this forum.

Mr. CHURCH. Mr. President, I am one of the cosponsors of the pending bill. The experience this country had with the Civilian Conservation Corps in the 9 years from 1933 to 1942 has left its mark in my State. It is a physical mark, and a spiritual one. Both make us proud.

Its physical mark is found in such places as the deep canyon of the Salmon River, where a road carved from granite stands as an enduring monument; it is found in the maturing stands of pine, fir, and larch which would be blackened stumps but for the work of the enrollees; it is found in the forest cover reclaimed from erosion by check dams and other conservation activities.

The spiritual mark is just as real. Many of our educators, businessmen, community leaders, and public administrators were camp directors and educational advisers. Some were enrollees. Brooklyn came to Priest River, and the impact was healthy for both. Many found new homes and new hopes, and others, revived by the wonderful outdoor life, have returned to us again and again, with their children and their grandchildren as vacationers and welcomed visitors.

The most appalling waste in this country is the waste of our youth. This YCC program is aimed at reducing that waste. Mr. President, I can testify that no action of this Congress will be better received in my State. The enthusiasm for it is inspirational.

Mr. President, I gladly support the bill for two main reasons:

First, it will promote the conservation of our youth in a most positive way by introducing them to the outdoor life of hard work, the rewards of which they can witness and evaluate for themselves. This is one means for combating the growing problem of juvenile delinquency, which has come in our time to be typified by the black jackets and by the switchblade knives that slash in the shadows of our major cities. Young people will find the saw, the shovel, and the ax more challenging, and, in the end, more satisfying outlets for their energies.

Second, the bill will promote the conservation of our timber, water, soil, and grass resources. These belong to all the people. The development of their recreational and economic potential serves all the people, and meets a need which becomes ever more acute as our country grows and its population expands.

The costs of the program will be more than repaid by the dollars-and-cents benefits received. Those benefits which cannot be measured in dollars and cents—the wasting young lives saved for productive work and service to society—are incalculable. I hope the Senate will hasten the realization of these benefits by favorable action on this measure.

Mr. RANDOLPH. Mr. President, I yield 2 minutes to the devoted Senator from Utah [Mr. Moss], whose support has stimulated favorable response.

Mr. MOSS. Mr. President, I believe I can say without reservation that in my opinion there has not been a more constructive piece of legislation before the Senate this session than Senate bill 812, the bill before us today. I am proud to be a cosponsor.

I want to commend the Senator from West Virginia and the members of the subcommittee for the excellent job they have done with this bill. It is vastly improved over the measure which was introduced in January. It was particularly gratifying to me to note that the revised bill provides that conservation work by the Youth Conservation Corps can be performed on State lands, with a State agency participating on a 50–50 cost sharing basis. The need for this provision was brought to my attention by the Youth Advisory Council of Salt Lake County, which conducts a summertime forest crew program for teenage boys, and I strongly recommended that the bill be amended to provide for Federal-State participation when I appeared before the subcommittee.

I am not going to take time here on the floor to argue for the passage of the bill. The report is as factual and eloquent an argument as could be found. It approaches the problem with both a heart and a head, and if Members of this body are not swayed by the case it makes for the passage of a bill which at once preserves our great heritage of natural resources and the most precious resource we have—the youth of our Nation—then I know of no way to reach them.

I do want to take a few minutes, however, to discuss section 8(a) which deals with the composition of the corps, and particularly with the provision that the young men enrolled must be of good character.

I sympathize with the desire of the committee to prevent the YCC from becoming a custodial organization for juvenile delinquents. We have other programs and organizations to deal with young men who have committed serious offenses against society. Clearly there is no place for our convicted sex perverts, narcotic users, gun gangsters, or arsonists in a youth conservation camp. This is a constructive program, not a corrective program.

But certainly no young man should be denied admission to the corps on the basis that he has been apprehended in some youthful indiscretion or prank, born of high spirits or a dare from his companions, and has been brought before juvenile authorities. Boys and fathers alike realize that youthful exhuberance often outruns judgment.

So there should be a sympathetic use of discretion in deciding whether a boy is really a criminal or whether he is simply a youthful offender, who, to use the current phrase, is "going through a stage," and will ultimately become a good sound citizen.

Before I had an opportunity to study the section of the report which spells out in some detail the views of the subcommittee on this problem, I planned to introduce an amendment to make sure that an appearance in a juvenile court for a minor offense would not bar a young man from the corps. I am now satisfied that the language of the report is explicit enough in this respect, and that it will serve as an adequate guide to the administrative officers of the corps. If the recruitment process is carried forth upon the basis suggested—that the desire to enroll is voluntary, the offense minor, and participation is in the interests of the program—then I have no fear that the type of young man who could be especially helped by the program will be denied admittance.

It is expected that every young man who has been summoned before juvenile authorities or a court would be required to present an evaluation of his actions and character from some qualified observer, such as a juvenile judge, together with a recommendation that he be admitted to the corps.

I am very pleased with the emphasis the report places on good character as a prerequisite to enrollment. I know that many parents of fine young men in my State and in other States might hesitate in allowing them to enroll for YCC work if they felt the camp would be filled with hard-bitten delinquents from the slum areas of big cities. I believe the enrollment process provided will assure the wholesome atmosphere which is essential to the success of the venture, and will make the corps a testing and development ground for restless teens rather than a penal camp for juvenile delinquents.

The YCC idea has received wide support in Utah. Shortly after the bill was introduced the Salt Lake Tribune, Utah's great morning paper, carried an editorial praising it. The editorial emphasized some of the points brought out in the hearings—the radical increase in teenage population now and in the coming years because of the large crop of babies in the war and postwar years, and in more detail the shrinking job opportunities for youth.

Because of the keen interest of many Utah citizens and organizations in the passage of the bill, I forwarded a draft of its provisions to a number of people at the time the bill was reported by the subcommittee. Included in the group were juvenile court judges, mayors of

some of our cities, State legislators, church leaders, and others. I indicated my fears that the good character provision, if stringently and unimaginatively enforced, might eliminate some enrollees who could be most benefited by the wholesome and ordered life of the corps. Most of the replies I received were in favor of a clarifying amendment on enrollment, but all were in favor of the bill.

I have sought opinion from my State and have excerpts from letters that have come to me from juvenile court judges, State legislators, church leaders, and others about the bill, and I ask unanimous consent that these excerpts may be printed in the RECORD as part of my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

State Representative Craig M. Justesen, Dragerton: "* * * Your efforts for the passage of the above mentioned S. 812 and your amendment thereto have my undeserved and wholehearted approval; however, I might point out that the bill could be further improved as follows: Under 'Enrollees' I would favor a much higher membership quota, the elimination of the nondelinquent provision and change 'will work under professional conservationists,' to: 'Will work under persons qualified in youth training and leadership.' My reason for suggesting a higher membership quota is obviously because I believe that there are many more young men that can be helped to advantage. My reason for suggesting the elimination of the 'nondelinquent' provision is because I believe the laws in the State of Utah are far too broad in the authority permitted the juvenile courts. * * * Also, in respect to this same point, I had considerable experience with the CCC during the thirties and I have observed that the so-called delinquents benefitted much more and were more responsive to the training."

Earl J. Glade, former Salt Lake City mayor and present consultant, department of parks and public property:

"With the population explosion that seems especially evident during summer vacation, when young folk are out of school, the need for work opportunities for boys is pressing beyond words.

"Yesterday at 10 o'clock in the morning, I saw a large group of late teenagers playing soft-ball, who would have given almost anything to have had jobs. * * *

"The man-building opportunities of this proposal under powerful leadership are limitless. I shall look for the development of this great youth feature with avid interest."

Clyde C. Edmonds, chairman, Utah Public Welfare Commission:

"I was concerned, however, as I read the brief summary of S. 812 to note that the only enrollees could be nondelinquents. We, of course, are looking for assistance in the area of taking care of young parolees of the juvenile court and giving them something to occupy their time, their talents, and their energies. While we know there are some boys who probably would not be helped by such a program, there are many who have been helped in a most effective manner.

"We have had a program which has been operating between the State and some counties to care for these youthful delinquents, and the effects have been so pronounced that parents of nondelinquent children have asked if their sons could not have the same privileges in this field as the delinquents.

"Our hope would be that legislation might be inaugurated by the Congress that would allow Federal participation along with State and county participation so that the operation might include more of these young people who need guidance, training, and opportunity. If this angle could in some way be taken into consideration before the bill is enacted, it would be highly beneficial to many of our boys who are paroled, merely to walk the streets and possibly get into more trouble.

"Your interest in this program is very much appreciated, and we hope you will not feel that the foregoing suggestion is in any sense critical of the bill on which you are working."

Ward C. Holbrook, member, Utah Public Welfare Commission:

"We appreciate your letter of July 2, telling of the progress of S. 812. We see nothing in the summary of the Youth Conservation Corps proposal that we have any unfavorable reaction to. It seems to us that the whole program should be very helpful.

"As you may know, the program, as we have been operating it in this State, where the State welfare department has joined with Salt Lake County and other counties and also through the industrial school, has been handled entirely on a level of using delinquent boys. Many times we have had parents say to us, 'Why does my son have to be a delinquent before he can participate in this program?'

"I presume the way the bill is written currently, it will be necessary for us to handle our delinquent cases very much as we are doing it now. The results of the measure probably will reduce the number of delinquents, but as the matter now stands, we are not able to provide employment opportunities in this field to anywhere near all of our delinquent boys now in the industrial school nor in the counties that are now participating. I can well understand that there are good reasons why the measure before the Congress should not provide for the employment of delinquents because it might lead to an effort on the part of local officers, responsible for problem children, to simply seek an out by passing them on to the Federal agency.

"We are very much of the opinion that the Youth Conservation Corps, as is proposed, will be helpful and your amendments are approved by us."

Juvenile Judge Merrill L. Hermansen, Fourth District, Ephraim:

"In regard to your letter of July 2, concerning the Senate bill to establish a Youth Conservation Corps, may I say that I am delighted that a Senator from my State has acted in sponsoring this legislation. Only last month at the national convention of the National Council of Juvenile Court Judges which was held in Salt Lake City, I was assigned a committee task of preparing a resolution to be promulgated by the convention and submitted to Government authorities advocating a movement such as you have indicated.

"I am sure that you have heard that in Utah, particularly out in the rural areas where my court is located, the transition to mechanized farming has deprived many young boys and some girls of employment. Consequently, we have the task of setting up a program to combat the problem of perhaps too much leisure time for our young people. Many times boys and girls are in trouble because they do not have anything to occupy their time. Also, we are experiencing a new change in regard to family living. I feel that in some cases the tradition of the family working and playing together is becoming antique.

"I note that the bill as indicated by your correspondence provided that this employment will not be available to delinquent children. Certainly, it would be wise not to have an uncontrollable youngster participate in this program. Nevertheless, there are many cases where the child is delinquent because his training has been misguided and neglected and his associates have been others who are uncontrollable; thus the child starts down the road to a misspent life. However, after a first offense this child would still be classified as a delinquent, yet would be a very good prospect for real assistance in such a program as this. For that reason, I am very much concerned that this program be not limited to children classed as nondelinquent. Might we have a referring authority to assist in the selecting of boys who would participate in this program."

Mayor Michiel F. Burson, Sunset City:

"Our State at the present time is trying to broaden our recreational areas and the counties are taxing for this purpose. At the same time we have numberless youngsters between the ages of 16 and 21 who are in need of employment. We just don't have enough jobs to go around and your proposal would be the answer to getting these kids off the street and into some worthwhile project.

"Speaking for myself, I am an ex-member of the CCC's which developed in Manila area and I helped to build roads into Spirit Lake and other remote sites. We are still using those roads and sites which, by the way, have not been extended since the CCC's were discontinued. I know the good that can come of such a project to both the boys who work in the camps and the improvements they accomplish.

"Some of the best men I have known in my lifetime were supervisors in those camps such as Frank Hyde, of Kaysville; William Laursen, of American Fork; Mr. Barron, of Springville; Mr. Workman, of Vernal, and a number of others. Those leaders made a great impression on young growing minds."

Mayor Quentin Nisson, Washington: "Excellent. Push with all the energy you have."

State Senator R. LaVaun Cox, Manti: "* * * Many of today's leaders are products of the CCC. There are bound to be several in Congress. Take for example, Glen Carlson, a Manti boy who served with the CCC in his tender years. He now heads the First Security Bank in Moab, is a bishop and is very well respected. Mickey Venitelli and Mike Vargo, a couple of Italian-Americans, were taken off the street by the CCC and sent to Utah. They married some girls from Ephraim, have raised fine families and are now respected contractors, Mickey in Ephraim, and Mike in Salt Lake City."

Juvenile Judge Ernest F. Ziegler, First District, Ogden:

"Thank you for the information that you sent to me concerning S. 812. I am certainly in favor of the bill except one phase which concerns enrollees. I strongly oppose the exclusion of delinquents from the program. Some of the reasons for this objection are as follows:

"(1) Delinquency as defined by Utah law and most of the laws of our sister States encompasses a great number of activities. For example, a child in Utah who drives a few miles over the speed limit, or is truant, or who spits on the sidewalk could be declared a delinquent. Some of our delinquent children have been declared delinquent at the age of seven or eight and by the time they reach 16, have made a satisfactory adjustment.

"(2) Such a program is perfect for the rehabilitation of some delinquents. Our Utah Juvenile Courts have extensive social summaries on children who have been before the court and, therefore, the court could probably more accurately predict if a child would work out in the program than a child who has not been before the court.

"Other than the objections that I have outlined above, I am whole-heartedly in favor of the program which would be established by the bill.

"We certainly appreciate your support of the legislation."

State Representative Ernest H. Dean, who is also Chairman of the President's White

House Conference on Youth Activity for Utah Wasatch and Juab Counties:

"I feel that this program should be geared to two major objectives: (a) Conservation of our natural resources, (b) trade and skill training for the enrollee.

"Today industry is demanding an exceptionally bright, capable young man to fill its employment needs. These young men are among the top 50 percent of those of employable age. The other 50 percent are having difficulty in securing employment; 25 percent of this group represent the low intelligence group. These boys are constantly frustrated because of unemployment and lack of community understanding.

"If the Youth Conservation Corps could utilize these boys' efforts toward conservation projects, plus teach skills or a trade, money could not be spent more profitably.

"Another thought: Vocational training programs already established in the various States should be required to supply this craft or skill training. This would avoid duplication of services."

Paul C. Salisbury, Ogden:

"Thank you so much for sending me the brief summary of the proposal for the YCC. The committee, it appears, has done an excellent job on the several elements of the proposal. Two of the amendments are especially timely and well taken, being highly practical and fundamentally sound. I refer to the inclusion of work on State lands on a 50-50 matching basis, and the limiting of the corps to 50,000 the first year, being increased by 50,000 each year till it attains a full strength of 150,000 the third year.

"This bill—S. 812—comes at a time when it is vitally needed. With the colleges and universities crowded as they are, and competition for enrollment therein so keen, there is a definite need for facilities to train our youth who are unable either through lack of financial aid or natural aptitude to go on into an institution of higher learning. The YCC exactly fits this need; and the benefits the Nation will reap in conservation of natural resources will amply repay the investment."

Mr. MOSS. Mr. President, I think almost everyone will agree that the CCC camps of the thirties were a good idea and did a good job—that they were sound investments in both the people and the land. Many of our leaders of today in Utah and elsewhere were trained in the CCC. The work they did contributed to the wise conservation of our land, water and forests, and passed this great inheritance on to us not only undiminished, but enhanced.

We cannot look at this bill as a spending bill, but as an investment bill—an investment in the youth of America and an investment in the preservation of our natural resources.

I gladly support the bill.

Mr. RANDOLPH. I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 1 minute.

Mr. RANDOLPH. Mr. President, I ask unanimous consent to insert in the RECORD at this point an answer to a point made by the minority in its report when it said: "There is presently no need for inflationary antidepression remedies."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The fact that an idea may have originated in a depression of another era does not necessarily mean that it is solely an antidepression device.

The minority by labeling this bill as an "inflationary, antidepression" remedy has coined a neat but meaningless phrase.

Are dollars invested—and I stress the word invested—inflationary when they protect our watersheds, bring reforestation, establish range expansion and other works of natural resource development? These trees that are planted will produce wood fiber that future generations will use. Failure to produce enough wood for an expanding population will visit far worse inflation both generally and in wood prices in particular in the future.

It it fatuous to advance either the proposition that inflationary actions are antidepression remedies or that all antidepression remedies are inflationary. It is even more fatuous to argue that this YCC carries with it either of these connotations.

Let us look objectively at the facts. This program will concentrate on capital investment type operations in our forests and parks. It certainly will not contribute to inflation.

This bill is not intended to cure a depression but it is intended to alleviate certain localized problems of underemployment. The majority report clearly describes its function here. The Department of Labor is instructed to give certain preference to those spots in our national picture where unemployment persists. These areas are those which the supplemental views of the Senator from Kentucky [Mr. COOPER] clearly describes. These are localities where not only has there been a change in technology such as in our coal areas but the coal operations in some degree weakened natural resources—the productive forest and the waters. What we propose to do is rehabilitate these resources using the young people from these areas to the largest possible extent. We will give them one thing now they do not have—a job opportunity. We will give them a second motive they deserve—the opportunity to assist in a bootstrap operation which restores the productivity of the green hills.

This legislation will ward off inflation by permitting full natural resource development. Nations with underdeveloped and destroyed natural resources stand the greatest risk of being the victim of genuine inflation. This legislation will help to cure a festering sore spot in an economic body. Those areas affected by the loss of job opportunities have a chance to reestablish forest-based industries. With our expanding population there is a need to provide healthful outdoor recreation. Recreation is a big business. Our forested areas can supply the economic base for a well-rounded system of parks with campgrounds, lakes, and the other essential facilities to attract people to the area. The trees of the well-managed forest will enable forest product establishments to reappear on a basis that will provide private jobs in perpetuity.

Mr. RANDOLPH. Mr. President, I ask unanimous consent to place in the RECORD at this point an answer to another minority point made in the report on the pending legislation, wherein the minority said: "The bill would substantially add to the current national debt."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The minority urges that developing opportunities for our youth and our conservation of natural resources be held back because of worry over a current national deficit.

The Youth Conservation Corps bill gives the President an excellent opportunity to pare and reduce the wastage of public funds by judicious use of the YCC as an aid to efficient conservation programs.

In the first year of the program which will be the last year of the Eisenhower administration, the maximum corps strength will be 50,000 boys.

The President can decide to restrict the corps to 10,000 or 20,000 boys in the first year. Just think of the Madison Avenue possibilities if the corps is restricted to only 1,000 boys. The administration can claim credit for the program but do so little that it costs virtually nothing. How well conservationists remember Secretary Benson's Operations Outdoors program—$85 million to be spent in 5 years to improve our national forest program.

With each succeeding year starting in 1957 more was to be spent. For 1960, $19,500,000 was the figure. The budget request was $8,500,000 of which $2 million is to be used for another activity. Oh yes, the other activity is participation in the National Outdoors Recreation Review to estimate what ought to be done to meet needs.

By using less than the 50,000 enrollee maximum—if this be the best procedure—the administration can get the program off to a reasonable start. It can control the cost. It can mesh this program with those for our forests and parks.

The measure gives complete discretion to the administration on the number of enrollees the corps can have. The bill gives complete ability to cope with costs. As is usually the case, we propose a limit so that there will be no wild spending orgy. The absolute top limit the first year is 50,000 enrollees and there is no bottom floor. Cannot the President exercise judgment on what are reasonable expenditures?

During the summer season forest fires are raging in our forests and ranges as never before. Interior Alaska is aflame. There are 30,000 acres of Bureau of Land Management range and forest in Oregon on fire and it is sweeping up toward the Fremont Forest. In California severe fires have scorched thousands of acres in the Sierra and Sequoia Forests. Newspaper reports were that one fire alone destroyed some 50 million board-feet of timber. Think of it—enough wood for 5,000 American homes destroyed. Lumber with a manufactured value of some $7,500,000 gutted by this one fire. A watershed ruined, wild life destroyed, campground facilities burned out. This destruction of natural assets is a loss we can ill afford. And what of the future. Land capable of giving millions of board feet in perpetuity is out of production.

If these boys were enrolled in sufficient numbers to provide fire control and fire fighting services for our parks, forests and ranges, the saving in destruction alone would justify the expenditure.

We cannot be blind to the fact that the scope of our well-being is the total resource picture. Annual budget balances are not the answer. We must look at the capital structure, the assets and the liabilities. As we permit our forest to be destroyed by fire and disease we convert a national asset to a liability. This too must be viewed as we look at the balance sheet.

The YCC will help produce a better America. The straight benefit to conservation can be justified.

This administration can submit a program of any size up to but not over 50,000 boys the first year. The answer to whether there will be reckless spending can be made by the administration when it submits its budget.

Congress, which has already trimmed billions from the administration budget, since 1953, will give this program the same careful examination.

The YCC program will not result in any runaway spending. The deficit argument lacks substance and merit.

Mr. RANDOLPH. Mr. President, I ask unanimous consent to place at this point in the RECORD an answer to a third

minority objection to the pending bill, in which the minority says:

Equally good or better conservation of our natural resources can be achieved through present programs of our Departments of Interior and Agriculture at a mere fraction of the bill cost.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The minority unfortunately is not aware that S. 812 provides that our Federal conservation agencies will have full responsibility for the work of the Youth Conservation Corps. Their objection is not valid.

Just how will the bill work. Program plans will be developed jointly by the Departments sitting as the Youth Conservation Commission. Of course it will be necessary to have someone submit the budget and this will be the responsibility of the Department of Labor. Through the Budget Bureau action then will be complete coordination to make certain that funds for the YCC are in harmony with the regular funds needed by such agencies as the Park and Forest Service.

The minority analysis reflects an apparent lack of confidence in the ability of this administration to effectively coordinate programs. Whatever complaints I may have in the programs of the administration I am not going to be blinded by the facts. The heart of the issue is simply that complete coordinating machinery is available and failure to use it would be inexcusable.

I would add that it would be extremely logical for the Congress to assure—as it can—that the YCC budget is considered as a part of the Department of the Interior and related agencies bill. In the 84th Congress, the Forest Service budget consideration was placed in this bill. This has worked well. Adding the YCC here would give Congress the opportunity to measure Park Service, Forest Service, Bureau of Land Management, and Indian Bureau funds along with the YCC.

Since the program will operate under existing agencies and can be coordinated, the only remaining question is whether it will be more costly. I submit that, even after all capital costs such as personnel housing are considered, the cost per man will compare with the cost of hiring personnel under present procedures.

A gross cost of $2,700 per man is used by the committee, which includes $400 for supervision and $200 for administration, leaving a net cost of $2,100. On a 40-hour workweek the apparent wage of the YCC boys will be about $1 per hour including housing, clothing, and subsistence. The real wage will be substantially higher because the food and clothing furnished will cost substantially less than if the boys were to purchase the clothes or food on their own. If the real wage equivalent is $1.25, there are very few situations where our public resource agencies can today hire labor for this average amount.

These boys will work a 40-hour week and, of course those qualifying who are selected for firefighting work will earn additional amounts for work beyond the 40-hour week during emergencies.

These boys—young, vigorous, eager—will be supervised by forest rangers. They will be led by these rangers. They will be expected to work efficiently and properly. They will be as capable of doing a full day's work as other employees. They will, in effect, be part and parcel of the conservation agencies to which they are assigned. The responsibility for their performance will be that of the Forest Service or the Park Service or other conservation agencies.

Does the minority want to leave the impression that the administration has so broken down the effectiveness of Government that our Forest Service cannot secure 40 hours of work from an employee who is expected to work 40 hours?

This is illogical and I feel the minority knows it. There are no agencies better equipped to produce the best efforts from its employees than our Federal conservation agencies.

The YCC will supply the people to do the millions of dollars of conservation work that this administration says must be done. Secretary Benson wants to increase Forest Service expenditures so that 5 years from now they will be $320 million annually compared to the present $120 million. The committee estimates that the YCC could handle $109 million worth of the work annually. Secretary Seaton believes $510 million is needed for our parks for Mission 66. A substantial amount of this work can be done by the YCC. The Fish and Wildlife Service has a need for conservation investments totaling $850 million. The Bureau of Land Management is producing a long-term program.

Certainly there is no dearth of needed conservation work, and there are large amounts which the YCC can do. In addition, the bill provides for work on State land on a 50–50 cost-sharing basis. Thus, the opportunity for conservation work is real.

The minority has not submitted testimony—one responsible statement—one fact or iota of evidence beyond a bare allegation. Affirmatively it can be stated that the conservation agencies will obtain employees at a cost equal to or less than would otherwise be the case. These agencies have the responsibility to get 40 hours of work from the YCC boys. The agencies have the capability to get the work. The cost will be commensurate with the job to be done and the benefits will far exceed the amount to be expended.

Mr. RANDOLPH. Mr. President, I yield to the author of the bill, the man who spearheaded with determined effort the successful introduction of S. 812, the senior Senator from Minnesota.

The PRESIDING OFFICER. The Chair advises the Senator from West Virginia that he has a little less than 10 minutes remaining.

Mr. HUMPHREY. Mr. President, that will be more than adequate. I am extremely gratified that, after the many months of work which have gone into this proposal, the bill is now before the Senate for decisive and, I feel, certain, affirmative action.

On behalf of myself, the 21 cosponsors of S. 812, the many hundreds of organizations, National, State, and local, and the countless individuals who have contributed their thinking, their plans, their suggestions, and their support to this proposal, I express my gratitude to the chairman of the committee, the distinguished Senator from Alabama [Mr. HILL]; to the majority of the members of the Committee on Labor and Public Welfare; and to the distinguished majority leader for his splendid and most effective cooperation.

I express my appreciation particularly to the distinguished senior Senator from West Virginia [Mr. RANDOLPH] for his leadership in this endeavor and for his diligence in the hearings. I have examined the hearings with care, as the Senator from West Virginia knows. I will stand to be corrected, but I believe that every hearing was attended by the Senator from West Virginia.

It goes without saying that had it not been for this kind of careful, devoted, and dedicated attention to the details of the bill, it would not be before the Senate today. I for one commend the Senator from West Virginia for his fine work and thank him personally, because this has been a work which has meant much to me.

The Senator from West Virginia is also one of the 21 cosponsors of the bill. He, more than any other Senator, is responsible for its being before the Senate today. With the passage of S. 812, the senior Senator from West Virginia will have the distinction of being the prime mover in the birth of the Civilian Conservation Corps of the 1930's, when he served in the House of Representatives, and now, in the 86th Congress, of launching a fresh start in the field of the prevention of juvenile delinquency and the conservation of our natural resources, as provided in the Youth Conservation Act.

The outpouring of support for this type of legislation, since it was announced at the first of the year that we would press for its adoption, has been simply overwhelming. There has been virtually unanimous support from every organization in the country interested in the welfare of young people or in the conservation and preservation of our precious heritage of natural resources.

Mr. President, I digress to pay particular tribute to the press of America. I believe it can be stated without fear of contradiction that the newspapers of the Nation, in their editorial columns, have been almost unanimous in their support of the Youth Conservation Corps.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks a list of the supporters of the proposed legislation, as revealed by the testimony at the hearings.

There being no objection, the list was ordered to be printed in the RECORD.

(See exhibit B.)

Mr. HUMPHREY. Mr. President, I shall cite several of the supporters. First, the great organization, the American Legion; the fine organization of the Veterans of Foreign Wars, the American Veterans Committee, the American Recreation Society, the Rhode Island Commission on Youth, the National Federation of Settlements and Neighborhood Centers, the Izaak Walton League, the National Wildlife Federation, the Citizens Committee on Natural Resources, and the Wildlife Management Institute, to mention only a few of the great organizations which have expressed wholehearted, enthusiastic support for the bill.

Likewise, a number of governors have expressed support of the bill: Governor Lawrence, of Pennsylvania; Governor Hatfield, of Oregon; Governor Stratton, of Illinois; Governor Chandler, of Kentucky; Governor Edmond G. Brown, of California, Governor Nelson, of Wisconsin; Governor Loveless, of Iowa; Gov-

ernor Meyner, of New Jersey; Governor Freeman, of Minnesota; Governor Long, of Louisiana, and Governor Rossellini, of Washington. These men have expressed, on behalf of their State administrations, support for this particular proposal.

It seems to me that when an item of proposed legislation has generated the kind of enthusiastic unanimity of support on the part of interested citizens this bill has generated, it merits the confidence of Congress.

I digress for a moment to answer some of the arguments which have been made against the bill. First, the argument was made—and I trust it was made on a less than serious note—that, on the one hand, the bill was too expensive, and, on the other hand, that it was too modest. On the one hand, the minority leader said the bill imposes a heavy burden upon the Treasury because it provides for an additional expenditure of a substantial amount. In the next breath, it was said that the bill was to be condemned because it did not really meet the problem in terms of numbers of persons involved.

Very frankly, this is a beginning, an approach. It is an approach based upon the solid fact of experience with the Civilian Conservation Corps. Of all the programs of the American people, of all the programs of our Government I say that none has received finer support or has been more highly praised than the old Civilian Conservation Corps. What we are attempting to do is to learn from that experience. We are not setting up a big new bureaucracy. We are utilizing existing agencies. We are establishing but one new official, a Youth Conservation Corps Director, under the Secretary of Labor. We are utilizing local and State agencies. We are working in cooperation with the State forestry services and State conservation groups. We are working with the Forest Service and the National Park Service. We are working with those who are connected with the national conservation programs.

The evidence is replete with documentation that this will be a self-liquidating program in terms of cost. Had this program been in effect in California during the past few months, when California was the victim of a number of forest fires and brush fires, which have taken a toll in the hundreds of millions of dollars, such tragedies might have been prevented.

I call attention to the display of photographs in the back of the Chamber. They show what could be done on eroded land. They show the terrible price we pay for burned-out watersheds. All over America today there are burned-out watersheds. These are conditions which a Youth Conservation Corps could have prevented.

I call attention to the overcrowding on campgrounds. Ours is a nation with a bulging population. Ours is a nation in which more and more people will want to be out of doors. In a Youth Conservation Corps, programs can be planned to build up recreational facilities, to conserve the soil, and to help provide better forestry management.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. PASTORE. First, I compliment the distinguished Senator from Minnesota for the very eloquent appeal he is making for the passage of this very meritorious bill. I wonder if he is familiar with the favorable editorial, commenting on the bill, which was published in the magazine America for August 1, 1959.

Mr. HUMPHREY. No. I would be very happy to have the Senator comment on it.

Mr. PASTORE. Will the Senator indulge me to read it?

Mr. HUMPHREY. I surely will.

Mr. PASTORE. I do not know how much time the Senator has remaining, but it will take about a minute and a half for me to read the editorial.

Mr. HUMPHREY. It will be well worth the time.

Mr. PASTORE. The editorial reads:

YOUTH CONSERVATION

When the Senate Committee on Labor and Public Welfare recently stamped its approval on S. 812, it acted to conserve both people and forests. The bill authorizes the enlistment of young men between the ages of 16 and 21 to work in national parks and on Federal conservation projects. Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, and other sponsors of the measure admit that their inspiration came from the Civilian Conservation Corps of early New Deal days.

Now, as in the 1930's, we have our quota of uprooted adolescents. Some are homeless; others, released from correctional institutions, have re-entered the uneven contest with a degrading home environment. Still others, mere drifters, have dropped out of school, but can find no mooring in a job. To all of them the Youth Conservation Corps would offer a chance to find themselves through constructive work. If the success of the CCC could be repeated, the result would be a landmark in human reclamation.

The bill calls for 50,000 youths to sign up for 6-month enlistments in the first year, with 100,000 enlistees in the second year and 150,000 a year after that. In return for their aid in developing the Nation's natural resources and recreational areas, the boys would receive $60 a month, plus food, clothing, and housing. At present, some States, notably Minnesota and California, use forestry camps for the rehabilitation of committed delinquents. This bill is rightly labeled a conservation program, however, since it aims to prevent human erosion.

Approval of a YCC by Congress and the President remains uncertain. A major hurdle will be the appropriations needed to set up the corps. S. 812 must be credited, however, as an enlightened attempt to protect one of our most vital national resources—youth.

Mr. HUMPHREY. Indeed, Mr. President, the unique character of this proposal is that it combines so beautifully two major public undertakings. The happy fact is that in providing for useful, constructive, healthful work for boys, we are in the same act making possible a fresh start on the desperately needed conservation work on our publicly owned lands, largely postponed since 1940, and the beginning of World War II.

There are just three major points on which the bill must stand:

First. We are building up a tremendous pool of unemployed young men in their late 'teens, which the YCC could tap for constructive work and training.

Second. We have already built up a very large backlog of needed conservation work which must be done to prepare for our expanding population's needs—but which is not being done.

Third. The cost of the program is modest. It is self-liquidating, not simply in producing savings in the law-enforcement and delinquency prevention, but in actual dollar benefits accruing to the taxpayer through increased revenues from the public lands.

The support for the bill has been enthusiastic and enormous. It has been bipartisan. It has come from juvenile court judges, parole officers, reformatory wardens, all the major metropolitan welfare authorities, the major veterans organization—as well as the major conservationist groups.

We are providing a very carefully phased buildup to 150,000 boys in the third year of operation. Of course no spending is involved at all, until the appropriations committees act to provide the funds. Congress will be able to control the size of the operation at all times, through the appropriation process. The very best estimates of cost-per-man are approximately $2,700 annually—including the salaries of needed additional supervisors, plus the cost of food, lodging, medical care, transportation, and the enrollee's pay, beginning at $60 per month.

The hearings on S. 812 were extensive and intensive. There was a great deal of thoughtful and provocative testimony.

I have studied with the closest attention the record of the hearings, and it is my conclusion that the general purposes and objectives of our original bill have been more than amply supported. Much additional information brought to light serves to modify my views on some of the details of our original proposal.

The problem of finding useful productive work and training for young men was demonstrated to be even more severe than I had realized, both quantitatively and qualitatively. This was emphasized on May 14 in an address by Mrs. Katherine Oettinger, Chief of the U.S. Children's Bureau, to the National Conference on Juvenile Delinquency here in Washington, when she said:

We know that the market for unskilled labor is steadily declining. At the same time that our market for unskilled labor is diminishing, our changing social patterns are thrusting our children earlier and earlier into the adult world. For many of these young people, economic problems pile up and pressures increase until there is real danger of explosion into antisocial behavior. It is all too easy to step from low pay or unemployment into delinquent behavior as a means of satisfying unmet needs and desires.

The figures on future numbers of young people in the age group with which S. 812 is concerned are quite alarming.

Mr. Levine, of the Bureau of Labor Statistics, brought out that by 1965 we are likely to have a labor force of workers and unemployed under 20 years of age 40 percent higher than today. And he pointed out that as of April 1959, we had 1,132,000 unemployed in the 14–24 age group, and a rate of unemployment for these young people about double the rate for those age 25 or over. Mr. Levine stated that in the 16 to 19 category, unemployment was running at 14 percent, compared with the national average of 5.3 percent for the Nation as a whole—three times the rate of older age groups.

Mr. Daniel Goldy, assistant commissioner of labor and industry of the State of New Jersey, in his very helpful and constructive testimony emphasized the rising curve of young people either graduating or dropping out of high schools. From the present 1.5 million dropouts each year, the figure will rise to 2.5 million by 1966.

In terms of the cost to society of each juvenile delinquent—and therefore, of the saving to society for each delinquency which is prevented—I have learned that the consensus of youth authorities is that the cost is in the neighborhood of $25,000 for the period of delinquency. If we could turn only 10,000 boys each year away from the path that leads to delinquency, the taxpayers of the country could be saved an annual expenditure of $250 million.

The bill is welcomed not only by youth authorities and educators in small-town America, but also specifically by the great metropolitan areas of New York, Philadelphia, Los Angeles, and Chicago, where the enthusiasm of the professional educators and welfare authorities has been intense.

Turning briefly to the record of the hearing, as it pertains to the conservation work needed on our publicly owned lands, it is abundantly clear that each of the conservation agencies has ready to go immediately programs which lack only funds and manpower, and which are specifically designed to enhance the value and increase the public use of our public lands.

Some of the leading persons in the conservation movement in America have testified that an investment in more intensive conservation work would produce income for the public of even up to 12 times the amount of the investment, and more.

Of particular importance, for example, was the testimony of former Assistant Chief of the U.S. Forest Service, Mr. Howard Hopkins, who retired after 35 years with the Service. I should like to read a few excerpts from his testimony:

During my work in the Forest Service I inspected national forest and private forest lands and resources from New England to California. I worked closely with the Civilian Conservation Corps of the 1930's. I made a special study of the results from Federal and State programs, undertaken during the decade following the CCC program, to rehabilitate potential criminals (reform school inmates, etc.) through accomplishment of needed natural resource improvement work projects.

Based on information obtained from the above experience it is felt the following six summarized items are especially pertinent in considering the Youth Conservation Corps proposed by S. 812.

1. There is a tremendous amount of highly valuable and urgently needed soil, water, and forest conservation work which should be accomplished, especially on public land. This work will not conflict with free labor employment. To the contrary its accomplishment will increase the future employment and jobs available.

2. There is an ever-increasing number of young men who, due to lack of leadership and employment, are on the road to becoming the criminals of tomorrow. This situation, while especially bad in major cities, is nationwide. If not corrected promptly both the resultant loss of manpower, which is needed to help the Nation's future economy, and the cost of correctional institutions of all kinds, will be much greater than the Nation either should or can afford.

3. The almost decade of experience with the Civilian Conservation Corps, and the experience of many State and Federal programs using potential criminals on natural resource conservation work during the 1940's, have demonstrated conclusively that (a) vitally important human improvement and rehabilitation work can be accomplished by a 1- to 3-year period of healthy outdoor work under proper leadership, and (b) urgently needed natural resource improvement work can be accomplished in the process of rehabilitating the youthful workers.

4. A permanent program with enrollment of 17-to-22-age-class youths to accomplish (a) needed physical and mental improvement and rehabilitation of enrollees, and (b) essential natural resource conservation work which will not compete with free labor, is vital to the future social and economic well-being of this Nation.

5. The permanent Youth Conservation Corps should be subject to temporary expansion as needed to help alleviate local or regional unemployment. This unemployment relief will form a most valuable additional contribution by the YCC, especially to the 17-to-22-age-class group.

6. The proposed Youth Conservation Corps will cost no more than (a) accomplishment of the conservation work by free labor, or (b) immediate savings by correctional institutions, or (c) an enrollee unemployment dole or subsidy. It will be an investment in this Nation's human and natural resources on which the future welfare and well-being of this Nation depends. It will be a long step toward solving two of the Nation's most serious problems; i.e., teenage delinquency and proper maintenance of our vital forest, soil, and water resources. The cost will be an investment which this Nation cannot afford either to do without or to longer postpone.

Mr. President, even the Secretary of Agriculture has been persuaded to sign his name to a report that looks toward a modest investment in the timber production from our national forests. If Mr. Benson is willing to go out on a limb to say that an investment in the national forests could triple the revenues to the Treasury, then it is safe to say that the evidence in the Forest Service files is that the revenues would be far greater. It is well to note that despite that momentary lapse into statesmanship, Mr. Benson has failed to come to grips even with his own program. He has failed to ask for even a dime with which to initiate his timber improvement program, and he sent down a letter opposing the establishment of a Youth Conservation Corps which could advance his own program—very possibly at less cost than the cost his own plans envisage.

Mr. President, again we see an example of an administration afflicted with budgetary schizophrenia. The administration is so split down the middle that it cannot see how unbalanced it is to be advocating, in one breath, an investment in national resources, and, in the next, to be uttering sharp cries of alarm over spending for the same purpose.

We are used to this kind of doublethink from the Secretary of Agriculture, but there is supposed to be at the White House an organization that thinks on a somewhat broader scale than does any individual department. Something called the Bureau of the Budget is in business to correlate and synthesize, to arrive at a balanced view of the business of the Federal Government.

So far as I know, the Bureau of the Budget has no obligation or directive to limit its thinking to one 12-month or 24-month period. It has, indeed, a clear obligation to look ahead for as far as men in Government can see, to try to balance the growing needs of our population and our commitments in the world against—among other things—productivity of our natural resources and the productivity of our labor force.

Yet, in the face of obvious pressure on our timber, water, soil, and recreational resources, the Budget Bureau opposes any serious attempt—such as S. 812—to provide a vehicle to relieve that pressure. In the face of the figures from its own statisticians, the Budget Bureau blandly ignores the rising curve of juvenile unemployment and delinquent behavior.

All we ever hear, Mr. President, from the administration are pious promises to study problems. We can safely predict that whenever the country really gets its dander up and demands some action, another White House conference will be held. For example, now that the country is ready for some action on the problems of youth, and now that there is wide agreement as to what must be done, and done quickly, there comes from the administration an announcement that in 1960 there will be a White House Conference on Youth. Out of that Conference there probably will come a diffused and generalized program in 1961, which, were a Republican administration to be in power at that time, would promptly be filed away in a drawer.

Mr. President, we have before us a hardheaded and practical proposal. It makes sense in terms of dollars and cents. It makes sense in terms of building our national strength for the long haul. It makes sense in providing opportunity for our young people.

It is a proposal which is supported by the finest minds in the country in education, in conservation, in public welfare, in the juvenile-delinquency-prevention field, among our veterans' organizations, and among our labor unions and churches. Support for the proposal continues to roll in. I only wish my colleagues could have read each encouraging letter of the many thousands that

have come to me. Many have been placed in the record of the hearings. Others, I have attempted to bring to the attention of my colleagues by means of the CONGRESSIONAL RECORD. Even during the past few days, letters of notable content, urging us to move forward in connection with this proposed legislation have come to me.

In conclusion, Mr. President, I should like to read just one letter which arrived the past weekend from a former CCC boy. It is so well put, and so to the point, that I feel it should be brought to the attention of my colleagues—particularly those on the other side of the aisle who perhaps have not previously given serious attention to this proposal.

It is a letter from Mr. Edward Kuklinski, Waldwick, N.J.:

WALDWICK, N.J., *July 31, 1959.*

Senator HUBERT HUMPHREY,
Senate Office Building,
Washington, D.C.

DEAR SIR: I read with interest Drew Pearson's article of July 29 in the New York Daily Mirror, under the heading of "Washington Merry-Go-Round," the fact that our White House fathers have nixed your plan on reviving the old Civilian Conservation Corps under the new heading of the Youth Conservation Corps, the plan being that this corps would be instrumental in getting our youth off the street corners by giving them gainful occupation.

I am one of the thousands of "young boys" who had "graduated" from the CCC, as it was then called, and I do not regret a single moment of the approximately 8 months spent in it.

This takes me back some 25 years, to June 1933 to be exact, to the city of Chicago.

It was in that month and year that I graduated from high school. Depression had its stranglehold on all of us then. There were no jobs available, even to sweeping floors or digging ditches, anything to occupy ourselves with and to supplement the family finances.

We were on relief then, I remember. Dad's business went bankrupt, and he was unemployed.

The months of July, August, and September rolled by without any success. For lack of nothing else to do we boys would hang around the corner candy store. In early October, I was approached to sign up into the three C's. This I did.

After several weeks of quarantine and indoctrination at Fort Sheridan, Ill., we embarked by train for the State of Washington, arriving at our destination on November 11 of 1933.

For the next 7 months, we were called upon to do a variety of chores, from the usual K.P. to cutting dead timber, reforestation, flood control, roadbuilding, forest fire fighting, and a multitude of other jobs.

I remember also that on entering the CCC's that I was a puny kid of 4 feet 9 inches, weighing 149 pounds. After discharge, I weighed 175 pounds and jumped up to 5 feet 8 inches in height, all solid muscle.

The three C's taught me self-respect and respect for my elders. I learned what discipline was and to respect authority. What's more, I learned self-dependence.

Today, I am a married man with five children, two of them boys. I dread the thought that when my boys grow up they will be forced to hang around street corners, as many of the other boys do, for lack of any interesting activity to keep them occupied. My own home town has failed miserably to provide recreational facilities for the simple reason that it costs money and that we are overburdened with taxes, both local and Federal, plus the usual shortsightedness of our governing bodies, not only from the local level, but also from the State and National level.

Our Government spends billions yearly on foreign aid but very little for its own. We should have Government-sponsored aid to education, barring none. Our Government should provide aid to State and municipal governments so that these same local governments can provide all types of necessities when it comes to education, recreation, and employment of our youth.

It's true that we parents hold the responsibility of raising our children so that they will grow up to be law-abiding citizens. By the same token, our Government has the moral responsibility of furthering and encouraging us parents so that we can be sure that when our children grow up they will have the proper education and the opportunities that we did not have when we were young.

We parents need help also, as we are the present-day taxpayer so heavily burdened with taxes and the high cost of living that we are only able to provide our children with the bare necessities of minimum education and means of livelihood.

Let us have the Youth Conservation Corps.

Let us leave politics out of this phase of national necessity.

There should be absolutely no opposition to the establishment of so worthy a means of keeping our kids off the streets by providing them with some form of gainful activity.

Let us not shortchange our youth of today and of the future.

Respectfully yours,

EDWARD P. KUKLINSKI.

Mr. President, those are exactly my sentiments.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a number of exhibits and statements in support of the bill. They include statements by key witnesses, an analysis of the bill, and a memorandum on the costs which would result from its enactment.

There being no objection, the analysis, excerpts, and memorandum were ordered to be printed in the RECORD, as follows:

EXHIBIT A

THE YOUTH CONSERVATION ACT OF 1959—OUTLINE OF REPORT NO. 536—(PAGE REFERENCES TO REPORT)

Principal amendments (pp. 1 and 2).
Bill as reported (pp. 2 and 6).
Introduction (pp. 6 and 8).
Part A. The old CCC, a model for the YCC: This section contains typical comments of the success of the CCC, pages 8–13.
Part B. The Nation's needs: A brief introduction on page 13 contains an outline of this section.
I. The population increase among youth (page 14).
II. Youth and job opportunities (pp. 15-18), 14 percent unemployment rate among youth in the 16-19 age group even in periods of prosperity.
III. The armed services: a declining outlet (p. 18).
IV. Juvenile delinquency: a preventive of (pp. 18-24).
V. Need for recreational facilities (pp. 24-26).
VI. The conservation challenge (pp. 27-30).
Part C. How the YCC will function:
I. Administrative features (pp. 30-33): (1) Not a new independent agency; (2) the YCC Commission; (3) Commission members; the functions of the director; (5) the camps; (6) the YCC Advisory Committee.
II. Department of Labor: Important facilities available (pp. 33-34).
III. Costs: Estimated costs of the Corps (p. 34).
IV. Recruitment: (1) State quotas, enrollment of those from areas of substantial unemployment, Indians (p. 36); (2) good character, relationship of program to juvenile delinquency, experience of armed services (pp. 36-37).
V. Education program: It must be voluntary; CCC experience; emphasis on work; possible avenues (pp. 37-39).
VI. The work the corps will perform (pp. 39–42: (1) Not to be competition with work done by contractors; (2) volume, Forest Service as example; (3) where located.
Part D. Bibliography (p. 42).
Section-by-section analysis (p. 42).
Minority views (pp. 43–45).
Supplemental views of Senator COOPER (p. 46).

(EXHIBIT B)

YOUTH CONSERVATION CORPS: EXPRESSIONS OF SUPPORT

I. GOVERNORS

David L. Lawrence, Pennsylvania; Mark O. Hatfield, Oregon; William G. Stratton, Illinois; Albert B. Chandler, Kentucky; Edmond G. Brown, California; Gaylord A. Nelson, Wisconsin; Herschel C. Loveless, Iowa; Robert B. Meyner, New Jersey; Orville L. Freeman, Minnesota; Earl K. Long, Louisiana; Albert D. Rossellini, Washington.

II. STATE LEGISLATURES

State of Nevada, assembly joint resolution.
State of Illinois, house joint resolution.

III. CONSERVATION AUTHORITIES

H. G. Wilm, commissioner, conservation department, State of New York.
F. H. Claridge, State forester, North Carolina.
R. C. Wible, State forester, Pennsylvania.
Kaarlo J. Otava, commissioner, Iron Range Resources and Rehabilitation, Minnesota.
Howard Hopkins, retired Assistant Chief, Forest Service.
Denver St. Claire, Fish and Game Commission of Florida.
M. F. Maxwell, Association of Soil Conservation Districts, Minnesota.
S. T. Dana, dean emeritus, School of Natural Resources, University of Michigan.
C. G. Savers, superintendent, Forest Preserve, Cook County, Ill.
Izaak Walton League of America.
National Wildlife Federation.
Wildlife Management Institute.
Citizens Committee on Natural Resources.

IV. NATIONAL ORGANIZATIONS

American Legion, American Recreation Society, American Veterans Committee, Veterans of Foreign Wars, National Child Labor Committee, National Association of Secondary School Principals, Communications Workers of America AFL–CIO, Rhode Island Commission on Youth, National Association of Social Workers, American Association for Health, Physical Education and Recreation, National Federation of Settlements and Neighborhood Centers.

V. SOME OF THE OFFICIALS AND AUTHORITIES IN YOUTH WORK

Judge J. Otto Reinemann, director of probation, Philadelphia, Pa.
Judge Russell Brumfield, Nicholsville, Ky.
Judge C. M. Ross, Coshocton, Ohio.
Judge Francis Sleep, Sandpoint, Idaho.
C. C. Trillingham, superintendent of schools, Los Angeles County.
Olin R. Booty, probation officer, Norwich, Conn.
Mrs. Eula Fullerton, Department of Welfare and Institutions, Virginia.

Richard Farrow, Department of Public Welfare, Pennsylvania.

Randolph Wise, commissioner of welfare, Philadelphia.

Mrs. John Cannon, chairman, Salt Lake County Youth Advisory Council.

Ellen Dunn, secretary, Connecticut Probation and Parole Association.

Glenn A. Olds, president, Springfield College, Massachusetts.

Ralph W. Whelan, commissioner of youth service, New York.

Carl Brizzolara, assistant director, special schools, County of Los Angeles.

Dr. and Mrs. George Roberts, University of Idaho.

Charles Shireman, professor of juvenile delinquency, University of Chicago.

Talmon R. Mager, chief social worker, State Hospital, Idaho.

C. C. Hehle, sheriff of Jefferson County, Charles Town, W. Va.

Matthew H. Schoenbaum, dean, Loyola University, Chicago.

Cary Thompson, principal, Springfield, Mo.

Judge Robert S. Baird, probate court, Cheboygan, Mich.

Douglas C. Rigg, warden, Minnesota State Prison.

Joe Harp, warden, Oklahoma State Reformatory.

Judge Virgil Langtry, Portland, Oreg.

EXHIBIT C

S. 812, YOUTH CONSERVATION ACT OF 1959

JUVENILE DELINQUENCY

At age 16, a boy finds it well nigh impossible to secure employment * * *. He sees himself therefore all too frequently without useful and creative employment. The indecisiveness of this kind of existence, I am sure, is reflected too frequently in the youth's behavior. (Matthew H. Schoenbaum, dean, Loyola University (Chicago).)

For many of these young people economic problems pile up and pressures increase until there is real danger of explosion into antisocial behavior. It is all too easy to step from low pay or unemployment into delinquent behavior as a means of satisfying unmet needs and desires. (Mrs. Katherine Oettinger, Chief, Children's Bureau, HEW, May 14, 1959.)

My concern over the increase in total crime and the toll in dollar costs is matched by my concern over the disturbing growth of juvenile crime. In 1957, persons under 18 years of age represented 53 percent of all arrests reported for robbery, auto theft, burglary, and larceny. Figures from city police reports show that since 1952, the population group under 18 years of age has increased 22 percent, while arrests of persons under 18 have increased 55 percent. (J. Edgar Hoover, Director, Federal Bureau of Investigation.)

Today we are plagued with a problem similar to the juvenile situation which existed during the 1930's—specifically what to do with our older boys and young men. These boys are finished with their formal schooling, yet desperately need assistance to help prepare them for an honorable position in our society. Where the depression youths were generally without money, the youths of today seem to have little difficulty obtaining adequate cash and equipment to carry out their schemes. I think most of us can agree that in the last 20 years our society has drastically changed with respect to many aspects of our family life. Whatever the reasons, there are today relatively large groups of young men in our cities and larger urban communities who have nothing to do—too old to be compelled to go to school and too young to go to work and no one at home to care for them. It is no wonder some of these boys have turned to antisocial and criminal behavior to escape from what they no doubt consider to be "a boring world."

The legislation being considered today would help correct this defect in our society by placing many of these idle boys and young men in gainful, productive, and a constructive way of life. It would prevent many from learning criminal patterns of behavior from which some never recover. At the same time, this legislation would give an immense shot in the arm to our grossly neglected conservation program and help revitalize our forests and natural resources.

It is my firm belief that if a Youth Conservation Corps is established, it will not only help to alleviate considerable youthful misery but will, at the same time, be an acknowledgment by our Government that we believe in these boys and have faith that they will and should be useful law-abiding citizens.

May I make this final observation: There will be no immediate visible return on money spent on the youth program proposed in these bills. I submit, however, the eventual return will be invaluable as these boys mature into men and become useful, productive members of our society. If we are only able to just eliminate the shocking waste of youth as evidenced by the time and money spent by our courts, police, and law enforcement agencies, we will soon realize we are wisely investing in the future of America and we will be rewarded tenfold for the money wisely spent carrying out such a program. (John W. Mahan, national commander, Veterans of Foreign Wars.)

In our work with young people, we have found that the establishment of a new facility which we have called a work camp would meet the needs of large numbers of young people who are on the threshold of delinquency. These adolescents about whom we are particularly concerned might be classified in four broad categories:

The first is the number of youths who, although uninvolved in crime, are without an adequate home or means of support. Their physical as well as their moral health is jeopardized. Often they sleep on rooftops, in the subways, or in all-night movies. They are easy prey for unwholesome exploitation.

A second group consists of those young people who have been released from correctional institutions or from Riverside or Lexington Hospitals as discharged narcotic users. Often their original difficulty can be traced to the neighborhood and home environments from which they have come. When they are returned to these sources of infection, the prognosis for continued health and well-being is very poor.

The third group is those young people whose life situations are on the threshold of delinquency and youth crime. They need time—time away from peer groups and community pressures—to make important decisions about their future, about jobs and training. Although many have been intermittently employed since the age of 16, most have poor work habits, are unable to hold a steady job, or are totally unprepared for the type of job they seek. Some are beginning to experiment with narcotics. Others, although not yet directly involved in crime, are spending an increasing amount of time with neighborhood adults known to be involved.

The fourth, and largest, and most familiar group is to be found among loose-end adolescents who have nothing to do and spend the major portion of their time on the stoop, in the candy store or poolroom in aimless hanging around. Many have dropped out of school; some are peripheral gang members. For some, this unguided activity is terminated by induction into the Armed Forces, but for many others it becomes punctured by more serious antisocial behavior.

All these four groups of young people have in common an urgent need to get away from the community in which their difficulties have their roots. They need help; they need guidance; they need supervision. They must also have an opportunity to learn—what are their capacities, what are the skills they must master in order to make their way in the community and, most important of all, what do they want to do with their lives.

Youth conservation in our society is essential because of the hiatus of adolescence, the long critical period between childhood and becoming a full-fledged adult member of our society. Too many of our youth are growing up hostile to the immediate environment and to the larger community, poorly integrated or unmotivated, to become responsible and productive members of the community. (Ralph Whelan, commissioner of youth services, city of New York.)

Any program undertaken should be based, unless we get into a real emergency, on the dignity and value of conservation work, on the need for the work and not on the fact that it was work set up to put somebody to work. I think the dignity of labor, the dignity of working on conservation programs should be developed at all times, because it is a noble thing for the individual and the country to have a real, strong understanding and appreciation of our natural resources, whether those resources afford the material things or whether they afford the inspirational, spiritual, and social values that we think the parks afford, both Federal and State parks and many of the very fine reservations in the Forest Service. (Conrad L. Wirth, Director, National Park Service.)

As this country becomes more urbanized it becomes more difficult for people to stay close to the land, and this country was built on land and on people's relations with it. The further they get away from it, the more important I think is the opportunity to get out and actually do some physical work on the land to get some idea of the feel of the land.

I grew up on a farm, and I know I would not take anything in the world for the background and experience and the feeling that goes with some knowledge of the land, and a large part of our population is losing that.

I do not look upon this as an emergency thing. I think it should be a permanent part of the program in educating Americans to be better citizens. (Ira N. Gabrielson, president Wildlife Managment Institute.)

It was my privilege in 1935, 1936, and 1937 to be a member of the Civilian Conservation Corps and believe me at that time it was the finest thing that could happen to a young man. It was right at the end of the depression and there was nothing that a young man just out of high school could find to do. I will always be grateful that I had that opportunity, and I know that I express the feelings of all of the men that were in there with me at that time whom I still associate with today. It gave us a chance to find out what this old life is all about and get our feet on the ground. (James F. Miller, former enrollee.)

Relief from unemployment, which was the motivating force in the original CCC program, may well be an important service rendered by the Youth Conservation Corps, but of still greater and more lasting value will be its service in upbuilding young men and in providing them with a better land in which to live. Such a corps can provide a way of salvation for those who are, or who are

likely to become, delinquents. It can also provide an experience which will make the normal youth a better rounded individual and a more useful citizen. (Samuel T. Dana, dean emeritus, School of Natural Resources, University of Michigan.)

Our indictments in court in the past couple of years have shown a steady increase in youngsters with no jobs or anything else trying to get a little bit of money. (C. A. Hehle, sheriff, Jefferson County, W. Va.)

A juvenile delinquent is not a young criminal necessarily. He may have been a truant; he may have been incorrigible; he may have been running away from home. (Richard Farrow, director of youth services, Philadephia, Pa.)

These youngsters, both the dropouts and the high school graduates, who enter the labor force have severe occupational adjustment problems, and their numbers are going to increase rapidly. (Daniel Goldy, assistant commissioner, Department of Labor and Industry, New Jersey.)

I would feel that it would be unfortunate if this became delinquency oriented. I do not think one should overlook its tremendous preventive potential, however. (Raldolph Wise, commissioner, Department of Welfare, Philadelphia, Pa.)

EXHIBIT D

YOUTH CONSERVATION CORPS: S. 812

COSTS

1. Since the House has not started hearing on the measure, it may be assumed that the bill, if signed into law, would not become effective until the spring of 1960. Hence the first fiscal year of operation of the program would be the year ending June 1961. It would, therefore, not involve the budget which is now being assembled for the year ending June 1960.

2. The first year's expenditures will include relatively small amounts for enrollee's salaries, since the planning must be accomplished first. A large part of the first year's expenditures will be in the purchase of supplies now owned by the Government as surplus. In actuality such expenditures will be a bookkeeping operation by which money spent by one Government agency will be received by another. Hence to this extent there will be no outlay by the Treasury.

3. The actual amount of expenditures will be within the control of the President. Hence the decision to enroll 20,000 rather than 50,000 as authorized is a matter over which the Bureau of the Budget would exercise authority. (See colloquy in the RECORD, pp. 14102–14103). And, of course, the Appropriations Committees will further have to act.

4. Probably the most important segment of work performed by YCC enrollees will be for the increased supplies of timber by tree planting, forest fire prevention and control, timber stand improvement, disease control.

The following excerpt is from the April 1959 "Program for the National Forests," issued by Secretary Benson (hearings, pp. 251–280). The program is a 12-year short-run program, the benefits of which are set forth as follows:

"Benefits include direct financial revenues, secondary benefits, and intangible values.

"Direct financial revenues from the national forest system will rise to about $210 million annually by the time the short-term conservation program is completed, or double current receipts. Over 90 percent of such revenues will continue to come from the sale of standing timber. By the year 2000 national-forest timber sales should reach 21 billion board feet of sawtimber worth $350 million at 1958 prices.

"Payments from national forest revenues for county schools and roads will increase correspondingly. These increased payments to counties, coupled with increased national forest expenditures for roads and fire control, will exceed the taxes that the national forest system would pay, if subject to local taxation, by an even greater margin at the end of the initial period than at the present time.

"The capital value of the timber, forage, and lands of the national forest system will have increased by about a billion dollars as a result of the short-term conservation program.

"In addition to direct financial income to the United States as a result of the national forest conservation program, there will be both substantial secondary benefits and very real intangible benefits.

"Secondary benefits include such things as numbers of people employed in the harvesting of national forest timber and other products and the value added to those products by manufacture, distribution, and marketing.

"In timber alone, it is estimated that for every dollar of national forest stumpage sold the end products will be worth $20 by the time they reach the ultimate consumer. This means that the annual sale of 11 billion board feet of sawtimber expected to be reached by the end of the short-term period will have a total consumer value of $3.7 billion.

"Furthermore, some 620,000 people will derive their livelihood from the harvesting, processing, hauling, and merchandising of national forest timber and the products made therefrom. This will be an increase of 60 percent over the current level."

5. The estimated per-man annual cost of $2,700 (including all overhead and supervisory costs) compare very favorably with any hiring of labor to carry out the proposed program for the national forests.

6. A discussion of costs appears in the report on pages 34–35.

Mr. HUMPHREY. Mr. President, I understand that the time available to our side has been consumed.

Again, I wish to publicly commend and thank the distinguished senior Senator from West Virginia [Mr. RANDOLPH] for his leadership, for his direction, and for his inspired help in our effort to make this program possible.

The PRESIDING OFFICER (Mr. Moss in the chair). All time available to the proponents of the bill has been consumed.

Six minutes remain under the control of the opponents of the bill.

Mr. AIKEN. Mr. President, I yield 5 minutes to the junior Senator from New York [Mr. KEATING].

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. KEATING. Mr. President, although I am sympathetic to the objectives of this measure, I shall oppose it.

I certainly applaud the effort it represents to conserve our vital youth and natural resources.

I realize that this measure has attracted wide public support, and that it calls for substantial improvements over the now-disbanded Civilian Conservation Corps, which in many respects left a good deal to be desired in respect to administration.

However, I do not feel that this bill will soundly or effectively achieve the goals it seeks. It is certainly a very costly way—according to the testimony which has been adduced—of trying to reach laudatory objectives.

I have received a good deal of mail on this measure from constituents who are active in the field of helping young people and dealing with youth problems. They have buttressed my understanding of the fact that neither our schools nor our recreation centers are equipped to meet the needs of many of today's young people. Every year, many teenagers leave school at the minimum age of 16, ill-equipped for competition on the labor market, and often restricted in finding employment, because of the careful provisions of State child labor laws.

These youths desire to enter the adult world, to earn a living, and to become independent and useful citizens. However, because of the many obstacles which stand in their way, they are often subject to boredom and disappointment. These are fertile fields in which juvenile delinquency thrives.

I only wish the proposed Youth Conservation Corps represented the answer to this great problem. Unfortunately, it does not.

The primary answer lies, of course, with the family units and in the religious lives of our young people. These are the keystones to building citizens who will be strong in the moral, mental, and physical sense.

The basic fault of Senate bill 812, as it relates to the problem of juvenile delinquency, is that it is based on the premise that merely by transferring these troubled young people from cities to the country, we will stop their delinquent tendencies. But the matter is not as simple as that.

In the first place, the preponderance of evidence adduced by the committee—as noted in the minority views—indicates that the percentage of juvenile delinquency among rural young people is roughly comparable to the percentage among urban dwellers. Thus, the mere transferral from city to country would not appear to hold the answer to that problem.

Mr. JAVITS. Mr. President, on this point will my colleague yield to me?

Mr. KEATING. I am happy to yield.

Mr. JAVITS. I had a brief colloquy on this point with the Senator from Oregon.

Of course my colleague knows that I was formerly attorney general of our State, at a time when our State was taking action in regard to the juvenile-delinquency problem.

By way of supporting the point my colleague from New York has made during the last few minutes—and let me say that I thoroughly agree with what he has said about this matter—let me state that the colloquy to which I have referred brought out the point that the proposed program is not geared to adequate handling of the juvenile-delinquency problem; neither is it geared to the functioning of the courts and the other social-adjustment media in connection with that problem.

The report on the bill includes the following statement:

The Youth Conservation Corps is not designed as a cure for juvenile delinquency by which hard-pressed communities can dispose of their juvenile problems by exiling them to distant forest regions. Nevertheless, the YCC, because it seeks to provide a solution to a cause of juvenile delinquency, can properly be termed a preventive measure.

However, Mr. President, I point out to my colleague that the proponents of the bill have not really designed it for that purpose.

The PRESIDING OFFICER. The time yielded to the Senator from New York has expired.

Mr. KEATING. Let me ask whether other Senators are seeking recognition.

Mr. AIKEN. Approximately 4 minutes remain to be allotted by our side, and 2 minutes of that time has already been promised to another Senator.

Mr. KEATING. May I use the other 2 minutes?

Mr. AIKEN. Yes; I yield 2 additional minutes to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 additional minutes.

Mr. JAVITS. Mr. President, I am sorry that I have interrupted my colleague.

Mr. KEATING. The Senator need not apologize, Mr. President.

Let me say that I appreciate the contribution my colleague from New York has made. He was born in a large metropolis. I was born in a little village of 800 or 1,000 people. But I think the chance of each one of us becoming delinquent was about 50–50.

In the second place, Mr. President, past experiences with the Civilian Conservation Corps lead to the conclusion that removal from city streets to forest lanes will not stop delinquency.

Finally, I believe that the huge expenditures envisaged by this proposal could much more effectively be spent on other means, if we are seeking to conserve our natural resources and find answers to juvenile delinquency. At a time when our economy is booming and jobs are, on the whole, plentiful, we need not go off on budget-busting excursions such as this, which do not really get at the problems we are trying to solve.

For these and other reasons, I am opposed to Senate bill 812. However, I hope the interest and the activity stimulated by this proposal will have beneficial longrun effects. I hope it will encourage increased efforts to find ways and means to solve the many complex factors which go into making juvenile delinquents. I hope it will spur better administration and application of conservation programs to save our natural and recreational resources, a field in which I have always had a deep and abiding interest.

These are objectives which none can oppose. They are vital to the progress and welfare of our Nation. They are not, however, dealt with effectively or soundly under this proposal.

Mr. JOHNSON of Texas. Mr. President, how much time remains available?

The PRESIDING OFFICER. Three minutes.

Mr. JOHNSON of Texas. Mr. President, at the conclusion of the debate, I shall suggest the absence of a quorum, and then the Senate will proceed to a yea-and-nay vote on this issue.

I hope the aides on both sides of the aisle will notify the absent Senators that their presence is desired.

Mr. AIKEN. Mr. President, I yield 2 minutes to the Senator from Georgia [Mr. TALMADGE].

The PRESIDING OFFICER. The Senator from Georgia is recognized for 2 minutes.

Mr. TALMADGE. Mr. President, I rise in opposition to the proposed legislation. I wish I could support the bill, because its supporters have enumerated many worthwhile benefits that would result from such a law.

It seems to me the only question involved in this issue is, Can we afford it? We have just completed a fiscal year in which we had a deficit of $12½ billion, the largest peacetime deficit in the history of the United States of America.

We find at the present time that the per capita income of our country is at the highest level it has been in the history of America. There are more people gainfully employed now than there have been at any time in the history of this country. Yet our national debt limit has been increased three times in the past 18 months.

Now is no time to be creating new agencies of government or spending money for idealistic purposes. It has been the history of government in all ages that agencies, once established, can never be abolished.

Mr. President, all of us are opposed to juvenile delinquency, but it cannot be abolished by a government agency. The only way juvenile delinquency can be abolished is at the level of the home. It cannot be abolished by a Federal agency.

I hope this measure will be defeated, because if the agency proposed is created, it will be like all other Federal agencies: It will go on and on, and its expenditures will increase and increase year after year, with larger and larger appropriations being made.

Mr. JOHNSON of Texas. Mr. President, has all time on the bill been consumed?

The PRESIDING OFFICER. One minute remains.

Mr. DIRKSEN. Mr. President, I yield back the time remaining to me.

The PRESIDING OFFICER. All time on the bill has been exhausted or yielded back.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded, so the roll can be called on passage of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The question now is, Shall the bill pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JORDAN (when his name was called). On this vote I have a pair with the senior Senator from Wyoming [Mr. O'MAHONEY]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. ENGLE. Mr. President, I have a live pair with the senior Senator from North Dakota [Mr. LANGER]. If he were present and voting he would vote "yea." If I were at liberty to vote I would vote "nay." I therefore withhold my vote.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ] is absent on official business.

The Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

On this vote, the Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from Arizona [Mr. GOLDWATER]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Arizona would vote "nay."

Mr. KUCHEL. I announce that the Senator from North Dakota [Mr. LANGER] is absent because of death in his family.

The Senator from Arizona [Mr. GOLDWATER] is necessarily absent.

On this vote, the Senator from Arizona [Mr. GOLDWATER] is paired with the Senator from New Mexico [Mr. CHAVEZ]. If present and voting, the Senator from Arizona would vote "nay," and the Senator from New Mexico would vote "yea."

The result was announced—yeas 47, nays 45, as follows:

YEAS—47

Anderson	Hayden	Morse
Bartlett	Hennings	Moss
Bible	Hill	Murray
Byrd, W. Va.	Humphrey	Muskie
Cannon	Jackson	Neuberger
Carroll	Johnson, Tex.	Pastore
Church	Johnston, S.C.	Proxmire
Clark	Kefauver	Randolph
Dodd	Kennedy	Sparkman
Douglas	Kerr	Symington
Fulbright	Long	Wiley
Gore	McCarthy	Williams, N.J.
Green	McGee	Yarborough
Gruening	McNamara	Young, N. Dak.
Hart	Magnuson	Young, Ohio
Hartke	Mansfield	

NAYS—45

Aiken	Case, S. Dak.	Holland
Allott	Cooper	Hruska
Beall	Cotton	Javits
Bennett	Curtis	Keating
Bridges	Dirksen	Kuchel
Bush	Dworshak	Lausche
Butler	Eastland	McClellan
Byrd, Va.	Ellender	Martin
Capehart	Ervin	Monroney
Carlson	Frear	Morton
Case, N.J.	Hickenlooper	Mundt

Prouty	Schoeppel	Stennis
Robertson	Scott	Talmadge
Russell	Smathers	Thurmond
Saltonstall	Smith	Williams, Del.

NOT VOTING—6

Chavez	Goldwater	Langer
Engle	Jordan	O'Mahoney

So the bill (S. 812) was passed.

Mr. RANDOLPH. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

Mr. MANSFIELD subsequently said: Mr. President, I commend the distinguished senior Senator from West Virginia [Mr. RANDOLPH] for the fine work he performed today in managing and guiding through the Senate the Youth Conservation Corps bill. It was not an easy task for the Senator from West Virginia, whom I have known for many years in both the House and the Senate, to perform. I believe he deserves the highest commendation for the ability he showed in bringing Senators around to his point of view, and for the overall management he exhibited in putting through this, his first really major measure since coming to the Senate.

That the bill passed is a tribute not only to Senator RANDOLPH's ability, but also to the esteem in which he is held by his fellow Senators.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 71) authorizing the enrollment, with certain corrections, of S. 1719, a bill for the relief of Lushmon S. Grewal and others.

The message returned to the Senate, in compliance with its request, the bill (H.R. 6118) to amend section 6 of the act of September 11, 1957.

MODIFICATION OF PENSION PROGRAMS FOR VETERANS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 673, House bill 7650.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 7650) to modify the pension programs for veterans of World War I, World War II, and the Korean conflict, and their widows and children.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with amendments.

Mr. JOHNSON of Texas. Mr. President, for the information of Senators, I am informed that the distinguished chairman of the Committee on Finance [Mr. BYRD of Virginia] will make a brief statement of about 15 or 20 minutes, explaining the provisions of the bill.

The Senator from Oklahoma [Mr. KERR] will offer a very important amendment on which he will ask for the yeas and nays.

Under the unanimous consent agreement there will be 1 hour on amendments. I am inclined to think that at the expiration of that hour the Senate will be prepared to vote, so I should like to have all Senators on notice.

Mr. BYRD of Virginia obtained the floor.

Mr. KERR. Mr. President, I ask unanimous consent that Mr. Oliver E. Meadows, staff director, Committee on Veterans Affairs, of the House of Representatives, may have permission to sit with me during the debate on the bill, in view of the technical assistance I shall need in the discussion of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that the following experts may be present on the floor of the Senate during the consideration of House bill 7650 to answer any questions or furnish any cost estimates, and so forth, which may be required by Members. These gentlemen who are connected with the Veterans' Bureau are:

Mr. William J. Driver, Chief Benefits Director, and Mr. A. W. Stratton, Director of Compensation and Pension Service of the Veterans' Administration.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BYRD of Virginia. Mr. President, in the discussion of House bill 7650 and the amendments which were adopted by the Senate Committee on Finance, at the outset I should like to make two facts clear beyond any possibility of confusion.

First. The bill deals only with Veterans' Administration payments to veterans, widows and orphans in cases where there is no service-connected disability. It does not apply to payments in any case where there is a service-connected disability, and it has no effect on such cases.

Second. The bill deals only with pension payments. It has no application to veterans' compensation payments, and its provisions have no effect on veterans' compensation payments.

Veterans' pensions are paid only in non-service-connected disability cases. Compensation is paid only in cases where service-connected disability is involved. This bill deals only with pensions. It does not deal with compensation.

There are two additional points which should be made crystal clear from the beginning:

The first point is the status of these non-service-connected veterans on the pension rolls at the present time will not be changed by this bill unless they elect to take the new rates, but if they exercise their privilege of taking the new rate, 794,000, or 65 percent of all those presently on the roll may receive increased pension payments.

Before coming directly to the provisions, effects, and costs of this bill I should like to point out that Congress has been very liberal in its treatment of veterans this session. Over $5 billion has been appropriated for them and their benefits cover a wide range.

The Senate recently passed a bill that would increase benefits for peacetime veterans in a readjustment program that would cost $100 million the first year and increase to $450 million by the fifth year.

In addition, for veterans during the present session of Congress, the direct home loan money has been increased by $100 million; hospital care has been increased by $18 million; hospital construction has been increased by $32 million, and medical research has been increased by $18 million. The Senate Finance Committee has reported out about a dozen bills that have liberalizing effects within the last few weeks.

In order to understand the effects of the bill now before the Senate as reported by the Senate Finance Committee, it is necessary briefly to review provisions of the present law and the provisions in the bill as it was passed by the House of Representatives.

Under present law, veterans of World War I, World War II, and Korea, who meet length of service and discharge requirements, are eligible for pension if they are found to be permanently and totally disabled for reasons not connected with their service and if their annual income does not exceed $1,400 without dependents or $2,700 with dependents. The present bill as reported by the Senate Finance Committee would increase these income limitations to $1,600 and $3,000, respectively.

Pension rates at present are $66.15 and $78.75 per month. The $78.75 amount is paid when a veteran becomes 65 years of age or has been drawing pension for 10 years. These flat rates are paid regardless of the variances in income and regardless of whether the veteran is single or married or has other dependents.

Under existing law pensions are paid to certain widows and orphans of veterans of World War I, World War II, or the Korean conflict who die from causes not attributable to their war service. The basic monthly rate for such a widow under present law is $50.40 where there is no child. If there is a widow and one child, the rate is increased to $63, and $7.56 is payable for each additional child. Pension of $27.30 may be paid for a child if there is no surviving widow, $40.95 for two children, $54.60 for three, and $7.56 for each additional child.

The bill as passed by the House of Representatives would establish a new general principle with respect to payment of veterans' pensions. This new principle would base veterans' pension payments on need. The greatest amount of pension would be paid to those with the greatest need.

This would be accomplished by eliminating from the existing law the "all or nothing" feature of the existing income limitations and substituting a sliding scale of income limitations. The pension rate would be based on the income bracket. This sliding scale of income limitation would permit payment of pension to some cases not now eligible. The House bill would correct some existing inequities and it would provide a fairer test of need.

The bill now before the Senate, as reported by the Senate Finance Committee, makes no change in the new "need" principle established in the bill as passed by the House of Representatives.

Within the framework and general principles of the House bill the Senate Finance Committee adopted eight amendments. The effects of the amendments adopted by the Senate Finance Committee in terms of the bill as passed by the House are summarized as follows:

Section 2 of the bill pertains to annual income. The committee accepted all provisions of section 2 in the House bill except one which permitted pensioners to recoup an amount equal to their own contribution before counting as income any part of an annuity, public or private.

Section 3(b) pertaining to single veterans with no dependents was amended by the committee to reduce income limitations from $600 per year to $500 and pay a pension of $85 per month. The $1200 per year income limitation was reduced to $1,000 and the pension payment of $70 per month was reduced to $55 per month. The $1,800 per year income limitation was reduced to $1,600 and the pension payment of $40 per month was reduced to $20 per month.

Section 3(c) of the bill pertained to veterans with one dependent. In this category veterans, with one dependent and income of $1,000 or less per year, would receive $90 per month. This was amended by the committee to provide further that a veteran with 2 dependents and an income of $1,000 or less per year would receive $95 per month and that the veteran with an income of less than $1,000 with three dependents or more would receive $100 per month.

Section 3(e) of the bill which provided that for purposes of determining veteran's income, the income of his spouse, except $1,200 or 50 percent, whichever is greater, would be considered as income. The committee omitted the provision relating to 50 percent of the spouse's income. This action was taken in the belief that the provision could lead to abuses. There was testimony that it would permit a veteran to transfer to his wife property providing an income of $6,000 per year or more and still permit him to be eligible for pension. This would permit the veteran to create his own need.

Section 4(b) of the bill pertaining to widows with no children was amended by the committee to reduce the income limitation of $600 per year to $500 per year and reduce the pension payment of $60 per month to $55 per month. The $1,200 per year income limitation was reduced to $1,000 and the pension payment of $45 per month was reduced to $35 per month. The $1,800 per year income limitation was reduced to $1,600 and the pension payment of $25 per month was reduced to $15.

A new section 6 was added to the bill by the Senate committee. It relates to pensions paid while hospitalized. The present law provides for withholding all but $30—50 percent—of pension due a single veteran without child after 6 months' hospitalization by the Veterans' Administration. The withheld amount is restored to the veteran after his discharge from the hospital. The committee amendment would reduce the pension to $30 per month after 2 full months of Veterans' Administration hospitalization or domiciliary care. If he has dependents, the balance of his pension could be paid to them. While a veteran is hospitalized, his basic needs such as food and shelter are of course provided. The committee took the view that $30 per month pension would provide an adequate supplement for his personal need.

The committee also added a new section 10 to the bill. This amendment restores, for 1 year, the right of World War II veterans to apply for national service life insurance. This provision previously has been approved by the committee twice and passed by the Senate.

Under another Senate committee amendment widows of veterans of World War II and the Korean conflict effective July 1, 1962, will be permitted the same eligibility requirements as are imposed for widows of World War I veterans. This would eliminate the qualifying requirement for some percentage of service-connected disability at the time of the veteran's death. It should be noted that this equalization for World War II widows occurs within 16 years after the termination of World War II and only a few years after the Korean conflict. World War I widows waited for 26 years after the termination of World War I before they were granted outright service pension. The bill contains a savings clause which provides that no veteran or widow presently on the rolls will be removed or receive a reduction in pension as a result of enactment of this bill.

In conclusion it is necessary to show the cost of this bill. The bill as reported by the Finance Committee will increase the cost of the pension law in the immediate future. An additional $128 million will be distributed to those now on the rolls during the first year. This results from provision permitting these people to remain on old rate or elect the new rate whichever will pay them the most. Sixty-five percent of the present pensioners may qualify for this increase which will average 16 percent above their present rate.

To some this may seem overly generous, since in 1957 there was a 10-percent increase for the service connected veterans less than totally disabled. However, the committee found two justifications for the increases in this bill:

First. The last increase for pensioners was 5 percent in 1954.

Second. The increase will go to those at the bottom of the income scale; those most in need.

One hundred and fifteen million dollars of the additional $128 million under the bill will go to the older veterans; those who served in World War I and their dependents. Eighty-nine percent of the first-year increase goes to this World War I group.

The Veterans' Administration calculates that there will be some savings under the pending bill in and after the fifth year, but the overall cost for the first 5-year period is $495 million over the present law.

This cost estimate by the Veterans' Administration is exclusive of such additional expenditures as may be incident to extending time for filing applications for national service life insurance.

Five hundred and fifteen thousand veteran pensioners will share in this increase under this bill. In addition, 279,000 widows and orphans will receive their just share. In total—794,000 people now on the rolls, the large majority in the World War I group, get more money.

In the course of discussions on this bill, frequent use has been made of figures relating to its costs over 40 years. Frankly, I regard veterans' pension cost figures over such a period as sheer fiction. For this reason I have discussed the matter in terms of a 5-year period only.

I hope the committee bill will be approved by the Senate.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the amendments are agreed to.

The amendments agreed to en bloc are as follows:

On page 2, after line 12, to strike out:

"(6) payments to an individual under public or private retirement, annuity, endowment, or similar plans or programs equal to his contributions thereto;".

At the beginning of line 16, to strike out "(7)" and insert "(6)"; at the beginning of line 23, to strike out "(8)" and insert "(7)"; on page 4, in the chart, after line 15, in the column with the heading "Column I—Annual income—More than—", to strike out "$600" and insert "$500", and in the same column, to strike out "1,200" and insert "1,000"; in the column with the heading "Column I—Annual income—Equal to or less than—", to strike out "$600" and insert "$500"; in the same column, to strike out "1,200" and insert "1,000", and in the same column, to strike out "1,800" and insert "1,600"; in the column with the heading "Column II", to strike out "70" and insert "$55" and in the same column, to strike out "40" and insert "20"; in line 19, after the word "in" to strike out "column II" and insert "columns II, III, or IV"; on page 5, in the chart after line 2, to insert a new column, as follows:

"Column III

Two dependents

$95
75
45"

After the amendment just above stated, to insert a new column, as follows:

"Column IV

Three or more dependents

$100
75
45"

In line 10, after the figures "$1,200", to strike out "or 50 per centum"; in the same line, after the word "income", to strike out the comma and "whichever is the greater,"; on page 7, in the chart after line 3, in the column with the heading "Column I—Annual income—More than", to strike out "$600" and insert "$500", and in the same column, to strike out "1,200" and insert "1,000"; in the column with the heading "Column I—Annual income—Equal to or less than—", to strike out "$600" and insert "$500"; in the same column, to strike out "1,200" and insert "1,000", and in the same column, to strike out "1,800" and insert "1,600"; in the column with the heading "Column II", to strike out "$60" and insert "$55"; in the same column, to strike out "45" and insert "35", and in the same column, to strike out "25" and insert "15"; on page 9, after line 20, to insert a new section, as follows:

"SEC. 6. Section 3203 of title 38, United States Code, is amended (1) by deleting 'pension, compensation, or' wherever it appears in subsections (a)(1) and (b)(1) and inserting in lieu thereof 'compensation or'; (2) by redesignating subsection (d) as '(e)'; and (3) by inserting a new subsection (d), as follows:

"'(d)(1) Where any veteran is being furnished hospital treatment, institutional, or domiciliary care by the Veterans' Administration, no pension in excess of $30 per month shall be paid to or for the veteran for any period after (a) the end of the second full calendar month following the month of admission for treatment or care or (b) readmission for treatment or care within six months following termination of a period of treatment or care of not less than two full calendar months.

"'(2) Where the payment of pension to any veteran is subject to the provisions of paragraph (1) of this subsection the Administrator may apportion and pay to his wife or children the balance of the pension which the veteran would receive but for such paragraph (1).'"

On page 10, at the beginning of line 17, to change the section number from "6" to "7"; on page 11, at the beginning of line 8, to change the section number from "7" to "8"; at the beginning of line 17, to change the section number from "8" to "9"; on page 12, after line 18, to strike out:

"SEC. 9. This Act shall take effect on July 1, 1960."

After line 19, to insert a new section, as follows:

"SEC. 10. (a) That subchapter I of chapter 19 of title 38 of the United States Code is amended by inserting at the end thereof the following new section:

"'§ 725. Limited period for acquiring insurance

"'(a) Any person who served on active service (as defined in the National Service Life Insurance Act of 1940, as amended, prior to its repeal) between October 8, 1940, and April 24, 1951, both dates inclusive, shall, subject to the conditions and limitations prescribed in paragraph (2) of section 602(c) of the National Service Life Insurance Act of 1940, as amended, be granted insurance in accordance with the provisions of such paragraph upon application in writing made within one year after the effective date of this Act in the same manner and to the same extent as if such paragraph had not been repealed.

"'(b) Any person heretofore eligible to apply for insurance under section 620 or 621 of the National Service Life Insurance Act of 1940, as amended, shall, upon application made in writing within one year after the effective date of this Act, be granted insurance in accordance with the provisions of section 620 or 621 of such Act, subject to the conditions and limitations of such sections, respectively (other than limitations with respect to the time for filing application), in the same manner and to the same extent as if such sections had not been repealed, except that where application for insurance pursuant to section 621 of such Act is made more than one hundred and twenty days after separation from active service the applicant shall be required to submit evidence satisfactory to the Administrator of good health at the time of such application. Insurance authorized to be granted by this subsection in accordance with the provisions of section 621 of the National Service Life Insurance Act of 1940, as amended (prior to the repeal of such Act), shall be on the limited convertible term or permanent plans of insurance and the premiums shall be based on table X–18 and interest at the rate of 2½ per centum with an additional amount for administrative costs as determined by the Administrator. The Administrator is authorized to transfer annually an amount representing such administrative cost from the revolving fund to the general fund receipts in the Treasury.

"'(c) All premiums paid and other income received on account of national service life insurance granted under the authority contained in subsection (a) shall be segregated in the national service life insurance fund and, together with interest earned thereon, shall be available for the payment of liabilities under such insurance.

"'Nothwithstanding the provisions of section 782 of this title the Administrator shall determine annually the administrative costs which in his judgment are properly allocable to such insurance and shall thereupon transfer the amount of such costs from any surplus otherwise available for dividends on such insurance from the national service life insurance fund to the national service life insurance appropriation.'

"(b) The analysis of subchapter I of chapter 19 of title 38 of the United States Code is amended by adding at the end thereof the following:

"'725. Limited period for acquiring insurance.'"

And on page 15, after line 3, to insert a new section, as follows:

"SEC. 11. (a) Except as provided in subsection (b), this Act shall take effect on July 1, 1960.

"(b) The basic eligibility requirements for widows and children of veterans of World War II and the Korean conflict contained in subsections 541(a) and 542(a) of title 38, United States Code, as set forth in section 4 of this Act shall not apply until July 1, 1962. Prior to that date the basic eligibility requirements of sections 543(a) and 544 of title 38, as they existed on June 30, 1960, shall continue to apply."

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield to the Senator from Ohio.

Mr. LAUSCHE. Do I understand correctly that the bill pending before the Senate does not at all deal with compensation paid to veterans for disabilities incurred in the service?

Mr. BYRD of Virginia. That is correct.

Mr. LAUSCHE. The bill deals only with pensions paid to veterans for nonservice connected disabilities?

Mr. BYRD of Virginia. That is correct.

Mr. LAUSCHE. So that the veteran injured in the service is not at all involved in this bill?

Mr. BYRD of Virginia. That is correct.

Mr. LAUSCHE. The term "pension" as used in the bill comprehends those payments that are made to veterans who suffered disability from any of a number of causes?

Mr. BYRD of Virginia. Nonservice connected.

Mr. LAUSCHE. Is it also true that under existing law a pension is paid for nonservice-connected disability?

Mr. BYRD of Virginia. That is correct.

Mr. LAUSCHE. What is the total cost per year now for the pensions paid for nonservice-connected disabilities?

Mr. BYRD of Virginia. It is $992,703,000 for the first year under the present law.

Mr. LAUSCHE. What will be the increased cost in the first year of the operation of the bill, if it is passed?

Mr. BYRD of Virginia. Under the Senate committee amendments it will be $1,121,393,000 for the first year.

Mr. LAUSCHE. That would be lifting the cost from $992 million to $1,100 million?

Mr. BYRD of Virginia. That is correct.

Mr. LAUSCHE. Can the Senator state what is the difference in those figures?

Mr. BYRD of Virginia. The difference is $128,690,000.

Mr. LAUSCHE. Is it not very close to $400 million?

Mr. BYRD of Virginia. It is the difference between $992,703,000 and $1,121 million.

Mr. LAUSCHE. Then, the increased cost in the first year will be about 33 percent?

Mr. BYRD of Virginia. Somewhat less than 33 percent, as compared with the cost of the House bill, but the increase under the Senate bill is not as great.

Mr. LAUSCHE. Will the cost be higher in the second year?

Mr. BYRD of Virginia. In the second year, under the present law, the cost would be $1,037 million. Under the Senate committee bill it would be $1,131 million.

Mr. LAUSCHE. Does the increase in cost rise in about the same proportion each year—33 percent?

Mr. BYRD of Virginia. It increases for the first 4 years. In the fourth year under the Senate committee bill the cost will be $1,364 million. Under the present law, it would be $1,263,501,000.

Mr. LAUSCHE. The figures we have been talking about are the increase in cost which would be produced by the House bill. Under the Senate committee's amendment of the House bill, what would be the approximate percentage of increase in cost?

Mr. BYRD of Virginia. In the first year, the cost $992 million. Under the Senate committee bill it would be $1,121 million.

Mr. LAUSCHE. That would be a difference of about $130 million?

Mr. BYRD of Virginia. About $128 million under the Senate bill. The increase would be about $367 million under the House bill.

Mr. LAUSCHE. I thank the Senator.

Mr. KERR. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield.

Mr. KERR. The difference is in the benefits which would go to widows and orphans in the first year, is it not?

Mr. BYRD of Virginia. The first two years, yes.

Mr. KERR. In the first two years, about which the Senator from Ohio was asking questions, the difference was in the benefits which would go to widows and orphans, not to the veterans.

Mr. BYRD of Virginia. In the first two years; that is correct.

Mr. KERR. Actually, the bill reported by the Committee on Finance would bring about a reduction to the veterans as compared with the amount in the House bill in the first 2 years, would it not?

Mr. BYRD of Virginia. That is true but you are overlooking the need principle and the provision for widows in the third year.

Mr. KERR. Aside from the money given to the widows, I ask the Senator from Virginia if it is not true that under the bill as reported by the Committee on Finance, the benefits to veterans would be less in the first 2 years than they would be under the House action.

Mr. BYRD of Virginia. They would be $16 million less, but you are overlooking the need principle.

Mr. KERR. But they would be less?

Mr. BYRD of Virginia. Sixteen million dollars out of more than $2 billion.

Mr. KERR. I thought the Senator said the amount was $1 billion.

Mr. BYRD of Virginia. I thought the Senator was speaking of 2 years.

Mr. KERR. No. I asked if the amount the veterans would receive under the Senate committee bill in the first 2 years would be less than it would be under the House action.

Mr. BYRD of Virginia. Sixteen million dollars out of $250 million for 2 years.

Mr. KERR. Is that less or more?

Mr. BYRD of Virginia. It is somewhat less.

Mr. KERR. It is less.

Mr. BYRD of Virginia. The Senator can calculate it as well as I can.

Mr. KERR. The Senator from Ohio asked questions which, as I understood, were calculated to show that the House bill would provide hundreds of millions of dollars more in the first 2 years than the Committee on Finance bill would. I wanted Senators to know that the increase in those 2 years will go to widows and orphans, and not to veterans, and that so far as the veterans are concerned they will actually get less.

Mr. BYRD of Virginia. Sixteen million dollars out of more than $2 billion. If the Senator from Ohio wants the figures for the full 40 years, I refer him to the figures in the report. I have never relied too heavily on them, but they have been used frequently.

Veterans having non-service-connected disabilities, under the present law, will receive $105 billion through the year 2000. Under the bill as passed by the House, they will receive $115 billion.

Mr. KERR. Veterans?

Mr. BYRD of Virginia. That is the total cost. Under the bill as reported by the Committee on Finance, they will receive $95 billion.

Mr. KERR. I know of the devotion of the distinguished Senator from Virginia to accuracy. If he will consult with the technician at his side, he will find that his figures are mistaken.

Mr. BYRD of Virginia. I have already consulted with him, and he approves of the figures.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield.

Mr. WILLIAMS of Delaware. Is it not also true that both under the House bill and under the bill reported by the Committee on Finance not a single veteran on the rolls today will get less than he is receiving under existing law; and that 71 percent of all single veterans will get more, and 41 percent of the married veterans will get more?

Mr. BYRD of Virginia. That is correct.

Mr. WILLIAMS of Delaware. Not one in either category will have his pension reduced.

Mr. BYRD of Virginia. That is correct.

Mr. LAUSCHE. Mr. President, will the Senator further yield?

Mr. BYRD of Virginia. I yield.

Mr. LAUSCHE. I am not a member of the committee. I should like to know what the bill means. That is my only purpose in asking questions. What is the differentiation which has just been pointed out by the Senator from Oklahoma concerning those who will receive less?

Mr. BYRD of Virginia. The total figures I have given begin on July 1, 1960.

Mr. KERR. Mr. President, I call up an amendment which is at the desk, and which has been offered on behalf of the Senator from Tennessee [Mr. GORE], the Senator from Minnesota [Mr. MCCARTHY], and myself.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 2, after line 12, it is proposed to insert the following:

(6) payments to an individual under public or private retirement, annuity, endowment, or similar plans or programs equal to his contributions thereto.

On page 2, line 16, strike out "(6)" and insert "(7)".

On page 2, line 23, strike out "(7)" and insert "(8)".

On page 4, strike out the table following line 15, and insert the following:

Column I		Column II
Annual income		
More than—	but Equal to or less than—	
$600 1,200	$600 1,200 1,800	$85 70 40

On page 7, strike out the table following line 3, and insert the following:

Column I		Column II
Annual income		
More than—	but Equal to or less than—	
$600 1,200	$600 1,200 1,800	$60 45 25

On page 15, strike out lines 4 through 13, and insert the following:

SEC. 11. This Act shall take effect on July 1, 1960.

Mr. BYRD of Virginia. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. KERR. I yield.

Mr. BYRD of Virginia. Mr. President, when the committee amendments were agreed to en bloc, I should have asked unanimous consent that the bill as thus amended be considered as an original text for the purpose of amendment. I make that request now.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. KERR. Mr. President, I appreciate the report given by the distinguished Senator from Virginia, the honored, respected, and able chairman of the Committee on Finance. It is a source of deep concern to me that I find myself compelled to disagree with him with respect to the bill. However, my concept of my duty to my constituents is such that I cannot support the bill as reported by the Committee on Finance. Therefore, I have offered the amendment which is now before the Senate, to do what I believe will be justice to the beneficiaries of the proposed legislation and to the widows and orphans of veterans.

The distinguished Senator said that in the course of the discussion of the bill frequent use has been made of figures relating to its cost over a period of 40 years. He said, "Frankly, I regard veterans' cost figures over such a period of years as sheer fiction."

There has been placed on the desk of each Senator a copy of the pending amendment, a statement of the purpose of the amendment, and a tabulation of figures prepared by the Veterans' Affairs Committee of the House of Representatives, showing in detail the items which would be restored to the bill by the amendment submitted on behalf of the Senator from Tennessee, the Senator from Minnesota, and the Senator from Oklahoma. That is a blue sheet. It contains the figures which show the cost to the Government of the bill as reported by the Senate committee, the cost of the pending amendments, and the cost under present law. This forecast of the cost is for a 40-year period.

I remind Senators that the forecast was prepared by the Veterans' Administration. Its representative is here on the floor, at the side of the Senator from Virginia [Mr. BYRD]. If I make even a slight error in my presentation, I ask that he

suggest to the Senator from Virginia that I be corrected.

I feel that it is mandatory, in connection with our consideration of this proposed legislation, that we have the best information possible as to the forecast of costs, for the very simple reason that, as of now, veterans' program legislation is on the statute books. We now have on the statute books legislative provisions for benefits for disabled, unemployable, non-service-connected-disability-affected veterans, and for their widows and orphans.

The purpose of the pending bill and the purpose of the amendments is to change those provisions of existing law. I have felt, and I now feel, that we should have the benefit of the best information available in regard to the cost of the program, the cost of existing law, the cost of the committee bill, and the cost of the amendments. I remind Senators that the committee report does not include those cost figures. In my opinion, the reason why it does not include them is that they disclose that the committee bill, instead of being a veterans' benefit bill, is a Budget Bureau economy bill.

The purpose of our amendment in the nature of a substitute is to restore the bill to substantially the form in which it passed the House of Representatives. Our substitute includes two of the amendments agreed to by the Senate Finance Committee; namely, the amendment which will modify the formula for counting the spouse's income and the amendment which will reduce the pensions of veterans now without benefits, while they are cared for in Veterans' Administration hospitals and domiciliary homes, to $30 a month after the veterans have been hospitalized 2 months.

Mr. BYRD of Virginia. Mr. President, will the Senator from Oklahoma yield?

The PRESIDING OFFICER (Mr. GRUENING in the chair.) Does the Senator from Oklahoma yield to the Senator from Virginia?

Mr. KERR. I yield.

Mr. BYRD of Virginia. I ask unanimous consent to have printed in the RECORD the figures to which the Senator from Oklahoma has referred. There was no intention to conceal them. They have been published time and time again. Therefore, I now ask unanimous consent that there be printed in the RECORD the figures showing the cost on a 5-year basis and the cost on a 40-year basis.

There being no objection, the tabulations were ordered to be printed in the RECORD, as follows:

Estimated cost, H.R. 7650, 86th Cong., as amended by the Senate Finance Committee

TOTAL

[In thousands of dollars]

Year	Cost or saving from present legislation for period through specified year		Cumulative cost or saving through year shown	
	Cost	Saving	Cost	Saving
1st	128,690			
2d	92,611			
3d	189,802			
4th	101,050			
5th		17,284		
	512,153	17,284		
	−17,284			
5-year total	494,869		494,869	
1970	375,047		869,916	
1975	314,046		1,183,962	
1980	284,297		1,468,259	
1985		630,294	837,965	
1990		2,451,626		1,613,661
1995		4,205,793		5,819,454
2000		5,155,506		10,974,960
	1,468,259	12,443,219		
		−1,468,259		
		10,974,960		

Estimated cost—H.R. 7650, 86th Cong., as amended by the Senate Finance Committee

[In thousands of dollars]

Year	Total				Disability				Death				Equalization	
	Cost or saving from present legislation for period through specified year		Cumulative cost or saving through year shown		Cost or saving from present legislation for period through specified year		Cumulative cost or saving through year shown		Cost or saving from present legislation for period through specified year		Cumulative cost or saving through year shown		Cost for period through specified year	Cumulative cost through year shown
	Cost	Saving	Cost	Saving	Cost	Saving	Cost	Saving	Cost	Saving	Cost	Saving		
1st	128,690				100,209				28,481				0	
2d	92,611				69,655				22,956				0	
3d	189,802				9,327				11,906				168,569	
4th	101,050					81,164				4,670			186,884	
5th		17,284				201,817				26,772			211,305	
	512,153	17,284			179,191	282,981			63,343	31,442			566,758	
	−17,284					−179,191			−31,442					
5 year total	494,869		494,869			103,790		103,790	31,901		31,901		566,758	566,758
1970	375,047		869,916			1,173,218		1,277,008		239,646		207,745	1,787,912	2,354,670
1975	314,046		1,183,962			1,262,496		2,539,504		374,071		581,816	1,950,613	4,305,283
1980	284,297		1,468,259			1,753,461		4,292,965		422,359		1,004,175	2,460,117	6,765,400
1985		630,294	837,965			3,029,330		7,322,295		405,891		1,410,066	2,804,927	9,570,327
1990		2,451,626		1,613,661		5,105,722		12,428,017		382,245		1,792,311	3,036,340	12,606,667
1995		4,205,793		5,819,454		6,887,877		19,315,894		390,104		2,182,415	3,072,188	15,678,855
2000		5,155,506		10,974,960		7,516,043		26,831,937		422,162		2,604,577	2,782,699	18,461,554
	1,468,259	12,443,219				26,831,937			31,901	2,636,478			18,461,554	
		−1,468,259								−31,901				
		10,974,960								2,604,577				

Mr. KERR. Mr. President, I was going to make the same request; and I am surprised that the Senator from Virginia would now insert in the RECORD the figures which he said he would regard as sheer fiction.

Mr. BYRD of Virginia. I did not say that——

Mr. KERR. The Senator said he regarded them as a sheer fiction.

Mr. BYRD of Virginia. I understood the Senator from Oklahoma to criticize the committee for not including the figures in the report. So I have now submitted the figures for the RECORD. I intended to do so when I made my opening remarks, but I failed to do so at that time.

Mr. KERR. I thank the Senator from Virginia.

Mr. President, in my opinion, the bill which passed the House of Representatives was a reasonable bill, and it had the support of all major veteran organizations. All major veteran organizations support my substitute amendments. I have received telegrams from Preston Moore, national commander of the American Legion; David Williams, national commander of the Disabled American Veterans; John Mahan, national commander of the Veterans of Foreign Wars; Winston Burdine, national commander of AMVETS; and Mrs. Charles W. Gunn, national president of the American Legion auxiliary. I ask unanimous consent that the telegrams be printed at this point in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C., *August 12, 1959.*

HON. ROBERT S. KERR,
U.S. Senate, Senate Office Building, Washington, D.C.:

The Senate Finance Committee has reported out its verision of H.R. 7650—Veterans' Pension Act of 1959. So that there may be no mistake regarding the position of

American Legion, this clarifying message is submitted to you.

Committee amendments reducing rates, income limitations, and putting off the effective date of widow's equalization make the bill now unacceptable to the American Legion.

It is our understanding Senator KERR will submit an amendment from the floor, restoring the original rates, income limitations and effective date of widow's equalization. The American Legion supports the Kerr amendment and strongly urges you to support it.

In the event the Kerr amendment does not prevail, we then urge the rejection of the entire bill.

PRESTON J. MOORE,
National Commander, the American Legion.

INDIANAPOLIS, IND., *August 12, 1959.*

Senator ROBERT S. KERR,
Senate Office Building,
Washington, D. C.:

National Commander Moore, American Legion, has informed me of your amendments that will be offered in lieu of the Senate Finance Committee report on H.R. 7650. The 1 million members of the American Legion Auxiliary heartily support your amendment restoring the original rates income limitations and effective date of widow's equalization as contained in the House-passed bill. The features of these three provisions is minimum acceptable to the American Legion Auxiliary.

Mrs. CHARLES W. GUNN,
National President, American Legion Auxiliary.

HELENA, MONT.

Senator ROBERT KERR,
Senate Office Building,
Washington, D.C.:

I understand tomorrow you will offer amendments to H.R. 7650 which the Senate Finance Committee has amended to the point where it is unacceptable to the VFW. I wish to commend you for these amendments which I understand will put the bill back near its original form. You have my full support in offering these amendments, as commander in chief of the Veterans of Foreign Wars of the United States.

JOHN W. MAHON.

WASHINGTON, D.C., *August 12, 1959.*

Hon. ROBERT S. KERR,
Senate Office Building,
Washington, D.C.:

DAV is not in accord with the Senate Finance Committee amendments to H.R. 7650. We respectfully urge your support of Kerr amendment to substantially restore H.R. 7650 to provisions passed by House of Representatives.

DAVID WILLIAMS,
National Commander, Disabled American Veterans.

WASHINGTON, D.C., *August 12, 1959.*

Hon. ROBERT S. KERR,
Senate Office Building,
Washington, D.C.:

Please accept AMVETS sincere thanks for your views on pension legislation expressed in Finance Committee minority report on H.R. 7650. We have long advocated a pension program based upon realistic test of need. H.R. 7650 as passed by the House of Representatives fulfilled that objective. The bill as amended and reported by the Senate Finance Committee is unduly restrictive. AMVETS cannot support the amended version of H.R. 7650.

We pledge AMVETS wholehearted support of amendments that you will introduce in the Senate to restore substantially the House-passed provisions of H.R. 7650.

WINSTON E. BURDINE,
National Commander.

Mr. KERR. Mr. President, these telegrams express opposition to the amendments adopted in the Senate Finance Committee, and give support to our substitute amendment.

I am most emphatic in telling the the Members of the Senate that the bill which has been reported by the Senate Finance Committee is not a veterans' benefit bill, but is an economy measure. The bill which was sent to us by the House of Representatives would have provided substantial increases in benefits to more than 1,100,000 veterans and widows, at a cost of $308 million the first year. The House-passed bill would provide benefits, over and above those provided by existing law, in the amount of $10 billion, by the turn of the century. That means in the next 41 years. The bill which has been reported by the Senate Finance Committee would cut the provisions of the House-passed bill by $20 billion by the turn of the century. The bill reported by the Senate Finance Committee would cut benefits to veterans, presently provided by existing law, by $27 billion by the turn of the century. That is why that figure was not included in the report.

The committee bill is clearly an economy measure. A vote for it will be interpreted as a vote against veterans and their widows and orphan children.

I know that every Member of the Senate will fully understand this fact before casting his vote.

The amendment which we are offering, to restore the bill to the form it had when it passed the House, does not meet all of the demands of every group which is seeking liberalized pensions. These amendments and the House-passed bill represent a reasonable compromise between the economy demands of the administration and the ultra-liberal general pension demands which are being made by other groups of veterans. All of the major veteran groups, such as the American Legion, VFW, DAV, and AMVETS, have worked in a spirit of compromise, and have agreed to support less than the original positions established in their national conventions. They have worked hard to develop a fair bill which will give help to needy veterans and widows, and at the same time will withhold pensions from those not in need of help. Of course, these organizations vigorously oppose the economy bill reported by the committee. Every veterans' organization in the Nation has told the Senate that it would prefer to have no bill of this sort enacted, rather than to have the bill reported by the Senate Finance Committee enacted.

Mr. GORE. Mr. President, will the Senator from Oklahoma yield?

Mr. KERR. I yield to the Senator from Tennessee.

Mr. GORE. In order to demonstrate to the Senate that the provisions of the amendment which we have submitted will not provide extravagant benefits, will the Senator from Oklahoma be so kind as to point out to the Senate the income levels necessary and required by the amendment?

Mr. KERR. The amendment provides, for veterans who qualify—and that means totally disabled or totally unemployed veterans—$85 a month, if the veteran's other income did not exceed $600.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. KERR. I yield.

Mr. GORE. Could that be interpreted by any reasonable man or by any reasonable stretch of the imagination as an extravagant expenditure or benefit?

Mr. KERR. I do not think so. The bill which the committee offers would provide the same amount, but only if the veteran had an outside income of not to exceed $500. In other words, if the veteran had $500 in outside income, the committee bill would reduce the benefit of the veteran from $85 to $55, while the amendment offered by the Senators from Tennessee and Minnesota and myself would give the $85 to the veteran who had an income of not to exceed $600; and $70, if his income were between $600 and $1,200.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. KERR. I yield.

Mr. GORE. In view of the constant increase in the cost of living, does the able Senator think that a disabled veteran with an income of only $50 a month——

Mr. KERR. And wholly unemployable.

Mr. GORE. And wholly unemployable, would have a standard of living of which we could boast, with only a few dollars a month added?

Mr. KERR. At this time, that veteran gets either $66 or $78. The amendment which we sponsor would raise the amount to $85; and it would be the first raise this group of beneficiaries has received since 1954.

As I shall call attention to it later in my remarks, it is the only group of persons now receiving benefits from their Government that has not had an increase by this Congress since 1954.

Mr. President, in order that there can be no misunderstanding as to the cost implications of the bill which passed the House and the bill as reported by the Senate Finance Committee, I had intended to ask unanimous consent to have printed in the RECORD at this point a comparative table showing the first 5 years' cost of the House passed bill and the committee reported bill, and costs at 5-year intervals, and cumulative cost, above existing law, to the year 2000; but the Senator from Virginia has already done so, and I shall not burden the RECORD with an insertion of the same table.

I emphasize again that the bill reported by the Senate Finance Committee, after providing $18,500 million for widows and orphans, still creates a net saving, through reduction of benefits to veterans and dependents and orphans, of $10 billion by the turn of the century.

It recognizes the fact that this Congress is against equalizing benefits to widows and orphans of veterans of the Korean War and World War II with benefits to widows and orphans of veterans of World War I.

It is said that widows and orphans of veterans of World War I did not get benefits until 26 years after World War I was closed. Mr. President, that fact may be a source of pride to some, but it is not to me. Subject as the Congress of the United States is to being controlled by precedents, that is one precedent which I do not believe should be controlling on the Congress; and the fact that widows and orphans of veterans of World War I did not get benefits until 26 years after that war was over should be a fact to regret, rather than one of pride.

We should not seek to apply that action as a standard for determining when the same benefits should be provided widows and orphans of veterans of World War II and the Korean war.

Mr. President, the bill reported by the committee is not a bill for veterans and their widows and orphans, and should not bear such a title. It should bear the title "The Budget Bureau's Economy Act of 1959." There is not a bona fide veterans' group in the Nation which supports it. They are just as much opposed to this bill, as reported by the committee, as they would be to a smallpox epidemic. In fact, the members of the committee who bring the Senate this bill did not even include a cost table in their report.

It could not be found until it was called to the attention of our colleagues by a table lying on their desks, and the insertion made in the RECORD a little while ago by the Senator from Virginia, that the bill was reported as a Budget Bureau's economy bill.

I desire to support legislation which can become law and help needy veterans. I have no sympathy for extreme proposals of any sort which should not and cannot possibly become law.

I have talked with the chairman of the House Veterans' Affairs Committee. Be it said to his credit and their credit, they convinced me that the House will never concur with the drastic measure reported by the Senate Finance Committee. It is a well-known fact that there is no support in the administration for the general pension demands of some veteran groups and that if the Congress were to pass an ultra liberal pension bill, it would be vetoed by the President.

The House-passed bill and our amendments, aimed at restoration of the House-approved bill, can become law. It has the backing of the major veteran organizations and it has been approved by the House of Representatives. The White House did not oppose the bill in the House and there is ample reason to believe this bill, if passed, will be signed into law.

It passed the House with only 35 adverse votes. The Republican leader in the House supported it on the floor of the House and voted for it, as did nearly 400 Members of the House..

Veterans and dependents who receive non-service-connected pensions have not had an increase in their pensions since 1954. They are the only major group of persons benefiting from Government programs who have not had an increase since that time, as I said a while ago.

In the discharge of our duties as Senators and custodians of the public welfore, there is:

A time to save, a time to spend.
A time to keep, a time to give.
The timing is important—very important.
Our veterans had a country to save, a land to defend.
Now, we have a debt to pay, an obligation to honor
To veterans and widows and orphans.
How we honor that debt demonstrates what we are.

I speak for those who could do it better, but they are silent.
I think of the poem—
"And the stately ships go on to their haven under the hill;
But O for the touch of a vanish'd hand,
And the sound of a voice that is still."
That stilled voice is from millions of veterans who speak no more.

Listen! Are you listening? You can hear the whispered prayers of their widows.
Listen! Are you listening? You can hear the whimpering plea of their orphans.
They come to you on the voice of the wind.
They whisper to you in the silent night,
They thunder to you in the throb of your conscience.
You cannot turn your back—you cannot deny them your vote.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. KERR. I yield to the Senator from Indiana.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield to me for an announcement?

Mr. KERR. I yield to the majority leader.

ORDER FOR ADJOURNMENT TO 10 O'CLOCK A.M. MONDAY, AND LIMITATION OF DEBATE

Mr. JOHNSON of Texas. Mr. President, many Senators want to make their plans for this weekend. I am informed that the Committee on Banking and Currency ordered reported today the housing bill. It will be ready to be considered tomorrow.

I ask unanimous consent that the committee may have until midnight tonight to file its report.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, if we are able to consider the bill on Monday under a unanimous-consent agreement the Senate could adjourn until Monday. I therefore ask unanimous consent that when the Senate adjourns today it adjourn until 10 o'clock a.m., on Monday; and that during the consideration of the housing bill we have 2 hours' discussion on the bill and 30 minutes on each amendment, the time to be equally divided.

I have agreed to these conditions with the chairman of the subcommittee [Mr. SPARKMAN], the distinguished minority leader [Mr. DIRKSEN], and the ranking minority member of the committee [Mr. CAPEHART].

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

Mr. GORE. Mr. President, reserving the right to object——

Mr. JOHNSON of Texas. I yield to the Senator.

Mr. GORE. There is on the calendar a resolution reported, I believe, from the Senate Committee on Banking and Currency by a vote of 12 to 3, the consideration of which I request.

I, of course, have no personal objection to the Senate being in adjournment Friday. I would enjoy that. However, I would not like to have days continue to pass without consideration of this resolution, which I consider to be an important one on behalf of the taxpayers of the country and decency in government, and then later find there is inadequate time for its consideration. I shall insist upon consideration of the resolution, even to the point of offering it as an amendment or, upon my own, though I would not like to have to do so, making the motion to consider the resolution.

I understand that the distinguished majority leader is in no way averse to consideration of the resolution. He has said so to me. I should like to have the Committee on Banking and Currency, or the majority leader, or some other Senator with authorization, give me some assurance that the resolution will be considered, or I will want to offer it as an amendment to the housing bill.

Mr. JOHNSON of Texas. Mr. President, the Senator is perfectly within his rights to do that. If the Senator wants more time, I would be glad to modify the agreement to give him such time as he may desire to offer the resolution as an amendment.

As I told the Senator before, I have asked the chairman of the subcommittee, who has been very diligent in this matter, to talk to the people from the Bureau of the Budget, who asked for the right to submit certain facts. I am prepared to have the Senate consider the resolution at any time the Committee on Banking and Currency is ready to have it taken up by motion. I do not ordinarily make a motion to consider a resolution unless the committee is ready and willing to consider it.

We have cleared the resolution for consideration, and we will make a motion to consider it whenever it is convenient for the committee.

I am not in a position to say that this will be done next Tuesday, or next Thursday, or even next week. I hope it can be done. I have no objection to the resolution being taken up by motion at any time. If the Senator desires to make a motion that the resolution be considered, he may do so.

Mr. GORE. I do not desire to do so, and certainly not unless the situation is sufficiently extreme to require it. The resolution has been on the calendar. The committee has reported it by a vote of 12 to 3. It was brought about as the result of the request of the junior

Senator from Tennessee and the majority leader that the committee consider this matter. After careful consideration the resolution was reported with bipartisan support, by a vote of 12 to 3. I think the resolution should be considered by the Senate. I hear no one suggesting exactly when that will be. Under the circumstances I must, with reluctance, object.

Mr. SPARKMAN. Mr. President, will the Senator withhold his objection?

Mr. GORE. Mr. President, I withhold, and further reserve the right to object.

Mr. SPARKMAN. Mr. President, will whoever has the floor yield to me?

Mr. GORE. Mr. President, I yield. I reserve the right to object.

Mr. KERR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KERR. I presume the time being taken for this discussion is not being charged to the time on the bill or on the amendment.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the time not be charged to either side.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

The Chair will state to the Senator from Oklahoma that he has 10 minutes remaining.

Mr. SPARKMAN. I will say to the Senator from Tennessee that at the request of the chairman of the Committee on Banking and Currency we reported Senate Resolution 130 to the Senate. The resolution really was not my resolution. The Senator from Pennsylvania [Mr. CLARK] was the Senator who introduced it. It was jointly cosponsored, I believe, by five other Senators on the committee. The action of the committee was as the Senator from Tennessee has said.

Some time after that either the Director of the Bureau of the Budget or the Secretary of the Treasury got in touch with the majority leader and asked for the opportunity to talk with him. The majority leader asked me if I would talk with him. We had some little difficulty arranging a time when both of us would be free, but some several days ago Mr. Stans came to the Capitol and discussed the matter with me. I tried at that time to get in touch with the Senator from Pennsylvania [Mr. CLARK], who was out of the city on that day. I wanted him to come to my office to join in the discussion. He was not able to do that.

I did suggest to Mr. Stans that he talk to the Senator from Pennsylvania [Mr. CLARK], and to other Senators who had been the primary movers in regard to the resolution, rather than to me.

A few days later, Mr. Rosenberry, the Deputy Administrator of the Housing and Home Finance Agency, and Mr. Baughman, the head of the Federal National Mortgage Association, came to the Capitol and talked with me. On that occasion I called the Senator from Pennsylvania.

Mr. JOHNSON of Texas. Mr. President, I am having difficulty hearing the Senator, I am sorry to say.

Mr. SPARKMAN. I said that later on Mr. Rosenberry, the Deputy Administrator of the Housing and Home Finance Agency, and Mr. Stanley Baughman, the head of the Federal National Mortgage Association, came and talked with me. On that occasion I called the Senator from Pennsylvania [Mr. CLARK], and the Senator from Pennsylvania stated very frankly he was not in a mood to accede to the request. It was explained by the Director of the Bureau of the Budget that the procedure they suggested was really in the interest of orderly liquidation of the portfolio of mortgages. It was suggested that they were going to sell them through competitive bidding, and it was asked that we at least not object to their making a trial run to see how it would operate.

Of course, no commitment was given by any one of us. It was just an exploratory conversation. That was only 2 or 3 days ago, and that is where the matter now stands.

I simply make that statement as an explanation for a great part of the delay. The resolution was ready to be taken up for consideration, I suppose, 2 or 3 weeks ago.

Mr. JOHNSON of Texas. The resolution has been on the calendar less than a month. I am prepared to have it considered this afternoon, if that is what Senators want. I do not want to be forced into consideration at the point of a gun.

I told the Senator that I would make the motion to consider the resolution at any time the chairman of the committee is ready. We had a veto message to consider yesterday. We had a bill to consider today. We have these other important bills to consider. As soon as these bills are disposed of, I would be glad to make a motion to consider the resolution, or the Senator from Tennessee can offer it as an amendment to the bill and have 2, 3, 4, or 5 extra hours, or whatever time Senators want to discuss it. I am not trying to hold up consideration. It is a resolution which was recently reported. As soon as the resolution was reported the policy committee cleared it. We do not need to go through any pressure.

Mr. SPARKMAN. And the delay was occasioned through the desire to talk before action was taken.

Mr. JOHNSON of Texas. The Director of the Bureau of the Budget submitted a statement to me and said that he could not believe the committee had the information when the committee took its action. I told him I was not in a position to discuss what information the committee had, but that I would ask the chairman of the committee to give him a hearing. I called the Senator and asked him to see the gentleman. The Senator has seen him, and he has had a hearing.

So far as the leadership is concerned, we are prepared to consider the resolution to express the sense of the Senate at any time a majority of the Senate is ready to consider it. I would like to not have it connected with the housing bill.

Mr. SPARKMAN. If I may, I wish to suggest that I do not believe it should properly be offered as an amendment to the housing bill, because it is an expression of the sense of the Senate, as I recall. It is a Senate resolution to express the sense of the Senate, and not in any sense legislation.

Mr. GORE. Mr. President, further reserving the right to object, the junior Senator from Tennessee does not possess a gun on the floor of the Senate, and is not undertaking to use a parliamentary weapon in that sense.

We have just heard related a series of conferences and moves, a part of which was already within the knowledge of the junior Senator from Tennessee, which indicates that the administration is undertaking to dissuade the Senate from acting on this resolution. Why? Because it is determined, without such action on the part of the Senate, to go through with the proposed deal.

What is the proposed deal? It is to exchange, on an even swap basis, mortgages guaranteed by the U.S. Government, bearing 4 percent interest, for long-term U.S. Government bonds bearing an interest of only 2¾ percent.

I say that would be giving a very great benefit to the chosen holders of long-term low-interest-rate bonds. The mortgages which it is proposed to exchange have been paid down to an average maturity of 8 or 9 years.

The administration says that the benefits received by the holders would be minimized by the fact that a part of the profit thus given to them would be recouped by taxes. That is a curious sort of argument, indeed.

It is further argued that in this way the budget will somehow, by legerdemain, be balanced. That is a costly way and a strange way to balance the budget. Yet the administration, in the face of a vote of 12 to 3, after thorough study and investigation by the committee, is undertaking to dissuade the Senate from taking action; and no assurance has yet been given that the Banking and Currency Committee will be ready to bring up this resolution on motion.

I thoroughly agree with the distinguished majority leader that he quickly told me that he was ready to have it brought up on motion, but until I receive some assurance that some member of the committee on Banking and Currency will move to bring it up on motion, I must respectfully object.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. JOHNSON of Texas. Could we not give the Senator such time as he desires, and go on with the housing bill?

Mr. GORE. Under the present circumstances, I object.

Mr. JOHNSON of Texas. What is the Senator's desire? I do not understand it. I thought he wanted time to discuss the Senate resolution.

Mr. GORE. Mr. President, withdrawing the objection, but further reserving the right to object, what I desire is some

assurance, before the terms under which the housing bill is to be considered are fixed, that the Senate Committee on Banking and Currency is willing to proceed to consider the resolution, which it approved and recommended to the Senate by a vote of 12 to 3.

Mr. JOHNSON of Texas. I do not understand that the committee is at all reluctant. It is only a question of when it can get to it. We want to get the housing bill to the other body.

Mr. GORE. I understand that great efforts are being made to dissuade the Senate committee.

Mr. SPARKMAN. Mr. President, will the Senator further yield to me?

Mr. GORE. I yield.

Mr. SPARKMAN. The distinguished Senator from Pennsylvania [Mr. CLARK] is now in the Chamber. I stated the situation awhile ago. I was simply the agent of the committee in presenting the report. The mover is the Senator from Pennsylvania; and I am certain that the chairman of the Committee on Banking and Currency would be willing to have the resolution called up at any time.

I have told the Senator from Pennsylvania everything that was told to me. He sat in on one of the conferences, and he said, frankly, that the administration representatives did not make any headway with him. I am sure the Senator from Pennsylvania would be in a position to give the assurance which the Senator from Tennessee desires.

Mr. GORE. He is the author of the resolution.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CLARK. As the Senator well knows, the resolution under discussion is one which I sponsored. Hearings were held before the Committee on Banking and Currency. As the Senator has stated, the resolution was reported by a vote of 12 to 3, and is now on the calendar. I have made no efforts as yet to request the policy committee or the majority leader to bring the resolution to the floor.

Mr. SPARKMAN. The policy committee has already cleared it.

Mr. CLARK. I had not known that it had done so. I have refrained from urging that the resolution be brought to the floor as a courtesy to the administration spokesman, Mr. Baughman, of the Federal National Mortgage Association. I was called on the telephone by no less an individual than the Director of the Budget. Mr. Stans asked if I would do him the courtesy of discussing the question with him, which I did the other day. He did not change my mind on the resolution, although he is a very charming, effective, and attractive gentleman.

He suggested to me that he would like to have the opportunity to talk with a couple of other Senators before the resolution is brought to the floor. I think I am revealing no confidence when I say that he desired to talk with the distinguished Senator from Oklahoma [Mr. MONRONEY]. I asked the Senator from Oklahoma if he would be willing to talk with Mr. Stans. He said he would. As I understand it, that conference will take place shortly.

I say to my good friend from Tennessee that I have not changed my views on this resolution in any way. I shall be prepared to call it up at the urgent request of the Senator from Tennessee, if the majority leader thinks that is desirable. However, I should like to give Mr. Stans the courtesy of conferring with one or two other Senators, in what I believe would be an unsuccessful effort to persuade them to change their minds.

Mr. GORE. Mr. President, I do not know when the Senate may schedule a sine die adjournment. I notice reports in the press naming Labor Day weekend, and the middle of September, neither of which is very far away.

I consider this to be an important measure. As has been revealed on the floor, the Director of the Budget and others are going to extreme lengths to prevent action on this resolution, which means, in my opinion, that if the Senate adjourns without acting on the resolution, the administration will conclude the proposed deal.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CLARK. It is my understanding that the resolution, if adopted, would not have the force of law. The administration could still go forward, notwithstanding the adoption of the resolution. Therefore it occurs to me that perhaps the matter is not of quite as great urgency as my friend from Tennessee believes.

On the other hand, I am prepared to give my personal assurance that some day, before the end of next week, I shall be willing to request the majority leader to schedule the resolution for immediate consideration, if the Senator from Tennessee is still desirous of having it brought up.

Mr. GORE. First, I agree with the Senator that the resolution would not have the force of law. But it would have a moral force, against which the administration would not dare act in a matter of this nature.

Mr. President, I find myself satisfied with the assurance which the Senator from Pennsylvania has just given, that before next week is out he will indicate his willingness to move. The majority leader and the policy committee have already given clearance. Therefore I withdraw my objection.

Mr. JOHNSON of Texas. Mr. President, may the question be put on the pending unanimous-consent request?

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

The unanimous-consent agreement as subsequently reduced to writing is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That when the Senate concludes its business today it adjourn until 10 o'clock a. m. on Monday, August 17, 1959.

Ordered further, That during the consideration of the bill S. 2539, the Housing Act of 1959, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 30 minutes, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

VETERANS' PENSION ACT OF 1959

The Senate resumed the consideration of the bill (H.R. 7650) to modify the pension programs for veterans of World War I, World War II, and the Korean conflict, and their widows and children.

Mr. KERR. Mr. President, has the distinguished majority leader asked for the yeas and nays on the Kerr amendment?

Mr. JOHNSON of Texas. No. I ask for the yeas and nays on the Kerr amendment.

The yeas and nays were ordered.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I wish to repeat an announcement made earlier. Some Members may not have been on the floor.

We expect to conclude action on the pending bill and one other bill from the Finance Committee, maybe some minor bill, and go over until Monday under the unanimous consent agreement. We will have at least one yea and nay vote, on the Kerr amendment.

Mr. President, how much time is left on the Kerr amendment?

The PRESIDING OFFICER. Ten minutes for the proponents, 30 minutes for the opponents.

Mr. JOHNSON of Texas. I should like all Senators to be on notice. I should like them also to be on notice that the Senate will be asked to consider the civil functions conference report as soon as it is available from the House.

Mr. SPARKMAN. Mr. President, I did not understand the majority leader. In making his announcement a minute ago, did I understand him correctly to say that the Senate will meet at 10 o'clock on Monday?

The PRESIDING OFFICER. That is correct. That is part of the unanimous-consent agreement.

EXCHANGE OF MORTGAGES HELD BY FNMA FOR GOVERNMENT BONDS

Mr. DIRKSEN. Mr. President, I merely desire to observe, if I may have the attention of the Senator from Tennessee, that for myself I regard Senate resolution 130 as quite unjustified, quite unwarranted. I regard it as at least mild

censure of governmental action, and the Senator from Tennessee might just as well be prepared for a good, rugged controversy with plenty of time to spare in order to discuss it. That is the reason why I believe it should not come up in connection with another bill. I believe it should be debated on its merits alone in its entirety, and we shall be prepared to debate it, believe us.

Mr. GORE. Resolution 130 is not a resolution on censure. It is a resolution proclaiming it to be the sense of the Senate that the conclusion of arrangements which we have briefly discussed would not be in the public interest. Of course, I shall listen with great interest to the discussion of the senior Senator from Illinois. I remind him that he will be speaking in face of a 12-to-3 vote after hearing and consideration.

VETERANS PENSION ACT OF 1959

The Senate resumed the consideration of the bill (H.R. 7650) to modify the pension programs for veterans of World War I, World War II, and the Korean conflict, and their widows and children.

Mr. KERR. Mr. President, I ask the majority leader if he will yield 5 minutes to the Senator from Indiana.

Mr. JOHNSON of Texas. I yield to the Senator from Indiana.

Mr. HARTKE. Mr. President, it is remarkable that we are asked today to approve a bill which few people want. In fact, as approved by the Senate Finance Committee, it has little support in any quarter except within the administration. I have received communications from our leading veterans organizations in which opposition is expressed to the bill as reported by the Senate.

During the course of committee consideration I submitted amendments providing more liberal pensions for our World War I veterans. Both amendments which I submitted, one proposing a $100-a-month pension to all World War I veterans, and another proposing a $100-a-month pension to all World War I veterans at age 60, were defeated. I, therefore, expressed my disapproval of H.R. 7650.

Little could be said for H.R. 7650 when it passed the House of Representatives. Even less can be said of it now after the Senate Finance Committee, upon recommendation from the administration and the Veterans' Administration, approved amendments which made H.R. 7650 even more restrictive.

I shall not vote for H.R. 7650 as it has been amended. I do not want to vote for H.R. 7650 as it passed the House of Representatives. However, as passed by the House, H.R. 7650 does benefit the widows of World War II and Korean veterans—it will add more than 206,000 of them to the pension rolls. It also provides some marked improvements over the present program.

If then, the amendments proposed by the distinguished Senator from Oklahoma [Mr. KERR] are approved, and the restrictive amendments of the Senate Finance Committee are removed, I shall reluctantly follow the recommendations of the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, and the Amvets and vote for the passage of H.R. 7650.

I want to emphasize, Mr. President, any favorable action which we might take today in passing this bill does not relieve the Congress of the responsibility we have to make further improvements in this program.

I refer particularly to our World War I veterans. While 88 percent of all pension increases under this bill, and 92 percent of those added to the pension rolls, will be World War I veterans, we must remember that this group of veterans never received benefits comparable to those given to the veterans of World War II and the Korean conflict. Congress must then exercise its responsibility in this field and give further consideration to legislation improving the pension program for these individuals—many of whom have retired or will retire soon and are living on low and fixed incomes.

Mr. BYRD of Virginia obtained the floor.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I should like to ask the Senator from Virginia if he would be willing to answer a question or two about the bill.

As I look at page 20 of the report of the committee, I note that there appears there a statement over the signature of Mr. Whittier, Administrator of the Veterans' Administration, to the effect that this bill if passed would cost the taxpayers $10 billion more than existing law. Is that a substantially accurate statement?

Mr. BYRD of Virginia. That was the effect of the bill as it passed the House.

Mr. CLARK. Could the Senator tell me how much the pending amendment would cost the taxpayers more than the bill as reported by the committee?

Mr. BYRD of Virginia. Twenty-one billion is the estimate over a period of 40 years.

Mr. CLARK. Over a period of 40 years the Kerr amendment would cost the taxpayers $21 billion?

Mr. BYRD of Virginia. More than the Finance Committee bill.

Mr. CLARK. More than the Finance Committee bill.

Mr. President, I regretfully find myself unable to go along with the sponsors of the amendment. Here is an enormous additional burden placed on the backs of the taxpayers of this and succeeding generations in order to increase payments for non-service-connected disabilities of veterans who in many, many cases never were under shell fire or subjected to danger, in the face of a crying need for billions of dollars for education, for housing, water resources development, for highways, for all the American people.

I cannot find myself willing to take the position of imposing this heavy additional burden on the taxpayers for what seems to me to be a very low order of priority compared with the needs of all the American people in the other fields which I have mentioned, compared with our increasing needs, in my judgment, for national defense, compared with our increasing needs, in my judgment, to assist our allies and to aid the uncommitted areas of the world.

This is a question of priority, and I regret that I cannot find it in my heart to give a high enough priority to support this amendment, which unquestionably would require additional taxation if we are going to go through with the other programs which in my judgment are so necessary to the health and the well-being of all of the American people over the next generation. I therefore regretfully find myself compelled to support the chairman of the Finance Committee. My regret is not that I am supporting the chairman of the Finance Committee, but that I cannot support my good friends, the Senator from Tennessee and the Senator from Oklahoma.

Mr. KERR. Will the Senator yield?

Mr. CLARK. I yield.

Mr. KERR. The Senator told the Senate that the amendment sponsored by the Senator from Oklahoma, the Senator from Tennessee, and the Senator from Minnesota would increase the benefits to veterans by $10 billion.

Mr. CLARK. That was the statement made by the Senator from Virginia, not by me, and the Senator well knows that.

Mr. KERR. Do you disown it?

Mr. CLARK. I asked the Senator my good friend from Virginia, in whose integrity I have complete confidence, and that is what he said.

Mr. KERR. If the Senator will look on his desk he will find the report, and it shows that the amendment of the Senator from Oklahoma if adopted will provide benefits to living veterans $12 billion less in the next 40 years than is now provided by existing law.

Mr. CLARK. I can only say that if there is an argument between my good friend the Senator from Virginia and the Senator from Oklahoma as to what the bill calls for, I will have to leave it to them to decide. I asked the Senator from Virginia the cost, and he gave me a figure which I am sure is accurate. I have no reason to deny the accuracy of the Senator from Oklahoma. I leave it to my good friends to argue this out.

Mr. KERR. I must say that is the first time I have ever seen the Senator from Pennsylvania willing to leave a decision on fact to anybody other than himself, and I think in justice to himself and to his constituents he should show an equal regard for the ascertaining of the facts on this case, and I refer him to the report on his desk, which was prepared by the Veterans' Administration, whose representative is in this room and whose statement of accuracy will be attested by the Senator from Virginia. If the amendment of the Senator from Oklahoma, the Senator from Tennessee, and the Senator from Minnesota is adopted, it will result in a net reduction of $12 billion to living veterans as compared to existing law.

Now, those are the facts. Take them or leave them.

Mr. CLARK. If the Senator from Oklahoma is correct I will be glad to have the Senator from Virginia confirm what has just been said, and then let the Senator from Oklahoma take the fact or leave it.

Mr. KERR. The Senator from Oklahoma does not need verification of any one. He has made the statement on the basis of his responsibility as a Senator and on the basis of a statement given to the committee by the Veterans' Administration. If that is not enough notice to the Senator from Pennsylvania, let him find it himself.

Mr. CLARK. The confidence of the Senator from Oklahoma in his own judgment is so well known to this body that I shall not prolong the colloquy.

Mr. BYRD of Virginia. I shall make clear my response to the inquiry of the Senator from Pennsylvania [Mr. CLARK]. I said that the best informed man in the Veterans' Administration told me that in a period of 40 years the Kerr amendment for pensioners and dependents will cost $21 billion more than the bill reported by the Committee on Finance.

Mr. CLARK. And that was all I ever said.

Mr. CARROLL. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. I yield.

Mr. CARROLL. Is it not true, however, as the distinguished Senator from Oklahoma has said that the Teague bill, as it came to the Senate from the House would effect a cumulative saving of $12 billion over the next 40 years?

Mr. BYRD of Virginia. I do not know. I could not answer that question.

I answered the inquiry of the Senator from Pennsylvania. I answered it accurately, according to information I received from the best source available, who is the person chiefly responsible for the handling of such affairs in the Veterans' Administration.

Mr. CARROLL. If the Senator from Virginia will be willing to confer with the expert——

Mr. BYRD of Virginia. I have already conferred with him, and he confirms what I have said, namely, that the Kerr amendment will cost $21 billion more for dependents and veterans in a space of 40 years than the bill reported by the Committee on Finance.

Mr. CARROLL. Exactly, and that is exactly what the Senator from Oklahoma said.

Mr. BYRD of Virginia. There is no argument, then.

Mr. CARROLL. Based upon existing law, if I understand the law.

Mr. BYRD of Virginia. That was not the question which was asked me by the Senator from Philadelphia—Pennsylvania, that is.

Mr. CLARK. The Senator from Virginia is correct, even though I am the Senator from Pennsylvania, and not the Senator from Philadelphia. [Laughter.]

Mr. CARROLL. It is estimated that under existing law, in the year 2000, the total cost of the veterans' program will be approximately $105 billion.

Under the Teague bill, which I assume is the same as the proposal in the Kerr amendment, the cost will be $93 billion, or a saving of $12,600,000,000. That is what the Senator from Oklahoma said.

If I understand the bill which has come from the Committee on Finance, and if I understand the remarks of the Senator from Virginia, that bill would effect a greater saving, by far, than the Teague bill. Is that not the situation?

Mr. BYRD of Virginia. That is correct.

Mr. CARROLL. I think we have clarified the situation on both sides.

Mr. BYRD of Virginia. I was answering the inquiry as to the difference between the bill reported by the Committee on Finance and the amendment offered by the Senator from Oklahoma.

Mr. CARROLL. Have I misstated the situation, according to the remarks of the Senator from Oklahoma?

Mr. KERR. The Senator from Colorado is eminently correct. If the Senator from Virginia will yield to me, I will further dramatize the situation.

Mr. BYRD of Virginia. I yield.

Mr. KERR. If I understood correctly the colloquy between the Senator from Virginia and the Senator from Pennsylvania, it was on the basis of what the Kerr amendment would cost.

Mr. BYRD of Virginia. That is correct.

Mr. KERR. Are we to be controlled today in this country by existing law or by a bill reported by the Committee on Finance?

Mr. BYRD of Virginia. The Senator from Pennsylvania asked me——

Mr. KERR. Will the Senator from Virginia answer my question?

Mr. BYRD of Virginia. I do not understand the Senator's question.

Mr. KERR. Which is in effect today? The existing law or the bill reported by the Committee on Finance?

Mr. BYRD of Virginia. Existing law. But the Senator from Pennsylvania did not ask that question. He asked me the difference between the committee bill and the Kerr amendment. I answered him, and I answered him accurately.

Mr. KERR. The Senator from Pennsylvania then told the Senate that in view of the fact that the Kerr amendment would cost the Nation $12 billion, he could not support it.

Mr. CLARK. I never mentioned the figure $12 billion in any part of my speech. If the Senator from Oklahoma will let the record speak for itself, he will see that.

What I said then, and say now, is that the Kerr amendment will cost the country $21 billion more, over 40 years, than the bill reported by the Committee on Finance. The remarks of the Senator from Virginia and my entire speech were based on that proposition.

Mr. KERR. The Senator from Pennsylvania has a very peculiar way of expressing himself. Is it not true that the amendment sponsored by the Senator from Oklahoma, the Senator from Tennessee [Mr. GORE], the Senator from Minnesota [Mr. MCCARTHY] would result in a net saving, so far as only the veterans and the dependents are concerned, of $12 billion over the next 40 years?

Mr. BYRD of Virginia. The Senator from Oklahoma has not included the dependents. That is not correct if dependents are included.

Mr. KERR. With reference to the veterans?

Mr. BYRD of Virginia. Only veterans.

Mr. KERR. But with reference to the veterans, there would be a $12 billion saving.

Mr. BYRD of Virginia. Perhaps so.

Mr. KERR. Is that not correct? Will the Senator answer my question?

Mr. BYRD of Virginia. I understand that is correct, but it does not cover the whole picture.

Mr. KERR. No; it does not cover widows and orphans. That is what the Senator from Oklahoma says, that the difference between his amendment and existing law is the amount which goes to widows and orphans. Is that correct?

Mr. BYRD of Virginia. I think that is correct, if the Senator is talking about the total cost of the bill, as I understand it.

Mr. KERR. That is correct; but I supposed Senators would like to know to whom the amount of the increased cost would go.

Mr. BYRD of Virginia. I have not criticized the Senator from Oklahoma at all.

Mr. KERR. I am not criticizing the Senator from Virginia.

Mr. BYRD of Virginia. I answered the question to the best of my ability, and I answered it accurately.

Mr. KERR. I do not question the Senator's reliability at all.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. KERR. The Senator from Virginia has the floor. If he will yield to me, I will be glad to yield to the Senator from Pennsylvania.

Mr. JAVITS. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. I yield.

Mr. JAVITS. What will be left to resolve in a conference between the House and the Senate if the Kerr amendment is adopted? Will anything be left to deal with in conference? If so, what will it be?

Mr. BYRD of Virginia. The insurance amendment and some very minor amendments.

Mr. JAVITS. And that would settle it?

Mr. KERR. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. I yield.

Mr. KERR. There would be four amendments in conference. One is the amendment with respect to the effect of the spouse's income. One is the amendment with reference to the benefits of a single veteran after he has been in a hospital or a domiciliary home for 60 days. One is the so-called Long amendment on insurance. Another is the Frear amendment, which gives additional benefits to dependents.

Mr. JAVITS. But none of them represents any appreciable amount of money?

Mr. KERR. No, not any great amount of money. But there would be four amendments in conference.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield.

Mr. NEUBERGER. Does the Senator suppose it would be possible for us to get

four figures which would help to clarify this matter for me? They are these:

First. What would be the cost in the next 20 years under existing law for veterans' benefits?

Second. What would be the cost under the House-passed bill?

Third. What would be the cost under the bill reported by the Committee on Finance?

Fourth. What would be the cost under the bill reported by the Committee on Finance if the Kerr amendment were added?

If we could have answers to those questions, we could write them down and have before us the four figures for comparative purposes.

Mr. ANDERSON. Will the Senator from Oregon permit me to say that if he will ask for the cost over a period of 40 years, the Senator from Virginia will be able to state it.

Mr. NEUBERGER. Very well; I ask for the cost over a period of 40 years.

Mr. BYRD of Virginia. The present law will cost $105 billion over a period of 40 years. The bill passed by the House of Representatives, which is practically the same as the Kerr amendment, insofar as cost is concerned, will cost $115 billion. The bill reported by the Senate Finance Committee will cost $95 billion.

The Kerr amendment will practically restore cost of the bill as it passed the House, $115 billion.

Mr. ANDERSON. Would not the Senator from Virginia say it will cost approximately the $115 billion he has already stated?

Mr. BYRD of Virginia. Yes.

Mr. ANDERSON. So those are the figures the Senator from Oregon wishes to have.

Mr. NEUBERGER. I thank the Senator.

Mr. BYRD of Virginia. Furthermore, I should like to say that under the provisions of the Senate Finance Committee bill, not one veteran would have his benefits reduced, as compared with the ones he now receives.

Mr. KERR. If the veteran is now on the rolls.

Mr. BYRD of Virginia. Yes.

Furthermore, there is a grandfather clause which allows veterans who now are on the rolls to choose between either the presently authorized pension or the one provided under the bill, whichever is the higher. Each veteran will be allowed to make that choice.

Furthermore, in the area of disability pensions, there will be an actual increase for 65 percent of the veterans in that group. There are 750,000 of them, and 515,000 of them will receive an increase, under the Finance Committee bill; and the widows and orphans will also receive an increase.

Sixty-five percent of the total pensioners will receive an increase, and not one of them will suffer a reduction of pension, even to the extent of one dime, as compared with the pension he now is receiving.

Mr. CLARK. Can the Senator from Virginia state whether the pensions presently being received by widows and dependents will be reduced as a result of the Finance Committee bill?

Mr. BYRD of Virginia. Instead of a decrease, 65 percent of them will receive an increase. Not one of them will suffer a reduction, for the grandfather clause allows them to make a choice and to receive the higher of the two—either the present pension or the one provided by means of the new bill.

Mr. CLARK. And 65 percent of them will receive an increase?

Mr. BYRD of Virginia. That is correct.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Virginia yield time to me?

Mr. BYRD of Virginia. How much time does the Senator from Delaware wish to have?

Mr. WILLIAMS of Delaware. Ten or fifteen minutes.

Mr. BYRD of Virginia. Mr. President, how much time remains under my control?

The PRESIDING OFFICER. Thirteen minutes remain for use by those in opposition to the pending amendment.

Mr. BYRD of Virginia. I yield to the Senator from Delaware such part of that time as he may require.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. WILLIAMS of Delaware. Mr. President, first I should like to clear up any misunderstanding in regard to the cost of the Finance Committee bill. The Senator from Virginia has submitted the correct figures.

It is admitted that the existing law will cost, over a period of 40 years, $105 billion. It is admitted that the bill as passed by the House of Representatives would cost $115 billion over the same period of time. Of that amount $93 billion would go to veterans who are qualified under the existing law, and $22 billion represents the addition made by the House of Representatives in the case of the widows' equalization benefits.

The bill as reported by the Finance Committee to the Senate would cost, over the next 40 years, $95 billion, of which amount $18 billion is listed for the widows' equalization benefits, and the remaining benefits which veterans would receive under the provisions of that measure would amount to $77 billion.

Under the Finance Committee bill the widows' equalization benefits for World War II and Korean war veterans would become effective July 1, 1962, instead of July 1, 1960, as under the Kerr amendment and as under the House bill.

The Kerr amendment provides substantially for restoration of all the major provisions of the House bill, with the exception, as he has stated, of four minor amendments.

If the widows' equalization benefits are left out of the picture—as in the case of the existing law—the comparison is as follows: The cost of the existing law over the next 40 years will be $105 billion. The cost of the House bill or the cost of the Kerr amendment—they are the same—will be $92 billion over the same period of time. The cost of the committee bill as reported to the Senate will be $77 billion.

I think there is no question about those comparisons and figures. Those are the figures which have been supplied by the Veterans' Administration.

Furthermore, I should like to point out that the argument that the bill reported by the Senate Finance Committee is not in the interest of veterans, as compared with the House bill, is just as ridiculous as an argument that the Kerr amendment is opposed to the interests of veterans because it would not allow them as much as they would receive under some other bill. In other words, such an argument would be based on comparing two entirely different proposals.

Each proposal should be compared with the existing law if you want the correct picture.

Not one veteran and not one widow who now is on the rolls would receive less under either the House bill or the Kerr amendment or the committee bill as reported to the Senate.

On the other hand, under the Senate committee bill, which now is before us, 65 percent of the veterans who are presently receiving disability pensions will receive increases over the pensions provided by existing law, and 65 percent of the widows presently on the rolls will receive increases under the committee bill. Furthermore, the remaining 35 percent now on the rolls would not receive any reduction under the provisions of the committee bill as reported to the Senate. Their pensions would not be decreased by even one dime because there is a so-called grandfather clause which will protect all of them against any reduction in pensions. I repeat, 65 percent of those veterans now on the rolls will receive increases under the provisions of the Senate committee bill.

I think this point should be made very clear. In other words, what Senators have been talking about here today is not a proposal to decrease the benefits now received by any veteran. Every pensioner now on the rolls will be allowed to choose whether he prefers the amount provided by existing law or the amount provided by the bill now under consideration.

Mr. President, I should now like to compare House bill 7650, as amended by the Senate Finance Committee, with the present law. I believe Senators will find it is a big improvement over the present law. After all, that is what we are discussing. There is no need to compare the bill now before us with any other proposal, whether submitted by a Senator from Oklahoma or a Senator from Texas or a Senator from any other State. The Senate Finance Committee had before it a proposal which was offered in connection with this bill, and that proposal would have given the veterans increased benefits amounting to $3 billion over the existing law with an immediate effective date.

Again I point out that the committee bill, as reported to the Senate and as now before this body, but without the Kerr amendment, provides increased benefits to 65 percent of those now on the rolls, and will not result in one penny of reduction for any of the other 35 percent. This bill may not satisfy every-

one, it may not be everything that every person desires, for there are almost as many opinions in regard to what is right as there are pensioners. Some groups want a flat pension, other groups favor the complete abolition of all non-service-connected veterans' benefits. I think I should emphasize the point that in connection with this bill we are referring solely to 100 percent non-service-connected veterans' benefits. In no way does this bill affect service-connected pensions. The latter were very liberally taken care of by the Senate Finance Committee and by the Congress last year or the year before.

Certainly all will agree that the bill now before the Senate goes a long, long way in strengthening the existing law.

As I have already said, under the committee bill, as reported to the Senate, 65 percent of the pensioners now on the rolls will receive increased pensions. That will be the result of the committee bill, as now reported to the Senate, and as now before this body. Under the provisions of that bill, every pensioner now on the rolls will be protected by the saving provision, and not one pensioner now on the rolls will have his pension reduced or will be dropped from the rolls. Indeed, every pensioner now on the rolls will have the option of choosing between the pension allowed him by the present system or the pension allowed by the new scale now proposed, whichever he believes will be better for him.

I repeat that not one pensioner now on the rolls will be dropped, and 795,000 of them will receive increased pensions, which will average approximately 16 percent per case.

Included in that figure are 280,000 widows. Sixty-five percent of the widows now receiving pensions will receive increased pensions.

Under the provisions of the committee bill, as reported to the Senate, within 2 years, 250,000 widows—the overwhelming majority of them World War II widows—will be added to the pension rolls, although they are not now eligible or are not now receiving pensions.

Furthermore, 90 percent of the veterans who will receive increases by means of this bill will be World War I veterans.

In the first year the pension feature alone will cost $129 million more than the cost of the present law. That is a bill that is costing $129 million over the present law. A measure that provides such benefits certainly cannot be said to take away something that veterans now get.

Under the committee bill 2 years later, when the widows' equalization feature becomes effective, there will be a cost of $170 million for this one feature alone over the cost of the present law.

Within the first 5 years, the liberalization features of the Senate version of the bill would cost half a billion dollars a 10-percent increase over the cost of the present law.

As the World War I veterans reach the age of 65, there is no question that they have a real and rising need. One of the great pressures for liberalization of the pension law comes from the World War I veterans. I want to point out very clearly that the liberalizations in the pension bill as amended by the Senate committee will give immediate assistance to great numbers of World War I veterans, will give the greatest amount of help to those World War I veterans who have the greatest amount of need.

Of the 1,300,000 pensioners now drawing this benefit from the U.S. Government, 89 percent are World War I veterans. The legislation as presented with the Senate amendments would give the overwhelming majority of these men and their widows and orphans pension increases next year. It would give all pensioners now on the rolls the right to choose between the benefits they have now and the increased benefits provided by this legislation, so that no one now on the rolls would find his benefit stopped or decreased.

In fact, it will increase pensions for the great majority of those coming on the rolls for the immediate future, and most of these will be World War I veterans.

If the Senate supports the Senate bill it specifically increases pensions for hundreds of thousands of World War I veterans. It is a dramatic fact that more than half of the present World War I pensioners have outside incomes of less than $400 a year; some of them absolutely nothing from any other source. These are the men who are most deeply in need, veterans for whom this legislation would provide increases.

I may add that that is the type of pensioner who would likewise get the increased benefits under the amendment of the Senator from Oklahoma.

Of course, the World War II and Korean veterans who are most in need will receive the same increases, but there is only a small percentage of them on the pension rolls today. The equalization feature for widows, however, will benefit 250,000 widows and orphans of World War II and Korean veterans, and when the program reaches its peak in 1995 there will be about a million and a half World War II and Korean widows and orphans drawing pensions.

Again, the committee felt that the married man and veteran with dependents had the greatest need. In fact, the committee went even further in this regard in its liberalization. The House version does not recognize additional dependents. Although the Senate version permits the same outside income limits of $3,000 for married veterans, the Senate recommends an increase in the amount of the pension for the veteran with one dependent, more for two dependents, and still more for three dependents.

I repeat, Mr. President, there is a saving clause in both the House and Senate bills which provides that no veteran, widow, or orphan now receiving a pension could in any way get a reduction under the Senate version, the amendment of the Senator from Oklahoma, or the House bill.

In conclusion, I wish to say I think the Senate committee has reported a very good bill. I think it is one which can be supported and enacted into law.

I repeat what I said in the beginning, 65 percent of the pensioners on the roll would get an increase under the Senate committee version of the bill, and of the remaining 35 percent are guaranteed against any reduction.

As an indication of the liberalization provided by the Senate committee version of the bill, during the next 5 years, if the bill as reported by the committee were passed, the veterans would draw an additional $500 million in benefits over and above what they would draw under existing law or if the pending proposal were adopted. Certainly, that is going far.

I am sure the Senator from Oklahoma will agree with what I say in this connection. The amendment which the Senator from Oklahoma is offering involves the issue as to whether we should stop at this point or whether we should go further in extending benefits. If the Senator's amendment is adopted, as I understand it, it will cost, not $500 million in the next 5 years, but $1,300 million, both figures being above existing law. I think the question we must face is how much we can afford.

In conclusion I further point out that the Senate committee bill as reported would raise the income ceiling for single veterans from $1,400 to $1,600, and it would raise the ceiling for married veterans from $2,700 to $3,000.

Mr. YARBOROUGH. Mr. President, I ask for 3 minutes.

Mr. FREAR. Mr. President, I yield 3 minutes to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized for 3 minutes.

Mr. YARBOROUGH. Mr. President, I rise in commendation and support of the amendment offered by the senior Senator from Oklahoma for himself and the junior Senators from Tennessee and Minnesota, to restore to H.R. 7650 the very modest provisions passed by the other body in behalf of our veterans of World War I, World War II, and the Korean conflict, and in behalf of their widows and orphans.

The bill as received by the Senate was not a notably generous measure in providing a base subsistence for our veterans, their widows, and their orphans who are in need, and certainly we cannot justify further avoiding the obligation of this country to them. These veterans protected our country, including all of us, in three bloody conflicts in this century. The first of those conflicts ended in 1918, 41 years ago.

The data which have been put in the RECORD have projected the costs of the proposal to the year 2000. Mr. President, we must meet a certain minimum standard now in protecting the veterans and their families from poverty and age.

Too often we are tempted here in Congress to look at these matters solely in terms of dollar cost to the Government; to think of costs and savings in budget figures this year and next, or net savings and costs by the year 2000, which is 41 years off.

We frequently go to higher levels of abstraction and speak of bond sales and

prices indexes and half-mythical inflationary or noninflationary effects. We must not let those considerations, valid in themselves, cause us to lose sight of the objects of the legislation—the veterans or their widows or orphans who are in need now; and the obligation of the Government to them now.

Mr. President, we have heard a lot of discussion of how this bill will be working out in the year 2000, 41 years off. Who now thinks this bill will be the law, assuming it passes this session, 41 years from now? Who can look into the seeds of time and see which grain will grow and which will not? Let us roll back the curtain of time to 41 years ago. Who in 1918 could have told us that we in this body would today be debating a bill affecting more than 22 million veterans? The distinguished senior Senator from Arizona [Mr. HAYDEN] was in the lower body of Congress at that time. He is the only present Member of the Senate who was in the National Legislature at that time, 41 years ago. Much of this debate is over what the cost of the bill will be, not 1 or 2 or 3 years from now, or 10 or 20 years from now, but in the year 2000, 41 years off. We are debating abstractions which may never occur in the year 2000, due to the changes and mutations which will be caused by the passage of time. The question for us to consider now is how much money will be required for subsistance of these widows and orphans now, not in the year 2000.

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mr. YARBOROUGH. I ask for 2 additional minutes.

Mr. FREAR. Mr. President, I yield the Senator from Texas 2 additional minutes on the bill.

The PRESIDING OFFICER. The Senator from Texas is recognized for 2 additional minutes.

Mr. YARBOROUGH. Mr. President, I received a letter a few weeks ago which tells more of our obligation to veterans in a few words than I could state in the whole afternoon. This gentleman told me of how he was drafted in 1917 and sent to France. Others of his friends were not drafted, and stayed at home, and got jobs in the local arsenal, at the same time he was going into battle. And so he concludes, because of the Government's differing treatment of him and his friends, they were getting $10 a day for making bullets, while he was getting $1 a day for stopping them.

That is the reason why Abraham Lincoln first stated the Nation's obligations to its veterans, and it has been recognized as our national obligation ever since, "to care for him who bore the brunt of battle, his widow and his orphan."

In seeking to meet our obligation to "care for him who shall have borne the brunt of battle, his widow and his orphan," in a just and responsible manner, we must look, not only to the overall costs, but to the needs of the individual and what is a minimum response to that need. My friends on the other side of the aisle will be pleased to learn that they have made me so budget conscious and fiscally responsible that I will concede the wisdom of only enacting a minimum program this year instead of an adequate program. But the question now is, it seems, Can the person survive on this amount of money? In the House-passed bill a widow with no children and no other income would get $60 a month, or $720 a year. Can a person live on that? The committee would have us believe that they can live on less?

HOW CAN ONE LIVE ON LESS?

The bill as passed by the House represented many months of study and consultation with the persons most knowledgeable in this field of what the veterans needed and what was possible. This bill passed the House by the overwhelming vote of 226 to 34, and it is my belief that if we really intend to enact legislation in this field this year we must make it adequate legislation. If we are to have any legislation this year, it should be on the House schedules.

My friends on the other side of the aisle will be pleased to learn they have made me so budget conscious this year and so fiscally responsible that I will concede the wisdom of only enacting a minimum program this year instead of an adequate program or of a generous program. This is a minimum program offered by the House and by the amendment. The test of the minimum program is, it seems, Can a person survive on this amount of money? In the House-passed bill the widow with no children and no other income I believe would receive $60 per month.

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mr. YARBOROUGH. Can a person live on $60 a month? Let us enact a reasonable minimum, not an inadequate, hastily wrought substitute.

Mr. NEUBERGER. Mr. President, will the Senator from Texas yield me 2 minutes?

Mr. JOHNSON of Texas. Mr. President, I yield the Senator from Oregon such time as he may desire.

Mr. NEUBERGER. Two minutes is ample, I will say to the majority leader.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 2 minutes.

Mr. NEUBERGER. Mr. President, I think I qualify as a Senator who has some slight sense of fiscal responsibility. For example, I have been one of the few Members of the Senate who have persistently supported the recommendation of the President of the United States to increase the Federal gasoline tax so that our interstate highways may be built on a pay-as-you-go basis without deficit financing. However, I also believe certain humanitarian considerations must prevail when we consider any proposed legislation.

Mr. President, I am pleased to join with my good personal friends, Senators ROBERT S. KERR, ALBERT GORE, and EUGENE J. MCCARTHY, able members of the Senate Finance Committee, in supporting their amendment to H.R. 7650, the veterans' pension bil, which restores the provisions of the House-passed bill with respect to providing pensions and equalizing of benefits for veterans' widows and children.

I believe that benefits and pensions to veterans, their widows and children, for non-service-connected disability, must be based strictly on financial need. I am pleased that H.R. 7650 raises the present $1,400 annual income allowance and provides a sliding scale pension, depending on the income of the veterans or his widow.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD telegrams I have received in support of the current amendment from David Williams, national commander, Disabled American Veterans; Preston J. Moore, national commander, the American Legion; John R. Holden, national legislative director, AMVETS; and Mrs. Charles W. Gunn, national president, American Legion Auxiliary.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C., *August 12, 1959.*

Hon. RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D.C.:

DAV is not in accord with Senate Finance Committee amendments to H.R. 7650. We respectfully urge your support of Kerr amendment to substantially restore H.R. 7650 to provisions passed by House of Representatives.

DAVID WILLIAMS,
National Commander,
Disabled American Veterans.

WASHINGTON, D.C., *August 12, 1959.*

Hon. RICHARD L. NEUBERGER,
U.S. Senate,
Senate Office Building, Washington, D.C.:

The Senate Finance Committee has reported out its version of H.R. 7650, Veterans' Pension Act of 1959. So that there may be no mistake regarding the position of the American Legion, this clarifying message is submitted to you.

Committee amendments reducing rates, income limitations, and putting off the effective date of widows' equalization make the bill now unacceptable to the American Legion.

It is our understanding Senator KERR will submit an amendment from the floor, restoring the original rates, income limitations and effective date of widows' equalization. The American Legion supports the Kerr amendment and strongly urges you to support it.

In the event the Kerr amendment does not prevail, we then urge the rejection of the entire bill.

PRESTON J. MOORE,
National Commander,
the American Legion.

WASHINGTON, D.C., *August 12, 1959.*

Hon. RICHARD L. NEUBERGER,
U.S. Senate, Washington, D.C.:

AMVETS are vitally interested in the enactment of a veterans' pension program based upon realistic tests of need. H.R. 7650 as passed by the House of Representatives would accomplish this objective. This bill as reported by the Senate Finance Committee however contains amendments that are unduly restrictive. AMVETS cannot endorse the amended version of H.R. 7650. Senator KERR will offer amendments substantially restoring the provisions of H.R. 7650 as passed by the House of Representatives. AMVETS endorse the Kerr amendments and earnestly solicit your active support of these amendments on the Senate floor today.

JOHN R. HOLDEN,
National Legislative Director, AMVETS.

INDIANAPOLIS, IND., *August 12, 1959.*
Senator RICHARD NEUBERGER,
Senate Office Building, Washington, D.C.:

The American Legion Auxiliary is opposed to H.R. 7650 as reported by the Senate Finance Committee. It is our understanding that amendments will be introduced by Senator KERR restoring the original rates income limitation, and effective date of widows equalization as passed by the House. This is the minimum acceptable to the American Legion Auxiliary. We strongly urge you support of these amendments in the event the Kerr amendments do not prevail we then urge rejection of the entire bill.

Mrs. CHARLES W. GUNN,
National President, American Legion Auxiliary.

Mr. HUMPHREY subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD just prior to the vote on the Kerr amendment to H.R. 7650 a statement I have prepared relating to the amendment, together with telegrams I have received from three veterans' organizations, and an article entitled "Senate Bill Set on Veterans' Aid," published in the New York Times of August 11, 1959, explaining the action of the Committee on Finance.

There being no objection, the statement, telegrams, and article were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY

There has been widespread interest in the legislation before Congress dealing with veterans' pensions. The House of Representatives has already approved a bill, H.R. 7650, which sought to equalize the pension programs as they affect veterans of World War I, World War II, and the Korean conflict. This bill would also scale the payments to actual need.

This week the Committee on Finance favorably reported this bill with certain amendments which would reduce the benefits as approved by the House of Representatives.

In my judgment, H.R. 7650 as approved by the other body was a fair and sound measure. I was disappointed that the bill was cut down by the Committee on Finance. The amendments offered by the senior Senator from Oklahoma [Mr. KERR] will substantially restore the provisions of the bill as it came to the Senate originally.

I support the amendments offered by the Senator from Oklahoma because I feel they are completely justified and equitable. I am pleased to know that these amendments are supported by the American Legion, the Disabled American Veterans, and the AMVETS—three distinguished and highly respected nationwide veterans' organizations. I hope that the amendments will have the support of the majority of the Members of this body.

WASHINGTON, D.C., *August 12, 1959.*
Hon. HUBERT H. HUMPHREY,
U.S. Senate,
Senate Office Building, Washington, D.C.:

The Senate Finance Committee has reported out its version of H.R. 7650, Veterans' Pension Act of 1959. So that there may be no mistake regarding the position of the American Legion, this clarifying message is submitted to you.

Committee amendments reducing rates, income limitations, and putting off the effective date of widows' equalization make the bill now unacceptable to the American Legion.

It is our understanding Senator KERR will submit an amendment from the floor, restoring the original rates, income limitations, and effective date of widows' equalization. The American Legion supports the Kerr amendment and strongly urges you to support it.

In the event the Kerr amendment does not prevail, we then urge the rejection of the entire bill.

PRESTON J. MOORE,
National Commander, the American Legion.

WASHINGTON, D.C., *August 12, 1959.*
Hon. HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D.C.:

DAV is not in accord with Senate Finance Committee amendments to H.R. 7650. We respectfully urge your support of Kerr amendment to substantially restore H.R. 7650 to provisions passed by House of Representatives.

DAVID WILLIAMS,
National Commander, Disabled American Veterans.

WASHINGTON, D.C., *August 12, 1959.*
Hon. HUBERT H. HUMPHREY,
U. S. Senate, Washington, D.C.:

AMVETS are vitally interested in the enactment of a veterans' pension program based upon realistic tests of need. H.R. 7650 as passed by the House of Representatives would accomplish this objective. This bill as reported by the Senate Finance Committee however contains amendments that are unduly restrictive. AMVETS cannot endorse the amended version of H.R. 7650. Senator KERR will offer amendments substantially restoring the provisions of H.R. 7650 as passed by the House of Representatives. AMVETS endorses the Kerr amendments and earnestly solicits your active support of these amendments on the Senate floor today.

JOHN R. HOLDEN,
National Legislative Director, AMVETS.

[From the New York Times, Aug. 11, 1959]

SENATE BILL SET ON VETERANS' AID—PANEL BACKS PENSION RISES SOMEWHAT LOWER THAN PLAN VOTED BY HOUSE

(By C. P. Trussell)

WASHINGTON, August 10.—The Senate Finance Committee approved legislation today to provide liberalized pensions for veterans of World War II and the Korean conflict whose disabilities were not connected with their service.

The measure scaled down somewhat the benefits approved by the House of Representatives of June 15.

The cost of the program, which is almost certain to be adopted before this session of Congress adjourns, was uncertain. The bill approved by the House would increase veterans' pension programs $10 to $12 billion over 40 years. The Senate committee's version would lower the cost, but by how much had not been determined.

Senator HARRY F. BYRD, Democrat, of Virginia, the committee chairman, said the panel was not projecting 40-year estimates, but was concentrating instead on the present impact and those of the foreseeable future.

Both the House and the Senate committee have sought to equalize the pension programs as they affect veterans of World War I, World War II and the Korean conflict. Another purpose has been to scale the payments to actual need.

In addition, special attention was given to equalize the status of widows and children of veterans of World War II and Korea with those of World War I.

Under existing law the widows of veterans of World War II and Korea must show that their husbands had some service-connected disabilities at the time of their deaths in order to receive pensions.

They would be relieved of this requirement under the new legislation. Under the House bill, this might cost $154,300,000 in the fiscal year that began last July 1, and nearly $23 billion if the widows' program continued until the year 2000. The Senate bill would provide that this equalization not start until July 1, 1962.

A widow without dependent children, with earnings of $600 a year or less, could receive $60 a month under the House bill and $55 under the Senate plan. The benefits decrease as outside income rises. Additional amounts, around $15 a month, would be provided for dependent children.

At present veterans with non-service-connected disabilities receive $66.16 a month if they are under 65 years of age and $78.15 if older. Incomes must be less than $1,400 a year for a single man and $2,700 for those with dependents to qualify.

The House bill would provide payments of $90 to $100 a month for a veteran with dependents whose income was $1,000 or less. At the lower end of the scale, those having no dependents but earnings of $1,000 to $1,600, would get payments of $20 to $40.

Under the Senate committee's recommendations the monthly maximum would be $100 for a veteran with three dependents and a yearly income of $1,000 or less. The minimum would be $20 a month for a single veteran with an income of $1,000 to $1,600.

Mr. JOHNSON of Texas. Mr. President, does the Senator from Oklahoma have any time left?

The PRESIDING OFFICER. The Senator from Oklahoma has 7 minutes remaining.

Mr. JOHNSON of Texas. Does the Senator from Virginia have any time remaining?

The PRESIDING OFFICER. The Senator from Virginia has 5 minutes remaining.

Mr. JOHNSON of Texas. Mr. President, I wonder if it would be agreeable that I suggest the absence of a quorum, and at the conclusion of the call of the roll that each side be permitted to make a brief statement.

Mr. KERR. Why not have both sides yield back their time, and then vote, if that is agreeable to the Senator from Virginia?

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time be charged to both sides.

Mr. WILLIAMS of Delaware. Mr. President, I think the Senator from Illinois wanted 5 minutes.

Mr. JOHNSON of Texas. Very well. Mr. President, I ask unanimous consent that the time not be charged to either side, and I suggest the absence of a quorum.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. As I understand, the Senator from Oklahoma [Mr. KERR] is prepared to yield back the remainder of his time, on condition that the Senator from Virginia [Mr. BYRD] do likewise.

Mr. BIRD of Virginia. Mr. President, I yield back the remainder of my time.

Mr. JOHNSON of Texas. The Senator from Oklahoma is not in the Chamber. Will the aids see if he is available?

Mr. KERR entered the Chamber.

Mr. JOHNSON of Texas. Is it agreeable to the Senator from Oklahoma to yield back the remainder of his time, on condition that the Senator from Virginia do likewise?

Mr. KERR. That is agreeable to me.

The PRESIDING OFFICER. All time has been exhausted or yielded back.

The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. KERR].

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have.

Mr. JOHNSON of Texas. As I understand, the question is on agreeing to the Kerr amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. JOHNSON of Texas. Senators favoring the Kerr amendment will vote yea, and those favoring the committee position will vote nay?

The PRESIDING OFFICER. The Senator is correct.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

On this vote, the Senator from Wyoming [Mr. O'MAHONEY] is paired with the Senator from Arizona [Mr. GOLDWATER]. If present and voting, the Senator from Wyoming would vote "yea," and the Senator from Arizona would vote "nay."

Mr. KUCHEL. I announce that the Senator from North Dakota [Mr. LANGER] is absent because of death in his family.

The Senator from Arizona [Mr. GOLDWATER] is necessarily absent.

On this vote, the Senator from Arizona [Mr. GOLDWATER] is paired with the Senator from Wyoming [Mr. O'MAHONEY]. If present and voting, the Senator from Arizona would vote "nay," and the Senator from Wyoming would vote "yea."

The result was announced—yeas 75, nays 20, as follows:

YEAS—75

Aiken	Ellender	Kefauver
Allott	Engle	Kennedy
Anderson	Ervin	Kerr
Bartlett	Frear	Kuchel
Beall	Fulbright	McCarthy
Bible	Gore	McClellan
Bridges	Green	McGee
Byrd, W. Va.	Gruening	McNamara
Cannon	Hart	Magnuson
Capehart	Hartke	Mansfield
Carlson	Hennings	Martin
Carroll	Hill	Monroney
Case, N.J.	Holland	Morse
Case, S. Dak.	Humphrey	Moss
Church	Jackson	Mundt
Cooper	Javits	Murray
Dodd	Johnson, Tex.	Muskie
Douglas	Johnston, S.C.	Neuberger
Dworshak	Jordan	Pastore
Eastland	Keating	Prouty
Proxmire	Smathers	Talmadge
Randolph	Smith	Thurmond
Russell	Sparkman	Williams, N.J.
Schoeppel	Stennis	Yarborough
Scott	Symington	Young, N. Dak.

NAYS—20

Bennett	Curtis	Morton
Bush	Dirksen	Robertson
Butler	Hayden	Saltonstall
Byrd, Va.	Hickenlooper	Wiley
Chavez	Hruska	Williams, Del.
Clark	Lausche	Young, Ohio
Cotton	Long	

NOT VOTING—3

Goldwater	Langer	O'Mahoney

So Mr. KERR's amendment was agreed to.

Mr. KERR. Mr. President, I move that the vote by which the amendment was adopted be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MORSE. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 4, after line 9, insert the following:

(b) (1) In the case of a veteran of World War I, pension shall be paid at the following monthly rate:

(A) $75; or

(B) $90 if (i) the veteran is sixty-five years of age or older, or (ii) the veteran has been rated as permanently and totally disabled for an aggregate period of ten years; or

(C) $150 if the veteran is in need of regular aid and attendance.

(2) If the veteran served outside the continental limits of the United States for a period of thirty days or more during the creditable period of service the monthly rate payable to him under paragraph (1) shall be increased by 10 per centum.

(3) For purposes of this section, a veteran of World War I shall be deemed to be permanently and totally disabled upon reaching the age of sixty-five years.

(4) No pension shall be paid under paragraph (1) to any unmarried veteran whose annual income exceeds $1,800, or to any married veteran or any veteran with children whose annual income exceeds $3,000.

On page 4, line 10, strike "(b) If" and insert the following:

(c) In the case of a veteran of World War II or the Korean conflict, if.

On page 4, line 16, strike out "(c) If" and insert the following:

(d) In the case of a veteran of World War II or the Korean conflict, if.

On page 5, line 3, strike out "(d) If" and insert the following:

(e) In the case of a veteran of World War II or the Korean conflict, if.

On page 5, line 5, strike out "(b) or (c)" and insert "(c) or (d)".

On page 5, line 6, strike out "(e)" and insert "(f)".

Mr. DIRKSEN. Will the Senator yield to me to ask for the yeas and nays?

Mr. MORSE. I yield.

Mr. DIRKSEN. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Oregon has the floor.

Mr. COTTON. Mr. President, will the Senator yield to ask for the yeas and nays on final passage?

Mr. MORSE. I am going to offer another amendment. I may want to ask for the yeas and nays on that.

I have no objection to asking for the yeas and nays on final passage.

Mr. COTTON. I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I desire to point out, before I start discussing my amendment, that the letters and telegrams in support of my amendment which I hold in my hand from World War I veterans are just a partial bundle of communications I have received. Therefore, if there is any Member of this body who thinks that this amendment of mine is not a matter of great concern to the veterans of World War I and to veterans of World War I organizations, I notify them in advance that they are laboring under a misapprehension.

Mr. President, this amendment of mine involves certain principles of veterans' legislation for which I have worked in the Senate a good many years, going back to the time when I was chairman of the Subcommittee on Veterans' Affairs of the Labor and Public Welfare Committee of the Senate.

The purpose of my amendment is to suspend the application of the pending bill to veterans of World War I, and to substitute therefore an across-the-board pension of $90 a month at age 65 within the income limits and definitions already in the bill. I desire to stress the point that this amendment of mine carries the income limitation of the bill. This is not a so-called open-end bill or an unrestricted income ceiling bill.

In substance, my amendment is similar to H.R. 7886, as it passed the House of Representatives in 1956. It is the same as my S. 2662 bill of the 85th Congress.

I appreciate that my amendment was not before the Finance Committee when it considered H.R. 7650. It would have been had I had enough time to submit it.

Both H.R. 7886 and S. 2662 were before the committee late in the 84th Congress and through much of the 85th Congress.

So it is not as though the Committee on Finance has not had an opportunity at all to consider my amendment. The Committee on Finance has been on notice with respect to my amendment for a long time past.

The amendment applies only to World War I veterans. It does not affect veterans of other wars. Nor does it affect widows of World War I veterans. What it does is to exempt World War I veterans from the sliding scale of benefits, but instead provides a pension of $90 a month when he reaches 65 years of age, if his income is less than $1,800 a year if he is single, and $3,000 a year if he is married.

My amendment contains the same definition of "income" as is contained in H.R. 7650. When H.R. 7886 was passed, it was estimated that this part of it would cost something over $300 million the first year, and from the year 1956 to the year 2000 would aggregate some $10 billion over the entire period. Of course, the income limits and definitions are somewhat different in this amendment.

Do not forget that when we are dealing with this group of veterans, we are also dealing now with a group of aged in our country, because many, many World War I veterans have now reached that age where they are included in the general classification of the aged.

Mr. President, I stress that I believe the time is long overdue when we ought to give to the World War I veterans much better treatment than we are giving them at present. The reason why I am offering the substitute treatment for World War I veterans is my reluctance to see Congress make a public assistance program out of veterans' pensions. I do not take the position that every veteran is entitled to the same kind of pension regardless of his own means. But H.R. 7650 provides a means test for eligibility which I feel goes far beyond what is desirable. My substitute retains the moderate income limit already in H.R. 7560, but fixes a $75 monthly pension for for World War I veterans for those with the income limits and a $90 monthly pension for those who are 65 years of age and over.

I am satisfied from the information I have received from veterans' groups and officials who are vitally concerned with my amendment, and who are in hearty support of it, that thousands upon thousands of World War I veterans at present are not getting an income sufficient to maintain themselves in health and decency; they do not begin to get income sufficient to remove from themselves that psychologically known fear of where they are going to get money to take care of their medical and hospital bills, over and above what they can get out of the Government present.

We all know that although we have been very liberal with our veterans with respect to medical and hospital care, there are still a great many veterans who are in need over and above what is allowed them.

At the age of 65, my amendment provides that all World War I veterans would be deemed to be permanently and totally disabled for purposes of pension eligibility. Those who served overseas for 30 days or more would get 10 percent more.

Undoubtedly the argument will be made against this amendment, as it is made against so many veterans' programs, that men and women who served the Nation in time of war do not deserve a pension unless they suffered injury or illness. The President's Commission on Veterans' Pensions put forward the theory that a veteran's health and income problems are his own if they have no direct connection with his military service. This is a point of view which I find unacceptable. A citizen certainly has an obligation to his country, but so does the country have an obligation to those who leave their homes, families, careers, and education to defend the country.

From where has come the notion that the obligation involved is strictly one way, and that it runs only from the bottom up? In his classic reference to the duty of the Nation to care for those who have borne the battle, Lincoln did not make any classification as to the extremity of sacrifice needed to deserve such care. I see no reason why we should do so either in our time. I strongly believe in a reasonable and adequate pension system for American veterans, so that they may live out their lives in at least a modest security. This amendment would provide it for World War I veterans.

Any time I have to make a choice between parsimony in the treatment of World War I veterans and generosity in the treatment of World War I veterans, I prefer to err in the direction of generosity rather than to be a part of an economy drive in the name of balancing the budget at the expense of the veterans of the Nation. In my judgment, our failure to give the kind of fair treatment I am pleading for for World War I veterans amounts, in effect, to economizing at the expense of what I think are clear moral obligations which we owe to the veterans of World War I.

The point of view which I have expressed in support of my amendment this afternoon is much better expressed in a good many of the communications to which I have referred. I have no intention of asking consent to have printed in the RECORD all these communications. They are only a part of those which I have received, and which other Senators who support the amendment have received, but they are on my desk for inspection by any Member of the Senate who wants to look at them. I shall, however, read excerpts from a few of the communications, and I ask unanimous consent that a relatively small number of them—probably not more than 10 or a dozen—be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, I have received a letter from one of the veterans' leaders in my State, Mr. W. W. Campbell, County Treasurer of Multnomah County, under date of August 4, 1959, which reads as follows:

COUNTY OF MULTNOMAH,
Portland, Oreg., August 4, 1959.

Hon. WAYNE MORSE,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR WAYNE: I write to urge your opposition, in its present form, to H.R. 7650, the so-called "modernized" war veterans' pension bill.

I am particularly resentful of its charity-welfare implications that violates the historic principle that the war veteran, by virtue of service and sacrifice rendered the Nation above and beyond that required of other citizens, has earned the right to the dignity of pension—not charity—when the disabilities of old age or misfortune make it no longer possible for him to adequately provide for himself.

I would sincerely urge defeat of H.R. 7650 unless amended: (1) To provide a pension program for veterans of World War I separate and apart from any pension program for veterans of later wars, taking into consideration the vast differences in conditions of service and wartime and postwar benefits as between World War I and later wars; and with provisions substantially comparable to pension grants to veterans of the Spanish-American War—or along the line of H.R. 1181, with reasonable income limitations not including social security, spouse's income, or nonincome producing corpus of estate as income; or (2) by excluding World War I veterans from the provisions of H.R. 7650, leaving them under the provisions of existing pension laws until such time as a separate World War I pension bill can be passed.

I am a member of the American Legion, the Veterans of Foreign Wars, the Veterans of World I, and the advisory committee to the Oregon Department of Veterans Affairs.

I have talked to a number of World War II and Korean war veterans, as well as World War I veterans, who are rank and file members of the Legion and find that almost without exception those who know anything at all about the provisions of H.R. 7650 are against it.

Then he makes a personal comment which does not deal with this bill.

Mr. President, the amendment I am submitting does not follow exactly the recommendations of Mr. Campbell, the county treasurer of Multomah County, because, as a good many of those who have sent these communications have said to me that they count on me to use my best judgment in regard to what should be provided at this time by means of the amendment, keeping in mind that at future sessions we shall be able to press for further additions—as I intend to do.

In fact, regardless of the outcome today, I shall continue to carry on, in the Senate, my campaign in favor of providing improved benefits for World War I veterans.

I have read these excerpts from the letter written by Mr. Campbell, and I wish to make this statement, so that no one will infer that my amendment calls for everything Mr. Campbell has recommended.

For example, I have not included in my amendment the provision Mr. Campbell has suggested in regard to "reasonable income limitations, not including social security, spouse's income, or non-income-producing corpus of estate as income."

I have simply left in the amendment the income limitations and definitions in H.R. 7650 because I am satisfied that if I were now to attempt to have the amendment provide for as much as Mr. Campbell has recommended, the amendment would constitute only an idle gesture on my part. I believe I should submit a reasonable amendment in the form in which I believe it should be adopted at this time, in view of the situation existing in the Congress.

Mr. PROXMIRE. Will the Senator from Oregon yield to me?

The PRESIDING OFFICER (Mr. Moss in the chair). Does the Senator from Oregon yield to the Senator from Wisconsin?

Mr. MORSE. I yield.

Mr. PROXMIRE. Can the Senator from Oregon tell me how his amendment would affect the Treasury—in other words, how much the amendment would cost?

Mr. MORSE. As I said earlier in my remarks, on the basis of the information we received in 1956, the cost of the amendment would be approximately $300 million for the first year; and the cost would accumulate on the basis of the figures we then received—to a total of $10 billion by the year 2000.

In 1956, World War I veterans were dying at the rate of some 90,000 a year. So the cost would diminish year by year.

Mr. PROXMIRE. The cost would be $300 million the first year?

Mr. MORSE. That is correct—based upon the 1956 figures..

Mr. PROXMIRE. I thank the Senator from Oregon.

Mr. MORSE. Mr. President, I also wish to read a telegram which I have received from Jack Mebus, legislative officer, as follows:

PORTLAND, OREG.

Hon WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Oregon Veterans of World War I would deeply appreciate your amending H.R. 7650 with your 1957 World War I pension bill as suggested in your fine letter to me. Department commander and I will send letters of approval. Know you are in our corner. Please proceed. Use your own judgment. If possible please keep me informed. Regards from all.

JACK MEBUS,
Legislative Officer.

Now I wish to read a letter from G. W. Compton, of Cutler City, Oreg.:

CUTLER CITY, OREG., *August 1, 1959.*

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SIR: I am a member of the American Legion Post No. 114 at Taft, Oreg., and am one of many Legionnaires who oppose H.R. 7650. This is to let you know there are others who do not stand with the Legion in its endorsement of the bill. Will you use your influence to defeat the bill? Thank you for your cooperation.

Sincerely,

G. W. COMPTON.

I have received from my State a number of other communications along the same line; they are in support of the position I am taking this afternoon. In accordance with the permission I have already received, I submit those communications for printing at this point in the RECORD, in connection with my remarks.

The letters and the telegrams submitted by Mr. MORSE are as follows:

PORTLAND, OREG.,
August 1, 1959.

Hon. WAYNE MORSE,
Senate Office Building.

DEAR SIR: I am writing you in regard of H.R. 7650. Please lend your support to amend this bill to provide a separate pension for World War I veterans as they are at the age now the assistance would be of great need. If not please use your effort to block this bill in the Senate.

Yours truly,

LESLIE A. VEACH.

P.S.—I am a member of VFW Battleship Oregon Post No. 1478.

MACIER, OREG., *August 3, 1959.*

Senator WAYNE MORSE,
Washington, D.C.

DEAR WAYNE: Just a line regarding pension bill, H.R. 7650.

Please do not pass. But if you do pass, delete World War I from it, as we want no part of H.R. 7650.

World War I wants bill H.R. 1181 as their pension bill. My post No. 55 of the American Legion, feels the same as I do.

I thank you and do your best.

Respectfully,

WILLIAM E. GARDNER.

CRESWELL, OREG., *August 2, 1959.*

Senator WAYNE MORSE,
Washington, D.C.

DEAR MR. MORSE: We have been informed that H.R. 7650 will be considered by the Senate Finance Committee soon and may come to a vote in the Senate shortly.

We feel sure you will oppose this bill as written but we should like once more to urge you to try for amendments that would be more fair to World War I veterans—or to exclude them entirely from the new rulings, so that they may be classified as a separate group or with the Spanish American veterans. It surely is unfair that World War I, World War II, and Korean veterans should be grouped together for pension purposes since World War I veterans did not receive many of the benefits of education, severance pay, job preferences, unemployment payments, etc., that these younger veterans were able to have when they needed them.

I have written before on a person-to-person basis—but my position has shown me the great need and also the feeling of resentment among World War I veterans. Their ranks are diminishing very rapidly and those remaining have worked and waited for too long now for treatment equal to that given other veterans, both present and past.

Most sincerely yours,

ADA M. VAN PROOYEN,
President, Ladies Auxiliary, World War I Veterans, Cottage Grove, Oreg., Barracks No. 1145.

PORTLAND, OREG., *August 5, 1959.*

Senator MORSE,
Senate Office Building,
Washington, D.C.

HONORABLE SIR: A bill known as H.R. 7650 pertaining to war veterans' benefits and pensions was passed by the House a short time ago.

As a World War I veteran and a member of the American Legion Post No. 98, Portland, Oreg., I hope you will give this bill your most sincere concern.

I am speaking not only for myself, but on behalf of other World War I veterans. It is our keenest desire that you do all you can to defeat this bill, when and if it comes before the Senate.

We feel it will create a hardship on the veterans and will not benefit the finances of our Government in any way.

Sincerely yours,

MAYNARD D. LYONS.

MEDFORD, OREG., *July 31, 1959.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

DEAR SENATOR: I oppose H.R. 7650, as I would hate to think that the Government makes paupers out of the veterans of World War I. I believe we should be given the same consideration as the Spanish War veterans, or else should have a pension bill for World War I veterans only.

Therefore I strongly urge you to oppose H.R. 7650 if you have the opportunity.

Respectfully yours,

A. C. LUCAS,
Commander, Barracks No. 540, Veterans of World War I, USA.

PORTLAND, OREG., *August 6, 1959.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Meeting of Fort Dalles Barracks Veterans of World War I held this evening with 35 present unanimously urges you to use your influence to defeat veterans' bill, H.R. 7650, as too costly to administer.

W. G. BELL,
Commander, The Dalles, Oreg.

PORTLAND, OREG., *August 11, 1959.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Over the Top Post No. 81, Veterans of Foreign Wars, in a regular meeting August 10, 1959, adopted a resolution unanimously opposing H.R. 7650 for the reason of the needy clause and other excerpts in the bill which are against a veteran. We hope that you will support us by voting against said bill in its present form.

MONTE C. WALTON.
FRANZ H. FEIKE,
EDWARD E. DAVIS,
ADOLPH M. LESSER.

INDIANAPOLIS, IND., *August 12, 1959.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

The American Legion Auxiliary is opposed to H.R. 7650 as reported by the Senate Finance Committee. It is our understanding that amendments will be introduced by Senator KERR restoring the original rates income limitation, and effective date of widows equalization as passed by the House. This is the minimum acceptable to the American Legion Auxiliary. We strongly urge your support of these amendments; in the event the Kerr amendments do not prevail we then urge rejection of the entire bill.

Mrs. CHARLES W. GUNN,
National President, American Legion Auxiliary.

WASHINGTON, D.C., *August 12, 1959.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

DAV is not in accord with Senate Finance Committee amendments to H.R. 7650. We respectfully urge your support of Kerr amendment to substantially restore H.R. 7650 to provisions passed by House of Representatives.

DAVID WILLIAMS,
National Commander, Disabled American Veterans.

WASHINGTON, D.C., *August 12, 1959.*

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.:

AMVETS are vitally interested in the enactment of a veterans pension program based upon realistic tests of need. H.R. 7650 as passed by the House of Representatives would accomplish this objective. This bill as reported by the Senate Finance Committee, however, contains amendments that are unduly restrictive. AMVETS cannot endorse the amended version of H.R. 7650. Senator KERR will offer amendments substantially restoring the provisions of H.R. 7650 as passed by the House of Representatives. AMVETS endorse the Kerr amendments and earnestly solicit your active support of these amendments on the Senate floor today.

JOHN R. HOLDEN.
National Legislative Director, AMVETS.

WASHINGTON, D.C., *August 12, 1959.*

Hon. WAYNE MORSE,
U.S. Senate,
Senate Office Building,
Washington, D.C.

The Senate Finance Committee has reported out its version of H.R. 7650, Vet-

erans' Pension Act of 1959. So that there may be no mistake regarding the position of the American Legion, this clarifying message is submitted to you.

Committee amendments reducing rates, income limitations, and putting off the effective date of widows' equalization, make the bill now unacceptable to the American Legion.

It is our understanding Senator KERR will submit an amendment from the floor, restoring the original rates, income limitations and effective date of widows' equalization. The American Legion supports the Kerr amendment and strongly urges you to support it.

In the event the Kerr amendment does not prevail, we then urge the rejection of the entire bill.

PRESTON J. MOORE,
National Commander, the American Legion.

Mr. MORSE. Mr. President, to recapitulate, let me state that I submit the amendment because I believe it will eliminate the opposition of World War I veterans to the House bill, and will carry out what I consider to be clear moral obligations to them. The amendment will not place their pensions on the basis of a dole. I believe the amendment provides for the pensions they are entitled to receive, and it provides the income limitation which is provided by the present bill. I submit the amendment as one to do justice to World War I veterans.

I reserve the remainder of the time available to me.

Mr. BYRD of Virginia. Mr. President, will the Senator from Oregon yield for a question?

Mr. MORSE. I yield.

Mr. BYRD of Virginia. Does the amendment include the widows of World War II and the widows of the Korean war veterans?

Mr. MORSE. No; my amendment is entirely limited to World War I veterans.

Mr. BYRD of Virginia. And it includes no others?

Mr. MORSE. The amendment deals only with the World War I veterans' part of the bill.

Mr. KERR. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield.

Mr. KERR. Does the amendment have the support of the American Legion?

Mr. MORSE. So far as I know, the amendment does not have the support of the official organization of the American Legion; but it has the support of a great many Legionnaires, because many of the communications which are on my desk are from various American Legion posts.

Mr. KERR. Does the amendment have the support of the official organization of the Veterans of Foreign Wars?

Mr. MORSE. I am not going to claim that the amendment is supported by any organized veterans' group, insofar as the high command of any of those organizations is concerned. But I offer the amendment as one which has the support of a great many members of each of those veterans' organizations and the support of a good many of the local posts.

Mr. KERR. Does the amendment have the support of either the Disabled American Veterans or the AMVETS?

Mr. MORSE. No, to my knowledge—although I cannot say the amendment does not; but not to my knowledge, so far as their national high command is concerned. But, again, the amendment is supported by many of their members and local posts.

Mr. KERR. Does the Senator from Oregon have any justification for believing that if the bill were amended by his amendment, the bill as thus amended would be approved or signed by the President?

Mr. MORSE. I would not know; but that would be of no matter to me. I am not interested in whether the President will or will not sign the bill which I believe should, in justice, be passed.

Mr. KERR. Would the amendment provide different benefits to the veterans of World War I, as compared to the benefits which would be provided by the amended bill for the veterans of World War II and the veterans of the Korean war?

Mr. MORSE. It certainly would, especially for the veterans over 65 years of age.

Mr. KERR. Would the amendment apply to veterans of World War II and veterans of the Korean war when they reach age 65?

Mr. MORSE. No; it would apply only to World War I veterans.

Mr. KERR. Then the amendment would set up one scale of benefits for the veterans of World War I, and a different scale of benefits for the veterans of World War II and the veterans of the Korean war, would it not?

Mr. MORSE. The amendment would take care now of the veterans of World War I, on the assumption that the Congress would not be out of existence when the World War II veterans and the veterans of the Korean war reach age 65.

I think the Senator from Oklahoma knows that if we establish this precedent for the World War I veterans, then, in due course of time, when the World War II veterans and the Korean war veterans reach age 65, we would not participate in inaction as regards them.

Mr. KERR. I would agree with the Senator from Oregon that probably we would not be sitting here then.

Mr. MORSE. I mean either ourselves or our successors.

Mr. KERR. Undoubtedly we will not be here at that time.

Mr. MORSE. Mr. President, I reserve the remainder of the time available to me.

Mr. BYRD of Virginia. Mr. President, the best figures that I can secure of the cost of the amendment offered by the Senator from Oregon——

Mr. NEUBERGER. Mr. President, will the Senator speak louder?

Mr. BYRD of Virginia. I am told by the experts that the amendment does not exclude widows, who are already included in the bill, and the amendment is to another part of the bill.

Mr. MORSE. I would not think of touching the provisions for widows.

Mr. BYRD of Virginia. The amendment of the Senator from Oregon leaves the bill as it is except it provides for a benefit to the veterans of World War I.

Mr. MORSE. That is right; it is a World War I veteran amendment.

Mr. BYRD of Virginia. The cost of that amendment would be, in addition to the cost of the pending bill——

Mr. MORSE. I am not going to economize against the interests of veterans of World War I.

Mr. BYRD of Virginia. The best estimate I can secure is that the amendment will cost $29 billion, relating only to veterans of World War I. That will be in addition to the cost of the bill, which is already $22 billion, over a period of 40 years.

Mr. MORSE. Is the Senator talking about the cost of my amendment or the cost of the bill with my amendment in it?

Mr. BYRD of Virginia. I am talking about both. The cost of the amendment would be $29 billion. The cost of the bill without the amendment is $22 billion. That is a total cost of $51 billion.

Mr. MORSE. I think the Senator is in error. As I said, the figures which were supplied me in regard to the 1956 cost showed that, counting the number of veterans living at that time, the cost would be around $300 million the first year, and from 1956 to the year 2000 the aggregate total cost would be $10 billion. Many of the same veterans whose lower pensions are calculated in H.R. 7650 would be covered by my amendment, so it would not necessarily be an overall addition to the estimates of H.R. 7650.

Mr. BYRD of Virginia. The figures given us by the experts are that the cost of the amendment will be $29 billion in 40 years.

Mr. MORSE. I have gotten my figures from Government sources.

Mr. BYRD of Virginia. They are about 3 years old.

Mr. MORSE. The cost may be even less, because many veterans have died in those 3 years.

Mr. BYRD of Virginia. Would the Senator object to saying where he got the figures from?

Mr. MORSE. They came from the estimates on H.R. 7886. My assistant advises me they came from the calculations of the House of Representatives when it was considering 7886.

Mr. BYRD of Virginia. They did not come from the Veterans' Administration?

Mr. MORSE. No; from the House of Representatives.

Mr. BYRD of Virginia. But they did not come from the Veterans' Administration?

Mr. MORSE. I do not know where the House got its figures.

Mr. BYRD of Virginia. I have been informed that the cost of the amendment would be $29 billion in addition to the cost of the bill without the amendment.

Mr. MORSE. I feel that the Senator's figures are grossly out of line.

Mr. KERR. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. KERR. The Senator from Oregon referred to a House bill. Is that a pending measure?

Mr. MORSE. No. It was a measure before the House in the 84th Congress.

Mr. KERR. Without favorable action by the Congress?

Mr. MORSE. It passed the House in 1956, but not the Senate.

Mr. KERR. Does the Senator from Oregon know that the bill at that time had the support of various veterans' organizations, but that they are now in opposition to it because they are convinced that it could not become law even if passed by Congress?

Mr. MORSE. I shall be glad to discuss that matter. I would have preferred not to discuss it. The communications I have show very clearly that there is a great conflict within the veterans' organizations, as between many, many local posts and the national organizations, and a great many of the communications show they feel there should not be any retreat at all on the provisions of the bill that passed the House in 1956.

Mr. President, I reserve the rest of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

Mr. BYRD of Virginia. Mr. President, I should like to inquire if any Senator desires to have time.

Mr. KERR. Mr. President, will the Senator from Virginia yield to me?

Mr. BYRD of Virginia. I yield to the Senator from Oklahoma.

Mr. KERR. Mr. President, it is with deep regret that I rise to oppose the amendment of the Senator from Oregon. I know his heart is in this amendment. I know the amendment comes from a desire on his part to be more generous with veterans of World War I. But I do not believe the Senate wants to do a futile thing. I know the amendment that is offered by the Senator is opposed by every major veterans' organization in the country. They oppose it first because it is discriminatory. It would provide benefits for veterans of World War I only, and they are only about 15 percent of the number of veterans in this country.

It is a well-known fact that if the Congress passes the bill as it is now before the Senate, and in its amended form, we can have only a substantial hope that it will be signed by the President. There is a basis for that hope. There is, however, a far more substantial basis for the conviction that if the Senator's amendment were adopted and accepted by the House, the bill would then be vetoed. So that, instead of having done something for the veterans, we would have failed to do it, when we have a wonderful opportunity to pass a bill that would be of great benefit to veterans, especially to their widows and orphans.

This bill now carries a provision that equalizes the benefits to the widows of World War II and the Korean war with the benefits now available to the widows of World War I. Unless the bill is signed, those widows will not obtain such benefits.

I do not believe the Senate would be justified in adding an amendment the certain effect of which would be to deny to those widows the benefits which they can and will receive under the bill in the present form in which it now is before the Senate.

Therefore, Mr. President, not because I would not like to see the amendment of the Senator become the law, but because I am convinced that if the Senate adopted it the only effect would be to kill the bill which is before the Senate, I sincerely hope the amendment will not be agreed to.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. KERR. I yield to the Senator from Colorado.

Mr. CARROLL. The junior Senator from Colorado was led to believe that by the adoption of the Kerr amendment, World War veterans and their dependents will share in approximately $10 billion in benefits over those provided under existing law. I should like to ask the Senator from Oklahoma——

Mr. KERR. The bill has increased benefits to veterans by $10 billion, 90 percent of which will go to veterans of World War I.

Mr. CARROLL. We have improved the existing law now that we have adopted the Kerr amendment; but if we now adopt the pending amendment, on top of the benefits which we have already given World War I veterans, does the Senator from Oklahoma have any information as to how much the additional cost will be over the $115 billion?

Mr. KERR. It would provide an additional $40 billion to veterans of World War I and their widows on the basis of the best information that we have been able to obtain.

Mr. CARROLL. Is that based upon existing law?

Mr. KERR. Over and above the provisions of the bill now before the Senate. In view of the fact that 90 percent of the $10 billion will be provided to veterans of World War I under the bill before us, as amended, and in view of the fact that this amendment would put another $40 billion on top of that for the veterans of World War I and their widows, it would then be a bill which would carry for veterans of World War I and all widows a total over present law of $50 billion.

Mr. CARROLL. I thank the Senator from Oklahoma.

Mr. NEUBERGER. Mr. President, will the Senator yield, so that I may ask a question?

Mr. KERR. I yield.

Mr. NEUBERGER. I should like to address the question perhaps simultaneously to the chairman of the Finance Committee and to the Senator from Oklahoma.

May we have order in the Chamber, Mr. President, please?

The PRESIDING OFFICER. The Senate will be in order so that Senators can hear the debate.

Mr. NEUBERGER. My vote, although it is only a lone vote on the amendment, will be predicated largely on what is the cost. Because so many figures have been bruited about, I am somewhat confused. I should like to ask a question to be answered either by the distinguished Senator from Oklahoma or by the able chairman of the Committee on Finance.

How much would be added to the cost of veterans' benefits if the pending amendment now before the Senate is agreed to?

Mr. BYRD of Virginia. The information given to the chairman of the committee by the Veterans' Administration expert is that it would be $29 billion during the 40 years, in addition to the $22 billion already provided in the bill.

Mr. NEUBERGER. What was the figure the chairman gave?

Mr. BYRD of Virginia. Twenty-nine billion dollars.

Mr. NEUBERGER. Over what period of time?

Mr. BYRD of Virginia. Over 40 years.

Mr. NEUBERGER. Between now and the year 2000?

Mr. BYRD of Virginia. By the year 2000. That is in addition to the cost of the bill as it now stands, which is $22 billion. That would make a total of $51 billion.

Mr. NEUBERGER. The bill would cost $51 billion over a period of 40 years if the pending amendment is agreed to?

Mr. BYRD of Virginia. That is the additional cost.

Mr. NEUBERGER. Of that cost, the amendment presently before the Senate would add how much?

Mr. BYRD of Virginia. Twenty-nine billion dollars.

Mr. NEUBERGER. I thank the Senator very much.

Mr. BYRD of Virginia. Mr. President, I am prepared to yield back the balance of my time.

Mr. MORSE. Mr. President, how much time does the Senator from Oregon have remaining?

The PRESIDING OFFICER. The Senator from Oregon has 8 minutes remaining.

Mr. MORSE. Mr. President, I yield 3 minutes to the Senator from Indiana [Mr. HARTKE].

Mr. HARTKE. Mr. President, I stated before that I was in favor of doing something for the World War I veterans. I realize there is a question of money involved. I am not a World War I veteran. I am not fighting this fight for myself. I have no relatives—at least that I know of, who are very close relatives—who are World War I veterans. But I have seen the plight of the World War I veterans.

It is true that some veterans may possibly receive a benefit when they do not need the benefit, but there would not be very many under the provisions of the amendment of the Senator from Oregon. The benefit will go to people in a very low income bracket, so far as overall income is concerned.

These people are dying year after year. They are the ones who did not receive the benefits of the social-security laws. By and large they have been omitted from that group.

It is true that some of these veterans may possibly be in a position where they cannot receive gainful employment, and they are being added to the local relief rolls. For what reason? Because they served in World War I are we going to penalize them?

I want Senators to know I thank the Government for giving me a chance to go to school. It was a wonderful thing to be of that help to me. I do not want to penalize these people.

We talk about helping the old people, and we say they are presenting problems in the old folks' homes. We do not have adequate care for them, yet we do not want to give the older folks a benefit, when we have a chance to do so.

I have the highest regard for the chairman of the Committee on Finance, of which committee I am a member, and for the distinguished Senator from Oklahoma, who has presented the argument on the amendment. I would not move against their recommendations unless I felt deeply in my heart that this is something which Congress and the people of the Nation owe to these people. This is not a handout or a dole.

What is the cost to be this year? It will be about $300 million, as I recall the figure. Three hundred million dollars may mean the difference between saving or not saving a lot of elderly people in their minds and souls. It may take some of the responsibility off their children, who are now trying to provide for them.

This is not a measure which should be looked upon with harshness, nor with a Bureau of the Budget ax, to cut the throats of these people. That is what is attempted to be done. The Veterans' Administration came to us with these proposals on cold statistics.

The unfortunate thing, I will say to Senators, is that a lot of these people are going to be cold before it is recognized that they have given the highest they could for their country.

I think this is an amendment worthy of favorable consideration, and I commend the Senator from Oregon for presenting it to this body.

Mr. HUMPHREY. Mr. President, will the Senator yield to me for a question?

Mr. MORSE. Mr. President, I yield 1 minute to the Senator from Minnesota.

Mr. HUMPHREY. I wish to ask the Senator, with reference to his amendment, if there are specific cutoffs in the amendment relating to the amount of income.

Mr. MORSE. There is an income limitation of $1,800 for a single man and $3,000 for a married man.

Mr. HUMPHREY. In other words, those persons with over $1,800 income who are unmarried would not be eligible.

Mr. MORSE. The Senator is correct.

Mr. HUMPHREY. And those persons who are married who have an income of over $3,000 a year will not be recipients of the pension?

Mr. MORSE. The Senator is correct.

Mr. HUMPHREY. And there is a difference between the pension for those who are disabled and for those who are not disabled?

Mr. MORSE. The Senator is correct. It establishes a presumption of disability at age 65 for World War I veterans.

Mr. President, I wish to take the rest of my time to answer the arguments made against my amendment.

First I wish to say, as to the cost, I am advised that the figures I used were the figures used by the House of Representatives in 1956 when the matter was being discussed.

On the cost matter, Mr. President, I simply want to ask a simple question. Do Senators think veterans of World War I after age 65 are entitled to $90 a month under the income limitation? That is the question. If Senators think so, Mr. President, then let me tell them that they had better find the savings somewhere else, rather than to permit the remaining years of life of these veterans to go by without action, when they are entitled to social justice, for which I am pleading.

Do Senators think, Mr. President, that I am asking too much in the amendment for a single one of these veterans? If the answer is what I think in the consciences of Senators they will have to give, they will reply yes, that we ought to give what I am asking for, then, Mr. President, we had better find the money by other savings in order to do justice to these veterans.

The next argument made against the amendment is this: It is alleged that although the veterans' organizations—officially, the top brass, so to speak—were in favor of my proposal in 1956, they have come to the conclusion that they cannot get it by in 1959.

Mr. President, I will never vote on the floor of the Senate on any bill on the basis of the veto argument. Under this system of checks and balances of ours it is the duty of the Senate of the United States to pass the legislation we think ought to be passed. If the President wants to exercise his executive check by vetoing that legislation, then the Constitution gives us our reply to him, the right to override the veto. If we cannot, then we can still redraft new legislation to meet the Presidential objections.

Let both the President and the Members of the Congress, in the exercise of those powers, be answerable to the people of this country for their course of action.

Mr. President, I am not going to cast my vote on a bill which I think will do justice to World War I veterans on the basis of any argument that it might result in a veto. I have never yielded to the veto argument yet.

Let me say, also, who knows? Wait until the President hears from the country, after the adoption of my amendment. It is the President's duty to find out the attitude of the people of the country and it is his duty to analyze my amendment.

Mr. President, if he vetoes it, and we cannot override the veto, there will still be time to pass other legislation, if in our judgment we should pass other legislation, before the next election. We ought to stay here as long as necessary to pass such legislation.

In my judgment I have offered an amendment which is just, which is deserved, and one which World War veterans have coming to them and have had coming to them for a long time. I urge its adoption this afternoon.

I will not vote in the Senate on a piece of veterans legislation on the basis of having my vote dependent upon whether the "top brass" in veterans' organizations are for it, or against it.

There is on my desk only a part of the bundle of correspondence in support of my amendment, from a good many members of veterans' organizations at the local level. I have received thousands of these communications. They make it very clear that they are in support of the amendment which I have offered.

I say to the Senator from Colorado that we must bear in mind that these communications I have received are in opposition to the bill which came to the Senate from the House. I supported the Kerr amendment. I think it greatly improves the pending legislation. In essence, it only took the Senate Finance Committee bill back to the form of the House bill.

The veterans whose arguments I have been advancing this afternoon are against the House bill, and they urge me to vote against the House bill, unless it can be improved along the lines of the Morse amendment. I will reach my decision on that question in the next hour or so, when we reach a final vote.

I close by saying that my amendment is an amendment which pleads for social and economic justice for the veterans of World War I.

Mr. HUMPHREY. Mr. President, will the Senator yield for a question?

Mr. MORSE. My time has expired.

Mr. HUMPHREY. Will someone yield me a minute so that I may ask the Senator from Oregon a question for information?

Mr. BYRD of Virginia. I yield 1 minute to the Senator from Minnesota.

Mr. HUMPHREY. The Senator from Virginia has kindly yielded me a minute in order that I may ask the Senator from Oregon if social security payments are included as a part of the income limitation under the Senator's amendment.

Mr. MORSE. As I have said earlier, I have not gone as far as some of these veterans wanted to go. They wanted to eliminate social security payments and corpus estate. As I stated earlier in my speech, I thought they were asking us to go too far, and I have not included such provisions in my amendment.

Mr. HUMPHREY. In other words, income from social security is counted as income?

Mr. MORSE. That is correct.

Mr. CARROLL. Mr. President, will the Senator from Virginia yield in order that I may respond to a statement by the Senator from Oregon?

Mr. BYRD of Virginia. Mr. President, I yield 5 minutes to the Senator from Colorado.

Mr. CARROLL. One reason why the junior Senator from Colorado has joined in this discussion is that many years ago in the House we had a similar

bill before us, almost identical in nature. It was estimated at that time that the cost would be tremendous. Some felt that it would destroy the fiscal stability of the Nation. I was very much interested in the issue then, as I am in the issue before us today.

I can say to the Senator from Oregon that in my own State there are many World War I veterans who want this legislation. We approved the Kerr amendment. We have by that action provided a more equitable program for World War I veterans and their dependents, since they share to a great extent in the benefits provided by the Kerr amendment. I ask the Senator from Virginia if that is not substantially correct.

Mr. BYRD of Virginia. That is true.

Mr. CARROLL. I am concerned about this amendment because, in this critical financial period of our Nation in order to justify pensions to war widows and orphans in an increased amount of $10 billion over a 40-year period, we must be able to demonstrate where the extra revenue will come from. I know that this will be hard to explain at home. Somewhere along the line, if we can rely upon experts—and I do not in any way criticize the Senator from Oregon, we must consider where we are to get the money to sustain what the Senator from Virginia says will be a $29 billion program on top of the $115 billion program in the present bill. If we assume that the argument of the Senator from Oregon is correct, we will have an added cost over 40 years of $10 billion, or almost $300 million a year starting the first year. But using the estimates presented by the Senator from Virginia of $29 billion, where in the name of commonsense will we get that kind of money, with all the other pressures bearing upon us? Frankly, I have some qualms with respect to this bill as we have considered it thus far. I labored under the misapprehension, at the outset of the debate, that under the Teague bill, the provisions of which the Kerr amendment sought to restore, we could save $10 billion. Then, as I began to get more information, I found that the "widow's equalization" feature would represent an increase of $22 billion. This added cost more than offsets the savings of the Kerr amendment over existing legislation.

This afternoon we have voted an increase of $10 billion in a gigantic program. We have done so in order to give more equitable treatment to widows and orphans of World War II and Korean war veterans, as well as rectifying other inequities in the present program and I am in favor of it.

Mr. MORSE. Mr. President——

Mr. CARROLL. Just a moment.

This is the point I make: This is not a politically popular position to take when the so-called Morse amendment is brought before us. Men have come to me with tears in their eyes and asked, "Are we not entitled to $90 a month?" It is hard to say that they are not entitled to $90 a month.

I ask the Senator from Virginia if it is not true that we have increased the benefits of World War I veterans and their dependents under the Kerr amendment?

Mr. BYRD of Virginia. That is correct.

Mr. CARROLL. If we had unlimited revenue, I would like to see them all get $90 a month. We are in a very critical fiscal period. There are many expressions of fear that it is a highly inflationary period. At least it is a period of deep concern. The question arises, Where will we get the money to do all the things we would like to do?

I now yield to the Senator from Oregon.

Mr. MORSE. Mr. President, it has been made perfectly clear that the billions the Senator from Colorado and the Senator from Virginia are talking about are billions over a 40-year period.

At the initial rate of $300 million a year, the veterans are entitled to that kind of justice. I shall be very glad to tell the Senator where we can save many times $300 million a year, in places where we are spending money for purposes not nearly as valuable or as important or as well justified as this assistance to World War I veterans.

Mr. CARROLL. Mr. President, I agree with the Senator from Oregon. I wish we could do it. A few days ago I had similar qualms about the extension of the GI-educational program, in which my distinguished friend from Texas [Mr. YARBOROUGH] is interested. I believe that involves a cost of millions. So we have millions more for this, and millions more for that. We know what revenue is coming in, and we know it does not cover all we would like to do. We have just finished the last fiscal year with a $12½ billion deficit.

I am not one to make a fetish out of balancing the budget. By the same token, I think we must use some reason. I will say to the Senator from Oregon that if we could ever close some of the tax loopholes we speak so much about, we could find the money for these programs in which our people have such great interest. I have heard many speak for years about tax loopholes. But I cannot recall very many being closed in the past decade. The issues are used for political propaganda purposes, according to my observation. I want to really close them.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CARROLL. The Senator from Oregon knows exactly what I am talking about.

Mr. MORSE. I certainly do. I completely agree. I say to the chairman of the Committee on Finance that, if we stop the interest rate runaway for the benefit of the bankers of the country, we can save much more than $300 million, in the interest of savings to the taxpayers. I am for doing that, and giving the money to the veterans.

Mr. CARROLL. That is a very laudable objective; but in the meantime, as a late President said, that is a very "iffy" question. We make fine arguments and suggestions on closing tax loopholes, but they are never adopted, and I fear they may never be adopted. In the meantime we are confronted not with a theory but a condition.

I should like to support the amendment of the Senator from Oregon. When I get home I know that there will be weeping and wailing and gnashing of teeth. At least I can say to Colorado veterans, "I supported a bill which will provide increased benefits to you and your dependents to the extent of $10 billion. I regret that I could not convince myself that $29 billion, in addition to the $10 billion, is fiscally sound."

Mr. BYRD of Virginia. Mr. President, I yield back the remainder of my time, and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time having been exhausted or yielded back, the question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE]. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Arizona [Mr. HAYDEN] and the Senator from Florida [Mr. HOLLAND] are absent on official business.

I also announce that the Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

I further announce that, if present and voting, the Senator from Florida [Mr. HOLLAND] would vote "nay."

Mr. KUCHEL. I announce that the Senator from North Dakota [Mr. LANGER] is absent because of death in his family.

The Senator from Arizona [Mr. GOLDWATER] is necessarily absent and, if present and voting, would vote "nay."

The result was announced—yeas 14, nays 79, as follows:

YEAS—14

Fulbright	McNamara	Murray
Hartke	Magnuson	Russell
Hennings	Mansfield	Yarborough
Jackson	Martin	Young, N. Dak.
Kefauver	Morse	

NAYS—79

Aiken	Dworshak	Monroney
Allott	Eastland	Morton
Anderson	Ellender	Moss
Bartlett	Engle	Mundt
Beall	Ervin	Muskie
Bennett	Frear	Neuberger
Bible	Gore	Pastore
Bridges	Green	Prouty
Bush	Gruening	Proxmire
Butler	Hart	Randolph
Byrd, Va.	Hickenlooper	Robertson
Byrd, W. Va.	Hill	Saltonstall
Cannon	Hruska	Schoeppel
Capehart	Humphrey	Scott
Carlson	Javits	Smathers
Carroll	Johnson, Tex.	Smith
Case, N.J.	Johnston, S.C.	Sparkman
Case, S. Dak.	Jordan	Stennis
Chavez	Keating	Symington
Church	Kennedy	Talmadge
Clark	Kerr	Thurmond
Cooper	Kuchel	Wiley
Cotton	Lausche	Williams, N.J.
Curtis	Long	Williams, Del.
Dirksen	McCarthy	Young, Ohio
Dodd	McClellan	
Douglas	McGee	

NOT VOTING—5

Goldwater	Holland	O'Mahoney
Hayden	Langer	

So the amendment of the Senator from Oregon [Mr. MORSE] was rejected.

Mr. MORSE. Mr. President, I offer an amendment which I ask to have read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 4, line 6, strike out "(f)" and insert "(g)."

On page 4, after line 9, insert the following:

(b)(1) In the case of a veteran of World War I, pension shall be paid at the following monthly rate:

(A) $66.15; or

(B) $78.75 if (i) the veteran is sixty-five years of age or older, or (ii) the veteran has been rated as permanently and totally disabled for a continuous period of ten years and he has been in receipt of pension throughout such period; or

(C) $135.45 if the veteran is in need of regular aid and attendance.

(2) No pension shall be paid under paragraph (1) to any unmarried veteran whose annual income exceeds $1,400, or to any married veteran or any veteran with children whose annual income exceeds $2,700.

On page 4, line 10, strike out "(b) If" and insert the following: "(c) In the case of a veteran of World War II or the Korean conflict, if".

Mr. MORSE. Mr. President, I shall speak but a minute or two on this amendment, and then withdraw it. I offer it at this time, however, in order to make the record and to serve notice as to the future action which the senior Senator from Oregon intends to take with respect to this proposed legislation and other proposed veterans' legislation.

It is perfectly obvious from the result of the yea-and-nay vote on the last amendment that this afternoon is not an appropriate time in the Senate to offer amendments which I think are essential to the doing of justice to the veterans of the Nation.

I have no desire to prejudice their case. I think it is important, in view of the result of the last vote, that time elapse at the grassroots of America for veterans to take cognizance of the Senate's action and to follow those courses of action which free men and women have the right to follow in this Republic.

Therefore, I do not think I should press for action on this amendment, but I shall make a brief statement about it. I serve notice that after there has been an opportunity for public reaction to the course of action which the Senate has taken this afternoon, I shall reintroduce this proposed legislation and other measures next January and ask for early hearings on them.

Mr. President, this amendment eliminates World War I veterans from the provisions of H.R. 7650. I had intended to offer it because I have heard from literally thousands of World War I veterans who have told me they prefer the present law governing their pensions to the coverage of H.R. 7650.

These veterans object to the severe means test and the graduated scale of benefits which the House bill contains.

I respect the objection of the veterans to being put on a dole, so to speak, and to being treated more as welfare cases than as American war veterans.

I do not think we have reached the point in this session of Congress where the consideration can be given to this proposal which I think it warrants at this time. Therefore, I withdraw the amendment and yield back the remainder of my time.

Mr. BYRD of Virginia. I yield back the remainder of my time.

Mr. DIRKSEN. Mr. President, I yield back the remainder of the time under my control.

The PRESIDING OFFICER. All remaining time has been yielded back.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). The bill has been read the third time; and the question now is, Shall the bill pass?

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Arizona [Mr. HAYDEN], the Senator from Florida [Mr. HOLLAND], and the Senator from Montana [Mr. MURRAY] are absent on official business.

I also announce that the Senator from Wyoming [Mr. O'MAHONEY], is absent beause of illness.

I further announce that, if present and voting, the Senator from Florida [Mr. HOLLAND], the Senator from Montana [Mr. MURRAY], and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from North Dakota [Mr. LANGER] is absent because of death in his family.

The Senator from Arizona [Mr. GOLDWATER] is necessarily absent.

The result was announced—yeas 86, nays 6, as follows:

YEAS—86

Aiken	Ervin	McClellan
Allott	Frear	McGee
Anderson	Fulbright	McNamara
Bartlett	Gore	Magnuson
Beall	Green	Mansfield
Bible	Gruening	Martin
Bridges	Hart	Monroney
Bush	Hartke	Morse
Byrd, W.Va.	Hennings	Morton
Cannon	Hickenlooper	Moss
Capehart	Hill	Mundt
Carlson	Hruska	Muskie
Carroll	Humphrey	Neuberger
Case, N.J.	Jackson	Pastore
Case, S. Dak.	Javits	Prouty
Chavez	Johnson, Tex.	Proxmire
Church	Johnston, S.C.	Randolph
Cooper	Jordan	Robertson
Cotton	Keating	Russell
Curtis	Kefauver	Saltonstall
Dodd	Kennedy	Schoeppel
Douglas	Kerr	Scott
Dworshak	Kuchel	Smathers
Eastland	Lausche	Smith
Ellender	Long	Sparkman
Engle	McCarthy	Stennis
Symington	Wiley	Young, N. Dak.
Talmadge	Williams, N. J.	Young, Ohio
Thurmond	Yarborough	

NAYS—6

Bennett	Byrd, Va.	Dirksen
Butler	Clark	Williams, Del.

NOT VOTING—6

Goldwater	Holland	Murray
Hayden	Langer	O'Mahoney

So the bill (H.R. 7650) was passed.

Mr. BYRD of Virginia. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, at this point I would like to congratulate the chairman and the ranking minority member of the Senate Finance Committee for their prompt action in connection with this bill. I think congratulations are also due to the very able and conscientious senior Senator from Oklahoma [Mr. KERR] for the work he has done in this field.

It may be that further action will be necessary at some other date. But I think we have taken an important step today.

To a great extent, we have been able to take that step because of the fearless, couragous, dedicated work of the chairman of the House Veterans' Affairs Committee, OLIN E. TEAGUE. For many years, Chairman TEAGUE has worked selflessly and with diligence in the interests of the Nation's veterans.

He is an American who has served his country just as ably and bravely in peace as he did in war.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 1719) for the relief of Lushmon S. Grewal, Jeat S. Grewal, Gurmale S. Grewal, and Tahil S. Grewal, and it was signed by the President pro tempore.

ORDER OF BUSINESS—STATE TAXATION OF INCOME DERIVED FROM INTERSTATE COMMERCE

Mr. JOHNSON of Texas. Mr. President, for the information of the Senate, I am informed that some of the Senators who have filed additional views on order No. 665, the bill from the Finance Committee, S. 2524, feel that there will be several amendments to that bill to be offered and discussed. In order to attempt to accommodate a number of Senators who have dinner engagements, I have agreed that action on the bill will be held over until Monday.

As Senators will remember, we have an order to convene at 10 o'clock in the

morning on Monday and to proceed to the consideration of the housing bill after the morning hour.

It is my hope, at the conclusion of action on the housing bill, to take up order No. 665, Senate bill 2524, relating to State income taxes, and perhaps some other proposed legislation, such as perhaps sending the labor bill to conference, or perhaps the conference report on the public works bill, or some other matters; but we will take up order No. 665, Senate bill 2524, as soon after we complete action on the housing bill as is possible.

There will be no more yea and nay votes this evening, if the leadership can prevent them.

I appreciate very much the cooperation of all Members of the Senate today. We will keep the Senate in session as long as necessary in order to have Senators address the Senate, and the Senate will convene at 10 o'clock Monday morning, take up the housing bill, act on conference reports or messages from the House, and then take up order No. 665, S. 2524, under the unanimous-consent agreement.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Alabama.

Mr. SPARKMAN. Is my understanding correct that the Senator from Texas obtained unanimous consent for the Committee on Banking and Currency to file a report on the housing bill during the adjournment?

Mr. JOHNSON of Texas. Yes.

I ask the Chair if that is a correct statement.

The PRESIDING OFFICER. It is correct.

TRIBUTE TO J. HYDE SWEET, OF NEBRASKA

Mr. CURTIS. Mr. President, on August 15, 1959, the citizens of Nebraska, and a host of admirers throughout this country will honor J. Hyde Sweet on the occasion of his 50th anniversary as a journalist and newspaper publisher.

Hyde Sweet's success as a publisher is demonstrated by his success in the economics of his business. However, he is distinguished and revered, by all who know him, as a man of letters. His perception, his wit, his vast understanding of the nature of beings, and his remarkable literary ability, have made him an all-time member of Nebraska's journalistic Hall of Fame. Probably no other editor of a Nebraska newspaper has been as widely quoted by fellow publishers as Hyde Sweet.

Born in Milford, N.Y., Hyde was nurtured in Nebraska. He became a cornhusker at the age of 5 and was a court reporter and a wholesale grocer before becoming affiliated with the Nebraska City News-Press which he now edits and publishes. In addition to a host of honors gathered for civic service and editorial eminence, he served as a Member of the House of Representatives for 9 months, in the 76th Congress, following the death of Hon. George H. Heinke.

The power of keen observation and clear expression is a worthy attainment in any profession; it is the very essence of success in journalism. This attribute best characterizes Hyde Sweet, and with it he has nobly served his fellow Nebraskans.

GREATER INDUSTRIAL USES OF FARM SURPLUSES—TRIBUTE TO SENATOR CURTIS, OF NEBRASKA

Mr. YOUNG of North Dakota. Mr. President, the Senate has passed the bill to promote the greater industrial uses of farm surpluses. As a Senator from a farm State, and as a member of the Senate Committee on Agriculture and Forestry, I strongly supported this legislation. It offers much hope for a program that will contribute to a long range solution to the farm problem.

In connection with this measure, I want to point out the fine work and the leadership of Senator CARL CURTIS, of Nebraska, in this matter. He is a pioneer in this field. The Congress, the entire Nation, and particularly the farmers of the country, owe him a debt of gratitude.

Senator CURTIS was an early pioneer in this movement. Many years ago, as a Member of the House of Representatives, he promoted the program. He was the author of the resolution passed by the Congress which called upon the President to create a commission to seek recommendations for these industrial uses. Mr. J. Leroy Welsh, of Omaha, Nebr., was Chairman of the President's Commission. Senator CURTIS introduced a bill to carry out the recommendations of the Welsh Commission. It was one of the bills which the committee had before it in preparing the committee bill passed by the Senate.

It is reasonable to say that without the work and leadership of Senator CURTIS the Welsh Commission would have never been created. Its creation resulted in the Senate's passing this proposed legislation.

TRIBUTE TO THE LATE LYDIA C. LANGER

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, many moving tributes have been paid to the memory of the late Lydia C. Langer. She was a woman loved and respected by all who knew her.

On my own behalf and that of Representatives QUENTIN N. BURDICK and DON L. SHORT, I ask unanimous consent to have printed in the body of the RECORD as a part of my remarks editorials from the Minot Daily News and the Bismarck Capital, two of North Dakota's prominent newspapers. The tributes they paid to Lydia Langer were especially fitting.

Also, Mr. President, I ask unanimous consent to have printed as a part of my remarks an equally appropriate resolution adopted by the City Commission of Fargo, N. Dak., together with a covering letter from their distinguished mayor, Mr. Herschel Lashkowitz.

There being no objection, the editorials and resolution were ordered to be printed in the RECORD, as follows:

[From the Bismarck Capital, Aug. 7, 1959]

A GRACIOUS LADY

Mrs. William L. Langer will be long remembered by her many friends in Bismarck and Mandan and throughout North Dakota for her unique graciousness and steadfast loyalty, which proved an inspiration to Senator LANGER and his children, and to all those in North Dakota whose good fortune it was to know her.

From the time she came to our area in 1919, Lydia Cady Langer distinguished herself by virtue of her cordial charm, her exemplary conduct as a devoted wife and mother, and the good-humored ease with which she met her substantial challenges.

She had a graciousness about her that is found in very few. Her proud background and training fitted her to entertain the highest in the land; yet at the same time there appeared to be none too humble to receive truly cordial treatment in the Langer home.

Her loyalty to Senator LANGER never faltered, as she steered her family through the bitterness and fire of political campaigns.

Mrs. Langer appeared to have knit her family into an even closer unit, in face of this, and her family in turn literally worshiped her.

They were not alone.

[From the Minot Daily News, Aug. 5, 1959]

WE ADMIRED HER

In North Dakota, the State of her adoption, Mrs. William Langer will be remembered as a gracious woman who pretty well personified the ideas North Dakotans have of those qualities of loyalty and courage which a wife and mother should possess.

We think we speak just about unanimously for the State when we pay Lydia Langer such a personal tribute, and express our sincere sympathy to the Senator and all members of the Langer and Cady families in their bereavement.

The people of North Dakota have known their senior Senator and his career well enough to guess that despite the fact he has been a devoted husband and father, he probably hasn't been the easiest man in the world to keep a home for. The times in which he rose to political strength were turbulent to say the least, and the home he and Mrs. Langer kept at Bismarck while he was Governor was a place to which just about any appellant for the Governor's intervention could gain access, day or night.

Though she ran for Governor herself once, at a time when the Nonpartisan League-controlled Republican machinery needed a candidate to uphold the Langer name in politics, Mrs. Langer was really a modest woman who personally preferred to be a wife rather than a candidate. In the main she kept out of the political limelight. Yet she was, in Bismarck and afterward in Washington, a mainstay of Mr. LANGER. Her loyalty throughout her husband's controversial career made people respect her, and doubtless it was a symbol which made some of his political success possible.

The story of the West is replete with cases of eastern girls who married western men and left environments of refinement and comfort to adapt themseslves successfully to new country. Lydia Langer made that adjustment, and the regard North Dakotans had for her is perhaps the best proof of her success. She was a memorable example of the popular western story.

Those messages many North Dakotans have been accustomed to receive from the Langers about Christmas time, signed "Lydia and BILL," were always gracious, and somehow they seemed personal. It may well have been Lydia's touch that made them so. Those messages will be missed. To her bereaved husband, all of us can say, "BILL, we admired Lydia."

CITY OF FARGO, N. DAK.,
August 5, 1959.

The Honorable MILTON YOUNG,
U.S. Senator from North Dakota,
Senate Office Building, Washington, D.C.

DEAR SENATOR YOUNG: You will please find enclosed herein a certified copy of a resolution which I presented to the board of city commissioners at a meeting last evening, and which was adopted to express the deep, heartfelt sympathy of the Board of City Commissioners of the City of Fargo at the passing of our beloved friend, Mrs. William Langer, wife of our distinguished senior U.S. Senator, the Honorable WILLIAM LANGER.

Would you kindly, on behalf of the board of city commissioners and myself, read this letter and the enclosed resolution on the floor of the U.S. Senate, with the request that it be made a part of the proceedings thereof, as a tribute to our respect, admiration, and affection for the late Mrs. William Langer.

Sincerely yours,
HERSCHEL LASHKOWITZ,
Mayor.

President Lashkowitz offered the following resolution and moved its adoption:

"Be it resolved by the Board of City Commissioners of the City of Fargo, That—

"Whereas Mrs. William Langer, the beloved wife of our esteemed senior U.S. Senator, the Honorable WILLIAM LANGER, has just passed on to her eternal rest; and

"Whereas Mrs. William Langer, as the first lady of North Dakota, and as the helpmate of our distinguished senior Senator, has come to be known and loved by all the people of our city as a dear friend, whose place will forever be enshrined in our memory; and

"Whereas the city of Fargo deeply mourns the passing on of its beloved friend and good neighbor; and

"Whereas Mrs. William Langer achieved eminence not only as the helpmate and inspiration of North Dakota's greatest Governor, but also has been recognized as an outstanding example of American womanhood who took a vital interest and played a prominent role in local, State, and National affairs and made a lasting contribution to the advancement and development of her adopted State, and merited the affection and respect of the people of our city and State; and

"Whereas Mrs. William Langer has been an example of courage and inspiration to all: Now, therefore, be it

"Resolved by the Board of City Commissioners of the City of Fargo, That it does hereby extend its condolences and deepest heartfelt sympathy on behalf of the citizens of the city of Fargo to the Honorable WILLIAM LANGER, our distinguished senior Senator, and the bereaved family of Mrs. William Langer; and be it further

"Resolved, That a copy of this resolution be spread upon the permanent minutes of the Board of City Commissioners of the City of Fargo, and that copies be forwarded to the Honorable WILLIAM LANGER, U.S. Senator from North Dakota, and to the bereaved family of Mrs. William Langer, and also to the congressional delegation from North Dakota, with the request that this resolution be read from the floor of the Senate and the U.S. House of Representatives and made a part of the proceedings thereof."

Second by McCannel. On the vote being taken on the question of the adoption of the resolution, Commissioners Hagen, Lewis, Markey, McCannel, and Lashkowitz all voted "aye."

No commissioner being absent and none voting nay, the vice president declared the resolution to have been duly passed and adopted.

Mayor HERSCHEL LASHKOWITZ,
President, Board of City Commissioners.

IMPROVEMENT OF LAND TENURE PATTERNS ON THE FORT BELKNAP RESERVATION

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent, first, before yielding further, that the Senate proceed to the consideration of Order No. 676, S. 1105.

The PRESIDING OFFICER. The bill will be stated by title for information.

The LEGISLATIVE CLERK. A bill (S. 1105) to improve the land tenure patterns on the Fort Belknap Reservation.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 8, after the word "authorize", to insert "notwithstanding the provisions of the constitution of the community", and on page 2, line 13, after the word "supplemented", to insert "The title to lands conveyed to the community shall be held by the United States in trust for the community.", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of improving the land tenure patterns on the Fort Belknap Reservation in the State of Montana for the mutual benefit of the Fort Belknap Indian community and the individual members thereof, the Fort Belknap Indian Community Council, with the approval of the Secretary of the Interior, is authorized, notwithstanding the provisions of the constitution of the community, to (1) sell and convey to individual members of the community any tribal lands or interests therein within such reservation; and (2) exchange any tribal lands or interests therein within such reservation for other lands or interests therein situated within the reservation in which any interest is now or hereafter held in trust by the United States for an Indian, or is now or hereafter owned by an Indian subject to restrictions against alienation or taxation.

SEC. 2. The title to lands conveyed to individual members of the community shall be held by the United States in trust for the individuals concerned and the instruments of conveyance shall be construed to have the same force and effect as a trust patent issued pursuant to section 5 of the Act of February 8, 1887 (24 Stat. 388), as amended and supplemented. The title to lands conveyed to the community shall be held by the United States in trust for the community.

SEC. 3. The Secretary shall have authority to execute such instruments as may be necessary or appropriate to convey titles transferred pursuant to the provisions of this Act, and he is authorized to prescribe such regulations as may be necessary to carry out the provisions of this Act.

Mr. JOHNSON of Texas. Mr. President, I wonder if the Senator from Montana will make a brief explanation of this private bill.

Mr. MANSFIELD. Mr. President, S. 1105, which was introduced by the senior Senator from Montana [Mr. MURRAY] for himself and for me, would authorize the Fort Belknap Indians in Montana to sell tribal land to members or exchange tribal land for land owned by individual members. The Department of Interior recommended inclusion of an amendment which would give the Secretary of Interior discretionary authority to require that individual members of the tribe who acquire land take it in unrestricted fee—taxable—status rather than in trust—nontaxable. I am very pleased that this proposal was rejected by the Senate Committee on Interior and Insular Affairs.

The reason why this land should stay in trust status on the Fort Belknap Reservation is that all the members are terribly poor, and a decision by the Secretary to require that taxes be paid on any of this land would result in further hardship.

House Document No. 2503, based on a House Interior Committee investigation of Indian Affairs in 1952, shows that of the 256 families on the reservation, only the 22 families that included Government employees realized more than $1,500 income annually. A report issued by the Montana State Board of Health last December showed that only 5 percent of the Indians on this reservation had a safe water supply within one quarter of a mile of their homes. Less than 10 percent had safe water storage and proper garbage disposal.

The Fort Belknap tribe is one of the most poverty-stricken tribes in the Nation. Approval of S. 1105 without the amendment to which I object will assure the Fort Belknap Indians that their enterprise in consolidating land will not carry with it the additional costs of taxes which they are not yet able to assume.

Mr. President, I ask that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments will be considered en bloc; and, without objection, they are agreed to.

The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1105) was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

REGULATION OF PLACEMENT OF CHILDREN IN FAMILY HOMES

Mr. JOHNSON of Texas. Mr. President, I have agreed to yield briefly to the Senator from Oregon [Mr. MORSE] so the Chair may lay before the Senate an

amendment of the House of Representatives, and the Senator may make a motion. Then I shall yield to the Senator from Delaware [Mr. WILLIAMS] who has been patient all afternoon waiting to make a statement.

Mr. JAVITS. Mr. President, I have something that ties in with this matter, if the Senator will yield to me for 1 minute.

Mr. MORSE. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to the bill S. 746.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives the bill (S. 746) to amend the act entitled "An act to regulate the placing of children in family homes, and for other purposes," approved April 22, 1944, as amended, and for other purposes, which was, on page 3, line 11, strike out all after "witness" down through and including "oath" in line 12.

Mr. MORSE. Mr. President, I am pleased to notify the Senate that by unanimous vote of the Senate Committee on the District of Columbia the amendment of the House is acceptable.

I move, therefore, that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon.

The motion was agreed to.

NOTICE OF HEARINGS ON PROPOSED CONSTITUTIONAL AMENDMENT TO BAN POLL TAXES IN FEDERAL ELECTIONS

Mr. KEFAUVER. Mr. President, I scheduled a meeting of the Senate Subcommittee on Constitutional Amendments yesterday at 1:30 p.m. to discuss Senate Joint Resolution 126, a proposed constitutional amendment to ban poll taxes in Federal elections. This resolution was introduced by the senior Senator from Florida, and I have the honor to be among its 66 cosponsors.

Unfortunately, objection was made to the request that the subcommittee meet during the session of the Senate yesterday. I rescheduled the meeting for this morning at 9:30 a.m. As the Senate convened at the same hour, it was again necessary to seek unanimous consent for the subcommittee to meet while the Senate was in session. Unfortunately, it was not possible to obtain this consent in advance. Furthermore, it was not possible to obtain a quorum of the subcommittee this morning.

It had been my hope to take affirmative action on Senate Joint Resolution 126 this morning at the latest. However, I have now had several requests from Senators to be heard on the proposed amendment before action is taken. Therefore, after consultation with other members of the subcommittee, I have scheduled public hearings on this resolution for 2 p.m., Monday, August 17, in room 312, Old Senate Office Building. Any Senators or other persons who wish to be heard or file statements for the record should contact the subcommittee counsel, Mr. Bernard Fensterwald, Jr., on extension 5581 at the Capitol.

I am aware that there is strong sentiment in favor of action upon this resolution at this session. I am among those who favor prompt and favorable action. However, it is my practice, as chairman of the Subcommittee on Constitutional Amendments, to hear witnesses who wish to testify before any decision is taken. I believe that we will improve our chances of success in the Senate if we adhere to our regular procedures.

TRIBUTE TO MAJ. GEN. DAVID M. SHOUP

Mr. HARTKE. Mr. President, Indiana is proud of its contributions to our American way of life. In the fields of art, education, industry and agriculture, Indiana's towns and cities, her fertile plains and rolling hills, have given their material and spiritual wealth in contribution with her sister States, to our common American heritage.

Yesterday, President Eisenhower called upon the resources of our great State to name as Commandant of our gallant, fighting Marine Corps, Maj. Gen. David M. Shoup, a native Hoosier, now of Covington, Ind.

I feel it incumbent on me, Mr. President, to acquaint my colleagues with the remarkable background of this modern patriot. David M. Shoup was born and reared on a farm at Battle Ground, near Lafayette, Ind. As a farm lad he found time to excel not only in scholastic endeavors, but in sports as well. He attended Indiana's famed DePauw University and won academic honors as a rector scholar. On the playing fields, as on the fields of battle, he proved himself an outstanding leader. As a DePauw track star he set the Indiana-Kentucky marathon record that still stands today unequaled after 26 years.

General Shoup is considered by his fellow marines as a "Marine's Marine." He received the Congressional Medal of Honor for his heroic leadership in winning the decisive and bloody battle of Tarawa in 1943. As a scholar he wrote a history of that battle. As a humanitarian he gave his royalties from the sale of this narrative to set up a fund to educate the children of his many comrades who died on those bloody beaches.

Mr. President, I can think of no man more qualified or deserving to lead our U.S. Marines than Major General Shoup. He is truly a gentleman, and a scholar; a man among men, a marine among marines. I laud President Eisenhower for his choice in selecting Maj. Gen. David M. Shoup as new Commandant of the U.S. Marine Corps.

SALE OF GOVERNMENT BONDS

Mr. WILLIAMS of Delaware. Mr. President, today I wish to outline a plan which I think will restore series E bonds to the position of being the best and the most popular investment in America. I want to make it plain, however, that this is not being offered as an alternative but rather as a part of the Treasury Department's request for the removal of the present ceiling on interest rates.

Furthermore, this proposal is being made as my own suggestion and does not represent an opinion of either the Treasury Department or the committee of which I am a member.

On August 3, 1959, I strongly endorsed prompt action on the request of the Treasury Department to remove the present fictitious 4¼-percent ceiling on long-term Government bonds.

With long-term Government bonds selling in the open market at discount prices wherein an investor can get 4½ percent or higher, it is absurd for the Congress to maintain a 4¼-percent ceiling.

Certainly we do not want the Treasury Department to resort to selling Government bonds at a discount in order to bypass the 4¼-percent ceiling, nor do we want the Government to do all of its financing on a short-term basis. Either course would be highly inflationary.

At the same time I think we should place strong emphasis upon the need for financing a larger percentage of our national debt with the people through increased sales of savings bonds, series E and series H. This would be far less inflationary than financing all our debt through the banks.

On July 31, 1959, the cash value of outstanding E- and H-bonds was $42,679,000,000, with $37,977,000,000 being in series E bonds. The fact which gives all of us great concern, however, is that these savings bonds are presently being redeemed at a much faster rate than they are being sold.

In every month of 1959 redemptions of series E bonds have far exceeded the sales, with the figures for the month of July being the worst. In July 1959 sales were $297 million, or $24 million less than the sales for the same month in 1958, while during that month redemptions were $479 million, or $78 million higher than July 1958. Redemptions were $182 million higher than sales.

Sales of series E bonds for the full fiscal year ending June 30, 1959, were $3,688,000,000 against redemptions for the same period of $4,889,000,000, or a loss of over $1 billion.

It is generally recognized that it is far less inflationary for the Federal Government to finance its debt with the people than with the banks; therefore, this trend is of serious concern to all.

As I pointed out in my earlier remarks, however, we must be realistic and recognize that there are reasons why the American people are cashing in series E bonds at a rate faster than they are buying them.

Those reasons are very simple and are:

First. Fear of inflation, and

Second. Investors can get a higher rate of interest by placing their savings in the banks or in other investments than they can in series E bonds.

At the present time series E bonds are paying only 3.26 percent interest, and unless the law is amended that is the highest rate permissible on this type of

savings bond. The Treasury Department has sent a recommendation to the Congress that this permissible rate be raised to 3¾ percent. This is a step in the right direction, but I question that this will restore these bonds to their former popularity.

This trend, wherein redemptions of savings bonds are higher than the sales, must be reversed and this can only be accomplished by making these savings bonds the most attractive investment in America.

It is my opinion that we made a mistake when we departed from the standard 10-year maturity date for savings bonds. At the present time there are $38 billion outstanding series E bonds, some with 10-year maturity dates, others with 9 years and 8 months, and today they are being sold with an 8-year 11-month maturity date. The result is that investors holding these bonds are completely confused as to when they actually do come due.

My recommendations are that:

First. These series E savings bonds be sold on a full 10-year maturity basis.

Second. They be sold at a price that will yield the investors 4 percent interest compounded annually.

Third. The redemption value of these bonds be placed on a higher graduated basis so that if they are cashed prior to the maturity date they would still give the investor all his principal plus a reasonable rate of interest.

I make these recommendations for the following reasons:

First, I think the investors will like a 10-year bond better than one with an odd maturity date. It will be much easier for the investors to keep records of when their bonds come due, and it will be easier for them to plan their investment program.

Second, to yield 4 percent interest compounded annually a 10-year $100 bond would be sold at $67.50. Bonds of other denominations would be priced in proportion. It is my personal opinion that investors would prefer buying a $100 bond for $67.50 with a 10-year maturity date rather than paying $75 for a $100 bond with maturity somewhere around 8½ years.

Mr. DIRKSEN. Mr. President, will the distinguished Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator.

Mr. DIRKSEN. There is a certain freshness about this proposal by the distinguished Senator from Delaware which is enchanting. First, it is simple. Second, it is easy to understand, and can be easily understood by the average purchaser of a savings bond. It would tend to dispel confusion.

The interest rate the Senator mentions would have great appeal to the average purchaser, and probably would reverse the tide of increased cash-ins and decreased sales.

Too, there is the appeal of a better income to that large residue of purchasing power in the country to which the appeal must be made.

I am quite delighted that the distinguished Senator from Delaware is rather diligently and eagerly pursuing this matter, because somewhere along the line I believe a proposal of this kind, or substantially the same, is going to have to have sustained attention.

Mr. WILLIAMS of Delaware. I thank the Senator from Illinois. I feel very strongly that in the interest of the Government from an anti-inflationary standpoint, as well as for the good of the investors, we should place as large a percentage of the debt as possible in the hands of the people, rather than financing it through the banks.

Mr. DIRKSEN. I agree.

Mr. WILLIAMS of Delaware. Certainly if we are to accomplish that objective, we must make savings bonds the most attractive as well as the safest investment in America.

Mr. JAVITS. Mr. President, will the Senator yield to me?

Mr. WILLIAMS of Delaware. I yield to the Senator from New York.

Mr. JAVITS. I have been urging that we issue $25 billion worth of peace bonds. I should like to join with the Senator from Delaware, and to recommend that if we do make such an issue and try to sell it as a major patriotic issue, as we did the war bonds—and I hope we will—we do so in terms as specified by the Senator from Delaware.

Mr. President, I think the Senator from Delaware has established an excellent formula, a 4 percent compound interest rate and a uniform 10-year term.

I have been sitting through the hearings of the Joint Economic Committee, of which our colleague from Illinois is such a gracious chairman. The witnesses have constantly agreed when I have questioned them about the whole peace bond idea. I now hope very much that the terms specified by the Senator from Delaware will be carried through. There is very little we could do, both in terms of the anti-inflation struggle and in terms of the stability of our long-term debt and the ultimate interest rate we have to pay, that could be more important than, first, stopping the attrition of the cash-ins to which the Senator so eloquently referred, which exceeded by a billion dollars a year the purchases of savings bonds, and, second, getting the long-term debt held in the hands of those who should hold it, the savers in the United States. I think the modest amount of competition to savings and loan associations, to savings banks, and to other recipients of savings, would be as nothing compared to the stability of the dollar which would come from having this kind of Government obligation held by the individual investors.

If the Senator from Delaware will accept my aid, I shall be delighted to join with him in this effort, which apparently has to start in this Chamber, because we have not had too much encouragement so far from the administration in regard to really getting a massive drive going for an intelligent kind of policy on bonds which the savers can buy, as outlined by the Senator from Delaware, which I strongly urge be the peace bond issue.

Mr. WILLIAMS of Delaware. I thank the Senator from New York.

One of the first steps toward selling these bonds would be to provide a realistic interest rate. I think 4 percent is not too high to pay for this type of savings bond. After all, we must remember that these bonds will be sold to and the interest will be paid to the working people of America. Certainly they are entitled to 4 percent interest under present conditions.

Secondly, I think the simplicity of the program will help greatly in selling the bonds. We have today outstanding E bonds of 10-year maturity dates, 9-year 8-month maturity dates, and 8-year 11-month maturity dates, which the Secretary of the Treasury by an Executive order has extended for another round. Frankly, I doubt if there is a Member of the Senate who could tell exactly what is the maturity date on a specific bond issued as of a certain date.

If we issue these bonds with a 10-year maturity date, the investors can plan their investment programs. Many bonds are bought looking forward to retirement. I think it would be much easier and much better from all angles to follow this clear procedure. I am sure it would have a great deal of appeal to the investors.

Mr. JAVITS. I will say to the Senator from Delaware, we should not forget, because it has been brought out in the testimony, the tremendous anti-inflationary effect achieved by the long-term debt being in the hands of the savers, of the people who divert their money for savings instead of spending it at the particular moment; that is, spending deferred for the future, which can be of tremendous advantage in the anti-inflationary struggle.

Mr. WILLIAMS of Delaware. No step could be taken which would be more constructive in combating inflation.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CASE of New Jersey. I, too, wish to join my colleagues in commending the distinguished Senator from Delaware for a very sound, significant proposal. I concur in what he has said on the subject, and I concur in what my colleagues, the Senator from New York [Mr. JAVITS] and the Senator from Illinois [Mr. DIRKSEN] have said about the proposal. I agree with all those points.

It is sound to provide a reasonably adequate medium for the average person, the person of modest means, to use in participating in the financing of his Government.

This is perhaps a minor point, but it may be worth mentioning. U.S. bonds of this nature are of great value to families in educating their members in thrift, as well as providing for their future welfare. It is essential that we keep such bonds up to date. It is wrong to try to educate a person in thrift by trying to persuade him to buy something which is not a good investment. The proposed bonds certainly are. The proposal of the Senator from Delaware is certainly

a corrective for this purpose which is long overdue.

Mr. WILLIAMS of Delaware. I thank the Senator from New Jersey.

The other day I made the statement that we should be realistic as to why these bonds are not selling. We cannot in good conscience tell the American people that series E savings bonds paying only 3¼ percent are the best investment because they can put their money in a bank, or in many other types of good investment, fully insured, and get a higher rate of interest.

I am not getting into the argument as to whether interest rates are too high or too low. We are paying higher interest rates already and certainly we should pay the better rate to the people of America who are putting their life savings in this type of bond.

My third suggestion is that we should not lock these small investors in a certain position for 10 years.

They may encounter some unexpected emergency and may be compelled to cash their bonds. Under the present arrangement, they would have to forefeit practically all their interest. They would lose some interest under my formula, but they would always be able to regain all of their principal, and most of their interest at any time.

Mr. CASE of New Jersey. The Senator's points are incontrovertible.

Mr. WILLIAMS of Delaware. I thank the Senator.

As previously stated, I recommend a more attractive cash-in value for the bonds when redeemed prior to maturity. I do not think it is fair to this type of investor, who may through unexpected illness or misfortune be forced to redeem his bonds, to be required to lose practically all of the interest. For that reason I am recommending that the bonds be given a cash-in value which, while the investor would lose some of the interest, would always give him all of his principal plus the most of his interest. He would not be locked in his investment as under the present plan.

This more liberal redemption value plus a 4-percent interest rate, along with an understandable 10-year maturity date, will in my opinion make these bonds once again the safest and the most attractive investment in America.

Why shouldn't these bonds be made more attractive? Remember they are being sold to the working people of America, and the Treasury Department has the authority to limit their sales to each individual.

Under my proposal these 10-year bonds would be sold at $67.50 for each $100 par value. Their cash redemption value could be increased $2.50 per year for each of the first 3 years, $3 per year for each of the next 3 years, and $4 per year for each of the last 4 years, or a maturity value of $100, with the redemption value broken down on a 6-month basis.

I concur with the Treasury Department that any increase we make in the rates applicable to the new series E and series H bonds must be made effective on the same date for all outstanding series E and H bonds provided they are held to full maturity.

This could be done by making all outstanding series E and series H bonds eligible for the new rate of interest on that portion of the unexpired term remaining after the effective date of the increased interest rate. Our failure to take such action would encourage a wholesale cashing in of these bonds, or investors would convert the old bonds to the new bonds with the higher interest rate, and this would defeat the purpose.

However, the increased interest rates would be applicable on the old bonds only for that portion of the unexpired term remaining after the effective date of this change, and only provided the bond would be held to full maturity.

I am incorporating in the RECORD here today a chart embracing my suggestions for the new 10-year bond which I propose be sold at $67.50 for each $100 par value; and I would appreciate Members of Congress and other interested parties examining this proposal and feeling free to make any suggestions.

I recognize that this suggestion may not be the perfect solution, but, realizing that something must be done, I am advancing it for consideration.

I ask unanimous consent to have printed at this point in the RECORD a table of this suggested 10-year, 4-percent savings bond which would be sold at $67.50, $100 par value. The first column shows the proposed redemption value broken down in 6-month periods. The second column shows what the actual 4-percent interest compounded annually would represent. The third column is the suggested value of the bond at the end of each year.

Following this chart I ask that there be printed a second chart showing the redemption value of the present series E bonds, which are being sold at $75, for $100 par value, and bearing a maturity date of 8 years and 11 months.

There being no objection, the charts were ordered to be printed in the RECORD, as follows:

Savings bonds, 10 years, 4 percent compounded annually

Proposed redemption value after bonds have been held—		(Actual) 4 percent interest compounded	Value end of each year	Annual increase
		[1] $67.50		
		2.70		
6 months	$68.75			
1 year	70.00	70.20	$70.00	
		2.80		
1 year, 6 months	71.25			
2 years	72.50	73.00	72.50	$2.50
		2.92		
2 years, 6 months	73.75			
3 years	75.00	75.92	75.00	
		3.03		
3 years, 6 months	76.50			
4 years	78.00	78.95	78.00	
		3.15		
4 years, 6 months	79.50			
5 years	81.00	82.10	81.00	3.00
		3.28		
5 years, 6 months	82.50			
6 years	84.00	85.38	84.00	
		3.41		
6 years, 6 months	86.00			
7 years	88.00	88.79	88.00	
		3.55		
7 years, 6 months	90.00			
8 years	92.00	92.34	92.00	
		3.69		4.00
8 years, 6 months	94.00			
9 years	96.00	96.03	96.00	
		3.84		
9 years, 6 months	98.00			
10 years (maturity)	100.00	99.87	100.00	

[1] Cost.

Present series E bonds—Table of redemption values during each successive period after issue date

Maturity value	$100.00	
Issue price	75.00	
First ½ year	75.00	
½ to 1 year	75.60	
1 to 1½ years	76.72	Average 2.33
1½ to 2 years	77.92	
2 to 2½ years	79.24	
2½ to 3 years	80.60	
3 to 3½ years	82.00	
3½ to 4 years	83.40	
4 to 4½ years	84.84	
4½ to 5 years	86.28	Average 2.90
5 to 5½ years	87.76	
5½ to 6 years	89.24	
6 to 6½ years	90.72	
6½ to 7 years	92.24	
7 to 7½ years	93.76	
7½ to 8 years	95.32	Average 3.18
8 to 8½ years	96.88	
8½ years to 8 years and 11 months	98.44	
Maturity value (8 years and 11 months from issue date)	100.00	

Mr. WILLIAMS of Delaware. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks two charts, one showing sales and redemption rates of series E bonds, and the other sales and redemption rates of series H bonds, for the past 12 months.

There being no objection, the charts were ordered to be printed in the RECORD, as follows:

The E-bond picture

[Dollar amounts in millions]

Last year	Sales				Redemptions				Net			Outstanding in 1958	
	1957	1958	Change		1957	1958	Change		1957	1958	Change	End of period	Change during period
			Amount	Percent			Amount	Percent					
July	$332	$320	−$12	−4	$506	$401	−$105	−21	−$174	−$82	+$93	$38,100	+$33
August	345	299	−46	−13	458	365	−93	−20	−113	−66	+47	38,126	+25
September	321	292	−28	−9	429	380	−49	−11	−108	−88	+20	38,131	+5
October	292	316	+24	+8	416	392	−24	−6	−124	−76	+48	38,136	+5
November	288	274	−14	−5	356	325	−30	−8	−68	−52	+16	38,178	+42
December	315	307	−9	−3	388	396	+8	+2	−72	−89	−17	38,206	+29
Calendar year	3,875	3,802	−74	−2	5,220	4,658	−563	−11	−1,345	−856	+489	38,206	+322

The E-bond picture—Continued

[Dollar amounts in millions]

This year	Sales				Redemptions				Net			Outstanding in 1959	
	1958	1959	Change		1958	1959	Change		1958	1959	Change	End of period	Change during period
			Amount	Percent			Amount	Percent					
January	$405	$375	−$30	−7	$497	$509	+$11	+2	−$92	−$134	−$42	$38,191	−$15
February	335	311	−24	−7	364	392	+29	+8	−28	−81	−53	38,204	+13
March	336	336	+1	(1)	377	437	+60	+16	−42	−101	−59	38,198	−6
April	322	289	−33	−10	397	433	+36	+9	−75	−144	−69	38,134	−64
May	299	290	−9	−3	368	413	+44	+12	−69	−122	−54	38,093	−40
June	297	279	−18	−6	395	446	+51	+13	−98	−167	−69	38,040	−53
Fiscal year	3,889	3,688	−201	−5	4,951	4,889	−62	−1	−1,062	−1,201	−139	38,040	−27
July	320	297	−24	−7	401	479	+78	+19	−82	−182	−101	37,977	−63

[1] Less than $500,000 or ½ of 1 percent.

Source: Office of the Secretary of the Treasury, Debt Analysis Staff, Aug. 4, 1959.

The H-bond picture

[Dollar amounts in millions]

Last year	Sales				Redemptions				Net			Outstanding in 1958	
	1957	1958	Change		1957	1958	Change		1957	1958	Change	End of period	Change during period
			Amount	Percent			Amount	Percent					
July	$68	$99	+$31	+46	$23	$16	−$7	−30	+$45	+$83	+$37	$4,158	+$83
August	47	70	+23	+49	21	16	−6	−29	+26	+54	+29	4,212	+54
September	41	60	+18	+44	25	17	−8	−32	+16	+43	+27	4,255	+43
October	44	62	+17	+39	22	15	−7	−32	+23	+47	+24	4,302	+47
November	46	51	+5	+11	23	16	−6	−26	+23	+35	+11	4,337	+35
December	53	64	+11	+21	22	18	−4	−18	+31	+46	+15	4,383	+46
Calendar year	631	887	+256	+41	248	198	−50	−20	+383	+689	+307	4,383	+689

[Dollar amounts in millions]

This year	Sales				Redemptions				Net			Outstanding in 1959	
	1958	1959	Change		1958	1959	Change		1958	1959	Change	End of period	Change during period
			Amount	Percent			Amount	Percent					
January	$105	$111	+$6	+6	$20	$17	−$4	−20	+$84	+$94	+$10	$4,477	+$94
February	72	72	(1)	(1)	16	17	+2	+10	+56	+55	−1	4,531	+55
March	82	78	−4	−5	18	23	+4	+23	+64	+55	−9	4,587	+55
April	76	60	−15	−20	15	19	+4	+26	+61	+41	−19	4,628	+41
May	69	48	−21	−30	15	21	+6	+38	+54	+27	−26	4,655	+27
June	79	44	−35	−44	16	24	+8	+49	+63	+20	−43	4,676	+20
Fiscal year	782	818	+36	+5	236	217	−19	−8	+545	+601	+55	4,676	+601
July	99	54	−45	−45	16	28	+12	+74	+83	+26	−57	4,702	+26

[1] Less than $500,000 or ½ of 1 percent.

Source: Office of the Secretary of the Treasury, debt analysis staff, Aug. 4, 1959.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from California.

Mr. KUCHEL. There is no more competent Member of the U.S. Senate than the distinguished senior Senator from Delaware. In what he has just recommended, there is much food for thought for all Members of the Senate and House of Representatives, as a partial solution to the difficult fiscal problem which faces our Government.

I completely concur in the realistic statement which the Senator from Delaware has made, for example, agreeing with the Treasury Department's request to the Congress that the 4½ percent ceiling on long-term Government bonds be eliminated as false, fictitious, and completely unrealistic in 1959.

Mr. WILLIAMS of Delaware. I thank the Senator.

Mr. KUCHEL. I concur also with the comments the distinguished Senator makes when he says that we do not want the Treasury Department of the Federal Government to resort to selling Government bonds at a discount in order to bypass the law of Congress with respect to the ceiling; nor, indeed, do we want the Government to resort to financing America's operations on a short-term financing basis.

Beyond that, the Senator has made a most intriguing recommendation, not merely to the Finance Committee of the Senate, but to Members of the Congress and the Government of our country as a whole, with respect to the type of bonds which the average American has purchased, and which we hope he will continue to purchase, demonstrating, I think, most clearly, that anything we can do to make attractive the credit of the Government of the United States, so that all citizens may participate in the type of fiscal transaction which he outlines, will strengthen our Government, not only among all our own people, but, in a very real sense, in relation to its reputation around the world.

Mr. WILLIAMS of Delaware. I thank the Senator from California.

I repeat that I hope Members of the Senate and other interested persons will feel free to make suggestions in connection with my proposal. I am offering the proposal on the basis that we have a problem with which we must deal. It would be disastrous to this country if we were to sit idly by and allow these savings bonds to continue to be cashed in at the present rate. To finance all our debt through the banks would be highly inflationary.

The only way we can expect to stop the trend of low sales and heavy redemptions is by being realistic and recognizing that bonds at 3.26 percent interest are not the best investment in America. Let us stop kidding ourselves. Let us make these savings bonds once again the most attractive investment in America. It can be done, and it must be done.

If we issue these bonds on a simple, understandable 10-year basis—and I think they should have been kept on that basis—with a realistic 4-percent interest rate payable to the people, the program will be on a sound basis. Certainly, if we are to pay the interest rates we are paying today, this is the type of investor we should pay it to.

Second, I think it would be very appropriate that we sell these bonds on the basis that the people would not be locked

in with their investment for the full 10-year period, because many times they are forced to cash in the bonds due to illness, hospitalization, or something unexpected, and the only way in which they can do it under the existing program is to forfeit the bulk of their interest.

We are paying today, whether we like it or not, 4¼ or 4½ percent. The Government paid 4¾ percent on a 4¾-year bond the other day. Certainly if we are going to pay those rates in financing our debt, I do not think 4 percent is too high to consider here, and I welcome the support of the Senator from California.

TRIBUTE TO MAJ. GEN. JOHN H. MICHAELIS, CHIEF OF LEGISLATIVE LIAISON, DEPARTMENT OF THE ARMY

Mr. JAVITS. Mr. President, the senior Senator from Alaska [Mr. BARTLETT] and the junior Senator from Iowa [Mr. MARTIN] yesterday referred to the fact that Maj. Gen. John Michaelis is leaving Washington for a new assignment as Commander in Chief, U.S. Army, Alaska, after 3 years' service as Chief of Legislative Liaison for the Department of the Army here in Washington.

I wish to associate myself with the observations which have been made as to the able and efficient service which General Michaelis has performed as Chief of Legislative Liaison. We all recall his career as a combat leader in World War II and in Korea, and we are sure that he will enjoy his new post as line commander of our forces in Alaska and will serve there with the distinction which has characterized his combat career; also, and rather especially, as chief chemical officer, and I am a Chemical Corps Reserve officer.

I wish to say a special word about his services as Chief of Legislative Liaison. I have the honor to represent a constituency which amounts to almost 10 percent of the entire population of the United States. The number of instances in which I have had occasion to deal with the Army and the other armed services in a perfectly proper way on behalf of my constituents is therefore particularly large. I have had special occasion to observe the cooperative, thoughtful, and effective way in which the Office of Legislative Liaison of the Army has functioned under the command of General Michaelis. I join in commending him on the way in which he has performed his functions, and I wish him the very best of luck in his new assignment.

REMOVAL OF LIMITATION ON RECLAMATION INVESTIGATION APPROPRIATIONS IN ALASKA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 1514) to amend the act of August 9, 1955 (69 Stat. 618).

AUTHORIZATION FOR THE SECRETARY OF THE SENATE TO RECEIVE MESSAGES FROM THE HOUSE AND FOR THE VICE PRESIDENT OR THE PRESIDENT PRO TEMPORE TO SIGN ENROLLED BILLS DURING THE ADJOURNMENT OF THE SENATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, notwithstanding the adjournment of the Senate until Monday next, the Secretary be authorized to receive messages from the House, and that the Vice President or the President pro tempore be authorized to sign enrolled bills and joint resolutions passed by the two Houses and found to be duly enrolled.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, August 13, 1959, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 162. An act for the relief of Henri Polak;

S. 593. An act for the relief of Angelinas Cuacos Steinberg;

S. 1053. An act for the relief of Rosa Maria Montenegro;

S. 1104. An act for the relief of Pak Jae Seun;

S. 1135. An act for the relief of Alice Kazana;

S. 1371. An act to repeal the Act approved March 3, 1897, and to amend the Act approved December 20, 1944, relating to fees for transcripts of certain records in the District of Columbia;

S. 1407. An act for the relief of Mrs. John M. Cica;

S. 1442. An act for the relief of Kim Fukata and her minor child, Michael (Chaney);

S. 1500. An act for the relief of Yee You Gee;

S. 1533. An act for the relief of Ho Rim Yoon Holsman;

S. 1558. An act for the relief of Theopi Englezos;

S. 1601. An act for the relief of Mrs. Erika Elfriede Ida Ward;

S. 1611. A act for the relief of Adeodato Francesco Piazza Nicolai;

S. 1669. An act for the relief of Evagelia Elliopulos;

S. 1684. An act for the relief of Mr. and Mrs. Carl Skogen Woods;

S. 1705. An act for the relief of Ivan (John) Persic;

S. 1724. An act for the relief of Tse Man Chan;

S. 1773. An act for the relief of Alan Alfred Coleman;

S. 1829. An act for the relief of Herman Luchner;

S. 1946. An act for the relief of Vicente Soliva Empleo;

S. 2471. An act to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes; and

S.J. Res. 118. Joint resolution authorizing and requesting the President of the United States to issue a proclamation calling for the flag of the United States to be flown at half-staff on the occasion of the death of the last surviving veteran of the War Between the States.

ADJOURNMENT TO MONDAY AT 10 A.M.

Mr. MANSFIELD. Mr. President, in accordance with the order previously entered, I move that the Senate adjourn until 10 o'clock on Monday morning.

The motion was agreed to; and (at 6 o'clock and 52 minutes p.m.) the Senate adjourned, in accordance with the order previously entered, until Monday, August 17, 1959, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate August 13, 1959:

APPOINTMENTS IN THE NAVY

The following-named (civilian college graduates) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to qualifications therefor as provided by law:

Albert W. Dewey
Donald L. Kelley

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to qualifications therefor as provided by law:

George I. Balas
William F. Bauer
Malcolm L. Cowen
James E. Hebert
Donald E. Hoffman
John L. Kuehn
James A. Larson
Edward L. Minier
Arthur E. Mukomela
Robert J. Posatko
Richard J. Seeley
Harold E. Toussaint, Jr.

The following-named (Naval Reserve officers) to be permanent lieutenants and temporary lieutenant commanders in the Medical Corps of the Navy, subject to qualifications therefor as provided by law:

David S. Burgoyne
Lawrence E. Trabaudo

The following-named (Naval Reserve officers) to be permanent lieutenants in the Medical Corps of the Navy, subject to qualifications therefor as provided by law:

Robert J. Busse, Jr.
James F. Easterling

The following-named enlisted men and warrant officers to be ensigns in the Medical Service Corps of the Navy, subject to qualifications therefor as provided by law:

Francis G. Anderson, Jr.
William J. Auton
Donald L. Bagnall
Harry W. Bleh
John A. Boyle, Jr.
Bertram W. Bristow
Robert C. Butler
Frederic G. Conover
Kenneth L. Darr
Thomas J. Delaney
William A. Dewey
Francis X. Faherty
Donald R. Ferguson
Marvin L. Fitts
Robert M. Foley
Robert E. Geiger
Walter A. Godfrey, Jr.
Joseph L. Graves
Gene L. Hammett
George S. Harris
Jasper T. Hassey
Harold R. Hensle
Robert B. Hinds
Kenneth F. Hines
Ralph W. Johnson
Bob A. Jones, Jr.
George W. Lalliberty
Charles W. Lawson
John W. Liming, Jr.
Robert F. McCullagh
Robert P. Menges
Charles R. Mountain
Jack A. Nelson
John E. Pavlick
Glenn E. Pritchard
Donald E. Reeves
Joseph L. Reynold
Fredric M. Richardson
Langston E. Richardson, Jr.
Charles A. Roper
William H. Schroeder
James J. Steil
Francis A. Teague, Jr.
Wilfred L. Weidner
Richard L. Wentworth
George W. Wire
Lonnie V. Zimmerman

Donald J. Day, U.S. Navy, for permanent promotion to the grade of chief warrant officer, W-4, subject to qualification therefor as provided by law.

The following-named officers of the U.S. Navy for permanent promotion to the grade of chief warrant officer, W–3, subject to qualification therefor as provided by law:

Brown, William H.	Lander, William R.
Carpenter, James	Tucker, Robert F.
Carter, Richard W.	

The following-named officers of the U.S. Navy for permanent promotion to the grade of lieutenant (junior grade) in the Civil Engineer Corps, subject to qualification therefor as provided by law:

Angelico, Salvatore J.
Brockwell, Sterling M., Jr.

John P. Flick, U.S. Navy, for temporary promotion to the grade of lieutenant, subject to qualification therefor as provided by law.

The following-named officers for temporary appointment to the rank of first lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Hugh F. Anderson	Edward L. Howe, Jr.
Ronald C. Andreas	Harold V. Huston
Vladimir H. Bacik	Jesse N. Keathley
Harry P. Black	Gerald G. Kemp
Charles W. Brown	Stanley P. Krueger
Samuel P. Brutcher	Phillip B. Layman
Charles E. Cannon	Dale E. Lewis
Robert L. Cantrell	John L. H. Mason, Jr.
David H. Carrigan	Timothy J. Millhouse
David A. Caylor	John E. Morgan
Dwight L. Chambers	Terrence P. O'Mahoney
Alfred I. Clayes, Jr.	
Charles S. Cobb III	Ralph B. Orey
Richard P. Connolly	Carroll A. Palmore
John G. Cooper	Robert L. Peterson
Charles L. Cronkrite	George C. Psaros
Gary A. Davis	Jack H. Pulcheon
James P. Dawson	John T. Radich
Roger E. Deitrick	William H. Ridings
John J. Dolan	Benny D. Rinehart
Glenn H. Downing	Roland W. Root
Cleveland L. Dunning	Edwin Sahaydak
Wallace H. Ekholm, Jr.	Marvin E. Schwaninger
	Clyde C. Simon
Stephen R. Foulger	Barry F. Skinner
Thomas J. Gligoria	James L. Skinner
Robert B. Goodman	Kenneth R. Sparks
Donnie M. Griffay	Jerry L. Spaulding
James E. Grimshaw	John M. Stofer
Don K. Hanna	Herbert F. Stroman
Wesley B. Hargraves, Jr.	Dale J. Uhlenhake
	John Van Nortwick III
Milton D. Harnden	John L. Watson
Everard E. Hatch	William K. Wehrell, Jr.
John B. Hinkel	Lawrence A. Whipple
Richard C. Hoffman	Donald D. Wilson

The following-named officers for permanent appointment to the rank of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Hugh F. Anderson	Robert B. Goodman
Ronald C. Andreas	Donnie M. Griffay
Vladimir H. Bacik	James E. Grimshaw
Harry P. Black	Don K. Hanna
Charles W. Brown	Wesley B. Hargraves, Jr.
Samuel P. Brutcher	
Charles E. Cannon	Milton D. Harnden
Robert L. Cantrell	Everard E. Hatch
David H. Carrigan	John B. Hinkel
David A. Caylor	Richard C. Hoffman
Dwight L. Chambers	Edward L. Howe, Jr.
Alfred I. Clayes, Jr.	Harold V. Huston
Charles S. Cobb III	Jesse N. Keathley
Richard P. Connolly	Gerald G. Kemp
John G. Cooper	Stanley P. Krueger
Charles L. Cronkrite	Phillip B. Layman
Gary A. Davis	Dale E. Lewis
James P. Dawson	John L. H. Mason, Jr.
Roger E. Deitrick	Timothy J. Millhouse
John J. Dolan	John E. Morgan
Glenn H. Downing	Terrence P. O'Mahoney
Cleveland L. Dunning	Ralph B. Orey
Wallace H. Ekholm, Jr.	Carroll A. Palmore
Stephen R. Foulger	Robert L. Peterson
Thomas J. Gligoria	George C. Psaros
Jack H. Pulcheon	Kenneth R. Sparks
John T. Radich	Jerry L. Spaulding
William H. Ridings	John M. Stofer
Benny D. Rinehart	Herbert F. Stroman
Roland W. Root	Dale J. Uhlenhake
Edwin Sahaydak	John Van Nortwick III
Marvin E. Schwaninger	John L. Watson
Clyde C. Simon	William K. Wehrell, Jr.
Barry F. Skinner	Lawrence A. Whipple
James L. Skinner	Donald D. Wilson

The following-named officers for permanent appointment to the rank of first lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

John A. Bledsoe	Jack P. Monroe, Jr.
Donald H. Bode	William G. Price
Joseph C. Byram, Jr.	Louis C. Pritchett
John E. Carroll, Jr.	Robert L. Sfreddo
Charles D. Hatfield	Dale L. Tinsley
Lorenza H. Hill, Jr.	Lorin C. Wallace, Jr.
Donald E. Kirby	Charles E. Yates
Eugene O. Marquette	David P. Zeterberg
James A. Miller	

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 13, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

I Kings 3: 9: *Give therefore Thy servant an understanding heart that I may discern between good and bad.*

O Thou who art the source of our life and its satisfaction, in every perplexing problem may we acknowledge our dependence upon Thee and know the inspiration and strength of Thy presence.

Grant that in our daily associations and contacts with our fellow men we may bear witness to the noble and magnanimous spirit of our blessed Lord who went about doing good and giving men power to overcome their fears and frustrations.

Make us more eager to lend a helping hand and speak a word of cheer to all who are striving to conquer those dark moods and hazardous situations which have gotten them down and robbed them of their peace and joy.

Hear us in the name of the Captain of our Salvation. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a bill and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 747. An act to provide for the conveyance of certain lands which are a part of the Des Plaines Public Hunting and Refuge Area and the Joliet Arsenal Military Reservation, located in Will County, Ill., to the State of Illinois; and

S. Con. Res. 71. Concurrent resolution authorizing the enrollment, with certain corrections of S. 1719, a bill for the relief of Lushmon S. Grewal and others.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 4002) entitled "An act to authorize the use of Great Lakes vessels on the oceans," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BARTLETT, Mr. ENGLE, and Mr. BUTLER to be the conferees on the part of the Senate.

The message also announced that the Senate having proceeded to reconsider the bill (S. 57) entitled "An act to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes," returned by the President of the United States with his objections, to the Senate, in which it originated, it was

Resolved, That the said bill do not pass, two-thirds of the Senators present not having voted in the affirmative.

The message also announced that the Secretary of the Senate requests that the House return to the Senate the bill (H.R. 6118) entitled "An act to amend section 6 of the act of September 11, 1957," together with all accompanying papers.

LUSHMON S. GREWAL ET AL.

Mr. WALTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Concurrent Resolution 71.

The Clerk read the Senate concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the bill (S. 1719) for the relief of Lushmon S. Grewal, Jeat S. Grewal, Gurmale S. Grewal, and Tahil S. Grewal, to make the following changes, namely: on page 1, in line 4, strike the word "Naturalization" and insert in lieu thereof the word "Nationality" and on page 2, in line 2, strike the word "Naturalization" and insert in lieu thereof the word "Nationality".

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. HALEY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 129]

Canfield	Jackson	Shelley
Cooley	Mack, Ill.	Simpson, Pa.
Davis, Tenn.	Moss	Thompson, La.
Elliott	Powell	

The SPEAKER. On this rollcall 421 Members have answered to their names, a quorum.

By unanimous consent further proceedings under the call were dispensed with.

RETURN OF BILL TO SENATE

The SPEAKER laid before the House the following communication from the Secretary of the Senate:

The Secretary of the Senate requests that the House return to the Senate the bill (H.R. 6118) entitled "An act to amend section 6 of the act of September 11, 1957," together with all accompanying papers.

The SPEAKER. Without objection, the request is agreed to.

There was no objection.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

Mr. BARDEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 8342) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 8342.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, there was pending the amendment offered by the gentleman from Georgia [Mr. LANDRUM].

Mr. UDALL Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this day will surely test the wisdom and the maturity of this body more than any day during this session—or any session of the Congress since I came to this body.

Yesterday we disposed of one of the extremist proposals, I think wisely, that was presented to us. We now have before us the other.

I think it is quite obvious, and has been from the very outset, that that is the issue; that unless there is a compromise, unless there is a middle ground approach—and I say to you that is precisely the solution worked out by our sister body across the Capitol—there will be no legislation at all. If there is no legislation we know the country, the public interest, will suffer.

So we have before us this afternoon a proposal, described by one of its leading proponents as a "killer" bill. The question is: "Kill who?" In fact, a "killer" bill by definition is a punitive bill, and that is the plain truth.

If you were to ask me to put a finger on the one punitive thing the "killer" bill does I would describe this situation for you. With all the different points of view we have in this body on various types of picketing, all of us, I believe, might well agree on one thing, and that is that a workman who has a dispute with his own employer on wages or working conditions which cannot be resolved such workers should have the right to strike—should have the right to peacefully picket the place of their employment. If there is anyone here who would deny that right, I would say flatly he has no regard whatsoever for the basic rights of workingmen.

The Landrum-Griffin bill—I can give it no other interpretation; and I have tried to—says that if such a peaceful picket appeals to a fellow workman to respect his picket line such an appeal would be unlawful and a form of secondary boycott.

That is the reason this issue must be compromised. This is the type of provision that we cannot take to a conference and hope to conciliate. We must have a middle ground approach to this problem. We have, I reiterate, in the House committee bill the precise provision put in there by the other body to restrict secondary boycotts and to do something about organizational picketing.

Let me once more appeal here this morning for a wise course. Let us turn down the other extremist proposition. Let us get back to the committee compromise.

Mr. MACHROWICZ. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Michigan.

Mr. MACHROWICZ. I wonder if the gentleman will agree with me that the parliamentary situation at this moment is such that if the motion to substitute the Landrum bill is adopted, this Committee will have no possible chance of going through the Landrum bill section by section but will have to accept it in whole. On the other hand, if the Landrum bill is defeated, we will then be able to go into the committee bill section by section in an orderly fashion and amend it in every way possible.

Mr. UDALL. The gentleman has stated the parliamentary situation correctly.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. I want to ask this question. Suppose that would happen. Would you as one of the sponsors of this committee bill agree to an amendment removing the amendment which you have put in the bill which weakens the hot cargo section? With one or two small amendments I will vote for it. I would like to have the gentleman's view on it.

Mr. UDALL. I appreciate very much the honest statement of the gentleman. As I regard this proviso, it is a harmless disclaimer which does not add or subtract a thing from the significance of the section.

Mr. BARDEN. Mr. Chairman, I move to strike out the required number of words.

Mr. Chairman, my thought was to use this time entirely for another purpose. Certainly, I know the gentleman from Arizona did not intend to leave the impression in this House that they cannot now amend the Landrum-Griffin bill as they see fit. They do not have to stop now. If there is anything they want to amend it with, they can do it. They have the same privilege right now that they will have with the so-called committee bill. So, when you call it a "killer" why not call it something else? Can you not find something appealing? Maybe "double killer" is the thing to call it.

Mr. UDALL. Mr. Chairman, if the gentleman will yield, I did not give it that title. The minority leader did.

Mr. BARDEN. Who? Now, to the best of my recollection the minority leader has not spoken on the floor.

Mr. Chairman, I take this time to clear up something that has been batted about in the House and in the newspapers. Normally I do not notice what is in the newspapers very much, but it is getting to the point, I think, that probably I should say something about it, and that is, somebody has taken it upon himself to say that if a bill goes to conference, if this bill goes to conference, or the other bill, BARDEN will never let it come out of the conference. First, let me tell you something. There is not a man in this House from the leadership down that has worked as hard as I have to bring a bill on this floor. I apologize for it, but it is here. Now, as far as a conference is concerned, I guess I have been on about as many conference committees as anybody else around here in 25 years, and I have been chairman, I think, of about five committees, and I have never been in a conference with the Senate yet that we did not come out with a good bill that was adopted. Now, what basis is there, therefore, to say that this horrible creature will not bring out a bill? And I am tired of having somebody, who wants to fill up a couple of inches in a newspaper, say something about me not bringing out a bill. Do not worry about it any more. I do not know who the members of the conference committee will be, but they will be just as honest gentlemen as any of you in here, as far as that is concerned, and they will work just as hard to come out with a good bill. America is demanding a good bill. And who am I to attempt to block it? And who is anyone else to say I will block it? It will not be blocked; it will not be delayed. I am already behind in my fishing and I do not want to get any further behind.

Mr. THOMPSON of New Jersey. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. THOMPSON of New Jersey. Of course.

Mr. HOFFMAN of Michigan. Mr. Chairman, I should like to ask the Chair, is it the purpose of the Chair to alternate in recognizing Members, or is everyone on the other side to be recognized first?

The CHAIRMAN. The gentleman knows that that is not a parliamentary inquiry.

Mr. HOFFMAN of Michigan. No, I do not.

The CHAIRMAN. It is not a parliamentary inquiry.

Mr. THOMPSON of New Jersey. Mr. Chairman, the distinguished chairman of our committee may apologize for the bill which the committee brought forth,

but a number of us who supported it do not apologize for it. We are in fact quite proud of it. Is is the only bill which had a chance, and the proponents know this very well.

I would like to talk for a moment about the committee bill and blackmail picketing. There has been much talk about the need to approve the Landrum-Griffin bill in order to stop what is called blackmail picketing. I want to take a minute to show the fallacy of this argument. The term "blackmail picketing" is an emotional slogan, popularized by Secretary Mitchell, which distorts the real effect of the Landrum-Griffin bill. The fact is that the committte bill, the Elliott bill, forbids anything which can honestly be called blackmail picketing.

Let us see what blackmail picketing really is. Obviously, blackmail includes a demand for a payoff. "Pay us money or we will picket your shop and ruin your business." The committee bill plainly and explicitly makes such blackmail picketing a crime. I submit for your attention section 602 on page 56, lines 17–21, which reads:

> It shall be unlawful to carry on picketing on or about the premises of any employer for the extortionate purpose of, or as part of any extortionate plan or conspiracy for the purpose of, taking or obtaining any money or other thing of value from any employer.

Section 505 also makes it a criminal offense for any union or union official to demand or accept any payoff from an employer. Any picketing for any kind of payoff could be prosecuted under this section. There is no limitation here by technical terms such as extortion.

Any true blackmail picketing could also be enjoined in a State court. A lot of us seem to have forgotten that if someone is injured in Florida or somewhere else, a State court can take action. The doctrines of Federal preemption are inapplicable in those cases.

Now, what does Landrum-Griffin do? It does not admit that blackmail picketing involves a payoff. It tries to tell us that blackmail is ordinary picketing activity in a manner that the Supreme Court of the United States has approved.

Suppose that a nonunion shop is undercutting the union wage, and union men walk up and down the street with picket signs telling the truth about the wage scale. This is what the nonunion or antiunion Landrum-Griffin bill calls blackmail in an effort to persuade us to restrict what the Supreme Court has called the working man's method of freedom of expression.

The committee bill deals fairly and adequately with organizational picketing. It provides for quick elections in which employees may express their wishes. If the union loses the election, the picketing must be ended.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, later in the day two amendments will be offered by me to H.R. 8400, the Landrum bill. They are both on the Clerk's desk. It is my understanding that at this time no amendments are permissible to the committee bill. As I understand the situation, if we accept the Landrum bill, as we undoubtedly will, in view of the fact that the supporters of it have a majority here, then that is all there is to it unless we have some amendment to the Landrum bill. And if there is no amendment to that bill then we have a difficult situation that faces some of us on the Committee on Labor because, while we had some of these other bills before us in committee, we never had a look at the Landrum-Griffin bill until the Tuesday after the committee had reported out its bill. If they want to legislate that way, all right. In the 24 years that I have been here I have never seen a situation before a committee such as this Committee of the Whole finds itself, a situation where a group used its power as the coalition has in connection with this bill a legislative procedure to equal this one. It is obvious and it has been since the middle of yesterday afternoon that the coalition has the votes to work its will.

Why is it so dictatorial, so arbitrary, so oppressive?

I think they admit over here they have the votes—I do not know whether they do or not, but anyway assuming they have, and in my opinion they have from 30 to 40 majority, I cannot see any reason why other Members of the House who may agree with the general purposes of that bill should be treated so arbitrarily—as though they were spies or thieves or something similar. Did any Member here—man or woman—see a situation where their party had a bill and someone who had been in accord with the theory of the bill for years was not permitted to take a look at what the cooks were putting into the pot? Personally I feel their superior ability along political lines—though they did manage to lose many Members last election—what was it—six in the home State of the master strategist—of our party. For myself, I never knew what they were up to, although I suspected, and I understood who was writing the bill. Someone was objecting over here on this side or the charge was made in the Committee on Rules that the NAM wrote it. Of course, they had a finger in the pie, and why should they not? And, of course, the Chamber of Commerce had a hand and foot in it as was their right and duty. I have gone along with those two groups. They are fine. They give some of the most pleasing dinners downtown that you have ever tasted. There is no question about it. They come around and they put their hand on your back and they pat your shoulder and you are the finest fellow that ever lived. But, come election day or primary day, so far as I am concerned, and I do not know anything about the rest of the Members, but so far as I am concerned, they have never turned a hand or drew a breath in my behalf, and they in no way influence my thinking either as far as that goes. But, I just cannot go along—I am going to vote for the substitute, of course, because it contains principles and ideas with which I have long agreed and which I have publicly advocated when some of the present bandwagon riders were not to be found. But, I can see no reason, absolutely none, why the committee should not give us a chance to see what the Republican—my leader is not here—he did not speak on this—so there is nothing partisanship about this—to see the substitute before it is bottled. They act as though they were possessed of all wisdom. Just get that in your head and keep it there—oh no there is nothing political about this proceeding—there is no partisanship at all in this matter. Just how dumb do we think our home people are?

The Republicans do not want it, the Democrats do not want it. At least some of them, I mean. Some in both parties do and some do not. So we have this little coalition which I will be glad to go along with in the effort to make it law, although I do not like the roughshod, the unfair Hoffa way, in which they kick their opposition around and outlaw me when some of them had fuzz on their chins when I was fighting Reuther, Lewis, and others who were kicking decent, law-abiding citizens around in 1937. I have always held the belief that if you have a fellow licked, tell him what a nice fellow he is and treat him kindly and with consideration, because there is another day coming. There is a long, long road a winding.

As stated a moment ago—two amendments will be offered to the Landrum-Griffin bill—one is endorsed by Mr. Meany. I call the attention of the gentleman from California [Mr. SHELLEY] to the fact that Mr. Meany endorsed that in committee. He said it was all right. It is an amendment designed to prevent strikes in public utilities. So I hope when that one comes up, we will get a few votes from that faction on the other side of the aisle here and put it through, and possibly, just possibly, if we can get a few amendments on the committee bill—if we could—if we would get a few amendments on the committee bill, the House can then come out with a bill that will not be held up in conference from now until September or October or some other date and we will get legislation that is worthwhile. Some Members seem to have forgotten that the Senate is entitled to take a look.

Mr. LANDRUM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wish to direct these remarks to the membership in reply to the statement made by the gentleman from New Jersey who preceded the previous gentleman. He called your attention to the fact that the committee bill has in it a section dealing with extortionate picketing, and at least with me, left the impression that extortionate picketing is treated in the committee bill as the same in the minds of some as what we refer to in our bill as blackmail picketing. I want to clear that confusion up, if it is possible to do so. In the bill, H.R. 8400, which is the amendment I have introduced as a substitute for the committee bill, you will find on page 54, section 602, a section dealing with extortionate picketing.

It says this:

> It shall be unlawful to carry on picketing on or about the premises of any employer for the purpose of, or as part of any conspiracy

or in furtherance of any plan or purpose for, the personal profit or enrichment of any individual (except a bona fide increase in wages or other employee benefits) by taking or obtaining any money or other thing of value from such employer against his will or with his consent.

I do not see a great deal of difference between that, and what appears in the committee bill. As a matter of fact, extortion is against the law today; it is wrong anywhere to do anything for purposes of extortion. But we are not talking about that when we refer to blackmail picketing. So do not be misled that the committee bill does something about blackmail picketing under the guise of extortionate picketing, when it does not.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. LANDRUM. I do not yield. The gentleman did not yield to me.

Mr. THOMPSON of New Jersey. The gentleman did yield.

The CHAIRMAN. Does the gentleman from Georgia yield to the gentleman from New Jersey?

Mr. LANDRUM. I do not; the gentleman from Georgia does not yield.

When we refer to blackmail picketing we mean this: A situation wherein pickets are put around a place of business and the employer it told, "You either sign up or else," without the union signing up a sufficient number of his employees to call for an election, or without having a sufficient number of employees demand an election, or without having a sufficient number of employees agree that they want the union to represent them. To continue to have that sort of picket line around a place of business is blackmail picketing, and I tell this House that under the law today and the committee bill that is permitted. In this section on extortionate picketing you do not reach it because the two are entirely different.

Section 705 of our bill explicitly deals with that sort of blackmail picketing. Section 602 of the substitute and the similar section in the committee bill, insofar as they purport to deal with extortion picketing are basically similar.

Mr. ZELENKO. Mr. Chairman, I rise in opposition to the pro forma amendment to ask an explanation of the author of this bill in regard to one of the sections of the bill, and I shall yield the floor to the gentleman for an explanation.

Section 610 states:

SEC. 610. It shall be unlawful for any person through the use of force or violence, or threat of the use of force or violence, to restrain, coerce, or intimidate, or attempt to restrain, coerce, or intimidate any member of a labor organization for the purpose of interfering with or preventing the exercise of any right to which he is entitled under the provisions of this act.

And then it sets forth criminal penalties.

I want to know whether if a person is a member of a labor organization regardless of his race, his creed, or his color, and he is assaulted, or set upon, or hanged, or beaten to death, anywhere in the United States, and the Attorney General has reason to believe, or if some person communicates with the Attorney General and says that this person who happens to be a member of a labor organization, repardless of his race, creed, or color, and who has been assaulted or beaten anywhere in the United States, does this section give the Attorney General of the United States at that point the right to send the FBI in to determine whether or not the assault or the killing was in relation to his labor activities? In other words, can he then supersede the local authorities under this section and go in and investigate the circumstances? That is my question, and I yield to the gentleman from Georgia [Mr. LANDRUM].

Mr. LANDRUM. I would say to the gentleman that it is not my interpretation that it goes that far for this reason. As I stated yesterday for the benefit of the other gentleman from New York, this act does not in any way deal with any racial problems or racial discrimination.

Mr. ZELENKO. That is not my question, sir. If the person, regardless of his race, creed, or color, communicates with the Attorney General, or somebody writes him a letter and says "Joe Smith was beaten because he wanted to go to a labor meeting in this town," does that give to the Attorney General the right to go in, and to investigate?

Mr. LANDRUM. I do not put that interpretation upon it; and I may say this to the gentleman from New York, if you will permit me to answer.

For example, under section 102(a) the requirement is that he be a member of a labor organization. Rights set out there are the rights guaranteed within the organization to do certain things, to nominate candidates, and so forth.

Mr. ZELENKO. And to meet and assemble anywhere and to attend meetings.

Mr. LANDRUM. Please, sir, I would like to answer the best I can if you will let me.

Mr. ZELENKO. I am sorry.

Mr. LANDRUM. To the extent that we are trying to legislate some rights and to protect those rights, we are doing it only in the area where the member is a member of a labor organization. This penalty for these particular violations would not in my judgment apply in any other instance, except where the individual was a member of the organization and where the rights specified to him in this act were denied through methods specified here within the organization.

Mr. ZELENKO. That applies to where he was already punished and tried; but does it prevent the Attorney General from getting in to investigate whether or not the assault upon him was the result of a violation of his rights? Does it so prevent the Attorney General?

Mr. LANDRUM. I have not studied that feature. I do not believe it would.

Mr. ZELENKO. This is your bill.

Mr. LANDRUM. I do not think that the section is so written. That has not been my interpretation.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. ZELENKO. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. The gentleman from Georgia makes the point that the person must belong to a labor organization. Conceding that point, there exists clearly in this language the right of injunction on behalf of a person who is a member of such labor organization.

Mr. ZELENKO. My point is that this has criminal sanctions, and the Attorney General can move to investigate with his criminal enforcement arm. That is the obvious interpretation.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ROOSEVELT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to ask the gentleman from New York whether or not the section to which he refers is applicable to the whole act?

Mr. ZELENKO. It is. It so states.

Mr. ROOSEVELT. Therefore, it would be applicable all the way through whether or not a man was a member of a union or not?

Mr. ZELENKO. That is exactly right. That is the interpretation. The gentleman from Georgia [Mr. LANDRUM] said he has not studied that portion of his own bill.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Georgia.

Mr. LANDRUM. I do not think it is necessary for me to say that I have done all the studying that time and energy would permit me to do. I may not have come up with all the answers. The section does apply to all parts of the act, but I would remind the gentleman from California, and I am sure he is quite aware of this due to the studying he has done, that this entire act applies only to members of labor organizations. In no other instance can I see this act being applied.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Illinois.

Mr. YATES. The gentleman restricts it to members of labor unions. Suppose a group wants to organize a labor union and carry placards. As I understand the gentleman from Michigan, from what he said yesterday, there is no restriction upon organizational picketing. Suppose, though, men who are picketing to organize a union are beaten up, would the Attorney General then be authorized to direct the FBI to investigate whether it was a violation of Federal law or not? Will the gentleman answer the question?

Mr. ROOSEVELT. I will be glad to yield to the gentleman from Georgia if he wants to answer it. I must say, first, I think the gentleman from Illinois has properly stated it.

Mr. LANDRUM. I think the hypothetical situation that the gentleman from Illinois has presented would certainly not ever occur in this instance because that is not the way labor organizations are formed, that is not the way local organizations are set up. Under no circumstances can I see that application made.

Mr. YATES. Suppose it did happen? I know of many instances where people have attempted to organize unions and

have been set upon and beaten. Suppose it did happen, would the FBI be permitted to investigate such a situation under this bill?

Mr. ROOSEVELT. I think the gentleman is absolutely correct.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Strictly interpreting the language which is set forth in the Landrum bill, unless that person had a union card there would be no jurisdiction. If he did have there would be. In other words, a nonunion person who is picketing to achieve union status can be beaten up, or have anything else done to him, and there is no jurisdiction; only if he has a card, if he is one of the 17 million union members, is he protected.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from California.

Mr. HOLIFIELD. In the event an applicant to join a union was a person of a different color or creed and he was discriminated against by the union, would he have a right to file an affidavit for an inquiry and subsequent action by a Federal court?

Mr. ROOSEVELT. I think if he was not already a member of the union he would not have that right, but there could be no question that a complaint could be made and an investigation by the Attorney General would be in order to find out whether he was a member of the union, and if he was, an investigation could then be made of what he was complaining about.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Michigan.

Mr. GRIFFIN. I think we should keep in mind, first of all, that the criminal enforcement provision in the so-called Landrum-Griffin bill is substantially the same as the provision in the Senate bill. Ours is a tempered version and is not as broad or as strong as the provision in the Senate. Not only did that provision pass the Senate, but it was in the bill when it was reported by the legislative committee of the other body.

Secondly, the situation described a few minutes ago by the gentleman from Illinois would not apply. This bill regulates the internal affairs of labor organizations. That was made clear yesterday. Certain rights are granted under our bill and under the committee bill to members of labor organizations. If those rights are denied through force or violence, then this criminal provision applies.

Mr. ROOSEVELT. I may say I am against the Senate bill too.

Mr. PERKINS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to make some remarks about the reporting of labor organizations as required in the Landrum-Griffin bill where unions have a membership of 200 or less. In examining the evidence before the McClellan committee, you do not find any embezzlement, false record keeping, destruction of records, or fraud committed by these small unions. In cases of this type, the union membership usually take care of the situation themselves by going to the local courts. The embezzlement and corruption that the Congress is seeking to correct has been in the unions where you have a large membership and where only a handful of men attend the union meetings and transact business. The committee bill requires every labor union, except small unions having fewer than 200 members, or gross annual receipts of less than $20,000, to adopt a constitution and bylaws and file a copy and certain other information and reports concerning their administrative practices and financial operation with the Secretary of Labor. The Landrum-Griffin bill contains practically an identical provision except that the exemption for small unions is omitted. I have some 150 or 200 of these small unions in the district I am privileged to represent, and when we consider that the number of small unions with 200 members or less throughout the country only comprise approximately 10 percent of the union membership, I think it goes without argument that we are placing an undue burden on unions that should be exempt from the reporting section. Personally, I feel that it is unfair, unjust, and there is no necessity for it, and that such a requirement as contained in the Landrum-Griffin bill will destroy the incentive of thousands of good union officers throughout the country to hold office.

Now, in these small unions you do not find any officers that are salaried. None of them get any pay for their work. In the majority of the cases as far as the McClellan records are concerned, they are honest.

If the Committee will look at page 17 of this Landrum-Griffin bill where it relates to reports that every labor organization shall file annually with the Secretary, you will see that every transaction that has taken place in that union hall during that year, involving money, is required to be filed by these unions with 200 members or less. None of them have a treasury up to $20,000. Most of the treasuries run from $2,000 to $3,000 to $4,000, and you do not get any large treasury above that unless you have 400 or 500 members. We could well exempt unions with 400 members here from the reporting and disclosure section and make all other sections applicable to these unions, and pass a real tough anti-racketeering bill that will cope with the evidence brought out before the McClellan committee.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from California.

Mr. HOLIFIELD. Is it not true that notwithstanding the fact that these small unions in the committee bill are exempt, that if there is any occasion of violence or fraud or misuse of funds, that upon an appeal to the Secretary of Labor the Secretary of Labor can move in and take charge of the finances of that institution?

Mr. PERKINS. That is absolutely correct.

Mr. HOLIFIELD. The gentleman from Tennessee [Mr. LOSER] yesterday said that there were some 38,000, and that this would take 150 years. That is like comparing it with a city of a million inhabitants, like Washington, and if everyone was arrested, why, it would take a long period of time, of course.

Mr. PERKINS. That is correct. The bill further provides, that is, the committee bill, that these small unions are required to furnish accurate information to any of the membership, and failing, that that union forfeits its right and would be required to file reports annually.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. I am getting confused to this extent. I agree with the gentleman in theory, and I think that that amendment should be offered to the Landrum bill and yet in some conversation I had with some of the supporters of the committee bill yesterday they indicated to me that they were inclined to take the exemption out of the committee bill, to make it like the Landrum bill.

Mr. PERKINS. I want to say that I will certainly never agree to take the exemption out of the committee bill, and I can only speak for myself.

Mr. HIESTAND. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from California.

Mr. HIESTAND. Will the gentleman tell me this: I have failed to find anywhere any testimony opposing this filing on the part of the small unions. I know that we had much discussion in the committee, but 43,000 small unions have filed under the present law and none are exempt.

Mr. PERKINS. I want to say this, that the exemption in the present committee bill only includes about 11 percent of the union members today throughout the country; I mean, unions with a membership of 200 or less.

The CHAIRMAN. The time of the gentleman from Kentucky [Mr. PERKINS] has expired.

Mr. DENT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I come to you a little bit disturbed today. I meant to come in and apologize to the House for an error that I committed yesterday. At least I felt that it was an error until I got home. Yesterday at noon I inadvertently made a very serious mistake, considering these hectic days. I had lunch with two truckers from up my way; and, after listening to the talk about the Teamsters, I suddenly realized that these men with whom I had lunch, and whom I have known all my life, were members of that terrible Teamsters Union. I felt pretty bad about it and when I got home I talked to my good wife about it. I said, "You know, I feel pretty bad about this. What do you think?" And she said, "Johnny, do not let it worry you a bit. You were in a darn sight better company than the President is going to be. He is going to have dinner with Khrushchev."

Mr. Chairman, I have heard a great deal of talk here about this so-called injunctive right. Those of us whose memories go away back, at least back before the Norris-LaGuardia Act, can see in this legislation before us today the red-letter days of the Redman Act, when the injunctive procedure was used in every case that labor was ever involved in in the coalfields of Pennsylvania.

And while I am at this point I want to say to the good, kind old gentleman from Michigan that I share with him the utter disgust that he had when he said that they found a body hanging in one of the plants in Michigan, a body of a nonstriker who had been hung. But I want to say to him that, for every nonstriker that was hung in a factory, I will take him through the hills of Pennsylvania and show him 10 unmarked graves of union workers and union sympathizers, in the days when men were shot in the early uprising in the coalfields of that State and which were the basis for the acceptance by the U.S. Congress of a bill to give the laboring man the right to organize.

There are those who say to me, "You are so biased and so prejudiced." I admit to that. I admit to all of you here today that I am biased and that I am prejudiced, biased and prejudiced in behalf of the people of this great country of ours, the little people.

I have some advice to give to labor, and I am going to give it to the House so that the House will not be surprised if they take it. I suggest to labor, after my experience here of yesterday, that if they want to get back into the leadership of the unions the authority, properly vested in the leadership of the unions, and if they want the leadership to get away from the Russian veto being given to a minority by this act before us, there is only one thing to do and that is to change their bylaws and make them so that the rules of the House of Representatives of the United States of America shall be the controlling and the prevailing rules at union meetings from now on. And I am sure that then any union leader that has any trouble quelling or quieting any insurrection that might take place, will be able to do it very easily, because when they get to a knotty problem, they can just give 20 seconds apiece to those who they think should be heard.

Most of us know that this is a clear-cut issue. Some say that the pressure has been put on. Well, if anybody in this room is naive enough to believe that there has not been pressure from both sides in this issue, then they are being dishonest not alone to themselves but to all of their constituency. I read the editorial in the latest NAM magazine. Incidentally—I do not know whether it is a peculiar quirk of mine or because I happen to have some little ability, but I am also a member of the chamber of commerce; I am president of a couple of corporations. However, that does not take away from me the memories of the days that I spent in a family of 12 in the coalfields of Pennsylvania. And I remember something that maybe should be brought out here. There was mention made yesterday about this great cost that has been added to the delivery of oranges and the delivery of other fruit, because some union demands payment to a union driver.

Long before there were unions the cost of oranges was so great that the only time the families in coal towns ever saw an orange was in the holy season of Christmas, from money saved throughout the year from the skimpy pay envelopes of the miners.

Mr. Chairman, some of the remarks made in the course of this debate suggest that we have lost our sense of proportion. We all accept the fact that there have been abuses within certain unions, and in some areas of labor-management relations. We are quite properly trying to write legislation to correct these abuses. But let's not take the attitude that we are dealing with a cesspool of corruption. In money terms, the labor abuses are only a puddle.

The interim report of the Senate select committee last March indicated that some $10 million in union funds had been stolen, embezzled, or misused by union officials over the last 15 years—an average of about $700,000 a year.

This is shameful. Such thievery cannot be condoned. In a moral sense it may be even worse for a union officer to steal the money of his fellow members than for an employee to steal from his boss. I hope we will shortly pass a bill that will either prevent such thefts in the future, or insure that the perpetrators are quickly brought to justice.

On the other hand, the employers of this country, last year alone, converted to their own use at least $250 million in income tax deductions from their workers' pay envelopes. That is 25 times as much as the union crooks got away with in 15 years. And until very recently, there was no effective penalty for employers who were caught.

I think it is appropriate to point out, Mr. Chairman, that when Congress did tighten up the law, it aimed only at those employers who failed to turn in the money. It did not propose to legislate against employers as a whole. Why should it be so difficult for us to take the same approach toward the union crooks?

To carry the point a step further, I would remind the House of an article in Life magazine about 2 years ago, estimating that $5 billion—billions, mind you—changes hands each year in business bribes, kickbacks, and payoffs. Yet the only semblance of a general business reform bill before us is in the legislation we are discussing. As you know, it merely requires certain labor dealings to be reported; and even that requirement is objectionable to those who are most eager to crack down on unions.

What are we after—crooks or unions? If we were only concerned with crooks, we would have far richer fields to explore.

I want to make it clear, Mr. Chairman, that I am not minimizing the need for a labor reform bill. But I am not in favor of a bill which, in order to clean up a puddle of corruption, would plunge the labor movement as a whole into a swamp of unfair and unreasonable restraints. This would be just as inequitable as a general antibusiness bill based on the far more widespread dishonesty in the ranks of business.

For that reason I am unalterably opposed to the substitute bills offered by the gentlemen from Georgia and Michigan—to both the committee bill and the substitute bill, and so forth.

Mr. HOLLAND. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HOLLAND. Mr. Chairman I hope that the Members of this House are fully aware of the consequences that will result if either the so-called committee bill or the Griffin-Landrum bill are enacted into law.

It was the purpose of this Congress—and, I believe, the desire of the people of America—to enact legislation that would prevent the continuation of the racketeering practices that existed between some elements of labor and some elements of business. These practices have been exposed during the past 2 years of hearings conducted by the Senate subcommittee under the direction of Senator MCCLELLAN.

It is no secret that the reaction of the general public was one of shock and disillusionment.

However, Mr. Chairman, you know as well as I that the opportunists in the antilabor group, which is most active, moved into the picture with amazing speed and dexterity. This was the long-awaited opportunity for which they had been looking for years.

This was the chance to kill organized labor, in general, under the guise of protecting the rights of the individual worker—and they certainly grabbed it.

What these bills do—section by section—is well known to all the Members of this House, and it seems to be only a time-consuming measure to go over them.

However, since this is presumably a racket-busting bill, it might be well to see what else it "busts."

No legitimate union objects to the rights assured to individual members by this bill. In fact, these rights are already in the bylaws of every union. But, by the passage of this legislation, we—the Members of Congress—have the audacity to set up rules and regulations, by Federal law, for the way individual unions will conduct their meetings and their business.

I might ask, is there any place in this bill or any other legislation, that tells other organizations how they must conduct their meetings and run their business?

Do you think we have the right to pass legislation that would permit a disgruntled stockholder to tie up the company's accounts and forbid them to conduct their business until he clears his complaints through numerous courts?

Do you think that after all these years of crusading and promoting the theory of majority rule, that we should reverse our field and advocate control by the minority?

In effect that is what we are doing.

None of us has any objections to requiring the unions to report periodically on their finances and the bonding of union officials—it should be, of course, within the means of that particular union and not on a general scale. However, many of us feel that not only should the unions report, but industry and businesses should also be required to report on the moneys they spend for labor consultants and just how that money is spent by those consultants.

It has been disclosed that in order to keep labor peace certain companies and industries had paid out considerable sums of moneys and those who received them and betrayed the membership of their unions have been severely criticized and some indicted. It is amazing though that very little, if anything, has been done or said to those who did the paying out. In fact one group was commended by the Senate subcommittee for disclosing these facts, but it was not condemned, nor has any provision been made in either of these bills before us to take care of that section of the racketeering element in management.

I think that if we were honest, Mr. Chairman, with ourselves and with the people of the country we would have to admit that there is nothing in either of these bills that would actually stop racketeering.

The main items of this legislation are those aimed at hampering good unions by forbidding unions to continue organizing by creating confusion and conflict within each union by catering to the perennial beefer in every local union. By this legislation we encourage the creation of sweetheart contracts, we encourage the continuation of sweatshop conditions, we encourage collusion between shady individuals in both labor and management.

We are witnessing the greatest of all miracles right here in Washington, the men who have sponsored the right-to-work organizations in the various States as well as on a national level, the men who pay dues to the U.S. Chamber of Commerce, the companies who belong to the National Association of Manufacturers, all these have come to the rescue of the poor, lowly, individual union member and they are going to protect his rights.

If this legislation passes, he will secure the right to be fired at will once more, with no recourse to the union, for that union will be tied up in legal struggles brought about by some company stooge who, as a member of the union, has objected to some minor difficulty he helped to create.

He will secure the right to be reclassified and lose seniority rights.

He will secure the right to have his job eliminated.

He will secure the right to lose pension benefits, medical aid, workmen's compensation, unemployment compensation—yes, and many, many more. For if our good unions are hamstrung, as this legislation will do, all the gains made since 1937 with the passage of the Wagner Act can disappear within 1 or 2 short years.

This may sound absurd, but our Government is one of law. And many, if not all, of these social gains were secured by the passage of laws which were sponsored and fought for by strong labor unions—no one else.

Without the unions to fight for social legislation we will not only fail to progress any in the future, but we will find that much we now have will be taken from us.

The steel industry has said during the steel negotiations that the unions were traveling "too far and too fast." The committee bill and the Landrum-Griffin bills are big business' first step to throw a roadblock to halt the unions in their progress to take their proper place in the economy of the Nation.

Mr. HIESTAND. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in the discussion of the several parts of these bills we have had today, we may be losing our perspective a little bit. The main issue should be crystal clear to everyone. The issue, as thought about and as voted upon by this House, should be in behalf of the people of the United States, the workers of the United States and the public. All other interests can take care of themselves and be the result of what the people get and feel. We should enact legislation for the people. We should enact a strong enough bill, but a fair one. We should enact anything but a weak, watery, and worse than useless bill.

The bill, H.R. 8400, Mr. Chairman, is a compromise bill. It is not as strict as either the McClellan or the Barden bills. It has as much in it. It is essentially a minimum bill.

As to the matter of picketing, we have had a great deal of discussion. This bill does not forbid picketing except in one way. Both bills forbid extortionate picketing, of course, and extortion is against the law. But only the blackmail picketing, that which is for organization purposes, that is not justified by the will of the people within, only that is forbidden. All other kinds of picketing is not forbidden.

One of the gentlemen told of an instance of economic picketing. The right to strike and the right to picket, if it is a legitimate strike, is not forbidden. No legitimate picketing is forbidden. It is the blackmail picketing and the coercive picketing only that is forbidden. All the other many kinds of picketing are allowed.

Secondary boycott is clearly a conspiracy. This bill does not interfere with the free rights of primary boycotting. I might say I was one of the original boycotters. I can tell that to this House. Many years ago as a young man I was a cloak and suit buyer. I refused to buy goods from contractors who operated sweatshops. It was my privilege to refuse to buy. I boycotted them. Primary boycotting is legitimate. Secondary boycotting, however, is conspiracy and it is fundamentally against the Constitution in principle and we should enact it into law that would apply to labor relations.

On this question of the no man's land problem. Within the last day or so that has been belittled. Mr. Chairman, that is the most important part of the bill. Unless this or any other law can be enforced, then that law will have no force or effect. It has been said that the unions under 200 members operating with less than $20,000 would be only 10 percent of the union membership.

The facts are directly to the contrary. In unions under 200 members, there are 3 million people. In addition to these unions with less than $20,000 annual income there are 2 million people. These are official figures. That makes a total of 5 million people, and that is nearly 30 percent of members. I suggest, Mr. Chairman, that these people need it most. They do not have any place to go They have been the victims of more depredations and more violence than all the other groups. They need help. It has certainly been proven that 3 million of the 4 million small businesses have no place to go. This is most important because they have no place to go. Most racketeering and most corruption has been in the small unions and in the small businesses.

The committee bill provision for closing the gap is strictly impracticable. It would put all cases in the NLRB and the backlog will soar twice as high as it is now. Instead of 2 years lag, it will take 4 years. They would have to set up a whole new bureau with 12 or 14 district tribunals. It is not practical and it will not work.

The Landrum-Griffin bill is the only satisfactory way to close the gap with fairness to all.

Mr. ALFORD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, along with all of the other Members of this distinguished body, I have made a careful study of all the measures proposed in each section of every bill now under consideration. As a patriotic American I sincerely believe as did our Founding Fathers, that the 10th amendment to the Constitution guarantees the rights of the people of a sovereign State to govern themselves. I view with great alarm the direct implications that are brought to bear on the effect of this legislation when one realizes that section 210 of H.R. 8400 would place dictatorial powers in the hands of the Secretary of Labor, including the use of injunctions by Federal officers to enforce section 101(a)(1). I am unalterably opposed to any measure be it under the label of labor legislation or civil rights legislation, that sets up a bureaucracy in Washington to override the individual liberties of the people as guaranteed to them under the ninth amendment to the Constitution.

H.R. 8400 also attempts to write into law the very language of the 14th amendment, the interpretation of which by the present members of the Supreme Court was the sinister device used to completely destroy our States rights, the true law of the land.

My position in this matter is well known and I cannot for one moment salve my conscience into believing that what is right in the preservation of our great public schools should be sacrificed to be used against the honest working men and women of my State. Let us not be mesmerized into voting into law the establishment of another bureau in

Washington that takes one single prerogative in any field away from our sovereign States. Without a fit of emotionalism, let us calmly approach this problem and vote for legislation which will take the gangsters out of labor but at the same time will not destroy the individual liberties and free enterprise of millions of hard-working loyal honest Americans.

Our great Speaker has eloquently stated that the bill proposed by our distinguished colleague, the Honorable CARL ELLIOTT of Alabama, contains the same basic weapons against racketeering as does H.R. 8400. I can add to his remarks that the bill by Mr. ELLIOTT does not—I repeat not—incorporate into itself the "equal rights and privileges" provisos of the 14th Amendment.

The real issue that confronts us today is to do a thorough job in stamping out racketeering without trampling on the just rights of anyone, either labor or management. The language of the Elliott bill in section 101(A)(1), and I quote, says:

> Every member of a labor organization shall be accorded, subject to reasonable qualifications uniformly imposed all the rights and privileges pertaining to membership under the constitution and bylaws of such labor organization.

This preserves local option and is against federally dictated control of the industrial union members. I sincerely believe in the premise that "the least governed are the best governed" in all phases of our social structure, fraternal or religious, labor or management. I cannot vote for any measure that creates unnecesary restrictions on anyone. I am convinced that the passage of the Elliott bill by this House will lead to the House-Senate conference producing a bill which will remove the racketeering from labor that is recommended by the McClellan committee.

Therefore, I shall vote against H.R. 8400 and for the Elliott bill.

Mr. BECKER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. BECKER. I am happy to yield to the gentleman from Ohio.

Mr. BOW. Mr. Chairman, I ask unanimous consent to extend my remarks immediately following the remarks of the gentleman from New York, and I also ask consent that the gentleman from Ohio [Mr. AYRES] may extend his remarks following those of the gentleman from Ohio [Mr. BOW].

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. BECKER. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, I listened with a great deal of interest to the remarks of the gentleman from Arkansas [Mr. ALFORD], in which he suggested that he had considerable concern over certain sections in the Landrum-Griffin bill as it might affect States rights. In his presentation, he pointed out that the enforcement section in title II of the bill, as appears on page 29, that is section 210, the Secretary may bring an action for relief for any violations under that title. That title refers to reporting by labor organizations, officers and employees of labor organizations, and employers. Of course, it is proper that the Secretary should bring action in cases such as those.

He further points out and objects to the fact that the same type of remedy, that is as provided in section 210, is made available under section 609 of the Landrum-Griffin bill, which latter section deals with prohibitions on certain discipline by labor organizations and thus section 210, as he points out, becomes the enforcement section under section 609 preventing "any officer, agent, shop steward, or other representative of a labor organization, or any employee thereof to fine, suspend, expel, or otherwise discipline any of its members for exercising any right to which he is entitled under the provisions of this act"

Yesterday I pointed out to the gentleman from California [Mr. ROOSEVELT] that section 608 of the Landrum-Griffin bill provided that any civil action prosecuted by the Secretary or any other person, which, of course, includes actions for enforcement of injunctions through contempt proceedings under section 210—as well as section 102—when that contempt would result in a penalty in the form of criminal penalty and thus would become criminal contempt in nature, then the party would be entitled to a trial by jury.

I thus want to point out to the gentleman from Arkansas, as I did the gentleman from California previously, that section 608, which provides for trial by jury, overcomes one of the principal objections which have been reiterated today by the opponents of the Landrum-Griffin bill and which were raised to title III of the civil rights bill.

The other major point raised by those interested in preservation of constitutional rights, including trial by jury, is the further constitutional provision concerning States' rights which was also argued in the civil rights debate and which is again referred to today by the gentleman from Arkansas. It is my understanding that an amendment will be offered to section 609 which will have the effect of permitting a union member to bring an action himself in his own name pursuant to section 102 of the Landrum-Griffin bill, which is the enforcement section under the bill of rights title, rather than an action by the Secretary pursuant to section 210, and I believe that this will overcome the second objection suggested, which is that of an unnecessary injection of the executive branch on the Federal level into law enforcement matters, which would result if the Secretary could bring an action in behalf of a union member. I have conferred with a number of the Members of the House who are also concerned over the use of section 210 as an enforcement section for section 609, and I trust the amendment to be offered which will change "210" to "102" on line 11, page 58 which will properly remove this further objection will be adopted.

Mr. BECKER. I thank the gentleman.

Mr. Chairman, the point I want to make here is my opinion of some of the happenings of the last 3 days. At the outset I want to say that I intend by my convictions and my conscience to vote for the Landrum-Griffin bill without reservation, for the simple reason that many weeks ago, on television, radio, and in the press, I announced certain provisions that had to be in any effective labor legislation to correct the abuses exposed by the McClellan committee during the last 2 or 3 years. Those provisions appear only in the Landrum-Griffin bill precisely.

There have been many disagreeable charges made in the last couple of days; first, that this could very well be the Congressional Retirement Act of 1960. Well, if my vote, as my vote in past years on legislation, shall ever cause my retirement, thank God I will retire with honor and with a clear conscience. I believe that should apply and does apply to the Members of this House. I believe that I was elected not as a matter of political expediency or to support one group against another, but I was elected as a matter of responsibility and obligation to the people that I serve.

There have been charges made with respect to this bill. For instance, pass this bill on the floor here today but it will never come out of conference with the other body. I say that should have no effect on any Member of this House, because we have a responsibility and a duty as elected representatives to do what we believe is right, and leave it up to the conference committee to bring out the very best they can in accordance with the will of this body.

There is one other point I would like to make. The Landrum-Griffin bill has been called the NAM bill, and that title was stated to me by gentlemen who came into my office to see me the other day. I told them I had never heard of that, up to that time. Then it was called a union-busting bill. So, too, was the Taft-Hartley Act for many years called a slave-labor act until the distinguished president of the American Federation of Labor, George Meany, himself said that it was used too long as a political cliché and added that they found they were able to get along with the Taft-Hartley Act. So, too, I have had hundreds and hundreds of union members in my district tell me that very same thing.

What is there about union busting in this law? Only by interpretation of experts, or shall we say possible experts, in the field who are on the floor, who say this section does thus and so, while somebody else says it does not do thus and so.

So we Members of this House, we who are not attorneys, who are not labor counselors, have tried to determine the issue.

As the distinguished gentleman from Virginia said the other day, put down the committee bill, turn it page by page, section by section; take the Shelley bill and do likewise, and take the Landrum-Griffin bill and do likewise. I have done just that. I have gone through all three and, in my humble judgment, the Lan-

drum-Griffin bill will correct many of the abuses that were exposed by the McClellan committee, and it will grant the necessary protection to the American men and women and to the American public.

Mr. BOW. Mr. Chairman, my objection to most of the provisions in the Elliott bill, H.R. 8342, are merely that they are insipid. The words are meaningless so far as providing any protection for individual workingmen or for the public. Its provisions are merely window dressing to give Members of Congress the opportunity to vote on some labor bill without really making any effort at curbing the abuses of which we are all conscious.

However, there is one section in the bill which is not insipid. It is downright dangerous. I am certain also that it is shocking to anyone who believes in the integrity of the States, and is conscious of the problems of small businessmen. I am speaking of the language in section 701 on page 60 of the bill, which requires the National Labor Relations Board to assert jurisdiction over all labor disputes which have any effect whatsoever on commerce. The enactment of this section means that virtually every small businessman in the United States will be subject to possible penalties and liabilities.

The NLRB's jurisdiction already includes so many small-business establishments that the Board cannot efficiently process more important cases which truly have an impact on interstate commerce. Because of certain decisions of the Supreme Court, the NLRB, since last October 1, has extended its jurisdiction to thousands of small retail and service establishments, local transit systems, small-town newspapers, hotels, and motels.

The press release in which the Board announced that it was taking smaller establishments and local businesses stated that the NLRB's action was a consequence of Supreme Court decisions. This indicates clearly that the Board does not feel that its jurisdiction is warranted in these small and local-type businesses, since their activities do not have an important effect on interstate commerce.

By extending jurisdiction to these smaller establishments, the Board has increased its case load tremendously. In the first three months of this year, cases pending at all levels before the Board increased more than 17 percent from 6,570 on January 1, 1959, to 7,733 on April 1, 1959.

I think that the Members of this House should be honest with themselves in considering the effect of the Labor Management Relations Act on small business. If the power to act were returned to the States, the common law, together with statutes would be adequate to protect small businessmen against excesses and abuses in economic pressure by labor unions. As a matter of fact, these are the only effective remedy against such union tactics. Any remedy from Washington is so long delayed that it is useless. To be truly effective, the remedy must be immediate, and this is possible only if it can be administered at the local level.

The principal purpose that the authors of this bill have, in requiring the National Labor Relations Board to exercise jurisdiction over all disputes having any effect whatsoever on interstate commerce, is to facilitate union organization among our small and local business enterprises. In my opinion, there is rarely any urgent need for a union to organize the workers in a small, local business enterprise. Where a businessman has only a few employees, he probably knows them all personally, and he talks with them regularly, face to face. There is seldom need for them to organize for the purpose of bargaining collectively with their employer. But even if there were, any compulsion for a small businessman to bargain with his employees collectively should be imposed by the State and not by the Federal Government.

The enactment of the language in section 701 of H.R. 8342 would make virtually every small business subject to Federal compulsion to bargain with union representatives, and subject them to endless complicated regulations in dealing with their employees. They would be subject to heavy liabilities if they failed to comply precisely with these innumerable Federal rules administerd by the National Labor Relations Board.

The proponents of H.R. 8342 state that it is necessary for the NLRB to exercise jurisdiction over these millions of small, local businessmen, because only 10 states have seen fit to enact their own labor relations statutes. They have expressed great concern over what would happen in the other 40 states of the National Labor Relations Board were not compelled to exercise jurisdiction in all disputes.

Of course, their concern is not for the small businessman. He can get adequate protection only at the local level, and this can be done by confirming the State's integrity to provide remedies where NLRB declines to do so. Their real concern is that in 40 States the people, through their legislatures, have not seen fit to impose compulsion on small, local businessmen to bargain collectively with labor unions, and to subject them to penalties for failure to do so.

Why is it that those who support this language in H.R. 8342 will not trust the people in 40 States to enact laws providing justice in the settlement of labor disputes? We have confidence in the State judiciaries to provide justice when our lives and our property hang in the balance. There seems to be little criticism of those States which have narrowed the scope of the common law cause of action for slander and libel. Would the supporters of H.R. 8342 advocate a Federal law to protect those persons who are victims of slander or libel in States which have curtailed the judicial remedy for these two common law torts? Many States have abolished breach of promise actions. Do the supporters of H.R. 8342 deem this so unjust that they would provide a Federal remedy? Divorce laws vary widely from State to State. In some States there are only one or two grounds for divorce, whereas in others the grounds are virtually limitless. This, of course, means that in many States a person cannot secure a divorce, simply because the alleged wrong committed by the other spouse is not legal grounds, whereas this same complaint would be adequate grounds for divorce in other States. Since he has no remedy at the local level, would the supporters of H.R. 8342 enact a Federal divorce law to guarantee uniformity?

The plain fact is that virtually all of us are willing to rely upon our State judiciaries and our State legislatures for justice in the most important aspects of our lives. Yet the supporters of H.R. 8342 seem to feel that these same legislatures and judiciaries cannot be relied upon to provide justice in any labor dispute.

For these reasons, I think that the language I have referred to in section 701 of H.R. 8342 is dangerous for the Nation's millions of small businessmen. It is a frontal attack upon the integrity of our State legislatures and State judiciaries, and indirectly it is an attack upon the people who elect the legislators and judges in our respective States.

The bills introduced by the gentleman from Georgia, Mr. PHIL LANDRUM, and the gentleman from Michigan, Mr. ROBERT GRIFFIN, authorize the States to act in cases involving small and local businessmen whose operations have but insignificant effect upon interstate commerce.

It is my understanding that this language will permit the National Labor Relations Board to decline to exercise jurisdiction over the small and local business establishments, in the same manner that it did prior to October 2, 1958. In this group are small retail concerns which have a direct inflow of $1 million, or indirect inflow of $2 million, or direct outflow of $100,000. Under the language of the Landrum-Griffin bill, the Board could exclude these and also small, local transit systems with a gross volume of less than $3 million a year; small newspapers with a gross volume of less than $500,000; small television and radio stations, telegraph and telephone companies, with a gross volume of less than $200,000 a year; hotels, motels, barbershops, shoe repair shops, and other purely local type businesses.

I would like to ask my colleague, the gentleman from Ohio [Mr. AYRES], who is a member of the committee and supports this bill, whether I am correct in my statement.

Mr. AYRES. Mr. Chairman, my bill gives the Board discretion to decline to assert jurisdiction over any labor dispute or class or category of employers where, in the Board's opinion, the effect on commerce of such dispute is not sufficiently substantial to warrant the exercise of its jurisdiction.

In view of the Board's heavy backlog of cases, which delays a remedy in those cases which have a truly important impact on commerce, I imagine that the Board would decline to exercise jurisdiction over small and local employers.

It would give the Board power to decline all cases of a class over which it did not take jurisdiction prior to October 2, 1958, such as small newspapers,

radio stations, small tramway and bus systems, hotels, motels, and small retail establishments.

The gentleman is correct in his assumption that where the Board declines or would decline to act, the States have complete authority to provide a remedy.

Mr. SMITH of Iowa. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think the good chairman of our committee on yesterday said something to the effect that nobody seems to say much about "no man's land" or takes "no man's land" seriously. I want to tell him that that is not the case with those who are supporting the committee bill. Those supporting the committee bill had asked me to take about 10 or 15 minutes and try to do as good a job as I could in talking about "no man's land." But I was denied the time to do that yesterday, so that is the reason it has not been done. While at the same time the gentleman from Tennessee [Mr. LOSER], was allowed 18 minutes of time, and I was allowed none.

I also want to recall to this House Mr. Chairman, that this is a specific example which under the Landrum bill constitutes a felony punishable by 1 year in the penitentiary if you are a union officer and do this. I can give you a dozen examples that have occurred on this floor just like that. That is the difference between a killer bill and a corrective bill, and that is the issue facing us now.

Now, in view of this unfair situation, I hope that the supporters of the Landrum bill will not object if I now ask, Mr. Chairman, that my time be extended for 8 minutes in order that I might explain the committee approach to "no man's land."

Mr. MASON. I object, Mr. Chairman.

Mr. SMITH of Iowa. I just want also to use this example to point out that in criminal law an accessory to the fact is treated as the principal, and we have just seen another example of a felony committed, if it had been in a union meeting by a union officer, punishable by 1 year in the penitentiary.

Now, this is serious business when the legislators of this country want to indoctrinate a different principle on the people of the country than we must follow ourselves. Now, this "no man's land" is a serious problem, and the committee should have had an opportunity to explain their side of it. There are 1 million small businessmen and their employees that are denied at this time the opportunity of equal protection under the law because they are denied the use of the National Labor Relations Board. This is an important matter that makes the Landrum bill nothing less than an anti-small-business bill. They want to continue this injustice and deny the small businessmen and their employees the use of the National Labor Relations Board.

The gentleman from Arkansas had a point to make about States rights, and he was correct in saying that this bill infringes on States rights. This bill abolishes States rights all the way through until you get to one paragraph in the bill, and then "Oh, yes, in the name of States rights, we must maintain the right of the States to deny their people the opportunity to use the National Labor Relations Board." That is what in substance the Landrum approach to "no man's land" amounts to.

Now, I think I should mention also that practically every unfair labor practice and every unfair management practice that has been mentioned on this floor as an example has been a practice that would have come either within "no man's land" or it is already being taken care of. That is how important this matter is.

If I had time I would like to have shown a letter by one Fred Hartley, Jr. It is a solicitation letter. The president of the corporation who received it explained it as a shakedown letter. I do not think it is quite that. But, anyway, he points out the seriousness of this situation regarding "no man's land." He was the coauthor of the Taft-Hartley law. And I say to the gentleman from Illinois and others here that all of the backers of the Landrum bill who sneer at the approach that Senator Taft and Senator Ives used in previous years and which is incorporated in the committee bill, they should have an opportunity to have this approach explained to them before they vote.

Now, I would also like to mention that when we speak of a lack of remedy for employers and unions who are in "no man's land," we are not talking about mass picketing or activities involving violence, nor are we talking about any picketing case that is not peaceful picketing for legal purposes, because all other kinds of picketing are reserved to the States at the present time. This is the only kind of picketing cases that we are talking about. And this has nothing to do with family restaurants, either. You heard all these examples about family restaurants. Family restaurants with one employee or few employees have never been under any Federal bill and they are not under the Landrum bill, either, because they do not come under the interstate commerce clause. Their business is so small and local that it does not tend to obstruct interstate commerce.

There are about 1 million small businesses and the employees of those 1 million small businesses in the United States. I have a feeling that the big guys can take care of themselves, but there are 1 million small businessmen and their employees who are now being denied equal protection of the laws because of the "no-man's land."

They are the ones that need the protection instead of the big ones. If a big corporation or the employees of a big corporation are faced with an unfair labor or an unfair management practice, they fill out a form and file it with the National Labor Relations Board. With very little or no cost to them, the National Labor Relations Board personnel process the claim and grant the relief properly accorded under the law. But if a small-business employer or his employees are involved, they are denied the services of the Board and must hire a lawyer and do whatever they can under the State law, and in 40 out of 50 States, including Iowa, there is not even a labor relations law or department.

Practically every unfair labor and unfair management practice that has been used as an example is either being taken care of or is in "no man's land." For example, employees of a contractor in Iowa were told to quit the union and take less wages or be fired. The contract negotiated by the union was still in force. When they refused to quit the union or cancel the contract they were fired. When they picketed against this unfair labor practice, the district court judge granted an injunction. Because they were in "no man's land," they were denied the services of the National Labor Relations Board to adjust the matter.

Employers have had problems, too. My authority for this is a letter by one Fred A. Hartley, Jr., coauthor of the Taft-Hartley Act, who has written letters to presidents of corporations soliciting funds to promote labor laws. This letter is as follows:

CONFERENCE OF AMERICAN SMALL BUSINESS ORGANIZATIONS,
Washington, D.C., May 19, 1958.

DEAR MR. PRESIDENT: As coauthor of the Taft-Hartley law, I have waged a constant fight in its defense since its enactment over 10 years ago.

The time has come to seek strengthening amendments proved necessary by experience. These changes will not happen without leadership and coordination of effort. The time to start is now. It will not do to wait until next year, when the program should be well under way. Among the changes we propose are the following:

Abolish compulsory unionism, by all action necessary, State and Federal.

Prohibit any use of union funds in political campaigns.

Define peaceful picketing.

Confine pickets to employees of the place being picketed.

Give employees, shut out by mass picketing, the right to sue the union for wages lost and damages suffered.

Prohibit organization picketing and recognition picketing.

Prohibit in the strictest language the secondary boycott in any form.

Prohibit featherbedding in all forms.

Require secret ballots under Government supervision for strikes, maybe for other purposes.

Bring unions under the antitrust laws on a strict equality with business.

Under recent U.S. Supreme Court decisions, the States cannot legislate on subjects covered by the Taft-Hartley law. This is the so-called "Federal preemption doctrine." The National Labor Relations Board will not take jurisdiction over firms doing less than $500,000 business in interstate commerce. This leaves several hundred thousand small businesses without any protection in this field.

At the head of this conference, with its multiple contacts from top to bottom of the business world, my colleague Mr. Shaw and I are providing intercommunication among business groups of all types and sizes and local opinion leaders. Without this, the above changes cannot be accomplished.

If you approve of this effort, we ask you to give your support in the amount of $20 to $100 as you see fit. We seek the utmost support in numbers rather than in large amounts.

We are not duplicating the work of any other organizations, but coordinating the

desires and purposes of all, and reaching the grassroots with specific proposals.

Thanking you for your consideration and cooperation, I remain,

Sincerely yours,

FRED A. HARTLEY, Jr.,
Cochairman.

Date ————.

FRED A. HARTLEY, Jr.,
Washington, D.C.

DEAR FRED: Herewith our support for the grassroots leadership you and your colleagues are giving to labor law reform. Check enclosed for: $20; $35; $50; $100.

Individual ----------
Company ----------
Address ----------
City ---------- Zone---- State----------

(Above is a regular business expense as business association dues.) Make checks payable to Fred A. Hartley, Jr., Cochairman, and mail to above address.

He writes as cochairman of the Conference of American Small Business Organizations. I suppose they are small business—at least he says they are. He says in his letter, and I quote:

The National Labor Relations Board will not take jurisdiction over firms doing less than $500,000 business in interstate commerce. This leaves several hundred thousand small businesses without any protection in this field.

He ends his letter with an admonishment that the contributor can deduct his contribution from his income tax as business association dues—in other words, the Government will pay a large share of the promotion he has under way.

There are two approaches basically in the bills before us as to how to handle "no man's land." One is to streamline the labor board so that they can handle several times as many appeals.

The other proposal is to approve of their withdrawal of responsibility and to even approve their declining jurisdiction to whole classes and categories of employers and employees. In other words, one proposal is to make them a working organization with the tools to work with and the other is to make them another one of these boards that meet once a month, look at one another's nametags, eat, belch, and go home.

Before some of you on the Republican side of the aisle poke so much fun at the approach used by Senator Taft and Senator Ives, which is adopted in the committee bill and to a large extent in the Shelley bill, you had better examine the background of "no man's land."

The Wagner Act was passed in 1935, and the authority of Congress thereunder was based on the Interstate Commerce clause. By 1947, when the Taft-Hartley law was passed, it was settled case law that the NLRB had all the jurisdiction that Congress could grant in handling cases covered by the Wagner Act. In 1947 the Taft-Hartley law retained all this jurisdiction and increased the scope by increasing the number of unfair practices the Board was to process.

The Taft-Hartley law provided, in section 10(a), that any State that would take the responsibility and pass a law consistent with the Federal law could be ceded jurisdiction. This was an open invitation to the States that wanted to take some responsibility. It was also a summary of the feeling of Senator Taft that the States must have laws consistent with the Federal law, or they could very much obstruct interstate commerce, and freedom from such obstruction was the basic purpose of the enactment of the Wagner and Taft-Hartley acts. The 13th annual report of the National Labor Relations Board relates that the General Counsel had attempted negotiations with the several States so that authority could be ceded, but he found it impossible to negotiate such agreements. This fully justified Senator Taft's view that the States cannot be depended upon to do the job, and to many it is not at all surprising that the Kennedy-Ives bill of a year ago, on the motion of Senator IVES, was amended to provide a solution in the manner set forth in the committee bill and to a large extent in the Shelley bill.

On July 1, 1954, a divided National Labor Relations Board established some criteria for denying cases which would admittedly leave hundreds of thousands of firms in interstate commerce without the services of the Board. In other words, they went on a sitdown strike against businesses doing less than $500,000 business in interstate commerce. Since then, the Guss case in 1957 held that the area evacuated by the NLRB could not be filled by a State with contrary legislation. That was 2 years ago, and yet the administration still refuses full authority granted by the Congress.

"No man's land" jurisdiction has nothing to do with picketing or activity involving violence. The Garner case—a Pennsylvania case in 1953—has specifically settled that the police powers were reserved to the States and that this was within those powers. "No man's land" applies only to peaceful picketing for a legal purpose. If the picketing is either unpeaceful or for an illegal purpose, the States have authority at the present time. So the main thing is it denies services of the NLRB to perhaps 1 million small businessmen and their employees in the settlement of disputes. This has absolutely nothing to do with family restaurants and such examples as that which you have heard used in these debates, nor does any other bill before us. The NLRB has never certified a one-employee bargaining unit, and there can be no legislation that affects enterprises so local that they do not obstruct interstate commerce.

The Landrum bill proposes to approve of the refusal of the Board to render service to these 1 million firms and their employees, and it goes much further. It even permits the Board to decline jurisdiction over any additional class or category the Board wants to. The opinion of the Board would be final under this bill, because it sets up no guidelines.

Under that bill labor policy in many States would be determined by municipal ordinances and county ordinances and enforced by justices of the peace. Most of the problems do not involve strictly legal questions, and in the cases where strictly legal questions are involved, 95 percent of the State court judges know practically nothing about labor laws. They cannot be expected to be qualified in this field, because they are already up to their ears handling equity, domestic relations, and damage actions. The multiplicity of laws would certainly thwart national protection to the obstruction of interstate commerce.

The Board under the Landrum bill could, for example, decline jurisdiction over the entire trucking industry; or over all warehouses; or over all the dock workers; or even the entire construction industry. When a truck would move from one State into another or through one particular city, it would be within the jurisdiction of a different type of law. When a contractor wanted to bid on a job, he must consider that the city counsel where the job is located or the State might change the law while he is there and have to investigate in each case what kind of laws applied. It is no wonder Senator Taft and Senator Ives and others who have studied this matter did not approve this matter and did not approve the approach in the Landrum bill. It would certainly result in utter chaos and confusion. Throughout the Landrum bill the authors have proposed abolishing States' rights to a greater extent except in this one instance where the States have refused to adopt consistent laws—if any laws at all.

The committee approach to this matter is to increase the size of the Board, let them divide into appeals boards, delegate ministerial functions to the General Counsel, and delegate to regional offices many of the functions they now handle, subject to appeal. They could handle several times as many cases under the committee bill, and they would also be specifically admonished to process all cases where they have jurisdiction involving unfair labor or unfair management practices.

I cannot see how anyone can think it is in the national interest to adopt the approach in the Landrum bill and, except for the Representatives from the State of New York, which has a fairly good labor relations law, I don't see how any Member can expect anything but chaos in his State under the anti-small-business approach of the Landrum bill. I cannot possibly support the Landrum bill with this kind of a provision.

Mr. RHODES of Arizona. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, of the two bills which we have before us today, one of them has been characterized as a killer bill, which leaves the implication that the other one is all sweetness and light, that there are lilies printed on the cover and that "Heaven Bless Our Home" is written above the title.

Now, let us see about this other bill. I would think that a bill with all these virtues would certainly have taken very good care of the individual, this person, about whom so many people are rightfully solicitous. Some people on my right say that the people on my left are interested in things and not people. Well, I would just like to say that I happen to be interested in people, because I

have gone through this bill to see which of these bills does the best job for people. I am not talking about labor leaders; I am not talking about businessmen; I am not talking about corporations. I am talking about people. Which of these bills does the best job for people?

Well, Mr. Chairman, before I was elected to this House of Representatives I practiced law. I once had a case which involved a member of one of our unions in Arizona. He came to my office, and the first thing he showed me was a withdrawal card from his local. I said, "Are you leaving town?" He said, "Well, I guess so, because I have just been presented with this withdrawal card."

I said, "How did you get it?" He said, "I do not know, they called me to the office and gave it to me."

I said, "What have you done?" He said, "The only thing I can think of is that I ran for office in a local union without anybody asking me to."

I said, "What can we do?" "Well," he said, "I have a copy of the constitution."

I found in the constitution that there was a right for a hearing. He could ask for an appeal. We proceeded to do that.

Mr. Chairman, this was a poor man. He did not have a lot of money. Do you know, a year from that date, we were still appealing that case. During this time the man could not work at his craft. That man still had his withdrawal card and finally he did leave town. It was the only way he could make a living.

Let us see what the committee bill does to correct a situation like this. It says that if you are a member of the union, you may sue the union. But when? You may sue the union after you have exhausted all of the remedies under the union's constitution and bylaws.

What does this so-called killer bill say? It says that you may sue the union after you have exhausted all the rights and remedies under the union constitution and bylaws or after the expiration of 4 months, whichever is the earlier. In other words, Mr. Chairman, the case which I cited you could not occur under the Landrum-Griffin bill. Under the bill which the committee has voted out, it did occur. There is absolutely no change in the law in the committee bill on this point from the law as it now is in practically every State in the Union.

Let us go on to another thing, to see how the average individual is going to fare under this bill. In all of these bills there are safeguards against improper disciplinary action. The committee bill says that after a person has been fined, suspended, expelled, and so forth, he may have a hearing and he may have an appeal—after he has been fined, suspended, or expelled. Obviously, if he is suspended or expelled in most areas he has no way to make a living in his craft. He can wait until his appeal is taken and is prosecuted and then maybe he can go back to work, if he was right. But I just want to ask, Mr. Chairman, who is going to support his family during the time that this appeal is being heard? You know the answer to that as well as I do. There will be nobody, unless he gives up his craft, gets another job and forgets the whole thing.

The so-called killer bill, the Landrum-Griffin bill, does this a little differently. It provides that before such a person may be fined, expelled or is suspended, he shall have a hearing. In other words, it allows a person to go in and prove his case, protect the job he has, protect his craft or his skill in the craft which he has acquired through the years. He cannot be suspended or expelled, and deprived of his right to make a living, without first being given a hearing.

So I think without a doubt, Mr. Chairman, that in these two instances it is proved that the Landrum-Griffin bill does a much better job for the individual than does the committee bill.

The CHAIRMAN. The time of the gentleman from Arizona [Mr. RHODES] has expired.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we now come to what might well be termed the "nutcracking" stage of this legislation. I saw it coming. We have come to that point. There is no question that from all sides there are persons and groups interested for or against certain bills. That pressure is upon the Members of the House.

For example, the National Association of Manufacturers is very strong for this bill, the Landrum bill. In fact, the bill is not strong enough for the NAM. The NAM has opposed labor legislation during my 31 years as a Member of the House. They opposed every progressive piece of legislation—social security, minimum wage, farm legislation. Everything the NAM opposed. The Chamber of Commerce has also opposed every progressive piece of legislation.

I imagine there may be 25 or 30 Members of this House who still have their minds open. I imagine most of them are on the Republican side, from what I hear. They come from close districts.

May I say that last year Postmaster General Summerfield pressured them on several bills, as he is today on this bill. Attorney General Rogers pressured them last year, as he is pressuring them on this bill now.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield briefly to the gentleman.

Mr. DINGELL. Mr. Summerfield is now downstairs pressuring Republican Members. I would suggest that any Republican Member who wants to see Mr. Summerfield about patronage affairs go down there now. He may have missed you, and I think you are missing an opportunity, because he is threatening to withhold patronage from members of the GOP who vote against the Griffin-Landrum bill.

Mr. McCORMACK. Mr. Chairman, they pressured the Members of the last Congress. We know that. I had my Republican friends come to me and tell me, "JOHN, I never saw such pressure. They threatened to run a candidate against me in the primaries and to finance him." Many Republicans are not back as a result of that. They are not Members of this body this year.

Mr. Chairman, labor considers the Landrum-Griffin bill as an antilabor bill. The provisions of that bill are such that that feeling on the part of labor is justified. It is one thing to try to control the abuses that have been disclosed, but it is quite another thing to attack legitimate labor unionism. The Landrum-Griffin bill, whether it is intended or not, and I assume it is not so intended by the authors of that bill, invades the field of legitimate unionism. That is why and where labor is concerned, and that is where everybody else should be concerned.

First, Mr. Chairman, some of the provisions of that bill go back to the days prior to the Norris-LaGuardia Act, and prior to the Wagner Act—labor's magna charta.

On the matter of organizational picketing, under that bill all kinds of organizational picketing becomes a crime. Yet, Mr. Chairman, there is organizational picketing which is legitimate—organizational picketing against sweat shops, against those who pay their workers substandard wages and work long hours, thus driving down the union wage scale and thus affecting legitimate employers who have an agreement with the union and who want to pay their workers a living wage and whose workers work under decent conditions.

Mr. Chairman, the Landrum-Griffin bill attacks the right of freedom of speech, if you are a union member. There is no question about that. Those are the things in the Landrum-Griffin bill that concern labor. In that bill, there is a curtailment of freedom of speech. Under that bill, however, the employer can do things and there is nothing in the bill to stop the employer. Everything in the bill is directed against labor.

On the provisions for voluntary machinery for the settlement of jurisdictional disputes, a method that has been used effectively for the past 10 or 12 years—the provisions of the Landrum-Griffin bill are against that.

One more thing, Mr. Chairman. I have learned something from my 31 years of experience in this great legislative body. Where a committee is going to draft a bill, a broad bill on any subject, and a subcommittee is appointed to go into the details of that bill, and especially into the details of the administrative features, I want to be a member of that subcommittee that drafts the administrative provisions because under those conditions I write the bill. Under the administrative provisions of the Landrum-Griffin bill, and those provisions affect the entire bill if it should become law, the whole thing is slanted against labor. It takes the Government out of the position in which the Government properly belongs, namely, the position of neutrality. It takes the Government out of its proper position of being in the middle ground, a neutral, and the arbitrator between organized labor on one hand and powerful business on the other, the position that experience has shown enables our Government to function in

the best interests of all the people. The Landrum-Griffin bill will produce effects that is an attack against unionism.

Mr. Chairman, let us consider the provision under title I of both the Landrum-Griffin bill and committee bill entitled "Protection of the Right To Sue"—section 101(a)(4). The committee bill insures the right of a union member to institute any court suit or administrative proceeding against the union or its officers provided that the union member shall first have exhausted the "reasonable remedies" available within the organization, and provided further that no employer shall have interfered or financed—unless named as a party—any such court or administrative action. The absence of a time limitation for exhausting internal union procedures in the committee bill is simply a restatement of existing applicable State and Federal law which no one, to our knowledge, has attacked as in any way unfair or inequitable.

On the other hand, the comparable provision in the Landrum-Griffin bill insures the right of a union member to institute any court or administrative action against the union or its officers provided the member has exhausted "internal union procedures not exceeding a 4-month lapse of time." It also provides the same insurance against employer interference as the committee bill.

Thus the basic, but very important, difference between the Landrum-Griffin and committee versions of this provision is the limitation on exhaustion of remedies within the union prior to resort to the courts or administrative agencies. The inevitable result of such a limitation is that the Landrum-Griffin bill effectively precludes action by the membership at conventions on appeals which they now normally decide as a body of last resort. The reason for this is that under the overwhelming number of union constitutions appeals are made from the local lodge to the national or international president of the union, thence to the union's executive board, and finally to the membership itself at convention. Obviously the 4-month limitation on exhausting appeals within the union would short-circuit the opportunity of the union members themselves to consider the complaint of the individual member and substitute determination by court or administrative agencies.

There is no more sacred or traditionally enjoyed right than that of the members themselves, expressed in their union constitutions, to pass upon the grievances of their brother members. The overwhelming number of trade unions today enjoy such a procedure and have for many years. And it is by the voluntary action of the members themselves in adopting their own governing laws that this choice of procedure has been expressed.

The committee bill deems it undemocratic to sweep this fundamentally existing right aside. Its study of the problem convinced the majority of the committee that it was a deception to union members generally and to the public at large to include within a professed "bill of rights" a regulation which actually deprived union members of an existing legitimate right and traditional practice.

Moreover, the committee concluded that to leave the problem in the hands of the courts where it presently resides was entirely reasonable. The doctrine of exhausting internal remedies has been uniformly accepted by the courts of this country, both State and Federal, over a period of many years, and has been required by some courts even in the absence of such provision in union constitutions making it a prerequisite to court action.

It is no answer to argue—as do the proponents of the Landrum-Griffin bill—that some time limitation is necessary or a member will be effectively denied speedy justice. That simply is not so. There may be cases, of course, where the circumstances are such that it is unreasonable to require a member to pursue his internal remedies within the union if such appeals would consume a period of more than 4 or 6 months. In such cases the courts have been quick to so hold and have not required the appeals. On the other hand there are an even greater number of cases the circumstances of which make it entirely reasonable for complete exhaustion of remedies within the union, including resort to the membership itself at conventions. The significant point is that the courts have proceeded on a case-by-case approach and have made their decisions in the light of the factual circumstances of the particular case. There is no reason why Congress should seek to impose an across-the-board limitation on exhaustion of intraunion remedies which would work an injustice to both the honest unions and their members. As the courts themselves have pointed out in dealing with cases of this character, there are no such limitations within existing law regarding the exhaustion of remedies before administrative agencies of the Government before resorting to the courts, and to our knowledge no serious suggestions have been made by anyone that there should be.

Equally invalid is the justification sought to be made by the proponents of the Landrum-Griffin provision that the National Labor Relations Act has a 6-month statute of limitations for the filing of unfair labor practice charges, and thus a comparable or shorter period for the exhaustion of internal remedies "might prevent a member's access to remedies provided under the National Labor Relations Act." The most recent annual report of the National Labor Relations Board for the fiscal year ending June 30, 1958, discloses that during that year approximately 2,000 unfair labor practice charges were filed against unions by individual employees. Not a single charge was dismissed upon the ground that the employee had exhausted his internal remedies within the union. Moreover, not one of the thousands of charges that have been filed by employees against unions over the years since the enactment of the Taft-Hartley Act has ever been dismissed by the Labor Board on any such ground. The reason is obvious. The doctrine of exhaustion of internal remedies has applicabilty only to disputes between a union and its members involving violations of constitutional rights and privileges, and the National Labor Relations Act does not purport to deal with such internal union disputes. Hence, the doctrine of exhaustion of internal remedies is simply inapplicable to the Labor Board proceedings or remedies.

The committee bill requires exhaustion of only "reasonable remedies" under the union's constitution "for violation of such member's rights in such labor organization." That is a sufficient check, judicially enforceable, for those instances where corrupt union officers might attempt to frustrate a member's appeal within the union. On balance, it is a far better solution than a time limitation which, under the name of conferring further rights on rank-and-file members, would actually amount to a broad-scale deprivation of existing rights of members to decide appeals of their brother members for infractions of their governing laws.

The next fundamental objection to the "bill of rights" provisions of the Landrum-Griffin bill concerns subsection 101(a)(5) entitled "Safeguards Against Improper Disciplinary Action." This subsection provides that no union member may be fined, suspended, expelled, or otherwise disciplined, except for nonpayment of dues unless he "has been (A) served with specific written charges; (B) given a reasonable time to prepare his defense; (C) afforded a full and fair hearing."

On the other hand, the committee bill provides that any member of a labor organization "who is fined, suspended, expelled, or otherwise disciplined" by a union or any officer thereof—except for nonpayment of dues—shall be afforded a fair hearing on written charges and other procedural safeguards.

The essential difference between these two versions is simply that the Landrum-Griffin bill requires that a member be afforded all of the procedure of written charges and fair hearings before he is suspended or otherwise disciplined, while the committee bill recognizes that emergency disciplinary action is sometimes necessary in advance of such procedures to protect the union and its members against the very abuses and corruption which the bill as a whole is designed to correct. In short, the difference between the two provisions is simply the difference between a practical and workable provision and one which is not.

To illustrate, suppose a local union official is embezzling funds from the union treasury; or suppose he is refusing to hold a union meeting and thereby depriving the union members of their rights not only under the constitution but under this proposed legislation as well; or suppose that the local union official is deemed to be leading a Communist-infiltrated element determined to disrupt and totally destroy the union. All of these things have actually happened in the past within unions, and many of them have formed the subject of abuses disclosed by the McClellan committee and are sought to be remedied by this legislation. When such things occur

within honest, law-abiding unions—and the McClellan committee itself states that the "overwhelming number" of unions are honest and law abiding—they are usually combated by the president of the parent organization by the exercise of his constitutional powers of suspension, and then a hearing and other due process safeguards are afforded including specific written charges.

Obviously, such a procedure is not only necessary but completely legal and democratic. The courts of this country have expressly upheld the exercise of such authority by union officers. Undoubtedly, the supporters of the Landrum-Griffin bill—and, I might add, also the supporters of the Senate-passed bill from which the Landrum-Griffin provision is a verbatim duplication—intended no such result in their provision safeguarding the members against improper disclipline. Regardless of intent, however, the provision as it now reads is comparable to passing a Federal law prohibiting the arrest of a person until he has been indicated, tried, and convicted, no matter what the offense. It would be indeed ironic if some corrupt or dictatorial labor leader were to wave a copy of this provision of the Landrum-Griffin bill, if enacted, in the collective face of Congress as his excuse for not suspending corrupt officials actively engaged in embezzling or other crime until after time-consuming procedures were pursued while the corruption continued unchecked.

This is a pointed example of how highly important the actual drafting of language is in this complex field of internal union affairs. It graphically illustrates the need for careful consideration by legislators of the subject matter of their regulations. It further demonstrates the greater care with which the framers of the committee bill have approached the problem of rights of union members and the absence of such precautions in the Landrum-Griffin bill.

ENFORCEMENT PROVISIONS

Finally, the enforcement provisions of the committee bill differ from those of the Landrum-Griffin bill. While both bills provide in section 102 for civil actions by members themselves to prevent and restrain violation of rights granted to them under section 101, the Landrum-Griffin bill further provides in section 609 of title VI "Miscellaneous Provisions" for injunctive proceedings by the Secretary of Labor, pursuant to section 210 of the bill, to also restrain any such violations and to compel compliance. It would appear that the choice of a civil suit by an aggrieved member for violations of title I was a deliberate alternative to a civil suit by the Secretary of Labor on behalf of an aggrieved member. For example, title IV of the Landrum-Griffin bill, like the committee bill, substitutes a civil suit by an aggrieved individual in lieu of a suit by the Secretary of Labor such as is provided in the Senate passed bill. Yet both types of suit are authorized with respect to the rights granted by title I. The result is conflict and confusion.

The Landrum-Griffin bill also provides criminal penalties in section 610 for certain violations of rights granted under the act, including those in title I. The committee bill wisely omits any general criminal sanctions for violations of title I. The generalized standards of conduct set forth in title I are completely inappropriate for the imposition of criminal sanctions. For example, assume that a union member persists in holding the floor at a union meeting or continues to be unruly and disorderly after he has been ruled out of order, and even after the presiding officer has been sustained in his ruling by a vote of the union members present. In this situation the presiding officer might be forced to have the offending member removed from the meeting by the sergeant-at-arms. Under such circumstances the member has been disciplined and, depending upon the particular factual circumstances, his expulsion from the meeting might be later construed as a violation of his rights under title I of the Landrum-Griffin bill. Whether the violation is or is not later established, surely local union officers should not be expected to conduct union meetings with the threat of criminal imprisonment hanging in the balance for an erroneous ruling.

The committee bill avoids both the conflicting duplication of the civil remedies set forth in the Landrum-Griffin bill and also the "catch-all" general criminal sanction which could be inappropriately applied. On the other hand, it contains numerous specific provisions making violation of certain conduct criminally punishable.

In summary, the bill of rights provisions of the Landrum-Griffin bill give substance and support to the charge leveled by the Speaker of the House of Representatives in a nationwide broadcast on August 10, 1959, that the injustice and drastic nature of the Landrum-Griffin bill is beginning to backfire in the court of public opinion. As the Speaker said on that occasion, let us be careful to avoid the imposition of crippling legal restraint on the honest, legitimate interests of the working man. If we are to follow that admonition we must necessarily reject the bill of rights proposals of the Landrum-Griffin bill for the following reasons: First, under the guise of legislating against corruption they destroy perfectly legitimate and necessary trade union practices and customs. Second, under the banner of a bill of rights to union members they actually deprive such members of perfectly legitimate existing rights and practices. Third, they include regulations which are ill advised and unworkable and needlessly disruptive of existing governing laws of honest labor unions.

Mr. PUCINSKI. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, we are being today asked to support a substitute measure which has not been submitted to the House Committee on Education and Labor and which paradoxically enough has not even been fully examined by the membership of this House. The absolute folly of this procedure already has been adequately manifested here this morning. It is significant to me then that even though the supporters of the substitute bill now before us have had 4 hours in which to present their case, in not one single instance have they been willing to yield for a searching analysis of their proposal during the general debate. I defy anyone in this Chamber to show me in this RECORD where they have yielded for a single adverse question during general debate. This is, indeed, a phantom bill so far as we in this Congress are concerned. Although I have tried repeatedly to ask questions of those who are supporting this measure to find out whether there is any basis for my own doubts regarding this legislation, I have been denied that opportunity as have many others of my colleagues. I am confident as the debate continues here, more and more we will realize how badly the President of the United States was misadvised to support this substitute measure.

You will all recall how the gentleman from Michigan stood right here before a blackboard and tried to persuade us that the provisions of this bill dealing with secondary boycott would in fact serve the Nation best, and when we attempted to challenge his interpretation, under our own parliamentary procedure, the gentleman declined to yield for questions.

I say to you that the language in this bill dealing with secondary boycott is one of the most devastating proposals ever presented to this Congress. The present Taft-Hartley Act specifically provides that no union or its agent may engage in or induce or encourage the employees of any employer to engage in a strike or a concerted refusal in the course of their employment to handle struck work. I should like to emphasize that this prohibition is directed against the employees acting in concert.

H.R. 8400 considers this prohibition insufficient and proposes to bar the individual rights of an employee to refuse to handle struck work. This indeed strikes at the very heart of an individual American's right to use his own judgment in refusing to handle struck work. H.R. 8400 would deny one American the right to tell another American that the work he is handling comes from a struck plant. A searching cross-examination of the supporters of this measure would have shown that the entire bill is loaded with similar booby traps.

I would remind my distinguished colleagues who are inclined to support this substitute measure that it would have a disastrous effect and impact upon the basic labor policy of this nation. Nearly 25 years ago, the Congress decided with the hearty approval of the general public, that it was the policy of the American government to encourage collective bargaining.

That policy has never been changed, and I feel confident that any attempt to change it now will not be tolerated by the American people.

What is proposed in this substitute bill strikes not at the racketeers and crooks in the labor-management relations field, but at the ability of decent trade unions to carry out their lawful functions of collective bargaining effectively.

Throughout the debate in this House I have noted that each of my learned colleagues, even those who are supporting this punitive substitute measure, has been careful to disavow any intention to disrupt collective bargaining. But why not call a spade a spade? This Congress has never been confronted with legislation which in so many instances strips the individual American of his basic rights in the field of collective bargaining. It is ironic that those who have spoken here in such eloquent terms regarding the bill of rights for the American worker in one breath, would deny him his fundamental rights as an individual American in another breath. And all of this is being done under the guise of labor reform.

Last weekend I had occasion to talk with a distinguished American publisher who just recently returned from a visit to the Soviet Union. He had been there with the Vice President of the United States. I asked this distinguished American publisher whether there was a trade union movement in Russia. I was very much surprised to learn that there is. But this publisher told me that the trade union movement in Russia is so thoroughly controlled by the Soviet Government that the unions there are no more effective in fighting for the welfare of their members than company unions are in this country. I honestly believe that passage of this substitute legislation would make our entire American labor movement no more effective than company unions now are in this country.

We have seen speaker after speaker come before us in this body and assure us there is nothing punitive or nothing devastating to the aims of legitimate labor unions in this substitute bill.

Permit me to read a short excerpt from a column by one of the Nation's outstanding columnists, Mr. Joseph Alsop, which appeared in the Washington Post of last Tuesday:

> The real leader of the fight for the Griffin-Landrum bill is the new House Republican leader, Representative CHARLES HALLECK, of Indiana. In discussing labor legislation, Representative HALLECK has said, reportedly that he "wants a killer, or no bill at all." This is also the approach of the employers' associations. These have been putting on the heat for the Griffin-Landrum bill in a style that can only be compared to the style of Hoffa.

I say to you, Mr. Chairman, it is not I who says this bill is devastating, it is the minority leader of this House. He has said he wants a "killer bill, or nothing."

But I can say to you that it is safe to assume that whosoever would support this substitute bill will have to take the full responsibility when in future years the legitimate labor movement, stripped of all of its legal weapons, becomes just a fraternal society respectfully petitioning the employers for the redress of grievances. When the legitimate American labor movement lies prostrate and ineffective, the epitaph on the tombstone shall read: "Here lies the American labor movement, methodically strangled by the killer bill passed in the 86th Congress."

Mr. Speaker, Benjamin Franklin once said that it has been his policy to vote his conscience on controversial legislation and leave the consequences to providence. I know that today, when the entire Nation has been whipped into hysteria, it is unpopular for an honest legislator to vote his conscience. But I cannot sit here idly and let the legitimate aims of the labor movement be destroyed under the guise of labor reform. Long after the thieves exposed by the Senate Rackets Committee are dead, this punitive bill will still haunt the legitimate labor movement. It is for this reason that I urge defeat of this substitute bill, and then let us proceed to enact legislation which will get the crooks but not the unions.

Mr. MASON. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, age follows youth.

I do not propose to discuss the merits or the demerits of the two bills before us; better qualified men than I have already done that, but I do propose to talk like a Dutch uncle to the younger Members of this House, and I am qualified to do that.

The pet name for me used by the gentleman from Texas [Mr. ALGER] is "Patriarch," "The Patriarch." Patriarch means age, and also is supposed to mean wisdom. I do not resent that name. I accept it as a compliment.

Believe it or not, I have served the public and held public office for 71 years, 35 years as a school superintendent, 8 years as a city father or city councilor, 6 years in the State senate, and a little more than 22 years in this body. That totals 71 years. Besides that as a qualification to speak like a Dutch uncle to the younger Members of this House, I majored once in psychology to try to learn what makes a man tick, what makes humans act and vote the way they do. So I think I am well qualified to speak like a Dutch uncle to the younger Members of this House.

The gentleman from Arizona, [Mr. UDALL] said that this bill, or that these bills, could be called congressional retirement bills, and I agree with him 100 percent.

The gentleman from Indiana [Mr. MADDEN] tried to make a parallel between this bill and the Taft-Hartley Act. Well, I have gone all through that. The Taft-Hartley Act is not a parallel to this bill. The Taft-Hartly Act had just two factions interested and involved in it, and that was management and labor. John Q. Public never got excited over the Taft-Hartley Act like it has over this act.

My mail is a good deal like your mail. It reflects, not management, not labor, not the farmer, not the schoolteacher, not any fraction of the American public particularly, but it does reflect the attitude of John Q. Public, the great majority of the voters of this Nation. I call to your attention the fact that if ever there was a time when the American people were aroused it is today. The housewives and the farmers and others have been looking at the television for the last 2 years. They are aroused as they never have been.

Now I come to my prophecy. If a Member of this House comes from an industrial community alone, heavily organized by union men, he may vote "wrong" on this bill from my standpoint and come back. If he comes from a very large city where a city machine controls the votes, he can vote "wrong" on this bill and come back. But any Member of this House who comes from an agricultural district or who comes from a district like mine, half agriculture and half industry, is going to have the battle of his life next fall if he wants to come back should he vote "wrong" on this bill.

Therefore, I advise the younger Members of this House to vote "right."

Mr. BURKE of Massachusetts. Mr. Chairman, at the outset I would like to say that I shall support legislation that will effectively deal with racketeering and the abuses disclosed by the McClellan committee. I am opposed to the Griffin-Landrum bill because it goes too far. It is my opinion that the Griffin-Landrum bill will jeopardize the passage of labor reform legislation this year.

The Kennedy-Elliott bill as recommended by the Committee on Labor would correct the abuses without taking away from the working men and women of this Nation traditional rights.

It would be wrong for Congress to bow down to the wishes of those who have consistently worked for antilabor legislation. They represent the extremist views and some, I am sorry to say, who want to destroy the rights of the working people are now using the labor reform issue to accomplish this purpose.

The Griffin-Landrum bill would turn the balance of power too far to one side. It would reduce the rights of the workers to such an extent as to make them voiceless in their attempt to retain their hard-fought-for rights or to improve their working conditions.

I was shocked to see those who are supporting the Landrum-Griffin bill with a few exceptions oppose the civil rights amendment offered by the gentleman from New York. The failure to write into the Landrum-Griffin bill a strong section favoring civil rights is another reason why I oppose its passage. I hope the House defeats the Landrum-Griffin bill and adopts the Kennedy-Elliott bill.

I agree with Senator JOHN F. KENNEDY when he says:

> The Griffin-Landrum bill seeks to undo the conscientious efforts of the House committee by substituting a punitive measure, restricting the rights of all honest union members.

As a Congressman from New England, I feel that the passage of the Landrum-Griffin bill would work to the disadvantage of New England industry. It would strengthen the position of those areas in the country where low wages prevail and where unions are practically nonexistent.

Let us act as rational men and women, worthy of our position in Congress. Let us act with coolness, and calmness. Let us not deal in hate. Let us be fair to all. Yes, let us do our duty. First by enacting an effective bill that will deal with

those who have abused their positions in labor but at the same time will not punish the innocent.

Mr. DERWINSKI. Mr. Chairman, numerous speakers who have discussed this subject in the past few days have made eloquent pleas for reasonable, unemotional consideration of a labor reform bill. There have been charges and countercharges and as the debate continues, emotion rather than reason has become the order of the day.

For the sake of the record, I should like to point out to you that the main reason why we are even considering this legislation is to provide needed protection to rank and file union members in the internal management of their legitimate labor organizations. Who are the rank and file union members? We should think of them as typical citizens. We should think of them as they are—not as card-carrying, dues-paying nonentities—but human beings, friends and neighbors who in the course of their employment hold membership in organizations properly set up to represent them in negotiations with their employers. These rank and file union members are taxpayers; are homeowners; are young people; are those nearing retirement; are men and women who reside in all 50 States of the Union, and they have one desire in common, to provide an honest day's labor to their employer and receive a just, worthy compensation in return for their labor.

They are not a class set aside. They are not segregated from the rest of the American people. They are ordinary men and women who, as I pointed out, in the course of employment have become associated within the ranks of organized labor.

Mr. Chairman, we have a responsibility, as elected public officials, to enact legislation to benefit all citizens regardless of the particular categories in which they may be classed from time to time. One of the most vicious and emotional phrases that has been tossed about in debate this afternoon is the charge of "antilabor." Who is truly antilabor? Those of you under the pretext of supporting either one of the impotent proposals, so-called Shelley bill and the committee bill, have been guilty of antilabor activities. Each of us has received thousands of letters from individual citizens expressing their opinion on this legislation. Surely we immediately recognized those letters that have been group or form inspired, and it is just as easy for us to recognize honest, sincere statements of expression from rank and file union members who have been pleading with us to enact a constructive labor reform bill to give them control of the organizations to which they are proud to belong.

What is the real crime of a Hoffa, a Beck, or a Glimco? The real crime is that when drawing public attention to the unscrupulous activity of the segment of organized labor that no longer properly serves the member, reflection is cast upon every decent, conscientious union member. Unions are intrinsically good. Their individual members, our fellow Americans, are intrinsically good. They are pleading with us to provide them with the tools by which they can permanently and effectively maintain, through the entire organized labor movement, legitimate practices in their local unions.

Mr. Chairman, are we antilabor if we give an average worker the tools with which to maintain a proper union in accordance with his wishes? Are we antilabor if we want him to have dignity and respect as a union member? Or, are we antilabor when we permit a few power-mad group union bosses to run roughshod over the rights and privileges of the members to enrich themselves and to use the properly organized groups of men and men belonging to labor unions as a stepping stone to personal power?

The Landrum-Griffin bill is prolabor. The Landrum-Griffin bill is an honest, sincere and practical effort to give to the rank-and-file union member control of the internal affairs of his own union. The Landrum-Griffin bill helps labor because labor is not the racketeer, the hoodlum power-mad grafter whom the McClellan committee has exposed. Labor is an American citizen entitled to all the rights and privileges which his legitimate representatives can provide.

Let me emphasize. A prolabor vote is a vote for a sound, constructive labor reform bill. An antilabor vote is a vote for a meaningless measure which will permit racketeers and hoodlums to continue their domination of sound, decent, legitimate workingmen. That is our choice.

Mr. Chairman, I have full faith and confidence that Members of the House will think clearly through the haze, charges and countercharges, and will emerge with the clear view that the union member, the decent, honest workingman, is asking for a good bill and he will best be served by the Landrum-Griffin proposal.

Mr. WHARTON. Mr. Chairman, as a friend of organized labor as well as the small businessman, I have patiently listened to the several days of debate on pending labor legislation and I have reviewed the RECORD of the proceedings.

Certain statements have been made here which have been refuted or denied, others have not and therefore must be accepted as true.

I am deeply impressed with the statement of the distinguished chairman of the committee as recorded on pages 14362 to 14365 of the CONGRESSIONAL RECORD for August 12. It impresses me as a forthright and factual disclosure.

I refer especially to the statements attributed to Mr. Hoffa as a spokesman for organized labor wherein he is quoted as saying:

> We, the Teamsters, will not be stopped by the McClellan committee, by laws, or by the Courts. They, the Congress, can pass all the bills they want to and it won't mean a thing. None of the bills worries me. To hell with them, the U.S. Senate.

This strong talk does not seem to be disputed or denied. I am convinced that we need the strongest labor bill available to cope with Mr. Hoffa and his invisible government and in this connection we now have a choice between two measures.

The Landrum-Griffin bill, a bipartisan measure incidentally, differs from the Elliott bill in these four principal respects:

First. It is more effective in curbing secondary boycotts, particularly the hot cargo weapon used by the Teamsters Union.

Second. It more effectively restrains organizational and recognition picketing; that is, picketing which seeks to force employers to recognize unions even though their employees are not union members.

Third. It would provide some criminal penalties to enforce the bill of rights provisions—provisions for the protection of union members—contained in the Senate bill.

Fourth. It provides a better remedy for the no man's land problem—that area of relatively small labor controversies which the Federal Government will not handle and which the States are forbidden to handle.

In my judgment there is nothing whatever in these provisions of the Landrum-Griffin bill which would inflict punishment on any law-abiding union member. There is at least something in them which would help to protect union members, nonunion workers, honest employers and, in the end, the general public.

Mr. HENDERSON. Mr. Chairman, labor-management reform legislation is one of the most important tasks of the 86th Congress. It is also one of the more delicate legislative responsibilities that we will have to consider this year. For several years we have watched and studied the parade of witnesses and volumes of testimony before congressional committees painting the sordid picture of misplaced trust, unbridled power, victimization, oppression, and common thievery. We in Congress have become disturbed by the revelations which have incensed our fellow Americans. We have been moved to action. At the same time, we realize that we should take action only to the point of correcting the abuses and to assure equitable legal machinery to prevent the recurrence of practices which have brought disrepute on a segment of organized labor's leaders.

The American labor movement is an integral part of the American system and the assurance of its vigor is important to the functioning of a flourishing economy. It has obtained and maintained for the men and women of America a better economic position and a higher standard of living. The great contributions it has made to individuals and their families can be multiplied a millionfold to be translated into a major and undeniable achievement. This achievement contributes directly to balancing our free enterprise system on the side of prosperity and progress. No one wishes to see that balance destroyed, reduced, or disturbed.

If the labor organizations with which the Congress has to deal were of the caliber of unions in the 15th Congressional District of Ohio, if labor leaders throughout the Nation conducted themselves as do most of the labor leaders of the 15th District of Ohio, and if the practices of labor were the practices of most

of the unions I know of in my home district, then this labor reform legislation would not be necessary. But I know, and I think my constituents know, that this is not the case. Facts brought forcibly to our attention compel us to take such action as will safeguard the rights of the worker, employer, and the general public. We take this action with the positive feeling that it will not only safeguard those rights but that it will help to restore respectability to a segment of labor which has become blighted.

In my part of the State we have had little experience with "hot cargo," secondary boycotts, or organization picketing. But these powerful weapons have been employed in other parts of our land to create chaos, violence, intimidation, and lawlessness. The tangled skein of corruption often includes unethical agreements between unscrupulous labor leaders and equally unscrupulous companies conspiring for personal gain at the expense of the organized worker. In the hands of the unscrupulous, these unbridled powers are wrong. They are dangerous to the economic and social development of the country. They can be and have been used to abridge individual freedoms which are a basic right of every American regardless of his station. They must be curtailed. The "no man's land" question must be eliminated. This is an area where there has arisen confusion, doubt, and indecision which scheming minds have seized upon to create havoc.

Their leaders tell us that no bill of rights is needed to protect the labor membership, that the constitutions and bylaws of the labor organizations will do that, but we have seen it ably demonstrated that the contrary is true in instance after instance. The bill of rights will give assurance to rank and file members that they can move and act like members of a democratic organization where the right of members to be heard will be protected. It will assure the responsibility of leaders who would turn the hard-earned dues of workingmen into the self-perpetuating empires of tyrants.

The Landrum-Griffin bills are the bills which must be approved to accomplish the purposes which I believe fair-minded men are compelled by the evidence now before us to seek. This legislation offers a decent solution to many of these problems without imposing punitive measures which would actually weaken the legitimate operations of labor organizations.

Mr. HERLONG. Mr. Chairman, I rise to express the deep concern of the people of Florida over the so-called no-man's-land, growing out of several Supreme Court decisions. I think it is essential that any labor reform bill which is enacted by this Congress should definitely clear up that uncertain area.

I think the Congress has an obligation to fix some boundaries for the NLRB, and to prevent that agency from asserting jurisdiction, at some future date, over every last business establishment across the land.

I do not believe that the remedy for this problem lies in having the NLRB preempt all labor disputes. I think the Taft-Hartley Act expressly reserved to the States jurisdiction over those employers who are clearly local in character. And I believe that the House, earlier in this session, when it approved H.R. 3, for a second time, confirmed its belief that bureaucratic Federal agencies should not swallow up those areas of jurisdiction which should properly rest with the individual States.

I know that there are some who argue that the absence of State labor boards in many States creates a vacuum, and that the only way that employers and employees can be assured of justice is for the national board to assume jurisdiction. This argument is not valid because today we leave to our State courts the adjudication of crimes, including murder, arson, theft, and so forth. Why must it be assumed that States are incapable of meeting any problem arising in the field of labor relations?

On October 2, 1958, the NLRB issued new jurisdictional standards, which almost doubled the total number of business establishments which were brought under its purview. This is in spite of the fact that they already had a backlog of more than 5,000 cases at that time. During the first 3 months of 1959, this backlog increased still further. It seems to me that by this zealous reaching out for more and more control, the Board can destroy its usefulness by making it impossible to provide a prompt remedy in labor disputes.

I appreciate that there may have been some uncertainty on the part of the Board about its discretionary power to decline certain cases, and classes of cases. This could account for the Board's action in leaning over backward to take everything. I think it was particularly unfortunate that the Board went so far as to set up jurisdictional standards for hotels and motels, on January 11, 1959. These are service establishments which ship nothing across State lines. I am not convinced that there is any sound reason why they should be answerable to some labor board in Washington.

I think Congress would make a serious mistake if we agreed to section 701(c) of title VII, in the Elliott bill. This sets out a mandate for the Board to assert jurisdiction over all labor disputes. On the other hand, it seems to me that under section 701(c)(1) of the Landrum-Griffin bills, the Board's discretionary power is affirmed, giving it clearcut authority to decline to take certain cases, or classes of cases. May I inquire as to whether my interpretation of the language in that section is correct?

Mr. LANDRUM. It is my understanding of the substitute that it does give the Board this discretionary power.

Mr. HERLONG. I thank the gentleman.

Mr. BOLAND. Mr. Chairman, the shocking and sickening revelations of the McClellan committee during the last 2 years have caused the American people and Members of Congress to revolt in favor of antiracketeering legislation in the labor-management field.

We all want to get a bill through Congress this year that will crimp the style and put an end to the thugs, the goons, the embezzlers who have been paraded up before the McClellan committee and questioned on their activities of cheating and defrauding American labor, American management and the general public.

The McClellan committee produced evidence of a union business agent who ordered an employer to join and sign a contract or he would start picketing for recognition. The employer held out despite the picketing and he met with incidents such as a fire bomb tossed into his store, sugar poured into truck gas tanks and personal assaults. This is only one of hundreds of incidents of violence that have been masqueraded under the guise of labor-management relations and revealed by the committee.

Mr. Chairman, these abuses must be stopped, and Congress must enact a law to stop them this year, or we might be facing the more dangerous threat of gangsterism erosion of our democratic way of life. Now we all know that the racketeers have infiltrated only a small segment of the labor union-management field. The great majority of union and management officials are honest and decent and they negotiate in good faith without resorting to the "sweetheart" deals and violence brought out in the McClellan committee hearings. But the crooked minority is like a cancerous growth. You have to get at it fast and cut it out or it will eventually rot the entire body.

This is the issue we have before us today, as I see it, and if my mail is any barometer, the American people feel the same way. The letters I have received come not only from my constituents in the Second Massachusetts District, but from all over the Commonwealth of Massachusetts and from various sections of the entire country. All of these citizens write the same message: "Fight the crooks in the labor-management field." "Pass laws to get rid of the goons and the hoodlums."

Mr. Chairman, if we are going to face up to the issue that the American people demand, we are going to have to pause a moment in this welter of oratory, excited tensions and heated pressures from certain labor groups on the one hand and certain management groups on the other hand, and ask ourselves: Which of the bills before us will accomplish these ends?

After listening to this debate for the last few days I am convinced that we are no longer talking about the issue we intended to legislate on; namely, racketeering and corruption. We have gotten into a dispute over amending the basic Labor-Management Relations Act of 1947, the so-called Taft-Hartley Act. My colleague from Massachusetts, the distinguished junior Senator, JOHN F. KENNEDY, who is chairman of the Senate labor subcommittee, has said from the beginning that Taft-Hartley amendments should be left to separate legislation, and we should stick to the issue here of cleaning up corrupt unions and shady characters in this field. If we are going to do this, then I submit that the

bill we must support is the so-called compromise, the Elliott committee bill. It is very much like the Kennedy-Ervin bill that passed the Senate earlier with McClellan "bill of rights" amendments by a vote of 90 to 1.

Now the question is will the Elliott bill achieve the purposes we are seeking to accomplish? I am convinced that it will. So does Robert F. Kennedy, the chief counsel of the McClellan committee, who knows more about racketeering and dishonesty in labor unions than any man in America. I think my colleagues will agree with me that Bob Kennedy is the man who knows the most about the legislation needed to curb the abuses he has uncovered.

Mr. Chairman, my good friend from Montana, Congressman LEE METCALF, asked Counsel Kennedy about the various labor bills before the House and here is the reply:

U.S. SENATE,
August 11, 1959.

The Honorable LEE METCALF,
U. S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: I received your inquiry in regard to my opinion of the various labor bills before the House of Representatives. I think it is appropriate, of course, that I limit my views to relating how the various bills match the findings and recommendations of the select committee.

Based upon those investigations and findings, my conviction has been that any bill, to be effective, must include:

1. Safeguards for union funds, with appropriate penalties for the falsification or destruction of union records and the embezzlement of union dues.

2. Safeguards for union member rights and democratic procedures, including secret ballots, regular elections and an opportunity for opposing nominations.

3. Safeguards against secret conflict of interest transactions by, or loans to, union officers.

4. Safeguards against employer payoffs to interfere with union organization or "sweetheart contracts."

5. Safeguards against the abuse and prolongation of union trusteeships.

6. Safeguards against the use of felons as union officers.

7. Safeguards against the use of picket lines to extort money.

8. Safeguards against teamster "hot cargo" contracts and fictitious unloading fees affecting companies covered by the Interstate Commerce Act.

9. Safeguards against the surreptitious and improper activities of undisclosed management middlemen.

In my opinion, the bill that passed the Senate would effectively write these provisions into law, as would the Elliott bill in a comparable form—thus carrying out all the recommendations of the McClellan committee.

I am concerned that the Landrum-Griffin bill, on the other hand, going beyond the scope of the McClellan committee's findings to affect the economic balance at the bargaining table by honest and legitimate unions and employers, might cause such controversy in conference with the Senate that there would be no bill. This would be tragic—and make many months of effort on the McClellan committee go for nought—for, if legislation is not passed this year when the McClellan committee is coming to an end, it will never pass.

For this reason I am strongly in favor of the Elliott bill; and I am convinced that its passage by the House will lead to the House-Senate conference producing a bill which will do the job this committee is recommending.

Sincerely yours,

ROBERT F. KENNEDY,
Chief Counsel, Select Committee on Improper Activities in the Labor or Management Field (Pursuant to S. Res. 44, 86th Cong.).

Mr. Chairman, at this point I also want to include my reply to the hundreds of letters I received in the past several days asking my support of a labor reform bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 10, 1959.

Thank you for your communication.

Matters disclosed by the McClellan committee have shocked me just as they have millions of people like you across the Nation. Thus, I have given the matter of labor reform proposals considerable thought. I have tried to arrive at my conclusion detached from an atmosphere of hysteria, pressure, punitiveness, or political advantage. In the climate that the Congress now finds itself, it is not an easy task.

I am convinced that the overriding national interest is that a bill should be passed which establishes the principle that there is a public interest in the internal management of the labor unions, and that the right to regulate them is legally recognized and universally accepted. Guided by this premise, I must consider the realities that now exist.

The President has asked for the passage of the Landrum-Griffin proposal which is more restrictive than the Kennedy-Elliott bill recommended by the House Labor Committee. Labor demands the Shelley bill which is weaker than the Kennedy-Elliott bill. The Kennedy-Elliott bill passed the Senate unanimously. It is crystal clear to me that if there is to be any labor reform bill passed, it must be in the nature of a compromise.

The Kennedy-Elliott bill has the best and perhaps the only chance of becoming law. No one disputes the fact that it effectively and emphatically deals with the problems of union racketeers and gangsters, gives greater democracy to the rank and file union member as well as safeguarding union funds. I submit these are the central objectives and principal recommendations of the McClellan committee.

In view of all of the above, I must tell you that I will vote for the Kennedy-Elliott bill. So that you may judge for yourself how effective it really is, I am enclosing a description of some of its provisions.

I commend you for writing me on this important matter. Without this expression of public interest, no bill affecting labor-management matters will pass this Congress. With every good wish, I am,

Sincerely yours,

EDWARD P. BOLAND,
Member of Congress.

Mr. EVINS. Mr. Chairman, perfection in legislation probably will never be attained—yet we must strive for perfection and do what we can to solve the problems of our day—as we are called upon to discharge our responsibilities.

The 2 days of debate on this legislation has demonstrated that the two bills—the committee bill and the Landrum substitute—are neither as bad as the opponents of each have attempted to paint them. Both bills contain meritorious and worthwhile and needed provisions. On balance the Landrum substitute is the stronger bill and the better labor reform bill, and I shall support it. I am supporting the Landrum substitute because of the need for strong and effective legislation to curb labor abuses in the public interest.

We are participating in a most historic debate—on a subject of great importance to our people and indeed to the country—the outcome of the debate and the kind of legislation passed—is awaited with interest by the Nation.

The disclosures of the Senate Committee on Labor Racketeering, headed by Senator MCCLELLAN, have shocked and alarmed the Nation.

Senator MCCLELLAN and members of his committee have rendered a distinct service to our country in ferreting out instances of corruption and racketeering in the labor movement—the improper use of union funds and of the malfeasance of crooks who have infiltrated themselves into the union movement.

As a result, the people of our country want and are rightfully demanding labor reform legislation.

Our people want a reform bill—a bill that will curb the crooks and the racketeers—stop the abuses and protect the American people. They want a strong law passed with some teeth in it.

The task of the committee and of the Congress has been made difficult because of the intense pressures and of the feelings and emotions that the issues on this legislation invoke.

There are those who want no bill at all or at most a weak bill that will not curb labor's excesses.

There are others who are 100 percent opposed to labor and who can see matters only from the point of view of management and industry and who want the greatest number of restraints and restrictions, curbs, and penalties that can be written into a bill against American working men who are endeavoring to improve themselves economically.

Between these two extremes surely must be found the answer to some of our problems in the field of labor-management relations.

I am sure no one wants to do anything to interfere with the legitimate rights of the honest working men of America. Indeed our country has been made great by the efforts of those who have worked and toiled to build our country.

We in America believe in work and the fruits of effort and toil. Our forefathers were men who earned their living by the toil and sweat of their brow.

The Congress in enacting the Wagner Act, in a large measure, guaranteed to the American working man the right of collective bargaining. The Wagner Act has been called the Magna Carta for labor in our country. Yet, we know this law is not perfect. It contains its imperfections.

In 1947, Congress passed the Taft-Hartley Act. This was called—at that time—a slave labor law. This act, like others, was not perfect. Many, at the time, said that it would have to be amended and predicted that it would be amended. The Taft-Hartley Act is not perfect. But time has demonstrated that it is not a slave-labor law.

Twelve years since Taft-Hartley we are faced—again—with the necessity of

enacting other legislation in the field of labor-management relations—and here again we are confronted with the fact that the legislation under consideration is not perfect and certainly will not satisfy everyone. It will not satisfy all the people of our country whatever bill is passed.

I repeat, however, it is our responsibility to pass strong and effective legislation to deal with the menace at hand. We must pass a sound and constructive bill—in the public interest.

The people of our country want legislation that will curb the crooks, hoodlums, and racketeers—not the honest workingman—and honest labor. They want to put out the Hoffas and the Johnnie Dios.

In spite of the pressure groups—those who want no bill enacted and those who want the most repressive and punitive type of legislation passed—it seems to me that our responsibility lies in the writing of legislation that will outlaw labor crooks and racketeers and put a stop to labor dictators and labor monopolistic practices—in the public interest. We must pass such legislation now.

There are those who voted against labor-management legislation in the last session of the Congress—and as a result the bill was killed and did not become law. I express the hope that we will pass a bill that solves the problems—a bill that is sound and effective, and a bill that will reach the desired results which the public demands, in the public interest.

We have heard speeches under the banner of labor and of management—and appeals under the flag of the committee and the Speaker—and many of these are fine. I am appealing for a bill in the national interest.

I am for amending the bill—where needed—to strengthen and improve the legislation before us, not as the labor unions want and not as management necessarily wants—not as pressure groups want—but as the public wants and as the public interest demands and as required by the national interest.

Let us strive for perfection in an area in which we all realize that the attainment of perfection is difficult.

Let us resolve our differences in the public interest. In that way we will be serving America—our beloved country.

Mr. PORTER. Mr. Chairman, if it is not too late to talk about the merits of the Landrum-Griffin bill and the Elliott bill, I have a few words addressed to the Members who might still be in doubt.

The point I want to make is that Members who believe in competition as a sound basis for our economy should, in order to be true to their principles, be against the Landrum-Griffin bill and in favor of the Elliott bill.

In his television and radio speech of August 6 seeking labor legislation, the President revealed a basic failure to realize that organized employees in a given industry or trade compete economically with two economic groups whose interests in nonunion status may or may not be the same: unorganized employees, on the one hand, and unorganized employers on the other.

It is one of the ironies of the day that precisely those persons, like the President, who are loudest in their denunciation of any imagined tendency toward socialism, are at the same time loudest in their denunciation of the free enterprise reflected in the competition between organized workingmen, unorganized workingmen, and unorganized employers.

The President, and those who think as he does, would enjoin organizational picketing because that picketing is designed "to drive away customers and cut off deliveries. In short, to force the employees into a union they do not want. This could force the company out of business and result in the loss of all the jobs in the plant." The President would, as he put it, stop that kind of activity. Yet the fact is that the activity which disturbs him—as it does the unorganized employer and the unorganized employees—is competitive activity. But the President, and those who think as he does, would interpose the power of the state to frustrate the economic consequences of a freely operating marketplace. That is a classic symptom of socialism.

The organizational picket line and the secondary boycott in labor disputes are condemned by the President. But both have been recognized by dispassionate scholars and jurists to be competitive phenomena. Mr. Justice Holmes gave that recognition classic expression in his dissenting opinion in the 1896 case of Vegelahn against Guntner.

I had thought we had progressed to a point in the past five decades where it was widely recognized that the picket line, peacefully conducted, represented a means whereby workingmen could publicize their viewpoints and pursue legitimate economic ends. It is the only practicable way in which small unions—an object of solicitude on the part of the President in his speech—can either make known their organizational grievances to the public or bring any effective economic pressure to bear upon an unorganized employer and upon unorganized employees.

It has always seemed strange to me that persons who can see and would protect competition between, let us say, the giant Safeway Stores and a small corner grocery, at the same time are unable to accept the economic reality that organized workingmen are in competition with unorganized workingmen in a particular industry or trade.

To the degree that the labor force of the country remains unorganized, to that same degree are the organized workingmen made insecure with respect to the continued bargaining power of their unions. I am citing that economic reality solely to point up the vital interest which organized workingmen have in the extension of their organization to those sectors of their industries and trades which are not organized.

It is unnecessary, in my view, to say that it would be a good thing if every single person in the labor force belonged to some kind of a union. I am not prepared to say that, nor am I prepared to say the converse. What seems to me to be important, and very American, is that those persons who are organized shall have the recognized right to seek to organize those who are not. I believe that right is attributable not only to the first amendment but also to our basic commitment to freedom of economic activity and political expression.

The President in his August 6 speech also addressed himself to the problem of the secondary boycott. Once again he exhibited a lack of understanding concerning the nature of competition in a free society. Once again he advocated what in essence comprises a socialistic solution. He proposed the interposition of the Government, the state, in such a way as to insulate one economic factor from the competitive activity of another. The example which the President used was that of a furniture manufacturer whose employees have voted against joining a particular union. Because the organized workingmen in the furniture industry of the particular locale could not mount effective economic pressure against this particular unorganized furniture manufacturer by means of a picket line, they restorted to persuasion of stores not to handle the unorganized employer's furniture.

Of this the President declared, "That kind of action is designed to make the stores bring pressure on the furniture plant and its employees—to force its employees into a union they do not want."

The President has relied upon two fallacies here. One is more obvious than the other. The obvious one is that he assumes both that force is being used, and that there is something wrong with the exercise of that force in our society. Since we have assumed that this conduct is nonviolent the only force which is involved is the anticipation of loss of economic gain on the part of the unorganized employees and the unorganized employer.

The inevitable consequence of any competitive economic action is the loss of economic gain for somebody. The nonsocialistic way to react is to have the Government refrain from dictating upon whom that loss shall fall in an otherwise free marketplace.

The second fallacy, less obvious than the first, has reference to the competitive situation of the President's stores which are being picketed in order to elicit a decision not to patronize the unorganized employer. It is not unusual that a store which purchases merchandise from an unorganized manufacturer thereby gains an economic advantage over a store which purchases from an organized manufacturer. The union wage scale is the differential. To the degree that the store prefers to deal with the unorganized manufacturer, that store is in a competitive relationship which is antagonistic to both the organized manufacturer and the organized employees.

Clearly, if the unorganized manufacturer succeeds in selling to an increasing number of stores, there will be adverse economic effects felt by those manufacturers who are organized. I do not propose a wake for the demise of the organized manufacturer. If the organized manufacturer cannot make his way in the free marketplace, it is our economic philosophy that he must

give way to those who can. Unemployment compensation for his employees and bankruptcy procedures for him and for his creditors are available to help ameliorate personal hardship.

What I wish to emphasize, however, is that both the organized manufacturer and the organized employees have a very obvious competitive economic interest in what that unorganized manufacturer of furniture does with respect to those stores. Once again the socialistic way to deal with this problem—which, ironically, is the President's—is to interpose the sovereign state so as to protect one competitor from the adverse economic actions of another competitor. Those stores can hardly be described as the President described them "innocent bystanders," since they are securing competitive economic advantage from the operations of the unorganized manufacturer. His economic benefit is secured at the expense of the organized employer and, ultimately, to the economics detriment of the organized employees.

Obviously enough, it is to the detriment of the organized employees precisely because it is detrimental to the organized employer. If the organized employer goes out of business because of the success of the unorganized employer, the organized employees lose their jobs. Who shall say whether the organized employees or the unorganized employees shall suffer economically? The President would have the Government say. This is classic socialism. The American way is to have the marketplace make that decision. That may be tough, but it is freedom.

Mr. PHILBIN. Mr. Chairman, in the complex and confused parliamentary situation that now confronts us, it is of utmost importance that we retain equilibrium of judgment.

I think that it can be safely said that almost every Member of the House recognizes, not only the desirability, but the imperative need for eliminating by law, to the extent we are able to do so, the very serious and very dangerous abuses that have crept into our labor-management relationships and that have given such deep concern to the American people.

It can be said without question that most of us who have been in a special position to observe and to analyze the evidence, have been deeply impressed by the existence and the harmful effect of these abuses.

I am convinced that these abuses are real; that they constitute a threat to industrial, social, and public order; that they must be eliminated as promptly and effectively as possible; and that the process by which these objectives are reached in this legislation must be equitable and fair to the parties concerned and to the American public. I am prepared to support such legislation and have previously voted in the House for the bill adopted by the Senate last year which, I think, would have accomplished these results.

Labor and management in my opinion, as well as every other class and group of our body politic, are entitled to equal protection and equal treatment under the law and no special favors should be accorded and no special punishments of a discriminatory nature should be visited or imposed upon any group by any law enacted by the Congress.

I cannot in the time and space allotted, amplify the general philosophy that I believe should be represented and exemplified in such legislation. It will suffice for me to state that, in my humble judgment no proposed law should impress punitive measures upon industry, manufacturing and business groups of the Nation, nor should it impose special punishments of a discriminatry nature upon the working people and their organizations.

To enact any law that would bring about these consequences would, to my mind, be grossly unfair and unjust and might well bring incalculably baneful, damaging effects upon the future relations between labor and management which could very conceivably in the time to come cause divisions, frictions and maladjustments in our economic and social systems that would gravely endanger our institutions of private property and our time-honored and precious system of free initiative and private enterprise.

I am prepared to vote for legislation, not only to drive out, but to control and to bar in the future, wherever and whenever the circumstances and need may arise, the corrupt, racketeering and gangster elements in the labor-management field which present such a serious challenge to the people and Government of this Nation.

I am prepared to vote for laws that will insure democracy and justice in the conduct of labor organization groups, and protect individual workers against the evils of coercion, intimidation and violence and the denial of their privileges and rights as free American citizens.

I am prepared to vote to install responsible, financial accountability in the handling of union funds and the management and conduct of the financial affairs of the working people of the country who are members of labor organizations.

There are provisions in pending proposals before the House that would effectively accomplish these results and which would also cope with other abuses and practices which are imposing undue and unfair burdens upon interstate commerce and harming and impairing the right of many of our fellow citizens to be protected against gross and ruthless invasion of their personal safety, security and well-being.

I am firmly convinced that an adequate law can be passed by this Congress—and I am prepared to vote for such a law as I have in the past—which would achieve these objectives without bringing about an unfair and unjust impact upon labor organizations.

It is my opinion that if we expect to have a corrective bill this year in this field that will accomplish the ends that the American people desire, that this House must avoid extreme proposals that would upset the balance between labor and management and promote confusion and uncertainty as to current rulings of our courts, and create additional controversy, bitterness and emotional stress in an area which more than ever needs to enjoy goodwill, mutual respect and sympathetic understanding.

I think that it would be a great mistake for this House to pass any law that would be construed by working people as being directed at the continued existence and usefulness of their organizations and which they might well believe was aimed at weakening and disrupting the rights and processes of representation, recognition, and free collective bargaining that have become such a vital part of labor-management patterns in this Nation.

I believe that extreme measures of this kind, which I cannot in conscience vote for, instead of bringing peace, order, and amity in this vital area, would impair and endanger the maintenance and promotion of cordial, constructive and friendly relationships of the kind required, yes, demanded if this Nation is to mobilize and implement the unity, cooperation, and efficient teamwork that will be essential, if we are effectively to meet the great challenge of the Communists and their fellow conspirators who are so busily engaged in undermining the fabric and integrity of American social, and economic institutions.

Such an extreme bill, in my opinion, would have a poor chance of being accepted in the conference with the other body because the Senate bill, is on the whole a moderate bill and I doubt very much that any measure differing as radically from it, as one of our pending bills does, would ever be accepted by the other body.

In any event, whether it were accepted or not, the general effect of the passage in this body of such extreme legislation would inevitably be in my judgment to worsen rather than improve relations between labor and management. The enactment of such a measure could have very disastrous implications.

I think the very last thing we should do in this Congress at this time would be to enact legislation that would give rise to additional and renewed bitterness between capital and labor. In this crisis we must strive with all our hearts for national unity, and not permit our enemies to drive wedges which would divide us and array class against class in bitter struggles that could end only in the dissipation of our strength, the serious weakening of our great economic system and the lowering of that public morale and spirit, unity, and loyalty which is so essential to us, our Nation and the free world at this critical juncture in the history of free institutions.

Let us ponder and think very carefully before we pass any extreme bill. If we reject extremes and press for and pass reasonable, moderate, fair-minded, and just laws to drive out racketeers and gangsters, promote union and industrial democracy, and insure financial accountability in this area, we will best serve our Nation and our people in this time of crisis and concern, when the road ahead is strewn with so many tremendous obstacles and so many fateful problems.

Mr. SIKES. Mr. Chairman, the bill which is now before us brings with it serious problems for most of the Mem-

bers of the House. It means political life or death for some. It brings to all of us possibly the most serious responsibility which has confronted us all session. We have dispensed with the Shelley bill, but we still must choose between the Landrum bill and the committee bill. We have had to consider every small detail of the proposed measures in order to make sure that we do good rather than harm by what we legislate.

I am very concerned by the disclosures of the McClellan committee on racketeering and abusive practices in labor and I realize Congress must accept the responsibility for enacting legislation which can correct this situation.

No reasonable person wants to punish good leadership in the labor movement, or to cripple the union movement, or to discriminate against the rank and file of labor. Congress has no quarrel with those who have not been involved in abuses, and these are the great majority of workers who should welcome the efforts of Congress today. If we do not write a sound and proper bill for the protection of the workers against injustices from within the labor movement, we may well see the doom of democracy in unions. We may see unions everywhere seized by corrupt and ruthless bosses, and even America itself threatened by their domination.

Not too long ago, the robber barons of finance and industry rode roughshod over the economic life of the people. Government found it necessary to curb them. No one now questions the wisdom of this action. Now it is accepted that government can be the friend of business, and help business, while regulating business for the public good. The same will hold true for labor. A few have done great harm. They cannot be allowed to hide behind the labor movement and claim exemption for their evil. The workingman must and I think he does realize that we will be doing him a favor if we help to regulate the abuses that now are being perpetrated on both the unions and the public. We seek to make the unions a more democratic organization and to make them strong in the American way rather than to foster labor dictatorships which can be ruinous to labor and eventually even to America.

We cannot pass a perfect bill. The opposing tides are too great to permit it. I would like to remind my colleagues that this need not be the final chapter in the question of corrective labor legislation. If we do the very best we can at this time, we will have an opportunity later to correct any weaknesses or crippling actions which are found later to be in the legislation which we enact.

Regardless of what else we might be inclined to consider, people are shocked to learn of unbridled fraud and corruption which the McClellan committee has disclosed do exist in some areas of organized labor. There can be no denial of the fact that these disclosures show the workingman has been terribly exploited. His hard-earned dues have been used to feather the nest of labor bosses whose records of crime and gangsterism have severely damaged the rights and cause of the workingman. There have been carefully documented cases one after the other of misuse and pilfering of union dues, welfare and pension funds; collusion, extortion and bribery; violence, injury to persons and property, threats to employees, employers, union members, members of their families, fraudulent records and willful destruction of records to cover up embezzlement, denying union members the right to vote, rigging elections, appointment of known criminals to manage union trusteeships, illegal picketing to compel union shop, secondary boycott, and hot cargo contracts; and restraint of trade.

Literally hundreds of witnesses, mostly union officials, took the fifth amendment rather than answer questions. Does that sound as if they had nothing to hide? Have the disclosures been followed by the rigorous house cleaning which should have followed such disclosures. Union membership simply does not have the power to clean house.

These are the reasons why members of Congress must accept the responsibility of doing what is in our power to bring about reforms which will rid unions of irresponsibility and criminal bosses to the end that the rights and privileges of the workingman shall be restored, protected and strengthened. However harsh some of those whose interest we are seeking to protect may consider this legislation, it is essential that legislation be passed in order to protect those very members from unscrupulous practices in labor, to safeguard the interest of the general public and to preserve the proper function of the States in the field of labor relations. That is why I shall vote for the Landrum bill.

Mr. JUDD. Mr. Chairman, like most other Members, I have wrestled long and hard in the last few days with the provisions of the three so-called labor reform bills before us—the committee bill, the Landrum-Griffin bill, and the Shelley bill. Last year we were not given a chance to debate in detail or to amend the Senate-passed Kennedy-Ives bill. We had only 40 minutes in which to discuss it on a take-it-or-leave-it basis. I felt that was a completely irresponsible and reckless way to deal with so important an issue, affecting practically every workingman and every union and business in the country. In good conscience I could not consent to such a procedure.

During the year, evidences of corruption, violence and abuses of power in some labor organizations have continued to pile up, and the public demand for corrective legislation has mounted proportionately.

In my annual questionnaire sent last March to all the homes in my Congressional District in Minneapolis, I asked the views of my constituents on three of the key issues with which these bills deal. The questions and their answers were as follows:

Do you believe Congress should enact labor reform legislation to:

(a) Regulate and make responsible the administration of union funds? Yes, 91 percent; no, 6 percent; no opinion, 3 percent.

(b) Require a secret ballot for such vital union decisions as the election of officers, strike votes and changes in union dues? Yes, 90 percent; no, 6 percent; no opinion, 4 percent.

(c) Strengthen existing prohibitions against secondary boycotts? Yes, 78 percent; no, 10 percent; no opinion, 12 percent.

Among those who listed themselves as members of the Democrat-Farmer-Labor Party in a highly unionized area, the percentages were strikingly eloquent, as follows:

Do you believe Congress should enact labor reform legislation to:

(a) Regulate and make responsible the administration of union funds? Yes, 81 percent; no, 15 percent; no opinion, 4 percent.

(b) Require a secret ballot for such vital union decisions as the election of officers, strike votes, and changes in union dues? Yes, 83 percent: no, 11 percent; no opinion, 6 percent.

(c) Strengthen existing prohibitions against secondary boycotts? Yes, 50 percent; no, 31 percent; no opinion, 19 percent.

Mr. Chairman, most of these last replies are from working people and union members. They know better than anyone else the need for legislation to protect their own rights, their own funds, their own organizations and the public interest.

Therefore, the only question we have before us now is which bill gives best prospect of providing the relief our people need and want against improper activities by any unions or their officers, without injuring law-abiding unions or officers, or denying them their legitimate activities.

I have become convinced that the best way for us to make progress today toward a final bill that can become law and be both fair and effective, is to vote for the Landrum-Griffin bill, H.R. 8400. Certain improving amendments have already been adopted. More changes will be made in the conference with the Senate. The honest fears which many completely responsible labor union officials have with respect to some provisions of this bill have been pointed out forcefully and repeatedly during the debate. I know that my respected friend, the gentleman from Michigan [Mr. GRIFFIN] has no slightest intention or desire to penalize any union for or to prevent it from engaging in any proper activity to advance the economic interests of its members. I am confident that if we adopt this bill and send it to conference, safeguarding amendments or limitations can and will be devised and adopted there to give us a better final bill than any of the three now before us or the Senate-passed bill.

No matter what bill we adopt, it will undoubtedly prove in actual operation to have some defects that were not intended or realized. This is always true of any major bill in a field with so many facets. But we cannot refuse to do what seems now to be wise and right, just because the remedy may prove to have some bad effects not anticipated. They can be corrected when demonstrated to exist—and they will be if good faith prevails.

When I voted for the Taft-Hartley Act in 1947, I pointed out three major provisions in it that I did not like. Two

years later my list had grown to seven. But no one can deny that, overall, the act was fundamentally sound and beneficial to all concerned. It has been disappointing to me that those who complained most bitterly about that act, before and after its passage, were the ones who most adamantly opposed all efforts to correct the provisions which experience proved to be unnecessary, unfair, unwise or unworkable.

Mr. Chairman, I am not convinced by the inflammatory charges that this is a "killer" bill, a union-busting bill; that it will make it impossible for decent unions to function, or for union members to picket for proper purposes, or even to practice free speech, and so on. I have talked with several of the most responsible and influential labor leaders in my State. I know that they sincerely feel that some provisions will almost put them out of business. I think some of the points they have made are sound, and I believe the feared provisions can be clarified before enactment into law. But I believe with equal sincerity that most of their apprehensions as to the dire effects of this approach will not prove to be justified.

Everyone remembers the similar fears that were expressed regarding the Taft-Hartley Act before it was passed—and were repeated for several years thereafter. But what happened under it? What is the record?

Some said that the purpose of the act was to enslave labor, and that would be its effect. Believe me, I did not like to be accused of having such an evil purpose. But I could not see that the act would do what was feared. So I voted for it. It has been the law for 12 years. Has anyone been enslaved?

They said it was to destroy unions. Have any unions been destroyed? They have more members and money and power than ever before.

They said it was to drive down wages and reduce the living standards of working men and women. Have wages been driven down? No, they have more than doubled for practically all industrial workers.

They said it would lead to more strikes and lockouts. Did it? No; it brought a substantial reduction in work stoppages. Unions won better contracts than ever before with much less time spent on the picket line with its accompanying hardships and loss of income to the worker and his family.

Of the 33 terrible things which President Truman predicted in his veto message the bill would cause, only 1 actually developed.

There are a few things in the Landrum-Griffin bill that I do not like. I hope they will be changed in conference. But I cannot see in its language justification for the excessive charges made by some.

If their predictions prove to be true, at least 100 of us voting today for the Landrum-Griffin bill will be among the first to join those voting against it today in getting the unfair or unworkable provisions modified or eliminated. It just is not so that we are anti-labor. Why in the world should we be? We are anti the abuses that are injuring labor.

We are not trying to kill the patient. We seek only to cure the diseases that are seriously weakening the patient's health and hopes for the future.

Our traffic laws restrict somewhat everyone's freedom on the highways. But we willingly accept the restrictions if they are reasonable, fair, and equitably applied to all, because of the greater safety for ourselves and everybody that we gain in return. We go farther faster.

Our criminal laws do not injure the law-abiding citizens; they are essential to protect those citizens.

I sincerely believe that in actual operation the modified bill that will come out of conference will prove basically sound and beneficial to all, beginning with the public interest.

THE GAG RULE

Mr. WOLF. Mr. Chairman, I do not wish to kid anyone. This speech was never made. Some 20 other Congressmen suffered the same fate. I was foreclosed from making my speech by the gag rule imposed by the committee chairman.

However, I do feel that a very important point has not been adequately discussed. This is the "no man's land" section of the Landrum-Griffin bill.

I would like to say that for 2 days I tried to get recognition to present some pertinent facts dealing with this section. I was denied.

I am presenting here in condensed form an analysis done by the Library of Congress on the provisions various States have to take care of labor disputes:

CITATIONS TO STATE LAWS, ETC., SETTING UP BOARDS AND COMMITTEES TO REVIEW LABOR DISPUTES

Alabama: Code of Alabama, 26 section 338: Provides for voluntary local boards of mediation and arbitration involving labor disputes.

Alaska: None found.

Arizona: Arizona Revised Statutes, 23–107: Provides the Industrial Commission with power to promote the voluntary arbitration, mediation and conciliation of disputes between employers and employees.

Arkansas: Arkansas Statutes, 81:107: Gives the Commissioner of Labor power to promote voluntary arbitration, etc., to appoint a chief mediator, etc.

California: West's Annotated California Codes, labor, section 65: Gives the Department of Industrial Relations power to investigate and mediate labor disputes.

Colorado: Revised Statutes, Labor Peace Act 80–5–1 through 80–5–18: Provides for the appointment of mediators by the Industrial Commission.

Connecticut: General Statutes of Connecticut, 31–102: Provides for a State board of labor relations to hand down labor decisions involving labor disputes.

Delaware: Nothing found.

Florida: Florida Statutes Annotated, 453.07: Provides for an arbitration board for public utility arbitration. Section 448.06 provides for a voluntary mediation and conciliation service in other labor disputes.

Hawaii: Revised Laws of Hawaii, 88–10: Provides for a labor and industrial relations appeal board involving labor disputes.

Georgia: Nothing found.

Idaho: Idaho Code, 44–709: Gives the appellate courts jurisdiction to review orders granting or refusing an injunction in labor cases. Section 44–106 gives the commissioner of labor power to cooperate with the Governor in mediation of labor disputes.

Illinois: Smith-Hurd Annotated Statutes, 10:20: Provides that labor controversies be submitted to the department of labor for decision. Section 10:24 provides that failure to abide by decision subjects party to proceedings for contempt.

Indiana: Burn's Annotated Indiana Statutes, 40–2409: Provides for hearings before board of arbitration. Section 40–2412 provides for a review of the board's decision before the circuit court.

Iowa: Iowa Code Annotated, 90.1: Provides for appointment of boards of arbitration by the Governor. Section 90.5 provides for an agreement to be found by decision of board.

Kansas: General Statutes of Kansas, 5–301: Makes the district court the proper tribunal for arbitration of labor disputes.

Kentucky: Baldwin's Revised Statutes, section 336.140: Gives the commissioner of labor power to create upon request boards to investigate and mediate labor disputes. Section 336.150 provides that Federal jurisdiction supersedes in such disputes.

Louisiana: Louisiana Revised Statutes, section 20: 863: Creates a labor mediation board within the department of labor. Section 23: 875 permits an appeal to be taken from an award of the board.

Maine: Revised Statutes of Maine, chapter 30, section 15: Establishes a State board of arbitration and conciliation which may serve as a board of conciliation, a board of inquiry, or as a board of arbitration.

Maryland: Ann. Code of Maryland, article 89, section 4: Provides for the formation of boards of arbitration in labor disputes. Section 22 provides for the appointment of emergency boards of arbitration in cases involving public utilities.

Massachusetts: Massachusetts General Laws, Annotated, section 150:1: Provides for a board of conciliation and arbitration. Section 150A:5 provides for judicial review of orders of the commission.

Michigan: Michigan Statutes Annotated, 17.454(3): Provides for the creation of a labor mediation board. Section 17.454(25) provides that rulings or orders promulgated by the board shall be reviewable only by the supreme court.

Minnesota: Minnesota Statutes Annotated, section 179.02: Establishes within the department of labor a division of conciliation. Permits the Governor to appoint a commission to hear disputes.

Mississippi: Nothing found.

Missouri: Vernon's Annotated Missouri Statutes, section 295.030: Permits the Governor to appoint a State board of mediation in matters affecting public utilities.

Montana: Revised Code of Montana, section 41–901: Provides for a State board of arbitration and conciliation. Section 41–907 makes decisions of the board binding upon the parties who join in the application for a period of 6 months, etc.

Nebraska: Nothing found.

Nevada: Nevada Revised Statutes, section 614.020: Provides for the selection of a board of arbitration. Section 614.040 provides for an appeal to the supreme court from an award by the board.

New Hampshire: New Hampshire Revised Statutes Annotated, section 542:4: Provides for the appointment of arbitrators in labor disputes by the court. Section 542:8 gives the court appeal jurisdiction from awards by the arbitrators.

New Jersey: New Jersey Statutes Annotated, section 34:13–1: Provides for the appointment of a board of arbitrators. Section 34:13A–4 provides for the establishment of a State board of mediation.

New Mexico: Nothing found.

New York: McKinney's Consolidated Laws of New York Annotated, Labor 702: Creates a labor relations board. Section 707 provides for judicial review of decisions of the board. Section 751 establishes a State board

of mediation. Section 800 provides for boards of inquiry in labor disputes.

North Carolina: General Statutes of North Carolina, 95–35: Establishes a conciliation service within the labor department. Section 95–36.4 makes it the duty of the commissioner to maintain a list of qualified citizens to serve as arbitrators. Section 95–36.9 permits petition to the courts to stay an award of the arbitrators.

North Dakota: North Dakota Revised Code, 34–1003: Provides for the establishment of a labor dispute board. Section 34–1102 provides for the designation of a mediation board.

Ohio: Page's Revised Code, 4129.08: Provides for voluntary arbitration and conciliation by local boards in labor disputes.

Oklahoma: Oklahoma Statutes Annotated, 40–4: Provides for the appointment of a State board of arbitration and conciliation for labor disputes.

Oregon: Oregon Revised Statutes, 662.460: Provides for the selection of a board of arbitration in regard to labor disputes. Section 662.500 provides for the appointment of a State board of conciliation. Section 662.-720 provides for judicial review of a final order of an examiner.

Pennsylvania: Purdon's Pennsylvania Statutes, 43:721: Provides for the appointment of boards of arbitration in labor disputes. Section 43:726 provides that decisions of the boards of arbitration be filed with the court.

Rhode Island: General Laws of Rhode Island, 28–7–4: Provides for the creation of a State labor relations board. Section 28–7–10 provides for the mediation by the board in labor disputes. Section 28–7–29 provides for an appeal from the decision of the board to the court.

South Carolina: Code of Laws of South Carolina, 40–302: Provides for the appointment of conciliatory committees in regard to labor disputes.

South Dakota: South Dakota Code, 17.0106: Provides that Industrial Commissioner act as conciliator in labor disputes and permits him to form boards of investigation.

Tennessee: Nothing found.

Texas: Vernon's Civil Statutes, article 239: Authorizes boards of arbitration in labor disputes. Article 249 provides for appeal to the district court of decisions of the boards.

Utah: Utah Code Annotated, 34–1–3: Provides for the designation of a labor relations board. Section 34–1–10(f) provides for a review of orders of the board to the supreme court.

Vermont: Vermont Statutes Annotated, 505: Provides for the setting up of a board of arbitration by the Governor in cases of labor disputes. Section 510 provides that findings of the boards be effective for a period of 6 months, etc.

Virginia: Code of Virginia, 40–95.1: Designates the department of labor and industry as the State agency to mediate and conciliate labor disputes.

Washington: Revised Code of Washington, 49.08.010: Provides for the appointment of a board of arbitration in labor disputes.

West Virginia: Nothing found.

Wisconsin: West's Virginia Statutes Annotated, 111.03: Creates a Wisconsin employment relations board. Section 111.12 permits the board to request the district attorneys to represent it in any case brought before the court to enforce or review an order of the Board.

Wyoming: Wyoming Compiled Statutes. 64.112: Permits the public service commission to act as arbitrators in case of controversies involving public utilities.

In conclusion, we have 8 States with no provisions, and 42 more with 42 different sets of rules from worthless and worse than nothing sections to pretty good ones. I ask the simple question. What happens to a company with plants in several States under such a solution as the Landrum-Griffin bill suggests, if all workers in all plants are included in one action?

The answer is utter chaos and fat fees for many lawyers. Yes, Mr. Chairman, I want to get the crooks out of labor unions. But I do not want to wreck the unions.

The Landrum-Griffin bill is a step backward and is a denial of the earlier congressional intent to have a national labor relations policy as evidenced by the Wagner Act and the Taft-Hartley labor law. Now we will have 50 different labor policies as they apply to labor and management. This can only result in legal chaos. I feel very sorry for those Members of Congress who helped to foreclose so quickly a debate on so vital an issue which affects so many in such a tragic way.

Mr. HARRIS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRIS to the amendment offered by Mr. LANDRUM: On page 5, line 19, strike out the words "or the Railway Labor Act, as amended" and insert "but does not include any industry or activity consisting solely of any employer or employers subject to the Railway Act, as amended."

Mr. HARRIS. Mr. Chairman, I have two other amendments to the same section. I ask unanimous consent that the three amendments be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas.

Mr. DINGELL. Mr. Chairman, reserving the right to object, will we have them read?

The CHAIRMAN. Of course they will be read.

Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The CHAIRMAN. The Clerk will report the amendments offered by the gentleman from Arkansas.

The Clerk read as follows:

On page 7, line 22, strike out the words "or the Railway Act, as amended."

Page 8, line 2, insert after the semicolon the following parenthesis: "(except an employer or employers subject to the Railway Act, as amended)."

Mr. HARRIS. Mr. Chairman, this amendment is very simple. What it does is to exclude the railroad industry from the provisions of this bill; that is, the employers and employer that come under the Railway Labor Act.

If you will look at the substitute bill now under consideration, H.R. 8400, on page 5 you will find titles I, II, III, IV, V, and VI the definitions includes Labor-Management Relations Act of 1947, as amended, or the Railway Labor Act, as amended.

Now, the titles referred to here are in some way merged in, to some extent, with the National Labor Relations Act. The committee and the Congress, when the National Labor Relations Act was approved in 1947, excluded railway labor organizations. There was a reason for it, and it would seem to me that it would be wholly consistent now to carry out the action of the committee and the Congress at that time.

Now, I do this for this reason: we have the Railway Labor Act which has been on the books since 1934. It has been amended several times. That act has worked pretty well over the years. I think if there is one group of our employees and employers that has gotten along fairly well, even though there have been some differences, it has been this group. Some of those differences have been pretty sharp at times, but they have a procedure to follow and they have followed that procedure under the Railway Labor Act during all these years and, so far as I know, with the exception of one time, it has worked out very well. That was during the war.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I am glad to yield to the distinguished chairman of the committee, the gentleman from North Carolina [Mr. BARDEN].

Mr. BARDEN. Let me say to the gentleman, there has been in recent days considerable concern over this matter, and we discussed it in the committee. That is part of your committee's jurisdiction.

Mr. HARRIS. It is part of the jurisdiction of the Committee on Interstate and Foreign Commerce.

Mr. BARDEN. And you helped write the Railway Labor Act.

Mr. HARRIS. The committee did that long before I got here. But, I think they did a pretty good job. If our committee has any request for or any information showing need for changes in the act, certainly we would take it up and consider it.

Mr. BARDEN. Now, the same procedure was followed in the Taft-Hartley law.

Mr. HARRIS. That is true, and that is what I have just stated. There was a reason for it, because it was wholly inconsistent with the procedure set up in that act.

Mr. BARDEN. I find myself in sympathy with the gentleman's request for this further reason that just recently I had a perfect illustration of another committee invading my committee's jurisdiction. When it was brought to their attention, they abandoned it, and it was restored to the committee. For several days I have questioned in my mind the wisdom of putting the railroad men in a position where they would be subject to an operation from three or four committees. And, I say to the gentleman I respect his position as chairman in protecting the jurisdiction of his committee and the precedent established in the exemption made in the Taft-Hartley Act. I find myself in sympathy with him, and I will not oppose the gentleman's suggestion.

Mr. HARRIS. I thank the gentleman very much.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Iowa.

Mr. JENSEN. I want to say that I am in complete accord with this amendment. I had drawn an amendment which would have done identically the same thing as the gentleman's amendment, but owing to the fact that the gentleman from Arkansas [Mr. HARRIS] is the chairman of the Committee on Interstate and Foreign Commerce, I yielded to him, because I think he is the proper person to introduce this amendment. Certainly this amendment should be adopted.

Mr. BARDEN. Mr. Chairman, I move to strike out the last word.

The gentleman was just preparing to make some additional statement, and I thought it was on the point that I wanted to listen, so I now yield to the gentleman.

Mr. HARRIS. In view of the statement made here, if it is going to be accepted, certainly I do not want to argue the matter any further. I do not claim to be an expert in this field and I do not stand up before you in making any such claim at all. But, I do know that we have an established procedure in dealing with these problems of management and labor in the railroad industry. In view of the fact that there are a good many amendments, or some amendments here to the Taft-Hartley Act, I simply do not know what the situation would be, and I do not think anyone else knows; and I do not think the Mediation Board or the Railway Labor Board would be in a position to carry out their duties and responsibilities in the matter of grievances between employees and employers. They would just pile up and pile up and never would be settled. For that reason I think it is wholly consistent with the provisions of the Taft-Hartley Act not to bring the railroad industry under the provisions of this act here.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Iowa.

Mr. GROSS. I should like to point out that the amendments as read by the Clerk are faulty in that on page 7, line 22, the word "Labor" is left in, and the gentleman would strike the word. His amendment merely reads "Railway Act." And on the next page, on page 8, where he should include "Railway Labor Act," the word "Labor" is missing.

I would suggest that we have the amendment reread and have it straightened out.

Mr. BARDEN. I am not that quick on the trigger with the analysis of an amendment. I think the gentleman's amendment is clear so far as its intent is concerned.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman.

Mr. WILLIAMS. I should like to make an announcement, if the gentleman will permit. I think perhaps it is the same one that the gentleman from Illinois desires to make. The Subcommittee on Transportation and Aeronautics in an executive session this morning agreed unanimously to support the move to take the Railway Labor Act from under this legislation.

Mr. BARDEN. Mr. Chairman, may I say this. This matter has come up for considerable discussion. When Mr. Harrison was before the committee he showed a very fine attitude and there was no serious objection raised to the reporting. He did suggest one or two amendments and they were adopted. I should like to say this for the railroad brotherhoods, we do not have any trouble with them. They operate their business as good Americans should. When it comes to the point where a conflict of jurisdiction raises its ugly head, and the subcommittee and the committee have taken their action, I certainly would not appreciate that happening to my committee any more than I appreciate the Judiciary Committee's the other day attempting to invade the whole field of education, which is the jurisdiction of my Committee on Education and Labor. The Committee on the Judiciary very promptly refused to take action on that. Being committed to that procedure in this House, I am committed to it. I think the amendments offered are in point.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. SPRINGER. I want to say that I support the amendment. This has been discussed by the Subcommittee on Transportation.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman.

Mr. FRELINGHUYSEN. In view of the statements made by the chairman of the Committee on Interstate and Foreign Commerce and the gentleman who has the floor, I am checking with minority members of the Committee on Education and Labor on our side, and I can find no one who is opposed to this amendment. I think we should support it.

Mr. BARDEN. I discussed it with some members myself.

Mr. UDALL. Mr. Chairman, I move to strike out the last word.

Mr. HARRIS. Mr. Chairman, will the gentleman yield for a unanimous consent request?

Mr. UDALL. I yield.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent that the amendment be reread, so that there will not be any misunderstanding concerning it.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. HARRIS: Page 5, line 19, strike out the words "or the Railway Labor Act, as amended" and insert "but does not include any industry or activity consisting solely of any employer or employers subject to the Railway Labor Act, as amended."

Page 7, line 22, strike out the words "or the Railway Labor Act, as amended."

Page 8, line 2, insert after the semicolon the following parenthesis: "(except an employer or employers subject to the Railway Labor Act, as amended)."

Mr. UDALL. This amendment very plainly let the cat out of the bag. The Landrum-Griffin people do not have the votes, and this is an attempt to get them. Let me give you some facts, and these are the facts. First, the railway labor people have not asked to be exempted from this act. I talked to their chief counsel only this morning, and he said to me he did not even know how to draft an amendment to exempt his unions. Just take as an example the Machinists union. They have many of their people under the Railway Labor Act and a lot also under the NLRB. For example, some of Teamsters union members are under the Railway Labor Act. How would you elect the president of such an organization—half by secret ballot and half not?

After all that has been said here about this partial small union exemption in the committee bill which would exempt the small unions of this country from 2 pages of our 70-page bill. But this amendment will exempt a large segment of American labor from the rights accorded under this act. The people under the Railway Labor Act derive their benefits and their rights just as much from the statutory powers of the Congress as do all the other unions under the NLRA.

So this is a very transparent tactic. Did the railway labor people ask to be exempted when this legislation was before the other body? The answer is that they did not. In fact, if this amendment has merit there are any number of great unions in this country that have never been hauled before the McClellan committee and should also be exempted. They have a clean bill of health.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield.

Mr. EDMONDSON. Is it not a fact also that there are a number of Teamsters who are employed by the railroads and come under the Railway Labor Act?

Mr. UDALL. Yes; a very considerable number of them and I am sure Mr. Hoffa would be glad to have them exempted.

Mr. WIER. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield.

Mr. WIER. Mr. Chairman, I might remind the gentleman in the well of the House, and my chairman here and the gentleman from Georgia [Mr. LANDRUM] and the gentleman from Michigan [Mr. GRIFFIN] that during the debate on the committee bill, I made that motion to strike out those covered by the Railway Labor Act. But, I said I reserved that action until I had consulted with them. Now before I decided to do this, I was told very plainly not too long ago, what of the position of the railroad labor organizations. They look for no special exemption and special favors. I would like to know does anyone here have an affirmation by the railroad organizations that they do want to be eliminated?

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield.

Mr. BARDEN. I told you specifically that they did not, and even the gentleman from Arkansas [Mr. HARRIS] was not raising any serious complaint about

it. I have received no notice from the railroads. The gentleman from Arkansas [Mr. HARRIS], chairman of the Committee on Interstate and Foreign Commerce, has not. There are no cats running out of the bag here. This is only the truth.

Mr. UDALL. The railway labor people have not asked to be exempted. That is the point.

Mr. BARDEN. They have not asked me, but I am still just as much opposed to invading his committee as I was to the gentleman from New York [Mr. CELLER] invading my committee.

Mr. WIER. Of course, I regard this as no invasion, that is the broad powers in this act give rights to the workingmen of the railway labor unions. We are concerned about them, and the language is the language Congress drafted, and the attorneys of the railway people have gone over it and they have no objection to it, and there have been no objections in the other body.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield.

Mr. HARRIS. I would like to say to the gentleman, I did not intend to nor did I indicate that anyone asked me to propose the amendment from the railroad brotherhoods or the railroad industry. I was simply being consistent with what the Congress did in 1947 in the Taft-Hartley Act. Today, because there is established procedure to follow in connection with these matters affecting the railroad industry, I still say it is consistent and should be adopted.

Mr. UDALL. I am glad to have the gentleman make his position clear.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield.

Mr. BRADEMAS. In my congressional district, there are thousands and thousands of members of a great and clean labor organization, the United Automobile Workers. I wonder if I could get support to exempt them.

Mr. UDALL. Get up and propose an amendment.

Mr. BRADEMAS. There has been a lot of talk about exemptions here today, and now we see this power play operating to try to exempt a large labor organization. I think it is hypocritical, and I am opposed to the amendment.

Mr. FOLEY. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield.

Mr. FOLEY. I would like to ask this question. Is the question before the House today a question of invasion of committee jurisdiction of invasion of union treasuries regardless of where the union treasury is?

Mr. YATES. Is this a jurisdictional dispute?

The CHAIRMAN. The time of the gentleman has expired.

Mrs. GREEN of Oregon. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, during the last few days we have heard a great deal about sweetheart contracts. If I ever saw an example of a sweetheart contract it is this performance during the last 20 minutes today.

Mr. MACHROWICZ. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield.

Mr. MACHROWICZ. Mr. Chairman, much has been said in the last few minutes as to who wants this amendment. This Landrum bill has been called the killer bill. It can now be called the divide and conquer bill. I want to tell the membership of this House that within the last 5 minutes I have had representatives of the Brotherhood of Machinists and other railroad employees come to me and say they want no part of this amendment. They did not ask for it, they do do not want it. They recognize it for what it is, an attempt to divide and conquer. They want to be treated as all other legitimate segments of labor are treated, and they say this is nothing but an attempt to divide and conquer. They told me to tell the Members on the floor that they should recognize it for what it is, an excuse for a vote against the Landrum amendment and that the railroad labor movement is against the amendment regardless of what the result of the present move may be.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I think it is quite apparent now, as the gentleman from Arizona [Mr. UDALL], suggests, that the cat is out of the bag; and the gentlewoman now has belled the cat.

Mrs. GREEN of Oregon. When this bill came from the Senate, as I remember, it had but ont exemption. The only group that had any exemption pertained to the communications workers. It was proposed in the committee that the exemption be taken out, and as I remember, the committee agreed by a voice vote. There was no agreement for the exemption of any particular group or union. I see no more reason for exempting the railroad workers or the teamsters who come under the Railway Labor Act, who belong to the Railway Express, or the Airline Pilots, or the Machinists, or any other union in the United States, and I certainly would urge that this House defeat this amendment.

Mr. BARDEN. Mr. Chairman, I ask unanimous consent that all debate on the Harris amendments close in 5 minutes.

Mr. DINGELL. Mr. Chairman, I object.

Mr. BARDEN. Mr. Chairman, I move that all debates on the Harris amendments close in 10 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair had noted the Members standing and will divide the time between them.

The gentleman from West Virginia [Mr. STAGGERS], is recognized.

Mr. STAGGERS. For how long?

The CHAIRMAN For 2½ minutes.

Mr. STAGGERS. Mr. Chairman, this morning in the subcommittee meeting this subject was brought up, out of a clear sky. I did not know there had been an agreement among Members of this House and I feel that it is wrong if this be so. I think that this is one way, as has been said, to divide and conquer.

I have talked to representatives of the Railway Labor Executive Association and they say they are opposed to this amendment.

I have talked to the representatives of the Railway Trainmen. They are opposed to it. They stand solidly together with all American labor, and want all to be treated alike.

In the railroad unions of the country are teamsters, boilermakers, blacksmiths, machinists, and other segments of labor.

They would all come under the language of this bill in some way. There is no way to take them out from under its provisions. In talking with several of their groups and their counsel, they say there is no way that this amendment could be drawn that would not inflict hardship on them. They want to be treated like the rest of labor.

So I ask the committee to vote down the pending amendment. The decision rests with you. Let your conscience be your guide.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. COLLIER].

Mr. COLLIER. Mr. Chairman, it has been stated on the floor here today that the Brotherhood of Railroad Trainmen have no interest in being exempted from the provisions of the Landrum-Griffin bill. Whether or not we can assume that this is the official position of the brotherhood is not particularly the question at hand.

I need not belabor the good sense of this amendment nor the sincerity of purpose which prompted its being offered by Chairman OREN HARRIS of the Interstate and Foreign Commerce Committee upon which I have the pleasure to serve. The precedent in this matter has already been set under the Taft-Hartley law. The Brotherhood of Railroad Trainmen has long adhered to the principles of sound union organization. Certainly there can be no one here who feels that on the record itself the brotherhood need be included in any type of labor reform legislation over and above the provisions within the Railway Act itself and other exclusions provided in the Taft-Hartley law.

I do not doubt for 1 minute that the railroad unions have not even suggested exemption under the measure we are debating today. I hardly believe that anyone who conducts the affairs of a union strictly in the best interest of each and every member has any fear of this proposal. It is not punitive nor is it unfair to the legitimate objectives of organized labor.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, all of a sudden we see the chairman of my committee getting very solicitous over the jurisdiction of his committee. He has been aware of this bill for some time, and he has never seen fit to raise this question in a committee meeting until this morning, when he found he was

short some votes. He only raised the question then in a subcommittee, with no notice to members of the full committee, including myself, who have a vital interest in this matter if this amendment carries. I am going to give the chairman of my committee and some of the other union busters around here an opportunity to vote for some exemption legislation. If this carries I am going to offer an amendment limiting this bill to the Teamsters, and I am going to offer an amendment to exempt from this bill the UAW, which is a clean union and about which there has not been a breath of scandal. In fairness other clean and honorable unions should be exempted. Then we will see how you people who want an exemption will vote on this thing.

Let me tell the House of Representatives one thing. I had an opportunity to talk to the representatives of Railway Labor Brotherhood out in the hall. They never said a word to the chairman of the committee. They do not want this amendment. The Railway Labor executives officially oppose the amendment. They said what this amendment is, it is a device to divide and conquer, it is a device to permit this Congress to pass an antilabor bill which will affect the bulk of labor and then assassinate the railroad brotherhoods solus at the next session or at some future time. That is what this is.

This is a bad amendment. It reveals bad faith. It says, as the proponents have so often said, that there are goons, gangsters, corruption, and vice in the labor movement, but that we will exempt from control the supposed goons, corruption, gangsters, and vice in the railroad brotherhoods. This is a cynicism. Note that other honorable and legitimate unions are not exempted here. I say there are a few in the labor movement who have betrayed their trust, but they are the very small, almost minute, minority. This amendment is a transparent favoritism, so obviously calculated to purchase votes in a cynical hypocritical way that it should be voted down unanimously.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS demanded a division.

Mr. ROOSEVELT. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. HARRIS and Mr. UDALL.

The Committee divided and the tellers reported that there were—ayes 179, noes 183.

So the amendments were rejected.

Mr. TELLER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. TELLER. Mr. Chairman, I rise primarily for the purpose of securing a legislative interpretation of the secondary boycott sections of H.R. 8400, the Griffin-Landrum bill, because of a problem having to do with the so-called allied employer. That problem which relates to the secondary boycott question has many facets one of which is expressly recognized in H.R. 8400 having to do with the doing of struck work. This same problem arose in 1949 when Senator Taft and Senator Ives were discussing a somewhat similar provision of the then pending bill in the Senate. There was a colloquy between Senator Taft and Senator Ives, which I shall read as part of my remarks, in which the contractor-manufacturer relationship as exemplified in the garment industry was given as an example of allied employers as follows:

Mr. IVES. The Senator from New York has an important question. A question has arisen as to whether the secondary boycott provisions of the Taft-Hartley Act or of the substitute which is before us, and which has been offered by the distinguished Senator from Ohio, were intended to apply to economic pressures exerted by a labor union against nonunion employers in the ladies' garment industry who operate under a jobber-contractor system of production.

Let me put a typical case. A jobber is engaged in the manufacture of dresses. He buys piece goods. He employs designers to design the garments and perhaps cutters to cut the goods. But the dresses are not sewn and finished in his own shop. Instead the jobber sends out the cut goods or sometimes the uncut goods, to contractors whose workers sew and complete the dresses according to the jobber's specifications. Then the contractor sends the finished dresses back to the jobber who sells them to the trade.

This is a typical example of jobber-contractor production. Governmental investigations have established, and the collective agreements in the industry have long recognized, that under this system the jobber is in economic reality the virtual employer of the workers in the contractors' shops; that he must be responsible for their wages and labor standards, and indeed that the contractor is nothing more than the jobber's outside agent to obtain his required production.

Of the 300,000 workers employed in the ladies' garment industry in the New York area alone, more than 80 percent of them are employed in contractors' shops.

Now, let us suppose the jobber is a nonunion jobber or that he employs nonunion contractors. Suppose, too, that the International Ladies' Garment Workers' Union, the union which functions in this industry, attempts to organize the jobber's workers or the contractor's workers or both groups of workers simultaneously. In this organizational drive the union may attempt to persuade the jobber's workers not to design or to cut goods to be manufactured in the shops of the nonunion contractors, or the union may try to persuade the contractor's workers not to manufacture dresses for a nonunion jobber.

It has been suggested that this might fall within the ban of the literal language of section 8(b)(4) and section 303 of the Taft-Hartley Act or of section 8(b)(4) and sections 16 and 17 of the Taft substitute. I am sure this was never the intention of the sponsors of the act or of the Congress. The jobber and his contractors are obviously engaged in a unified and integrated production effort, and they do not stand as neutrals with respect to one another in any labor dispute against the other. Rather, they are allies because they are engaged in a common enterprise. It seems plain to me that they are not to be deemed separate employers, but, rather, a single unified employer of all workers engaged in every phase of the manufacture of the garments, no matter on whose premises the workers are located. Economic pressure exerted against either jobber or contractor cannot be construed as secondary action against either, but must be deemed primary against both. The secondary boycott provisions of the act and of the Taft substitute therefore have not the slightest application.

Does the Senator from Ohio agree that it was never the intention of Congress to have the secondary boycott provisions of the act apply to this situation?

Mr. TAFT. Mr. President, the secondary boycott ban is merely intended to prevent a union from injuring a third person who is not involved in any way in the dispute or strike, and therefore should not suffer economic damage simply because of the action of a labor union. It is not intended to apply to a case where the third party is, in effect, in cahoots with or acting as a part of the primary employer.

On the basis of the facts stated by the Senator from New York, I do not believe the law was intended to apply to the case he cites, where the secondary employer is so closely allied to the primary employer as to amount to an alter ego situation or an employer relationship. It should not apply, and I think Judge Rifkind practically decided that in the so-called Project Engineering Co. case.

I may say that one of the changes we are making in the law is to remove the ban on the secondary boycott in a case where there is a strike in one plant and then the work is transferred to another plant, because we feel that in that case the men who are striking should be able to picket the second plant in order that the men there may not work on the work on which the men in the first plant were refusing to work.

The spirit of the act is not intended to protect a man who in the last case I mentioned is cooperating with a primary employer and taking his work and doing the work which he is unable to do because of the strike.

So not only do I think the law of the case is as I have indicated, and does not prohibit the particular action referred to in the facts cited by the Senator in his question, which I have seen and have had the privilege of reading, but the spirit of the act is entirely contrary to applying it in that kind of a case.

Mr. IVES. I thank the able Senator from Ohio.

In the ladies' garment industry, for example, they operate under a jobber-contractor system of production. The jobber is engaged in the manufacture of dresses. He buys piece goods. He employs designers, but the dresses are not sewn and finished in his own shop. Instead the jobber sends out the cut goods or sometimes the uncut goods to contractors. The jobber is sometimes called a manufacturer. This is one production process. It is simply dividing the production process between the jobber or the manufacturer on the one hand and the contractor on the other.

Now, in the colloquy Senator Ives asked Senator Taft whether it was not true that there was such a close connection between these two parts of the single production process, that from all points of view and certainly from the point of view of an anti-secondary-boycott provision, these two parts of this single production process should be regarded as one and the contractor and the manufacturer be regarded all as one person. Senator Taft replied that this was so and that the anti-secondary-boycott provision was not intended to extend to that kind of situation.

Therefore I would like to ask both the gentleman from Georgia [Mr. LANDRUM] and the gentleman from Michigan [Mr.

GRIFFIN], both of whom I highly regard, the following question.

Does section 705(a) of H.R. 8400 dealing with section 8(b)(4) vary or modify in any way the interpretation of that section as stated in the colloquy between Senator Ives and Senator Taft, on the floor of the Senate on June 30, 1949, that the "ally" doctrine extends also to situations like the ladies' garment industry where, under its unique jobber-contractor system of production, it is recognized that the jobber and contractor are together engaged in a unified and integrated production effort?

I yield to the gentleman from Georgia [Mr. LANDRUM].

Mr. LANDRUM. Mr. Chairman, I wish to thank the gentleman for propounding that inquiry. I think it is a matter which ought to be clarified. I believe the gentleman knows that I have a desire to be fair. I have no desire whatsoever to outlaw anything that is legal. My efforts in this matter are solely directed at trying to close loopholes against that which is illegal. And so I say, Mr. Chairman, in response to the inquiry propounded by the gentleman, that I subscribe in whole to Senator Taft's reply to Senator Ives, and state that it is not my intention nor do I believe it to be included in H.R. 8400 that this doctrine of law concerning the "ally" doctrine is altered in any way.

Mr. TELLER. And the gentleman does confirm the interpretation of Senator Taft?

Mr. LANDRUM. Yes.

Mr. TELLER. Mr. Chairman, I regard the gentleman from Georgia highly, as the gentleman knows. He has made valuable contributions to the deliberations of our committee and I respect him sincerely. I thank the gentleman.

May I propound the same question, Mr. Chairman, to my colleague, the gentleman from Michigan [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Chairman, the gentleman from New York now in the well of the House is one of the country's most learned men in this field. He knows the answer to the question before he asks it. The amendments to Taft-Hartley Act proposed in our bill, H.R. 8400, would in no way affect the existing law concerning the allied employer doctrine, and there is no intent to do so.

Mr. TELLER. And the gentleman does accept the interpretation of Senator Taft?

Mr. GRIFFIN. That is right.

Mr. TELLER. I thank the gentleman. As the gentleman knows, I regard him highly and respect him highly for the substantial contributions which he has made to the deliberations of our Committee on Education and Labor.

Mr. GUBSER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GUBSER to the amendment offered by Mr. LANDRUM. On page 34, line 20, after the word "or" insert the words "by secret ballot."

Mr. GUBSER. Mr. Chairman, throughout this debate, the word "punitive" has been used on numerous occasions. The question has been debated as to whether any of the bills currently under consideration are punitive against members of organized labor. I have been present throughout almost all of the debate, and to my knowledge not one speaker has ever raised the question of whether the present state of affairs is punitive against the 144 million American people who are not members of labor unions. This Congress is here to legislate for the general welfare and for the good of most of the people most of the time.

I think we should ask ourselves this question, What is there in the present state of affairs which is punitive against the best interests of the American people? To name one—the mere fact that the present state of affairs makes it possible for a man like James Hoffa to gain a position of power is punitive against the best interests of the American people. That is what we are here today to do something about.

We have talked about secondary boycotts, blackmail picketing, and the jurisdictional "no man's land." I do not want to talk about them further. Men and women more qualified than I am have discussed them.

I present this amendment because I honestly believe it is one means by which we can prevent the rise to power of men like James Hoffa.

This amendment was suggested to me by a labor leader in my congressional district for whom I have the highest respect. He said, "If you want to get at men like Hoffa, the only way is to be sure he can only be elected by a secret ballot."

From my reading of section 401, I maintain that even though the delegates to a convention were selected at home by a secret ballot, they could be coerced and badgered by men like Hoffa and he could have his way.

In order to make this perfectly clear, let me read section 401, as it would read if my amendment were adopted:

SEC. 401. (a) Every national or international labor organization, except a federation of national or international labor organizations, shall elect its officers not less often than once every five years either by secret ballot among the members in good standing or by secret ballot at a convention of delegates chosen by secret ballot.

This is one way we can prevent the rise to power of men like Hoffa. There is nothing in the world wrong with the secret ballot. The Members present here today were elected under the American process by the secret ballot. If it is good enough for the Congress of the United States it is good enough for organized labor.

Mr. SHELLEY. Mr. Chairman, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from California.

Mr. SHELLEY. What will the gentleman's amendments do to delegates from a local union who may be instructed as to what candidates they should vote for, for national president or secretary? With an open ballot their members can check on how they carry out their instructions. A secret ballot would allow an opportunity for pressure on some to depart from the basis of their instructions. This was the very basis upon which practically every Teamster union on the Pacific coast used in the case of Jimmy Hoffa. They were instructed to vote against him.

Mr. GUBSER. My answer to the gentleman is simply this: I am willing to believe that the men elected by their fellow union members by a secret ballot will keep their word and vote the same in a secret ballot as they were instructed to vote.

I ask that you vote for my amendment.

Mr. McCORMACK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I want to make just one observation. I think the weakness and the fallacy of the amendment is clearly evidenced when I make reference to the fact that when the Democratic and Republican National Conventions meet next year to select candidates for President and Vice President the vote will not be by secret ballot. If you are going to require it in the case of labor, why not require it for both political parties?

Mr. SHELLEY. And to go one step further, why not require it here in the House of Representatives?

Mr. COHELAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman and Members, if you will take the trouble to look at page 15726 of this morning's RECORD you will find my qualifications for speaking on this question. I have represented a labor union for many years. I represented a Teamsters' union for many years.

One of the great problems that confronted us in the course of my activities was the problem of the internal workings, the structure and function of democratic processes in a great international union. Very quickly let me say that although I am sure my worthy colleague from California has the very best of intentions, and I certainly am sure he knows where I stand on the present leadership of the international union with which I was associated for so many years, his amendment would have deprived me at the Teamsters convention in 1957 of the opportunity of openly opposing the present administration.

My vote on the question of the election of James R. Hoffa is on the record of the convention as my vote on this issue will be on record here. My members at the time I was elected sent me to that convention with this object in mind. The very fact that my distinguished senior colleague from California [Mr. SHELLEY] became a candidate in opposition to Mr. Hoffa was part of the preconvention activity that took place in California.

Now, I want to speak to you not as a former trade unionist, because I regard myself now as a public man; and I am here with the same sense of concern as everyone in this Houses. I tell you that if we go through with the program outlined in H.R. 8400 we are going to set back legitimate trade unionism for at least 25 years.

Getting away from the position of past advocacy, let me talk to you now in terms of studies in the field of industrial relations. I have also had the privilege of studying in this field at universities in this country and abroad, and I can tell you that this is no way to solve this problem by further invading the field of

internal affairs of private government. Member participation and self-regulation are the best answer for a number of the particular union-member problems we are talking about.

There are some 47 institutes on industrial relations at various universities and colleges of this country presently studying these problems. One of the best I think is the study by Sayles and Strauss of what the worker thinks of his union. Take a look at it. It suggests that the worker wants his union, but the worker observes toward his union pretty much the same attitude as the constituent observes toward his Congressman. There is a certain sense of guilt because he knows he does not himself participate in the democratic processes to the extent he should or might in his own community. It is sometimes thought to be legitimate sport to jump on the elected official, the Congressman, or the city councilman or whoever the leadership happens to be. All of you who have been in public life know that there is a certain baiting involved in criticizing the leadership.

If we want to really protect, to preserve, and to help people we want to consider this bill and this amendment very carefully because we are dealing with internal democratic processes. I do not pretend to have the final answer. I know there are many answers available, but each union and each industry is going to have to discover the best democratic technique for themselves. I am opposed to the pending amendment, I am opposed to the bill, and I take this opportunity to say so. I hope I will have an opportunity later on to speak in regard to the secondary boycott.

Mr. BARDEN. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. GUBSER].

The amendment was rejected.

Mr. BARDEN. Mr. Chairman, I want to see if we cannot arrive at some kind of a time arrangement here. I know there are some amendments pending, but I believe the House is pretty nearly ready to vote on this matter, and I believe also we can finish consideration of this bill today. If we can do that, I know it will meet with the approval of most of the Members.

Mr. Chairman, I suggest that we close debate on all pending amendments in 30 minutes.

Mr. HOFFMAN of Michigan. Mr. Chairman, I trust the gentleman realizes that it is not possible to force a vote on this bill today?

Mr. BARDEN. Let me say that is not within my power.

The CHAIRMAN. The Chair may say that there are four amendments pending at the desk.

Mr. BARDEN. Mr. Chairman, I move that all debate on the amendment and all amendments thereto close at 4 o'clock.

Mr. WILLIS. Does that include amendments on the desk and not yet read?

The CHAIRMAN. That would include the pending amendment and all amendments thereto.

Mr. BARDEN. That means we then vote on the Landrum bill.

Mr. WILLIS. I think the Chair has not responded to my inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WILLIS. My parliamentary inquiry is this: Would the suggested time of closure of debate on all pending amendments—I seek an interpretation of "all pending amendments." Does that include amendments on the desk?

Mr. BARDEN. Pending amendment and all amendments thereto.

The CHAIRMAN. The Chair may say that the pending amendment is the Landrum-Griffin bill. Amendments thereto are the amendments that are on the desk which have not yet been offered.

Mr. TABER. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TABER. And that would include any other amendments which may hereafter be offered?

The CHAIRMAN. That would include all amendments.

The question is on the motion offered by the gentleman from North Carolina [Mr. BARDEN].

The question was taken; and on a division (demanded by Mr. JONES of Missouri) there were—ayes 278, noes 26.

So the motion was agreed to.

Mr. JONES of Missouri. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. JONES of Missouri moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

Mr. JONES of Missouri. Mr. Chairman, of course, I offer the motion merely to get some time. I have sat here for about 3 hours today trying to get time, and now debate on a bill of this importance is cut off in 55 minutes. It does not seem to me that that is either proper or fair, but the overwhelming vote to close debate indicates that both sides are willing to finish in the shortest time.

I want to speak a little bit about the bill and the position that we are in. To first identify my position, I do not know a whole lot about labor legislation. But I think I do know something about human nature, and I think I know something about the rights of working people. I think I know that the public is aroused to the point where they are demanding some kind of a labor reform bill. I think that I can be associated with that group of people who would like to see everything done that is possible to be done to stop racketeering and abusive practices which are harmful to the labor movement and to the public. On the other hand, I do not want to do anything that will harm any legitimate union or restrict the rights of any union member. While I am not a card-carrying dues-paying member, as a young man I was subjected to some of the things that have caused unions to be organized. In college, I worked for a time as a printer for 10 cents an hour. I also happen to have put up the money for the charter for the first union that was ever organized in the small town in which I live. I know I have been a friend of the members of the unions in my district, and to all working people, for that matter.

Now, what I am trying to get at is this. I am a Democrat. I would like to vote for a Democratic bill. I dislike being opposed to a bill supported by our beloved Speaker for whom I have the greatest admiration and respect. My suggestion here today is that the committee bill be amended in those respects where it has weakened the present law, and to eliminate some of the features of the committee bill that have been advocated by the Hoffa interests. I would like to see that done so that I could vote for the bill. I want to say this. I have talked to representatives of other unions, and they say they regret that those amendments advocated by Hoffa were in the committee bill. That is why I have made this suggestion, and asked some of the sponsors of the committee bill to put it into shape where a Democrat could vote for it and still retain his self-respect and still do the thing that he thinks is right, because that is what I want to do. But, unless we can get those amendments, I will be forced to vote for the Landrum bill, because I think that as between the two bills, without amendment, that the Landrum bill offers a better opportunity to go to conference with the Senate and to try to get a bill that will be fair, which will not be weaker than the Senate bill already is, which will not be as weak as the committee bill is and which will be an effective bill to do away with racketeering, hot cargo and secondary boycott abuses, and to improve the situation as it affects legitimate unions and the public. I do not want to vote for anything that will weaken the present law.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. I perhaps am not the one who should be responding to the gentleman, but I believe you will see some amendments offered by some Members who are supporting the committee bill that will accomplish some of the things you are speaking about, and I hope the gentleman will help us get that done.

Mr. JONES of Missouri. I want to say this: The reason I am afraid we cannot do this is because of the very thing that was done here a moment ago. There are a good many Members who are anxious to finish this bill and get it out of the way. I am predicting now that when you finish this bill you will not have a session on Friday; we will adjourn over. We will not have time for anything except to vote for an adjournment and take a recess. I want to see the work done. On a bill of this importance, I think we should have stayed here through Friday, and even Saturday, if necessary, to iron

out all of the misunderstandings and to give people like myself, who until now have not had an opportunity to say one word on this bill, a chance to speak. I think both of these bills need more discussion. We ought to have the opportunity to debate some amendments that are pending and which cannot be explained due to time limitation, and the reason that I cannot go along with my friend from Oklahoma is because I think we are going to be hamstrung again because they are anxious to get out of here by 5 o'clock this afternoon. And, I am opposed to that. Furthermore, since we convened here today, I have talked with some of the sponsors of the committee bill, and was unable to secure any assurance of support for the amendments which I think are needed to perfect and improve the committee bill. This should explain my decision to vote for the Landrum bill.

Mr. KEARNS. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, this morning during the 5-minute rule here there was an assertion made that the gentleman from Indiana [Mr. HALLECK] called this a killer bill. The gentleman from Indiana was not on the floor at the time, and I would like to ask him at this time what he would like to say about it.

Mr. HALLECK. Mr. Chairman, I have been accused of a lot of things in my lifetime, and sometimes I might be required to plead guilty to some of them. But, this is one accusation to which I do not plead guilty.

Mr. SHELLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SHELLEY. I would like to know who has the floor.

The CHAIRMAN. The gentleman from Pennsylvania has the floor. He has yielded to the gentleman from Indiana.

Mr. HALLECK. The gentleman from Pennsylvania [Mr. KEARNS], Mr. Chairman, asked me a question to which I shall respond. I had not expected to speak, but since the question was addressed to me, I shall. A Washington columnist wrote that "The real leader of the fight for the Griffin-Landrum bill in the House is Republican leader, Representative CHARLES HALLECK, of Indiana. Discussing labor legislation Representative HALLECK has said reportedly"—he did not say "has said period"—he said, "has said reportedly that he wants a killer bill or no bill at all."

I say categorically that I never made any such statement at any time, anywhere, to anybody; that I never made any such statement and do not make such a statement now. The fact that he said "reportedly" would suggest that he might have called me to confirm whether or not I had made such statement. But he did not call me. And I say to you on my honor, as a Member of this great body, that I never made such a statement.

The CHAIRMAN. All time on the preferential motion has expired.

The question is on the preferential motion offered by the gentleman from Missouri [Mr. JONES].

The motion was rejected.

Mr. YATES. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. YATES. Is it in order to ask unanimous consent that the pending amendments be disposed of prior to the termination of the time agreed upon?

The CHAIRMAN. The Chair is going to recognize Members who have already submitted amendments.

The first is the amendment offered by the gentleman from Michigan [Mr. HOFFMAN], which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. HOFFMAN of Michigan to the amendment offered by Mr. LANDRUM: Page 68, after line 10, add the following:

"SEC. 708. Title III of the Labor Management Relations Act, 1947, as amended, is amended by renumbering sections 304 and 305 as sections 305 and 306, respectively, and inserting after section 303 the following new section:

" 'STRIKES BY EMPLOYEES OF PUBLIC UTILITIES

" 'SEC. 304(a) It shall be unlawful for any individual employed in any public utility affecting commerce whose rates are fixed by some governmental agency to participate in any strike.

" '(b) Notwithstanding any other provision of law, any individual employed in any such public utility who violates the provisions of this section shall thereby abandon and terminate his appointment or employment and shall no longer hold such position, or be entitled to any of the rights or emoluments thereof, including pension or retirement rights or benefits.

" '(c) Any public utility aggrieved by a violation of this section may bring a civil action in a United States District Court for such relief as may be appropriate, including injunctions to restrain any such violation and to compel compliance with this title.' "

The CHAIRMAN. The gentleman from Michigan is recognized for 1 minute.

Mr. HOFFMAN of Michigan. Mr. Chairman, this amendment which I am given 54 seconds to discuss is nothing more nor less than the adoption of the provisions of a Michigan statute originated by State Senator Edward Hutchinson who lives in the Fourth District. It is an amendment. It was upheld by the Michigan Supreme Court and the U.S. Supreme Court and its enforcement has prevented strikes in public utilities. It is an amendment concerning which Mr. Meany testified here just a few days ago and where in answer to my question he replied as follows:

Mr. HOFFMAN. What do you say about a bill—and there has been one introduced—which would prohibit employees of public utilities, where the Government has something to do with fixing rates, from striking?

Mr. MEANY. Well, I'll tell you, the idea of that legislation, Mr. Hoffman, would be that because of a tremendous public interest in a public utility, because the operation of a public utility touches the lives of practically all the people in the community, that the employee should not have the right to strike because that would sort of have an adverse effect on all the people.

Mr. HOFFMAN. The public welfare.

Mr. MEANY. That's right, public welfare. Of course, that is important. I certainly want to congratulate you for your concern in the field. (Hearings Before a Joint Subcommittee of the House Committee on Education and Labor, 86th Cong., 1st sess., on Labor-Management Reform Legislation, Mar. 10, 1959, p. 151.)

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HOFFMAN of Michigan. Mr. Chairman, have I taken 5 minutes?

The CHAIRMAN. The gentleman was given 1 minute.

Mr. HOFFMAN of Michigan. On an amendment?

The CHAIRMAN. Time has been fixed.

Mr. HOFFMAN of Michigan. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and in them express my sentiments about that kind of action—not the Chairman's action—the action of the House.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN of Michigan. At some future date I will discuss at greater length what I consider to be an arbitrary denial of the constitutional right to an orderly process of the enactment of legislation brought about by the joint action of the leaders of this coalition which seems to place the enactment of this bill by the House today more important than fair opportunity to debate an amendment which embodies State law and has the approval of a State and the Nation's Supreme Court. It is legislation necessary to protect the health, safety, and welfare of the public. I am denied even 5 minutes to present it. Soon attention will be called to the action of the coalition which seems to follow one of Hoffa's policies in dealing with his members. I am sorry if my move brings inconvenience to Members who have planned for an adjournment over tomorrow. But I warned the leadership that if it refused to proceed in a constitutional manner and under fair procedure this method would be followed.

Mr. GOODELL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GOODELL. Mr. Chairman, as the newest Congressman participating in this debate, I do not intend to talk now about the technical details of the three bills we have been discussing. I have studied all of them carefully, gone over the various analyses placed in the CONGRESSIONAL RECORD, and listened to the experts on all sides.

I am a lawyer—2 years in the Department of Justice and a member of both the New York State and Connecticut bars.

Frankly, there are aspects of the Landrum-Griffin bill in its present form which do not entirely satisfy me, especially the provisions affecting the construction industry. I think the Shelley bill advocates and the committee bill advocates have raised some legitimate questions which need answering. Certainly, we should not, under any circumstances, allow the passion of the hour to

sweep us down the extreme road to union-busting legislation.

But I hope the advocates of the Shelley bill and the Elliott bill will, before we are through here, explain a few things to us. It seems to me they have missed the point somewhere along the line. We have had example after example of terrifying abuses of power by racketeers and gangsters in the free trade union movement. A great many of these abuses—and I say that advisedly—a great many of these abuses have derived directly from the bludgeoning, blackmailing power of the secondary boycott and the organizational picket.

Now, I agree that any one of these bills would do some good. It is important that the reporting and disclosure, the trusteeship, the bill of rights, and the election guarantees be enacted. They will help restore union management to the workingman himself—the guy who works at the bench or the machine and wants a fair share of the profits of his toil. I feel a closeness and a genuine affection for many of these so-called "little guys" who are my personal friends, and I will join in any sensible and realistic fight to help them.

But what does the committee bill do for our friends—"the little guys"—when Hoffa's boys move in on them and tell them "You join the Teamsters or we're going to boycott in five or six places that'll put this little company you work for out of business"? A small businessman's entire livelihood is uprooted by pugs and hoods who do not even come from his local community. But the owner of that plant can close it up and usually salvage a good share of his investment to put into something else. What happens to the little guys—the workers that you worry so much about? They are the ones who really suffer. Their jobs, their seniority, their pensions, their security are wiped out in one big unhappy sweep.

I've talked with a lot of labor leaders and every one of the local boys in my district who had anything to say They've been told by their national union leadership that the Landrum-Griffin bill is an extreme, antilabor measure, and they oppose it. But every one of these local leaders has told me that they want the racketeers cleansed from the labor unions. They tell me that they have never used an organizational picket to blackmail employees when they have not got a substantial number of the employees interested in joining the union. They just do not believe in it. This is the Hoffa method of organizing: Throw out the ballot box, who cares what the workers want, we are taking over.

Now, the secondary boycott is a complicated problem and I frankly hope we can refine the language enough to permit some of the legitimate circumstances when responsible unions resort to the secondary boycott. But let there be no mistake about it, the secondary boycott is the favorite weapon in the arsenal of the racketeer unions who come into a community and organize by the most dastardly methods, right under the noses of the helpless, legitimate local union leaders.

I am persuaded here today not by passion or panic or prejudice. The Shelley and the committee bills just do not seem to face the realities of racketeer power. As long as the Jimmy Hoffas hold the twin weapons of blackmail—the organizational picket and the secondary boycott—our honest laboring people are in mortal danger.

Some of you gentlemen, speaking for the Shelley and the Elliott bills in the past few days, left me infused with an honest sense of admiration for your eloquence and your sincerity. But, in broad daylight when our eyes are open and when the persuasive aura of your personal magnetism has faded, I find your facts and your logic lacking. The American people have found them lacking too. I intend to vote for decency; and the only decent bill we've got to vote for is the Landrum-Griffin substitute.

Our Nation and our legitimate labor unions are today facing a critical challenge from racketeers and hoodlums. In my opinion, no labor bill will be worth its salt unless it handles the problems of secondary boycotts and blackmail picketing.

It has been amply demonstrated that these two devices are the chief weapons of the gangsters in the labor movement.

I have met with labor and management representatives in my 43d District in New York, as well as with many private citizens who are justifiably concerned about labor legislation. I have heard no cogent defense of either blackmail organizational picketing or the secondary boycott, although national union leadership continues to insist that bills to outlaw such practices are "antilabor." They are not antilabor. They are "prolabor" in the truest American sense and I intend to fight for them with every ounce of strength and wit at my command.

The proper conduct of business within any organization is dependent on that organization's power to exercise discipline and preserve order.

This is true whether it is by the right of censure, fining or other means recognized as suitable in a modern society.

It is my feeling that subsection 5 of section 101(a) of the Landrum-Griffin bill could conceivably deny that proper power to a union organization. The language is too broad, sweeping away the power to levy fines, suspend, expel or otherwise discipline, without first having given the disciplined party written charges, reasonable time for defense and a hearing.

I therefore urge that the language of the Shelley bill in this respect, namely section 101(a)5 would be more effective and more fair.

As with any society involving the element of human nature, there is inclined to be apathy in a union, which works to the detriment of the whole group. The levying of fines, prompting attention to matters of union business and attendance at union meetings, is an effective means to promote the good of the whole.

In the case of a union member who feels he has been improperly disciplined, this section of the Shelley bill provides remedies for him to be democratically heard and injustices rectified.

I urge support of an amendment of the Landrum-Griffin bill to embody the language of the Shelley bill in this instance.

The Taft-Hartley Act appears to require amendments in those sections where the past decade has shown a need for improvement. These amendments must be finely written to pinpoint the exact area where the need for improvement has been demonstrated.

One area where the act appears to need improvement is the restriction it places on picketing at the site of a construction job.

If one of several trade unions on a construction job has a labor dispute with its contractor and pickets the site, the members of the other trade unions will not cross that picket line. In the case of Denver Building and Construction Trades Council, 341 U.S. 675, it was held that this violated section 8(b)(4)(A) of the act, which prohibits economic activity by a union where the object is forcing an employer to cease doing business with any other person.

In the construction trades, there are many employers at a single job. Because of the distinct nature of the situation, it appears that picketing of a single employer by a single union should not be considered to constitute a secondary boycott, even though workers of other trades honor the picket line and do not cross it.

I would urge, therefore, that amendments to the law make it clear that picketing in the presence of secondary employers on a construction job does not constitute a violation of the act.

The exception contained in section 702(c) in the House committee bill—H.R. 8342—would, I believe, rectify the situation.

It is generally recognized that the building and construction trades are distinct in their nature from the industrial trades. Therefore, it is necessary that distinct provisions to protect the rights of the building and construction trade unions be considered.

The most distinct provision which is required by the nature of these trades is use of prehire agreements. Two methods have been proposed to permit these agreements. The first would allow certification of a particular union except where there is no history of collective bargaining and where a substantial number of employees assert that the union is not a representative. After certification, the prehire agreement could be worked out.

The second method would permit the prehire agreement without certification.

I submit that the latter is the better of the two.

I believe it to be the best method because the details of obtaining certification before the National Labor Relations Board could cause that Board to become a national clearinghouse for the settlement of jurisdictional disputes. This

would arise when more than one union applied for certification for a particular phase of work.

Certification requirements would also destroy the effectiveness of the National Joint Board of Jurisdictional Disputes which I understand has operated on a voluntary basis successfully for about 10 years. The Landrum-Griffin plan, which wrecks a voluntary method that has proven successful, is, in my mind, the less desirable of the two methods.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was rejected.

Mr. DOWDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOWDY to the amendment offered by Mr. LANDRUM: On page 58, line 11, strike out "210" and insert "102."

Mr. DOWDY. Mr. Chairman, I, of course, will not have time to explain this amendment, but I am inclined to believe it was a misprint or a transposition of figures that makes the amendment necessary. Briefly, and it will have to be brief, I would change the provision for enforcement of the rights in section 609, so that section 102 would be applicable rather than section 210. Title II provides for reports by unions and employers, requiring them to be made to the Secretary and section 210 gives the Secretary the right to sue them if they do not make their reports. Section 102 provides for civil enforcement by individuals who feel that their rights have been infringed by any action taken by any labor organization, and so forth. Surely the intention must have been for that section 102 to apply in section 609, else any aggrieved union member would have to come all the way to Washington to persuade the Secretary to bring suit for him, rather than bringing his own suit.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield.

Mr. GRIFFIN. The gentleman from Georgia [Mr. LANDRUM] and I have considered the gentleman's amendment and we are willing to accept it.

Mr. DOWDY. I thank the gentleman. As a matter of principle, my amendment should be adopted. It would be wrong, if it was so intended, to give the Secretary of Labor the kind of authority he would have, if this were left as written. I have opposed similar provisions in other bills and will always do so.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. DOWDY].

The question was taken; and on a division (demanded by Mr. DOWDY), there were—ayes 186, noes 157.

Mr. THOMPSON of New Jersey. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. DOWDY and Mr. THOMPSON of New Jersey.

The Committee again divided, and the tellers reported that there were—ayes 207, noes 158.

So the amendment was agreed to.

Mr. HOFFMAN of Michigan. Mr. Chairman, I offer a preferential motion.

The CHAIRMAN. What is the preferential motion?

The Clerk read as follows:

Mr. HOFFMAN of Michigan moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

The CHAIRMAN. That is not a preferential motion at this time.

Mr. HOFFMAN of Michigan. I just wanted to exhaust my remedies; that is all.

The CHAIRMAN. The gentleman has.

Mr. LOSER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LOSER to the amendment offered by Mr. LANDRUM: On page 28, line 21, strike out "$10,000" and insert "$1,000."

Page 58, line 22, strike out the words "two years" and insert "one year."

Mr. LOSER. Mr. Chairman, this amendment simply reduces the penal section of this bill with reference to the use of force or violence or any disorder in a union hall. It reduces the fine from $10,000 to $1,000, and imprisonment from 2 years to 1 year.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. LOSER. I yield to the gentleman from Georgia.

Mr. LANDRUM. Mr. Chairman, knowing the gentleman's profound knowledge of the law and his long experience as a prosecutor and his desire to be fair, and having the same desire to always be fair, I shall be glad to defer to his judgment and accept his amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. LOSER].

The amendment was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN of Michigan to the amendment offered by Mr. LANDRUM: Page 68, after line 10, add the following:

"SEC. 708. The National Labor Relations Act, as amended, is amended (1) by renumbering sections 16, 17, and 18 as sections 17, 18, and 19, respectively, and (2) by inserting after section 15 the following new section:

" 'SEC. 16. Nothing contained in this Act shall be deemed to make lawful any contract, combination, or conspiracy in restraint of trade or commerce entered into between two or more labor organizations (whether or not affiliated with the same national or international organization) or between any individual labor organization and any employer or other person or persons, which contract, combination, or conspiracy if entered into by persons other than labor organizations would be in violation of the antitrust laws. Nothing contained in this Act or in the Act of March 23, 1932 (29 U.S.C. 101) shall be deemed to exempt from the application of the antitrust laws of the United States or of any State or Territory thereof any employer, labor organization, or other person who becomes a party to or engages or participates in any such contract, combination, or conspiracy in restraint of trade or commerce: *Provided, however,* That this section shall not be construed to limit or restrict the right to strike except as otherwise provided in this Act.' "

Mr. HOFFMAN of Michigan. Mr. Chairman, this is the antimonopoly amendment which many people have been demanding. It will not be adopted today, I realize that. Congress will not bring labor organizations under the same law that operates on everyone engaged in interstate commerce. I just want to mention the fact that our delightful colleague, the gentleman from Illinois [Mr. MASON], gave some advice to the younger Members. I will give the young gentleman just a thought. I am much older than he is. If you wish to be a smart, successful politician, do not ever do anything that is fair or equitable or kind or decent to help a fellow Member if it will interfere with your own advancement with the hope that you are going to get the same treatment in this world. I have had this amendment on the table since yesterday. Today before the House went into Committee, it was on the Clerk's desk, a copy was given to the Parliamentarian, it was approved as to form, and now I get only a minute to discuss an amendment which Meany—listen you fellows over there—which Meany endorses, and which the public demands. Is that kind of treatment fair or just? Is it due legislative procedure?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentlewoman from Oregon [Mrs. GREEN].

Mrs. GREEN of Oregon. Mr. Chairman, I yield to the gentleman from California [Mr. MILLER].

Mr. CLEM MILLER. Mr. Chairman, my credentials for speaking on this bill are my long years of experience with the National Labor Relations Board as an employee. And I want to speak on three things in the Landrum bill: First, the matter of administrative delay with the National Labor Relations Board. Does the Landrum bill do anything in this very, very vital field? It does not. It continues the same archaic processes we have had for years and years. All of the cases come to Washington and they stop at the door of the five-man National Labor Relations Board. Five members can only do so much in 1 day and 1 year, and the cases pile up and pile up and pile up. The Landrum bill does nothing in this extremely vital field. We might well ask the proponents of this bill——

The CHAIRMAN. The time of the gentlewoman from Oregon has expired.

The Chair recognizes the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, I yield to the gentleman from California [Mr. MILLER].

Mr. CLEM MILLER. It continues the same centralization that we have had before, in contrast to the Elliott bill, which decentralizes the processes of the National Labor Relations Board and

thrusts things out to the regions where they belong. Therefore, when you come to vote on this bill, think that one of the major reforms that might be accomplished by the Landrum bill is not dealt with at all. And this is a most important point. Why do they not add such an important amendment in their bill?

Secondly, no man's land. Does the Landrum bill clean this matter up? It most certainly does not. It adds to the confusion.

Let us go to the bill, as the gentleman from Virginia suggested, to page 59, line 13. It says: "The Board in its discretion." Does this set up standards?

The CHAIRMAN. The time of the gentleman from California has expired.

The Chair recognizes the gentleman from Indiana [Mr. BRADEMAS].

Mr. BRADEMAS. Mr. Chairman, I yield to the gentleman from California [Mr. CLEM MILLER].

Mr. CLEM MILLER. Does the Landrum bill do anything more than add to the confusion which now exists? It does not, because in line 13 on page 59 it says: "The Board in its discretion may." In other words, it does not set any standards. The State courts may in their discretion assert jurisdiction. In other words, the Board is no longer empowered under this bill to set any standards. In contrast to this the Elliott bill sets clear, firm standards. It says that where there is an operation affecting commerce the Board shall assert jurisdiction.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. SHELLEY].

Mr. SHELLEY. Mr. Chairman, I yield to the gentleman from California [Mr. CLEM MILLER].

Mr. CLEM MILLER. Mr. Chairman, the third point in connection with the Landrum bill that I want to mention is that the Landrum bill offers the least protection of any of the bills before Congress to the people of the country. The restaurant mentioned yesterday that had the toothpick strike; would that have been covered under the Landrum bill? It would not under present Board procedures which the Landrum bill accepts. The furniture company mentioned by the President; would they have asserted jurisdiction over that furniture company under the Landrum bill? They would not. In other words, the Landrum bill gives the least coverage of any of the bills before Congress for the protection of the worker.

The CHAIRMAN. The time of the gentleman from California [Mr. SHELLEY] has expired.

The Chair recognizes the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITENER: On page 59, line 2, strike out all of section 611 and insert in lieu thereof:

"SEC. 611. If any provision of this Act is held invalid, the remainder of this Act shall not be affected thereby."

Mr. WHITENER. Mr. Chairman, in the limited time that I have I will merely say that this same language as appears in the separability clause of the Landrum-Griffin bill was contained in another bill of great interest recently handled by the Committee on the Judiciary. The Judiciary Committee, as I remember it, unanimously struck down that provision in that particular bill and inserted the identical language of my present amendment. The purpose, briefly is this——

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman.

Mr. GRIFFIN. I want to say that the amendment is a good one. It does what is intended by this language and if the members of the Committee on the Judiciary believe that that language is better, and almost all of them have so indicated, I for one am willing to accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. WHITENER].

The amendment was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Maryland [Mr. FOLEY].

Mr. FOLEY. Mr. Chairman, you have heard throughout the course of this debate advice to take the Griffin bill and advice to take the Elliott bill and to weigh them word for word. I started this process 3 weeks ago, and I would like to bring to the attention of the committee that the results of that process appear in the CONGRESSIONAL RECORD of last Tuesday beginning on page 15562. I challenged every member of the committee on that day to dispute the findings of my extensive analysis of the first six titles. I have not heard it disputed here today.

I heard the gentleman from Arizona [Mr. RHODES] refer to a single case. The conclusions are these, that this bill restricts the rights of individual members and makes it more difficult for them to get protection of the court.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Mr. Chairman, I would like to direct a question to the authors of the bill relative to an interpretation and, in the interest of saving time, I ask unanimous consent to insert that question, which I have here in my hand, together with the response to it.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. NELSEN. Mr. Chairman, I would like to direct a question as to interpretation of the Landrum-Griffin bill relative to the so-called no man's land.

The question was posed by James Miley, legal counsel for General Drivers and Helpers Local No. 487, of Mankato, Minn., relative to the application of the so-called no man's land in the legislation before us for consideration.

Mr. Miley pointed out in his letter, and I quote:

You and I can certainly agree that this country is in need of strong legislation which will correct the abuses which have been revealed by the disclosures made by the McClellan committee. From these disclosures it is apparent that the rank-and-file members of labor organizations have need for a strong bill of rights and corrective measures which will prevent the depletion of union treasuries and welfare funds by dishonest union officials.

He further pointed out that many of the small unions in rural areas have peculiar problems because of the size of the employers involved and the reluctance of the employers to recognize that they are required by law to bargain collectively with labor organizations which have been certified as the bargaining representative for the employees involved.

We have had numerous instances where elections have been held under the provisions of the National Labor Relations Board or the State labor conciliator's office and the local union has been certified as the bargaining representative, but the employer has refused to sign a contract and even refused to sit down and negotiate with the bargaining representative.

Now, Mr. Chairman, in the field of so-called no man's land, it would appear that the small unions need protection, as well as the employer. I contacted Mr. GRIFFIN, one of the authors of the bill, and the information which I would like to insert with my question is the response which I have. I am advised that under H.R. 8400—which has become known as the Landrum-Griffin bill—the existing jurisdictional no-man's land would be eliminated. I am advised that this situation came about as the result of the Guss case decided by the U.S. Supreme Court about 2 years ago. Before that decision, State labor relations boards could take jurisdiction over labor matters not handled by the National Labor Relations Board. In H.R. 8400 the situation which existed prior to the Guss decision will be reinstated, and accordingly every union and every employer will have a forum.

Now, Mr. Chairman, I feel that it is important that this point be thoroughly cleared up in the RECORD, so that if the Landrum-Griffin bill passes, the legislative history prior to its passage would clarify the legislative intent of the Congress and give the proper protection to the small unions throughout the country.

I wish to say that Mr. McCargar, secretary of General Drivers and Helpers Local No. 487, of Mankato, has been fair and reasonable in his approach, and likewise the communication that I received from Mr. Miley has been most fair. In no case have any of the labor union representatives been other than fair in their approach to me.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. Mr. Chairman, I just want to read into the RECORD a letter which I received this morning. It is as follows:

ATHERTON, CALIF., *August 10, 1959.*

HON. J. ARTHUR YOUNGER,
House Office Building,
Washington, D.C.

DEAR ART: It seems that all of the American people need laws to stem the power and ruthlessness of labor leader racketeers.

The bills under discussion seem inadequate to curb these racketeers. The strongest of all seems to be H.R. 8400.

If there cannot be a stronger bill put over than this one, we certainly hope this one will be passed instead of the others that are being discussed.

There may be many people who do not voice their opinions because they do not realize the seriousness and the tremendous harm that is being done. I am writing you to tell you how we feel about it and I am sure the American people will appreciate anything you can do. The situation will get worse if we do not control these ruthless practices.

Yours very truly,

Wake

W. G. McLELLAN.

P.S.—Art, right at this moment the Teamsters of San Francisco are blocking our three bay bridges, as well as picketing the municipal airport, because of interunion disagreement. Even our State roads are blocked by these gangsters. We cannot deliver our perishable goods because the State roads are being blocked.

WAKE.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. GREEN].

Mr. GREEN of Pennsylvania. Mr. Chairman, I had not intended to take any time. I must have been on my feet when the Chair was counting the Members. However, as long as I was recognized, I do want to give at least a bit of warning on practical politics to some of the new Members in the House. I have been here for 13 years. I have seen these bills come and go and I have seen Members come and go. If you think that you are going to press a crown of thorns on the working men and women of this country you have another guess coming. I assure the Republican Members on this side of the aisle that the history of practical politics and the people who are trying to play that game show that those people have been defeated, and they should be defeated because the working men and women of this country are going to continue to grow and to organize and get their just rights.

The CHAIRMAN. The Chair recognizes the gentlewoman from Illinois [Mrs. CHURCH].

Mrs. CHURCH. Mr. Chairman, I deeply regret that such sudden limitation has been put on this debate this afternoon. I have been seeking recognition since 2:30 p.m. Fifty-four or fifty-five seconds is not enough in which to say what I think on this great issue. I have time only to point out to my colleagues that I have promised my district a fair and adequate bill—adequate to correct the abuses exposed by the McClellan committee. But, I think the question goes deeper than just the problem of labor legislation. It is a question of whether or not we are going to have the courage and intelligence to rise to our major responsibility to give the public of the United States the protection which it is asking for, and thus restore the faith of that public in the integrity of the Congress.

As for threats, Mr. Chairman, I am proud to say that the labor leaders in the State of Illinois have never threatened me once during all this debate. I respect them for that. But Members of this House have threatened all of us. I want to say this: if the time ever comes when I should or could be threatened into voting against my convictions, then someone else in my district may have my place. I would deem it a disgrace if we permitted our vote on this important issue—which involves the protection of union members, the public, and, in fact, the future of the country—to be determined on the basis of whether or not we will be reelected.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. CLEM MILLER].

Mr. CLEM MILLER. Mr. Chairman, I have already had my time at bat, and I have learned to give a dissected speech. But, I would like to recommend once again to the Members of the House that they remember that the present Landrum-Griffin bill increases the delays and continues the slow and archaic machinery that we are operating under at the present time. Thus, it could give justice to fewer persons than any other bill. It adds to the confusion of the no-man's-land question. It does not cover the people who need protection.

Mr. Chairman, my credentials to enter debate on this bill are my years of service as an employee of the National Labor Relations Board. I was invited to participate in this debate.

First, I want to talk about the three things in the Landrum bill that I have mentioned.

The matter of delay is first. Does the Landrum bill do anything about the justice-denying delays present in Board procedures today? It does not. It continues the present system where cases all come to Washington and pile up at the door of the five-man Board. That is where the bottleneck is. Five men can only do so much in a day or a year, and the cases pile up and pile up. Delayed justice is no justice at all. Delay in case handling breeds noncompliance and intransigence; and out of this comes more casework and still more delay.

Does the Landrum bill try to do something about this, to decentralize operations, and push things out in the regions where most cases belong? It does not. But the Elliott bill does.

And the Members of this body who are objectively trying to decide the merits in this argument, who are trying to decide the questions in the public interest, might well ask the proponents of this bill, why not? Why does not their bill attempt to deal with delays which may stretch out for years? How could any "reform" bill be any kind of a reform bill without dealing with this question? In my mind this omission is most significant, and objective people have every right to ask why not.

Second, no man's land. Does the Landrum bill clean this up? It does not. It adds to the confusion.

Let us go to the bill, page 59, line 13. The Landrum bill on this no-man's-land question says: "The Board, in its discretion, may." It "may" take jurisdiction over a case; it "may" not.

And at line 20: "Nothing shall be deemed to prevent" the State court from taking action. Again, the State courts may assert jurisdiction. Does this kind of language clean up doubts and confusion? It does not. The Board has changed its jurisdictional standards about eight times in 10 years. One day a certain business will be covered by the Board, the next day by the State courts.

This further clouding of no man's land by the Landrum bill is in strong contrast to the sharp lines set by the Elliott bill—"the Board shall assert jurisdiction over all labor disputes" in those enterprises which affect commerce.

Point number three: The Landrum bill of all those before Congress at this time, gives the fewest number of citizens the protection of any labor law. Under standards prevailing today, which the Landrum bill would accept, do you think the Board would assert jurisdiction over the restaurant we heard about yesterday? The one with the toothpick strike? It would not. Or the furniture store, the President spoke about? Probably not. It is doubtful if there would be a $500,000 flow from outside the State.

There are only 10 States which have any labor laws. There are only three or four where State labor law is operating. So what we would be doing in the Landrum bill is consigning large numbers of people to the protection of no labor law at all.

These are three major deficits in the Landrum bill. It does nothing about delay; it adds to the confusion, and it does not cover the people. These are three good reasons why the Landrum bill should be defeated.

Mr. Chairman, I would also like to discuss the Elliott bill and organizational picketing.

The new section in the Elliott bill to restrain organizational picketing is an effort to strike a proper balance between rights in a very vital field. I think it does this difficult job quite well, with respect to the constitutional issues involved and with the realities of labor relations today.

Traditionally, peaceful picketing—absent considerations such as violence, secondary boycotts, and illegal objects—has been regarded as free speech. It is the power to advertise to the world your grievance with marching billboards. This is still the case, and section 8(c) of the Taft-Hartley Act protects this right, specifically. Under this provision and under a long series of Supreme Court decisions, labor has the right to picket an establishment in an effort to enlist the support of the employees or to advertise to customers.

On the other hand, we are all aware that union organizers have used this freedom in many instances not as a means of advertising, but as a means of coercing employers and employees. They threaten employers with a picket line if the employer does not do the organizers' work in lining up the employees. This has become labeled as blackmail picketing; it is also called organizing from the top. It is widely recognized that such picketing should be curbed.

The National Labor Relations Board has moved into this field. In the *Curtis Brothers* case (119 NLRB No. 33), it held that continued picketing for recognition after a union had lost an election was coercive and violated that Taft-Hartley Act. Having reached the conclusion that such picketing was coercive and did violate the Taft-Hartley Act, the Board then found it possible to

determine that section 8(c), free speech, did not apply. Section 8(c), naturally, does not protect action which is coercive. While this decision was overturned by the Circuit Court for the District of Columbia, the Board has met with support for its doctrine in the *O'Sullivan* case (21 NLRB No. 185) in the fourth circuit. The fourth circuit cites the Supreme Court as authority that free speech must "give way" where there has been a coercive violation found.

Thus, in the Elliott bill, we face the question of resolving this dilemma. We must decide the neat problem of whether the coercive effects of organizational picketing outweigh the constitutional privilege of free speech; and whether the employer's right of free speech is not itself a reason for caution in curbing picketing.

It appears to me, from long experience working for the National Labor Relations Board, that the Elliott bill has handled this matter with discretion. It denies the privilege of such picketing where a bona fide agreement exists with another union. It has been charged that the ground is laid for back-door or sweetheart agreements with corrupt labor organizations. That practice is very much in evidence right now, and the same defenses against it will be available as are available now, plus the right to picket when such practice is engaged in.

The Elliott bill in effect prevents all picketing for 9 months after an election has been held—absent employer unfair labor practices.

This gives legislative sanction to the Curtis case. It is my feeling that the Curtis case for reasons set forth above is in trouble in the courts. Without some legislative authority to weigh and balance the rights of free speech against practices which are inimical to real free expression, Curtis stands an excellent chance of being overruled. Our passage of this bill should set such doubts at rest, and close all loopholes.

We should emphasize the fact that the Elliott bill comes quite a way in this field, while we realize that it is a reasonable approach.

The Landrum bill purports to take the same general path. It adds additional requirements which make picketing difficult or impossible. Thus, it becomes a matter of judgment. Those of us supporting the Elliott bill feel that great and substantial limitations have been put on the long-established doctrine of picketing as free speech and persuasion. It would be unwise to go further.

The Landrum bill provides that the union must be able to make "showing of interest" in order to engage in such picketing. This must be signed cards designating the union as representative in the amount of 30 percent. This requirement of the Landrum bill would ignore the very basis of justification for such picketing, and add a new constitutional dilemma. For the very purpose of such picketing is to protest conditions and thus establish the "sufficient interest" which the Landrum bill would require as a precondition.

Aside from this are the administrative problems of how "sufficient interest" is to be determined, and so on. When are the authorizing cards to be regarded as timely? Are they subject to challenge? How will authenticity be determined? Can they be repudiated? These are difficult administrative problems which render the Landrum bill impractical in this section.

The Landrum bill also requires such picketing to cease after 30 days if no petition for an election is filed. Again, in my belief, this goes too far in restricting such picketing. It is my view that this overbalances the scales. A National Labor Relations Board requirement for filing a petition is that it must be to seek recognition of the employer. A distinction between the two types of picketing has always been drawn by the Board and the courts. This provision of the Landrum bill would render both illegal. Thus it would undermine the whole concept of picketing as free speech as a means of protest—as a means of peaceful persuasion.

I should conclude by commenting on the realities raised by this question of organizational picketing. Most of what has been said in debate has concerned itself with the union practice of organizing employers rather than employees. This practice is not to be condoned. On the other hand, we should be frankly aware that much of this practice has been brought on by the activities of employers in opposition to unions.

This organizational picketing is most onerous in small retail stores, where the employer is prey to union pressure. The employees in these small stores are also terribly vulnerable. In my experience as a Board employee, I have talked to hundreds of witnesses who can attest to the pressure applied on them by employers who presume they know what is best for them; pressure which may be legal, but which is effective.

A typical situation exists in which a union representative signs up all the employees of a shop, but when he returns a week later, the employer tells him the employees don't want his union. The employees seem to agree. The union files charges. The employees will speak to the Board investigator and tell him the facts of employer coercion, but they will not testify. The union agent, bitter, puts up a picket line. The employer loudly proclaims the injustice of the picket line, forgetting his own misconduct is part of the fabric of the dispute.

These are the realities about picket lines. The remedy being sought in the Elliott bill is an effort to weigh conflicting rights, based on the realities existing today, and proposing a middle course in the solution. I think that it does this without getting into the legal and administrative tangles which lie open before the Landrum bill.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. AYRES].

Mr. AYRES. Mr. Chairman, I rise to ask my good friend, the gentleman from California [Mr. SHELLEY], if he can answer a question on which I have not been able to get an answer from 31 of the union officials of my district. Last evening I sent them this wire:

> The Shelley bill was just defeated 245–132. Which of the labor bills before the House will you now support? Please advise.
>
> Your Congressman,
>
> BILL AYRES.

These were all AFL–CIO union officeholders. Could the gentleman tell me what the position of the AFL–CIO is on the committee bill?

Mr. SHELLEY. I do not know who the gentlemen are who signed the wire, and I cannot speak for them, but I will say this, any labor man who recommends voting for the Landrum bill ought to have his head examined.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. COAD].

Mr. COAD. Mr. Chairman, I promised my constituents I would vote for a bill written for the purpose of correcting these labor abuses, but not for a bill which was punitive to those of our working men and women who were trying to make a living. I would like to point out on page 13 of the Landrum bill, under paragraph 5:

> (5) Safeguards against improper disciplinary action: No member of any labor organization may be fined, suspended, expelled, or otherwise disciplined, except for nonpayment of dues, by such organization or by any officer thereof unless such member has been (A) served with written specific charges; (B) given a reasonable time to prepare his defense; (C) afforded a full and fair hearing.

That means a member can show up drunk or he can be a rowdy and he can do anything he wants to, and they cannot put him outside of the door until all of these requirements have been met. He can break up the meeting and ruin it, and nothing can be done without going through all these procedures.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. ANFUSO].

Mr. ANFUSO. Mr. Chairman, in view of the limitation of time, and not being a member of the committee, I ask unanimouse consent to extend my remarks at this point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. ANFUSO. Mr. Chairman, one of the things that disturbs me a great deal in these discussions on labor legislation is the degree of political heat that is generated here these past few days. Whether direct or indirect, overt, or covert, there is too much politics involved in the efforts to write labor legislation.

Well, it is probably all right to play politics if some among us desire to do so, but I wonder whether it is fair to do so at the expense of legitimate unionism and whether it is just to undermine and foreclose the rights of the working people—rights which has taken the unions many years of hard work and determination to achieve.

I refer to such legitimate rights which have been established over these past decades through organized picketing and other peaceful and democratic methods practiced in all free nations. These are the same rights won by organized labor which helped to bring about better working conditions, the elimination of sweat-

shops, higher wages, a higher standard of living, greater protection for the workingman, and so forth.

In the Communist and totalitarian States labor is the first victim. All rights are denied to labor, and its organizations are either abolished or become a means whereby the State exercises control over the laboring masses. No strikes or picketing or other methods used by labor as we know them in this country are tolerated. Are we heading in that direction? Are we going to follow in the footsteps of those States?

In my estimation, enactment of the Landrum-Griffin bill will be a decided step in the direction of outlawing or controlling labor because many of labor's rights are denied in that bill. Much of this action to curb labor, as some aim to do, is based primarily on political motives. Whether or not it is the right thing to do by voting politically on issues of this kind which involve the bread and butter of millions of American families, is for each Member to determine for himself.

As for me, I fail to see the righteousness in climbing over the backs of human beings who have suffered for many years because of the exploitation of those who sought only their personal interests and profits. We cannot disregard the fact that we live in the 20th century with all its problems and difficulties. We cannot move back into the 19th century, either politically or economically, any more than we could do it scientifically. Those who will try to move backward, instead of forward, will soon discover their grievous error.

I call upon all my colleagues to raise themselves above the clamor of politics and to try to see this issue from the point of view of the Nation as a whole, the harm it may cause the American people if we enact legislation here which will destroy their rights. In our efforts to eliminate some abuses, we may bring on more and greater abuses. This is a time which requires caution, not hasty action. Irrespective of any threats of possible retaliation by this group or that, I appeal to the Members to judge this matter in their own good conscience. A victory that will destroy the rights of millions of people and the efforts of many long years of painstaking work will not be a victory. It will be a loss from which the whole Nation will suffer.

The CHAIRMAN. The gentleman from California [Mr. BALDWIN] is recognized.

Mr. BALDWIN. Mr. Chairman, it has been evident from the hearings of the Select Committee on Improper Activities in the Labor or Management Field of the Senate that corrective legislation is needed in the field of labor-management relations. It has been healthy that during the past 3 days we have had a thorough debate on this important subject. It is also evident from the heavy volume of correspondence received by all Members of this body that the citizens of this country feel that an effective labor reform bill should be passed during this session.

I hope that when we finally resolve all the amendments that may be offered on this floor that we will be able to enact such a bill. It seems to me that the bill should protect honest union members from crooks and racketeers, but at the same time should not be punitive in nature.

The CHAIRMAN. The gentleman from Michigan [Mr. O'HARA] is recognized.

Mr. O'HARA of Michigan. Mr. Chairman, as everyone in this House knows, the real differences between the Elliott bill and the Landrum substitute are in the provisions dealing with the no man's land, organizational picketing, secondary boycott and the right of economic strikers to vote in representation elections.

The Landrum bill allegedly solves the no-man's-land problem by permitting the NLRB to turn jurisdiction of any case it does not want to handle over to the States, only 12 of which have modern labor relations statutes. In the others the courts would have to handle these cases under common law doctrines which provide for enjoining strikes and for declaring any combination of workers to be a criminal conspiracy in restraint of trade but which provide no precedent to deal with unfair labor practices or certification of bargaining representatives.

The Taft-Hartley Act today prohibits secondary boycotts and the Elliott bill closes the Teamsters hot-cargo clause loophole which has been the principal abuse of the Taft-Hartley provision. The Landrum-Griffin bill goes much further, and although its proponents never mention it, the Landrum-Griffin bill would make it illegal for a picket who is out on strike to request other workers to respect his picket line. It would make unlawful appeals to consumers asking them not to patronize the retail outlets of producers operating with strikebreakers.

The Taft-Hartley Act bans picketing directed not at the organization of the employees but at gaining recognition from the employer. The Elliott bill prohibits picketing aimed at organizing the employees when it is inappropriate either because there is already a bona fide union representing the employees or because an NLRB representation election in which no union was voted has been held within the last 9 months. The Landrum bill again goes beyond the committee bill and proscribes organizational picketing in other situations as well. Its provisions on this subject, when considered together, add up to a flat prohibition of organizational picketing.

The Landrum substitute's provisions concerning the ability of economic strikers to vote in representation elections permits antiunior. employers to hire strikebreakers and oust the union within 6 months after the termination of its contract.

What then is the net effect of these changes in title VII made by the Landrum bill in the name of antiracketeering and anticorruption legislation? By depriving the workers in the no man's land of the protection afforded by the Taft-Hartley Act; by virtually prohibiting organizational picketing; by forbidding appeals to other workers or to the public in connection with justified strikes; and by encouraging employers to attempt to break strikes rather than bargain in good faith. The Landrum substitute makes it much more difficult for workers to organize and much easier for employers to kick out unions already recognized.

This explains why the National Chamber of Commerce is so enthusiastic about the Landrum-Griffin bill and why they have bombarded their members with lies and deceit to get them to write, wire, and phone you to support the bill. The National Chamber of Commerce is not interested in a strong, clean, democratic labor movement. As far as they are concerned, the more corruption there is in unions, the better. What they are interested in is preventing the organization of the unorganized and in undoing the organization of the already organized. To accept the advice of the National Chamber of Commerce on protecting the rights of workingmen is like asking the fox to protect the henhouse. I oppose the Landrum-Griffin substitute because it does these things but at the same time is not a bit more effective in combating corruption and racketeering than is the committee bill. But, of course, that is not the purpose of some of its supporters. However, it is my purpose, and that is why I am supporting the Elliott bill, and any Member of the House can do likewise without apology to anyone.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. BOSCH].

Mr. BOSCH. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Chairman, there is no easy solution to the problem of providing legislation that will deal with those in labor and management who have been abusing their privileges under existing labor-management laws. The task has not been made any easier by those who would destroy legitimate unions and those who want a weak, ineffective bill or none at all.

I favor the enactment of effective legislation which will—to use the words of President George Meany of the AFL–CIO—"get the crooks" in the labor-management field.

There have been pressures on all sides of this issue, but I have no intention of trying to straddle the fence and I have no intention of yielding to those who want a weak, ineffective bill or those who would do damage to legitimate unions.

The shocking disclosures of the investigating committee in the Senate to which may be added those of the House Committee on Education and Labor make it imperative that legislation be

enacted in this session of Congress, and after listening to the debate for 2 days I have come to the conclusion that H.R. 8400 offers the most effective provisions.

There are some provisions which I would like to see amended and if amendments are not adopted on the House floor I will do what I can personally to secure these changes when the bill goes to conference.

During the several hours of debate on the bills that have been before the House there has been much discussion of the interests of labor and management. That is to be expected but I would point out that in this matter there is a vitally interested third party—the general public.

I believe this Congress can and will enact legislation to meet a situation that cannot be further tolerated. I believe that H.R. 8400 provides the framework for effective legislation that can come out of the conference between the House and Senate with fairness and justice to labor, management, and the general public.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. ALGER].

Mr. ALGER. Mr. Chairman, I am one of those who feels that the Landrum-Griffin bill does not go far enough, that it needs more teeth, and that more teeth are going to come in the form of legislation to bring labor union activities under the antitrust laws.

I call your attention to the RECORD of August 11, pages 15532, 15533, and 15534, in which I outlined my amendment placing unions under the antitrust law. It would result in the following:

> Control of local unions and of wage bargaining would be returned to local union elected officers.
>
> Monopolistic practice of industrywide and pattern bargaining by professional labor bosses at the national or international level would be ended.
>
> Unions no longer could fix prices, restrict use of new processes and technological improvements or exclude products from the market.
>
> And enforcement would be based on injunctive relief in Federal courts—but not through criminal prosecution.

In my view it would be in the best interest of the union members to have control of their union affairs returned to them in this way. Any labor bill without the protection of the antitrust law will be less than what is actually needed.

The unions should be put under the antitrust laws so that business and labor will both operate under the same ground rules.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. LANDRUM].

Mr. LANDRUM. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. GEORGE P. MILLER].

Mr. GEORGE P. MILLER. Mr. Chairman, in view of the amendments that have been adopted to this bill, particularly this weakening of the civil rights feature of the bill, I wonder if it is not an orphan or a sort of illegitimate child? Who in the House now wants to claim its paternity? Will the President recognize this foundling infant?

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Chairman, the hour of decision is here, and if I may repeat, the course to follow is one of reasonable compromise. The art of the possible in legislating is that of compromise. We must pass such a bill so that in conference we have a fair chance of coming to agreement with the other body. Let us defeat the extremist proposal before us; let us get back to the committee bill.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. KEARNS].

Mr. KEARNS. Mr. Chairman, I yield to the gentleman from Washington [Mr. WESTLAND].

Mr. WESTLAND. Mr. Chairman, this year my annual poll was sent to more than 75,000 homes in my district. In response to this questionnaire, the overwhelming majority—more than 4 to 1—supported the recommendations of President Eisenhower on labor legislation—the recommendations embodied in the Landrum-Griffin bill, H.R. 8400.

On the back of a large number of these questionnaires I received comments—many of them from union members and their wives—urging me to vote for labor legislation which would curb the activities of the goons, the racketeers and the corrupt elements in the labor movement.

Since then I have received hundreds of letters on labor reform legislation—the vast majority of them favoring H.R. 8400. Typical is a letter I received today from a constituent. He writes:

> I have been attempting to listen to all sides of the forthcoming battle over labor legislation. In sorting out all of the information and arguments presented, I am strongly in favor of the Landrum-Grffin proposal. I am in full agreement with President Eisenhower. I was a union member for over 8 years. I have seen many abuses, and found it futile to attempt to correct these abuses. The rank and file cannot fight back as long as the labor leader has control over his means of support.

This, I think, gets to the crux of the matter. The Landrum-Griffin bill is the only bill now before the House which will help the rank and file to correct abuses and protect them from the gangsters and racketeers.

Of course, the vast majority of unions are clean and honest and the claim is made they do not need such legislation. But the Landrum-Griffin bill will not harm them. It will not prevent these unions from using legitimate methods for organizing employees; it will not interfere with negotiation of collective bargaining contracts nor with the traditional right to strike. The Landrum-Griffin bill will not prevent any American workingman or woman from joining a union of his or her choice. In short, Mr. Chairman, legitimate unions, the honest union leaders, the rank and file workingman have nothing to fear from H.R. 8400.

On other occasions the Congress has found it necessary to pass legislation to curb the activities of a small minority whose activities were a threat to the public. A good example of this is the legislation passed, beginning with the Sherman Anti-Trust Act, to regulate the activities of business. Although some of the language which was used by opponents of needed business legislation shows a striking similarity to some of the language being used today by opponents of effective labor reform—including a similarity in its responsiveness to the needs of the public—the fact remains that the honest businessman, the law-abiding corporation have had nothing to fear from these laws. But it is essential to have this type of legislation on the books to protect the public against the small percentage of malefactors in the business world just as it is necessary in the public interest to have laws to control the malefactors in the labor movement.

Finally, Mr. Chairman, let me emphasize that H.R. 8400 is a fair and moderate bill. It is a tough bill only in the sense that it contains provisions to put the crooks out of business. But it is not punitive legislation. If it were I would not support it. In my State of Washington there was an attempt in 1956 and 1958 through initiatives 198 and 202 to pass so-called right-to-work legislation. I vigorously opposed both these initiatives—at the union halls and at the chamber of commerce meetings—as I believed they would only serve to worsen labor-management relations while they would in no way end the corruption and misuse of power in the labor movement. Initiatives 198 and 202 were not in my judgment either in the public interest or in the interest of the rank and file union member.

Mr. Chairman, I am not interested in punitive legislation but in corrective legislation; I am not interested in special interests but in the public interest; I am not interested in the union bosses but in the union members.

The people of my district and the people of the United States demand a measure which will effectively guarantee union democracy, make union leaders more directly answerable to the rank and file and which will correct the abuses so impressively brought out by the McClellan committee. H.R. 8400 will do this and that is why I intend to vote for it.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, looking to my left I see so many troubled faces, and glimpse such agonizing signs of troubled consciences; so I give the remainder of my time to them for a period of silent prayer.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. BARDEN] to close the debate.

Mr. BARDEN. Mr. Chairman, on yesterday there was submitted for the RECORD a letter from Mr. Robert Kennedy, and during the time it was being discussed some mention was made of Senator MCCLELLAN. I thought it very important to him and to others to have his statement and position perfectly clear in this record, because he has devoted so much time and energy in the service he has rendered in the last 3 years. So I

dropped him a letter and asked him to make a statement for the record. I read his reply:

AUGUST 13, 1959.

The Honorable GRAHAM A. BARDEN,
Member of Congress,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN BARDEN: In your letter of August 12 you request my opinion as to which of the two House bills—the House Labor Committee bill by Representative ELLIOTT, or the substitute bill known as the Landrum-Griffin bill, "will serve most effectively to correct the boycott, hot cargo, blackmail picketing, and other abuses" which the Senate Select Committee's investigation has exposed.

I have repeatedly stated, and am glad to say again, that there can be no question but what the provisions of the Landrum-Griffin bill are stronger and will be far more effective in eliminating and correcting the abuses and other improper practices about which you inquire. I made a similar statement publicly as early as July 28, 1959, when I addressed the National Press Club here in Washington.

Sincerely yours,

JOHN L. MCCLELLAN.

The CHAIRMAN. All time has expired.

Mr. MACHROWICZ. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MACHROWICZ. Mr. Chairman, the parliamentary situation is such now that if the Landrum amendment is adopted, the Committee will then have completed its work and there will be no further amendments permitted; on the other hand, if the Landrum amendment is defeated, the committee bill will be subject to amendment, paragraph by paragraph. Is that the parliamentary situation?

The CHAIRMAN. That is the parliamentary situation.

The question is on the amendment offered by the gentleman from Georgia [Mr. LANDRUM].

Mr. LANDRUM. Mr. Chairman, I demand tellers.

Tellers were ordered, and the chairman appointed as tellers Mr. LANDRUM and Mr. UDALL.

The Committee divided, and the tellers reported that there were—ayes 215, noes 200.

So the amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WALTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 8342) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes pursuant to House Resolution 338, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

The question is on agreeing to the amendment.

Mr. BARDEN. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. THOMPSON of New Jersey. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. THOMPSON of New Jersey. Is it my understanding that the vote about to be taken is on whether or not the substitute will be accepted, and that it is not a vote on final passage?

The SPEAKER. It will be a vote on the amendment adopted in the Committee of the Whole.

Mr. O'NEILL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. O'NEILL. Will a vote to recommit then be in order?

The SPEAKER. After the third reading.

Mr. O'NEILL. And then a vote would be in order on the final passage?

The SPEAKER. That is correct.

Mr. ROOSEVELT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ROOSEVELT. If the amendment is defeated, what is then the parliamentary situation?

The SPEAKER. Then the question is on the engrossment and third reading of the so-called committee bill.

Mr. HALLECK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALLECK. At this juncture, then, if this substitute is voted down, no further amendments could be had to the so-called committee bill?

The SPEAKER. That is correct.

Mr. HOFFMAN of Michigan. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOFFMAN of Michigan. When will I get an opportunity to ask for the engrossment of the bill?

The SPEAKER. After it is ordered to be engrossed and read a third time.

The question was taken; and there were—yeas 229, nays 201, not voting 4, as follows:

[Roll No. 130]

YEAS—229

Abbitt	Berry	Chiperfield
Abernethy	Betts	Church
Adair	Blitch	Collier
Alexander	Bolton	Colmer
Alger	Bonner	Conte
Allen	Bosch	Cooley
Andersen, Minn.	Bow	Cramer
Andrews	Boykin	Curtin
Arends	Breeding	Curtis, Mass.
Ashmore	Brewster	Curtis, Mo.
Auchincloss	Brock	Dague
Avery	Brooks, La.	Davis, Ga.
Ayres	Broomfield	Davis, Tenn.
Baker	Brown, Ga.	Derounian
Barden	Brown, Ohio	Derwinski
Barry	Broyhill	Devine
Bass, N.H.	Budge	Dixon
Bates	Burleson	Dooley
Baumhart	Bush	Dorn, N.Y.
Becker	Byrnes, Wis.	Dorn, S.C.
Beckworth	Cannon	Dowdy
Belcher	Casey	Downing
Bennett, Fla.	Cederberg	Durham
Bentley	Chamberlain	Dwyer
	Chenoweth	Everett
Evins	Kilburn	Rhodes, Ariz.
Fallon	Kilday	Riehlman
Fascell	Kilgore	Riley
Fenton	Kitchin	Rivers, S.C.
Fisher	Knox	Roberts
Flynt	Lafore	Robison
Ford	Laird	Rogers, Fla.
Forrester	Landrum	Rogers, Tex.
Fountain	Langen	Rutherford
Frazier	Lankford	St. George
Frelinghuysen	Latta	Schenck
Gary	Lennon	Scherer
Gathings	Lindsay	Scott
Gavin	Lipscomb	Selden
Glenn	Loser	Short
Goodell	McCulloch	Sikes
Grant	McDonough	Siler
Griffin	McIntire	Simpson, Ill.
Gross	McMillan	Simpson, Pa.
Gubser	McSween	Smith, Calif.
Haley	Mack, Wash.	Smith, Kans.
Hall	Mahon	Smith, Miss.
Halleck	Mailliard	Smith, Va.
Halpern	Martin	Springer
Hardy	Mason	Taber
Harris	Matthews	Taylor
Harrison	May	Teague, Calif.
Hébert	Meader	Teague, Tex.
Hemphill	Michel	Thompson, La.
Henderson	Miller, N.Y.	Thomson, Wyo.
Herlong	Milliken	Thornberry
Hess	Mills	Tuck
Hiestand	Minshall	Utt
Hoeven	Morris, N. Mex.	Van Pelt
Hoffman, Ill.	Mumma	Vinson
Hoffman, Mich.	Murray	Wainwright
Holt	Nelsen	Wallhauser
Horan	Norblad	Weaver
Hosmer	Norrell	Weis
Huddleston	Ostertag	Westland
Hull	Passman	Wharton
Ikard	Pelly	Whitener
Jackson	Pilcher	Whitten
Jarman	Pillion	Widnall
Jensen	Pirnie	Williams
Johansen	Poage	Willis
Johnson, Md.	Poff	Wilson
Jonas	Preston	Winstead
Jones, Mo.	Quie	Wright
Judd	Ray	Young
Kearns	Reece, Tenn.	Younger
Keith	Rees, Kans.	

NAYS—201

Addonizio	Dulski	Libonati
Albert	Edmondson	McCormack
Alford	Farbstein	McDowell
Anderson, Mont.	Feighan	McFall
	Fino	McGinley
Anfuso	Flood	McGovern
Ashley	Flynn	Macdonald
Aspinall	Fogarty	Machrowicz
Bailey	Foley	Mack, Ill.
Baldwin	Forand	Madden
Baring	Friedel	Magnuson
Barr	Fulton	Marshall
Barrett	Gallagher	Merrow
Bass, Tenn.	Garmatz	Metcalf
Bennett, Mich.	George	Meyer
Blatnik	Giaimo	Miller, Clem
Boggs	Granahan	Miller, George P.
Boland	Gray	
Bolling	Green, Oreg.	Mitchell
Bowles	Green, Pa.	Moeller
Boyle	Griffiths	Monagan
Brademas	Hagen	Montoya
Bray	Hargis	Moore
Brooks, Tex.	Harmon	Moorhead
Brown, Mo.	Hays	Morgan
Buckley	Healey	Morris, Okla.
Burdick	Hechler	Morrison
Burke, Ky.	Hogan	Moss
Burke, Mass.	Holifield	Moulder
Byrne, Pa.	Holland	Multer
Cahill	Holtzman	Murphy
Carnahan	Irwin	Natcher
Carter	Jennings	Nix
Celler	Johnson, Calif.	O'Brien, Ill.
Chelf	Johnson, Colo.	O'Brien, N.Y.
Clark	Johnson, Wis.	O'Hara, Ill.
Coad	Jones, Ala.	O'Hara, Mich.
Coffin	Karsten	O'Konski
Cohelan	Karth	O'Neill
Cook	Kasem	Oliver
Corbett	Kastenmeier	Osmers
Cunningham	Kee	Patman
Daddario	Kelly	Perkins
Daniels	Keogh	Pfost
Dawson	King, Calif.	Philbin
Delaney	King, Utah	Porter
Dent	Kirwan	Powell
Denton	Kluczynski	Price
Dingell	Kowalski	Prokop
Dollinger	Lane	Pucinski
Donohue	Lesinski	Quigley
Doyle	Levering	Rabaut

Rains	Sheppard	Tollefson
Randall	Shipley	Trimble
Reuss	Sisk	Udall
Rhodes, Pa.	Slack	Ullman
Rivers, Alaska	Smith, Iowa	Vanik
Rodino	Spence	Van Zandt
Rogers, Colo.	Staggers	Walter
Rooney	Steed	Wampler
Roosevelt	Stratton	Watts
Rostenkowski	Stubblefield	Wier
Roush	Sullivan	Withrow
Santangelo	Teller	Wolf
Saund	Thomas	Yates
Saylor	Thompson, N.J.	Zablocki
Schwengel	Thompson, Tex.	Zelenko
Shelley	Toll	

NOT VOTING—4

Canfield	Elliott	Rogers, Mass.
Diggs		

So the amendment was agreed to.

Mr. SISK. Mr. Chairman, I join wholeheartedly with what I believe to be the overwhelming desire and determination of the people of the United States and the Members of this House to correct and end racketeering and abuses in the labor-management field.

I have been ready and I am ready now to vote for a strong, effective bill to drive the racketeers, chiselers, and hoodlums out of the dark dens they have established in the labor movement over the protests and against the active opposition of the overwhelming number of legitimate and honest leaders and members of organized labor. I am equally determined to put a stop to the equally despicable activities of conniving, bribing, and extorting racketeers in the management field, as are the overwhelming number of legitimate and honest businessmen.

In the debate this week we have not had an opportunity to vote for a bill representing what I believe to be the general public interest in labor reform, rather than the expression of views of the two sides in a labor-management controversy unrelated to labor reform.

Perhaps many Members of the House feel the Shelley bill leaned toward the interests of labor. If so, I sincerely believe it to be honest, responsible labor—not gangsters. Certainly, many of us feel the Landrum-Griffin bill thoroughly confuses labor reform with fundamental alterations in basic management-labor relations. It would punish labor as a whole for the acts of a few individuals. It seeks to disarm labor at the collective bargaining table. Under the guise of "reform" it would destroy balances of collective bargaining achieved by honest labor and management over many years which have resulted in the greatest opportunities, the greatest advances and the greatest prosperity for both business and labor that the world has ever known. I cannot believe that most of management wants this. I believe they recognize the advantage to business of a well-paid, happy, and free labor force under high standards of living which provide the markets for their goods and services.

Many of us are convinced the Landrum-Griffin bill is an administrative monstrosity, unenforcible, confusing, and inconsistent with the great body of labor law. There is grave question that it would result in the ending of abuses the people of this country seek, even if its wording would appear to accomplish this.

The Landrum-Griffin bill was not presented in committee. It was not submitted for study nor forged in the crucible of debate. It had no opportunity to be cleaned up and made workable by legal minds. It was sprung on this House without an unbiased or disinterested report. It was the unrevealed hole card of one interest group. It is my sincere conviction that its excesses would hinder rather than assist true labor reform.

Had I the opportunity, I would vote for a true labor reform bill—one, incidentally, not backed by either labor or management, but which I believe would serve the best interests of all the people of this country. I will still vote for such a bill when I have the chance.

The Landrum-Griffin bill will now go to conference along with the bill passed by the other body. I can only express my deep and sincere hope that reasonable minds and responsible attitudes will prevail and that out of conference there may emerge a sound, workable, fair bill which will bring real reform in the labor-management field and which will win the overwhelming support of this House and the people of the country and will not destroy the ability of labor to achieve its legitimate objectives. Such a bill would reflect highest credit upon the Congress and would win the commendation of the people of this country for a job well done.

Mr. KING of Utah. Mr. Chairman, the House of Representatives has spoken its will on the matter of labor reform. I am one who supported the committee bill. Nevertheless, my strong desire to see that good labor legislation be enacted, overrides all other considerations at this time. The real tragedy would be for this session of Congress to adjourn without any labor legislation on the books at all.

There has been some fear that the conference committee might not be able to reconcile its differences, because of some of the extreme provisions of the Landrum-Griffin bill. At this time I urge the conference committee do all in its power to carry out the mandate of the American people in producing a satisfactory labor bill. I call upon the Honorable JOHN F. KENNEDY of the other body to use his great influence to see that there be no stalemate, as has been feared. A stalemate would be a disservice to the Nation.

I realize that there are some serious problems to be ironed out. There are differences to be reconciled, and inequities to be removed. Nevertheless, if all participants in the conference committee approach their task with the firm resolution to come up with a labor bill, I know that they will succeed, and that they will not allow the intense partisanship which has manifested itself up to now, to destroy the results of the great effort which has gone into this bill. I express the hope that the Nation will give this bill a fair chance to succeed, to the end that this might mark the prelude to a new era of improved labor-management relations.

Mr. SCHWENGEL. Mr. Chairman, recently a friend of mine who is an admirer of the late Senator Taft told me that he believed that Senator Taft would have opposed certain sections of the Landrum-Griffin bill. After an extended visit on this matter I asked him to put this in writing so that I could put his thoughts in the RECORD. The statement follows:

Mr. Chairman, it is indeed a sad day in the history of Republican statesmanship when we can witness a Republican administration using abuse as an excuse for placing new and totally unwarranted restrictions on peaceful and lawful union activities in aid of labor disputes. This type of punitive action, contained in section 705 of the Griffin-Landrum substitute, is far removed from the distinguished statesmanship of that noble leader of republicanism, the late Senator Robert A. Taft. As we all know, Mr. Chairman, Senator Taft was the father of the very provisions on boycotts and picketing which the Griffin-Landrum substitute would so drastically and severely amend today.

Ten years ago, in 1949, after 2 years of study on the effects of the Taft-Hartley Act, Senator Taft had this to say when he presented a host of amendments to the act which actually passed the other body that year. He stated as follows, and I quote:

"We have always contemplated amendments to the act. We had set up a special joint committee to deal on their merits with criticisms of the act. We analyzed the criticisms of the act and I think we were the only Senators who ever undertook to deal with these criticisms in detail and on their merits. We attempted by amendments to meet every legitimate criticism.

"In general we went back to the bill as passed by Senate (in 1947) as distinguished from the bill finally agreed to in conference and we eliminated a number of the provisions agreed to in conference. * * * We retain in our substitute the essential principles of the Taft-Hartley Act, which we feel necessary in order to maintain equality in labor management relations."

In other words, instead of making the law more harsh and more disruptive of trade union activities, Senator Taft, with that tremendous objectivity of his, recognized the faults and weaknesses of his first attempts at lawmaking in the labor relations field. He was willing to admit his mistakes and try again to provide a more balanced, a more just and fair piece of legislation.

At that time Senator Taft offered amendments covering some 26 separate subjects. Chief among these subjects were new protections for peaceful picketing and new protections for union activities which were unfairly restricted by the secondary boycott provisions of the Taft-Hartley Act.

When it came to picketing Senator Taft was quick to protest the right of all peaceful picketing. His only object was to prevent mass picketing and violence on the picket line and other forms of real coercion. Senator Taft made this abundantly clear in floor debate. Among many other things, he stated, when the antipicketing provisions of the Taft Act were being considered on the Senate floor:

It will not be directed against the use of propaganda or the use of persuasion or against the use of any of the other peaceful methods of organizing employees.

And again he stated on this same subject:

It would not prevent anyone conducting peaceful picketing or employing persuasion.

All it would do would be to outlaw such restraint and coercion as would prevent people from going to work.

And in 1949, Senator Taft recognized that the word "restraint" might be too broad. Accordingly one of his most important amendments was to eliminate this word "restraint" from the antipicketing provisions of section 8(b)(1)(A) of the act.

Now comes the Griffin-Landrum substitute and what does it do? Under section 705 it would eliminate all peaceful picketing and all peaceful persuasion and all propaganda or informational picketing unless a substantial number of employees, have been already organized—that is, enough to petition for an NLRB election and then only if, afterwards an election is petitioned for and won by the union. Otherwise all picketing at all other times is prohibited.

To make the Griffin-Landrum proposal more punishing, the General Counsel of the National Labor Relations Board must go at once to court to get an injunction against any peaceful but unlawful picketing.

In other words, here we are heading in exactly the opposite direction from the labor relations statesmanship of Senator Taft.

Then let us look at the subject of secondary boycotts. Senator Taft said again and again he was only seeking to ban the true secondary boycott that harms truly neutral employers with whom there is no labor dispute whatever. In 1949 he repeated this position. And he even offered an amendment to eliminate any restrictions on boycotting the substitute manufacturer of struck goods farmed out during a strike. But most important of all, he recognized the rank injustice of the mandatory court injunction against all secondary boycotts in every case, even before the National Labor Relations Board has determined whether the boycott provisions have been violated. He asked for and persuaded the Senate to repeal this mandatory injunction provision.

Then later when amendments to the Taft Act were being discussed in 1953, shortly before his death, he favored exempting all job site construction activities from the secondary boycott provisions of the Taft Act because these were not secondary boycotts in the true sense.

But the Griffin-Landrum bill, far from following this objective leader of our party, contains amendments to the boycott provisions which go in exactly the opposite direction from Senator Taft. In the name of correcting corruption these new provisions would reach out in every direction even to the picket line at the lawful strike scene to make sure that every outsider will go through this picket line and to outlaw it whenever it may persuade any outsider to respect the strike.

Mr. Chairman, this is indeed the opposite of correcting labor corruption. This is the opposite of statesmanship. This is the use of law to protect special interest and to repress lawful trade union interests. For this reason I cannot in good conscience follow my leadership. I cannot support and I must oppose the Griffin-Landrum substitute.

Mr. SANTANGELO. Mr. Chairman, the labor bills before the House have disturbed many legislators and voters and the speeches in favor of and against the bills have created a great confusion in the minds of a great majority. I believe that we must have labor legislation. Last year I supported and voted for the Kennedy-Ives labor reform bill which passed the Senate and was defeated in the House by eight votes. The Kennedy-Ives bill regulated the internal union affairs without undue meddling in the administration of unions and without weakening the collective bargaining powers. The Kennedy-Ives bill was defeated by a combination of Republican Members and southern Representatives.

This year there are three bills before the House. The combination which defeated the Kennedy-Ives bill last year has once again combined and supports the Landrum-Griffin bill. I oppose the Landrum bill, which, in my opinion, is "buckshot" legislation, injuring the guilty and innocent alike. I favor the Shelley bill and shall support this bill.

The labor situation as we all know it is not all black nor all white. There is a great need for reform and for improvement, but no necessity to destroy labor. The support for the blunderbuss Landrum-Griffin bill comes mainly from Republicans and southern Democrats. Why? Why do these bills go beyond the reform of unions and seek to adopt methods which punish labor? It appears to me that selfish economic and political reasons motivate the support for this bill more than a desire to chase out the crooks from the House of Labor.

The Elliott bill, H.R. 8342, known as the committee bill, and the Shelley bill, H.R. 8490, introduced by Representative JACK SHELLEY, of California, and 14 other Members, have provisions to get rid of the crooks in labor, but the Shelley bill contains no provisions which bust unions or destroy their legitimate gains obtained through sacrifice. What does the Shelley bill do and is it effective? The Shelley bill requires financial reports by unions covering 90 percent of the labor force in unions and gives the Secretary of Labor discretion to compel the remaining small unions to file reports if the Secretary thinks it is necessary or that there is a violation of law or any corruption within the union. False filing under the Shelley bill carries severe criminal penalties. Embezzlers of union funds are subject to Federal prosecution and embezzlers, ex-Communists, and ex-convicts are denied the right to hold union office for a period of 5 years. Employees whose rights are denied can sue in Federal courts after they exhaust their remedies within the union. Employees' rights to vote and participate in union activities are protected. The subversive, the neurotic, and the troublemaker are subject to union discipline by reasonable regulations. The Shelley bill provides further that union financial officers must be bonded and they are required to account for their stewardship. No conflict of interest must appear in their conduct and officers are required to report any conflict of interest. No loans in excess of $2,500 can be made and loans above $250 must be reported. The crooks are controlled, the employees are protected, and the ban on secondary boycotting, as provided for in the Taft-Hartley law, is continued. The Shelley bill is not an antilabor bill. It is a fair and effective bill, and under its provisions crooks are controlled, employees are given a bill of rights, and dishonesty is punished. Why then the opposition to the Shelley bill, and why then the support for the Landrum-Griffin bill?

During the amendment stage of the bill, the combination of Republicans and southern Democrats ganged up together to deny the Secretary of Labor and the Attorney General the right to bring an action to restrain any union officer who was about to violate the provisions of title I of the bill and left the remedy to the union member without the support of the Secretary or the Attorney General. This amendment was overwhelmingly supported by the combination and became part of the Landrum bill.

Let us analyze the motives for the Landrum-Griffin bill. This measure was sponsored by Congressman LANDRUM, a Representative from Georgia, and Congressman GRIFFIN, a Republican Representative from Michigan. The Republicans who helped defeat the Kennedy-Ives bill last year are not seeking a solution, but want a political issue. Their votes in my opinion are politically inspired without regard for the economic effect on the industrial East, North, and West. Congressman LANDRUM, the Representative from Georgia, comes from a State which is antiunion. Georgia is 1 of the 19 States in the Union which has adopted "right-to-work" laws, recognized by many as "right-to-wreck unions" laws. Organizational or recognition picketing is one of labor's traditional practices to unionize a plant and to raise workers' wages. Bar all organizational picketing and recognition picketing by statute and you authorize and empower employers to exploit and to pay indecent wages and require longer hours. Where picketing is for the purpose of blackmail, then such picketing should be made a crime and prohibited. The Landrum bill, however, outlaws all types of picketing except where a plant is on strike.

The Shelley bill outlaws blackmail picketing, but provides that where picketing is carried out for the purpose of unionizing and obtaining decent wages and decent working conditions, such activities should not be condemned or curtailed. When picketing is carried on by a rival union when a legitimate union represents a plant or a business, an employer should have the right to go before a labor board for relief. Many workers throughout the United States are still not covered by a Federal minimum wage law, and these groups who are not permitted to organize by picketing will be compelled to work at slave wages. Inasmuch as Georgia has no minimum wage law, these unprotected workers are at the mercy of predatory employers. The advantages of cheap labor are recognized by industry and it flees locations where there are strong unions so they can pay cheap wages and make exorbitant profits at the expense of labor. It is a well-known fact that industry has fled from

the industrial East and North to find haven in States like Georgia, South Carolina, North Carolina, and other localities, which provide right-to-work laws and do not provide any minimum wage protection and labor legislation. The following are some of the Southern States which have right-to-work laws: Alabama, Arkansas, Florida, Mississippi, Tennessee, Texas, and Virginia. Their Representatives supported almost unanimously the Landrum-Griffin bill.

What is the situation in Georgia with respect to its labor conditions? Georgia in my opinion, is an antiunion State. While it has compensation laws on its books, it pays a miserable maximum of $30 per week to an injured worker as compared to $45 per week in other States. Georgia provides no minimum wage law for employees not covered by the Federal minimum wage law and the amount an employer pays may be insufficient to provide the bare necessities of life. In Georgia, where unions seek to help themselves by picketing, statutes prohibit mass picketing. Georgia and other Southern States have a competitive edge against northern industrial States. Their edge lies in the unfair advantage these States enjoy in the form of nonunion shops, lack of compulsory insurance, and lack of minimum wages.

For example, the States of Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, and Texas do not have any compulsory law for workmen's compensation. An injured worker is left to the whim and bounty of his employer and is not protected by statute when he is injured. When it comes to the question of wages, many of the Southern States who by their support of the Landrum bill are seeking to steal away and lure Northern industry into their area have no minimum wage laws. The Southern States which have no minimum wage law are Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Texas. Arkansas has a minimum wage law, but the minimum is pathetically low and amounts to a minimum of 16 cents per hour; hardly sufficient to keep body and soul together. These States do not have minimum wages in the retail trades, the hotels and restaurants, and in the laundry and drycleaning establishments. They afford no protection to the workers, and if the workers are denied the right to organization which the Landrum bill takes away from them, then certainly they are at the mercy of the ruthless employers and they are permitted to starve with the sanction of the State.

This is the story behind the support of the Landrum bill. It is an economic drive by a section of our country to continue their practices of indecent wages and to attract business from fleeing industry. The Republicans for political gains have betrayed the industrial sections of our country and have joined with the southern Representatives to pass the Landrum bill over prostrate labor. The philosophy of the Landrum bill is found in the attitudes of Georgia statutes and the statutes in the Southern States. Thus, the Landrum bill is motivated incidentally by a desire to eliminate the crooks, and in my opinion, primarily for selfish economic reasons, to continue nonunion shops, and thereby to maintain for Georgia and other Southern States their competitive edge of cheap labor, thus being able to steal industry from those industrial States which have high standards of working conditions for the workingman and high wages.

The Landrum bill bans the "hot cargo" provisions while the Shelley bill does not. The ban on hot cargo is another device to maintain nonunion conditions in Southern States. A hot cargo provision in a contract means that an employer and a union agree that an employee or a truckdriver shall not be compelled to handle his employer's goods which come from or go to a struck plant. It guarantees an employee the right not to be a strikebreaker or cross a picket line. A ban on hot cargo provisions means that nonunion shops which endanger a union worker's standard of living may continue on its merry way and union employees are compelled not only to handle their goods, but cross their picket lines if necessary. Why should a truckdriver be required to handle goods for a nonunion company or a struck company which pays slave wages and compels workers to work under onerous conditions? The Landrum bill with its ban on hot cargo and its provisions make the hot-cargo stipulation an unfair labor practice, forces truckers to cross picket lines of secondary employers who pay indecent wages and provide substandard conditions to the workingman. Must this truckdriver cross a picket line with goods when he knows and recognizes that crossing a picket line will help an employer whose plant is struck and who seeks to undermine his own standard of living and lure away business from industrial States? The Landrum bill requires that action on his part and this is the vice and meanness of the Landrum bill. It is in substance a fight by antiworker States to maintain their competitive advantage by destroying the effective tools which labor has to maintain its gains in this jungle of business rivalry. The Landrum bill aligns Government on the side of employers and denies labor unions the right and the opportunity to protect themselves against predatory practices by ruthless employers.

I support the sentiments of knowledgable and responsible leaders who are not antilabor or anti-industry, but are anticrooks, and who seek a true labor reform bill. What we seek is to guarantee the worker his right to vote, choose and participate in union affairs, to guard union funds from dissipation through loans or larceny, to punish unioneers who steal or who default in their position of trust, to disqualify ex-Communists and exconvicts from holding office for a stated period of time, to protect employees in their right to refuse to cross picket lines while prohibiting concerted activities by employees to force any person to cease doing business with another person, to prohibit blackmail picketing while preserving the right to picket for legitimate union aims. What we seek in substance is support of a bill which will accomplish these objectives. I believe that the bill which best accomplishes these objectives is the Shelley bill which I support. I favor the defeat of the Landrum-Griffin bill which would press down upon the back of labor a yoke of tyranny.

Mr. PRICE. Mr. Chairman, I suppose it is only natural that in discussing this legislation, we are primarily discussing the shortcomings of the labor movement. We all know those shortcomings exist, and we are trying to enact a bill that will correct them.

But in the course of this effort, I am afraid that some of my distinguished colleagues are brushing aside too quickly the evidence placed before us by the leaders of the labor movement—not those who have been exposed as crooked, unethical or dictatorial, but those whose conduct has been above reproach.

Ordinarily, I agree, it is wise to discount the arguments of special pleaders, or special interests, in writing legislation that affects them. But I submit, Mr. Speaker, that this is no ordinary case.

Older Members of this House will remember the history of previous regulatory bills. They will remember how, when we established the Securities and Exchange Commission to regulate the stock market, we did so over the bitter opposition of the rulers of Wall Street. They will remember how the public utility moguls fought against any interference with their monopolistic practices. In an earlier day, it was the railroads who resisted. And so it has been over the years.

It was the same story, for that matter, when we were in the course of amending the Wagner Act. The labor leaders of that time, the heads of the then rival AFL and CIO—though they were men of integrity—had few proposals to offer that would be regulatory as to labor. We had to proceed almost completely without their advice.

Today we have a different picture. From the very beginning, the leaders of organized labor have cooperated in the field of reform. They have made constructive suggestions. Indeed, they have insisted, time after time, that legislation was essential.

This is the first time, to my knowledge, that any group, any interest, in our society has voluntarily cooperated in a movement for the supervision and regulation of its internal affairs by government.

Therefore, Mr. Chairman, when these men of labor come to us and say, "This clause would hurt a legitimate union activity," or, "That clause would impose an insupportable burden on us," I think we should take them seriously. They are experts; and they have proved their good faith.

I do not think this is an issue that can be justly solved by legislation which pleases nobody. I admit it is tempting to say, in effect, H.R. 8400 is damned by labor as too tough, and H.R. 8490 is damned by management as too weak; neither side likes H.R. 8342, so that must be the answer.

I hope we resist the temptation. I say that to take this course would be a shabby reward for the honest union leaders who have given us their help.

We would not expect an innocent man to welcome conviction for man-

slaughter because his disowned brother has been charged with murder. And in this case, Mr. Speaker, the innocent man actually helped to build the case against the guilty one.

Compromise is essential in the art of government; but let us not compromise with justice.

I support the Shelly bill, and would support the committee bill properly amended if we get a chance to vote on that. As one who voted for the Kennedy-Ives bill in the 85th Congress I favor legislation that will help get the crooks, without harassing and impeding the forward progress of legitimate and decent labor unions.

The action we take here should be aimed at the crooks, not at the decent, law-abiding unions and their decent, honest, and law-abiding members.

There are unwarranted restraints on legitimate union activity in the Landrum-Griffin bill that prevent me from accepting it. The Shelly and the committee bills amended are the more fair and effective ways to meet this problem.

Mr. HARGIS. Mr. Speaker, I voted "no" on the Landrum-Griffin bill, which a majority of my House colleagues saw fit to approve as a substitute for the committee's labor reform bill. It is my personal conviction that this bill caters to industry and big business, and is strictly unfair to the rank-and-file laboring man. I promised my constituents I would vote for a bill designed to correct the abuses found in a few of the labor unions, but not for a bill which would inflict unjust punishment on those fine citizens of our working class who are trying to make an honest living by the sweat of their brow. I kept that promise.

A long and hard-fought battle, stretching over many years, gave organized labor the right to arbitrate and negotiate for a higher standard of living. Are we prepared to live with our consciences if we now turn around and take these rights away from them?

I feel certain that all of my distinguished colleagues who voted "no" on the Landrum-Griffin bill share my own sincere desire to rid organized labor of racketeering and corruption—and feel just as strongly about it as any of the Members who cast their vote in favor of this bill. But I refuse to believe that this can be accomplished only by stripping union members of their legitimate rights—rights earned and enforced through peaceful and democratic methods practiced in all free nations.

I want no part in setting a precedent for harsh, restrictive Government interference in the private and internal affairs of labor unions. There will never be a time when honest and just union functions should be endangered and curtailed by unjust Government action. We should not punish organized labor for all time to come because a few men have violated the faith of the labor union members, as well as the entire American population. If we operated on this basis, we would be equally justified in effecting governmental action to control the private and internal affairs of business and industry, where the misdeeds of a very few men also have resulted in widespread notoriety.

Another reason for my opposition to the Landrum-Griffin bill is my firm belief that its passage by the House may well destroy all chances of enacting any labor reform legislation during this session of Congress. The Senate, by an overwhelming majority, already has approved a far less restrictive bill. If they reverse this decision, even under almost unbearable pressure from outside sources, the Members of this distinguished body will leave themselves wide open to charges of hypocrisy. Our Nation may have to wait another year for labor reform, and the gangsters and hoodlums will laugh up their sleeves, free to continue their corrupt practices.

I do not feel that the backers of the Landrum-Griffin bill can honestly state that their only goal was to rid the unions of racketeering. Too many sections of the bill show total disregard for the hard-earned rights and privileges of the plain, honest, everyday, rank-and-file workmen who make up the backbone of the labor movement, and have done their earnest best to give organized labor the highly respected status it enjoys today—at least with thinking people everywhere who pay more attention to the good record of the many than they do to the bad record and bad reputation of a corrupt and arrogant few.

I want to emphasize to my many friends in business and industry that I would be just as adamant about refusing to vote for, or condone, any legislation aimed at undue interference in the lawful operations of business and industry.

It seems that too many people have forgotten that each of the three—labor, business, and industry—need each other to exist, and legislation aimed at destroying one can end by injuring all three.

I do not want labor legislation calculated to help put the economy of the Nation on a level where a few get rich, and the others get poorer. We cannot move back into the 19th century, politically or economically, any more than we could do it scientifically. This is legislation that deals with the bread and butter of millions of Americans, and it most certainly should be designed for 20th century living.

I ask the people of my home district in Kansas to judge me solely on this basis—that I consider legislation on its merits, and I do not vote in response to pressure from either side—but only on my personal conviction that the way I am voting is in the best interest of this great Nation. I firmly believe that if the Landrum-Griffin bill becomes law, we have betrayed organized labor to satisfy vested interests—and it will be something we will live to regret.

I certainly hope that House-Senate conferees will be able to present us with a just and equitable bill that will put an end to corrupt labor practices without doing massive harm to the entire labor movement.

Mr. McFALL. Mr. Chairman, I am in full accord with what I believe to be the overwhelming desire and determination of the people of the United States and the Members of this House to put an end to the racketeering and abuses in the field of labor-management relations as exposed by the McClellan committee.

I long have been ready and am prepared today, if given an opportunity, to vote for a strong and effective bill to drive out the racketeers, chiselers, and hoodlums who have established themselves in the labor movement against the wishes and over the opposition of the great number of legitimate and honest leaders and members of organized labor.

I am equally determined to do all I can to put an end to the just as despicable activities of conniving, bribing, and extortion by middlemen and management in the field of labor relations, as are the overwhelming number of legitimate and honest businessmen.

However, I will not vote for any legislation that, in the guise of racketeering reform, would actually cripple the legitimate activities of millions of honorable union officials and workers.

Last year I voted for the Kennedy-Ives bill which was designed to cure the abuses exposed by the McClellan committee. This bill was approved by a 88 to 1 vote of the Senate but it died in the House on a 190 to 198 rollcall when certain interests decided they would prefer to have an election issue rather than labor legislation.

Of the measures before us today, it is generally agreed that there are really only two choices—the Elliott committee bill, H.R. 8342, and the substitute Landrum-Griffin bill, H.R. 8400.

Robert F. Kennedy, chief counsel for the McClellan committee, and the man who knows the abuses uncovered by the committee better than any other man, has given his all-out support to the committee bill.

Kennedy, whose opposition to labor racketeering has reached the point of a personal crusade, said yesterday that the committee bill would carry out all of the recommendations of the McClellan committee.

Kennedy said the committee bill would provide:

First. Safeguards for union funds, with appropriate penalties for the falsification or destruction of union records and the embezzlement of union dues.

Second. Safeguards for union member rights and democratic procedures, including secret ballots, regular elections and an opportunity for opposing nominations.

Third. Safeguards against secret conflict of interest transactions by, or loans to, union officers.

Fourth. Safeguards against employer payoffs to interfere with union organization, or for sweetheart contracts.

Fifth. Safeguards against the abuse and prolongation of union trusteeships.

Sixth. Safeguards against the use of felons as union officers.

Seventh. Safeguards against the use of picket lines to extort money.

Eighth. Safeguards against hot cargo contracts and fictitious unloading fees.

Ninth. Safeguards against surreptitious and improper activities of undisclosed management middlemen.

While differing in some detail, the Elliott bill and the Landrum-Griffin substitute, as well as the Shelley bill, all agree pretty well on the above points. Page after page of the language is identical. The issue of corruption is well handled in each of the measures.

But the issue before us today is not shall there be labor-racketeering reform. On that point we are all agreed.

The issue is whether or not we should follow the dictates of those whose economic position would be bettered by handicapping the union movement to place in the law under the excuse of "labor reform" legislation that would cancel out the historic balances of basic labor-management relations that over the years have resulted in the greatest opportunities, the greatest advances, and the greatest prosperity for both business and unions that this Nation has ever known.

The same forces that have tried to foster the right-to-work philosophy on this country want that kind of a bill.

The Landrum-Griffin substitute is their bill.

Among other defects, this proposal would virtually put an end to legitimate organizational picketing, a historic right of unions, even under the Taft-Hartley Act. It would impose impossible criminal penalties for actions in the internal working of union meetings. It would leave the vast majority of small unions and managements in the so-called "no man's land" without any uniform relief from the NLRB.

I am in favor of the middle-of-the-road approach advocated by our Speaker and will oppose the unduly restrictive Landrum substitute.

There are three areas in which it is most oppressive:

First. No man's land: The Landrum language on the no man's land is conflicting and generally unsatisfactory. It would pass on to the States the authority to arbitrate cases that the National Labor Relations Board did not accept. Uniform justice would not be possible under this setup. More than half the States now have no machinery for such action. State laws vary widely. The committee bill takes the reasonable approach that every union and management, no matter how small, should have the right to NLRB processes, and calls for the expansion of the NLRB and directs it not to refuse to handle any case.

Second. Hot cargo and secondary boycotts: The Landrum substitute, by unqualifiedly barring hot cargo contracts in all trucking, makes strikebreakers out of all Teamsters and requires them to cross picket lines of any union. The Elliott bill had the same provision applicable to interstate carriers but added wording to specify that the hot cargo contract ban did not apply to a member's right not to cross a primary picket line without losing his job and did not require a union member to cross a primary picket line.

The Landrum bill made illegal all secondary boycotts in all industries and even banned a union from encouraging individual members to engage in a secondary boycott. Acting in concert to encourage secondary boycotts is banned by present law, which forbids secondary boycotts.

Third. Picketing. The Landrum language would make it virtually impossible for an honest union to picket for organizational or recognition purposes, to advertise by peaceful picketing as "unfair to union labor," despite Supreme Court decisions that permit this as an exercise of free speech.

Specifically, it would outlaw recognition or organizational picketing if the employer recognized another union, if there was a valid election in the past 12 months, if the union could not demonstrate a "sufficient showing of interest"—signed cards of 30 percent—to support a petition for a recognition election or where picketing had been going on for a reasonable time—up to 30 days—and no petition for election had been filed. It contained no provision for a defense if the employer was charged with unfair practices in the election.

The Elliott bill restricted organization picketing but not so severely. It outlawed organizational picketing by a union only if another union was validly recognized by the employer or the picketing union had lost a recognition election within the preceding nine months, and could not show that it had since come to represent a majority of the employees. A charge that the employer had engaged in unfair labor practices in the election would be a defense against an allegation of illegal picketing.

Extortion or blackmail picketing would be banned by both bills.

Should the Landrum-Griffin substitute be finally adopted, the bill will go to conference along with the Kennedy-Ervin bill adopted by the Senate earlier this year.

It is my deep and sincere hope that reasonable minds and responsible attitudes will prevail and out of this conference will emerge a sound, workable and fair bill which will bring about real reform in the labor-management field but which will not destroy the ability of labor to achieve its legitimate objectives.

Mr. O'HARA of Illinois. Mr. Chairman, what we are voting on today is the industrial survival of the North. Let us put the cards face up on the table.

Our distinguished colleagues from the Southland know exactly what they are doing, and at least they are loyal to their constituents. If they can hoodwink Republican Congressmen of the North into joining with them in the raid on northern industries, I cannot withhold the compliment of saying that they are smarter than their allies.

And yet, Mr. Chairman, while they are smart on one front, I sometimes wonder if on another front they exhibit the same evidence of awareness.

While to the industrial advantage of the South in its economic cold war with the North they are playing cronies with northern Republicans, very quietly, very cleverly, very effectively northern Republicans have infiltrated into ownership and control of the great newspapers of the South. Today most of the great daily newspapers south of the Mason and Dixon line are owned and controlled by northern Republicans. Temporarily the local managements of these Republican-owned newspapers play the southern game, taking on the garb of virtuous independence and seemingly adopting southern viewpoints, but when the shots are called on matters that count the command comes from Republican ownership north of Mason and Dixon.

I am not quarreling with the march of progress. I merely am pointing out the outlines of that progress that those who take the trouble to note what I am saying may make their own appraisements. The fact is that the old southern editors, men like the late Col. P. J. H. Mooney of the Scimitar in Memphis, are gone. Northern Republicans call the shots.

So when I see northern Republicans march up the aisle with southern Democrats, who no matter how much they may differ with their northern brethren in some areas do have a common share in the democratic heritage of Thomas Jefferson and Andrew Jackson, I wonder really who is being hoodwinked and who is being duped.

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It may gain a temporary political advantage for northern Republicans to gang up with southern Democrats to speed the departure of mills and factories from Illinois, Michigan, Massachusetts, Connecticut, and the other States in the Middle West, the East, New England. Conceivably in the election of 1960 the alliance might bring a repetition of 1952 when Southern States gave their electoral votes to General Eisenhower and the price was paid in full by northern Republicans voting with southern Democrats to give to four Southern States the tidelands oil potentially worth twice the amount of the national debt and which thrice the Supreme Court of the United States had decreed belonged to all the people of the United States.

In those tideland oils was the wealth to carry the heavy load of popular education for all the children of all the States in the Union. There was the wealth, once the properties were developed, to pay off the huge national debt and restore this country to a condition of solvency, when every citizen could go to bed at night in the calm reflection that his country owed to no man as much as one red penny.

The alliance still holds that gave these properties, thrice by the Supreme Court of the United States declared to be the properties of all the people, to Southern States for their exclusive use and advantage.

I see no inconsistency with what is happening now with the giveaway of the tidelands oil properties to pay a Republican political debt.

SOUTH CONSCIOUS OF GREAT CHANGES

A great change is taking place in our United States, and of some of the repercussions the South is conscious and its Members in the Congress are alert. I am not as sure as the Republican leadership that the North is asleep in its complacency. There is too much talk in my own city of Chicago of industries planning the hike southward to con-

tradict the Republican gamble on a complacent North. What happened to the textile industry of New England can happen to the industry of the Middle West.

From 1946 to 1954 there was an alarming migration of textile plants to the South.

In the Mid-Atlantic States—New York, New Jersey, and Pennsylvania—some 190 textile firms employing 56,000 textile workers were liquidated in that period. These figures only refer to liquidations and do not take into consideration the hundreds of firms whose plants in 1954 were only operated from 50 to 75 percent of normal operations. In fact, the textile industry which employed around 1,280,000 in 1948, 6 years later employed some 950,000, a total loss of some 330,000 jobs.

In a speech before a meeting of the American Management Association in the fall of 1955, John C. Whitaker, chairman of the board of R. J. Reynolds Tobacco Co. of North Carolina, condemned some southern communities for trying to lure plants from the North with promises of cheap labor and tax concessions.

"Such companies do not make good employers or first-class neighbors, no matter where they are located," Mr. Whitaker was quoted as saying in the New York Times of September 29, 1955.

Since 1955 the drive has been intensified. Its threat holds over the city of Chicago. It is a real, an immediate threat. As industrial plants need modernizing, just as the textile plants faced that need, Southern States reach out for them with the inducement of tax exemptions and cheap nonunion labor. Let my Republican colleagues from the North who today are voting with the South to take industries from the North and replant them in the South not underestimate the intelligence of our northern people.

MULTI-BILLION-DOLLAR DRIVE

I have said that inducements to northern industry to run away to the South are: First, financial help in relocation and exemption from taxes, and second, low nonunion labor. From the northern standpoint, one is bad enough, the two together can be fatal.

Newsweek in its edition of February 11, 1957 said:

> In the multi-billion-dollar contest for new plants, every (Southern) State except two has a tax-supported agency to sing its siren song.

Tennessee offers tax-free factories to new industries through issuance of municipal bonds which are exempt from Federal taxation. There the taxpayers throughout the United States unwittingly give a subsidy to industries moving into Southern States.

Mayfield, Ky., offered $9,500,000 in industrial building revenue bonds for constructing an industrial building project "to be leased and used by the General Tire & Rubber Co."—Bond Buyer, April 4, 1959.

Delhi, La., offered $200,000 in bonds for the purpose of "acquiring an industrial plant building and providing necessary appurtenances therefor to be used for the purpose of manufacturing boats and trailers and leased by the town to Delhi Manufacturing Corp."—Bond Buyer, March 21, 1959.

Mississippi: As of 1955 built 99 new plants with the aid of a municipal bond issue. January 31, 1959, Bond Buyer listed industrial bond sales for the State totaling $1,790,000.

FIFTY-CENT-AN-HOUR WAGE SAVING

Challenge, December 1955, reported that Greenville Mills, Inc., saved $170,000 a year in municipal taxes and 50 cents an hour on average employees' wages, and was able to set higher work quotas because of the absence of organized labor.

Gainesville, Fla., is financing the construction of a Sperry plant with funds from the city employees' retirement fund.

Alabama, Louisiana, and Mississippi all allow tax exemption of new manufacturing establishments.

South Carolina allows a 5-year exemption on all but school levies.

Arkansas permits a 7-year tax exemption in textile mills. Source: National Municipal Review, March 1957; Dunn's Review, and Modern Industry, April 1958.

This is only part of the picture. It is sufficient, however, to show to our people in the industrial North that this is no child's play on the part of the South. The South is playing dead earnest and for keeps. Newsweek describes it as a multi-billion-dollar drive. My distinguished northern Republican colleagues, who either unwittingly or to grasp for a fleeting political advantage, are aiding and abetting, it seems to me are gambling pretty recklessly that their constituents are not smart enough to read the writing on the wall. I know men and women in the North pretty thoroughly. There are not any smarter people anywhere in the world and when you give them the facts you can bank your life on their common sense.

LOW WAGES THE CLINCHER

So much for the financial help and tax exemption part of the South's drive on the industries of the North. That threat, serious as it is, and certainly not to be laughed off, in itself would not be sufficient. The North might be forced to meet money with money, tax exemption with tax exemption, all of which would place greater and ruinous tax burdens on our States and communities.

But the clincher in the South's drive is the other half of the lure—cheap nonunion wages.

I want every section of our great country to prosper, and I want every section of our country to share in the bounties of the greatest land on earth. But I want every section to get its share in fair competition with other sections. I do not like what is now happening. I do not like to see Northern Republicans, in their grasp for a passing political advantage, walk up the aisle arm in arm with a Southern bloc that has the objective, worthy enough from the Southern standpoint, to take from the North its industries. Nor do I think that it is healthy in a democracy for any section of our great country to swap away control of its newspapers, which are expected eventually to influence if not control public sentiment, for a bunch of run-away factories.

In the Middle West our industries are unionized. Collective bargaining has given to our workers wages and working conditions that we wish to maintain. They cannot be maintained if the goods they produce must come into competition with the wares from factories where each individual worker must deal with his employer and accept what he is offered or go unemployed.

GOOD WAGES BENEFIT EVERYONE

Everyone in the Middle West has a stake in the outcome of the present economic cold war between the North and the South. Management and labor, of course, but in equal measure the merchants, who benefit from the buying power of a well-paid labor force. If organized labor should be crushed the clock in every home in Chicago would be set back half a century or more.

Hence in Chicago we have a real, a personal interest in the enactment of strong legislation that will strike effectively at crooks, scoundrels and racketeers, whether they operate within labor or within management. Because so many of our people are members of unions, and because all our people share in the benefits to our economy, we want to back up honest and responsible labor with legislation that will assure, as far as it is in human power, absolute integrity and full opportunity for democratic participation by the rank and file.

Our distinguished colleagues from the South who are backing the Landrum-Griffin bill do not have that interest. Their interest is not in remedying labor abuses, but in no unions at all. As long as the South can keep out the labor organizations, it will have a powerful weapon in the economic cold war with the North. My colleagues from the South know exactly what they are doing. I give them credit for astuteness.

LITTLE KNOWN ABOUT BILL

The Landrum-Griffin bill came from goodness knows where. It was never presented to the committee. It has been discussed very little in this debate, and then only in broad outlines. Busy as he is, I would venture to say the President of the United States has never read the bill. That is no reflection on the President. There are not many Members on this floor that have read the bill. And everybody who has read the bill seems agreed that it will require interpretation by the Supreme Court to determine what some of the language really means. It is probable that the Court will hold that under the terminology of the bill all peaceful picketing is prohibited. Some smart lawyers say so. I do not know. No one knows. In fact, no one knows very much about the Landrum-Griffin bill in detail.

But it does two things that have no relation to labor abuses and that bear directly on the issues of the economic cold war of the North and the South.

First, it makes almost impossible the unionizing of runaway plants from the

North by providing that no work of organizing such as the posting of a peaceful picket line shall proceed until 30 percent of the employees have come out in the open. Under such circumstances, workers when their jobs are at stake, and their families may suffer, are not likely to venture far in bringing up their wages to those of the North. If southern industries do not pay the same wages as northern industries to workers doing the same work on products that meet in competition on the national market it is self-evident that either the North will lose its industries or that low nonunion wages will be forced on the North to the tragic ruin of our economy.

The Landrum-Griffin bill throws every roadblock in the way of legitimate union organization. And until labor is organized in the South as it is in the North, so that one American worker gets the same pay for doing the same work, regardless of the State in which he works, the North will be under an unfair disadvantage. Provisions tucked in the Landrum-Griffin bill stack the cards against both management and labor in nothern industry.

SOUTHERN COURTS TO DECIDE

Secondly, the Landrum-Griffin bill will take certain labor disputes from Federal jurisdiction and throw them into State courts for determination. That, as a writer in one of Chicago's great daily newspapers says, in the South probably could mean the end of many unions. In a State determined to keep out unions in order to attract industries from the North, the legal means are supplied for plenty of discouragement to labor organizers.

Mr. Chairman, I have tried sincerely to be fair to my colleagues from the South. I think they realize that the time will come when industry in their section will be organized as it is in my section, but in their justifiable ambition to have an industrial South they understandably want to ward off the inevitable long enough to get a full haul of Northern factories with the lure of low wages, no unions.

CURRENT NEWS FROM SOUTH CAROLINA

If the North is not alert, there is every evidence of alertness in the South. I have in my hand a copy of the Charlotte Observer of August 7, 1959. That is certainly current—the news up to a week ago. Permit me to read from a dispatch in that newspaper from its correspondent at Columbia, the capital of South Carolina. Here is the dispatch:

Can a community discourage one plant with union affiliation and encourage another with union ties?

This is a problem that may confront this South Carolina capital soon.

It is a problem that could grow out of the way Columbia handles its present problem.

For this industry-hungry city is now tempted by a choice morsel to which it may have to say: "No thank you."

The possibility has been raised with the prospect that one of the Nation's largest shirt manufacturers, Cluett-Peabody, may locate a sewing plant here.

The company, maker of Arrow shirts, is highly reputable and responsible. But its plant would be the first unionized sewing shop in an area where other established plants have resisted the unions.

Suppose Cluett-Peabody was politely and courteously told about the local problem and asked to look elsewhere.

And, suppose a week later a giant Detroit automobile manufacturer would announce plans to build a plant here.

Would that industry be welcomed?

The automobile plant would bring more jobs, more money. It would be a tremendous shot in the arm to the local economy.

But it would bring in bigger and stronger unions.

AND A LETTER FROM MISSISSIPPI

That, Mr. Chairman, is the current situation in the fair city of Columbia in the great State of South Carolina. But the lure of low wages, no unions has been held out to northern industrialists from the very beginning of the economic cold war. Here is a letter of 5 years ago from a town in Mississippi, photostatic copies of which have been published:

PELAHATCHIE, MISS, *June 10, 1954.*

MR. HOBART J. HENDRICK,
President, H. B. Ives Co.,
New Haven, Conn.:

Greetings, Mr. Hendrick, as we cordially invite you to visit our beautiful community. We want your company to have the harmonious and highly successful experiences of operating in a veritable industrial paradise, and see how our wholehearted cooperation will do it for you.

For either a main or branch plant, we will provide the site and building just as you want them, make the carrying charges easy—eventually becoming as low as $1 per year, with taxes being exempted up to 99 years, and you make no capital outlay for them.

Then our wonderful labor, 98 percent native born, mostly high school graduates, will lower average hourly industrial wage rates 6 to 49 cents below other Southern States, and from 50 to 95 cents below Northern States. You will also get a much higher man production, some plants even getting double what they got in their northern plants. This labor is truly American, not inflicted with the something-for-nothing idea and works together joyously with management for the success of both.

Here you will also enjoy savings in power, fuel, utility, tax, and other costs. Raw materials are convenient, transportation facilities are good. No one will tell you whom you must employ and all detrimental State laws for industrial operations have been repealed. The closed union shop has just been outlawed in Mississippi.

You would be located in the heart of the entire southern area with its great markets for your products and not much competitive production of them in it. For a number of years ahead, the percentage of growth of these markets will probably be greater than in any other section of the United States. With the large savings in wage, production, and operating costs, while your plant is operating peacefully and successfully, it will put your company into a most favorable competitive position not only in the entire South but also over most of the country.

Our deep spirit of warm, friendly cooperation always behind your company will surely be an inspiration to you for its phenomenal success, which many industries in our State now enjoy. So we again most cordially invite you to visit our wideawake town. When you visit us, you will be delighted to see how we can make good on this and you, too, may like very much to join with us and together achieve and enjoy that phenomenal success. Will you come?

Sincerely,

TOWN OF PELAHATCHIE, MISS.
H. C. RHODES, *Mayor.*

TURNING BACK THE CLOCK

Mr. Chairman, I have finished. The Landrum-Griffin bill seems assured of passage. I shall vote against it, and I shall hope and pray that when the bill goes to conference with the Senate the good in the bill will be left and the bad, or the ill advised because inadequately considered, will be extracted.

I am 77. I have been through the fight of our people of many long years to bring the wages and working conditions of labor in the North to the present standards under which the worker enjoys dignity and the community benefits from the buying power of labor. I will not be a party to turning back the clock. I have put too much of my life into a cause which, to me, has been worthwhile in broadening the horizons of human contentment.

The South has advantages in climate, nearness to international markets, many advantages, and industry inevitably will be divided, according to the circumstances and requirements of each industry, between North and South. The economic cold war between North and South will terminate in advantage to both. But it will reach no such termination until the worker in the South receives, for the same work, the same pay as the worker in the North. Nor will the economy in the South be on the same wholesome basis as that in the North; nor will the southern merchant benefit from the same market with similar buying power, until organization of honest labor has rescued the southern worker from the condition of bargaining individually with his employer and accepting what he is offered or going unemployed.

Today the average annual income of an American in the State of Mississippi, after personal taxes and basic expenditures, is $418 as compared with $5,691 in the State of Illinois, according to the 1958 report of the U.S. Department of Commerce. When I was Lieutentant Governor of Illinois in the period beginning in 1913, and chairman of a commission investigating the wages of the workers of our country, the average annual wage of all workers in Illinois was slightly over $600. But for organized labor we would still be in a condition comparable to that now of Mississippi.

With all respect for the loyalty to the South of my southern colleagues, I must respectfully remind them that in the present economic cold war the loyalty of the gentleman from Illinois is to Illinois and his constituents in the city of Chicago.

Mr. McGOVERN. Mr. Chairman, it is imperative that this Congress pass a strong and effective labor reform bill.

The American people are rightfully demanding an end to the disgusting tactics of racketeers such as Dave Beck and Jimmy Hoffa.

We all know that the overwhelming majority of our labor leaders and union members are honest, loyal Americans. But a small element in the labor-management field have fallen into the use of corrupt and strongarm tactics that are a disgrace to our free enterprise system.

Actually, the rotten apple in the labor barrel should have been removed long ago. The Congress was given a chance

to take a long stride in that direction a year ago when the Kennedy-Ives anti-racketeering bill passed the Senate with only one dissenting vote but was choked off in the House by a cross-fire of propaganda from extremists on both sides of the issue—those who wanted no reform at all and those who wanted to use Dave Beck as an excuse to put a legislative shackle on the entire labor movement.

I believed last year, as I do now, that the overwhelming majority of the American people want legislation that is strong enough to put hoodlums like Hoffa out of business. On the other hand, the same Americans would be just as strongly opposed to the schemes of labor haters to destroy honest labor organizations. That is why as a member of the House Committee on Education and Labor last year, I did my best to secure passage of the moderate Kennedy-Ives bill.

Although I transferred from the Education and Labor Committee to the Committee on Agriculture this year, I have not lost my interest in effective labor reform legislation. Neither have I changed my belief that the public interest lies between the two extremes of either doing nothing or passing a bill designed to punish all labor, honest and dishonest alike.

For this reason, I again supported the position of moderation represented by legislation reported out of the House Committee on Education and Labor and sponsored by my respected colleague and friend, Congressman ELLIOTT, of Alabama. To the left of this bill was a second bill backed by the AFL–CIO and introduced by Congressman SHELLEY, of California. On the right is the third bill now before us, backed by the National Association of Manufacturers and the U.S. Chamber of Commerce, introduced by Congressman LANDRUM, of Georgia, and GRIFFIN, of Michigan.

All of the men who have introduced these bills are respected, highly competent Congressmen who act in good faith. Actually, the Shelley bill and the Landrum bill are patterned after the Elliott committee bill in most of their provisions. All of the bills contain tough, effective machinery for cleaning out corruption, rigged elections and racketeering. The differences come on matters relating to the scope of the National Labor Relations Board, picketing, boycotts, and the "hot cargo" practice. Although the Landrum bill is virtually a copy of the committee bill in more than 80 percent of its language, it contains highly restrictive language and heavy penalties which many labor lawyers and Members of Congress sincerely believe would jeopardize legitimate collective bargaining. Robert Kennedy, the McClellan committee's able legal counsel has strongly backed the moderate Elliott committee bill as the most practical of the three bills.

Our distinguished and beloved Speaker, Mr. RAYBURN, who supports the committee's middle-of-the-road bill, put it this way:

> To cut out the cancer of corruption, we used a surgeon's scalpel instead of a butcher's cleaver.

Those of us who are doing our best to resist pressure from both sides and take a moderate position in support of the committee bill have been hit from both left and right. Quoting further from Speaker RAYBURN:

> Every time that Congress takes up the subject of labor-management relations, powerful interests move in and try to twist the legislation to give them an undue and unfair advantage in the age-old struggle between management and labor. Each side tries to shape the laws so that the Federal Government's great power will be put to work on its behalf in this continuing struggle for economic power. This is not right, for the Federal Government should serve as an impartial umpire between these great economic forces, seeking to maintain fair and free competition.

The man who has served as Speaker of the House longer than any other man in American history, speaking for those of us who support the committee bill, added:

> This middle road, the road of reason and fair play, is a hard one to walk, but more often than not it is the path of common sense and justice. When a bill is being fought by both Jimmy Hoffa and the labor haters, that, in itself, is a pretty good recommendation. * * * Let us reform without punishing. Let us cure without crushing.

Although I have preferred the committee bill, now that the Landrum-Griffin bill has been substituted, I am voting for this substitute measure on final passage.

It is essential that labor reform legislation be passed by the House. If there are errors in the legislation, let us hope that they can be corrected in the conference between the House and Senate versions of labor reform bills.

The important task for us to accomplish before the adjournment of this Congress is the passage of legislation that will set the power of the Federal Government against the racketeers without crushing legitimate collective bargaining and the rights of our working men and women.

While I have disagreed with some of my constituents who have written me on both sides of the labor reform issue, I believe these good people know that I am as sincere in my convictions as they are in theirs. I believe they know, too, that I will do the best I know how to cast my vote on the side of fair play for both management and labor and for the American people as a whole. I am most grateful for the fact that I have enjoyed the support of both labor and business, as well as the great farm population of South Dakota. I see no conflict between the best interests of all three of these basic elements of our economy, and I trust that my public record will be fair to each of them.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask for a reading of the engrossed copy.

The SPEAKER. Of course, it is impossible to get an engrossed copy here today. The bill will go over until tomorrow.

HON. CARL ELLIOTT

Mr. LANDRUM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANDRUM. Mr. Speaker, on the eve of this debate, one of our very distinguished and able members of the Committee on Education and Labor, my very dear personal friend and neighbor from Alabama, Mr. ELLIOTT, and, I am sure, the friend of everyone here, was stricken. He had to go to the hospital and undergo surgery as we all know. I want to take this opportunity to express to him through this medium, and, I am sure that the membership of the House joins me, our very best wishes for a speedy recovery and our genuine regrets that he could not be here to participate in this debate.

GENERAL LEAVE TO EXTEND

Mr. KEARNS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the labor bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

THE REAL ISSUES IN LABOR-MANAGEMENT REFORM

Mr. GIAIMO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. GIAIMO. Mr. Speaker, New England has always been an area where reasonable men in reasonable discussion work out reasonable solutions to community problems.

In the present emotionally charged atmosphere in which labor legislation is being considered, I deem the attitude as expressed in an editorial appearing in the New Haven Journal-Courier, one of Connecticut's oldest newspapers, a welcome breath of such reasonableness and composure.

There has been a concerted effort during the past few weeks to equate the term "strong" labor reform legislation with one particular bill, and "weak" with other proposals now before this body.

This effort is being carried on through the use of advertisements and other types of promotion under the guise of promoting "fair" labor reform legislation.

There are, fortunately, many thoughtful people watching the actions of this body today, who want legislation passed which will correct the abuses of power, the racketeering, and gangsterism, and who do not wish to see labor reform used as a wedge to do serious harm to legitimate labor unions.

An example of thoughtfulness and reasonableness is an editorial which appeared in the August 11, 1959, edition of

the New Haven Journal-Courier, which I wish to insert at this point in the RECORD.

The editorial follows:

THE NATIVES ARE RESTLESS

As debate time approaches in the U.S. House on the issue of labor reform, a few things perhaps need to be kept in mind.

First, the country has shown strongly that it wants reform, without delay. There can be no excuse for Congress going home without having satisfied this general demand.

Second, the business of legislating does not now and never has consisted of getting the best bill imaginable or none at all. Those who assail the Senate-approved Kennedy bill appear to miss this point.

Getting the best bill possible, in the light of all the factors and forces at work, is what normally happens in the name of lawmaking. Those who expect perfection, 100 percent, the whole ball of wax, are doomed, in virtually every instance, to permanent disappointment.

The 1959 labor reform bill, to be useful, to serve as a big step along the way, does not have to incorporate within its bounds features to combat every conceivable transgression charged to racketeering labor. Congress is not going home for good, just for the fall.

Third, neither the country as a whole nor any fair-minded segment within it can sensibly believe that it is proper for any lawmaker to listen to the complaints against labor reform uttered by James Hoffa, president of the Teamsters' Union, and his top lieutenants.

For some seasons now, the Nation has heard the Senate Rackets Committee build a case against Hoffa and a number of other labor unions, on the score of both racketeering and financial shenanigans.

Fortunately, these men constitute a minority in the Teamsters and in the labor movement as a whole. But Hoffa and others are extremely powerful. Plainly they regard themselves as above the law.

The entire point of labor reform is to make sure that new Hoffas cannot rise in the future to plague both union men and the general public which must pay tribute.

Are U.S. lawmakers really supposed to listen seriously to the hostile comments of Hoffa on a labor reform bill, when it is his and others' wrongdoings that the measure is precisely designed to combat?

He has had endless opportunities, and has not done so. What congressional ear does he now deserve to have?

The people of this country expect action on reform. They would not like to read that it has failed to materialize. Most particularly they would not like to read that this has happened because of the lobbying pressures applied by James Hoffa and others of like kind.

COMMITTEE ON RULES

Mr. TRIMBLE from the Committee on Rules reported the following privileged resolution (H. Res. 345, Rept. No. 896), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8374) to amend Public Law 85-880, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Astronautics, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

PROGRAM FOR THE BALANCE OF THE WEEK

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I take this time for the purpose of inquiring of the majority leader as to the program for the balance of the week and any other information he might give us as to the program for next week.

Mr. McCORMACK. Tomorrow there will be final action on the pending labor bill. Then there are two conference reports: H.R. 7048, the independent offices appropriation bill, and H.R. 7509, public works appropriation bill. There will be no further legislation for this week after we dispose of this program tomorrow.

Mr. HALLECK. I thank the gentleman.

COMMITTEE ON AGRICULTURE

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that the House Committee on Agriculture may have until midnight Saturday night to file reports on H.R. 8609 and H.R. 1359.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

BEWARE THE 15TH OF SEPTEMBER

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, on that fateful day, communism will score a propaganda victory that will have repercussions throughout the world, aided and abetted by the folly of the U.S. Government.

Khrushchev has frightened the administration into the confused retreat from Geneva.

In desperation, and as a delaying action to prevent a rout, the administration has sued for the peace of appeasement by slavishly inviting conquering Khrushchev to see with his own eyes the friendly spirit of the misguided appeasers in our own country.

How did we come to this humiliating pass?

How are we to prevent the impression of an America fawning and abusing itself before the Red tyrant, beginning September 15?

Let us face it.

Only the American people can recover the self-respect and the principles which the administration has abandoned. We can do this by a vigorous and sustained protest clearly demonstrating that the American people repudiate this surrender to expediency. The voice of our free people when it speaks, has the power to be heard by Khrushchev in Moscow. It can cool off his overconfidence and make him decide that it is better not to come here. It can rescue our leaders from their mistakes.

Before September 15.

By alternating his pressures on our exposed position in Berlin, Khrushchev gradually wore down the resolution of the administration. In ill-concealed panic, and in an effort to buy time because it could think of nothing else, the administration begged Khrushchev to be the honored guest of the United States.

Which is exactly what he wanted, and planned, and succeeded in getting.

The administration was taken in all the way.

Khrushchev knows that he won this important round. A flattering reception by the administration and its agents, if he should visit the United States, will strengthen his confidence to the danger point.

For he still has the Berlin situation to bluff us out of our own strong hand.

The ransom that the administration paid, via this invitation, will not settle anything. It is a sign of further weakness of will, that Khrushchev is certain to exploit for additional concessions.

Meanwhile, the administration is whistling in the dark.

Behind its forced smiles and impractical hopes it is beginning to wonder how it can extricate itself from this cul-de-sac.

Shall it call in Madison Avenue for help?

Shall it stage a false front reception to Khrushchev, surrounded by an army of guards, police, and plainclothesmen, who will certainly protect him in order to avert a disaster? They will protect him because it is their duty to do so, even though the assignment is so disagreeable.

Only public opinion, that it failed to consult in the first place, can get the administration off the hook where it trapped itself by issuing this frantic invitation.

And thus redeem our reputation before the world.

We must serve notice on Khrushchev that he will not be welcomed by the American people.

We will not be a party to the hypocrisy of greeting the dictator who plots our enslavement.

We will not confer upon him the honor, prestige, and respectability which he craves, but which must be denied to him forever because of his brutal crimes against millions of innocent people.

September 15 is the deadline.

Before that date the voice of the American people must rise in righteous protest to veto the unfortunate invitation to appeasement issued by an administration that has temporarily lost its faith and its courage.

INVESTIGATION OF SMALL BUSINESS PROBLEMS IN THE FOOD INDUSTRY

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, last month subcommittee No. 5 of the House Small Business Committee, of which I have the honor of being chairman, opened a series of hearings on the distribution problems of small business in the food industry.

The Small Business Committee had received many complaints from independent food store owners alleging improper practices. We heard from the small businessman that there was an economic concentration of power which was causing him great hardship. Letters complained of the multiplicity of mergers, of financing problems which prevented expansion and of the growth of vertical integration by the large chains.

It was with these problems in mind that the full committee instructed subcommittee No. 5 to investigate the facts of the situation which now exists in the food industry, which is the largest single segment in the American economy, a $50 billion business.

Food is obviously one of the most important and basic commodities used by the American consumer. The revolution which has taken place in the entire industry is of vital importance to all of us. From the farmer to the grocery shelf the handling of food has changed, and changed radically, and the end result of a much greater variety of products, packaged and presented in a manner unknown less than 30 years ago has greatly affected our entire way of life.

During 8 days of hearings we heard from witnesses of every segment of the food industry. From the chainstores and the co-ops, from the frozen food people and the poultrymen, from the wholesalers and retailers and from the farmers. The Government agencies gave us facts on how many retail grocery stores there are and how much money we spend in them. We got details and we got the broad picture, and this is what we have been told:

There have been a great many mergers of small companies with large food chains in the last 10 years. In 1953 there were 273 food chains and today there are 77. Less than 35 percent of the 77 chains account for 77 percent of the total food chain sales. Of the 370,000 food stores in existence today about 12 percent of them do 70 percent of the business. The so-called mom-and-pop stores are disappearing from the neighborhoods.

Two percent of all the companies engaged in food marketing in 1954 employed 43 percent of the people and accounted for 52 percent of the industry payroll.

The plea most often heard from the small businessman was the chance to buy competitively with the chains. Given that opportunity many of the independent operators believed because of their flexibility and ingenuity they could continue to compete with giant chains.

Independent grocery store owners told us they were unable to obtain financing which would permit them to expand, as lending firms preferred the security of the national chain as a borrower. Because of this, the local small chainstores were kept out of new shopping centers and forced to continue in less-desirable shopping areas.

Vertical integration has overtaken the food industry. Large food chains now control farms and cattle ranches, process and distribute the end products to their own retail stores. Many of the traditional American businesses—wholesalers, independent packers, and so forth—have been and are continuing to be eliminated as this practice spreads.

Shelf space is one of the keys to success in the grocery business. With perhaps 7,000 items to choose from, the housewife is going to be influenced by the location of items placed at her eye level. Today the problem is to get your merchandise on the shelf.

Private label brands which carry the exclusive label of a particular chain enter the shelf-space problem and constitute a major worry for small processors. The subcommittee was told that chains give preferential shelf-space location to their own private labels, which, of course, made it more difficult for independent firms to sell their products.

The manufacturing of a private label product for a large chain by an independent manufacturer spelled ruin for at least one witness when the large chain decided to pull out and go into competition with him.

Throughout the entire hearings was woven the story of mergers. Why the urge to merge? The National Association of Retail Grocers study of mergers in the grocery business found that between 1955 and 1958 there were 160 acquisitions by 68 companies of 2,657 food stores having an estimated annual sales of $2.9 billion. This is equal to the total grocery sales of 14 States. Why do these mergers take place?

The Federal tax structure, we were told, serves as an incentive for mergers and acquisitions. The independent grocer who wishes to leave his business to his family is hit hard by taxes and decides to sell out instead.

Future expansion of the independent is limited because the good location in the new shopping center is closed to him.

These are some of the reasons given for mergers by small businessmen.

Is this a healthy trend? Or is this a trend toward monopoly?

Webster's dictionary says monopoly gives exclusive control of the supply of any commodity in a given market. The one having this control is able to raise the price of a commodity or service materially above the price fixed by free competition.

Free competition. Prices fixed by a free, competitive enterprise system. This is what the small businessmen tell us they are losing. Each segment of the food industry has given us examples of how the free, competitive enterprise system is no longer at work in their business.

This deeply concerns me, and I believe it is something that should concern all Americans. In order to keep free, competitive enterprise in the food industry is action required now, or are we justified in waiting further, perhaps until it is too late?

In future hearings the subcommittee will be very much interested in learning from representatives of the large chain stores as to their views on this problem, and their suggestions. We need the advice of those people in the industry, and their solutions to this crisis.

There have been several solutions proposed by witnesses thus far. More strict enforcement of the Robinson-Patman Act has been suggested, with the additional idea that if appropriations were earmarked for special use by the Federal Trade Commission in patroling the food industry, there would be fewer Robinson-Patman violations.

It was proposed that the Federal Trade Commission be given injunctive powers to permit quick action and prevent the possible loss of a small business while the matter goes through the courts.

Under section 15 of the Clayton Act, the Department of Justice has the jurisdiction to take action in certain antitrust matters. It was suggested that the Department of Justice and the Federal Trade Commission clarify responsibilities and each assume the proper load in the correction of food industry violations.

It has also been proposed that an action like the stockyard and packers' consent decree of 1920, which prevents a packer from retailing his product, might be a solution to some of these serious problems.

It is interesting to note along this line, that the large packers are in court now with a request to modify the decree to permit them to control, own, and operate supermarkets for the retailing of meat and grocery products. They say they should be given permission to enter retailing because some retailers are now engaged in the packing of meat, and they are at a disadvantage because they cannot retail and big retailers can slaughter.

This proposal should be thoroughly explored, of course, but I believe it is worthy of consideration.

I am well aware of the difficulties involved in a study such as this being undertaken by the subcommittee. We do our shopping, often on the weekends, at the supermarket to take advantage of the low prices. Private brands, a few cents cheaper than the others, are in our kitchen cupboard. The high cost of living has us all watching for a bargain—particularly a bargain in food.

What should worry every American is whether the chainstore low price offered on a weekend special, or during a price war, is really a bargain. The subcommittee is interested in checking the prices of food in those areas where a price war has beaten out competition. Did the prices stay low or did they go up? We have been told that following price wars in the dairy products, prices

went up. Will this happen in other items?

Certainly there is active competition between chainstores in the metropolitan areas today. However, we understand that in certain other areas in the country a large chain, in some instances, is moving toward monopoly and the elimination of competition.

The biggest job of the subcommittee is perhaps a public education one to convince the consumer that the attractive price of today could become a ruinous price tomorrow. Possibly the advertised savings and special rates of today will be forgotten by those same advertisers when true competition no longer exists.

The subcommittee plans to hear from many more people in the food industry, representing large as well as small business. We intend to hold hearings in major cities in the country. This is a problem of vital national importance, and will need the cooperation of a great many people to solve it.

THE LARGEST VOTE CAST

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, 430 Members answered to their names on the vote on the amendment just adopted. I understand that this is the largest vote ever cast in the history of the House of Representatives.

THE GREAT AMERICAN POLITICAL NOVEL

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, I have just read "Advise and Consent," a novel of political Washington by our friend Allen Drury of the Capitol Press Gallery, and I want to urge every Member of the House to read this outstanding book.

Mr. Drury, who is one of the Washington correspondents of the New York Times, has written the outstanding novel of American politics.

We who are in public life know only too well how lifeless and unrealistic the usual political novel is. The average writer has little experience with practical politics and the work of the writer who is primarily a literary man never rings true.

In "Advise and Consent," however, Drury has written of the machinations and intrigue that surround the nomination and confirmation of an American Secretary of State and the situations, the characters, the humor, and the tragedy which he describes have in them the reality and vitality that we know from experience to be genuine.

This book is a political masterpiece that has not been produced before in America. It is worthy to rank with Disraeli's "Coningsby."

I hope that you all will read it.

THE COMMUNIST ATTACK ON LAOS

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, in spite of the invitation to Premier Khrushchev to visit this country and in the face of other overtures by our policy-making officials to show interested friendliness toward the Communists, we read in the current news of renewed attacks by North Vietnam forces upon the kingdom of Laos.

Laos is a border country like Korea and it is a country friendly to the free world which bounds on the Communist nations of China and North Vietnam.

It seems clear that the current military operations constitute an attempt to frustrate the efforts of the Lao Government to free its country of Communist influence and to consolidate the position as a free and independent nation.

From our point of view in the over-all global picture, the present military operations are apparently a probing operation to discover our intentions and, if possible, to extend the Communist sphere of influence into one more country in southeast Asia.

This threat should be met and our determination should be to hold firm. It is my belief that we should do everything in our power to assist the friendly Lao Government and to take all measures consistent with treaty limitations to prevent this calculated extension of Communist domination.

If we do not, it will mean a further deterioration of our prestige in this vital area of the world and will mark one more backward step in our contest with Communist imperialism.

LABOR-MANAGEMENT REFORM

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, and to include two letters.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, much has been made, during this debate, of the pressures brought to bear upon this bill by some unions and their members. That there has been such pressure, there can be no question. That the pressures which have been brought, at least by Jimmy Hoffa and his Washington lobbying crew, have gone beyond the limits which reasonable men should impose upon themselves, I can personally testify. But there is another side to that coin. I want to speak for just a few minutes about some of the pressures that have been brought by the U.S. Chamber of Commerce and by businessmen, in order to secure the defeat of the committee bill.

Mr. Speaker, there are differences between the Landrum-Griffin bill and the committee bill. They are substantial differences, and reflect two different points of view in regard to the basic philosophical questions which underlie labor-management relations. But I think it is fair to say that the distinguished gentleman from Georgia [Mr. LANDRUM], with whom I am proud to serve on the committee, has not suggested that the motives of those of us who support the committee bill are less than honorable. Nor would I cast any discredit upon the motives of the gentleman from Georgia. He and the chairman have operated, during the long weeks and months while this bill has been before the committee, most honorably, most constructively, and in the finest traditions of this House. For this I want publicly to thank them.

But the pressure groups which have lined up in the drive to pass the Landrum-Griffin bill have not been so thoughtful, so constructive, so basically fair in their approach. The letters which I have received on this bill have been, with some notable exceptions, of which I will say more later, some of the most inflammatory which it has been my misfortune to receive.

May I say I take deep offense at the letters which suggest that honest men can only hold one view. I resent deeply the statements which have appeared in some of my correspondence to the effect that the only reason I can have for voting against the Landrum-Griffin bill is fear or intimidation. I am fighting the Landrum-Griffin bill, Mr. Speaker, because I think it is punitive. I am voting for the committee bill because I believe it is the best and most constructive bill before the House. My conscience has not been mortgaged to any labor union, nor will it be mortgaged to the NAM. Those who have written to me to threaten and to question my integrity and the integrity of the rest of us who support the moderate position have succeeded only in strengthening my resolve to vote as I see fit.

I would like to read just such a letter—together with my reply—to the House. This letter is an insult to this House, and to every Member, no matter how he votes.

AUGUST 8, 1959.

Hon. EDITH GREEN,
House of Representatives,
Washington, D.C.

MY DEAR MRS. GREEN: I address you as a Representative from your own State who has been elected by his constituents. You have obligated yourself to represent them and the interest of the State from which elected.

In addition to this responsibility you have the further obligation of legislating for the entire country. It is in this area where the greatest weakness of the individual Member lies.

Illustrating—during the past 2 years, the McClellan committee of the U.S. Senate has uncovered the most glaring and fantastic crime records perpetrated on the American public, by the gangster ridden, thieving, lying, traitorous leaders of many labor unions.

Bills introduced by Senator MCCLELLAN and others to rid the country of the unwholesome conditions above mentioned have

been so mutilated by members of the House Education and Labor Committee—Chairman GRAHAM A. BARDEN, Democrat, North Carolina—that the country would be better off without it.

This mutilation was not in your thinking when the labor reform bill was originally drafted. However, because of pressure placed upon you by unscrupulous and unethical labor leaders you were compelled to compromise your thinking.

It's no secret that many, many Members of both Houses of Congress have unwittingly so compromised themselves to pressure groups who now are demanding their pound of flesh in return for assistance given during elections.

Remember, before you were seated in Congress you took a most solemn oath administered to you by the Speaker of the House of Representatives in which you promised to uphold and defend the Constitution of the United States of America. Where do you stand?

If the pressures now being exerted on you are so great you feel that by voting against your conscience you will have paid your pound of flesh, your second act is more despicable than your first when you unwittingly compromised yourself.

You as a Representative while in session have all your thoughts and actions held inviolate. Because of this safeguard, you can, if you will, compensate for errors, thoughtlessly made by refusing to vote in the affirmative for the original Kennedy labor reform bill or its watered down counterpart, now before the House.

Rewrite the bill with only one thought in mind, that of safeguarding the rights of all the American people only, as against grasping tyrannical pressure groups of any stripe. Your sense of integrity and moral stamina are given the opportunity for positive expression. Get down on your knees and ask for divine guidance instead of heeding the dictates of gangsters and thieves.

You can, if you will, do this job. It is within your power as an American leader. We are looking to you for such action.

Sincerely,

———— ————.

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AUGUST 12, 1959.

DEAR MR. ————: This is to acknowledge your letter of August 8. The House Education and Labor Committee has held many months of hearings and conducted the most intensive series of executive sessions that I have ever seen in the effort to produce H.R. 8342.

I cheerfully acknowledge that the Teamsters on the one hand and the U.S. Chamber of Commerce on the other are dissatisfied with this bill. That is their privilege, and yours. I would, however, like to suggest the possibility that people can disagree about the merits of legislation without going against their conscience on either side. Your letter seems to indicate that in order to satisfy my conscience I must agree with you. This is, of course, a position hardly worth refuting.

The intense pressures which have been brought against the committee bill by the Teamsters are matched in their vigor and in the degree to which they distort the facts about the bill by the pressures brought by extremists on the other side. It is my hope that the Members of the House who all, I think, are guided by what they think is best for the country, will repudiate the extremists and approve the committee bill, which is fair and effective.

In case you are interested in any facts about the committee bill there is enclosed a statement of its provisions.

Sincerely,

EDITH GREEN.

But not all my letters from businessmen have been like this. I received another letter yesterday from an attorney in my home city. This attorney is a conservative, and can accurately be said to reflect a point of view I do not always accept. But his letter, rather than lecturing me on the need to follow the dictates of his conscience, paid me the supreme compliment of telling me to use my own judgment. This is what I am doing anyway, but being encouraged to do so was so unusual that I wanted to bring it to the attention of the House, again together with my reply:

Congresswoman EDITH GREEN,
House Office Building,
Washington, D.C.

DEAR MRS. GREEN: My attention has been called to the labor legislation that is to be considered by the House this week.

I have made no attempt to critically analyze the bills to be considered by the House, nor have I followed in detail the course of the legislation through the Senate or by the House committee. However, I do know that several versions of the proposed labor legislation are to be considered including, I presume, the provisions of the bill sponsored by Senators KENNEDY and ERVIN and passed by the Senate. I assume this is the case even though the version passed by the Senate was not recommended by the House committee.

I heard Senator KENNEDY's discussion of his bill in the address he made at Portland on August 1 and have read the news reports of the address to the AFL–CIO convention at Seaside last week. These addresses have been helpful in understanding a little bit of the issue involved. He indicated, as I remember, that the bill reported out by the House committee, and as I remember you were one of the Congressmen adopting the favorable report, was acceptable to him. Whether he intended to go that far and would accept that version in conference was not clear. I can understand, however, that there would be a strong temptation to argue that his bill, having passed the Senate with only one vote against it, should have precedence over one that he considered to be less satisfactory.

I confess difficulty to understand why the bill passed by the Senate with such an overwhelming majority was not promptly accepted by the House, nor do I understand the opposition of the leaders of the AFL–CIO. It is my recollection that at the outset they considered the Senate version satisfactory, and that when the bill was introduced it had only the opposition of Hoffa from the labor side. I do not believe any constructive legislation worthy of the name would ever be satisfactory to Hoffa. He would always find reason to oppose any legislation that was considered necessary respecting labor unions. Because of his difficulty with the monitors and with other public-minded groups and individuals deeply concerned because of disclosures made by the McClellan committee, he assumed in this instance the role of a persecuted leader and stirred up opposition to the passage of the Kennedy bill in the Senate as well as he is now doing in the House. The Senate, it may be noted, was not much influenced by his attitude. Meany changed his mind and joined the opposition. What I know of the bill does not justify the opposition, but I must confess there are a lot of things in both labor and management fields that I do not know so I may be misjudging both Hoffa and Meany. On the face of it, however, it looks as though Meany was scared because of the possible effect on his own members and therefore joined the opposition. Hoffa expands his power by fear and that raises an issue delicate and difficult. A great deal depends upon the courage and wisdom with which that issue is met.

Hoffa may be all the things that are charged against him and he may be all the things his supporters believe him to be. Without more than we now know, however, there is no clear-cut demonstration which is true; neither perhaps fully. There is no doubt that the passage of labor legislation substantially watered down from that passed by the Senate will be hailed as a victory by Hoffa and his supporters. It seems to me that should not happen. Such a result would weaken the hands of the monitors and of other labor leaders with their own membership. It might seriously weaken Congress to cope with the situation at a later time. Hoffa is a hard and determined fighter, disposed to give no quarter. He is wise in strategy and knows how to take advantage of the weakness of his opposition. He is likely to be vindictive although I don't know this to be true. If he is, there is the greater need of courage and wisdom in dealing with the issue because of that fact.

I do not want this letter to reflect an anti-Hoffa attitude because I think the issue is of vaster importance than an individual. It is important that dislikes and distrust not play a disproportionate part in reaching conclusions respecting the type of legislation that should be passed.

In making up your mind, however, there must be recognition of the three factors involved in the issue, the employer, the employee, and the public. These must be in balance if our philosophy of government is right and there should be no doubt on that issue. Probably only Congress can keep these factors in balance. Distrust of Hoffa, KENNEDY and his political fortunes, the ambitions and fortunes of labor or political leaders should not overweigh the rights of the public in such protective legislation as Congress is competent to pass respecting the power, leadership, and responsibilities of both management and labor in the issues. The issues should be decided on the basis of what is fair to everyone including the public.

I am not writing particularly in support of any of the bills that are to be considered by the House this week and in that respect may not be helping very much. Looking at it from this distance, however, it does occur to me that it would be a mistake to pass a bill that is less restrictive than the one passed by the Senate. Many people believe that bill did not go far enough, while others believe it went too far. That's a reasonably good indication that it must have merit from both viewpoints, and for that reason should be given careful consideration from the standpoint of getting reasonable legislation passed.

You are there in the midst of the fight and in much better position than I to judge what is best for the Nation. I can only call to your attention for your consideration some of the matters that appeal to me as important in considering this troublesome issue. I cannot claim to be an expert in this field, but neither can I claim to be completely uninformed. I pass these thoughts on to you for what they may be worth.

Sincerely yours,

———— ————.

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AUGUST 12, 1959.

DEAR MR. ————: Thank you for your extremely thoughtful letter of August 10. The bill which was reported by the House committee is substantially the same as that which was passed by the Senate. The differences between it and the Senate bill are for the most part technical in nature. The substantive changes are the result of the fact that the House committee was able to give 6 weeks intensive study to the Senate bill and to remedy drafting errors and inconsistencies which naturally occurred beause the Senate bill was largely written on the Senate floor in a few hurried and confused hours.

You are absolutely right that Hoffa will accept no constructive legislation. He is, of

course, bitterly opposed to the committee bill. The antilabor forces also want no constructive legislation and they are equally opposed to the committee bill.

One of the most pleasant aspects of your letter was the last paragraph, in which you paid me the high compliment of encouraging me to use my own judgment. Most of the letters that have come in during the last few days have shown far less knowledge of the bill than you show, and have been much more doctrinaire about its defects.

Thank you again for your courtesy and thoughtfulness.

Sincerely,

EDITH GREEN.

SECURITIES AND EXCHANGE COMMISSION

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Speaker, on July 23 the House agreed to the conference report on H.R. 7040, the independent offices appropriation bill for fiscal 1960. Among the numerous Federal agencies for which this bill provided funds is the Securities and Exchange Commission. This Commission, which plays a vital role in regulating the trade of securities in our 14 great national securities exchanges and thus exercises a highly significant function in the economic growth and development of our Nation, requested an appropriation for fiscal 1960 of $8,275,000.

The House voted the Commission $7,800,000 which was $475,000 below the request although $127,000 above the fiscal 1959 appropriation of $7,673,000. The Senate restored the $475,000 and in conference it was agreed to provide $300,000 of the House cut for a total appropriation of $8,100,000.

The final figure will allow the agency to take on 55 new employees although it asked for 75.

The need for these employees is demonstrated by the fact that the agency had 998 employees in 1950 when the total number of shares sold on all U.S. securities exchanges was 893 million shares with a dollar value of sales of $21.8 billion. However, for the first half of 1959, when the agency had only 937 employees, the shares sold on an annual rate that was in excess of 2 billion shares, and the dollar value of the sales of such shares exceeded $50 billion at an annual rate.

This vast increase in the total number and value of sales of securities in the exchanges has been paralleled by an increase in brokers and dealers who must register with the Commission from 3,930 in 1950 to 4,906 in 1959.

As a consequence, the agency's moderate request for 75 more employees, which would still leave it short of the number it had in 1950 when the work schedule was so much less, was a reasonable plea in the face of an obvious need. The fact that Congress did not see fit to grant the request will leave the agency shorthanded at a time when the heaviest workload in its history is developing.

The work of the Commission and the problems which with it is confronted were admirably set forth in an address by the Honorable James C. Sargent, Commissioner of the Securities and Exchange Commission, before the Virginia State Bar Association at White Sulphur Springs on August 7. Commissioner Sargent's excellent presentation should, I believe, be brought to the attention of all Members of Congress, and I include it in the RECORD at the conclusion of my remarks, as follows:

TWENTY-FIVE YEARS OF SEC REGULATION

(Address by James C. Sargent, Commissioner, Securities and Exchange Commission, Washington, D.C., before the Virginia State Bar Association, White Sulphur Springs, W. Va., August 7, 1959)

It is a great pleasure for me, a graduate of the University of Virginia College and Law School, to address the Virginia State Bar Association today. I have been asked to talk to you about the 25 years of SEC regulation. On July 2, 1934, the five first members of the Securities and Exchange Commission were sworn into office on interim appointments. They were all confirmed by the United States Senate early in January of 1935.

I am particularly pleased to be here today because of my firm belief that from the standpoint of lawyers it is tremendously important for each of you to know something about the functions of the capital market and the part which the Securities and Exchange Commission plays in those markets. I say this because if you represent corporate clients, sooner or later they will probably have to consider going to the capital markets to obtain essential external financing in order to produce the capital goods and thus to participate in the giving to our country the highest standard of living in the world today. On the other hand, you may well find that your individual clients may come to you for advice on whether a particular company is one in which an investment should be made. An ability to impart a little common sense to such query may go a long way toward cementing your relationship with such client. To represent either of these two types of clients will require a certain familiarity with the functions of the SEC.

Perhaps more important to you as lawyers, you must always bear in mind the importance to yourselves personally of being able to create capital funds of your own in order to insure economic security for yourselves upon your eventual retirement from the active practice of the law. In order to be able to produce these funds, it is essential that you understand the functions of the capital markets and the position which the Commission, of which I am a member, occupies in the market place.

It is my belief that to have an understanding of the functions of the capital markets and the agency's participation therein, one must understand the historical development which has taken place during our 25-year existence. For the few minutes allotted to me, I would like to take you back to the period just prior to the 1929 crash. During those days the securities markets were operated without any real sense of morality, without any concept of fairness, and without any attempt to give to public purchasers a fair shake for their money. Almost the entire investment banking industry was replete with inflationary market writeups of assets, acquisition of properties at grossly inflated prices, and the issuance of excessive amounts of debt securities secured by overvalued properties and assets. Management was generally completely preoccupied in financial maneuvering predicated essentially upon "upstreaming" subsidiary earnings to the topheavy parent holding company in order to support excessive dividends necessary to maintain market accessibility of the holding company securities rather than upon creating sound operating companies.

The total value of all stocks on the New York Stock Exchange as of September 1, 1929, aggregated $89 billion. By the middle of 1932, a total aggregate value of these stocks on that exchange was $15 billion, or a loss of $74 billion in that short 2½ year period. During the decade from 1919 to 1929, $50 billion worth of securities was sold, and 50 percent, or $25 billion, proved to be worthless. During the thirties, as many of you will recall, there was complete financial collapse. Public investors simply withdrew what money they had from the capital markets, putting it in savings banks or into the proverbial mattress. There were few people in those days who would consider that a corporate security, be it of the debt or equity type, i.e., debenture or common stock, was a proper medium of investment.

Into this completely demoralized capital picture came the SEC. The first attempt by the Federal Government to regulate the securities markets was the Securities Act of 1933. This has often been referred to as the truth-in-securities law. It had as its basic design the requirement that corporations seeking to sell their securities to public investors disclose the basic facts, financial and otherwise, so that public investors could become informed persons in a position to be able to determine for themselves whether the particular securities offered met their own investment needs. You will note that the Securities Act did not give to the regulatory body, the SEC, the opportunity to pass upon the merits or to make value determinations of the security. Personally, I believe the Congress made a very wise decision in denying to the regulator the obligation or ability to determine whether a particular capital venture was a sound one or not. The decision as to the merits of securities was left where it rightfully belonged, with the investor who would by the protective provisions of the Securities Act be placed in a position of knowing the facts and making his own determinations as to value. There are, of course, heavy civil and criminal liabilities which attach under the securities acts to misrepresentation or false statements made by a corporation, its officers or agents in describing its securities.

The second attempt by the Federal Government to get into the regulation of the securities markets was the Securities Exchange Act of 1934. This is the act which created the Securities and Exchange Commission, the Securities Act having been administered by the Federal Trade Commission for its first year. In contradistinction to the Securities Act of 1933, which attempted to regulate the initial distribution of securities, the 1934 act aimed at regulating the trading in securities after such initial distribution. Thus, the 1934 act regulates, as the name implies, the 14 national securities exchanges throughout the country, such as the New York Stock Exchange, the American Stock Exchange, the Midwest Stock Exchange, the Pacific Coast Stock Exchange, and the others located throughout the country.

The 1934 act also requires that all brokers and dealers who sell securities in interstate commerce must register with the agency. It also requires further that corporations listed on the 14 national securities exchanges must file annual, semiannual, and periodic reports with the agency. Officers, directors, and 10-

percent stockholders of such listed companies must file reports as to their stock ownership in their particular companies and any changes in such ownership. In addition, that act provides that proxy solicitation material to be used by listed companies must be filed with our agency at least 10 days before it is used.

In addition to these two acts, we are charged with the responsibility of administering four other statutes:

The Public Utility Holding Company Act of 1935, which has to do with the regulation of the public utility holding company systems and their operating companies. There are today some 22 such systems which are required to comply with regulatory provisions of that act in terms of their financial plans. These systems contain some 176 operating companies with assets in excess of $10 billion.

The Trust Indenture Act of 1939, which requires that corporate indentures contain certain protective provisions for the benefit of bondholders, including a requirement that the trustee in the indenture be completely independent from management. This latter act operates comparably to the 1933 act in that it is basically a disclosure act complementing the 1933 act.

The last two acts, both of which became law in 1940, are the Investment Company Act and the Investment Advisers Act. The former gives the Commission regulatory power over investment companies or mutual funds. Those publicly held funds must, of course, register with our Commission and must comply with many provisions protective of the interest of the security holders. The Investment Advisers Act merely tries to regulate persons who are selling investment advice for compensation.

In addition to these statutes, we act as advisers to the Federal district court in corporate reorganizations under chapter X of the Bankruptcy Act.

The important thing that I would like to talk to you about today is the sizable buildup in the capital markets which has occurred since 1950. Up until 1950, the market seemed to have rocked along somewhat listlessly without appearing to go anywhere in particular. In 1950, the total number of shares sold on all United States securities exchanges was 893 million shares. By 1958, the total number sold had risen to an annual rate of 1,400 million shares. For the first half of 1959, the shares sold on an annual rate was in excess of 2 billion shares. In terms of the dollar value of these sales, they rose from $21.8 billion in 1950 to $38.4 billion in 1958. For the first half of this year, the sales were at an annual rate in excess of $50 billion. From 1950 to 1959, the investment banking business employees rose, in accordance with the Department of Labor's Bureau of Labor Statistics, from 60,000 in 1950 to 84,600 in 1958, or an increase of 24,600 people. It appears that this increase only includes employees who have some connection or relationship with customers. It does not include the many thousands of employees who are engaged in relatively minor positions within the investment banking business. Merrill Lynch, Pierce, Fenner, & Smith has some 6,000 employees, Blythe & Co. has around 740 employees, and Reynolds & Co. has around 1,000 employees. Brokers and dealers selling securities in interstate commerce registered with our commission rose from 3,930 in 1950 to 4,906 in 1959.

In the 25-year history of the Commission, there have been more than 15,000 registration statements filed for a total dollar value of $161 billion, yet one-third of these filings in number and one-half of the dollar amount sought occurred in the last 6 years.

It is both logical and natural that accompanying this really fantastic buildup in the capital markets will be great stimulation and interest in areas other than the so-called financial centers of our country, i.e., Wall Street in New York City and La Salle Street in Chicago, Ill. It seems to me that more and more corporate issuers will tend to raise needed capital for expansion and development from local sources. Throughout the Commonwealth of Virginia attorneys, who by reason of study and understanding become conversant with the acts which the SEC administers, are inevitably going to be in a position to reap the benefits of this expanding capitalistic system. We, as an agency, have always maintained a desire to be helpful in guiding attorneys who are unfamiliar with the intricacies of our statutes. We have spent over the years a tremendous amount of time in trying to assist members of our profession to educate themselves in the basic functions of the SEC, and we always hope that attorneys who desire to obtain information with respect to a client's problem will seek us out for guidance so that as attorneys they can be in a better position to furnish to their clients sound legal advice.

One of the really bothersome features of the surge in capital market price conditions is the tendency for such activity to attract into the market place persons who are seeking by schemes and artifices to defraud public investors. We have seen fraud artists, "con-men," shysters and fast-talking swindlers practice the most diabolical schemes in order to separate innocent public investors from their life savings. You probably would not believe that in New York City 2 years ago I picked up a classified telephone directory and, under the listing of "Mails," I found four pages of companies which would furnish me a list of any conceivable category. I suppose I could have obtained a list of 50,000 red-headed Baptists. In the small type advertisements in this directory, there was one in which a list of 50,000 widows with assets of $50,000 or more was mentioned. I telephoned this company and spoke to one of its employees. I was told that this particular list would cost me $2,500. I was also informed that it was an efficacious list, that the company had had good results with it. I asked whether it was the company's best list. "No," was the reply, "the best list would cost $5,000." "What was that list?" I asked. That was a list which contained—and here I quote him—"50,000 names of current widows with net assets in excess of $50,000." I asked him what "a current widow" was and he said—again I quote—"A current widow is a widow who has emjoyed that status for less than 6 months." The mere telling of this incident, I believe, emphasizes the diabolical nature of the scheme which can be and is employed by certain unscrupulous persons to sell securities which, in almost any sense, have little or no value. Throughout our vast and great country, persons are being called by long distance telephone, only because their names are to be found on a similar list, by salesmen whose only interest is to make a sale, whose only purpose is to find another sucker.

The real reason I tell you this story is to alert you to a problem which is widespread but which can only be stopped if the SEC policeman can get the word. You can do a world of good for your client if you can apprise him of the dangers of dealing with persons he does not know, or if you can convince him to use a comparable amount of common sense as he would use in buying a new car or a new house. He ought to at least perform checks similar to picking up the hood of the car to see if there is an engine. Certainly in buying a house you would want to see the abstract of title. Get your client to ask the stranger for a prospectus and thus get something in writing. Then, I implore and beseech you to get in touch with us. We, of course, cannot tell you anything about the merits of a security or whether you or your client should purchase or not, but we certainly want to know what course of conduct is being employed by unscrupulous persons in selling securities. Believe me, we have methods to deal with such persons effectively and expeditiously.

Let me, at this point, say something about the investment banking profession. It is possessed of a great many men of the highest moral integrity and honor. Few people, lawyers especially, realize that transactions in amounts of many billions of dollars are consummated in any year, either on national securities exchanges or in the over-the-counter market, predicated upon oral representations that "I will buy" or "I will sell," yet there is practically never any welching. Persons continuously engaged in this business have to live by a premise that their "word is their bond." I want to make it abundantly clear that it is not these persons about whom I am talking. Personally, I have a tremendous respect for members of the honorable securities business. But, as in almost every endeavor in life, there is a segment which because of shortsightedness, avarice or greed will act solely for its own personal interests without any consideration for the proverbial black eye such conduct may give the industry as a whole. It is against persons of this ilk whom you and your clients must always be on guard.

I might also say that these fraudulent manipulators usually don't get anywhere with the highly sophisticated investor located in the center of a financial community; they often seek out small towns to talk to uninformed, uninitiated local businessmen or doctors. In fact, they seem to love doctors. But these are the types of persons found in any locality and they are your prospective clients who are in real need of your services. If they come to you as a result of some telephone call they have had from some complete stranger, I hope you can assist them to guard against their own folly by telling them not to invest until they can get the facts. These are available largely because the SEC insists that, before public sales of securities are made, a registration statement which sets forth all the facts be filed and distributed to public investors.

Let me tell you of a few other types of cases with which we have recently been involved. You may recall that last June we went to court in Texas seeking an injunction to prevent the sale of securities by a prospectus used in an intrastate offering, which sought to comply with an exemption from the registration requirements of the 1933 act. The prospectus stated that the company was seeking to raise capital to produce a space ship which was to take off from Space, Md., on a 14-day trip to the moon in December of this year. In the prospectus there was an assertion that a do-it-yourself flying saucer kit could be purchased for $5. You'd scarcely believe it, but public investors in Texas were purchasing this security.

In another case, we recently went to court to prevent a person from selling securities in a nonexistent corporation on whose purported board of directors was claimed to be a Member of Congress, a high-ranking general who had been dead for 6 months, and the president of the Gettysburg College.

These are only two simple examples of the types of proceedings we have been compelled to institute in order to protect the securities markets from fraud and misrepresentation.

In fiscal 1959, we commenced numerous proceedings against interstate brokers and dealers who were in violation of the protective provisions of the 1934 act, such as finding themselves completely and entirely insolvent, selling securities where no registration statement had been filed under the 1933 act, and for many other sundry types

of misconduct, including the grossest type of fraud and misrepresentation.

There is another important matter I would like to discuss with you today. We have been, as I have already told you, very busy during the last year; so have the market places. The value of all stocks listed on the New York Stock Exchange as of June 30, 1959, was $298.8 billion, as contrasted to the $89 billion figure I mentioned as of September 1, 1929. Incidentally, the value of all stocks on all exchanges was around $337.6 billion. In registration statements filed with our agency under the 1933 act for fiscal 1959, ending June 30, there were 1,226 for a total dollar value of over $16.6 billion, as against 913 for $16.9 billion in fiscal 1958. Thus, there were 313, or some 34 percent more registration statements filed this year over last. This increased number has literally swamped the SEC's Division of Corporation Finance which processes these statements.

In addition, we opened more investigations and we referred more criminal cases to the Department of Justice than in any previous year in our history. Yet the number of employees in our agency has fallen from 998 in 1950 to 937 at the end of June 1959.

In January, we went before the Subcommittee on Independent Offices of the House Committee on Appropriations, chaired by the Honorable ALBERT THOMAS, of Houston, Tex. That committee heard our presentation, listened to our estimate of needs for the agency, and proceeded drastically to cut our appropriation by $475,000, allowing us an increase of only 10 persons and stating specifically that the 10 persons must be used in our regional offices.

Subsequently, we appeared before the Subcommittee on Independent Offices and General Government Matters of the Senate Committee on Appropriations. That committee heard our presentation and came to the conclusion that it was essential that this agency be properly staffed and that it be given a proper appropriation. It restored our appropriation in toto, i.e., put back the $475,000. Thank God for the United States Senate.

A conference between the House and the Senate occurred in which the differences of the two bodies were resolved, partially in our favor and partially against us. We were given back $300,000, which allows us to take on an additional 45 persons. We lost $175,000, which would provide for 20 persons.

I might say at this point that last year of our total appropriation of $7,705,000 we recovered for the benefit of the U.S. Treasury 34.6 percent in terms of the fees which we charge for registration statements and in terms of the one five-hundredths of 1 percent charge imposed upon all sales on national securities exchanges.

In our investigative work, we are opening more cases than we are closing and, in fact, we simply cannot with our limited personnel do much more than what at times seems to be little more than a holding operation. Yet the appropriations committees of Congress failed to give to this agency all the funds which we felt were essential to the proper functioning of our agency. What strikes me as being completely anomalous is that these same appropriations committees of Congress provided a budget for the General Services Administration which includes the expenditure of around $500,000 for the renovation of the building in which we are housed, which has often been termed "the broken down, dilapidated, World War II temporary tarpaper shack on Second Street. That temporary building, built in 1942, was designed to accommodate the Federal Government's expanded activities during the Second World War. One of the men on the job, in humor, said to me the other day that it had been purposely constructed of non-permanent, secondary quality materials because it was hoped that the building would not become comparably permanent to the Navy Department temporary buildings constructed on Constitution Avenue during the First World War. They are still there.

It is my humble belief that the budget limitations which Congress has imposed upon us are going to cause serious restrictions upon our activities in the capital markets. A columnist recently said:

"Several years ago, Russia actually expected the United States to be destroyed as a result of the collapse of its economy, being followed by the Communists and their fellow-travelers taking over the Government. Russia's prediction of a financial catastrophe failed, but they were right in one thing—America can be destroyed by financial failure just as completely as by bomb, planes, submarines, and missiles. In other words, the maintenance of a sound and adequate financial system is just as important to us today as the Army, Navy, and Air defense facilities are."

It is the SEC, which is one of the agencies of your Government, which attempts to protect the soundness of the expanding financial system. Unless the integrity and the honesty of the capital markets can be preserved so that public investors will continue to have faith and confidence in the functions of those markets, our whole capitalistic economy cannot succeed in the cold war which we are still facing today. It is the SEC, as the "Investor's Watchdog" and as "Uncle Sam's financial police force," which is charged with the duty of protecting the financial markets.

In my judgment, the Appropriations Committee of the House has failed to recognize the tremendous importance of staffing this agency properly at a time of unprecedented growth in financial activities. I believe that the committee members have indulged in a penny-wise pound-foolish philosophy and have placed this agency in a political arena in order to accomplish personal aims or objectives. This is a situation which I deplore and about which I wanted to say something to you today.

Thank you very much for giving me the opoprtunity of being here with you on the occasion of your 69th annual meeting.

CONSTITUTIONAL PROCEDURE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, the heat has been put on because I asked for the reading of an engrossed copy of the bill. Now, I realize very, very well that the labor bill is important, but there is something else just as important and that is that the leadership on both sides of the coalition recognize the fact that we should follow constitutional government and fair orderly procedure.

Last year, once or twice, I called attention to a situation where Members of the House, having amendments that were sincerely offered and in which they believed, were cut off without any chance to present them. I gave notice then that I was going to use every single advantage I could get out of the rules to stop that unjust practice. Recess from Thursday to Monday—no rollcall until Thursday—fine—sure—but it does not require the denial of a Member's right to be heard as was the case today.

I want to say to you folks who have been putting the heat on me out in the corridor—one of them said, "You are the dirtiest, stinkingest Member there is in the House." I said, "All right, that is the way it is." And I told that gentleman that I am going to follow through that way.

On this labor bill I never had an opportunity to see what was in it, in committee to know anything about what would be in it, although I have been on the committee for the last 18 years. Never did I have an opportunity until after the bill was printed to learn its terms. I say that is not democratic government; it is not constitutional government; it is not government in accordance with the rules of this House or the procedure of any committee, that has heretofore ever been followed. It is an exhibition of tyranny that cannot be justified. I resent it and I intend at every opportunity that I have, when I, a Member who has not been in jail, who does not have anything especially wrong against his character, offer an amendment in good faith, to see that he will get an opportunity to in a reasonable way present his views.

I had two amendments today. They were here yesterday. They were typewritten. I had copies today which were distributed. I put them on the desk of the Clerk before the House opened. I gave them to the Clerk after the House opened. I submitted a copy to the Parliamentarian. I was assured, generally, that I would have an opportunity to offer them when the Committee of the Whole was considering the bill.

Mr. WOLF. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. If you can get me any more time, I will be glad to yield.

Mr. WOLF. Mr. Speaker, I ask unanimous consent that the gentleman may have an additional 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

Mr. KILBURN. Mr. Speaker, I object.

Mr. HOFFMAN of Michigan. That is all right with me. Follow that course and I will object to every other request of like nature until the Speaker calls a halt to any such procedure. What you are doing is exercising your rights under the rules, and I have no complaint, but if it applies to me, it is going to apply to every other Member and we will see how long you will hang on.

Mr. ROONEY. Mr. Speaker, I make the point of order that the distinguished gentleman from Michigan is not addressing the Chair. The rules provide that he shall address the membership in the third person.

Mr. HOFFMAN of Michigan. That is right. Now I will turn and address the Chair. I will say to the Chair—I think the Chair—the Speaker, not the Chair please, but the Speaker, and I ask unanimous consent to change the word "Chair" to "Speaker" every time I used it.

I have heard the Speaker many and many a time stress the truth that this House is a deliberative body and its

honor should be protected, and its procedure should be protected, so that we might have fair Government and the respect of our people.

I will continue to address the Speaker and the distinguished Members and I thank the gentleman from New York for calling my attention to the slip. My amendments were up there on the Clerk's desk. They were germane, they were proper in form. What happened? I got out of the way as a member of the committee—I got out of the way so that other Members of the House who were not on the committee could get time. What happened then? The gentleman from North Carolina [Mr. BARDEN] evidently, with the coalition of Republicans over here, said, "No; we are going to limit debate—close debate at 4 o'clock." So that left me with 1 minute to discuss an amendment to exempt public utilities from strikes, which the AFL–CIO president agrees to and says should be the law. We have that law in the State of Michigan. It has been approved by the U.S. Supreme Court. It was designed to protect against strikes in hospitals and public utilities. Suppose they cut off your lights as they could do now and as has been done right on down from the day of the sitdown strikes in 1937 to the transit strike here in Washington a few years ago where thousands of employees were prevented from going to their places of employment where they worked for the Federal Government. We had that situation. I do not believe that if that amendment had been offered and explained that there would have been 50 votes against it, but no, the appointed and annointed Members who were charged with writing a labor bill and pushing it through just shut us off and used methods similar to those of a Hoffa. In all my experience, I never saw a greater exhibition of arbitrariness, of unfairness than we have had in the discussion on this bill. Talk about Jimmy Hoffa. He beats them up, but they will not even let you talk here. That is all I care to say about that. As much as I want a labor bill, and I will vote for it, as I did on the vote just taken, I will not submit to being gagged by either a coalition or the leadership of my party. I want no part of even one of the methods of Hoffa even though the place is the well in the House of Representatives. It is just possible that, old as I am, I may outlive one or two of my colleagues and see a better day.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. BRAY, for 15 minutes, on Monday next, August 17, 1959.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. KELLY and to include extraneous matter.

Mr. PUCINSKI in two instances and to include extraneous matter.

Mr. DAVIS of Georgia and to include extraneous matter.

Mr. MOULDER and to include extraneous matter.

Mr. WOLF.

(At the request of Mr. MOORHEAD, and to include extraneous matter, the following:)

Mr. TOLL.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 747. An act to provide for the conveyance of certain lands which are a part of the Des Plaines Public Hunting and Refuge Area and the Joliet Arsenal Military Reservation, located in Will County, Ill., to the State of Illinois; to the Committee on Armed Services.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1719. An act for the relief of Lushmon S. Grewal, Jeat S. Grewal, Gurmale S. Grewal, and Tahil S. Grewal.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 4120. An act for the relief of certain officers of the Public Health Service.

ADJOURNMENT

Mr. MOORHEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 51 minutes p.m.) the House adjourned until tomorrow, Friday, August 14, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1308. Under clause 2 of rule XXIV, a letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation entitled "A bill to authorize the head of any executive agency to reimburse owners and tenants of lands or interests in land acquired for projects or activities under his jurisdiction for their moving expenses, and for other purposes" was taken from the Speakers' table, referred to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 6790. A bill to authorize a per capita distribution of funds arising from a judgment in favor of the Confederated Tribe of Siletz Indians in the State of Oregon, and for other purposes; without amendment (Rept. No. 892). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASPINALL: Committee on Interior and Insular Affairs. H.R 8344. A bill to provide that certain funds in the Treasury of the United States to the credit of the Confederated Bands of Ute Indians be transferred to the credit of the Ute Mountain Tribe of the Ute Mountain Reservation, Colo.; without amendment (Rept. No. 893). Referred to the Committee of the Whole House on the State of the Union.

Mr. ULLMAN: Committee on Interior and Insular Affairs. H.R. 8501. A bill to amend the Klamath Termination Act; without amendment (Rept. No. 894). Referred to the Committee of the Whole House on the State of the Union.

Mr. SAUND: Committee on Foreign Affairs. House Joint Resolution 283. Joint resolution to authorize participation by the United States in parliamentary conferences with Mexico; with amendment (Rept. No. 895). Referred to the Committee of the Whole House on the State of the Union.

Mr. TRIMBLE: Committee on Rules. House Resolution 345. Resolution for consideration of H.R. 8374. A bill to amend Public Law 85–880, and for other purposes; without amendment (Rept. No. 896). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES:

H.R. 8656. A bill to amend the act entitled "An act to establish a memorial to Theodore Roosevelt in the National Capital" to provide for the construction of such memorial by the Secretary of the Interior; to the Committee on House Administration.

By Mr. CELLER:

H.R. 8657. A bill to amend section 8 of the Clayton Act, relating to interlocking directorates; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 8658. A bill to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes; to the Committee on the Judiciary.

H.R. 8659. A bill to amend the Internal Revenue Code of 1954 to provide that the income tax return of a surviving spouse shall be treated as a joint return for so long as such spouse continues to maintain a home for one or more dependent children with respect to whom he or she is entitled to a personal exemption for income tax purposes; to the Committee on Ways and Means.

By Mr. DAWSON:

H.R. 8660. A bill to amend section 205 of the Federal Property and Administrative Services Act of 1949 to empower certain officers and employees of the General Services Administration to administer oaths to witnesses; to the Committee on Government Operations.

By Mr. METCALF:

H.R. 8661. A bill to declare a national policy on conservation, development, and utilization of natural resources, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PUCINSKI:

H.R. 8662. A bill to amend the Internal Revenue Code of 1954 to provide that scholarships received by a student shall not be taken into account (regardless of such student's relationship to the taxpayer) in determining whether he is the taxpayer's dependent

for income tax purposes; to the Committee on Ways and Means.

By Mr. WILSON:

H.R. 8663. A bill to amend section 1076 of title 10, United States Code, to provide medical care for the dependents of reservists who are killed accidently while participating in training; to the Committee on Armed Services.

By Mr. BLATNIK:

H.R. 8664. A bill to amend and revise the laws relating to immigration, naturalization, nationality, and citizenship, and for other purposes; to the Committee on the Judiciary.

By Mr. DEROUNIAN:

H.R. 8665. A bill to amend the act entitled "An act to establish a memorial to Theodore Roosevelt in the National Capital" to provide for the construction of such memorial by the Secretary of the Interior; to the Committee on House Administration.

By Mr. FULTON:

H.R. 8666. A bill to amend the Internal Revenue Code of 1954 to repeal the tax on the transportation of persons; to the Committee on Ways and Means.

H.R. 8667. A bill to amend the Federal Property and Administrative Services Act of 1949 to authorize the disposal of surplus property to certain welfare agencies; to the Committee on Government Operations.

By Mr. McGOVERN:

H.R. 8668. A bill to amend section 111 of the Soil Bank Act so as to require the Secretary of Agriculture to establish a program for the control of grasshoppers and other harmful insects on acreage with respect to which a contract has been entered into under the conservation reserve program, and for other purposes; to the Committee on Agriculture.

By Mr. REUSS:

H.R. 8669. A bill to amend title 13 of the United States Code to provide that census supervisors shall be appointed and compensated in accordance with the Civil Service laws and the Classification Act of 1949; to the Committee on Post Office and Civil Service.

By Mr. SCHWENGEL:

H.R. 8670. A bill to amend section 21 of the Second Liberty Bond Act to provide for the retirement of the public debt; to the Committee on Ways and Means.

By Mrs. KELLY:

H.J. Res. 496. Joint resolution authorizing the President to invite foreign countries to participate in a World's Fair, New York, 1964; to the Committee on Foreign Affairs.

By Mr. HOLTZMAN:

H.J. Res. 497. Joint resolution authorizing the President to invite foreign countries to participate in a World's Fair, New York, 1964; to the Committee on Foreign Affairs.

By Mr. DELANEY:

H.J. Res. 498. Joint resolution authorizing the President to invite foreign countries to participate in a World's Fair, New York, 1964; to the Committee on Foreign Affairs.

By Mr. CELLER:

H.J. Res. 499. Joint resolution authorizing the President to invite foreign countries to participate in a World's Fair, New York, 1964; to the Committee on Foreign Affairs.

By Mr. DERWINSKI:

H.J. Res. 500. Joint resolution calling upon the motion picture industry to take appropriate action to make certain that no damage will be done to the foreign relations of the United States by the showing in foreign countries of movies which misrepresent our Nation or its people; to the Committee on Foreign Affairs.

By Mr. LANE:

H. Con. Res. 379. Concurrent resolution providing for certain priorities for the temporary employment of civilian personnel to conduct the decennial census; to the Committee on Post Office and Civil Service.

By Mr. SCHWENGEL:

H. Con. Res. 380. Concurrent resolution expressing the sense of the Congress with respect to a program for paying the national debt; to the Committee on Ways and Means.

By Mr. SAYLOR:

H. Res. 344. Resolution to authorize the Committee on Interstate and Foreign Commerce to conduct an investigation and study of the social and economical problems engendered by parenthood outside of wedlock, and of ways in which the growing burdens it imposes on all levels of government may be mitigated; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER:

H.R. 8671. A bill for the relief of Joseph G. Price; to the Committee on the Judiciary.

By Mr. BARR:

H.R. 8672. A bill for the relief of Dr. Deh Chang Tao; to the Committee on the Judiciary.

By Mr. KASEM:

H.R. 8673. A bill for the relief of Alfred Mantini; to the Committee on the Judiciary.

By Mr. MILLER of New York:

H.R. 8674. A bill for the relief of Paul J. Rackl and George E. Rackl, copartners, doing business as Craftsmen's Plastics; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 8675. A bill for the relief of Elie Hara; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 8676. A bill for the relief of Sachiko Kato; to the Committee on the Judiciary.

By Mr. WESTLAND:

H.R. 8677. A bill for the relief of Mrs. Nobuko Stickels; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

United States-Soviet Debates on Freedom Versus Communism

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES

Thursday, August 13, 1959

Mr. WILEY. Mr. President, today the country and the world looks forward with mixed expectations to the exchange visits by the President and Premier Khrushchev.

Realistically, we recognize that the visits may, or may not, contribute to a lessening of tensions and to ironing out East-West differences. In all likelihood, the settlement of such differences, if accomplished at all, will be a long-term challenge. While hoping for the best from the exchange visits, I believe we must not expect overnight changes in Communist tactics. Rather, we must look ahead to see what else can be done to resolve problems, reduce tensions, and lessen the possibility of war.

As one way of accomplishing these objectives, I believe that a series of college-level debates between teams representing the United States and the Soviet Union would be useful. The debates would be on the theme, "Our Free Way of Life Against the Communist Way of Life," and would cover government, economics, religion, and other major topics that represent differences between our systems.

I ask unanimous consent that a proposed program, relating to the debates, be printed in the RECORD.

There being no objection, the program was ordered to be printed in the RECORD as follows:

The proposed debates envision:

1. Agreement between the United States and Soviet governments for the exchange of college teams to debate the comparative values of freedom versus communism;

2. Selection of a United States debate team (or teams) on a competitive basis;

3. Nongovernmental sponsorship for the program, with guidance by educational leadership; and

4. Selection of specific institutions (perhaps ten) within the United States and the Soviet Union for the debates.

TEARING DOWN THE IRON CURTAIN

The goals would be: (1) to combat the distortions spread about us by the Communist propaganda machine; (2) to give the Soviet people a realistic comparison of the values, objectives, methods, and achievements of the U.S. system and Soviet systems; (3) provide the American people with a clearer concept of Soviet ideas, beliefs, and other factors to better enable us to understand and attempt to resolve East-West differences.

Among the greatest benefit of such an exchange, I believe, would be the opportunity to again expose the Russian people to an undistorted picture of the American way of life, goals, ideas, and policies of peace.

The exchange of debate teams—as a follow-up to the trip of Vice President NIXON and the Eisenhower-Khrushchev visits—too, would help to tear down the Iron Curtain. If allowed to stand, this curtain will only increase, rather than diminish, tension, fear, and the possibility of war.

REFUTING KHRUSHCHEV'S BRAGGING ABOUT SOCIALISM

Mr. Khrushchev has challenged the United States to a battle of ideas. Let's take on the Communists. I am confident we will be the victors.

The Soviet Premier has often bragged that our own system has outlived its purpose and that our grandchildren would like under socialism (in the Soviet Union, a false front for Communist dictatorship). I believe that our college debate teams cannot only effectively refute this oft-repeated falsehood, but also would be able to impress upon the Russians that we—and our children—are dedicated to democratic proceses, capitalism and freedom voluntarily—not through coercion of a 4–6 percent minority—such as that by which the Communist Party now dominates Russia.

VICTORY WILL BE BASED ON KNOWLEDGE, NOT IGNORANCE

I am aware, of course, that there will be those who would criticize the idea of Soviet exponents of communism coming to this country, Senator WILEY continued. How-

ever, we cannot fight an ideology through ignorance. Although we recognize that the Communists—even the leaders—do not know much of our way of life, we must also candidly admit that we, also, are too little aware of Russia's progress in recent years.

FREEDOM WILL TRIUMPH

To effectively combat this atheistic ideology, we must accept its challenges head on, analyze it, show up its weaknesses, and provide a comparative set of facts, figures, principles, ideas and ideals by which the Russians—and the world—can make a well-reasoned judgment as to which system—in the long run—will provide the best kind of life for its people.

I am confident that our system and its ideals will triumph.

In view of the devastating effect which nuclear-missile warfare would have on the whole world, it is wiser to take the existing opportunity to debate them on ideological grounds, than ultimately meet them on battlegrounds.

We must realistically recognize, of course, that the cold war—even through a broader East-West exchange of ideas—is not likely to turn overnight into an era of sweetness and light. For, as yet, Mr. Khruschev has made no sign that he is ready and willing to supplement his words of peace with real deeds.

Consequently, we must continue to remain alert, vigilant, open to negotiations, but not willing to make unilateral concessions—and keep our powder dry.

Missouri Novel

EXTENSION OF REMARKS
OF
HON. MORGAN M. MOULDER
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 13, 1959

Mr. MOULDER. Mr. Speaker, I take this opportunity to make a brief comment on a book entitled "Ring Around the Moon," a Missouri historical novel—1834–60.

From the very heart of Missouri comes this stern, yet romantic and strange story of rugged men and women—pioneers who found true courage in a livng God to meet and cope with overwhelming problems.

These early-day Missourians were individuals, too—white and black folks with heartaches, fears, frustrations, and perplexities that they could not leave behind them as they left their former homes.

This was an age rampant with superstitions—an age of vast illiteracy so far as book learning was concerned.

"Ring Around the Moon" is the story of the strength and weaknesses of Basil Thayer, who with his family came from the East in the first half of the last century.

It deals intimately with the problems of his personal life, as well as with the problem that plagued the sovereign States at that crucial time in our history: The issue of slavery and smoldering racial discord.

According to Negro superstition, a ring around the moon was an omen of evil, forecasting a violent storm and, as well, lengthy tribulation for the black race.

For Basil Thayer, it foretold, perhaps, his fall into the pits of seething passion, bleak despair, and alcoholism, from which only a living God and human compassion and understanding could redeem him.

Set in the fictional mid-Missouri town of Hawthorn, "Ring Around the Moon" is rich with the color and spirit of early Missouri as well as accurate historical background.

The Interstate Road Crisis

EXTENSION OF REMARKS
OF
HON. LEONARD G. WOLF
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 13, 1959

Mr. WOLF. Mr. Speaker, next to the question of the labor union racketeer bills, nothing has captured the concern and worry of the American people as much as the present situation affecting the interstate roadbuilding program. Thousands of people in my district alone are out of work because of the present economic crisis in this industry. I was happy to join Mr. CLARK, of Pennsylvania, in his remarks on the floor last Tuesday, and hope that his program will be given early consideration by both the Public Works Committee and the Ways and Means Committee. Because of the high interest in this problem, and because of some of the facts contained in the following press release, I thought that it might be of value to other Members of the House:

WOLF CRITICIZES ADMINISTRATION FOR MISLEADING COST ESTIMATES ON THE HIGHWAY PROGRAM

Congressman LEN WOLF, Democrat of Iowa, said in Washington today, "I cannot believe that a 40 percent miscalculation by the administration in the costs of the highway program was a simple, technical error."

WOLF said that the administration told Congress in 1956 that the total cost of the highway program would be $25 billion. Now we are told that the costs will be over $36 billion.

In his remarks WOLF proposed a plan which would make possible a continuation of the Interstate Highway System without increasing gas taxes at this time. WOLF pointed out that the present difficulty of the interstate highway program is a temporary one which can be corrected by using more of the revenue gained from autos, auto accessories and tires than are now being used directly for the highway trust fund. He said, "total receipts collected from excise taxes on highway road collected items are $3.6 billion whereas only $2.2 billion find their way into the highway fund. Over $1.4 billion collected from excise taxes could be used to make up the deficit which the administration says will exist in the highway fund. It is sound fiscal policy to use revenues gained from a particular area of the economy to improve that area. I hope that an intelligent re-evaluation of assigning tax moneys will be undertaken by the administration."

WOLF also pointed out that the Bureau of Public Roads is presently making a comprehensive revenue and tax study of our road system which will be completed and enacted into law in 1961 and, consequently, "we should not be hasty in instituting new tax measures without the benefit of this study."

WOLF stated that he was opposed to any tax increase to make up the temporary deficit because "as is well known, it is almost impossible to remove taxes after they have once been levied. Experience teaches us that levying a tax is not a temporary fiscal measure."

"What is needed to solve the present dilemma of the highway program," he said, "is greater tax benefits derived from auto and truck receipts going directly into the highway fund during the next few years, and the enactment of the comprehensive suggestions of the Bureau of Public Roads on highway users tax in 1961."

Welcome to Naturalized Citizens

EXTENSION OF REMARKS
OF
HON. HERMAN TOLL
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 13, 1959

Mr. TOLL. Mr. Speaker, it was my privilege last Tuesday to say a few words of welcome to 83 newly naturalized American citizens. The naturalization ceremony took place in the U.S. Courthouse here in Washington, and the new citizens were sworn in by District Court Judge George L. Hart, Jr. Under permission granted, I include my remarks at this brief but impressive ceremony:

I am glad to have the opportunity to participate in the services relating to the admission of new citizens by way of naturalization. My parents became naturalized citizens, and a great many distinguished and leading citizens of the country are the children of parents who obtained their citizenship in this manner.

I come from the great city of Philadelphia, where the Declaration of Independence was signed and where native-born and naturalized citizens work hand in hand to operate a splendid community and to participate in its economic, religious, social, and civic life. The same is true of this city and all other places participating as political subdivisions of the United States.

A whole new avenue of opportunity is today opening for you. As citizens you can now participate in the operation of American Government even if it only consists in voting for those who seek to be elected. This privilege will be available to the District, I hope, in the very near future. It is now available to all those who live outside of the District. Some may become interested in representing either of our two great political parties on a more active basis as precinct representatives, which is the starting point for many who later become our local and State officials.

At any rate, civic and political opportunities are immediately available to those who seek to participate actively in the affairs of our many communities. Economic and educational opportunities are open almost without limitation. Freedom of motion to live and work in any part of the United States. These opportunities were taken by people, whom I know personally, who only a decade ago were Hungarian refugees and who now are settled, secure and active in the economic life of the community in which they live.

These ceremonies now held are just about 1 month prior to the observation of Citizenship Day, which was designated by the

President of the United States in a proclamation issued the 25th day of April 1959 as the 17th day of September, in commemoration of the signing of the Constitution and in recognition of those citizens who have come of age and those who have been naturalized during the year.

The President also designated the period beginning September 17 and ending September 23, 1959, as Constitution Week, and he urged the people of the United States to observe that week with appropriate ceremonies and activities in their schools and churches and in other suitable places.

U.S. citizenship is a glorious possession representing the dreams and struggles of men for centuries. Our Constitution, which guarantees priceless freedoms to our citizens, sets forth a concept of liberty that has been an inspiration to freedom-loving people everywhere. Citizenship Day will honor those youths of native birth, just arriving at voting age—of whom there are approximately 2½ million each year—and those from other countries recently naturalized, as they accept the rights and privileges of citizenship, and begin full participation in the civic and political life of their communities, States, and Nation. The observances of Citizenship Day and Constitution Week not only will honor especially these two groups of our citizenry, but will afford an opportunity for all citizens, native-born and naturalized, to rededicate themselves to the ideals and principles upon which this Nation was founded and built.

James P. Wesberry, Jr., a Former House Page Successful in the Business World

EXTENSION OF REMARKS
OF
HON. JAMES C. DAVIS
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 13, 1959

Mr. DAVIS of Georgia. Mr. Speaker, I have observed during the 13 years I have served as a Member of the House that the House pages have been exceptional and outstanding boys, who have maintained very high standards as to quality of service, devotion to duty, and the maintenance of moral and ethical standards.

During my service here I have watched the careers of many of these boys after they served as pages and pursued their education in colleges and universities, and entered upon their chosen careers in life.

I know of the great interest manifested by Members of the House of Representatives in these excellent young men who have served as pages, and it is for that reason I bring to your attention the accomplishments of one of these fine young men whom it was my pleasure to sponsor as a page 10 years ago. Some of you will recall, I am sure, Jimmy Wesberry, of Atlanta, Ga. He applied himself diligently to the performance of his duties as a page, and to his studies in the page school. It has always been one of his characteristics to apply himself diligently to whatever task is at hand. He was president of the student council of the Capitol Page School, and during the latter part of his page service he was overseer, having charge of all Republican pages. He graduated from Emerson Institute here in Washington, and graduated from the Georgia State College of Business Administration in Atlanta, with a bachelor of business administration degree.

He is now a certified public accountant and management counselor, and at the time he received his certificate as a certified public accountant, he probably was the youngest certified public accountant in the Southeast. He was for a time associated with the well-known firms of Mount & Carter and Richardson, Stell & Co., in Atlanta. While with the firm of Mount & Carter, a good portion of his time was devoted to governmental accounting and systems, and in particular the auditing and systems of Fulton County, Ga. He supervised the quadrennial executive audit of the State of Maine covering the two terms of Gov. EDMUND S. MUSKIE. Subsequently he served 4 months as acting controller of Hillcrest Poultry Industries, of Lewiston, Maine, a group of eight corporations engaged in integrated poultry processing. Within the last few months Mr. Wesberry completed the highly publicized audit of Jackson County, Ga., as a result of which court investigations are now in process.

It was a proud moment in Jimmy's life when just recently he established his own office in the Citizens & Southern National Bank Building in Atlanta, with a new sign on the door, James P. Wesberry, Jr., certified public accountant and management counselor.

I think it can be said that his career is typical of those of the fine, outstanding boys who serve as pages here, acquire worthwhile knowledge of the operation of the Federal Government, and return to their respective homes to take a leading part in the affairs of their respective communities.

I know that all of you join me in extending best wishes to this former page for continued success in his chosen career.

A Bill To Amend the Internal Revenue Code With Respect to Scholarships

EXTENSION OF REMARKS
OF
HON. ROMAN C. PUCINSKI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 13, 1959

Mr. PUCINSKI. Mr. Speaker, I call attention of the Members of the House to a bill I have introduced today that is designed to remedy a glaring inequity in the treatment of academic scholarships under the present tax structure.

Much has been said recently about our Nation's urgent need for more and better education. It is also generally realized that improved utilization of this country's potential brainpower depends to a large extent on scholarships and fellowships. Yet, under our current tax laws, such financial assistance to students is still regarded as income for certain tax purposes, to the detriment of the recipients of scholarships and their families.

The bill I have introduced would eliminate this inequity and smooth the way for students who have demonstrated sufficient promise and application to have been awarded scholarships and fellowships.

Joint Resolution for World's Fair in New York in 1964

EXTENSION OF REMARKS
OF
HON. EDNA F. KELLY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 13, 1959

Mrs. KELLY. Mr. Speaker, the Honorable EMANUEL CELLER, Hon. JAMES J. DELANEY, Hon. LESTER HOLTZMAN, and I, EDNA F. KELLY, introduced an appropriate joint resolution for the purpose of having a World's Fair in New York in 1964, at the same time that a companion joint resolution was introduced in the other body. At that time, we gave to the newspapers a release explaining briefly the plan for this event which I hope the Members of the House will read.

Senator JACOB K. JAVITS, Republican, New York, and Representative EDNA F. KELLY, Democrat, New York, today, Thursday, introduced in the Senate and House of Representatives legislation authorizing the President to invite foreign countries to participate in a World's Fair in New York City in 1964. The purpose of the fair is to commemorate the 300th anniversary of New York City; its theme, "Peace Through Understanding," recalls the theme of the 1939 New York World's Fair, "Building the World of Tomorrow."

Senator JAVITS and Representative KELLY pointed out that an organizing committee for the fair has already been established by Mayor Wagner and that plans are under way for the financing of the exposition by private investment and business and commercial interests in New York City and elsewhere. They stated that the fair's sponsors estimate some 70 million people will attend the fair, a figure far in excess of the 45 million who visited the 1939–40 exposition.

Some 10 million or more of the visitors are expected to come from Canada, Mexico, and other foreign nations, and will, it is estimated, spend between $1 billion and $2 billion of the $6 billion expected to be spent by the fair's visitors. Commenting on this, the sponsors stated: "The 1964 New York World's Fair will serve not only as a showcase of America for all those who will visit it but it will also serve to attract foreigners to our shores to visit the rest of the United States along with the fair. This is an excellent followup to Visit U.S.A. Year, 1960, and will go a long way toward making this country a truly international tourist attraction."

Commenting further on the bill, Mr. JAVITS and Mrs. KELLY said: "In its 300 years of existence New York City has grown from a colonial village to the world's leading metropolitan area and seaport of 7 million people. It has been the gateway for millions of immigrants who came to make the United States their future home. Each year its water and air facilities handle cargo measured in millions of tons and valued at

billions of dollars. It is an outstanding center in learning, research and culture.

"The 1964 fair has the enthusiastic endorsement of all segments of New York City's varied and active life. Foreign governments as well as private exhibitors will participate."

The full text of the Javits-Kelly bill follows:

"JOINT RESOLUTION AUTHORIZING THE PRESIDENT TO INVITE FOREIGN COUNTRIES TO PARTICIPATE IN A WORLD'S FAIR, NEW YORK, 1964

"Whereas there is to be held at New York City during the year 1964 a World's Fair which has for its purpose the commemoration of the 300th anniversary of the establishment of the city of New York; and

"Whereas through the city of New York, since its establishment in 1664, the peoples, sciences, cultures, and products of all nations have passed into this continent and the United States of America, and said city has served as a beacon for freedom and democracy as exemplified in the Statue of Liberty, donated by the peoples of France to the peoples of the United States and whose torch lights the way into the harbor of this great city; and

"Whereas, because of its location and purpose, its scope and aims, said World's Fair is deserving of the support and encouragement of the Government of the United States of America: Therefore be it

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and respectfully requested by proclamation, or in such manner as he may deem proper and appropriate, to invite foreign countries and nations to such proposed World's Fair with a request that they participate therein and to take such steps as may be appropriate to secure such participation."

Lake Michigan Water Diversion

EXTENSION OF REMARKS
OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Thursday, August 13, 1959

Mr. WILEY. Mr. President, I ask unanimous consent that my remarks on Lake Michigan water diversion, delivered before a subcommittee of the Committee on Public Works, on August 7, 1959, be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

LAKE MICHIGAN WATER DIVERSION

(Remarks by U.S. Senator ALEXANDER WILEY, Republican, of Wisconsin, before subcommittee of the Committee on Public Works August 7, 1959)

Mr. Chairman, coming before this subcommittee to discuss water diversion is not a new experience for me, because I have seen this issue dragged from Supreme Court to special master, from Joint International Commission to Senate committees and from there to the full Senate in a fashion somewhat reminiscent of the man who, not being satisfied with one judge's determination, sets out on a shopping expedition to find a judge that would agree with him. Neither is the presentation of the facts and issues of this case completely devoid of theatrical makeup and ever-changing window dressing. The title of H.R. 1 reads "An act to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation, and for other purposes." Then on July 13, Senator DOUGLAS—appearing before this subcommittee—not even once referred to navigation problems and all throughout his testimony he insisted that "all we ask is that this matter of Chicago's waste disposal be studied by a competent body." In his testimony on July 27, Norval E. Anderson, engineer of the Sanitary District of Chicago, confirmed that this was the purpose. If there are any navigation purposes attached to this proposed diversion—authorizing the Department of Health, Education, and Welfare to conduct the study would certainly not provide us with the desired information on navigation needs. Moreover, it is now even uncertain whether all this diversion is really intended for pollution abatement. Mr. Milton P. Adams, engineering adviser to the attorney general of Michigan, appearing before this committee, advised it that he had some "reason to believe that Chicago's continuing demands for additional diversion is due, in part at least, to increased public utility needs for more cooling water from the canals rather than for district sanitation." Now, there is nothing in the Supreme Court decision controlling the present diversion at Chicago, nor in any subsequent act of Congress, which would permit a substantial portion of these waters to be used for condensing purposes in connection with private utility steamplant power generation.

I therefore urge that we depart from diversionary and discredited tactics and that we look at the actual facts and issues.

THE FACTS AND FIGURES OF THE CHICAGO DIVERSION

I previously filed with each member of the committee a very short brief, primarily raising the international issue, Canada having objected in no uncertain terms.

Today, I shall follow through with the other issues.

Of course, the basic question is as follows: Is it the responsibility of the Federal Government to clear up a local sewage problem which Chicago's neglect has created?

Is it good national policy or good foreign policy, or good constitutional law, for the Federal Congress to attempt to take the resources, national in scope, from some sovereign States, for the benefit of a district of another State?

If any diversion by Chicago is to be permitted, it is our humble opinion that Chicago should be required to return the domestic pumpage, after purification, to Lake Michigan.

We contend that, because of the issue raised by Canada, the bill should be, if it is not tabled, referred to the Senate Foreign Relations Committee.

I need not stress what this committee already knows, that the Supreme Court has had jurisdiction, and is retaining jurisdiction of this very issue. As a matter of fact, the master appointed by the Supreme Court has held his first meeting with all concerned this Tuesday, August 4, in Philadelphia.

Now, before we examine the law and equity in this case, let us recapitulate the facts:

First, the bill provides that the Metropolitan Sanitary District of Chicago has the authority to increase by 1,000 cubic feet per second its water take from Lake Michigan—this to be in addition to all domestic pumpage and the 1,500 cubic feet per second already authorized.

The district already has been authorized to take 1,500 cubic feet. It wants to be able, in dry weather, to take a flow of 5,000 cubic feet per second; and in wet weather, taking nothing, just so long as it doesn't exceed the annual average of 2,500 cubic feet per second.

If the bill should become law, it would raise the issue as to whether the Supreme Court's jurisdiction has been done away with, and if so it would do away with the issue before the Court of any return of domestic pumpage in purified form to Lake Michigan.

Let me say that Chicago has already diverted three streams which formerly flowed into the lake; and the lake level is down 7 feet now.

What is that due to? There is a difference of opinion about it. But engineers say that an additional 1,000 cubic feet would reduce the lake level a fraction of an inch.

When you realize that water has for years been continuously taken, and none given or returned by Chicago, this dangerous lowering of the level clearly shows the necessity for no more diversion.

In Milwaukee, sewage is purified up to 95 percent and Milorganite is created and sold for fertilizer.

I think the facts are conclusive on this: that Chicago doesn't want to spend any extra money, so to speak, to do the job that Milwaukee is doing.

FAILURE OF PROOF

The supporters of this bill have failed to make out a case. The undisputed evidence shows that the city has created the situation; has failed to remedy it by failing to extend its sanitary works.

This admission comes out of the mouth of H. P. Ramey, the Chicago Sanitary District chief engineer, as follows:

Ramey said, "the district in recent years has had a good reputation and was credited with treating all sewage to the highest degree possible, or 90 percent removal of solids." "Actually," Ramey said, "this was not the case."

"Sewage treatment in the plants of the sanitary district has declined from a general average of 93 percent in 1951–52 to 87 percent or less in 1955–56.

"The lapse in sewage treatment has occurred at the west-southwest treatment plant, the plant which was cited in 1955 as one of the 7 modern wonders of civil engineering in the United States."

This went into the RECORD last year and was quoted in the Chicago Tribune, September 4, 1957, and the Chicago Daily News of the same date.

Last year, we showed what a poor job the Chicago plant had been doing for itself. In 1952, its purification was tops. In succeeding years, it has dropped miserably, and that is due to the fact that, while it has taken on an additional acreage in sewage, it has not increased the facilities of its sewage plants.

The purity of the effluent from the sewage plants of Chicago dropped from a peak of 93.6 in 1952, to a low of 85.6 in 1957.

The removal of the sewage solids from the liquid, which at one time, in 1952, was as high as 91.1 percent, had dropped by 1957 to 80.6 percent.

It is well to note that Milwaukee's purification efficiency remains at a high of 96 percent.

As indicated above, the Chicago Sanitary District figures show that between the years 1952 and 1957 the percentage of solids removable decreased from 91.1 to 80.6, or 10.5 percent, clearly indicating the inefficiency of the sanitary district.

The information shown above was brought from Chicago by Mr. Gordon McCallum, Chief of the Division of Water Pollution of the Department of Health, Education, and Welfare, at the specific insistence of myself.

Let me also read from the Supreme Court's opinion of 1929, which was in the RECORD last

year, which language is applicable to the present situation:

"The sanitary district authorities, relying on the argument with reference to the health of its people, have much too long delayed the needed substitution of suitable sewage plants as a means of avoiding the diversion in the future. Therefore, they cannot now complain if an immediately heavy burden is placed upon the district because of their attitude and course. The situation requires the district to devise proper methods for providing sufficient money and to construct and put in operation with all reasonable expedition adequate plants for the disposition of the sewage through other means than the lake diversion."

Again this year your subcommittee had before it the testimony of Michigan Associates Consulting Engineers which most clearly proves, through actual photographs, that the Chicago Sanitary District is failing to do what the Supreme Court required them to do—that is to collect and treat its sewage in such a fashion that it could take care of the sewage disposal requirements of the area by means other than diversion.

The observations of the Michigan consulting engineers are confirmed by a 2-day survey made by the U.S. Public Health Service on October 27 and 28, 1958. Both surveys show (1) that portions of the waterway are grossly polluted; (2) that raw sewage and industrial waste are allowed to be discharged into the waterway without prior treatment; (3) that a large quantity of sewage is found in the canal—indicating either that the district's sewage disposal plants are not operated efficiently or that they are bypassed; and (4) that the district maintains an extensive number of sludge lagoons, which overflow and discharge into the canal without prior treatment.

Although the district brought here a whole battery of experts on July 27, in an attempt to refute these findings—they have certainly failed to negate even one point. At most they have shown that these deplorable practices do not take place every day of the week, but are regulated by the district, so that more favorable pictures could be taken during the off days.

Now, from all of this, it must appear that more water is not the solution, but more and better plants are.

EQUITIES

Let me summarize the equities:

1. Chicago needs more and better sewage plants to handle the growing volume of its sewage.

2. The overloading of the sewage plants, I have already shown.

3. Chicago has no health problem, and any diversion is not related to its health. The Supreme Court special master, in 1941, found that even a low of 54 percent purification level did not endanger health. Senator PROXMIRE demonstrated that fact when he read from the Health Commission's report in Chicago.

4. Neither Chicago nor the Illinois waterways have a navigation problem. There was a temporary problem, but it was solved when the Public Works Committee approved an authorization for water retaining works at Alton, Ill.

5. Chicago is luring industry by low taxes and unmetered high water use, whereas other lake cities are metering the use of water and solving their own sewage problems.

6. The bill originally provided for a 3-year diversion. Now, they want a 1-year diversion which will inch away the levels of the Great Lakes, to the damage of other States rights, transportation, harbor operation, and the operation of utilities on the St. Lawrence.

7. I repeat: The prime purpose of the bill is to save Chicago money in its sewage operations, it having allowed purification to slump, as indicated above.

8. The witnesses for the Army Engineers admit that there is no navigation issue involved, unless what we are talking about is the damage to be caused by additional diversion to the navigation on the lakes.

9. The Great Lakes States all have a legal ownership interest in the waters of the Great Lakes, subject only to the Federal Government's limited jurisdiction over commerce and navigation—this being evidenced by the President's veto messages of 1954 and 1956, in which he said as follows:

"(a) Existing diversions are adequate for navigation on the Illinois Waterways and Mississippi River.

"(b) All methods of control of lake levels and protection of property on the Great Lakes should be considered before arbitrary proceedings with the proposed increased diversion.

"(c) The diversion should not be authorized without reference to negotiations with Canada.

"(d) The legitimate interests of other States affected by the diversion would be adversely affected."

10. A new objection has recently come into being—the St. Lawrence-Great Lakes Waterway is completed and must not be damaged. This bill, I say, would undermine confidence in the future reliability of the St. Lawrence Seaway.

11. Illinois has only 57 miles of lake front, and the other States have about 500 miles. Canada has 3,772 miles of the Great Lakes, and the U.S. frontage is 2,278 miles.

THE GAINS TO CHICAGO AND THE LOSSES TO ALL OTHERS

I should like to stress again that the opposition to the diversion by Chicago is not based merely on Chicago's failure to solve its own domestic problem—it is based on the damages that such diversion would produce to the other States. For as the mayor of Cleveland stated: "To permit Chicago, or any other municipality, to extract large quantities of water from the Great Lakes watershed would constitute a subsidy just as surely as though Chicago was being handed a sum of dollars. To the degree that Chicago is benefitted, others down the line will be injured to the same extent." But the evidence produced before this subcommittee has proven more than that—it has proven that Chicago's gain will be more than offset by the resultant losses to all other States.

The statistics provided by the State of New York Power Authority show that the annual loss to the authority in revenues from a 1,000 cubic feet per second diversion, would be over $1 million a year. The total revenue loss, if such diversion was authorized to continue during the term of the license of the Niagara and St. Lawrence plants would amount to $51 million.

The statement by the Lake Carriers' Association demonstrates the effect of the diversion on Great Lakes shipping. With the present permitted diversion, plus domestic pumpage of about 2,000 cubic feet per second, the city of Chicago is already depressing the Lake levels about 3 inches below what they would be otherwise. As the study by the Corps of Engineers has determined, a further diversion of 1,000 cubic feet per second will further lower the level approximately 1 inch and the level of Lakes Erie and Ontario by somewhat less amount. Such a lowering, it is estimated, would mean a total loss of approximately 1½ million tons of vessel carrying capacity by the combined United States and Canadian fleets of the Great Lakes vessels during a season. This is a loss to transportation companies alone of about $2½ million. And now that the St. Lawrence Seaway is fully open, larger ocean vessels are trading in the Great Lakes, and these vessels, too, will suffer a loss in carrying capacity, as well as an increase in navigation hazards.

The mayor of Cleveland, further, testified that a 1-inch drop in the lake level would result in a reduction of the potential capacity at the Cleveland plants and that a million dollar's worth of plant supply would be lost.

What else would this diversion do to the interests of the Great Lakes States? What about the damage to the beaches and resorts, the harbors and the docks, now too high above water; what about the lower levels in the St. Lawrence Seaway canals? What about the future of the seaway?

The U.S. Department of Health, Education, and Welfare, has reported to this committee that the sanitary district could solve its sewage treatment problem without the diversion by means of chlorination and aeration at a cost of about $1 million per year. I submit that if further diversion is authorized the losses to the many other interested States and businesses would far exceed the costs of such better and more permanent system by Chicago. Where, therefore, I ask, is the equity and economic soundness of Chicago's case?

Is it really expected that monetary benefits that H.R. 1 would give to Chicago should be paid by the citizens of Wisconsin and Michigan, Indiana, Ohio, and New York?

And, furthermore, the problem is not merely that of the unjust enrichment of the city of Chicago. It is also the problem of the wise utilization of the waters of the Great Lakes, and any water resources expert will challenge the economic soundness of using and committing these good waters for the flushing of sewage.

THE LAW THAT PERTAINS TO THESE WATERS

The Great Lakes are international waters. They are a national asset, and they make up the Great Lakes watershed.

I doubt very much whether Congress has the authority under the Constitution to pass bills that would authorize the transfer of large quantities of water from the Great Lakes-St. Lawrence watershed to the Mississippi watershed, with substantial damage to the Great Lakes, the municipalities on the Great Lakes and the people with property bordering the Great Lakes.

The authority of the Federal Government to divert water from one watershed to another for the exclusive needs of sewage treatment, is certainly very questionable. It is amusing, therefore, to observe the pathetic effort made by the Chicago Sanitary District to stretch inapplicable court cases in order to "prove" that the plenary power of the Federal Government over navigable waters "includes the power of diversion from one waterway to another." To buttress their position the district cites a recent amicus curiae by the Solicitor General of the United States (in *Wisconsin et al.* v. *Illinois et al.*, October term 1958) to the effect that: "The plenary power of Congress over navigable waters empowers it to deny the privilege of obstructing them, or to impose terms on a grant of the privilege." This is certainly a very correct statement of the Government's duty to protect the navigability of streams, but one that totally fails to establish the power of the Government to enrich some States at the cost of others through the authorization of diversion for purposes totally unrelated to navigation.

In the leading case of *U.S.* v. *Appalachian Power Co.* (311 U.S. 377), the Supreme Court held that: " * * * it cannot be properly said that the constitutional power of the United States over its waters is limited to control for navigation. * * * In truth the authority of the United States is the regulation of commerce on its waters. * * * The authority is as broad as the needs of commerce." Again in *Wisconsin* v. *Illinois and Sanitary District of Chicago* (278 U.S. 367),

which is the landmark in the diversion controversy, the Court restated its position that Congress, in the exercise of its Constitutional power to regulate commerce, may adopt any means having some positive relation to the control of navigation and not otherwise inconsistent with the Constitution. A very strong statement was again made in a recent opinion by Justice Douglas to the effect that "It is not for courts, however, to substitute their judgments for congressional decisions on what is or is not necessary for the improvement or protection of navigation. * * * If the interests of navigation are served, it is constitutionally irrelevant that other purposes may also be advanced." (*United States* v. *Twin City Power Co.* (350 U.S. 222, 224).)

This, I submit, is a very correct and constitutionally sound position. But it is only this far and not further that we can go, and I submit again that H.R. 1 has nothing whatsoever to do with navigation or commerce. Any endeavor, therefore, to defend diversion for sewage flushing purposes, from the Great Lakes basin to the Mississippi basin, as coming within the realm of commerce, makes a sham of our law.

I submit, also, that to the extent that the issue involved in this diversion is not one of national commerce but of a conflict between the several States as to waters that are commonly shared—this is an issue for the courts. For as the Supreme Court said in *Wyoming* v. *Colorado* (259 U.S. 419, 464): "* * * a controversy between two States over the diversion and use of waters of a stream passing from one to the other 'makes a matter for investigation and determination by this Court' in the exercise of its original jurisdiction," and again "the upper State on such a stream does not have such ownership or control of the waters flowing therein as entitled her to divert and use them regardless of any injury or prejudice to the rights of the lower State in the stream."

THE FACTS OF THE CANADIAN DIVERSION

In the brief that was submitted by the district, there are references to waters that have been diverted from the whole system by Canada. My understanding is that in every instance, that was pursuant to agreement between our country and Canada, and these diversions were made before the St. Lawrence development, that is, before these two countries have put into the same one billion dollars.

Now let me refer to the specifics of brief filed by the district and let me set the record straight:

1. There never has been any diversion of water by Canada that was not pursuant to treaty or agreement.

2. Although Canada has had the use of an extra 16,000 cubic feet of water at Niagara for power purposes, the Niagara Treaty of 1950 provides that we and Canada should have the right to take the same amount of water for our powerplants.

3. Canada has contributed water by diverting Long Lac and Ogokie Rivers into the Great Lakes basin, some 5,000 additional cubic feet per second.

4. Nothing has been said about the fact that every drop of the water taken at Niagara was and is returned to the lake resulting with damage to nobody.

We are perfectly willing that Chicago have additional water if it will return what it takes to the lake in purified condition, the same as Milwaukee does.

There is one point we must not forget, and that is that a large portion of the power generated in the early days in the Canadian powerplants at Niagara was allotted to industries on the U.S. side. Later, recognizing American power needs, the United States refused to allow its industry to be deprived of the power allotted to it under the agreements between the countries, and Canada had to dim-out to conserve power to meet its obligations. One of the principal reasons for negotiating the 1950 treaty was to resolve this conflict.

And let me stress again: The Chicago diversion is a real diversion in the sense that it diverts three rivers and approximately 3,300 cubic feet of water per second from the Great Lakes basin to the Mississippi basin. That water that Canada uses and reuses at Niagara is really a detour because it detours the water through its plants and returns it to the river and the lake.

It must be plain from the record in this case that the letter of 1958 by Assistant Secretary Macomber, which was cited by the bill's proponents, doesn't state the fact. My previous brief in the matter, which I filed with each member of the committee, set forth Canada's position in no uncertain terms. It also clearly indicates that after the visit of Messrs. DOUGLAS and YATES to Canada for the purpose of enlightening the Prime Minister that the Prime Minister was not "enlightened" and that he told the Canadian Parliament that he enjoyed the visit but that they had not established any reason for the Canadian Government to change its position.

If, as contended by the district, that for 40 years under the 1909 treaty, Canada had available some 16,000 cubic feet, that is a matter, not between Illinois and Canada, but between the Government of the United States and Canada.

And finally, after the 1950 treaty, the rights of the two countries were established to be equal.

IS AN ADDITIONAL STUDY NOW NECESSARY?

What is the purpose of this new proposed study?

The bill's title is a misnomer describing it as a study of navigation. The contents of the bill are more honest, saying that the purpose of the bill is to study the effect of diversion on Lake Michigan and on the Illinois Waterway. An amendment that was offered by the Chicago Sanitary District on July 27 would extend this study also to include pollution, the treatment of industrial waste, the flows of water throughout the southern part of Lake Michigan, and sundry other topics.

I submit, however, that any such studies are not needed at this time. The major part of this study has already been made and is contained in Senate Document No. 28, 85th Congress, 1st session, entitled "Effects of an Additional Diversion of Water From Lake Michigan at Chicago." The document sets forth in unquestionable terms that the present authorized diversion is adequate to meet the water requirements for navigation on the Illinois Waterway, and shows that losses would result from an increase in the diversion to navigation, power development, and shore property interests. The effect of such diversion would also be to increase power production at the sanitary district's plant at Lockport on the Illinois Waterway and save the sanitary district the money it would otherwise have to spend to solve its domestic sanitation problems.

Another study at this time would appear to be simply a waste of time and money, and the only possible reason for its institution would be in the fact that such study would offer an excuse for starting more diversion.

It has been said that such study, if authorized, would not interfere with the duties of the master, appointed by the Supreme Court, to look into this complex situation, but would, instead, provide him with additional data. I say this in response: About 30 years have passed since Justice Hughes, the previous master, has studied this problem; why not give the new master the opportunity to decide for himself what possible new information or studies he may require? And since one study was already conducted in 1957 and the new master commenced his own fact gathering this week—there is certainly no need to hasten and conduct a brandnew costly survey for his benefit, and without his collaboration.

CONCLUSION

1. The evidence shows that the Chicago district is to blame for its own predicament in that its sewage disposal plant, which was efficient years ago, has not been kept up-to-date as Chicago has grown.

2. It has diverted three rivers which formerly flowed into Lake Michigan; it has been taking some 3,300 cubic feet per second from Lake Michigan, and has not returned a drop thereof.

3. The argument that Canada has up to 1950 had 16,000 cubic feet extra water, falls by its own weight:

(a) Because every drop of the water was returned to the river and the lake.

(b) It was pursuant to agreement with the United States.

4. Illinois has some 57 miles of frontage on Lake Michigan, and the other States have 500. Lake Michigan is part of the Great Lakes-St. Lawrence watershed, and none of the other States have agreed to this diversion by the Chicago district.

5. Now that the St. Lawrence Seaway is a reality the port projects must not be jeopardized by this unreasonable demand. Chicago "the wonder city," has spent less per capita for sewage treatment, and has a lower tax rate than other cities. She should not expect to take from the other States. Her job, as the court has suggested, is to clean up her own house.

6. The Chicago district has no basis for relief by Congress since this is not a navigation or commerce problem. Congress has no authority to divert water for the sole purpose of sluicing Chicago's sewage down the Illinois River (*Wisconsin* v. *Illinois* (278 U.S. 367).)

7. The Chicago district has no basis for relief in law or equity:

(a) A temporary diversion would mean lower lake levels, which would lower harbor and canal depths, decrease safe shipping drafts and reduce tonnage carried. Lake shore property would be impaired, dock pilings would become exposed.

(b) Canada has repeatedly voiced its opposition to a unilateral diversion. Under the 1909 Boundary Waters Treaty, article II "It is understood, however, that neither of the high contracting parties intends by the foregoing provision to surrender any right which it may have to object to any interference with or diversion of waters on the other side of the boundary, the effect of which would be productive of material injury to the navigation interest on its own side of the boundary." As stated by Justice Holmes in *Sanitary District* v. *U.S.* (266 U.S. 405, 426), it is the duty of the United States to carry out its treaty obligations to Canada, which borders on the Great Lakes, and furthermore, the 1909 treaty "expressly provides against uses 'affecting the level or natural flow of boundary waters' without the authority" of the United States, the Dominion of Canada and the Joint International Commission.

I therefore submit that no diversion should be undertaken by any one of the two Governments without consultation and agreement with the other.

(c) While continuously pleading for an increased diversion from Lake Michigan—in order to meet existing sanitary needs—the Chicago Sanitary District has also followed in recent years a tremendous territorial expansion program which by necessity would make its present plants inadequate. From some 508 square miles in 1954, the district, through annexation grew to more than 920

square miles in 1958, an increase of 81 percent.

It is during this same period that the efficiency of the Chicago sewage treatment fell dramatically. I submit therefore that it is partly because of this expansion program, and the resultant fall in sanitary efficiency, that Chicago wants more water, and is now coming to Congress for aid. But it is presumptuous for Chicago to believe that the expansion program of the sanitary district, however meritorious it may be, should be financed by the other Lake States.

Mr. Chairman, and members of the subcommittee, let me say this in conclusion: Additional diversion of Lake Michigan waters has no justification either in law or in equity; it is contrary to the interests of the other Lake States and contrary to the tradition of close and friendly relation with our Canadian neighbors; and finally, such diversion for the treatment of sewage is certainly, from a scientific and water resources point of view which must consider not only the needs of today but also the demands of tomorrow, a very uneconomic and unsound utilization of this generous gift of nature—the waters of the Great Lakes.

A New Citizen at 100

EXTENSION OF REMARKS
OF
HON. ROMAN C. PUCINSKI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 13, 1959

Mr. PUCINSKI. Mr. Speaker, on August 15, 1959, Mrs. Mary Poburka will celebrate her 100th birthday and will have been a citizen of the United States for 5 days. The realization of this dream of citizenship is largely due to the efforts of Mrs. Anna Strojny, one of my constituents and one of the truly sincere patriots of our Nation. Mrs. Strojny has helped thousands of people to achieve citizenship. When she learned of Mrs. Poburka's desire to become an American citizen before she died, she immediately assumed the task of seeing to it that Mrs. Poburka received the proper instruction in English and American history, and she personally contacted the Immigration Department to expedite Mrs. Poburka's application.

Mrs. Poburka, a resident of this country since 1914, left Poland with her husband in 1913, intending to sail to Brazil, where free land awaited potential settlers. Mr. Poburka, their two sons, and three daughters went to Brazil. Mrs. Poburka and four other daughters came to America.

In the long years that followed, Mrs. Poburka never had the opportunity to learn English. Her family worked, those about her spoke Polish, and the language of her adopted country was alien to her. Now her family is scattered throughout North and South America and she has declared her desire to become a full-fledged participant in our national history.

"They didn't realize until recently how much I wanted to become a citizen," she says.

Now, thanks to the help and assistance of the immigration and naturalization personnel and the technical and moral support of her patriotic friend, Mrs. Poburka is within sight of her long-awaited goal. I want to take the opportunity to wish her a very happy birthday, her first as a fellow American, and to wish her full enjoyment of the privileges guaranteed in her new role.

And I should also like to inject a word of praise for the devotion and sincere dedication to freedom demonstrated by Mrs. Anna Strojny, Americanization teacher. I have never met an individual who more personifies the meaning of "citizen" than this noble woman whom I am fortunate enough to represent in Congress. I stand in awe of her accomplishments and I am sincerely proud that she has chosen to live in the 11th Congressional District.

Mrs. Strojny is indeed a dedicated American. Even though, for several years now, Mrs. Strojny has herself been an invalid, due to a severe attack of arthritis, she has not in any way impeded her efforts to help immigrants become American citizens.

This wonderful woman has helped more than 12,000 immigrants become American citizens through her unselfish efforts and adherence to American ideals. In 1950, she was decorated for her inspiring contributions to foster Americanism. During World War II and to this day, as honorary president of the Mothers of World War II, Mrs. Strojny continues to organize visits to veterans hospitals in the Chicago area and helps make the lot of our wounded veterans a great deal more pleasant.

Mrs. Strojny indeed exemplifies the very essence of all that makes America a great Nation. I am sure she will share with Mrs. Poburka the pride of citizenship on August 15, and God grant that Mrs. Strojny may continue her splendid service to her country for many years to come.

HOUSE OF REPRESENTATIVES

FRIDAY, AUGUST 14, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Romans 12: 17: *Provide things that are honest in the sight of all men.*

Almighty God, we acknowledge gratefully that Thy concerns and love for needy humanity are universal and limitless.

May we go forth into the hours of this new day, each seeking Thy divine guidance, as we try to find an honest solution for the many difficult problems in our human relationships.

Grant that, in our search for that which is helpful and true, we may have regard and respect for the points of view of others.

Give us the wisdom and grace to credit them with having ideas and opinions, feelings and loyalties which deserve to be consulted and considered.

Inspire us with the courage to detest and destroy everything that is wrong in our social order.

May we continue to pray and labor for the dawning of that day when there shall be a civilization more noble than the world has ever known.

Hear us in the name of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 7650. An act to modify the pension programs for veterans of World War I, World War II, and the Korean conflict, and their widows and children.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 812. An act to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; and

S. 1105. An act to improve the land tenure patterns on the Fort Belknap Reservation.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 746. An act to amend the act entitled "An act to regulate the placing of children in family homes, and for other purposes," approved April 22, 1944, as amended, and for other purposes.

LEGISLATIVE APPROPRIATION BILL, 1960

Mr. NORRELL. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill (H.R. 7453) making appropriations for the legislative branch for the fiscal year ending June 30, 1960, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1950

The SPEAKER. The unfinished business is the reading of the engrossed copy of the bill (H.R. 8342), to provide for the reporting and disclosure of certain financial transactions and administrative

practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

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Short title

SECTION 1. This Act may be cited as the "Labor-Management Reporting and Disclosure Act of 1959".

Declaration of findings, purposes, and policy

SEC. 2. (a) The Congress finds that, in the public interest, it continues to be the responsibility of the Federal Government to protect employees' rights to organize, choose their own representatives, bargain collectively, and otherwise engage in concerted activities for their mutual aid or protection; that the relations between employers and labor organizations and the millions of workers they represent have a substantial impact on the commerce of the Nation; and that in order to accomplish the objective of a free flow of commerce it is esssential that labor organizations, employers, and their officials adhere to the highest standards of responsibility and ethical conduct in administering the affairs of their organizations, particularly as they affect labor-management relations.

(b) The Congress further finds, from recent investigations in the labor and management fields, that there have been a number of instances of breach of trust, corruption, disregard of the rights of individual employees, and other failures to observe high standards of responsibility and ethical conduct which require further and supplementary legislation that will afford necessary protection of the rights and interests of employees and the public generally as they relate to the activities of labor organizations, employers, labor relations consultants, and their officers and representatives.

(c) The Congress, therefore, further finds and declares that the enactment of this Act is necessary to eliminate or prevent improper practices on the part of labor organizations, employers, labor relations consultants, and their officers and representatives which distort and defeat the policies of the Labor Management Relations Act, 1947, as amended, and the Railway Labor Act, as amended, and have the tendency or necessary effect of burdening or obstructing commerce by (1) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (2) occurring in the current of commerce; (3) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods into or from the channels of commerce, or the prices of such materials or goods in commerce; or (4) causing diminution of employment and wages in such volume as substantially to impair or disrupt the markets for goods flowing into or from the channels of commerce.

Definitions

SEC. 3. As used in titles I, II, III, IV, V (except section 505), and VI of this Act—

(a) "Commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof.

(b) "State" includes any State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act (43 U.S.C. 1331–1343).

(c) "Industry affecting commerce" means any activity or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry "affecting commerce" within the meaning of the Labor-Management Relations Act, 1947, as amended, or the Railway Labor Act, as amended.

(d) "Persons" includes one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, or receivers.

(e) "Employer" means any employer or any group or association of employers engaged in an industry affecting commerce (1) which is, with respect to employees engaged in an industry affecting commerce, an employer within the meaning of any law of the United States relating to the employment of any employees or (2) which may deal with any labor organization concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work, and includes any person acting directly as an employer or indirectly as an agent of an employer in relation to an employee but does not include the United States or any corporation wholly owned by the Government of the United States or any State or political subdivision thereof.

(f) "Employee" means any individual employed by an employer, and includes any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice or because of exclusion or expulsion from a labor organization in any manner or for any reason inconsistent with the requirements of this Act.

(g) "Labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

(h) "Trusteeship" means any receivership, trusteeship, or other method of supervision or control whereby a labor organization suspends the autonomy otherwise available to a subordinate body under its constitution or bylaws.

(i) "Labor organization" means a labor organization engaged in an industry affecting commerce and includes any organization of any kind, any agency, or employee representation committee, group, association, or plan so engaged in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and any conference, joint board, or joint council so engaged which is subordinate to a national or international labor organization, other than a State or local central body.

(j) A labor organization shall be deemed to be engaged in an industry affecting commerce if it—

(1) is the certified representative of employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended; or

(2) although not certified, is a national or international labor organization or a local labor organization recognized or acting as the representative of employees of an employer or employers engaged in an industry, business, or activity affecting commerce; or

(3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employees of employers within the meaning of paragraph (1) or (2); or

(4) has been chartered by a labor organization representing or actively seeking to represent employees within the meaning of paragraph (1) or (2) as the local or subordinate body through which such employees may enjoy membership or become affiliated with such labor organization; or

(5) is a conference, joint board, or joint council, subordinate to a national or international labor organization, other than a State or local central body.

(k) "Secret ballot" means the expression by ballot, voting machine, or otherwise, but in no event by proxy, of a choice with respect to any election or vote taken upon any matter, which is cast in such a manner that the person expressing such choice cannot be identified with the choice expressed.

(l) "Trust in which a labor organization is interested" means a trust or other fund or organization (1) which was created or established by a labor organization, or one or more of the trustees or one or more members of the governing body of which is selected or appointed by a labor organization, and (2) a primary purpose of which is to provide benefits for the members of such labor organization or their beneficiaries.

(m) "Labor relations consultant" means any person who, for compensation, advises or represents an employer, employer organization, or labor organization concerning employee organizing, concerted activities, or collective bargaining activities.

(n) "Officer" means any constitutional officer, any person authorized to perform the functions of president, vice president, secretary, treasurer, or other executive functions of a labor organization, and any member of its executive board or similar governing body.

(o) "Member" or "member in good standing", when used in reference to a labor organization, includes any person who has fulfilled the requirements for membership in such organization, and who neither has voluntarily withdrawn from membership nor has been expelled or suspended from membership after appropriate proceedings consistent with lawful provisions of the constitution and bylaws of such organization.

(p) "Secretary" means the Secretary of Labor.

(q) The term "officer, agent, shop steward, or other representative", when used with respect to a labor organization, includes elected officials and key administrative personnel, whether elected or appointed (such as business agents, heads of departments or major units, and organizers who exercise substantial independent authority), but does not include salaried nonsupervisory professional staff, stenographic, and service personnel.

(r) "District court of the United States" means a United States district court and a United States court of any place subject to the jurisdiction of the United States.

TITLE I—BILL OF RIGHTS OF MEMBERS OF LABOR ORGANIZATIONS

Bill of Rights

SEC. 101. (a) (1) EQUAL RIGHTS.—Every member of a labor organization shall have equal rights and privileges within such organization to nominate candidates, to vote in elections or referendums of the labor organization, to attend membership meetings, and to participate in the deliberations and voting upon the business of such meetings, subject to reasonable rules and regulations in such organization's constitution and bylaws.

(2) FREEDOM OF SPEECH AND ASSEMBLY.—Every member of any labor organization shall have the right to meet and assemble freely with other members; and to express any views, arguments, or opinions; and to express at meetings of the labor organization his views, upon candidates in an election of the labor organization or upon any business properly before the meeting, subject to the organization's established and reasonable rules pertaining to the conduct of meetings: *Provided*, That nothing herein shall be construed to impair the right of a labor organization to adopt and enforce reasonable rules as to the responsibility of every member toward the organization as an institution and to his refraining from conduct that would interfere with its performance of its legal or contractual obligations.

(3) DUES, INITIATION FEES, AND ASSESSMENTS.—Except in the case of a federation of national or international labor organizations, the rates of dues and initiation fees payable by members of any labor organization in effect on the date of enactment of this Act shall not be increased, and no general or special assessment shall be levied upon such members, except—

(A) in the case of a local labor organization, (i) by majority vote by secret ballot of the members in good standing voting at a general or special membership meeting, after reasonable notice of the intention to vote upon such question, or (ii) by majority vote of the members in good standing voting in a membership referendum conducted by secret ballot; or

(B) in the case of a labor organization, other than a local labor organization or a federation of national or international labor organizations, (i) by majority vote of the delegates voting at a regular convention, or at a special convention of such labor organization held upon not less than thirty days' written notice to the principal office of each local or constituent labor organization entitled to such notice, or (ii) by majority vote of the members in good standing of such labor organization voting in a membership referendum conducted by secret ballot, or (iii) by majority vote of the members of the executive board or similar governing body of such labor organization, pursuant to express authority contained in the constitution and bylaws of such labor organization: *Provided*, That such action on the part of the executive board or similar governing body shall be effective only until the next regular convention of such labor organization.

(4) PROTECTION OF THE RIGHT TO SUE.—No labor organization shall limit the right of any member thereof to institute an action in any court, or in a proceeding before any administrative agency, irrespective of whether or not the labor organization or its officers are named as defendants or respondents in such action or proceeding, or the right of any member of a labor organization to appear as a witness in any judicial, administrative, or legislative proceeding, or to petition any legislature or to communicate with any legislator: *Provided*, That any such member may be required to exhaust reasonable hearing procedures (but not to exceed a four-month lapse of time) within such organization, before instituting legal or administrative proceedings against such organizations or any officer thereof: *And provided further*, That no interested employer or employer association shall directly or indirectly finance, encourage, or participate in, except as a party, any such action, proceeding, appearance, or petition.

(5) SAFEGUARDS AGAINST IMPROPER DISCIPLINARY ACTION.—No member of any labor organization may be fined, suspended, expelled, or otherwise disciplined, except for nonpayment of dues, by such organization or by any officer thereof unless such member has been (A) served with written specific charges; (B) given a reasonable time to prepare his defense; (C) afforded a full and fair hearing.

(b) Any provision of the constitution and bylaws of any labor organization which is inconsistent with the provisions of this section shall be of no force or effect.

Civil enforcement

SEC. 102. Any person whose rights secured by the provisions of this title have been infringed may bring an action in a district court of the United States for such relief as may be appropriate. Any such action against a labor organization shall be brought in the district court of the United States for the district where the alleged violation occurred, or where the principal office of such labor organization is located.

Retention of existing rights

SEC. 103. Nothing contained in this title shall limit the rights and remedies of any member of a labor organization under any State or Federal law or before any court or other tribunal, or under the constitution and bylaws of any labor organization.

Right to copies of collective bargaining agreements

SEC. 104. It shall be the duty of the secretary or corresponding principal officer of each labor organization, in the case of a local labor organization, to forward a copy of each collective bargaining agreement made by such labor organization with any employer to any employee who requests such a copy and whose rights as such employee are directly affected by such agreement, and in the case of a labor organization other than a local labor organization, to forward a copy of any such agreement to each constituent unit which has members directly affected by such agreement; and such officer shall maintain at the principal office of the labor organization of which he is an officer copies of any such agreement made or received by such labor organization, which copies shall be available for inspection by any member or by any employee whose rights are affected by such agreement. The provisions of section 210 shall be applicable in the enforcement of this section.

Information as to Act

SEC. 105. Every labor organization shall inform its members concerning the provisions of this Act.

TITLE II—REPORTING BY LABOR ORGANIZATIONS, OFFICERS AND EMPLOYEES OF LABOR ORGANIZATIONS, AND EMPLOYERS

Report of labor organizations

SEC. 201. (a) Every labor organization shall adopt a constitution and bylaws and shall file a copy thereof with the Secretary, together with a report, signed by its president and secretary or corresponding principal officers, containing the following information—

(1) the name of the labor organization, its mailing address, and any other address at which it maintains its principal office or at which it keeps the records referred to in this title;

(2) the name and title of each of its officers;

(3) the initiation fee or fees required from a new or transferred member and fees for work permits required by the reporting labor organization;

(4) the regular dues or fees or other periodic payments required to remain a member of the reporting labor organization; and

(5) detailed statements, or references to specific provisions of documents filed under this subsection which contain such statements, showing the provision made and procedures followed with respect to each of the following: (A) qualifications for or restrictions on membership, (B) levying of assessments, (C) participation in insurance or other benefit plans, (D) authorization for disbursement of funds of the labor organization, (E) audit of financial transactions of the labor organization, (F) the calling of regular and special meetings, (G) the selection of officers and stewards and of any representatives to other bodies composed of labor organizations' representatives, with a specific statement of the manner in which each officer was elected, appointed, or otherwise selected, (H) discipline or removal of officers or agents for breaches of their trust, (I) imposition of fines, suspensions, and expulsions of members, including the grounds for such action and any provision made for notice, hearing, judgment on the evidence, and appeal procedures, (J) authorization for bargaining demands, (K) ratification of contract terms, (L) authorization for strikes, and (M) issuance of work permits. Any change in the information required by this subsection shall be reported to the Secretary at the time the reporting labor organization

files with the Secretary the annual financial report required by subsection (b).

(b) Every labor organization shall file annually with the Secretary a financial report signed by its president and treasurer or corresponding principal officers containing the following information in such detail as may be necessary accurately to disclose its financial condition and operations for its preceding fiscal year—

(1) assets and liabilities at the beginning and end of the fiscal year;

(2) receipts of any kind and the sources thereof;

(3) salary, allowances, and other direct or indirect disbursements (including reimbursed expenses) to each officer and also to each employee who, during such fiscal year, received more than $10,000 in the aggregate from such labor organization and any other labor organization affiliated with it or with which it is affiliated, or which is affiliated with the same national or international labor organization;

(4) direct and indirect loans made to any officer, employee, or member, which aggregated more than $250 during the fiscal year, together with a statement of the purpose, security, if any, and arrangements for repayment;

(5) direct and indirect loans to any business enterprise, together with a statement of the purpose, security, if any, and arrangements for repayment; and

(6) other disbursements made by it including the purposes thereof.

(c) Every labor organization required to submit a report under this title shall make available the information required to be contained in such report to all of its members, and every such labor organization and its officers shall be under a duty enforceable at the suit of any member of such organization in any State court of competent jurisdiction or in the district court of the United States for the district in which such labor organization maintains its principal office, to permit such member for just cause to examine any books, records, and accounts necessary to verify such report. The court in such action may, in its discretion, in addition to any judgment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

(d) Subsections (f), (g), and (h) of section 9 of the National Labor Relations Act, as amended, are hereby repealed.

(e) Clause (i) of section 8(a)(3) of the National Labor Relations Act, as amended, is amended by striking out the following: "and has at the time the agreement was made or within the preceding twelve months received from the Board a notice of compliance with section 9 (f), (g), (h)".

Report of officers and employees of labor organizations

SEC. 202. (a) Every officer of a labor organization and every employee of a labor organization (other than an employee performing exclusively clerical or custodial services) shall file with the Secretary a signed report listing and describing for his preceding fiscal year—

(1) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child derived directly or indirectly from an employer whose employees such labor organization represents or is actively seeking to represent, except payments and other benefits received as a bona fide employee of such employer;

(2) any transaction in which he or his spouse or minor child engaged, directly or indirectly, involving any stock, bond, security, or loan to or from, or other legal or equitable interest in the business of an employer whose employees such labor organization represents or is actively seeking to represent;

(3) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child directly or indirectly derived from, any business a substantial part of which consists of buying from, selling or leasing to, or otherwise dealing with, the business of an employer whose employees such labor organization represents or is actively seeking to represent;

(4) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child directly or indirectly derived from, a business any part of which consists of buying from, or selling or leasing directly or indirectly to, or otherwise dealing with such labor organization;

(5) any direct or indirect business transaction or arrangement between him or his spouse or minor child and any employer whose employees his organization represents or is actively seeking to represent, except work performed and payments and benefits received as a bona fide employee of such employer and except purchases and sales of goods or services in the regular course of business at prices generally available to any employee of such employer; and

(6) any payment of money or other thing of value (including reimbursed expenses) which he or his spouse or minor child received directly or indirectly from any employer or any person who acts as a labor relations consultant to an employer, except payments of the kinds referred to in section 302(c) of the Labor Management Relations Act, 1947, as amended.

(b) The provisions of paragraphs (1), (2), (3), (4), and (5) of subsection (a) shall not be construed to require any such officer or employee to report his bona fide investments in securities traded on a securities exchange registered as a national securities exchange under the Securities Exchange Act of 1934, in shares in an investment company registered under the Investment Company Act of 1940, or in securities of a public utility holding company registered under the Public Utility Holding Company Act of 1935, or to report any income derived therefrom.

(c) Nothing contained in this section shall be construed to require any officer or employee of a labor organization to file a report under subsection (a) unless he or his spouse or minor child holds or has held an interest, has received income or any other benefit with monetary value or a loan, or has engaged in a transaction described therein.

Report of employers

SEC. 203. (a) Every employer who in any fiscal year made—

(1) any payment or loan, direct or indirect, of money or other thing of value (including reimbursed expenses), or any promise of agreement therefor, to any labor organization or officer, agent, shop steward, or other representative of a labor organization, or employee of any labor organization, except payments of the kinds referred to in section 302(c) of the Labor Management Relations Act, 1947, as amended; or

(2) any payment (including reimbursed expenses) to any of his employees, or any group or committee of such employees, for the purpose of causing such employee or group or committee of employees to interfere with, coerce, or restrain any other employees of such employer in the exercise of rights guaranteed to such employees by this Act, section 7 of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended, unless such payments were contemporaneously or prior thereto disclosed to such other employees; or

(3) any payment (including reimbursed expenses) to a labor relations consultant or other person pursuant to any understanding or agreement under which such person undertook to compensate employees of such employer for (A) interfering with, coercing, or restraining any other employees of such employer in the exercise of rights guaranteed to such employees by this Act, section 7 of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended, or (B) procuring confidential information from other employees of such employer concerning the exercise of such rights; or

(4) any payment (including reimbursed expenses) to any person pursuant to any agreement or understanding by which such person undertook to provide such employer with the services of an individual, company, agency, or instrumentality engaged in the business of interfering with, restraining, or coercing employees in the exercise of rights guaranteed by this Act, section 7 of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended,

shall file with the Secretary a report, in a form prescribed by him, signed by its president and treasurer or corresponding principal officers showing in detail the date and amount of each such payment, loan, promise, or agreement and the name, address, and position, if any, in any firm or labor organization of the person to whom it was made and a full explanation of the circumstances of all such payments, including the terms of any agreement or understanding pursuant to which they were made.

(b) Every person engaged in providing services to an employer as a labor relations consultant pursuant to any agreement or arrangement under which in any fiscal year he received a payment from an employer which must be reported by such employer under the provisions of subsection (a) (3) or (4), shall file a report with the Secretary in a form prescribed by him, signed by its president and treasurer or corresponding principal officers, showing in detail the date and amount of each such payment, and the name and address of the employer concerned, the names and occupations of any employees of such employer to whom compensation was paid under subsection (a)(3), and the name of the agency or instrumentality providing services under subsection (a)(4), and a full explanation of the circumstances of all such transactions, including the terms of any agreement or understanding pursuant to which they were made.

(c) Nothing contained in this section shall be construed as an amendment to, modification of, or limitation upon, the rights protected by section 8(c) of the National Labor Relations Act, as amended, nor shall any person be required to file a report with the Secretary in regard to any matter protected by section 8(c) of such Act.

(d) The term "interfere with, restrain, or coerce" as used in this section means interference, restraint, and coercion which, if done with respect to the exercise of rights guaranteed in section 7 of the National Labor Relations Act, would, under section 8(a) of such Act, constitute an unfair labor practice.

Attorney-client communications exempted

SEC. 204. Nothing contained in this Act shall be construed to require an attorney who is a member in good standing of the bar in any State, or any client of such an attorney, to include in any report required to be filed pursuant to the provisions of this Act any information which is confidential between the attorney and such client in the course of a legitimate attorney-client relationship, including but not limited to the existence

of the relationship of attorney and client, the financial details thereof, or any information obtained, advice given, or activities carried on by the attorney within the scope of the legitimate practice of law.

Reports made public information

SEC. 205. (a) The contents of the reports and documents filed with the Secretary pursuant to sections 201, 202, and 203, shall be public information.

(b) The Secretary shall by regulation make reasonable provision for the inspection and examination, on the request of any person, of the information and data contained in any report or other document filed with him pursuant to section 201, 202, or 203.

(c) The Secretary shall by regulation provide for the furnishing by the Department of Labor of copies of reports or other documents filed with the Secretary pursuant to this title, upon payment of a charge based upon the cost of the service. The Secretary shall make available without payment of a charge, or require any person to furnish, to such State agency as is designated by law or by the Governor of the State in which such person has his principal place of business or headquarters, upon request of the Governor of such State, copies of any reports and documents filed by such person with the Secretary pursuant to section 201, 202, or 203, or of information and data contained therein. No person shall be required by reason of any law of any State to furnish to any officer or agency of such State any information included in a report filed by such person with the Secretary pursuant to the provisions of this title, if a copy of such report, or of the portion thereof containing such information, is furnished to such officer or agency. All moneys received in payment of such charges fixed by the Secretary pursuant to this subsection shall be deposited in the general fund of the Treasury.

Retention of records

SEC. 206. Every person required to file any report under this title shall maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Secretary may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions, and shall keep such records available for examination for a period of not less than five years after the filing of the documents based on the information which they contain.

Effective date

SEC. 207. (a) Each labor organization shall file the initial report required under section 201(a) within ninety days after the date on which it first becomes subject to this Act.

(b) Each person required to file a report under section 201(b), 202, or 203 shall file such report within ninety days after the end of each of its fiscal years; except that where such person is subject to section 201(b), 202, or 203, as the case may be, for only a portion of such a fiscal year (because the date of enactment of this Act occurs during such person's fiscal year or such person becomes subject to this Act during its fiscal year) such person may consider that portion as the entire fiscal year in making such report.

Rules and regulations

SEC. 208. The Secretary shall have authority to issue, amend, and rescind rules and regulations prescribing the form and publication of reports required to be filed under this title and such other reasonable rules and regulations (including rules prescribing reports concerning trusts in which a labor organization is interested) as he may find necessary to prevent the circumvention or evasion of such reporting requirements. In exercising his power under this section the Secretary shall prescribe by general rule simplified reports for labor organizations or employers for whom he finds that by virtue of their size a detailed report would be unduly burdensome, but the Secretary may revoke such provision for simplified forms of any labor organization or employer if he determines, after such investigation as he deems proper and due notice and opportunity for a hearing, that the purposes of this section would be served thereby.

Criminal provisions

SEC. 209. (a) Any person who willfully violates this title shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(b) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any document, report or other information required under the provisions of this title shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(c) Any person who willfully makes a false entry in or willfully conceals, withholds, or destroys any books, records, reports, or statements required to be kept by any provision of this title shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(d) Each individual required to sign reports under sections 201 and 203 shall be personally responsible for the filing of such reports and for any statement contained therein which he knows to be false.

Civil enforcement

SEC. 210. Whenever it shall appear that any person has violated or is about to violate any of the provisions of this title, the Secretary may bring an action for such relief as may be appropriate, including injunctions, to restrain any such violation and to compel compliance with this title. Any such action may be brought in the district court of the United States where the violation occurred or, at the option of the parties, in the United States District Court for the District of Columbia.

TITLE III—TRUSTEESHIPS

Reports

SEC. 301. (a) Every labor organization which has or assumes trusteeship over any subordinate labor organization shall file with the Secretary within thirty days after the date of the enactment of this Act or the imposition of any such trusteeship and, semiannually thereafter, a report, signed by its president and treasurer or corresponding principal officers, as well as by the trustees of such subordinate labor organization, containing the following information: (1) the name and address of the subordinate organization; (2) the date of establishing the trusteeship; (3) a detailed statement of the reason or reasons for establishing or continuing the trusteeship; and (4) the nature and extent of participation by the membership of the subordinate organization in the selection of delegates to represent such organization in regular or special conventions or other policy-determining bodies and in the election of officers of the labor organization which has assumed trusteeship over such subordinate organization. The initial report shall also include a full and complete account of the financial condition of such subordinate organization as of the time trusteeship was assumed over it. During the continuance of a trusteeship the labor organization which has assumed trusteeship over a subordinate labor organization shall file on behalf of the subordinate labor organization the annual financial report required by section 201(b) signed by the president and treasurer or corresponding principal officers of the labor organization which has assumed such trusteeship and the trustees of the subordinate labor organization.

(b) The provisions of sections 201 (c), 205, 206, 208, and 210 shall be applicable to reports filed under this title.

(c) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(d) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any report required under the provisions of this section, or willfully makes any false entry in or willfully withholds, conceals, or destroys any documents, books, records, reports, or statements upon which such report is based, shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(e) Each individual required to sign a report under this section shall be personally responsible for the filing of such report and for any statement contained therein which he knows to be false.

Purposes for which a trusteeship may be established

SEC. 302. Trusteeships shall be established and administered by a labor organization over a subordinate body only in accordance with the constitution and bylaws of the organization which has assumed trusteeship over the subordinate body and for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of such labor organization.

Unlawful acts relating to labor organization under trusteeship

SEC. 303. (a) During any period when a subordinate body of a labor organization is in trusteeship, it shall be unlawful (1) to count the vote of delegates from such body in any convention or election of officers of the labor organization unless the delegates have been chosen by secret ballot in an election in which all the members in good standing of such subordinate body were eligible to participate, or (2) to transfer to such organization any current receipts or other funds of the subordinate body except the normal per capita tax and assessments payable by subordinate bodies not in trusteeship: *Provided*, That nothing herein contained shall prevent the distribution of the assets of a labor organization in accordance with its constitution and bylaws upon the bona fide dissolution thereof.

(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

Enforcement

SEC. 304. (a) Upon the written complaint of any member or subordinate body of a labor organization alleging that such organization has violated the provisions of this title (except section 301) the Secretary shall investigate the complaint and if the Secretary finds probable cause to believe that such violation has occurred and has not been remedied he shall, without disclosing the identity of the complainant, bring a civil action in any district court of the United States having jurisdiction of the labor organization to prevent and restrain such violation and for such other relief as may be appropriate. Any member or subordinate body of a labor organization affected may bring a civil action in any district court of the United States having jurisdiction of the labor organization to prevent and restrain any violation of this title (except section 301) and for such other relief as may be appropriate.

(b) For the purpose of actions under this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization (1) in the district in which the principal office of such labor organization is located, or (2) in any district in which its duly authorized officers or agents are engaged in conducting the affairs of the trusteeship.

(c) In any proceeding pursuant to this section a trusteeship established by a labor organization in conformity with the procedural requirements of its constitution and bylaws and authorized or ratified after a fair hearing either before the executive board or before such other body as may be provided in accordance with its constitution or bylaws shall be presumed valid for a period of eighteen months from the date of its establishment and shall not be subject to attack during such period except upon clear and convincing proof that the trusteeship was not established or maintained in good faith for a purpose allowable under section 302. After the expiration of eighteen months the trusteeship shall be presumed invalid in any such proceeding and its discontinuance shall be decreed unless the labor organization shall show by clear and convincing proof that the continuation of the trusteeship is necessary for a purpose allowable under section 302. In the latter event the court may dismiss the complaint or retain jurisdiction of the cause on such conditions and for such period as it deems appropriate.

Report to Congress

SEC. 305. The Secretary shall submit to the Congress at the expiration of three years from the date of enactment of this Act a report upon the operation of this title.

Complaint by Secretary

SEC. 306. The rights and remedies provided by this title shall be in addition to any and all other rights and remedies at law or in equity: *Provided,* That upon the filing of a complaint by the Secretary the jurisdiction of the district court over such trusteeship shall be exclusive and the final judgment shall be res judicata.

TITLE IV—ELECTIONS

Terms of office; election procedures

SEC. 401. (a) Every national or international labor organization, except a federation of national or international labor organizations, shall elect its officers not less often than once every five years either by secret ballot among the members in good standing or at a convention of delegates chosen by secret ballot.

(b) Every local labor organization shall elect its officers not less often than once every three years by secret ballot among the members in good standing. Every bona fide candidate shall have the right to inspect and copy a list containing the names and last known addresses of all members of the labor organization who are subject to a collective bargaining agreement requiring membership therein as a condition of employment, which list shall be maintained and kept at the principal office of such labor organization by a designated official thereof. Adequate safeguards to insure a fair election shall be provided, including the right of any candidate to have an observer at the polls and at the counting of the ballots.

(c) Officers of intermediate bodies, such as general committees, system boards, joint boards, or joint councils, shall be elected not less often than once every four years by secret ballot among the members in good standing or by labor organization officers representative of such members who have been elected by secret ballot.

(d) In any election required by this section which is to be held by secret ballot a reasonable opportunity shall be given for the nomination of candidates and every member in good standing shall be eligible to be a candidate and to hold office (subject to section 504 and to reasonable qualifications uniformly imposed) and shall have the right to vote for or otherwise support the candidate or candidates of his choice, without being subject to penalty, discipline, or improper interference or reprisal of any kind by such organization or any member thereof. Not more than 45 days and not less than 15 days prior to the last possible date on which nominations can be made, notice of the time and manner of making nominations and of the place and date of election shall be given in a manner which is reasonably calculated to inform all or substantially all of the members eligible to vote in such election. Each member in good standing shall be entitled to one vote. No member whose dues have been withheld by his employer for payment to such organization pursuant to his voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to vote or be a candidate for office in such organization by reason of alleged delay or default in the payment of dues. The votes cast by members of each local labor organization shall be counted and the results shall be published separately. The election officials designated in the constitution and bylaws or the secretary, if no other official is designated, shall preserve for one year the ballots and all other records pertaining to the election. The election shall be conducted in accordance with the constitution and bylaws of such organization insofar as they are not inconsistent with the provisions of this title.

(e) When officers are chosen by a convention of delegates elected by secret ballot, the convention shall be conducted in accordance with the constitution and bylaws of the labor organization insofar as they are not inconsistent with the provisions of this title. The officials designated in the constitution and bylaws or the secretary, if no other is designated, shall preserve for one year the credentials of the delegates and all minutes and other official records of the convention pertaining to the election of officers.

(f) No moneys received by any labor organization by way of dues, assessment, or similar levy, and no moneys of an employer shall be contributed or applied to promote the candidacy of any person in an election subject to the provisions of this title. Such moneys of a labor organization may be utilized for notices, factual statements of issues, and other expenses necessary for the holding of an election.

(g) If upon petition of any member of a labor organization, a district court of the United States finds the constitution and bylaws of such labor organization do not provide an adequate procedure for the removal of an elected officer guilty of serious misconduct, a district court may order that for the cause shown and after due notice and opportunity for a hearing, an election shall be conducted by the officers of such labor organization among the members in good standing, voting by secret ballot, and in accordance with its constitution and bylaws insofar as they are not inconsistent with the provisions of this title, for the purpose of determining whether such officer shall be removed from office. For purposes of this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization in the district in which such labor organization maintains its principal office. The court in such action may, in its discretion, in addition to any judgment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

Enforcement

SEC. 402. (a) A member of a labor organization—

(1) who is aggrieved by any violation of section 401, and

(2) who (A) has exhausted the reasonable remedies available under the constitution and bylaws of such organization and of any national or international labor organization with which such organization is affiliated, or (B) has diligently pursued such available remedies without receiving a final decision within six calendar months after their being invoked,

may bring a civil action against such labor organization in any district court of the United States for the district having jurisdiction of such labor organization to prevent and restrain such violation and for such other relief as may be appropriate, including the holding of a new election under the supervision of the Secretary and in accordance with the provisions of this title. Where an election has already been held at the time such action is brought, such election shall be presumed valid pending a final decision thereof, as hereinafter provided, and in the interim the affairs of the organization shall be conducted by the officers elected or in such other manner as its constitution and bylaws may provide. The court shall have power to take such action as it deems proper to preserve the assets of the labor organization.

(b) For purposes of this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization in the district in which such labor organization maintains its principal office. The court in such action may, in its discretion, in addition to any judgment awarded to the plaintiff, or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

(c) If, upon a preponderance of the evidence after a trial upon the merits, the court finds—

(1) that an election has not been held within the time prescribed by section 401, or

(2) that a violation of section 401 affected the outcome of an election,

the court shall declare the election, if any, to be void and direct the conduct of a new election under supervision of the Secretary and, so far as lawful and practicable, in conformity with the constitution and bylaws of the labor organization. The Secretary shall promptly certify to the court the names of the persons elected, and the court shall thereupon enter a decree declaring such persons to be the officers of the labor organization.

(d) An order directing an election, dismissing an action, or designating elected officers of a labor organization shall be appealable in the same manner as the final judgment in a civil action, but the court, in its discretion, may refuse to stay an order directing an election pending an appeal therefrom.

Frequency of elections

SEC. 403. No labor organization subject to the provisions of this title shall be required by law to conduct elections of officers with greater frequency or in a different form or manner than is required by its own constitution or bylaws, except as otherwise provided by this title. Existing rights and remedies to enforce the constitution and bylaws of a labor organization with respect to elections prior to the conduct thereof shall not be affected by the provisions of this title. The remedy provided by this title for challenging an election already conducted shall be exclusive.

Effective date

SEC. 404. The provisions of this title shall become applicable—

(1) ninety days after the date of enactment of this Act in the case of a labor organization whose constitution and bylaws can lawfully be modified or amended by action of its constitutional officers or governing body, or

(2) where such modification can only be made by a constitutional convention of the

labor organization, not later than the next constitutional convention of such labor organization after the date of enactment of this Act, or two years after such date, whichever is sooner. If no such convention is held within such two-year period, the executive board or similar governing body empowered to act for such labor organization between conventions is empowered to make such interim constitutional changes as are necessary to carry out the provisions of this title.

TITLE V—SAFEGUARDS FOR LABOR ORGANIZATIONS

Fiduciary responsibility of officers of labor organizations

SEC. 501. (a) The officers, agents, shop stewards, and other representatives of labor organizations occupy positions of trust in relation to such organization and its members as a group. It is, therefore, the duty of each such person, taking into account the special problems and functions of a labor organization, to hold its money and property solely for the benefit of the organization and its members and to manage, invest, and expend the same in accordance with its constitution and bylaws and any resolutions of the governing bodies adopted thereunder, to refrain from dealing with such organization as an adverse party or in behalf of an adverse party in any matter connected with his duties and from holding or acquiring any pecuniary or personal interest which conflicts with the interests of such organization, and to account to the organization for any profit received by him in whatever capacity in connection with transactions conducted by him or under his direction on behalf of the organization. A general exculpatory provision in the constitution and bylaws of such a labor organization or a general exculpatory resolution of a governing body purporting to relieve any such person of liability for breach of the duties declared by this section shall be void as against public policy.

(b) When any officer, agent, shop steward, or representative of any labor organization is alleged to have violated the duties declared in subsection (a) and the labor organization or its governing board or officers refuse or fail to sue to recover damages or secure an accounting or other appropriate relief within a reasonable time after being requested to do so by any member of the labor organization, such member may sue such officer, agent, shop steward, or representative in any district court of the United States or in any State court of competent jurisdiction to recover damages or secure an accounting or other appropriate relief for the benefit of the labor organization. No such proceeding shall be brought except upon leave of the court obtained upon verified application and for good cause shown, which application may be made ex parte. The trial judge may allot a reasonable part of the recovery in any action under this subsection to pay the fees of counsel prosecuting the suit at the instance of the member of the labor organization and to compensate such member for any expenses necessarily paid or incurred by him in connection with the litigation.

(c) Any person who embezzles, steals, or unlawfully and willfully abstracts or converts to his own use, or the use of another, any of the moneys, funds, securities, property, or other assets of a labor organization of which he is an officer, or by which he is employed, directly or indirectly, shall be fined not more than $10,000 or imprisoned for not more than five years, or both.

Bonding

SEC. 502. (a) Every officer, agent, shop steward, or other representative or employee of any labor organization (other than a labor organization whose property and annual financial receipts do not exceed $5,000 in value), or of a trust in which a labor organization is interested, who handles funds or other property thereof shall be bonded for the faithful discharge of his duties. The bond of each such person shall be fixed at the beginning of the organization's fiscal year and shall be in an amount not less than 10 per centum of the funds handled by him and his predecessor or predecessors, if any, during the preceding fiscal year. If the labor organization or the trust in which a labor organization is interested does not have a preceding fiscal year, the amount of the bond shall be, in the case of a local labor organization, not less than $1,000, and in the case of an international labor organization or of a trust in which a labor organization is interested, not less than $10,000. Such bonds shall be individual or schedule in form, and shall have a corporate surety company as surety thereon. Any person who is not covered by such bond shall not be permitted to receive, handle, disburse, or otherwise exercise custody or control of the funds or other property of a labor organization or of a trust in which a labor organization is interested. No such bond shall be placed through an agent or broker or with a surety company, in which any labor organization or any officer, agent, shop steward, or other representative of a labor organization has any direct or indirect interest. Such surety company shall be a corporate surety which holds a grant of authority from the Secretary of the Treasury under the Act of July 30, 1947 (6 U.S.C. 6–13), as an acceptable surety on Federal bonds.

(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

Loans to officers of labor organizations

SEC. 503. (a) No labor organization shall make directly or indirectly any loan or loans to any officer or employee of such organization which results in a total indebtedness on the part of such officer or employee to the labor organization in excess of $2,500.

(b) No labor organization or employer shall directly or indirectly pay the fine of any officer or employee convicted of any willful violation of this Act.

(c) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

Prohibition against Communists, ex-Communists, and persons convicted of certain crimes holding certain offices and employment

SEC. 504. (a) No person who is or has been a member of the Communist Party or who has been convicted of, or served any part of a prison term resulting from his conviction of, robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury, or a violation of title II or III of this Act, or conspiracy to commit any such crimes shall serve—

(1) as an officer, director, trustee, member of any executive board or similar governing body, business agent, manager, organizer, or other employee (other than as an employee performing exclusively clerical or custodial duties) of any labor organization, or

(2) as a labor relations consultant to a person engaged in an industry or activity affecting commerce, or as an officer, director, agent, or employee (other than as an employee performing exclusively clerical or custodial duties) of any group or association of employers dealing with any labor organization,

during or for five years after the termination of his membership in the Communist Party, or for five years after such conviction or after the end of such imprisonment, unless prior to the end of such five-year period, in the case of a person so convicted or imprisoned, (A) his citizenship rights, having been revoked as a result of such conviction, have been fully restored, or (B) the Board of Parole of the United States Department of Justice determines that such person's service in any capacity referred to in clause (1) or (2) would not be contrary to the purposes of this Act. Prior to making any such determination the Board shall hold an administrative hearing and shall give notice of such proceeding by certified mail to the State, county, and Federal prosecuting officials in the jurisdiction or jurisdictions in which such person was convicted. The Board's determination in any such proceeding shall be final.

(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(c) For the purposes of this section, any person shall be deemed to have been "convicted" and under the disability of "conviction" from the date of the judgment of the trial court or the date of the final sustaining of such judgment on appeal, whichever is the later event.

Amendment to section 302, Labor Management Relations Act, 1947

SEC. 505. Subsections (a), (b), and (c) of section 302 of the Labor Management Relations Act, 1947, as amended, are amended to read as follows:

"SEC. 302. (a) It shall be unlawful for any employer or association of employers or any person who acts as a labor relations expert, adviser, or consultant to an employer or who acts in the interest of an employer to pay, lend, or deliver, or agree to pay, lend, or deliver, any money or other thing of value—

"(1) to any representative of any of his employees who are employed in an industry affecting commerce; or

"(2) to any labor organization, or any officer or employee thereof, which represents, seeks to represent, or would admit to membership, any of the employees of such employer who are employed in an industry affecting commerce; or

"(3) to any employee or group or committee of employees of such employer employed in an industry affecting commerce in excess of their normal compensation for the purpose of causing such employee or group or committee directly or indirectly to influence any other employees in the exercise of the right to organize and bargain collectively through representatives of their own choosing; or

"(4) to any officer or employee of a labor organization engaged in an industry affecting commerce with intent to influence him in respect to any of his actions, decisions, or duties as a representative of employees or as such officer or employee of such labor organization.

"(b)(1) It shall be unlawful for any person to request, demand, receive, or accept, or agree to receive or accept, any payment, loan, or delivery of any money or other thing of value prohibited by subsection (a).

"(2) It shall be unlawful for any labor organization, or for any person acting as an officer, agent, representative, or employee of such labor organization, to demand or accept from the operator of any motor vehicle (as defined in part II of the Interstate Commerce Act) employed in the transportation of property in commerce, or the employer of any such operator, any money or other thing of value payable to such organization or to an officer, agent, representative, or employee thereof as a fee or charge for the unloading, or in connection with the unloading, of the cargo of such vehicle: *Provided*, That nothing in this paragraph shall be construed to make unlawful any payment by an employer to any of his employees as compensation for their services as employees.

"(c) The provisions of this section shall not be applicable (1) in respect to any money or other thing of value payable by an employer to any of his employees whose established duties including acting openly for such employer in matters of labor relations or personnel administration or to any representative of his employees, or to any officer or employee of a labor organization, who is also an employee or former employee of such employer, as compensation for, or by reason of, his services as an employee of such employer; (2) with respect to the payment or delivery of any money or other thing of value in satisfaction of a judgment of any court or a decision or award of an arbitrator or impartial chairman or in compromise, adjusment, settlement, or release of any claim, complaint, grievance, or dispute in the absence of fraud or duress; (3) with respect to the sale or purchase of an article or commodity at the prevailing market price in the regular course of business; (4) with respect to money deducted from the wages of employees in payment of membership dues in a labor organization: *Provided,* That the employer has received from each employee, on whose account such deductions are made, a written assignment which shall not be irrevocable for a period of more than one year, or beyond the termination date of the applicable collective agreement, whichever occurs sooner; (5) with respect to money or other thing of value paid to a trust fund established by such representative, for the sole and exclusive benefit of the employees of such employer, and their families and dependents (or of such employees, families, and dependents jointly with the employees of other employers making similar payments, and their families and dependents): *Provided,* That (A) such payments are held in trust for the purpose of paying, either from principal or income or both, for the benefit of employees, their families and dependents, for medical or hospital care, pensions on retirement or death of employees, compensation for injuries or illness resulting from occupational activity or insurance to provide any of the foregoing, or unemployment benefits or life insurance, disability and sickness insurance, or accident insurance; (B) the detailed basis on which such payments are to be made is specified in a written agreement with the employer, and employees and employers are equally represented in the administration of such fund, together with such neutral persons as the representatives of the employers and the representatives of employees may agree upon and in the event the employer and employee groups deadlock on the administration of such fund and there are no neutral persons empowered to break such deadlock, such agreement provides that the two groups shall agree on an impartial umpire to decide such dispute, or in event of their failure to agree within a reasonable length of time, an impartial umpire to decide such dispute shall, on petition of either group, be appointed by the district court of the United States for the district where the trust fund has its principal office, and shall also contain provisions for an annual audit of the trust fund, a statement of the results of which shall be available for inspection by interested persons at the principal office of the trust fund and at such other places as may be designated in such written agreement; and (C) such payments as are intended to be used for the purpose of providing pensions or annuities for employees are made to a separate trust which provides that the funds held therein cannot be used for any purpose other than paying such pensions or annuities; or (6) with respect to money or other thing of value paid by any employer to a trust fund established by such representative for the purpose of pooled vacation, holiday, severance or similar benefits, or defraying costs of apprenticeship or other training programs: *Provided,* That the requirements of clause (B) of the proviso to clause (5) of this subsection shall apply to such trust funds."

TITLE VI—MISCELLANEOUS PROVISIONS

Investigations

SEC. 601. (a) The Secretary shall, when he has probable cause to believe that any person has violated any provision of this Act, other than a provision of title I, make an investigation, and in connection therewith he may inspect such records and accounts as may be necessary to enable him to determine the facts relative thereto.

(b) For the purpose of any investigation provided for in this Act, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act, as amended (15 U.S.C. 49, 50), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary or any officers designated by him.

Extortionate picketing

SEC. 602. (a) It shall be unlawful to carry on picketing on or about the premises of any employer for the purpose of, or as part of any conspiracy or in furtherance of any plan or purpose for, the personal profit or enrichment of any individual (except a bona fide increase in wages or other employee benefits) by taking or obtaining any money or other thing of value from such employer against his will or with his consent.

(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned not more than twenty years, or both.

Retention of rights under other Federal and State laws

SEC. 603. (a) Except as explicitly provided to the contrary, nothing in this Act shall reduce or limit the responsibilities of any labor organization or any officer, agent, shop steward, or other representative of a labor organization, or of any trust in which a labor organization is interested, under any other Federal law or under the laws of any State, and, except as explicitly provided to the contrary, nothing in this Act shall take away any right or bar any remedy to which members of a labor organization are entitled under such other Federal law or law of any State.

(b) Nothing contained in titles I, II, III, IV, V (except section 505), or VI of this Act shall be construed to supersede or impair or otherwise affect the provisions of the Railway Labor Act, as amended, or any of the obligations, rights, benefits, privileges, or immunities of any carrier, employee, organization, representative, or person subject thereto; nor shall anything contained in said titles of this Act be construed to confer any rights, privileges, immunities, or defenses upon employers, or to impair or otherwise affect the rights of any person under the National Labor Relations Act, as amended.

Enactment and enforcement of State laws

SEC. 604. Nothing in this Act shall be construed to impair or diminish the authority of any State to enact and enforce general criminal laws with respect to robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, or assault with intent to inflict grievous bodily injury, or conspiracy to commit any of such crimes.

Service of process

SEC. 605. For the purposes of this Act, service of summons, subpena, or other legal process of a court of the United States upon an officer or agent of a labor organization in his capacity as such shall constitute service upon the labor organization.

Administrative Procedure Act

SEC. 606. The provisions of the Administrative Procedure Act shall be applicable to the issuance, amendment, or rescission of any rules or regulations, or any procedure, authorized or required pursuant to the provisions of this Act.

Other agencies and departments

SEC. 607. In order to avoid unnecessary expense and duplication of functions among Government agencies, the Secretary may make such arrangements or agreements for cooperation or mutual assistance in the performance of his functions under this Act and the functions of any such agency as he may find to be practicable and consistent with law. The Secretary may utilize the facilities or services of any department, agency, or establishment of the United States or of any State or political subdivision of a State, including the services of any of its employees, with the lawful consent of such department, agency, or establishment; and each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to provide such information and facilities as he may request for his assistance in the performance of his functions under this Act. The Attorney General or his representative shall receive from the Secretary for appropriate action such evidence developed in the performance of his functions under this Act as may be found to warrant consideration for criminal prosecution under the provisions of this Act or other Federal law.

Criminal contempt

SEC. 608. No person shall be punished for any criminal contempt allegedly committed outside the immediate presence of the court in connection with any civil action prosecuted by the Secretary or any other person in any district court of the United States under the provisions of this Act unless the facts constituting such criminal contempt are established by the verdict of the jury in a proceeding in the district court of the United States, which jury shall be chosen and empaneled in the manner prescribed by the law governing trial juries in criminal prosecutions in the district courts of the United States.

Prohibition on certain discipline by labor organization

SEC. 609. It shall be unlawful for any labor organization, or any officer, agent, shop steward, or other representative of a labor organization, or any employee thereof to fine, suspend, expel, or otherwise discipline any of its members for exercising any right to which he is entitled under the provisions of this Act. The provisions of section 102 shall be applicable in the enforcement of this section.

Deprivation of rights under act by violence

SEC. 610. It shall be unlawful for any person through the use of force or violence, or threat of the use of force or violence, to restrain, coerce, or intimidate, or attempt to restrain, coerce, or intimidate any member of a labor organization for the purpose of interfering with or preventing the exercise of any right to which he is entitled under the provisions of this Act. Any person who willfully violates this section shall be fined not more than $1,000 or imprisoned for not more than one year, or both.

Separability provisions

SEC. 611. If any provision of this Act is held invalid, the remainder of this Act shall not be affected thereby.

TITLE VII—AMENDMENTS TO THE LABOR MANAGEMENT RELATIONS ACT, 1947, AS AMENDED

Federal-State jurisdiction

SEC. 701. Section 14 of the National Labor Relations Act, as amended, is amended by adding at the end thereof the following new subsection:

"(c)(1) The Board, in its discretion, may, by rule of decision or by published rules

adopted pursuant to the Administrative Procedure Act, decline to assert jurisdiction over any labor dispute involving any class or category of employers, where, in the opinion of the Board, the effect of such labor dispute on commerce is not sufficiently substantial to warrant the exercise of its jurisdiction.

"(2) Nothing in this Act shall be deemed to prevent or bar any agency or the courts of any State or Territory (including the Commonwealth of Puerto Rico, Guam, and the Virgin Islands), from assuming and asserting jurisdiction over labor disputes over which the Board declines, pursuant to paragraph (1) of this subsection, to assert jurisdiction."

Building and construction industry

SEC. 702. (a) Paragraph (1) of subsection (c) of section 9 of the National Labor Relations Act as amended, is amended by inserting the word "or" after the semicolon at the end of clause (B) and adding the following new clause:

"(C) by an employer primarily engaged in the building and construction industry and a labor organization acting in behalf of employees engaged (or who, upon their employment, will be engaged) in the building and construction industry, asserting that such employer recognizes such labor organization as the representative defined in section 9(a) and has entered into a collective bargaining agreement with such labor organization;".

(b) Such paragraph (1) is further amended by inserting a colon before the period at the end thereof and adding the following language: *"Provided,* That the Board may, without prior thereto having conducted an election by secret ballot, certify a labor organization referred to in clause (C) of this paragraph as the exclusive representative of all the employees of an employer referred to in said clause (C) in such unit as the Board may find is normally represented by the labor organization in the building and construction industry for the purposes of collective bargaining with respect to rates of pay, wages, hours, and other conditions of employment: *Provided further,* That the preceding proviso shall not apply where there is no history of a collective bargaining relationship between the petitioning employer and labor organization prior to the current agreement or an employee or group of employees or any individual or labor organization acting in their behalf alleges, and the Board finds, that a substantial number of employees presently employed by the employer in the bargaining unit assert that the labor organization is not a representative as defined in section 9(a)".

Elections during strike

SEC. 703. The second sentence of section 9(c)(3) of the National Labor Relations Act, as amended, is amended by inserting immediately before the period at the end thereof a colon and the following: *"Provided,* That in any lawful strike in which recognition was not an issue when the strike began, no direction of election pursuant to a petition filed after the commencement of the strike by any person other than the bargaining representative shall issue prior to the termination of such strike as determined by the Board or the expiration of a six-month period from the commencement of such strike (or a twelve-month period if the petition is filed by an employer), whichever occurs sooner".

Vacancy in office of General Counsel

SEC. 704. Section 3(d) of the National Labor Relations Act, as amended, is amended by adding after the period at the end thereof the following: "In case of a vacancy in the office of the General Counsel the President is authorized to designate the officer or employee who shall act as General Counsel during such vacancy, but no person or persons so designated shall so act (1) for more than forty days when the Congress is in session unless a nomination to fill such vacancy shall have been submitted to the Senate, or (2) after the adjournment sine die of the session of the Senate in which such nomination was submitted."

Boycotts and recognition picketing

SEC. 705. (a) Section 8(b)(4) of the National Labor Relations Act, as amended, is amended to read as follows:

"(4)(i) to engage in, or to induce or encourage any individual employed by any person engaged in commerce or in an industry affecting commerce to engage in, a strike or a refusal in the course of his employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services; or (ii) to threaten, coerce, or restrain any person engaged in commerce or in an industry affecting commerce, where in either case an object thereof is:

"(A) forcing or requiring any employer or self-employed person to join any labor or employer organization;

"(B) forcing or requiring any person to cease, or to agree to cease, using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease, or agree to cease, doing business with any other person, or forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provisions of section 9;

"(C) forcing or requiring any employer to recognize or bargain with a particular labor organization as the representative of his employees if another labor organization has been certified as the representative of such employees under the provisions of section 9;

"(D) forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class, unless such employer is failing to conform to an order or certification of the Board determining the bargaining representative for employees performing such work: *Provided,* That nothing contained in this subsection (b) shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under this Act: *Provided further,* That nothing contained in clause (B) of this paragraph (4) shall be construed to make unlawful where not otherwise unlawful, any strike against, or a refusal to perform services for any person who has contracted or agreed with an employer to perform for such employer work which he is unable to perform because his employees are engaged in a strike not unlawful under this Act or in violation of a collective bargaining agreement, if such strike was ratified or approved by the representatives of such employees whom such employer is required to recognize under this Act, and the refusal is limited to services which would ordinarily be performed by the striking employees."

(b)(1) Section 8 of the National Labor Relations Act, as amended, is amended by adding at the end thereof the following new subsection:

"(e) It shall be an unfair labor practice for any labor organization and any employer to enter into any contract or agreement, express or implied, whereby such employer ceases or refrains or agrees to cease or refrain from handling, using, selling, transporting or otherwise dealing in any of the products of any other employer, or to cease doing business with any other person, and any collective bargaining contract entered into heretofore or hereafter containing such an agreement shall be to such extent unenforcible and void."

(2) Any contract or agreement between an employer and a labor organization heretofore or hereafter executed which is, or which calls upon anyone to engage in, an unfair labor practice under section 8(e) of the National Labor Relations Act, as amended, shall to such extent be unenforcible and void.

(c) Section 8(b) of the National Labor Relations Act, as amended, is amended by striking out the word "and" at the end of paragraph (5), striking out the period at the end of paragraph (6), and inserting in lieu thereof a semicolon and the word "and", and adding a new paragraph as follows:

"(7) to picket or cause to be picketed, or threaten to picket or cause to be picketed, any employer where an object thereof is forcing or requiring an employer to recognize or bargain with a labor organization as the representative of his employees, or forcing or requiring the employees of an employer to accept or select such labor organization as their collective-bargaining representative, unless such labor organization is currently certified as the representative of such employees:

"(A) where the employer has lawfully recognized in accordance with this Act any other labor organization and a question concerning representation may not appropriately be raised under section 9(c) of this Act, or

"(B) where within the preceding twelve months a valid election under section 9(c) of this Act has been conducted, or

"(C) where the labor organization cannot demonstrate that it has a sufficient showing of interest on the part of the employees to support a petition for an election under section 9(c), or

"(D) where such picketing has been engaged in for a reasonable period of time (not exceeding thirty days) and at the expiration of which period no petition under section 9(c) has been filed.

Nothing in this paragraph (7) shall be construed to permit any act which would otherwise be an unfair labor practice under this section (8)(b)."

(d) Section 10(1) of the National Labor Relations Act, as amended, is amended by adding after the words "section 8(b)," the words "or section 8(e) or section 8(b)(7),".

(e) Section 303(a) of the Labor-Management Relations Act, 1947, is amended to read as follows:

"(a) It shall be unlawful, for the purpose of this section only, in an industry or activity affecting commerce, for any labor organization to engage in any activity or conduct defined as an unfair labor practice in section 8(b)(4) or section 8(b)(7) of the National Labor Relations Act, as amended."

Priority in case handling

SEC. 706. Section 10 of the National Labor Relations Act, as amended, is amended by adding at the end thereof a new subsection as follows:

"(m) Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of subsection (a)(3) or (b)(2) of section 8, such charge shall be given priority over all other cases except cases of like character in the office where it is filed or to which it is referred and cases given priority under subsection (1)."

Effective date of amendments

SEC. 707. The amendments made by this title shall take effect sixty days after the date of the enactment of this Act, and no provision of this title shall be deemed to make an unfair labor practice any act which is performed prior to such effective date which did not constitute an unfair labor practice prior thereto.

Mr. BARDEN (interrupting the reading of the bill). Mr. Speaker, I ask unanimous consent that further reading of the engrossed copy be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The SPEAKER. The question is on the passage of the bill.

Mr. KEARNS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. KEARNS. Mr. Speaker, speaking to the motion, the reason I am making this motion to recommit is because I have a bill of my own, H.R. 7265, which I thoroughly believe in and which was not considered. Therefore I am opposed to the bill.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. KEARNS moves to recommit the bill H.R. 8342 to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, to the Committee on Education and Labor.

Mr. BARDEN. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Messrs. ZELENKO and DINGELL) there were—ayes 71, noes 146.

Mr. DINGELL. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 149, nays 279, answered "present" 1, not voting 5, as follows:

[Roll No. 131]

YEAS—149

Addonizio	Foley	Marshall
Albert	Forand	Merrow
Anderson, Mont.	Friedel	Metcalf
Anfuso	Gallagher	Meyer
Ashley	Garmatz	Miller, Clem
Bailey	Giaimo	Miller, George P.
Barr	Granahan	Montoya
Barrett	Gray	Moore
Bennett, Mich.	Green, Oreg.	Moorhead
Blatnik	Green, Pa.	Morgan
Boland	Hagen	Morris, Okla.
Bolling	Hargis	Moss
Bowles	Harmon	Multer
Boyle	Hays	Murphy
Brademas	Healey	Nix
Bray	Hogan	O'Brien, Ill.
Brown, Mo.	Holifield	O'Hara, Ill.
Buckley	Holland	O'Hara, Mich.
Burdick	Holtzman	O'Neill
Burke, Mass.	Irwin	Oliver
Byrne, Pa.	Johnson, Calif.	Perkins
Carnahan	Johnson, Md.	Philbin
Celler	Johnson, Wis.	Porter
Clark	Karsten	Powell
Cohelan	Karth	Price
Daddario	Kasem	Prokop
Daniels	Kastenmeier	Pucinski
Dawson	Kearns	Quigley
Delaney	Kee	Rabaut
Dent	Kelly	Randall
Denton	Keogh	Reuss
Diggs	King, Calif.	Rhodes, Pa.
Dingell	Kirwan	Rivers, Alaska
Dollinger	Kluczynski	Rodino
Donohue	Kowalski	Rooney
Doyle	Lane	Roosevelt
Dulski	Libonati	Rostenkowski
Farbstein	McCormack	Roush
Feighan	McFall	Santangelo
Fino	Macdonald	Saund
Flood	Machrowicz	Shelley
Flynn	Mack, Ill.	Sheppard
Fogarty	Madden	Shipley
Sisk	Magnuson	Thompson, N.J.
Slack	Toll	Wier
Spence	Tollefson	Withrow
Staggers	Ullman	Yates
Sullivan	Vanik	Zablocki
Teller	Walter	Zelenko
Thomas	Wampler	

NAYS—279

Abbitt	Fenton	Moeller
Abernethy	Fisher	Monagan
Adair	Flynt	Morris, N. Mex.
Alexander	Ford	Morrison
Alford	Forrester	Moulder
Alger	Fountain	Mumma
Allen	Frazier	Murray
Andersen, Minn.	Frelinghuysen	Natcher
Andrews	Fulton	Nelsen
Arends	Gary	Norblad
Ashmore	Gathings	Norrell
Aspinall	Gavin	O'Brien, N.Y.
Auchincloss	George	O'Konski
Avery	Glenn	Osmers
Ayres	Goodell	Ostertag
Baker	Grant	Passman
Baldwin	Griffin	Patman
Barden	Griffiths	Pelly
Baring	Gross	Pfost
Barry	Gubser	Pilcher
Bass, N.H	Haley	Pillion
Bass, Tenn.	Hall	Pirnie
Bates	Halleck	Poage
Baumhart	Halpern	Poff
Becker	Hardy	Preston
Beckworth	Harris	Quie
Belcher	Harrison	Rains
Bennett, Fla.	Hébert	Ray
Bentley	Hechler	Reece, Tenn.
Berry	Hemphill	Rees, Kans.
Betts	Henderson	Rhodes, Ariz.
Blitch	Herlong	Riehlman
Boggs	Hess	Riley
Bolton	Hiestand	Rivers, S.C.
Bonner	Hoeven	Roberts
Bosch	Hoffman, Ill.	Robison
Bow	Hoffman, Mich.	Rogers, Colo.
Breeding	Holt	Rogers, Fla.
Brewster	Horan	Rogers, Mass.
Brock	Hosmer	Rogers, Tex.
Brooks, La.	Huddleston	Rutherford
Brooks, Tex.	Hull	St. George
Broomfield	Ikard	Schenck
Brown, Ga.	Jackson	Scherer
Brown, Ohio	Jarman	Schwengel
Broyhill	Jennings	Scott
Budge	Jensen	Selden
Burke, Ky.	Johansen	Short
Burleson	Johnson, Colo.	Sikes
Bush	Jonas	Siler
Byrnes, Wis.	Jones, Ala.	Simpson, Ill.
Cahill	Jones, Mo.	Simpson, Pa.
Cannon	Judd	Smith, Calif.
Carter	Keith	Smith, Iowa
Casey	Kilburn	Smith, Kans.
Cederberg	Kilday	Smith, Miss.
Chamberlain	Kilgore	Smith, Va.
Chelf	King, Utah	Springer
Chenoweth	Kitchin	Steed
Chiperfield	Knox	Stratton
Church	Lafore	Stubblefield
Coad	Laird	Taber
Coffin	Landrum	Taylor
Collier	Langen	Teague, Calif.
Colmer	Lankford	Teague, Tex.
Conte	Latta	Thompson, Tex.
Cook	Lennon	Thomson, Wyo.
Cooley	Lesinski	Thornberry
Corbett	Levering	Trimble
Cramer	Lindsay	Tuck
Cunningham	Lipscomb	Udall
Curtin	Loser	Utt
Curtis, Mass.	McCulloch	Van Pelt
Curtis, Mo.	McDonough	Van Zandt
Dague	McDowell	Vinson
Davis, Ga.	McGinley	Wainwright
Davis, Tenn.	McGovern	Wallhauser
Derounian	McIntire	Watts
Derwinski	McMillan	Weaver
Devine	McSween	Weis
Dixon	Mack, Wash.	Wharton
Dooley	Mahon	Whitener
Dorn, N.Y.	Mailliard	Whitten
Dorn, S.C.	Martin	Widnall
Dowdy	Mason	Williams
Downing	Matthews	Willis
Durham	May	Wilson
Dwyer	Meader	Winstead
Edmondson	Michel	Wolf
Everett	Miller, N.Y.	Wright
Evins	Milliken	Young
Fallon	Mills	Younger
Fascell	Minshall	
	Mitchell	

ANSWERED "PRESENT"—1

Saylor

NOT VOTING—5

Boykin	Elliott	Westland
Canfield	Thompson, La.	

So the motion to recommit was rejected.

The Clerk announced the following pair:

Mr. Saylor for, with Mr. Westland against.

Mr. SAYLOR. Mr. Speaker, I have a live pair with the gentleman from Washington [Mr. WESTLAND], who if present would vote "nay." Therefore I withdraw my vote of "yea" and vote "present."

Mr. BREEDING, Mr. GEORGE, and Mr. MOULDER changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. ROOSEVELT. Mr. Speaker, on this I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken and there were—yeas 303, nays 125, answered "present" 2, not voting 4, as follows:

[Roll No. 132]

YEAS—303

Abbitt	Chenoweth	Harris
Abernethy	Chiperfield	Harrison
Adair	Church	Hébert
Albert	Clark	Hechler
Alexander	Coad	Hemphill
Alford	Coffin	Henderson
Alger	Collier	Herlong
Allen	Colmer	Hess
Andersen, Minn.	Conte	Hiestand
Andrews	Cook	Hoeven
Arends	Cooley	Hoffman, Ill.
Ashley	Corbett	Hoffman, Mich.
Ashmore	Cramer	Holt
Aspinall	Cunningham	Horan
Auchincloss	Curtin	Hosmer
Avery	Curtis, Mass.	Huddleston
Ayres	Curtis, Mo.	Hull
Baker	Dague	Ikard
Baldwin	Davis, Ga.	Jackson
Barden	Davis, Tenn.	Jarman
Baring	Derounian	Jennings
Barr	Derwinski	Jensen
Barry	Devine	Johansen
Bass, N.H.	Dixon	Johnson, Colo.
Bass, Tenn.	Dooley	Johnson, Md.
Bates	Dorn, N.Y.	Jonas
Baumhart	Dorn, S.C.	Jones, Ala.
Becker	Dowdy	Jones, Mo.
Beckworth	Downing	Judd
Belcher	Doyle	Keith
Bennett, Fla.	Durham	Kilburn
Bentley	Dwyer	Kilday
Berry	Edmondson	Kilgore
Betts	Everett	King, Utah
Blitch	Evins	Kitchin
Boggs	Fallon	Knox
Bolton	Fascell	Lafore
Bonner	Fenton	Laird
Bosch	Fino	Landrum
Bow	Fisher	Langen
Boykin	Flynt	Lankford
Bray	Fogarty	Latta
Breeding	Forand	Lennon
Brewster	Ford	Lesinski
Brock	Forrester	Levering
Brooks, La.	Fountain	Lindsay
Brooks, Tex.	Frazier	Lipscomb
Broomfield	Frelinghuysen	Loser
Brown, Ga.	Friedel	McCulloch
Brown, Mo.	Fulton	McDonough
Brown, Ohio	Gary	McDowell
Broyhill	Gathings	McGinley
Budge	Gavin	McGovern
Burke, Ky.	George	McIntire
Burleson	Glenn	McMillan
Bush	Goodell	McSween
Byrnes, Wis.	Grant	Mack, Ill.
Cahill	Griffin	Mack, Wash.
Cannon	Griffiths	Mahon
Carnahan	Gross	Mailliard
Carter	Gubser	Martin
Casey	Haley	Mason
Cederberg	Hall	Matthews
Chamberlain	Halleck	May
Chelf	Halpern	Meader
	Hardy	Merrow

Michel	Randall	Stratton
Miller, N.Y.	Ray	Stubblefield
Milliken	Reece, Tenn.	Taber
Mills	Rees, Kans.	Taylor
Minshall	Rhodes, Ariz.	Teague, Calif.
Mitchell	Riehlman	Teague, Tex.
Moeller	Riley	Thompson, Tex.
Monagan	Rivers, S.C.	Thomson, Wyo.
Moore	Roberts	Thornberry
Morris, N. Mex.	Robison	Tollefson
Morris, Okla.	Rogers, Colo.	Trimble
Morrison	Rogers, Fla.	Tuck
Moulder	Rogers, Mass.	Utt
Mumma	Rogers, Tex.	Van Pelt
Murray	Roush	Van Zandt
Natcher	Rutherford	Vinson
Nelsen	St. George	Wainwright
Norblad	Schenck	Wallhauser
Norrell	Scherer	Walter
O'Brien, N.Y.	Schwengel	Watts
O'Konski	Scott	Weaver
Osmers	Selden	Weis
Ostertag	Short	Wharton
Passman	Sikes	Whitener
Patman	Siler	Whitten
Pelly	Simpson, Ill.	Widnall
Pfost	Simpson, Pa.	Williams
Pilcher	Slack	Willis
Pillion	Smith, Calif.	Wilson
Pirnie	Smith, Iowa	Winstead
Poage	Smith, Kans.	Wolf
Poff	Smith, Miss.	Wright
Preston	Smith, Va.	Young
Quie	Spence	Younger
Quigley	Springer	
Rains	Steed	

NAYS—125

Addonizio	Harmon	O'Brien, Ill.
Anderson, Mont.	Hays	O'Hara, Ill.
	Healey	O'Hara, Mich.
Anfuso	Hogan	O'Neill
Bailey	Holifield	Oliver
Barrett	Holland	Perkins
Bennett, Mich.	Holtzman	Philbin
Blatnik	Irwin	Porter
Boland	Johnson, Calif.	Powell
Bolling	Johnson, Wis.	Price
Bowles	Karsten	Prokop
Boyle	Karth	Pucinski
Brademas	Kasem	Rabaut
Buckley	Kastenmeier	Reuss
Burdick	Kearns	Rhodes, Pa.
Burke, Mass.	Kee	Rivers, Alaska
Byrne, Pa.	Kelly	Rodino
Celler	Keogh	Rooney
Cohelan	King, Calif.	Roosevelt
Daddario	Kirwan	Rostenkowski
Daniels	Kluczynski	Santangelo
Dawson	Kowalski	Saund
Delaney	Lane	Shelley
Dent	Libonati	Sheppard
Denton	McCormack	Shipley
Diggs	McFall	Sisk
Dingell	Macdonald	Staggers
Dollinger	Machrowicz	Sullivan
Donohue	Madden	Teller
Dulski	Magnuson	Thomas
Farbstein	Marshall	Thompson, N.J.
Feighan	Metcalf	Toll
Flood	Meyer	Udall
Flynn	Miller, Clem	Ullman
Gallagher	Miller, George P.	Vanik
Garmatz		Wampler
Giaimo	Montoya	Wier
Granahan	Moorhead	Withrow
Gray	Morgan	Yates
Green, Oreg.	Moss	Zablocki
Green, Pa.	Multer	Zelenko
Hagen	Murphy	
Hargis	Nix	

ANSWERED "PRESENT"—2

Foley Saylor

NOT VOTING—4

Canfield	Thompson, La.	Westland
Elliott		

So the bill was passed.

The Clerk announced the following pairs:

Mr. Westland for, with Mr. Saylor against.

Mr. SAYLOR. Mr. Speaker, I have a live pair with the gentleman from Washington [Mr. WESTLAND]. If he were present, he would vote "yea." I voted "nay." Therefore, I withdraw my vote of "nay" and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. STRATTON. Mr. Chairman, throughout the House deliberation on labor reform legislation, I have consistently supported the bill reported out by the House committee, and I have consistently voted against all efforts to amend that bill by replacing it either with the Shelley substitute, supported by AFL–CIO leaders, or with the Landrum-Griffin bill supported by President Eisenhower. I did this because I believed and still believe that the committee bill represented a fair and reasonable middle-of-the-road approach to the labor-management reform problem. It was a bill which, in the words of Speaker RAYBURN would "reform without punishing" and "cure without crushing." It was a bill which Mr. Robert Kennedy, counsel of the Senate committee investigating labor racketeering, declared would "carry out all of the recommendations of the McClellan committee," and would set the Hoffas out of the labor movement. I opposed all efforts to amend this bill because I was fearful, and still am fearful, that any drastic changes from the committee bill might lead to a stalemate in the conference between the House and Senate that would result in no labor legislation being adopted at all, which I would regard as a great tragedy.

In spite of these considerations, the House yesterday voted to substitute the Landrum-Griffin bill for the committee bill. In today's final voting, therefore, I am voting against the motion to recommit and in favor of final passage of the bill.

My votes today, however, are being cast with the express understanding that my vote does not constitute approval of many of the provisions of the House bill, but that I believe it is imperative in the interests of getting effective labor control legislation that a labor reform bill be sent to conference between the House and Senate. I am hopeful that as a result of this conference a fairer bill can be worked out which will root out the Hoffas and the racketeers in the labor movement without penalizing legitimate union organizations. I also voted to send the bill to conference with the understanding that I will definitely reserve my final vote until I have a chance to see whether the conference committee agrees to a better and fairer bill, more nearly in line with either the bill which was reported out by the House committee or the Kennedy bill which passed the Senate earlier this year.

The SPEAKER. Pursuant to House Resolution 338, the Committee on Education and Labor is discharged from the further consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

The Clerk read the title of the bill.

Mr. BARDEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BARDEN moves to strike out all after the enacting clause of the bill S. 1555, and insert in lieu thereof the provisions of the bill H.R. 8342 as passed.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider and a similar House bill (H.R. 8342) were laid on the table.

Mr. BARDEN. Mr. Speaker, I move that the House insist on its amendment to the Senate bill and request a conference with the Senate.

The motion was agreed to.

The SPEAKER. The Chair will appoint conferees later in the day.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, may I ask the majority leader at this time if he will advise us as to the program for next week?

Mr. McCORMACK. I will be happy to. With the disposition of pending matters today, we will go over until Monday.

On Monday the Consent Calendar will be called, after which there are 11 suspensions, as follows:

First. H.R. 4306, educational assistance for orphans.

Second. H.R. 8409, extend Wheat Agreement Act of 1949.

Third. H.R. 8284, amending the National Science Foundation Act.

Fourth. H.R. 6904, Advisory Commission on Intergovernmental Relations.

Fifth. H.R. 8587, equalization of allotments, Agua Caliente—Palm Springs—Reservation in California.

Sixth. H.R. 5892, Minute Man National Historical Park, Mass.

Seventh. H.R. 5068, Shipping Act, foreign freight forwarders.

Eighth. H.R. 8388, Merchant Marine Act, foreign flag affiliations.

Ninth. H.R. 8238, provides for a study of motor vehicle exhausts.

Tenth. House Joint Resolution 283, parliamentary conference with Mexico.

Eleventh. House Concurrent Resolution 369, China, sense of Congress against seating in the United Nations.

The latter is a resolution that is the sense of the Congress that Red China shall not be seated in the United Nations. On that there is likely to be a rollcall, so I advise the Members that there may be a rollcall on that resolution, as well as on others.

On Tuesday the Private Calendar will be called, after which the following bills will be called up for consideration:

H.R. 8374, Century 21 Exposition, clarify law.

H.R. 7985, Communications Act, equal time provisions.

H.R. 1341, safety standards for Government passenger-carrying motor vehicles.

There is the usual reservation that any further program will be announced later, and conference reports may be brought up at any time.

I might say that I see that none of these bills is going to help us much toward a sine die adjournment. There are several bills we have to get rid of first, but I do not see anything next week that is very consoling to a sine die adjournment. I hope that the committees that have these necessary bills under consideration will expedite action, if they are still in committee, and if they are reported out of committee try to get action from the Rules Committee to get a rule out of that committee.

COMMITTEE ON PUBLIC WORKS

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight tonight to file a report on the bills H.R. 8035 and S. 300.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

INDEPENDENT OFFICES APPROPRIATION BILL, 1960

Mr. THOMAS. Mr. Speaker, I call up the conference report on the bill (H.R. 7040) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1960, and for other purposes.

The Clerk read the title of the bill.

The Clerk read the conference report.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 887)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 1 to the bill (H.R. 7040) making appropriations for the sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1960, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

The committee of conference reports in disagreement amendment numbered 1.

ALBERT THOMAS,
SIDNEY R. YATES,
CLARENCE CANNON,
HAROLD C. OSTERTAG,
JOHN TABER,
Managers on the Part of the House.

WARREN G. MAGNUSON,
LISTER HILL,
ALLEN J. ELLENDER,
A. WILLIS ROBERTSON,
SPESSARD L. HOLLAND,
GORDON ALLOTT,
LEVERETT SALTONSTALL,
MILTON R. YOUNG,
Managers on the Part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the further conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 1 to the bill (H.R. 7040) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1960, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to such amendment, namely:

TITLE 1—EXECUTIVE OFFICE OF THE PRESIDENT

Office of Civil and Defense Mobilization

Amendment No. 1: Reported in disagreement.

ALBERT THOMAS,
SIDNEY R. YATES,
CLARENCE CANNON,
HAROLD C. OSTERTAG,
JOHN TABER,
Managers on the Part of the House.

The SPEAKER. The Clerk will report the amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 1: Page 3, line 5, strike out "$10,000,000" and insert $25,000,000."

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. THOMAS moves that the House further insist upon its disagreement to the amendment of the Senate numbered 1.

Mr. THOMAS. Mr. Speaker, I would like to explain this matter to the House briefly, and then I will yield to the gentleman from New York [Mr. OSTERTAG] to state his views; and I certainly want to yield to the gentleman from North Carolina [Mr. DURHAM] for some observations he may wish to make.

This concerns one item in disagreement. The conference report has heretofore been adopted by both bodies. This is an item on which the House has voted before and has sustained the House conferees. I might say also that the other body sustained the position of its conferees. We met in conference again, and here we are on the floor with this question once more.

We are going to ask for a record vote and we will ask that the House sustain its conferees in the matter.

Here is the meat in the coconut: When the bill left the House it included $10 million for contributions by the Federal Government for civil defense purposes on a matching basis. The matching money was to be used in buying material to be used in the cities and towns for civil defense.

You have heretofore appropriated, in round figures, $130 million for such civil defense grants. You have also heretofore appropriated to buy medical and other supplies in round figures $235 million, and you today have that in 41 warehouses all over the country.

Let us go back to the point. The other body adds $15 million on a matching basis. To do what? To buy more materials? No, but to start a brandnew program—I repeat, a new program of paying for jobs in the city halls.

You have had civil defense for 10 years; you started in April of 1950. The proposal now is for the Federal Government to pay half of the salaries, the office rent, the telephone calls, the travel expenses, the Western Union messages, for 4,000 brandnew employees of the States and cities.

Civil defense makes no bones about it. It says that next year they will come back in here not for $12 million for this program, but for $25 million to pay the salaries and expenses of the new program.

Do we need it? You have heretofore said "No" by your votes, and we on the committee think you are right about that. We have had a civil defense, and I think it has done a good job, for 10 years. Why is it necessary now, after 10 years, to embark upon a new program?

Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Speaker, one of the most significant measures enacted by the 85th Congress was H.R. 7576, now known as Public Law 85–606, which made civil defense the joint responsibility of the Federal, State, and local governments—a partnership. This legislation, the result of years of study, and passed unanimously by both bodies of Congress, authorizes the Federal Government to assist the States and local governments with their civil defense personnel and administrative costs. The law also authorizes a maximum expenditure of $25 million each year for this purpose.

Shortly after passage of the bill in July of last year, an amendment to the supplemental appropriation bill, 1959, was added by the Senate. It called for $4 million to be used to initiate the contributions provision of the bill H.R. 7576. The amendment was not accepted by the conference because, at that time, all the States had not submitted their plans of organization. However, each State now has its plans perfected and many have appropriated funds to match the expected Federal contribution that will be made available to them.

The President has declared that civil defense is a vital part of our Nation's total defense. And everyone agrees that no civil defense program can be effective unless there is participation at the local level. The alternative to this program is a total Federal Government program with a correspondingly prohibitive cost. Here is legislation that has the wholehearted support of the Governor's conference, the conference of mayors, the American Municipal Association, the National Association of County Officials, the American Legion, AFL–CIO and many other groups whose only aim is to develop coordinated civil defense organization. Contrary to statements made that it will "provide thousands of jobs at city halls and that a bureaucracy divorced from responsibility would be crated," those to be employed will be subject to a civil service or merit system—they must measure up to standards set by the Director of the Office of Civil and Defense Mobilization and be fully competent and qualified under the same rules and regulations that exist for other Federal agencies which provide grants-in-aid. If the standards of employment and organization are not met, Federal money may then be withdrawn or not allowed. There is also no justification

for remarks that it will be a wasteful program. With authorization to contribute $25 million per year to the States—only $12 million is being asked to carry out this program so vitally needed for national survival. Twelve million dollars is a small price to pay to coordinate and direct the resources of our State and local governments, their personnel, and some 4 million volunteers. As mentioned before, the alternative is outright Federalization at a probable cost of $½ billion or more. In asking for these funds the OCDM is simply carrying out the mandate of Congress and the order of the President. The law says this money shall be contributed to the States. The States have set up their organizations in accordance with the law. How then, after they have acted on the promise of the Federal Government to assist, can we run out on them? It is as though we sent our soldiers into battle equipped with guns, but refused them ammunition.

And no matter how many worthy, dedicated, unpaid civil defense volunteers there may be—and they are in the millions—their services may not be used effectively without a strong nucleus of trained leaders—professionals—who are equipped to coordinate and guide their efforts in the event of disaster, be it natural or manmade.

Those who have studied the situation and who truly know—the Armed Services Committees of both bodies; my colleague CHET HOLIFIELD, who knows more of the problems and workings of civil defense than anyone in Congress; the Gaither report; the Rockefeller report; the Sarnoff report—all have urged approval of this proposal.

If we are to have a civil defense—and in view of the tensions existing in the world today it is imperative that we do have—there is, at present, only one way to achieve it, and that is to approve the appropriation necessary to implement the law.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. DURHAM. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I do not know what the experience in the gentleman's State was, but I know in the State of Oklahoma our Civil Defense Office had to lay off some people July 1 because of the failure to provide funds to carry on some programs that were going on down there.

Mr. DURHAM. That is true all over the country. Now, these people are not, as has been charged on the floor of this House, members of a political party seeking jobs.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. DURHAM. I yield to the gentleman from Minnesota.

Mr. JUDD. I hope that the House today will not vote to sustain the position of the Committee on Appropriations, hard as it is to disagree with our distinguished, genial friend from Texas. This situation is getting more serious, not less, and for us to sit here and adamantly say that we are not going to do anything adequate about preparing our people on how to save their lives in the event of an atomic attack seems to me a good deal less than the situation demands. I hope that the House will vote "no" on the motion to insist on the House position on this item and go along with the gentleman from North Carolina who knows more about this than any of the rest of us. His counsel has proved very wise through the years, and I think we ought to follow him now.

Mr. DURHAM. I thank the gentleman, and I might also say that this program has been endorsed last week and the week before at the Governors conference by all the Governors of the States of the United States. It has also been endorsed by the Municipal Association. It has been endorsed by the National Association of County Officials and also endorsed by the American Legion and by the AFL–CIO. So, this measure does not come before you today without some thought being given to it as to what it is and how it works. It is not a wasteful program. It is not a political program. It is instructional service for your life and the individuals in your own community. That is just exactly what it is.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DURHAM. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman from Minnesota said the situation is getting worse. My question is, What situation is getting worse?

Mr. JUDD. The capacity to inflict devastating blows upon the United States is increasing in the hands of those who have proclaimed that they intend to bury us. That is a serious situation.

Mr. DURHAM. Certainly, I do not like to come here and take a position against the Committee on Appropriations. I do not think these people have seen me do this many times in the 21 years that I have been a Member of this House. But, it is difficult for me to understand why this amendment is opposed. Of course, the other body has insisted on its retention, and I think they have some people of excellent judgment and sound thinking who, of course, are qualified to make a decision in this field. In all sincerity I ask this body today to insist on the Senate provisions as a sound approach to future protection, and I am going to insist on it if the chairman does not—that we vote on this measure and have a showdown. I think it is time that we decided the issue. This is the second time the conferees have come back here in disagreement on a matter which I feel is one of the most important provisions of civil defense. The requested amount of funds, approved by the Budget Bureau, will, in my opinion, do more to put back into the local communities the responsibility for survival in the atomic age than any other action we could take. I am convinced, after serving on the Atomic Energy Committee since the original act of 1946, that a danger does exist. And certainly our responsibility here is a grave one.

Mr. WIER. Mr. Speaker, will the gentleman yield?

Mr. DURHAM. I yield to the gentleman.

Mr. WIER. Mr. Speaker, I want to take this opportunity—and I really wanted to insist upon taking the opportunity—of alining myself with the views of the gentleman from North Carolina. I have watched with care the operations of the civil defense organizations in the State of Minnesota. Every county has a well-organized group. They are going not only police duty, but working in many other capacities involving civic functions all through the State, in emergencies, traffic matters, and everything else.

Mr. DURHAM. I might add to the gentleman's statement that it has been amazing the cooperation we have had, without any cost to the Federal Government, all over the country, not in just one field but in all field of civil defense.

Mr. THOMAS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Speaker, I want to aline myself with the distinguished chairman of the Joint Committee on Atomic Energy [Mr. DURHAM], and I should like to adopt all of the arguments that he made with regard to this particular appropriation item. This amount has been adopted in the other body twice. It was cut out by the Appropriations Committee.

It is very seldom that I come to this floor in opposition to anything that the Appropriations Committee has advocated during the years I have been in this body.

I just recently served as chairman of the Subcommittee on Radiation that made a study of a hypothetical nuclear war on the United States, not a full-scale nuclear war, but what we called a limited type of nuclear war, in which only 260 weapons were dropped on the United States. The report of that study will be in the hands of each Member within the next 10 days, I think. It has already been approved unanimously by the full committee and has been sent to the Printing Office.

The results of this study show that if 260 nuclear weapons are dropped on 224 targets in the United States there will be 50 million people killed and 22 million people injured. These are not figures taken out of the air. These are the result of studies made by the Pentagon, the Casualty Estimate Division of the Pentagon, using IBM machines, using specific-sized weapons on specific targets, with specifically known populations.

We do not have a good civil defense. We might as well face up to it. I have been one of the critics of civil defense, but I have tried to be a constructive critic of civil defense. I say to you that this Congress has not faced up to the problem. This will not do the job, I will admit that, but this is a step in keeping together the State and local organizations, keeping them encouraged to continue to give their voluntary services. We need this money and we need it very badly.

I hope the House will support the restoration of this item which has been insisted on in the other body twice.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. JENSEN. Mr. Speaker, I hesitate to disagree with my good friend the gentleman from Texas [Mr. THOMAS], but I feel that we are most inconsistent when we spend billions of dollars for antimissile missile protection, and for all of our military defenses, here and abroad, and then we are so niggardly that we will not spend a drop in the bucket, comparatively speaking, for our own defenses right here at home, right in our own backyard.

Mr. HOLIFIELD. I thank the gentleman for his contribution. We are spending $40 billion a year for a Military Establishment that cannot defend the people of the United States against enemy attack. If we spent just a little of that $40 billion a year for the next 4 or 5 years we could—and this is the testimony of experienced scientists and engineers whom we have had before us—we could cut that 50 million casualty figure down, a casualty figure of 30 percent, to 3 percent in the event of enemy attack. And most important, this would provide us a deterrent value far in excess of the money that would be expended on it.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. EDMONDSON. Mr. Speaker, I want to join the gentleman in urging that this additional money be provided. The gentleman's studies have demonstrated that one of the major deterrents to a mass attack upon the United States is an effective civil defense. I think every dollar we spend to strengthen that civil defense is a dollar of insurance against the attack that we want to avoid.

Mr. HOLIFIELD. I thank the gentleman. I want again to emphasize this; if we had a good civil defense which we knew would protect our people in this country from enemy attack, we would have a deterrent factor second only to our ability to militarily strike the enemy and militarily defend ourselves.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. JUDD. It has been stated that the gain we hope to get from the impending visit of the ruler of Russia is that we will be able to show him that both the Government and the people of the United States are stronger, firmer, and more united than he has believed. Certainly he would be less likely to strike if he realizes that he cannot destroy us. Therefore, to have our people trained in civil defense so that they can do more to prevent being wiped out in any attack is important in preventing the attack.

Mr. THOMAS. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee [Mr. EVINS].

Mr. EVINS. Mr. Speaker, we all think the former Governor of Iowa, Leo A. Hoegh, is doing a splendid job as the Director of Civil Defense, but from some of these statements that have been made here, it would appear that no funds are carried in this appropriation bill at all for civil defense education and training. The civil defense program has been carrying on an intensive and extensive educational and training program for years. People are brought in to Washington from the various regions—civil defense workers, police officers, and others, and a very extensive training program is being carried on presently. They then go back and have a further training program in the local municipalities and cities on the local level.

In 1958, for education and training alone, we appropriated $3,442,966. For 1959, we appropriated $4,037,000 and a similar amount next year. So the amount of funds for this purpose has been going up each year. For the grants program we are appropriating millions in grants to the States for education and training alone. So there exists an intensive education and training program in civil defense. This is a question of whether you are going to embark upon a program of some 4,000 new jobs for next year when we have rather substantial employment conditions prevailing in the country. I thought also another factor is that since Mr. Khrushchev is coming to our country that tensions have lessened and, perhaps, we may not need all of this additional money for civil defense at this time.

Mr. Speaker, I hope we will sustain the position of the House on this vote, as we can soon reconsider the matter if further funds ultimately may be needed.

Mr. THOMAS. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Speaker, a few weeks ago when this issue was first on the floor of the House, and the House took certain action, I saw a newspaper story in one of the Detroit newspapers which bewailed and bemoaned the fact that because of the House action, I believe something like 10 firemen and 10 policemen from the city of Detroit would have to be put on the local city payroll rather than on the Federal funds. It does not seem sensible to me that Congress start paying out of Federal funds for the employment of local policemen and local firemen who are employed and fired and administered under local civil service regulations. I sincerely believe that if the local communities are anxious to have these people as a part of their organization, the minimum they should pay is 50 percent of the cost of employment and not put the full burden on the Federal Treasury. We would lose control of personnel policies and we would have no control and jurisdiction over what they do or how they do it. I sincerely believe that we would be getting our foot into a most dangerous situation by permitting Federal funds to be paid exclusively for the employment of local officials. I sincerely believe the House should sustain the House conferees.

Mr. DURHAM. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. DURHAM. Under the law, what the gentleman says cannot be done. I do not know where the gentleman got his information or the newspaper article, but it can only be on a 50–50 basis.

Mr. FORD. All I know is that this newspaper article stated that certain employees of the fire department and the police department of the city of Detroit were going to be fired or removed from the rolls because Uncle Sam was not going to pour the money into the city coffers of the city of Detroit.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. THOMAS. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. FALLON].

Mr. FALLON. Mr. Speaker, knowing of the intense interest of the members of this House to keep the interstate and defense highway program on schedule, I have today introduced a bill that will allow the program to continue in an orderly and progressive manner.

The bill which I have introduced, H.R. 8678, is in the nature of a substitute to H.R. 5950, which I introduced earlier in the session. H.R. 5950 was referred to the Committee on Public Works, which held public hearings and agreed to report the bill to the House, contingent on favorable action by the Committee on Ways and Means in providing the necessary financing provisions.

Such action is now completed and is incorporated as title 2 of the bill I introduced today.

Title 2 of the bill, as referred to the Committee on Public Works by the distinguished chairman of the Committee on Ways and Means, the gentleman from Arkansas [Mr. MILLS], provides a temporary increase in the Federal tax on motor fuels of 1 cent per gallon—from 3 to 4 cents—effective September 1, 1959 through June 30, 1961; a transfer to the Highway Trust Fund of the receipts from 5 percentage points of the excise tax on passenger cars and the receipts from 5 percentage points of the excise tax on parts and accessories, effective July 1, 1961, until June 30, 1964.

I hope that H.R. 8678 can be brought to the floor quickly and voted on without delay. The measure provides for the continuation of the interstate highway program at the level of $2 billion for the fiscal year 1961 and $2.2 billion for fiscal 1962.

The legislation proposed is temporary, emergency legislation. It is anticipated that in 1961, when the results of certain comprehensive studies ordered by the Highway Act of 1956 will be placed in the hands of the Congress, we will consider a broad revision of the revenue law supporting the Highway Trust Fund, in order to insure an equitable distribution of the costs of the highway program among the various classes of highway users and nonusers who benefit from the Federal-aid highways.

Pending this long-range revision, it is essential that the highway program be continued substantially along the lines contemplated by the Highway Act of 1956. In most States, this program has been brought to a dead halt. The Federal Highway Administrator has announced that there must be a 9 months' moratorium in the letting of new contracts unless there is remedial legislation at this session of Congress, and that, in the absence of such legislation, there will be an even more serious interruption

of progress on the construction of the National System of Interstate and Defense Highways. It is the purpose of my bill to correct this critical situation.

The cost of such delay in the interstate program is, actually, incalculable. Unless the situation is corrected, it is estimated that a delay of 1 year would result in a loss of billions of dollars. This loss is accounted for in the delay of the economic benefits of the system and the cost of disrupting and then reorganizing the forces of trained men and equipment and the sources of materials supply which have been brought together for this great program.

Such dollar estimates, of course, cannot take into account the loss of human life which is part of the toll we pay for inadequate highways. The National Safety Council has estimated that if no interstate highways are built in 1960, thus delaying completion of the system for 1 year, about 5,700 more deaths would occur by the time the system is completed than would have occurred had the system been completed on schedule.

Nor can we estimate, in terms of dollars, the importance of completing the Interstate System to our national defense. The value of the defense aspects of the Interstate System are greater than many citizens realize, and greater than was the case when the Highway Act of 1956 was enacted, in the view of the Department of Defense.

In short, in terms of economic benefits, highway safety, and national defense the Nation cannot afford a major cutback in the rate of progress of completing the National System of Interstate and Defense Highways.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. FALLON. I am delighted to yield to our distinguished colleague, the chairman of the Committee on Ways and Means [Mr. MILLS].

Mr. MILLS. Will my friend, the gentleman from Maryland, advise us whether or not the bill he has introduced today contains a title II dealing with the financing of the road program for the 2-year period involved?

Mr. FALLON. Yes; it does.

Mr. MILLS. The language of title II in your bill is the language which was prepared by the Committee on Ways and Means with regard to the financing?

Mr. FALLON. It is the exact language.

Mr. MILLS. Mr. Speaker, this is a matter which should, in my opinion, be handled in one bill. However, it should be understood that this is not in any way to indicate the establishment so far as our committee is concerned of a precedent with respect to jurisdiction of the Highway Trust Fund.

Mr. THOMAS. Mr. Speaker, I yield such time as he may desire to the gentleman from Mississippi [Mr. SMITH].

Mr. SMITH of Mississippi. I want to ask the chairman of the committee in regard to a matter we have already passed in the conference report for the Federal Trade Commission in this bill. Are adequate funds provided for the administration of the Textile Labeling Act?

Mr. THOMAS. The Federal Trade Commission, of course, has jurisdiction over a good many of these labeling acts. I believe the gentleman is the author of the Textile Labeling Act; is he not?

Mr. SMITH of Mississippi. Yes.

Mr. THOMAS. The Commission is working on the rules and regulations now and there is money in the bill for enforcement of that act.

Mr. SMITH of Mississippi. I thank the gentleman.

Mr. THOMAS. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, I can remember when I first came to Congress—that is a good while back—that the National Guard and what we had of the Army Reserves, and the Naval Reserves, were paid for out of State funds. They began to creep into the Federal Treasury a little at a time until at present the guard costs approximately $400 million and the Federal Government pays practically all the expense. The Reserves cost aproximately $300 million. The Naval Reserves also cost an enormous sum of money.

This program starts a local policing proposition similar to that which was described by the gentleman from Michigan [Mr. FORD]. Frankly, if we are going into every city hall and every county courthouse and set up a new outfit to do the things the police and firemen and volunteers who take an interest in this thing should do, I do not know where we are going to get the money. Frankly, we are up against it right now. It is a tremendous job to undertake to balance the budget and to keep the United States right side up.

There is not any lack of a sense of responsibility on the part of any of the members of the Appropriations Committee; it is not a question of being hidebound or anything of that kind; it is a question of being honest with the people.

The people can operate a situation like this through the States for a great deal less than to have the Federal Government contributing. They can do it better and take care of the situation fully and completely if we do not give them this appropriation.

Frankly, I do not see how we can go along carelessly and loosely any longer. It is time we woke up and began to appreciate what kind of situation the United States of America is in. I hope the motion offered by the gentleman from Texas [Mr. THOMAS] will prevail and that the question at issue will be sent back to the Senate with instructions from the House that its conferees further insist in our disagreement to the amendment of the Senate.

Mr. THOMAS. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. OSTERTAG].

Mr. OSTERTAG. Mr. Speaker, I believe it would be well for us to bring back into focus exactly what is before us at this time.

This is the conference report on the independent offices appropriation bill for 1960, and it is the second time that this report appears before the House. The managers on the part of the House returned to a second conference with the Senate maintaining the original action of the House on H.R. 7040. The Senate in the meantime had acted to sustain the position of the Senate in providing $25 million appropriations for Federal contributions to the States and communities for personnel and other services. I think it well for us to bear in mind that the only item in dispute in this conference report deals with civil defense; and in that connection I might point out that in the independent offices appropriation bill as passed by the House including that of civil and defense mobilization, there are items such as salaries expenses; Federal contributions for emergency supplies and equipment; research and development and Federal grants or contributions to the States and localities for civil defense purposes.

I repeat that the Senate provided $25 million for Federal contributions, the House bill as originally passed provided $10 million for contributions, but no money for personnel—but included in the House bill was $10 million for equipment and supplies. The Senate restored $3 million additional for equipment and supplies over and above the House figure and that is likewise on a matching basis, the same as the $12 million item, which is the main item in dispute as between the House and the Senate figures.

The Durham Act, as passed a year or two ago, did authorize and provide for a $25 million a year matching fund for personnel purposes. No funds have ever been provided for this program. The Budget Bureau included the $12 million item for fiscal 1960.

I merely wanted to clarify the picture and make certain that the disagreement between the House and the other body was understood.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. OSTERTAG. I yield to the gentleman from California.

Mr. HOLIFIELD. I am glad the gentleman explained exactly what is before the House. This is a request of the administration. Governor Hoegh has requested this amount, it is approved by the Budget Bureau, it has been approved twice by the other body. Now we have it before us to vote up or down. If we want to vote for the money, then the vote on the motion to be offered by the gentleman from Texas to insist on the House position of disagreement with Senate amendment No. 1 would be "No," if we want to vote for the providing of this money to the local people.

Mr. OSTERTAG. That is correct.

Mr. HOLIFIELD. Is it not true this is on a matching basis?

Mr. OSTERTAG. Yes. As I understand, the law authorizes a 50–50 matching basis.

Mr. HOLIFIELD. I would like to ask the gentleman this question: Is it not, in his opinion, an obligation of the Federal Government to assist the people of any town or any city in the event of an enemy attack on that town or city? Is that not a Federal obligation rather than a local obligation?

Mr. OSTERTAG. I doubt that I have the time to give a qualified answer to that.

Mr. HOLIFIELD. Both sides would have to help, the local would have to help, but in all wars the Federal Government is the responsible entity to protect us against an enemy attack?

The SPEAKER. The time of the gentleman from New York has expired.

Mr. THOMAS. Mr. Speaker, I will move the previous question when I get through, because we do not have much time, and I humbly apologize to the House for taking up this time. But, we have to do it, and we will have a rollcall. You have had a hard week, and you are tired.

Mr. Speaker, let us see what the situation is here. No one is falling out with Civil Defense. They have done a magnificent job. We have had three Administrators who have all done a fine job: Our former colleague, the Governor from Florida, the Governor of Nebraska, Governor Peterson, and Governor Hoegh of Iowa. He formerly was Administrator of the FCDA, but now he is head of the Office of Civil and Defense Mobilization, which combines civil defense and defense mobilization, and it is over at the White House, and he is in a little different position than he was a few years ago.

My friend, Governor Hoegh, has not failed and refused to use his lovable personality and his ingenuity and brains, and he is smart. He has given this Congress many, many letters to write on account of the organization back home.

Now, let us see. Why is this additional $25 million a year so important now? Civil defense has been in effect for 10 years. I think they have done a pretty good job for the last 10 years. I have heard everything when it is said that this country is dependent upon civil defense for our defense. I cannot quite agree with that. We appropriate $40 billion every year to the Army, the Navy, and the Air Force, and maybe one or two other agencies, for the defense of this country. Certainly that is a lot of money. So, let us not cloud the issue now and say we are depending on civil defense to defend this country. Of course we are not. Civil defense has its functions, and I think it has done a good job.

But, why go in there and put 8,000 or 10,000 more people to work. Who is going to hire these people? Who is going to fire them? Will the Congress? Will my friend, Governor Hoegh? Will the President of the United States hire them or fire them? Not one syllable of authority will he have over hiring them or firing them. Who is going to be their boss? Frankly, I do not know. They may be their own bosses. What are they going to do? They do not have anything to do now except what we say in polite terms, public relations work. They are public relations people. All they have got to do now is go out and say, "This road is going to be closed," and then 6 months from now tear down that sign and say, "No; we have to do some more planning, and we are not going to close this one, and that one we will close, and we will let you know 2 months from now," and at the same time write the Members of Congress, "Let us have this appropriation." You are putting a little fire under yourselves.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. Certainly I will yield.

Mr. EDMONDSON. In the first place, the gentleman, I think, changed a little bit the import of what the gentleman from Oklahoma said.

A moment ago the gentleman from Oklahoma said that the reports of the congressional committee of which the gentleman from California [Mr. HOLIFIELD] is a leading member——

Mr. THOMAS. And a leading Member of the House.

Mr. EDMONDSON. Had indicated that a civil defense was one of the most effective and important deterrents to attack. I certainly do not think it is going to defend our country, but I think it is an effective deterrent to attack.

Mr. THOMAS. I hope so, but that is neither here nor there. If we put these people to work, we are putting that much money down a rathole, if you want my honest opinion. I hope we are never attacked. But if we are and this country is paralyzed and we are bleeding and we do not know which way to turn, are we going to call for civil defense? No. We are going to do as we would do now. Your Governor is going to call out your National Guard, and another Governor is going to do the same thing, and they are going to take charge. We all know that—the gentleman knows it and I know it. I hope that time never comes, but if it does come, he knows what is going to happen. These people are serving a useful purpose, of course. But they do not have an organization, and they never will have it. You have a military job to do and you are going to call on the military to do it.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman.

Mr. HOSMER. I think we should understand that the essence of civil defense is protection in time of attack plus, of course, a followup afterward. That means shelters. It is not enough well understood, but it was brought out in the hearings of the committee of the gentleman from California [Mr. HOLIFIELD] that for the price of $100, a shelter can be built by any individual and they will cut the factor of danger of radioactivity by 1,000. I think everybody in this country should realize that they can write to the Civil Defense Administration and get a booklet on how to build a shelter for $100. They cannot only build them, which will offer them a great amount of protection, but, by doing so, they will be taking part in making it more difficult, if not impossible, for an enemy to reduce this country to a shambles.

Mr. THOMAS. Mr. Speaker, may I say in reply, I am glad to hear the gentleman say that. It just shows what time does to us all. It has a great purifying effect. If we had followed these Civil Defense Administrators before this, we would have spent 5 or 7 or 8 or maybe $10 billion on shelters. Now they are saying that we can build one for $100. I say if you vote for this $12 million for new people, new jobs, these public relations boys, if you do not open up a shelter program that will be coming in here next year for one-half billion dollars, I will come here and say to you, "Well, I am wrong."

Mr. MEYER. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield.

Mr. MEYER. Is not the crux of the matter that in case of a nuclear war even though we have spent billions and billions of dolars for a civil defense system, we would not really have a civil defense system that would work anyhow?

Mr. THOMAS. I think the gentleman has put his finger right on the point.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Texas [Mr. THOMAS].

Mr. EDMONDSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. EDMONDSON. On the vote now about to be put in the House, as I understand it, a "yea" vote is a vote against the increase in the funds and a "nay" vote is a vote for the increase in the funds; is that correct?

The SPEAKER. The motion of the gentleman is further to disagree to the Senate amendment.

Mr. EDMONDSON. Will the Speaker inform me——

The SPEAKER. The Chair does not construe these motions. I think it has been made very evident by the gentleman from Texas [Mr. THOMAS] what it is all about.

The question is on the motion of the gentleman from Texas [Mr. THOMAS].

Mr. THOMAS. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 241, nays 167, not voting 26, as follows:

[Roll No. 133]

YEAS—241

Abbitt	Betts	Colmer
Abernethy	Blitch	Corbett
Adair	Boggs	Cramer
Albert	Boland	Cunningham
Alexander	Bosch	Curtis, Mo.
Alger	Bow	Dague
Allen	Boykin	Denton
Andersen, Minn.	Bray	Derounian
	Breeding	Devine
Andrews	Brooks, Tex.	Dooley
Ashley	Brown, Ga.	Dorn, S.C.
Ashmore	Brown, Ohio	Dowdy
Aspinall	Broyhill	Downing
Auchincloss	Burke, Ky.	Dulski
Avery	Burke, Mass.	Everett
Bailey	Burleson	Evins
Baker	Bush	Fallon
Barr	Byrnes, Wis.	Feighan
Bass, N. H.	Cannon	Fino
Bass, Tenn.	Carnahan	Fisher
Bates	Carter	Flood
Baumhart	Casey	Flynt
Becker	Cederberg	Fogarty
Beckworth	Chamberlain	Forand
Belcher	Chelf	Ford
Bennett, Mich.	Chenoweth	Forrester
Bentley	Coad	Frazier
Berry	Collier	Friedel

Garmatz	Loser	Riley
Gary	McCulloch	Rivers, S.C.
Gathings	McDonough	Rogers, Fla.
Gavin	McFall	Rogers, Tex.
George	McMillan	Rooney
Glenn	McSween	Rutherford
Green, Oreg.	Machrowicz	St. George
Gross	Mack, Wash.	Santangelo
Gubser	Madden	Saund
Haley	Magnuson	Schenck
Hargis	Mahon	Scherer
Harmon	Mailliard	Schwengel
Harris	Marshall	Scott
Harrison	Martin	Selden
Hays	Meader	Shelley
Hechler	Meyer	Siler
Henderson	Michel	Simpson, Ill.
Herlong	Miller, N.Y.	Smith, Calif.
Hess	Milliken	Smith, Iowa
Hiestand	Mills	Smith, Kans.
Hoeven	Minshall	Smith, Va.
Hoffman, Ill.	Mitchell	Steed
Hoffman, Mich.	Moeller	Stratton
Hogan	Monagan	Stubblefield
Holt	Moore	Sullivan
Horan	Moorhead	Taber
Hosmer	Morris, N. Mex.	Taylor
Huddleston	Morrison	Teague, Calif.
Hull	Multer	Teague, Tex.
Ikard	Mumma	Thomas
Irwin	Murphy	Thompson, Tex.
Jarman	Murray	Thomson, Wyo.
Jennings	Natcher	Thornberry
Johansen	Nelsen	Tollefson
Jonas	Norblad	Tuck
Jones, Mo.	Norrell	Utt
Keith	O'Konski	Vanik
Kilburn	Osmers	Van Pelt
Kilday	Passman	Wampler
Kilgore	Patman	Watts
King, Utah	Pfost	Weaver
Kirwan	Pilcher	Wharton
Kluczynski	Pillion	Whitener
Knox	Pirnie	Whitten
Kowalski	Poage	Williams
Lafore	Poff	Winstead
Laird	Preston	Withrow
Landrum	Quie	Wolf
Langen	Rabaut	Wright
Latta	Ray	Yates
Lennon	Reece, Tenn.	Young
Levering	Rees, Kans.	Younger
Lipscomb	Rhodes, Ariz.	

NAYS—167

Addonizio	Edmondson	Matthews
Alford	Farbstein	May
Anderson, Mont.	Fascell	Merrow
	Fenton	Metcalf
Arends	Flynn	Miller, Clem
Ayres	Foley	Miller, George P.
Baldwin	Fountain	
Baring	Frelinghuysen	Montoya
Barrett	Fulton	Morgan
Barry	Gallagher	Morris, Okla.
Bennett, Fla.	Giaimo	Moss
Blatnik	Goodell	Moulder
Bolling	Granahan	Nix
Bolton	Grant	O'Brien, Ill.
Bonner	Gray	O'Brien, N.Y.
Bowles	Green, Pa.	O'Hara, Ill.
Boyle	Griffin	O'Hara, Mich.
Brademas	Griffiths	O'Neill
Brewster	Hagen	Oliver
Brock	Hall	Ostertag
Brooks, La.	Halpern	Pelly
Broomfield	Healey	Perkins
Brown, Mo.	Hemphill	Philbin
Burdick	Holifield	Porter
Byrne, Pa.	Holland	Price
Cahill	Holtzman	Prokop
Chiperfield	Jensen	Pucinski
Church	Johnson, Calif.	Quigley
Clark	Johnson, Md.	Rains
Coffin	Johnson, Wis.	Randall
Cohelan	Jones, Ala.	Reuss
Conte	Judd	Rhodes, Pa.
Cook	Karsten	Riehlman
Cooley	Karth	Rivers, Alaska
Curtin	Kastenmeier	Roberts
Curtis, Mass.	Kearns	Robison
Daddario	Kee	Rodino
Daniels	Kelly	Rogers, Colo.
Davis, Tenn.	King, Calif.	Rogers, Mass.
Dawson	Kitchin	Roosevelt
Delaney	Lane	Rostenkowski
Dent	Lankford	Roush
Derwinski	Lesinski	Saylor
Diggs	Libonati	Shipley
Dixon	Lindsay	Short
Dollinger	McCormack	Sisk
Donohue	McDowell	Slack
Dorn, N.Y.	McGinley	Smith, Miss.
Doyle	McGovern	Spence
Durham	McIntire	Springer
Dwyer	Mack, Ill.	Staggers
Teller	Van Zandt	Wier
Thompson, N.J.	Vinson	Wilson
Toll	Wainwright	Zablocki
Trimble	Wallhauser	Zelenko
Udall	Walter	
Ullman	Weis	

NOT VOTING—26

Anfuso	Halleck	Powell
Barden	Hardy	Sheppard
Buckley	Hébert	Sikes
Budge	Jackson	Simpson, Pa.
Canfield	Johnson, Colo.	Thompson, La.
Celler	Kasem	Westland
Davis, Ga.	Keogh	Widnall
Dingell	Macdonald	Willis
Elliott	Mason	

So the motion was agreed to.

The Clerk announced the following pairs:

Mr. Sikes with Mr. Simpson of Pennsylvania.

Mr. Hébert with Mr. Halleck.

Mr. Keogh with Mr. Jackson.

Mr. Buckley with Mr. Mason.

Mr. Anfuso with Mr. Westland.

Mr. Hardy with Mr. Canfield.

Mr. Johnson of Colorado with Mr. Budge.

Mr. Thompson of Louisiana with Mr. Widnall.

Mr. DULSKI changed his vote from "nay" to "yea."

Mr. PUCINSKI and Mr. HALPERN changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PUBLIC WORKS APPROPRIATION BILL, 1960

Mr. CANNON. Mr. Speaker, I call up the conference report on the bill (H.R. 7509) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 888)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7509) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4 and 18.

That the House recede from its disagreement to the amendments of the Senate numbered 12, 14, 16, and 17, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$10,750,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$678,314,100"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$117,882,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$70,839,500"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,788,710"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,838,710"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$135,862,739"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2, 5, 10, 13, and 15.

CLARENCE CANNON,
LOUIS C. RABAUT,
MICHAEL J. KIRWAN,
BEN F. JENSEN,
Managers on the Part of the House.

ALLEN J. ELLENDER,
CARL HAYDEN,
RICHARD B. RUSSELL,
JOHN L. MCCLELLAN,
A. WILLIS ROBERTSON,
LISTER HILL,
WARREN G. MAGNUSON,
SPESSARD L. HOLLAND,
ROBERT S. KERR,
HENRY C. DWORSHAK,
MILTON R. YOUNG,
KARL E. MUNDT,
MARGARET CHASE SMITH,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7509) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY

Rivers and harbors and flood control

General Investigations

Amendment No. 1: Appropriates $10,750,000 instead of $9,518,400 as proposed by the House and $11,938,200 as proposed by the Senate. The funds provided are to be distributed.

Item	Budget estimate for fiscal year 1960	Conference allowance
GENERAL INVESTIGATIONS		
Examinations and surveys:		
Navigation studies	$600,000	$1,050,000
Flood control studies	2,100,000	3,101,000
Beach erosion cooperative studies	75,000	75,000
Special studies:		
San Francisco Bay survey	400,000	500,000
Ohio River Basin review	400,000	400,000
Great Lakes Harbor survey	260,000	260,000
Coordination studies with other agencies	150,000	110,000
Delaware River comprehensive survey	330,000	330,000
Hurricane studies	950,000	950,000
Hudson River (siltation) studies		114,000
Potomac River review	500,000	400,000
Colorado River, Tex	75,000	75,000
Trinity River	200,000	250,000
Rampart Canyon, Alaska		50,000
Subtotal, examinations and surveys	6,040,000	7,665,000
Collection and study of basic data:		
Stream gaging (U.S. Geological Survey)	$225,000	$225,000
Precipitation studies (U.S. Weather Bureau)	330,000	330,000
Fish and wildlife studies (U.S. Fish and Wildlife Service)		50,000
International water studies	50,000	50,000
Subtotal collection and study of basic data	605,000	655,000
Research and development:		
Beach erosion development studies	200,000	200,000
Hydrologic studies	150,000	150,000
Civil works investigations	1,200,000	1,200,000
Mississippi Basin model:		
Construction	700,000	700,000
Mississippi River comprehensive study	105,000	105,000
Subtotal, research and development	2,355,000	2,355,000
Arkansas-Red River pollution		75,000
Total, general investigations	9,000,000	10,750,000

Funds proposed by the Senate for the Lake Champlain Waterway, and the Big Muddy River and Beaucoup Creek have been disallowed. The conferees of both Houses are in agreement that the funds provided for the Potomac River review shall be used to finance the study of water supply and pollution abatement as authorized by the Senate Public Works Committee resolution adopted on July 6, 1959, rather than for the comprehensive study previously authorized.

Amendment No. 2: Reported in disagreement.

Construction, General

Amendment No. 3: Appropriates $678,314,100 instead of $658,800,100 as proposed by the House and $710,034,100 as proposed by the Senate. The conferees are in agreement that funds appropriated under this item should be allocated as set forth in the following tabulation:

Construction, general, State and project	Budget estimate for fiscal year 1960		Conference allowance	
	Construction	Planning	Construction	Planning
Alabama:				
Aquatic plant control. (See Louisiana.)				
Columbia lock and dam, Alabama and Georgia	$1,000,000		$1,000,000	
Holt lock and dam				$150,000
Jackson lock and dam	8,150,000		8,000,000	
Montgomery		$63,000		63,000
Walter F. George (Fort Gaines) lock and dam, Alabama and Georgia	14,900,000		14,900,000	
Alaska:				
Dillingham Harbor			406,000	
Naknek River			[1](21,000)	
Seldovia Harbor: Channel work			[1](245,000)	
Arizona:				
Alamo Reservoir		65,000		65,000
Gila River		30,000		50,000
Painted Rock Reservoir	5,171,000		5,171,000	
Whitlow Ranch Reservoir	1,903,000			
Arkansas:				
Arkansas River and tributaries, Arkansas and Oklahoma: Emergency bank stabilization	4,000,000		5,000,000	
Arkansas River and tributaries, Arkansas and Oklahoma (general studies)		900,000		900,000
Beaver Reservoir			1,500,000	
Bull Shoals Reservoir, Ark. and Mo. (additions of units Nos. 5 and 6)	1,200,000		1,200,000	
Clarksville			[1](259,000)	
Dardanelle lock and dam	5,000,000		3,400,000	
DeGray Reservoir				150,000
Gillham Reservoir				80,000
Greers Ferry Reservoir	11,130,000		11,130,000	
McKinney Bayou and Barkman Creek, Ark. and Tex	600,000		600,000	
Millwood Reservoir		172,000		172,000
Red River levees and bank stabilization below Denison Dam, Ark., La., and Tex	700,000		700,000	
Table Rock Reservoir, Ark. and Mo. (See Missouri.)				
California:				
Black Butte Reservoir	2,500,000		2,500,000	
Carbon Canyon Dam and Channel	2,000,000		2,000,000	
Devil East Twin Warm and Lytle Creeks	2,000,000		2,000,000	
Eel River	508,000		508,000	
Halfmoon Bay Harbor	1,500,000		1,500,000	
Los Angeles County Drainage Area	15,500,000		15,500,000	
Lower San Joaquin River and tributaries	1,000,000		1,000,000	
Middle Creek	650,000		650,000	
Mill Creek levees			500,000	
New Hogan Reservoir			1,500,000	
Oroville Reservoir		30,000		30,000
Pine Flat Reservoir	75,000		75,000	
Playa Del Rey Inlet and Basin	500,000		500,000	
Port Hueneme Harbor	3,000,000		3,000,000	
Redwood City Harbor: 30-foot depth San Bruno Shoal entrance and Redwood Creek channels			1,378,000	
Russian River Reservoir	250,000		250,000	
Sacramento River	2,500,000		2,500,000	
Sacramento River and major and minor tributaries	1,100,000		1,100,000	
Sacramento River deepwater ship channel	7,500,000		6,500,000	
San Antonio and Chino Creeks	1,800,000		1,800,000	
San Jacinto River and Bautista Creek			225,000	
San Joaquin River-Stockton deepwater channel	250,000		250,000	
San Lorenzo Creek	1,700,000		1,700,000	
San Lorenzo River	274,000		274,000	
Santa Clara River	1,300,000		1,300,000	
Santa Maria Valley levees	2,200,000		2,200,000	
Stewart Canyon Basin		62,000		62,000
Success Reservoir	4,000,000		4,000,000	
Terminus Reservoir	5,500,000		5,500,000	
Truckee River and tributaries, California and Nevada. (See Nevada.)				
Tuolumne River Reservoirs (New Don Pedro)		25,000		25,000

See footnote at end of table.

Construction, general, State and project]	Budget estimate for fiscal year 1960		Conference allowance	
	Construction	Planning	Construction	Planning
Colorado: Trinidad Reservoir		$75,000		$75,000
Connecticut:				
Hall Meadow Brook Reservoir		75,000	$250,000	
Mad River Reservoir		75,000	275,000	
Thomaston Reservoir	$4,800,000		4,800,000	
Delaware: Inland waterway, Delaware River to Chesapeake Bay, Delaware and Maryland:				
(a) Canal improvement		180,000		180,000
(b) Summit Bridge	3,090,000		3,090,000	
Florida:				
Apalachicola Bay:				
(a) Channel at East Point: Reimbursement			39,100	
(b) St. George Island: Reimbursement			43,000	
Aquatic plant control. (See Louisiana.)				
Central and Southern Florida	9,000,000		9,000,000	
Escambia River			[1] (88,000)	
Intracoastal Waterway, Caloosahatchee River to Anclote River			600,000	
Intracoastal Waterway, Jacksonville to Miami	1,130,000		1,130,000	
St. Joseph Bay, Port St. Joe Harbor	1,183,000		1,000,000	
Tampa Harbor:				
Deepening of Tampa Harbor Channel	3,672,000		3,672,000	
Georgia:				
Aquatic plant control. (See Louisiana.)				
Brunswick Harbor	1,150,000		1,150,000	
Columbia lock and dam, Alabama and Georgia. (See Alabama.)				
Hartwell Reservoir, Ga. and S.C	26,400,000		26,400,000	
Savannah River below Augusta	950,000		950,000	
Walter F. George (Fort Gaines) lock and dam, Alabama and Georgia. (See Alabama.)				
Hawaii:				
Honolulu Harbor	1,720,000		1,720,000	
Kahului Harbor			140,000	
Wailoa Stream		28,000		28,000
Idaho:				
Bruces Eddy Reservoir (construction not yet authorized)		770,000		770,000
Columbia River local protection:				
(a) Boise Valley		41,000		41,000
(b) Heise-Roberts extension		75,000		75,000
Illinois:				
Beardstown	688,000		688,000	
Carlyle Reservoir	2,640,000		2,640,000	
Chicago, Burlington & Quincy RR. bridge, including channel change	2,064,000		2,064,000	
Clear Creek Drainage and Levee District	200,000		200,000	
Dam 27, Mississippi River between St. Louis and lock and dam 26	1,758,000		1,758,000	
Drury Drainage District			540,000	
East St. Louis and vicinity	2,300,000		2,300,000	
Henderson River: Diversion unit			550,000	
Hunt Drainage District and Lima Lake Drainage District			1,000,000	
Illinois Waterway, Calumet-Sag Channel, part I	8,600,000		7,670,000	
Mississippi River between the Ohio and Missouri Rivers, Ill. and Mo.: Regulating works	1,500,000		1,500,000	
Mississippi River between the Missouri River and Minneapolis, Minn.: Rectification of damages	65,000		65,000	
Shelbyville Reservoir		50,000		50,000
Subdistrict No. 1 of Drainage Union No. 1 and Bay Island Drainage and Levee District No. 1				50,000
The Sny Basin	1,000,000		1,000,000	
Wabash RR. bridges at Meredosia and Valley City	528,000		528,000	
Wilson and Wenkel and Prairie Du Pont Drainage and Levee District	327,000		327,000	
Wood River Drainage and Levee District	1,100,000		1,100,000	
Indiana:				
Clinton (deferred for restudy)				5,000
Evansville	430,000		430,000	
Huntington Reservoir		25,000		25,000
Lock and dam 41, Indiana and Kentucky. (See Kentucky.)				
Mansfield Reservoir	1,663,000		1,663,000	
Mason J. Niblack levee		54,000		54,000
Markland lock and dam, Indiana, Kentucky, and Ohio. (See Kentucky.)				
Mississinewa Reservoir		150,000		150,000
Monroe Reservoir		75,000		75,000
Salamonie Reservoir		150,000		150,000
Sugar Creek levee				15,000
Terre Haute-Conover levee (deferred for restudy)				2,000
Vincennes	200,000		200,000	
West Terre Haute				30,000
Iowa:				
Floyd River and tributaries		100,000		100,000
Green Bay levee and Drainage District No. 2				75,000
Iowa River-Flint Creek levee District No. 16		100,000		100,000
Little Sioux River	2,500,000		2,500,000	
Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska:				
(a) Sioux City, Iowa, to Omaha, Nebr	6,420,000		5,600,000	
(b) Omaha, Nebr., to Kansas City	2,800,000		2,800,000	
(c) Kansas City to the mouth	3,475,000		3,475,000	
Muscatine Island levee District and Muscatine-Louisa County Drainage District No. 13	860,000		860,000	
Red Rock Reservoir		113,000	1,113,000	
Saylorville Reservoir				200,000
Kansas:				
Abilene	338,000		338,000	
Council Grove Reservoir			300,000	
Frankfort				50,000
John Redmond (Strawn) Reservoir	1,300,000		1,300,000	
Manhattan	450,000		450,000	
Marion Reservoir				25,000
Marysville		26,000		26,000
Milford Reservoir		170,000		170,000
Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
Ottawa	1,400,000		1,400,000	
Perry Reservoir		125,000		125,000
Pomona Reservoir	1,400,000		1,400,000	
Salina	2,030,000		2,030,000	
Topeka	2,500,000		2,500,000	
Tuttle Creek Reservoir	18,345,000		18,345,000	
Wilson Reservoir		161,000	500,000	161,000

See footnote at end of table.

Construction, general, State and project	Budget estimate for fiscal year 1960		Conference allowance	
	Construction	Planning	Construction	Planning
Kentucky:				
Barkley Dam (lower Cumberland lock and dam), Kentucky and Tennessee	$19,000,000		$19,000,000	
Buckhorn Reservoir	3,527,000		3,027,000	
Fishtrap Reservoir		$200,000		$200,000
Greenup locks and dam, Kentucky and Ohio	10,265,000		9,265,000	
Lock and dam 41, Indiana and Kentucky	10,300,000		10,300,000	
Markland locks and dam, Indiana, Kentucky, and Ohio	11,627,000		9,827,000	
New Richmond locks and dam, Kentucky and Ohio	9,300,000		9,300,000	
Nolin Reservoir	1,800,000		1,800,000	
No. 2 Barren Reservoir			1,000,000	
No. 2 Green Reservoir				50,000
Rough River Reservoir and channels	2,315,000		2,315,000	
Louisiana:				
Amite River and tributaries	1,204,000		1,204,000	
Aquatic plant control, Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas	500,000		500,000	
Barataria Bay			1,000,000	
Bayou Chevreuil		42,000		42,000
Gulf Intracoastal Waterway:				
(a) Algiers Cutoff, Jefferson-Plaquemine Drainage District			1,420,000	
(b) Plaquemine-Morgan City alternate route	5,951,000		5,951,000	
Mississippi River, Baton Rouge to the Gulf of Mexico	900,000		900,000	
Mississippi River gulf outlet	5,900,000		5,900,000	
Mooringsport Reservoir, La. and Tex.		100,000		100,000
Red River levees below Denison Dam, Ark., La., and Tex. (See Arkansas.)				
Maryland: Inland waterway, Delaware River to Chesapeake Bay, Del. and Md. (See Delaware.)				
Massachusetts:				
Boston Harbor:				
(a) 40-foot anchorage and 35-foot area	853,000		853,000	
(b) 35-foot reserved channel			825,000	
East Brimfield Reservoir	1,102,000		1,102,000	
Littleville Reservoir		100,000		100,000
New Bedford-Fairhaven and Acushnet		120,000		120,000
North Adams	2,930,000		2,930,000	
West Hill Reservoir	1,000,000		1,000,000	
Westville Reservoir			1,800,000	
Weymouth Fore River	3,085,000		3,085,000	
Michigan:				
Battle Creek	1,548,000		1,548,000	
Grand Marais Harbor			300,000	
Great Lakes connecting channels	27,000,000		27,000,000	
Hammond Bay Harbor				20,000
Harrisville Harbor	532,000		532,000	
Houghton-Hancock Bridge	2,640,000		2,640,000	
Saginaw River		100,000		100,000
St. Marys River:				
(a) Improvement of South Canal	2,543,000		2,543,000	
(b) New Poe Lock		367,000		367,000
Minnesota:				
Mankato and North Mankato		47,000		47,000
Minnesota River 9-foot channel		67,000		67,000
Mississippi River between Missouri River and Minneapolis, Minn.: Rectification of damages. (See Illinois.)				
Red River of the North, Minn. and N. Dak	386,000		386,000	
Ruffy Brook and Lost River	300,000		300,000	
St. Anthony Falls	2,440,000		2,440,000	
St. Paul and South St. Paul		163,000		163,000
Mississippi:				
Aquatic plant control. (See Louisiana.)				
Pascagoula Harbor			1,242,000	
Missouri:				
Bear Creek Reservoir	1,032,000		1,032,000	
Bull Shoals Reservoir, Ark. and Mo. (See Arkansas.)				
Canton	720,000		720,000	
Cape Girardeau and vicinity (reach No. 2 only)	157,000		157,000	
Des Moines and Mississippi Levee District No. 1			500,000	
Fabius River Drainage District	500,000		500,000	
Joanna Reservoir		60,000		
Kasinger Bluff Reservoir		150,000		150,000
Marion County Drainage District				73,000
Mississippi River between the Ohio and Missouri Rivers, Ill. and Mo. (See Illinois.)				
Missouri River channel stablization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
Pomme de Terre Reservoir	4,000,000		4,000,000	
St. Louis	4,200,000		4,200,000	
Stockton Reservoir		150,000		150,000
Table Rock Reservoir, Ark. and Mo.	2,000,000		2,000,000	
Montana: Fort Peck Dam (2d powerplant)	8,250,000		8,250,000	
Nebraska:				
Gering and Mitchell Valleys		50,000	350,000	
Missouri River channel stablization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
Missouri River, Kenslers Bend, Nebr., to Sioux City, Iowa (including Miners Bend), Iowa, Nebraska, and South Dakota	900,000		900,000	
Salt Creek and tributaries		90,000		90,000
Nevada: Truckee River and tributaries, California and Nevada	550,000		550,000	
New Hampshire: Hopkinton-Everett Reservoirs	5,568,000		5,568,000	
New Jersey:				
Delaware River, Philadelphia Naval Base to Trenton, N.J. and Pa	13,500,000		12,500,000	
New York and New Jersey channels, New York and New Jersey	2,790,000		2,790,000	
Staten Island Rapid Transit bridge, New York and New Jersey. (See New York).				
New Mexico:				
Abiquiu Reservoir	3,300,000		3,300,000	
Carlsbad		75,000		
Rio Grande Floodway, Cochiti to Rio Puerco			800,000	
Socorro		75,000		75,000
Two Rivers Reservoir			75,000	
New York:				
Allegheny River Reservoir, Pa. and N.Y. (See Pennsylvania.)				
Barcelona Harbor	506,000		506,000	
Buffalo Harbor, north entrance	2,150,000		2,150,000	
Buttermilk Channel			1,500,000	
Endicott, Johnson City, and Vestal	1,700,000		1,700,000	
Fire Island Inlet	450,000		220,000	
Great Lakes to Hudson River Waterway	730,000		730,000	
Herkimer				48,000
Hudson River, New York City to Albany 32-foot channel			500,000	
Irondequoit Bay	129,000			
New York and New Jersey channels, New York and New Jersey. (See New Jersey.)				

See footnote at end of table.

Construction, general, State and project	Budget estimate for fiscal year 1960		Conference allowance	
	Construction	Planning	Construction	Planning
New York Harbor-New Jersey pierhead line			$500,000	
Nichols		$40,000		$40,000
Ohio Street Bridge, Buffalo River			2,000,000	
Oswego Harbor	$657,000		657,000	
Staten Island Rapid Transit bridge, New York and New Jersey	2,000,000		2,000,000	
North Carolina:				
Aquatic plant control. (See Louisiana.)				
Morehead City Harbor			600,000	
Pantego and Cucklers Creek		40,000		51,000
Wilkesboro Reservoir			1,000,000	
North Dakota:				
Garrison Reservoir	5,050,000		5,050,000	
Lower Heart River	800,000		800,000	
Red River of the North, Minn. and N. Dak. (See Minnesota.)				
Ohio:				
Belleville locks and dam, Ohio and West Virginia				125,000
Cleveland Harbor: Bridge replacements and dredging of Cuyahoga and Old Rivers to 23 feet	400,000		400,000	
Dillon Reservoir	5,160,000		5,160,000	
Greenup locks and dam, Kentucky and Ohio. (See Kentucky).				
Markland lock and dam, Indiana, Kentucky, and Ohio. (See Kentucky.)				
Muskingum River Reservoirs			500,000	
New Cumberland locks and dam, Ohio, Pennsylvania, and West Virginia	6,800,000		6,800,000	
New Richmond locks and dam, Kentucky and Ohio. (See Kentucky.)				
Pike Island locks and dam, Ohio and West Virginia	3,500,000		3,500,000	
Roseville	284,000		284,000	
Shenango River Reservoir, Pa. and Ohio. (See Pennsylvania.)				
West Branch Mahoning River Reservoir		229,000	525,000	
Oklahoma:				
Arkansas River and tributaries, Arkansas and Oklahoma: Bank stabilization. (See Arkansas.)				
Arkansas River and tributaries, Arkansas and Oklahoma (general studies). (See Arkansas.)				
Broken Bow Reservoir		134,000		134,000
Denison Reservoir, Tex. and Okla. (See Texas.)				
Enid	600,000		600,000	
Eufaula Reservoir	13,400,000		13,400,000	
Keystone Reservoir	10,000,000		10,000,000	
Lukfata Reservoir				50,000
Oologah Reservoir	12,500,000		12,500,000	
Pine Creek Reservoir				80,000
Oregon:				
Blue River Reservoir		105,000		105,000
Columbia River between Vancouver, Wash., and The Dalles, Oreg.: 27-foot channel	1,611,000		1,611,000	
Columbia River local protection: Malheur River, Vale unit			250,000	
Cougar Reservoir	9,700,000		9,000,000	
Fall Creek Reservoir		202,000		202,000
Hills Creek Reservoir	8,300,000		8,300,000	
Interstate Bridge, Oreg. and Wash	1,130,000		1,130,000	
John Day lock and dam, Oregon and Washington	20,000,000		20,000,000	
Lower Columbia River improvement to existing works:				
(a) Clatsop County Diking District No. 6			[1] (55,000)	
(b) Multnomah County Drainage District	703,000		203,000	
(c) Woodson Drainage District			[1] (81,000)	
Rogue River Harbor at Gold Beach	1,500,000		1,500,000	
The Dalles lock and dam, Oregon and Washington	7,000,000		7,000,000	
Willamette River Basin bank protection	500,000		500,000	
Willamette River Basin channel improvement and major drainage: Coyote and Spencer Creek				50,000
Yaquina Bay and Harbor				100,000
Pennsylvania:				
Allegheny River Reservoir, Pa. and N.Y			1,400,000	
Allentown	680,000		680,000	
Bear Creek Reservoir	3,400,000		3,400,000	
Bethlehem	1,050,000		600,000	
Bradford	2,400,000		2,400,000	
Brookville		73,000	500,000	
Curwensville Reservoir		200,000		200,000
Dam 8, Monongahela River, Pa. and W. Va	725,000		725,000	
Delaware River, Philadelphia Naval Base to Trenton, New Jersey and Pennsylvania. (See New Jersey.)				
Dyberry Reservoir	390,000		390,000	
Kettle Creek Reservoir	2,500,000		1,900,000	
Maxwell locks and dam, Monongahela River		95,000		95,000
New Cumberland locks and dam, Ohio, Pennsylvania, and West Virginia. (See Ohio.)				
Prompton Reservoir	1,120,000		1,120,000	
Ridgway		25,000		25,000
St. Marys		38,000		38,000
Shenango River Reservoir, Pa. and Ohio		150,000	500,000	
Stillwater Reservoir	1,500,000		1,500,000	
Turtle Creek				25,000
Tyrone		85,000		85,000
Washington, Chartiers Creek		78,000		78,000
Rhode Island:				
Fox Point barrier, Narragansett Bay		200,000		200,000
Woonsocket	370,000		370,000	
South Carolina:				
Aquatic plant control. (See Louisiana.)				
Hartwell Reservoir, Ga. and S.C. (See Georgia.)				
South Dakota:				
Big Bend Reservoir	2,600,000		2,000,000	
Fort Randall Reservoir	1,150,000		1,150,000	
Oahe Reservoir	43,500,000		43,500,000	
Sioux Falls	1,252,000		1,252,000	
Tennessee: Barkley Dam, Ky. and Tenn. (See Kentucky.)				
Texas:				
Aquatic plant control. (See Louisiana.)				
Brazos Island Harbor	1,500,000		1,500,000	
Buffalo Bayou and tributaries	1,650,000		1,650,000	
Canyon Reservoir	2,000,000		2,000,000	
Cooper Reservoir and channels	1,300,000		1,300,000	
Corpus Christi Bridge	486,000		486,000	
Denison Reservoir, Tex. and Okla.: Highway bridge at Willis Ferry site	700,000		700,000	
Galveston Harbor and channel, seawall	2,000,000		2,000,000	
Gulf Intracoastal Waterway:				
(a) Channel to Port Mansfield			150,000	
(b) Colorado River channel			400,000	
(c) Guadalupe River channel to Victoria	600,000		600,000	
(d) Realined route, vicinity Aransas Pass	962,000		962,000	

See footnote at end of table.

Construction, general, State and project	Budget estimate for fiscal year 1960		Conference allowance	
	Construction	Planning	Construction	Planning
Texas—Continued				
Houston ship channel: 36-foot channel and widening	$1,150,000		$1,400,000	
Lampasas Reservoir		$125,000		$125,000
Matagorda ship channel: 36-foot channel				150,000
McGee Bend Dam	5,800,000		5,800,000	
McKinney Bayou and Barkman Creek, Ark. and Tex. (See Arkansas.)				
Mooringsport Reservoir, La. and Tex. (See Louisiana.)				
Navarro Mills Reservoir	1,000,000		1,000,000	
Pecos		50,000		50,000
Port Aransas-Corpus Christi Waterway:				
(a) 36-foot channel and realinement at bascule bridge	1,300,000		1,300,000	
(b) Channel to La Quinta (reimbursement)			954,000	
Proctor Reservoir			300,000	
Red River levees and bank stabilization below Denison Dam, Ark., La., and Tex. (See Arkansas.)				
Sabine-Neches Waterway	1,500,000		1,500,000	
San Antonio Channel	800,000		800,000	
Somerville Reservoir		85,000		85,000
Texas City Channel	913,000		913,000	
Texas City, Galveston Bay		125,000		125,000
Waco Reservoir	4,000,000		4,000,000	
Utah: Salt Lake City	1,339,000		1,339,000	
Vermont:				
Ball Mountain Reservoir	2,560,000		2,560,000	
North Hartland Reservoir	2,571,000		2,571,000	
North Springfield Reservoir	2,040,000		2,040,000	
Townshend Reservoir	2,500,000		2,500,000	
Virgin Islands: Christiansted Harbor (inactive)				3,000
Virginia:				
Norfolk Harbor: Widen 40-foot channel and Craney Island anchorages	3,654,000		3,654,000	
Pound Reservoir		194,000	2,500,000	
Washington:				
Chief Joseph Dam	1,100,000		1,100,000	
Columbia River between Vancouver, Wash., and The Dalles, Oreg.:				
(a) 27-foot channel, Oregon and Washington. (See Oregon.)				
(b) Bingen Barge Channel				10,000
Howard A. Hanson (Eagle Gorge) Reservoir	6,000,000		6,000,000	
Ice Harbor lock and dam	32,000,000		32,000,000	
Interstate Bridge, Oregon and Washington. (See Oregon.)				
John Day lock and dam, Oregon and Washington. (See Oregon.)				
Little Goose lock and dam				450,000
Lower Columbia River improvement to existing works: Wahkiakum County Consolidated Diking District No. 1		25,000		25,000
Lower Monumental lock and dam		800,000		800,000
The Dalles Dam, Oreg. and Wash. (See Oregon.)				
West Virginia:				
Belleville locks and dam, Ohio and West Virginia. (See Ohio.)				
Dam 8, Monongahela River, Pa. and W. Va. (See Pennsylvania.)				
East Rainelle			500,000	
Hildebrand lock and dam	1,278,000		1,278,000	
New Cumberland locks and dam, Ohio, Pennsylvania, and West Virginia. (See Ohio.)				
Pike Island locks and dam, Ohio and West Virginia. (See Ohio.)				
Princeton			500,000	
Summersville Reservoir			2,000,000	
Sutton Reservoir	4,417,000		3,417,000	
Williamson		71,000		71,000
Wisconsin:				
Bad River:				
(a) Mellen Channel				25,000
(b) Odanah, moving village and raising school				25,000
Bayfield Harbor	131,000		131,000	
Eau Galle River				75,000
Saxon Harbor				31,000
Two Rivers Harbor			[1] (74,000)	
Wyoming:				
Jackson Hole	650,000		650,000	
Sheridan	300,000		300,000	
Local protection projects not requiring specific legislation			3,000,000	
Snagging and clearing	600,000		600,000	
Projects deferred for restudy		10,000		10,000
Recreation facilities completed projects	1,250,000		2,500,000	
Small authorized projects			2,000,000	
Reduction for anticipated savings and slippages	—30,000,000		—43,000,000	
Total	649,700,000	9,100,000	666,355,100	10,259,000
Lower Columbia River Fish Sanctuary program Fish and Wildlife Service	1,200,000		1,200,000	
Coordination Act Studies, F&W			500,000	
Grand total, construction, general	650,900,000 (660,000,000)	9,100,000	668,055,100 (678,314,100)	10,259,000

[1] Not included in totals. Eligible for selection under a lump-sum appropriation for small authorized projects.

Funds provided for the Kahului Harbor and the Channel to Port Mansfield are to be available only on authorization of these two projects.

The conferees on the part of both Houses agree that there will be no objection to the acceptance of $25,000 toward the local contribution on the Monroe Reservoir project in order to complete preconstruction planning.

Amendment No. 4: Restores House language stricken by the Senate.

Amendment No. 5: Reported in disagreement.

Operation and Maintenance, General

Amendment No. 6: Appropriates $117,882,000 instead of $114,382,000 as proposed by the House and $122,382,000 as proposed by the Senate. The increase of $3.5 million above the House figure is for deferred maintenance.

Flood Control, Mississippi River and Tributaries

Amendment No. 7: Appropriates $70,839,500 instead of $68,560,000 as proposed by the House and $75,434,500 as proposed by the Senate. The funds appropriated under this heading are to be distributed.

Projects	Budget estimate for fiscal year 1960		Conference allowance	
	Construction	Planning	Construction	Planning
1. General investigations:				
(a) Examinations and surveys	$60,000		$67,500	
(b) Collection and study of basic data	50,000		50,000	
Subtotal, general investigations	110,000		117,500	
2. Construction and planning:				
Mississippi River levees	$2,500,000		$2,750,000	
Channel improvement	22,500,000		23,710,000	
Memphis Harbor	500,000		500,000	
Greenville Harbor	0			$60,000
Vicksburg Harbor	1,500,000		1,500,000	
Old River control	9,500,000		9,500,000	
St. Francis Basin	3,500,000		4,070,000	
Lower White River	0			107,000
West Tennessee tributaries	0		200,000	
Wolf River and tributaries	0		300,000	
Lower Arkansas	550,000		550,000	
Tensas Basin:				
Boeuf and Tensas Rivers, etc	920,000		1,000,000	
Red River backwater	80,000		80,000	
Yazoo Basin:				
Sardis Reservoir	50,000		50,000	
Enid Reservoir	50,000		50,000	
Arkabutla Reservoir	70,000		70,000	
Grenada Reservoir	30,000		30,000	
Auxiliary channels	1,075,000		1,175,000	
Main stem	750,000		750,000	
Tributaries	125,000		125,000	
Big Sunflower River, etc	1,400,000		1,400,000	
Yazoo backwater	0		50,000	
Atchafalaya Basin	5,290,000		6,095,000	
Lake Pontchartrain	500,000		600,000	
Total, construction and planning	50,890,000		54,555,000	167,000
3. Maintenance	17,000,000		17,500,000	
Reduction for anticipated savings and slippages			−1,500,000	
Grand total	68,000,000		70,839,500	

TITLE II—DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

General Investigations

Amendment No. 8: Appropriates $4,788,710 instead of $4,349,261 as proposed by the House and $5,390,000 as proposed by the Senate. The increase above the House figure is distributed as follows:

Chehalis River Basin, Washington	$66,500
Lahontan Basin, California-Nevada	1,949
General Planning Studies	81,000
Salt Fork and Prairie Dog Town Fork of the Red River Survey, Texas	90,000
Fish and Wildlife Studies	200,000

Amendment No. 9: Provides that $3,838,710 of the funds appropriated for General Investigations shall be derived from the reclamation fund instead of $3,349,261 as proposed by the House and $4,190,000 as proposed by the Senate.

Amendment No. 10: Reported in disagreement.

Construction and Rehabilitation

Amendment No. 11: Appropriates $135,862,739 instead of $128,473,239 as proposed by the House and $142,346,000 as proposed by the Senate. The conferees are in agreement that the funds provided in this item are to be allocated to projects and activities as shown in the following tabulation:

State and project	Budget estimate	Conference allowance
Arizona:		
Gila project	$1,139,000	$3,449,000
Colorado River front work and levee system		450,000
Parker-Davis project	400,000	400,000
Boulder Canyon project	2,900,000	2,900,000
California:		
Central Valley project	42,500,000	44,565,000
Klamath project. (See Oregon.)		
Parker-Davis project. (See Arizona.)		
Solano project	307,000	307,000
Ventura River project	392,000	392,000
Washoe project. (See Nevada.)		
Colorado: Collbran project	4,500,000	4,500,000
Idaho:		
Little Wood River project	673,618	673,618
Minidoka project, north side pumping division	850,000	850,000
Palisades project, Burns Creek Dam and powerplant		500,000
Montana: Fort Peck project	2,902,000	2,902,000
Nevada:		
Boulder Canyon project. (See Arizona.)		
Parker-Davis project. (See Arizona.)		
Washoe project	1,600,000	1,000,000
New Mexico:		
McMillan Delta project	100,000	100,000
Middle Rio Grande project	1,400,000	1,800,000
North Dakota: Fort Peck project. (See Montana.)		
Oklahoma: Washita Basin project	10,100,000	10,100,000
Oregon:		
Crooked River project	2,833,000	2,833,000
Klamath project	522,000	522,000
Rogue River Basin project, Talent division	2,747,788	2,747,788
Wapinitia project, Juniper division	39,700	39,700
Texas:		
Lower Rio Grande project, Mercedes division	1,500,000	1,500,000
San Angelo project	4,000,000	4,000,000
Utah:		
Provo River project	632,000	632,000
Weber Basin project	5,835,000	5,835,000
Washington:		
Columbia Basin project	$8,000,000	$8,000,000
Chief Joseph Dam, Greater Wenatchee division		500,000
Wyoming: Shoshone project	110,000	110,000
Drainage and minor construction	937,000	962,000
Rehabilitation and betterment of existing projects	3,500,000	3,500,000
Subtotal (exclusive of Missouri River Basin)	100,420,106	106,070,106
MISSOURI RIVER BASIN PROJECT		
Kansas:		
Bostwick division. (See Nebraska.)		
Cedar Bluff unit		400,000
Webster unit	3,115,000	3,115,000
Montana:		
East Bench unit		1,000,000
Helena Valley unit	2,182,000	2,182,000
Nebraska:		
Aimsworth unit	2,000,000	
Bostwick division	2,338,000	2,338,000
Farwell unit	3,000,000	3,000,000
Frenchman-Cambridge division	4,076,035	4,601,035
Red Willow Dam and Reservoir (included in Frenchman-Cambridge division)		(525,000)
Wyoming:		
Glendo unit	2,118,000	2,118,000
Owl Creek unit	1,007,859	1,007,859
Transmission division	15,508,000	15,334,000
Drainage and minor construction	645,000	645,000
Investigations	2,000,000	1,875,000
Other Department of the Interior agencies	3,000,000	2,692,500
Subtotal, Missouri River Basin project	40,989,894	40,308,394
Grand total, construction and rehabilitation	141,410,000	146,378,500
Reduction for anticipated savings and slippages	6,000,000	10,515,761
Total appropriation	135,410,000	135,862,739

The increase above the House figure for the Central Valley project is for design and construction of Trinity River Division power facilities.

The conferees of both Houses are in agreement that the funds provided for the Columbia Basin project are to be allocated to the various features and divisions of the project as set out in the justifications.

Funds provided for the Palisades project-Burns Creek Dam and powerplant are to be available only on authorization of the project.

The conferees are in agreement that no part of the funds provided for construction of the drainage facilities within the Wellton-Mohawk Irrigation and Drainage District (Gila project) and the drainage facility from the western boundary of that district to the Colorado River (Colorado River front work and levee system) shall be obligated until that district and each of the downstream irrigation districts which will benefit by construction of the latter facility shall agree to reimburse the Bureau annually for its proportionate share of the cost of operation and maintenance of that facility. If the benefiting districts downstream from the Wellton-Mohawk Irrigation and Drainage District shall not have entered into such an agreement by November 15, 1959, the Bureau may then obligate funds for the construction of the drainage facility within the Wellton-Mohawk District.

Funds provided for the transmission division of the Missouri River Basin project include $800,000 for the design and construction of transmission lines in western Iowa from Sioux City to Spencer and from Sioux City to Creston. Funds for these lines were included in both the House and Senate versions of the bill and it is intended that they be federally constructed, in lieu of the execution of a wheeling contract.

The increase above the House figure for General Investigtations Missouri River Basin project is for the Garrison Diversion Unit.

Amendment No. 12: Provides that $95,000,000 of the funds provided under the Construction and Rehabilitation heading shall be derived from the reclamation fund as proposed by the Senate instead of $93,774,000 as proposed by the House.

Amendment No. 13: Reported in disagreement.

Loan Program

Amendment No. 14: Appropriates $6,236,500 as proposed by the Senate instead of $7,237,000 as proposed by the House. The conferees are in agreement that the loan funds provided under this heading are to be allocated as follows:

Organization	Loan	Total appropriation requirement	Fiscal year requirement if financed on annual basis		
			Fiscal year 1960	Fiscal year 1961	Fiscal year 1962
Public Law 130, requirement completed:					
Chowchilla Water District, California	$2,650,000	$2,633,000	$910,000	$1,723,000	0
Saucelito Irrigation District, California	4,650,000	4,384,000	1,350,000	3,009,000	$25,000
Public Law 984, 60-day requirement completed:					
Santa Ynez River Water Conservation District, California	3,800,000	3,774,000	1,320,000	2,454,000	0
Centerville-Deuel Creek Irrigation Co., Utah	402,000	399,500	399,500	0	0
Pleasant Valley County Water District, California	2,040,000	2,032,000	390,000	1,642,000	0
Georgetown Divide Public Utility District, California	3,878,000	3,867,000	1,647,000	2,220,000	0
Total requirements	17,420,000	17,089,500	6,016,500	11,048,000	25,000

Amendment No. 15: Reported in disagreement.

Upper Colorado River Basin Fund

Amendment No. 16: Appropriates $76,369,000 as proposed by the Senate instead of $79,819,000 as proposed by the House. The conferees are in agreement that the funds provided under this heading are to be allocated as set out in the following tabulation:

State and project	Budget program	Recommended program
COLORADO RIVER STORAGE PROJECT		
Arizona: Glen Canyon unit	$47,367,000	$47,367,000
New Mexico: Navajo unit	9,945,000	9,945,000
Utah: Flaming Gorge unit	13,000,000	13,000,000
Transmission division	720,000	720,000
PARTICIPATING PROJECTS		
Colorado:		
Paonia project	3,185,000	3,185,000
Smith Fork project	----------	500,000
New Mexico: Hammond project	----------	500,000
Utah: Central Utah project, Vernal unit	2,000,000	2,000,000
Wyoming: Seedskadee project	----------	1,354,000
Advance planning	818,000	818,000
Total program	77,035,000	79,389,000
Reduction for anticipated savings and slippages	----------	3,020,000
Appropriation	77,035,000	76,369,000

Bonneville Power Administration

Amendment No. 17: Appropriates $22,000,000 as proposed by the Senate instead of $22,332,000 as proposed by the House. The conferees of both houses are in agreement that none of the $1,055,000 provided for the Harney Electric Cooperative Service shall be obligated until the Harney Electric Cooperative Service has met the conditions imposed by the Rural Electrification Administration in the Loan Document of June 29, 1959.

TITLE III—INDEPENDENT OFFICES

Tennessee Valley Authority

Payment to Tennessee Valley Authority Fund

Amendment No. 18: Appropriates $15,286,000 as proposed by the House instead of $16,286,000 as proposed by the Senate.

CLARENCE CANNON,
LOUIS C. RABAUT,
MICHAEL J. KIRWAN,
BEN F. JENSEN,
Managers on the Part of the House.

Mr. CANNON. Mr. Speaker, before I move the previous question on the conference report, I should like to ask the gentleman from New York [Mr. TABER] and the gentleman from Iowa [Mr. JENSEN] if they prefer to discuss the conference report or if they prefer to speak on the subsequent motions?

Mr. TABER. I should prefer to speak on the conference report.

Mr. JENSEN. Are we going to have 30 minutes on each side on this?

Mr. CANNON. Under the rule, we have 1 hour.

Mr. FALLON. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield.

Mr. FALLON. Mr. Speaker, I am informed that I was not recorded on the last rollcall. I was present and voted "yea." I ask unanimous consent that the rollcall be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. CANNON. Mr. Speaker, the conference report which we submit calls for a larger amount than the similar bill called for last year. This year the amount is $1,206,728,549. Last year it was $70,245,264 less than it is this year. But, Mr. Speaker, the budget estimate received from the President is higher this year than it was last year by almost $100 million. The budget estimate received this year is $1,176,677,000. The budget estimate received last year was $1,077,356,000.

The bill as the House passed it totaled $1,177,177,000. The bill as the Senate passed it was $1,256,836,300. The conference figure is $29,571,549 above the House bill total but $50,087,751 below the Senate figure.

The Senate added 30 new construction starts with a total future commitment of $586 million. Fifteen of these were deleted in conference and the remaining 15 represent a future commitment of only $126 million.

In total, the conference bill includes 52 new construction starts and a net future commitment of $482 million or less than 10 percent above the future commitment on projects included in the budget.

Mr. Speaker, I now yield 15 minutes to the ranking minority Member, the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, as this bill came to the House floor from the Committee for Public Works Appropriations, we were exactly on the budget figures. A small amount was added on the House floor, but it was rather inconsequential. The bill, as passed by the other body, included a number of unbudgeted items as did the House bill. The other body added almost $80 million to the House figure. The House conferees by holding out for the House figures were successful finally in reducing the Senate figures by $50,087,751. So the conference report

comes back to the House today $50,087,751 below the Senate figure, and $29,571,549 above the House figure, as passed by the House of Representatives originally.

This public works bill covers all irrigation, reclamation, hydroelectric power, transmission lines, and the deepening of our harbors on the seacoast as well as the deepening and broadening of channels in the interior streams of our Nation, and for flood-control projects. We have not gone hog wild in appropriating for these many projects which are so essential to the conservation of our natural resources, our soil and precious water, which in some parts of our country is known as liquid gold.

Congress has been about as conservative in appropriating money for all these public works for America as it could properly be. There are, of course, some projects I would not have included in this bill; but, generally speaking, this bill is a good bill; it is for America and America only every dime appropriated in this bill.

I have served on this committee for many years. It is an interesting committee on which to serve because one learns so much about the problems of the people in every section of America.

Mr. Speaker, I yield 10 minutes to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Speaker, because of the limitation of time I will say at the outset that I must respectfully decline to yield until I have concluded my statement.

Mr. Speaker, I earnestly solicit the attention of Representatives of big cities in particular, of Members from Maine, Pennsylvania, Iowa, Illinois, Texas, Minnesota, Wisconsin, Louisiana, and all points in between. In fact I would like to speak to every Member of Congress except those representing 7 percent of the people of the State of California.

This conference report contains a $310 million giveaway. A giveaway of money by all taxpayers across this land to a small number of citizens in northern California. I refer to the $2½ million item calling for all Federal construction of the powerplants in the Trinity project in northern California. This $2½ million is the fingernail in the public cash register which will soon be plunged to arm's length for a giveaway of $310 million—a giveaway to 7 percent of California at the expense of your constituents.

The Pacific Gas & Electric Co. has offered to build these powerplants with $60 million of its own funds, not public funds, and will pay $4½ million each year for use of the falling water from Trinity, and it will agree to sell it back any time the Federal Government needs the power for its own use. The Secretary of Interior has recommended this partnership as being in the best interests of the taxpayers.

I do not urge defeat of this conference report because of a philosophical opposition to Federal power. On the contrary I will support Federal power when it is in the public interest.

All Federal construction at Trinity is not in the public interest.

First of all the Central Valley project surplus will be $175 million lower if Trinity is constructed as an all-Federal project. Testimony has been presented which states that the cost of generating Federal Trinity power will be 7.2 to 8.9 mills. It is also an accepted fact that a large portion of the power generated, 81 percent if present policy is continued, would go to the Sacramento Municipal Utility District at a price of 4.5 mills. We are building a power project to sell power below cost, maybe half what it costs. The argument that Trinity losses will be absorbed by other units of the Central Valley project and still leave a surplus in the fund has no validity. Can you imagine a decision by a chain store executive to add a new and unprofitable store to his chain on the grounds that those already in existence could absorb the loss and still leave a profit? This loss in surplus can only come from the pockets of water users in the Central Valley project area.

Secondly, all Federal construction will deny the Federal Treasury $83 million in taxes which would be paid by P.G. & E. Certainly the cost of Government is not going down in the near future and the need for Federal revenue will not decrease. This means that the $83 million loss in taxes will be borne by taxpayers all over the country.

The abovementioned losses are losses to the general public. They are losses of water users, local taxpayers, and Federal taxpayers everywhere. And who will get the benefit? For one, the Sacramento Municipal Utility District will get a handout of millions of dollars—paid for by the farmer in the Central Valley, the automobile worker in Detroit, along with the butcher, baker, and candlestick maker in every city and town across the Nation. We cannot serve the general public interest by subsidizing a very few at the expense of many.

Mr. Speaker, I am a strong believer in the reclamation program. I do not take a back seat to anyone in my support of reclamation projects. I believe the spirit of the reclamation law, and probably the letter of the law, is to dedicate power revenues to repayment of the costs of reclamation projects. Its primary purpose is not to provide cheap public power to private consumers. Federal construction would take project revenues away from general public beneficiaries as the original law intended and give it to a relatively small number of private and business consumers. If the purpose of this Congress is to provide cheap Federal and subsidized power to private consumers then let us say so. Let us not engage in subterfuge. Let us have the courage to change the reclamation law and give private consumers of power higher priority than the reclaimers and irrigators of land. If this is to be a policy let us so state it.

Senator THOMAS H. KUCHEL has said in the CONGRESSIONAL RECORD that more than $800 million will be needed to complete presently authorized reclamation projects in California. The rest of the Nation has been good to California. In this public works appropriation bill California will receive more than $40 million, or over 30 percent of the total allocated to all reclamation States. In the face of our future needs, which are so urgent, is it right that California should ask the Nation to spend $60 million on a Trinity powerplant which it does not have to spend? In all, Federal Trinity will require more than an additional $25 million in each of the next 2 years from the rest of the Nation. Since the supply of Federal money is limited these unnecessary millions must mean one of two things: Either California must get a larger share or some of the scheduled projects must be delayed. Mr. Speaker, there is too much reclamation work that needs doing for us to spend $60 million when it is not necessary.

Some may argue that Trinity power is needed for Federal installations. This argument is not valid since the private utility company has agreed to the right of the Federal Government to recapture Trinity power facilities in the future should they ever be needed for project pumping or for any other purpose.

There is also the argument that partnership would force the Government to pay more for its own power needs. The Secretary of Interior has testified that even after this increase is taken into consideration the partnership balance sheet still shows a credit. Let us not delude ourselves into thinking we are saving money in one pocket with lower Federal power rates by taking more out of the other pocket in lowered Federal revenue. We will never find a foolproof means of robbing Peter to pay Paul.

Mr. Speaker, we are all concerned about our debt limit and the financial crisis facing us as a Nation. If we allow all Federal construction we will lose the revenues I have previously mentioned. We will increase expenditure by $60 million at a time when we are concerned with cutting expenditures. Let us not forget the Public Works projects, not only in California but in all of the other States, which must be built in the future. Let us not rob the revenues which can build those projects or spend money now which need not be spent. Let us think of the general public interest and not the interests of a few.

Trinity partnership is in the general public interest. I urge that this conference report be rejected. If we vote in the general public interest it will be.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from Iowa.

Mr. JENSEN. I want to compliment the gentleman on his statement. The gentleman, I think, knows that this is one item in the bill that I have opposed with all my strength, for certainly it cannot be justified by any stretch of the imagination. We could take these many millions of dollars that is proposed to spend for this Trinity powerplant and use it for many other things that we need badly for America. For instance, we need more funds for flood control in many areas of our country, but so long as we spend so recklessly for such unjustified projects as Trinity, other much needed projects will suffer.

The SPEAKER. The time of the gentleman from California has expired.

Mr. CANNON. Mr. Speaker, we are having a unique experience here this afternoon. For the first time within my recollection the gentleman from California objects to spending money in California.

This is an old, old fallacy that is so assiduously circulated that the Federal Government is paying for all these improvements, for all these advantages. Public power has made America great. The taxpayers, he says, are paying for it. Mr. Speaker, the taxpayer does not pay one penny. Every dollar of it is paid back with interest. I think that it speaks for itself. The only opportunity that we have of using these sites which nature has given us, of utilizing the resources which nature has provided, is through this bill. If the Federal Government does not build these plants and supply this power it will not be installed, it will not be available at a time when there is an ever-increasing demand for power for the industrial development of this Nation.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. FEIGHAN].

Mr. FEIGHAN. Mr. Speaker, I would like to direct the attention of the distinguished chairman of the committee and members to the deletion by the conference committee of $200,000 which was allocated for planning of Erie Railroad Bridge No. 19 on the Cuyahoga River, which is slightly south of Cleveland Harbor. That is one of the seven bridges that have been obstructing navigation in the Cuyahoga River. Six bridges have been satisfactorily reconstructed. The city of Cleveland money and other non-Federal funds have contributed over $25 million of the total expenditure of $50 million. Now, this bridge is the last obstruction on the river. Replacement of the bridge which will remove this obstruction will enable the larger vessels that will be plying trade on the St. Lawrence Seaway to navigate the river. I hope the gentleman can assure us that there will be an effort made to restore that money next year so that planning for the bridge may be initiated and completed. This bridge will cost over $9 million. More than half of it, of course, will be paid by the city of Cleveland and other non-Federal contributors.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Ohio [Mr. KIRWAN], who is probably as familiar with that situation as anyone in the Congress or the Nation, to answer.

Mr. KIRWAN. There was no budget estimate for this item and when the bill passed the House there was no money in the bill for the project. The other body inserted in the bill $200,000 for planning. I know that the gentleman in the well of the House as well as the other Congressmen were for this project and always have been for it. I know it is not proper to speak about a Member of the other body, but when this bill was being considered in the Senate, the senior Senator from Ohio voted to recommit it. So as long as he votes to recommit the bill to cut it back to the budget figure, Cleveland is going to have difficulty getting this project without a budget estimate.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Speaker, I want to say that I concur with my colleague, the gentleman from Ohio [Mr. FEIGHAN], on this plea for $200,000 for planning money. The gentleman from Ohio [Mr. FEIGHAN] and I appeared before the Appropriations Committees of the House and Senate urging inclusion of this planning money. The item was stricken out. It is very important to remove this bridge, which is a very dangerous impediment to navigation. I just want to say that I regret the circumstances under which this deletion came about, and I hope that your committee will look with favor on this program next year.

Mr. KIRWAN. Not unless the gentleman over there looks with more favor upon appropriations for a public works program.

Mr. VANIK. I want to say in reply to that that I hope that our community can become united on this matter to the end that impediments to navigation may be removed, so that our city may keep pace with the other Great Lakes cities in connection with the commerce that is coming on the seaway.

Mr. KIRWAN. I say that there is no finer city on earth than Cleveland, Ohio. I am for Cleveland. I am for both of the Members here who are doing such an excellent job and making every effort to have this item included. But I again say that Cleveland will have difficulty without a budget request as long as the Senator votes to recommit the bill as he did this year.

Mr. VANIK. The gentleman may be assured that the two Members of the House to whom he has referred who have just spoken, are going to try to do everything they can for this project.

Mr. KIRWAN. I shall be happy to help Cleveland and the two Members I have referred to.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman for New York [Mr. TABER].

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. GOODELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD immediately following the remarks of the gentleman from New York [Mr. TABER].

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, frankly, I am opposed to this bill. I am not going to ask for a rollcall on it because I recognize the temper of the House. There are a lot of things in it that are not good; they start projects above the budget and projects are started that have had no budget estimate.

We have gotten to the point where the appropriations on this bill run away up into quite considerable figures; $668 million for regular rivers and harbors and flood control operations; $70,800,000 for the lower Mississippi; $135,862,000 for reclamation.

The whole picture of appropriating money year after year has gotten to the point where it is a menace to the finances of the Government.

The gentleman from California spoke about an item of $2,425,000 to build a powerplant at the Trinity River. There they had the law rigged in such a way that it will cost them, according to Secretary Seaton in his testimony before the House Committee on Interior and Insular Affairs, 8.9 mills to produce; and they will sell it to so-called preferred customers for 4.5 mills. That is a nice kind of project for which to appropriate money. Waterpower is not an asset if you cannot harness it and have it produce electricity so that it can compete with other power producers and compete properly. For that reason I do not like that project. I hope before the next year rolls around that we will be able to get things organized so that we will cease to bring in programs of that kind, and we will be able to help in some way to balance the budget instead of running over the budget all the time.

Mr. GOODELL. Mr. Speaker, I rise in opposition to the final commitment in this conference report to construct the Allegheny River Reservoir, commonly known as the Kinzua Dam. I would like to express my views on this decision of the House-Senate conference committee on public works appropriations. That committee has decided to discard the language of the House bill which would call for an independent study of the Kinzua Dam project on the Allegheny River, located substantially within my 43d District of New York, before any further money is expended on said project. The Senate version of the same bill provided for funds which would provide the means to begin construction of the Kinzua Dam immediately upon approval.

Since the original authorization of the Kinzua Dam, Dr. Arthur E. Morgan, former Chief Engineer for the Tennessee Valley Authority, has submitted several long reports which cast considerable doubt on the advisability of the Federal Government proceeding further with the Kinzua Dam project without further study. Dr. Morgan, after careful study, has suggested a possible alternative to the Kinzua Dam—a dam to be located in the Conewango Valley of New York.

In summary, Dr. Morgan alleges the following advantages of his proposed project over the Kinzua Dam:

First. The Conewango project would protect Pittsburgh, Warren, and other Pennsylvania cities from floods from the upper Conewango Creek as well as the Allegheny River. The Kinzua Dam would not affect the upper Conewango.

Second. The Conewango project would provide three times as much water storage as the Kinzua project.

Third. The Conewango project would be cheaper than the Kinzua project.

Fourth. The Conewango project would be simpler to construct and would take 2 years less to complete than the Kinzua project.

Fifth. The Conewango project would amply protect against 2½ to 3 times as much floodwater as the Kinzua, while

the Kinzua project would protect Pennsylvania cities against only half the maximum probable flood.

Sixth. The Conewango project would create a permanent lake 28 square miles in area with a variation in water level of 10 to 20 feet from high water to low water. The Kinzua project would create a lake 4 square miles in area with a fluctuation in water level of 80 to 100 feet.

At this stage I do not feel that a fair comparison of these two projects can be made, since the recommendations and conclusions of Dr. Morgan differ radically from those of the Army Corps of Engineers. However, most of the crucial statements made in Dr. Morgan's reports are apparently uncontradicted by the Army Engineers.

It is contended that an independent study, made by the Tippetts-Abbett-McCarthy-Stratton engineering firm of New York City, is sufficient. It would appear from the reports that the Tippetts firm did not direct its attention or study to most of the key points now at issue. In the words of Dr. Morgan:

> The Conewango-Cattaraugus site is a rare occurrence in nature. Being out of the ordinary and unexpected, it is not surprising that the possibility was overlooked. * * * I have dealt with this situation from the background of more than 50 years of almost uninterrupted experience with water control projects. Incidentally, several of my most striking successes have resulted from a persistent policy of overall exploration of situations in search of unexpected possibilities which conventional or routine engineering had overlooked. At this late date I would not risk my professional reputation on an irresponsible venture. I am thoroughly convinced that my conclusions are sound.

I am convinced that the independent study made by the Tippetts-Abbett-McCarthy-Stratton engineering firm of New York City did not adequately consider many of the factors which have been raised by a highly qualified engineer.

The Congress is here providing funds for a project which will cost more than $100 million before completion. At stake is the protection of the Pennsylvania communities from flood danger, an objective I wholeheartedly endorse.

The spending of this amount without a complete analysis causes me to rise to object to this portion of the bill now. No layman can, at this time, decide on the merits of either proposal, with the information at hand. I do not support either the Kinzua or the Conewango proposals. It is for exactly those reasons that I submit that further study is needed.

We are faced here with an example of the fast spending to be universally decried in all branches of the Government. It is an example of inefficient wrongheaded spending. We should have the real, reliable facts before undertaking this project or the Conewango project or any other project. I therefore strenuously object to the overhasty action of the conference committee, particularly the Senate Members, in approving this item in the public works appropriations for 1960.

Mr. CANNON. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, as chairman of the House Committee on Interior and Insular Affairs, I wish to thank all of the members of the great Committee on Appropriations for the fine and much appreciated consideration they have given to the reclamation program in the last 2 years. A year ago, nine new starts were authorized. Most of them are under construction at the present time. In this appropriation bill, six new starts are authorized and one other has received a conditional appropriation of funds. I think that such attention is a fine record of an understanding and friendly position taken by our Committee on Appropriations. I thank them and commend them on their favorable decisions.

But, Mr. Speaker, it is a keen and personal disappointment to me that the conference committee on the public works appropriation bill has deleted the $1 million which the Senate added for initiating construction of the Curecanti unit of the Colorado River storage project. As I pointed out and emphasized to the House Appropriations Subcommittee on Public Works when I appeared before it in May, the Curecanti storage unit is an important and necessary part of the plan of development for the Upper Colorado River Basin water resources. It was authorized along with the Glen Canyon, Flaming Gorge, and Navajo units in 1956, and construction should have been underway by now.

Because plans for the Curecanti unit were not entirely firm at the time of authorization of the Colorado River storage project, construction of the unit was made subject to a certification by the Secretary of the Interior with respect to its feasibility. A little history contributing to this situation is of interest. In 1950 the Department of the Interior recommended, in its feasibilty report, a single reservoir on the Gunnison River with a capacity of 2,500,000 acre-feet which would back water to within 1 mile of Gunnison, Colo. This was not agreeable to the local people and was rejected by the State. At the suggestion of the State, consideration was then given, in 1953, to a 940,000 acre-foot reservoir. Feasibility studies of this proposal led to consideration of two-dam and three-dam plans. These plans were still under study in 1956 when the Colorado River storage project was authorized and this explains why construction of the Curecanti unit was made subject to a certification by the Secretary of the Interior with respect to feasibility.

It is my personal feeling that the Department of the Interior might have moved more expeditiously in the preparation of the required feasibility report. Such report with the Secretary's certification was not submitted to Congress until July 14, 1959, less than a month ago. The final plan for the Curecanti unit calls for the construction of two dams with a total capacity of 1,030,000 acre-feet and installed powerplant capacity of about 100,000 kilowatts. The Secretary of the Interior certified that the benefits from this plan would exceed its cost and that construction of the unit could be undertaken. I recognize that the required certification by the Secretary had not been made at the time the House Appropriations Committee considered the fiscal year 1960 appropriation bill. Further, I am fully aware of the fact that the 1960 budget submitted by the administration included no funds for the Curecanti unit. I went into these procedural difficulties fully with the subcommittee. Certainly, the fact that all legal requirements had not been met at that time made it difficult for the House Appropriation Committee to include construction funds. However, since the required feasibility certification was made subsequent to House action on the bill and, as a result, funds were added by the Senate, it had been my hope—and I endeavored to develop such hope to reality—that the funds could be retained. I regret that the conference committee decided otherwise.

Work on the Curecanti unit, for all practical purposes, is now at a standstill. If I am advised correctly, the need now is for construction funds in order to proceed with the final designs and specifications. I certainly hope that the Department of the Interior, working with the Bureau of the Budget, will submit to the Congress a request for a supplemental appropriation for the Curecanti unit so that the Appropriations Committees may consider this matter again early next year. Such early consideration would permit constructive attention to this worthwhile and badly needed project during fiscal year 1960. If funds are not made available through a supplemental appropriation, certainly the regular fiscal year 1961 budget should not fail to include an administration recommendation for funds for the Curecanti unit. I am most appreciative to the committee for a small amount of construction funds to get the small but important Smith Fork participating project under way.

Mr. JOHNSON of California. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield.

Mr. JOHNSON of California. Mr. Speaker, I sincerely hope the House will see fit to adopt the public works appropriations conference report.

There are a number of items of interest to my district contained in the bill, but the one I want to emphasize at this time is the $2,415,000 provision to initiate the power facilities on the Trinity Dam project, a unit of the Central Valley project.

The proposition as to how the power should be developed has been under discussion for some time. Those of us who believe the multipurpose dam should be put to its maximum use for the greatest benefit of the taxpayers have always advocated that the Government should construct and operate the power features. The Pacific Gas & Electric Co., which operates in northern California, advocated that a partnership plan be worked out whereby the taxpayers pay for the construction of the dam, but the utility company be permitted to construct and operate the power facilities through the purchase of falling water.

Legislation in behalf of the partnership proposal has been turned down twice

by the House Interior Committee. First in 1958, and again just the other day. I think that this shows once and for all that the issue is dead and need not be held important in considering the item in the bill under consideration today.

If there is any doubt in the minds of my colleagues it should be pointed out that Federal development of power has the endorsement of our two U.S. Senators, the Governor, and State legislature.

In appearing before the Appropriations Subcommittee I pointed out that construction of Trinity Dam is running ahead of schedule and that unless planning, designing, and actual construction of the power facilities do not keep pace it will mean a loss to the Government of about $5.5 million in power revenues for each year the power features are delayed.

I am happy the conference committee agreed that the power development should keep pace with the overall construction of the Trinity diversion project by recommending this $2,415,000 item, and I hope the conference report will be adopted.

Mr. ASPINALL. Mr. Speaker, may I say to my colleagues of the House that the power project at Trinity Dam is a good project and it will not cost the Federal Government what it has been stated on the floor of the House it will cost. I have supported the Federal installation and operation of the power facilities of the Trinity unit of the Central Valley project because I do not wish to see this great integrated project in the Sacramento and San Joaquin Valleys of California dismembered and partitioned. I sincerely believe that this particular unit of the whole project is necessary to carry out the plans of the originators of this great reclamation development. I am glad to see that the House Committee on Appropriations has made provision for the start of construction of the generating facilities which will provide for the repayment of the cost of construction of the Trinity Dam and related facilities and at the same time furnish much needed power to the people of that area.

Mr. CANNON. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. GRAY].

Mr. GRAY. Mr. Speaker, I take this time to inform the Members of the House of a very serious injustice done to the people of southern Illinois and the Nation in deleting funds with which to continue a study of the Big Muddy River and Beaucoup Creek canalization project. A $30,000 item was requested in the budget for this study and was deleted by the committee. I am not here to blame any one person because I am certain that someone has received erroneous information.

Under the rules of the House, I will be unable, of course, to offer an amendment to this conference report. However, I want to clear up the record as far as this project is concerned because I am sure these funds will be restored next year.

The committee report gives the following reasons for deleting the funds:

> This project was one previously found unfeasible, the water supply of the stream is inadequate to support navigation, and the committee is of the opinion that navigation will never be so badly needed that it has to be provided with supplemental water by pumping or other means.

Mr. Speaker, the language contained in this report is completely erroneous. First, the present survey under way on the Big Muddy River and Beaucoup Creek is in no way similar to the 1933 survey made that was found unfeasible and referred to in the report. The 1933 survey was on 35 miles of the lower reaches of the river and did not take into account the billions of tons of coal deposits that are presently landlocked and for which we are now surveying 66 miles of the Big Muddy River. Furthermore I am amazed at the action of the committee in trying to pass judgment on the merits or demerits of a project before the Army Corps of Engineers are halfway through with a full scale study. This certainly is not the long-established procedure of Congress.

The Committee on Public Works of which I am a member approved a survey of this project. The Committee on Appropriations last year allowed my request for $120,000 to begin a full scale survey of this project and the Engineers and the Bureau of the Budget asked for $30,000 with which to continue work for fiscal 1960 and now we have this committee taking this unusual action of stopping a meritorious project in the middle of a survey. This action reminds me of the fellow who was going to swim across a lake a mile wide and when he reached within 10 yards of the opposite shore he decided he could not make it and turned around and swam back.

That is exactly what has happened here. We have spent over $120,000 of the taxpayers' money to seek valuable information and now the committee wants to lose that amount of time and money by not providing the remainder of the funds needed. As to whether or not this is a feasible project let us turn to the record. I quote from the official report of the Army Corps of Engineers dated April 29, 1958, not in 1933. This report was made under the old procedure of making a preliminary examination report before proceeding with a full-scale study. The preliminary report was ruled upon by not only the Chief of the Army Corps of Engineers but also the Board of Engineers for Rivers and Harbors composed of division engineers. The report is as follows:

> The Board recommends that a survey of Big Muddy River and Beaucoup Creek be accomplished to determine the best plan for improvement in the interest of navigation, the advisability of its accomplishment, and the local cooperaton which should be required.

Mr. Speaker, this action came after a preliminary examination and close scrutiny of this project by the top engineering minds of the country, therefore, with all due respect to the distinguished members of this committee I cannot understand for the life of me, why they would want to pass judgment on a project before a report has been half way completed. I again remind you that this is a 1958 report on a completely different project than the one referred to by the gentleman from New York [Mr. TABER] in the hearings. He referred to a 1933 report on a completely different type project, and has no bearing on the intended purpose of providing navigation for our billions of tons of high quality coal that is presently land locked. This is a very meritorious case and by all means is certainly worthy a report to determine once and for all whether or not there is a favorable cost benefit ratio. I do not believe it is fair for the committee to call the baby unfair names before it is even born.

Mr. Speaker, since the funds were deleted by the committee I went to the Senate and requested the Senate Appropriations Committee to restore this item. I quote from the Senate hearings on pages 3122 and 3123 when Senator ELLENDER asked General Person about the Big Muddy and Beaucoup projects. Senator ELLENDER said:

> General, the House committee in its consideration of the bill specifically eliminated certain surveys included in the budget estimates. Would you furnish for the record at this point statements with respect to such investigations?

The first statement submitted for the record was the Big Muddy project. Here is what General Person told the committee just a few weeks ago:

> The investigation thus far indicates that prospects of engineeringly and economically feasible navigation project on the river are sufficiently favorable.

In addition to the above, Mr. Speaker, General Person went on to point out in his testimony that the Big Muddy survey and the Kaskaskia River basin are contiguous and navigation improvements on either river would serve adjoining and overlapping coalfields. Therefore, it is wise to make the two surveys concurrently, in order to determine which project is warranted. It would not be feasible to improve both channels, therefore it is imperative that funds be allowed to continue the Big Muddy survey in order to determine which of these plans is the better. Funds have been spent for both Big Muddy and Kaskaskia River studies. It makes sense to conclude both studies at the same time in order to save the taxpayers money by approving only the most feasible project.

Mr. Speaker, I have discussed this project with members of the committee and I feel that they are fully aware of the need to complete this study and they have assured me that they will give us a full hearing next year. I am therefore going to vote for the adoption of the conference report and hope that we will be able to get the funds next year.

Mr. CANNON. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Speaker, I hope you paid attention to our colleague, the gentleman from California [Mr. GUBSER] when he spoke about the Trinity project. Members of the House who were here in the 84th Congress will recall the authorization for the Trinity project at which time you were informed that it would be a tremendous project, and that the House was going to get the opportunity to vote on whether or not the

Federal Government would accept an offer to have someone else build these power features. The House never has had that opportunity. Because they have never had that opportunity, this conference report has added the money to build Trinity. I can say to my friends from California, I expect next year to offer as an amendment to the bill for the San Luis project the power features of Trinity, and to bring this matter to the floor and let us have it decided. I might say to my colleague, the gentleman from Colorado, that he has lost two good projects because they have taken the money and given it to California.

Mr. CANNON. Mr. Speaker, I yield 1 minute to the gentleman from Alabama [Mr. ROBERTS].

Mr. ROBERTS. Mr. Speaker, I am very much disappointed that the public works appropriation bill for 1960 as submitted by the conference omits what many of us consider to be one of the single most important items which has been considered.

I refer to the request for $200,000 in planning funds for the Miller's Ferry Lock and Dam on the Alabama River.

Failure of this appropriation to be approved at this time is another setback for those of us who have fought for this item for so long. But more than that, it is a serious shattering of the faith a lot of people have in the Federal Government for this particular project.

This project, a multipurpose dam and locks, was authorized by Congress by the 79th Congress in 1945, 14 long years ago. It along with two other authorized dams on the Alabama River were envisioned by the Corps of Engineers, the 79th Congress, and many people in the South, as an important part in the ultimate development of the Coosa-Alabama Waterway which flows from Rome, Ga., to the Gulf of Mexico.

We were given reason to believe our dreams were worthwhile and soon to be answered.

President Eisenhower in 1955 made mention of the plan for the development of this waterway in his state of the Union message. He called it a partnership project, with private industry and the Federal Government working alongside one another in double harness for the well-being of all concerned.

Private industry has carried its share of the load. On the upper stretches of the waterway, Alabama Power Co. already has embarked on a multimillion dollar dam-building program which will revitalize a large basin in Alabama and Georgia, and which could turn the Coosa-Alabama River valley into an industrial fairyland.

But the Federal Government has fallen down on its pledge.

The Congress authorized the Millers Ferry Dam. It is an important part of the program which has been found to be economically feasible by the Corps of Engineers, who urge that the work on the Alabama River should be done first. Despite this, we have consistently been refused even the barest minimum for planning the construction work which is already authorized.

Of course, I am disheartened. I know the vast potential of the Coosa-Alabama Waterway, the natural and human resources which abound there. I know the industrial, navigational, and recreational opportunities which are being missed every year that this development is not begun.

There were many so-called new starts in this public works appropriation bill, and Millers Ferry was not included, even though the Congress, the Federal Government, and the President have encouraged us to believe it would be done.

I am not giving up the fight. We will come back before Congress again next year, and the next year, and the next year, if necessary, beseeching Congress to fulfill a clear obligation and bring nearer the utilization of the potentialities of the Coosa-Alabama River system.

Mr. CANNON. Mr. Speaker, I would like to call attention to an error in the CONGRESSIONAL RECORD on page 14325 in the manager's statement, the amount shown for "General Investigations of the Bureau of Reclamation—General Planning Studies" should be $81,000 instead of $1,949 as printed. This error does not occur in the official conference report as printed.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 2: Page 3, line 17, insert *"Provided,* That $50,000 of this appropriation shall be transferred to the United States Fish and Wildlife Service for studies, investigations, and reports thereon as required by the Fish and Wildlife Coordination Act of 1958 (72 Stat. 563–565) to provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs of the Department of the Army."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 5: Page 4, after "Reservoir", strike out the balance of line 23 and all of lines 24 and 25 and lines 1 and 2 on page 5, and insert the following: *"Provided further,* That $500,000 of this appropriation shall be transferred to the United States Fish and Wildlife Service for studies, investigations, and reports thereon as required by the Fish and Wildlife Coordination Act of 1958 (72 Stat. 563–565) to provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs of the Department of the Army."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 10: page 8, line 18, insert ": *Provided further,* That $200,000 of this appropriation shall be transferred to the United States Fish and Wildlife Service for studies, investigations, and reports thereon as required by the Fish and Wildlife Coordination Act of 1958 (72 Stat. 563–565) to provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs of the Bureau of Reclamation."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 14: Page 9, line 21, insert *"Provided further,* That not to exceed $25,000 of the funds appropriated in this paragraph shall be available for the construction of safety and public-use facilities at the Alamogordo Dam (Carlsbad project), New Mexico, which shall be nonreimbursable and nonreturnable."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 15: Page 11, line 3, insert ": *Provided,* That any contract under the Act of July 4, 1955 (69 Stat. 244), as amended, not yet approved by the Secretary, which calls for the making of loans beyond the fiscal year in which the contract is entered into shall be made only on the same conditions as those prescribed in section 12 of the Act of August 4, 1939 (53 Stat. 1187, 1197).

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 15, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert ": *Provided,* That any contract under the Act of July 4, 1955 (69 Stat. 244), as amended, not yet executed by the Secretary, which calls for the making of loans beyond the fiscal year in which the contract is entered into shall be made only on the same conditions as those prescribed in section 12 of the Act of August 4, 1939 (53 Stat. 1187, 1197)."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

VETERANS PENSION ACT OF 1959

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7650) to modify the pension programs for veterans of World War I, World War II, and the Korean conflict, and their widows and children, with Senate amendments thereto and concur in Senate amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 12, and disagree to Senate amendment No. 11.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

SENATE AMENDMENTS

1. Page 5, line 1, strike out "column II" and insert "columns II, III, or IV."

2. Page 5, under the heading "Column II" in table insert "One dependent."

3. Page 5, as part of table, insert:

"Column III Two dependents	Column IV Three or more dependents
$95	$100
75	75
45	45"

4. Page 5, line 10, strike out "or 50 per centum."

5. Page 5, lines 10 and 11, strike out ", whichever is the greater".

6. Page 9, after line 17, insert:

"SEC. 6. Section 3203 of title 38, United States Code, is amended (1) by deleting 'pension, compensation, or' wherever it appears in subsections (a)(1) and (b)(1) and inserting in lieu thereof 'compensation or'; (2) by redesignating subsection (d) as '(e)'; and (3) by inserting a new subsection (d), as follows:

"'(d)(1) Where any veteran is being furnished hospital treatment, institutional, or domiciliary care by the Veterans' Administration, no pension in excess of $30 per month shall be paid to or for the veteran for any period after (a) the end of the second full calendar month following the month of admission for treatment or care or (b) readmission for treatment or care within six months following termination of a period of treatment or care of not less than two full calendar months.

"'(2) Where the payment of pension to any veteran is subject to the provisions of paragraph (1) of this subsection the Administrator may apportion and pay to his wife or children the balance of the pension which the veteran would receive but for such paragraph (1).'"

7. Page 9, line 18, strike out "6" and insert "7."

8. Page 10, line 10, strike out "7" and insert "8."

9. Page 10, line 19, strike out "8" and insert "9."

10. Page 11, strike out line 20.

11. Page 11, after line 20, insert:

"SEC. 10. (a) That subchapter I of chapter 19 of title 38 of the United States Code is amended by inserting at the end thereof the following new section:

"'§ 725. Limited period for acquiring insurance.

"'(a) Any person who served on active service (as defined in the National Service Life Insurance Act of 1940, as amended, prior to its repeal) between October 8, 1940, and April 24, 1951, both dates inclusive, shall, subject to the conditions and limitations prescribed in paragraph (2) of section 602(c) of the National Service Life Insurance Act of 1940, as amended, be granted insurance in accordance with the provisions of such paragraph upon application in writing made within one year after the effective date of this Act in the same manner and to the same extent as if such paragraph had not been repealed.

"'(b) Any person heretofore eligible to apply for insurance under section 620 or 621 of the National Service Life Insurance Act of 1940, as amended, shall, upon application made in writing within one year after the effective date of this Act, be granted insurance in accordance with the provisions of section 620 or 621 of such Act, subject to the conditions and limitations of such sections, respectively (other than limitations with respect to the time for filing application), in the same manner and to the same extent as if such sections had not been repealed, except that where application for insurance pursuant to section 621 of such Act is made more than one hundred and twenty days after separation from active service the applicant shall be required to submit evidence satisfactory to the Administrator of good health at the time of such application. Insurance authorized to be granted by this subsection in accordance with the provisions of section 621 of the National Service Life Insurance Act of 1940, as amended (prior to the repeal of such Act), shall be on the limited convertible term or permanent plans of insurance and the premiums shall be based on table X–18 and interest at the rate of 2½ per centum with an additional amount for administrative costs as determined by the Administrator. The Administrator is authorized to transfer annually an amount representing such administrative cost from the revolving fund to the general fund receipts in the Treasury.

"'(c) All premiums paid and other income received on account of national service life insurance granted under the authority contained in subsection (a) shall be segregated in the national service life insurance fund and, together with interest earned thereon, shall be available for the payment of liabilities under such insurance.

"'Notwithstanding the provisions of section 782 of this title the Administrator shall determine annually the administrative costs which in his judgment are properly allocable to such insurance and shall thereupon transfer the amount of such costs from any surplus otherwise available for dividends on such insurance from the national service life insurance fund to the national service life insurance appropriation.'

"(b) The analysis of subchapter I of chapter 19 of title 38 of the United States Code is amended by adding at the end thereof the following:

"'725. Limited period for acquiring insurance.'"

12. Page 11, after line 20, insert:

"SEC. 11. This Act shall take effect on July 1, 1960."

Mr. ROGERS of Colorado. Mr. Speaker, reserving the right to object, is anything available to the Members which would indicate what this is about and what was agreed upon?

Mr. TEAGUE of Texas. Mr. Speaker, I was seeking recognition to ask that further reading of the amendments be dispensed with and that I be given an opportunity to explain the amendments.

Mr. Speaker, there are four amendments which were voted in the other body at the time this bill was passed 86 to 6. Three of those amendments are very minor in nature and one, in my opinion, is a major amendment which would give all World War II veterans an opportunity to reinstate their insurance. That amendment is not germane to the bill we passed here and, in my opinion, should not be included at this time. That is the amendment to which I propose that the House disagree.

Mr. Speaker, the other three amendments are very minor in nature. Two of them will save a little money, one will cost a little money.

The bill as it passed the House would pay a man with an income of $1,000 or less $90 a month. The other body changed that so that if the man had two dependents it would pay him $95; or, if he had more than two dependents, it would pay him $100.

Another amendment that is minor in nature is this: The bill as it passed the House provided that the spouse's income would be counted up to $1,200, or 50 percent of her income. The other body struck out that provision of 50 percent.

Mr. Speaker, the other amendment provides that if a single veteran goes into a Veterans' Administration hospital after 2 months his pension would be reduced to $30 a month with the provision that the Administrator of Veterans' Affairs might apportion that money to his family if the Administrator determined it would be the proper thing to do.

Those are the only changes that were made in the bill as it passed the House.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I yield.

Mr. ADAIR. There has been some question as to the effective date under the proposal as to the widow's equalization feature. Would the gentleman explain to the House what the effective date is now proposed?

Mr. TEAGUE of Texas. The bill as it was reported by the Senate committee provided that the effective date for that section would be 1962. The bill as it passed the Senate yesterday has the same effective date as it passed the House July 1, 1960.

Mr. ADAIR. July 1, 1960?

Mr. TEAGUE of Texas. That is correct.

Mr. ADAIR. If the gentleman will yield further, the minority has been consulted and informed upon this point and are in agreement with the gentleman from Texas.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Do I understand the Senate restored the same rate of pension for ex-servicemen as it left the House?

Mr. TEAGUE of Texas. That is correct.

Mr. ROGERS of Colorado. There is no disagreement as to that?

Mr. TEAGUE of Texas. There is no disagreement.

Mr. ROGERS of Colorado. And the same rate except for two minor exceptions that were made as the gentleman has outlined?

Mr. TEAGUE of Texas. Correct.

Mr. ROGERS of Colorado. However, the effective date as reported by the Finance Committee was July 1, 1962?

Mr. TEAGUE of Texas. For the bill generally it was July 1, 1960; for the widows equalization feature the Senate committee selected the date of July 1, 1962.

Mr. ROGERS of Colorado. You have now modified that to where it is July 1, 1960?

Mr. TEAGUE of Texas. The same as it was when it passed the House. All sections take effect July 1, 1960.

Mr. ROGERS of Colorado. It passed the House with that date?

Mr. TEAGUE of Texas. That is correct.

Mr. ROGERS of Colorado. The widows of World War II and the Korean war are brought in under this bill the same as the widows of World War I?

Mr. TEAGUE of Texas. That is correct. A major part of the first year's cost goes to widows and orphans.

Mr. ROGERS of Colorado. The Senate bill provided that persons who had service life insurance and it lapsed will

have 1 year in which to get it reinstated; is that correct?

Mr. TEAGUE of Texas. That is true. And that is the amendment that I propose the House disagree with.

Mr. ROGERS of Colorado. That is what the gentleman is going to take to conference?

Mr. TEAGUE of Texas. I would hope that this would go back to the other body and it would accept it as we send it back.

Mr. ROGERS of Colorado. The gentleman takes the position that one who had life insurance that has lapsed should not have the privilege of reinstating within a year; is that the question?

Mr. TEAGUE of Texas. I take the position that this amendment is of sufficient importance it should not be included in this pension bill, that it should be considered as a separate bill.

Mr. ROGERS of Colorado. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

VETERANS' LEGISLATION

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, yesterday afternoon I went to the Senate to watch the Senate's action on our House bill, H.R. 7650, and therefore I missed the recorded vote on the Landrum-Griffin amendment, much to my regret. Fortunately I was on the floor to vote against recommitting the labor bill and for the labor bill with that amendment.

I am very glad that the Senate acted on our House bill. I am not quite satisfied with the action that they took, as I hoped for a more liberalized bill, but I think under the circumstances it is the best that could be done with a very involved bill. I hope in the future when we pass veterans' legislation we will pass each individual bill instead of passing a package bill that will give benefits to some and take away benefits from others. In this bill, as it was finally passed and approved by the Senate, in the main, there are a good many benefits. The gentleman from Oklahoma [Mr. KERR] made a masterly presentation of his amendment to H.R. 7650.

HERE ARE THE DIFFERENCES BETWEEN THE HOUSE VERSION OF H.R. 7650, 86TH CONGRESS, AND THE SENATE VERSION

1. Rates for veteran with dependents: In the House bill rates were $90, $75, $45 for a veteran with one or more dependents. In the Senate version the top rate of $90 increased to $95 for two dependents and $100 for three or more dependents. (No change in $75 and $45 rates.)

This is an improvement over the House bill.

2. Spouse's income: House version excludes $1,200, or 50 percent of spouse's income, whichever is greater. Senate version excludes $1,200 only.

This is a Senate limitation.

3. Reduction during hospitalization: (No provision in House version.) Senate version reduces pension to $30 at end of second calendar month after admission to VA hospital; may apportion balance to wife or children. (No lump sum payable on discharge.)

This is a Senate limitation.

4. Insurance: (No provision in House version.) Senate version reopens NSLI program for 1 year: (1) for persons in service between October 8, 1940, and April 24, 1951 (participating insurance); (2) RH insurance (for service-disabled) for persons discharged after April 24, 1951, and before January 1, 1957; (3) RS insurance (nonparticipating insurance) for persons discharged after April 24, 1951, and before January 1, 1957. Except service-disabled insurance, dividends to be reduced and premiums increased to cover administrative expense. Additional VA appropriations required.

Mr. Speaker, I ask unanimous consent that these remarks may be placed in the RECORD following those of the gentleman from Texas [Mr. TEAGUE] at the time he brought up the pension bill.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. The following is a description of the House version of H.R. 7650, with Senate amendments:

NON-SERVICE-CONNECTED PENSIONS, H.R. 7650

Title: An act to modify the pension programs for veterans of World War I, World War II, and the Korean conflict, and their widows and children and their dependents.

Mr. TEAGUE of Texas. Introduced and referred June 10, 1959.

(Matter to be omitted by Senate Committee on Finance is shown in black brackets and new matter added by Senate committee shown in italic.)

1. Provides a sliding scale of pensions based on the income and dependency status of the recipient. Such scale of pension rates applies to veterans, and to widows and children, as indicated below:

VETERAN, NO DEPENDENTS

Annual income		Monthly pension
More than—	But equal to or less than—	
[$600] [1,200]	[$600] [1,200] [1,800]	[$85] [70] [40]

VETERAN, WITH DEPENDENTS

Annual income		Monthly pension		
More than—	But equal to or less than—	Veteran and one dependent	*Veteran and two dependents*	*Veteran and three dependents*
$1,000 2,000	$1,000 2,000 3,000	$90 75 45	*$95* *75* *45*	*$100* *75* *45*

Above rates increased by $70 when veteran needs regular aid and attendance. In addition, for this group the Administrator may furnish an invalid lift. (Invalid lift benefit applies to all wars.)

Widows and children

WIDOW, NO CHILD

Annual income		Monthly pension
More than—	But equal to or less than—	
[$600] [1,200]	[$600] [1,200] [1,800]	[$60] [45] [25]

WIDOW, ONE CHILD [1]

Annual income		Monthly pension
More than—	But equal to or less than—	
$1,000 2,000	$1,000 2,000 3,000	$75 60 40

[1] Plus $15 for each additional child.

NO WIDOW, ONE OR MORE CHILDREN

Annual income equal to or less than (earned income excluded)—	Monthly pension
$1,800	$35 for one child and $15 for each additional child.

2. All income, regardless of source, counts except—

(a) Payments of the 6 months' death gratuity;

(b) Donations from public or private relief or welfare organizations;

(c) Payments by VA of pension, compensation, and dependency and indemnity compensation;

(d) Payments under policies of U.S. Government life insurance or national service life insurance, and payments of servicemen's indemnity;

(e) Lump-sum social security death payments;

(f) Payments to an individual under public or private retirement, annuity, endowment, or similar plans or programs equal to his contributions thereto;

(g) Amounts equal to amounts paid by a widow or child of a deceased veteran for—

(1) his just debts,

(2) the expenses of his last illness, and

(3) the expenses of his burial to the extent such expenses are not reimbursed by VA;

(h) Proceeds of fire insurance policies.

3. The income of the spouse (if not estranged) may count as the veteran's income. In determining annual income, where a veteran is living with his spouse, all income of the spouse which is reasonably available to or for the veteran except $1,200 of such income, shall be considered as the income of the veteran, unless in the judgment of the Administrator to do so would work a hardship upon the veteran.

4. All waived income counts.

5. Discretionary authority for a finding on the net worth of the veteran or the widow or child which could lead to a determination that the applicant is not eligible for pension because of net worth.

6. Places World War II and Korean conflict widows and children on same basis as widows and children of World War I for purposes of pension eligibility.

7. The pension of a veteran being furnished hospital or domiciliary care by the Veterans' Administration will be reduced to $30 a month after the expiration of 2 full

months but the Administrator may apportion to his wife or children the balance of the pension.

8. Under the savings provision, the amendments to title 38, United States Code, will not apply to pensioners on the rolls on the day before the effective date unless they seek and are granted pension under the amended title 38. Thus, no person on the pension rolls on the day before the effective date shall have his pension reduced or shall be removed from the pension rolls because of the enactment. All persons on the pension rolls on the day before the effective date will be permitted election to the higher rates if they qualify under the new program.

9. Restores, for 1 year, the right of World War II veterans to apply for national service life insurance, with veterans paying administrative expense. This right was terminated April 25, 1951.

10. Effective July 1, 1960.

Estimate of cost of H.R. 7650

[In thousands of dollars]

Year	Total		Living veterans		Deceased veterans' cases		Widow's equalization	
	As passed House	As reported in Senate	As passed House	As reported in Senate	As passed House	As reported in Senate	As passed House	As reported in Senate
1st	$307,886	*$128,690*	$103,315	*$100,209*	$50,303	*$28,481*	$154,268	
2d	294,230	*92,611*	85,024	*69,655*	47,121	*22,956*	162,085	
3d	267,698	*189,802*	49,222	*9,527*	40,757	*11,906*	177,719	*$168,569*
4th	227,900	*101,050*	[1] 4,481	[1] *81,164*	31,211	[1] *4,670*	201,170	*186,884*
5th	174,830	[1] *17,284*	[1] 76,089	[1] *201,817*	18,483	[1] *26,772*	232,436	*211,305*
1970	307,830	*45,474*	[1] 53,616	[1] *222,531*	[1] 2,784	[1] *62,603*	364,229	*330,608*
1975	415,046	*74,366*	[1] 47,871	[1] *272,478*	[1] 18,108	[1] *82,955*	481,025	*429,799*
1980	502,934	*45,188*	[1] 95,278	[1] *402,835*	[1] 20,023	[1] *85,483*	618,235	*533,506*
1985	364,828	[1] *240,223*	[1] 326,052	[1] *741,220*	15,976	[1] *78,308*	706,856	*579,305*
1990	105,772	[1] *657,060*	[1] 666,629	[1] *1,207,761*	[1] 11,235	[1] *75,269*	783,636	*625,910*
1995	[1] 18,575	[1] *963,891*	[1] 797,237	[1] *1,490,785*	[1] 17,748	[1] *79,895*	796,411	*606,789*
2000	[1] 125,514	[1] *1,075,908*	[1] 826,996	[1] *1,511,491*	[1] 31,876	[1] *87,457*	733,357	*523,020*
Cumulative to 2000	10,128,140	[1] *10,974,960*	[1] 12,383,149	[1] *26,831,937*	[1] 231,366	[1] *2,604,577*	22,742,655	*18,461,554*

[1] Savings under existing law.

H.R. 7650, as amended by the Senate Finance Committee—Case analysis 1st year

	Total	Disability	Death
On rolls, present law	1,223,400	795,000	428,400
Increased	794,472 (64.9%)	515,287 (64.8%)	279,185 (65.2%)
Protected from decrease or termination	428,928	279,713	149,215
Added [1]	49,072	26,072	23,000
On rolls under proposal	1,272,472	821,072	451,400

[1] Widows equalization not effective until the 3d year; an estimated 251,070 additional cases would be added to the rolls in that year as a result of equalization.

Hearings: House, May 9, June 4, 5, 9, and 10; Senate, July 28 and 29, 1959.

Reported: June 11, House Report No. 537; August 12, 1959, Senate Report No. 666.

Passed: House, June 15, 1959, by division vote 226 yeas to 34 nays.

PENSION ELIGIBILITY REQUIREMENTS FOR AGE, DISABILITY, AND UNEMPLOYABILITY UNDER EXISTING LAW AND H.R. 7650

Under existing law (title 38, United States Code, and the Veterans' Administration's 1945 schedule for rating disabilities), veterans of World War I, World War II, or the Korean conflict are eligible for pension based on permanent and total non-service-connected disability. Pension is payable to any such veteran who served in the active military, naval, or air service for 90 days or more during the applicable period and who was discharged therefrom under conditions other than dishonorable, or who, having served less than 90 days, was discharged for disability incurred in service in line of duty. The veteran must have been in active service before the cessation of hostilities and be suffering from non-service-connected permanent and total disability not incurred as a result of his own willful misconduct or vicious habits. The rate is $66.15 per month, except that where the veteran shall have been rated permanent and total and has been in receipt of pension for a continuous period of 10 years or reaches the age of 65 years and is permanently and totally disabled, the rate is $78.75 per month. A rate of $135.45 per month is authorized in the case of an otherwise eligible veteran who is helpless or blind or so nearly helpless or blind as to need or require the regular aid and attendance of another person. Such pension is not payable to any unmarried person whose annual income exceeds $1,400 or to any married person or any person with minor children whose annual income exceeds $2,700.

In the administration of the aforementioned provisions the determination of permanent total disability is made on a very liberal basis. Such a rating is granted (where the requirement of permanence is met) when there is a single disability of 60 percent or two or more disabilities one of which is 40 percent in degree, combined with other disability or disabilities to a total of 70 percent, and unemployability attributed thereto. Although age alone is not considered as a basis for entitlement to such pension, it is considered in association with disability and unemployability in determining permanent and total disability. The aforementioned percentage requirements are reduced on the attainment of age 55 to a 60 percent rating for one or more disabilities, with no percentage requirement for any one disability; at age 60 to a 50 percent rating for one or more disabilities; and at age 65 to one disability ratable at 10 percent or more. When these reduced percentage requirements are met and the disability or disabilities involved are of a permanent nature, a permanent and total disability rating will be assigned, if the veteran is determined to be unable to secure and follow substantially gainful employment by reason of such disability. The requirements specified in this paragraph have been in effect since October 1948.

GENERAL LEAVE TO EXTEND REMARKS

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative days in which to extend their remarks at this point in the RECORD on the matter just disposed of.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The SPEAKER. The Chair appoints, as managers on the part of the House at the conference on the bill S. 1555, the following members: Mr. BARDEN, of North Carolina; Mr. PERKINS, of Kentucky; Mr. LANDRUM, of Georgia; Mr. THOMPSON, of New Jersey; Mr. KEARNS, of Pennsylvania; Mr. AYRES, of Ohio; and Mr. GRIFFIN, of Michigan.

JOINT COMMITTEE ON WASHINGTON METROPOLITAN PROBLEMS

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Concurrent Resolution 59.

The Clerk read the Senate concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That S. Con. Res. 2, Eighty-sixth Congress, agreed to February 5, 1959 (continuing the existence of the Joint Committee on Washington Metropolitan Problems), is amended as follows:

(a) The first section is amended by striking out "September 30, 1959" and inserting in lieu thereof "January 31, 1960"; and

(b) Section 2 is amended by striking out "September 30, 1959, which shall not exceed $30,000" and inserting in lieu thereof "January 31, 1960, which shall not exceed $55,000".

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

CONFERENCE COMMITTEE ON H.R. 4002

Mr. BONNER. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin be excused as a conferee on the bill (H.R. 4002) to authorize the use of Great Lakes vessels on the oceans.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? The Chair hears none and appoints the following Member: Mr. MAILLIARD, of California.

The Senate will be notified of the change.

THE COTTON TEXTILE INDUSTRY

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, no industry, outside of coal mining, has had to fight so many challenges at one time, in its determined efforts to survive, as the cotton textile industry. In the higher prices paid for raw materials, and in the higher wages paid to employees, the domestic industry must work under a double handicap as it tries to compete with foreign producers.

At the same time, the foreign policy of the U.S. Government has succeeded, unwittingly, in further weakening the competitive position of the cotton textile manufacturing industry in the United States. Our foreign-aid program has helped other nations to build brand-new plants and equip them with the most modern machinery. Inadequate depreciation allowances have hampered our own industry's efforts to match these modernization programs.

Clearly, this industry needs help, and what better help than by making available to it some of the surplus cotton that the Government itself does not know how to dispose of. It is strange that this obvious and commonsense solution has not been adopted before now.

I am heartily in favor of the McIntire bill that will make available to the U.S. cotton textile industry part of this surplus in order to improve its competitive position. I believe that this bill, by providing 750,000 bales of surplus cotton in each of the 5 fiscal years starting with the present, and at prices that will enable the industry to regain the level of exports of cotton products maintained by it during the period 1947 through 1952, will assist, encourage, and stimulate our producers.

My home city of Lawrence, Mass., once depended exclusively upon one industry—textiles. That industry is now a minor segment of our local economy. One of the several reasons responsible for its decline was the indifference of the Federal Government to the problem, and its failure to provide legitimate help in time.

For the sake of the industry as a whole, I am happy to see that some remedial legislation is on the way, and I welcome this opportunity to endorse and support the constructive provisions of H.R. 4033.

KHRUSHCHEV'S VISIT

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, I was shocked when I read in this morning's press the stories about the Department of State's preparations for the welcoming ceremonies for Mr. Khrushchev.

It is unfortunate enough that the President has taken upon himself to play host to the chief tyrant of the Soviet colonial empire, and the supreme chief of the international Communist conspiracy. However, to extend to Mr. Khrushchev the most elaborate welcome this Nation is able to accord to any of its guests, is really adding insult to injury.

The tenor of the stories printed in this morning's press seems to imply that in staging the big production, our Department of State is trying to buy assurance for a similar welcome of our President when he visits Moscow.

What is overlooked, though, is the fact that, according to every international rule of courtesy, the President of the United States, as the head of a state, is entitled to a much higher degree of protocol than is Mr. Khrushchev who, technically and legally, is not the head of a state. It appears to me that the people of the United States would appreciate it if the White House and our Department of State would not get carried away by its enthusiasm for Mr. Khrushchev's visit.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DEFERMENT FOR INCOME TAX PURPOSES OF INCOME FROM SERVICE CONTRACTS

Mr. RIEHLMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, today I have introduced a bill to amend the Internal Revenue Code of 1954 and provide for the deferment of income from service contracts.

The so-called service contract has become an essential part of the distribution and sale of office and household equipment, transportation equipment, and many of the other products of American industry.

Under the conventional service contract, the service agency undertakes to maintains the equipment for a specified period of time—1 year or longer—at a fixed charge usually payable at the start of the contract. In some cases, the transaction in reality is a form of insurance contract since no services are required unless there is a failure of the equipment. In other cases, where the equipment requires preventive maintenance, the service contract will also provide for preventive maintenance service calls at specified intervals over the life of the contract.

In plain, simple language this bill allows, for tax purposes, income from a service contract to be deferred over the period of performance of that contract.

For Federal income tax purposes there were no specific rules initially prescribed for the accounting of the income from service contracts. Accordingly, taxpayers on the accrual basis of accounting usually adopted a procedure whereby the income from such contracts was deferred or amortized over the period of time during which the taxpayer would be called upon to perform the services. As a matter of accounting, this method of accounting for service income is essential to avoid a distortion of income and expenses. However, on a case-by-case basis the Commissioner of Internal Revenue has compelled some taxpayers to adopt a different method of accounting whereby service income is reported when billed or accrued without regard to the obligation either to perform future services or to refund any unearned portion of the charge. Thus, within the same industry there are taxpayers accounting for service income under both the methods of accounting.

In the Internal Revenue Code of 1954, the Congress recognized the desirability of providing a basis for the accounting of service income for tax purposes which would be more in conformity with recognized accounting procedures—section 452, Internal Revenue Code of 1954. Subsequently, because of a concern that this provision, together with a corresponding provision permitting the accrual for a reserve for estimated expenses, might be extended beyond the scope intended by the Congress, both provisions were retroactively repealed—H.R. 4725, 84th Congress, 1st session, approved June 15, 1955. At that time, it was the stated intention of the Senate and House committees to enact other remedial legislation at the earliest opportunity. In recommending the repeal of sections 452 and 462, the report of the Committee on Finance, concluded, as follows:

> Your committee desires to make its position clear that it expects to report out legislation dealing with prepaid income and reserves for estimated expenses at an early date. As indicated above, the existing rulings of the Treasury Department and the court decisions dealing with estimated expenses and prepaid income are now in such a state of confusion and uncertainty that in the opinion of your committee legislative action is required on these subjects. In addition, your committee believes that it is essential that the income tax laws be brought into harmony with generally accepted accounting principles. Moreover, your committee believes that the present status, where some taxpayers are able to

defer prepaid income while others are not, is inequitable and should not be allowed to continue. In order to eliminate this uncertainty and discrimination, definite rules must be written into the income tax law. For these reasons your committee plans to begin studies in the near future to devise proper substitutes for the sections now being repealed (81st Cong., 1st sess., S. Rept. 372, p. 5; see also 81st Cong., 1st sess., H. Rept. 293, p. 4).

In the Technical Amendments Act of 1958, the Congress recognized again the need for such remedial legislation to apply to the prepaid income from newspaper and periodical subscriptions—H.R. 8381, 85th Congress, 2d session, approved September 2, 1958. Section 28 of that act provided for the enactment of section 455 of the Internal Revenue Code specifically permitting taxpayers, at their election, to defer the reporting of prepaid subscription income over the period in which earned. As was explained in the report of the Committee on Finance, one of the reasons for the adoption of this amendment was that it was discriminatory or unfair to permit some publishers to defer the reporting of subscription income until the year of the subscription yet deny this treatment to other publishers—85th Congress, 2d session, Senate Report No. 1983, page 43. The same condition exists in the servicing of office equipment, and I believe also in other service industries. Some taxpayers have been permitted to continue a practice of reporting service income over the period of the service contract, while other taxpayers—particularly those just starting in business—have been required to report such income at the time that the charge is made.

In adopting a specific rule for the publishing industry, the Congress pointed out that the right to defer publication income had been sustained in *Beacon Publishing Co.* v. *Commissioner*, 218 F. 2d 697, decided by the U.S. Court of Appeals for the Tenth Circuit. In that case the reporting of subscription income over the term of the subscription contract was sustained as an essential element of the accrual basis of accounting. There since have been other decisions affirming this view as applied to the service industry in two other Federal courts:

Schuessler v. *Commissioner*, 230 F. 2d 722, decided March 14, 1956, by the U.S. Court of Appeals for the Fifth Circuit.

Bressner Radio, Inc. v. *Commissioner*, decided May 28, 1959, by the U.S. Court of Appeals for the Second Circuit (59–2 USTC 9496).

In view of the foregoing, and in order to eliminate the same inequities as between taxpayers that were the concern of the Congress at the time of the enactment of section 455 of the Internal Revenue Code, a similar provision applicable to the service industry is submitted for consideration.

THE DEATH OF PAT PETRONE

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Just as a leaf, wind whipped, falls from its tree of life, his soul suddenly fluttered away to reach a restful abode in God's eternity.

Mr. Speaker, so we lost a friend the other day—he loved life and lived it in every way. He never missed making a friend each day. His many kindnesses to others in distress marked him as God's own messenger of charity. Some say his goodness of heart hastened his departure. His every act was to serve others in their every need—as lawyer and public official he was ever at their service.

And so he died as he had lived—to the very end worrying about the problems of others, still undone, and awaiting his personal attention.

Thousands of persons attended the chapel—tears wet every eye—the proud and the humble, the weak and the strong came to honor him.

His was an eventful life, spent in service to those who needed a friend. There were so many of them that he died of exhaustion. Everyone said so and all knew it to be true.

There are times when we who live should understand that the single visit of God's messenger of death is the beginning of a new life—a new chance to serve again. And so it came to pass that our good friend, destined to a sudden departure from us, went his way to enter this new life.

It can be well said that a worthy public servant, imbued with a high sense of loyalty to duty for others will, in many hearts, live on after death. His works, so well done, are to be remembered.

And so it was with this great man who died before his time—God's will be done.

I remember Pat as a boy—a thin, spare little fellow with sparkling eyes and a happy, carefree way about him. Through all his life he was the same; lots of fun and always with a witty story chock-full of humor. Wherever he held forth, the air was crackling with jokes and rent with the laughter of his listeners. He loved to entertain his friends, and especially at American Legion conventions, State or National, Pat's parties were alive and sumptuous—everybody came.

His political cronies, friends, and comrade Legionnaires well know that he really lived a full life of constant activity. He was thorough in everything he did. He was serious and dynamic in his political activities and pressured every advantage for political recognition and gain, driving himself and his loyal coworkers beyond human endurance. He molded together a powerful political organization and delivered thousands of votes to his party at elections. He became a key leader, and rewarded his followers in their political aspirations.

He loved his work for the American Boys' Camp and his promotional programs for the completion of its facilities and permanency of its operation occupied his every hour. It was a natural reaction for a fatherless boy to grow up with a complete understanding of the heartaches of the orphan. Pat loved kids, and did not spare words in castigating those who did not—Ruth and Pat had their own Rickie and assumed the responsibilities of loving parentage for gentle Patricia—Pat—and sweet Pamella—Pam.

His great sadness came the day of the Lady of the Angeles catastrophe—the burning of a parochial school in the area, with great loss of life—91 children and 3 teachers—sisters—died. He spent night and day at the county morgue, comforting the bereaved, hysterical parents and families, and personally aiding in the identification of their loved ones. He was consoling his people in their greatest tragedy and if ever the term "city father" meant anything, he proved it to God and man during this terrible, heart-rending ordeal, to say nothing of his visits to every one of the 20 chapels during the days of spiritual honor dedicated to the memory of children and teachers of a brokenhearted city.

Pat instilled confidence and hope with kind words that gave strength and courage to parents who were wishing for any excuse to end it all. He gave substantial sums to those in less fortunate circumstances. Only a person of high character, with a deep love and understanding of the human family, could have faced his bereaved neighbors and consoled them in their greatest trial—the loss of their little ones—some two, some three. It was a cruel experience for Pat and I honestly feel that he never physically or mentally weathered the depressive effects of this experience on his well-being. He bent his efforts with his comrades in Alamo Post of the American Legion, to raise a substantial fund for the hundred youngsters still in the hospitals undergoing treatment.

It is always down the aisles of a church that one reflects upon the truths of life and moral values. For Pat it became his pathway to the honor and glory of everlasting life.

Rev. Lawrence D. Kelly of St. Matthew's Catholic Church, in a touching sermon depicted the incidents, experiences and accomplishments of Pat's life. In warm and endearing terms, he spoke of his charity and ideals in life. He enumerated the sacrifices and travails of the dedicated public servant. It was a masterful treatment of a phase of human life that too often is looked upon with disdain and suspicion.

The cortege of numerous mourners from all walks of life, with merged feelings of sadness, honored Pat at the grave in Queen of Heaven Cemetery. The Rev. Philip Maloney officiated and the rites of the Catholic Church, followed by the American Legion ritual funeral services conducted by the officers and his comrades of the Alamo Post.

My sad task was to give the final eulogy at the grave for my dear friend and law associate. It was difficult to suppress the surging human emotions seeking their outlet in tearful expression for the great loss of ebullient Pat.

The Grimaldi Amvets Unit's firing squad drilled the final salute, and in the silence of this memorable afternoon, the

bugler lipped, with clear and vibrant notes, and then the echo of the distant notes softly resounding as the dying whisper of the fading memory of a fallen comrade. He lies there still, awaiting judgment.

Alamo Post has been renamed Patrick Petrone Post, he was its organizer and first commander. It is a signal honor to the memory of a great legionnaire, the star he was given for bravery on the field at Casino with the celebrated rangers will shine more brightly to his eager eyes of appreciation in heaven's glow.

He was well known to the Illinois Members of the Congress and through their good offices the following message was sent to his bereaved family:

JUNE 19, 1959.

MRS. RUTH PETRONE AND FAMILY,
Care of Rago Funeral Home,
Chicago, Ill.

DEAR MRS. PETRONE: In the sadness of this hour, we who loved and admired your distinguished husband and father, realize the great loss that has been suffered by all of our citizens, veterans, and officials in public service. His high sense of patriotism and self-sacrifice to his public duties were admired by everyone. He was a kindly, generous, and friendly man. His high sense of loyalty and deep appreciation of the needs of others marked him as a strong leader. His splendid services, together with his brilliant mind, were common knowledge to everyone. The loss of this great patriot and political leader has saddened the citizens of Illinois. His humanitarian work among children, wherein he took great leadership in sponsoring programs for their welfare and development, as the American Boys Camp, impressed his many admirers.

We can only say that you and your family contributed so much to his happiness and you must be proud of the great record and fine reputation of a loving father and husband, summoned by his Maker to receive his blessing.

His career would have led to higher places, but the inevitable will of the Almighty cut short his brilliant career. We loved him for what he was and we are proud that, in this life, we knew a real man who lived for others, did his duty to the citizens of Chicago and his ward, served his country in combat, and was honored by his country and his comrades. Every person who needed a friend knew that Pat would answer his call.

We, who loved him, mourn with you, his fine wife and family, in the passing of this great man. The Nation, the State, and the city of Chicago have lost one of their finest citizens. May we offer you, his loving wife and darling children, our deepest sympathy and sincere condolences.

ROLAND V. LIBONATI, CHARLES A. BOYLE, KENNETH J. GRAY, PETER J. MACK, BARRATT O'HARA, ROMAN C. PUCINSKI, GEORGE E. SHIPLEY, THOMAS J. O'BRIEN, WILLIAM L. DAWSON, JOHN C. KLUCZYNSKI, WILLIAM T. MURPHY, MELVIN PRICE, DAN ROSTENKOWSKI, SIDNEY R. YATES, Members of Congress.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BENTLEY, for 30 minutes, on August 20.

Mr. HEMPHILL, for 30 minutes, on August 18.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. PORTER and to include extraneous matter.

Mrs. KEE.

(At the request of Mr. GRIFFIN, and to include extraneous matter, the following:)

Mr. CURTIS of Massachusetts.

(At the request of Mr. OLIVER, and to include extraneous matter, the following:)

Mr. FRIEDEL.

Mr. DINGELL.

Mr. NIX.

SENATE BILL REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 812. An act to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; to the Committee on Education and Labor.

S. 1105. An act to improve the land tenure patterns on the Fort Belknap Reservation; to the Committee on Interior and Insular Affairs.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 746. An act to amend the act entitled "An act to regulate the placing of children in family homes, and for other purposes," approved April 22, 1944, as amended, and for other purposes.

ADJOURNMENT

Mr. OLIVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 17 minutes p.m.), under its previous order, the House adjourned until Monday, August 17, 1959, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee on Ways and Means. H.R. 2886. A bill to suspend for 3 years the import duties on certain classifications of spun silk yarn; with amendment (Rept. No. 897). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 6368. A bill to amend the Tariff Act of 1930 to place certain pumice stone on the free list; without amendment (Rept. No. 898). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 6579. A bill to amend the Tariff Act of 1930 to provide for the temporary free importation of extracts, decoctions, and preparations of hemlock suitable for use for tanning; with amendment (Rept. No. 899). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 5892. A bill to provide for the establishment of Minute Man National Historical Park in Massachusetts, and for other purposes; with amendment (Rept. No. 900). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 6672. A bill to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation; with amendment (Rept. No. 901). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORRISON: Committee on Post Office and Civil Service. H.R. 7758. A bill to improve the administration of oversea activities of the Government of the United States, and for other purposes; with amendment (Rept. No. 902). Referred to the Committee of the Whole House on the State of the Union.

Mr. SAUND: Committee on Interior and Insular Affairs. H.R. 8587. A bill to provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes; without amendment (Rept. No. 903). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. H.R. 8035. A bill to designate the Dyberry Dam and Reservoir, Lackawaxen River Basin, Pa., as the Gen. Edgar Jadwin Dam and Reservoir; without amendment (Rept. No. 904). Referred to the House Calendar.

Mr. NORRELL: Committee of conference. H.R. 7453. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1960, and for other purposes (Rept. No. 905). Ordered to be printed.

Mr. DAVIS of Tennessee: Committee on Public Works. S. 300. An act to amend the act of August 28, 1958, establishing a study commission for certain river basins, so as to provide for the appointment to such Commission of separate representatives for the Guadalupe and San Antonio River Basins, and of a representative of the Texas Board of Water Engineers; without amendment (Rept. No. 906). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FALLON:

H.R. 8678. A bill to amend the Federal-Aid Highway Acts of 1956 and 1958 to make certain adjustments in the Federal-aid highway program, and for other purposes; to the Committee on Public Works.

By Mr. SCHERER:

H.R. 8679. A bill to amend the Federal-Aid Highway Acts of 1956 and 1958 to make certain adjustments in the Federal-aid highway program, and for other purposes; to the Committee on Public Works.

By Mr. BUCKLEY:

H.R. 8680. A bill to amend the Federal-Aid Highway Acts of 1956 and 1958 to make certain adjustments in the Federal-aid highway program, and for other purposes; to the Committee on Public Works.

By Mr. BENTLEY:

H.R. 8681. A bill to provide for denial of passports to supporters of the international Communist movement, for review of passport denials, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DOOLEY:

H.R. 8682. A bill to amend the act entitled "An act to establish a memorial to Theodore Roosevelt in the National Capital" to provide for the construction of such memorial by the Secretary of the Interior; to the Committee on House Administration.

By Mr. IKARD:

H.R. 8683. A bill to amend subchapter S of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 8684. A bill to amend the Internal Revenue Code of 1954 to provide for deferral of taxation of amounts withheld by a bank or finance company from a dealer in personal property to secure obligations of the dealer, until such time as such amounts are paid to or made available to the dealer; to the Committee on Ways and Means.

By Mr. MILLS:

H.R. 8685. A bill to amend the Internal Revenue Code of 1954 to provide for the Presidential appointment of a General Counsel for Internal Revenue, to provide for the appointment of other officers for the Internal Revenue Service, and for other purposes; to the Committee on Ways and Means.

By Mr. SIMPSON of Pennsylvania:

H.R. 8686. A bill to amend the Internal Revenue Code of 1954 to provide for the Presidential appointment of a General Counsel for Internal Revenue, to provide for the appointment of other officers for the Internal Revenue Service, and for other purposes; to the Committee on Ways and Means.

By Mr. RANDALL:

H.R. 8687. A bill to amend chapter 19 of title 38, United States Code, to permit the granting, for a limited period, of national service life insurance to veterans whose policies had been lapsed for less than 1 year when the granting of such insurance to veterans was terminated in 1951; to the Committee of Veterans' Affairs.

By Mr. RIEHLMAN:

H.R. 8688. A bill to amend the Internal Revenue Code of 1954 to provide for the deferment of income from service contracts; to the Committee on Ways and Means.

By Mr. WILSON:

H.R. 8689. A bill to continue until July 2, 1960, authority to promote upon retirement certain officers of the Navy, Marine Corps, and Coast Guard who have been specially commended for performance of duty in actual combat; to the Committee on Armed Services.

By Mr. O'HARA of Illinois:

H.J. Res. 501. Joint resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. MOULDER:

H. Con. Res. 381. Concurrent resolution providing for certain priorities for the temporary employment of civilian personnel to conduct the decennial census; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H.R. 8690. A bill for the relief of Mr. and Mrs. Donald R. McLean; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 8691. A bill for the relief of Ceferino N. Southerland and Miguel R. Southerland; to the Committee on the Judiciary.

H.R. 8692. A bill for the relief of Lee Shu Lang; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

255. Mr. WAINWRIGHT presented a petition of Sons of Norway, Loyal Lodge No. 252, St. James, N.Y. asking that the Congress establish a national holiday to be known as Leif Erikson Day, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Report of Publisher of Ebony, Jet, and Tan Magazines on Visit to Russia

EXTENSION OF REMARKS
OF
HON. ROBERT N. C. NIX
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 14, 1959

Mr. NIX. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I have the privilege to include an account of the prominent Negro publisher who traveled to Russia in the Vice President's press party. Mr. Johnson is founder and president of the largest Negro publishing firm in the world. His company publishes Ebony, Jet, and Tan magazines which have a monthly circulation of an estimated 1½ million copies:

Any Negro who feels that communism is the solution to the race problem in the United States will be sadly disappointed if he takes a trip to Soviet Russia.

This is the opinion of John H. Johnson, publisher of Jet and Ebony magazines, who, with his wife, Eunice, was a member of the press group which accompanied Vice President NIXON on his recent trip to Russia and Poland. There are relatively few Negroes in the Soviet Union, and Mr. Johnson agrees with the Russian claim that it does not have a race problem. However, he is quick to point out that most of the privileges which we take for granted, such as freedom of speech and press and the right to own property, are not enjoyed by the Russian people.

The American Negro who wants better housing, more productive employment, and more individual opportunities will find that they are not available to him in Russia because they are not available to the majority of the Russian people.

Mr. Johnson does feel, however, that even though the Communist philosophy is not a good one for Negro or white Americans, there is no reason why the United States and Russia should not be friendly and peaceful. He believes that the Nixon trip contributed much to the development of friendly relations between the two countries and that further cultural and educational exchanges should be continued.

A Rose by Any Other Name

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Friday, August 14, 1959

Mr. PORTER. Mr. Speaker, I see by the August 4, 1959, issue of Aviation Daily that "members of the Association of Local Transport Airlines have adopted a resolution to refer henceforth to subsidy payments as public service revenues. It is reported that the idea was first set forth by Allegheny Airlines which used the expression in its latest annual report. Reasoning is that subsidy is actually the cost of providing a public service."

A subsidy is a subsidy no matter what you call it. The only justification for any subsidy is that a public purpose is served. Sometimes the public service aspect of the public service is rather direct and sometimes it is rather indirect. Sometimes it is nonexistent.

Subsidy payments may or may not be public service revenues. This is something that should be examined carefully and constantly in the interests of the taxpayer and the welfare of our country. I do not approve this attempt to obscure plain language by Madison Avenue sugar coating.

Labor Reform Legislation

EXTENSION OF REMARKS
OF
HON. SAMUEL N. FRIEDEL
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Friday, August 14, 1959

Mr. FRIEDEL. Mr. Speaker, to eliminate any misunderstanding of my position, which may have resulted from my votes on the labor reform legislation passed by the House of Representatives, I think an explanation is in order.

I would like to begin by saying that I am well aware that labor reform legislation is necessary to prevent the continuation of the racketeering and corruption brought to light by the McClellan committee hearings. However, it must be borne in mind that this condition exists in only a minority of the unions; the vast majority of unions, their leaders and members are, like most people, fine, upstanding, law-abiding citizens.

The House Committee on Education and Labor held extensive hearings on all

pending labor reform bills and considered them for approximately 4 months. The bill finally reported by the committee, H.R. 8342, was the result of comprehensive consideration and was designed to do away with the evil practices of corruption, boycotting, hot-cargo handling, and blackmail picketing. It was also designed to protect the union members from being victimized by unscrupulous leaders and the general public from unscrupulous racketeers.

The Landrum-Griffin bills were introduced after the committee reported its bill and did not have the benefit of committee hearings and consideration. Although these bills were widely discussed and debated, I sincerely doubt that they were given sufficient consideration to secure a comprehensive understanding of their impact. Personally, I believe this is a punitive measure.

Passage of the Landrum bill was, I believe, a result of appeal to emotions, rather than logic and common sense. These were my reasons for voting against this measure when it was offered as a substitute for the committee bill.

When the Landrum bill came up for final passage, I voted in favor of it, knowing that some labor reform legislation was needed and should be enacted. This bill will now go to conference to iron out the differences between the Senate- and House-passed versions. I hope a reasonable and sensible solution to the problem will be achieved which will result in a bill that is fair and just to the unions, union members, and the welfare of the Nation. Such a bill should not penalize the vast majority of unions and union members who are not guilty of illegal and reprehensible practices and, at the same time, should curb the evils pointed out by the Senate Rackets Committee.

Keenotes

EXTENSION OF REMARKS

OF

HON. ELIZABETH KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1959

Mrs. KEE. Mr. Speaker, I ask unanimous consent to extend my remarks in the CONGRESSIONAL RECORD and include a copy of my newsletter released today:

KEENOTES BY REPRESENTATIVE ELIZABETH KEE

The present session of Congress is rapidly drawing to a close. The goal for adjournment fixed by the leadership is September 5, but it is likely that we will have to remain here until the middle of September to dispose of a large list of remaining bills.

One thing which is aiding the push for adjournment is the forthcoming visit of Premier Khrushchev, of Russia. If Congress is in session when he arrives, it will be difficult not to invite him to address a joint session. Yet many Members feel that an appearance before Congress might be a big mistake and, therefore, they hope we can adjourn before he arrives.

This has been a busy session and Congress has acted on many important issues, some of them highly controversial. But I am afraid that we will leave Washington without acting on several bills which should have immediate attention.

Legislation to aid distressed areas has passed the Senate but is languishing before the House Rules Committee. If the bill ever comes to the floor, I am confident it will be passed. But the present outlook is not too favorable. Failure to pass the bill will mean that we will have to delay another year a cooperative program to rehabilitate areas with persistent and heavy unemployment.

Congress must not adjourn without passing legislation to continue the interstate highway building program. At present, there is much disagreement on proposals for raising new money to finance the program this year but I am sure that with the roadbuilding programs of all the States adversely affected, some satisfactory solution will be reached.

Also, it is imperative that Congress pass new housing legislation. In a surprise move the Senate this week decided to try to override the President's veto of a bill passed earlier this year. The move failed, as everyone expected it would. Now the question is whether Congress and the President can agree on a housing bill in the short time remaining in this session.

Congress also has a duty to do something this session about the farm problem. It is obvious at this point that a general farm bill which would make a start on reducing the tremendous surpluses now on hand will not be passed. I regret to see Congress evade this serious issue. It is costing more than $1 million a day just to store commodities now on hand and big crops this year will add quite a bit to this cost.

At least Congress should pass legislation to strengthen the research program of the Department of Agriculture so that new uses can be found for our farm commodities. I am firmly convinced that this is the only long-range answer to the farm problem. I am sure our scientists can develop new industrial uses that will require large amounts of wheat, corn, cotton, and other commodities. I have a bill now pending which would provide a good start toward this goal. There is still time to act if Congress will face up to this difficult task.

Although time may be running out, there are many important legislative matters yet to be disposed of. This means that the remaining days will be extremely busy ones for Members of Congress.

Red China and the United Nations

EXTENSION OF REMARKS

OF

HON. LAURENCE CURTIS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1959

Mr. CURTIS of Massachusetts. Mr. Speaker, in extension of my remarks, I enclose my newsletter of May 27, 1959, which discusses the admission of Red China into the United Nations, as follows:

Should the United States recognize Red China and support her admission to the United Nations? Certainly not for the present, in my opinion. The question was discussed in a recent speech by Hon. Walter S. Robertson, Assistant Secretary of State for Far Eastern Affairs. He described the situations as follows:

The Chinese Communists conquered the mainland of China in 1949, and the Government of the Republic of China withdrew to Taiwan (Formosa). The Chinese Communists were at first mistakenly thought by some to be merely agrarian reformers, but proved to be ardent Communists. "The Peiping (Communist) regime was imposed by force with the volition of only an infinitesimal fraction of the Chinese people. * * * It has kept itself in power by blood purges and the liquidation of some 18 million mainland Chinese in 9 years."

The Far East is a critical area in the global struggle between East and West, American policy there is to encourage the newly independent, lesser developed countries to make progress in the ways of freedom, without falling within the orbit of the Communist bloc, and to build up our Far Eastern allies and friends. It opposes the further spread of Chinese Communist influence, and supports the non-Communist Government of Nationalist China.

Our recognition of Red China would on the contrary strengthen Red China by greatly enhancing her international prestige, and would weaken Nationalist China. "It would, as a practical matter, mean the liquidation of the Republic of China." From this would flow the following results:

(1) The strategic position of the free world would be weakened by the loss of Nationalist China's 600,000 troops in Taiwan, with resultant Communist military threat to Japan, the Philippines, and southeast Asia.

(2) Other Asian nations would feel that they could no longer rely on the protection of the United States against the Communist threat, and would have no alternative but to come to terms with the Red Chinese colossus. There would be a rapid expansion of communism throughout Asia, and America's moral position would suffer irreparable damage.

(3) It would blot out any rallying point in the world for non-Communist Chinese, and deliver Taiwan's 10 million people to the slavery of the mainland.

Of the 13 countries of the Far East, only 3 have recognized Red China. It has long been our policy in granting recognition to consider whether such action would be in the best interests of the United States, and whether the country seeking recognition had shown a willingness to live up to her international obligations.

Recognition of Red China would not be in the best interests of the United States for reasons given above, and Red China has not shown a willingness to live up to her international obligations.

When the Red Chinese gained control of the mainland of China in December 1949, they repudiated the international obligations of China, and confiscated, without compensation, properties of other nationals valued in the hundreds of millions of dollars. Communist China has flagrantly violated her armistice agreements both in Korea and Indochina, and her agreements for the release of American prisoners.

The admission of Red China to the United Nations is governed by the terms of its Charter. After due consideration, those terms were framed to provide not for universal membership, but for membership of "peace-loving nations willing to assume and live up to the obligations of the Charter."

The record shows that Communist China is not a peace-loving nation, but is an outlaw regime. It invaded Tibet. It took part in the aggression against South Korea. It is still threatening war in the Taiwan Strait.

SENATE

MONDAY, AUGUST 17, 1959

The Senate met at 10 o'clock a.m.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Most merciful God, our Father, Thou knowest our frame, Thou rememberest that we are dust; yet Thou has decreed that our dust is linked to destiny.

Even in our physical, perishing house of clay, we carry stamped upon our being Thy image. We think Thy thoughts after Thee.

Standing in fields of lowly toil, we bow our heads, to listen in reverence to distant bells which speak of our kinship with the Eternal, making us conscious, even in drab surroundings of time and sense, of a divine reality which breaks through the scene in bright shoots of everlastingness.

In the dauntless faith, lighting the future's broadening way, that Thou art in the shadows and behind the shadows, invest, we pray, the daily labor of Thy servants in this Chamber of national deliberation with a radiance which in all our working days shall make our spirits like lighted torches from which others can rekindle their dying flame of courage.

We ask it in the name of the One whose life is the light of men. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 13, 1959, was dispensed with.

REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of August 13, 1959, the following reports of a committee were submitted:

On August 14, 1959:

By Mr. YOUNG of North Dakota, from the Committee on Agriculture and Forestry, without amendment:

S. 2323. A bill to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions (Rept. No. 723).

On August 14, 1959:

By Mr. MUNDT:

S. 2504. A bill to authorize the sale at market prices of agricultural commodities owned by the Commodity Credit Corporation to provide feed for livestock in areas determined to be emergency areas, and for other purposes (Rept. No. 724).

ENROLLED BILL SIGNED DURING ADJOURNMENT

Under authority of the order of the Senate of August 13, 1959,

The President pro tempore, on August 14, 1959, signed the enrolled bill (S. 746) to amend the act entitled "An act to regulate the placing of children in family homes, and for other purposes," approved April 22, 1944, as amended, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on August 14, 1959, he presented to the President of the United States the enrolled bill (S. 1719) for the relief of Lushmon S. Grewal, Jeat S. Grewal, Gurmale S. Grewal, and Tahil S. Grewal.

MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Ratchford, one of his secretaries, and he announced that on August 14, 1959, the President had approved and signed the following acts:

S. 577. An act to amend title 10, United States Code, section 2481, to authorize the U.S. Coast Guard to sell certain utilities in the immediate vicinity of a Coast Guard activity not available from local sources;

S. 1367. An act to amend title 14, United States Code, entitled "Coast Guard," to authorize the Coast Guard to sell supplies and furnish services not available from local sources to vessels and other watercraft to meet the necessities of such vessels and watercraft; and

S. 2471. An act to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 59) amending Senate Concurrent Resolution 2, continuing the existence of the Joint Committee on Washington Metropolitan Problems.

The message also announced that the House had passed the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes with an amendment; that the House insisted on its amendment; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BARDEN, Mr. PERKINS, Mr. LANDRUM, Mr. THOMPSON of New Jersey, Mr. KEARNS, Mr. AYRES, and Mr. GRIFFIN were appointed managers on the part of the House at the conference.

The message further announced that the House had further insisted upon its disagreement to the amendment of the Senate numbered 1 to the bill (H.R. 7040) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1960, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7509) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 2, 5, 10, and 13 to the bill, and concurred therein, and that the House receded from its disagreement to the amendment of the Senate numbered 15 to the bill, and concurred therein with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 12 to the bill (H.R. 7650) to modify the pension programs for veterans of World War I, World War II, and the Korean conflict, and their widows and children, and that the House had disagreed to the amendment of the Senate numbered 11 to the bill.

The message informed the Senate that Mr. MAILLIARD had been appointed a manager on the part of the House at the conference of the two Houses on the bill (H.R. 4002) to authorize the use of Great Lakes vessels on the oceans, vice Mr. VAN PELT, excused.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the following committees and subcommittees were authorized to meet during the session of the Senate today:

The Committee on Public Works;

The Permanent Subcommittee on Investigations of the Committee on Government Operations;

The Committee on Agriculture and Forestry.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

JEWISH WAR VETERANS NATIONAL CONVENTION ENDORSES COLD WAR GI BILL

Mr. YARBOROUGH. Mr. President, the cold war GI bill, which passed the Senate on July 21, of this year, has met with overwhelming support from various veterans' organizations, as well as from many other persons and organizations who believe in a just, educated, progressive America.

These people realize the very great power for improving our country and our way of life which lies in having more trained personnel to fill our growing shortage of teachers, doctors, scientists, mathematicians, and other vital professional persons.

Therefore, Mr. President, I ask unanimous consent to have printed at this point in the RECORD a resolution adopted by the Jewish War Veterans of the United States, which is one of the oldest veterans' organizations in the country. The resolution was adopted at its 64th annual national convention, at New York City, on August 5 to 9, 1959. The resolution favors a GI bill as long as there is a draft.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

EXTEND EDUCATION BENEFITS DURING PERIOD OF SELECTIVE SERVICE ACT

Whereas the 82d Congress passed the Veterans' Readjustment Assistance Act of 1952, Public Law 550, which among other benefits provided that persons serving in the Armed Forces of the United States were eligible for the educational benefits theretofore provided under the GI bill; and

Whereas the President of the United States, by proclamation, did terminate the benefits of the aforesaid Public Law 550, said termination date being January 31, 1955, and thereby the educational benefits to the men of our Armed Forces have been terminated; and

Whereas the Jewish War Veterans of the United States of America believe that the educational benefits provisions of Public Law 550, while in the nature of reward to the members of the Armed Forces for their services, were of value to this country in the following particulars:

1. By providing assistance to the members of the Armed Forces in procuring an education which would equip them to make a living, provide homes for their families and, in general, raise the living standards of this great Nation.

2. By providing equal educational opportunities for the members of the Armed Services with those who, for one reason or another, were not inducted into the services.

Whereas failure to provide educational benefits to those who entered service after January 31, 1955:

1. Discriminates amongst servicemen based strictly on the date of entry into service and not different duty requirements.

2. Abandons concept of providing an opportunity for higher education and for training which has been allowed since the GI bill on the premise of assistance to those whose lives were interrupted by service based on draft: Now, therefore, be it

Resolved, That the Jewish War Veterans of the United States of America in 64th annual national convention assembled in New York City, August 5 to 9, 1959, favor the extension of the educational benefits of the Veterans' Readjustment Assistance Act of 1952, Public Law 550, during the period of time that selective service is effective, and that the eligibility to these benefits be made retroactive so as to cover those members of the Armed Services whose service was started or terminated subsequent to January 31, 1955.

BERNARD ABRAMS,
National Commander.
HYMIE GREENSPAN,
National Vice Commander.

RESOLUTIONS OF NORTH DAKOTA ASSOCIATION OF RURAL ELECTRIC COOPERATIVES

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD a series of resolutions adopted by the North Dakota Association of Rural Electric Cooperatives.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTIONS ADOPTED BY THE NORTH DAKOTA ASSOCIATION OF RURAL ELECTRIC COOPERATIVES, JULY 10, 1959

RESOULUTION 1.—RESOLUTION OF MEMORIAM

During this past year we were all saddened at the death of one of the pioneer directors of our association, Gerald C. Olson, of the RSR Electric Cooperative.

Mr. Olson had long served as a good and faithful director of his local cooperative and of this association, and had spent many hours working in the rural electric field on behalf of his friends and neighbors; and

Therefore, we extend to the family of Gerald C. Olson our sincere sympathy from the members of this association here assembled.

Adopted July 10, 1959, at Minot, N. Dak., by the North Dakota Association of Rural Electric Cooperatives.

RESOLUTION 2.—RESOLUTION OF MEMORIAM

Inasmuch as we were all greatly grieved and saddened at the sudden death of our friend and fellow director, Oscar Tweed, while in attendance at this meeting; and

Inasmuch as Mr. Tweed was known among us as a devoted and stalwart worker in the rural electric field:

We therefore want to extend our most sincere and heartfelt sympathy to the family of Oscar Tweed, from the members of this association here assembled.

Adopted July 10, 1959, at Minot, N. Dak., by the North Dakota Association of Rural Electric Cooperatives.

RESOLUTION 3.—INTEREST RATES

Whereas the 2-percent REA interest rates are under attack as being a subsidized rate, and

Whereas there is no basis in fact or theory that this 2-percent rate is a subsidized rate. For over the years the REA has accrued a net income to the U.S. Treasury from lending operations of $48 million; and

Whereas the Congress entered into contract with the Rural Electric Cooperatives in 1944 to lend them money at a fixed charge if the REA's would provide complete area coverage; and

Whereas some REA Cooperatives are showing a loss of customers due to a continuing farm recession; and

Whereas any increase in REA interest rate would for all practical purposes destroy the REA program: Be it therefore

Resolved, That the North Dakota Association of Rural Electric Cooperatives oppose any increase in interest rates.

RESOLUTION 4.—HELLS CANYON

We commend the work of the proponents of the building of the high dam in Hells Canyon and petition said proponents to continue the fight for complete river utilization on the Snake River.

RESOLUTION 5.—ADEQUATE FUNDS G. & T.'S

Whereas anticipated power demands of the great Middle West greatly exceed present existing generation and transmission facilities available to the REA cooperatives located here; and

Whereas we readily recognize that more power generation and transmission will be urgently needed in the very near future: Be it therefore

Resolved, That the Congress of the United States make available to the Rural Electrification Administration sufficient and adequate funds for the construction of such adequate and sufficient power generation and transmission facilities.

RESOLUTON 6.—PREFERENCE

Whereas water power resources belong inevitably to the people of the United States and not to private individuals or corporations; and

Whereas it is of the utmost importance to the general public that the historic attitude of Congress of the United States with reference to power preference be maintained: Be it therefore

Resolved, That we do hereby commend the Congress of the United States for its preservation of the preference concept, and do further urge the Congress of the United States to continue to support and maintain preference for rural electric cooperatives and other consumer-owned electric systems and we also feel that the preference concept should be extended to cover transmission of preference power over federally owned Bureau of Reclamation lines.

RESOLULTION 7—KERR-TRIMBLE BILL

Whereas we are of the opinion that the cost of construction and operation of multiple-purpose dams should be borne in direct relation to benefits received by individual purposes, such as flood control, irrigation, power generation, recreation and wildlife, etc., and be repaid on a period recognizing the life expectancy of these facilities: Be it therefore

Resolved, That we do hereby request the favorable consideration by the Congress of the United States of the Kerr-Trimble bill, H.R. 7362.

RESOLUTION 8—TVA

Whereas, we recognize the Tennessee Valley Authority as being the outstanding yardstick on power cost; and

Whereas we believe it imperative that this yardstick be maintained: Be it therefore

Resolved, That we do urge the passage of bills to permit TVA to issue and sell bonds, notes and other evidence of indebtedness to assist in financing its power expansion program, and do further urge the passage of all measures which will preserve TVA's existence.

RESOLUTION 9—YELLOW TAIL PROJECT

Whereas the continually increasing demand for low-cost electric power makes it necessary that the potentialities of the Yellow Tail project be integrated with the Missouri Basin power development program; and

Whereas we reject the partnership concept of development for public power resources;

Now therefore we urge the immediate and expeditious development of the Yellow Tail project in the State of Montana on the Big Horn River and request that the Bureau of Reclamation be empowered to construct necessary transmission to integrate the project with the other Missouri Basin projects.

RESOLUTION 10—GENERAL ACCOUNTING OFFICE

Whereas the Federal Accounting and Budgetary System makes no distinction between wealth-creating investments and ordinary operating costs, and as such is misleading to Congress, our members and the public in general: Be it therefore

Resolved, That proper laws be enacted to establish a "capital budget" and accounting system; and be it further

Resolved, That our local cooperatives and the statewide Association of Rural Electric Cooperatives take proper measures to educate the public on the importance of this change.

RESOLUTION 11—PROPAGANDA ADVERTISING

Whereas we are unalterably opposed to the private power companies spending rate-paying consumers money for propaganda purposes aimed at destroying rural electric cooperatives and public power development, charging the costs of such propaganda as a legitimate operational expense, and thereby gaining unwarranted exemption for Federal corporation taxes as to those amounts: Be it therefore

Resolved, That we urge the Congress of the United States to enact appropriate measures to curb this insidious practice.

RESOLUTION 12—O'MAHONEY-MILLIKEN AMENDMENT

Whereas the time has come when the so-called abundant supply of water in the Missouri Basin is no longer adequate to supply all the demands for water of the Missouri Basin as well as demands for water for navigation and other purposes downstream to the gulf; and

Whereas the amount of water stored behind all main stem dams on the Missouri River at June 1 this year was less than the amount stored behind Fort Peck Dam alone 3 years ago, indicating a serious depletion of our water supply apparently to take care of navigation and other downstream requirements;

Whereas, this matter is of such concern to the people of the Missouri Basin that the State Legislatures of Montana, South Dakota, and North Dakota all memorialized Congress earlier last year to study this problem, giving careful consideration to the present use of our water resources, in relation to compliance with the O'Mahoney-Milliken amendment: Now, therefore, be it

Resolved, That we, the members of the North Dakota Association of Rural Electric Cooperatives, respectfully request Congress to continue studies and hearings on this problem, and that they take steps necessary to see that the O'Mahoney-Milliken amendment be adhered to, and we further urge Congress to reexamine the whole area of Missouri Basin planning and management to determine whether it would not be better to substitute one agency with overall authority and responsibility rather than the numerous agencies and bureaus which we now have.

RESOLUTION 13—HUMPHREY-PRICE LEGISLATION

Whereas the North Dakota Association of Rural Electric Cooperatives assembled in annual meeting this 10th day of July 1959, is not satisfied with the results of the override vote on the Humphrey-Price bill: Therefore be it

Resolved, That we ask introduction of the same legislation in the next session of Congress and urge all our Senators and Representatives to support such a bill;

Also, we wish to thank Senator LANGER, Senator YOUNG, and Congressman BURDICK for their support of the bill in the present Congress.

RESOLUTION 14—FEDERAL TERRITORIAL LEGISLATION

We urge the enactment by the Federal Congress of legislation to protect the territory of the rural electrics and their unrestricted right to serve in that territory, and we ask for removal of the restriction prohibiting service to towns of over 1,500 population.

RESOLUTION 15—POWER AND MECA

Whereas the natural resources of this great country have been recognized as the heritage of all our people ever since the days of Teddy Roosevelt; and

Whereas the consumer-owned rural electric cooperatives and municipal electric systems organized the Midwest Electric Consumers Association, for the purpose of promoting the maximum development of the natural resources of the Missouri Basin; and

Whereas the Midwest Electric Consumers Association under the forceful leadership of its executive committee and of Mr. Kenneth Holum, its executive director, has fostered and advanced the ideals of this heritage in the Missouri Basin area; and

Whereas it is essential to the welfare of this great area of our Nation that we maintain and support the Midwest Electric Consumers Association in its effort to promote the maximum development of the resources of this part of our Nation: Now, therefore, be it

Resolved by the North Dakota Association of Rural Electric Cooperatives at its annual meeting duly assembled do hereby authorize and direct the officers of the organization to join and maintain a membership in said Midwest Electric Consumers Association and do urge each of its members to join the Midwest Electric Consumers Association and do also commend the executive committee of the Midwest Consumers Association, and Mr. Kenneth Holum, its executive director, for a job well done.

RESOLUTION 16—COMMENDING THE ADMINISTRATOR

Be it resolved, That we the members of the North Dakota Association of Rural Electric Cooperatives, do commend REA Administrator, Dave Hammel, for the conduct of his office and hope for continued association with him as Administrator.

RESOLUTION 17—COMMENDING ELLIS AND NRECA

Be it resolved, That we commend Clyde Ellis and his staff for the increasingly valuable services which they are providing the member cooperatives.

RESOLUTION 18—COMMENDING SENATORS LANGER, YOUNG, AND REPRESENTATIVE BURDICK

Be it resolved, That we commend Senator WILLIAM LANGER and Senator MILTON YOUNG and Representative QUENTIN BURDICK for their continuing support of the REA cooperatives.

RESOLUTION 19—THANKS

We thank the members of the statewide staff: Ray Harens, Con Blomberg, Diane Hohimer, and the Verendrye Electric Cooperative, Mountrail Electric Cooperative, Burke-Divide Electric Cooperative for their help in making this meeting a success.

RESOLUTION 20—THANKS

We thank the city of Minot, Mayor Maurice Harrington, Glen Benson, first vice president of the Minot Chamber of Commerce; Father Benedict Pfaller and the Reverend T. Megordon for their courtesy and friendly help given to the Association of Rural Electric Cooperatives.

The following resolutions were adopted by other organizations and endorsed by the North Dakota Association of Rural Electric Cooperatives on July 10, 1959.

"RESOLUTION OF THE NORTH DAKOTA WATER USERS ASSOCIATION URGING RESTORATION OF INVESTIGATIONAL MONEYS FOR BUREAU OF RECLAMATION FOR THE GARRISON DIVERSION UNIT OF NORTH DAKOTA FOR FISCAL YEAR 1960

"Whereas the Pick-Sloan compromise for the Missouri Basin development provided for the irrigation of 1 million acres of North Dakota land in exchange for approximately half a million acres taken from production and the tax roles; and

"Whereas this agreement was accepted in good faith by the State of North Dakota as reflected by action of three sessions of the State legislature, as well as by affirmative action of voters and taxpayers; and

"Whereas the Bureau of Reclamation, through their investigations, has discovered sufficient acreage and has engineering plans which provide for development of areas over a 70-year period; and

"Whereas the Bureau of Reclamation is presently engaged in firming up more detailed land classification, topographical mapping, and engineering for canal lateral and drainage layouts, cost estimates and further economic studies in order to refine the project plan report completed in 1957 which indicates the economic feasibility by all rigid standards; and

"Whereas North Dakota, through its legislature, enacted legislation providing for the Garrison Diversion Conservancy District which has been activated and is presently cooperating with farm operators and such organized irrigation districts for the purpose of completing repayment contracts on a partnership basis in order to assure an expeditious program if and when construction moneys are made available; and

"Whereas the U.S. House of Representatives' reduction of the recommended Bureau of the Budget estimate of $550,000 to $300,000 for the Garrison diversion unit, will impair and seriously hinder the efficiency of scheduled work because of disruption of the Bureau of Reclamation's technical staff, and thus will bring added costs to the National Government because of added delays: Now, therefore, be it

"Resolved by the North Dakota Water Users Association, a statewide organization founded for the purpose of assuring orderly and maximum development of all of North Dakota's water resources, That the U.S. Senate Committee on Appropriations restore the $250,000 reduced by the House of Representatives for the Garrison diversion unit and urges that the conference committee on public works appropriations for 1960 sustain the full amount because it is in the economic interest of not only North Dakota, but the United States; and be it further

"Resolved, That copies of said resolution adopted by the North Dakota Water Users Association be transmitted to the U.S. Senators WILLIAM LANGER and MILTON R. YOUNG, of North Dakota, and Senator CARL HAYDEN, chairman of the U.S. Senate Committee on Appropriations, and to U.S. Representatives QUENTIN N. BURDICK and DON L. SHORT, of North Dakota, and to the Honorable CLARENCE CANNON, U.S. Representative and chairman of the House Committee on Appropriations."

The above resolution was adopted by the executive committee of the North Dakota Water Users Association at Bismarck, N. Dak., on June 19, 1959.

Resolution submitted from Central Power:

"RESOLUTION 1

"Whereas Nebraska has offered to sell the Bureau of Reclamation winter firm power in ample quantity to furnish all the customers in the Missouri Basin their needs through 1963, which power can be purchased under the Fort Peck Act: Now, therefore, be it

"Resolved, That we request the Bureau to immediately start negotiations for the purchase of this power from Nebraska, that all customers in the Missouri Basin will receive all of their requirements as preference customers through 1963, in order that the preference customers may have time to make necessary arrangements for ample power after 1963, when the new allocation of power which is now in process of being allocated is completed; and be it further

"Resolved, That a copy of this resolution be forwarded to Secretary of Interior Seaton; Assistant Secretary of Interior Aandahl; Senator Murray; Senator Mansfield; Senator Langer; and Senator Young.

"RESOLUTION 2

"Whereas we hereby endorse Senate Resolution 71, which has been introduced by Senators MURRAY, CARROLL, and NEUBERGER, to investigate the water and power problems of the United States: Now, therefore, be it

"*Resolved*, That we urge the Senate to approve Resolution 71; and be it further

"*Resolved*, That we send copies of this resolution to Senators MURRAY, CARROLL, NEUBERGER, YOUNG, LANGER, and MANSFIELD.

"RESOLUTION 3

"Whereas it is becoming increasingly difficult for consumer-owned electric cooperatives to obtain satisfactory service and use of the existing federally owned, as well as privately owned, transmission facilities which by law should be dedicated to public service; and

"Whereas the use of such transmission facilities, and especially the excess capacity thereof, is becoming more and more essential to the survival of such cooperatives: Now, therefore, be it

"*Resolved by Central Power Electric Cooperative, Inc., at its annual meeting duly assembled*, That this federation respectfully urges the passage fo H.R. 3142, introduced by Representative QUENTIN BURDICK, in order to assure the maximum use of such facilities by the consumer-owned electric cooperatives; be it further

"*Resolved*, That copies of this resolution be sent to the Senators and Representatives of the States of Montana and North Dakota, as well as to the chairmen of the appropriate committees of the House and Senate."

Resolution submitted by Sheyenne Valley:

"RESOLUTION, SENATOR GORE'S AEC BILL, S. 683

"Whereas the expansion of our economy to meet our growing population is dependent upon an abundance of low-cost electric energy; and

"Whereas the early maximum development and production of small atomic energy reactor plants, together with large atomic energy reactor plants, will bring about an additional source of cheap energy; and

"Whereas America as a nation must compete for that number one position in world leadership through an ever-growing economy; and

"Whereas other countries are seeking to reach that number one position through the development and mass production of these reactor plants; and

"Whereas several nations are now already even with and, in some instances, ahead of our country, even though America was first to develop the use of the atom: Now, therefore, be it

"*Resolved*, That the board of directors of the Sheyenne Valley Electric Cooperative at this meeting dated March 30, 1959, respectfully urge all 96 U.S. Senators to support Senate bill 683; and be it further

"*Resolved*, That all 96 U.S. Senators use their influence and prestige to encourage mass development of atomic energy for peaceful purposes."

FEDERAL HIGHWAY CONSTRUCTION PROGRAM—RESOLUTIONS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a number of resolutions which I have received urging that Congress take necessary action so as to assure the continuation of the Federal highway construction program be printed at this point in the RECORD and appropriately referred.

The resolutions which I have received are from the Board of County Commissioners of Hennepin County in Minnesota; the Board of County Commissioners of Beltrami County in Minnesota; the City Council of the City of Minneapolis, Minn.; the Board of County Commissioners of Chisago County in Minnesota; the Board of County Commissioners of Isanti County in Minnesota; the Board of County Commissioners of Goodhue County in Minnesota; the Board of County Commissioners of St. Louis County in Minnesota; and the Board of County Commissioners of Polk County in Minnesota.

There being no objection, the resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Appropriations:

"RESOLUTION RELATING TO THE CURTAILMENT OF THE FEDERAL ROADBUILDING PROGRAM

"Whereas the City Council of the City of Minneapolis has been advised that a substantial number of construction lettings on highway work affecting the Minneapolis area were canceled as of August 4, 1959, by the commissioner of highways of the State of Minnesota because of a shortage of Federal funds and the uncertainty of Federal participation in road financing; and

"Whereas the inadequate financing of roads in this area from Federal aid funds creates an immediate financial crisis; and

"Whereas said crisis creates unemployment among those normally engaged in highway construction, and aggravates the burden on homeowners and other owners of property located in highway right-of-way: Now, therefore, be it

"*Resolved by the City Council of the City of Minneapolis*, That the Congress of the United States be urgently requested to make the necessary moneys available in the Federal Aid Highway Fund so as to restore and continue the Federal aid road construction program without deficit financing; be it further

"*Resolved*, That a copy of this resolution be transmitted forthwith to each of the Members of Congress from the State of Minnesota.

"Passed August 13, 1959. Geo. W. Martens, president of the council.

"Approved August 13, 1959. P. Kenneth Peterson, mayor.

"Attest: Leonard A. Johnson, city clerk."

"RESOLUTION URGING LEGISLATION TO CARRY OUT APPROPRIATION FOR THE ABC HIGHWAY PROGRAM

"Due to possible cancellation of Federal aid projects already let effecting Beltrami County highways, Commissioner Pool offered the following resolution and moved its adoption:

"'Whereas the Congress has failed thus far to appropriate sufficient funds to carry out the ABC highway program; and

"'Whereas failure of Congress to enact legislation to carry out said program could have a serious effect upon the ability of Beltrami County to meet its obligations on contracts heretofore awarded and in some instances already completed: Now, therefore, be it

"'*Resolved*, That the County Board of Beltrami County hereby signifies its support and urges that Congress take appropriate steps to insure the carrying out of the ABC highway program without any interruptions or delays.'

"Resolution was seconded by Commissioner Mistic and, upon being put to vote, was unanimously carried.

"A. D. JOHNSON,
"County Auditor, Beltrami County."

"Commissioners Ainsworth, Hanson, Matthews, Scott, and Swanson offered the following resolution and moved its adoption:

"'Whereas L. P. Zimmerman, commissioner of highways, State of Minnesota, on August 4, 1959, by telegram and newsletter, informed L. P. Pederson, county highway engineer of this county, that all county Federal aid secondary contract lettings are canceled as of that date due to a shortage of Federal funds; and

"'Whereas the said financial crisis in the roadbuilding program in the State of Minnesota was brought about by reason of the inadequacy of the financing of the Federal aid funds; and

"'Whereas the cancellation of the above contracts creates an emergency in this county and will cause undue hardship on personnel employed in the construction improvement of all Federal aid roadbuilding, and

"'Whereas it appears that the only adequate remedy to alleviate this desperate financial situation is for the Congress of the United States to take immediate and adequate steps to appropriate and make available in the Federal aid funds the moneys necessary to continue the Federal aid road program: Now, therefore, be it

"'*Resolved*, That this board earnestly request the Congress of the United States to make the necessary appropriations to the Federal aid highway funds so as to continue the Federal aid road construction program, and that the necessary legislation be enacted to continue adequate financing of such program; be it further

"'*Resolved*, That a copy of this resolution be sent immediately to each of the Members of Congress from the State of Minnesota and they are hereby requested to work for and make available the moneys necessary to finance the Federal aid road program and bring to the attention of the chairman of the House and Senate committees passing upon the financing of such program the request of this Board of Hennepin County Commissioners.'"

To the Committee on Finance:

"Because of the recent action taken by the House Ways and Means Committee in Washington with reference to future financing of the highway construction program nationwide, the commissioner of Minnesota Highway Department has canceled all future contract lettings planned for State trunk highways, Interstate System, and county aid secondary roads in Minnesota; be it

"*Resolved*, That the Board of County Commissioners of Chisago County, Minn., favor more taxes to keep this program going and on its present level and demand action from Congress at once to rectify the situation.

"Dated this 10th day of August 1959.

"BOARD OF COUNTY COMMISSIONERS,
"Chisago County, Minn.
"EPHRAIM BRITZ,
"RUSSELL H. PETERSON,
"FRANK O. ANDERSON,
"ELMER A. FIEDIN,
"CARL LINDBERG,

"Attest:

"THELMA A. JOHNSON,
"County Auditor."

"Whereas the failure of the Congress to enact revenue measures sufficient to finance the Federal Government's share in the present highway construction program, has resulted in the cancellation of road building contracts throughout the United States and particularly in the State of Minnesota; and

"Whereas if the necessary funds are not made available through appropriate legislation in the immediate future, the delay in construction will seriously affect the construction of highways upon which the residents of the county of Isanti are dependent for their economic well-being and the farm-to-market road program of the county of Isanti will be seriously curtailed: Now, therefore, be it

"*Resolved by the County Commissioners, in meeting assembled this 10th day of August 1959*—

"1. That it endorses and will support legislation to increase gasoline taxes in a sum sufficient to produce the revenues necessary to continue the present Federal highway building program without delay,

"2. That a copy of this resolution be forwarded by the county auditor to Senator HUBERT HUMPHREY, Senator GENE MCCARTHY, and Representative ROY WIER, for their information and guidance.

"H. Geo. SUNDBERG,
"Chairman.

"Attest:

"ROBT. J. MOODY,
"Auditor."

REDWING, MINN., *August 13, 1959.*

Hon. HUBERT H. HUMPHREY,
Senate Chambers,
Washington, D.C.

DEAR SIR: At a session of the County Board of Goodhue County, Minn., held August 11, 1959, they instructed the county auditor to send the following resolution to you for your consideration:

"Whereas the Government of the United States has not provided sufficient funds for the carrying out of needed highway improvements; and

"Whereas Goodhue County has been informed by letter dated August 5, 1959, from the department of highways, State of Minnesota, that Goodhue County would have to finance FAS projects on county State aid highways already entered into, entirely, due to the fact that Federal funds would not be forthcoming, as the Federal share of the cost of these projects: Therefore be it

"Resolved, That we, the Board of County Commissioners of Goodhue County, Minn., do urge the Congress of the United States to enact legislation for the increase of Federal gasoline tax 1½ cents per gallon so that contracts on FAS projects already entered into and projects contemplated in the future, may be partially financed by Federal funds."

Yours very truly,

E. P. EKHOLM,
County Auditor.

"RESOLUTION 595

"Whereas the House Ways and Means Committee of the U.S. House of Representatives has failed to reach a compromise solution to protect the highway finances for the fiscal year 1960 for financing the nationwide highway construction program; and

"Whereas the State of Minnesota has funds for its share of the various types of Federal aid projects but has received no assurance from the Bureau of Public Roads that it can meet its part of the obligations until the solution is resolved; and

"Whereas the Board of County Commissioners of St. Louis County is in favor of more taxes to keep this program going and on its present level: Now, therefore, be it

"Resolved, That the Board of County Commissioners of St. Louis County hereby requests all Congressmen and Senators from the State of Minnesota to extend every effort to have the House Ways and Means Committee reach a solution to protect the highway finances for the fiscal year 1960 in the nationwide highway construction program."

"Whereas the County of Polk, department of highways, has been notified by the State of Minnesota, department of highways, that Federal funds for Federal aid highway construction have been depleted, and that no action has been taken by Congress to provide for Federal funds for the continuation of the present Federal aid program; and

"Whereas Polk County has laid out and is working on a long-range farm-to-market road improvement program, which includes the Federal aid secondary system with the anticipation of Federal aid funds; and

"Whereas the discontinuance of Federal funds for any part of the Interstate System, Federal aid primary system and Federal aid secondary system of highways must be continued to meet present day traffic demands and provide for employment: Therefore be it

"Resolved, That the Board of County Commissioners of Polk County, Minn., in regular session, this 11th day of August 1959, request that Congress, now in session, take immediate action to increase the Federal tax on gasoline by 1 cent per gallon and appropriate funds for Federal aid to keep the Federal aid program going on its present level."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, without amendment:

S. 2263. A bill to authorize the Federal Power Commission to exempt small hydroelectric projects from certain of the licensing provisions of the Federal Power Act (Rept. No. 725); and

S. 2482. A bill to remove geographical limitations on activities of the Coast and Geodetic Survey, and for other purposes (Rept. No. 726).

By Mr. RUSSELL, from the Committee on Armed Services, without amendment:

H.R. 3365. An act to authorize the crediting of certain service for purpose of retired pay for nonregular service, and for other purposes (Rept. No. 727).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TALMADGE:

S. 2541. A bill for the relief of Maria Vittone and Rosa Fostina; to the Committee on the Judiciary.

By Mr. KEFAUVER:

S. 2542. A bill to increase the annual amount which certain veterans are permitted to earn without being deprived of the receipt of their pensions; and

S. 2543. A bill to amend section 4071 of the Internal Revenue Code of 1954 so as to fix a tax of 1 cent per pound on certain laminated tires produced from used tires; to the Committee on Finance; and

S. 2544. A bill for the relief of Soo Ile (John) Chang and Young Sukho (Holly) Chang; to the Committee on the Judiciary.

By Mr. KEFAUVER (for himself, Mr. DIRKSEN, and Mr. HENNINGS):

S. 2545. A bill to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. KEFAUVER when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. LANGER:

S. 2546. A bill for the relief of Henry Lohrey and Jacob J. Kossmann; to the Committee on the Judiciary.

S. 2547. A bill for the relief of the surviving widow of Randolph Weum; to the Committee on Post Office and Civil Service.

By Mr. HUMPHREY:

S. 2548. A bill for the relief of Henry C. Larson; to the Committee on the Judiciary.

By Mr. MURRAY (for himself, Mr. BARTLETT, Mr. BIBLE, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CARROLL, Mr. CHURCH, Mr. CLARK, Mr. DODD, Mr. DOUGLAS, Mr. ENGLE, Mr. GRUENING, Mr. HART, Mr. HENNINGS, Mr. HUMPHREY, Mr. JACKSON, Mr. JOHNSON of Texas, Mr. LANGER, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MCCARTHY, Mr. MCGEE, Mr. MORSE, Mr. MOSS, Mr. NEUBERGER, Mr. RANDOLPH, Mr. SPARKMAN, Mr. SYMINGTON, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota):

S. 2549. A bill to declare a national policy on conservation, development, and utilization of natural resources, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MURRAY when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 2550. A bill to amend the Welfare and Pension Plans Disclosure Act, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. SCOTT when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK (for himself, Mr. SYMINGTON, Mr. LAUSCHE, Mr. SCOTT, Mr. HENNINGS, and Mr. YOUNG of Ohio):

S. 2551. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Finance.

By Mr. KENNEDY:

S. 2552. A bill for the relief of Pietro Capici Conti; to the Committee on the Judiciary.

By Mr. BRIDGES (for himself and Mr. DIRKSEN):

S. 2553. A bill to continue until July 2, 1960, authority to promote upon retirement certain officers of the Navy, Marine Corps, and Coast Guard who have been specially commended for performance of duty in actual combat; to the Committee on Armed Services.

(See the remarks of Mr. BRIDGES when he introduced the above bill, which appear under a separate heading.)

By Mr. COOPER:

S. 2554. A bill for the relief of Leila Finlay Bohin; to the Committee on the Judiciary.

By Mr. KEFAUVER (for himself, Mr. EASTLAND, and Mr. TALMADGE):

S.J. Res. 133. Joint resolution proposing to amend the Constitution relating to the right of Congress and the States to enact legislation with respect to obscene material; to the Committee on the Judiciary.

(See the remarks of Mr. KEFAUVER when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTION

PRINTING OF ADDITIONAL COPIES OF HEARINGS ON "BIOLOGICAL AND ENVIRONMENTAL EFFECTS OF NUCLEAR WAR"

Mr. ANDERSON submitted the following concurrent resolution (S. Con. Res. 72), which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on Atomic Energy be authorized to have printed for its use fifteen thousand additional copies of the public hearings on "Biological and Environmental Effects of

Nuclear War," held by the Special Subcommittee on Radiation during the Eighty-sixth Congress, first session.

APPLICABILITY OF ANTITRUST LAWS TO EXEMPT CERTAIN ASPECTS OF DESIGNATED PROFESSIONAL TEAM SPORTS

Mr. KEFAUVER. Mr. President, on behalf of myself, the Senator from Illinois [Mr. DIRKSEN], and the Senator from Missouri [Mr. HENNINGS], I introduce, for appropriate reference, a new professional team sports bill for the purpose of exempting from the antitrust laws certain aspects of the organized professional team sports of football, basketball, and hockey.

This bill differs in several respects from the bill I introduced on February 3, 1959, S. 886, and the bill S. 616 introduced on January 21, 1959, by Senators HENNINGS, DIRKSEN, and KEATING. In both of those bills an attempt was made to deal with not only the games of football, basketball and hockey, but also with the game of baseball. As the result of the hearings which were recently held by the Antitrust and Monopoly Subcommittee on S. 886 and S. 616, it became apparent that there were not only differences in the legal status but that there were fundamental differences in the operations of the game of baseball from the games of football, basketball and hockey. The operation difference stems from the fact that in the game of professional baseball a minor league problem exists which does not exist in the other sports. As yet, the Antitrust and Monopoly Subcommittee has been unable to arrive at an overall bill dealing with all professional team sports, including baseball. However, in introducing this new measure it is the purpose of the sponsors to correct the inequity which has been created by the various decisions of the Supreme Court, which has held that with respect to the team aspects of baseball, and only baseball, the antitrust laws do not apply. Stated simply, the professional team sports of football, basketball and hockey, which are similar in their operational aspects to the game of baseball, are exposed fully to the full force and effect of the antitrust laws, whereas the game of baseball is not. The purpose of this bill is to correct this inequity and to give certain exemptions which are thought necessary to these team sports.

The bill which I send to the desk permits the organized professional team sports of football, basketball, and hockey to equalize the competitive playing strength of the teams involved in these sports, and the employment, selection and eligibility of players, as well as the reservation, selection and assignment of player contracts.

Also, these sports may regulate the right to operate within specific geographic areas, provided that such geographic areas shall mean an area included within the circumference of a circle having a radius of 5 miles with its center at the football field, basketball court or hockey rink of the respective sports, and further provided that the exemption which relates to the right to operate within specified geographic areas shall not apply to cities having a population of more than 2 million people. Also provided in this measure is the right to regulate the preservation of public confidence in the honesty in the sports involved.

Also provided as an exemption from the antitrust laws is the right of the team sport involved to limit the telecasting of contests to within 75 miles of the home community of another club on the day when such club is scheduled to play a regularly scheduled league game in the same sport, or, if desired as an alternative, to mutually distribute to other clubs in the same or different leagues all or any part of the revenues, of whatever nature, received from telecasts in the same sport. This exemption, however, is limited by the requirement that no club may telecast reports or pictures of its contests from within 75 miles of the home community of another club in a different league in the same sport on a day when such club is scheduled to play there a regularly scheduled league game, unless consent is received in writing from the other club.

In a very few weeks, regularly scheduled games in the game of professional football will begin. As interpreted by the Supreme Court, today every mutual act taken by the teams engaged in this great American pastime will be suspect under the present ruling of the Supreme Court unless some measure such as this bill is enacted into law. This is not a fair situation, and it is to correct such situation that this bill is submitted for consideration.

In order that other Senators may have an opportunity to join in sponsoring this bill, I ask unanimous consent that it lie on the desk for 3 days, and that the bill be printed following these remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from Tennessee.

The bill (S. 2545) to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes, introduced by Mr. KEFAUVER (for himself, Mr. DIRKSEN, and Mr. HENNINGS), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 2, 1890, as amended (26 Stat. 209); the Act of October 15, 1914, as amended (38 Stat. 730); and the Federal Trade Commission Act, as amended (38 Stat. 717), shall not apply to any contract, agreement, rule, course of conduct, or other activity by, between, or among persons conducting, engaging in, or participating in the organized professional team sports of football, basketball, and hockey to the extent to which it relates to—

(1) the equalization of competitive playing strengths;

(2) the employment, selection, or eligibility of players, or the reservation, selection, or assignment of player contracts;

(3) the right to operate within specific geographic areas: *Provided,* That such geographic areas when used with respect to any football, basketball, or hockey club shall mean the area included within the circumference of a circle having a radius of five miles with its center at the football field, basketball court, or hockey rink of the respective football, basketball, or hockey club: *And provided further,* That the exemption which relates to the right to operate within the specified geographic areas shall not apply to cities having a population of more than two million people; and

(4) the preservation of public confidence in the honesty in sports contests.

SEC. 2. No contract, agreement, rule, course of conduct, or other activity by, between, or among persons conducting, engaging in, or participating in the organized professional team sports of football, basketball, and hockey shall constitute a violation of the antitrust laws, to the extent to which it relates to the regulation of the granting by one or more clubs of the right to telecast reports or pictures of contests in the organized professional team sports of football, basketball, or hockey from telecasting stations located within seventy-five miles of the home community of another club on the day when such club is scheduled to play there a regularly scheduled league game in the same sport, or to the distribution to other clubs in the same or different leagues of all or any part of the revenues of whatever nature received from telecasting any or all contests in the same sport of football, basketball, or hockey: *Provided, however,* That the granting by one or more clubs in one league of the right to telecast reports or pictures of its contests in such organized professional sports from telecasting stations located within seventy-five miles of the home community of another club in a different league in the same sport on a day when such club is scheduled to play there a regularly scheduled league game shall be unlawful whenever such granting of the right to telecast has not been consented to in writing by the other club and the effect of such telecasting is injurious to or may tend to destroy such other club.

SEC. 3. As used in this Act, "persons" means any individual, partnership, corporation, or unincorporated association, or any combination or association thereof.

SEC. 4. Nothing in this Act shall be construed to deprive any players in the organized professional team sports of football, basketball, or hockey of any right to bargain collectively, or to engage in other associated activities for their mutual aid or protection.

SEC. 5. Except as provided in sections 1 and 2 of this Act, nothing contained in this Act shall affect the applicability of the antitrust laws to the organized professional team sports of football, basketball, or hockey.

SEC. 6. Nothing in this Act shall affect any cause of action existing on the effective date hereof in respect to the organized professional team sports of football, basketball, or hockey.

WELFARE AND PENSION PLANS DISCLOSURE ACT AMENDMENTS OF 1959

Mr. SCOTT. Mr. President, earlier in this session I introduced a bill to amend the Welfare and Pension Plans Disclosure Act, by restoring certain provisions of the legislation that were eliminated when passed by the Congress.

Since that time, it has been brought to my attention that there are other technical amendments which should be included in amending legislation. For this reason, I am introducing a second bill, to replace S. 567, introduced by me on January 20.

I ask unanimous consent that a statement, explaining the new bill and the text of the bill be placed in the RECORD at this point in my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the statement and the bill will be printed in the RECORD.

The bill (S. 2550) to amend the Welfare and Pension Plans Disclosure Act, and for other purposes, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The statement and bill presented by Mr. SCOTT are as follows:

STATEMENT BY SENATOR SCOTT

In approving the Welfare and Pension Plans Disclosure Act (Public Law 85–836, 72 Stat. 997), the President stated that he was doing so only because it established a precedent of Federal responsibility in this area. He said that the new statute would require amendment at the next session of the Congress if it is to be effective.

This bill is designed to make the amendments to the act recommended by the President. In addition, experience gained in developing the report forms which the Secretary of Labor is required to make available to plan administrators has revealed the need for certain technical amendments to the act in order to provide a workable disclosure system that will carry out the President's recommendations.

The provisions of the bill which would effectuate the President's proposals are as follows:

(1) The word "summary" would be deleted from section 7(b) of the act which presently provides that the annual reports shall contain, among other things, a "summary" statement of the plan's assets, liabilities, receipts and disbursements. As the President pointed out, this language may make it possible to conceal abuses with respect to a number of important aspects of the financial operations of those plans. By eliminating the word "summary," the amendment would insure that these abuses cannot be concealed by the simple expedient of making the statement extremely sketchy or incomplete.

(2) Plan administrators and others affected by the act would be permitted to place full reliance upon the opinions and report forms of the administering agency, thereby correcting another defect in the present provisions of the act described by the President. A provision of the bill, patterned on section 10 of the Portal-to-Portal Act of 1947, would enable persons charged with violation of the act to plead as a defense that they acted in good faith in compliance with and in reliance on interpretations of the Secretary of Labor. Likewise, if charged with failing to publish or file any information required by the act, they would have a defense where they show that they published and filed the required description and annual reports on the forms prepared by the Secretary of Labor, in conformity with his instructions accompanying such forms. The establishment of such a plea would protect the person from any liability or punishment for the actions in question even though those actions were later determined not to have been in conformity with the act.

(3) The enforcement deficiencies present in the act would be remedied. As the President stated, compliance presently rests solely on court proceedings brought by individual employees, with no investigatory or enforcement powers conferred upon any agency of Government. The amendment would confer appropriate power, including that of subpena, upon the Secretary of Labor and would authorize him to seek injunctions compelling compliance with and restraining violations of the act. This amendment is essential for a real enforcement program.

(4) The flagrant abuses of embezzlement and "kickbacks" would be directly dealt with by new criminal provisions. The embezzlement or unlawful conversion of money or any other assets of these plans would be made a Federal felony. In addition, administrators and other representatives of plans, as well as officers of employers and unions whose employees or members are covered by these plans, would be prohibited under criminal sanctions from receiving monetary or other inducements, in the nature of bribes, to influence their actions or decisions respecting important operations of the plan. The same penalty would be imposed upon those convicted of giving any inducement prohibited by the proposal. This would go far toward remedying an evil which disclosures in the area of employee welfare plans during the past few years have shown to be both prevalent and serious.

As stated previously, experience gained since the enactment of the statute has shown that certain technical amendments are necessary to ensure that the new disclosure system is fully effective and that it does not place an undue burden upon those affected by its reporting requirements. Experience may prove the need for additional amendments. The following are the technical changes which this bill would make:

(1) The bill would permit the remedying of certain defects which will prove exceedingly troublesome to certain plan administrators. For example, section 7(d) of the act requires plans which utilize an insurance carrier or service organization in providing the benefits under the plan to furnish certain specific data respecting insurance premiums, subscription charges, and the like, in addition to the information required from all plans by section 7(b). Information relating to benefits provided through insurance is generally available on the basis of the contract year, but section 7(b) appears to require information respecting benefit payments to be furnished on the basis of the plan's reporting year. Since these 2 years will in many instances not be coincidental (i.e., where a trust reporting on a calendar year basis purchases insurance under policies covering a different period or a plan provides benefits through two insurance contracts, each covering different periods), it appears that the hardship of providing certain information on the basis of the plan's reporting year rather than on a contract year is inflicted on many insured plans.

In addition, paragraph (2) of section 7(d) of the act requires the covered plans to report, among other things, the total claims paid by the insurance carrier or service organization covering benefits under the plan. However, it is extremely burdensome for certain carriers and organizations which do not maintain separate experience records covering the specific groups they serve to supply this information to plan administrators respecting individual plans. Paragraph (2) recognizes this burden by providing an appropriate alternative reporting requirement in these situations. This alternative is plainly essential, but it appears to be largely nullified because subsection (b), on its face, will still require these plans individually to report the amount of benefits paid or otherwise furnished, including those benefits paid by such carriers or organizations.

Paragraph (2) of section 7(d) in its present form would also prove burdensome, particularly to the Government, in another respect. This provision requires every plan which it covers to attach to its annual report a copy of the financial report of the carrier or service organization. Since some organizations service as many as several hundred plans, it is evident that the files of the Labor Department will be encumbered with a multitude of unneeded copies of the same report of the same organization or carrier.

These defects could be remedied and relief could be expeditiously granted from these burdens under the proposed amendment to section 5(a) of the act, which deals with the duty of plan administrators to disclose and report information. The requirement of this section that plan descriptions and annual reports contain the information specified in sections 6 and 7 of the act would be preserved. However, new language would be added to take care of situations where specific information required by the statute respecting certain kinds of plans or the classes of benefits provided by such plans cannot, in the normal method of the plan's operations, be practicably ascertained or made available for public inspection in the manner or for the period prescribed by any provision of the act, or where the information if published in such manner or for such period would be duplicative or uninformative. The Secretary of Labor would be authorized, where he finds after hearing that such a situation exists, to prescribe by regulations such other manner or such other period for the publication of the particular information as may be appropriate to carry out the act's purposes.

(2) Subparagraph (C) of section 7(f)(1) of the act requires the reports of plans funded through the medium of a trust to include detailed lists of all investments (including information as to cost, present value, and percentage of total fund) in securities or properties of the employer, the employee organization, or other party in interest; but the identity of, and details respecting brokerage fees and commissions on, securities listed and traded subject to certain Federal laws, need not be disclosed if "the statement of assets [shows] the total investments in common stock, preferred stock, bonds and debentures, respectively, listed at their aggregate cost or present value, whichever is lower." The quoted language differs from that of subparagraph (B) providing for the valuation of assets for purposes of the subparagraph (B) statement, and it appears that in some cases plan administrators would have to revalue these four types of securities before they can exercise the option of not disclosing the identity of their "party in interest" securities. The amendment would relieve these administrators of this burden by permitting the securities to be valued "as provided in subparagraph (B)."

S. 2550

A bill to amend the Welfare and Pension Plans Disclosure Act, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Welfare and Pension Plans Disclosure Act Amendments of 1959."

SEC. 2. Subsection (a) of section 5 of the Welfare and Pension Plans Disclosure Act is amended by striking out the last sentence thereof and by inserting in lieu thereof the following:

"Such description and such report shall contain the information required by sections 6 and 7 of this Act in such form and detail as the Secretary of Labor shall by regulations prescribe and copies thereof shall be executed, published, and filed in accordance with the provisions of this Act: *Provided,* That no administrator shall be relieved of the obligation to include in such description or such report any information relevant to the plan which is required by section 6 or section 7; but if the Secretary finds, on the record after giving interested persons an

opportunity to be heard, that specific information on plans of certain kinds or on any class or classes of benefits described in section 3(a) (1) and (2) which are provided by such plans cannot, in the normal method of operation of such plans, be practicably ascertained or made available for publication in the manner or for the period prescribed in any provision of this Act, or that the information if published in such manner or for such period would be duplicative or uninformative, the Secretary may by regulations prescribe such other manner or such other period for the publication of such information as he may determine to be necessary and appropriate to carry out the purposes of this Act."

SEC. 3. Subsection (b) of section 7 of such Act is amended by striking the word "summary" immediately preceding the word "statement".

SEC. 4. Subparagraph (C) of paragraph (1) of subsection (f) of section 7 of such Act is amended to read as follows:

"(C) a detailed list, including information as to cost, present value, and percentage of total fund, of all investments in securities or properties of the employer or employee organization, or any other party in interest by reason of being an officer, trustee, or employee of such fund, but the identity of all securities and the detail of brokerage fees and commissions incidental to the purchase or sale of such securities need not be revealed if such securities are listed and traded on an exchange subject to regulation by the Securities and Exchange Commission or securities in an investment company registered under the Investment Company Act of 1940, or securities of a public utility holding company registered under the Public Utility Holding Company Act of 1935, and the statement of assets contains a statement of the total investments in common stock, preferred stock, bonds and debentures, respectively, valued as provided in subparagraph (B)."

SEC. 5. Such Act is further amended by striking out subsections (d) and (e) of section 9, by redesignating sections 10, 11, and 12 as sections 14, 15, and 16, respectively, and by adding the following new subsections (d), (e), (f), and (g) to section 9 and the following new sections 10, 11, 12, and 13 to the Act:

"(d) The Secretary of Labor may, upon complaint of violation, or on his own motion when he finds reasonable cause to believe investigation may disclose violations of this Act, make such investigations as he deems necessary, and may require or permit any person to file with him a statement in writing, under oath or otherwise, as to all the facts and circumstances concerning the matter to be investigated.

"(e) For the purposes of any investigation provided for in this Act, the provisions of section 307 (relating to the attendance of witnesses and the production of books, records, and documents) of the Federal Power Act of June 10, 1920, as amended (16 U.S.C. 825f), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary of Labor or any officers designated by him.

"(f) Whenever it shall appear to the Secretary of Labor that any person is engaged in any violation of the provisions of this Act, he may in his discretion bring an action in the proper court having jurisdiction under subsection (g) to enjoin such acts or practices, and upon a proper showing a permanent or temporary injunction or restraining order shall be granted. Attorneys of the Department of Labor may appear for and represent the Secretary of Labor in any such litigation, but such litigation shall be subject to the direction and control of the Attorney General.

"(g) The United States District Courts, the United States District Court for Alaska, and the United States courts of any Territory or other place subject to the jurisdiction of the United States, shall have jurisdiction, for cause shown, to restrain violations of this Act. All actions under this subsection shall be brought by the Secretary of Labor.

"RELIANCE ON ADMINISTRATIVE INTERPRETATIONS AND FORMS

"SEC. 10. In any action or proceeding based on any act or omission in alleged violation of this Act, no person shall be subject to any liability or punishment for or on account of the failure of such person to (1) comply with any provision of this Act if he pleads and proves that the act or omission complained of was in good faith in conformity with and in reliance on any written interpretation or opinion of the Secretary of Labor, or (2) publish and file any information required by any provision of this Act if he pleads and proves that he published and filed such information in good faith, on the description and annual report forms prepared by the Secretary of Labor and in conformity with the instructions of the Secretary of Labor issued under this Act regarding the filing of such forms. Such a defense, if established, shall be a bar to the action or proceeding, notwithstanding that (1) after such act or omission, such interpretation or opinion is modified or rescinded or is determined by judicial authority to be invalid or of no legal effect, or (2) after publishing or filing the description and annual reports, such publication or filing is determined by judicial authority not to be in conformity with the requirements of this Act.

"CRIMES

"SEC. 11. (a) Chapter 11 of title 18, United States Code, as amended, is amended by adding a new section captioned and reading as follows:

"'§ 224. Offer, acceptance, or solicitation to influence operations of employee benefit plan.

"'(a) Any administrator, officer, trustee, custodian, or employee of any employee welfare benefit plan or employee pension benefit plan, or any officer of an employer or officer or employee of an employee organization any employees or members, respectively, of which are covered by such plan, who receives or agrees to receive any money or thing of value, because of or with intent to be influenced with respect to any of his actions, decisions, or other duties relating to any question or matter concerning the procurement of property or insurance or other services for or in connection with such plan, shall be fined not more than $5,000, or imprisoned not more than five years, or both: *Provided*, That nothing contained in this subsection or in subsection (b) shall be construed to prohibit the payment to or acceptance by any person of usual salary or compensation for necessary services performed in the regular course of his duties as such administrator, officer, trustee, custodian, or employee of such plan, employer, or employee organization.

"'(b) Any person who directly or indirectly gives or offers, or promises to give or offer, any payment or delivery of money or other thing of value prohibited by subsection (a), shall be fined not more than $5,000, or imprisonsd not more than five years, or both.

"'(c) As used in this section and in section 664, the phrase "any employee welfare benefit plan or employee pension benefit plan" means any such plan subject to the provisions of the Welfare and Pension Plans Disclosure Act.'

"(b) The analysis of chapter 11, title 18, United States Code, immediately preceding section 201 thereof, is amended by adding at the end thereof the following new item:

"'§ 224. Offer, acceptance or solicitation to influence operations of employee benefit plan.'

"SEC. 12. (a) Chapter 31 of title 18, United States Code, as amended, is amended by adding a new section captioned and reading as follows:

"'§ 664. Theft or embezzlement from employee welfare benefit plan.

"'Any person who embezzles, steals, or unlawfully and willfully abstracts or converts to his own use or to the use of another, any of the moneys, funds, securities, premiums, credits, property, or other assets of any employee welfare benefit plan or employee pension benefit plan, or of any fund connected therewith, shall be fined not more than $10,000, or imprisoned not more than five years, or both.'

"(b) The analysis of chapter 31, title 18, United States Code, immediately preceding section 641 thereof, is amended by adding at the end thereof the following new item:

"'§ 664. Theft or embezzlement from employee welfare benefit plan.'

"SEC. 13. (a) Chapter 47 of title 18, United States Code, as amended, is amended by adding a new section captioned and reading as follows:

"'§ 1027. False statements to Secretary of Labor.

"'Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly conceals, covers up, or fails to disclose a material fact, in any document required under the provisions of the Welfare and Pension Plans Disclosure Act to be filed with the Secretary of Labor, shall be fined not more than $10,000, or imprisoned not more than five years, or both.'

"(b) The analysis of chapter 47, title 18, United States Code, immediately preceding section 1001, is amended by adding at the end thereof the following new item:

"'§ 1027. False statements to Secretary of Labor.'"

CONTINUATION OF AUTHORITY TO PROMOTE, UPON RETIREMENT, CERTAIN OFFICERS OF THE NAVY, MARINE CORPS, AND COAST GUARD

Mr. BRIDGES. Mr. President, on behalf of myself and the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], I introduce, for appropriate reference, a bill to postpone until July 2, 1960, the effective date of the repeal of the laws that require officers of the Navy, Marine Corps, and Coast Guard, upon their retirement, to be advanced to the next higher grade if they have been specially commended for their performance of duty in actual combat before January 1, 1947.

Provisions to repeal these so-called "tombstone" promotion laws, effective on November 1, 1959, were added by this body to H.R. 4413, which was passed on July 27. As you know, the principal purpose of this bill was to provide for the early forced retirement of some of the senior captains and commanders in the Regular Navy and colonels and lieutenant colonels in the Regular Marine Corps in order to prevent stagnation in the promotion of their juniors. The repeal of the "tombstone" promotion laws, effective on November 1 instead of on the date of approval of the bill, was expected to result in the voluntary retirement of some of these

senior officers before that date and thus to reduce the number who would have to be involuntarily retired. We thought that we were allowing enough time for officers who are entitled to advancement upon retirement to decide whether to retire immediately in order to attain the higher rank or to remain on the active list and take their chances of being involuntarily retired later with no advancement. However, we have not allowed enough time.

In mid-August the first of November seems a long way off. But it is only 2½ months away. It takes time to process applications for retirement. In order to meet the November 1 deadline, officers must decide immediately to submit their applications. Many of these officers are on ships at sea or at remote foreign stations. Hastily and without consultation with their families, they must make a decision now which will affect their entire future lives. They must balance the expected long-range benefit of having higher rank on the retired list against the hardship of abrupt termination of their careers, a drop in income, and a sudden transition to civilian life for which they have had no time to prepare. Forced to make a quick decision, some will make a wrong one which they will have no time to correct.

President Eisenhower, as an old soldier, understands perhaps more fully than we do the dilemma which now faces senior career officers in the Navy, Marine Corps, and Coast Guard. When he signed H.R. 4413—now Public Law 86–155—he said:

> I believe that it would be only fair to officers, who by their noteworthy combat service, have shown their dedication to our country, that they be allowed an additional period of time during which to make what is for them a momentous decision. Out of consideration for the service which these officers have rendered, I hope the Congress will promptly accord them such additional time.

Mr. President, the bill which I have introduced on behalf of myself and the minority leader would allow these career officers sufficient time in which to make a wise choice and to prepare for the termination of their active service.

I should like to point out, Mr. President, that this additional time is also needed by the Reserves of the Navy, Marine Corps, and Coast Guard. There are many Reserves on inactive duty, but still active in Reserve programs, who were decorated for heroism in combat and who will be eligible for advancement upon retirement if they apply for retirement in time. I feel sure that the services are doing their best to insure that all eligible Reserves are advised of the necessity for submitting their applications for retirement promptly, but unless additional time is granted it seems inevitable that some Reserves will not be reached until it is too late.

I urge the speedy passage of this proposed legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2553) to continue until July 2, 1960, authority to promote upon retirement certain officers of the Navy, Marine Corps, and Coast Guard who have been specially commended for performance of duty in actual combat, introduced by Mr. BRIDGES (for himself and Mr. DIRKSEN), was received, read twice by its title, and referred to the Committee on Armed Services.

PROPOSED AMENDMENT TO CONSTITUTION, RELATING TO THE RIGHT OF CONGRESS AND THE STATES TO ENACT LEGISLATION WITH RESPECT TO OBSCENE MATERIAL

Mr. KEFAUVER. Mr. President, on behalf of myself, the Senator from Mississippi [Mr. EASTLAND], and the Senator from Georgia [Mr. TALMADGE], I introduce, for appropriate reference, a joint resolution proposing to amend the Constitution relating to the right of Congress and the States to enact legislation with respect to obscene material. I ask unanimous consent that the joint resolution, together with a statement, prepared by me, be printed in the RECORD, and that the joint resolution may lie on the desk for 2 days so as to give other Senators an opportunity to cosponsor it if they so desire.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution and statement will be printed in the RECORD, and the joint resolution will lie on the desk, as requested by the Senator from Tennessee.

The joint resolution (S.J. Res. 133) proposing to amend the Constitution relating to the right of Congress and the States to enact legislation with respect to obscene material, introduced by Mr. KEFAUVER (for himself, Mr. EASTLAND, and Mr. TALMADGE), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress.

"ARTICLE —

"Freedom of speech and freedom of press shall not extend to the publication, manufacture, sale, dissemination, or distribution of obscene material, and both the Congress and the States may enact legislation with respect to the prohibition thereof. Material is obscene if, applying contemporary community standards, its dominant theme taken as a whole appeals to the prurient interest of the average person."

The statement presented by Mr. KEFAUVER is as follows:

On July 2, I joined with the distinguished chairman of the Committee on the Judiciary and several other distinguished Senators in the introduction of Senate Joint Resolution 116, a joint resolution "proposing to amend the Constitution relating to the right of a State to enact legislation on the basis of its own public policy on questions of decency and morality." The operative part of this proposed amendment reads: "The right of each State to decide on the basis of its own public policy questions of decency and morality, and to enact legislation with respect thereto, shall not be abridged."

I joined in cosponsorship of this joint resolution because it is designed to cope with the ever more serious problem of pornography. Several years ago, as chairman of the Senate Subcommittee on Juvenile Delinquency, I held many hearings which brought out very clearly the connection between pornography and juvenile delinquency.

Unfortunately the ill effect of obscene and lewd literature and pictures is not limited to juveniles alone.

I have constantly sought ways to turn the tide on the smut peddlers. Only last year, we succeeded in enacting a bill to strengthen the hands of the Post Office Department and Justice Department in the prosecution of purveyors of obscene material. However, it is very possible that the laws on this subject need further strengthening. As I have the honor to be the chairman of the Senate Subcommittee on Constitutional Amendments, I thought that Senate Joint Resolution 116 offered an excellent opportunity for a full public discussion of methods of dealing with those who make a living out of the publication and sale of "dirt for dirt's sake." No opportunity should be missed to gain public support through public education for solutions to this most serious problem.

However, since the introduction of Senate Joint Resolution 116, I have had an opportunity to study this matter at some length. I have also received letters from several eminent lawyers with respect thereto. In my view, the joint resolution, as presently drafted, contains two defects, which render it both too narrow and too broad at the same time.

It is too narrow in that it limits its delegation of power to the several States alone; no power is given to the Federal Government. Yet, control of pornography must be achieved by cooperative action of both the Federal Government and the several States. The Post Office Department and the Justice Department play leading roles in the control of the dissemination of obscene material. Senate Joint Resolution 116, as presently drafted, might have the effect of tying the hands of these two agencies of the Federal Government.

At the same time, I believe that the proposed joint resolution might be too broad in the standards of prohibition that it would establish. It would, in effect, permit the States to control the publication, sale, et cetera, of literature which was deemed to be either indecent or immoral. Taking into account our jurisprudence on this complicated subject, I believe that a better standard might be "obscenity."

I feel certain that the other sponsors of Senate Joint Resolution 116 do not favor censorship, using that term in its normal sense. I, for one, am unalterably opposed to censorship in all forms. It is the first and most vicious tool of any totalitarian government. Once a people begin to go down the road to censorship, their freedom is in the gravest danger. That the Founding Fathers of our country realized this full well is evidenced by the fact that freedom of speech and freedom of press are provided for in the first article of the Bill of Rights.

This does not mean that there are no permissible limitations on freedom of speech and freedom of press to deal with pornography and smut. I believe that they can be dealt with effectively without wandering into the field of censorship. Therefore, I have drafted and hereby introduce another proposed constitutional amendment dealing with this subject. I am honored to have the

distinguished senior Senator from Mississippi, and the distinguished junior Senator from Georgia join me in its introduction. Its operative language is as follows:

"Freedom of speech and freedom of press shall not extend to the publication, manufacture, sale, dissemination, or distribution of obscene material, and both the Congress and the States may enact legislation with respect to the prohibition thereof. Material is obscene if, applying contemporary community standards, its dominant theme taken as a whole appeals to the prurient interest of the average person."

This alternative proposal will be before the Subcommittee on Constitutional Amendments at such time as we may have hearings on Senate Joint Resolution 116. I am hopeful that we will be able to have such hearings in the near future, as this is a most important subject which needs as much public discussion as possible.

It is very possible that in place of or in addition to a constitutional amendment, we may conclude that further strengthening of existing Federal laws is needed. In fact, there are certain changes which can be made in existing Federal laws to strengthen the hand of the Post Office Department and the Justice Department in their fight against the smut peddlers. I shall introduce proposed legislation for this purpose in the next few days, and I hope a large number of my colleagues will join me in cosponsorship of this legislation.

In conclusion I may state that I do not believe that many Americans favor censorship by either the Federal Government or their State governments. However, they desire and expect that there will be some effective control over those lowest members of society who make their living by purveying filth to the immature members of our society.

CIVIL RIGHTS AMENDMENTS TO SENATE BILL 1617

Mr. HENNINGS. Mr. President, I submit amendments, intended to be proposed by me to the bill (S. 1617) to provide for the adjustment of the legislative jurisdiction exercised by the United States over land in the several States used for Federal purposes, and ask that they be printed and lie on the table.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HENNINGS. Mr. President, I also ask unanimous consent that the amendments be printed in the RECORD, at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HENNINGS. Mr. President, the amendments I submit contain the following:

Titles II through X are titles I through IX of printed amendment "7–28–59—C" which I offered to S. 2391, the clean bill reported by the Subcommittee on Constitutional Rights.

Title I is the bill being amended.

Title XI is the language of printed amendment "7–15–59—B," appropriately renumbered.

Title XII is the language of title II of H.R. 8601, appropriately renumbered.

Title XIII is the language of title V of H.R. 8601, appropriately renumbered.

Stated another way, the amendment contains:

(a) The statement of findings by Congress that enforced racial segregation in public schools violates the equal protection of the laws guaranteed by the 14th amendment to the Constitution of the United States.

(b) A systematic, orderly program is outlined for aid by the Federal Government, operating through the Department of Health, Education, and Welfare, to accomplish public school desegregation.

(c) The Attorney General is authorized to seek civil court remedies to accomplish public school desegregation if plans sponsored by the Department of Health, Education, and Welfare are not accepted voluntarily.

(d) The Attorney General is authorized to seek civil court remedies for individual persons in the United States who are being denied the equal protection of the laws on the basis of race, color, religion, or national origin.

(e) Election records, papers, and ballots are to be retained and preserved, under penalty of the criminal law; and a procedure is established for production of these materials for inspection by the Attorney General.

(f) All tests—questions and answers—for registration or voting in Federal elections must be printed or in writing.

(g) The Federal criminal law will punnish flight across a State line to avoid punishment for damaging or destroying any building or vehicle.

(h) The Federal Government will provide for the education of children of members of the Armed Forces in areas where public schools are closed.

(i) The Civil Rights Commission will have until January 31, 1961, to file its final report.

Mr. President, I wish to emphasize that none of the provisions of this amendment is new. All of them have been before the Senate in one form or another for some time, and all of them have been analyzed and reanalyzed to the point where I believe all of us are quite familiar with them.

Mr. President, I present this amendment with a great deal of reluctance, as I have always been a strong advocate of normal procedures. However, I am certain that some of my colleagues on the Judiciary Committee are determined that the committee shall not report to the Senate any bill whatsoever which contains any substantial civil-rights proposals.

This I say in the face of the fact that members of the committee who favor several of the proposals now before the committee are in a substantial majority.

The committee has backed and filled, marched and countermarched on this proposed legislation since last March, when hearings began. The subcommittee held 21 days of headings. Sixty witnesses were heard over 2½ months. The subcommittee took another month and a half in marking up the bill, because of extreme difficulty in obtaining quorums and because of the use of other technical delaying tactics. The committee debated for 5 hours, over 2 weeks, the motion to make the bill the pending business. The committee spent 2 full days last week discussing the bill, and we are now no farther toward reporting a bill than we were when the subcommittee reported the bill on July 15.

If the Senate is to act on any civil rights legislation whatsoever before adjournment, I am convinced, though reluctantly, that we must follow this procedure of offering substantial civil rights legislation as an amendment to legislation pending before the Senate.

The proposed legislation I offer is not new. Some of the proposals were debated and voted upon in the Senate in 1957. The remainder have been before us in one form or another last year and this year.

Mr. THURMOND. Mr. President, I wish to ask a question of the distinguished Senator from Missouri.

Mr. HENNINGS. Certainly.

Mr. THURMOND. As I understood the statement he made, he merely asked that an amendment be printed in the RECORD, and did not request any other action.

The VICE PRESIDENT. The request was that the amendment be printed, lie on the table, and be printed in the RECORD. No other action was requested.

Mr. HENNINGS. Let me say that I asked that the amendment be printed, lie on the table, and be printed in the RECORD.

Mr. KEATING. Mr. President, the action suggested by the distinguished senior Senator from Missouri is about the only course which could be taken at this stage, to make it possible to obtain at this session of Congress a meaningful civil rights package.

The proposed amendment of the Senator from Missouri has some details with which I would find myself in some disagreement. But no doubt opportunity will be afforded, when the amendment is before us to propose amendments to it.

But certainly the procedure of offering the amendment to some other bill will afford the only opportunity, apparently, which we shall have at this session—due to the inaction on the part of the Judiciary Committee—to act on what many of us believe to be a very important issue before the people today. I shall support the procedure taken by the Senator from Missouri as the only recourse which we have at this stage of the session.

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. HENNINGS. I wish to thank the Senator for his support. I also should like to say he has given support to us in our committee and has exerted every effort, along with others of us, to reach an agreement and to bring before the committee and make the pending business the bill which is now before the committee.

In offering the amendment, I have done so with the full knowledge that if there is not included in the amendment offered to be printed today certain details, there are other Members of the Senate who will offer amendments covering some of those anyway. While I propose to support them all, I recognize that there are various respectable differences of opinion.

Mr. KEATING. I appreciate the remarks of the Senator from Missouri.

The amendments submitted by Mr. HENNINGS are as follows:

On page 1, after line 2, insert "title I", and, at the beginning of line 3, insert "SEC. 101.", and on page 7, after line 11, insert the following:

"TITLE II

"Short title and findings

"SEC. 201. This Act may be cited as the 'Civil Rights Act of 1959'.

"SEC. 202. (a) The Congress hereby finds that—

"(1) recent decisions of the Supreme Court of the United States holding racial segregation unlawful in public education, public transportation, and public recreational facilities (hereinafter referred to as the antisegregation decisions) as a denial of the constitutional right to the equal protection of the laws expressed the moral ideals of the Nation and the world and point the way to a nation enhanced in strength and dignity at home and enhanced in honor and prestige throughout the world.

"(2) these antisegregation decisions are being resisted in many areas of the Nation mostly directly affected by them and indirectly evaded in other areas, thereby denying to millions of Americans within our borders the constitutional right to the equal protection of the laws,

"(3) many States, municipalities, school districts, and other local governmental units have failed to make a prompt and reasonable start toward full compliance with the Supreme Court's decisions in the field of public education despite the substantial time which has already elapsed since the promulgation of those decisions in 1954 and 1955,

"(4) the constitutional right to the equal protection of the laws is being denied to many persons because of race, color, religion, or national origin in fields other than education, transportation, and recreation.

"(5) these denials of the constitutional right to the equal protection of the laws restrict millions of Americans to second-class citizenship and deprive the Nation of the maximum development and maximum benefits that can be contributed by such persons, and

"(6) legislative and executive action (A) is necessary to safeguard and guarantee to all Americans the constitutional right to equal protection of the laws and (B) will aid in expediting universal compliance with the antisegregation decisions of the Supreme Court.

"(b) The Congress further finds that the rights protected by the Constitution, as declared by the antisegregation decisions, will be more widely accepted and more fully enjoyed in all areas of the Nation, and particularly in those areas of the Nation most directly affected by the decisions, when it is generally recognized and understood that—

"(1) the Constitution, as declared by the antisegregation decisions, is the supreme law of the land,

"(2) all Federal and State officials are bound by their oaths or affirmations to support the Constitution, and

"(3) the legislative and executive branches of the Federal Government are acting and will continue to act, with such Federal authority as is found necessary, to protect the constitutional rights upheld by those decisions of the judicial branch of the Government.

"(c) The Congress further finds that—

"(1) the present system whereby individual plaintiffs in the Federal courts bear the burden of protecting constitutional rights, as declared by the antisegregation decisions, is neither the exclusive nor the most effective means of protecting those constitutional rights and the public interest in safeguarding those constitutional rights, and has resulted in local restrictive and punitive measures against the individuals and organizations engaging in, and supporting, efforts in the courts to assert those constitutional rights, and

"(2) specific authorization to the executive branch of the Federal Government to act in support of the constitutional rights upheld by the antisegregation decisions (A) will provide a more rational, uniform, just, and effective system of protecting constitutional rights than the present procedure under which the safeguarding of constitutional rights is determined by the varying resources and courage of individuals and organizations and by the varying State statutory restrictions placed upon them, and (B) will render less effective, and hence tend to reduce, hostile community pressures upon individuals and organizations seeking to safeguard constitutional rights.

"(d) The Congress hereby recognizes it to be the initial responsibility of all States, municipalities, school districts, and other local governmental units to safeguard the constitutional right to the equal protection of the laws as declared by the antisegregation decisions of the Supreme Court and to administer their systems of public education, public transportation, and public recreational facilities in accordance with the Constitution of the United States, but the Federal Government, to maintain a more perfect union, to extend justice, to promote the common defense, and to secure the blessings of liberty to all persons, has a coordinate responsibility to guarantee the constitutional right to the equal protection of the laws, to prevent denials of the right when State or local authorities cannot or will not do so, and thus to enhance the Nation's internal strength and its position throughout the world.

"(e) Recognizing its authority and responsibility under the fifth section of the fourteenth amendment to the Constitution of the United States and its obligation to uphold the coordinate authority and responsibility of the judicial branch of the Government, the Congress hereby declares its intention that the right to the equal protection of the laws guaranteed by the Constitution against deprivation by reason of race, color, religion, or national origin and affirmed by the antisegregation decisions of the Supreme Court, shall be protected by all due and reasonable means, and to that end enacts the following provisions of this Act.

"TITLE III

Technical assistance by Secretary of Health, Education, and Welfare

"SEC. 301. The Secretary of Health, Education, and Welfare (hereafter in this Act referred to as the "Secretary") is hereby authorized to render technical assistance to States, municipalities, school districts, and other local governmental units to eliminate denials of constitutional rights in the field of public education by reason of race, color, religion, or national origin and to come into compliance with the decisions of the Supreme Court in the field of public education by—

"(a) assembling, publishing, and distributing information which, in his judgment, will prove helpful in obtaining public understanding of, and compliance with, the Constitution and decisions of the Supreme Court in the field of public education;

"(b) surveying the progress made in eliminating segregation in public education in various parts of the country and making available to public agencies, private organizations, private individuals, and the general public the results of such surveys, including wherever possible successful case histories of desegregation and the ways and means utilized to bring about desegregation in such instances;

"(c) planning, calling, and holding local, State, regional, and national conferences attended by State and local officials, representatives of private organizations, and private citizens, to discuss ways and means of eliminating segregation in public education generally or in any particular State, municipality, school district, or other local governmental unit;

"(d) appointing local, State, regional, and national advisory councils to assist the Secretary in carrying out his duties under this Act and to offer their assistance to any State, municipality, school district, or other local governmental unit to come into compliance with the Constitution and the decisions of the Supreme Court in the field of public education;

"(e) reporting to the Congress, at least semiannually, concerning the progress being made in eliminating segregation in public education in various parts of the country; and

"(f) assisting, by such other related means as he deems appropriate, States, municipalities, school districts, and other local governmental units to eliminate segregation in public education.

"SEC. 302. The Secretary shall recruit, employ, and train specialists in preparing, putting into effect, and carrying out plans for eliminating segregation in public education and shall offer the services of the specialists to States, municipalities, school districts, and other local governmental units. Upon request of any State, municipality, school district, or other local governmental unit, the Secretary shall make available to the requesting governmental unit the services of one or more specialists for such periods of time and in such numbers as the Secretary deems necessary and appropriate in the light of the particular needs of the requesting governmental unit.

"SEC. 303. (a) The Secretary is authorized to reimburse any State or local official, representative of a private organization, or private citizen who is invited by him to attend any local, State, regional, or national conference held under the authority of section 301(c), and any member of an advisory council appointed under the authority of section 301(d) who is carrying out authorized functions, for travel expenses incurred, and to pay to any such person per diem in lieu of subsistence, in the same amounts as authorized by law (5 U.S.C. 73b-2) for persons in the Government service serving without compensation.

"(b) The Secretary is authorized to reimburse any State or local official who, with the approval of the Secretary, is invited to confer with one or more specialists employed by the Secretary under section 302 for travel expenses incurred in attending such conference, and to pay to any such official per diem in lieu of subsistence, in the same amounts as authorized by law (5 U.S.C. 73b-2) for persons in the Government service serving without compensation.

"SEC. 204. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1959, and for each of the four succeeding fiscal years, such amounts not to exceed $2,500,000 in any fiscal year as may be necessary for carrying out the purposes of this title.

"TITLE IV

"Grants to areas where desegregation in public education is being carried out

"SEC. 401. (a) The Secretary is authorized to make grants to States, municipalities, school districts, and other local governmental units which maintained racial segregation in their public schools on May 17, 1954, and which make application for such grants, to assist in meeting the costs of additional educational measures undertaken or to be undertaken to further the process of eliminating segregation in the public schools of the applicant State, municipality, school district,

or local governmental unit, while at the same time assuring that existing educational standards will not be lowered.

"(b) Grants may be made under this section for—

"(1) the cost of employing additional schoolteachers,

"(2) the cost of giving to teachers and other school personnel in-service training in dealing with problems incident to desegragation,

"(3) the cost of employing specialists in problems incident to desegregation and of providing other assistance to develop understanding by parents, schoolchildren, and the general public of plans and efforts for eliminating segregation in the schools in order to reduce the possibility of community hostility or unlawful resistance to such plans and efforts, and

"(4) other costs directly related to the process of eliminating segregation in public schools, including the replacement of State payments to a school district or other political subdivision withdrawn because the applicant district or subdivision is eliminating, or is starting to eliminate, segregation.

"(c) Grants may also be made under this section for the construction, enlargement, or alteration of school facilities when the Secretary finds that lack or inadequacy of existing facilities makes the carrying out of any reasonable plan for desegregation without lowering existing educational standards impracticable or materially more difficult.

"(d) Each application made for a grant under this section shall provide such detailed breakdown of the additional educational measures for which financial assistance is sought as the Secretary may by regulations prescribe.

"(e) Each grant under this section shall be made in such amounts and on such terms and conditions as the Secretary shall prescribe, which may include a condition that the applicant expend funds in specified amounts for the purpose for which the grant is made. In determining whether to make a grant, and in fixing the amount thereof and the terms and conditions on which it will be made, the Secretary shall take into consideration—

"(1) the amount available for grants under this section and the other applications which are pending before him,

"(2) the financial condition of the applicant and the other resources available to it,

"(3) the nature, extent, and gravity of its problems incident to desegregation,

"(4) whether the additional educational measures undertaken or to be undertaken are reasonably and effectively designed to further the process of eliminating racial segregation, while at the same time assuring that existing educational standards will not be lowered, and

"(5) such other factors as he finds relevant.

"SEC. 402. The Secretary is further authorized to make grants to public or other nonprofit educational institutions of higher learning to meet or assist in meeting the cost of short-term training courses or institutes, not to exceed four weeks in duration, for personnel of public schools or of educational agencies engaged in or about to undertake desegregation, designed to enable such personnel to deal more effectively with problems incident to desegregation. Such grants may also be used by such institutions to establish and maintain fellowships for such training courses or institutes, covering tuition, fees, and such stipends and allowances (including travel and subsistence expenses) as may be determined by the Secretary.

"SEC. 403. Payments of grants under sections 401 and 402 may be made in advance or by way of reimbursement, and at such intervals and on such conditions as the Secretary may determine.

"SEC. 404. (a) There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1959, and for each of the four succeeding fiscal years, such sums, not exceeding $40,000,000 for any fiscal year, as may be necessary to carry out the provisions of this title.

"(b) In making grants from funds appropriated for any fiscal year for the purposes specified in section 401(b), the Secretary may disregard applications received after August 31 in that fiscal year, or may subordinate such applications to applications received before that date. In the event that he receives, either before or after that date, applications which he considers would materially contribute to carrying out the purposes of this title, but which he cannot grant because of lack or inadequacy of available funds, he shall forthwith report this fact to the Congress and to the President, together with his recommendation with respect to the appropriation of additional funds.

"(c) In the event that the Secretary receives applications for grants for the purpose specified in section 401(c) which he considers would materially contribute to carrying out the purposes of this title, but which he cannot grant because of lack or inadequacy of available funds, he shall forthwith report this fact to the Congress and to the President, together with his recommendation with respect to the approrpiation of additional funds.

"TITLE V

"Administrative action directed toward eliminating segregation in public education

"SEC. 501. The Secretary shall make every effort to persuade States, municipalities, school districts, and other local governmental units to make a start toward eliminating segregation in public education and to carry out in full such programs as they may start, and to this end he shall utilize the authority provided in titles III and IV.

"SEC. 502. Whenever the Secretary shall find that all efforts under titles III and IV and under section 501 of this title have failed, and continue to fail, in bringing about a start toward the elimination of segregation in public education in any State, municipality, school district, or other local governmental unit, the Secretary is authorized to prepare a tentative plan for the elimination of segregation in public education in such State, municipality, school district, or other local governmental unit. In preparing such a tentative plan, the Secretary shall seek the advice and assistance of public officials, private organizations, and private citizens in the area and of any local, State, regional, or national advisory council appointed pursuant to section 301(d); and he shall carefully consider such advice and assistance wherever available. Tentative plans prepared by the Secretary under the authority of this section shall take into account the need of the particular area for time to make an orderly adjustment and transition from segregated to desegregated schools.

"SEC. 503. (a) Whenever the Secretary has prepared a tentative plan for the elimination of segregation in public education in any State, municipality, school district, or other local governmental unit, he shall forward the plan to the Governor, mayor, or other appropriate official, as the case may be. If the State, municipality, school district, or other local governmental unit agrees to put into effect the tentative plan as proposed by the Secretary or as modified by the State, municipality, school district, or other local governmental unit with the consent of the Secretary, the Secretary shall utilize the authority granted in titles III and IV to assist the State, municipality, school district, or other local governmental unit in putting into effect the tentative plan.

"(b) If the State, municipality, school district, or other local governmental unit (1) does not agree to put into effect the tentative plan as proposed by the Secretary or as modified with his consent, or (2) after agreeing to the tentative plan as so proposed or modified, does not, in the judgment of the Secretary, carry out such tentative plan, the Secretary shall hold a public hearing upon the tentative plan. Notice of such hearing shall be given to the local authorities concerned by registered mail and notice shall be given to private organizations and private citizens within the area by publication in one or more newspapers. Local authorities, private organizations, and private citizens shall be permitted to participate in the hearing and present evidence and argument in favor of the tentative plan, in favor of amendments to the tentative plan, or in opposition to the plan or to any plan, but cumulative evidence may be excluded in the discretion of the Secretary. Anyone shall be permitted to file a written statement with the Secretary in addition to, or in lieu of, personal appearance at the public hearing.

"(c) After the hearing provided in subsection (b) has been concluded, the Secretary shall prepare and issue an approved plan for eliminating segregation in public education in the State, municipality, school district, or other local governmental unit. He shall publish the approved plan in the Federal Register and in one or more newspapers in the area affected thereby and shall transmit a certified copy thereof to the appropriate official of the State, municipality, school district, or other local governmental unit involved.

"(d) In order that the proceedings under this title shall expedite the elimination of segregation in any State, municipality, school district, or other local governmental unit, the Secretary shall handle all proceedings under this title as expeditiously as possible. The Secretary shall complete any proceedings hereunder within one year from the time that a tentative plan is forwarded to the Governor, mayor, or other appropriate official under section 503(a), or, in case a State, municipality, school district, or other local governmental unit agrees to a tentative plan but does not carry it out, within six months from the time that the Secretary determines that such State, municipality, school district, or other local governmental unit is not carrying out such tentative plan.

"SEC. 504. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1959, and for each of the four succeeding fiscal years, such amounts as may be necessary for carrying out the purposes of this title.

"SEC. 505. The Secretary is authorized to carry out his responsibilities and exercise his authority under this title and under titles III and IV through designated personnel in his own office or through any existing bureau, division, or agency of the Department of Health, Education, and Welfare or through a new office created by him for the special purpose of exercising the Secretary's responsibilities hereunder, except that the Secretary shall personally review and sign any approved plan issued under section 503(c).

"TITLE VI

"Authorization to the Attorney General in the field of public education

"SEC. 601. (a) Whenever (1) the Secretary has published in the Federal Register an approved plan for the elimination of segregation in public education in any State, municipality, school district, or other local governmental unit pursuant to section 503(c), (2) the State, municipality, school district, or other local governmental unit has rejected the plan or has refused or failed to act in accordance therewith, and (3) the Secretary has certified to the Attorney General that all efforts to secure compliance

with the Constitution and the Supreme Court's decisions by conciliation, persuasion, education, and assistance under titles III, IV, and V have failed, the Attorney General of the United States is authorized to institute for or in the name of the United States a civil action or other proceeding for preventive relief, including an application for an injunction or other order, against the appropriate officials of the State, municipality, school district, or other local governmental unit, and any individual or individuals acting in concert with such officials to enforce compliance with the approved plan.

"(b) The Attorney General is authorized to move to dismiss or discontinue any action brought under subsection (a), or to propose or to agree to a decree adopting a plan for elimination of segregation in public education which is different from the approved plan, whenever he determines that the State, municipality, school district, or other local governmental unit is making, or is prepared to make, a prompt and reasonable start toward full compliance with the Constitution and the Supreme Court's decisions in the field of education and to work toward full compliance with all deliberate speed.

"(c) Any interested party may, with the leave of the court, intervene in any action brought under subsection (a), and the court shall consider any proposals by the intervenors, as well as by the defendant or defendants, in determining its final decree.

"TITLE VII—OTHER AUTHORIZATIONS TO THE ATTORNEY GENERAL

"SEC. 701. (a) Whenever the Attorney General receives a signed complaint that any person or group of persons is being deprived of, or is being threatened with the loss of, the right to the equal protection of the laws by reason of race, color, religion, or national origin and whenever the Attorney General certifies that, in his judgment, such person or group of persons is unable for any reason to seek effective legal protection for the right to the equal protection of the laws, the Attorney General is authorized to institute for or in the name of the United States a civil action or other proceeding for preventive relief, including an application for an injunction or other order, against any individual or individuals who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or subdivision or instrumentality thereof, deprives or threatens to deprive such person or group of persons of the right to equal protection of the laws by reason of race, color, religion, or national origin and against any individual or individuals acting in concert with them.

"(b) A person or group of persons shall be deemed unable to seek effective legal protection for the right to the equal protection of the laws within the meaning of subsection (a) not only when such person or group of persons is financially unable to bear the expenses of the litigation, but also when there is reason to believe that the institution of such litigation would jeopardize the employment or other economic activity of, or might result in physical harm or economic damage to, such person or group of persons or their families.

"(c) Nothing contained in titles V and VI shall limit the authority of the Attorney General to institute and maintain an action under subsection (a).

"SEC. 702. The Attorney General is authorized to institute for or in the name of the United States a civil action or other proceeding for preventive relief, including an application for injunction or other order, (1) against any person or persons preventing or hindering, or threatening to prevent or hinder, or conspiring to prevent or hinder, any Federal, State, or local official from according any person or group of persons the right to the equal protection of the laws without regard to race, color, religion, or national origin, or (2) against any person or persons preventing or hindering, or threatening to prevent or hinder, or conspiring to prevent or hinder the execution of any court order protecting the right to the equal protection of the laws without regard to race, color, religion, or national origin.

"SEC. 703. The Attorney General is authorized, upon receipt of a signed complaint, to institute for or in the name of the United States, a civil action or other proceeding for preventive relief, including an application for injunction or other order, against any individual or individuals who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or subdivision or instrumentality thereof, deprives or threatens to deprive any person or group of persons or association of persons of any right guaranteed by the fourteenth amendment of the Constitution because such person or group of persons or association of persons has opposed or opposes the denial of the equal protection of the laws to others because of race, color, religion, or national origin.

"SEC. 704. Whenever a suit is brought in any district court of the United States seeking relief from the deprivation of the right of equal protection of the laws because of race, color, religion, or national origin, the Attorney General is authorized to intervene in such action with all the rights of a party thereto and seek compliance with any lawful order issued by such district court.

"TITLE VIII

"Miscellaneous provisions

"SEC. 801. The district courts of the United States shall have jurisdiction of proceedings instituted under sections 601, 701, 702, and 703 of this Act and shall exercise the same without regard to whether any administrative or other remedies that may be provided by law shall have been exhausted and, in the case of proceedings instituted under sections 701 and 702, without regard to whether any administrative proceeding is pending or contemplated under title V, it being the purpose of title V to expedite, not delay, the elimination of segregation in public education throughout the Nation. In any proceeding hereunder, the United States shall be liable for costs the same as a private person.

"SEC. 802. Nothing in this Act or in any administrative proceeding hereunder shall be construed to impair any right guaranteed by the Constitution or laws of the United States or any remedies already existing for their protection or enforcement, nor to prevent any private individual or organization from acting to enforce or safeguard any constitutional right in any manner now permitted by law.

"SEC. 803. If any provision of this Act or the application of such provision to any person or circumstance is held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

"TITLE IX—EXTENSION OF COMMISSION ON CIVIL RIGHTS

"SEC. 901. Section 104(b) of the Civil Rights Act of 1957 is amended by striking out 'two years from the date of the enactment of this Act' and inserting in lieu thereof 'January 31, 1961.'

"TITLE X—RETENTION, PRESERVATION, AND PRODUCTION OF FEDERAL ELECTION RECORDS, PAPERS, AND BALLOTS

"SEC. 1001. Every officer of election shall retain and preserve, for a period of three years from the date of any general, special, or primary election at which candidates for the office of President, Vice President, presidential elector, Member of the Senate or Member of the House of Representatives are voted for, all records and papers which come into his possession relating to any application, registration, payment of poll tax or other act requisite to voting in such election, except that, when required by law, such records and papers may be delivered to another officer of election and except that if a State designates a custodian to retain and preserve these records and papers at a specified place, then such records and papers may be deposited with such custodian, and the duty to retain and preserve any record or paper so deposited shall devolve upon such custodian: *Provided, however,* That nothing contained herein shall require the retention and preservation of ballots for a period of more than eighteen months from the date of any such election. Any officer of election or custodian who willfully fails to comply with this section shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"SEC. 1002. Any person, whether or not an officer of election or custodian, who willfully steals, destroys, conceals, mutilates, or alters any record or paper required by section 1001 to be retained and preserved shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"SEC. 1003. Any record or paper required by section 1001 to be retained and preserved shall, upon demand in writing by the Attorney General or his representative directed to the person having custody, possession, or control of such record or paper, be made available for inspection, reproduction, and copying by the Attorney General or his representative.

"SEC. 1004. Any record or paper demanded pursuant to section 1003 shall be produced for inspection, reproduction, and copying at the principal office of the person upon whom such demand is made or at any other location mutually agreed upon by such person and the Attorney General or his representative.

"SEC. 1005. Unless otherwise ordered by a court of the United States, neither the Attorney General nor any employee of the Department of Justice, nor any other representative of the Attorney General, shall disclose any record or paper produced pursuant to this title, or any reproduction or copy, except as is necessary in the performance of his official duties, including presentation of any case or proceeding before any court or grand jury.

"SEC. 1006. The United States district court for the district in which a demand is made pursuant to section 1003, or in which a record or paper so demanded is located, shall have jurisdiction by appropriate process to compel the production of such record or paper.

"SEC. 1007. As used in this title, the term "officer of election" means any person who, under color of any Federal, State, or local law, statute, ordinance, regulation, authority, custom, or usage, performs or is authorized to perform any function, duty, or task in connection with any application, registration, payment of poll tax, or other act requisite to voting in any general, special, or primary election at which candidates for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives are voted for.

"TITLE XI—DETERMINATION OF QUALIFICATIONS OF VOTERS IN FEDERAL ELECTIONS

"SEC. 1101. (a) Any general, special, or primary election at which candidates for the offices of President and Vice President of the United States or of presidential elector, or the offices of Members of the Senate and House of Representatives, are voted for is declared to be a Federal election.

"(b) All intelligence, educational, or other tests, or questionnaires to which any individual may be subjected, or which may be administered to him in order to determine his qualifications to vote at any Federal election, shall be prepared in such manner that the questions of any such test or questionnaire shall appear in printed form, and administered so that the answers thereto shall appear in writing. Where such an individual asserts that he possesses

the ability to read and write, the answers to such test or questionnaire shall appear in his handwriting; otherwise the person writing such answers in behalf of such individual shall affix his signature to such test or questionnaire so that it will appear together with the signature of the individual to whom such test or questionnaire was administered. It shall be unlawful for any person whether or not acting on behalf of any State or governmental subdivision thereof or therein to require any individual to submit to any test or questionnaire which does not comply with the requirements of the preceding sentences as a prerequisite for voting in any Federal election, or to deny him the privilege of voting in any such election on account of his failure or refusal to submit to any such test or questionnaire. Any such action by any person shall be deemed an interference with the manner prescribed by the Congress for holding Federal elections, and abridgment of the right and privilege of citizens of the United States to vote for Federal officers, and an obstruction of the operations of the Federal Government.

"SEC. 1102. (a) In the event of a violation of subsection (b) of section 1101, any person aggrieved by such violation may apply to the appropriate district court of the United States for an order enjoining such violation, or for an order compelling compliance with such subsection. Upon proof of such violation, the court shall issue, with or without bond, such restraining order, or temporary or permanent injunction, or shall grant such affirmative relief, or shall issue such order or orders as may be appropriate to insure prompt and effective compliance with such subsection.

"(b) The district courts of the United States shall have jurisdiction over all actions brought pursuant to subsection (a) of this section. Any such action may be instituted in any judicial district in which any defendant resides, or in which alleged violations of subsection (b) of section 1101 occur.

"(c) In any action brought under subsection (a) of this section, any appeal to the appropriate court of appeals and any review thereof by the Supreme Court shall be heard expeditiously and shall, where practicable, be determined before the next Federal election in connection with which the violation of subsection (b) of section 1101 is alleged.

"TITLE XII

"Flight to avoid prosecution for damaging or destroying any building or other real or personal property

"SEC. 1201. Chapter 49 of title 18, United States Code, is amended by adding at the end thereof a new section as follows:

"'§ 1074. Flight to avoid prosecution for damaging or destroying any building or other real of personal property

"'Whoever moves or travels in interstate or foreign commerce with intent either (1) to avoid prosecution, or custody, or confinement after conviction, under the laws of the place from which he flees, for willfully attempting to or damaging or destroying by fire or explosive any building, structure, facility, vehicle, dwelling house, synagogue, church, religious center or educational institution, public or private, or (2) to avoid giving testimony in any criminal proceeding relating to any such offense shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"'Violations of this section may be prosecuted in the Federal judicial district in which the original crime was alleged to have been committed or in which the person was held in custody or confinement: *Provided, however,* That this section shall not be construed as indicating an intent on the part of Congress to prevent any State, Territory, Commonwealth, or possession of the United States of any jurisdiction over any offense over which they would have jurisdiction in the absence of such section.'

"SEC. 1202. The analysis of chapter 49 of such title is amended by adding thereto the following:

"'1074. Flight to avoid prosecution for damaging or destroying any building or other real or personal property.'

"TITLE XIII

"Education of children of members of Armed Forces

"SEC. 1301. (a) Subsection (a) of section 6 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended, relating to arrangements for the provision of free public education for children residing on Federal property where local educational agencies are unable to provide such education, is amended by inserting after the first sentence the following new sentence: 'Such arrangements to provide free public education may also be made for children of members of the Armed Forces on active duty, if the schools in which free public education is usually provided for such children are made unavailable to them as a result of official action by State or local governmental authority and it is the judgment of the Commissioner, after he has consulted with the appropriate State educational agency, that no local educational agency is able to provide suitable free public education for such children'.

"(b)(1) The first sentence of subsection (d) of such section 6 is amended by adding before the period at the end thereof: 'or, in the case of children to whom the second sentence of subsection (a) applies, with the head of any Federal department or agency having jurisdiction over the parents of some or all of such children'.

"(2) The second sentence of such subsection (d) is amended by striking out 'Arrangements' and inserting in lieu thereof 'Except where the Commissioner makes arrangements pursuant to the second sentence of subsection (a), arrangements'.

"SEC. 1302. (a) Section 6(b)(1) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), as amended, relating to applications for school construction projects with respect to which Federal aid is requested, is amended by striking out 'and' at the end of clause (F), by striking out the period at the end of clause (G), and inserting in lieu thereof '; and', and by adding after clause (G) the following new clause:

"'(H) assurance that such agency will make the school facilities included in any such project, the application for which is approved after enactment of this clause, available to the Commissioner pursuant to section 10(b).'

"(b) Section 10 of such Act, relating to arrangements for facilities for the provision of free public education for children residing on Federal property where local educational agencies are unable to provide such education, is amended by inserting after the first sentence the following new sentence: 'Such arrangements may also be made to provide, on a temporary basis, minimum school facilities for children of members of the Armed Forces on active duty, if the schools in which free public education is usually provided for such children are made unavailable to them as a result of official action by State or local governmental authority and it is the judgment of the Commissioner, after he has consulted with the appropriate State educational agency, that no local educational agency is able to provide suitable free public education for such children.'

"(c) Section 10 of such Act is further amended by inserting '(a)' after 'SEC. 10.', and by adding at the end thereof the following new subsection:

"'(b) Whenever the Commissioner determines that—

"'(1) any school facilities with respect to which payments were made under section 7 of this Act, pursuant to an application approved under section 6 after the enactment of this subsection, are not being used by a local educational agency for the provision of free public education, and

"'(2) such facilities are needed in the provision of minimum facilities under subsection (a),

he shall notify such agency of such determination and shall thereupon be entitled to possession of such facilities for purposes of subsection (a), on such terms and conditions as may be prescribed in regulations of the Commissioner. Such regulations shall include provision for payment of rental in an amount which bears the same relationship to what, in the judgment of the Commissioner, is a reasonable rental for such facilities as the non-Federal share of the cost of construction of such facilities bore to the total cost of construction thereof (including the cost of land and off-site improvements), adjusted to take into consideration the depreciation in the value of the facilities and such other factors as the Commissioner deems relevant. Upon application by the local educational agency for the school district in which such facilities are situated and determined by the Commissioner that such agency is able and willing to provide suitable free public education for the children in the school district of such agency to whom section 10 is applicable, or upon determination by the Commissioner that such facilities are no longer needed for purposes of subsection (a), possession of the facilities shall be returned to such agency. Such return shall be effected at such time as, in the judgment of the Commissioner, will be in the best interest of the children who are receiving free public education in such facilities, and in the light of the objectives of this Act and the commitments made to personnel employed in connection with operation of such facilities pursuant to arrangements made by the Commissioner.'

"TITLE XIV

"Separability

"SEC. 1401. If any provision of this Act is held invalid, the remainder of this Act shall not be affected thereby.

"Amend the title so as to read: 'A bill to effectuate and enforce the constitutional right to the equal protection of the laws; to extend the Commission on Civil Rights; and to provide further means of securing and protecting the right to vote.'"

CIVIL RIGHTS AMENDMENTS TO SENATE BILL 1617—AMENDMENT

Mr. JOHNSTON of South Carolina. Mr. President, I submit an amendment which I intend to propose to the Senate when the amendments submitted by the Senator from Missouri [Mr. HENNINGS] on the subject of civil rights, are considered by the Senate.

The amendment which I intend to submit will provide for a trial by jury in any criminal contempt case that may result from the provisions of the amendments which are being submitted.

I ask that my proposed amendment be printed and lie on the table.

The VICE PRESIDENT. The amendment will be received, printed, and lie on the table.

ADJUSTMENT OF LEGISLATIVE JURISDICTION EXERCISED BY THE UNITED STATES OVER CERTAIN LAND USED FOR FEDERAL PURPOSES—AMENDMENTS

Mr. JAVITS submitted amendments, intended to be proposed by him, to the bill (S. 1617) to provide for the adjustment of the legislative jurisdiction exercised by the United States over land in the several States used for Federal purposes, and for other purposes, which were ordered to lie on the table and to be printed.

VALIDATION OF CERTAIN EXTENDED OIL AND GAS LEASES—AMENDMENT

Mr. ANDERSON submitted an amendment, intended to be proposed by him, to the bill (S.2308) to validate certain extended oil and gas leases, which was ordered to lie on the table and to be printed.

TAX ADJUSTMENT AND DEBT RETIREMENT ACT OF 1959—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of August 11, 1959, the name of Mr. HRUSKA was added as an additional cosponsor of the bill (S. 2506) to impose additional individual and corporate income taxes when necessary in order to offset deficits and to provide for systematic reduction of the public debt, introduced by Mr. BENNETT (for himself and Mr. BUSH) on August 11, 1959.

ADDITIONAL INVESTIGATION OF DOMESTIC LEAD AND ZINC INDUSTRIES—ADDITIONAL COSPONSORS OF RESOLUTION

Under authority of the order of the Senate of August 12, 1959, the names of Senators CHURCH, ALLOTT, CAPEHART, CASE of South Dakota, CARLSON, DWORSHAK, WILEY, MARTIN, and SCHOEPPEL were added as additional cosponsors of the resolution (S. Res. 162) requesting the U.S. Tariff Commission to make an additional investigation under section 332 of the Tariff Act of 1930 of the domestic lead and zinc industries, submitted by Mr. KERR (for himself and other Senators) on August 12, 1959.

ADDRESSES, EDITORIALS, ARTICLES ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, By Mr. SCHOEPPEL:

Article written by the Senator from New Hampshire [Mr. BRIDGES] entitled "A Letter to Bankers and Insurance Executives," published in Human Events, on August 19, 1959.

NOTICE OF HEARING ON NOMINATION OF ERIC H. HAGER TO BE LEGAL ADVISER OF DEPARTMENT OF STATE

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate today received the nomination of Eric H. Hager, of Connecticut, to be Legal Adviser of the Department of State, vice Loftus E. Becker, resigned.

In accordance with the committee rule, the pending nomination may not be considered prior to the expiration of 6 days.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

William B. West III, of Texas, to be U.S. attorney, northern district of Texas;

Russell E. Ake, of Ohio, to be U.S. attorney, northern district of Ohio;

John H. Phillips, of Mississippi, to be U.S. marshal, northern district of Mississippi;

Charles D. Read, Jr., of Georgia, to be U.S. attorney, northern district of Georgia;

Lynn J. Gillard, of California, to be U.S. attorney for the northern district of California.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before 10 a.m., Monday, August 24, 1959, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

TRIBUTE TO LATE FLEET ADM. WILLIAM F. HALSEY

Mr. JOHNSON of Texas. Mr. President, the Nation has lost a great American in the passing of Fleet Adm. William F. Halsey.

His exploits have been written into the annals of American history where they are preserved as an inspiration for coming generations.

His slogan was: "Hit hard, hit fast, and hit often."

The Japanese Navy, in World War II, came to know the full meaning of those words. For, as commander of the Third Fleet, Admiral Halsey harried, chased, sought out, and destroyed the Japanese Navy wherever he could find it on the waters of the Pacific.

Tribute to this great naval hero is carried in editorials published in today's New York Times and New York Herald Tribune. I ask unanimous consent, Mr. President, that these editorials be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 17, 1959]

ADMIRAL OF THE UNEXPECTED

Adm. William F. Halsey's explanation of his strategy was, "We do the unexpected. * * * Whatever we do, we do fast." Thus it was that Halsey, then a vice admiral, heaving to off Pearl Harbor on the morning of December 7, 1941, after a mission to Wake Island, took a breathing space and then, within 2 months, buzzed westward again like an angry hornet, inflicting heavy damage on the aggressors in the Marshalls and the Gilberts.

He had learned sea fighting the hard way as a destroyer commander in World War I. Except for a spell of illness he never shut off steam during World War II, hitting the enemy at the Battle of Santa Cruz, in the battles off Guadalcanal, in a series of fights and raids throughout the western islands and in the Battle of Leyte Gulf—an affair that caused him some disquiet later, for he sank or damaged only 51 Japanese ships and by bad luck missed 2 carriers and some other craft that were only 42 miles away. But it was Halsey's flagship, the *Missouri*, that witnessed Japan's formal surrender on September 1, 1945, and nobody begrudged ship or captain that high honor.

Fighting admirals are not always popular with the rank and file, but this one was. He expressed the American strategy of ending wars by fighting them hard. It was estimated that his forces destroyed 4,800 planes, sank so many ships they lost count, and put 150,000 enemies out of action. Yet in private life Admiral Halsey was a kindly and even lovable man. It is sad to think that his vigorous personality has come to an end, as it did yesterday—sad and hard to believe.

[From the New York Herald Tribune, Aug. 17, 1959]

BULL HALSEY, FIGHTING ADMIRAL

Fleet Adm. William F. Halsey was one of those great sailors who captures the public imagination with his victories and personality alike—one of the men for whom such terms as seadog and old salt seem made to order. His nickname of "Bull" and his old baseball cap told even more about his character than the formal dress uniform which, upon occasion, he wore.

Above all, Bull Halsey was a fighting admiral. He fought not only with keen knowledge of his profession, but with a fierce sense of personal conviction. The Japanese Navy was his enemy, as well as his country's, and he went after it accordingly. The Marshalls, the Gilberts, the Solomons, Wake Island, and the Japanese home islands all saw and felt Halsey in action. He was on hand, too, for the successful American invasion of the Philippines, and naval historians still refight the Battle of Leyte Gulf, which is ever the way with famous victories.

Admiral Halsey came from a Navy family, but he was not a man to be unduly restricted by tradition. He became a flyer at the age of 51 and he was very early aware of the power and potential of the aircraft carrier. The carrier task forces that came into being during the Pacific fighting bore the Halsey imprint, and it was the accomplishments of his 3d Fleet in the early years of the war that as much as anything else told the world that the United States was hitting back with ever more powerful blows.

Science has wrought vast changes in the 14 years since Admiral Halsey witnessed the surrender of the enemy fleet he had done so much to crush; naval warfare very likely has altered beyond recognition. Yet the fighting heart and victorious spirit of Bull Halsey are changeless qualities, and they stand today as his legacy.

"DEMOCRACY VERSUS COMMUNISM"—A PRIMER FOR SURVIVAL IN THE COLD WAR

Mr. KEATING. Mr. President, I have addressed the Senate on several occasions about the great need for more

teaching in our schools about the differences between communism and democracy. I am firmly convinced that we should institute specific courses in our educational institutions on this subject, so that our young people can learn the nature and scope of the international Communist conspiracy. At the same time, we should have more teaching and thinking about the principles of our free government and way of life, and of America's proud heritage.

Courses which teach the basic differences between democracy and communism can do much to sweep away youthful—and adult—indifference. That is a must, if we are to avoid lapsing into the apathy and complacency in which communism thrives. Once our people are alerted to the whys and wherefores of communism and are buttressed in their allegiance to democracy, we can better unite to fight this atheistic menace and strengthen our system of government.

An important tool in this vital cold war struggle is a textbook to be used in such courses. A fine text which more than adequately fills the bill is "Democracy Versus Communism," written by Prof. Kenneth Colegrove, of Northwestern University, under the sponsorship of the Institute of Fiscal and Political Education.

It is an able and readable analysis of the conflicting views of the two forms of government, which is designed primarily for the secondary school level. Already some 1,000 schools across the country have adopted it, and the Defense Department has used chapters of the book in the form of pamphlets. One million four hundred thousand pamphlets have been ordered for use in training courses. These and other statistics I have seen demonstrate amply that "Democracy Versus Communism" fills a very definite need.

I commend all concerned with the preparation and distribution of this important volume. I hope schools and libraries all over the country will obtain it and utilize it in every way possible. Wide reading of this book will contribute substantially to an understanding of communism and of our form of government.

Mr. President, a number of outstanding people and publications have commented on "Democracy Versus Communism." Their opinions deserve close study, and I ask unanimous consent that some extracts from these editorials and statements be printed in the RECORD.

There being no objection, the extracts were ordered to be printed in the RECORD, as follows:

The Tablet (a Catholic weekly, Saturday, December 7, 1957): "* * * the best treatment of democracy and communism in this century. Above all, 'Democracy Versus Communism' presents an honest picture so that students, and indeed all citizens, can make an informed, reasoned choice between democratic and totalitarian governments."

The Sunday Star, Washington, D.C., December 1, 1957:

"KOREA PROVED THE NEED

"America's schools * * * had failed to teach effectively what America stands for and what communism stands for" (Gen. John E. Hull, Commander of Forces in Far East, Korean War).

The Saturday Evening Post, December 28, 1957:

"IT'S TIME OUR CHILDREN WERE TAUGHT THE FACTS ABOUT COMMUNISM

"The men who had been prisoners of the Communists in Korea and China, those who in various degrees cooperated with the Communists, were boys who knew almost nothing about communism and hardly more about their own system."

New York Herald Tribune, Sunday, January 5, 1958, by Columnist and Lecturer Herbert A. Philbrick: "I have before me a most remarkable new book. The first of its kind ever published in the United States. It is a textbook on democracy and communism * * * and it tells the truth about both. * * * The next job is * * * to see that every student is properly equipped with knowledge of the most dangerous enemy ever to challenge our way of life."

NAM News, National Association of Manufacturers, January 3, 1958: "Planned especially for high school students, but recommended reading for everybody."

Chamber of Commerce of the United States, December 26, 1957, letter from John R. Miles, manager, education department: "My congratulations on the editorial in the current issue of the Saturday Evening Post, as well as on the textbook you published on 'Democracy Versus Communism.'

"Dr. Emerson P. Schmidt and I have read it through and both of us heartily approve of the attitude taken toward communism as well as toward our own free market economy."

Hon. Herbert Hoover: "I am glad to have the book. I am glad you have done it."

RICHARD NIXON, Vice President of the United States: "I am sure that this book 'Democray Versus Communism' will serve a most useful function in helping to educate our young people concerning the basic principles in which we believe, and the nature of our enemy."

J. Edgar Hoover, U.S. Department of Justice: "America must have an informed citizenry. Our young people need to be taught the difference between the treasured values of democracy and the deceit and falsehoods of atheistic communism. Democracy stands for freedom, justice, and fair play; communism for terror, injustice, and slavery. Our youngsters will be our leaders of tomorrow. To nurture them in the hopes and ideals which have made our Nation great is our best guarantee that freedom shall continue to ring in America."

Lewis L. Strauss, Chairman, U.S. Atomic Energy Commission: "'Democracy Versus Communism' is a valuable weapon, for it has the sharp blade of truth."

Harold C. Lyon, colonel, Department of the Army (Chief of Troop Information Division): "The Institute of Fiscal and Political Education should be very proud of what they have done in the sponsorship of this marvelous publication, 'Democracy Versus Communism.' It truly is an outstanding publication which fills a definite need in the secondary school level. I firmly believe that we should carefully consider some form of distribution, or utilization at least, of this publication within the Army within the field of troop information."

"The American Legion today reversed its longstanding policy against teaching anything about communism in public schools.

"Along with the pro-American study courses the Legion has long advocated, its Americanism Commission proposed instruction to expose the fallacies of communism" (Associated Press dispatch from Indianapolis, November 21, 1957).

THOUGHTFUL COMMENTS FROM THE ASSEMBLY OF CAPTIVE EUROPEAN NATIONS

Mr. KEATING. Mr. President, some useful and interesting comments concerning American relations with the Soviet Union and its satellites recently came to my attention in the form of two letters and a memorandum from Dr. Stefan Korbonski, the chairman of the Assembly of Captive Nations. Dr. Korbonski, who has served as a legislator in his native land of Poland, speaks from broad experience in analyzing the present and future status of the free world and communism.

I have read with particular interest Dr. Korbonski's letter addressed to delegates to the 48th Interparliamentary Union meeting to be held in Warsaw beginning late this month. I am proud to have been named an American delegate to this important assembly, and only regret that it appears certain the press of my duties here in the Senate will prevent my attending. Nevertheless, Dr. Korbonski, in behalf of his fine organization, has performed a vital service by emphasizing some of the things we must pound home in our dealings with the Soviets.

One thing we can and must do is to take strong steps to make certain Vice President NIXON'S visit to Poland is not in any way interpreted as approval of the Gomulka regime. This Government is completely loyal to communism and has engaged in normal Communist tactics to subjugate the noble people of Poland.

Another issue which we must hit and hit hard is the proposal to challenge the Communists to hold free elections behind the Iron Curtain. We know this is something the Soviets and their fellow travelers fear, because they realize the results would be overwhelmingly in favor of freedom and national independence. We must grasp every opportunity to fling this challenge to the Soviets. In the long run, it holds the seeds for transforming a world of tension into a world at peace.

Mr. President, so that the thoughtful comments of Dr. Korbonski may have wide circulation, I ask unanimous consent that his letter to the editor of the New York Times, other letters, and a memorandum be printed in the RECORD at this point.

There being no objection, the letters and memorandum were ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 12, 1959]

EUROPE'S CAPTIVE NATIONS: POLAND'S RECEPTION OF NIXON AND KHRUSHCHEV VISIT DISCUSSED

To the EDITOR OF THE NEW YORK TIMES:

Your editorials of August 3 and 4 have prompted my writing this letter as chairman of the Assembly of Captive European Nations as well as head of the Polish delegation to the ACEN.

Your August 3 editorial "From Poland's Heart" stated that Mr. NIXON'S reception in Warsaw was the most effective answer possible to Premier Khrushchev's gibes at the celebration of the Captive Nations Week. But

in addition the reception given to Vice President NIXON was, in effect, the biggest anti-Communist demonstration ever to take place in the streets of Warsaw.

LONGING FOR FREEDOM

It was actually a form of election where the Poles showed that, although they are still physically controlled by the Soviets, they are spiritually on the side of the free world. When they shouted "Long live Eisenhower," they really meant "Down with Communist domination." Their unprecedented demonstration showed their deep longing for freedom and independence because they believe, against all odds, that the United States is the only power in the world that can help them regain their independence.

Again your editorial of August 4 "A Bid for Peace" expresses concern that refugees from Eastern Europe may engage in disorderly manifestations on the occasion of Khrushchev's visit. In this connection, I would like to stress that our organization, as such, concerns itself only with legitimate political action. It has never resorted to or encouraged, and never will, violent means, or means incompatible with the laws and customs of this country for promoting the just cause of freedom for the captive peoples.

BENEFITS QUERIED

We are frankly skeptical of the benefits to be derived from Premier Khrushchev's visit to the United States at this time. However, faced with the fait accompli, it is our hope that your great newspaper, the American press and public opinion will find ways and means to translate the spirit of Captive Nations Week into the beginning of political action. Specifically we hope that the Soviet visitor will be forcefully reminded of the unresolved issue of freedom and independence for the nine captive European nations.

We hope that Khrushchev will be made to understand that only in permitting the peoples of these countries freely to establish the governments and institutions of their own choice in accordance with their inalienable rights (to the respect of which the Soviet Union itself is committed) will one of the major causes of international tension be removed.

Only then will the peace and security of all European nations, including the Soviet Union, be set on a solid basis.

STEFAN KORBONSKI,
Chairman, Assembly of Captive Nations.
NEW YORK, *August 6, 1959.*

AUGUST 5, 1959.

DEAR SENATOR KEATING: I take pleasure in congratulating you in the name of the Assembly of Captive European Nations for your appointment to the delegation of the U.S. Congress to the 48th Interparliamentary Conference and to wish success to your endeavors at this world assembly of parliamentarians.

I am also taking the liberty of transmitting to you herewith copy of the memorandum our assembly is addressing to all parliamentarians from free nations who will attend the conference. In this memorandum we express our hope that the choice of Warsaw as the meeting place of the 48th conference was motivated by the desire to take the universal issue of the freedom of nations and dignity of man behind the Iron Curtain.

We also expressed confidence that this opportunity will be taken advantage of in order to demonstrate to the people of Poland, which has shown its true feelings by the tremendous reception it gave to Vice President NIXON, that the elected representatives of the free nations squarely support their legitimate aspirations to full independence and freedom. We are certain that the morale-sustaining effect of such demonstrations will not be confined to Poland, but will be felt all over the captive area.

Sincerely yours,

STEFAN KORBONSKI,
Chairman.

MEMORANDUM TO THE DELEGATES FROM THE FREE NATIONS TO THE 48TH CONFERENCE OF THE INTERPARLIAMENTARY UNION

The Assembly of Captive European Nations, the free voice of the Soviet-enslaved peoples of Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania, presents greetings to the members of the parliaments from free and democratic nations assembled in the 48th Conference of the Interparliamentary Union, and respectfully expresses its confidence that in their Warsaw gathering they will once again strive to serve their fundamental purpose: "The establishment and development of democratic institutions and the advancement of the work of peace and international cooperation."

In its memorandum addressed to the delegates of the free nations to the 47th Conference of the Interparliamentary Union held last year in Rio de Janeiro, the Assembly of Captive European Nations expressed its profound regret about the admittance of the so-called parliamentarians from the captive countries of East-Central Europe to the membership of the Interparliamentary Union. The Assembly pointed out that these pseudo-parliamentarians have not been elected in free and general elections and do not express the genuine views and aspirations of the peoples concerned. As such, the Assembly stressed, they have nothing in common with the freely elected members of parliaments of the free world.

The above facts have undergone no changes during the year that separates the 47th and 48th Conferences of the Interparliamentary Union. Not a single democratic institution exists at present in the Communist-dominated countries of East-Central Europe. Such institutions have been and remain suppressed and the faintest attempts to revive them are most ruthlessly repressed.

During and immediately following World War II, the Soviet Union usurped the sovereign rights of Estonia, Latvia, Lithuania and suppressed, for all practical purposes, the national independence of Albania, Bulgaria, Czechoslovakia, Hungary, Poland, and Rumania. By means of direct or indirect aggression and forcible intervention, a system of Communist totalitarian dictatorship was foisted upon our countries. Under this dictatorship, all political and human rights as enumerated in the Universal Declaration of Human Rights and in the European Convention of Human Rights were suppressed.

The Communist overlords of the east-central European countries are trying to cover their dictatorial rule by a facade of legality. For this purpose constitutions patterned on that of the Soviet Union and providing for so-called free elections, have been imposed. However, neither the Soviet-imposed constitutions nor their so-called elections have anything in common with the free expression of the will of the people as guaranteed by Western constitutions and provided for by Western electoral laws. Only one list of candidates, drawn up by the Communist Party, is permitted, and consequently all the candidates are automatically elected. The acceptance by the Interparliamentary Union of parliamentarians elected under such conditions, as genuine members of parliaments amounts, in our opinion, to an endorsement of the falsification of the will of our peoples and discredits the parliamentary system itself.

Since conditions in the captive European countries have not changed in this respect, the Assembly renews its protest against the participation in the Interparliamentary Union of the so-called parliamentarians from Soviet-enslaved Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania, whose very presence in any conference of the Interparliamentary Union is contrary to the Union's statutes and aims.

The Assembly is not aware of the motives which have prompted the Interparliamentary Union to convene its 48th Conference in Warsaw, the capital of a country under a totalitarian regime, in which democratic freedoms and institutions are suppressed. The Assembly would, however, understand that decision if the choice of the Polish capital was motivated by the desire to demonstrate the admiration and sympathy of the genuinely elected members of parliament from all over the world for the Polish nation in its struggle for freedom and democracy; if it was intended as a tribute to the resistance of the Polish people against Communist occupation and Sovietization which was climaxed by the Poznan uprising and the Polish October.

The Assembly of Captive European Nations takes the liberty of recalling that the 48th Conference of the Interparliamentary Union will coincide with the 15th anniversary of the Warsaw uprising, which was suppressed by the Nazis with the very effective, if passive, assistance of the same Soviet Union, which in 1939, following the Ribbentrop-Molotov Pact, stabbed Poland in the back, at the very time when the Polish people were engaged in a bitter struggle against the aggression of Hitler's Germany.

The Assembly trusts that the freely elected members of genuine parliaments participating at the Conference will avail themselves of the opportunities provided by the agenda to expose in a country deprived of democratic freedoms and institutions the evils of totalitarian tyranny which has suppressed, throughout Central and Eastern Europe, all political parties, excepting the Communist, and has murdered or imprisoned countness freely elected members of parliaments. And it hopes that the 48th Interparliamentary Conference will recognize that any condonation of the enslavement of the captive peoples would hurt the prestige of parliamentarians and parliamentary institutions, as well as the spirit of resistance of those peoples to Soviet domination and Communist dictatorship—which has been and continues to be a major deterrent to further Soviet aggressions against the free world. Accordingly, the Assembly is confident that the Conference will heed the warning addressed to the free nations in June 1959 by the Atlantic Congress (held in London) "never to make statements, or act with respect to these countries in a way from which it might be directly or indirectly concluded that it recognizes the Communist regimes there."

In conclusion, the Assembly of Captive European Nations appeals to the free parliamentarians taking part in the 48th Conference of the Interparliamentary Union to affirm, in Warsaw, the right of all European nations to live under governments of their own choosing, and to declare: (1) That only the restitution of national independence and democratic freedoms to the captive nations can transform Europe from a zone of international tension into a zone of genuine peace; (2) that free elections, under international supervision, after the withdrawal of all Soviet troops and agents, constitute

the only way, at once legitimate and necessary, to secure to the people of Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland and Rumania the independence and freedom of which they are now deprived.

PASSPORT PROCEDURES

Mr. HENNINGS. Mr. President, my own views on American passport policies and procedures have been expressed in a statement I submitted to the Senate Committee on Foreign Relations when it held hearings several weeks ago, and in a statement I made in the Senate when other Senators and I sponsored S. 806, on Januray 29, 1959, "to protect the travel rights of persons owing allegiance to the United States and to govern the issuance of passports."

The American Bar Association has been meeting this past weekend in Florida and considering this subject. When its reports are available, I wish to examine them carefully. In the meantime, I ask unanimous consent to have printed in the RECORD as a part of my remarks a statement of the views of an old friend of mine from St. Louis, Arthur J. Freund, who is a member of one of the American Bar Association committees which has been studying passport procedures, the special committee on individual rights as affected by national security.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF ARTHUR J. FREUND OF THE ST. LOUIS, MO.—BAR ON PASSPORT PROCEDURES

Freedom to travel within the United States has long been an unquestioned right of all American citizens. During the course of U.S. history freedom to travel outside the Nation's borders has similarly been the ordinary rule so that restrictions on international mobility have been the exception, imposed during time of war, or since the conclusion of World War II, continued during the extended period of the so-called cold war. Indeed since 1941 the external travel of American citizens has been controlled by requiring each citizen wishing to leave the Western Hemisphere to secure a passport. Implementation of this policy by the Secretary of State has resulted in two significant categories of travel restrictions. First, a number of individual citizens have been denied passports altogether, resulting in an effective total prohibition of their travel outside the Western Hemisphere. Second, all American citizens have been forbidden to enter a number of specified areas of the world, such as Communist China, Hungary, and for a time during the Suez crisis four middle eastern countries.

A third problem has arisen in connection with the nature of the hearing procedure to be afforded an applicant following a tentative refusal to issue him a passport. Criticism of the existing procedures has largely centered upon the fact that present practice permits the consideration of undisclosed information from unidentified sources in deciding whether to issue or deny the passport.

It would appear, however, that these restrictive practices have always been regarded with considerable distaste even within the Government where an ending of passport restraints is apparently the long-range objective. Thus, at the Geneva Conference in 1955, President Eisenhower stated that the United States seeks "to lower the barriers which now impede the opportunities of people to travel anywhere in the world for peaceful, friendly purposes, so that all will have a chance to know each other face to face."

The significance of free mobility was underscored in 1958 in the first case in which the U.S. Supreme Court dealt with the State Department restrictions on the travel abroad of American citizens. In *Kent* v. *Dulles* (357 U.S. 116, 125 (1958)), the Court said:

"The right of travel is a part of the 'liberty' of which the citizen cannot be deprived without due process of law under the fifth amendment."

This, of course, is not a holding that all citizens must be allowed to travel without restraint in all circumstances. Nevertheless, even though reasonable limitations may be constitutionally imposed upon the exercise of this right of free movement, it now becomes clear that restrictions limiting the ideal of free travel abroad can be imposed only upon a clear showing of necessity. The problem of balancing of interests is thus seen to be closely related to the similarly difficult question of determining what restraints may be imposed on freedom of speech. Indeed, the Court noted this parallelism:

"We deal with beliefs, with associations, with ideological matters. We must remember that we are dealing here with citizens who have neither been accused of crimes nor found guilty. They are being denied their freedom of movement solely because of their refusal to be subjected to inquiry into their beliefs and associations." (*Kent* v. *Dulles*, 357 U.S. 116, 130.)

It is in light of the foregoing considerations I am aware of the various proposals dealing with the subsistance and procedure of the issuance and denial of passports. These issues may be conveniently divided into three topics for separate discussion: (1) Denial of passports to individual U.S. citizens; (2) area restrictions which forbid the travel of all American citizens within the proscribed areas; and (3) procedures by which the issuance or denial of passports are determined.

These matters have recently received intensive study by a special committee to study passport procedures of the Association of the Bar of the City of New York. The report of that committee, entitled "Freedom to Travel," was published in November 1958, by Dodd, Mead & Co. The recommendations of that committee pertinent to the issues above mentioned, with which I am in complete agreement, are summarized below. My reasons in support follow the summary of recommendations:

"Individual Restraints Upon National Security Grounds: Travel abroad by individual U.S. citizens may be restrained and passports may be denied to citizens as to whom the Secretary finds reasonable grounds to believe that their activities abroad would endanger the national security of the United States by (1) transmitting, without proper authority, security information of the United States; (2) inciting hostilities or conflicts which might involve the United States; or (3) inciting attacks by force upon the United States or attempts to overthrow its Government by force or violence.

"Travel should not be restrained and passports should not be denied solely on the basis of membership in any organization, even the Communist Party, association with any individual or group, adherence to unpopular views, or criticism of the United States or its domestic or foreign policies. Thus, action hostile to the national security of the United States must be reasonably anticipated, as opposed to mere speech or the holding of opinions; and there must be an evidentiary showing that travel of a particular individual will constitute a definable danger to the national security of the United States.

"Individual Restraints Upon Grounds Other Than National Security: Travel abroad by individual U.S. citizens may be restrained and passports may be denied to citizens in the following categories:

"(1) Fugitives from justice or persons under court restraining order.

"(2) Persons who have been returned to the United States at Government expense from previous travel abroad, repayment not having been made.

"Area restrictions: Travel abroad by all U.S. citizens may be prohibited in areas where the Secretary of State determines that such prohibitions should be imposed in the national interest, but only in situations of exceptional gravity.

"Disclosure of Evidence and Confrontation of Witnesses: In general, the hearing should be of such a nature as to disclose to the applicant all the evidence and information to be considered in opposition to issuance of his passport and to permit the applicant a full opportunity to meet the case against him."

INDIVIDUAL PASSPORT DENIALS

The substantive grounds for denial of passports, at least until the Supreme Court decisions in *Kent* v. *Dulles, supra*, and *Dayton* v. *Dulles*, 357 U.S. 144 (1958), appeared in sections 51.135 and 51.136 of the passport regulations of the Department of State. Those regulations provided for refusal of passports to citizens within the following categories: (1) members and consistent supporters of the Communist Party; (2) persons whose activities abroad would violate the laws of the United States; and (3) persons whose activities abroad would be prejudicial to the interests of the United States.

In the 1958 Kent case the Supreme Court, in a five-to-four decision, held that Congress had not authorized the Secretary of State to deny passports on the grounds set forth in section 51.135 of the regulations (members and consistent supporters of the Communist Party). The majority, without reaching the constitutional issue, nevertheless stated that an opposite decision would have raised "important constitutional questions * * *." And Congress was reminded that "We deal here with a constitutional right of the citizens, a right which we must assume Congress will be faithful to respect" (357 U.S. 116, 130).

The companion case, *Dayton* v. *Dulles, supra*, in which procedural due process questions were argued, was decided in the same way and on the same basis as the Kent case, so that the constitutional issues presented in the Dayton case were also not reached.

In light of these two decisions, then, it seems clear that Congress will be called upon to clarify the statutory ambiguities in connection with the authority to deny or restrict passports and to provide standards for a fair hearing procedure in cases of proposed passport denial. I recognize that there must be balanced against the constitutional right to travel abroad the urgent necessities of national security. My recommendations are designed to assist in the drawing of that line at a point of proper balance.

I believe that the present grounds for denial of individual passports (at least those prevailing before the Kent decision), including the ground held in the Kent case to lack statutory authorization, are defective in the following respects:

(a) Persons whose activities abroad would be prejudicial to the orderly conduct of foreign relations or otherwise prejudicial to the interests of the United States. Pursuant to these uncertain criteria the Department of State has since 1952 denied passports to a wide variety of applicants, including fugitives from justice, persons "likely to become public charges," "habitual criminals," persons whose participation in political activities abroad might be prejudicial to "good relations," and persons who might bring discredit upon the United States by their activities abroad.

If a single objection were to be made to this catchall basis for passport refusal, it

would be that it presents no ascertainable standard at all, but permits instead a sweeping discretion to deny passports. The indefinite nature of these reasons makes defense in an administrative proceeding almost impossible. Insofar as the Secretary is permitted to deny passports on the basis of prediction of activity which might be "prejudicial to the interests of the United States," including the exercise of first amendment rights, I believe that the criteria are administratively indefensible and constitutionally doubtful.

(b) Members and consistent supporters of the Communist Party. It is recognized, of course, that the principal threat to national security today lies in the international Communist conspiracy, including its domestic branch, the Communist Party of the United States of America. However, it is in this area that the caution of the Supreme Court, which I believe to be sound, must be recalled:

"We must remember that we are dealing here with citizens who have neither been accused of crimes nor found guilty. They are being denied their freedom of movement solely because of their refusal to be subjected to inquiry into their beliefs and associations." (357 U.S. at 130.)

At the present time, as a matter of domestic law, neither membership in, nor support of, any organization, short of violation of the Smith Act, is punishable in the United States. It would seem to follow then that mere membership or support in itself should not logically, and perhaps cannot constitutionally, be made a basis for travel prohibition. Travel should not be denied to an individual citizen of the United States except upon a clear showing that real danger to the national security would result from the travel abroad of the particular applicant. The Association of the Bar of the City of New York stated in its report "the somewhat conjectural danger that might be involved in the adoption of a policy to issue passports to such individuals is far outweighed by the affirmative advantages to be achieved from close adherence to the high-ranking value represented by the ideal of free travel." ("Freedom to Travel," p. 42.)

However, it is my view that membership in the Communist Party since January 1, 1950, and up to the present time is a factor to be considered in the issuance or denial of a passport, and that the Secretary of State should have the right to consider such membership of an applicant as evidence bearing upon the other criteria enumerated elsewhere herein which may properly be evaluated by the Secretary in this determination.

It is my recommendation that the Secretary of State be permitted to include in applications for passports an inquiry as to whether the applicant was on January 1, 1950, or at any time subsequent thereto a member of the Communist Party.

CRITERIA FOR DENIAL OF PASSPORTS

Recognizing that control of travel may sometimes be vital to national security or other important national interests, I nevertheless believe that the bases for such restriction can and must be stated more precisely. To achieve this purpose, I endorse the criteria for denial of individual passports set forth by the Association of the Bar of the City of New York in "Freedom to Travel," at pages 58–63. These recommendations may be summarized as follows:

Passports should be issued to U.S. citizens for travel abroad except

(a) Where the Secretary of State finds reasonable grounds for belief that their activities abroad would endanger the national security of the United States by

1. Transmitting without proper authority security information of the United States;

2. Participating in or inciting hostilities or conflicts which might involve the United States;

3. Participating in or inciting attacks by force upon the United States or attempts to overthrow our Government by force and violence; or

4. Acting in concert with others to bring about acts which endanger the national security of the United States.

(b) Travel may be denied to fugitives from justice and persons under court restraining order.

(c) Travel may be denied to persons who have been returned to the United States at Government expense from previous travel abroad, repayment not having been made.

AREA RESTRICTIONS

Frequently during the cold war, and occasionally before World War II, the Secretary of State has invoked restrictions upon the travel of all American citizens to specified countries. Far reaching though this power is, it has not been tested judically in the Supreme Court; and the sufficiency of the power of Government to impose such prohibitions has ordinarily been assumed. Indeed, there seems little doubt that, by act of Congress and proper executive action pursuant to such legislation, travel of American citizens may be prohibited to specified areas. Such authority in relation to the conduct of foreign affairs would seem implicit in the holding of *United States* v. *Curtiss-Wright Export Corp.*, 299 U.S. 304, 319–20 (1936), even though that case did not involve a passport issue.

I would reaffirm the existence of such power in the National Government, but would also remind that the significant and limited purposes for which that authority to forbid travel altogether is permitted, has sometimes in the past been abused. It must be remembered that area restrictions, unlike individual restraints, have an impact on the Nation as a whole in denying to the entire populace any effective communication with the affected area. This is scarcely consistent with the generally recognized need for access to information upon which the Nation and individual citizens can and must act.

Of course it is proper and desirable for the impact of an area prohibition to be made somewhat less serious through the Secretary's exercise of discretion to permit some groups or individuals, such as accredited representatives of the press, to travel as an exception to the general ban.

DUE PROCESS

After the decision in *Bauer* v. *Acheson*, 106 F. Supp. 445 (D.D.C. 1952), the Department of State issued rules establishing a Board of Passport Appeals and setting forth procedural standards in connection with issuance and denial of passports. At the hearing provided to persons whose passport applications are tentatively denied, there is provided a right to be represented by counsel, a right to present evidence and witnesses, and a right to cross-examine witnesses offered in opposition to the applications. However, I believe the procedure is still significantly deficient in the following respects:

(a) Insufficient specificity as to reasons for denial in order to permit preparation of an adequate response.

(b) Absence of separation of functions between the Board and the Passport Office counsel.

(c) No assurance of prompt action on applications, thus completely frustrating the travel plans of a number of applicants.

(d) No sufficient standard for the disclosure of evidence and the confrontation of witnesses before the Board.

(e) The right of the applicant to subpena witnesses.

While each of the foregoing is important, the first three can and should be readily corrected as a matter of sound administration and fair procedure. It is implicit that in all cases where a passport is denied that a full written statement of the reasons for such denial be furnished to the applicant.

It is, of course, a basic premise of the adversary method of resolving disputed issues of fact that each party shall have an opportunity not only to introduce his own evidence and witnesses, and to subpena witnesses, but as well, an opportunity to rebut and explain the evidence which will be considered against him, and to cross-examine witnesses hostile to his position. Under present regulations of the Department of State significant portions of those usual rights may be dispensed with. Accordingly, the hearing accorded the applicant cannot meaningfully be described as an adversary type proceeding. This, of course, does not settle the question of whether the hearing should nevertheless be continued on such a one-sided basis. Two considerations require discussion: First, is there a constitutional right to such disclosures and confrontation? Second, even if there is no such constitutional right, is there any overriding necessity which requires the Government to dispense with the ordinarily recognized elements of fairness in hearing procedures?

CONFRONTATION

It is my view that full and complete confrontation of witnesses should be afforded at all hearings of applicants in all cases where the issue is the granting or denial of a passport. The reason given for denying disclosure and confrontation to passport applicants is the possible danger of revealing information or informants essential to national security. However, my own views are that our traditional methods in the legal determination of facts should be preserved and that our basic concepts of due process should be maintained. I am not persuaded that a different procedure should be applied when the determination of a citizen's essential loyalty to our country is at stake than that required by our State and National Constitutions should the same citizen be charged with an offense against our laws, however trivial or great that offense may be. Although it cannot be said with finality that complete confrontation in passport hearings is required under the U.S. Constitution, it is my view that our time-tested and time-honored methods of confrontation and cross-examination in adversary judicial proceedings should be preserved in the determination of the issuance or denial of a passport.

HEARINGS

It is implicit that an applicant should have the right of representation by counsel; to examine and cross-examine witnesses, to be accorded a fair hearing before an impartial tribunal, with the right to subpoena witnesses in his behalf, and that a complete record of the proceedings be maintained and be made available to the applicant.

All hearings should be required to be held in public. The majority of opinion seems to be that an open public hearing should be at the discretion of the applicant. However, Star Chamber proceedings tend to develop faceless judges as well as faceless witnesses and the excesses which have prevailed in examinations at many loyalty hearings would hardly be possible if the public or the bar generally were aware of the manner in which many of these hearings have been conducted. While an individual seeking to obtain a passport may prefer secrecy in the determination of the issue where his essential loyalty to his country is at stake, the processes of the law should not be shaped to suit the convenience or sensibilities of the individual.

Proceedings in the trial of criminal causes are not permitted to be heard in camera; our experience has taught us of the dangers which confront the administration of justice when secret trials are tolerated.

Passport hearings, where the loyalty of the applicant is the essential issue, are in the nature of quasi-criminal proceedings and the same procedural rules should apply to such hearings as are accepted generally in

criminal causes. Some obvious exceptions should be apparent; there should not be a requirement upon the Government to prove its allegations beyond a reasonable doubt (a preponderance of the evidence should be sufficient), and the applicant should be required to testify if the Government wishes to interrogate him.

GOOD FAITH OF APPLICANTS

Applications for passports should be made in good faith; that is, there should be an actual intent of the applicant to use the passport in bona fide travel abroad. Penalties should be provided if such good faith is not present, for a citizen should not be permitted to use an application for a passport merely as a device to ascertain if the Government would question his loyalty or raise issues of his disqualification on other grounds.

JUDICIAL REVIEW

A further element, I believe, to be especially significant is the assurance of full judicial review in those cases in which the Department of Justice finally refuses to issue passports. This review should be upon the full record with jurisdiction vested in the Court to determine if under the law and the evidence adduced the denial of the issuance of the passport was clearly erroneous.

LAKE MICHIGAN POLLUTION

Mr. DOUGLAS. Mr. President, it is well known that Milwaukee has led the fight against Chicago's desire to obtain an additional diversion of water from Lake Michigan. It is less well known that Milwaukee follows the practice of dumping its effluent and in some cases raw sewage into Lake Michigan. We in Chicago have known about this for a long time, but have not wished to raise the issue until recently. The city of Milwaukee, in suits before the Supreme Court and in efforts before the appropriate Senate committee, has tried to compel the city of Chicago to do likewise.

In view of this situation, I ask unanimous consent to have an article from the Chicago Sun-Times printed at this point in the RECORD. The article points out that the county health office of Milwaukee County has closed 7 of Milwaukee County's 10 Lake Michigan beaches because of health and safety hazards created by the pollution of the lake by the dumping of effluent and raw sewage into the lake.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Chicago Sun-Times, Aug. 14, 1959]

POLLUTION SHUTS MILWAUKEE BEACHES

MILWAUKEE.—"Closed" signs were up at 7 of Milwaukee County's 10 Lake Michigan beaches Thursday because of health and safety hazards.

Pollution of the lake in Milwaukee's treated sewage, which is channeled into the lake, is the main reason for closing the beaches, health authorities said.

Milwaukee has opposed Chicago's efforts to divert more water from Lake Michigan in order to increase the flow of the Illinois Waterway, into which Chicago now channels its treated sewage.

The Wisconsin city also has supported a U.S. district court suit filed by six Great Lakes States, which seeks to make Chicago put back into the lake any water it takes out and would, in effect, force the city to empty its treated sewage into the lake.

Dr. E. R. Krumbiegel, Milwaukee health commissioner, said at least two beaches—South Shore and Bay View—will remain closed and will not reopen in future summers.

Those two beaches, he said, are near the mouth of the Milwaukee River. Treated sewage from Milwaukee's Jones Island disposal plant flows into the river.

In addition to Milwaukee, Dr. Krumbiegel said, many communities along the river and its tributaries dump treated sewage into the streams.

"Our sewage plant gets 95 percent purification," the health commissioner said, "but some of those smaller communities have plants which give only 90 percent purification."

Many pleasure boats and commercial boats that dock at Milwaukee are equipped with marine toilets, which add to the pollution, Dr. Krumbiegel said.

Forty percent of Milwaukee's sanitary sewers also carry storm water, so that during heavy rains untreated sewage is often washed into the river and lake, Dr. Krumbiegel said.

"After a rain we have quite a bit of pollution," he said. "It's a big problem, but it would cost us $500 million to tear up all those sewers and replace them with a separate system."

The precaution of closing the beaches was taken because swimmers who swallowed the polluted water could contract such intestinal diseases as typhoid and amebic dysentery, the doctor said.

He said one solution would be to chlorinate the water close to the shoreline, but he admitted that this would be a costly program. As an alternative, Dr. Krumbiegel suggested building swimming pools along the beach, in order to utilize the bathhouses already there.

Two of the beaches—Bradford and McKinley—were closed more for safety reasons than as a health measure, the doctor said. Underwater weeds growing on a reef 100 feet from shore tend to wash into the swimming area, endangering children who might become entangled in them, he said.

Mr. DOUGLAS. Mr. President, I also ask unanimous consent that a very able and accurate article on the same subject which appeared in the Chicago Daily Tribune for August 14 be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SEVEN MILWAUKEE BEACHES SHUT BY POLLUTION—BLAME DUMPING OF SEWAGE

MILWAUKEE, August 13 [Special].—Milwaukee faced such a serious sewage problem Thursday that all of Milwaukee County's seven beaches have been closed.

Two of the beaches, South Shore and Bay View, will remain closed, it was said, until such time as conditions necessitating the action can be corrected. Milwaukee is an outstanding critic of Chicago's sewage disposal methods and opponent of its neighbor's attempt to increase diversion of lake water for health and navigation purposes.

COST SET AT $500 MILLION

Dr. E. R. Krumbiegel, city health commissioner, said a solution of the sewage pollution affecting the beaches would cost about $500 million and probably is economically impossible.

Russel Kurtz, superintendent of parks for the county park commission, explained that the closing order was issued because of the uncertainty of water conditions at the beaches.

The closing began last week and affected one beach after another in the ensuing days until all were barred to swimmers. Lifeguards have remained on duty at all beaches to keep swimmers from entering the water.

CAUSES INTESTINAL DISEASES

The health department said the pollution can cause intestinal diseases, such as typhoid and amoebic dysentery, when bathers swallow water. Dr. Krumbiegel said small children are especially susceptible.

The health commissioner said that about 1 percent of the sewage from the Milwaukee metropolitan area enters Lake Michigan through rivers. The area includes communities as far north as Mequon and Thiensville in Ozaukee County and St. Francis and Cudahy to the south.

He said other lake pollution is caused by effluent from the sewage disposal plant at Jones Island, the refuse from ships entering the harbor and yachts docked at the South Shore Yacht Club.

POLLUTION SAME IN 1958

"The pollution is no worse this summer than last year," Dr. Krumbiegel said, "but the community is growing and we just can't go on with this kind of health hazard."

Dr. Krumbiegel said one solution of the problem would be to chlorinate the water close to the shoreline but he said this would be extremely expensive.

Rather than resort to this great outlay of money to clean up the lake water, Dr. Krumbiegel recommended that swimming pools be built along the lake shore.

"Ending the pollution is no easy matter," the health commissioner conceded. "The geographical position of Milwaukee on the lake forms a natural cesspool during the summer months."

SUBURBS TAINT RIVER

One of the pollution troubles in Milwaukee is said to be the inadequacy of storm sewers. During heavy rains the contents of storm and sanitary sewers, in some areas that have both, become mixed in overflows.

Another source of pollution of the lake in the Milwaukee area is thru the Milwaukee River. Many of the small communities which spread northward discharge their effluent into the river without treatment. Pollution is lowered to some extent by the time the waters enter Lake Michigan, but the bacteria count is still high.

Problems over the disposal of sewage from a new high school brought 250 persons Wednesday night to the town hall of suburban Mequon to discuss the matter with Milwaukee and State officials. But after the meeting, several persons who had attended were uncertain what, if anything, had been accomplished.

RIVER USE BARRED

Alderman James Egan of Mequon said plans had been made to haul raw sewage in closed tank cars from the new high school, which will have 1,200 pupils, to an interceptor treatment plan in Milwaukee County 3 miles away. A State health department representative said the State would not allow the effluent to be discharged into the Milwaukee River.

O. J. Muegge, a State sanitary engineer, told the audience the effluent would have to go through a treatment plant and said the State would issue an order that the sewage be treated at the plant in the adjacent village of Thiensville. However, like Milwaukee's problems, there were still numerous difficulties to be ironed out, Alderman Egan said.

The Milwaukee's area's pollution troubles reached a peak in the midst of efforts by Wisconsin's Senators, William Proxmire (D.), and Alexander Wiley (R.), in opposition to a bill, now being considered by the Senate Public Works Committee, to allow increased water diversion from the lake at Chicago for a 1-year test period.

Senator Proxmire, a vehement and a longtime foe of Chicago's pleas for more lake water for its sanitary needs last week smashed a liquor glass on the hearing room

floor in a dramatic punctuation of his argument that "the case of the proponents of this bill is shattered, like this glass, to smithereens."

In almost 2 hours of orating against the bill the same day, Senator Wiley said Milwaukee has a much better sewage disposal system than Chicago's.

Mr. DOUGLAS. Mr. President, on last Friday I telegraphed the city health commissioner of Milwaukee offering to Milwaukee the consultative services of the Chicago Sanitary District to assist them in dealing constructively with the problem.

I ask unanimous consent that my telegram be printed at this point in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

Dr. E. R. KRUMBIEGEL,
City Health Commissioner,
Milwaukee, Wis.:

The Chicago Sanitary District has twice given Senator ALEXANDER WILEY all the material which he requested. We have been glad to do this. Would you be willing to receive an engineer and give him similar information about recent developments in connection with the Milwaukee sewage disposal system? Furthermore I am assured that the Chicago Sanitary District would be most happy to offer consultative services and help in any way which may be constructive and beneficial. Please reply collect.

PAUL H. DOUGLAS,
U.S. Senator.

Mr. DOUGLAS. I may also say that the president of the sanitary district, Col. Frank W. Chesrow, made a very statesmanlike declaration last Friday in which he offered to furnish to Milwaukee the most expert assistance we could give them, and I am sure this assistance would be offered without charge to meet the very serious situation in which Milwaukee has unfortunately involved itself.

PROPOSED PEACE COMMITTEE FOR THE CARIBBEAN

Mr. SMATHERS. Mr. President, the address by Secretary of State Herter at Santiago, Chile, which he made in the Foreign Minister's conference on Thursday, August 13, certainly deserves everyone's attention. It was an excellent speech, offering a great deal of hope and encouragement.

Mr. President, I ask unanimous consent that the address be printed in the body of the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY THE HONORABLE CHRISTIAN A. HERTER, SECRETARY OF STATE, AT THE SECOND PLENARY SESSION OF THE FOREIGN MINISTERS OF THE AMERICAN STATES, AT SANTIAGO, CHILE, THURSDAY, AUGUST 13, 1959

Mr. Chairman, Your Excellencies, I deeply appreciate this opportunity to discuss with the Foreign Ministers of the other American Republics the situation of international tension that exists in the Caribbean area. This situation has for several months been a matter of serious concern to the United States.

We are concerned about this situation first of all because the United States borders upon the Caribbean; we therefore cannot escape involvement in many of the effects produced by the international tensions in that area.

We are also concerned about these tensions as a member of the Organization of American States. Any breach in the peaceful and friendly relations among the American States has repercussions throughout the inter-American community. Any weakening in efficiency of the inter-American procedures and principles is a threat to the important structure of the relationship developed within the Organization of American States.

Finally, the United States is concerned over the Caribbean situation from the standpoint of the position of the Americas in the world as a whole. The inter-American system, and the Organization of American States, constitute one of the bulwarks of freedom in a world that continues to be threatened by the aggressive and imperialistic designs of international communism. The maintenance of a strong inter-American system is therefore an integral part of the supreme effort in which all of us participate to preserve our liberties and the finer aspects of civilization itself.

Our agenda contains two items: The first dealing with the Caribbean situation as a whole, the second with the more general problem of human rights and democracy. Let me first take up item No. 1.

Today throughout the Caribbean area we find the ferment of popular demand for improvement and change. In common with the peoples of most other parts of the world, the peoples of the Caribbean area are seeking to increase their material welfare, to raise their cultural standards, and to win for themselves a greater degree of individual liberty. This movement for change has focused upon two great objectives: The development of the economies of the countries of the region, with a view to raising the levels of living of the common people, and the more effective exercise of representative democracy based upon respect for the rights of man.

This is as it should be. The Government and people of the United States share these objectives and wish to lend all friendly and proper support to their achievement by the peoples of all the American Republics.

This movement for change, which has made such significant progress in some respects, has also created difficult problems for the governments of this region. During the past few months at least three countries have been attacked by armed expeditions coming from outside their borders. Other governments have indicated their concern over threats of attack from abroad. During this period several governments have been menaced by viciously hostile propaganda attacks originating in other countries. Thus, both internal and international tensions have grown throughout the Caribbean region. Our concern at this meeting is not with these individual cases, but with the effect of the present situation in the Caribbean upon the cooperative efforts of the American States to preserve their peace and to promote the political, economic, and cultural welfare of their peoples.

The most important foundation stone of the relationship which has been developed in this hemisphere is the principle of nonintervention by any American state in the affairs of any other American state.

The United States has accepted this principle and with the years has become increasingly convinced of its importance to the entire inter-American relationship. The nonintervention principle is essential to confidence among the 21 member governments of this Organization—and that confidence is, in turn, essential to creative effort and progress in the collective achievement of the great purposes set forth in the charter of our organization.

However, in the Caribbean the principle of nonintervention has been subjected to serious strain. Information gathered by the committees appointed by the Council of the OAS acting under the Treaty of Rio de Janeiro established that several of the revolutionary efforts directed at governments in the Caribbean area have set out from other countries, despite the provisions of the Habana Convention of 1928. Moreover, it appears that at least some of these expeditions were organized in other countries with the knowledge and consent of officials whose governments were pledged to prevent such action. Expeditions have obtained arms from official sources in other countries despite public declarations of policy to the contrary.

Some of these movements have been justified before the public on the grounds that they were undertaken for the purpose of establishing more democratic regimes in certain countries and that thereby they helped to fulfill a principle of the Charter of the OAS.

I do not wish to speculate on what the motives may have been behind these interventionist activities. Yet, whether or not they were commendable, we cannot conduct our inter-American relations on the theory that the end justifies the means, and that the charter and other treaties may be flouted at will.

As you well know, the United States yields to no country in its dedication to democratic principles. Our own history is a living testimony to our faith in the fulfillment of democracy. For that reason the United States has noted with greatest satisfaction the growth of representative democracy and respect for human rights in all the American Republics. We are convinced that this form of political progress can and must go forward and that it deserves the moral support of all peoples of America.

We are equally convinced, however, that the basis for the soundest and most durable growth of democratic institutions within a country stems from the people themselves. History has shown that attempts to impose democracy upon a country by force from without may easily result in the mere substitution of one form of tyranny for another. We therefore believe that there is a great distinction to be observed between moral support for democratic principles which will encourage the peoples of all countries to work toward democratic goals, and attempts by other countries to promote the overthrow of governments by use of force in the hope of establishing democracy.

The greatest progress in the development of democracy in the Americas has taken place within the last 10 years, a period during which conditions of international peace and security have also been strengthened through the efforts of the OAS. The principle of nonintervention, and its companion principle of collective security, are important to democracy because they assure to each country the opportunity to develop its political life free from outside interference. That opportunity and that freedom are the first necessary condition for the growth of democracy. That is a main reason for our firm opposition to international communism or any other form of government which seeks to impose its political system on others.

To weaken the principle of nonintervention and the principle of collective security in an effort to promote democracy is, therefore, a self-defeating activity. The tensions which have developed in the Caribbean area in the last 6 months have, in the opinion of the United States, had an effect opposite from that encouraging democracy. They have forced governments to adopt stricter measures of control. They have promoted internal political tensions which have been seized upon by the enemies of democracy to weaken governments which are sincerely striving to practice democratic principles.

They have forced governments to divert resources from constructive economic and social programs to military ends because of the threat of attack from abroad. Finally, by fomenting conditions of internal conflict and international distrust and ill will, these tensions have provided just the opportunity that the international Communists are always seeking to project themselves and their antidemocratic policies and practices into the affairs of our countries. This threat to the principle of nonintervention imperils the interests of all members of the Organization of American States. It is one of the main tasks of this meeting of consultation to strengthen the confidence of the American States in the validity and effectiveness of this and the other principles so basic to their peaceful relations. In the light of this consideration I should like to propose, Mr. Chairman, that under agenda item No. 1 this meeting of Foreign Ministers do three things: first, that it issue a declaration of faith in the basic principles of the inter-American system, in those principles which bear particularly upon the difficult situation that has developed in the Caribbean and which we are all desirous of resolving in a spirit of cooperation.

Second, we should consider establishing a special temporary committee which would be authorized to study the situation in the Caribbean. It would report to the 11th Inter-American Conference. This committee could be empowered to extend its cooperation to any of the states of that region in the solution of problems that disturb their peaceful relations and which they are not able to resolve through direct negotiation. Such a committee might well look into the subject of hostile propaganda, and report on activities in the field of radio and press tending to foment civil strife in another American State.

Finally, looking at the experience of the Organization of American States during the past 3 months, I believe the meeting of Foreign Ministers must recognize that our generally admirable and effective peace system could be improved if a permanent organ of the OAS, such as the Pan American Peace Committee, were authorized to consider problems of the sort that have plagued the Caribbean region before they reach a point of becoming threats to the peace.

This brings us to the second item on our agenda; the effective exercise of representative democracy and respect for human rights.

Democracy and respect for the rights of man are ideals deeply cherished by the peoples of America since their earliest days. Drawing upon their common belief in the dignity of man, based upon their Christian heritage and the great philosophical ideas of Western civilization, the peoples of the Americas were inspired by democratic principles in their wars for independence. Although from time to time the achievement of these ideals has encountered obstacles and setbacks, the American peoples have never wavered in their determination to press forward toward political systems based on liberty and human dignity. The full realization of democratic principles and the guarantee of human rights remain an ideal towards which all of our countries strive. There are many factors which determine the rate at which a given people can progress in this respect. However, the peoples of America, as a matter of principle, repudiate all forms of dictatorship, whether of the right or the left.

The United States recognizes that the lack of democratic fulfillment has been an important factor contributing to recent unrest and tensions in the Caribbean, and at other times elsewhere in the Americas.

I suggest that the approach of the Organization of American States to this problem should be essentially of a positive, rather than a negative character.

For example, the Organization of American States should have no hesitancy in declaring its profound belief in the importance of democratic principles and in the necessity of cooperation for their achievement. This cooperation can take many forms. It requires the establishment of a peaceful international order in which democratic institutions can flourish.

The important role of economic and social progress to political stability is self-evident. There is no need to recount at this time all the positive steps which the American States have taken in the economic field during the past year, and the not inconsiderable contribution which the United States has made to this effort. The approval of the Charter of the Inter-American Bank, and the progress made in the formulation and execution of Operation Pan America are among the outstanding achievements in working toward the kinds of economic and social environment in which democracy can grow.

Like other important phases in the development of the Organization of American States, this new field of political cooperation must be entered with care in order to avoid reactions that might permanently endanger the capacity of the Inter-American community to pursue this great purpose. A possible first practical step might be the establishment within the structure of the OAS, of a commission or other organ endowed with the authority to gather the views of the American governments and people, to clarify the nature of representative democracy, and to chart a course which the OAS could follow in evoking the maximum cooperation of the governments for the effective achievement of democratic principles.

The United States stands ready to consider sympathetically proposals of the other member states of the organization which offer a genuine opportunity to assist progress toward the achievement of effective democracy and respect for human rights. We realize, of course, that it may be necessary to provide for further study by the competent organs of the Organization of matters which cannot be satisfactorily and definitely resolved at this emergency meeting.

The great opportunity facing this meeting of Foreign Ministers is to reaffirm with full vigor the validity of the principles on which the Organization of American States is built and to demonstrate to the peoples of America and to the entire world that under these principles our countries will go forward to new achievements in bettering the standards of human life and in gaining a greater measure of human liberty.

Mr. Chairman, before concluding I should like to add a few words that occur to me as I think of the relationship between what we are doing here, and what is going on in other parts of the world. It is my belief that the inspiration which our hemisphere can add to the free world is enormous if we continue to fulfill our destiny within the noble framework of tolerant, cooperative internationalism which the OAS represents. I have returned from Geneva with renewed faith that the example set by the Americas can have a great effect in ameliorating and influencing Communist and Soviet courses of action in the long run, though we may often be tempted to lose heart in the short run.

This is not the moment to discuss Geneva or recent developments in U.S.-Soviet relations, though I should be most happy to discuss these matters with you informally should you wish me to do so. I might, however, make two comments on recent developments in our relations with the Soviet Union which will place my proposals in a global, as well as a hemispheric, perspective. Both these comments bear, I believe, on the purposes of this Conference.

First, we found at Geneva no real disposition on the part of the Soviets to negotiate as we understand that word in this hemisphere. We did find, on the other hand, a most resolute Soviet purpose to deny to East Germany and to West Berlin the right to evolve toward ways of life of their own choosing. We found, in short, the most flagrant disregard of the principle on nonintervention notwithstanding the risks involved.

It is perhaps understandable, therefore, that I have returned with a renewed devotion to that principle and its importance to our hemisphere and elsewhere in this troubled world. We must by example persist in efforts to bring the Soviet Union to recognize the democratic values which we have developed and seek to preserve in this hemisphere. Moreover, the knowledge of how the techniques of indirect aggression have been developed by the Communists as a means of intervention in many parts of the world have convinced me how very important it is that we do not allow that virus to become established and to spread in this peace-loving continent. And in this connection I wish to assure you that our policy toward Communist China, which is well known to you all, remains unchanged.

The second point I want to make is that our example here has great relevance to Mr. Khrushchev and his assessment of our inter-American system. Geneva and other recent contacts with the Soviet hierarchy have reenforced our belief that it is essential to do everything possible to remove misconceptions of our way of life on the part of the Soviet leaders. This is one aspect of our quest for peace and a more viable world order and this, rather than any change of policy or intention to negotiate bilaterally, explains our invitation to Premier Khrushchev to visit the United States. We intend to let him see as fully as possible all segments of our society and our institutions. We hope that this experience may remove some of the misconceptions which Communist dogma and distorted dialectic have implanted in his mind. Similarly, we hope that President Eisenhower will on his return visit be able to project a better proportioned image of the United States than the Soviet people have obtained after decades of Bolshevik propaganda. Vice President NIXON'S recent visit has given us reason to believe that this is possible. We should not place too much hope on this exchange of visits but we can engage in the modest expectation that they will have influence in transplanting to an alien way of life some of those democratic values for which the Americas stand. I am sure you will agree with me that what we are doing here today, as well as the great cooperative American tasks that we will accomplish in the future, have a global as well as a hemispheric relevance, and are fundamental of democracy.

Mr. SMATHERS. Mr. President, I am sure we all join in support of Mr. Herter's recommendation that a peace commission be established to investigate the reasons for the critical tensions and warlike activities which greatly disturb the Caribbean scene at this time.

Mr. Herter reviewed the great desire for change, which is sweeping the Caribbean today, and the ardent wish of the peoples of the Caribbean lands—in fact of the people of all Latin America—to raise their standard of living and to increase their share of a better and fuller life.

Yet he points to a more immediate cause of discontent when he speaks of the serious strain to which the historic principle of nonintervention has been subjected.

Mr. Herter proposes a threefold program:

First, that the Foreign Ministers of the Organization of American States issue a declaration of faith in the basic principles of the inter-American system, asking that the difficult situation which has developed in the Caribbean be resolved in a spirit of cooperation.

Second, he suggested that the Foreign Ministers of the OAS consider establishing a special temporary committee which would be authorized to study the Caribbean situation and to report to the 11th Inter-American Conference of the OAS to be held in Quito, Ecuador, next February.

And finally he asked that the Foreign Ministers of the OAS consider establishing a permanent peace committee "authorized to consider problems of the sort that have plagued the Caribbean region before they reach a point of becoming threats to the peace."

Mr. President, I am sure all of us concur in every one of the recommendations made by the Secretary of State.

However, I should like to say that the recommendations of the Secretary of State, as someone has already noted, would constitute a watchdog committee of the Caribbean, or a watchdog of the Latin-American world. But it would represent nothing more than a toothless watchdog if at the same time there were not given to the committee the power and authority to enforce the decisions arrived at.

Senators will remember, Mr. President, that some 3 months ago I stood on the floor of the Senate to recommend that the United States pursue a policy of trying to establish an inter-American police force which would be highly mobile and small, which could be set up under the command of the Organization of American States. I felt that with such a mobile force we would be able to stop the adventurers from one nation invading a sovereign nation.

I think we could bring about peace in the Caribbean. We could stabilize the situation, and without a great cost to any one of the nations involved.

In the last 2 or 3 days we have read reports that the country of Panama feared it was going to be attacked again. Some information has been obtained that there was a revolutionary force mounting in Cuba. Recent reports from Haiti cause great concern about the welfare of that country.

I do not believe anything really lasting can be accomplished with a peace commission or a so-called watchdog commission until we give that watchdog certain teeth with which to enforce the decisions which it arrives at.

I am very gratified that the Committee on Foreign Relations, subsequent to my recommendations, considered the matter and endorsed my proposal at least partially, by recommending that the Organization of American States give thought to the matter of establishing an inter-American police force. I think if we had such a force we would find that the situation in the Caribbean would quickly be settled and that with it the integrity of each one of these countries could best be preserved.

Mr. GORE. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield to the able and distinguished Senator from Tennessee, a member of the Committee on Foreign Relations.

Mr. GORE. Mr. President, I concur in the statements of the able junior Senator from Florida. Perhaps the Senator will recall it was my amendment to the bill which passed the Senate, to authorize the appropriation of some $20 million, I believe, to the Organization of American States, for the purposes which the able Senator has outlined. Unfortunately, the other body did not accept the proposal, and the amendment was lost in conference.

We shall try again. What the able junior Senator from Florida has said is so pertinent and so persuasive that the Senate must recall his remarks when next we act in this field.

For the American states to have a watchdog committee, without any means of action, is much the same as having a policeman who has good eyes but whose hands are manacled behind him.

We must give to the hemispheric organization a force under its command to use not only as a police force within the hemisphere, as the able Senator has described it, but also as a force which can be integrated and unified for the defense of the Western Hemisphere. Would the Senator endorse that as a second purpose to be achieved?

Mr. SMATHERS. I completely agree with the statement of the able Senator from Tennessee.

Mr. President, I thank the Senator from Tennessee. I knew the Senator was the author of the amendment from the Committee on Foreign Relations. I know the Senator is on the right track.

Mr. President, I repeat again, I think our Secretary of State has done a magnificent job. Once again, this emphasizes the position of the United States with respect to its relationships with its neighbors in the South American area.

Having made the move forward, as the Secretary has done, by recommending the Peace Commission, it would now be a great deal wiser for us to take the next and logical step, to give to that Commission the so-called police force to which the able Senator from Tennessee referred, to give the authority to stop these adventurers who are organized and armed in one area but who have only one purpose, the destruction of the integrity of the government of another country.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial published in this morning's Washington Post and Times Herald entitled "Castro's Worst Enemy," which refers to the speeches that Fidel Castro himself makes.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CASTRO'S WORST ENEMY

Fidel Castro seems to be doing all he can to worsen the Caribbean muddle without winning himself any new friends. Those sympathetic to the Cuban Prime Minister are prepared to believe that Dominican Dictator Rafael Trujillo may have had an active part in the recent plot against the Castro regime. But it is hard to take seriously anyone who charges that the United States and the Organization of American States supported the plot—as Castro was quoted as saying by the New York Times. The assertion that the meeting of Foreign Ministers in Santiago, Chile, came about as a result of "Trujillo intrigue" is equally untrue. If this were so, why did the Cubans then join in the unanimous vote favoring the Conference, why is Cuba represented in Chile, and why is Prime Minister Castro reportedly considering a trip to the meeting himself?

The effect of farfetched language of this sort is to weaken credibility of everything Castro says and to isolate the Cubans from other free-minded regimes in the hemisphere. Zealous idealism cannot excuse patent irresponsibility. Doubtless Generalissimo Trujillo is a dangerous foe for the Prime Minister. But an equally damaging enemy, in terms of hemisphere opinion, is Castro's own tongue.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD at this point another editorial published in yesterday's Miami Daily News, entitled "Hunger Amidst Plenty—Caribbean Paradox," written by an outstanding young editor, Bill Baggs.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HUNGER AMIDST PLENTY—CARIBBEAN PARADOX

(By Bill Baggs)

Everyday living across the street in the Caribbean neighborhood is not bad. It is ridiculous.

Millions of the people are hungry and yet they live on some of the most fertile lands of the earth.

Several of the countries in the Caribbean are very nearly bankrupt and yet their hills and mountains are treasuries of minerals needed by the industrial societies of the world.

A most kind climate presides over the Caribbean. There is fresh water. Magnificent harbors.

POOR, HARASSED

Looking down on the lovely green countries under the sun in the Caribbean, a visitor to earth might think that the people who live there are certainly fortunate people. Well, they should be. But they are not. They are poor, harassed human beings. The Indians who resided there 5 centuries ago enjoyed a much finer life.

It is tragic. But most of all, it is ridiculous.

At the moment, revolution or the threat of revolution can be heard in Cuba, the Dominican Republic, Honduras, Nicaragua, Panama, Guatemala, and Haiti.

Mostly, the people who plot to overthrow the governments of these countries are no better than the present proprietors. Worse, they manage a turmoil which has become the customary atmosphere in the Caribbean.

POINTLESS REVOLT

If one measures by history, it was inevitable that revolt was coming to the Caribbean. The people have lived in somewhat of an economic and political jailhouse since the Europeans came to settle the countries four and a half centuries ago. But the shame of what we are seeing today is that these revolutions so often appear pointless. Or almost pointless.

For instance what benefit for the people of the Dominican Republic if they sacked Trujillo in a revolution and got a leftwing dictatorship to succeed the present right-wing dictatorship? Would these mean better schools, medical care, more food, more opportunities for the people?

A Somoza succeeded a Somoza in Nicaragua. Violence in Haiti and then a new president.

In Guatemala, the old liberals were heaved out and new conservatives came in * * * people died and others suffered hunger and privation * * * but is there more food, more schools, better jobs?

Revolts simmer in Honduras, but very little changes. Also in Panama.

Then, the largest example, which is Cuba. Who would argue that Batista promoted a better life for more Cubans? I certainly would not. The list of crimes against democratic ideals when he presided is long and dreary. Under Castro, at least the wanton torture has stopped * * * but once again, do the people have more food, what about better schools for the children, medical care for the sick?

Revolution for the sake of revolution, or revolution which does not change affairs for the better, is a horrible event.

LESSON FOR CASTRO

In Mexico, there was a revolution which carried on a social change and Mexico slowly emerges as a strong, stable society in our hemisphere. The same in Costa Rica. And now in Venezuela. Ah, there is a lesson in Venezuela for Fidel Castro and all the other revolutionists.

A few days ago, Betancourt announced a land reform program for Venezuela. There was not the burly, nasty and vicious reaction which greeted Dr. Castro's land reform program. Why? Simply because Betancourt did not attempt to reform land ownership over the weekend throughout Venezuela. He is taking it slow, and making his steps certain.

IS IT NECESSARY?

Some day, the millions of abused people out there across the street in the Caribbean neighborhood are going to back off from these revolutions and ask themselves a question:

Is this one necessary?

If so, where does this revolution lead? What is the point of this revolution? How will it make the lives of the people better?

Only then can we end this great paradox * * * of people impoverished living in wealthy countries * * * because only then will revolutions become instruments to develop the lands for agriculture, the mountains for mines, the harbors for ships.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

Mr. JOHNSON of Texas. Mr. President, I ask the Chair to lay before the Senate the message just received from the House of Representatives.

The VICE PRESIDENT laid before the Senate a message from the House of Representatives, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U.S.,
August 14, 1959.

Resolved, That the House insist upon its amendment to the bill (S. 1555) entitled "An act to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes," and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That Mr. BARDEN, Mr. PERKINS, Mr. LANDRUM, Mr. THOMPSON of New Jersey, Mr. KEARNS, Mr. AYRES, and Mr. GRIFFIN be the managers of the conference on the part of the House.

The amendment of the House of Representatives to Senate bill 1555, is as follows:

To strike out all after the enacting clause, and insert:

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Short title

SECTION 1. This Act may be cited as the "Labor-Management Reporting and Disclosure Act of 1959".

Declaration of findings, purposes, and policy

SEC. 2. (a) The Congress finds that, in the public interest, it continues to be the responsibility of the Federal Government to protect employees' rights to organize, choose their own representatives, bargain collectively, and otherwise engage in concerted activities for their mutual aid or protection; that the relations between employers and labor organizations and the millions of workers they represent have a substantial impact on the commerce of the Nation; and that in order to accomplish the objective of a free flow of commerce it is essential that labor organizations, employers, and their officials adhere to the highest standards of responsibility and ethical conduct in administering the affairs of their organizations, particularly as they affect labor-management relations.

(b) The Congress further finds, from recent investigations in the labor and management fields, that there have been a number of instances of breach of trust, corruption, disregard of the rights of individual employees, and other failures to observe high standards of responsibility and ethical conduct which require further and supplementary legislation that will afford necessary protection of the rights and interests of employees and the public generally as they relate to the activities of labor organizations, employers, labor relations consultants, and their officers and representatives.

(c) The Congress, therefore, further finds and declares that the enactment of this Act is necessary to eliminate or prevent improper practices on the part of labor organizations, employers, labor relations consultants, and their officers and representatives which distort and defeat the policies of the Labor Management Relations Act, 1947, as amended, and the Railway Labor Act, as amended, and have the tendency or necessary effect of burdening or obstructing commerce by (1) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (2) occurring in the current of commerce; (3) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods into or from the channels of commerce, or the prices of such materials or goods in commerce; or (4) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for goods flowing into or from the channels of commerce.

Definitions

SEC. 3. As used in titles I, II, III, IV, V (except section 505), and VI of this Act—

(a) "Commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof.

(b) "State" includes any State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act (43 U.S.C. 1331–1343).

(c) "Industry affecting commerce" means any activity or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry "affect-

ing commerce" within the meaning of the Labor-Management Relations Act, 1947, as amended, or the Railway Labor Act, as amended.

(d) "Person" includes one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, or receivers.

(e) "Employer" means any employer or any group or associations of employers engaged in an industry affecting commerce (1) which is, with respect to employees engaged in an industry affecting commerce, an employer within the meaning of any law of the United States relating to the employment of any employees or (2) which may deal with any labor organization concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work; and includes any person acting directly as an employer or indirectly as an agent of an employer in relation to an employee but does not include the United States or any corporation wholly owned by the Government of the United States or any State or political subdivision thereof.

(f) "Employee" means any individual employed by an employer, and includes any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice or because of exclusion or expulsion from a labor organization in any manner or for any reason inconsistent with the requirements of this Act.

(g) "Labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relations of employer and employee.

(h) "Trusteeship" means any receivership, trusteeship, or other method of supervision or control whereby a labor organization suspends the autonomy otherwise available to a subordinate body under its constitution or bylaws.

(i) "Labor organization" means a labor organization engaged in an industry affecting commerce and includes any organization of any kind, any agency, or employee representation committee, group, association, or plan so engaged in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and any conference, joint board, or joint council so engaged which is subordinate to a national or international labor organization, other than a State or local central body.

(j) A labor organization shall be deemed to be engaged in an industry affecting commerce if it—

(1) is the certified representative of employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended; or

(2) although not certified, is a national or international labor organization or a local labor organization recognized or acting as the representative of employees of an employer or employers engaged in an industry, business, or activity affecting commerce; or

(3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employees of employers within the meaning of paragraph (1) or (2); or

(4) has been chartered by a labor organization representing or actively seeking to represent employees within the meaning of paragraphs (1) or (2) as the local or subordinate body through which such employees may enjoy membership or become affiliated with such labor organization; or

(5) is a conference, joint board, or joint council, subordinate to a national or international labor organization, other than a State or local central body.

(k) "Secret ballot" means the expression by ballot, voting machine, or otherwise, but in no event by proxy, of a choice with respect to any election or vote taken upon any matter, which is cast in such a manner that the person expressing such choice cannot be identified with the choice expressed.

(l) "Trust in which a labor organization is interested" means a trust or other fund or organization (1) which was created or established by a labor organization, or one or more of the trustees or one or more members of the governing body of which is selected or appointed by a labor organization, and (2) a primary purpose of which is to provide benefits for the members of such labor organization or their beneficaries.

(m) "Labor relations consultant" means any person who, for compensation, advises or represents an employer, employer organization, or labor organization concerning employee organizing, concerted activities, or collective bargaining activities.

(n) "Officer" means any constitutional officer, any person authorized to perform the functions of president, vice president, secretary, treasurer, or other executive functions of a labor organization, and any member of its executive board or similar governing body.

(o) "Member" or "member in good standing", when used in reference to a labor organization, includes any person who has fulfilled the requirements for membership in such organization, and who neither has voluntarily withdrawn from membership nor has been expelled or suspended from membership after appropriate proceedings consistent with lawful provisions of the constitution and bylaws of such organization.

(p) "Secretary" means the Secretary of Labor.

(q) The term "officer, agent, shop steward, or other representative", when used with respect to a labor organization, includes elected officials and key administrative personnel, whether elected or appointed (such as business agents, heads of departments or major units, and organizers who exercise substantial independent authority), but does not include salaried nonsupervisory professional staff, stenographic, and service personnel.

(r) "District court of the United States" means a United States district court and a United States court of any place subject to the jurisdiction of the United States.

TITLE I—BILL OF RIGHTS OF MEMBERS OF LABOR ORGANIZATIONS

Bill of rights

SEC. 101. (a)(1) EQUAL RIGHTS.—Every member of a labor organization shall have equal rights and privileges within such organization to nominate candidates, to vote in elections or referendums of the labor organization, to attend membership meetings, and to participate in the deliberations and voting upon the business of such meetings, subject to reasonable rules and regulations in such organization's constitution and bylaws.

(2) FREEDOM OF SPEECH AND ASSEMBLY.—Every member of any labor organization shall have the right to meet and assemble freely with other members; and to express any views, arguments, or opinions; and to express at meetings of the labor organization his views, upon candidates in an election of the labor organization or upon any business properly before the meeting, subject to the organization's established and reasonable rules pertaining to the conduct of meetings: *Provided,* That nothing herein shall be construed to impair the right of a labor organization to adopt and enforce reasonable rules as to the responsibility of every member toward the organization as an institution and to his refraining from conduct that would interfere with its performance of its legal or contractual obligations.

(3) DUES, INITIATION FEES, AND ASSESSMENTS.—Except in the case of a federation of national or international labor organizations, the rates of dues and initiation fees payable by members of any labor organization in effect on the date of enactment of this Act shall not be increased, and no general or special assessment shall be levied upon such members, except—

(A) in the case of a local labor organization, (i) by majority vote by secret ballot of the members in good standing voting at a general or special membership meeting, after reasonable notice of the intention to vote upon such question, or (ii) by majority vote of the members in good standing voting in a membership referendum conducted by secret ballot; or

(B) in the case of a labor organization, other than a local labor organization or a federation of national or international labor organizations, (i) by majority vote of the delegates voting at a regular convention, or at a special convention of such labor organization held upon not less than thirty days' written notice to the principal office of each local or constituent labor organization entitled to such notice, or (ii) by majority vote of the members in good standing of such labor organization voting in a membership referendum conducted by secret ballot, or (iii) by majority vote of the members of the executive board or similar governing body of such labor organization, pursuant to express authority contained in the constitution and bylaws of such labor organization: *Provided,* That such action on the part of the executive board or similar governing body shall be effective only until the next regular convention of such labor organization.

(4) PROTECTION OF THE RIGHT TO SUE.—No labor organization shall limit the right of any member thereof to institute an action in any court, or in a proceeding before any administrative agency, irrespective of whether or not the labor organization or its officers are named as defendants or respondents in such action or proceeding, or the right of any member of a labor organization to appear as a witness in any judicial, administrative, or legislative proceeding, or to petition any legislature or to communicate with any legislator: *Provided,* That any such member may be required to exhaust reasonable hearing procedures (but not to exceed a four-month lapse of time) within such organization, before instituting legal or administrative proceedings against such organizations or any officer thereof: *And provided further,* That no interested employer or employer association shall directly or indirectly finance, encourage, or participate in, except as a party, any such action, proceeding, appearance, or petition.

(5) SAFEGUARDS AGAINST IMPROPER DISCIPLINARY ACTION.—No member of any labor organization may be fined, suspended, expelled, or otherwise disciplined, except for nonpayment of dues, by such organization or by any officer thereof unless such member has been (A) served with written specific charges; (B) given a reasonable time to prepare his defense; (C) afforded a full and fair hearing.

(b) Any provision of the constitution and bylaws of any labor organization which is inconsistent with the provisions of this section shall be of no force or effect.

Civil enforcement

SEC. 102. Any person whose rights secured by the provisions of this title have been infringed may bring an action in a district court of the United States for such relief as may be appropriate. Any such action

against a labor organization shall be brought in the district court of the United States for the district where the alleged violation occurred, or where the principal office of such labor organization is located.

Retention of existing rights

SEC. 103. Nothing contained in this title shall limit the rights and remedies of any member of a labor organization under any State or Federal law or before any court or other tribunal, or under the constitution and bylaws of any labor organization.

Rights to copies of collective bargaining agreements

SEC. 104. It shall be the duty of the secretary or corresponding principal officer of each labor organization, in the case of a local labor organization, to forward a copy of each collective bargaining agreement made by such labor organization with any employer to any employee who requests such a copy and whose rights as such employee are directly affected by such agreement, and in the case of a labor organization other than a local labor organization, to forward a copy of any such agreement to each constituent unit which has members directly affected by such agreement; and such officer shall maintain at the principal office of the labor organization of which he is an officer copies of any such agreement made or received by such labor organization, which copies shall be available for inspection by any member or by any employee whose rights are affected by such agreement. The provisions of section 210 shall be applicable in the enforcement of this section.

Information as to Act

SEC. 105. Every labor organization shall inform its members concerning the provisions of this Act.

TITLE II—REPORTING BY LABOR ORGANIZATIONS, OFFICERS AND EMPLOYEES OF LABOR ORGANIZATIONS, AND EMPLOYERS

Report of labor organizations

SEC. 201. (a) Every labor organization shall adopt a constitution and bylaws and shall file a copy thereof with the Secretary, together with a report, signed by its president and secretary or corresponding principal officers, containing the following information—

(1) the name of the labor organization, its mailing address, and any other address at which it maintains its principal office or at which it keeps the records referred to in this title;

(2) the name and title of each of its officers;

(3) the initiation fee or fees required from a new or transferred member and fees for work permits required by the reporting labor organization;

(4) the regular dues or fees or other periodic payments required to remain a member of the reporting labor organization; and

(5) detailed statements, or references to specific provisions of documents filed under this subsection which contain such statements, showing the provision made and procedures followed with respect to each of the following: (A) qualifications for or restrictions on membership, (B) levying of assessments, (C) participation in insurance or other benefit plans, (D) authorization for disbursement of funds of the labor organization, (E) audit of financial transaction of the labor organization, (F) the calling of regular and special meetings (G) the selection of officers and stewards and of any representatives to other bodies composed of labor organizations' representatives, with a specific statement of the manner in which each officer was elected, appointed, or otherwise selected, (H) discipline or removal of officers or agents for breaches of their trust, (I) imposition of fines, suspensions, and expulsions of members, including the grounds for such action and any provision made for notice, hearing, judgment on the evidence, and appeal procedures, (J) authorization for bargaining demands, (K) ratification of contract terms, (L) authorization for strikes, and (M) issuance of work permits. Any change in the information required by this subsection shall be reported to the Secretary at the time the reporting labor organization files with the Secretary the annual financial report required by subsection (b).

(b) Every labor organization shall file annually with the Secretary a financial report signed by its president and treasurer or corresponding principal officers containing the following information in such detail as may be necessary accurately to disclose its financial condition and operations for its preceding fiscal year—

(1) assets and liabilities at the beginning and end of the fiscal year;

(2) receipts of any kind and the sources thereof;

(3) salary, allowances, and other direct or indirect disbursements (including reimbursed expenses) to each officer and also to each employee who, during such fiscal year, received more than $10,000 in the aggregate from such labor organization and any other labor organization affiliated with it or with which it is affiliated, or which is affiliated with the same national or international labor organization;

(4) direct and indirect loans made to any officer, employee, or member, which aggregated more than $250 during the fiscal year, together with a statement of the purpose, security, if any, and arrangements for repayment;

(5) direct and indirect loans to any business enterprise, together with a statement of the purpose, security, if any, and arrangements for repayment; and

(6) other disbursements made by it including the purposes thereof.

(c) Every labor organization required to submit a report under this title shall make available the information required to be contained in such report to all of its members, and every such labor organization and its officers shall be under a duty enforcible at the suit of any member of such organization in any State court of competent jurisdiction or in the district court of the United States for the district in which such labor organization maintains its principal office, to permit such member for just cause to examine any books, records, and accounts necessary to verify such report. The court in such action may, in its discretion, in addition to any judgment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

(d) Subsections (f), (g), and (h) of section 9 of the National Labor Relations Act, as amended, are hereby repealed.

(e) Clause (i) of section 8(a)(3) of the National Labor Relations Act, as amended, is amended by striking out the following: "and has at the time the agreement was made or within the preceding twelve months received from the Board a notice of compliance with sections 9 (f), (g), (h)".

Report of officers and employees of labor organizations

SEC. 202. (a) Every officer of a labor organization and every employee of a labor organization (other than an employee performing exclusively clerical or custodial services) shall file with the Secretary a signed report listing and describing for his preceding fiscal year—

(1) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child derived directly or indirectly from, an employer whose employees such labor organization represents or is actively seeking to represent, except payments and other benefits received as a bona fide employee of such employer;

(2) any transaction in which he or his spouse or minor child engaged, directly or indirectly, involving any stock, bond, security, or loan to or from, or other legal or equitable interest in the business of an employer whose employees such labor organization represents or is actively seeking to represent;

(3) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child directly or indirectly derived from, any business a substantial part of which consists of buying from, selling or leasing to, or otherwise dealing with, the business of an employer whose employees such labor organization represents or is actively seeking to represent;

(4) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child directly or indirectly derived from, a business any part of which consists of buying from, or selling or leasing directly or indirectly to, or otherwise dealing with such labor organization;

(5) any direct or indirect business transaction or arrangement between him or his spouse or minor child and any employer whose employees his organization represents or is actively seeking to represent, except work performed and payments and benefits received as a bona fide employee of such employer and except purchases and sales of goods or services in the regular course of business at prices generally available to any employee of such employer; and

(6) any payment of money or other thing of value (including reimbursed expenses) which he or his spouse or minor child received directly or indirectly from any employer or any person who acts as a labor relations consultant to an employer, except payments of the kinds referred to in section 302(c) of the Labor Management Relations Act, 1947, as amended.

(b) The provisions of paragraphs (1), (2), (3), (4), and (5) of subsection (a) shall not be construed to require any such officer or employee to report his bona fide investments in securities traded on a securities exchange registered as a national securities exchange under the Securities Exchange Act of 1934, in shares in an investment company registered under the Investment Company Act of 1940, or in securities of a public utility holding company registered under the Public Utility Holding Company Act of 1935, or to report any income derived therefrom.

(c) Nothing contained in this section shall be construed to require any officer or employee of a labor organization to file a report under subsection (a) unless he or his spouse or minor child holds or has held an interest, has received income or any other benefit with monetary value or a loan, or has engaged in a transaction described therein.

Report of employers

SEC. 203. (a) Every employer who in any fiscal year made—

(1) any payment or loan, direct or indirect, of money or other thing of value (including reimbursed expenses), or any promise or agreement therefor, to any labor organization or officer, agent, shop steward, or other representative of a labor organization, or employee of any labor organization, except payments of the kinds referred to in section

302(c) of the Labor Management Relations Act, 1947, as amended; or

(2) any payment (including reimbursed expenses) to any of his employees, or any group or committee of such employees, for the purpose of causing such employee or group or committee of employees to interfere with, coerce, or restrain any other employees of such employer in the exercise of rights guaranteed to such employees by this Act, section 7 of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended, unless such payments were contemporaneously or prior thereto disclosed to such other employees; or

(3) any payment (including reimbursed expenses) to a labor relations consultant or other person pursuant to any understanding or agreement under which such person undertook to compensate employees of such employer for (A) interfering with, coercing, or restraining any other employees of such employer in the exercise of rights guaranteed to such employees by this Act, section 7 of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended, or (B) procuring confidential information from other employees of such employer concerning the exercise of such rights; or

(4) any payment (including reimbursement expenses) to any person pursuant to any agreement or understanding by which such person undertook to provide such employer with the services of an individual, company, agency, or instrumentality engaged in the business of interfering with, restraining, or coercing employees in the exercise of rights guaranteed by this Act, section 7 of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended, shall file with the Secretary a report, in a form prescribed by him, signed by its president and treasurer or corresponding principal officers showing in detail the date and amount of each such payment, loan, promise, or agreement and the name, address, and position, if any, in any firm or labor organization of the person to whom it was made and a full explanation of the circumstances of all such payments, including the terms of any agreement or understanding pursuant to which they were made.

(b) Every person engaged in providing services to an employer as a labor relations consultant pursuant to any agreement or arrangement under which in any fiscal year he received a payment from an employer which must be reported by such employer under the provisions of subsection (a) (3) or (4), shall file a report with the Secretary in a form prescribed by him, signed by its president and treasurer or corresponding principal officers, showing in detail the date and amount of each such payment, and the name and address of the employer concerned, the names and occupations of any employees of such employer to whom compensation was paid under subsection (a) (3), and the name of the agency or instrumentality providing services under subsection (a) (4), and a full explanation of the circumstances of all such transactions, including the terms of any agreement or understanding pursuant to which they were made.

(c) Nothing contained in this section shall be construed as an amendment to, modification of, or limitation upon, the rights protected by section 8(c) of the National Labor Relations Act, as amended, nor shall any person be required to file a report with the Secretary in regard to any matter protected by section 8(c) of such Act.

(d) The term "interfere with, restrain, or coerce" as used in this section means interference, restraint, and coercion which, if done with respect to the exercise of rights guaranteed in section 7 of the National Labor Relations Act, would, under section 8(a) of such Act, constitute an unfair labor practice.

Attorney-client communications exempted

SEC. 204. Nothing contained in this Act shall be construed to require an attorney who is a member in good standing of the bar in any State, or any client of such an attorney, to include in any report required to be filed pursuant to the provisions of this Act any information which is confidential between the attorney and such client in the course of a legitimate attorney-client relationship, including but not limited to the existence of the relationship of attorney and client, the financial details thereof, or any information obtained, advice given, or activities carried on by the attorney within the scope of the legitimate practice of law.

Reports made public information

SEC. 205. (a) The contents of the reports and documents filed with the Secretary pursuant to sections 201, 202, and 203 shall be public information.

(b) The Secretary shall by regulation make reasonable provision for the inspection and examination, on the request of any person, of the information and data contained in any report or other document filed with him pursuant to section 201, 202, or 203.

(c) The Secretary shall by regulation provide for the furnishing by the Department of Labor of copies of reports or other documents filed with the Secretary pursuant to this title, upon payment of a charge based upon the cost of the service. The Secretary shall make available without payment of a charge, or require any person to furnish, to such State agency as is designated by law or by the Governor of the State in which such person has his principal place of business or headquarters, upon request of the Governor of such State, copies of any reports and documents filed by such person with the Secretary pursuant to section 201, 202, or 203, or of information and data contained therein. No person shall be required by reason of any law of any State to furnish to any officer or agency of such State any information included in a report filed by such person with the Secretary pursuant to the provisions of this title, if a copy of such report, or of the portion thereof containing such information, is furnished to such officer or agency. All moneys received in payment of such charges fixed by the Secretary pursuant to this subsection shall be deposited in the general fund of the Treasury.

Retention of records

SEC. 206. Every person required to file any report under this title shall maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Secretary may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions, and shall keep such records available for examination for a period of not less than five years after the filing of the documents based on the information which they contain.

Effective date

SEC. 207. (a) Each labor organization shall file the initial report required under section 201(a) within ninety days after the date on which it first becomes subject to this Act.

(b) Each person required to file a report under section 201(b), 202, or 203 shall file such report within ninety days after the end of each of its fiscal years; except that where such person is subject to section 201(b), 202, or 203, as the case may be, for only a portion of such a fiscal year (because the date of enactment of this Act occurs during such person's fiscal year or such person becomes subject to this Act during its fiscal year) such person may consider that portion as the entire fiscal year in making such report.

Rules and regulations

SEC. 208. The Secretary shall have authority to issue, amend, and rescind rules and regulations prescribing the form and publication of reports required to be filed under this title and such other reasonable rules and regulations (including rules prescribing reports concerning trusts in which a labor organization is interested) as he may find necessary to prevent the circumvention or evasion of such reporting requirements. In exercising his power under this section the Secretary shall prescribe by general rule simplified reports for labor organizations or employers for whom he finds that by virtue of their size a detailed report would be unduly burdensome, but the Secretary may revoke such provision for simplified forms of any labor organization or employer if he determines, after such investigation as he deems proper and due notice and opportunity for a hearing, that the purposes of this section would be served thereby.

Criminal provisions

SEC. 209. (a) Any person who willfully violates this title shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(b) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any document, report or other information required under the provisions of this title shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(c) Any person who willfully makes a false entry in or willfully conceals, withholds, or destroys any books, records, reports, or statements required to be kept by any provision of this title shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(d) Each individual required to sign reports under sections 201 and 203 shall be personally responsible for the filing of such reports and for any statement contained therein which he knows to be false.

Civil enforcement

SEC. 210. Whenever it shall appear that any person has violated or is about to violate any of the provisions of this title, the Secretary may bring an action for such relief as may be appropriate, including injunctions, to restrain any such violation and to compel compliance with this title. Any such action may be brought in the district court of the United States where the violation occurred or, at the option of the parties, in the United States District Court for the District of Columbia.

TITLE III—TRUSTEESHIPS

Reports

SEC. 301. (a) Every labor organization which has or assumes trusteeship over any subordinate labor organization shall file with the Secretary within thirty days after the date of the enactment of this Act or the imposition of any such trusteeship and, semiannually thereafter, a report, signed by its president and treasurer or corresponding principal officers, as well as by the trustees of such subordinate labor organization, containing the following information: (1) the name and address of the subordinate organization; (2) the date of establishing the trusteeship; (3) a detailed statement of the reason or reasons for establishing or continuing the trusteeship; and (4) the nature and extent of participation by the membership of the subordinate organization in the selection of delegates to represent such organization in regular or special conventions or other policy-determining bodies and in the election of officers of the labor organization which has assumed trusteeship over such subordinate organization. The initial report shall also include a full and complete

account of the financial condition of such subordinate organization as of the time trusteeship was assumed over it. During the continuance of a trusteeship the labor organization which has assumed trusteeship over a subordinate labor organization shall file on behalf of the subordinate labor organization the annual financial report required by section 201(b) signed by the president and treasurer or corresponding principal officers of the labor organization which has assumed such trusteeship and the trustees of the subordinate labor organization.

(b) The provisions of sections 201(c), 205, 206, 208, and 210 shall be applicable to reports filed under this title

(c) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(d) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any report required under the provisions of this section, or willfully makes any false entry in or willfully withholds, conceals, or destroys any documents, books, records, reports, or statements upon which such report is based, shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(e) Each individual required to sign a report under this section shall be personally responsible for the filing of such report and for any statement contained therein which he knows to be false.

Purposes for which a trusteeship may be established

SEC. 302. Trusteeships shall be established and administered by a labor organization over a subordinate body only in accordance with the constitution and bylaws of the organization which has assumed trusteeship over the subordinate body and for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of such labor organization.

Unlawful acts relating to labor organization under trusteeship

SEC. 303. (a) During any period when a subordinate body of a labor organization is in trusteeship, it shall be unlawful (1) to count the vote of delegates of the labor organization unless the delegates have been chosen by secret ballot in an election in which all the members in good standing of such subordinate body were eligible to participate, or (2) to transfer to such organization any current receipts or other funds of the subordinate body except the normal per capita tax and assessments payable by subordinate bodies not in trusteeship: *Provided,* That nothing herein contained shall prevent the distribution of the assets of a labor organization in accordance with its constitution and bylaws upon the bona fide dissolution thereof.

(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

Enforcement

SEC. 304. (a) Upon the written complaint of any member or subordinate body of a labor organization alleging that such organization has violated the provisions of this title (except section 301) the Secretary shall investigate the complaint and if the Secretary finds probable cause to believe that such violation has occurred and has not been remedied he shall, without disclosing the identity of the complainant, bring a civil action in any district court of the United States having jurisdiction of the labor organization to prevent and restrain such violation and for such other relief as may be appropriate. Any member or subordinate body of a labor organization affected may bring a civil action in any district court of the United States having jurisdiction of the labor organization to prevent and restrain any violation of this title (except section 301) and for such other relief as may be appropriate.

(b) For the purpose of actions under this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization (1) in the district in which the principal office of such labor organization is located, or (2) in any district in which its duly authorized officers or agents are engaged in conducting the affairs of the trusteeship.

(c) In any proceeding pursuant to this section a trusteeship established by a labor organization in conformity with the procedural requirements of its constitution and bylaws and authorized or ratified after a fair hearing either before the executive board or before such other body as may be provided in accordance with its constitution or bylaws shall be presumed valid for a period of eighteen months from the date of its establishment and shall not be subject to attack during such period except upon clear and convincing proof that the trusteeship was not established or maintained in good faith for a purpose allowable under section 302. After the expiration of eighteen months the trusteeship shall be presumed invalid in any such proceeding and its discontinuance shall be decreed unless the labor organization shall show by clear and convincing proof that the continuation of the trusteeship is necessary for a purpose allowable under section 302. In the latter event the court may dismiss the complaint or retain jurisdiction of the cause on such conditions and for such period as it deems appropriate.

Report to Congress

SEC. 305. The Secretary shall submit to the Congress at the expiration of three years from the date of enactment of this Act a report upon the operation of this title.

Complaint by Secretary

SEC. 306. The rights and remedies provided by this title shall be in addition to any and all other rights and remedies at law or in equity: *Provided,* That upon the filing of a complaint by the Secretary the jurisdiction of the district court over such trusteeship shall be exclusive and the final judgment shall be res judicata.

TITLE IV—ELECTIONS

Terms of office; election procedures

SEC. 401. (a) Every national or international labor organization, except a federation of national or international labor organizations, shall elect its officers not less often than once every five years either by secret ballot among the members in good standing or at a convention of delegates chosen by secret ballot.

(b) Every local labor organization shall elect its officers not less often than once every three years by secret ballot among the members in good standing. Every bona fide candidate shall have the right to inspect and copy a list containing the names and last known addresses of all members of the labor organization who are subject to a collective bargaining agreement requiring membership therein as a condition of employment, which list shall be maintained and kept at the principal office of such labor organization by a designated official thereof. Adequate safeguards to insure a fair election shall be provided, including the right of any candidate to have an observer at the polls and at the counting of the ballots.

(c) Officers of intermediate bodies, such as general committees, system boards, joint boards, or joint councils, shall be elected not less often than once every four years by secret ballot among the members in good standing or by labor organization officers representative of such members who have been elected by secret ballot.

(d) In any election required by this section which is to be held by secret ballot a reasonable opportunity shall be given for the nomination of candidates and every member in good standing shall be eligible to be a candidate and to hold office (subject to section 504 and to reasonable qualifications uniformly imposed) and shall have the right to vote for or otherwise support the candidate or candidates of his choice, without being subject to penalty, discipline, or improper interference or reprisal of any kind by such organization or any member thereof. Not more than forty-five days and not less than fifteen days prior to the last possible date on which nominations can be made, notice of the time and manner of making nominations and of the place and date of election shall be given in a manner which is reasonably calculated to inform all or substantially all of the members eligible to vote in such election. Each member in good standing shall be entitled to one vote. No member whose dues have been withheld by his employer for payment to such organization pursuant to his voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to vote or be a candidate for office in such organization by reason of alleged delay or default in the payment of dues. The votes cast by members of each local labor organization shall be counted and the results shall be published separately. The election officials designated in the constitution and bylaws or the secretary, if no other official is designated, shall preserve for one year the ballots and all other records pertaining to the election. The election shall be conducted in accordance with the constitution and bylaws of such organization insofar as they are not inconsistent with the provisions of this title.

(e) When officers are chosen by a convention of delegates elected by secret ballot, the convention shall be conducted in accordance with the constitution and bylaws of the labor organization insofar as they are not inconsistent with the provisions of this title. The officials designated in the constitution and bylaws or the secretary, if no other is designated, shall preserve for one year the credentials of the delegates and all minutes and other official records of the convention pertaining to the election of officers.

(f) No moneys received by any labor organization by way of dues, assessment, or similar levy, and no moneys of an employer shall be contributed or applied to promote the candidacy of any person in an election subject to the provisions of this title. Such moneys of a labor organization may be utilized for notices, factual statements of issues, and other expenses necessary for the holding of an election.

(g) If upon petition of any member of a labor organization, a district court of the United States finds the constitution and bylaws of such labor organization do not provide an adequate procedure for the removal of an elected officer guilty of serious misconduct, a district court may order that for the cause shown and after due notice and opportunity for a hearing, an election shall be conducted by the officers of such labor organization among the members in good standing, voting by secret ballot, and in accordance with its constitution and bylaws insofar as they are not inconsistent with the provisions of this title, for the purpose of determining whether such officer shall be removed from office. For purposes of this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization in the district in which such labor organization maintains its principal office. The court in such action may, in its discretion, in addition to any judg-

ment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

Enforcement

SEC. 402. (a) A member of a labor organization—

(1) who is aggrieved by any violation of section 401, and

(2) who (A) has exhausted the reasonable remedies available under the constitution and bylaws of such organization and of any national or international labor organization with which such organization is affiliated, or (B) has diligently pursued such available remedies without receiving a final decision within six calendar months after their being invoked,

may bring a civil action against such labor organization in any district court of the United States for the district having jurisdiction of such labor organization to prevent and restrain such violation and for such other relief as may be appropriate including the holding of a new election under the supervision of the Secretary and in accordance with the provisions of this title. Where an election has already been held at the time such action is brought, such election shall be presumed valid pending a final decision thereof, as hereinafter provided, and in the interim the affairs of the organization shall be conducted by the officers elected or in such other manner as its constitution and bylaws may provide. The court shall have power to take such action as it deems proper to preserve the assets of the labor organization.

(b) For purposes of this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization in the district in which such labor organization maintains its principal office. The court in such action may, in its discretion, in addition to any judgment awarded to the plaintiff, or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

(c) If, upon a preponderance of the evidence after a trial upon the merits, the court finds—

(1) that an election has not been held within the time prescribed by section 401, or

(2) that a violation of section 401 affected the outcome of an election,

the court shall declare the election, if any, to be void and direct the conduct of a new election under supervision of the Secretary and, so far as lawful and practicable, in conformity with the constitution and bylaws of the labor organization. The Secretary shall promptly certify to the court the names of the persons elected, and the court shall thereupon enter a decree declaring such persons to be the officers of the labor organization.

(d) An order directing an election, dismissing an action, or designating elected officers of a labor organization shall be appealable in the same manner as the final judgment in a civil action, but the court, in its discretion, may refuse to stay an order directing an election pending an appeal therefrom.

Frequency of elections

SEC. 403. No labor organization subject to the provisions of this title shall be required by law to conduct elections of officers with greater frequency or in a different form or manner than is required by its own constitution or bylaws, except as otherwise provided by this title. Existing rights and remedies to enforce the constitution and bylaws of a labor organization with respect to elections prior to the conduct thereof shall not be affected by the provisions of this title. The remedy provided by this title for challenging an election already conducted shall be exclusive.

Effective date

SEC. 404. The provisions of this title shall become applicable—

(1) ninety days after the date of enactment of this Act in the case of a labor organization whose constitution and bylaws can lawfully be modified or amended by action of its constitutional officers or governing body, or

(2) where such modification can only be made by a constitutional convention of the labor organization, not later than the next constitutional convention of such labor organization after the date of enactment of this Act, or two years after such date, whichever is sooner. If no such convention is held within such two-year period, the executive board or similar governing body empowered to act for such labor organization between conventions is empowered to make such interim constitutional changes as are necessary to carry out the provisions of this title.

TITLE V.—SAFEGUARDS FOR LABOR ORGANIZATIONS

Fiduciary responsibility of officers of labor organizations

SEC. 501. (a) The officers, agents, shop stewards, and other representatives of labor organizations occupy positions of trust in relation to such organization and its members as a group. It is, therefore, the duty of each such person, taking into account the special problems and functions of a labor organization, to hold its money and property solely for the benefit of the organization and its members and to manage, invest, and expend the same in accordance with its constitution and bylaws and any resolutions of the governing bodies adopted thereunder, to refrain from dealing with such organization as an adverse party or in behalf of an adverse party in any matter connected with his duties and from holding or acquiring any pecuniary or personal interest which conflicts with the interests of such organization, and to account to the organization for any profit received by him in whatever capacity in connection with transactions conducted by him or under his direction on behalf of the organization. A general exculpatory provision in the constitution and bylaws of such a labor organization or a general exculpatory resolution of a governing body purporting to relieve any such person of liability for breach of the duties declared by this section shall be void as against public policy.

(b) When any officer, agent, shop steward, or representative of any labor organization is alleged to have violated the duties declared in subsection (a) and the labor organization or its governing board or officers refuse or fail to sue to recover damages or secure an accounting or other appropriate relief within a reasonable time after being requested to do so by any member of the labor organization, such member may sue such officer, agent, shop steward, or representative in any district court of the United States or in any State court of competent jurisdiction to recover damages or secure an accounting or other appropriate relief for the benefit of the labor organization. No such proceeding shall be brought except upon leave of the court obtained upon verified application and for good cause shown, which application may be made ex parte. The trial judge may allot a reasonable part of the recovery in any action under this subsection to pay the fees of counsel prosecuting the suit at the instance of the member of the labor organization and to compensate such member for any expenses necessarily paid or incurred by him in connection with the litigation.

(c) Any person who embezzles, steals, or unlawfully and willfully abstracts or converts to his own use, or the use of another, any of the moneys, funds, securities, property, or other assets of a labor organization of which he is an officer, or by which he is employed, directly or indirectly, shall be fined not more than $10,000 or imprisoned for not more than 5 years or both.

Bonding

SEC. 502. (a) Every officer, agent, shop steward or other representative or employee of any labor organization (other than a labor organization whose property and annual financial receipts do not exceed $5,000 in value), or of a trust in which a labor organization is interested, who handles funds or other property thereof shall be bonded for the faithful discharge of his duties. The bond of each such person shall be fixed at the beginning of the organization's fiscal year and shall be in an amount not less than 10 per centum of the funds handled by him and his predecessor or predecessors, if any, during the preceding fiscal year. If the labor organization or the trust in which a labor organization is interested does not have a preceding fiscal year, the amount of the bond shall be, in the case of a local labor organization, not less than $1,000, and in the case of an international labor organization or of a trust in which a labor organization is interested, not less than $10,000. Such bonds shall be individual or schedule in form, and shall have a corporate surety company as surety thereon. Any person who is not covered by such bond shall not be permitted to receive, handle, disburse, or otherwise exercise custody or control of the funds or other property of a labor organization or of a trust in which a labor organization is interested. No such bond shall be placed through an agent or broker or with a surety company, in which any labor organization or any officer, agent, shop steward, or other representative of a labor organization has any direct or indirect interest. Such surety company shall be a corporate surety which holds a grant of authority from the Secretary of the Treasury under the Act of July 30, 1947 (6 U.S.C. 6–13), as an acceptable surety on Federal bonds.

(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

Loans to officers of labor organizations

SEC. 503. (a) No labor organization shall make directly or indirectly any loan or loans to any officer or employee of such organization which results in a total indebtedness on the part of such officer or employee to the labor organization in excess of $2,500.

(b) No labor organization or employer shall directly or indirectly pay the fine of any officer or employee convicted of any willful violation of this Act.

(c) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

Prohibition against Communists, ex-Communists, and persons convicted of certain crimes holding certain offices and employment

SEC. 504. (a) No person who is or has been a member of the Communist Party or who has been convicted of, or served any part of a prison term resulting from his conviction of, robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grevious bodily injury, or a violation of title II or III of this Act, or conspiracy to commit any such crimes, shall serve—

(1) as an officer, director, trustee, member of any executive board or similar governing body, business agent, manager, organizer, or other employee (other than as an employee performing exclusively clerical or custodial duties) of any labor organization, or

(2) as a labor relations consultant to a person engaged in an industry or activity affecting commerce, or as an officer, director, agent, or employee (other than as an employee performing exclusively clerical or custodial duties) of any group or association of employers dealing with any labor organization,

during or for five years after the termination of his membership in the Communist Party,

or for five years after such conviction or after the end of such imprisonment, unless prior to the end of such five-year period, in the case of a person so convicted or imprisoned, (A) his citizenship rights, having been revoked as a result of such conviction, have been fully restored, or (B) the Board of Parole of the United States Department of Justice determines that such person's service in any capacity referred to in clause (1) or (2) would not be contrary to the purposes of this Act. Prior to making any such determination the Board shall hold an administrative hearing and shall give notice of such proceeding by certified mail to the State, county, and Federal prosecuting officials in the jurisdiction in which such person was convicted. The Board's determination in any such proceeding shall be final.

(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(c) For the purposes of this section, any person shall be deemed to have been "convicted" and under the disability of "conviction" from the date of the judgment of the trial court or the date of the final sustaining of such judgment on appeal, whichever is the later event.

Amendment to section 302, Labor Management Relations Act, 1947

SEC. 505. Subsections (a), (b), and (c) of section 302 of the Labor Management Relations Act, 1947, as amended, are amended to read as follows:

"SEC. 302. (a) It shall be unlawful for any employer or association of employers or any person who acts as a labor relations expert, adviser, or consultant to an employer or who acts in the interest of an employer to pay, lend, or deliver, or agree to pay, lend, or deliver, any money or other thing of value—

"(1) to any representative of any of his employees who are employed in an industry affecting commerce; or

"(2) to any labor organization, or any officer or employee thereof, which represents, seeks to represent, or would admit to membership, any of the employees of such employer who are employed in an industry affecting commerce; or

"(3) to any employee or group or committee of employees of such employer employed in an industry affecting commerce in excess of their normal compensation for the purpose of causing such employee or group or committee directly or indirectly to influence any other employees in the exercise of the right to organize and bargain collectively through representatives of their own choosing; or

"(4) to any officer or employee of a labor organization engaged in an industry affecting commerce with intent to influence him in respect to any of his actions, decisions, or duties as a representative of employees or as such officer or employee of such labor organization.

"(b) (1) It shall be unlawful for any person to request, demand, receive, or accept, or agree to receive or accept, any payment, loan, or delivery of any money or other thing of value prohibited by subsection (a).

"(2) It shall be unlawful for any labor organization, or for any person acting as an officer, agent, representative, or employee of such labor organization, to demand or accept from the operator of any motor vehicle (as defined in part II of the Interstate Commerce Act) employed in the transportation of property in commerce, or the employer of any such operator, any money or other thing of value payable to such organization or to an officer, agent, representative, or employee thereof as a fee or charge for the unloading, or in connection with the unloading, of the cargo of such vehicle: *Provided,* That nothing in this paragraph shall be construed to make unlawful any payment by an employer to any of his employees as compensation for their services as employees.

"(c) The provisions of this section shall not be applicable (1) in respect to any money or other thing of value payable by an employer to any of his employees whose established duties including acting openly for such employer in matters of labor relations or personnel administration or to any representative of his employees, or to any officer or employee of a labor organization, who is also an employee or former employee of such employer, as compensation for, or by reason of, his services as an employee of such employer; (2) with respect to the payment or delivery of any money or other thing of value in satisfaction of a judgment of any court or a decision or award of an arbitrator or impartial chairman or in compromise, adjustment, settlement, or release of any claim, complaint, grievance, or dispute in the absence of fraud or duress; (3) with respect to the sale or purchase of an article or commodity at the prevailing market price in the regular course of business; (4) with respect to money deducted from the wages of employees in payment of membership dues in a labor organization: *Provided,* That the employer has received from each employee, on whose account such deductions are made, a written assignment which shall not be irrevocable for a period of more than one year, or beyond the termination date of the applicable collective agreement, whichever occurs sooner; (5) with respect to money or other thing of value paid to a trust fund established by such representative, for the sole and exclusive benefit of the employees of such employer, and their families and dependents (or of such employees, families, and dependents jointly with the employees of other employers making similar payments, and their families and dependents): *Provided,* That (A) such payments are held in trust for the purpose of paying, either from principal or income or both, for the benefit of employees, their families and dependents, for medical or hospital care, pensions on retirement or death of employees, compensation for injuries or illness resulting from occupational activity or insurance to provide any of the foregoing, or unemployment benefits or life insurance, disability and sickness insurance, or accident insurance; (B) the detailed basis on which such payments are to be made is specified in a written agreement with the employer, and employees and employers are equally represented in the administration of such fund, together with such neutral persons as the representatives of the employers and the representatives of employees may agree upon and in the event the employer and employee groups deadlock on the administration of such fund and there are no neutral persons empowered to break such deadlock, such agreement provides that the two groups shall agree on an impartial umpire to decide such dispute, or in event of their failure to agree within a reasonable length of time, an impartial umpire to decide such dispute shall, on petition of either group, be appointed by the district court of the United States for the district where the trust fund has its principal office, and shall also contain provisions for an annual audit of the trust fund, a statement of the results of which shall be available for inspection by interested persons at the principal office of the trust fund and at such other places as may be designated in such written agreement; and (C) such payments as are intended to be used for the purpose of providing pensions or annuities for employees are made to a separate trust which provides that the funds held therein cannot be used for any purpose other than paying such pensions or annuities; or (6) with respect to money or other thing of value paid by any employer to a trust fund established by such representative for the purpose of pooled vacation, holiday, severance or similar benefits, or defraying costs of apprenticeship or other training programs: *Provided,* That the requirements of clause (B) of the proviso to clause (5) of this subsection shall apply to such trust funds."

TITLE VI—MISCELLANEOUS PROVISIONS

Investigations

SEC. 601. (a) The Secretary shall, when he has probable cause to believe that any person has violated any provision of this Act, other than a provision of title I, make an investigation, and in connection therewith he may inspect such records and accounts as may be necessary to enable him to determine the facts relative thereto.

(b) For the purpose of any investigation provided for in this Act, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act, as amended (15 U.S.C. 49, 50), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary or any officers designated by him.

Extortionate picketing

SEC. 602. (a) It shall be unlawful to carry on picketing on or about the premises of any employer for the purpose of, or as part of any conspiracy or in furtherance of any plan or purpose for, the personal profit or enrichment of any individual (except a bona fide increase in wages or other employee benefits) by taking or obtaining any money or other thing of value from such employer against his will or with his consent.

(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned not more than twenty years, or both.

Retention of rights under other Federal and State laws

SEC. 603. (a) Except as explicitly provided to the contrary, nothing in this Act shall reduce or limit the responsibilities of any labor organization or any officer, agent, shop steward, or other representative of a labor organization, or of any trust in which a labor organization is interested, under any other Federal law or under the laws of any State, and, except as explicitly provided to the contrary, nothing in this Act shall take away any right or bar any remedy to which members of a labor organization are entitled under such other Federal law or law of any State.

(b) Nothing contained in titles I, II, III, IV, V (except section 505, or VI of this Act shall be construed to supersede or impair or otherwise affect the provisions of the Railway Labor Act, as amended, or any of the obligations, rights, benefits, privileges, or immunities of any carrier, employee, organization, representative, or person subject thereto; nor shall anything contained in said titles of this Act be construed to confer any rights, privileges, immunities, or defenses upon employers or to impair or otherwise affect the rights of any person under the National Labor Relations Act, as amended.

Enactment and enforcement of State laws

SEC. 604. Nothing in this Act shall be construed to impair or diminish the authority of any State to enact and enforce general criminal laws with respect to robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, or assault with intent to inflict grievous bodily injury, or conspiracy to commit any of such crimes.

Service of process

SEC. 605. For the purposes of this Act, service of summons, subpena, or other legal process of a court of the United States upon an officer or agent of a labor organization in his capacity as such shall constitute service upon the labor organization.

Administrative Procedure Act

SEC. 606. The provisions of the Administrative Procedure Act shall be applicable to the issuance, amendment, or rescission of any rules or regulations, or any procedure, authorized or required pursuant to the provisions of this Act.

Other agencies and departments

SEC. 607. In order to avoid unnecessary expense and duplication of functions among Government agencies, the Secretary may make such arrangements or agreements for cooperation or mutual assistance in the performance of his functions under this Act and the functions of any such agency as he may find to be practicable and consistent with law. The Secretary may utilize the facilities or services of any department, agency, or establishment of the United States or of any State or political subdivision of a State, including the services of any of its employees, with the lawful consent of such department, agency, or establishment; and each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to provide such information and facilities as he may request for his assistance in the performance of his functions under this Act. The Attorney General or his representative shall receive from the Secretary for appropriate action such evidence developed in the performance of his functions under this Act as may be found to warrant consideration for criminal prosecution under the provisions of this Act or other Federal law.

Criminal contempt

SEC. 608. No person shall be punished for any criminal contempt allegedly committed outside the immediate presence of the court in connection with any civil action prosecuted by the Secretary or any other person in any district court of the United States under the provisions of this Act unless the facts constituting such criminal contempt are established by the verdict of the jury in a proceeding in the district court of the United States, which jury shall be chosen and empaneled in the manner prescribed by the law governing trial juries in criminal prosecutions in the district courts of the United States.

Prohibition on certain discipline by labor organization

SEC. 609. It shall be unlawful for any labor organization, or any officer, agent, shop steward, or other representative of a labor organization, or any employee thereof to fine, suspend, expel, or otherwise discipline any of its members for exercising any right to which he is entitled under the provisions of this Act. The provisions of section 102 shall be applicable in the enforcement of this section.

Deprivation of rights under act by violence

SEC. 610. It shall be unlawful for any person through the use of force or violence, or threat of the use of force or violence, to restrain, coerce, or intimidate, or attempt to restrain, coerce, or intimidate any member of a labor organization for the purpose of interfering with or preventing the exercise of any right to which he is entitled under the provisions of this Act. Any person who willfully violates this section shall be fined not more than $1,000 or imprisoned for not more than one year, or both.

Separability provisions

SEC. 611. If any provision of this Act is held invalid, the remainder of this Act shall not be affected thereby.

TITLE VII—AMENDMENTS TO THE LABOR MANAGEMENT RELATIONS ACT, 1947, AS AMENDED

Federal-State jurisdiction

SEC. 701. Section 14 of the National Labor Relations Act, as amended, is amended by adding at the end thereof the following new subsection:

"(c)(1) The Board, in its discretion, may, by rule of decision or by published rules adopted pursuant to the Administrative Procedure Act, decline to assert jurisdiction over any labor dispute involving any class or category of employers, where, in the opinion of the Board, the effect of such labor dispute on commerce is not sufficiently substantial to warrant the exercise of its jurisdiction.

"(2) Nothing in this Act shall be deemed to prevent or bar any agency or the courts of any State or Territory (including the Commonwealth of Puerto Rico, Guam, and the Virgin Islands), from assuming and asserting jurisdiction over labor disputes over which the Board declines, pursuant to paragraph (1) of this subsection, to assert jurisdiction."

Building and construction industry

SEC. 702. (a) Paragraph (1) of subsection (c) of section 9 of the National Labor Relations Act, as amended, is amended by inserting the word "or" after the semicolon at the end of clause (B) and adding the following new clause:

"(C) by an employer primarily engaged in the building and construction industry and a labor organization acting in behalf of employees engaged (or who, upon their employment, will be engaged) in the building and construction industry, asserting that such employer recognizes such labor organization as the representative defined in section 9(a) and has entered into a collective bargaining agreement with such labor organization;".

(b) Such paragraph (1) is further amended by inserting a colon before the period at the end thereof and adding the following language: *"Provided,* That the Board may, without prior thereto having conducted an election by secret ballot, certify a labor organization referred to in clause (C) of this paragraph as the exclusive representative of all the employees of an employer referred to in said clause (C) in such unit as the Board may find is normally represented by the labor organization in the building and construction industry for the purposes of collective bargaining with respect to rates of pay, wages, hours, and other conditions of employment: *Provided further,* That the preceding proviso shall not apply where there is no history of a collective bargaining relationship between the petitioning employer and labor organization prior to the current agreement or an employee or group of employees or any individual or labor organization acting in their behalf alleges, and the Board finds, that a substantial number of employees presently employed by the employer in the bargaining unit assert that the labor organization is not a representative as defined in section 9(a)".

Elections during strike

SEC. 703. The second sentence of section 9(c)(3) of the National Labor Relations Act, as amended, is amended by inserting immediately before the period at the end thereof a colon and the following: *"Provided,* That in any lawful strike in which recognition was not an issue when the strike began, no direction of election pursuant to a petition filed after the commencement of the strike by any person other than the bargaining representative shall issue prior to the termination of such strike as determined by the Board or the expiration of a six-month period from the commencement of such strike (or a twelve-month period if the petition is filed by an employer), whichever occurs sooner".

Vacancy in Office of General Counsel

SEC. 704. Section 3(d) of the National Labor Relations Act, as amended, is amended by adding after the period at the end thereof the following: "In case of a vacancy in the office of the General Counsel the President is authorized to designate the officer or employee who shall act as General Counsel during such vacancy, but no person or persons so designated shall so act (1) for more than forty days when the Congress is in session unless a nomination to fill such vacancy shall have been submitted to the Senate, or (2) after the adjournment sine die of the session of the Senate in which such nomination was submitted."

Boycotts and recognition picketing

SEC. 705. (a) Section 8(b)(4) of the National Labor Relations Act, as amended, is amended to read as follows:

"(4)(i) to engage in, or to induce or encourage any individual employed by any person engaged in commerce or in an industry affecting commerce to engage in, a strike or a refusal in the course of his employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services; or (ii) to threaten, coerce, or restrain any person engaged in commerce or in an industry affecting commerce, where in either case an object thereof is:

"(A) forcing or requiring any employer or self-employed person to join any labor or employer organization;

"(B) forcing or requiring any person to cease, or to agree to cease, using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease, or agree to cease, doing business with any other person, or forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provisions of section 9;

"(C) forcing or requiring any employer to recognize or bargain with a particular labor organization as the representative of his employees if another labor organization has been certified as the representative of such employees under the provisions of section 9;

"(D) forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class, unless such employer is failing to conform to an order or certification of the Board determining the bargaining representative for employees performing such work: *Provided,* That nothing contained in this subsection (b) shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under this Act: *Provided further,* That nothing contained in clause (B) of this paragraph (4) shall be construed to make unlawful where not otherwise unlawful, any strike against, or a refusal to perform services for any person who has contracted or agreed with an employer to perform for such employer work which he is unable to perform because his employees are engaged in a strike not unlawful under this Act or in violation of a collective bargaining agreement, if such strike was ratified or approved by the representatives of such employees whom such employer is required to recognize under this Act, and the refusal is limited to services which would ordinarily be performed by the striking employees."

(b)(1) Section 8 of the National Labor Relations Act, as amended, is amended by adding at the end thereof the following new subsection:

"(e) It shall be an unfair labor practice for any labor organization and any employer to enter into any contract or agreement, express or implied, whereby such employer ceases or refrains or agrees to cease

or refrain from handling, using, selling, transporting or otherwise dealing in any of the products of any other employer, or to cease doing business with any other person, and any collective bargaining contract entered into heretofore or hereafter containing such an agreement shall be to such extent unenforcible and void."

(2) Any contract or agreement between an employer and a labor organization heretofore or hereafter executed which is, or which calls upon anyone to engage in, an unfair labor practice under section 8(e) of the National Labor Relations Act, as amended, shall to such extent be unenforcible and void.

(c) Section 8(b) of the National Labor Relations Act, as amended, is amended by striking out the word "and" at the end of paragraph (5), striking out the period at the end of paragraph (6), and inserting in lieu thereof a semicolon and the word "and", and adding a new paragraph as follows:

"(7) to picket or cause to be picketed, or threaten to picket or cause to be picketed, any employer where an object thereof is forcing or requiring an employer to recognize or bargain with a labor organization as the representative of his employees, or forcing or requiring the employees of an employer to accept or select such labor organization as their collective bargaining representative, unless such labor organization is currently certified as the representative of such employees:

"(A) where the employer has lawfully recognized in accordance with this Act any other labor organization and a question concerning representation may not appropriately be raised under section 9(c) of this Act, or

"(B) where within the preceding twelve months a valid election under section 9(c) of this Act has been conducted, or

"(C) where the labor organization cannot demonstrate that it has a sufficient showing of interest on the part of the employees to support a petition for an election under section 9(c), or

"(D) where such picketing has been engaged in for a reasonable period of time (not exceeding thirty days) and at the expiration of which period no petition under section 9(c) has been filed.

Nothing in this paragraph (7) shall be construed to permit any act which would otherwise be an unfair labor practice under this section (8)(b)."

(d) Section 10(l) of the National Labor Relations Act, as amended, is amended by adding after the words "section 8(b)," the words "or section 8(e) or section 8(b)(7),".

(e) Section 303(a) of the Labor Management Relations Act, 1947, is amended to read as follows:

"(a) It shall be unlawful, for the purpose of this section only, in an industry or activity affecting commerce, for any labor organization to engage in any activity or conduct defined as an unfair labor practice in section 8(b)(4) or section 8(b)(7) of the National Labor Relations Act, as amended."

Priority in case handling

SEC. 706. Section 10 of the National Labor Relations Act, as amended, is amended by adding at the end thereof a new subsection as follows:

"(m) Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of subsection (a)(3) or (b)(2) of section 8, such charge shall be given priority over all other cases except cases of like character in the office where it is filed or to which it is referred and cases given priority under subsection (l)."

Effective date of amendments

SEC. 707. The amendments made by this title shall take effect sixty days after the date of the enactment of this Act and no provision of this title shall be deemed to make an unfair labor practice any act which is performed prior to such effective date which did not constitute an unfair labor practice prior thereto.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate disagree to the House amendments and agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I should like to make a brief explanatory statement.

It is my understanding that the Committee on Labor and Public Welfare will recommend that members of the Subcommittee on Labor on both sides of the aisle be the conferees on the part of the Senate in connection with this very important measure.

It is my further understanding that the Senate conferees will meet with the House conferees at the earliest opportunity, and will meet at every opportunity for the next few days, in an attempt to arrive at a reasonable agreement with the other body.

The chairman of the subcommittee [Mr. KENNEDY] has assured me and the minority leader that if the conferees are unable to reach an agreement within a reasonable time, which would permit the Senate adequate opportunity to debate this measure before adjournment, he will come back to the Senate and ask for instructions from the Senate.

I remind Senators that even if that were not done, any Member of the Senate could at any time make a motion to discharge the conferees and bring the bill back to the Senate for disposition.

I have talked with the distinguished chairman of the Select Committee to Investigate Improper Activities in Labor-Management Relations [Mr. MCCLELLAN]. I have discussed the subject with the distinguished minority leader [Mr. DIRKSEN]. I assure the Senate that in my opinion the Senate will have adequate and ample opportunity at this session to debate and to vote on the kind of labor bill it wants. However, I believe that, in view of the fact that no committee has ever considered in detail the bill as passed by the House; in view of the fact that some 80 amendments were added to the Senate bill as passed; in view of the fact that the House itself has requested a conference, and has already appointed conferees; in view of the fact that the chairman of the Subcommittee on Labor [Mr. KENNEDY], who is expected to be chairman of the Senate conferees, has stated that if within a reasonable time an agreement cannot be reached, he will come back and ask the Senate for instructions; and in view of the fact that the chairman of the Select Committee to Investigate Improper Activities in Labor-Management Relations, the majority leader, and the minority leader, have agreed that they will see to it that ample opportunity is afforded for full debate and a vote on this important measure before adjournment, I hope the Senate will agree to the orderly procedure suggested.

I now yield to the minority leader.

Mr. DIRKSEN. Mr. President, sensible of the high interest in the action of the House, the size of the vote, and the nature of the bill, I feel that it was only natural that there should be high interest in the procedure which the Senate would follow.

Obviously it would be in order under the rule to move to concur in the House substitute. Such a motion would have high priority.

Another course would be to send the bill to conference and take a reasonable time to examine into it, inasmuch as no committee report accompanied the Landrum-Griffin bill, and then, after a reasonable time, to come back to the Senate and let the Senate work its will, by way of instruction or otherwise.

I have a question or two. The first question I direct to the distinguished Senator from Massachusetts. I ask him whether or not it is agreed that the members of the subcommittee which handled the bill in the Senate Committee on Labor and Public Welfare will be the conferees on the part of the Senate.

Mr. KENNEDY. It is my understanding, based upon a decision by the chairman of the committee, the distinguished Senator from Alabama [Mr. HILL], that that will be the case.

Mr. HILL. Mr. President, it is agreed that members of the Subcommittee on Labor of the Senate Committee on Labor and Public Welfare will be the conferees on the part of the Senate.

Mr. DIRKSEN. My second question is this: Inasmuch as time is an element, and we are moving into the area where everyone is speculating about adjournment, when would the conferees be likely to meet? Obviously the meetings will be informally arranged. The conferees will meet when they can, or at the request of one body or the other.

Mr. JOHNSON of Texas. I would say, Mr. President, that I would urge the Senator from Massachusetts and the Senate conferees to seek understanding for a meeting today if at all possible, and certainly tomorrow morning at the latest, if that could be arranged.

Mr. DIRKSEN. A third question arises, Mr. President, as to what constitutes a reasonable time for the conferees to meet before any informal determination is made that evidently agreement cannot be achieved, and therefore they should come back to the Senate for further instructions.

Mr. KENNEDY. I would say to the Senator from Illinois that in fact one of the matters which will occupy the attention of the conference will be an attempt to get a more basic definition of the word "reasonable" in the section dealing with picketing. It will be recalled the Landrum-Griffin bill provides for permitting picketing for a reasonable time. So there is always the question of definition as to what is a reasonable time, when a genuine effort has been made on both sides to reach an agreement, and it is obvious that an agreement is not going to be forthcoming.

My feeling would be that by some time next week we should have reached the point where information on that subject would be available to both the House and Senate conferees.

Mr. DIRKSEN. Mr. President, the factor of time is a telling one, and I know some concern has been expressed among some of our colleagues as to when the conferees might return to the Senate with some report. It is my personal belief that probably by Friday of this week we should probably have a concept of what the situation is going to be, so that the conference committee ought to be prepared, I think, to return to the Senate with an informal or formal report requesting instructions.

Mr. KENNEDY. I believe that is too early. I do not know that we can meet today. We are definitely going to meet tomorrow.

I hope to see the chairman of the House conferees today to see if we can set up a schedule. I think we should be able to, and I am hopeful that we may submit a final report sometime next week.

It will be difficult to reach an accommodation, and I therefore would appreciate some leeway. Any member of the conference committee can make a report to the Senate at any time, and, secondly, any member can move to discharge.

I am in agreement with the statement of the majority leader, that in a reasonable time we should return to the Senate, certainly in plenty of time before adjournment.

Mr. JOHNSON of Texas. I should like to say to the Senator from Illinois that I have some specific dates in mind, and it was at his suggestion that I used the word "reasonable," which is used in the bill passed by the House. I assure the Senator from Illinois, and I desire to assure all the Members of the Senate, as I have tried to do all along, that I do not expect to move for a sine die adjournment unless and until Congress has had an opportunity to vote on this labor matter. We were held in session for 9 days and nights to get a bill passed in the Senate, and I am prepared to ask the Senate to come in early and to stay late, and to give it the very highest priority.

If we do not know by the end of this week or early next week, and there are no prospects offered of agreement, I have no doubt that the Members of the Senate will recognize the situation, and will take action accordingly.

I do not think we ought to say that we have until Wednesday midnight to act, or Thursday, or Friday, or even Monday, and I hope the Senate has enough faith in my assurance that I am going to ask the conferees what progress they are making. If they are not making progress, any member of the conference may ask for instructions, and the chairman has already stated that he would. I would not desire to have the matter taken away from him, but trust that he will return and himself ask for instructions.

Mr. DIRKSEN. Mr. President, let me finish my comment. I should like to have the attention of the Parliamentarian.

Assuming that the bill shall still be in conference and no agreement has been reached and a reasonable time has elapsed, it is my understanding that under the rule, notwithstanding the fact that the bill is pending in conference, a motion will be in order to instruct the conferees with respect to continuing further in disagreement, or embracing the House position on one or more differences.

The VICE PRESIDENT. That objective could be accomplished in the form of a Senate resolution.

Mr. DIRKSEN. By a Senate resolution; not by a simple motion?

The VICE PRESIDENT. Either would have the same effect.

Mr. DIRKSEN. So that a formal or informal resolution, even though the bill is pending in conference and no agreement has been reached, could be taken up. I am not sure that it is privileged. Would it be privileged?

The VICE PRESIDENT. It would not be privileged.

Mr. DIRKSEN. It would not be privileged. So it would have to lie over for a day after its submission?

The VICE PRESIDENT. If there were objection, yes.

Mr. DIRKSEN. Mr. President, then I ask the majority leader at this point whether, when we have agreed that it seems a reasonable time has elapsed and there is no hope of agreement, he would be prepared to submit such a resolution, letting the Senate work its will on an instruction to the Senate conferees.

Mr. JOHNSON of Texas. I have assured the Senate, I have assured the Senator from Illinois [Mr. DIRKSEN], and I shall repeat, that once the conference has spent sufficient time on this matter for the conference to have agreed that they need instructions, and that they are unable to reach an agreement, I shall be perfectly willing, and I am prepared to so move myself, or to join with other Senators in moving, to discharge the conferees, if they themselves have not asked that that be done.

Mr. DIRKSEN. I have one more question. It is, of course, always possible, in view of the fact that the resolution to which I referred a moment ago will not be privileged, for intervening business to prevent action on that kind of resolution. I ask the majority leader if he would be prepared to move to set aside the pending business in order to take up that kind of resolution.

Mr. JOHNSON of Texas. I am prepared always to keep my commitments. The Senator from Illinois understands the commitment I have made publicly and privately, namely, that after a reasonable time in conference, if an agreement cannot be reached, and if the chairman of the Committee on Labor and Public Welfare will return to the Senate and ask for instructions, I am prepared to see to it that the Senate will have an opportunity to give those instructions by a vote of the majority of the Senate.

I now yield to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I have a question I wish to ask the distinguished majority leader; then I wish to make a short statement.

In the event the conferees do not reach an agreement, and the resolution to discharge the conferees is successful, will the Senate then have an opportunity to vote on the bill as it came from the House as a substitute for S. 1555?

Mr. JOHNSON of Texas. I should think any Senator could make a motion to that effect and get a vote on it.

Mr. GOLDWATER. Very well. Now I wish to make a brief statement to the Senate.

I think it is best that this matter go to conference. The Landrum-Griffin bill, which came over from the House this morning, is, in my estimation, a very good bill, but I see some places in it which I feel can be improved by conference.

I repeatedly said on the floor of the Senate during the debate on S. 1555 that had it been called a reporting bill I could have supported it. I could not support it because it was not in my estimation a reform measure.

There are contained in S. 1555, which passed the Senate, some very salutary features which I think, if they could be incorporated by the conferees into the House bill, would result in a bill the House could readily agree on, and that it would be a better bill for the American people and for the American workingman. Therefore, I am hopeful that the Senate will allow the bill to go to conference, and I think I speak for the Republican members of the conference in saying that we will bend every effort on our part to seeing that we do come back with a bill the Senate can support freely and without any fear.

There are controversial parts in both bills, to be sure. One does not write legislation in the field of labor and expect to achieve unanimity on it. We cannot even get the lawyers on the staff to agree that the language is correct in every instance. We cannot get labor leaders to agree among themselves as to what is good and what is bad. We have a difficult time resolving the differences between the heads of the various business associations as to what is good and what is bad. But we must keep in mind constantly what is good for the American public, what is good for the Republic, and then we can worry about what is good for business associations and labor organizations.

So, Mr. President, I am extremely hopeful that the conference will result in a better labor bill. I am convinced by the promises of the majority leader reassuring the minority leader that no effort will be made to block a vote in the event of failure of the conferees to reach agreement. I am convinced that the term "reasonable time" does not have to be spelled out between reasonable men, and that "reasonable time" could be satisfied by action by the end of this week or the first part of next week. I have that confidence in the judgment of the Senator from Massachusetts. I think that between reasonable men we can come to a determination as to when we are not making progress; and, with the assurance of the majority leader that the actions he has outlined will be taken, I urge that this matter go to conference.

Mr. JOHNSON of Texas. The Senator from Massachusetts [Mr. KENNEDY] and the subcommittee which carefully

considered the bill will, no doubt, as the Senator has suggested, want to review the 80-some amendments which the House added to the bill. It is my understanding that the House has really never voted on the bill which the Senate passed. It may be that if we are unable to reach an agreement promptly in conference, either body would want to vote on various and specific issues. That right certainly is preserved. I can give no assurance on behalf of anyone except myself, and the chairman of the Committee on Labor and Public Welfare and the chairman of the Subcommittee on Labor. But after talking with the Senator from Massachusetts, and the Senator from Arkansas [Mr. McCLELLAN], who has had such broad experience in this field and is chairman of the Rackets Committee, I have agreed with the distinguished minority leader that orderly procedure requires that a reasonable opportunity be given reasonable men for a reasonable time. If agreement is not then reached, either body has it within its power to take any action it may decide ought to be taken in the public interest.

Mr. GORE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. GORE. In that connection, the papers will be in the hands of the managers on the part of the other body.

Mr. JOHNSON of Texas. The Senator is correct.

Mr. GORE. In the event no agreement is reached, and that is reported to the two respective Houses of Congress, the papers, being in the hands of the managers on the part of the other body, the vote would likely first come in the other body, as the majority leader has pointed out. The other body has not yet voted upon the bill which the Senate passed by a vote of 90 to 1.

I concur in the recommendations of the majority leader. It would be an act of denigration on the part of the Senate to refuse a request on the part of the other body to go to conference on a bill which the Senate committee and the Senate itself have expended so much thought and consideration, and which, in my opinion, is a superior bill.

There are certain points in the Senate bill which I think are superior, and some in the House bill which may be preferable. It seems to me, as the able Senator from Texas has stated, that reasonable men, given a reasonable time, can take the best of the two bills and we can thus enact for the country the best possible legislation in this vexatious field. But I point out that in the case of an impasse the papers would be in the hands of the managers on the part of the other body.

Mr. JOHNSON of Texas. The Senator from Tennessee is correct. I now yield to the Senator from Arkansas [Mr. McCLELLAN], who has done notable and outstanding work in this field.

Mr. McCLELLAN. Mr. President, I associate myself with those who believe that the situation requires orderly procedure. I do not believe it would be the better part of wisdom, in the case of a highly controversial bill, even though a small majority might favor the bill passed by the House, to set a precedent by not granting a conference and giving an opportunity to the conferees to work out a bill to be referred back for acceptance or adoption by both Houses.

I have said before that, in my judgment, the House amendment and the Senate bill taken into conference will present an opportunity for the conferees to take the best of the two bills, according to their judgment of what is best, and work out what will be a better bill than the House amendment.

There is also the opportunity, which I hope it will not be successful, so to weaken the measure that we would have nothing better than what came out of the Senate. There is now opportunity to get a better bill than the one which the Senate passed, and an opportunity to take the best of the two measures and get a better measure than either House passed. I hope that will be done. I cannot predict that it will be done, but the opportunity is presented.

I associate myself with those who have expressed the view that there must be a vote on proposed labor legislation at this session. We must pass a bill; that is, the Senate must have the opportunity and the House must have the opportunity to vote for or against the conference report, or to vote for the Senate bill as the final measure, or to vote for the House amendment as the final measure. That ought to be done at this session.

I would not associate myself with any parliamentary procedure, maneuver, or action which would prevent final action on this proposed legislation at this session of Congress.

Mr. STENNIS. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. STENNIS. Mr. President, decisive action by the House in passing a strong labor bill designed to protect the rights of labor, management, and the public presents a direct challenge to the Senate for early and decisive action.

We need strong labor legislation this session.

I favor adoption of the House amendment by the Senate although I am willing for conferees to make a reasonable attempt to work out even a better bill.

The abuses and illegal practices uncovered by the McClellan committee have aroused strong concern throughout the country. The Federal Government, having almost wholly occupied the field of labor-management relations, has nevertheless left many loopholes in the law which have become subject of abuse by racketeers and hoodlums who use the honest labor movement to feather their own nest. As often as not, their raw power is directed against their own union members to whom they should owe unswerving loyalty, as it is directed against employers for the purposes of blackmail and extortion. These abuses must be curbed by force of law.

I do not believe that any bona fide union has anything to fear from the enactment of the Landrum-Griffin bill. On the contrary, the rank and file union member or employee in a union plant may feel, with new confidence, that his rights will be fully protected by the force of the law supported by the force of public opinion.

Surely, any labor legislation enacted this session should contain express prohibitions on secondary boycotts and blackmail picketing. The House amendment's text contains language on this subject similar to that offered by the senior Senator from Arkansas [Mr. McCLELLAN] in the Senate. I supported these amendments at that time, and still support them, and urge their inclusion in permanent law. I think this is the absolute minimum protection the public has the right to expect of any labor reform legislation enacted.

Mr. President, I have been encouraged by the assurances of the majority leader, of the chairman of the Committee on Labor and Public Welfare, and the chairman of the Subcommittee on Labor. I am impressed by what the Senator from Arizona [Mr. GOLDWATER] said. I am entirely willing to leave this very important matter to the judgment of the Senators who are charged with the primary responsibility of handling it. I know they have done excellent work. But I definitely think the time has now come when the individual Members of the Senate must express themselves, and let whatever judgment they may have on the subject be known.

I would favor now the enactment of stronger legislation than the Senate passed, particularly including the ban on the secondary boycott, and illegal picketing, or blackmail picketing, whatever the correct term is, and the retention of those provisions in the bill. I would favor the adoption of the House amendment now rather than to take the serious chance of not getting some legislation to protect the public and also to protect labor and management.

Some Senators on this side of the aisle could not fully hear the statement of the Senator from Massachusetts. As I understood him, he said he had in mind trying to get a final report this week. I am not trying unduly to press the Senator from Massachusetts or any other member of the committee, because I know that it takes time to consider such matters properly, and whatever language is used in drafting the proposed legislation should be deliberately drawn. But I did want to get from the Senator a statement as to the possible timetable which he has in mind.

Mr. KENNEDY. I hope it will be next week, although as I said to the majority leader it took 19 sessions of the Subcommittee on Labor before S. 1555 was reported. This is a complicated matter. There will be a bill at this session of Congress. The question is whether it will be the bill which was passed by the Senate, the amendment which was adopted by the House, or a compromise bill. I believe I can guarantee, on behalf of all members of the conference, on both sides of the aisle, that it will be one of those three choices. I hope we can reach an accommodation.

Mr. STENNIS. I thank the Senator from Massachusetts. I now wish to address a question to the Chair.

As I understand, should there be a deadlock, or should any Senator wish to

proceed, after we have the chance to move to adopt the House amendment, is it correct to say that any Senator can move to bring the bill back from the conference to the floor, or will a formal resolution have to be submitted, and the resolution be considered by the committee?

The VICE PRESIDENT. A concurrent resolution would be required to bring the bill out of committee, but any Senator could submit a resolution to instruct the conferees or to discharge the conferees on the part of the Senate.

Mr. STENNIS. Could a motion be made in an informal manner from the floor stating what the instructions are?

The VICE PRESIDENT. Such a resolution would not be required to go to the committee. It could be submitted by a Senator and considered by the Senate on the same day, if unanimous consent were granted; if objection were raised, it would have to lie on the table for 24 hours.

Mr. STENNIS. And after 1 day it would be a privileged matter, would it?

The VICE PRESIDENT. It would not be a privileged matter.

Mr. DIRKSEN. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. The point the distinguished Senator from Mississippi has made is quite important, and it is one which I raised. First, we must bear in mind that in the conference committee there might be disagreement, and, therefore, there might be no conference report.

The question now before us is whether we can instruct the Senate conferees while the matter is still in conference. The answer which has been given is that the conferees can be instructed by motion or by concurrent resolution, although such a motion or concurrent resolution would not be privileged and would have to lie over for 1 day. However, notwithstanding the fact that the bill was still in conference, the Senate could instruct its conferees in regard to what to do.

The VICE PRESIDENT. The Senator from Illinois is correct.

Mr. STENNIS. My desire is to find out what, if anything we would be waiving today. I believe that we could gain some things by having the measure go to conference. But the question is whether we shall be waiving anything of a procedural nature today.

The Chair has already ruled, as I understand, that such a motion or concurrent resolution could be taken up today if unanimous consent were given. Is that correct?

Mr. JOHNSON of Texas. That is my understanding.

Mr. MUNDT. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. MUNDT. I should like to address myself to the question of the Senator from Mississippi as to whether, in connection with strong labor legislation, we run the risk, today, of waiving something which we could not recapture at a later date. I think that is the point which sincerely concerns the Senator from Mississippi, and I know it is the point which sincerely concerns me. I know I have devoted a great many conferences and considerable study to it ever since the House adopted, last Thursday by a substantial vote, the Landrum-Griffin bill, by its crucial roll-call vote on August 13.

I think several things stand out as clearly as the noonday sun. The first is that the one clear opportunity for the Senate to have an opportunity to vote on the Landrum-Griffin bill is here, today, on the basis of a preferential motion to make that measure the order of business of the Senate, instead of sending it to conference. I think no Senator will deny the accuracy of that statement. Any Senator who has a strong desire to have the Landrum-Griffin bill passed as it now stands must recognize that now we have the opportunity to pass that bill; and that is the one, clear way for the Senate to pass it, without any uncertainty or ambiguity.

On the other hand, I think any Senator who has served in the Senate very long recognizes that the legerdemain of parliamentary procedure frequently produces surprises which would have astonished Houdini; and I think it is clear that such a result may obtain now unless we take action to vote on Landrum-Griffin today, or receive definite assurances we shall not be denied that opportunity later this week or next.

Mr. JOHNSON of Texas. Mr. President, if the Senator from South Dakota will yield, I should like to point out that many other procedures would take precedence over such a motion in regard to the Landrum-Griffin bill.

I do not think any reasonable Senator would want to have the Senate pass immediately on 80-odd amendments which have not been passed on by the Senate committee, unless that Senator wished to put an end to all Senate committee procedures. Most prudent Members believe that when proposals are made, they should be considered by the committee experts.

No one contends that the Senate committee has had an opportunity to consider these 80-odd proposals. Most of the experts on the subject agree that the first five titles of the Kennedy-Ervin bill are substantially stronger than the corresponding provisions of the House bill; and we would not want, in one fell swoop, to throw into the ashcan the first six titles of the Kennedy-Ervin bill.

We hope that the judgment arrived at by means of 19 various committee meetings and 9 days and nights of Senate debate will at least be presented to a conference between conferees on the part of the Senate and conferees on the part of the House.

I do not know how much assurance is necessary; but I have given all the assurance that I think reasonable Members should want or should expect—namely, that if the conferees are unable to agree on a conference report to both Houses, then the chairman of the subcommittee, on his honor, will ask for such instructions, at which time we can vote on the Landrum-Griffin bill, if we wish to do so; and if the chairman of the subcommittee did not do that—although I would never anticipate that he would fail to do it—I would be prepared to join the chairman of the committee and the chairman of the Antirackets Committee and the chairman of any other committee who desired to participate in it, in a motion to discharge the committee from the further consideration of the measure, so that the Senate itself could amend the bill in any respect whatsoever.

I am not going to take the position that I will make a final commitment that I will favor having the Senate abandon everything it has done, and accept everything the other body has done.

I believe the Senate should have an opportunity to work its will, even if it has to remain in session until the 3d of January, so far as I am concerned; and I shall try to lead a sufficient number of Members on both sides to take action to see to it that that is done, if the Senate wishes to do it.

In the present circumstances, our anticipation is merely that orderly procedure will be followed. I have never been one to favor intercepting bills. I think the soundest part of our legislative procedure is the committee procedure. Although on rare occasions I have had to vote against the recommendations of Senate committees, generally speaking I think a committee which has specialized in the field and has spent days and nights in the consideration of special bills, has greater knowledge of what they contain or what they should contain than does an individual Senator who is not even on the committee. So I want to preserve the committee system.

It is very unusual to move that the Senate abandon everything it has done, and immediately concur in everything contained in a bill passed by the other body, when the bill is of such magnitude, and when it was rewritten by the other body by means of 80-odd amendments, which amounted to entirely new and additional and far-reaching proposals in the nature of a substitute. I hope the Senate will not reach the point where it feels it must proceed in that way.

On the other hand, I know that it was with my approval and at my motion that the Senate created the Antirackets Committee; and whenever it has sought authority or funds, its request has been supported without equivocation from this side of the aisle.

I labored into the night to get the Senate to pass such a bill as this last year, and I am sorry that the other body did not see fit to pass that bill last year, too.

I brought up the measure early at this session, and the Senate spent 9 days and nights in working to pass the bill at this session.

At this time I am willing to spend 9 days or 19 days to see that such a bill is enacted into law. I realize what will be required. But before the measure goes to conference, I am not willing to abandon everything the Senate already has done. I do not wish to leave the impression that the Kennedy-Ervin bill does not deal properly with racketeers in the labor field. As a matter of fact, I am informed by good technicians who have reviewed both bills that, so far as the first 6 titles of the Kennedy-Ervin bill

are concerned—and they constitute the antiracketeering parts of that bill—the Senate bill is stronger and contains stronger penalties than the House bill. I am also informed that some parts of the House bill have great appeal.

I should like to have the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Arizona [Mr. GOLDWATER], the chairman of the subcommittee and the ranking minority member, sit down with the chairman of the House Labor Committee and Mr. LANDRUM and Mr. GRIFFIN, and exchange views for 3 or 4, or 5 or 6, or 8 or 10 days, if necessary, or for a sufficient length of time to enable them to know whether they can agree or whether they cannot agree. If they report to us that they cannot agree, then we shall take prompt action.

Mr. MUNDT. Mr. President, the Senator from Texas is correct when he says he has supported the requests of the McClellan committee, on which I have labored for more than 2 years, by means of helping provide all the authority and all the funds the committee has requested.

But now we want to go one step further, beyond the authority and beyond the funds, we want to get effective results. Now we are talking about trying to enact into legislation some of the results of the hearings and the investigations the committee has conducted.

The Senator from Texas has also said he has given us some assurances. But I am leading up to the most important assurance of all, which has not yet been given, but which I think should be given, and which I think Senators should have clearly in mind as one which it is important to have stated for the RECORD now, before we consider such a preferential motion, should it be necessary.

First I want to make a couple of points. One is that the one, clear, positive time when we can vote on the Landrum-Griffin bill provisions is today. The machinery is here. The parliamentary procedures are available. Members of the Senate are acquainted with the facts. We can do it now. There is no question about that.

Mr. JOHNSON of Texas. Mr President, will the Senator yield at that point? I point out to him that the Senator could vote on it if he wanted to, but there are 97 other Senators, and they might like to discuss and analyze it. So it is not just a matter of pressing the button and saying we have the parliamentary procedures to vote on it now.

Mr. MUNDT. Should the conferees bring out a bill slightly stronger, slightly more restrictive of labor, should it include those elements in the first five titles which we all recognize are somewhat better as they passed the Senate than as they passed the House, and should that measure go back to the House of Representatives, that might be a way of killing labor legislation.

There was a very narrow margin on the crucial vote in the House on Thursday. Should the bill be sent back to the House, who can say what will happen in the House, remembering that slim 28-vote margin on the crucial vote? Would that require another television talk by the President? Would that require another great period of lobbying on both sides of the issue? Or might the result of sending the bill to conference and back to the House result in no legislation at all? It is something to consider. It is something we can avoid if we adopt the Landrum-Griffin bill today instead of sending it to conference.

Or suppose the conferees should weaken the bill, rather than strengthen it, and bring back something which is considerably less effective in its control of labor racketeering and its protections of the rank-and-file union members than the Landrum-Griffin bill. Then the Senate would be in the position of being forced to vote for something less effective, less significant, because of having neglected our opportunity today to vote for the "bird in hand," the Landrum-Griffin bill now before us.

Mr. President, that is all preliminary to the assurances I would like to get now from the majority leader, if I may have his attention, and from the chairman of the subcommittee [Mr. KENNEDY]. I think that in his customary, penetrating manner, the Senator from Tennessee has let the cat out of the strategy bag onto the floor of the Senate, and I think my colleagues should know exactly what can confront them unless we can get this important assurance from the Senator from Massachusetts [Mr. KENNEDY], and from the Senator from Texas [Mr. JOHNSON].

The Senator from Tennessee is correct. In case of disagreement in conference, the action first eventuates in the House. I was about to make this point when it was injected by the Senator from Tennessee. The House then will be confronted with voting for the Landrum-Griffin bill or the Kennedy-Ervin bill; and the Senate could be entirely detoured if the House approves the Kennedy-Ervin bill.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MUNDT. In just a second. In such an event many of those Members of the House who voted in the majority for the Landrum-Griffin bill in that crucial vote, wanting to vote for some labor bill, supported with the votes of labor, would, in my opinion, wind up voting for the Kennedy-Ervin bill as the final legislation, devoid of the salutary provisions in the Landrum-Griffin bill, and the whole fight for really effective labor legislation, fought for by the President, fought for by the Senator from Arkansas [Mr. MCCLELLAN], fought for by the Rackets Committee, fought for by Representatives LANDRUM and GRIFFIN, would result in a grandiose retreat down the hill, and we shall wind up with the Kennedy-Ervin bill and nothing better. That is precisely the contingency I am endeavoring to avoid.

We confront that possibility, concurred in by the majority leader. If we are not going to have a preferential motion voted on today, we should have it stated clearly on the Senate floor and for the RECORD that that is not going to be the kind of fatalistic formula we are to follow after the bill goes to conference.

Mr. JOHNSON of Texas. Mr. President, I yield first to the Senator from Illinois [Mr. DIRKSEN], and then I want to reply to the Senator from South Dakota, because I am not as fatalistic as he is on many matters.

Mr. DIRKSEN. Mr. President, the Senator from South Dakota has said if the conference committee disagrees, meaning if the House and Senate conferees, voting as a unit, cannot agree, that the bill will then go back for a vote on both sides——

Mr. ERVIN. Mr. President, will the Senator speak louder so we can hear him?

Mr. DIRKSEN. I want to get this matter clear, because it is my recollection that, since the House requested the conference, it becomes necessary for the conference report to be acted upon by the Senate first.

Mr. MUNDT. That is something we want in the RECORD. The Senator from Tennessee, who is an astute parliamentarian, has agreed the matter would have to be voted on first in the House.

Mr. JOHNSON of Texas. Mr. President, in my opinion, the Senator from Tennessee is correct. The House will have to vote first. Let me make a point about this, and then we will have the Parliamentarian rule.

The Senate has been assured by the chairman of the Senate conferees that they will attempt to work out an agreement with the House conferees. The House has asked to do that. The House has assured us they want a bill, that they want to sit around the table with us and exchange views with us, and has suggested to us that we agree to a conference.

The Senator from Arkansas [Mr. MCCLELLAN] has recommended that procedure. The Senator from Arizona [Mr. GOLDWATER], who will be one of the conferees, has agreed we should bargain in good faith and attempt to reach some agreement in conference.

If we are unable to do that, regardless of what action the House takes, or where the papers are, or who must act first, the Senator from Massachusetts has said he will come back to the Senate and ask the Senate for formal instructions. That is No. 1.

Mr. MUNDT. Will the Senator yield on that point?

Mr. JOHNSON of Texas. I would like to button down the points one at a time.

No. 2, the Senator from Illinois and the Senator from Arkansas have said if it becomes necessary, they would offer a resolution to discharge the conferees and return the matter to the Senate, where it could be amended. We have done everything except agree on what the conferees are going to agree to.

We have agreed that if they do not agree it will be a matter for the majority of the Senate. I do not know how much further the Senator would expect us to go.

Mr. MUNDT. Mr. President, will the Senator yield now?

Mr. JOHNSON of Texas. I yield.

Mr. MUNDT. Our concern at the moment is in the eventuality of a disagreement in conference.

Mr. JOHNSON of Texas. In that eventuality the Senator from Massachusetts [Mr. KENNEDY] has said he will

come to the Senate and ask for instructions. No. 2——

Mr. MUNDT. Let us stay on No. 1——

Mr. JOHNSON of Texas. No. 2, it has been stated that a resolution would be offered instructing the conferees.

Mr. MUNDT. Do we have the assurance of the Senator from Massachusetts and the majority leader that if the normal, ordinary procedures proposed are followed and this bill goes to conference, and in the event of a disagreement in conference whereby normally, under the rules of the two Houses, the House would act first—and we are all agreed that the Senator from Tennessee was correct and that the Senator from Illinois was not correct in his interpretation as to which House would act first—in the event of disagreement, in normal procedure, under the normal operating procedures, whereby the House would act first, can we have the assurance of the Senator from Massachusetts, whose word I will accept, and the assurance of the Senator from Texas, whose word I will accept——

Mr. JOHNSON of Texas. I appreciate the Senator's generosity.

Mr. MUNDT. May we have their assurance that before the House votes again on this measure it will be brought back to the Senate for further instructions, in the event the conference committee disagrees.

Mr. JOHNSON of Texas. So far as the Senator from Texas is concerned, he never gives any assurance that he cannot carry through on, and he can give no assurance as to what the House will do.

Mr. MUNDT. Exactly. And that is what concerns me.

Mr. JOHNSON of Texas. The Senator from Texas does give assurance that when the Senator from Massachusetts, the Senator from Arizona, and the other members of that conference committee are unable to reach agreement within a reasonable time, the Senator from Massachusetts will ask for instructions.

Mr. MUNDT. If the Senator from Texas cannot give that assurance——

Mr. JOHNSON of Texas. No one can give assurance about the House.

Mr. MUNDT. The Senator cannot do so, because he is not a member of the conference committee. No assurance the Senator could give without the cooperation of the distinguished chairman of the conference committee would be valid, because the rules of Congress continue regardless of what any of us say. Then we have to go next to the chairman of the conference committee. Can I then have the assurance of the chairman of the conference committee [Mr. KENNEDY] that before the conference is broken up in disagreement, should that eventuate, and before it becomes necessary, therefore, for the rules of Congress to operate—which would mean that the House would vote first and that we would wind up with the Kennedy-Ervin bill, with no Member of the Senate ever having had even a chance to vote for the Landrum-Griffin bill—in the event as we approach such area of disagreement if we do, before it becomes finalized, so that the bill will go to the House, that the chairman of the conference committee will bring the bill back to the Senate for further instructions?

Mr. KENNEDY. I will say, quoting the Senator from Arkansas, I cannot state what the House will finally agree upon. If we cannot get together in conference——

Mr. MUNDT. That might happen.

Mr. KENNEDY. We may not get together in conference, though I am hopeful we will. With the expectation and the hope that we can get together, if we cannot get together then we will have two bills before the House and Senate, the Senate bill and the House amendment. There is no possible way I can give assurance.

Mr. MUNDT. Yes; there is.

Mr. KENNEDY. I cannot assure the Senate what we will finally have a vote on, under those conditions.

Mr. MUNDT. Yes; the Senator can give assurance. Before we arrive at the point of formal disagreement at which point, under the rules of the Congress the House must act first; and at which point any individual who understands the facts of life with respect to this proposed legislation knows we will wind up with the Kennedy-Ervin bill being substituted for the Landrum-Griffin bill in the House. The Senator can give us assurance, as chairman of the Senate conference committee, he will bring the matter back to the Senate for further instructions. That is all I am asking. In that way we can be sure, as Members of the Senate, of having an opportunity to vote on the Landrum-Griffin bill; and only in that way can we be sure of it.

Mr. GORE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Tennessee.

Mr. GORE. Mr. President, the distinguished senior Senator from South Dakota has made the remark that the junior Senator from Tennessee has "let the cat out of the bag." I am not exactly sure what the Senator means by that remark.

Mr. MUNDT. That is an old South Dakota colloquialism with no evil implications whatever.

Mr. GORE. Very well. I merely stated, and I believe truly stated, the parliamentary situation.

The senior Senator from South Dakota speaks as if this were a unicameral Congress. The Senator seems to forget that there is another body. As a matter of fact, it is within the power and the parliamentary rules of the other body, as the Senator knows, since he and I served together in the other body, for the other body to pass a resolution today instructing its conferees to accept the Senate bill in conference. There is no action this body can take, or should take, to deny the other body the opportunity to work its will in regard to proposed legislation.

Instead of letting a cat out of a bag, I merely wanted to state the true parliamentary situation on the floor of the Senate, to avoid any misunderstanding. Both bodies can work their will in this field. Each body has an equal right to do so.

Mr. MUNDT. Mr. President, will the Senator yield now?

Mr. JOHNSON of Texas. I yield.

Mr. MUNDT. As I said, there were no evil implications in the statement about letting the cat out of the bag. I said that the Senator from Tennessee is a good parliamentarian. The Senator served in the House at the time I was a Member of the House. We are both familiar with the House rules.

Of course the House, tomorrow or even today, could pass a resolution rescinding what it did on Thursday. No realistic man expects that to happen, but every realistic man must anticipate what will occur if the conference winds up in disagreement, as many people expect it will. In that event, as the Senator from Tennessee quite properly pointed out and as I have pointed out, the first vote will come in the House.

Mr. GORE. If the Senator from Tennessee quite properly pointed it out, then why did the Senator characterize it as letting the cat out of the bag?

Mr. MUNDT. I will be happy to explain that, because the Senator from South Dakota happens to know that the cat was in the bag. That is part of the strategy, and neither the Senator from South Dakota nor the Senator from Tennessee had anything to do about it.

There are some labor bosses around this town who are not entirely stupid about parliamentary procedure. I happen to have had reported to me twice over the past weekend that the strategy on the part of the labor bosses in Detroit is that they want to kill the proposed legislation, and that they believe perhaps that can be best accomplished by what we are trying to be coaxed and "weaseled" into doing on the floor of the Senate today—by sending the bill to conference with no commitment, with ambiguous assurances, in the hope that there will be disagreement, in which case the House will have to act first, and in which case we will get the Kennedy-Ervin bill, unamended and unstrengthened in any way, shape, or form.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I simply want to make one statement.

I do not know what the strategy of the labor bosses is. The labor bosses have not talked to me about their strategy, and I did not know the Senator from South Dakota was in their confidence. [Laughter.]

Mr. MUNDT. I will say, there are ways of finding these things out other than by direct information or contacts.

Mr. JOHNSON of Texas. Mr. President, I do not yield. May we have the rules followed? I do not yield to the Senator.

The VICE PRESIDENT. The Senator from Texas has the floor.

Mr. JOHNSON of Texas. Will the Presiding Officer protect me in my rights?

Mr. MUNDT. I am not sure whether the Senator has the floor to yield, but that is all right.

Mr. JOHNSON of Texas. Mr. President, I do not yield to the Senator.

The VICE PRESIDENT. The Senator from Texas has the floor.

Mr. JOHNSON of Texas. I want to bring this to the attention of the Senate. I thought the agreement I had reached with the minority leader and with other Senators vitally interested in this proposed legislation, including the chairman of the subcommittee, would give the Senate an opportunity to confer with the House and to attempt to evolve an agreement which would be satisfactory to both bodies.

Mr. MUNDT. Mr. President, will the Senator yield at that point?

Mr. JOHNSON of Texas. If that cannot be done, then the Senate could act.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I will yield when I get through with my statement.

Mr. MUNDT. Very well.

Mr. JOHNSON of Texas. The Senator's persistency does not encourage me.

Mr. MUNDT. Very well.

Mr. JOHNSON of Texas. Let me make my statement, and then I will yield.

Mr. MUNDT. Good enough.

Mr. JOHNSON of Texas. I would call attention to the fact that even the National Association of Manufacturers feels we should have a House-Senate conference committee. I should like to quote from their publication of August 14. It is the publication of the National Association of Manufacturers, with 64 years of service to America through industry.

I desire to quote from the Washington Bulletin, in which it is pointed out:

> House-Senate conference committee: Whatever measure the House approves must go to a House-Senate conference committee for the adjustment of differences between the versions passed by the two branches of Congress. Then the conference committee agreement must be returned to both the House and Senate for approval. Thus there is still ample time to make your views known to Members of Congress. The extent to which this is done could determine the type of bill Congress sends to the White House. There is a possibility, of course, that Congress will be unable to agree on a measure.

Mr. MUNDT. Mr. President, will the Senator yield now?

Mr. JOHNSON of Texas. I will say, there is no assurance we can get a vote on the Landrum-Griffin bill, or on the Kennedy-Ervin bill, or any other type of bill, today, tomorrow, or next week.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I think if Senators will take the assurance of the conferees on both sides of the aisle and will take the assurances of the leadership on both sides of the aisle, that we will make every attempt to reach an honorable, satisfactory agreement, and if that is impossible then we will attempt to let the Members of the Senate themselves work their will, or a majority work its will, that is the orderly procedure, and that is what should be done.

Certainly the Senator has a right to make a preferential motion. Certainly the Senator can move to concur and wipe out everything the Senate has done. The six titles which are stronger in the Senate bill the Senator would abandon. The Senator would accept the House bill without Senators having a chance to look at it. It would not go to conference, but some Senator could stand up to make a motion which was more preferential, to send the bill to the Committee on Labor and Public Welfare, and we would have a vote on that motion first. Or some Senator could make a motion to postpone consideration to a day certain, and we would have to vote on that first.

I believe that the time we are using debating this subject ought to be used in the conference room, where the conferees could exchange views on the merits of the bill. We think that is desirable.

Mr. McCLELLAN and Mr. MUNDT addressed the Chair.

The VICE PRESIDENT. Does the Senator from Texas yield, and if so, to whom?

Mr. JOHNSON of Texas. I yield first to the Senator from Arkansas.

Mr. McCLELLAN. I ask my good friend from South Dakota upon what he bases the assumption that the House, which has already, for all practical purposes, rejected the Kennedy-Ervin bill, would immediately embrace it and accept it.

Mr. MUNDT. I shall be happy to explain my thinking on that subject.

Mr. JOHNSON of Texas. I yield to the Senator from South Dakota for that purpose.

Mr. McCLELLAN. Senators have said that they want something stronger. If we can get something stronger in conference, why not do it?

Mr. MUNDT. I have read the House debates very carefully. The House has not repudiated the Kennedy-Ervin bill. It has never had an opportunity to vote on it. It was confronted with what I call a sorry substitute, called the Elliott bill.

Mr. McCLELLAN. What was it a substitute for?

Mr. MUNDT. It was a substitute for the Kennedy-Ervin bill.

Mr. McCLELLAN. To that extent it repudiated the Kennedy-Ervin bill as first choice.

Mr. MUNDT. It was repudiated only in the Labor Committee. The distinguished Senator from Arkansas went before the committee and asked the committee not to do exactly what the committee eventually did. His counsel did not prevail there. I am happy to report that his counsel to the House as a whole did prevail. when he urged it to vote for the Landrum-Griffin bill.

I believe that Senators and the country should know clearly where we stand. The point is very clear that if the Senate permits this bill to get out of its hands now, and the conference committee disagrees, it will go back to the House. The House will then vote on the Kennedy-Ervin substitute for the Landrum-Griffin bill, and "church will be out" so far as effective labor legislation is concerned, if, as I suspect, the House would at that point accept the Kennedy-Ervin bill in lieu of the much stronger, much more effective, Landrum-Griffin bill.

Mr. JOHNSON of Texas. The Senator is in error, because at any hour, any day, any minute, the Senate can express its will by a vote if it so desires.

Mr. MUNDT. All I ask is that we act today with our eyes open.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Arizona.

Mr. GOLDWATER. I should like to ask the distinguished majority leader a question. If at the end of what a minority Member might term a reasonable time—5, 6, 7 days, or whatever it might be—he desired to come to the floor of the Senate and submit a resolution that the conferees be discharged and that the Senate proceed to the consideration of this subject, would such a motion be in order?

Mr. JOHNSON of Texas. Any Senator would have a right to submit such a resolution, which could be agreed to by a majority vote. The majority can always work its will.

Mr. GOLDWATER. If the majority leader were convinced that such a course was proper, and that the resolution was offered in good faith, would he support such a resolution offered by a minority Member?

Mr. JOHNSON of Texas. I would not wish to pledge in advance my support of a resolution before I understood all the circumstances. I have said to the minority leader, to the chairman of the subcommittee, and to the ranking minority Member that after a reasonable time I would be prepared to support such a resolution.

Mr. GOLDWATER. May I ask the minority leader if he would support such a resolution submitted by a minority Member?

Mr. DIRKSEN. I would, indeed, support it, even though the bill was still in conference and in disagreement, because there is precedent for the Senate instructing its conferees, even when a bill is in conference and no agreement has been reached.

Mr. GOLDWATER. Can the Senator cite the precedent?

Mr. DIRKSEN. It is to be found in the books. It goes back to 1916. I ask the Parliamentarian now whether he will advise the Chair on that point. While the bill is still pending in conference, the Senate is free to instruct its conferees, even though no agreement has been reached, to embrace the House position, or otherwise.

The VICE PRESIDENT. The Senator is correct. The Senate, by resolution, can so instruct its conferees.

Mr. GOLDWATER. I assure the majority leader that my interest is in getting a bill which the American public will like.

Mr. JOHNSON of Texas. I know that.

Mr. GOLDWATER. I ask the majority leader if he would support such a resolution, provided we could agree that a reasonable time had elapsed. I would not suggest that a minority Member come in tomorrow or next day and submit such a resolution. I am assuming that it might be submitted 5 or 6 days later, or following any period which we might agree was reasonable.

Mr. JOHNSON of Texas. I have so stated a dozen times. I so informed the Senator from Illinois last Thursday; and I made a similar statement to the Senator from Arizona in private this morning.

The Senator from Massachusetts assured me that he had no desire to have a deadlocked conference. After he has an opportunity to meet with the House conferees and talk with them and try to reason out a solution, as is always done in conferences, if he becomes convinced that it is impossible to reach an agreement, on his own initiative he will be the first to come to the floor of the Senate and ask for instructions from the Senate, and let the Senate work its will.

In addition, I agree with the Senator from Illinois and the Senator from Arkansas that, if necessary—but we do not anticipate that it would be necessary—we would submit a resolution to discharge the conference committee. I think we can reach a vote on the labor bill more quickly by that route than by any other.

Mr. GOLDWATER. Does the Senator mean by way of a resolution?

Mr. JOHNSON of Texas. No; I mean going to conference and trying to determine whether an agreement can be reached; and, if so, bringing back a report. If no agreement can be reached, the Senate can act.

Mr. GOLDWATER. That is the point I am afraid of. It is the point my friend from South Dakota [Mr. MUNDT] is afraid of. We are afraid that the bill would go back to the House. I realize that those are the rules.

Mr. JOHNSON of Texas. If we were to sit idly by, do nothing, and refuse to act, it might go back to the House.

Mr. GOLDWATER. If the resolution called for a vote of the Senate on the Landrum-Griffin bill, in view of the fact that the conferees could not come to an agreement, would such action then reflect the judgment of the conferees with the same strength as the action of the conferees, it being the action of the Senate as a whole?

Mr. JOHNSON of Texas. I am afraid I do not understand the question.

Mr. GOLDWATER. If the conferees should fail to reach an agreement, and a resolution were submitted asking the Senate to vote on the Landrum-Griffin bill, and if the Senate then voted on the Landrum-Griffin bill as a substitute, would that action take precedence over the House action? As I understand the opinion of the distinguished Senator from Tennessee [Mr. GORE], the House would be able to vote for one or the other of the proposals.

Mr. JOHNSON of Texas. If the Senate took action before the other body did, that would finalize the measure. If the Senate were to embrace the bill practically as the House passed it, it would then go to the President.

Mr. DIRKSEN. Mr. President, will the Senator from Texas yield to me to clarify that point?

Mr. JOHNSON of Texas. I yield to the Senator from Illinois.

Mr. DIRKSEN. First, if there were disagreement in the conference, a resolution to instruct the conferees could be introduced and called up after 1 day by any Member of the Senate. Such a resolution would require only a majority vote; and, as an instruction, it would become binding upon the Senate conferees.

Assuming that the conferees were in disagreement, and the House conferees should go back—and normally, under the House rules, they wait 20 days before they go back—action in the House would not be automatic. The conferees would have to report their disagreement, and the House would have to work its will by further action. There would have to be a motion to recede and concur in the Senate bill, if that were what was proposed.

I just cannot imagine under those circumstances that the House would so blithely, just because of a disagreement, suddenly move to recede from their earlier position without a rollcall. They would have to have a rollcall on it, and then could concur in the Senate position. It is a divisible motion. They will have to have two rollcalls on it. In that time we could return here for instructions.

Mr. GOLDWATER. Will the Senator yield?

Mr. DIRKSEN. I do not have the floor.

Mr. JOHNSON of Texas. I yield to the Senator from Arizona, and then I promise to yield to the Senator from Arkansas and to the Senator from Delaware.

Mr. GOLDWATER. If the junior Senator from Arizona were as knowledgeable as the junior Senator from Illinois on matters of parliamentary procedure, I probably would not be asking these questions which to some might seem stupid, but I am not that knowledgeable. Therefore, to make sure that we are protected I wish to ask again, if the conferees do not reach agreement—and I am one who thinks that they can—and a resolution is submitted to discharge the conferees, and then the Senate itself votes immediately upon accepting the Landrum-Griffin bill as a substitute for its own bill, will that constitute an action as valid as the action of the conferees?

Mr. DIRKSEN. So far as the Senate conferees are concerned, that expression by majority vote becomes a binding instruction on the Senate conferees and they have no choice. The Senate can, if it desires, put anything within reason in the instruction to the conferees.

Mr. GOLDWATER. In other words, if the House at the same time could act, under their rules, they could, let us say, accept the Kennedy-Ervin bill and we at the same time would have accepted the Landrum-Griffin bill, in substance.

Mr. DIRKSEN. The matter is still in disagreement.

Mr. JOHNSON of Texas. I yield first to the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I have some rather farfetched ideas about what might happen and what might not happen.

I cannot conceive that the conferees of the House are going to walk out immediately and surrender the House position. I think they will contend for it, and if the Senate conferees and the House conferees are unable to agree, we certainly will be able to get a report to that effect. No secret can be kept from this body or from anyone in this body as to how the conferees are getting along. We will know. Certainly there is no obligation on the part of the conferees not to let it be known what progress is being made, and I know we can rely upon the Senator from Massachusetts to advise the Senate as to what any Senator wants to know, as to what progress is being made, and if at any point, whether it is in 2 days, 5 days, 6 days, 8 days, after they have been attempting in conference to resolve this problem, if they have not been able to agree and it looks as if there is no such prospect, then a resolution will be submitted and the resolution, I can well foresee, would be to instruct the Senate conferees to agree to the House amendment. Is that correct?

Mr. JOHNSON of Texas. I agree.

Mr. McCLELLAN. Such a resolution can be submitted.

I say to the Senate that as of this moment I favor the House amendment over the Senate bill. I would vote for it. As between the two, I shall support it to the very end.

But I say again that the conferees have the opportunity to bring in a better bill than either one of the measures adopted in the respective bodies. They may not do it. But certainly the matter should go to conference, in my judgment, and the orderly procedure should be followed, and if at any time it appears that the conferees cannot and will not be able to reach an agreement, and we have the assurance of the majority leader that we will stay here until Christmas to get a bill, then, Mr. Presidnet, I am going to join with those who submit a resolution. I shall support it with all my strength, either to discharge the conferees and accept and adopt the Landrum-Griffin bill, or to instruct the conferees to accept the Landrum-Griffin bill.

Whichever is the most practical and will likely obtain the result, I do not know. Either one of the two could do it, in my opinion. If there is no way for the conferees to agree, if they get hopelessly deadlocked and that fact is reported then I shall use my utmost effort toward enacting the Landrum-Griffin bill. I make this statement for the RECORD. But I do favor trying to proceed in the orderly way.

Mr. JOHNSON of Texas. I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, does the Senator from Texas not feel that instructions of the Senate to the conferees, are binding whether they be definite instructions or just an expression of opinion and if so will the conferees not be obliged to press for the Senate version of the Kennedy-Ervin bill?

Mr. JOHNSON of Texas. First of all, I do not visualize the Senate instructing the conferees. If the Senate wants to do that, it can start amending the bill this morning. That is the next to the highest preferential motion.

I think that if the Senate conferees are unable to agree, the chairman of the conference will come back to the Senate in a reasonable time, without too much

delay, and say, "I am convinced that we cannot reach an agreement and I would like to report that to the Senate, and let the Senate take such action as the Senate may desire to take."

I cannot pass judgment on what action the Senate would take. The only thing I can say is that I agree with the minority leader and the chairman of the Labor and Public Welfare Committee and the chairman of the subcommittee, that if agreement cannot be reached in conference, that I would join with them in offering a resolution to discharge the conferees and permit the majority of the Senate to work its will.

Now, it can do that. It can do it today. One of the most preferential motions, even preferential to a motion to concur, is to start amending the bill, and the Senate can do it.

I think we can save time by sending it to conference, where the Senator from Arizona [Mr. GOLDWATER], the Senator from Massachusetts [Mr. KENNEDY], and others who think they can get an agreement and who hope they can and who are willing to try, will have an opportunity to, and I would like for them to be using this time right now in the conference committee. Then if they come in and say to me, "We have not made any progress," then I am prepared to ask that they be discharged and the entire Senate act as a committee of the whole on it and take whatever action the majority in its wisdom might decide to take.

I said earlier that my limited knowledge in this field indicates that the first five titles of the Senate bill are stronger and more effective than the House bill, that there are some provisions of the House bill that are stronger and more effective than the Senate bill.

When reasonable men get together in conference, there is always a possibility that we can have a more effective bill than either the House or the Senate bill. All I want to do is give them a reasonable opportunity. That is customary. If the Senate wants them to have that try at it, then they should have it, and I would hope that we would do the normal thing, the ordinary thing, because I think the conservatives of this country have a great deal to lose when they start abolishing the committee system and when they start shortcircuiting the committee system. When they start to make motions which will embrace 80 amendments which were adopted in the other body, none of which was discussed, none of which the Senators understand, we will at one fell swoop undo everything we have done over a period of years.

Some of these provisions have a great deal of appeal to me, as I know some of the provisions of the House bill have a great deal of appeal to a good many Members of the Senate.

I think we ought to let the Senate follow its normal, natural course. Let the committee make its recommendations without a pistol at its head. After a reasonable time, if reasonable men cannot agree on a reasonable course of action, then the Senate can take action by a majority vote of this body, and that is what we must always remember.

I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, what bothers me about the action that is being proposed here today, as I read the motion of the Senator from Texas, is this: First, the Senate disagrees with the House amendments, which means that the Senate disagrees with the Landrum-Griffin bill, and, second, the conferees would be appointed and the conferees would go to this conference with at least implied instructions to insist not upon the House bill, but to insist upon the Kennedy-Ervin bill as it passed the Senate. That is the effect of the Johnson motion.

That is what we are doing here. If we follow the procedure of the Senator from Texas, we are rejecting the bill as it passed the House. That is number one. Then we are asking for conferees to be appointed to go to the conference instructed to insist upon the Senate bill. Let us not forget that when we passed the Senate bill the Senate by a rollcall vote both this year and last year rejected several of those major provisions which are in the Landrum-Griffin bill, amendments which I think are very important and which many people over the country think are important. I would much prefer accepting the House bill without a conference.

Mr. JOHNSON of Texas. I would answer that question by saying we are not passing in toto on the House bill or the Senate provision. We are disagreeing, as is the usual procedure, to the House course. There are over 80 amendments in that bill, I think, 80 of them that were not even considered by a committee. Some of those amendments we may want to agree to. Some of those amendments I would agree to now. Some of them I would reject.

I cannot see that any Senator who is familiar with the first six titles would say that the antiracketeering provisions of the Senate bill are weaker than the antiracketeering provisions of the House bill.

I am informed that the penalties in the Senate bill have been materially reduced by the House bill. Certainly we would want to disagree to those amendments. That is a customary action for us to take. It may be that in conference, instead of a fine of $10,000, as provided in the Senate bill, or a fine of $1,000, as provided in the House bill, the conferees will want to agree on a sum which is more acceptable, as the Senator from Arizona [Mr. GOLDWATER] has said. We might get a more effective bill than either the House bill or the Senate bill. That frequently happens. But we cannot do that if we say we have got to have all or nothing.

We have read in the newspapers that the House passed a bill and added 80 amendments. Do we want to say that we will not even allow that bill to come into the same room with our bill, because we cannot trust our experts on both sides of the aisle; that we cannot trust our leaders; that we must vote it up or down? Do Senators want to do that? It can be done, but I do not think it is the better part of wisdom.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. MUNDT. I wish to propound a parliamentary inquiry. Perhaps we can remove one cause of irritation.

My question is whether it is necessary, as a condition precedent to appointing conferees, to include in the motion that the Senate disagrees with the House amendments? Can we not simply authorize the Chair to appoint conferees without putting the Senate in the embarrassing position of voting against the Landrum-Griffin bill?

Mr. JOHNSON of Texas. There is nothing embarrassing to me about voting to disagree with the House.

Mr. MUNDT. There is to me.

Mr. JOHNSON of Texas. The Senate bill's provisions on antiracketeering are stronger than those in the bill which the House passed.

Mr. MUNDT. The procedure is that the Senate must indicate its disagreement with the House and appoint conferees for the purpose of holding a conference?

Mr. JOHNSON of Texas. Six titles out of seven in the Senate bill contain stronger antiracketeering provisions than does the House amendment. Also, the penalties in the Senate bill are heavier.

Mr. MUNDT. May I get the ruling of the Chair?

Mr. JOHNSON of Texas. The Chair has ruled.

Mr. MUNDT. Do I understand correctly the ruling of the Chair to be that the only way in which conferees can be appointed is to use the pro forma language of disagreeing with the House? There is no other avenue open?

The VICE PRESIDENT. The Senator from South Dakota is correct.

Mr. MUNDT. It seems to me that while the majority leader and the Senator who will be the chairman of the conference are in the Chamber, it should be possible for us to rub out this area of uncertainty, which, unless it is rubbed out, will put us in a position of forgoing the one clear opportunity we have to vote for the Landrum-Griffin bill. We should have assurances which are clear-cut and positive that we will have a chance to do that again despite the parliamentary situation whereby a formal disagreement among the conferees necessitates the House's acting first. We short circuit any chance of voting on Landrum-Griffin, provided the conference committee disagrees, so that either half of the conference simply by remaining obdurate and refusing to disagree can force the House to take another vote, and this vote would be on the question, "Do you favor substantially the Kennedy-Ervin bill or the Landrum-Griffin bill?" That is quite a different issue from what the House had before it on Thursday in that highly significant and crucial vote, when the issue was: "Do you favor the Landrum-Griffin bill or the watered-down, labor-boss-dictated Elliott bill?"

If there is sentiment in the Senate and in the country, as I hope there is, to write a bill which is stronger than the Kennedy-Ervin bill, either we must manifest that sentiment by voting here today for Landrum-Griffin or by getting

assurances which are positive that we will have a chance to vote for that measure if the conference does not agree before the House forever slams the door of opportunity in our face.

I am not trying to have included any "fancy Dan" language, I am not trying to have any particular parliamentary procedure adopted; I simply want some definite gentlemanly commitments from men whom I trust that out of the action we take today we will not be permanently, forever and a day, foreclosed from the opportunity to vote for a bill which is stronger than the Kennedy-Ervin bill. That is as simply as I can put it.

Mr. JOHNSON of Texas. I have given that assurance time and time again this morning in the 2 hours we have discussed the matter. I gave it to the minority leader. I have told Senators on both sides of the aisle that I thought we should follow orderly procedure. We should have a conference committee. I have said that if the conference committee were unable to agree, then the chairman of the Senate conferees should come back here and lay the matter before the Senate; and that if he did not do that, the chairman of the Rackets Committee and the minority and majority leaders would do so. I reiterate that statement. I have gone through this procedure every time a labor bill has been before the Senate. I realize it is necessary. I was very desirous to have the Kennedy-Ives bill brought up last year. I assured Senators we would call it up on motion. We did, and we had a vote.

This year I assured Senators again. I am as interested in this measure as they are, and tried to contribute as much as I could to it.

I assure the Senator from South Dakota of my intentions again, and I hope for the last time. If he does not trust the leadership, and if he does not trust us when we say that we think we ought to try to reconcile the differences and get an agreement, and if we are unable to do so, we will bring the matter back for the Senate to act on it, and I think the majority of the Senate will support it. Then the Senate can, in its wisdom, take whatever action it wishes to take.

Mr. MUNDT. I trust the majority leader so implicitly that if he will give me a direct and positive answer to my question, I will be willing to subside. This now is right down in the middle of the coconut, where we are reaching for the meat. Here is the question:

Will the majority leader assure the Senate that before, through the normal procedures of Congress, a point of disagreement results in the House's voting on the labor measure first, the Senate will be given an opportunity to vote to instruct its conferees? That is a simple question. If I get a direct "yes" answer, I will feel much happier than I feel after all these evasive statements.

Mr. JOHNSON of Texas. I cannot give a direct answer "yes" or "no," because that would involve the action of the other body. The Senator from Texas will not pledge what the other body will do.

Mr. MUNDT. Perhaps I can rephrase the question so as to eliminate the other body.

Mr. JOHNSON of Texas. I have said that when the chairman and the ranking minority member of the Senate conferees have had a reasonable time in which to work their will in conference, and the minority leader and I have concluded that a reasonable time has elapsed, we anticipate that the Senator who will be the leader of the Senate conferees will come back to the Senate and say, "We are unable to reach an agreement. It is up to the Senate to decide. We cannot do anything about it."

That is what I expect will happen. If for some reason that should not happen, then the minority leader, the Senator from Arkansas, and I will be prepared to offer a resolution to discharge the Senate conferees and to put the matter right where it is this morning. Only a few days will have elapsed.

But I am in no hurry to get home. I think we must have a strong, effective antiracketeering bill passed at this session of Congress. I said so before this session of Congress met. I have done everything I could to see that that was brought about. I shall ask the Senate to stay here until it is done. Beyond that, I cannot know what the House will vote on, when it will vote, or what it will do. Since all but five Members of the other body voted on the labor bill, I do not believe there will be any great change of sentiment in the House.

I am rather shocked that presumably conservative Members of this body would want to bypass a committee of conference against the advice of the Senator from Arkansas [Mr. MCCLELLAN] and the Senator from Arizona [Mr. GOLDWATER], who were among those who handled this bill, and would want to act on 80 amendments which the Senate has not had a chance to see. If they want to do that, we can set everything else aside and start considering those amendments, one by one, because the first motion to be made is to refer the bill to the Committee on Labor and Public Welfare and let that committee start working on it, so that we will know what we are doing. That motion would be of the highest preference.

If the Senator does not wish to do that, he can move to have the Senate take up the bill and start amending it. But I would not think that would be desirable, if there is any hope that the conferees will agree. The Senator from Arizona [Mr. GOLDWATER], the Senator from Massachusetts [Mr. KENNEDY], and all the other Members who have studied this substitute have expressed the hope that the conference committee will agree; and, so far as I am concerned, I should like to give it an opportunity to agree.

Mr. MUNDT. Mr. President, will the Senator from Texas yield again to me?

Mr. JOHNSON of Texas. I yield.

Mr. MUNDT. I am prepared to offer an amendment to the Senator's motion; and I think my amendment will wipe out the ambiguity. I know it is difficult to agree, here in this goldfish bowl, on the simple matter of giving a "yes" or "no" answer to a specific question.

Mr. JOHNSON of Texas. Does not the Senator from South Dakota want the conference committee to have a real chance to work its will freely and fairly?

Mr. MUNDT. Yes.

Will the Senator from Texas permit me, in the time available to him, to offer this amendment to his motion? I think the amendment will fairly solve the problem to the satisfaction of the Senate.

Mr. JOHNSON of Texas. I should like to have the Senate have an opportunity to work its will.

Mr. MUNDT. I think this amendment will do that.

Mr. President, to the pending motion of the Senator from Texas, I offer the following amendment: That the Senate conferees be instructed, before a disagreement, to report back to the Senate for further instructions.

That will avoid the pitfall which I think we might encounter otherwise. That will express the will of the Senate, if that be its will.

So I offer that amendment.

Mr. JOHNSON of Texas. I hope the Senator will not offer the amendment seriously. Instead, I hope he will rely on the assurances which have been given.

Mr. MUNDT. If they are specifically given, I shall.

Mr. JOHNSON of Texas. I believe the majority of the Senate will express its will at an earlier date and more effectively if we allow the normal procedures to be followed, instead of putting a pistol at the head of the conferees. If the Senator from South Dakota favors the latter, that in his responsibility.

Mr. MUNDT. My amendment amounts to only a small pistol. My amendment will spell out the matter in a way the majority of the Senate can understand, as compared with the assurances which I am unable to obtain specifically from the majority leader and from the Senator from Massachusetts [Mr. KENNEDY]. The replies I have obtained from them involve the use of a great many words, but not the use of the monosyllabic "yes" which all of us can best understand.

Certainly this issue is a very important one. We had it before us last year, and again this year.

I seek to make sure that the Senate is not short-circuited from having an opportunity to vote in favor of the Landrum-Griffin bill, if it wishes to do so, in the event the conferees cannot agree.

Mr. JOHNSON of Texas. Again I assure the Senator from South Dakota that the Senate will not be short-circuited in that way. Time and time again I have assured the Senator that I favor permitting the conferees to have a reasonable time in which to agree; but that if they do not agree, we shall ask that the matter be brought back to the Senate.

I cannot say that the Senate will act on the Senator's motion before the House will act, because, so far as I know, the House may be acting at this very moment to vitiate the action it previously took—although I do not anticipate that the House will do so.

Mr. MUNDT. Let me repeat my amendment of the motion of the Senator from Texas——

The VICE PRESIDENT. Let the Chair state that the proper procedure is, first, to consider the motion of the Senator from Texas. If the motion is agreed to, it will then be in order for the Senator from South Dakota to move to instruct the conferees.

Mr. MUNDT. Is it impossible to amend the motion, so that we shall be able to wrap everything into one package? I do not like the installment procedure; sometimes the second installment is hard to come by.

The VICE PRESIDENT. The Chair is simply stating the procedure under the rule. The procedure is—and the Senator from South Dakota can accomplish his objective by means of it—first to consider the motion of the Senator from Texas. If the motion is adopted, the rule provides that any Senator who desires to move to instruct the conferees, before the Chair appoints the conferees, will then be able to do so, inasmuch as such a motion will then be in order.

Mr. MUNDT. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from South Dakota will state it.

Mr. MUNDT. Is it impossible, under the Senate rule, to amend, in any way, shape, or form, such a motion as the one the Senator from Texas now has at the desk?

The VICE PRESIDENT. Let the Chair read the rule:

> It is in order to instruct conferees, and the resolution of instruction should be offered after the House has voted to insist and ask a conference and before the conferees have been appointed.

Mr. MUNDT. Then my amendment is in order, and comes at exactly the proper time.

The VICE PRESIDENT. The Chair has tried to explain that such a motion by the Senator from South Dakota will be in order before the Chair appoints the conferees.

Mr. MUNDT. Before the Chair appoints the conferees?

The VICE PRESIDENT. Yes.

Mr. MUNDT. Then perhaps the Senator from Texas and I can agree on the procedure.

Mr. JOHNSON of Texas. I do not believe we can agree with the Senator from South Dakota. We have gone over this point every time this matter has been before us. The Senator from South Dakota has explained his position, and I understand it. I have given him all the assurance I am able to give, and I did so before we came to the Chamber today. So this debate is nothing but repetition, and it does not extract anything from any Member, even though the debate may create the impression that something is being extracted.

The proper procedure is to send the matter to conference; and then, in order to protect all Senators who desire to have an effective bill enacted into law, after a resonable time for the conferees to agree has elapsed, if no agreement can be reached, to bring back the matter to this body, and place it in the lap of the Senate.

The chairman of the committee gave us the assurance that that would happen. This morning I told the Senator that the chairman had given that assurance, and that the Senator from Arizona [Mr. GOLDWATER], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Illinois [Mr. DIRKSEN], and I had agreed that if the conferees did not agree and if the chairman did not return and report the situation to us, we would submit a resolution to bring the measure back to the Senate.

I cannot give any assurance about what the other body will do. So far as I know, at this very moment it may be trying to vitiate the action it took on Friday—although certainly that is an extreme illustration. But it would be improper for me to try to give assurances as to what the other body will do, and I am not going to try to tie its hands.

In the second place, I am not willing to be punched around on the floor of the Senate in an attempt to influence the action to be taken by the conferees. If the Senate wishes to accept the Landrum-Griffin bill in toto, with its 80 amendments which Senators have not seen or discussed, I am sure Senators will have an opportunity to hear about them and to discuss them.

Rather than put the Senate conferees into a straitjacket, where they could not freely bargain with the House conferees, I would be willing to have the Senate vote promptly on this matter, although I believe that would be unwise.

In light of the assurance given, I think we can expect the conference committee to consider the matter for a few days. If it does not then agree, both sides can proceed to take whatever action they prefer. But I am not going to agree to do anything that will bind the other body. I will not give any assurance that will bind the other body. I knew nothing about the suggestion the Senator made earlier today until he made it.

I want the conferees to have an opportunity to agree. If they cannot agree, then I will favor having the Senate proceed by majority vote. But, certainly, first the conferees should have that opportunity.

I cannot give assurance that the House will not take action in the meantime. The House can take action tomorrow, if it wishes, just as the Senate can. For instance, on tomorrow the Senator from Connecticut [Mr. BUSH] could submit a resolution directing the Senate conferees to do thus and so; and the only thing that would prevent such a resolution from being adopted would be a contrary vote by a majority of the Senate.

So why cannot we, who have worked together so well, and, I believe, so effectively in regard to a good many matters, rely on having the chairman of the conference make a good-faith effort—and without having a shotgun pointed at him—to find a middle ground on which the conferees can agree, and which will be satisfactory to both Houses.

The Members of the Senate who have spent years in this field tell me that beyond peradventure of doubt the bill the Senate passed is considerably stronger and contains provision for more severe penalties, and that the House by its action has actually watered down the first six titles of the Senate bill. I do not know that, but that is what I am told. They also tell me that there are some very appealing provisions in title 7 of the House bill.

So why cannot we have the matter go to conference, where the conferees can bargain collectively and can exchange views?

In view of the lateness in the session, I believe we must have some deadline. So, in that connection, we have attempted to allow a reasonable period of time for the conferees to reach agreement.

I have always found the minority leader to be a reasonable man; neither have I ever had any difficulty with the distinguished chairman of the subcommittee, the Senator from Massachusetts [Mr. KENNEDY]. I have found him, too, to be very reasonable. He does not want his committee discharged. He does not want the matter taken away from him. He would rather come back to the Senate and say, "We cannot reach an agreement. It is up to you Members to settle the matter." I think if we have just a little faith in each other we can probably bring about a more effective and a more prompt solution of the whole problem.

Mr. President, I would hope we could get action on my motion. If the Senator wants to offer an amendment to require in writing what, in effect, the Senate has said to the conferees, he can offer the motion, and the Senate can act to table it, let the majority have its way, and let the motion have whatever influence it may have on the conferees. I would prefer not to lobby with him at this point. I would prefer to have the conference committee, which is made up of honorable men, go down the hallway, meet with the House conferees, and try to reach an agreement in a few days. If they cannot, then I will support the request for action of the Senator from Massachusetts, the Senator from Arkansas, or other Senators.

Mr. MUNDT. Why cannot we agree on commitments now and send it to conference? The Senator has said we must have faith in the leadership. I have faith in the leadership, but neither faith, hope, nor charity can change the rules of Congress, and the rules of Congress provide that in the event of a disagreement in conference—and this I think every American should understand today before we have this crucial vote—the Senate is through, we have had it, and we are never going to have an opportunity to vote on the Landrum-Griffin bill. If the Senator believes in his view he is the lone subscriber to this opinion, that if the bill is sent back to the House and they are given a chance to choose as between the Landrum-Griffin bill and the Kennedy-Ervin bill, they are going to take the Landrum-Griffin bill. Such a vote would provide the House with an

escape hatch in which running room would be at a great premium.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MUNDT. The Senator has yielded to me. Let me finish.

Mr. JOHNSON of Texas. I would like to comment on that statement. I think we have the right to do what we wish to do, and that the other body has the right to do what it desires. Regardless of what assurances are given, the other body is going to preserve the right to do what a majority of that body wants done. If the Senator has any question about it, he can try to do whatever he thinks is necessary to instruct them, but I have enough faith in the other body to know it is going to do whatever its Members think it ought to do. This is not a unicameral Congress. The other body has a right to exercise its right to do what it wishes to do, and I am not going to take steps to interfere with that right. I am sorry the suggestion was ever made.

Mr. MUNDT. All the Senator from South Dakota is trying to do, in the segments of time between the majority leader's comments and the time he yields——

Mr. JOHNSON of Texas. I have been very generous in yielding time to the Senator.

Mr. MUNDT. That is right, but if necessary, I can get time on my own. I will then be glad to yield to the majority leader.

We ought to know what we are doing. We are all agreed on that. This is pretty important legislation. This is probably the most important bill we are going to vote on this year. I do not want Houdini to roll over in his grave and say "I never thought I would see a surprise such as has happened in that parliamentary legerdemain in Congress."

Let us examine the contingencies. I am concerned with one contingency. If the conferees can get together, I know they can find some happy meeting place on which we can vote. But if the conferees do not get together, I do not want to stand here as a Senator who knows enough about the rules at least to know how to make a preferential motion or to make a motion to adjourn and conduct myself so as to preclude myself from voting for a labor bill stronger than the Kennedy-Ervin bill. The Senator is asking me and all other Senators to do that in the absence of assurances to the contrary.

May I try to get an assurance from the chairman of the Senate conferees on this point? Perhaps the majority leader cannot give the assurance because he is not a conferee. May I address this question to the chairman of the Senate conferees? May we have the assurance, Senator KENNEDY, before we vote, before we resort to preferential motions and other matters which I prefer not to do, that before the conference committee breaks up in such formal disagreement that, under the rules of Congress, the House is obliged to act first, the Senator from Massachusetts will bring the bill back to the Senate for further instructions? If the Senator can say "Yes," I honor his word, and I am sure he will do it. That will settle this matter.

Mr. KENNEDY. Let me ask the Senator from South Dakota a question. Is it his understanding of the rules of the Senate that any member of the conference can give such an assurance, or does he think it must be the chairman?

Mr. MUNDT. I think the Senator could do it in this instance, with the support of the Republicans. If he so assures me, that will be good enough for me.

Mr. KENNEDY. The Senator from Arizona will be a member of the conference, and—is it not possible that any member of the conference, or, in fact, any Member of the Senate, can return after 1 day or 2 or 3 or 4 days, and state that, having discussed the matter for that length of time and the conferees not being able to get together, he moves to discharge the Senate conferees?

Mr. MUNDT. As the Senator has said, that is the prerogative of any Senator, but, as a conservative, I should like to have the assurance that it would be done. The Senator's word is good enough for me.

Mr. KENNEDY. I personally would not consider it as a breach of the Senate rules, but, rather, in accordance with the rules, if at any time any member of the conference submitted such a resolution.

Mr. JOHNSON of Texas. Mr. President, I may point out that any Senator is within his rights in doing it now, tomorrow, or next week. I have said I would be prepared to do it on my own responsibility after a reasonable time for reasonable men. But I do not intend to get into a footrace with the other body. It is not necessary. I think it is ridiculous to do so. I think the Senator from Arizona and the Senator from Massachusetts will both be able to conclude what is a reasonable time, at the conclusion of which they will be able to tell their colleagues, and I presume they will tell the majority leader and minority leader. Once their conclusion is reached that there has been a reasonable time for reasonable men to discuss the matter, I shall be prepared to take action.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. MUNDT. I would like to ask the chairman of the Senate conferees a question.

Mr. GOLDWATER. The Senator from Texas has yielded to me.

Mr. MUNDT. I have been interrupted so often, I sometimes wonder if we are talking about the same subject. Did the Senator yield to the Senator from Arizona?

Mr. JOHNSON of Texas. I yielded to the Senator from Arizona while the Senator from South Dakota was having a private conversation, but I will yield to the Senator from South Dakota.

Mr. MUNDT. I should like to ask the Senator from Massachusetts if we may have his assurance that in the event the Senate is called upon to give instructions to the conferees he will then, as a member of the conference committee, feel obligated to have those instructions implemented there, or come back to the Senate for further instructions, before the House acts.

Mr. KENNEDY. To the first part of the question I would say "Yes." In other words, I would be acting as the agent of the Senate. I could give no assurance that we would do that before the House would act.

Mr. MUNDT. Yes, the Senator could. I wish other members of the conference committee were former Members of the House. I would much dislike to see the Senate do something which would absolutely vitiate effective labor legislation, if we believe the Kennedy-Ervin bill is not sufficiently effective, which is what I believe.

The procedure suggested would result in cutting off an opportunity forever for the Senate to vote on the Landrum-Griffin bill, as a result of the parliamentary situation. This is difficult to explain at home. This is difficult to explain on the floor of the Senate, but it should be as clear as black and white.

Let me show why I asked the second part of the question. Let us assume that we proceed, that we do not have a preferential motion, and that we send the bill to the conference committee. Let us assume that the conferees try to get together and that they fail. Then let us assume that the Senator from Arizona [Mr. GOLDWATER] comes back to the Senate and says, "I understand that the conference committee is unable to get together. I sat in the conference. The majority leader said that he would help get a vote of the Senate for further instructions. I therefore move that we instruct the Senate conferees to take the Landrum-Griffin bill. The majority leader is a man of his word. He will give us a chance to vote on this matter within 48 hours, I am sure."

Then let us assume we vote on the matter, and we agree to follow that procedure. We send the conferees back to the conference committee. The Senator has said, as a gentleman and as a Member of the Senate, that he would feel definitely obligated to fight until the hot place froze over for that position, has he not?

Mr. KENNEDY. I will say to the Senator from South Dakota, if the House, as it already has, votes for the Landrum-Griffin bill, and if the Senate votes for the Landrum-Griffin bill, no conference will be necessary.

Mr. MUNDT. But the Senate could do that as a further instruction to the conferees.

Mr. KENNEDY. If the Senate votes to instruct the conferees, then I would think the conferees would follow instructions. First, let me make a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KENNEDY. What is the degree to which the conferees are bound, if the Senate votes to instruct the conferees?

Mr. MUNDT. They must try to do their best.

The VICE PRESIDENT. It depends upon the character of the instructions which the Senate might adopt, in any particular case. The Senate can instruct its conferees categorically on a

specific matter, or it can make its instructions more general in character.

Mr. KENNEDY. If the Senate instructs the conferees categorically, then the conferees are compelled to carry out the instructions, are they not?

The VICE PRESIDENT. The conferees in that instance would carry out the will of the Senate.

Mr. KENNEDY. I think that answers the Senator's question.

Mr. MUNDT. The conferees would not have any option in that case. Suppose, however, we go through the normal procedure. We seldom instruct our conferees categorically. We usually instruct the conferees to do their best. Of course, that is a question of procedure.

That helps some in the understanding of the situation, but let us get back to the original question. How shall we get a chance to instruct our Senate conferees before the House knocks us out of the ring?

Mr. GOLDWATER. Mr. President, will the Senator yield at that point?

Mr. JOHNSON of Texas. I yield to the Senator from Arizona.

Mr. GOLDWATER. I understand the position of the distinguished Senator from South Dakota. I will be frank to admit that I was much tempted to go along the same line. In fact, we have been discussing the matter for almost a month.

I am convinced, however, after reading the Landrum-Griffin bill, that this matter should go to conference. I honestly feel there are parts of the Kennedy-Ervin bill, contained in the first five titles, which should be made a part of the law to be enacted, in order to give to the American people the type of legislation we need and can get. I shall be equally frank in saying that should we do that I think we then shall have taken only a substantial step in the direction of ultimate labor reform.

I am not going to allow my long-range desires to have any bearing on my actions in the conference. I think we should be given a chance to try. I do not think we should stand on the floor of the Senate and assume that seven men of this body cannot get together. I will admit that we have three areas, wrapped up in the secondary boycott, organizational picketing, and States rights, which are going to be controversial, but I cannot for the life of me believe that the seven of us, who labored so long on these bills in the committee and who labored so long with respect to this matter on the floor of the Senate, are going to disagree a great deal over the points which are better in the Kennedy-Ervin bill, in our efforts to come up with a total bill which will be good for all the people.

I will give the Senator from South Dakota my assurance, and I think he knows me well enough to know that I will do what I say, that I will request action after we have proceeded for a reasonable time. I will put a time limit on that; and will say that if after 1 week, which is not a legislative week but is 7 days, I feel in my heart that we have not made any progress, or any substantial progress, I, as one Republican, minority member of the conference committee, will come to this body and will offer a resolution to discharge the conferees. I will ask that the Senate proceed to consideration of the proposal. I cannot speak for the Senator from Illinois [Mr. DIRKSEN] and the Senator from Vermont [Mr. PROUTY], my colleagues on the conference committee, but I can speak for myself. I have discussed this matter with the Senator from Massachusetts. He knows that I will do what I have stated. I do not think the Senator from Massachusetts will try to stand in my way, because in spite of our political differences, I have found the Senator to be a man of honesty and a man who is not going to put his personal ambitions in the way of the enactment of an effective labor law this year.

I give my friend from South Dakota the assurance, for what it is worth, from one member of the conference committee who has already decided that a reasonable time is 1 week, and that if then we have not reached what in my opinion are compromises or agreements which constitute real progress, I intend to come before this body and to ask for action.

Mr. MUNDT. I deeply appreciate that assurance. I think we are making progress. We are now one-seventh of the way home. We do not have to get any further than one more one-seventh, if the Senator from Massachusetts, who will be the chairman of the Senate conferees will give us a similar assurance, I think we can go ahead and have our vote.

I am not unalterably against sending the bill to a conference committee. If I simply did not want to send the bill to conference, I would offer a preferential motion.

I understand that some of my good friends from the South would rather vote for the Landrum-Griffin bill, but would rather vote for it at some other time and in some other way. I am agreeable to that procedure. I am simply trying to figure out some safeguard, so that we will not miss forever an opportunity which I think the American public expects us to accept, and a responsibility we should assume; namely, to vote for something better and more effective than the Kennedy-Ervin bill now that we have that clear-cut, and long sought-after opportunity.

What the Senator from Arizona [Mr. GOLDWATER] has said will accomplish the purpose, provided the distinguished Senator from Massachusetts, who will be the chairman of the Senate conferees, will say two little words, "me, too."

Mr. KENNEDY. I will say "me, too," so far as my understanding of what the Senator from Arizona is going to do is concerned. I am not saying "Me, too," in the sense that I am going to associate myself necessarily, on next Monday, with the resolution or the motion.

Mr. MUNDT. I would not want to pin down a date.

Mr. KENNEDY. But I will say, as I have said to the Senator from Arizona, his position is very clear. If we are not making any progress it is my understanding—and the Senator from Arizona has clearly indicated this to the Senate—that the Senator from Arizona will come to the Senate next Monday to state that in his opinion the conferees ought to be discharged. If the Senator from South Dakota feels that at that time the House will then vote to take the Kennedy-Ervin bill, it is the Senator's privilege to have his own view.

It seems to me that the position is very fair. If the Senator does not want to accept it the way it is, I think this is as much as we can agree on.

It is my understanding that the Senator from Arizona is going to come before the Senate next Monday, if in his opinion he feels the conference committee is not making progress—next Monday or next Tuesday, whichever he considers to be the 7 days. At that time the Senator from Arizona will make a motion to discharge the conferees. That is very clear. I accept that that is the action the Senator from Arizona is going to take.

Mr. MUNDT. And the Senator from Massachusetts is not going to resist it?

Mr. KENNEDY. I will do whatever in my opinion is what I consider proper in the situation. I am not saying that the view of the Senator from Arizona would be my view as well. However, I understand the Senator's position.

Mr. MUNDT. I am simply trying to inquire whether the Senator will not resist the motion?

Mr. KENNEDY. I cannot commit myself on that.

Mr. MUNDT. Let me restate the question. The Senator from Massachusetts will not resist providing the Senate with an opportunity to vote its will? I do not expect the Senator to support the motion, necessarily. If that situation eventuates on Monday, next, are we going to have a great phalanx of opposition to the effort to instruct our conferees? I will ask the Senator, will the Senator resist the opportunity to do something?

Mr. KENNEDY. I will make a parliamentary inquiry.

If the Senator from Arizona does what he states he will do on next Monday or Tuesday, and moves to discharge the conferees, what action could be taken by any Member of the Senate to prevent that motion from coming to a vote?

The VICE PRESIDENT. The Senator could make a motion to lay the motion on the table. Of course, the Senator could vote against the motion.

Mr. MUNDT. What is the answer to my question?

Mr. KENNEDY. Then there will be a vote, I will say to the Senator.

Mr. MUNDT. Do we have an assurance that no effort will be made by the Senator to prevent the Senate at that time from having an opportunity to voice its will?

Mr. KENNEDY. I will say to the Senator that I am not sure what my parliamentary rights would be under those conditions, but I intend to maintain whatever those rights would be.

Mr. MUNDT. Then we are back where we started. The Senator from Arizona [Mr. GOLDWATER] says, "I will make the effort." And the Senator from Massachusetts says, "I will do everything I can,

within my parliamentary rights, to prevent it."

That is what I understood the Senator to say.

Mr. KENNEDY. I do not understand what the Senator wants me to assure him. It really comes down to a question of the judgment of the Senate.

The Presiding Officer has stated that after the Senator has made his motion there could be a motion to table, and there could be an immediate vote on the motion of the Senator from Arizona. I do not know whether I will agree or disagree.

Mr. MUNDT. That would be a vote on the motion to table, which is something altogether different.

Mr. KENNEDY. The Senator is trying to get me to state that I will agree with the Senator from Arizona, whatever his position would be, and I do not think I can.

Mr. MUNDT. Not at all. I am simply asking the Senator to agree that the Senator from Arizona will next week have the opportunity of bringing this matter before the Senate and that there will be a chance to vote on instructions for the conferees. I want to have the Senator agree that at that time he will not come before the Senate to say, "Do not do that to me. I am the chairman of the Senate conferees." I do not want to have the Senator from Texas [Mr. JOHNSON] come before the Senate to say, "Do not do that to me. I am the majority leader. We have to have orderly procedure. We are in control of the Congress, and we do not think Senators ought to do that." If we can iron out some of these points in advance, I am confident that the Senate will be able to take whatever action is needed. If necessary, it can work its will and instruct the Senate conferees.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. KENNEDY. I will say to the Senator from South Dakota that I have no doubt that the Senator from Arizona [Mr. GOLDWATER] and I will be able to agree within 7 days whether or not progress is being made. We may disagree as to the action the Senate should take, but I have no doubt that we can agree on whether or not progress is being made.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Arizona.

Mr. GOLDWATER. I wish to make a comment relating to what the Senator from Massachusetts has said.

When I came to the floor of the Senate today I discussed with him what I thought was a reasonable time. Personally I felt that by Friday of this week we should be able to tell whether or not we were making progress. The Senator from Massachusetts said that was too soon. He felt that possibly by Monday or Tuesday of next week we should be able to make the determination.

I am not attempting to hold the Senator from Massachusetts to any commitment. The statement I have referred to was not a commitment. I have always found him to be a reasonable man. I believe my Republican colleagues would probably support me in the statement I am about to make. However, it is their right to differ if they so desire. I am satisfied that if I felt that we were not making progress I could go to my chairman and say so, and tell him that I intended to come to the floor with a resolution, and I believe he would support me.

Furthermore, I have the assurance of the majority leader, repeated many times, that he would support me or any other Member in such a resolution; and I have the assurances of the minority leader. So, as one who has felt for many days that we should take the action which the Senator from South Dakota is suggesting, I am hopeful that we can send the bill to conference quickly, so that we can build out of this bill a really effective piece of legislation.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. MUNDT. Mr. President, I should like first to make clear what the Senator from South Dakota is trying to do. He is not trying to prevent the bill from going to conference. At any time during the past hour or so I could have submitted a resolution, and the Senate would have voted upon it. It would have been a preferential resolution.

I am trying to prevent this one very unhappy eventuality, namely, a situation in which the Senate, after today, may never have another opportunity to vote on a more effective piece of labor legislation than the Kennedy-Ervin bill. That can happen unless we can get the differences pretty well ironed out today or accept our existing opportunity to vote on the Landrum-Griffin bill.

There are people in the galleries who are planning to have such a thing happen. There is no plot on the part of Members of the Senate. This could become a "cute" maneuver to bring about a disagreement, because under the rules the bill must then go back to the House for a vote first. I believe that no Member of the Senate will dispute my prediction that if it goes back to the House we can say, "Good night, Landrum-Griffin. You died without ever being heard in the Senate." The House will then vote to accept the Kennedy-Ervin substitute. That courageous but slim majority of only 28 votes on that historic and memorable rollcall could disappear faster than the clerk could call the roll. One way to prevent that is to have the vote today on Landrum-Griffin. Another way is to get an understanding in this RECORD here and now that the Senate can have another opportunity to work its will on labor legislation before the issue returns to the House.

I respect the desire of Senators for orderly procedure. I have always gotten along pretty well with the majority leader. I have never engaged in obstructive tactics of any kind. I have never engaged in a filibuster. I have never objected to a unanimous-consent request. I have not occupied more than my share of time in speaking on the floor of the Senate. But after working for over 24 months as a member of the McClellan Labor Rackets Committee to improve the Kennedy-Ives bill and failing, and after the Kennedy-Ervin bill surrender, I do not wish to be dealt a death blow by a parliamentary maneuver which I know is "in the sack." By reaching acceptable understandings today we can avoid that fate.

Mr. JOHNSON of Texas. Understandings were reached before the Senator entered the Chamber.

Mr. MUNDT. I believe they were, in a very general way. They are even not yet very specific. They are still not as sharply defined as they might be. One could not shave a beard with an edge like that.

Mr. JOHNSON of Texas. Of course, we cannot commit the other body. However, we have assured the Senate that, if necessary, after a reasonable time we will bring back to the Senate a report that the conferees are in disagreement, and ask for instructions. The chairman of the subcommittee [Mr. KENNEDY] gave that assurance. The minority leader gave that assurance, and I gave it. The Senate has not moved one peg further with all its conversation.

Mr. GORE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. GORE. I cannot permit to go unchallenged the description by the Senator from South Dakota of the regular parliamentary procedure as being a cute procedure, as he described it a few moments ago. It is the regular procedure which has been followed for 170 years. There is no cute maneuver or sleight-of-hand maneuver or sleight-of-hand trick involved.

It seems to me, from what I have heard, that the Senator from South Dakota wishes to obligate the Senate conferees somehow to misrepresent the position of the Senate, or in some way to tie the hands of the conferees representing the other body; and he can do neither. Under the Rules of the Congress, the first obligation of Senate conferees is, in good faith, to represent the position of the U.S. Senate, determined in this case by a yea and nay vote of 90 to 1. I would not want to go unchallenged any intimation that the Senate conferees will be excused from their obligation. Their primary obligation is to represent the position of the Senate. If they are unable to have the Senate position prevail in conference, it is presumed that there will be negotiations looking toward an amelioration and mitigation of the differences. But I would not want it to go unsaid that the first obligation of the Senate conferees is to represent the position of the Senate.

Nor would I want any implication to go unchallenged that any motion or any move whatsoever would deny, or could deny, to the conferees on the part of the other body the opportunity to express their disagreement and report it promptly to the other body.

That is not a cute procedure. That procedure has been followed for 170 years. It is found in "Jefferson's Manual."

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. MUNDT. I have no desire to engage in any exercise of semantics involving the use of the word "cute." I am afraid the results would not be "cute." The proposed procedure is orderly. It is also an orderly procedure to submit a preferential motion. Some procedures are more customary than others, but any number of procedures may be perfectly proper and orderly and each is held proper and appropriate in our Senate Book of Rules.

Mr. President, I have no desire to detain the Senate longer on this point. I may not have done all I could to try to bring about a recognition of the pitfalls which are involved in this action, and the problems we confront. However, as an individual Senator I have done all I am going to do. I will not offer a preferential motion. I believe that this discussion has been wholesome, clarifying, and informative. I hope it has been instructive, so far as the conferees and the operations of the Senate on this matter are concerned. We have certainly made much progress toward receiving assurances governing the future.

In subsiding without offering a preferential motion, I express the sincere hope that we may not wind up facing the ugly sequence of events which becomes a possibility as we enter upon this chain of action. I hope that out of these assurances—specific, general, and bipartisan—we have reached a state of understanding which, among gentlemen, will give the U.S. Senate an opportunity to vote, in the event the conferees disagree, on legislation stronger than the Kennedy-Ervin bill before the issue reverts to the House. If not, we shall have capitulated to a circumstance, which I am afraid we may frequently have cause to regret.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names.

Aiken	Goldwater	Martin
Anderson	Gore	Monroney
Bartlett	Green	Morse
Beall	Gruening	Morton
Bennett	Hart	Moss
Bible	Hartke	Mundt
Bridges	Hayden	Murray
Bush	Hennings	Muskie
Butler	Hickenlooper	Neuberger
Byrd, Va.	Hill	Pastore
Byrd, W.Va.	Holland	Prouty
Cannon	Hruska	Proxmire
Capehart	Humphrey	Randolph
Carlson	Jackson	Robertson
Carroll	Javits	Saltonstall
Case, N.J.	Johnson, Tex.	Schoeppel
Church	Johnston, S.C.	Scott
Clark	Keating	Smathers
Cooper	Kefauver	Smith
Cotton	Kennedy	Sparkman
Curtis	Kerr	Stennis
Dirksen	Kuchel	Talmadge
Dodd	Langer	Thurmond
Douglas	Lausche	Wiley
Dworshak	Long	Williams, N.J.
Eastland	McCarthy	Williams, Del.
Ellender	McClellan	Yarborough
Engle	McGee	Young, N. Dak.
Ervin	McNamara	Young, Ohio
Frear	Magnuson	
Fulbright	Mansfield	

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from North Carolina [Mr. JORDAN], the Senator from Georgia [Mr. RUSSELL], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business.

The Senator from South Dakota [Mr. CASE] is absent because of death in his family.

The VICE PRESIDENT. A quorum is present. The question is on agreeing to the motion of the Senator from Texas [Mr. JOHNSON].

Mr. COOPER. Mr. President, the Senate will take proper action in sending S. 1555, popularly known as the Landrum-Griffin bill, which has passed the House, to a conference of Senate and House members of the Labor Committees of the two Houses.

I am aware of the vote by which the bill passed the House. Perhaps the true test came on the first rollcall on last Thursday when the House substituted the Landrum-Griffin bill for the House committee bill by a vote of 229 to 201. But last Friday on the final vote the House passed S. 1555 by a vote of 303 to 125.

I know also of the wide and compelling interest among the people of the United States for an adequate and fair labor reform law. For 2 years the Senate Committee on Labor, of which I am a member, spent months in the development of a labor reform bill prior to any legislative action in the House. The Senate passed a bill in 1958, but the House refused to act. And again in April of this year, the Senate passed by a vote of 90 to 1, S. 1555, the Kennedy-Ervin bill, which has now been amended in the House. While many may disagree with the Kennedy-Ervin bill, I am familiar with its provisions, because with other members of the Labor Committee I worked on it for weeks. It marked the first step toward labor reform legislation, and it had many valuable features.

There are several reasons why the House bill should be sent to a Senate-House conference.

First, to send to conference is the orderly legislative procedure of the Senate. The House had the opportunity to study and consider the Landrum-Griffin bill in the House Committee on Labor, as well as in debate on the House floor. The Senate has not had a similar opportunity for committee action and the conference will give opportunity for the Senate's representatives to study carefully the bill. From my experience of over 6 years as a member of the Senate Labor Committee, I know it is almost impossible to write a labor bill on the floor of the Senate.

Second, there is a more important reason which requires this usual legislative consideration by a conference. It is to give to the country the assurance that the fullest and fairest consideration has been given to this legislation, perhaps the most important that has come before the Congress during this session. Legislation must have wide acceptance if it is to be truly effective.

If the House bill were to be passed by the Senate without full consideration in the conference, it would give opportunity to those who do not want any bill passed to charge that the legislation had not been fully considered in the Senate, or did not represent the thoughtful judgment of the Senate. It would be charged that the bill had been railroaded through the Senate and that it was actually an antilabor bill.

Both the majority leader, the Senator from Texas [Mr. JOHNSON], and my own leader, the Senator from Illinois [Mr. DIRKSEN], as well as all the members of the Senate Committee on Labor, favor sending this bill to the conference. The leadership on both sides have given assurance that the bill will be reported back to the Senate for action. I am certain that an effective and fair bill will be reported out of conference to the Senate and House, and that it will receive the vote of a large majority in the Senate. I believe that a large majority of the Members of the Senate will vote for it regardless of political affiliation because they will be satisfied that it does represent the best possible judgment of the Congress, made after proper consideration and not by shortcut action.

I was a Member of the Senate when the Taft-Hartley Act was passed, and I voted for it. For years after, it was resented deeply by the membership of labor unions.

We must remember that the offenses against which this labor reform bill, S. 1555, is directed were not committed by the rank and file of the 16 million members of labor unions. They were not committed by the large majority of labor officials. These working men and women and honest labor officials have the right, as American citizens, to know that this bill has had full consideration in the Senate and that they too have a fair deal—and by sending it to conference, we can give them that assurance. Unfortunately, there is enough bad feeling between labor and management without exaggerating and increasing it by giving the impression that we are acting arbitrarily.

The Senate is taking proper legislative action. And in a much more important sense, it is taking the thorough and fair action that this most important legislation deserves.

Mr. MURRAY. Mr. President, I think it will be acknowledged by my distinguished colleagues, including my respected friend from Arizona, that I have had a certain amount of experience in the field of labor-management legislation.

We all know very well that here in the Senate, and perhaps to an even greater degree in the other House, the measure we are now considering has been the subject of great passions on both sides, and of the most severe pressures, by interested parties, upon the Members of the Congress.

Mr. President, we in the Senate are better able than our distinguished as-

sociates at the other end of the Hill to take what might be called the long view. We can see that the question, the dispute, with regard to this legislation is not one of reform within the existing framework of our labor laws. On that question there is no dispute whatever, except as to relatively unimportant details.

The dispute revolves around another question entirely—whether reform can be achieved without certain basic changes in the framework of our basic labor laws. That, I submit, is the question we are facing.

Our Senate bill takes one approach. It does make some basic changes, but not drastic ones, and only in those areas where abuses have been shown by the select committee.

The House bill goes much further. It contains—inadvertently, perhaps—provisions that would drastically affect the day-to-day operations of the honest trade-union movement.

We in the Senate know, because we read the newspapers and listen to the radio and television programs, that the House bill came out of a political crucible, boiling hot, on a narrow political division. The bill sent to us has never been before a committee at all; it was adopted on the floor of the House in toto.

Yet we are now asked to accept this bill as written and to forgo our own patient efforts to cope with the same issue.

Mr. President, out of my years of experience on such matters, I say that this is the wrong approach. The better way to justice is through the considered operation of our legislative processes. And this is the way, the traditional and time-tested way, to write good legislation in any field.

Yes, this will mean some delay—but not as much delay as has already been caused by the refusal of the House, a year ago, to act on this issue at all.

I say let this matter go to conference, where the wisdom of both Houses will, I pray, produce a result in the best interests of the Nation.

Mr. WILLIAMS of Delaware. Mr. President, I should like to make the statement that I think we are making a mistake if we accept this motion. Instead I think the Senate should accept the Landrum-Griffin bill today. This is the best and perhaps the only chance we will have to vote for strong labor reform legislation. There is plenty of precedent for the Senate to accept House bills without sending them to conference. It has been done time and time again.

I am very fearful that if we send this bill to conference this will be the last chance we will get in the Senate to vote on the Landrum-Griffin bill which passed the House. I hope that I am in error in that conclusion. I shall vote against the motion of the Senator from Texas to send this bill to conference. If there are enough of us who feel that the Senate should accept the Landrum-Griffin bill all we have to do is to defeat the motion of the Senator from Texas, and the next motion would be to accept the bill as it passed the House. The members of the labor unions, employers, and the American people in general are entitled to this legislation.

Mr. JAVITS subsequently said: Mr. President, I believe that the resolution of the differences between the Senate bill, S. 1555, and the form of bill enacted by the other body must go to conference in order that the Congress may adequately fulfill its constitutional duty of mature deliberation as a bicameral body.

It is only through conference that the differences between the forms of bill adopted by the two Houses can be resolved in a way appropriate to the gravity of the subject matter. That is true with respect to the fundamental questions of the method of enforcement of the rights of individual members, whether by suit by the Secretary of Labor or by the individual, and of hot cargo and the secondary boycott, and the extent to which recognition or organizational picketing shall be regulated; as well as a number of minor issues such as the circumstances under which prehiring contracts shall be allowed in the construction industry and the issue of voting by economic strikers.

From the point of view of the fundamental structure of our Federal system, it is especially important that the so-called "no man's land" issue be carefully worked out in conference rather than by action on the Senate floor.

Under the provisions of section 701 of the bill as adopted by the Senate, a State agency other than a court may exercise jurisdiction over all cases over which the National Labor Relations Board has jurisdiction but has declined to assert jurisdiction. Under the form of bill adopted by the other body, section 701 provides that any agency, or the courts of any State or Territory, may assume jurisdiction over disputes over which the National Labor Relations Board declines to assert jurisdiction.

Under the form of bill adopted by the Senate, the State or Territory agency must apply and be governed solely by Federal law. Under the bill adopted by the other body, no such restriction is imposed, and the State courts or agencies are free to apply State law.

Mr. President, let us take a deliberate look at the fundamental differences between these two points of view, as expressed in the two bills. The Senate bill commits the entire no man's land area to Federal law, which would govern it in the normal course if jurisdiction were exercised by the National Labor Relations Board. It provides that among those States which have administrative agencies comparable to the National Labor Relations Board, some 10 in all, these administrative agencies may deal with problems in no man's land according to Federal law and may bring to them the flexibility and expedition, as well as the expert knowledge, which are the special characteristics of the administrative process. Many of us believe, as I do, that the adoption of this plan will stimulate the creation of such administrative bodies among States which do not now have them. Under the bill adopted by the other body, it is not only State agencies but local courts as well which may deal with situations in the no man's land area. State laws on union recognition, procedures on union representation and collective bargaining differ so widely as to endanger our whole system of jurisdiction in labor relations cases. Certainly this subject alone deserves close study and should be resolved deliberately rather than by a quick vote on the floor. Hence I believe sending the bill to conference is essential.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas, that the Senate disagree to the amendment of the House to the bill, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. KENNEDY, Mr. MCNAMARA, Mr. MORSE, Mr. RANDOLPH, Mr. GOLDWATER, Mr. DIRKSEN, and Mr. PROUTY conferees on the part of the Senate.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the motion was agreed to.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PUBLIC WORKS APPROPRIATION BILL, 1960—CONFERENCE REPORT

Mr. ELLENDER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7509) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. HUMPHREY in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 14, 1959, p. 15898, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JOHNSON of Texas. Mr. President, I am told that we will have a very brief presentation on this important appropriation bill, and then we can proceed to consider it.

I ask unanimous consent that we have another hour for the morning hour, so that Members may make insertions and statements as soon as the Senator from Louisiana has made his brief statement.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Connecticut.

Mr. BUSH. Mr. President, I ask unanimous consent that Lyman Brownfield, General Counsel of the Housing and Home Finance Agency, be permitted access to the floor during debate on the housing bill.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). Without objection, it is so ordered.

Mr. JOHNSON of Texas. I yield to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, the committee of conference met for only 3 days. I believe the Senate conferees did good work in maintaining or sustaining most of the projects which the Senate provided for during the consideration of the bill.

All legislation must be the result of adjusting the differences in a bill as passed by the two Houses of Congress. The conference bill does not provide all that I personally feel that we should be doing to develop the water resources of this country. I would have liked to see the House agree to the Senate amendments. On the other hand, the House felt that they sent us a good bill and we should have accepted their bill. I must agree that they did send us a pretty good bill this year which, for the Corps of Engineers, included 33 new starts under "Construction, general" and two new starts under "Mississippi River and tributaries." Their new starts were good projects and I believe that the Senate committee would have recommended most of them if the House committee had not included them. The Senate added an additional 25 new starts under "Construction, general" and one new start under "Mississippi River and tributaries."

The conferees agreed on 13 of the 25 new starts recommended by the Senate under "Construction, general" and 1 new start under "Mississippi River and tributaries."

The conference report provides an appropriation of $1,206,748,549 which is $50,087,751 below the amount approved by the Senate, of which $13 million is a reduction for savings and slippages, and $29,571,549 above the amount approved by the House.

Attached is a summary of the bill showing how the money is to be distributed among titles I, II, and III.

Title I covers "Civil functions, Department of the Army." Title II covers certain agencies of the Department of the Interior. Title III covers the Tennessee Valley Authority.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Summary table—Public works appropriation bill, fiscal year 1960

	Estimates, 1960	House allowance	Senate allowance	Conference allowance
TITLE I				
CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY				
Quartermaster Corps, cemeterial expenses	$9,000,000	$9,194,000	$9,194,000	$9,194,000
Corps of Engineers:				
General investigations	9,000,000	9,518,400	11,938,200	10,750,000
Construction	660,000,000	658,800,100	710,034,100	678,314,100
Operation and maintenance	113,500,000	114,382,000	122,382,000	117,882,000
General expenses	12,640,000	12,640,000	12,640,000	12,640,000
Mississippi River and tributaries	68,000,000	68,560,000	75,434,500	70,839,500
St. Lawrence Joint Board of Engineers	40,000	40,000	40,000	40,000
Total, Corps of Engineers	863,180,000	863,940,500	932,468,800	890,465,600
Total, title I	872,180,000	873,134,500	941,662,800	899,659,600
TITLE II				
DEPARTMENT OF THE INTERIOR				
Bureau of Reclamation:				
General investigations	5,000,000	4,349,261	5,390,000	4,788,710
Construction and rehabilitation	135,410,000	128,473,239	142,346,000	135,862,739
Operation and maintenance	29,131,000	29,131,000	29,131,000	29,131,000
Loan program	220,000	7,237,000	6,236,500	6,236,500
General administrative expenses	4,400,000	4,400,000	4,400,000	4,400,000
Upper Colorado River Basin fund	77,035,000	79,819,000	76,369,000	76,369,000
Total, Bureau of Reclamation	251,196,000	253,409,500	263,872,500	256,787,949
Office of the Secretary, Southeastern Power Administration, operation and maintenance	735,000	735,000	735,000	735,000
Southwestern Power Administration:				
Construction	880,000	880,000	880,000	880,000
Operation and maintenance	1,150,000	1,150,000	1,150,000	1,150,000
Continuing fund [1]	(5,000,000)	(5,000,000)	(5,000,000)	(5,000,000)
Total, Southwestern Power Administration	2,030,000	2,030,000	2,030,000	2,030,000
Bonneville Power Administration:				
Construction	25,000,000	22,332,000	22,000,000	22,000,000
Operation and maintenance	10,250,000	10,250,000	10,250,000	10,250,000
Total	35,250,000	32,582,000	32,250,000	32,250,000
Total title II	289,211,000	288,756,500	298,887,500	291,802,949
TITLE III				
INDEPENDENT OFFICES				
Tennessee Valley Authority	15,286,000	15,286,000	16,286,000	15,286,000
Grand total	1,176,677,000	1,177,177,000	1,256,836,300	1,206,748,549

[1] Includes $4,203,000 in the Supplemental Appropriation Act, 1959.

Mr. ELLENDER. Mr. President, the conferees had to take quite a cut on general investigations. It will be recalled that the Senate provided $11,938,400 for that purpose. The House had provided $9,518,000. The conferees agreed to $10,750,000.

I may advise the Senate that most of the surveys can be undertaken by the Corps of Engineers with the exception of two eliminated by the conferees and the best of those projects will, of course, be selected by the engineers. We are not earmarking any money for any particular projects, but it is my hope that the amount of money which has been provided will take care of many of the most urgent studies.

Mr. President, I ask unanimous consent that the table be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD as follows:

General investigations, fiscal year 1960

[Projects shown in italic are projects in which the House and Senate are not in agreement. Projects shown in regular type are projects in which the Senate and House amounts are the same]

Item	Approved budget estimate for fiscal year 1960	House allowance	Senate allowance	Conference allowance
(1)	(2)	(3)	(4)	(5)
GENERAL INVESTIGATIONS				
1. Examinations and surveys:				
(a) *Senate Resolution 148*			$100,000	
(b) *Navigation studies*	$600,000	$709,500	1,185,800	$1,050,000
(c) *Flood control studies*	2,100,000	2,459,900	3,331,400	3,101,000
(d) *Beach erosion cooperative studies*	75,000	75,000	100,000	75,000
(e) Special studies:				
(1) *San Francisco Bay survey*	400,000	400,000	750,000	500,000
(2) *Ohio River Basin review*	400,000	400,000	500,000	400,000
(3) *Great Lakes Harbor survey*	260,000	260,000	367,000	260,000
(4) *Coordination studies with other agencies*	150,000	110,000	150,000	110,000
(5) Delaware River comprehensive survey	330,000	330,000	330,000	330,000
(6) Hurricane studies	950,000	950,000	950,000	950,000
(7) Hudson River (siltation) studies		114,000	114,000	114,000
(8) Potomac River review	500,000	400,000	400,000	400,000
(9) *Colorado River, Tex*	75,000	75,000	100,000	75,000
(10) *Trinity River*	200,000	200,000	300,000	250,000
(11) *Great Lakes water levels*			75,000	
(12) *Rampart Canyon, Alaska*			100,000	50,000
Subtotal, examinations and surveys	6,040,000	6,483,400	8,853,200	7,665,000
2. Collection and study of basic data:				
(a) Stream gaging (U.S. Geological Survey)	225,000	225,000	225,000	225,000
(b) Precipitation studies (U.S. Weather Bureau)	330,000	330,000	330,000	330,000
(c) *Fish and wildlife studies (U.S. Fish and Wildlife Service)*			50,000	50,000
(d) International water studies	50,000	50,000	50,000	50,000
Subtotal collection and study of basic data	605,000	605,000	655,000	655,000
3. Research and development:				
(a) Beach erosion development studies	200,000	200,000	200,000	200,000
(b) Hydrologic studies	150,000	150,000	150,000	150,000
(c) Civil works investigations	1,200,000	1,200,000	1,200,000	1,200,000
(d) Mississippi Basin model:				
(1) Construction	700,000	700,000	700,000	700,000
(2) Mississippi River comprehensive study	105,000	105,000	105,000	105,000
Subtotal, research and development	2,355,000	2,355,000	2,355,000	2,355,000
4. Alaska pierhead lines survey				
5. Arkansas-Red River pollution		75,000	75,000	75,000
Total, general investigations	9,000,000	9,518,400	11,938,200	10,750,000

Mr. ELLENDER. Mr. President, on construction, general, the conferees provided for 83 new starts. For construction planning, it will be recalled that as between the House and the Senate we have provided for 102 projects.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. KEFAUVER. I realize that the Senate conferees did the best they could in trying to sustain the Senate's position to keep projects contained in the Senate bill. I was disappointed that planning money for the Cordell Hull Dam at Carthage, on the Cumberland River, where money had been previously spent for advance planning, was omitted and was stricken in conference, and, also money for the construction of a dam at Melton Hill, in the TVA area. But it is my understanding that $200,000 will complete the study of the Melton Hill Dam, and that the project will be in a different situation next year.

Mr. ELLENDER. The objection raised by the House to the Cordell Hull Dam was its low benefit-cost ratio. The cost ratio was 1 to 1.104, which is very low. But it is my hope that it will be possible to make a further study of this project in the light of the present conditions which probably will result in an increase in the benefit-cost ratio.

As to the Melton Hill Dam to which the Senator referred, the House took the position that since the money which was to be provided will complete the planning, it might be better to accomplish that, first, and then next year seek funds for construction.

Mr. KEFAUVER. The Senator refers to the Melton Hill Dam construction?

Mr. ELLENDER. Yes.

Mr. KEFAUVER. With reference to the proposed Cordell Hull Dam, it is my information that the increased traffic will exist as a result of a more recent study and also certain other flood control features, and will thus increase the benefit-cost ratio in connection with the Cordell Hull Dam.

Mr. ELLENDER. Yes. As suggested, though, one of the best methods to follow would be to study the project in the light of what has already been accomplished in the area.

If the project is considered with others in the basin, it may be that the benefit-cost ratio will be increased considerably.

Mr. KEFAUVER. This is on the Cumberland River.

Mr. ELLENDER. Yes; I understand that.

Mr. CARLSON. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. CARLSON. I appreciate very much the problems which confronted the conferees. We in Kansas had five unbudgeted items. I notice from the report that we received approval of two projects, $50,000 planning money for Frankfort, and $500,000 in construction money for the Wilson Dam.

Mr. ELLENDER. The Senator is correct.

Mr. CARLSON. I would be less than frank if I did not state that we were disappointed that we did not get the $400,000 construction money for Elk City Reservoir; $25,000 planning money for Cedar Point; and $250,000 for the Kansas Cities, which is a joint project as between Kansas City, Kans., and Kansas City, Mo. I sincerely hope that next year we may be able to convince the Senate, the House, and the conferees that these are important projects.

I appreciate the report.

Mr. ELLENDER. The Senator from Kansas may remember that during the last 3 or 4 years we added quite a few projects which are now in the process of construction in Kansas. As I recall, frequently the first year we had to give in. This year we added four unbudgeted projects for Kansas. The conferees allowed two of them. I thought the batting average was pretty good.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the Public Works appropriation bill conference report.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MANSFIELD. Mr. President, I would like to comment briefly about this conference report. First of all, I wish to compliment the distinguished chairmen of the Senate Committee on

Appropriations and the Subcommittee on Public Works, Senators HAYDEN and ELLENDER, for presenting a sound, well-rounded program of developing our natural resources. This money bill contains funds to continue construction on existing projects, there are some new starts and there are sufficient funds to continue necessary field studies and surveys.

All of this has been done without busting the budget. It is not a spenders program but it is a forward looking program which will develop and conserve our resources for the benefit of all.

I am especially pleased about the $1 million that was included to start work on the East Bench Unit in the vicinity of Dillon, Mont. It was essential that work be started on this irrigation project this year. If this project had been delayed another year it would have thrown the cost ratio out of balance and it would have never been constructed. Again, I want to say how pleased I am that the Senate conferees accepted the appropriation of funds for the East Bench Unit.

Now I turn briefly to the more unpleasant aspect of this public works appropriation bill—what it does not contain, namely, construction money for Yellowtail Dam and Reservoir in southeastern Montana.

Since the time when I came to the Senate in 1953, this project has held forth great promise, it is an excellent project from every conceivable point of view, its benefits are multipurpose in nature and it would have tremendous influence on the economy of eastern Montana. My distinguished senior colleague, Senator MURRAY, has been working on this project for many more years than I. Each year some obstacle precluded the construction of the project. When an agreement was finally reached with the Crow Indians about the transfer of lands at the dam site, the final obstacle was removed. I thought that fiscal year 1960 would be the year that a start could be made on Yellowtail. The Senate recognized the need for this project in approving an appropriation of $3 million to start work on Yellowtail, however, the administration's policy of no starts on such large projects has prevailed and we will have to wait another year.

Yellowtail Dam cost estimates are something slightly in excess of $100 million and I realize that when the construction of the project is at its peak large appropriations will be needed and it would then have a great influence on the cost of our annual reclamation program. But at the same time we cannot continue to postpone construction on all large projects with benefits in hydroelectric power, flood control, irrigation, conservation, and recreation. The by-products of Yellowtail Dam can never be supplied by a variety of smaller projects.

I sincerely hope that the administration will come forward with recommendations in their budget for fiscal year 1961 to start work on Yellowtail Dam. I am confident that there will be great support for the project in the Congress. Yellowtail Dam is needed in Montana and its benefits will be realized throughout the Northwest.

Mr. President, my colleague, the distinguished senior Senator from Montana [Mr. MURRAY], and I are very much pleased with the fact that the East Bench project is included in this year's public works appropriation bill. We were happy when the Senate committee, under the chairmanship of the Senator from Louisiana, included $3 million for Yellowtail Dam. Naturally, we were disappointed that this amount was not held in conference. But we understand that the Senator from Louisiana and our Senate colleagues on the committee of conference made every effort to keep the item in the bill.

I hope that next year there will be a better possibility to secure this project, which means much for Montana, the Great Plains, and the western area of the country in general.

I hope the Senator from Louisiana will be as sympathetic to this project next year as he has been this year, because it is urgently needed.

Mr. ELLENDER. The Senator from Arizona [Mr. HAYDEN] handled that part of the bill. I will let him respond to the Senator from Montana.

Mr. HAYDEN. With respect to the Yellowtail unit of the Missouri River Basin project and the Curecanti project the opposition of the House conferees was to future fund commitments required for these projects. It was their view that the initiation of these projects in fiscal 1960 would result in fund requirements in fiscal 1961 and 1962 that would tend to throw the construction program of the Bureau out of balance. I want to make it clear that their opposition was not to the merits of the projects.

Mr. MANSFIELD. Does that mean that next year the prospects for the construction of Yellowtail Dam will be more encouraging?

Mr. HAYDEN. Certainly, because other projects which are now under construction will be that much further along.

Mr. MANSFIELD. I thank the Senator from Arizona, who has been a good friend of the natural resource development of the West, and especially of Montana; and on behalf of my colleague [Mr. MURRAY] and myself, I express the hope that next year we shall be able to achieve better results for the Yellowtail Dam and Reservoir.

Mr. MURRAY. Mr. President, I regret that an allocation for the initiation of construction of Yellowtail Dam, Missouri River Basin project, was eliminated from the public works appropriation bill in conference.

The Congress has cleared the right-of-way problem with the Crow Indians for Yellowtail Dam and the Indians have received the funds for this purpose.

The Bureau of Reclamation has expended $2 million or more in preliminary work and designs for Yellowtail Dam. The Montana congressional delegation proposes to press for funds to start construction of this vital multiple purpose project next year. We are extremely disappointed at the absence of an allocation for Yellowtail Dam for fiscal year 1960. Construction of Yellowtail Dam is a must for next year.

Mr. COOPER. Mr. President, I should like to express my appreciation and, I am sure, the appreciation of all the people of Kentucky for the cooperation and helpfulness of the distinguished Senator from Louisiana [Mr. ELLENDER] and his subcommittee, which heard the testimony of all of us in connection with flood control and river development projects in Kentucky.

I know that both the subcommittee and the full committee made every effort to act fairly and objectively on the evidence which was presented.

The Senator from Louisiana will remember that in the last 2 years many of us from Kentucky—and I have talked to him dozens of times in this connection—have manifested our great interest in flood protection for the Big Sandy Valley. We appreciate that provision has been made in this bill for Pound Reservoir in Virginia which will provide part protection for the people of the Big Sandy River Valley. In addition your subcommittee fixed an appropriation of $400,000 to complete planning of Fishtrap Reservoir. The conference committee reduced the appropriation to $200,000, which was the House figure. We hope that next year the committee will again give its sympathetic consideration to this project and appropriate sufficient funds to finish planning. We also will ask next year that appropriations be made to begin construction of Fishtrap Reservoir.

So I submit these matters to my friend, the Senator from Louisiana [Mr. ELLENDER], who has been most sympathetic to the needs of all the people of the Big Sandy area and, in fact, to the needs of all the people of Kentucky.

Mr. ELLENDER. Mr. President, I assure the Senator from Kentucky that the Senate conferees exerted every effort to retain the additional amount, over and above the budgeted amount. But the House conferees would not go along with us.

As the Senator from Kentucky has stated, the Pound Reservoir has been allowed $2,500,000, to commence construction.

I feel confident that with the $200,000 provided in this bill for continuing the planning for the Fishtrap Reservoir, the plans will advance to a point so that next year we can provide funds for completion of planning and for initiation of construction of that reservoir. I will do all I can in that connection, because I believe the Big Sandy is one of the key rivers in that area which should be controlled, in order to stop the floods.

Mr. COOPER. We also hope that with the assistance of the Senator from Louisiana, plans will go forward, each year, for the further development of the Ohio River.

Mr. ELLENDER. The Senator from Kentucky will recall that the Senate voted appropriations for both Belleville lock and dam and Cannelton lock and dam; but the Senate conferees had to give in as regards Cannelton, because that item had not been authorized. But we shall try to have it included next year.

Mr. AIKEN. Although there was an increase in the amount of $1,750,000 above the amount of the budget request,

the conference committee disapproved the sum of $10,000, which had been unanimously approved by the Senate, to complete the general survey of the Hudson-Champlain Waterway. Can the Senator from Louisiana inform us of the circumstances in that connection?

Mr. ELLENDER. Two items were left out, and one of them was the one to which the Senator from Vermont has referred. We delayed taking action on those two appropriations until the very last minute, in the hope that the House conferees would change their minds. But they were adamant.

I asked Representative TABER, one of the conferees who was responsible for that position, whether he was the one who should be given credit for eliminating those two items. He said "I am the one who wants to have them taken out." And they were taken out.

Mr. AIKEN. I was quite amazed at that.

Mr. ELLENDER. So was I. The Senate committee included both of them, and they were budgeted.

Mr. AIKEN. This waterway is one of the principal waterways that is increasing in use. Its use increased greatly this year; and when the waterway is completed, it will shorten the water transportation distance between New York and the lake ports by 1,400 miles. Only $10,000 will be needed to complete the survey. So I was tremendously surprised to find any Member of Congress from New York opposing this item, because it is officially supported by the States of New Jersey, New York, and Vermont.

So I want the responsibility placed where it belongs.

Mr. ELLENDER. I have undertaken to do so for the RECORD.

Mr. SCHOEPPEL. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. SCHOEPPEL. I appreciate very much the effort the Senator from Louisiana has made in connection with the problems confronting him, especially in connection with the new starts which were before the conferees.

I wish to join my colleague [Mr. CARLSON] in saying that we are very much disappointed that we did not succeed in having included some of the projects in which we are very much interested, especially the Elk City Reservoir. But I know the Senator from Louisiana and his subcommittee made every effort in that connection.

I hope next year the items which were rejected this year will receive favorable consideration, and that, in addition, favorable consideration will also be given to some other projects which we desire to present to the committee, because we believe they are very important.

Mr. ELLENDER. I have no doubt that we may be able to have provision made, next year, for the two which were rejected this year, and may be able to have that provision "stick."

Mr. SCHOEPPEL. I thank the Senator from Louisiana.

Mr. LAUSCHE. Mr. President, can the Senator from Louisiana tell me by what amount the conferees reduced the total appropriations the Senate voted?

Mr. ELLENDER. The total voted by the Senate was approximately $80 million above the amount of the budget estimates, when the bill went to conference. The conferees ended with a figure approximately $30 million above the budget estimates.

Mr. LAUSCHE. So approximately $50 million worth of either construction or planning funds was eliminated?

Mr. ELLENDER. That is correct. Of course, we had to give in to the extent of $13 million in connection with the item for savings and slippages, which affects the construction of many projects.

Mr. LAUSCHE. So the amounts now authorized by the conference report, if it is enacted into law, will be $30 million in excess of the amounts recommended by the President, but will be $50 million less than the amounts voted by the Senate; is that correct?

Mr. ELLENDER. That is correct.

Mr. LAUSCHE. The Senator from Louisiana will recall my correspondence with him, in which I stated that if the President's budget estimates were exceeded, I wanted certain Ohio projects included. Of course, the Senate version of the bill included an item of $200,000 in Cuyahoga County.

Mr. ELLENDER. Yes, for the bridge.

Mr. LAUSCHE. Yes, for planning.

Mr. ELLENDER. That is correct. But the House conferees opposed it vigorously, and the Senate conferees had to give in.

Mr. LAUSCHE. I so understand.

Mr. ELLENDER. However, provision was included for the Belleville locks and dam on the Ohio River.

Mr. LAUSCHE. Yes; at my request.

Mr. ELLENDER. Yes; and provision was also made for the Muskingum River reservoirs. That item, also, is included in the conference agreement.

Mr. LAUSCHE. Yes.

Mr. ELLENDER. The only one on which we had to give in was the bridge item.

Mr. LAUSCHE. Yes; the $200,000 item.

Mr. ELLENDER. Yes.

Mr. LAUSCHE. That is the $200,000 item for the Erie Railroad bridge over the Cuyahoga River; it is one of the items which has been eliminated.

Mr. ELLENDER. That is correct.

Mr. LAUSCHE. In addition, $48,500,000 for other projects was eliminated, was it not?

Mr. ELLENDER. Yes.

Mr. LAUSCHE. Undoubtedly next year we shall ask for inclusion of the $200,000 item; and I feel quite certain that next year, as well as this year, the Senator from Louisiana will do all he can for us in that connection.

Mr. ELLENDER. I can give the Senator from Ohio that assurance, because I think all of those projects were good ones.

I am also particularly anxious to include provision for the Cannelton lock. That item was eliminated by the House because it was not authorized. If it had been authorized, I am sure we could have had planning money for it included, also.

Mr. LAUSCHE. Let me ask about the location of the projects which were affected by the elimination of the $50 million. Are those projects generally distributed?

Mr. ELLENDER. They are generally distributed all over the country. For instance, one is in Alabama—the Millers Ferry lock and dam. Others were in California. I think very few States escaped some elimination of appropriation funds for either planning or construction.

Mr. LAUSCHE. What is the total amount involved now?

Mr. ELLENDER. Altogether, $1,206,748,549.

Mr. LAUSCHE. I thank the Senator very much.

Mr. ELLENDER. Mr. President, I append a tabulation showing a breakdown of the construction and planning items as passed by the Senate and as agreed to in conference.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Corps of Engineers, construction, general, fiscal year 1960

[Projects shown in italic are projects in which the House and Senate are not in agreement. Projects shown in regular type are projects in which the Senate and House a mount are the same]

	Construction, general, State and project	Approved budget estimate for fiscal year 1960		House allowance		Senate allowance		Conference allowance	
		Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	Alabama:								
	Aquatic plant control. (See Louisiana.)								
(N)	Columbia lock and dam, Alabama and Georgia	$1,000,000		$1,000,000		$1,000,000		$1,000,000	
(N)	Holt lock and dam				$150,000		$150,000		$150,000
(N)	Jackson lock and dam	8,150,000		8,000,000		8,000,000		8,000,000	
(P)	*Millers Ferry lock and dam*						200,000		
(FC)	Montgomery		$63,000		63,000		63,000		63,000
(P)	Walter F. George (Fort Gaines) lock and dam, Alabama and Georgia	14,900,000		14,900,000		14,900,000		14,900,000	

Corps of Engineers, construction, general, fiscal year 1960—Continued

[Projects shown in italic are projects in which the House and Senate are not in agreement. Projects shown in regular type are projects in which the Senate and House amounts are the same]

	Construction, general, State and project	Approved budget estimate for fiscal year 1960		House allowance		Senate allowance		Conference allowance	
		Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	Alaska:								
(N)	*Dillingham Harbor*					$406,000		$406,000	
(N)	*Naknek River*					[1] (21,000)		[1] (21,000)	
(N)	Seldovia Harbor:								
	(a) *Channel work*					[1] (245,000)		[1] (245,000)	
	Arizona:								
(FC)	Alamo Reservoir		$65,000		$65,000		$65,000		$65,000
(FC)	*Gila River*		30,000		30,000		50,000		50,000
(FC)	Painted Rock Reservoir	$5,171,000		$5,171,000		5,171,000		5,171,000	
(FC)	Whitlow Ranch Reservoir	1,903,000							
	Arkansas:								
(N)	Arkansas River and tributaries, Arkansas and Oklahoma:								
	(a) Emergency bank stabilization	4,000,000		4,000,000		4,000,000		5,000,000	
	(b) *Other bank stabilization*					4,000,000			
(N)	Arkansas River and tributaries, Arkansas and Oklahoma (general studies)		900,000		900,000		900,000		900,000
(P)(H)	Beaver Reservoir			1,500,000		1,500,000		1,500,000	
(P)	Bull Shoals Reservoir, Ark. and Mo. (additions of units Nos. 5 and 6)	1,200,000		1,200,000		1,200,000		1,200,000	
(FC)	*Clarksville*					[1] (259,000)		[1] (259,000)	
(P)	Dardanelle lock and dam	5,000,000		3,400,000		3,400,000		3,400,000	
(P)	*DeGray Reservoir*						150,000		150,000
(FC)(H)	Gillham Reservoir				80,000		80,000		80,000
(P)	Greers Ferry Reservoir	11,130,000		11,130,000		11,130,000		11,130,000	
(FC)	McKinney Bayou and Barkman Creek, Ark. and Tex.	600,000		600,000		600,000		600,000	
(FC)	Millwood Reservoir		172,000		172,000		172,000		172,000
(FC)	*Red River levees and bank stabilization below Denison Dam, Ark., La., and Tex.*	700,000		400,000		700,000		700,000	
	Table Rock Reservoir, Ark. and Mo. (See Missouri.)								
	California:								
(FC)	Black Butte Reservoir	2,500,000		2,500,000		2,500,000		2,500,000	
(FC)	Carbon Canyon Dam and Channel	2,000,000		2,000,000		2,000,000		2,000,000	
(FC)	Devil East Twin Warm and Lytle Creeks	2,000,000		2,000,000		2,000,000		2,000,000	
(FC)	Eel River	508,000		508,000		508,000		508,000	
(N)	Halfmoon Bay Harbor	1,500,000		1,500,000		1,500,000		1,500,000	
(FC)	Los Angeles County drainage area	15,500,000		15,500,000		15,500,000		15,500,000	
(FC)	Lower San Joaquin River and tributaries	1,000,000		1,000,000		1,000,000		1,000,000	
(FC)	Middle Creek	650,000		650,000		650,000		650,000	
(FC)(H)	Mill Creek levees			500,000		500,000		500,000	
(FC)(H)	New Hogan Reservoir			1,500,000		1,500,000		1,500,000	
(FC)	Oroville Reservoir		30,000		30,000		30,000		30,000
(FC)	Pine Flat Reservoir	75,000		75,000		75,000		75,000	
(N)	Playa Del Rey Inlet and Basin	500,000		500,000		500,000		500,000	
(N)	Port Hueneme Harbor	3,000,000		3,000,000		3,000,000		3,000,000	
(N)(H)	Redwood City Harbor: 30-foot depth San Bruno Shoal entrance and Redwood Creek channels			1,378,000		1,378,000		1,378,000	
(FC)	Russian River Reservoir	250,000		250,000		250,000		250,000	
(FC)	Sacramento River	2,500,000		2,500,000		2,500,000		2,500,000	
(FC)	Sacramento River and major and minor tributaries	1,100,000		1,100,000		1,100,000		1,100,000	
(FC)	*Sacramento River, Chico Landing to Red Bluff*						50,000		
(N)	*Sacramento River deepwater ship channel*	7,500,000		6,500,000		7,500,000		6,500,000	
(FC)	San Antonio and Chino Creeks	1,800,000		1,800,000		1,800,000		1,800,000	
(FC)	*San Jacinto River and Bautista Creek*					225,000		225,000	
(N)	San Joaquin River-Stockton deepwater channel	250,000		250,000		250,000		250,000	
(FC)	San Lorenzo Creek	1,700,000		1,700,000		1,700,000		1,700,000	
(FC)	San Lorenzo River	274,000		274,000		274,000		274,000	
(FC)	Santa Clara River	1,300,000		1,300,000		1,300,000		1,300,000	
(N)	*Santa Cruz Harbor*					400,000			
(FC)	Santa Maria Valley levees	2,200,000		2,200,000		2,200,000		2,200,000	
(FC)	Stewart Canyon Basin		62,000		62,000		62,000		62,000
(FC)	Success Reservoir	4,000,000		4,000,000		4,000,000		4,000,000	
(FC)	Terminus Reservoir	5,500,000		5,500,000		5,500,000		5,500,000	
	Truckee River and tributaries, California and Nevada. (See Nevada.)								
(FC)	Tuolumne River Reservoirs (New Don Pedro)		25,000		25,000		25,000		25,000
	Colorado:								
(FC)	Trinidad Reservoir		75,000		75,000		75,000		75,000
	Connecticut:								
(FC)	*East Branch Reservoir*						75,000		
(FC)(H)	Hall Meadow Brook Reservoir		75,000	250,000		250,000		250,000	
(FC)(H)	Mad River Reservoir		75,000	275,000		275,000		275,000	
(FC)	Thomaston Reservoir	4,800,000		4,800,000		4,800,000		4,800,000	
	Delaware:								
(N)	Inland waterway, Delaware River to Chesapeake Bay, Delaware and Maryland:								
	(a) Canal improvement		180,000		180,000		180,000		180,000
	(b) Summit Bridge	3,090,000		3,090,000		3,090,000		3,090,000	
	Florida:								
(N)	Apalachicola Bay:								
(H)	(a) Channel at East Point: Reimbursement			39,100		39,100		39,100	
(H)	(b) St. George Island: Reimbursement			43,000		43,000		43,000	
	Aquatic plant control. (See Louisiana.)								
(FC)	Central and Southern Florida	9,000,000		9,000,000		9,000,000		9,000,000	
(N)	*Escambia River*					[1] (88,000)		[1] (88,000)	
(N)	*Intracostal Waterway, Caloosahatchee River to Anclote River.*					1,000,000		600,000	
(N)	*Intracoastal Waterway, Jacksonville to Miami*	1,130,000		20,000		1,130,000		1,130,000	
(N)	St. Joseph Bay, Port St. Joe Harbor	1,183,000		1,000,000		1,000,000		1,000,000	
(N)	Tampa Harbor: Deepening of Tampa Harbor Channel	3,672,000		3,672,000		3,672,000		3,672,000	
	Georgia:								
	Aquatic plant control. (See Louisiana.)								
(N)]	Brunswick Harbor	1,150,000		1,150,000		1,150,000		1,150,000	
	Columbia lock and dam, Alabama and Georgia. (See Alabama.)								
(P)	Hartwell Reservoir, Ga. and S.C	26,400,000		26,400,000		26,400,000		26,400,000	

See footnotes at end of table.

Corps of Engineers, construction, general, fiscal year 1960—Continued

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Construction, general, State and project	Approved budget estimate for fiscal year 1960		House allowance		Senate allowance		Conference allowance	
	Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Georgia—Continued								
(N) Savannah River below Augusta	$950,000		$950,000		$950,000		$950,000	
Walter F. George (Fort Gaines) lock and dam, Alabama and Georgia. (See Alabama.)								
Hawaii:								
(N) Honolulu Harbor	1,720,000		1,720,000		1,720,000		1,720,000	
(N) *Kahului Harbor* [2]					140,000		140,000	
(FC) Wailoa Stream		$28,000		$28,000		$28,000		$28,000
Idaho:								
(P) Bruces Eddy Reservoir (construction not yet authorized)		770,000		770,000		770,000		770,000
(FC) Columbia River local protection:								
(a) Boise Valley		41,000		41,000		41,000		41,000
(b) Heise-Roberts extension		75,000		75,000		75,000		75,000
Illinois:								
(FC) Beardstown	688,000		688,000		688,000		688,000	
(FC) Carlyle Reservoir	2,640,000		2,640,000		2,640,000		2,640,000	
(BA) Chicago, Burlington & Quincy RR. bridge, including channel change	2,064,000		2,064,000		2,064,000		2,064,000	
(FC) Clear Creek Drainage and Levee District	200,000		200,000		200,000		200,000	
(N) Dam 27, Mississippi River between St. Louis and lock and dam 26	1,758,000		1,758,000		1,758,000		1,758,000	
(FC) (H) Drury Drainage District			540,000		540,000		540,000	
(FC) East St. Louis and vicinity	2,300,000		2,300,000		2,300,000		2,300,000	
(FC) (H) Henderson River: Diversion unit			550,000		550,000		550,000	
(FC) (H) Hunt Drainage District and Lima Lake Drainage District			1,000,000		1,000,000		1,000,000	
(N) *Illinois Waterway, Calumet-Sag Channel, part I*	8,600,000		7,670,000		8,600,000		7,670,000	
(N) Mississippi River between the Ohio and Missouri Rivers, Ill. and Mo.: Regulating works	1,500,000		1,500,000		1,500,000		1,500,000	
(N) Mississippi River between the Missouri River and Minneapolis, Minn.: Rectification of damages	65,000		65,000		65,000		65,000	
(FC) Shelbyville Reservoir		50,000		50,000		50,000		50,000
(FC) *Subdistrict No. 1 of Drainage Union No. 1 and Bay Island Drainage and Levee District No. 1*						50,000		50,000
(FC) The Sny Basin	1,000,000		1,000,000		1,000,000		1,000,000	
(BA) Wabash RR. bridges at Meredosia and Valley City	528,000		528,000		528,000		528,000	
(FC) Wilson and Wenkel and Prairie Du Pont Drainage and Levee District	327,000		327,000		327,000		327,000	
(FC) Wood River Drainage and Levee District	1,100,000		1,100,000		1,100,000		1,100,000	
Indiana:								
(N) *Cannelton locks and dam, Indiana and Kentucky*						150,000		
(FC) *Clinton (deferred for restudy)*						5,000		5,000
(FC) Evansville	430,000		430,000		430,000		430,000	
(FC) Huntington Reservoir		25,000		25,000		25,000		25,000
(FC) *Levee Unit No. 5, Wabash River*						25,000		
Lock and dam 41, Indiana and Kentucky. (See Kentucky.)								
(FC) Mansfield Reservoir	1,663,000		1,663,000		1,663,000		1,663,000	
(FC) Mason J. Niblack levee		54,000		54,000		54,000		54,000
Markland lock and dam, Indiana, Kentucky, and Ohio. (See Kentucky.)								
(FC) Mississinewa Reservoir		150,000		150,000		150,000		150,000
(FC) Monroe Reservoir		75,000		75,000		75,000		75,000
(FC) Salamonie Reservoir		150,000		150,000		150,000		150,000
(FC) *Sugar Creek levee*						15,000		15,000
(FC) *Terre Haute-Conover levee (deferred for restudy)*						2,000		2,000
(FC) Vincennes	200,000		200,000		200,000		200,000	
(FC) *West Terre Haute*						30,000		30,000
Iowa:								
(FC) Floyd River and tributaries		100,000		100,000		100,000		100,000
(FC) *Green Bay Levee and Drainage District No. 2*						75,000		75,000
(FC) Iowa River-Flint Creek Levee District No. 16		100,000		100,000		100,000		100,000
(FC) Little Sioux River	2,500,000		2,500,000		2,500,000		2,500,000	
(N) Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska:								
(a) *Sioux City, Iowa, to Omaha, Nebr*	6,420,000		5,600,000		6,420,000		5,600,000	
(b) Omaha, Nebr., to Kansas City	2,800,000		2,800,000		2,800,000		2,800,000	
(c) Kansas City to the mouth	3,475,000		3,475,000		3,475,000		3,475,000	
(FC) Muscatine Island Levee District and Muscatine Louisa County Drainage District No. 13	860,000		860,000		860,000		860,000	
(FC) (H) Red Rock Reservoir		113,000	1,113,000		1,113,000		1,113,000	
(FC) (H) Saylorville Reservoir				200,000		200,000		200,000
Kansas:								
(FC) Abilene	338,000		338,000		338,000		338,000	
(FC) *Cedar Point Reservoir*						25,000		
(FC) (H) Council Grove Reservoir			300,000		300,000		300,000	
(FC) *Elk City Reservoir*					400,000			
(FC) *Frankfort*						50,000		50,000
(FC) John Redmond (Strawn) Reservoir	1,300,000		1,300,000		1,300,000		1,300,000	
(FC) *Kansas Citys, Kans. and Mo.*					250,000			
(FC) Manhattan	450,000		450,000		450,000		450,000	
(FC) (H) Marion Reservoir				25,000		25,000		25,000
(FC) Marysville		26,000		26,000		26,000		26,000
(FC) Milford Reservoir		170,000		170,000		170,000		170,000
Missouri River channel stabilization, Iowa, Kansas, Missouri and Nebraska. (See Iowa.)								
(FC) Ottawa	1,400,000		1,400,000		1,400,000		1,400,000	
(FC) Perry Reservoir		125,000		125,000		125,000		125,000
(FC) Pomona Reservoir	1,400,000		1,400,000		1,400,000		1,400,000	
(FC) Salina	2,030,000		2,030,000		2,030,000		2,030,000	
(FC) Topeka	2,500,000		2,500,000		2,500,000		2,500,000	
(FC) Tuttle Creek Reservoir	18,345,000		18,345,000		18,345,000		18,345,000	
(FC) *Wilson Reservoir*		161,000		161,000	500,000	161,000	500,000	161,000
Kentucky:								
(P) Barkley Dam (lower Cumberland lock and dam), Kentucky and Tennessee	19,000,000		19,000,000		19,000,000		19,000,000	
(FC) Buckhorn Reservoir	3,527,000		3,027,000		3,027,000		3,027,000	
Cannelton locks and dam, Indian aand Kentucky. (See Indiana.)								

Corps of Engineers, construction, general, fiscal year 1960—Continued

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Construction, general, State and project	Approved budget estimate for fiscal year 1960		House allowance		Senate allowance		Conference allowance	
	Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Kentucky—Continued								
(FC) *Fishtrap Reservoir*		$200,000		$200,000		$400,000		$200,000
(N) Greenup locks and dam, Kentucky and Ohio	$10,265,000		$9,265,000		$9,265,000		$9,265,000	
(N) Lock and dam 41, Indiana and Kentucky	10,300,000		10,300,000		10,300,000		10,300,000	
(N) Markland locks and dam, Indiana, Kentucky, and Ohio	11,627,000		9,827,000		9,827,000		9,827,000	
(N) New Richmond locks and dam, Kentucky and Ohio	9,300,000		9,300,000		9,300,000		9,300,000	
(FC) Nolin Reservoir	1,800,000		1,800,000		1,800,000		1,800,000	
(FC) (H) No. 2 Barren Reservoir			1,000,000		1,000,000		1,000,000	
(FC) *No. 2 Green Reservoir*						50,000		50,000
(FC) Rough River Reservoir and channels	2,315,000		2,315,000		2,315,000		2,315,000	
Louisiana:								
(FC) Amite River and tributaries	1,204,000		1,204,000		1,204,000		1,204,000	
(N) Aquatic plant control, Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas.	500,000		500,000		500,000		500,000	
(N) *Barataria Bay*					1,000,000		1,000,000	
(FC) Bayou Chevreuil		42,000		42,000		42,000		42,000
(N) Gulf Intracoastal Waterway:								
(H) (a) Algiers Cutoff, Jefferson-Plaquemine Drainage District			1,420,000		1,402,000		1,420,000	
(b) Plaquemine-Morgan City alternate route	5,951,000		5,951,000		5,951,000		5,951,000	
(N) Mississippi River, Baton Rouge to the Gulf of Mexico	900,000		900,000		900,000		900,000	
(N) Mississippi River gulf outlet	5,900,000		5,900,000		5,900,000		5,900,000	
(FC) Mooringsport Reservoir, La. and Tex		100,000		100,000		100,000		100,000
Red River levees below Denison Dam, Ark., La., and Tex. (See Arkansas.)								
Maryland:								
(N) *Baltimore Harbor and channels*					1,500,000			
Inland waterway, Delaware River to Chesapeake Bay, Del. and Md. (See Delaware.)								
Massachusetts:								
(N) Boston Harbor:								
(a) 40-foot anchorage and 35-foot area	853,000		853,000		853,000		853,000	
(H) (b) 35-foot reserved channel			825,000		825,000		825,000	
(FC) East Brimfield Reservoir	1,102,000		1,102,000		1,102,000		1,102,000	
(FC) Littleville Reservoir		100,000		100,000		100,000		100,000
(FC) New Bedford-Fairhaven and Acushnet		120,000		120,000		120,000		120,000
(FC) North Adams	2,930,000		2,930,000		2,930,000		2,930,000	
(N) *Provincetown Harbor*					600,000			
(FC) West Hill Reservoir	1,000,000		1,000,000		1,000,000		1,000,000	
(FC) (H) Westville Reservoir			1,800,000		1,800,000		1,800,000	
(N) Weymouth Fore River	3,085,000		3,085,000		3,085,000		3,085,000	
Michigan:								
(FC) Battle Creek	1,548,000		1,548,000		1,548,000		1,548,000	
(N) (H) Grand Marais Harbor			300,000		300,000		300,000	
(N) Great Lakes connecting channels	27,000,000		27,000,000		27,000,000		27,000,000	
(N) (H) Hammond Bay Harbor				20,000		20,000		20,000
(N) Harrisville Harbor	532,000		532,000		532,000		532,000	
(BA) Houghton-Hancock Bridge	2,640,000		2,640,000		2,640,000		2,640,000	
(N) *Little Lake Harbor*					300,000			
(FC) *Saginaw River*		100,000		100,000		250,000		100,000
(N) St. Marys River:								
(a) Improvement of South Canal	2,543,000		2,543,000		2,543,000		2,543,000	
(b) New Poe lock		367,000		367,000		367,000		367,000
Minnesota:								
(FC) Mankato and North Mankato		47,000		47,000		47,000		47,000
(N) Minnesota River 9-foot channel		67,000		67,000		67,000		67,000
Mississippi River between Missouri River and Minneapolis, Minn.: Rectification of damages. (See Illinois.)								
(FC) Red River of the North, Minn. and N. Dak	386,000		386,000		386,000		386,000	
(FC) Ruffy Brook and Lost River	300,000		300,000		300,000		300,000	
(N) St. Anthony Falls	2,440,000		2,440,000		2,440,000		2,440,000	
(FC) St. Paul and South St. Paul		163,000		163,000		163,000		163,000
Mississippi:								
Aquatic plant control. (See Louisiana.)								
(N) (H) Pascagoula Harbor			1,242,000		1,242,000		1,242,000	
Missouri:								
(FC) Bear Creek Reservoir	1,032,000		1,032,000		1,032,000		1,032,000	
Bull Shoals Reservoir, Ark. and Mo. (See Arkansas.)								
(FC) Canton	720,000		720,000		720,000		720,000	
(FC) Cape Girardeau and vicinity (reach No. 2 only)	157,000		157,000		157,000		157,000	
(FC) (H) Des Moines and Mississippi Levee District No. 1			500,000		500,000		500,000	
(FC) Fabius River Drainage District	500,000		500,000		500,000		500,000	
(FC) Joanna Reservoir		60,000						
Kansas Citys, Kans. and Mo. (See Kansas.)								
(FC) Kasinger Bluff Reservoir		150,000		150,000		150,000		150,000
(FC) (H) Marion County Drainage District				73,000		73,000		73,000
(FC) *Meramec River Reservoirs-Cedar Hill, Meramec Park and Union (deferred for restudy).*						100,000		
Mississippi River between the Ohio and Missouri Rivers, Ill. and Mo. (See Illinois.)								
Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)								
(FC) Pomme de Terre Reservoir	4,000,000		4,000,000		4,000,000		4,000,000	
(FC) St. Louis	4,200,000		4,200,000		4,200,000		4,200,000	
(P) Stockton Reservoir		150,000		150,000		150,000		150,000
(P) Table Rock Reservoir, Ark. and Mo	2,000,000		2,000,000		2,000,000		2,000,000	
Montana:								
(P) Fort Peck Dam (2d powerplant)	8,250,000		8,250,000		8,250,000		8,250,000	
Nebraska:								
(FC) (H) Gering and Mitchell Valleys		50,000	350,000		350,000		350,000	
Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)								
(FC) Missouri River, Kenslers Bend, Nebr., to Sioux City, Iowa (including Miners Bend), Iowa, Nebraska, and South Dakota	900,000		900,000		900,000		900,000	
(FC) *Salt Creek and tributaries*		90,000		90,000	310,000	90,000		90,000

Corps of Engineers, construction, general, fiscal year 1960—Continued

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Construction, general, State and project	Approved budget estimate for fiscal year 1960		House allowance		Senate allowance		Conference allowance	
	Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Nevada:								
(FC) Truckee River and tributaries, California nd Nevada	$550,000		$550,000		$550,000		$550,000	
New Hampshire:								
(FC) Hopkinton-Everett Reservoirs	5,568,000		5,568,000		5,568,000		5,568,000	
New Jersey:								
(N) Delaware River, Philadelphia Naval Base to Trenton, N.J. and Pa	13,500,000		12,500,000		12,500,000		12,500,000	
(N) *Newark Bay, Hackensack, and Passaic Rivers*					600,000			
(N) New York and New Jersey channels. New York and New Jersey	2,790,000		2,790,000		2,790,000		2,790,000	
Staten Island Rapid Transit Bridge, New York and New Jersey. (See New York.)								
New Mexico:								
(FC) Abiquiu Reservoir	3,300,000		3,300,000		3,300,000		3,300,000	
(FC) Carlsbad		$75,000						
(FC) *Rio Grande Floodway, Cochiti to Rio Puerco*					800,000		800,000	
(FC) Socorro		75,000		$75,000		$75,000		$75,000
(FC)(H) Two Rivers Reservoir			75,000		75,000		75,000	
New York:								
Allegheny River Reservoir, Pa. and N.Y. (See Pennsylvania.)								
(N) Barcelona Harbor	506,000		506,000		506,000		506,000	
(N) Buffalo Harbor, north entrance	2,150,000		2,150,000		2,150,000		2,150,000	
(N) *Buttermilk Channel*					1,500,000		1,500,000	
(FC) Endicott, Johnson City, and Vestal	1,700,000		1,700,000		1,700,000		1,700,000	
(SP) Fire Island Inlet	450,000		220,000		220,000		220,000	
(N) Great Lakes to Hudson River Waterway	730,000		730,000		730,000		730,000	
(FC) *Herkimer*						48,000		48,000
(N)(H) Hudson River, New York City to Albany 32-foot channel			500,000		500,000		500,000	
(N) *Irondequoit Bay*	129,000				129,000			
New York and New Jersey channels, New York and New Jersey. (See New Jersey.)								
(N) *New York Harbor-New Jersey pierhead line*					500,000		500,000	
(N) *New York Harbor, 35-foot channel from ocean to New York Bayside Channel*					350,000			
(FC) Nichols		40,000		40,000		40,000		40,000
(BA)(H) Ohio Street Bridge, Buffalo River			2,000,000		2,000,000		2,000,000	
(N) Oswego Harbor	657,000		657,000		657,000		657,000	
(BA) Staten Island Rapid Transit bridge, New York and New Jersey	2,000,000		2,000,000		2,000,000		2,000,000	
North Carolina:								
Aquatic plant control. (See Louisiana.)								
(N) *Morehead City Harbor*					600,000		600,000	
(FC) Pantego and Cucklers Creek		40,000		51,000		51,000		51,000
(FC)(H) Wilkesboro Reservoir			1,000,000		1,000,000		1,000,000	
North Dakota:								
(P) Garrison Reservoir	5,050,000		5,050,000		5,050,000		5,050,000	
(FC) Lower Heart River	800,000		800,000		800,000		800,000	
Red River of the North, Minn. and N. Dak. (See Minnesota.)								
Ohio:								
(N) *Belleville locks and dam, Ohio and West Virginia*						125,000		125,000
(N) Cleveland Harbor:								
(a) *Bridge replacements widening Cuyahoga and Old Rivers, deepen channel in east basin of outer harbor*						200,000		
(b) Bridge replacements and dredging of Cuyahoga and Old Rivers to 23 feet	400,000		400,000		400,000		400,000	
(FC) Dillon Reservoir	5,160,000		5,160,000		5,160,000		5,160,000	
Greenup locks and dam, Kentucky and Ohio. (See Kentucky.)								
Markland lock and dam, Indiana, Kentucky, and Ohio. (See Kentucky.)								
(FC) *Muskingum River Reservoirs*					500,000		500,000	
(N) New Cumberland locks and dam, Ohio, Pennsylvania, and West Virginia	6,800,000		6,800,000		6,800,000		6,800,000	
New Richmond locks and dam, Kentucky and Ohio. (See Kentucky.)								
(N) Pike Island locks and dam, Ohio and West Virginia	3,500,000		3,500,000		3,500,000		3,500,000	
(FC) Roseville	284,000		284,000		284,000		284,000	
Shenango River Reservoir, Pa. and Ohio. (See Pennsylvania.)								
(FC)(H) West Branch Mahoning River Reservoir		229,000	525,000		525,000		525,000	
Oklahoma:								
Arkansas River and triburaries, Arkansas and Oklahoma: Bank stabilization. (See Arkansas.)								
Arkansas River and tributaries, Arkansas and Oklahoma (general studies). (See Arkansas.)								
(FC) Broken Bow Reservoir		134,000		134,000		134,000		134,000
Denison Reservoir, Tex. and Okla. (See Texas.)								
(FC) Enid	600,000		600,000		600,000		600,000	
(P) Eufaula Reservoir	13,400,000		13,400,000		13,400,000		13,400,000	
(FC) Keystone Reservoir	10,000,000		10,000,000		10,000,000		10,000,000	
(FC) *Lukfata Reservoir*						50,000		50,000
(FC) Oologah Reservoir	12,500,000		12,500,000		12,500,000		12,500,000	
(FC)(H) Pine Creek Reservoir				80,000		80,000		80,000
Oregon:								
(FC) Blue River Reservoir		105,000		105,000		105,000		105,000
(N) Columbia River between Vancouver, Wash., and The Dalles, Oreg:								
(a) 27-foot channel	1,611,000		1,611,000		1,611,000		1,611,000	
(b) *Hood River small boat basin*						18,000		
(FC) Columbia River local protection: *Malheur River, Vale unit*					250,000		250,000	
(N) *Coos and Millicoma Rivers*						23,000		
(P) Cougar Reservoir	9,700,000		9,000,000		9,000,000		9,000,000	
(FC) Fall Creek Reservoir		202,000		202,000		202,000		202,000
(P) *Green Peter Reservoir*					1,500,000			

Corps of Engineers, construction, general, fiscal year 1960—Continued

[Projects shown in italic are projects in which the House and Senate are not in agreement. Projects shown in regular type are projects in which the Senate and House amounts are the same]

	Construction, general, State and project	Approved budget estimate for fiscal year 1960		House allowance		Senate allowance		Conference allowance	
		Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	Oregon—Continued								
(P)	Hills Creek Reservoir	$8,300,000		$8,300,000		$8,300,000		$8,300,000	
(BA)	Interstate Bridge, Oreg. and Wash	1,130,000		1,130,000		1,130,000		1,130,000	
(P)	John Day lock and dam, Oregon and Washington	20,000,000		20,000,000		20,000,000		20,000,000	
(FC)	Lower Columbia River improvement to existing works:								
	(a) *Clatsop County Diking District No. 6*					[1](55,000)		[1](55,000)	
	(b) Multnomah County Drainage District	703,000		203,000		203,000		203,100	
	(c) *Woodson Drainage District*					[1](81,000)		[1](81,000)	
(N)	Rogue River Harbor at Gold Beach	1,500,000		1,500,000		1,500,000		1,500,000	
(P)	The Dalles lock and dam, Oregon and Washington	7,000,000		7,000,000		7,000,000		7,000,000	
(FC)	Willamette River Basin bank protection	500,000		500,000		500,000		500,000	
(FC)	Willamette River Basin channel improvement and major drainage: *Coyote and Spencer Creek*						$50,000		$50,000
(N)(H)	Yaquina Bay and Harbor				$100,000		100,000		100,000
	Pennsylvania:								
(FC)	*Allegheny River Reservoir, Pa. and N.Y.*					1,400,000		1,400,000	
(FC)	Allentown	680,000		680,000		680,000		680,000	
(FC)	Bear Creek Reservoir	3,400,000		3,400,000		3,400,000		3,400,000	
(FC)	Bethlehem	1,050,000		600,000		600,000		600,000	
(FC)	Bradford	2,400,000		2,400,000		2,400,000		2,400,000	
(FC)(H)	Brookville		$73,000	500,000		500,000		500,000	
(FC)	Curwensville Reservoir		200,000		200,000		200,000		200,000
(N)	Dam 8, Monongahela River, Pa. and W. Va.	725,000		725,000		725,000		725,000	
	Delaware River, Philadelphia Naval Base to Trenton, New Jersey and Pennsylvania. (See New Jersey.)								
(FC)	Dyberry Reservoir	390,000		390,000		390,000		390,000	
(FC)	Kettle Creek Reservoir	2,500,000		1,900,000		1,900,000		1,900,000	
(N)	*Maxwell locks and dam, Monongahela River*		95,000		95,000	500,000	95,000		95,000
	New Cumberland locks and dam, Ohio, Pennsylvania, and West Virginia. (See Ohio.)								
(FC)	Prompton Reservoir	1,120,000		1,120,000		1,120,000		1,120,000	
(FC)	Ridgway		25,000		25,000		25,000		25,000
(FC)	St. Marys		38,000		38,000		38,000		38,000
(FC)(H)	Shenango River Reservoir, Pa. and Ohio		150,000	500,000		500,000		500,000	
(FC)	Stillwater Reservoir	1,500,000		1,500,000		1,500,000		1,500,000	
(FC)	*Turtle Creek*						25,000		25,000
(FC)	Tyrone		85,000		85,000		85,000		85,000
(FC)	Washington, Chartiers Creek		78,000		78,000		78,000		78,000
	Puerto Rico:								
(N)	*San Juan Harbor*						50,000		
	Rhode Island:								
(FC)	Fox Point barrier, Narragansett Bay		200,000		200,000		200,000		200,000
(FC)	Woonsocket	370,000		370,000		370,000		370,000	
	South Carolina:								
	Aquatic plant control. (See Louisiana.)								
	Hartwell Reservoir, Ga. and S.C. (See Georgia.)								
	South Dakota:								
(P)	Big Bend Reservoir	2,000,000		2,000,000		2,000,000		2,000,000	
(P)	Fort Randall Reservoir	1,150,000		1,150,000		1,150,000		1,150,000	
(P)	Oahe Reservoir	43,500,000		43,500,00		43,500,000		43,500,000	
(FC)	Sioux Falls	1,252,000		1,252,000		1,252,000		1,252,000	
	Tennessee:								
	Barkley Dam, Ky. and Tenn. (See Kentucky.)								
(P)	*Cordell Hull (Carthage) Dam*						200,000		
	Texas:								
	Aquatic plant control. (See Louisiana.)								
(N)	Brazos Island Harbor	1,500,000		1,500,000		1,500,000		1,500,000	
(FC)	Buffalo Bayou and tributaries	1,650,000		1,650,000		1,650,000		1,650,000	
(FC)	Canyon Reservoir	2,000,000		2,000,000		2,000,000		2,000,000	
(FC)	Cooper Reservoir and channels	1,300,000		1,300,000		1,300,000		1,300,000	
(BA)	Corpus Christi Bridge	486,000		486,000		486,000		486,000	
(P)	Denison Reservoir, Tex. and Okla.: Highway bridge at Willis Ferry site	700,000		700,000		700,000		700,000	
(N)	Galveston Harbor and channel, seawall	2,000,000		2,000,000		2,000,000		2,000,000	
(N)	Gulf Intracoastal Waterway:								
	(a) *Channel to Port Mansfield* [2]					150,000		150,000	
	(b) *Colorado River channel*					400,000		400,000	
	(c) Guadalupe River channel to Victoria	600,000		600,000		600,000		600,000	
	(d) Realined route, vicinity Aransas Pass	962,000		962,000		962,000		962,000	
(N)	Houston ship channel:								
	(a) 36-foot channel and widening	1,150,000		1,400,000		1,400,000		1,400,000	
	(b) *40-foot project*					1,500,000			
(FC)	Lampasas Reservoir		125,000		125,000		125,000		125,000
(N)	Matagorda ship channel:								
(H)	36-foot channel				150,000		150,000		150,000
(P)	McGee Bend Dam	5,800,000		5,800,000		5,800,000		5,800,000	
	McKinney Bayou and Barkman Creek, Ark. and Tex. (See Arkansas.)								
	Mooringsport Reservoir, La. and Tex. (See Louisiana.)								
(FC)	Navarro Mills Reservoir	1,000,000		1,000,000		1,000,000		1,000,000	
(FC)	Pecos		50,000		50,000		50,000		50,000
(N)	Port Aransas-Corpus Christi Waterway:								
	(a) 36-foot channel and realinement at bascule bridge	1,300,000		1,300,000		1,300,000		1,300,000	
(H)	(b) Channel to La Quinta (reimbursement)			954,000		954,000		954,000	
(FC)(H)	Proctor Reservoir			300,000		300,000		300,000	
	Red River levees and bank stabilization below Denison Dam, Ark., La., and Tex. (See Arkansas.)								
(N)	Sabine-Neches Waterway	1,500,000		1,500,000		1,500,000		1,500,000	
(FC)	San Antonio Channel	800,000		800,000		800,000		800,000	
(FC)	Somerville Reservoir		85,000		85,000		85,000		85,000
(N)	Texas City Channel	913,000		913,000		913,000		913,000	
(FC)	Texas City, Galveston Bay		125,000		125,000		125,000		125,000
(FC)	Waco Reservoir	4,000,000		4,000,000		4,000,000		4,000,000	

See footnotes at end of table.

Corps of Engineers, construction, general, fiscal year 1960—Continued

[Projects shown in italic are projects in which the House and Senate are not in agreement. Projects shown in regular type are projects in which the Senate and House amounts are the same]

Construction, general, State and project	Approved budget estimate for fiscal year 1960		House allowance		Senate allowance		Conference allowance	
	Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Utah:								
(FC) Salt Lake City	$1,339,000		$1,339,000		$1,339,000		$1,339,000	
Vermont:								
(FC) Ball Mountain Reservoir	2,560,000		2,560,000		2,560,000		2,560,000	
(FC) North Hartland Reservoir	2,571,000		2,571,000		2,571,000		2,571,000	
(FC) North Springfield Reservoir	2,040,000		2,040,000		2,040,000		2,040,000	
(FC) Townshend Reservoir	2,500,000		2,500,000		2,500,000		2,500,000	
(FC) *Victory Reservoir*						$65,000		
Virgin Islands:								
(N) *Christiansted Harbor (inactive)*						3,000		$3,000
Virginia:								
(N) Norfolk Harbor: Widen 40-foot channel and Craney Island anchorages	3,654,000		3,654,000		3,654,000		3,654,000	
(FC)(H) Pound Reservoir		$194,000	2,500,000		2,500,000		2,500,000	
Washington:								
(P) Chief Joseph Dam	1,100,000		1,100,000		1,100,000		1,100,000	
(N) Columbia River between Vancouver, Wash., and The Dalles, Oreg.:								
(a) 27-foot Channel, Oregon and Washington. (See Oregon.)								
(b) *Bingen Barge Channel*						10,000		10,000
(FC) Howard A. Hanson (Eagle Gorge) Reservoir	6,000,000		6,000,000		6,000,000		6,000,000	
(P) Ice Harbor lock and dam	32,000,000		32,000,000		32,000,000		32,000,000	
Interstate Bridge, Oregon and Washington. (See Oregon.)								
John Day lock and dam, Oregon and Washington. (See Oregon.)								
(P)(H) Little Goose lock and dam				$450,000		450,000		450,000
(FC) Lower Columbia River improvement to existing works: Wahkiakum County Consolidated Diking District No. 1		25,000		25,000		25,000		25,000
(P) *Lower Granite lock and dam*						200,000		
(P) Lower Monumental lock and dam		800,000		800,000		800,000		800,000
The Dalles Dam, Oreg. and Wash. (See Oregon.)								
West Virginia:								
Belleville locks and dam, Ohio and West Virginia. (See Ohio.)								
Dam 8, Monongahela River, Pa. and W. Va. (See Pennsylvania.)								
(FC)(H) East Rainelle			500,000		500,000		500,000	
(N) Hildebrand lock and dam	1,278,000		1,278,000		1,278,000		1,278,000	
New Cumberland locks and dam, Ohio, Pennsylvania, and West Virginia. (See Ohio.)								
(N) *Opekiska locks and dam*					500,000			
Pike Island locks and dam, Ohio and West Virginia. (See Ohio.)								
(FC) *Princeton*					500,000		500,000	
(FC)(H) Summersville Reservoir			2,000,000		2,000,000		2,000,000	
(FC) Sutton Reservoir	4,417,000		3,417,000		3,417,000		3,417,000	
(FC) Williamson		71,000		71,000		71,000		71,000
Wisconsin:								
(FC) Bad River:								
(a) *Mellen Channel*						25,000		25,000
(b) *Odanah, moving village and raising school*						25,000		25,000
(N) Bayfield Harbor	131,000		131,000		131,000		131,000	
(FC) *Eau Galle River*						75,000		75,000
(N)(H) Saxon Harbor				31,000		31,000		31,000
(N) *Two Rivers Harbor*					[1] (74,000)		[1] (74,000)	
Wyoming:								
(FC) Jackson Hole	650,000		650,000		650,000		650,000	
(FC) Sheridan	300,000		300,000		300,000		300,000	
(FC) *Local protection projects not requiring specific legislation*					4,000,000		3,000,000	
(FC) Snagging and clearing	600,000		600,000		600,000		600,000	
Projects deferred for restudy		10,000		10,000		10,000		10,000
Recreation facilities completed projects	1,250,000		1,250,000		2,500,000		2,500,000	
Small authorized projects					3,000,000		2,000,000	
Reduction for anticipated savings and slippages	−30,000,000		−43,000,000		−30,000,000		−43,000,000	
Total	649,700,000	9,100,000	648,224,100	9,376,000	696,344,100	11,990,000	666,389,100	10,225,000
Lower Columbia River fish sanctuary program, Fish and Wildlife Service	1,200,000		1,200,000		1,200,000		1,200,000	
Coordination Act studies, Fish and Wildlife					500,000		500,000	
Grand total, construction, general	650,900,000	9,100,000	649,424,100	9,376,000	698,044,100	11,990,000	668,089,100	10,225,000
	(660,000,000)		(658,800,100)		(710,034,100)		(678,314,100)	

[1] Eligible for selection under a lump-sum appropriation for small authorized projects. [2] Not yet authorized.

Mr. ELLENDER. Mr. President, on the item of operation and maintenance, I shall also ask that a table be printed in the RECORD. I am very sorry to announce that we had to give in by a little over $4 million on deferred maintenance. The Senate committee has always taken the position that it seems foolish for the Government to construct projects and then not properly maintain them. For the past few years we have been providing a minimum of $10 million in order to take care of deferred maintenance. However, the House insisted that we cut the Senate increase from $8 million to $3½ million.

Mr. President, on the item operation and maintenance the only item that was in disagreement was a Senate increase of $8 million for deferred maintenance. The conferees agreed on $3½ million.

I append a tabulation showing a breakdown of the items as passed by the Senate and as agreed to in conference.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD.

Operation and maintenance

[Projects shown in italic are projects in which the House and Senate are not in agreement. Projects shown in regular type are projects in which the Senate and House amounts are the same.]

Item	Approved budget estimate for fiscal year 1960	House allowance	Senate allowance	Conference allowance
(1)	(2)	(3)	(4)	(5)
OPERATION AND MAINTENANCE, GENERAL				
1. Navigation:				
(a) Channels and harbors	$54,600,000	$55,440,000	$55,440,000	$55,440,000
(b) Locks, dams, and canals	23,650,000	23,692,000	23,692,000	23,692,000
(c) Surveys of northern and northwestern lakes	550,000	550,000	550,000	550,000
(d) Prevention of obstructions and injurious deposits	600,000	600,000	600,000	600,000
2. Flood control:				
(a) Reservoirs	5,170,000	5,170,000	5,170,000	5,170,000
(b) Other (including channel improvement projects, miscellaneous maintenance items, and inspections)	830,000	830,000	830,000	830,000
3. Multiple purpose projects, including power	18,780,000	18,780,000	18,780,000	18,780,000
4. Lower Columbia River fish sanctuary program (U.S. Fish and Wildlife Service)	1,750,000	1,750,000	1,750,000	1,750,000
5. Niagara remedial works	70,000	70,000	70,000	70,000
6. Emergency operations:				
(a) Removing sunken vessels and other obstructions to navigation	450,000	450,000	450,000	450,000
(b) Protecting, clearing, straightening channels of navigable waters not specifically authorized by Congress (work under sec. 3, River and Harbor Act, Mar. 2, 1945)	50,000	50,000	50,000	50,000
(c) Flood control emergencies, repair and flood fighting and rescue work	7,000,000	7,000,000	7,000,000	7,000,000
7. *Deferred maintenance*			8,000,000	3,500,000
Total, operation and maintenance, general	113,500,000	114,382,000	122,382,000	117,882,000

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HUMPHREY. I merely want to commend the Senator from Louisiana for his diligent work in the civil functions field of our public-works program. I am grateful that as many of the items have been kept in the bill as are contained in the conference report. We all recognize there is a determined effort to limit Government expenditures. It is to the credit of the Senator from Louisiana, and his subcommittee, and, indeed, the full committee, that as many items have been retained at so little over the budget estimate.

Mr. ELLENDER. Just about $30 million.

Mr. HUMPHREY. The funds made available are sound investments. I would hope they would be looked upon as investments rather than as mere expenditures.

Mr. ELLENDER. May I say to the distinguished Senator from Minnesota we should also be thankful to the House committee for having included 35 new starts, which we in this body sustained. All in all, the bill is a good bill. Some of us would have provided for other projects, but we had to give way in a spirit of compromise.

Mr. President, on the Mississippi River and tributaries, the conferees agreed on $70,839,500, which is $4,595,000 below the amount approved by the Senate, of which $1,500,000 is a reduction for savings and slippages, and $2,279,500 more than the amount allowed by the House.

I have a tabulation showing a breakdown of the items as passed by the Senate and as agreed to in conference.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Flood control, Mississippi River and tributaries, fiscal year 1960

[Projects shown in italic are projects in which the House and Senate are not in agreement. Projects shown in regular type are projects in which the Senate and House amounts are the same.]

Projects	Approved budget estimate for fiscal year 1960		House allowance		Senate allowance		Conference allowance	
	Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1. General investigations:								
(a) *Examinations and surveys*	$60,000		$60,000		$67,500		$67,500	
(b) Collection and study of basic data	50,000		50,000		50,000		50,000	
Subtotal, general investigations	110,000		110,000		117,500		117,500	
2. Construction and planning:								
Mississippi River levees [1]	$2,500,000		$2,500,000		$3,000,000		$2,750,000	
Channel improvement	22,500,000		22,500,000		25,000,000		23,710,000	
Memphis Harbor	500,000		500,000		500,000		500,000	
(H) Greenville Harbor	0			$60,000		$60,000		$60,000
Vicksburg Harbor	1,500,000		1,500,000		1,500,000		1,500,000	
Old River control	9,500,000		9,500,000		9,500,000		9,500,000	
St. Francis Basin	3,500,000		3,500,000		4,070,000		4,070,000	
Lower White River [2]	0					107,000		107,000
(H) West Tennessee tributaries	0		200,000		200,000		200,000	
(H) Wolf River and tributaries	0		300,000		300,000		300,000	
Lower Arkansas	550,000		550,000		550,000		550,000	
Tensas Basin:								
Boeufand Tensas Rivers, etc. [2]	920,000		920,000		1,000,000		1,000,000	
Red River backwater	80,000		80,000		80,000		80,000	
Yazoo Basin:								
Sardis Reservoir	50,000		50,000		50,000		50,000	
Enid Reservoir	50,000		50,000		50,000		50,000	
Arkabutla Reservoir	70,000		70,000		70,000		70,000	
Grenada Reservoir	30,000		30,000		30,000		30,000	
Auxiliary channels	1,075,000		1,075,000		1,275,000		1,175,000	
Main stem	750,000		750,000		750,000		750,000	
Tributaries	125,000		125,000		125,000		125,000	
Big Sunflower River, etc	1,400,000		1,400,000		1,400,000		1,400,000	
Yazoo backwater	0				100,000		50,000	
Atchafalaya Basin	5,290,000		5,290,000		6,900,000		6,095,000	
Lake Pontchartrain	500,000		500,000		700,000		600,000	
Reduction for anticipated savings and slippages							−1,500,000	
Total, construction and planning	50,890,000		51,390,000	60,000	57,150,000	167,000	53,055,000	167,000
3. *Maintenance*	17,000,000		17,000,000		18,000,000		17,500,000	
4. Flood control emergencies	0							
Grand total	68,000,000		68,560,000		75,434,500		70,839,500	

[1] Includes new Madrid floodgate.
[2] Modifications authorized by the act of July 3, 1958, are included in the cost estimates.

Mr. ELLENDER. Mr. President, the item for the St. Lawrence Joint Board of Engineers was not in conference.

With respect to title II, the conference bill provides $256,787,949 which is $7,084,551 below the amount allowed by the Senate and $3,378,449 more than the amount allowed by the House.

For general investigations of the Bureau of Reclamation the conference bill provides $4,788,710, which is $601,290 below the amount approved by the Senate and $449,449 more than the amount allowed by the House.

For "Construction and rehabilitation" the conference report provides $135,862,739, which is $6,483,261 below the amount approved by the Senate and $7,389,500 more than the amount allowed by the House. I attach a tabulation showing a breakdown of the "construction and rehabilitation" items as passed by the Senate and as agreed to in conference.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Bureau of Reclamation construction program for the fiscal year ending June 30, 1960

State and project	Budget program	House program	Senate program	Conference program
Arizona:				
Gila project	$1,139,000	$1,139,000	$3,449,000	$3,449,000
Colorado River front work and levee system			450,000	450,000
Parker-Davis project	400,000	400,000	400,000	400,000
Boulder Canyon project	2,900,000	2,900,000	2,900,000	2,900,000
California:				
Central Valley project	42,500,000	42,150,000	44,565,000	44,565,000
Klamath project. (See Oregon.)				
Parker-Davis projects (See Arizona.)				
Solano project	307,000	307,000	307,000	307,000
Ventura River project	392,000	392,000	392,000	292,000
Washoe project. (See Nevada.)				
Colorado: Collbran project	4,500,000	4,500,000	4,500,000	4,500,000
Idaho:				
Little Wood River project	673,618	673,618	673,618	673,612
Miniooka project, north side pump division	850,000	850,000	850,000	850,000
Palisades project, Burns Creek Dam and powerplant			500,000	500,000
Montana: Fort Peck project	2,902,000	2,902,000	2,902,000	2,902,000
Nevada:				
Boulder Canyon project. (See Arizona.)				
Parker-Davis project. (See Arizona.)				
Washoe project	1,600,000		1,000,000	1,000,000
New Mexico:				
McMillan Delta project	100,000	100,000	100,000	100,000
Middle Rio Grande project	1,400,000	1,400,000	1,800,000	1,800,000
North Dakota: Fork Peck project. (See Montana.)				
Oklahoma: Washita Basin project	10,100,000	10,100,000	10,100,000	10,100,000
Oregon:				
Crooked River project	2,833,000	2,833,000	2,833,000	2,833,000
Klamath project	522,000	522,000	522,000	522,000
Rogue River Basin project, Talent division	2,747,788	2,747,788	2,747,788	2,747,788
Wapinitia project, Juniper division	39,700	39,700	39,700	39,700
Texas:				
Lower Rio Grande project, Mercedes division	1,500,000	1,500,000	1,500,000	1,500,000
San Angelo project	4,000,000	4,000,000	4,000,000	4,000,000
Utah:				
Provo River project	632,000	632,000	632,000	632,000
Weber Basin project	5,835,000	5,835,000	5,835,000	5,835,000
Washington:				
Columbia Basin project	8,000,000	8,000,000	8,000,000	8,000,000
Chief Joseph Dam, Greater Wenatchee division		724,000	500,000	500,000
Wyoming: Shoshone project	$110,000	$110,000	$110,000	$110,000
Drainage and minor construction	937,000	937,000	962,000	962,000
Rehabilitation and betterment of existing projects	3,500,000	3,500,000	3,500,000	3,500,000
Total (exclusive of Missouri River Basin)	100,420,106	99,194,106	106,070,106	106,070,106
MISSOURI RIVER BASIN PROJECT				
Kansas:				
Bostwick division. (See Nebraska.)				
Cedar Bluff unit		700,000	400,000	400,000
Webster unit	3,115,000	3,115,000	3,115,000	3,115,000
Montana:				
East Bench unit		1,000,000		1,000,000
Helena Valley unit	2,182,000	2,182,000	2,182,000	2,182,000
Yellowtail Dam (Hardin unit)			3,000,000	
Nebraska:				
Ainsworth unit	2,000,000		1,000,000	
Bostwick division	2,338,000	2,338,000	2,338,000	2,338,000
Farwell unit	3,000,000	3,000,000	3,000,000	3,000,000
Frenchman-Cambridge division	4,076,035	4,601,035	4,601,035	4,601,035
Red Willow Dam and Reservoir (included in Frenchman-Cambridge division)		(525,000)	(525,000)	(525,000)
Wyoming:				
Glendo unit	2,118,000	2,118,000	2,118,000	2,118,000
Owl Creek unit	1,007,859	1,007,859	1,007,859	1,007,859
Transmission division	15,508,000	14,953,000	15,334,000	15,334,000
Drainage and minor construction	645,000	645,000	645,000	645,000
Investigations	2,000,000	1,750,000	2,000,000	1,875,000
Other Department of the Interior agencies	3,000,000	2,385,000	3,000,000	2,692,500
Subtotal, Missouri River Basin project	40,989,894	39,794,894	43,740,894	40,308,394
Grand total, construction and rehabilitation	141,410,000	138,989,000	149,811,000	146,378,500
Less anticipated savings and slippage	−6,000,000	−10,515,761	7,465,000	−10,515,761
Total appropriation construction and rehabilitation	135,410,000	128,473,239	143,346,000	135,862,739

UPPER COLORADO RIVER BASIN FUND

COLORADO RIVER STORAGE PROJECT				
Arizona: Glen Canyon unit	$47,367,000	$47,367,000	$47,367,000	$47,367,000
Colorado: Curecanti			1,000,000	
New Mexico: Navajo unit	9,945,000	9,945,000	9,945,000	9,945,000
Utah:				
Flaming Gorge unit	13,000,000	13,000,000	13,000,000	13,000,000
Glen Canyon unit. (See Arizona.)				
Transmission division	720,000	720,000	720,000	720,000
PARTICIPATING PROJECTS				
Colorado:				
Paonia project	3,185,000	3,185,000	3,185,000	3,185,000
Smith Fork project		730,000	500,000	500,000
Participating projects—Con.				
New Mexico: Hammond project		$500,000	$500,000	$500,000
Utah: Central Utah project, Vernal unit	$2,000,000	2,000,000	2,000,000	2,000,000
Wyoming: Seedskadee project		1,554,000	1,354,000	1,354,000
Advance planning	818,000	818,000	818,000	818,000
Total, Upper Colorado River Basin fund	77,035,000	79,819,000	80,389,000	79,389,000
Less anticipated savings and slippage			4,020,000	3,020,000
Appropriation	77,035,000	79,819,000	76,369,000	76,369,000

Senator ELLENDER. Mr. President, the amount for "Operation and maintenance" was $29,131,000 as passed by the House and the Senate so this item was not in conference.

With respect to the loan program the House agreed to the Senate amendment.

The amount for "General administrative expenses" was $4,400,000 as passed by the House and Senate so this item was not in conference.

On the Upper Colorado River Basin fund the House agreed to the Senate amendment.

The items for the "Power marketing agencies" of the Department of the Interior were not in conference except for "Construction, Bonneville Power Administration," where the House allowed $22,332,000 and the Senate allowed

$22 million. The conferees agreed on the Senate amount.

With respect to title III the Senate bill provided $1 million for initiation of the Melton Hill multiple-purpose project. The House would not agree to this amendment so the conference bill provides the House amount of $15,286,000 for the Tennessee Valley Authority.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). The question is on agreeing to the conference report. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from North Carolina [Mr. JORDAN], the Senator from Georgia [Mr. RUSSELL], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from North Carolina [Mr. JORDAN], the Senator from Georgia [Mr. RUSSELL], and the Senator from Missouri [Mr. SYMINGTON] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business, and if present and voting would vote "yea."

The Senator from South Dakota [Mr. CASE] is absent because of death in his family.

The result was announced—yeas 82, nays 9, as follows:

YEAS—82

Aiken	Green	Monroney
Anderson	Gruening	Morse
Bartlett	Hart	Morton
Beall	Hartke	Moss
Bennett	Hayden	Mundt
Bible	Hennings	Murray
Bush	Hickenlooper	Muskie
Butler	Hill	Neuberger
Byrd, Va.	Holland	Pastore
Byrd, W. Va.	Hruska	Prouty
Cannon	Humphrey	Proxmire
Capehart	Jackson	Randolph
Carlson	Johnson, Tex.	Robertson
Carroll	Johnston, S.C.	Saltonstall
Church	Kefauver	Schoeppel
Clark	Kennedy	Scott
Cooper	Kerr	Smathers
Curtis	Kuchel	Smith
Dodd	Langer	Sparkman
Douglas	Lausche	Stennis
Dworshak	Long	Talmadge
Eastland	McCarthy	Wiley
Ellender	McClellan	Williams, N.J.
Engle	McGee	Yarborough
Ervin	McNamara	Young, N. Dak.
Frear	Magnuson	Young, Ohio
Fulbright	Mansfield	
Gore	Martin	

NAYS—9

Bridges	Dirksen	Keating
Case, N.J.	Goldwater	Thurmond
Cotton	Javits	Williams, Del.

NOT VOTING—7

Allott	Jordan	Russell
Case, S. Dak.	O'Mahoney	Symington
Chavez		

So the report was agreed to.

Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 7509, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U.S.,
August 14, 1959.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 2, 5, 10, and 13 to the bill (H.R. 7509) entitled "An Act making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes", and concur therein;

That the House recede from its disagreement to the amendment of the Senate numbered 15, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment insert: ": *Provided*, That any contract under the Act of July 4, 1955 (69 Stat. 244), as amended, not yet executed by the Secretary, which calls for the making of loans beyond the fiscal year in which the contract is entered into shall be made only on the same conditions as those prescribed in section 12 of the Act of August 4, 1939 (53 Stat. 1187, 1197)".

Mr. ELLENDER. Mr. President, I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 15.

The motion was agreed to.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, notwithstanding the fact that the hour of 12 o'clock has passed, I ask unanimous consent that the Senate continue to transact routine morning business as in the morning hour.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

RESOURCES AND CONSERVATION ACT OF 1960

Mr. MURRAY. Mr. President, I am today introducing a bill designated as the Resources and Conservation Act of 1960. It is gratifying that so many Senators have already joined as cosponsors. Because I have received additional expressions of interest from Senators who have not had time to examine the bill, I ask that it lie on the desk for 3 days to permit additional Senators to join as cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk for 3 days, as requested by the Senator from Montana.

The bill (S. 2549) to declare a national policy on conservation, development, and utilization of natural resources, and for other purposes, introduced by Mr. MURRAY (for himself and Senators BARTLETT, BIBLE, BYRD of West Virginia, CANNON, CARROLL, CHURCH, CLARK, DODD, DOUGLAS, ENGLE, GRUENING, HART, HENNINGS, HUMPHREY, JOHNSON of Texas, LANGER, MAGNUSON, MANSFIELD, MCCARTHY, MCGEE, MORSE, MOSS, NEUBERGER, RANDOLPH, SPARKMAN, SYMINGTON, YARBOROUGH, and YOUNG of North Dakota), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. MURRAY. Mr. President, this proposed legislation is directed to keeping development and conservation of natural resources at a level commensurate with the needs of the Nation. There is urgent need for such legislation because all aspects of natural resource programs lag far behind the requirements for them. With respect to some resources, our condition is critical, and underdevelopment of virtually all resources threatens the national security and the welfare and prosperity of the Nation.

This critical condition exists not because of a lack of resources, but because of a lack of attention and action. In the United States, even after the drain of two World Wars, we still are blessed with abundance of virtually all of the basic raw materials we need. Within our borders there are still forests and rangelands, fertile farms, minerals, fuels, and the waters of our rivers and lakes. Properly developed and wisely conserved, these natural resources can be adequate for a growing population and for an expanded economy.

The present problem and the impending crisis are due not to scarcity but to neglect, underdevelopment, and despoilment. For too many years we have avoided resource problems and denied our responsibility as steward of the national resources wealth. For the past 7 years, the administration has been looking the other way and living by the rule of "no new starts" no matter how urgently they were needed. While natural resource programs have been suspended, natural resources have been dissipated. The administration's policy of "no new starts" represents lost income and lost production and, most serious of all, it represents lost time and lost opportunities that may never be regained.

Even a brief review of natural resource programs reveals neglect and deficiency. Take, for example, water resource development, which everyone recognizes as an indispensable requirement. The Department of Commerce recently has reported that, in order to keep up with requirements, Federal water resource expenditures of at least $50 billion are needed in the next 15 years. In contrast with this need, actual Federal expenditures for water resources are barely $1 billion a year. Thus, we are doing less than a third of this essential water resources job. Current Federal budgets for these activities provide for hardly one-half as much work as was provided in 1950. In that year, the expenditures for water resource activities were 2½ percent of the total budget, but in 1960 they are only 1½ percent of the budget. This is the evidence of the neglect that I mentioned.

Let us look briefly at forest resources, especially those within national forests for which there is express Federal responsibility. A recent report of the Secretary of Agriculture estimates that national forests need over $1½ billion of improvement work. This is the cost of facilities for timber management, fire

protection, recreation, and like programs to protect the forests and to make them usable. Responsive to congressional urging, a start has been made on the program for the national forests, but it is a saddeningly slow start. This is the lost time and lost opportunities that I mentioned.

In the field of soil and moisture conservation, 2 million farmers and ranchers cooperate in the program, but hardly one-fourth of the needed treatments have been installed to protect the half-billion acres of agricultural land. In addition, there are over 6,000 small watersheds that need conservation treatment, but work has been started on only 3 percent of them.

Each year sees our streams and rivers increasingly loaded with pollution, the quality of their water degraded below tolerable limits, and their burden of waste materials clogging sanitation plants or washed up on the shores of parks and beaches. Sewage plants are needed to handle the waste discharge of 48 million people, and it will cost $4½ billion to build them, but the Federal budget for this is only $30 million per year. Municipalities spend 10 times as much as the amount of the Federal contribution for pollution control; but, although this is a severe burden on local finances, it is far short of keeping up with municipal growth.

So we might inventory each of the other natural resources—minerals, hydroelectric power, recreation, and wildlife. For each of them, the sad story is the same—too little, too late.

The neglect and deficiencies of the Federal activities are doubly hurtful because, to a major degree, Federal programs pace the non-Federal activities. When Federal programs are delayed and deficient, State and private activities fall behind. The pollution of the Potomac River at the very steps of the Capitol is an example. With timely and appropriate Federal assistance, the States, the municipalities, and the industries might have minimized the problem largely by their own efforts. Lacking Federal encouragement and initiative, control of Potomac River pollution has been so long delayed that its cure may not be possible within the foreseeable future.

In conservation and development of most of the natural resources, the Federal Government has participated jointly with States and private interests. This has been true for reclamation, rural electrification, soil conservation, and wildlife management almost from their start. The past half century has clearly established that the Federal responsibility to provide for the national security and to promote the general welfare includes conservation and development of natural resources. To this end, the Congress seeks to assist and work in concert with the States and local governments and private interests. But in meeting this responsibility, how well do we now measure up to the forward-looking standards set by the Senate in 1807 when it instituted an inquiry into the improvement of inland waterways? I fear that we may not measure up very well.

On this question, let us again examine water resources: Between now and 1975, about $50 billion will have to be spent for plants and equipment to provide water and sewage services to the growing urban population. The consensus is that municipalities do not have the financial resources to raise any such amount of money. We know, for example, that since 1952, State and local government debt has increased 100 percent, and there is very little leeway under State constitutions to issue bonds in the amounts needed for such a huge program. How, then, will the job get done, to whom will they turn, and what sort of assistance might be available? Comparable questions face us for all of the natural resources—how much needs to be done by the Federal, State, local governments, and by private industry? What means do they have for accomplishing their share of the total job, and what forms of assistance can most effectively be provided?

In 1945, when millions of men and women were released from the Armed Forces and when production of arms and munitions released more millions of workers, we faced grave and complex problems of how 60 million workers could find jobs, and how the economy could finance such expansion of peacetime production. At that time, it was my privilege, joined by the Senator from Wyoming [Mr. O'MAHONEY], former Senator Wagner, and former Senator Thomas, of Utah, to introduce Senate bill 380 of the 79th Congress, and on February 20, 1946, to see it enacted as the Employment Act of 1946.

The measure that I have introduced today, the Resources and Conservation Act of 1960, is comparable in form and structure with the Employment Act. It seeks for natural resources answers to problems comparable with the employment and economic problems dealt with in the 1946 act. Our experience with that act assures that the method is workable. It demonstrates that the combination of the Council of Economic Advisers in the White House and the Joint Committee in the Congress can be effective in developing answers for complex problems of national concern, and that the combination is effective in implementing the answers with legislative and executive action.

Even with the advantage of the 1946 act as a model for this one, it is far from being the final form. Many improvements will be made in the bill as a result of hearings and committee discussions. I hope that there will be full hearings, including field hearings. These should bring to the committee the thinking of all interests concerned in natural resource conservation and development. What we are striving for, in my view, is to establish a permanent mechanism in Government that will give continuous attention to the entire range of natural resources, and that will periodically advise the President and the Congress what is needed and how to attain it.

Recent sessions of Congress have generated a series of commissions and committees to evaluate and recommend regarding certain natural resource problems. Outstanding among these special bodies is the Commission on Outdoor Recreational Resources and the Select Committee on National Water Resources. These two bodies are marked by the high caliber of their distinguished membership. Their reports will, I am confident, contribute significantly to understanding of the subjects.

These recent special bodies unfortunately are limited, as were ones that preceded them—the Paley Commission and the Cooke Commission. These two Commissions are, in my judgment, outstanding in delineating the problems and in pointing to the solutions for major natural resource problems. They have inaugurated a new era in public policy on natural resources. Unfortunately, the Paley Commission and the Cooke Commission, like the Hoover Commissions and other previous and current resource commissions, are transitory. Their reports, containing much sound thinking and meritorious proposals, all too soon became library items rather than charters of action. Our experience with commission reports is that they generate very little action after the dissolution of the commission that authored them.

In contrast, the Council of Economic Advisers and the Joint Economic Committee are continuing arms of Government. Neither of them administer any programs; they do not issue regulations or operate facilities. They are effective because, in the executive branch and in the Congress, there are continuing expert bodies that appraise, evaluate, and recommend. The importance of this is exemplified by the valuable contributions and leadership provided by the Joint Economic Committee.

Faced with the same kind of grave and complex questions in all of our natural resources, we need similar continuing bodies in the Congress and in the executive branch. It is important for us to recognize that the grave and complex resource problems facing us now will continue to face us for a long time.

This need for continuing appraisal of natural resource conditions and problems was recognized in the reports of the special Commissions just mentioned. Mr. William S. Paley has called to my attention the final recommendation of the President's Materials Policy Commission of which he was Chairman:

> That the National Security Resources Board be directed, and provided with adequate funds, to collect in one place the facts, analyses, and program plans of other agencies on materials and energy problems and related technological and special security problems; to evaluate materials programs and policies in all these fields; to recommend appropriate action for the guidance of the President, the Congress, and the executive agencies; and to report annually to the President on the long-term outlook for materials with emphasis on significant new problems that emerge, major changes in outlook, and modifications of policy or program that appear necessary.

Although this recommendation was deficient in provision for congressional participation, its general objectives parallels closely the purpose of the proposed Resources and Conservation Act.

This recommendation carries weight because of the high competence of the Materials Policy Commission and the acknowledged excellence of the report. The bill that I have introduced, in many respects, has the same objectives as this Commission proposal.

These considerations are important now because the United States is on the threshold of enormous population and economic growth. All Senators, I am sure, are familiar with the estimates of a 25-percent increase in population during the next 15 years, a 60-percent increase in gross national product, and a 100-percent increase in the index of manufactures. I shall not elaborate on these forecasts other than to express my belief that they are too conservative, that national growth actually will exceed these estimates. Whatever figures are chosen, it is plain that, in the years ahead, the requirements for resources and the pressures on them will continue to mount, that competition for all resources will intensify, and that there will be increasing need for examination, appraisal, and recommendations of the Resources and Conservation Council and joint committee.

In the face of this increasing requirement for, and pressure on, natural resources, I am not fearful that we shall fail to meet the Nation's needs. Certainly the United States will have the economic and financial ability for the tasks involved, and we have the skills and competence.

We have learned, however, that there are two other essential elements. One of these is that our action must be timely—if we overlook or delay needed measures we may greatly increase the problems, or even defeat the possibility of their solution. The continuing appraisal and the periodic reports of the joint committee will assure such timely attention.

The other essential element is that our actions must be considered ones—in dealing with natural resources, our actions must take account of the close interrelations and interdependence of all of the resources. Utilization of timber or water or mineral resources affects many other uses; often recreation and wildlife values may be either enhanced or destroyed depending on how other resources are handled. In some cases, a careful appraisal may show that preservation of certain resources yields greater benefits than would their exploitation.

Recognizing the interrelationships of the various factors, this proposed legislation provides that all resources shall be considered in the findings and recommendations of the Council and Joint Committee. This becomes increasingly important as requirements increase and as pressures mount. With that certain prospect, it becomes ever more essential that all resources be considered in their relations to each other as well as to the economy as a whole.

These very matters are recognized in the 1959 Joint Economic Report. I commend the Joint Economic Committee and its distinguished chairman [Mr. DOUGLAS] for the cogent and well-founded comment in the report. Most especially, I commend and endorse the statement of the Joint Economic Committee that it would be fiscally irresponsible to refuse, on budget-balancing considerations, to increase Federal outlays on developing our natural resources. In order that this excellent statement on "Developing Resources" may be available to Senators, I ask unanimous consent that it be printed at the conclusion of my remarks.

Mr. President, I have touched on many points, but much more consideration of them is necessary because of the tremendous importance of natural resources to the welfare and prosperity of the Nation and to the national security. In order that Senators may have ready access to the matter, I ask unanimous consent that the text of the bill and the explanatory statement be printed at the conclusion of my remarks.

There being no objection, the excerpt, text of bill, and explanation were ordered to be printed in the RECORD, as follows:

DEVELOPING RESOURCES

(Excerpt from 1959 Joint Economic Report—Report of the Joint Economic Committee, Congress of the United States—S. Rept. 98, 86th Cong., 1st sess.)

Federal programs to expand the Nation's natural resource base should be carefully reviewed in the light of the future demands of an expanding economy. As the Subcommittee on Fiscal Policy observed in its report, "Federal Expenditure Policies for Economic Growth and Stability":

"Such programs long ago were established as appropriate activities of the Federal Government where their objective is to eliminate barriers or to provide the stimulus for fuller, more effective resource use and where the means required for realizing these objectives exceed the financial capacity of immediate beneficiaries. Whether any specific project is to be undertaken * * * should be determined by appraisal of measurable economic benefits in comparison with the project's cost."

Following this principle precludes, except under extraordinary circumstances, a flat proscription, such as that in the budget for fiscal 1960, of any new starts in this area. What is called for, instead, is the closest possible examination of present and prospective programs to determine those promising the greatest net yields. If the results of such a survey call for increasing Federal outlays on developing our natural resources, it would be fiscally irresponsible to refuse their undertaking on the basis of narrow budget-balancing considerations.

At the present time, moreover, there are numerous opportunities for expansion of economically sound natural resource development and public works projects in areas of high and persistent unemployment. These projects can serve the dual purpose of improving the conditions for longrun economic growth and of spurring recovery over the next 18 months.

A BILL TO DECLARE A NATIONAL POLICY ON CONSERVATION, DEVELOPMENT, AND UTILIZATION OF NATURAL RESOURCES, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Resources and Conservation Act of 1960."

DECLARATION POLICY

SEC. 2. The Congress hereby declares that it is the continuing policy and responsibility of the Federal Government with the assistance and cooperation of industry, agriculture, labor, conservationists, State and local governments, and private property owners, to use all practicable means including coordination and utilization of all its plans, functions, and facilities, for the purpose of creating and maintaining, in a manner calculated to foster and promote the general welfare, conditions under which there will be conservation, development, and utilization of the natural resources of the Nation to meet human, economic, and national defense requirements, including recreational, wildlife, scenic, and scientific values and the enhancement of the national heritage for future generations.

RESOURCES AND CONSERVATION REPORT OF THE PRESIDENT

SEC. 3. (a) The President shall transmit to the Congress not later than January 20 of each year (commencing with the year following enactment of this Act) a conservation report (hereinafter called the "Resources and Conservation Report") setting forth (1) the condition of the soil, water, forest, grazing, wildlife, recreational, and other natural resources with particular reference to attainment of multiple purpose use; (2) current and foreseeable trends in management and utilization of the aforesaid natural resources; (3) the adequacy of available natural resources for fulfilling human and economic requirements of the Nation; (4) a review of the conservation programs and activities of the Federal Government, the State and local governments, and nongovernmental entities and individuals with particular reference to their effect on full conservation, development, and utilization of natural resources; (5) a program for carrying out the policy declared in section 2, together with such recommendations for legislation as he may deem necessary or desirable.

(b) The President may transmit from time to time to the Congress reports supplementary to the Resources and Conservation Reports, each of which shall include such supplementary or revised recommendations as he may deem necessary or desirable to achieve the policy declared in section 2.

(c) The Resources and Conservation Report, and all supplementary reports transmitted under subsection (b), shall, when transmitted to Congress, be referred to the joint committee created by section 5.

COUNCIL OF RESOURCES AND CONSERVATION ADVISERS TO THE PRESIDENT

SEC. 4. (a) There is hereby created in the Executive Office of the President a Council of Resources and Conservation Advisers (hereinafter called the "Council"). The Council shall be composed of three members who shall be appointed by the President, by and with the advice and consent of the Senate, and each of whom shall be a person who, as a result of his training, experience, and attainments, is exceptionally qualified to analyze and interpret natural resource policy, to appraise programs and activities of the Government in the light of the policy declared in section 2, and to formulate and recommend national resource policy to promote conservation, development, and utilization of natural resources. Each member of the Council shall receive compensation at the rate of $ per annum. The President shall designate one of the members of the Council as Chairman and one as Vice Chairman, who shall act as Chairman in the absence of the Chairman.

(b) The Council is authorized to employ, and fix the compensation of, such specialists and other experts as may be necessary for the carrying out of its functions under this Act, without regard to the civil service laws and the Classification Act of 1923, as amended, and is authorized, sub-

ject, to the civil service laws, to employ such other officers and employees as may be necessary for carrying out its functions under this Act, and fix their compensation in accordance with the Classification Act of 1923, as amended.

(c) It shall be the duty and function of the Council—

(1) to assist and advise the President in the preparation of the Resources and Conservation Report;

(2) to gather timely and authoritative information concerning natural resource conservation and development trends, both current and prospective, to analyze and interpret such information in the light of the policy declared in section 2 for the purpose of determining whether such development and trends are interfering, or are likely to interfere, with the achievement of such policy, and to compile and submit to the President studies relating to such development and trends;

(3) to appraise the various programs and activities of the Federal Government in the light of the policy declared in section 2 for the purpose of determining the extent to which such programs and activities are contributing, and the extent to which they are not contributing, to the achievement of such policy, and to make recommendations to the President with respect thereto;

(4) to develop and recommend to the President national policies to foster and promote conservation, development, and utilization of the natural resources of the Nation to meet human and economic requirements, including recreational, wildlife, and scenic values.

(5) to make and furnish such studies, reports thereon, and recommendations with respect to matters of Federal resource policy and legislation as the President may request.

(d) The Council shall make an annual report to the President in December of each year.

(e) In exercising its powers, functions, and duties under this Act—

(1) the Council may constitute such advisory committees and may consult with such representatives of industry, agriculture, labor, conservationists, State and local government, and other groups, as it deems advisable;

(2) the Council shall, to the fullest extent possible, utilize the services, facilities, and information (including statistical information) of other Government agencies as well as of private research agencies, in order that duplication of effort and expense may be avoided.

(f) To enable the Council to exercise its powers, functions, and duties under this Act, there are authorized to be appropriated (except for the salaries of the members and the salaries of officers and employees of the Council) such sums as may be necessary. For the salaries of the members and the salaries of officers and employees of the Council, there is authorized to be appropriated not exceeding $ in the aggregate for each fiscal year.

JOINT COMMITTEE ON RESOURCES AND CONSERVATION

SEC. 5. (a) There is hereby established a Joint Committee on Resources and Conservation, to be composed of eight Members of the Senate, to be appointed by the President of the Senate, and eight Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The party representation on the joint committee shall as nearly as may be feasible to reflect the relative membership of the majority and minority parties in the Senate and House of Representatives.

(b) It shall be the function of the joint committee—

(1) to make a continuing study of matters relating to the Resources and Conservation Report;

(2) to study means of coordinating programs in order to further the policy of this Act; and

(3) as a guide to the several committees of the Congress dealing with legislation relating to the Resources and Conservation Report, not later than May 1 of each year (beginning with the year following the enactment of this Act) to file a report with the Senate and the House of Representatives containing its findings and recommendations with respect to each of the main recommendations made by the President in the Resources and Conservation Report, and from time to time to make such other reports and recommendations to the Senate and House of Representatives as it deems advisable.

(c) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection. The joint committee shall select a chairman and a vice chairman from among its members.

(d) The joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings as it deems advisable, and, within the limitations of its appropriations, the joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants, to procure such printing and binding, and to make such expenditures, as it deems necessary and advisable. The cost of stenographic services to report hearings of the joint committee, or any subcommittee thereof, shall not exceed twenty-five cents per hundred words. The joint committee is authorized to utilize the services, information, and facilities of the departments and establishments of the Government, and also of private research agencies.

(e) There is hereby authorized to be appropriated for each fiscal year, the sum of $, or so much thereof as may be necessary, to carry out the provisions of this section, to be disbursed by the Secretary of the Senate on vouchers signed by the chairman or vice chairman.

EXPLANATION OF RESOURCES AND CONSERVATION OF 1960

Section 1: The title of the act, "Resources and Conservation Act of 1960," provides a ready reference that is fully descriptive of the subject matter of the act.

Section 2: The declaration of policy states explicitly the policy that has long been inherent in the acts of Congress that give effect to its constitutional responsibility "to provide for the common defense and general welfare." Policy is explicitly stated in some of the many acts dealing with natural resources, such as the 1935 Soil and Moisture Conservation Act, and the 1936 Flood Control Act. Hundreds of other acts, by their very nature and by their administration over many years, constitute a national policy on natural resources. This body of policy in its general application is summarized in section 2 of the bill.

Four important principles are stated in the policy. One of these is that there is a Federal responsibility and concern in the conservation, development, and utilization of natural resources which are means of providing for the general welfare and the national defense. A second principle is that the general program for natural resources will be developed in cooperation with State and local governments, and citizens, and with industry, agriculture, labor, conservationists, and private property owners. A third principle is that the objectives of conservation, development, and utilization are to meet human, economic, and national defense requirements, including those for recreational, wildlife, scientific, and scenic values, along with recognition of our obligations to preserve the natural resources inheritance for future generations. A fourth principle is that the Federal concern with natural resources pervades its manifold activities and requires their coordination in relation to natural resources.

Section 3: The Resources and Conservation Report of the President will be an annual appraisal of the condition of natural resources, and the progress in their conservation, development, and utilization. It will also bring to focus the problems and the needed action, with recommendations in the light of current and foreseeable future trends of management and utilization. This annual review will take account of the programs and activities of the Federal Government, and also those of the State and local governments and nongovernmental entities and individuals. The report deals with all of the natural resources—soil, water, forest, grazing, mineral, wildlife, and recreational resources—thus providing an integrated basis for interrelated programs and objectives.

The Resources and Conservation Report is the vehicle by which the President advises the Congress and the public of the views and recommendations of the executive branch on overall resources and conservation matters. Being an annual report, it can reflect current and changing conditions and concepts.

In addition, the President may make supplementary reports or revised recommendations as he deems appropriate.

Section 4: A Council of three resources and conservation advisors will advise and assist the President in the development of the comprehensive overall appraisal of natural resource programs and problems and in the formulation of his recommendations. The advisors will be appointed by the President, subject to confirmation by the Senate, and they are required to be qualified by training, experience, and attainments in the field of natural resources. The Council will be assisted by specialists and experts employed outside of the civil service, and by other employees subject to the civil service laws. The Council may establish advisory committees and consult with representatives of State and local governments, and citizens, and with industry, agriculture, labor, conservationists, and other groups, and it will utilize, to the fullest extent possible, the facilities and information of Government and private research agencies.

The Council of Advisors is fact finding and fact analyzing. It has no functions in the administration or execution of programs, these functions remaining the responsibilities of the regular executive agencies.

Section 5: The Joint Committee on Resources and Conservation is constituted of eight Members of the Senate and eight Members of the House of Representatives, with party representation proportional to the majority and minority parties in the Senate and the House of Representatives respectively.

This joint committee makes continuing study of the Resources and Conservation Report of the President, and of other means of coordinating resources and conservation programs in furtherance of the policies stated in section 2. Annually, the joint committee reports to the Senate and the House of Representatives its findings on the recommendations of the President and on such other resources and conservation matters as it deems advisable. The joint committee may hold hearings, and it may employ experts, consultants, and other staff.

The joint committee is advisory to the Senate and the House of Representatives. It has no legislative functions, these remaining the responsibilities of the established standing committees.

Mr. McGEE. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. McGEE. I commend to the attention of my colleagues in the Senate the importance of the measure which the senior Senator from Montana is introducing.

At a time when we in America are concerned about the economic growth of our country, we might well undertake this study of the promotion of the conservation of all the Nation's resources. I believe that America outran the rest of the world about 65 or 70 years ago by reason of our rapid accumulation of surplus capital. The reason for that surplus of capital, which turned out to be the difference between our economic growth and that of our competitors around the world, was the great abundance of American resources. These resources were used to the full benefit of the entire Nation.

I suggest, in pursuit of the proposal of the senior Senator from Montana today, that the time has come when our country can turn again to the development of our resources as the provider and creator of a new surplus capital which will enable us to maintain the pace which the burdens of world leadership now require.

We cannot do this with "no new starts," or without an understanding of the slow processes of developing new resources. We do not bring in new resources overnight. We do not bring in new resources because of an act of Congress. We bring them in only through foresight and careful planning.

The legislation proposed by the senior Senator from Montana demonstrates that kind of foresight. I commend it to the attention of all our colleagues in the Senate.

Mr. MURRAY. I thank the Senator from Wyoming.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. CHURCH. Mr. President, I should like to join in commending the distinguished senior Senator from Montana, the chairman of the Senate Committee on Interior and Insular Affairs, for having taken the leadership in fashioning and introducing this bill.

I believe this to be landmark legislation which will be looked upon in future years as of signal importance in promoting the wise conservation and development of the public resources of this country. I submit that in introducing this bill the distinguished senior Senator from Montana demonstrates once again the leadership he has always exhibited in this field, which has always been in the tradition of Theodore Roosevelt and Gifford Pinchot.

I am hopeful that the Senator will be successful in acquiring additional cosponsors, and that next year we shall see the bill reported favorably by the committee and acted upon favorably by the entire Senate.

Mr. MURRAY. I thank the Senator from Idaho for his generous expressions.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. YARBOROUGH. I am happy to have the privilege of being a cosponsor of this bill with the distinguished Senator from Montana.

As has been so well said by the junior Senator from Wyoming and the junior Senator from Idaho, this is a landmark bill, looking toward the conservation and development of the resources of the United States for the people of the United States as leaders of the free world.

When the Senate comes to consider this measure to establish a Resources Advisory Council, we should consider two other measures, passed within the past 2 years, which may have a profound influence on the way of life of all our people.

One of these measures was the weather modification bill of 1958. That bill was based upon scientific testimony that within the foreseeable future we shall be able to do something about modifying the weather in certain areas of the globe.

The other measure to which I refer, which has been passed, provides for the establishment of stations to study methods of taking salt out of sea water and salt water from underground wells. We are far along in that type of advance. We may soon see fresh water taken from the sea and from underground salt water supplies, at a cost which will make it practical for agricultural uses.

So with these two measures, the weather modification measure and the desalination measure, already written into law, we see clearly pointed out the need for developing all the resources of the Nation. I commend the Senator from Montana for his leadership in this important field.

Mr. MURRAY. I sincerely thank the Senator from Texas.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. MORSE. I congratulate the distinguished senior Senator from Montana for another great act of statesmanship in the field of natural resources development. I have checked his bill, and I consider it an honor to join with him as a cosponsor.

We are going through a rather interesting period in the Congress in connection with the development of natural resources. If we check back on the legislative history of natural resource development, we discover that it swings somewhat as a pendulum swings. Last year, and again this year, Congress has not lived up to its responsibilities in regard to natural resource development, with respect to protecting the interests of future generations.

We are trustees of the natural resources of this country, and we need to do a better job than Congress did last year, or has done thus far this year, in developing a natural resources program.

I believe that the objectives of the bill of the Senator from Montana will be very helpful in making the Congress more cognizant of its trusteeship obligations in regard to our natural resources.

Mr. MURRAY. I thank the Senator for his very kind and cogent remarks. I am very grateful to him for his expressions.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. MANSFIELD. I wish to join in what the distinguished senior Senator from Oregon and other colleagues in the Senate have said about the consistent leadership shown by the senior Senator from Montana, who has indicated on so many occasions that his thinking is not merely abreast of the times, but is ahead of the times. The facts have borne out his foresight over the years.

It is interesting to note that this subject was discussed at the conference of western Senators a week or so ago, at which there were present 23 western Senators. The proposal was unanimously approved by that conference, including Senators from Texas, Oklahoma, and Alaska.

This is another indication of the leadership which the senior Senator from Montana has consistently shown. I hope we shall be able to have action shortly on this important measure.

Mr. MURRAY. I thank my colleague very much.

Mr. HART. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. HART. Mr. President, as a freshman Senator, I welcome this opportunity to offer my appreciation to the senior Senator from Montana for his many years of great leadership in this body. Unfailingly and consistently he has recognized in advance the needs of this Nation and its people; he has offered imaginative, far-reaching measures designed to meet those needs.

It is my privilege to join today with Senator MURRAY in sponsoring the Resources and Conservation Act of 1960. On July 9 I stated on the Senate floor in connection with the TVA financing bill that it would be my policy to support measures for the economic growth of the Nation as a whole. The Resources and Conservation Act of 1960 is such a bill. I stated further that it would be my purpose to help obtain for the north central and northeastern areas of the country the water-resources programs so badly needed in these sections. The Resources and Conservation Act of 1960 provides just such opportunity.

The coordinating feature of this bill may well turn out to be its greatest contribution. It would enable the executive branch and the Congress to examine our resource and conservation needs, nationwide, as a whole; and it would enable us to plan to meet those needs in a coordinated fashion. The sewage, water supply, and recreational needs of the East would be considered alongside the reclamation and irrigation needs of the West. We would have presented to us for study and action the total picture in one piece.

Consider the present battery of Federal control centers: In the executive branch, there are 16 agencies spread around 6 Departments — Defense; Agriculture; Health, Education, and Welfare; State; Commerce; Interior—one independent corporation—TVA—and two international commissions — International Boundary and Water Commission, United States and Mexico, and the International Joint Commission, United States and Canada—charged with carrying out various Federal water policies,

and this excludes power and some specialized interests in water. In addition, of course, the Bureau of the Budget exercises its own particular authority in this field. The Senate too has four standing committees with major interest in resources and conservation. Clearly, we would all benefit from the overall look which this bill would provide.

Mr. President, every area of the country has its own particular needs in terms of resources and conservation. I welcome this evidence that the needs of the north central and northeastern sections will be considered together with the needs of the West and the South. And I particularly applaud the determination evidenced by this bill to wrap the Nation's development program into one package to which we can all address ourselves.

Again, I salute the senior Senator from Montana for this typical demonstration of concern for America and Americans in years ahead.

Mr. MURRAY. I thank the Senator from Michigan.

A NATIONAL POLICY ON CONSERVATION DEVELOPMENT IS DESIRABLE AND NECESSARY

Mr. RANDOLPH. Mr. President, more than a quarter of a century ago I had the privilege of meeting the senior Senator from Montana [Mr. MURRAY]. During the years my admiration for him has been strengthened. It is a privilege to join as a cosponsor of the legislation which is now under discussion. It is characteristic of Senator MURRAY'S devotion to the national welfare that he would sponsor this program which looks to the benefit of generations yet unborn.

In its essence, Mr. President, this bill addresses the fundamental issue of whether we will adopt long-range planning as a means of sustaining our level of civilization. The American people have been singularly blessed with a continent rich in natural resources. For almost 300 years, with a growing but still relatively small population, we could afford to squander our resources. But that time has long since passed.

With the administration of President Theodore Roosevelt we first became aware as a nation of the need for the conservation of our resources. Since his death in 1919, more of the earth's mineral resources have been consumed than during man's entire previous existence. This is the measure of the problem we face.

It is estimated that, on the basis of present trends, by 1980 the United States will consume 50 percent more raw materials, 85 percent more nonferrous minerals, 97 percent more mineral fuels, and 133 percent more nonmetallic minerals. These figures are representative of our estimated consumption of all natural resources only two decades from now.

Our resources are not infinite. Nor is our national appetite. But the time is rapidly approaching, Mr. President, when our needs will outrun our resources if we fail to establish long-range planning for their wise utilization and development. I hope, therefore, that the resources and conservation bill introduced by Senator MURRAY will receive prompt consideration and passage. No Member of this body has been more creative and more courageous in carrying forward the purposes of conservation and development of natural resources than Senator MURRAY. It is a genuine privilege to join in this effort.

Mr. MURRAY. I thank the Senator from West Virginia. I yield the floor.

HERBLOCK CARTOON: SENATE RACKETS COMMITTEE

Mr. MUNDT. Mr. President, I am speaking in connection with a Herblock cartoon which appeared in the Washington Post for this morning. The heading of the cartoon says "Hurry Up and Find Some Democratic Racketeers—We Can't Hold This Shut Forever."

There is a picture of a door called the Senate Rackets Committee; under that a legend, "Closed Hearings"; under that a caricature of the Senator from Arizona [Mr. GOLDWATER] and the Senator from South Dakota now addressing the Chair.

My purpose for mentioning this, Mr. President, is that several other newspapers outside of Washington, as I understand, subscribe to the Herblock cartoon, and I am hopeful that the true facts in this connection will be carried by the wire services and the reporting agencies of the Capitol so that they will catch up with the picture cartoon as it appears in the paper.

It happens, Mr. President, that the first speech I ever gave in the Halls of Congress was about 20 years ago when I became engaged in a debate with a motion picture. I found that a rather strenuous exercise, but I did discuss the accuracy of that picture which Mr. Lowell Mellett had created, a motion picture called The Plough That Broke the Plains, which was a complete distortion and misrepresentation of my home State of South Dakota and of the general Midwest.

Having seen that picture one night at the Blair-Montgomery High School at a meeting I was addressing, I was so incensed I rushed down to the floor of the House the next morning and gave a speech, pointing out its errors and its misrepresentations, even though I was not inclined to intrude myself on the House at so early a time in my career as a new Member of Congress.

As a result of that we got "The Plough That Broke the Plains" withdrawn from circulation because it was demonstrably erroneous. That was one debate at least which I won.

This cartoon is also demonstrably erroneous, and I am not criticizing Mr. Block because I do not think he did it with malice. I think the lack of information that he possessed and that induced him to draw this cartoon came naturally from the fact that there was not any great amount of publicity about that which he here discusses or portrays. So I think some things need to be said on that same subject to set the record straight. I propose to say them for the record now.

Mr. Block is referring to the hearings now under way, Mr. President, involving certain officials of the United Automobile Workers. This procedure is not in the nature of the customary hearing we have held before our committee, but is a hearing in which Senator CURTIS and the minority counsel, Bob Manuel, operating under authority extended to them by the committee as a whole, are presenting to the full committee in executive hearings the evidence which has come to their attention and on which they have been working for several months in an effort to determine whether or not, as a result of that evidence, the committee as a whole decides that it is justified in conducting an expanded investigation and in having public hearings. It is the same type of thing that has been done repeatedly in our committee when the chairman and the committee counsel, Bob Kennedy, would call us into executive session to present some witnesses and some evidence, to have the committee judgment on whether or not a public hearing and further investigation were justified. So the hearing now proceeding is in strict conformity with that established precedent of the committee.

It is true, Mr. President, that on the morning that this executive hearing began some discussion arose, in the committee, which I am precluded by the rules of the executive session from repeating, as to whether or not at that juncture the hearings should be made public instead of going through with the original arrangement which had been in existence for several months. A vote was taken then.

Mr. Block is completely wrong respecting me, Mr. President, because I did not vote in favor of closed hearings. I voted "present," and I preceded that vote by saying to the members of the committee as far as I was concerned we could listen to this evidence in public or in private; I did not care. I had not heard it.

I wanted to know what Mr. CURTIS and Mr. Manuel had. I was open-minded about it. I said it seemed to me to be the wisest course of action was to hear it first in executive hearing, as we had heard other witnesses, and thus try to prevent certain innocent people from being smeared or slandered, and prevent some highly emotionalized witnesses from making unsupported statements in public, which we could screen out in private hearings.

Now, the record shows that I voted present, Mr. Block to the contrary notwithstanding. He is 100-percent wrong.

Mr. GOLDWATER. Will the Senator yield?

Mr. MUNDT. I yield to the Senator from Arizona.

Mr. GOLDWATER. As a member of the select committee I merely want to corroborate what my distinguished friend, the Senator from South Dakota, has been relating to the Senate; namely, that we did take a vote that morning. In fact, contrary to our desire to keep this vote secret, it leaked out. How, I do not know. So I am not disclosing anything that has not been disclosed in the public press when I say that the vote

was 5 to 2 in favor of conducting closed hearings, and the unrecorded vote was a vote of the Senator from South Dakota, who did vote present instead of voting.

Mr. MUNDT. It was not unrecorded. It was recorded that I voted present.

Mr. GOLDWATER. Yes. I want to say for my colleagues that this was a bipartisan vote, that others than Republicans voted that this should be a closed hearing.

But I will say this to my distinguished friend, in view of what I heard in executive session during the past week, if the opportunity to vote comes up again, the junior Senator from Arizona is strongly urged from what he has heard to vote for open hearings. I think some day the American public should hear what we have been hearing in private.

Mr. MUNDT. I appreciate what the Senator from Arizona has said. While I did not intend to allude to the future in correcting Mr. Block's miscomprehension, let me say this now. If the matter comes before us, as far as I am concerned, on the basis of the evidence we have heard by listening to several witnesses and spending several days at it, if this matter comes before the committee again I shall vote to have this hearing made public. I shall vote to have the secrecy stripped from the hearings we have held, to disclose what has taken place in the hearings during the past few days; or if a majority of the committee prefer, I shall vote to rehear the witnesses in public and let them reconsider their answers, and testify in public according to the designs of their conscience.

As far as I am concerned, I think the public should know and should hear what we have heard in executive session. I will be happy to do it either by voting to remove the secrecy from what we have heard and let the future investigation be in public, or to hear the witnesses in public.

I think the appropriate procedure is for us to continue on the standards of approved procedure and hear the remainder of the witnesses as they testify under the direction of Senator CURTIS and Mr. Manuel, presenting the facts to us, and at that time have the committee determine in its good judgment whether or not the investigation should be expanded and continued, as I think it should be, and as I shall vote to have it done, and whether or not we make it public, either by opening up the hearings that have been held, or by rehearing the witnesses. I shall support either proposal for making this evidence public.

So I have news for Mr. Block. He can just keep the original of this cartoon, Mr. President, just as it is, but be prepared to change the figures in front of the door and the names on those figures because after the next vote, if what we have heard in secret is not made public, there will be a couple of other people standing in front of that door other than GOLDWATER and MUNDT.

We have made our position clear here. In fact, I do not believe those figures will be Republicans at all. In fact, I hope there will not be any figures there at all so that he can show that door swinging wide open, and I will be that little fellow behind the door trying to push it open. Certainly we have gone far enough to indicate that Senator CURTIS and Mr. Manuel have produced evidence to which we ought to devote ourselves in making further investigation and to which the public is entitled, and to which the people who are charged with wrongdoing should have an opportunity in public to make their defenses under oath in sworn testimony, subject to the rules of perjury where the whole record will be open to the public so the court of public opinion can make its own verdict.

The PRESIDING OFFICER. The Chair reminds the Senate that the morning business has been resumed, and that the limitation of time is in effect.

Mr. MANSFIELD. Mr. President, I did not request a time limitation on the unanimous-consent request. I ask unanimous consent that the time for morning business be extended for another 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED REMOVAL OF POLL TAXES

Mr. KEFAUVER. Mr. President, the Subcommittee on Constitutional Amendments of the Committee on the Judiciary is having a hearing this afternoon on Senate Joint Resolution 126, introduced by the Senator from Florida [Mr. HOLLAND] in connection with the removal of poll taxes as a prerequisite for voting.

I issued a press release stating that the hearings had been called at the request of Senator JAMES O. EASTLAND, of Mississippi, and several other Senators. I wish to make it clear that those Senators oppose the amendment, and that the hearings which I have called are to enable those who are in opposition to the measure to have an opportunity to be heard.

Mr. EASTLAND. I thank the Senator from Tennessee.

Mr. KEFAUVER. Does that correct the situation?

Mr. EASTLAND. Yes.

Mr. KEFAUVER. I made that clear in the statement which I made before the subcommittee this afternoon.

HAROLD CROSS'S PUBLIC SERVICE

Mrs. SMITH. Mr. President, in the past few days one of Maine's outstanding citizens, Harold L. Cross, died. One of the most appropriate, even if brief, editorial eulogies was that which appeared on the editorial pages of one of America's greatest newspapers—the St. Louis Post-Dispatch—on August 14, 1959.

I ask unanimous consent that this editorial be printed in the body of the RECORD, and I invite the attention of the Members to it.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HAROLD CROSS'S PUBLIC SERVICE

Back in the late 1940's the American Society of Newspaper Editors began to take notice of the extent to which meetings of public bodies were closed to representatives of the press. Councils, committees, bureaus, departments, commissions often held their sessions in tight secrecy. Relatively few editors knew their legal rights in such matters and so the A.S.N.E. engaged Harold L. Cross, a retired newspaper lawyer of Maine and New York, to make a thorough study of the laws of the States as to both the rights of officials and the rights of editors. The result was a monumental legal stocktaking in the newspaper field, "The People's Right To Know." To call Harold Cross's book, and the additions which he made to it, a landmark in the history of the press in the United States is not to exaggerate. Not only all editors and publishers, but newspaper readers as well, suffered a loss in his death. He performed a service to our self-governing democracy both valuable and distinctive.

THE STEEL STRIKE

Mr. JAVITS. Mr. President, the lack of progress toward a settlement of the steel strike has induced the distinguished Senator from Vermont [Mr. AIKEN] and me to issue, over the weekend, a statement which we should now like to share with our colleagues.

It seems to us that the lack of progress appears to be heading us in the direction of ultimately invoking the provisions of the Taft-Hartley law for a factfinding board and injunction—unless something happens to break the present stalemate.

An emergency brought on by our own inertia would certainly be hard to excuse; accordingly, it is essential to see what can be done in anticipation of the time when a shortage of steel may bring on an actual national emergency situation.

For this reason, we believe that the time has come for the President to share with the people the facts found for him by his own factfinder, Secretary of Labor James P. Mitchell. Given objectively the relevant facts in the dispute, the great national jury of the people of the United States should be able to crystallize the weight of public opinion to bring about a settlement of the strike or to indicate what further steps may be taken to bring it about. In a situation like this, we need to find new techniques for asserting the public interest. Public factfinding is such a technique.

We take cognizance of the fact that Senator SYMINGTON and 32 Democratic Senators as cosponsors have put in a resolution to bring the President directly into the effort to settle the steel strike. Our suggestion is a substitute for the Symington resolution; the differences relate primarily to two points; First, we omit the request to the President that he act as a mediator of the strike, which is one of the main points of the Symington resolution; and, second, we do not call for the President to make recommendations "as to the terms of settlement of the dispute" as called for by the Symington resolution.

The steel strike is one impressed with the national interest and the result will be a bellwether in labor-management negotiations at least for the next year. The outcome of the steel controversy is a key element in the anti-inflation effort, too. Hence the people of the

United States have an unusual interest in what happens.

Labor and management are hopelessly at odds on the facts. Management says it must recapture the work rules or lose control of production. Labor says management has done well indeed under existing rules. Management says no wage raise without a price rise; labor says management can absorb out of fantastic profits the amount labor is asking.

We believe that factfinding on a high level and of a character that would carry prestige should be an aid to collective bargaining between the parties in such a situation. We do not believe it should be a substitute for it. We think that is the most effective day to reconcile the special nature of this labor dispute and its pervasive influence on the national economy with our normal tradition of encouraging strike settlements between the parties.

Our suggestion would have no adverse effect on present negotiations and we declare specifically that there should be no abatement of the process of collective bargaining or of mediation and conciliation in the meantime. We do not believe the country should wait until the emergency calls for Taft-Hartley procedures, but should get the facts now.

Though we agree with the President that there is nothing to fear from a visit by Premier Khrushchev during the steel strike, and that in fact he would see for himself that American workers are freemen having the right to strike, we do believe that all would agree that it would be better still if he could see our steel mills in operation. For, at capacity our steel mills will produce a total daily output typically 75 percent higher than the steel industry in the U.S.S.R., indeed 36 percent of the steel production of the whole world. Gaging Mr. Khrushchev and what will impress him the most we believe it will be blast furnaces turning out the steel which back up America's ideals with its productive power.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes, and that I may yield to the Senator from Vermont, who joined with me in the issuing of the statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. AIKEN. I am very glad to agree fully with the remarks of the Senator from New York. I am very apprehensive, indeed, about the effects of a long, drawn out steel strike. It goes without saying that the longer the strike continues, the more certain it is that there will be an increase in the price of steel at the time of settlement, and the greater will be that increase.

It seems to me that we should very carefully consider, as an anti-inflation measure, the early settlement of the steel strike. It is true, as has been said, that a national crisis does not yet exist because of the strike, but I do not believe we ought to sit down and wait for a national crisis to come up over the horizon before we undertake to settle the strike. The strike will be very harmful to everyone the longer it continues.

So I approve wholly of the request which has been voiced by the senior Senator from New York that the President should authorize his fact finder, Secretary of Labor Mitchell, to give the public the facts, so that public opinion may then play its part looking to an early settlement of the strike, a strike which we all deplore.

I do not pretend to know whether labor or industry is in the right, or to what extent they may be in the wrong. But I believe, in the interest of the American public, that we ought to do all we can, and that the executive branch ought to do all it can, to settle this matter at the earliest possible moment.

Mr. JAVITS. I thank the Senator from Vermont. I think we are both agreed that the steel strike is uniquely susceptible of settlement by the national jury, which is the American people.

Mr. AIKEN. That is correct. The public is more concerned with the steel strike than is any other group.

Mr. MANSFIELD. Mr. President, through an oversight, I forgot to request that there be a limitation of 3 minutes on speeches during the morning hour. I make that request at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

ACREAGE LIMITATIONS FOR OIL AND GAS LEASES AND OPTIONS, STATE OF ALASKA

Mr. GRUENING. Mr. President, I am shocked, as is my colleague, the able senior Senator from Alaska [Mr. BARTLETT], who is now in the Chair, by the action of the President, from whom a message has just been received, announcing that he has vetoed H.R. 6940, the bill which provided for an increase in allowable acreage limitations for oil and gas leases and options in the State of Alaska.

The bill, which would have provided essential impetus to Alaskan economic development, is one of the more important pieces of legislation with which the Alaska delegation has concerned itself during this Congress. It was recommended for enactment by the Governor of Alaska, the Commissioner of Natural Resources of the State of Alaska, and the Chairman of the Resources Committee of the Alaska Senate. There is no question that the State of Alaska wants and needs this legislation. The Alaskan experts who are familiar with Alaska's needs and conditions are not in the least impressed with the fanciful arguments that its passage would be other than beneficial to the State.

The bill was reported without dissent by both the House and the Senate Committees on Interior and Insular Affairs. It passed the House without debate, and was passed by this body after a motion to recommit was roundly defeated.

The President's veto can be explained only by the assumption that it was strongly recommended by the Department of the Interior. The reasons for a recommendation against enactment by that Department are difficult to understand on the merits of the issue. This is especially true in view of the fact that the acreage increase limitations recommended by the Secretary of the Interior are exactly the same, as to acreage amounts, as those in the bill as passed by Congress, namely 600,000 acres. The Department insists, however, that for this purpose the State must be divided by a line running along the Brooks Range, and that holdings be limited to 300,000 acres north of this range and 300,000 acres south of the range. The theory of this proposed division is that development above the range must be given particular attention due to the exceptional difficulty of development and to geographical conditions there. This is the only difference between the bill that the President has vetoed and the legislation which the Interior Department was willing to support.

Those who know the State of Alaska know there is no substantial geographical, climatic, economic, or logistical basis for this recommendation of the Department. The differences in geographic and climatic conditions above and below the range are not sufficient to warrant a division of the State for purposes of this legislation. Those who know Alaska are better informed than the bureaucrats in the Department of the Interior, whose testimony at the hearings indicated they had no first-hand knowledge of the regions involved. It is impossible to follow the argument that blanket doubling of acreage limitations will deprive the State of Alaska of income. The argument that income will be lost is apparently based on the theory that legislation requiring an increase in acreage rentals will be enacted. I wish to point out that, first of all, such legislation has not been enacted; and, second, the Secretary of the Interior now has authority to raise the rate of acreage rentals, action which he has not seen fit to take.

Furthermore, it is impossible to understand why the increase in acreage limitation to 600,000 acres, under the provisions of the bill as passed by Congress, would reduce the income for the State, while the increases under the proposal of the Department would not. Under the Secretary's proposal, the acreage limitation would remain the same. The rental rate would remain the same. The only difference wold be that rental would be paid on 300,000 acres above the range and on 300,000 acres below the range. Under the measure just vetoed, rental would be paid on 600,000 acres located in any part of the State.

In passing, I may point out that the question of the possible loss of income to the State, through the enactment of this legislation, was not raised until after the bill had cleared both committees and the House of Representatives.

It appears that the Department of the Interior feels, with respect to the State of Alaska, that only that Federal agency is able to determine action which is in the best interest of the State, despite completely contrary recommendations from those concerned. The Department has not grasped the fact that Alaska is now a State, and no longer is a ward of the Department of the Interior, as Alaska was as a Territory for the last

75 years, when the fiat of the Secretary of the Interior determined the fate of Alaskans—often, as now, to their disadvantage.

I ask unanimous consent to have printed at this point in the RECORD a copy of a letter sent by the Alaskan congressional delegation to the President, urging him to sign the bill.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 10, 1959.

President DWIGHT D. EISENHOWER,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The purpose of this letter is to urge you to give your approval to H.R. 6940.

This bill was approved unanimously by the House of Representatives and by a voice vote in the Senate after having been reported without objection by the responsible subcommittees and full committees of both Houses of the Congress.

In addition—and equally important—its enactment has been recommended by the Governor of the State of Alaska, the commissioner of natural resources of the State of Alaska, and the Chairman of the Resources Committee of the Alaska Senate. In fact, not a single objection from any Alaskan to this bill was received by the Senate Committee on Interior and Insular Affairs.

The purpose of this legislation is to further the policy set forth in the Mineral Leasing Act, namely, to promote the development of oil and gas upon the public domain. The bill recognizes that such development will take place in Alaska only if special inducements are offered to attract to Alaska large amounts of venture capital to offset the very real deterrents to full development which exist by reason of the State's terrain and climatic conditions.

By increasing from 300,000 to 600,000 the number of acres which may be held under public lands oil and gas leases in Alaska, H.R. 6940 offers petroleum prospectors a necessary and reasonable inducement and one which we are confident they are prepared to accept and use in the public interest.

The change in acreage limitation in fact would only place Alaska on a more equitable footing with the other States of the Union when full consideration is given to the fact that the total of public land acreage available for mineral leasing in Alaska (365 million acres) is several times that of each of the other public land States, and that in the latter, unlike Alaska, there are also acquired lands available for leasing. With that much acreage available in Alaska, it cannot be seriously contended that raising the acreage limitation to 600,000 acres would create the possibility that a few operators could monopolize the field.

The Department of the Interior agrees that the acreage limitation should be raised to 600,000 acres. It insists, however, that for this purpose the State be divided by a line running along the Brooks Range and that holdings be limited to 300,000 acres north of that range and 300,000 south of it. The area north of the range contains approximately 48 million acres. Of this 48 million acres only 20 million have been opened for leasing upon completion of mapping. Of this 20 million acres only 4,016,000 have been mapped. Thus the Department of the Interior's position is that individual holdings be limited to 300,000 acres in an area of 48 million acres and that acreage be limited to the same amount in an area of 317 million acres. Would it not be easier to monopolize 48 million acres than 317 million of the same leasing limitations applied to both?

There is no basis in logic or fact for such an artificial limitation.

Since the provisions of the Alaska Statehood Act grant the new State 90 percent of the income from rentals and production on Federal oil and gas leaseholds, your approval will bring a welcome increase in revenue to the State's treasury—both short range from the likely increase in leasing activity and long range from the expansion of development and production which we are confident will follow.

The argument has been made that, since the Congress has not yet acted upon your request that the minimum rental charge for public lands oil and gas leases be increased, enactment of H.R. 6940 would have the reverse effect of denying Alaska large amounts of revenue which would accrue to it under the increases you have proposed.

This is specious reasoning. It is so on several counts.

In the first place, it should be noted that a similar conjectured "loss of income to the State" would occur under the Department of the Interior's proposal, unless it means that the Department does not anticipate that there will be any leasing north of the Brooks Range prior to a raise in rentals. If that is so, then we cannot see how the Department's proposals will increase oil exploration and production in Alaska.

In the second place, may we respectfully remind you that neither Alaska nor any other State, nor the Federal treasury, need be deprived of the increase you propose if the Secretary of the Interior would use the authority he now possesses and increase rentals for the 1st and 4th through 10th years of a lease. Or, if the Secretary is reluctant to exercise the authority vested in him by the Congress until there has been specific congressional action, then he can insert in leases hereafter issued, under appropriate regulations, a provision specifically making the amount of rentals subject to future increases either by congressional enactment or by action of the Secretary.

The argument that the State of Alaska would lose money through the enactment of H.R. 6940 is, therefore, simply not so.

Long-term residency in Alaska has given each of us sufficient knowledge of the geographical and climatic conditions to be convinced that any such division of the State for oil and gas leasing purposes as has been proposed by the Department of the Interior would be unrealistic, unnecessary and not productive of the desired results.

In this we are supported by the duly elected and appointed officials of the State of Alaska who are as concerned—or even more concerned—than the officials of the Federal Government to assure the orderly and prompt development of their State's natural resources for the benefits of Alaska and of the Nation.

We urge you to act favorably with respect to H.R. 6940.

If in doing so you are genuinely concerned as to the effects of your action with respect to the future revenues from lease rentals, then may we again respectfully suggest that you accompany your action with a request that the Secretary of the Interior make use of the authority he now has to raise such rentals.

We do urge that you heed the desires of the people of Alaska in a matter of primary concern to that State.

Cordially yours,

ERNEST GRUENING,
U.S. Senator.
E. L. BARTLETT,
U. S. Senator.
RALPH J. RIVERS,
Member of Congress.

THE UNITED STATES AND THE CHALLENGE OF THE UNDERDEVELOPED AREAS OF THE WORLD

Mr. MARTIN. Mr. President, there has just come into my possession the text of an address by the Honorable Francis O. Wilcox, Assistant Secretary of State of International Organization Affairs, delivered in Detroit, on May 1, before the Wayne State University Conference on the Prospects for Democracy in the Underdeveloped Areas.

Entitled "The United States and the Challenge of the Underdeveloped Areas of the World," the address is a remarkably lucid and forthright exposition of what can and should be done to help the underdeveloped areas of the world. As on several past occasions, I wish to call the attention of the Senate to the cogent remarks of this eminent and widely respected Iowan, Francis Wilcox, by asking unanimous consent that his May 1 address be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE UNITED STATES AND THE CHALLENGE OF THE UNDERDEVELOPED AREAS OF THE WORLD

(Address by the Honorable Francis O. Wilcox, Assistant Secretary of State for International Organization Affairs, before the Wayne State University Conference on the Prospects for Democracy in the Underdeveloped Areas, at the Institute of Arts, Detroit, Mich., Friday, May 1)

I can think of no city more appropriate for a discussion of the underdeveloped countries of the world than Detroit.

Your city is a major nerve center of the vast industrial business and financial complex of the Middle West. This one-time frontier trading post today has become the Nation's third largest industrial center. It is the world's biggest producer of export products, and the Detroit River carries more tonnage than any other river in the world.

These achievements are making an invaluable contribution to the advancement of the newly developing nations which are struggling to mobilize their own resources. The development of trade between nations, in which Detroit has played so important a part, is, to a large extent, responsible for the exchange of ideas and technical know-how between nations. This exchange has helped to make us great. And the export of our capital and technical know-how, whether it be through trade or foreign aid, is helping the newly developing countries, on whose friendship and cooperation we depend, to make their way. I am convinced that it is one of the most effective ways of helping them to resist the phony premises and harsh pressures of communism.

In the underdeveloped areas of the world live 1,300 million people who are striving to establish or maintain ways of life which successfully combine economic progress with human liberty. The continued survival of the United States as a free and independent democracy may well depend upon the success of their efforts. As this Nation could not long have survived half slave and half free, so would the failure of these peoples jeopardize our own liberty.

THE CHALLENGE OF NATIONALISM

Indeed, I would go so far as to say that the greatest challenge to freemen in our time is the yearning of the peoples of Asia, Africa, and Latin America for a better way of life.

Since World War II, 22 new nations and a quarter of the population of the world—more than 700 million people—have emerged into independence and are fired with the spirit of nationalism. They are seeking economic progress, freedom and democracy. Their average per capita annual income is only $75.

They are not alone in this deplorable state. Add to them those peoples who gained independence earlier but whose economic status is little or no better. Add to this the further fact that population throughout the world is increasing at a fantastic rate. It may reach as much as 6 billion people by the year 2000. Most of these people will be born in the underdeveloped regions of the world.

We are witnessing a revolution in these poor but populous nations which is no less genuine than our own American Revolution. Peoples who had once been isolated from the main currents of modern Western techniques and economic progress have now become alive to the possibility of progress. They know now that economic and social progress is the prevailing trend, rather than stagnation. Having the political independence for which they have striven, their hopes have been aroused for the alleviation of the poverty, disease, and ignorance which still overshadow their lives. They insistently demand of their governments that these aroused expectations be fulfilled.

To many of these people the need for improvement in their lot is so imperative that they will choose progress through dictatorship if it seems to be the only way. No government can stand for long, unless it promises—and makes good on its promises—the progress its people seek.

THE ALTERNATIVES BEFORE THE UNDERDEVELOPED COUNTRIES

What choice, then, have the governments of the underdeveloped countries? They can pursue the path of authoritarianism: regiment labor, expropriate property, stifle initiative, reduce consumption and build up their economy from the forced savings of their people. This is the way of communism. Alternatively these governments can pursue the path of freedom. This means that they must build up their capital, at the same time allowing for increased consumption and economic liberties. Since they have such limited resources, they can only achieve these goals with outside aid. That is the crucial element in the formula.

It is precisely here that the challenge of the underdeveloped areas squarely faces the United States and the other economically more advanced nations.

In 1820, Thomas Jefferson wrote: "In an infant country like ours, we must depend for improvements on the science of other countries, longer established, possessing better means, and more advanced than we are. To prohibit us from the benefit of foreign light is to consign us to long darkness." Our economic progress could not have been as rapid as it was—despite our vast wealth of natural resources—without the skills and capital which Europe furnished our young Republic in such great measure. Are we prepared to deny to others what proved so essential to our own development?

WHY U.S. ASSISTANCE

This is not a purely rhetorical question and should not be given an emotional response. There are many strong and valid reasons why we should help the underdeveloped areas with our skills and our capital. Let me recall some of these reasons.

First, we cannot continue to progress in the United States with much of the rest of the world standing still. Our needs for raw material and other imports, and for export markets make it absolutely essential that we assist stagnant economies to become dynamic. Moreover, history has demonstrated that advanced countries expand their trade with the countries whose economies they help to industrialize.

There is a Danish proverb which says that "you may light another's candle at your own without loss." In this case it seems to me, the net result of assisting other countries is to make our own economic candlepower stronger and brighter.

Second, our national security clearly depends on a strong Defense Establishment and a vigorous and productive economy. We are rich in raw material resources but we are by no means self-sufficient. At present we import all of our natural rubber and tin, 85 percent of our bauxite and manganese and 64 percent of our tungsten. In fact, we have to obtain 10 percent of all the raw materials we use from oversea sources. Many of them come from the underdeveloped countries. Our own automobile industry, for example, depends on a wide range of raw materials—nickel from Canada, hides from Argentina, chrome from Rhodesia, mica from India, tin from Malaya and tungsten from Bolivia.

Third, our entire economy depends on foreign trade to a far greater extent than most of us realize. Today our export trade amounts to about $20 billion a year. Nearly 5 million of our people are employed in foreign trade. I might also point out that foreign trade is equally important in keeping the free nations strong and united. The principal reason why some of them have not been absorbed into the economic bloc of international communism is their flourishing trade with the United States.

Fourth, foreign aid creates jobs right here in this country. Thus, the funds spent under the mutual security program in 1957 resulted in the employment of over a half million people in the United States.

These are but a few of the reasons why I have no patience with the glib label of "give-away program" as applied to our foreign aid activities. To me this phrase has a ring about as true as that of a lead nickel.

The great differences in the living standards of the economically advanced countries and the underdeveloped areas provide a fertile soil for envy, distrust and potential conflict. It is not good for our own national welfare that such great differences should exist. There is considerable discussion of the widening of this gap between the developed and underdeveloped countries because of the different rates of their economic progress. I am not, myself, so much concerned about the widening of the gap as I am about the rate of progress in the underdeveloped areas. I am concerned over the fact that this progress in many parts of the world is painfully slow. What is needed is a rate of progress which, even if it is less than that of the advanced countries, results in tangible benefits to human welfare and which can, in time, be quickened.

In this connection we must never forget that we are faced with a deep moral challenge. We cannot stand by with a clear conscience while hundreds of millions of our fellow men face daily their endless rounds of poverty, disease, and ignorance. We must assist them in their struggle to clothe their aspirations with reality. We must meet this moral challenge. As Under Secretary for Economic Affairs, Douglas Dillon, said recently, "If we fail to respond adequately, we shall stand accused as a people who proclaim our satisfaction with the benefits of freedom but who are slothful in carrying the spirit of freedom to others around the world."

THE CHALLENGE OF SINO-SOVIET IMPERIALISM

The ideals on which this and other free nations were founded where those which our founders believed would ultimately achieve worldwide acceptance. Today over one billion people are now living and progressing under democratic institutions. This is a situation which the Sino-Soviet rules have found intolerable.

They have challenged the free world on every front: military, political, and economic.

The challenge is the most formidable threat that freedom has known. In addition to its scientific and military capabilities, the U.S.S.R., in 40 years, although at a huge cost in human misery, has grown from an agrarian nation to the second industrial nation in the world. It has utilized its increased economic power as a potent political weapon. In its dealings with the newly developing countries, the Soviets lose no opportunity to cite their own rapid economic growth as proof to these new nations of an easy short-cut to rapid industrialization. Many of these nations which are attempting to telescope centuries of change into less than one generation are looking for just that sort of shortcut. Therefore, the Soviet experience is not lost on them, particularly when it is followed up with offers of economic and technical assistance.

This Soviet economic offensive has ominous implications. Unhampered by the built-in checks and balances or the pressure of an effective public opinion in free democratic societies, the U.S.S.R. can use its economic power to penetrate and subvert these new states. Already, they are attempting to do this on a carefully selected basis.

Since 1954, the Sino-Soviet bloc has conducted an intensive program of economic and military assistance as part of their campaign of subversion and penetration. Up to last year, these programs amounted to nearly $2.4 billion, largely in credits. Of this amount, some $782 million were for arms. In the last 6 months of 1958, approximately 4,000 Sino-Soviet technicians were sent to 17 underdeveloped nations, an increase of 65 percent over the same period in 1957.

In addition, some 2,900 technicians and students from the underdeveloped nations have gone to the Sino-Soviet bloc countries for study and training during the past few years. As in the case of Sino-Soviet credits, their technical assistance programs are concentrated in specially selected nations; about 85 percent of the technicians involved are at work in Egypt, Syria, India, Indonesia, and Afghanistan.

Though the Communist rulers speak of "the peaceful competition of socialism and capitalism," we may well ask whether their real motivation is not still the destruction of democracy—as it was with Lenin over 40 years ago. They speak of world capitalism, but they mean the destruction of liberty and democracy as well. They attempt to blacken our motives by referring to us as imperialists. In reality they are the forces of a new and vicious kind of imperialism. We are the forces of liberation: liberation of man from ignorance, disease and poverty, and this under free and democratic institutions.

ANSWERS TO THE CHALLENGE: U.S. AID PROGRAMS

What is our answer to these challenges? By what means and to what extent are we helping the underdeveloped areas to raise their standards of living? There are, first of all, the activities of our people as private citizens, either as individuals or as groups. Every dollar of productive private investment in these areas helps produce additional income for them and is usually accompanied by an exchange of skills and knowledge as vital to them as is the capital itself. Then there are the many private institutions—the church organizations, the health groups, the charities, the universities, the foundations. Their number is large and their record of aid is impressive. In talking about what we do as a government, we must never lose sight

of the fact that our activities as private citizens are part of our first line of defense in the cause of freedom and progress.

The needs of the underdeveloped areas are, however, so great and so pressing that we have also organized to meet them as a government. The best known of our programs of assistance are those carried out under the mutual security program. President Eisenhower has called the mutual security program a powerful and indispensable tool in dealing with the realities of the second half of the 20th century. It is the main vehicle through which we, as a government, have extended military, economic, and technical assistance to the underdeveloped areas. As you know, the President has requested the Congress for $3.9 billion to carry out this vital aspect of our foreign policy in the next fiscal year.

One may ask whether this massive amount of money is not ample to do the job. The answer is that, standing by itself, the mutual security program is not nearly enough. It has important supplements: both bilateral and multilateral. One supplement is the Export-Import Bank which, over the last 10 years, has made development loans to underdeveloped countries in excess of $3 billion. Another important source of aid has been our program of surplus agricultural commodities. By the end of 1958, the United States had made over $1 billion in development loans and grants of local currency receipts from such sales. The availability of these commodities and the loan or grant of the sales proceeds has been of great help to the economic development of such countries as India, the world's most populous democratic nation.

Most of these programs that I have been discussing are carried out on a bilateral basis—between our Government and a foreign government—and they are essential instruments of our foreign economic policy. But, we are simultaneously engaged in a variety of multilateral endeavors to help raise the living standards and preserve the freedom of the underdeveloped areas. The importance and variety of these multilateral programs is not always fully appreciated. I should like to spend some time on them with you.

Before turning to that question, however, we should recognize that there is still some misunderstanding in this country over the necessity for a foreign aid program. In spite of the lessons of the past few years, some critics still argue that unless foreign aid is terminated fairly soon, our country will face serious economic danger. These critics further contend that foreign aid inflates the national economy and that it encourages rather than holds back the spread of communism. Some even call for an end of the foreign aid program.

This is not the time nor the place to refute these misleading arguments. They have been so grossly overstated as to reduce themselves to an absurdity. It appears to me, however, that if this kind of advice were to be followed, the United States would be taking a shortcut to national suicide.

Such a shortsighted policy on our part would deprive the underdeveloped nations of the one chance they have to make that degree of progress which is so essential to their survival as free and independent nations.

It would throw them directly into the arms of communism even though it is clear they have a strong dislike for that kind of government.

What we need to do is to determine here and now as a nation that it is in our national interest to continue our foreign aid programs at a substantial rate and over a fairly long period of time. Advance planning in this area is every whit as important as it is in the automobile industry where blueprints of new models are ordinarily drawn up several years in advance of their production.

ANSWERS TO CHALLENGE: ASSISTANCE THROUGH INTERNATIONAL ORGANIZATIONS

We would all agree, of course, that the United Nations primary responsibility is the maintenance of international peace and security. Active support of the United Nations as an instrument through which we strive to build a more effective system of law and order among nations is a cornerstone of our foreign policy. It is only natural that we should think of the United Nations first of all as a political instrument of peace. If it should be unable to prevent the holocaust of nuclear war, all the efforts peace-loving countries are making in economic development would be completely futile.

However, the efforts of the United Nations and its specialized agencies in the economic and social fields are laying the foundations for a more lasting peace in the political field. These efforts are carried on with an absence of fanfare. They seldom make the headlines. But, in their persistent efforts to raise the standards of living of peoples throughout the world, they have achieved the greatest degree of international economic and social cooperation the world has ever known.

UNITED NATIONS EXPANDED PROGRAM OF TECHNICAL ASSISTANCE

That is a broad statement. Let me illustrate it by reference to the United Nations expanded program of technical assistance, since technical skills are the bedrock of economic development. This program is carried out by the United Nations, its eight specialized agencies, and the new International Atomic Energy Agency.

Since its initiation in 1950, the expanded program has grown steadily to its present great geographical scope. Ninety-six countries and territories are being assisted in some form this year. To these countries will be sent 2,500 expert technicians, and from them will come 2,200 fellowship students for study abroad. The fields of expert assistance and of study by fellows cover virtually every conceivable skill and technique that can contribute to the economic development of these areas. The striking nature of the international cooperation involved is demonstrated by the fact that the experts in 1958 came from 60 different countries, and that most countries are both givers and recipients of assistance. India, for example, which had the largest country program, also sent out 82 of its nationals to work in areas where their particular aptitudes and skills are important.

Again, the broad nature of the cooperation involved is reflected in the fact that the voluntary contributions of some 80 countries support the expanded program of technical assistance. As the initiator of that program, and consistent with our overall policy, we have taken the leading part in its support. However, its truly multilateral nature may be demonstrated by pointing out that a number of states contribute substantially more per capita than does the United States. These include Denmark, Canada, Norway, Sweden, and the Netherlands. This is a point which is either unknown or else deliberately forgotten by those who complain that we contribute too much to the United Nations.

A NEW VENTURE—UNITED NATIONS SPECIAL FUND

From the wide experience gained in the expanded program, and the knowledge that countries' needs for technical assistance greatly exceeded the resources of that program, has come a new United Nations body: the Special Fund, which came into existence last January. It is headed by a distinguished American, Mr. Paul Hoffman. The Special Fund will concentrate on larger projects of technical assistance than the expanded program has been able to do. It will also make possible a larger volume of supplies and equipment for each project—although it is not a capital development fund.

For example, it can finance a technical survey needed for the development of a far eastern harbor. The engineering study thus financed could lead to an investment of capital from some other source to develop the harbor's facilities. Or it may finance a general survey to determine a developing country's power needs and potentialities. Or it may undertake to establish a training institute for industrial instructors. There, teachers could be trained who would, in turn, pass on their knowledge and skills in order that industry may be developed at a quicker pace.

Since it was created in part to facilitate the conditions for new capital investments, the special fund is expected to work closely with another United Nations specialized agency—the International Bank for Reconstruction and Development. It will also work closely with the other specialized agencies and with other sources, public and private, of potential investment capital. The United States was the initiator of the new special fund, and we look forward confidently to its making a significant contribution to the development of the less advanced economies.

INTERNATIONAL BANK AND MONETARY FUND

If technical skills are the bedrock of economic development, they obviously must be accompanied by a sufficient volume of capital to produce tangible economic progress. The United States has joined with other countries in establishing two multilateral institutions whose tremendous significance for the economic development and monetary stability of countries has been—outside the Sino-Soviet bloc—universally acclaimed. I refer to the International Bank and the International Monetary Fund.

Even the traditional critics of foreign aid and of the United Nations appear to recognize the important contribution made by these agencies. The International Bank has been an increasingly important source of capital, a mobilizer of private funds, and a source of technical aid. Since 1946, the Bank has made 215 loans to 49 countries and territories. These loans total over $4 billion. While the early loans of the Bank were for postwar reconstruction in Europe, its emphasis has since been on the less developed areas. Asia is the region with the largest amount of Bank loans: $1,195 million. Latin America has received $878 million; and Africa's increasing importance is reflected in total loans of $518 million.

The total authorized capital of the International Bank amounts to $10 billion—an immense amount but not so immense either when considered in conjunction with the immense capital needs of the underdeveloped areas. These needs are so great that the Bank has recommended an increase in its authorized capital to $21 billion. Congress has approved this recommendation and the United States is now prepared to join with other members to make this increase possible. Our share of the new total authorization would be slightly over $6 billion.

But even this is not enough. In a good many cases the Bank has had to turn down applications for loans, not because the development projects involved were without merit, but because repayment of the loans in hard currency would have placed undue strain on the borrowing countries. It follows that if a new institution, affiliated with the Bank, could make loans repayable in softer currencies, projects such as these might well become feasible. Consequently, the United States is actively studying ways in which an International Development Association might operate, and has had informal conversations with other governments on this subject. It is essential to the success of such an institution that it receive broad financial support from the industrialized countries which are members of the International Bank. We hope that such support will be forthcoming.

Similarly, the United States is taking an imaginative approach to the needs of the International Monetary Fund for additional resources. The Fund has been an effective instrument for promoting international monetary cooperation and sound foreign exchange practices. It has provided timely assistance to member countries faced with temporary balance of payments difficulties including many of the less developed countries like India, Indonesia, Turkey, and Burma. Very recently Congress acted favorably on President Eisenhower's request for an increase in the U.S. quota in the Monetary Fund from $2,750 million to $4,125 million.

REGIONAL DEVELOPMENT PROGRAMS

You can see that the United States has taken the initiative with great vigor to increase the ability of multilateral agencies to meet the needs of the underdeveloped areas. This is revealed also in connection with regional development programs and lending agencies. We have just finished negotiating with the countries of Latin America, the charter of an Inter-American Banking Institution. Its purpose will be to provide capital and technical assistance to promote the economic growth of Latin American countries.

Last August, President Eisenhower announced to the United Nations General Assembly that we would be prepared to support a development institution for the Arab States. Among the conditions for our support was that the Arab States agree on the usefulness of such a regional institution and that they be prepared to support it with their own resources. Only time will tell the extent to which the Arab States take advantage of this opportunity.

What I have been discussing with you of our actions to promote the economic growth of the underdeveloped areas through the United Nations and other international organizations is by no means an exhaustive account.

It does not include, for example, the important work which the UN specialized agencies are doing in virtually every field of human endeavor—agriculture, health, labor, education, and atomic energy to mention only a few. I hope, however, that I have reminded you of the extent of the multilateral programs through which we pursue our objectives. The records of each United Nations General Assembly, of its Economic and Social Council, and of the governing bodies of the various specialized agencies, all underline the importance which members of the United Nations attribute to the crucial problem of raising the standards of living in the poorer areas of the world.

The actions the United States has taken to initiate the Special Fund, to further regional development plans and agencies, to increase the capacities of the International Bank and the Monetary Fund, signalize an increased emphasis on the values of the international approach to the problems of economic development.

BILATERAL VERSUS MULTILATERAL AID: WHICH IS BETTER?

I am frequently asked the question, "Why doesn't the United States work more through the United Nations? Why don't we provide more of our foreign aid on a multilateral basis?" I have a particular responsibility in the Department of State for our participation in international organizations. So I suppose there is a natural tendency to expect the reply that we should use multilateral channels exclusively. I have tried to make clear my firm convictions about the usefulness of multilateral instruments of economic development—rather, the necessity of using them to the fullest possible extent. But I would not go so far as to advocate their exclusive use.

Our bilateral programs have the advantage of being very closely related one to another; the programs of economic aid in the form of defense support, for example, are directly related to our programs of military assistance in such countries as Korea and the Republic of China. Also bilateral programs can be gotten under way with more speed where time is of the essence. Moreover, our especially close ties with some countries, such as the Philippines, would seem to constitute sufficient justification for bilateral arrangements.

On the other side of the fence, the use of multilateral aid channels has its own advantages for the United States. Multilateral aid, by definition, means that other countries bear part of the cost and frequently more than half of it. There would seem to be no real reason why the heavy burden of foreign aid should be placed exclusively on the shoulders of the American taxpayer. Furthermore, the United States has no monopoly of skills, nor have we an unlimited supply of trained men and women ready to go overseas to share their knowledge. The utilization of the great pool of manpower and training resources offered by the United Nations member countries helps speed the pace of peaceful economic development, our basic objective.

An additional advantage is the readiness of countries to benefit from the advice of international organizations in domestically sensitive fields such as fiscal and monetary policy where advice from a foreign government might be misinterpreted. In these fields, governments often find it easier to accept the counsel of an impartial and highly competent international organization than the advice of other governments, no matter how good or well intentioned the latter may be.

I think this whole question of bilateral and multilateral instruments was well summarized by the Secretary-General of the United Nations, Mr. Dag Hammarskjold, when he spoke on April 7 to the Economic and Social Council of the United Nations. "I would hope," he said, "that all false dilemmas of multilateral or bilateral solutions, solutions inside or outside the United Nations, can be avoided. Call it what you may, regional solutions in a multilateral framework, multilateral approaches based on regional organs, or something else—these are but different ways of indicating elements which will be mixed in every constructive international approach to today's problems."

In one word, there need be no conflict between bilateral and multilateral aid. Each has proven its value in helping raise the living standards of the underdeveloped areas. Together, they constitute a powerful force in enabling those areas to achieve a momentum of economic progress which will make it possible for them to go forward in self-reliant growth.

WHAT MORE NEEDS TO BE DONE?

There are some critics of our aid programs who contend that we are not doing enough. They insist, in view of the serious threat that confronts the free world, that we should redouble our efforts.

Whatever one's view on this point may be, certainly no one should accuse the United States of pinching pennies. In fact, many of us may not fully appreciate the extent of our foreign aid during the postwar period. Only a few weeks ago I looked up the latest figures. If we were to add to the Marshall plan and the mutual security program the contributions we have made through the Export-Import Bank, the World Bank, the Monetary Fund and various other types of assistance, our total foreign aid would run to something like $72 billions since 1945. This figure serves as clear proof of our deep interest in helping to build a stable and a peaceful world.

It is our clear answer to those who feel that we have the option of assisting or not assisting in the economic development of the underdeveloped areas. We do have that option, but it is about as meaningful as the option between life and death.

Economic progress in the underdeveloped areas will not, I fear, assure the maintenance of freedom and democracy in those areas. But I am absolutely convinced that the absence of economic progress—and by that I mean a sufficient rate of economic growth to meet the aspirations of their peoples—will mortally endanger the survival of their freedom and democracy. Let us then choose, as we must, to assist them in full and generous measure along the road of economic progress.

In making this choice, it is pertinent to ask whether there are not ways in which we can make our aid more effective. We may also ask whether there are things the underdeveloped areas can do to help speed up their economic progress. I think there is room for improvement on both sides.

Speaking about ourselves, may I say just a word about the "Ugly American." In my judgment this book, by exaggeration and by focusing attention on isolated examples, has belittled the character and capacity of our representatives abroad.

Now obviously most Americans who serve abroad are something less than perfect. No human beings are perfect. Some may not represent this country with the ability and the distinction which you and I would like. Some do not speak foreign languages with any degree of fluency. Some may not adjust very well to the customs and traditions of the people where they are stationed.

The point I wish to make, however, is this: the "Ugly American" has done a gross injustice to thousands of able Americans who have done an outstanding job in foreign lands. Many of them are making real sacrifices for their country. Often they are called upon to work and live in hardship posts where health hazards are constant and where the school facilities for their children are quite inadequate. And in the vast majority of cases they have learned to fit well into a new and strange environment.

Again, this does not mean that we are perfect. Many of our citizens going abroad do indeed lack the language skills which could bring them into a closer understanding of other peoples' ways of life and thinking. This is true of tourists as well as of some of our official representatives. It is a national deficiency, not that of a segment of our population. We in the Government are working hard and effectively to solve our part of this language problem. But the American people—and, particularly, our schools and universities—will ultimately have to be responsible for its solution.

Moreover, many of us in this country tend to think that our own customs and mores should be embraced by people in other lands. We find it difficult to understand why in India the cow is treated as a sacred animal even though it is very often a great economic burden. Now, the Indians are aware of this problem and are handling it in their own way. We must be tolerant of other peoples' ways of life, of which this is just one example.

On the side of the underdeveloped areas, much more remains to be done in creating the conditions necessary to encourage a freer flow of private capital. Public agencies—bilateral or multilateral—cannot do the job of providing sufficient external capital by themselves. The underdeveloped areas have a heavy responsibility to encourage the inflow of private investment under terms equitable to them and the investor. I mention this one example because it is crucial to economic growth in the underdeveloped areas.

Finally, let us recall the awful burden of world armament expenditures and the

great opportunities for development activities if this burden could be lifted from our shoulders. In the next 10 years, the nations of the world may well spend in excess of $1,000 billion on armaments. What could we not accomplish if some of theses expenditures could be used for more constructive purposes? On our part, we have told the world that when sufficient progress has been made toward internationally supervised disarmament, the U.S. Government stands ready to ask its people to join with others in devoting a portion of the savings from such disarmament to a mutilateral development fund. Somehow, the nations of the world must find a way to divert their wealth from arms to economic and social development—their own and that of their less developed neighbors.

The road ahead is not an easy or short one—least of all for the peoples and governments of the underdeveloped areas—but as their courage, determination, and willingness to sacrifice are great, so must be our faith in their ultimate triumph. We have no choice but to dedicate ourselves—as they dedicate themselves—to the maintenance of free and democratic institutions under conditions of economic progress.

As Tom Paine said almost two centuries ago: "Those who expect to reap the blessings of freedom must, like men, undergo the fatigue of supporting it."

THE FEDERAL RADIATION COUNCIL

Mr. YARBOROUGH. Mr. President, I know that all of us can applaud the action of the President, last week, in establishing the Federal Radiation Council to study the problem of protecting the public against biological damage from atomic radiation. Many of us have felt that all too often the administration was being less than active in seeking to protect the public, and less than candid in alerting them to the possible dangers of this radiation.

I trust that we may expect this Council to study protection of the public, not only from the fallout from atomic and nuclear weapons test, but also from radioactive wastes resulting from uranium refining and industrial and medical uses of isotopes. All of these uses of atomic energy result in radioactive wastes which potentially threaten not only our own health, but also that of every future generation. We cannot afford to be too late in guarding against possible heriditary danger which will wreak its destruction on every succeeding generation.

The great necessity for timely and adequate protection is such that while I am gratified that the administration has taken some action in this area, I cannot accept the step taken as one which will reassure the American people that their interests are really being protected. Four agencies are represented on the Federal Radiation Council—the Atomic Energy Commission, the Defense Department, the Commerce Department, and the Department of Health, Education, and Welfare. Thus, three out of four of these members are interested in radiation as users; their interest is in continuing to use to the utmost the great tool of atomic energy in defense and industry. Only the Department of Health, Education, and Welfare can fairly be said to be institutionally concerned with protecting the public. I hope it can be said that the other three Departments are as interested in protecting the public as in fulfilling their various primary duties, but the record of their treatment of radiation hazards gives us small comfort.

Thus, with some misgivings, I wish the Federal Radiation Council well in the performance of its duties, but I trust that the relevant committees of Congress will continue their surveillance of this field, in order that timely legislative action may be taken, if it is felt that such is necessary.

STATE TAXATION OF INCOME FROM INTERSTATE COMMERCE

Mr. WILEY. Mr. President, as we recognize, the Senate bill 2524 is a matter of deep concern to firms dealing in interstate commerce.

Since the Supreme Court's ruling relating to the rights of States to tax out-of-State firms, I have received a wide variety of communications pointing out the difficulties which will arise to businesses as a result of the ruling.

Because I believe that these first-hand views may be of assistance in our consideration of this proposed legislation, I request unanimous consent to have the letters printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MANITOWOC, WIS.

Hon. ALEXANDER WILEY,
U.S. Senate, Washington, D.C.

Re new State taxes on interstate business.

DEAR SENATOR: For some time we have noted with increasing apprehension the trend toward taxes on interstate business which would seriously affect companies making shipments to all of the States within the Nation.

Unless Federal measures are enacted promptly to stop this menace, it won't be long before no one in the business of shipping interstate will know what to do and what not to do. It will develop into each State setting itself up as a small nation within a nation, taxing the products of all other States shipped into it.

The taxload which will be imposed if this ever develops would be catastrophic, not to mention the costly, burdensome administration expense. It is my understanding that certain States have already passed such legislation and are demanding tax payments from other States.

These States are Georgia, Minnesota, and Oregon, and there may be others. It has also been brought to our attention that other States, Utah, Idaho, and Tennessee, are amending their tax structure to enable them to collect taxes from firms from other States. The Supreme Court has already made decisions (*Stockham Valves* and *Northwestern States*) Minnesota and Georgia.

In time each State will find that this is a two-way street and that they also have to pay taxes on merchandise shipped beyond their borders and maintain voluminous and costly records.

I am assuming you know far more about this situation than I do, and I hope you are in accord that if it isn't stopped thousands of companies doing interstate business are going to find themselves in a terrible mess trying to keep records, increased taxloads will up retail prices, and in general things will be chaotic. I beseech you as our representative to do whatever is humanly possible to stop this snowslide before it is too late.

Your prompt and full consideration of these pending and very real difficulties is urgently needed.

Yours truly,

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WILEY: Certainly want to thank you for your courtesy in sending me a copy of the Small Business Committee report on State taxation on interstate commerce.

I agree with the thought that this subject should be carefully explored, but I'm not too happy with the idea that it might take a year or two to get the job done and have some relief established.

As I understand the matter, some of these States can make tax claims now on a retroactive basis for some years back. As a result, no one knows where they stand in the matter, partly because of the multitude of definitions, or lack of definitions of what does constitute doing business in a given State.

Sincerely hope the Senate will take early action, looking to the establishment of some kind of a status quo or protective period while the study is accomplished, to guide permanent legislation.

Very truly yours,

THE PAGE MILK CO.,
GEORGE B. PAGE.

NEENAH, WIS.

The Honorable ALEXANDER WILEY,
U.S. Senate, Washington, D.C.

DEAR SENATOR WILEY: This past winter when the Supreme Court of the United States handed down two decisions regarding rights of States (namely Minnesota and Georgia) to tax interstate commerce, it alarmed a great many people. It is our view it would be a major disaster regarding the free flow of goods in interstate commerce. To maintain an economy anything like we need in this country, such impediments must not be added, but those that now exist must be considered for elimination.

I am sure you are well aware that innumerable employers in our fine State of Wisconsin work hard to spread their goods throughout the land. For individual States to add such deterrents as the tax decision makes possible, can do nothing but shrink Wisconsin business, and, therefore, Wisconsin employment and economic health.

* * * * *

Sincerely,

LEONARD E. PASEK.

RACINE, WIS.

Senator ALEXANDER WILEY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILEY: We are greatly concerned over the possible effect of the recent Supreme Court decision upholding the right of States to levy an income tax on earnings from interstate commerce.

Our company solicits orders in most of the Midwestern States. These orders are accepted at the company's offices in Racine, Wis. Income taxes are imposed by the State of Wisconsin on company earnings. Now the company may be faced with additional income taxes from each of the States in which it solicits orders. Not only that but there would be additional expenses created by the necessity of handling accounting and legal matters in all of the States where orders are solicited. We earnestly urge you to do all possible to have Congress seriously consider the economic factors involved in this situation. We hope that these deliberations will result in legislation freeing interstate commerce from any additional tax burdens.

Very truly yours.

THE "SPENDERS"

Mr. YARBOROUGH. Mr. President, I commend to the reading of my colleagues in the Senate an editorial entitled "The 'Spenders,'" which was published today in the Washington Post. I ask that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 17, 1959]

THE "SPENDERS"

In our editorial of yesterday analyzing the more vigorous recent role of President Eisenhower, we noted that he and his Republican colleagues had employed the "spender" label rather skillfully to box in the Democrats in Congress. Unquestionably the fear of being tagged as "spenders" has been a powerful lever to induce the Democrats to modify their own wishes and conform to what the President will accept. Some compromise in such matters is often desirable as a matter of restraint and balance. Although Congress normally exercises a great deal of responsibility about spending, it conceivably would be possible for overexuberant legislators to run away with the appropriation process in disregard of the fiscal problems they might cause.

In present circumstances, however, we thing that an exaggerated concern about "spending"—initiated by the President but adopted readily by the congressional leadership—has resulted in an altogether too restricted view of the national interest. Because of the "spender" propaganda and the President's attitude on defense, the budget contemplates little or nothing for improved limited war capability—an area in which the deficiency is perhaps even more glaring than in missiles. Congress has voted considerable money for health, but the outlook is dim indeed for any sort of aid for school construction or teachers' salaries. Urban renewal and the problems of cities have received scant attention.

There was a dismal flop on the Development Loan Fund portion of the foreign aid request when the President suddenly reversed himself, after leading Senator FULBRIGHT to think that he wanted long-term authority. Mr. Eisenhower's "spending" charges also came back to haunt him in the reluctance of the House to acknowledge his plea for a gasoline tax increase to pay for needed highways.

Thus the "spending" slogan has been a two-edged weapon, and the narrow manner in which it has been used makes one wish that the President and congressional leaders as well would heed other economic counsel in their appraisal of national needs. In considerable measure Mr. Eisenhower's attitude seems to stem from what his associates reported to him from the meeting of the International Bank and Monetary Fund last fall at New Delhi, when unnamed foreign bankers expressed doubt as to the stability of the American dollar. This was cause for note but scarcely for panic, just as the drain on gold warrants analysis but not the doubling of the guard at Fort Knox.

The imperative need to control inflation is broadly understood. But more public spending—on defense and other national programs to keep pace with the requirements of a growing population and also to meet the challenge of Soviet economic competition—would not have to be inflationary. The obvious alternative is to propose tax increases where necessary to increase the level of spending and still balance the budget. The popular effect of such a proposal cannot be judged because it has not been tried; but regardless of political effect the task of responsible and courageous leadership is to advocate what it knows is really necessary in the national interest.

For such reasons the President's more assertive role still falls short in essential respects of what the times demand. His new initiatives in foreign policy are welcome, just as his less passive attitude toward relations with Congress is a sign of evolving political finesse. But Mr. Eisenhower has yet to demonstrate that his own slogan has not blinded him to many of the needs and capabilities of a great and growing country.

PATENT OFFICE PUSHES "GRASSROOTS" PLAN

Mr. WILEY. Mr. President, on last Sunday there appeared in the Washington Star an article about a very distinguished citizen of Washington, D.C. The article is entitled "Patent Office Pushes 'Grassroots' Plan," and relates to a good friend, the Commissioner of Patents, Robert C. Watson, and refers to a triple program which comprises, first, encouraging the grassroots movement which recently has begun to stimulate inventions. Inventor organizations have been established in some of the States, and they are interested not only in the making of new inventions, but also in aiding the inventors to find practical markets for their products.

The second part of the program relates to the production of a new, informative pamphlet to aid and guide those who are seeking patent protection. This publication, which can be secured from the Government Printing Office, is entitled "Patents and Inventions—An Information Aid for Inventors"; and it gives the ABC's of applying for a patent, preparing an application, and prosecuting patent claims.

I ask unanimous consent that the entire article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PATENT OFFICE PUSHES "GRASSROOTS" PLAN

(By William A. Millen)

A triple program, to keep the United States ahead in new inventions and scientific knowledge is being pushed by Commissioner of Patents Robert C. Watson.

This comprises:

1. Encouraging the "grassroots" movement that has recently started to stimulate inventions. Inventors' organizations have been set up in some of the States and these are interested not only in new inventions, but in aiding the inventor to find a practical market for his product.

2. The production of a new informative pamphlet to aid and guide those seeking patent protection. This publication, which can be secured from the Government Printing Office, and is titled "Patents and Inventions—An Information Aid for Investors," gives the ABC's of applying for a patent, preparing an application, and prosecuting patent claims.

3. Periodic displays in the Commerce Department lobby of the practical results of the work of inventors and of the Patent Office. Business cooperates in this and shows its handiwork in the form of machines, devices, and other products, results of inventive genius.

IMPORTANCE STRESSED

Commissioner Watson said yesterday:

"In the light of world conditions, it is extremely important to convey the story of the American patent system and the functions and operations of the Patent Office to every person in the United States who has the capacity to invent."

Mr. Watson, a native Washingtonian, became Commissioner of Patents in 1953. He is the son of a patent lawyer, the late James A. Watson.

Are the American people as inventive as ever? The answer is "Yes," Patent Office officials say.

The Patent Office is now issuing an average of 1,000 patents weekly. Every Tuesday at noon the inventors get the news. More than 350 new applications for patents are received every workday.

Recently, there has been increased activity in the chemical and electrical fields in which inventors seek new patents. Synthetics and electronics, since World War II, have become increasingly popular. The mechanical field is holding its own.

Isaac Fleischmann is director of the Office of Information Services of the Patent Office, which is in the Department of Commerce. He aids in arranging the business displays in the lobby of that building. These present a case history of the patent system by the inventor and by the business firms.

The Patent Office's Official Gazette contains brief descriptions and drawings of patents granted. This goes to the patent profession, directors of research in corporations, private business, and libraries.

INTEREST IS PRESSED

North Dakota and Minnesota have organized inventors' congresses and other States are interested in simulating inventions, officials said. Seattle, Wash., is organizing an effort by business, the chamber of commerce and others to assist inventors in evaluating their inventions and providing contacts. This shows a healthy "grassroots" movement, officials said.

About 1,000 patent examiners, who are electrical, chemical, or mechanical engineers, make the Patent Office system run.

A Patent Office spokesman said anybody is a potential inventor. "Everyone has a dream of making something new. Everyone has a bit of innate inventiveness in him—a desire to improve," he said.

POPULAR DELUSIONS ABOUT RUSSIA

Mr. WILEY. Mr. President, the August 15, 1959, American letter issued by the Whaley-Eaton Service is entitled "Popular Delusions About Russia."

The letter states, among other things, that the American business community urgently needs a better understanding of the Soviet economy, and that this special report seeks to present a balanced picture of Russia's economic progress and problems.

Then the letter states that the Russian world is vast, both in area and in population, but therein lie weaknesses as well as strengths. The letter also states that the American concept of Russia is shaped by fears and misconceptions.

We are also told in the letter that Russia's great area is a handicap, as well as an asset; that her large population is badly balanced; that her industrial production actually is small, relative both to resources and to population; that her output is, in fact, extremely small, as compared to the output of the United States.

The letter also states that Russia's production figures are misleading, that her industry is topheavy and inefficient, that her industrial plants are largely

obsolescent, that productivity per Russian worker is, consequently, low, and that the quality of output in Russia is generally poor.

The letter also states that Russian agriculture lags far behind, that Russian worker purchasing power is low, and that the Russian educational system is unbalanced.

The letter also points out that State planning is static; that the gains are not coordinated.

The letter refers to the fact that defense imposes an excessive strain.

It also states that Russia is a minor factor in international trade.

Mr. President, I have referred to the subheadings in the letter because I think it is very important that those who want to know about Russia should read this letter.

I ask unanimous consent that the letter may be printed in the RECORD following my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

POPULAR DELUSIONS ABOUT RUSSIA

(The American business community urgently needs a better understanding of the Soviet economy. This special report seeks to present a balanced picture of Russia's economic progress and problems.)

The Russian world is vast, both in area and population, but therein lie weaknesses as well as strengths. Despite its great resources, Russia has lagged for two centuries behind the economic development of Western Europe and North America. By all standards, it is still a backward country, even though its total energies are being devoted to catching up.

The American concept of Russia is shaped by fears and misconceptions. The fears reflect the revulsion felt by free peoples toward the repressions and imperialistic ambitions of Russia's Communist masters. The misconceptions stem from (1) absence of reliable data, (2) difficulty of relating the known facts to economic progress elsewhere. Russia is moving forward—but from the rear. She still has far to go to get out of her centuries-old rut. Major points to bear in mind when weighing her future are:

HER GREAT AREA IS A HANDICAP AS WELL AS AN ASSET

The Soviet Empire is as large as Brazil, Canada, and the United States combined, but its transportation system is not comparable with its distances. Russian railroad mileage is less than a third that of the United States despite recent construction. It has no integrated highway system as such. Total highway mileage, a fifth the U.S. figure, is wholly lacking in intercity road networks. This is Russia's greatest handicap in her effort to develop a modern industrial complex.

HER LARGE POPULATION IS BADLY UNBALANCED

Russia lost 15 million men in World War II, and only time can remedy the shortage of able manpower in the middle age groups. Women greatly outnumber men and constitute 47 percent of the work force. Because of the wartime losses and low birthrate, expansion of the 20-to-45 age group is slow, thus magnifying the labor shortage.

INDUSTRIAL PRODUCTION SMALL

Industrial production actually is small relative both to resources and population. Output is in fact abysmally small compared to the United States. Although Khrushchev recently boasted that Russian production is half that of the United States and coming up fast, it actually is only a third. Moreover, industry is badly balanced, with capital goods given all priorities.

Latest available statistics indicate that Russian industrial output now only about equals that of the United States in 1913. In other words, her industry stands today about where that of the United States did 40 years ago. And despite official claims to the contrary, Russia's postwar achievements have been no more phenomenal than those elsewhere in Europe.

RUSSIA'S PRODUCTION FIGURES ARE MISLEADING

Any fear that her output will soon catch up and surpass that of the United States is pure bosh. Accepted calculations show the long-term rate of gain in output has been about 3.9 percent, compared with 3.7 percent in the United States. But even this is misleading. A 25 percent rise in Russia's annual auto production (from 100,000 to 125,000 units) would be equivalent to only a 4 percent increase in this country's total.

INDUSTRY IS TOPHEAVY

Steel, coal, cement, oil, power, military equipment—all the heavy capital-goods lines—get top priority. Consumer goods, especially durables, are left to beg. This produces an imbalance that not even an authoritarian state can endure permanently. Overall efficiency is held back. Consumer goods output is rising, but at a clumsy, wasteful pace.

The consumer meanwhile lives on promises. He can buy shoddy cotton or woolen yard goods but suits, dresses, shoes, hats, etc., are both of extremely poor quality and fantastically high priced. As much as a month's labor is required to buy a good overcoat or pair of shoes.

RUSSIAN INDUSTRY IS ALSO INEFFICIENT

This is a broad charge and has to be explained. New steel plants are doubtless the equal of those anywhere in the world. Russian technology itself is excellent. Scientists, engineers, and technicians are of the best. But the management system suffers from the Moscow-centered bureaucracy, too little local authority.

Basic decisions filter down slowly from the top echelons to the plant manager. Despite improvements under Khrushchev, management is handicapped by transportation difficulties, lack of raw materials, inability to make repairs or buy new machinery or modernize its products.

INDUSTRIAL PLANTS ARE LARGELY OBSOLESCENT

The remarkable thing about the steel industry in Russia is that, as new plants are built, the older and less efficient facilities are nevertheless continued in production. Russia still produces much of its steel in antiquated plants such as this country had 40 years ago—plants wasteful both of men and materials. Replacement of machine tools hardly exceeds 2 to 3 percent annually. The textile industry is particularly out of date, which accounts for poor quality.

Emphasis on building new facilities overlooks the need for constant modernization of her older plants. Russia is simply not doing this, and her entire economy must ultimately pay the penalty for it.

PRODUCTIVITY PER WORKER IS CONSEQUENTLY LOW

This was brought out dramatically at a June planning conference in Moscow. The official press was forced to admit that three-fifths of construction work in still done by manual labor; mining is insufficiently mechanized; work done by 40 percent of employees in chemical industries could easily be done by machinery. There are at least a million superfluous workers in metalworking and machinery.

Consequently, with an industrial labor force equal to or larger than that of the United States, Russia produces only a third as much. Or put another way, output of the typical U.S. worker is three times greater.

QUALITY OF OUTPUT IS GENERALLY POOR

Faulty building construction is the best illustration of this. Brickwork, stucco, painting, hardware, electric facilities, floors, and plumbing are usually second-rate to begin with, and deterioration is rapid because maintenance is also skimped.

RUSSIAN AGRICULTURE LAGS FAR BEHIND

Vast wheat acreages are cultivated and harvested with modern mechanized equipment, but there the comparison with the West ends. Great amounts of labor are wasted even on the showplace state farms. Consequently, the average farm worker in Russia produces only food enough for another two or three people. This compares with a 1-for-17 ratio in the United States. Thus, the American farmer produces on the average some 6 to 12 times that of his Russian counterpart.

Russia also is lacking in any modern food distribution system. This calls for rapid transportation, proper packing, refrigeration, efficient market handling. But Russia lacks a basic highway network.

The Russian diet reflects these weaknesses. Fish and potatoes are the main staples, along with bread. Dairy-product output per consumer is 53 percent of this country's; vegetable oils, 43 percent; meat, 32 percent; grain, 55 percent.

WORKER PURCHASING POWER IS LOW

Even with two or more members of a family working, incomes are barely sufficient for the staple foods and a minimum of clothing and household accessories. Incomes are deliberately held down (except for certain echelons of the bureaucracy, as well as scientists, teachers, and so forth) in order to maintain economic emphasis on capital goods production. Also, the planners frequently outnumber the producers.

Apologists for the Russian system argue that all is relative, and that the Russian peasant of today is far better off than he was 40 years ago or even immediately after World War II. This is true, but Russian standards of living are still the lowest in all of industrial Europe. Except for rents and bread, basic costs are high relative to individual incomes.

THE EDUCATIONAL SYSTEM IS UNBALANCED

Russian education methods are excellent in many respects. Certainly in their basic teaching of science there is little to criticize. But doctors, chemists, engineers, and physicists do not alone create a rounded society. The modern technical, high-pressure world requires skilled business managers with broad backgrounds of education—in history, social sciences, psychology, and so forth. Russia lacks anything comparable with our graduate schools of business administration.

Forced education has another serious weakness, one on which Khrushchev has recently had to take action. Too many unlikely candidates for a higher education were being sent to the universities. These schools were becoming a haven for the incompetent and the lazy. The system is being changed, to send up only the best qualified and ambitious.

STATE PLANNING IS STATIC

This is the chief inherent weakness of the Communist system. The people work hard and for long hours merely to eke out a bare existence. The Government draws up bold plans and fancy 5-year programs which look fine on paper but are rarely realized. The country is attempting to cancel out a century of backwardness in one giant leap. It is making visible progress, but not coordinated gains.

Heavy emphasis in one direction tends to hurt in another. Coal, for example, is a declining industry in the United States. It still, however, has a high production priority in Russia, though quality is low and other fuels are more efficient. Yet to produce 87 percent as much coal as does the United States the Soviets have to employ five times as many miners. This is but one example of Russia's incalculable wastes.

DEFENSE IMPOSES AN EXCESSIVE STRAIN

The Soviet devotes probably twice the percentage of its gross national product to defense as that of the United States. This constitutes a heavy and totally unproductive burden. But there are also many indirect loads which the Soviet economy must carry. The satellites, for example, are being integrated with it. The purpose is to build a broad, diversified industrial base, but the effort creates new strains.

Russia's planners appear to fall on their faces whenever they are confronted with sharp changes in policy and direction. The basic orders go out but are rarely followed up with necessary detailed instructions. This often creates chaos in whole industries. With the added burden of primary emphasis on defense, the civilian economy invariably suffers.

RUSSIA IS A MINOR FACTOR IN INTERNATIONAL TRADE

In the complex modern world this constitutes a serious liability. Russia has never been one of the major trading nations, yet unless it does achieve stature in that field it cannot take its place with the other highly complex modern economies.

Historically, Russia's exports have been chiefly of timber, chrome and raw materials, with occasionally some grain. But she badly needs machinery, equipment and other industrial products. To buy these it must export. Now and then surpluses develop which enable it to obtain foreign earnings, but all too often these surpluses are temporary.

PROGRESS DIFFICULT TO MEASURE

It is difficult to measure Russia's progress or lack of it in hard statistics. But there are enough trustworthy figures, as we have shown, to deflate the almost juvenile claims made by her propaganda machine. The fact that the last 5-year plan had to be scrapped in favor of a 7-year plan is significant in itself. Percentage gains demanded of many industries proved utterly beyond the ability of the economy to achieve.

Russia has not allowed for the inevitable heavy capital investments required simply to meet ordinary depreciation and obsolescence. Even as total output rises, the industrial machine grows older and less efficient. From now on the Soviet must devote more and more of its energies, material and manpower to replacement. This will be a heavy drag on Khrushchev's blueprint for catching up with the United States—and helps explain his repeated emphasis on the possibility of buying whole industrial plants from us.

There are other forces statistics cannot measure. The Soviet Union's 200 million people know little of the outside world but an awareness is developing, and they are growing inquisitive. Response to the U.S. exhibit in Moscow reflects growing hunger for the better life. This desire for improved living standards cannot be repressed forever. It represents a growing claim on economic resources overcommitted to basic production.

Russia is militarily powerful, politically treacherous. As long as that is so, the West cannot afford to let down its guard. But neither is there ground for alarm at the Soviet economic challenge. The United States needs to understand that Russia still has a long way to go. There is a wide gap between the two great economies.

EXTENSION OF MORNING HOUR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the morning hour be continued for another 15 minutes.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Is there objection? The Chair hears none, and it is so ordered.

LAKE MICHIGAN WATER DIVERSION

Mr. WILEY. Mr. President, I ask unanimous consent that there may be printed in the RECORD a statement by Mayor Frank P. Zeidler, of Milwaukee, in response to charges by Chicago officials that Chicago should have the right to divert water from Lake Michigan because Milwaukee has a beach pollution problem—a non sequitur argument.

I ask unanimous consent that the statement may be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STATEMENT OF MAYOR FRANK P. ZEIDLER ON WATER POLLUTION—LAKE MICHIGAN WATER DIVERSION

In response to charges by Chicago officials that Chicago should have the right to divert water from Lake Michigan because Milwaukee has a beach pollution problem—a non sequitur argument, I have the following observations to make:

Milwaukee is not alone with a lake pollution problem. Chicago probably has its own pollution problem. I have seen a very dirty flotsam and jetsam off Navy pier after a heavy rain and had no difficulty in identifying materials in the grayish, cloudy water. The Chicago River pollutes the lake also at times.

As for the suggestion by the sanitary district officials that the sanitary district engineers visit the Milwaukee area, as far as I am concerned, they are welcome any time to come to the city hall to discuss with me their and our problem. I feel sure sewerage commission officials would welcome them also.

However, I would expect, in return, an opportunity to visit their plants and to have our experts tell them how to treat their sludge, how to meter their water, and how to stop much of their industrial pollution so that at least they reach our level of purification, which they do not now do. Perhaps the exchange of visits might be mutually helpful. In the interim Chicago officials should agree with us that they will not seek additional water diversion.

The Sanitary District of Chicago persists in its efforts to divert more water from Lake Michigan, thus aggravating the pollution problem of every other Great Lakes city which must return its effluent to the lakes after purification.

It should be pointed out that the sanitary district, by its demand for diversion, is proposing to flush still greater quantities of untreated or partially treated sewerage down the Illinois river, thus avoiding a nuisance for itself by creating one for the helpless neighbors down the river. They are making the downstream situation continually worse.

Milwaukee, it must be emphasized, has achieved the highest degree of purification possible under existing technology, and we recognize a water pollution problem exists; however, this is no justification for any community on the lakes demanding that it can therefore lower lake levels. Milwaukee will solve its problem without lowering lake levels and it is reasonable to expect Chicago to try to do the same.

THE MALLORY RULE

Mr. CLARK. Mr. President, one of the really fine constitutional lawyers in the Senate is the senior Senator from Missouri [Mr. HENNINGS], who is also chairman of the Constitutional Rights Subcommittee of the Committee on the Judiciary.

Senators may recall that at about this time last year we had before the Senate a House bill intended to change in part the rulings made by the Supreme Court of the United States in the Mallory decision.

The Senator from Missouri [Mr. HENNINGS] is quoted in this morning's Washington Post as in opposition to somewhat similar proposed legislation, known as the Willis-Keating bill, which comes now to the Senate. I see my good friend from New York [Mr. KEATING], who is coauthor of the bill, is present on the floor.

I ask unanimous consent to have printed in the RECORD at this point in my remarks the editorial from this morning's Washington Post entitled "Arrest in Haste," which quotes from the views of this bill of the senior Senator from Missouri, and to indicate my strong agreement with both the editorial and the views of the senior Senator from Missouri.

Mr. KEATING. Mr. President, I see nothing to be gained by an extensive debate on this matter at this time; but, since my attendance was noted, I wanted to state I strongly support the position of the Willis-Keating bill, quite naturally. I did not want the moment to pass without that statement.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ARREST IN HASTE

The experience of the police and of the U.S. Attorney's office in the District of Columbia fully bears out a conclusion expressed recently about the so-called Mallory rule by Senator THOMAS HENNINGS.

"Congressional maneuvering over the past two years to 'clarify' the Mallory rule leads to the inescapable conclusion that we would be better off if we left the matter in the hands of the courts. As Congress continues its efforts to "improve" the court-defined rule of admissibility of confessions as evidence in criminal cases, the confusion seems only to increase."

Policemen and prosecutors have learned to live with the Mallory rule. Their effectiveness in convicting the guilty has not been impaired; and the dire predictions that a horde of criminals would be loosed on the streets of the Capital have not been realized. The Willis-Keating bill passed by the House and pending in the Senate would operate however, to open the door to serious police trespasses on individual rights; and it would take away from the courts their one effective sanction against such trespasses.

In earlier days, the usual police practice was to obtain a warrant from some judicial officer before making an arrest. But the needs of law enforcement led to laws allowing the police to make arrests without a warrant when they themselves concluded that they had probable cause to believe a person guilty of a felony. Arrests with a

warrant are now a rarity. To compensate for the lack of judicial authorization prior to the arrest, the law provided, however, that the police must take arrested persons before a judicial officer "without unnecessary delay" in order to have a judicial determination that probable cause for the arrest did, in fact, exist.

The real vice of the Willis-Keating bill is that it would deny to the courts their only effective means of disciplining policemen who usurped the authority to determine what was probable cause in making an arrest. The bill would not diminish the obligation of police officers to arrest suspects only on probable cause and to take them before a magistrate as quickly as possible. But because the courts could not rebuke police by throwing out confessions obtained by questioning suspects after arrest without probable cause, the force of the requirement for prompt arraignment would inevitably be weakened.

The police would be enabled, in short, by wresting confessions from suspects during a period of detention prior to arraignment, to establish the probable cause necessary to justify their arrests in the first place. In effect, then, the bill would make the police judges of the validity of their own arrests. As Judge David Bazelon observed in his dissent when the Mallory case was before the Court of Appeals, "When policemen are judges, individual liberty and dignity cannot survive."

VOTING RIGHTS FOR DISTRICT OF COLUMBIA CITIZENS

Mr. RANDOLPH. Mr. President, the prohibition against voting by residents of the District of Columbia is a shadow across the shield of citizenship throughout the United States.

Last week I took occasion to express again my reasoning in reference to the validity of the responsibility of franchise by those men and women who live within the jurisdiction of the District of Columbia. These citizens have no right to vote in any State and yet they are not privileged to exercise the prerogatives of participating citizenship within the District of Columbia.

One of the leaders in the effort to bring about representation in the Congress and a vote for President and Vice President of the United States is Benjamin M. McKelway, thoughtful and informed editor of the Washington Evening and Sunday Star. Mr. McKelway appeared on last Friday morning before a subcommittee of the District of Columbia Committee in his capacity as an editor, and not as a representative of any organization. He spoke in favor of the principle of representation in the Congress and a vote for President and Vice President, and stated his considered judgment against placing home rule as a priority project.

Because of the research done by Mr. McKelway, and because of the arguments which he presented on that occasion, it is appropriate that the CONGRESSIONAL RECORD should carry the comment of Mr. McKelway. I ask unanimous consent that his statement before the subcommittee be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

(The accompanying article presents the statement in testimony of Benjamin M. McKelway, editor of the Evening and Sunday Star, before a subcommittee of the House Committee on the District of Columbia now conducting hearings on home rule. Mr. McKelway appeared on the invitation of the committee in his capacity as editor of the Star and not as the spokesman or representative of any group.)

Mr. Chairman, I appreciate the courtesy of your invitation to offer some comments on home rule.

I would hope we might accept at the outset as a stipulated fact—for it is a fact—that the total lack of voting representation in their sovereign Government suffered by American citizens resident in the Capital of the United States is, in this day and age, an indefensible contradiction of what we stand for in our own eyes and in the eyes of the world. That contradiction is becoming so evident to so many people that it is bound to be removed one way or another.

The need, then, is for intelligent and wise decision on how it is to be removed—the right way or the wrong way.

I believe that in removing it we must recognize the great importance of preserving the magnificent concept of Washington as the Federal City, set aside as the seat of Government and the worthy Capital of the Nation. At the same time we must recognize and respect the equally fundamental importance of giving Americans resident in this Capital a voting voice in the Congress which exclusively controls it, and a right to vote for President and Vice President.

There is no actual contradiction between these two objectives. There is no valid or substantial reason why one of them need suffer at the expense of the other.

EXPEDIENCY VERSUS JUST TREATMENT

There is likelihood that under increasing pressures the immediate expediency of home rule, rather than the basic interests of this city and the just treatment of its people, will be served. In that case we may witness a dismal repetition of history, winding up with injury to the concept of the Federal City and to its continuing development without having achieved voting rights of any real value.

Take, for example, the pending proposal to set up a territorial form of home rule government for the Capital of the United States. This bill is, indeed, an extraordinary anachronism which turns the clock back 85 years.

History wrote a sardonic little footnote on the arrival in Washington, earlier this week, of Mr. DANIEL KEN INOUYE, soon to become your colleague as the representative of some 580,000 people of the Hawaiian Islands, lying 4,920 miles from Washington in the Pacific Ocean. Two Hawaiian Senators, elected at the same time, will take their seats at the other end of the Capitol.

Some 85 years ago, in 1874, a territorial government for the District of Columbia, after a brief but spectacular life, was abolished by an angry Congress because it did not work, and the city was up in arms over its failure. Twenty-six years after that, in 1900, Hawaii became a Territory and 59 years later has been admitted as a sovereign State, her people made full-fledged Americans.

And what will her new representatives find at the Capitol when they take their oaths? One thing they will find is a hearing in progress before the House Committee on the District of Columbia on a bill to give back to 825,000 citizens, living here at the heart of this Republic, a territorial form of government not unlike the one they had 26 years before Hawaii became a Territory—including a voteless delegate in the House.

DISCREDITED REACTIONARYISM

If this means progress, it is progress in the wrong direction. If this misguided effort is identified as awakened liberalism, such liberalism is plainly the victim of mistaken identity. Actually, this bill is an astounding example of discredited reactionaryism.

How could this have happened? How can it be explained?

It may be that the late Senator H. W. Blair, of New Hampshire, had the answer. Senator Blair, in an eloquent speech one September day in 1880 in support of a resolution for an amendment to the Constitution to give residents of Washington voting representation in Congress and the electoral college, told the Senate that the denial of such representation "is no trifling matter, and I verily believe it constitutes a drop of poison in the heart of the Republic, which, if left without its antidote, will spread virus throughout that circulation which is the life of our liberties."

There is a sort of poison in denying people the right to vote. In time it tends to paralyze or render dormant nerves that ordinarily would excite a burning sense of indignation in free men. But I fear there is little real indignation, on your part or on our part, in the fact that Americans who live in this American Capital, after all these years, are still denied the vote, are still governed without their consent, are still taxed without representation, are still consigned to a degrading status of semicitizenship. This condition, and the lack of indignation which permits it to remain, must be the effect of some insidious poison. It is not normal.

The antidote for this poison is to forget the unhappy attempts to resurrect home rule, which people of the District enjoyed for more than 70 years. The antidote is to give the people of Washington voting rights in Congress, in the choice of President and Vice President, and to resume the task of building this beautiful Capital as a symbol of this country.

LOCAL AND NATIONAL INTERESTS

The theory behind what is misnamed home rule in Washington is based on a premise which has proven itself to be false.

The premise is that local interests in Washington are divisible from national interests, so that a group of elected local legislators, charged with the responsibility but subservient to the dominant national Government in which they have no voice, can supervise the local interests of the city while the all-powerful Congress, and a myriad of Federal executive agencies with fingers in the pie, will take care of the Federal interests of the Capital.

The territorial home rule bill is a ponderous and impractical attempt to rationalize the separability of local and national interests.

The highly probable and only too logical results of making such an experiment in home rule should be of great concern to those of us who live in this city. For history supports a belief that among the most serious of such results would be the impairment or loss of the concept of the Federal City. That would obviously endanger continuing development of Washington as a fitting Capital, and would handicap the discharge of new undertakings required for this busy hub of one of the most rapidly developing metropolitan areas of the United States.

It is all too reasonable to believe, however unfortunate such a belief may be, that the attitude in Congress, once a local, home rule government took office, would be to say "O.K., friends, that is what you asked for. Now that you have it, go roll your own hoop." For when Congress delegates legislative authority over this Capital to a locally elected council or assembly, it may be expected also to delegate the fiscal responsibility accompanying that authority.

The unique characteristics of this city, including its limited and its untouchable economic resources, should convince anybody

that under home rule a locally elected city government could not roll its own hoop, and would fail miserably in the attempt.

HAZARDS OF HOME RULE

Such failure would not mean that the people of this city are incapable of governing themselves. Nor would such failure have any connection with the virtues or the defects of democracy and self-government. A fundamental error is to think of Washington as just another American municipality. No other city is like it.

The hazards of home rule in Washington lie in the nature of the city—an "artificial city" as Prof. Royce Hansen called it in his thoughtful testimony before the Senate committee; its complete dependence, economicaly as well as politically, on the exclusively controlling national Government from which it is excluded; the hard facts of its economic structure and the vagaries of politics in practice, local as well as national, in a city where Government is the chief industry.

The history of this city offers repeated evidence, from highly competent authority, of the inseparability of local and national interests in Washington, and failures which have resulted when such separations were attempted.

I shall not attempt to cite them here, but I shall be glad to furnish for the record, if you desire, apt quotations from the report of a Senate District Committee in 1835 which investigated conditions threatening bankruptcy under home rule; of a select joint committee appointed to view the remains of home rule in 1874; the report of another select joint committee in 1916, investigating whether the 50–50 ratio in appropriating for the District of Columbia was a correct division of expense between the Nation and the local community. All such reports—made at various stages of Washington's past, emphasize the indivisibility of local and national interests in Government of the District of Columbia, and the futility of seeking such separation.

One of the best of all summaries of the economic disabilities of this city of magnificent tax exemptions is the current year's report of the District Commissioners on the "State of the District." That report correctly emphasizes the dependence of the District of Columbia on congressional appropriation of Federal funds (a fraction of the Federal taxes paid by District residents) to supplement insufficient revenues collected in local taxes. Commissioner McLaughlin's ability to lend his name both to that report and to the advocacy of home rule is a marvelous and even thrilling demonstration of mental acrobatics.

THE FINANCIAL QUESTION

Some of the intelligent advocates of home rule, of course, recognize the importance of writing into such legislation something more than the brave and hopeful words—to use an expression by Senator MORSE—used to convey an impression of pious intent by Congress to do right financially by a home rule government.

But as Senator MORSE has testified (and I commend to your attention his very pointed and intelligent criticism of his own Senate-passed bill as well as the other one) the whole question of the Federal payment in home rule legislation is left discreetly vague.

Why is that? Why should it not be spelled out as one of the fundamental parts of any new organic law establishing home rule? Why would any advocate of home rule willingly buy such a pig in a poke?

Regardless of what the answer might be, the fact is that it is not spelled out. The fact is that the Senate committee's refusal to spell it out was a considered refusal and not an oversight. And this, we believe, should be the source of concern on the part of those who regard Washington as home and whose future is so wrapped up in the future of this city.

A FANTASTIC IDEA

Even if there were specific legislation on this point, definitely committing Congress to appropriate Federal funds in some certain proportion to meet the needs of a local budget prepared by, and to be expended by, a locally elected city council or legislative assembly charged with governing the U.S. Capital, it is nothing less than fantastic to believe that the Appropriations Committees of Congress would turn over any substantial sum—such as $25 million or more—for local authorities to spend as they see fit.

In closing, Mr. Chairman, I would like to refute a weary cliche which lacks even the merit of conveying a truth, but which is given counterfeit currency by misinformed advocates of self government through home rule. The cliche to which I refer is to the effect that abandonment by Congress of the territorial government of 1874 along with local suffrage meant that the people of the District had sold their birthright for a mess of pottage.

That is a rather malicious libel on the Washingtonians of past generations who lived here under home rule—most of whom were not sorry to part with it.

What was the birthright of these people? It was the birthright of voting in various forms of local government for slightly more than 70 years, while deprived of their basic rights of citizenship and participation in their national Government. It was this birthright that led the people of Georgetown unsuccessfully to petition for retrocession to Maryland in 1838. It was their disillusionment over this same birthright which helped to gain, for the citizens of Alexandria 8 years later, retrocession by Congress in 1846 of the Virginia portion of the original District of Columbia. The galling disfranchisement of these people was referred to in congressional debate.

And what was this mess of pottage received in exchange for the surrender, or sale, of this birthright, a transaction, incidentally, in which local citizens had no voice?

That mess of pottage consisted of the long-delayed assumption by Congress 70 years after Congress first came to Washington, of the responsibility accompanying its exclusive control of this city. It was the subsequent exercise of that responsibility by Congress which brought about development of the beautiful city we know today.

If the birthright of the citizens of that day was sold for this mess of pottage—do present-day citizens of Washington want to swap back the mess of pottage for the same old birthright?

I do not think so. Yet, unless more people in Washington adopt for themselves the praiseworthy if misguided determination of the small group of home rule advocates, and enlist everybody including you gentlemen and the leadership of our Government in a real crusade for the real votes that count—representation in Congress and in the election of President and Vice President—that is precisely what is apt to happen.

ASSAULTS ON WASHINGTON STREETS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may speak for 5 minutes in addition to the time permitted under the present consent agreement.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from West Virginia may proceed.

Mr. BYRD of West Virginia. Mr. President, I wish to speak about a very grievous, disgraceful, and dangerous condition which exists here in Washington, and which has been brought forcibly into focus within the past few days.

I am referring to the alarming increase in violence, crime, and hoodlumism among the young men of our Nation's Capital. Anyone who has read the Washington newspapers since last Thursday might well form the opinion that this city is a half-civilized place where it is unsafe to venture into the streets at night.

The newspaper headlines have conveyed a disturbing record of violence. They have told how, late last Thursday night, a prowling gang of juveniles, described as like a pack of wolves, attacked and robbed a man in the center of Washington, and how one of them, armed with a knife, threatened the distinguished Representative DIGGS of Michigan, who witnessed the incident. The newspapers have told how, later that same night, a gang of young men attacked and savagely beat a Washington policeman; and how, on the previous night, a young Air Force non-commissioned officer was shot to death by a gang of young hoodlums whom he tried to chase away from his parked car. And on Saturday evening, the newspapers reported that the widow of Deputy Defense Secretary Donald Quarles was knocked down on a street in a robbery attack by a teenage youth. And one need not remember far back to recall many other reports of barbaric acts, such as that in which a foreign-born physician was attacked and robbed on a busy street while other persons stood by, refusing to come to his aid.

Mr. President, this is not a pretty picture to display as that of the Capital of America, the city which serves almost as a symbol of American freedom and American ideals. What must be the reaction of visitors from foreign nations who come to our Capital—or, for that matter, the reaction of visitors who come from the various parts of our own country?

This is the sort of description of Washington they receive: In the Saturday Daily News, a story proclaimed that a "rising tide of assaults on police officers" is forcing the Police Department to "beef up" its patrols and assign two-man patrols to the more hazardous beats.

The story stated:

> There has been an increase of 30 percent in assaults on policemen over last year, 139 cases already this year, compared to 106 in the same period last year.

And the Saturday Evening Star pointed out:

> Last month alone, 26 Washington police officers were assaulted, as compared to 13 for the same month last year.

The upsurge of violence by youthful thugs last week prompted the Evening Star to declare in an editorial that "no one is safe in Washington while these hoodlum gangs are free to prowl the streets at night."

The editorial concluded:

Some way must be found to take them out of circulation. One proposal now under debate is to ban objectionable loitering by people under the age of 18. But it hurts just as much to be beaten up and robbed by an 18-year-old gang as by a 17-year-old gang. Why not get the legislation—if any new legislation really is needed—which would make it possible for the police to chase all the wolf packs off the streets?

Mr. President, I wish to make it clear that I, for one, feel that steps should be taken to meet this very disturbing problem arising in Washington.

I wish to urge that all possible means—educational, religious, administrative, legislative, and otherwise be taken to bring this disgraceful and disturbing trend to a halt. I am sure that I speak for all of us when I say that we want to have a Washington of which all Americans can be proud, not one which is notorious for its junglelike lawlessness.

Mr. President, I ask unanimous consent that the articles I have referred to be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, Aug. 15, 1959]

GANG ATTACKS ON LAWMEN FORCE POLICE SHIFTS HERE

(By John T. Burch)

A rising tide of assaults on police officers, both here and in other major cities, has forced Metropolitan Police Chief Robert V. Murray to augment the Juvenile Squad and order two-men patrols for tougher beats, he said today.

The "beef up" may curtail vacations on the force, he said.

Chief Murray said there has been an increase of 30 percent in assaults on policemen over last year, 139 cases already this year, compared to 106 in the same period last year.

Chief Murray, who is second vice president of the International Association of Chiefs of Police, said he discussed this with many of his fellow chiefs in the Nation's larger cities.

"Not only is this true here, but it has been almost a nationwide trend," Chief Murray said.

"I don't know exactly what the answer to it is. I cannot definitely say it's racial, and I don't feel it's an economic problem, because figures show an all-time high for employment.

"However, whatever the cause, we're doing everything we can. I added more men to the juvenile squad last week, before the murder of Sergeant Buckson." (Air Force Sgt. Luther Buckson of 4805 Alabama Avenue SE. was shot early Thursday as he chased youngsters tampering with his auto.)

FULL STRENGTH

The addition brought the juvenile squad up to a full complement of men for the uniformed roving patrol, the Chief said.

"I put this juvenile patrol to work prowling the streets 2 years ago. It has proven its worth, and the men assigned to it have done some good work handling juvenile groups.

"I don't feel like asking for more men in view of the fact we have an economy-minded Congress. But I am going to try to work it out with precinct commanders to put the men out together, in pairs.

"To do this, it may be necessary to restrict or cut annual leave of the entire force."

SCHOOLING PROBLEM

The Chief said he doesn't want to cut the 12-week rookie training program to gain manpower. Some rookies are already patrolling the streets with experienced men, waiting to go to the school, which is running double classes of 40 each now.

"Once before we had to cut the training program to 4 weeks, but I don't want to do that now," Chief Murray said. "We'll continue the double class schedule until the end of the year, when all the rookies will have been through."

[From the Washington Daily News, Aug. 15, 1959]

POLICEMAN IS RECOVERING—"CURLY" SURRENDERS IN BEATING

The man Police Private William J. Maginnis was trying to arrest early yesterday when he was beaten by a gang of young marauders gave up meekly of his own accord this morning, police said.

Lt. Milton C. Reed, acting captain of the 13th Precinct, said William Edward Clark, alias "Curley," 24, was charged with assault on an officer.

He told police he had not seen Private Maginnis' service revolver since it was wrested from him in the fight, Lieutenant Reed said. Private Maginnis is recovering from head wounds in Washington Hospital Center.

George R. Miller, 20, of 449 Massachusetts Avenue NW., and Maurice T. Dixon, 18, of 1611 12th Street NW., were charged yesterday with assaulting a police officer and larceny of Government property. They are held on $5,000 bond for an August 21 arraignment.

[From the Washington Daily News, Aug. 15, 1959]

FOUR CHARGED IN AIRMAN'S DEATH

Four young colored men have been charged with homicide in the street killing of Air Force S. Sgt. Luther Buckson early Thursday, police said.

Sgt. Buckson, 25, colored, of 4805 Alabama Avenue SE., was shot four times as he chased youths he had seen tampering with his car. police said. He was found wounded across the street from his home, and died an hour later.

Homicide Capt. Lawrence Hartnett said Charles H. Turpin, 20, of 4438 E Street SE.; Anthony Oliver, 19, 15 53d Street SE.; and George Diggs, 18, of 18 53d Street SE., were arrested last night and Edward R. Johnson, 19, of 5358 Ames Street NE., surrendered this morning.

Captain Hartnett said Turpin was arrested first at a service station where he works at East Capitol Street and Benning Road, after 14th Precinct Lt. Vincent Jenkins and Corp. George Greeg matched him with a description of a man seen in the neighborhood.

Captain Hartnett said Turpin admitted shooting Sgt. Buckson and gave this account of how it happened:

He was in the area, but not with the boys who were around the sergeant's car. Sgt. Buckson, who had phoned police that the car was being tampered with again, came out and fired a shot at the loiterers. Everybody started running, and Sgt. Buckson went inside, then came back out and chased them.

Turpin said he thought the airman was coming after him and shot at him with his .22 revolver, Captain Hartnett said.

He said police found a gun in the sergeant's apartment, but haven't yet determined how long since it was fired.

He said Turpin is married to a 17-year-old girl who is expecting a baby next month.

[From the Washington Star, Aug. 15, 1959]

FOURTH YOUTH ARRESTED IN SLAYING OF AIRMAN

Metropolitan Police early today arrested the last of four youths whom they charged with the murder of Air Force S. Sgt. Luther Buckson.

Capt. Lawrence Hartnett of the homicide squad said the roundup began yesterday afternoon with the arrest of Charles Henry Turpin, Jr., 20, of the 4400 block of E Street SE., and was completed this morning.

Captain Hartnett said Turpin admitted shooting Sergeant Buckson in front of the airman's home at 4805 Alabama Avenue SE., early Thursday morning.

POLICE VERSION

Turpin, according to police, told them this story:

He was walking down Alabama avenue for a breath of fresh air when he spotted an acquaintance across the street talking to another youth.

When he joined the pair, Turpin said, he noticed a third youth beside a car on the opposite curb.

At the same time, he observed a man emerging from an apartment. The man, Turpin claimed, fired a shot, and all three youths ran from the scene.

Sometime later, the suspect added, he returned to the corner on the way back home. The other three youths were behind him, he said.

At the corner he was confronted by the man from the apartment. When the man said something to him, Turpin said he pulled a gun from his pocket and fired at the man until the weapon was empty. Turpin then ran home, two blocks away.

Captain Hartnett said police pieced together information and descriptions supplied by witnesses who saw the fleeting youths and confronted Turpin at work yesterday afternoon.

The suspect, whose 17-year-old wife is expecting a baby, works as an attendant at a service station at East Capitol Street and Benning Road.

GUN FOUND

Police said they found a gun, a .22 revolver, when they entered Turpin's home with a search warrant. The roundup was conducted jointly by the homicide squad and Precinct No. 14.

According to Captain Hartnett, Turpin implicated three other youths.

Two of them, Anthony Oliver, 18, of the unit block of 53d Street SE., and George Diggs, 19, of the same block, were arrested last night at their homes, police said.

The third youth, Edward R. Johnson, 19, of the 5300 block of Ames Street NE., surrendered to homicide squad detectives at 1 a.m. today, police said.

All four were charged with homicide, police reported.

Sergeant Buckson, who was assigned to Andrews Air Force Base, reportedly was investigating an attempt to rifle his car when the shooting occurred after midnight Thursday. He died, minutes later at District General Hospital of four gunshot wounds.

[From the Washington Post and Times Herald, Aug. 17, 1959]

SUSPECT IN STREET ATTACK ON MRS. QUARLES IS HELD

Wallace D. Johnson, 19, an unemployed porter listed at 2100 19th Street NW., was ordered held under $5,000 bond yesterday on a charge of assault with intent to rob the widow of Deputy Defense Secretary Donald Quarles. The case was continued to August 27.

Johnson is accused of knocking down Rosina Quarles, of 3041 Porter Street NW., in an attempt to grab her purse in the 2800 block of Woodley Road NW., Saturday night.

Mrs. Quarles is recovering at home from painful bruises. She was treated at Walter Reed Army Medical Center after her screams frightened her assailant, and saved her purse.

Johnson was stopped a block away by Sidney Epstein, 38, city editor of the Evening Star. Epstein, who lives at 2800 Woodley Road, NW., was on his way home from work.

The attempted purse snatching in a fashionable section of Washington came on the heels of recent assaults on policemen and Police Chief Robert V. Murray's decision to assign two men to the tougher beats and to augment the juvenile squad.

[From the Washington Star, Aug. 15, 1959]

POLICEMAN RISKS LIFE IN BATTLE WITH GANG

Pvt. William Maginnis, a husky metropolitan policeman, will long remember the darkened northwest street which he was patrolling alone early yesterday morning.

"I almost lost my life there," he said last night from his hospital bed in the Washington Hospital Center.

Private Maginnis, 28, of 1225 Quincy Street NW., was walking his beat in the 700 block of T Street when he noticed a group of men huddling near a granite wall.

It was shortly before 2 a.m.

"As I approached them," the policeman recalled, "they all took off except one. I asked him what he was doing there, where he was from, and he told me two addresses—in northeast and northwest."

GETS BELLIGERENT

His suspicions aroused, the patrolman continued questioning the man.

"All of a sudden he got surly," Private Maginnis said. "He questioned my right to ask him these things, and he started swearing."

The policeman responded by arresting the man for disorderly conduct. Holding him by the belt, Private Maginnis headed the man for a police callbox at Seventh Street and Florida Avenue NW.

Private Maginnis recalls the next few minutes sharply.

"Before I could stop him," the officer declared, "the man pivoted, swung around and hit me in the mouth with a bottle. I picked it up, but he knocked me back and we fell to the ground fighting.

"I had him down and nearly subdued when somebody hit me in the head from behind," Private Maginnis said. "I got up and looked around—but he got up too, and grabbed my gun."

Private Maginnis took a breath, launched into two additional assailants and warded off a series of blows, he said.

"They came at me with a fence picket, one of them got my night stick and they hit me with everything—in the chest, stomach, ribs and head," he recalled. "I figured I was a goner."

The next thing he knew, he was staring up from his hospital bed into the face of another policeman.

Private Maginnis, 6 feet 2 inches tall and weighing 220 pounds, was a mass of bruises last night, but officially in "satisfactory condition."

Later in the day, two youths were arrested. Identified as George Rufus Miller, 20, of the 400 block of Massachusetts Avenue NW., and Morris T. Dixon, 18, of the 1600 block of 12th Street NW., they were charged with assaulting the officer. A third was still being sought.

HEARING NEXT FRIDAY

William Bachrach, appointed by Municipal Court Judge Harry Walker to represent the youths, said a preliminary hearing of the case was scheduled next Friday.

Police Chief Robert V. Murray reacted to the assault, one of nearly 150 in which policemen have been involved this year, by authorizing precinct commanders to assign patrolmen in pairs to dangerous beats.

Last month alone, 26 Washington police officers were assaulted, as compared to 13 for the same month last year.

From the first of January until July 31, 139 policemen have been assaulted. For the same period last year, it was only 106.

[From the Washington Star, Aug. 15, 1959]

WOLVES IN THE STREETS

Representative CHARLES C. DIGGS, JR., is a Negro Congressman from Michigan. He has been a vigorous and outspoken opponent of discrimination against Negroes. So we do not suppose that anyone will impute racial prejudice to him in his description of the Logan Circle incident.

Mr. DIGGS was driving friends to the airport shortly after midnight Thursday when he saw a man, knocked down on the ground under a street light at the Circle, being beaten and robbed. Both the victim and his assailants were colored. When Mr. DIGGS tried to frighten off the attackers, two of them, one armed with a knife, came toward his car—this in the center of Washington. He said the gang members, all apparently juveniles, were "like a pack of wolves." And he added: "You hear about these things, but you don't really understand it until you see it. I never saw anything like that before." And this certainly is true—too many people who aren't beaten and robbed themselves, or who don't see it happen to someone else, are inclined to shrug their shoulders and look the other way.

At about 1:45 a.m. the same night a policeman, who happened to be white, was jumped and brutally beaten by a gang of colored teenagers near Seventh and T Streets NW. The night before, a colored Air Force sergeant went out to chase away several young men who were tampering with his car. He was shot and killed.

The point of all this is that no one, white or colored, is safe in Washington while these hoodlum gangs of whatever color are free to prowl the streets at night. Some way must be found to take them out of circulation.

One proposal now under debate is to ban "objectionable" loitering by people under the age of 18. But it hurts just as much to be beaten up and robbed by an 18-year-old gang as by a 17-year-old gang. Why not get the legislation—if any new legislation really is needed—which would make it possible for the police to chase all the wolfpacks off the streets?

SERVICE FOR OUR NATION'S DISABLED SERVICEMEN

Mr. HENNINGS. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by me, relating to service for our Nation's disabled servicemen.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HENNINGS

Among the several congressionally chartered veteran ogranizations which have local chapters in Missouri is the Disabled American Veterans, the only veterans organization composed exclusively of those Americans who, in time of war, have been wounded, gassed, injured or disabled by reason of active service in the Armed Forces of the United States, or of some allied country.

Formed in 1920 under the leadership of Judge Robert S. Marx, DAV legislative activities have benefited many compensated disabled veterans. Its present national commander is Judge David B. Williams, of Concord, Mass. Its national adjutant is John E. Feighner, of Cincinnati, Ohio. Its national legislative director is Elmer M. Freudenberger, its national director of claims, Cicero F. Hogan, and its national director of employment relations, John W. Burris, all of whom are located at its National Service Headquarters, 1701 18th Street NW., Washington, D.C.

Inasmuch as less than 10 percent, or some 2 million, of our country's war veterans are receiving monthly disability compensation payments for service-connected disabilities—the DAV does not aspire to become the largest veterans organization. Nevertheless, since shortly after its formation in 1920, the DAV National Headquarters, located in Cincinnati, Ohio, has maintained the largest staff of full-time national service officers of any veterans organization. A staff of 138 is located in the 63 regional and 3 district offices of the U.S. Veterans' Administration and in its central office in Washington, D.C.

These staff workers have ready access to the official claim records of claimants who have given them their powers of attorney. All of them being war-handicapped veterans themselves, these service officers are sympathetic and alert as to the problems of other less well-informed claimants.

The DAV now maintains three national service officers in the Veterans' Administration regional offices in Missouri. Fred H. Theurer is located at 911 East Linwood Boulevard, Kansas City; William J. Burgh and William E. Leach, Jr., are located at 415 Pine Street, St. Louis. This year the alternate national executive committeeman for the ninth district is Judge Michael Carroll, 9744 Midland Boulevard, Overland. A former national commander, Judge Joe W. McQueen, resides in Kansas City.

There are five Veterans' Administration hospitals in Missouri in which the DAV has a Veterans' Administration voluntary service representative as follows: Mr. Oscar W. Elrod, Box 248, Excelsior Springs, is located at the 209-bed hospital at Excelsior Springs; Mr. Louis Diebold, 8421 Water Street, St. Louis, is located at the 815-bed hospital at Jefferson Barracks; Mr. Francis A. Van-Hoy, 2702 Peery Avenue, Kansas City, is located at the 500-bed hospital at Kansas City; Mr. C. M. Anderson, 1922 Barrow Road, Poplar Bluff, is located at the 201-bed hospital at Poplar Bluff, and Mr. Mark J. Sullivan, VA hospital, 915 North Grand, St. Louis, is located at the 495-bed hospital at St. Louis.

During the last fiscal year, the Veterans' Administration paid out $125,165,000 for its veteran program in Missouri, including $31,826,475 disability compensation to its 47,677 service disabled veterans. These Federal expenditures in Missouri furnish substantial purchasing power in all communities. Only about 13 percent are members of the 15 DAV chapters in Missouri.

This 13-percent record is strange in view of the very outstanding record of personalized service activities and accomplishments of the DAV national service officers in behalf of Missouri veterans and dependents during the last 10 fiscal years, as revealed by the following statistics (estimated):

Claimants contacted	139,897
Claims folders reviewed	116,581
Appearances before rating boards	31,097
Compensation increases obtained	5,849
Service connections obtained	1,892
Nonservice pensions	1,881
Death benefits obtained	658
Total monetary benefits obtained	$2,685,420.80

These figures do not include the accomplishments of other national service officers on duty in the central office of the Veterans' Administration, handling appeals and reviews, or in its three district offices, handling death and insurance cases. Over the last 10 years, they reported 83,611 claims handled in such district offices, resulting in monetary benefits of $20,850,335.32, and in the central office, they handled 58,282 reviews and appeals, resulting in monetary benefits of $5,337,389.05. Proportionate additional benefits were thereby obtained for Missouri veterans, their dependents and their survivors.

These figures fail to illustrate the extent and value of the individualized advice, counsel, and assistance extended to all claimants

who have contacted DAV national service officers in person, by telephone or by letter.

Pertinent advice was furnished to all disabled veterans—only about 10 percent of whom were DAV members—their dependents, and others, in response to their varied claims for service connection, disability compensation, medical treatment, hospitalization, prosthetic appliances, vocational training, insurance, death compensation or pension, VA guaranty loans for homes and farms and businesses. Helpful advice was also given as to placement in suitable useful employment to utilize their remaining abilities, civil service examinations, appointments, retentions, retirement benefits, and other problems.

Every claim, of course, presents different problems. Too few Americans fully realize that governmental benefits are not automatically awarded to disabled veterans. Frequently, because of lack of official records, death or disappearance of former friends and associates, lapse of memory, lack of information and experience, proof of the legal service connection of a disability becomes extremely difficult—often nearly impossible.

A VA Claims and Rating Board obviously cannot grant favorable action based on nothing more than on the opinions, impressions or conclusions of persons who submit notarized affidavits. Specific, detailed pertinent facts are essential.

The Veterans' Administration, which acts as judge and jury, cannot properly prosecute claims against itself. As the defendant, in effect, the U.S. Veterans' Administration must award the benefits provided under the laws administered by it, only under certain conditions.

However, a DAV national service officer can and does advise a claimant precisely why his claims may previously have been denied and then specifies what additional evidence is essential. The claimant must necessarily bear the burden of obtaining such fact-giving affidavit evidence. The experienced national service officer will, of course, advise him as to its possible improvement, before presenting same to the adjudication agency, in the light of all of the circumstances and facts, and of the pertinent laws, precedents, regulations and schedule of disability ratings. No DAV national service officer, I feel certain, ever uses his skill, except in behalf of worthy claimants, with justifiable claims.

Because most claims are not properly prepared, the Veterans' Administration has denied more claims than it has allowed. It is very significant, as pointed out by the DAV acting national director of claims, Chester A. Cash, that a much higher percentage of those claims, which have been prepared and presented with the aid of a DAV national service officer, are eventually favorably acted upon, than is the case as to those claimants who have not given their powers of attorney to any such special advocate.

Another fact not generally known is that, under the overall review of claims inaugurated by the VA some 4 years ago, the disability compensation payments of about 37,200 veterans have been discontinued, and 27,300 other veterans have had payments reduced with an aggregate loss to veterans of more than $28 million per year. About 2.3 percent of such discontinuances and reductions have occurred to disabled veterans in Missouri with a consequent loss of about $644,000 per year.

Most of these unfortunate claimants were not represented by the DAV or by any other veterans organization. Judging by the past, such unfavorable adjudications will occur to an additional number or more during the next 3 years before such review is completed.

Measured by the DAV's overall costs of about $12,197,600 during a 10-year period, one would find that it has expended about $3.50 for each claim folder reviewed, or about $8.80 for each rating board appearance, or, again, about $22.70 for each favorable award obtained, or about $123 for each service connection obtained, or about $54 for each compensation increase obtained, and has obtained about $14.10 of direct monetary benefits for claimants for each dollar expended by the DAV for its national service officer setup. Moreover, such benefits will generally continue for many years.

Most claimants are not aware of the fact that the DAV receives no Government subsidy whatsoever. The DAV is able to maintain its nationwide staff of expert national service officers primarily through income from membership dues collected by its local chapters and from the income resulting from DAV owned and operated projects.

Thus, the DAV continues its most effective work on behalf of our Nation's most deserving veterans. It is an organization to be commended.

STUDY OF HYDROELECTRIC POSSIBILITIES OF THE YUKON RIVER

Mr. GRUENING. Mr. President, I wish to comment briefly on the significance of the action of the Congress in the appropriation of initial survey funds, in the public works appropriation bill, for the study of the hydroelectric possibilities of the Yukon.

The distinguished members of the conference committees of both bodies are to be highly commended for the vision which they have displayed in taking this action. I want to particularly express on behalf of my colleague, the distinguished senior Senator from Alaska [Mr. BARTLETT], and myself our great appreciation to Senators ELLENDER, HAYDEN, RUSSELL, MCCLELLAN, ROBERTSON, HILL, MAGNUSON, HOLLAND, KERR, DWORSHAK, YOUNG of North Dakota, MUNDT, and SMITH, because I know how they battled hard to retain this important item, which was not in the President's budget nor in the House bill. It was inserted in the Senate bill and retained in conference.

It is gratifying that there is, in this $50,000 appropriation, an effective recognition of the importance of development of Alaskan hydroelectric resources.

This appropriation constitutes recognition, first, of the importance to the United States of development of its productive resources in the far north as needed to match and to surpass that of the U.S.S.R. As I have had occasion to point out before, the Russians are gaining on the United States in hydroelectric development and under this administration's policies may well get ahead of us in this important field as well as in the entire field of development of arctic resources, which is so essential in our protracted conflict with the Kremlin.

The Soviet Union is now building the largest hydroelectric project in the world, at Bratsk, in Siberia. It is contemplated that this dam will produce about 4½ million kilowatts of firm power. This is only one of several great hydroelectric projects under way in Siberia. The dam which will be constructed on the Rampart Canyon site could, according to engineering estimates, produce in the neighborhood of 5 million kilowatts. The power so produced would be more than twice that of the entire Tennessee Valley Authority, and more than three times that of Grand Coulee—now the world's largest hydroelectric dam.

The construction of a mighty dam on the Yukon River at the Rampart Canyon site would make possible a new era of economic development in the United States. It has long been recognized that the most valuable, but so far least utilized, natural resource of Alaska is its abundant hydroelectric power. To develop this resource on the scale which will be possible with the construction of the Rampart Dam would power an industrial complex for the expansion of the domestic economy greater than anything now existing in the free world.

Again, I commend the wise and farsighted action of the Appropriations Committees in recognizing the importance of this project and appropriating the funds necessary to begin it. Again I wish to express on behalf of all Alaskans the gratitude of my colleague and my own to those Senators and Representatives who have made this start possible.

Mr. President, again I wish to express the gratitude of my colleague and myself.

WHITE FLEET

Mr. HUMPHREY. Mr. President, I am very pleased to note the continuing development of support for our proposal for a White Fleet of ships to conduct disaster missions and technical assistance programs.

One recent indication of support has come from the American Veterans Committee in the form of a letter from the chairman of the international affairs commission of the American Veterans Committee, Mr. Bernard J. Cogan.

Mr. President, I ask unanimous consent to have this letter placed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN VETERANS COMMITTEE,
Washington, D.C., August 5, 1959.

Hon. HUBERT H. HUMPHREY,
U.S. Senate,
Senate Office Building, Washington, D.C.

DEAR SENATOR HUMPHREY: The American Veterans Committee commends you and all the cosponsors of Senate Concurrent Resolution 66 designed to establish a White Fleet.

This concept is a novel approach to the American effort abroad and deserves the support of all individuals and organizations in this country who recognize the fact that the aspirations of the people of Asia, Africa, and Latin America will not be denied. Understanding and aid from America presented in this form significantly underline governmental assistance programs in underdeveloped areas of the world in ways that cannot be distorted by totalitarian propaganda.

You have AVC's complete support in this proposal, and we shall be delighted to do anything possible to advance it.

Sincerely,

BERNARD J. COGAN,
Chairman, International Affairs Commission.

EMPLOYMENT FOR CERTAIN ADULT INDIANS

Mr. MANSFIELD. Mr. President, after consultation with and with the approval of the distinguished majority leader and the distinguished minority

leader, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 727, S. 1565.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1565) to amend the act entitled "An act relative to employment for certain adult Indians on or near Indian reservations," approved August 3, 1956, so as to enable certain Indians who do not reside on trust property to participate in the program authorized by such act.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (S. 1565) to amend the act entitled "An act relating to employment for certain adult Indians on or near Indian reservations," approved August 3, 1956, so as to enable certain Indians who do not reside on trust property to participate in the program authorized by such act which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 1, line 6, after the word "after", to strike out " 'an Indian reservation' the following: 'without regard to residence on trust property'." and insert "the end of the second sentence a new sentence as follows: 'Priority shall be given first to applicants who reside on trust or restricted Indian land, or on Federal land under the jurisdiction of the Department of the Interior, second to applicants who within the preceding three years have moved to urban communities from residences on or near Indian reservations under the Relocation Services Program of the Bureau of Indian Affairs, and third to applicants who reside on or near an Indian reservation but not on trust, restricted, or Federal land.' ".; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first section of the Act entitled "An Act relative to employment for certain adult Indians on or near Indian reservations", approved August 3, 1956 (70 Stat. 986), is amended by inserting immediately after the end of the second sentence a new sentence as follows: "Priority shall be given first to applicants who reside on trust or restricted Indian land, or on Federal land under the jurisdiction of the Department of the Interior, second to applicants who within the preceding three years have moved to urban communities from residences on or near Indian reservations under the Relocation Services Program of the Bureau of Indian Affairs, and third to applicants who reside on or near an Indian reservation but not on trust, restricted, or Federal land.".

(b) Section 2 of such Act is amended to read as follows:

"SEC. 2. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.".

Mr. MANSFIELD. Mr. President, in 1956 the Congress passed and the President signed into law legislation which set up a program of vocational training for adult Indians. This program has been enthusiastically received throughout the country. In Montana the applicants far exceed the number of grants available.

Good Indian legislation has not been one of the areas of accomplishment in the past several Congresses. The Interior and Insular Affairs Committees of both the House and Senate have done a commendable job in taking care of individual and tribal problems that require legislation, but the vast area of Federal Indian policy has been neglected. I have been from time to time a critic of the present administration of the Bureau of Indian Affairs and I feel that our Indian policies and goals are in need of extensive revision.

The big question which concerns us all is, How can we help to improve the economic and welfare standards of our Indians? I believe that the best way this can be done is through education. Our Indians must compete with other elements of our society, and the adult Indian vocational training program will help them do so. The provisions of S. 1565 will make it possible for many more Indians to come under this program. The vocational training program will instruct these people in areas which they can put to good use in establishing a trade or profession, a means to an improved standard of living.

The provisions of this bill are very simple. The bill amends the existing law by providing that an Indian need not reside on trust property in order to qualify for training. This bill would also repeal the $3,500,000 annual authorization to carry out the training program and make the amount of the annual appropriation subject to the normal budgetary process. The interest among the young Indian adults indicates that a much larger appropriation for the program could be put to excellent use.

As pointed out in the report of S. 1565, this expanded program should be of great value in preparing and orienting participants in the Indian relocation program, and secondly, it should stimulate industries to locate near reservations. One of the major objections I have to the relocation program is that these families are relocated to the cities without the ability to compete with the urban society. A vocational training program would give the head of the family a trade which would improve his employment status considerably.

Mr. President, this is a good bill, and I urge that it be passed expeditiously. I hope that our colleagues in the House will act favorably on the bill at an early date.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill (S. 1565) was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to amend the act entitled 'An act relative to employment for certain adult Indians on or near Indian reservations,' approved August 3, 1956."

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7453) making appropriations for the legislative branch for the fiscal year ending June 30, 1960, and for other purposes.

REMOVAL OF LIMITATION ON RECLAMATION INVESTIGATION APPROPRIATIONS IN ALASKA

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 1514) to amend the act of August 9, 1955 (69 Stat. 618).

HOUSING ACT OF 1959

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of the housing bill (S. 2539).

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2539) to extend and amend laws relating to the provisions and improvement of housing and the renewal of urban communities, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. Under the unanimous-consent agreement the time for debate on the bill is limited.

Mr. SPARKMAN obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that two additional members of the staff of the Committee on Banking and Currency be permitted to be present on the floor of the Senate today during the debate on the housing bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

How much time does the Senator from Alabama yield to himself?

Mr. SPARKMAN. Mr. President, I yield myself 15 minutes.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 15 minutes.

Mr. SPARKMAN. Mr. President, I speak in behalf of S. 2539. Although this bill has some provisions which are not to my satisfaction, although it fails to include some matters which I believe to be necessary and desirable, nevertheless, I believe that under the circumstances it is a good bill and should be enacted into law.

S. 2539 is the product of many hours of labor by the Subcommittee on Housing, by the Committee on Banking and Currency, by the Senate itself, by the House of Representatives, and by the executive branch of the Federal Government. As is pointed out in the Report (No. 715) work on S. 2539 began

in the fall of 1957. Since that time, the Subcommittee on Housing or the Committee on Banking and Currency has held 34 days of public hearings, and the record of these hearings is spread over 3,879 pages. Today makes the fifth occasion upon which the Senate has debated the essential provisions of this bill. I am hopeful that the action we take today will be acceptable to the House of Representatives and to the President, and that S. 2539 will soon become law.

On Wednesday, August 12, by a vote of 55 to 40, the Senate sustained the President's disapproval of S. 57. On August 13, the Committee on Banking and Currency reconsidered S. 57, S. 65, S. 612, and S. 2378 and voted to report the new bill, S. 2539. I have not changed my views about the President's disapproval of S. 57. I believe that S. 57 should have been enacted, and I stand by the statements I made on July 15 and August 12. It became obvious to me, however, that it would be necessary to make changes in S. 57 in an effort to accommodate further the views of the President. S. 2539 represents the action of the Committee on Banking and Currency in this direction.

In drafting S. 2539, the committee approved 30 substantive changes in the text of S. 57. Most of these changes were influenced by the views of the President, and the more important changes are as follows:

MAXIMUM MATURITY

S. 57 would have authorized the Federal Housing Commissioner and the Administrator of Veterans' Affairs to increase to 35 years the maximum maturity of mortgages insured or guaranteed. The veto message expressed opposition to this discretionary authority, and these provisions are not contained in S. 2539.

FNMA PAR PURCHASE

S. 57 contained a provision which would have required the Federal National Mortgage Association to pay 100 percent of par for mortgages purchased under its special assistance functions. The veto message expressed opposition to this provision, and it does not appear in S. 2539. The committee bill contains another provision designed to minimize the depressing effect of discounts and fees.

FNMA SHORT-TERM LOANS

S. 57 would have authorized the Federal National Mortgage Association, under its secondary market operations, to make short-term—12-month—loans to be secured by FHA-insured or VA-guaranteed mortgage loans. The veto message expressed opposition to this provision, and it is not contained in S. 2539.

PLANNING SCHOLARSHIPS AND FELLOWSHIPS

S. 57 contained a provision authorizing appropriation of $300,000 for a 3-year period, which funds were to be used by the Housing and Home Finance Agency to provide scholarships and fellowships for the graduate training of professional city planners and housing technicians and specialists. The administration opposed this provision, and it is not contained in S. 2539.

FNMA SPECIAL ASSISTANCE FOR COOPERATIVE HOUSING MORTGAGES

S. 57 contained a provision increasing by $37.5 million the Federal National Mortgage Association fund for purchasing, on a special assistance basis, mortgages insured under section 213 of the National Housing Act. This increased amount would have provided $25 million for consumer cooperatives and $12.5 million for builder-sponsor cooperatives. Because of opposition expressed in the veto message and in spite of needs testified to in the hearings, the committee reconsidered this provision, and S. 2539 increases this special assistance fund by only $25 million, equally divided between consumer cooperatives and builder-sponsor cooperatives.

URBAN RENEWAL CAPITAL GRANT AUTHORIZATION

S. 57 contained a provision increasing the urban renewal capital grant authorization by $500 million on July 1, 1959, and by $400 million on July 1, 1960—a total of $900 million. The veto message characterized this amount as excessive. Hearings on the veto message revealed that applications totaling $320 million were on hand at the end of July, and that another $230 million in applications are ready for submission. This $550 million in applications has developed in spite of discouraging circumstances since funds were exhausted last fall.

In view of objections raised in the veto message, and in recognition of the current backlog of applications, S. 2539 provides that the urban renewal authorization shall be increased by $650 million upon enactment. Of this $650 million, $100 million is to be used at the discretion of the President to satisfy the needs of cities with a population of 100,000 or less, if such needs would not be served otherwise. The additional amount for allocation to cities with a population of 100,000 or less is provided in response to the unwarranted charge in the veto message that smaller cities would be harmed by provisions of the bill.

PUBLIC HOUSING AUTHORIZATION

S. 57 contained a provision specifically granting contract authority for approximately 10,000 units to be available until July 1, 1961, and 35,000 units to be available until June 30, 1963. S. 57 also granted the President discretion to authorize additional units up to the limit contained in the Housing Act of 1949, which discretion could not be exercised until July 1, 1960, and which discretion could not be used to contract for more than 35,000 units in any one year.

Although the veto message objected to this provision of S. 57, testimony by administration witnesses developed information that applications for approximately 57,000 units are now on hand, that that attrition will reduce this number by about 19,000 units. Thus, applications now on hand represent an effective demand for approximately 38,000 units.

In view of opposition in the veto message, in recognition of applications now on hand, and in spite of needs which would not be served, S. 2539 rewrites this provision and grants contract authority for only 37,000 units. The bill also provides that any units, under contract from prior authorizations, which are recaptured by the Public Housing Administration, may be reallocated to satisfy applicants. In this event any units so reallocated will be charged against the 37,000-unit authorization aforementioned.

COLLEGE HOUSING LOAN AUTHORIZATION

S. 57 contained a provision increasing the college housing loan fund by $300 million, which included $37.5 million for "other educational facilities" and $37.5 million for student-nurse and intern housing. The veto message objected to this provision under a heading which characterized S. 57 as "extravagant" and "unnecessary." The representative of the overwhelming majority of all colleges and universities in the country testified that this $300 million authorization "is an absolute minimum."

In view of the veto message and in spite of the need for a larger authorization, S. 2539 reduces these amounts to $250 million, $25 million, and $25 million, respectively.

COLLEGE CLASSROOMS AND EDUCATIONAL BUILDINGS

S. 57 provided a new loan program to assist colleges and universities in constructing or rehabilitating classrooms, laboratories, and related facilities, including equipment and utilities. As originally passed by the Senate, the new loan fund would have been $125 million. In an effort to meet administration opposition, the fund was reduced to $62.5 million by the conference committee. In view of opposition in the veto message, and in spite of testimony that the "$62.5 million finally approved by the Congress is clearly an absolute minimum," S. 2539 reduces the fund to $50 million. Also in view of opposition in the veto message, S. 2539 provides that this program shall be financed by appropriations rather than by borrowing from the Treasury.

As I stated earlier, I believe that in spite of these changes S. 2539 is still a good bill. Among other things, this bill continues the operations of the Federal Housing Administration; it contains provisions which should be helpful in providing decent housing for elderly persons; it provides authority for additional units of low-rent public housing; it contains additional funds for urban renewal loans and grants, urban planning, college housing loans, and college educational buildings. In addition, it makes desirable substantive and perfecting amendments in the laws covering the great majority of all Federal housing programs. It is a well-balanced bill, and it deserves the support of all Members of the Senate.

I understand that several amendments will be offered to S. 2539. While I cannot say categorically that I will stand behind S. 2539 against all amendments, I believe that this bill represents a reasonable compromise of differences that have been expressed over the last two years and, in general, my tendency will be to oppose changes in the bill.

Mr. President, I ask unanimous consent that at this point in my remarks

there be inserted a section-by-section summary of S. 2539, and a table comparing the obligational authority and budgetary impact of several housing bills, including S. 2539.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION SUMMARY

TITLE I—FHA INSURANCE PROGRAMS

Property improvement loans

Section 101: Amends section 2(a) of the National Housing Act to extend for 1 year (until October 1, 1960) FHA's home improvement and modernization insurance program.

Section 203 sales housing mortgage insurance

Section 102: (a)(1) Amends section 203(b) of the National Housing Act to increase the maximum amount of an insured mortgage covering a 1-family residence from $20,000 to $22,500, and to $25,000 in case of a 2-family residence.

(2) Amends section 203(b) to provide a new downpayment schedule for FHA section 203 sales housing as follows:

Valuation:	Downpayment (percent)
Up to $13,500	3
$13,500 to $18,000	10
Over $18,000	30

(3) Amends section 203(b) to permit FHA to accept VA construction inspections in connection with its mortgage insurance program on sales housing.

(b) Amends section 203(b) to make a nonoccupant mortgagor (builder or realtor) eligible for mortgage insurance in the same amount as that available to an owner-occupant under that section, in order to facilitate trade-in financing and avoid duplicate closing costs, if he places 15 percent of the mortgage amount in escrow to be applied to reduce the mortgage should no purchaser be found within 18 months. Under existing law, the mortgage of a nonoccupant is limited to 85 percent of the mortgage which an owner-occupant could obtain.

Low-cost housing in outlying areas

Section 103: Amends section 203(i) of the National Housing Act (relating to low-cost housing in outlying areas) to increase the maximum mortgage which may be insured under that section from $8,000 to $9,000, and to make eligible mortgages on existing housing as well as mortgages on new construction, with a reduced loan-to-value ratio (90 percent instead of 97 percent) for existing housing less than 1 year old which was not subject to FHA or VA inspection during construction. Removes $100 million insurance authorization limitation for "farm" homes insured under section 203(i).

Section 207 rental housing insurance

Section 104: (a) Amends section 207 of the National Housing Act (the regular rental housing program) to increase from $12.5 million to $20 million the maximum amount of a mortgage which may be insured under that section.

(b) Increases dollar limits (per room and per unit) on FHA section 207 program as follows:

	Present law		New	
	Per room	Per unit if under 4 rooms	Per room	Per unit if under 4 rooms
Garden type	$2,250	$8,100	$2,500	$9,000
Elevator type	2,700	8,400	3,000	9,400
Increase for high-cost areas	1,000		1,250	

Also amends section 207 to increase the mortgage limits for trailer courts or parks from $1,000 to $1,500 per space, and from $300,000 to $500,000 per mortgage.

(c) Amends section 207 to increase the maximum interest rate for mortgages insured under that section from 4½ percent to 5¼ percent.

(d) Adds a new subsection (r) to section 207 authorizing the Commissioner to require mortgagors on housing hereafter insured under that section or any other provision of the National Housing Act to agree to pay a service charge (in lieu of insurance premiums) if the mortgages are later assigned to FHA.

(e) Amends section 207 to delete all provisions relating to housing for elderly persons, since the bill (in title II) establishes a new FHA program of mortgage insurance for elderly persons' housing.

Cooperative housing insurance

Section 105: (a) Amends section 213 to increase from $12.5 million to $20 million the maximum amount of a mortgage on cooperative housing which may be insured under that section.

(b) Amends section 213 to increase mortgage limits per room and per unit as follows:

	Present law		New	
	Per room	Per unit	Per room	Per unit
Garden type:				
Nonveteran	$2,250	$8,100	$2,500	$9,000
Veteran	2,375	8,550	2,500	9,000
Elevator type:				
Nonveteran	2,700	8,400	3,000	9,400
Veteran	2,850	8,900	3,000	9,400
High-cost-area increase	1,000		1,250	

Also amends section 213 to increase the maximum loan ratio from 85 to 90 percent of replacement cost for investor-sponsored cooperatives and from 90 (95 percent if 50 percent of cooperators are veterans) to 97 percent of replacement cost for other cooperatives.

(c) Amends section 213 to permit community facilities to be included in sales-type housing mortgages and to permit both community and commercial facilities (permitted by existing law only for management-type cooperatives) to be included in mortgages for investor-sponsored-type cooperatives.

(d) Amends section 213 to increase the maximum interest rate of sales-type cooperatives from 5 to 5¾ percent and for other cooperatives from 4½ to 5¼ percent.

(e) Amends section 213 to extend the cooperative housing program to existing structures acquired by management-type cooperatives.

Mortgage ceilings for Alaska, Guam, and Hawaii

Section 106: Amends section 214 of the National Housing Act to provide that the 50 percent higher mortgage amount which the FHA Commissioner, at his discretion, may allow in Alaska, Guam, and Hawaii, may be applied to high-cost-area mortgage amounts in the programs where such high-cost-area provisions pertain.

General mortgage insurance authorization

Section 107: Amends section 217 of the National Housing Act to increase FHA's general mortgage insurance authorization by $10 billion upon enactment. Provides that no commitments may be issued under this authorization after October 1, 1960. Also amends section 217 to prohibit obligation of the insurance fund by any means other than contracts of insurance or bona fide commitments to insure.

Repeal of obsolete provision

Section 108: Repeals section 218 of the National Housing Act, an obsolete provision, which permitted the transfer of application fees from the FHA section 608 program to the section 207, regular rental housing program.

Housing in urban renewal areas

Section 109: (a) (1) Amends section 220 of the National Housing Act (urban renewal housing) to increase the maximum mortgage amount which may be insured by FHA on sales housing, as follows: From $20,000 to $22,500 on one-family homes, from $20,000 to $25,000 on two-family homes, and from $27,500 to $30,000 on three-family homes.

(2) Amends section 220 to provide a new downpayment schedule on FHA section 220 sales housing as follows:

Valuation:	Downpayment (percent)
Up to $13,500	3
$13,500 to $18,000	10
Over $18,000	30

(3) Amends section 220 relating to the sales housing provisions to permit a nonoccupant mortgagor to obtain a mortgage in the same amount as that available to an owner-occupant by placing 15 percent of the mortgage amount in escrow to be applied to the reduction of the mortgage if no purchaser is found within 18 months, the same as was done in the section 203(b) sales housing program by section 102(b) of the bill.

(b) Amends the rental housing provisions of section 220 to increase from $12,500,000 to $20 million the maximum amount of a mortgage which may be insured thereunder.

(c) Amends section 220 to increase mortgage limits (per room and per unit) in multifamily projects as follows:

	Existing law		New	
	Per room	Per unit	Per room	Per unit
Garden type	$2,250	$8,100	$2,500	$9,000
Elevator type	2,700	8,400	3,000	9,400
High-cost-area increase	1,000		1,250	

(d) Amends section 220 to permit exterior land improvements (as defined by FHA Commissioner) to be included in the mortgage without being computed as a part of the per room or per unit cost limitation.

(e) Amends section 220 to permit the inclusion of such nondwelling facilities as the FHA Commissioner deems adequate to serve the needs of the occupants of the project and of other housing in the neighborhood.

Relocation housing

Section 110: (a) Amends section 221 of the National Housing Act (relocation housing) to extend the benefits of the program to any family displaced within the environs of a community that has a workable program; also authorizes the construction of relocation housing in the environs of such community provided the civil jurisdiction in the environs requests such mortgage insurance.

(b) Amends section 221(d) to increase the maximum mortgage amount for a single-family residence from $10,000 to $12,000 in high-cost areas. Makes eligible for mortgage insurance 2-, 3-, and 4-family dwellings which meet FHA minimum property standards and appropriate State and local housing ordinances or regulations.

(c)(1) Amends section 221(d) to increase the dollar amount limitations per family unit in multifamily projects from $10,000 to $12,000 in high-cost areas.

(2) Amends the existing rental housing program for nonprofit organizations in section 221(d) to provide that the maximum loan ratio (which is 100 percent under existing law and would not be changed by the bill) shall be based on replacement cost in the case of new construction and on value

in the case of rehabilitation projects, instead of on value in both cases as provided by existing law.

(3) Amends section 221(d) to establish a new rental housing program for profit organizations similar to the section 220 rental housing program. The maximum loan ratio for mortgages under the new program would be 90 percent of replacement cost in the case of new construction and 90 percent of value in the case of rehabilitation projects; and the Federal Housing Commissioner would be authorized to require the mortgagor to be regulated or restricted as to rents or sales charges, capital structure, rate of return, and methods of operation. The maximum mortgage amount and dollar amount limitation per family unit would be the same as for nonprofit organizations.

(4) Permits inclusion of commercial and community facilities as necessary to serve occupants.

(d) Conforming amendment.

(e) Amends section 212(a) of the National Housing Act to make the labor standards provisions of that section applicable to rental housing projects constructed by profit organizations with mortgage insurance under section 221.

Servicemen's housing mortgage insurance

Section 111: Amends section 222(b) of the National Housing Act (mortgage insurance for servicemen) to (1) permit the benefits of section 222 in the purchase of property constructed under the provisions of section 203(i), and (2) increase the maximum insurable mortgage from $17,100 to $20,000, and in the case of insurance under section 203(i) establish a maximum of $9,000.

Cost certification

Section 112: Amends section 227 of the National Housing Act to revise the cost-certification requirements affecting FHA section 221, and new sections 231 and 810, in accordance with amendments made by other sections of this bill.

Voluntary termination of insurance

Section 113: Amends title II of the National Housing Act by adding a new section 229 to authorize the FHA Commissioner to terminate any mortgage insurance contract covering a one- to four-family home upon request of the mortgagor and mortgagee without the technical necessity of paying off the mortgage.

Avoidance of foreclosure

Section 114: Amends title II of the National Housing Act by adding a new section 230 to authorize the FHA Commissioner to extend the time for curing a mortgage default covering a one- to four-family residence and, in order to avoid foreclosure, to acquire the mortgage.

Mortgage insurance for nursing homes

Section 115: This section adds to title II of the National Housing Act a new section 232 establishing a program of FHA mortgage insurance for nursing homes.

(a) Declares that it is the purpose of the new section to assist in the provision of urgently needed nursing homes.

(b) Contains definitions of terms used in the section. The term "nursing home" would mean a proprietary facility (i.e., a facility privately owned and operated for profit) which is licensed or regulated by the State (or a political subdivision thereof where there is no State licensing law) for the accommodation of convalescents and other persons who are not acutely ill and not in need of hospital care but who require skilled nursing care and related medical services; such care or services would be prescribed by, or performed under the general direction of, persons licensed by State law to provide it.

(c) Authorizes the Federal Housing Commissioner to insure mortgages on new or rehabilitated nursing homes and to make commitments for such insurance prior to the execution of such mortgages or disbursement thereon.

(d) Sets forth the conditions on which the Commissioner may insure mortgages covering nursing homes under the new program. Any such mortgage would have to be executed by a mortgagor approved by the Commissioner; and the Commissioner could require the mortgagor to be regulated or restricted as to charges and methods of operation and, if the mortgagor is a corporation, as to capital structure and rate of return. Any such mortgage would be limited in amount to $12.5 million, and to 75 percent of the estimated value of the property. The maximum interest rate would be 6 percent of the outstanding principal balance (exclusive of premium charges for insurance), and the maturity would be determined by the Commissioner.

Also provides that no mortgage may be insured under the new program unless the Commissioner has received a certification of the need for the nursing home from the State agency which has been designated under title VI of the Public Health Service Act to survey the need in the State for the construction of hospitals and for the furnishing of hospital, clinic, and similar services, and certification that there are reasonable standards of licensure and methods of operation of such homes.

(e) Authorizes the Commissioner to permit the release of a part or parts of the mortgaged property from the lien of any mortgage insured under the program.

(f) Makes the provisions of section 207 of the National Housing Act, which relate to premiums and payment of insurance, applicable to mortgages covering nursing homes under new section 232.

Also makes the prevailing wage requirements of the Davis-Bacon Act applicable to the construction of nursing homes financed with insurance under new section 232.

Inclusion of certain fees and charges

Section 116: Requires FHA Commissioner to include in his estimate of replacement cost or value (in mortgages eligible for purchase by FNMA under its special assistance functions) an amount equal to the fees, charges, and discounts, if any, imposed by the mortgage for its commitment to make and its making of the FHA-insured mortgage.

Technical amendments

Section 117: Makes various amendments in the National Housing Act to add necessary cross references between section 204 of that act (relating to payment of insurance) and five of the insurance programs (the title I property improvement program, the section 220 sales housing program, the section 221 relocation housing program, the section 222 servicemen's housing program, and the section 809 program for civilian housing at defense installations) to which the section 204 procedures apply.

Inclusion of conveyance costs in debentures

Section 118: Amends section 204(k) of the National Housing Act to permit the Federal Housing Commissioner to include certain costs of conveying property to FHA in the debentures issued to mortgagees under any of the title II sales housing programs and under the title VI and title IX programs.

Investment insurance

Section 119: Removes mortgage insurance authority ceiling under title VII of the National Housing Act.

Legal notifications sent by mail

Section 120: Amends section 512 of the National Housing Act to provide that certain legal notifications sent by the FHA Commissioner be considered legal notice if properly mailed to the last known address.

TITLE II—HOUSING FOR THE ELDERLY

Under this title are two programs: (1) an FHA mortgage insurance program and (2) a direct loan program to assist in providing rental housing for elderly families and individuals.

FHA insurance program

Section 201: Adds a new section 231 to National Housing Act to provide a new mortgage insurance program for the elderly. The program would be for both nonprofit and profit-making sponsors and for new and rehabilitated structures. Maximum insurable mortgage would be $12.5 million, or $50 million for sponsors which are public or quasi-public instrumentalities.

Dollar limits would be as follows:

	Per unit
Garden type	$9,000
Elevator type	9,400

High-cost-area increase of $1,250 per room.

Loan ratios would be:

(a) New construction, 100 percent of replacement cost for non-profit mortgagors; 90 percent of replacement cost for profit-making mortgagors.

(b) Existing construction, 100 percent of value for nonprofit mortgagors and 90 percent of value for profitmaking mortgagors.

Interest rate on new program would not exceed 5½ percent. Maturity to be prescribed by FHA Commissioner. Not less than 50 percent of dwelling units must be designed for elderly (defined as any person, married or single, who is 62 years of age or more).

Applies Davis-Bacon Act except where laborers and mechanics donate their services to nonprofit corporation.

Loan program

Under this section, the Housing and Home Finance Administrator would be authorized to make loans to private nonprofit corporations to construct, rehabilitate, or convert structures providing rental housing and related facilities for elderly families and elderly persons (including land acquisition and site improvement).

Terms and conditions of loans

Section 202(a)(1) states that it is the purpose of the title to assist private nonprofit corporations to provide housing and related facilities for elderly families and elderly persons.

(2) Authorize the Administrator to make loans to carry out such purpose, but provides that no such loan may be made unless the corporation shows that it cannot secure the necessary funds from other sources upon terms and conditions equally as favorable as those applicable to loans from the Administrator.

(3) Limits any such loan to 98 percent of the total development cost of the construction as determined by the Administrator, with a maximum maturity of 50 years. Such a loan would bear interest at a rate not more than the higher of (*a*) 2¾ percent or (*b*) the total of ¼ percent added to the average annual interest rate on all interest-bearing obligations of the United States.

(4) Authorizes the appropriation of $50 million as a revolving fund from which the Administrator would make loans under this title, limiting to $5 million the amount which may be outstanding from the revolving fund at any one time for related facilities (defined as indicated below).

(b) Confers upon the Administrator the same functions, powers, and duties as are vested in him for purposes of the college housing program under the Housing Act of 1950. Pursuant to the authority granted to the Administrator under this section, he would have power to make necessary rules and regulations, sue and be sued, deal in various ways with any property acquired or held by him, obtain insurance against

loss, modify the terms and conditions of loan contracts (which may contain such covenants, conditions, and provisions as he deems necessary), and contract without advertising in certain cases, and his operations under the program would be generally subject to the Government Corporation Control Act.

(c) (1) and (2) Prohibit the use of housing constructed under the new program for transient or hotel purposes while the loans made under this title for such construction are still outstanding. The Administrator would define the term "transient or hotel purposes," but rental for any period less than 30 days would, in any event, constitute use for such purposes.

(3) Requires that all persons employed in the construction of housing under the new program be paid at not less than the prevailing wage rate in the locality, as determined in accordance with the Davis-Bacon Act, except in the case of persons who voluntarily donate their services without full compensation in order to lower construction costs.

(d) Defines terms used in the title. The term "elderly families" would mean families the head of which (or his spouse) is 62 years of age or over, and the term "elderly persons" would mean persons who are 62 years of age or over. The term "corporation" would be limited to private, nonprofit corporations which are approved by the Administrator as to financial responsibility. The term "related facilities" would include cafeterias or dining halls, community rooms or buildings, infirmaries and health facilities, and other essential service facilities.

Title III—Federal National Mortgage Association

Increase in mortgage ceilings

Section 301: Amends section 302(b) of the National Housing Act to increase the maximum mortgage which FNMA may purchase from $15,000 to $20,000 in the case of mortgages purchased under the secondary market operation and from $15,000 to $17,500 in the case of mortgages purchased under the special assistance functions. Under the bill these limits would not be applicable to mortgages insured under the FHA section 220 program. Under existing law these limits do not apply to mortgages insured under section 803 of the National Housing Act or to mortgages covering housing located in Alaska, Guam, or Hawaii.

Financing of existing construction

Section 302: Amends section 304(a) of the National Housing Act to permit FNMA to make advance commitments to purchase mortgages in its secondary market operations on existing construction. This is now permitted only for new housing.

Renewal of special assistance commitments

Section 303(a): Permits FNMA to have discretion under its special assistance functions to determine not only purchase price, but also fees and charges to be paid in connection with its purchase of a mortgage.

(b) Amends section 305(b) of the National Housing Act to require that FNMA renew any special assistance commitments issued prior to August 27, 1958, if hardship would otherwise occur and if failure to deliver the mortgage prior to extension was beyond control of the mortgage seller. Terms of renewed commitment cannot be less favorable than the terms of the original commitment.

Cooperative housing mortgages

Section 304: Amends section 305(e) of the National Housing Act to increase the special support fund for FHA section 213 cooperative housing mortgages by a total of $25 million. Of this increase, $12.5 million would be earmarked for mortgages on consumer cooperatives and the other $12.5 million for mortgages on builder-sponsor cooperatives.

Investments by FNMA

Section 305: Amends section 304(b), 306 (b), and 310 of the National Housing Act to authorize FNMA to invest its excess funds in obligations which are lawful investments for fiduciary, trust, or public funds, as well as in obligations issued or guaranteed by the United States.

FNMA purchase of mortgages held by HHFA

Section 306: Amends section 306 of the National Housing Act to authorize FNMA to purchase (pursuant to commitments or otherwise), service, and sell any mortgages offered to it by the Housing and Home Finance Agency or a constituent unit or agency thereof.

TITLE IV—URBAN RENEWAL

Statewide planning

Section 401: Amends section 101(b) of the Housing Act of 1949 to direct the Housing and Home Finance Administrator to give particular encouragement to the utilization of local public agencies which are established by States to operate on a statewide basis in behalf of smaller communities undertaking or proposing to undertake urban renewal programs, subject to local governmental approval, whenever the utilization of such agencies would promote the slum clearance and urban renewal program.

Clarifying amendment

Section 402: Amends section 102 of the Housing Act of 1949 to make it clear that loan contracts under that section may cover the total cost including interest payments of financing definitive loans to local public agencies.

Early land acquisition and clearance

Section 403: Amends section 102(a) of the Housing Act of 1949 to authorize the HHFA Administrator to permit land acquisition and slum clearance prior to the signing of a loan and grant contract, provided (1) local law permits such early acquisition and clearance, (2) land acquired under this procedure shall not be disposed of until the urban renewal plan is approved by the local community, or the community has consented to the disposal, and (3) that the loan made to finance acquisition and clearance is secured in a manner satisfactory to the Administrator.

Urban renewal loan authorization

Section 404: Amends section 102(e) of the Housing Act of 1949 to permit the Administrator to make borrowings from the Treasury in excess of $1 billion at discretion of the President.

Grant authorization

Section 405: Amends section 103 of the Housing Act of 1949—

(1) To provide an additional grant authorization of $550 million on enactment, provided that such authorization may be increased at Presidential discretion by $100 million upon determination that such action is necessary to meet the requirements of communities having populations which are not in excess of 100,000 according to most recent available census figures.

(2) To authorize the use of urban renewal grant funds to repay Treasury loans made to finance urban planning advances which are now uncollectible because of cancellation of the project.

(3) To provide that where urban renewal assistance may be granted to a locality or local public agency within the applicable dollar amount and percentage limitations prescribed by title I of the 1949 act, the amount of such assistance shall not otherwise be restricted, except on the basis of (1) urgency of need and (2) feasibility, as determined by the Administrator.

(4) To authorize the Administrator to make grants for plans for community renewal programs. Such a grant could not exceed two-thirds of the cost of the planning.

Public improvements by Federal agencies

Section 406: Amends section 105(b) of the Housing Act of 1949 to facilitate public improvements involving the Federal Government and the District of Columbia in connection with urban renewal projects.

Public disclosure by redevelopers

Section 407: Amends section 105 of the Housing Act of 1949 to provide that before any commitments can be made for disposition of land to an urban renewal developer, he shall make certain disclosures:

(1) A prospectus setting forth—

Names of officers and principal members, investors, shareholders, and other interested parties;

Proposed financing and estimate of total cost of any residential development;

Schedule of rentals or sales prices to be charged and estimated profit on any proposed housing.

(2) Such prospectus shall be available for general public use.

State loan ceiling

Section 408: Amends section 106(e) of the Housing Act of 1949 to eliminate the provision in existing law that not more than 12½ percent of the total loan authorization may be obligated in any one State; but does not alter the 12½-percent State limitation on grant authorization.

Relocation payments

Section 409: Amends section 106(f) of the Housing Act of 1949 to authorize relocation payments when the displacement is a result of any governmental activity in an urban renewal area, and of programs of voluntary repair and rehabilitation; increases from $100 to $200 the maximum amount of relocation payments to individuals and families; and increases from $2,500 to $3,000 the maximum amount of relocation payments to business establishments.

Hotels and other transient housing

Section 410: Amends section 106 of the Housing Act of 1949 to prohibit hotels and other transient housing from being constructed in urban renewal areas unless the community obtains a competent independent analysis of local supply of such housing and determines that there is a need for such housing.

Low-rent housing in urban renewal areas

Section 411(a): Amends section 107 of the Housing Act of 1949 to facilitate the development of federally, State, or locally assisted low-rent housing in urban renewal areas by providing that where land to be acquired as part of an urban renewal project is to be used in whole or in part for low-rent public housing, it shall be made available to the public housing agency at a price equal to the amount which would be charged to private enterprise for rental housing with similar physical characteristics and the amount of such price shall be included as part of the development cost of the low-rent housing project. The local contribution in the form of tax exemption or tax remission required under the public housing law with respect to any such project shall be accepted as a local grant-in-aid under the urban renewal program.

Planning requirements

Section 412: Amends section 110(b) of the Housing Act of 1949 to authorize the HHFA Administrator to expedite urban renewal projects by permitting him to omit or to simplify present detailed requirements for the urban renewal plan.

Nonresidential development

Section 413: Amends section 110(c) of the Housing Act of 1949 to permit up to 20 percent of the future capital grant authorization to be used for areas which are not predominantly residential, and which are not to be redeveloped for predominantly residential uses, even if such areas do not include a substantial number of slum dwellings as presently required.

Noncash grants-in-aid

Section 414(a): Amends section 110(d) of the Housing Act of 1949 to provide that improvements and facilities that are otherwise eligible may be credited as local grants-in-aid to urban renewal projects provided their commencement does not precede the signing of the loan and grant contract for the project by more than 3 years.

(b) Waives the requirement in section 110(d) of the Housing Act of 1949 for communities whose projects could not obtain Federal recognition during the period from July 1, 1957, through December 31, 1957, because of limitations on the HHFA Administrator to make capital grants or to reserve funds. Under existing law, such Federal recognition is required to enable the local community to include local activities and facilities as noncash grants-in-aid.

Credit for interest payments

Section 415: Amends section 110(e) of the Housing Act of 1949 to authorize the HHFA to include interest on advances by a city (local public funds) as an item of gross project cost for an urban renewal project.

Uniform date

Section 416: Amends section 110(g) of the Housing Act of 1949 to make uniform the date for determining the application of the "going Federal rate" of interest under urban renewal contracts.

Technical

Section 417: Makes conforming amendments.

Urban renewal areas involving colleges

Section 418: Adds a new section 112 to the Housing Act of 1949 to—

(1) remove "predominantly residential" requirement in areas involving an educational institution;

(2) permit credit toward the locality's one-third share of expenditures made by the educational institution in purchasing property and in clearing the property;

(3) permit the expenditure to be counted toward a community's local share provided the expenditure is made no more than 5 years prior to the signing of the loan and grant contract for the urban renewal project.

Urban planning

Section 419: Rewrites existing law to provide that grants-in-aid for planning assistance may be made to—

(1) State planning agencies, or in the absence of any such agency, to an agency or instrumentality of a State government designated by the Governor and approved by the Administrator;

State planning agencies for statewide and interstate comprehensive planning;

Official State, metropolitan, and regional planning agencies empowered under State and local laws or interstate compact to perform metropolitan or regional planning; and

Official governmental planning agencies for areas where rapid urbanization has resulted or is expected to result from establishment or increased activity of Federal installation.

(2) Extend urban planning to include—

Municipalities of less than 50,000 population;

Counties of less than 50,000 population;

Groups of adjacent communities with common planning problem having population of less than 50,000; and

Cities, other municipalities, and counties suffering as a result of catastrophe which the President declares a major disaster.

(3) Authorizes an additional appropriation of $10 million for the program.

(4) Authorizes the Administrator to encourage, in areas embracing several municipalities or political subdivisions, planning on unified metropolitan basis and to provide technical assistance for planning and for solution of problems.

Investment by banks in long-term obligations of local public agencies

Section 420: Amends paragraph 7 of section 5136 of the Revised Statutes, as amended (12 U.S.C. 24), to permit National and State member banks of the Federal Reserve System to purchase or underwrite long-term obligations of local public agencies if such obligations are secured by an agreement with the Urban Renewal Administration.

TITLE V—LOW-RENT PUBLIC HOUSING

Declaration of policy

Section 501: Amends section 1 of the U.S. Housing Act of 1937 to add the following policy objectives: To make adequate provision for larger families and for families consisting of elderly persons and to vest in local housing authorities responsibility for the establishment of rents and eligibility requirements (subject to the approval of the Public Housing Administration).

Central administrative office facilities

Section 502: Amends section 2(5) of the act of 1937 to permit a local public housing agency to furnish administrative facilities to the local urban renewal agency, at economic rent, in localities where the public housing agency and the local public agency operate as separate legal entities but with a common administrative staff.

Rents and income limits

Section 503: (a) Amends section 2(1) of the U.S. Housing Act of 1937 to remove the existing requirement that rents be at least 20 percent of family income less certain deductions, providing instead that rents and income limits shall be fixed by the local public agency, subject to PHA approval, taking into consideration the rent-paying ability of the family and the financial stability and solvency of the project.

(b) Amends section (15)(7)(b) of the act of 1937 to reduce the gap between rental in the private market and rents for low-rent housing for families displaced by public action from 20 percent to 5 percent.

Minimum age for admission of single persons and elderly families to low-rent projects

Section 504: Amends section 2(2) of the U.S. Housing Act of 1937 to make the age requirements for admission to and occupancy of low-rent housing for elderly single persons and families conform to the age requirements generally applicable for benefits under title II of the Social Security Act (65 for men, 62 for women, and 50 for disabled persons).

Authorization

Section 505: (a) Amends section 10(i) of the act of 1937 to authorize the reuse of previous allocations for low-rent housing which are under annual contribution contract but will not be built; and also new contract authority for additional dwelling units; except that the total additional contract authority shall in no case exceed 37,000 units.

Extension of waiver in case of veterans and servicemen

Section 506: Amends section 15(8)(b) of the act of 1937 by extending from March 1, 1959, to October 1, 1961, the time that veterans or servicemen, or families thereof, may have a priority for admission to low-rent housing projects.

Payment for services

Section 507: Amends section 15 of the U.S. Housing Act of 1937 to authorize local public housing agencies utilizing public services and facilities of a municipality or other governmental agency for which separate charges are made to pay such charges (in the same amounts as would be charged private persons similarly situated) without the necessity of any amendment to the annual contributions contract.

TITLE VI—COLLEGE HOUSING

Housing loans

Section 601: Amends section 401(d) of the Housing Act of 1950 to increase the revolving fund for college housing loans by $250 million (the present ceiling is $925 million). Of the $250 million increase, $25 million is reserved for "other educational facilities," increasing the reservation for this purpose from $100 to $125 million, and $25 million is reserved for student nurse and intern housing facilities, increasing the reservation for this purpose from $25 to $50 million.

Classroom loans

Section 602: Amends title IV of the Housing Act of 1950 by adding new section 405 which authorizes the Administrator to make loans to educational institutions for the construction of new, or rehabilitation of existing classrooms, laboratories, and related facilities, including equipment and utilities. Authorizes appropriation of $50 million to finance the new loan program. This section also provides for the prevailing wage scale under the Davis-Bacon Act to be applicable to all construction financed with college housing loans except for services voluntarily donated.

Cooperative college housing

Section 603: (a) Amends section 404(b) of the Housing Act of 1950 to provide that nonprofit student housing cooperative corporations established for the sole purpose of providing housing for students (or students and faculty) shall be eligible to receive college housing loans.

(b) Amends section 401 of such act to require that the note securing any such loan to a student housing cooperative corporation be cosigned by the educational institution where the cooperative is located. Under this amendment, title to the housing constructed with any such loan would vest in the educational institution in the event of the dissolution of the cooperative.

TITLE VII—ARMED SERVICES HOUSING

Extension of program; increase in maturity; reduction in certain insurance premiums; labor standards

Section 701: (a) Amends section 803(a) of the National Housing Act to extend the armed services housing mortgage insurance program until October 1, 1961.

(b) Amends section 803(b)(3) to increase from 25 to 30 years the maximum maturity of mortgages insured under this program.

(c) Amends section 803(b)(3) to permit the inclusion of nondwelling facilities to serve the occupants.

(d) Amends section 803(c) to permit the insurance premium on a Wherry Act project acquired by the Defense Department to be reduced below the present minimum of one-half of 1 percent.

Further amends section 803 by adding a new subsection (k) which requires, as a condition of mortgage insurance under the present program, that the principal contractor or contractors engaged in the construction of the project involved certify that the laborers and mechanics employed on the project are being paid time and one-half for overtime employment.

Military housing (Wherry Act) and regular rental housing at military bases

Section 702: Amends section 404(a) of the Housing Amendments of 1955 to authorize the Secretary of Defense to acquire section 207 rental housing completed before July 1, 1952, which is situated adjacent to a military installation and was certified as necessary military housing, in the same way that he is authorized under present law to acquire Wherry housing.

(b) Amends section 404(b) of the Housing Amendments of 1955 to provide that the Secretary of Defense must acquire all of FHA section 207 rental housing of the type described above which is located at a military installation where FHA section 803 housing is being constructed. This same requirement already applies under existing law to Wherry housing. This section also requires mandatory acquisition both for Wherry housing and FHA section 207 rental housing, where such housing is located at or near a military installation which the Secretary of Defense determines to be a permanent part of the Military Establishment.

(c) Amends section 407(f) of the Military Construction Act of August 30, 1957, to provide that FHA section 207 rental housing shall not be declared substandard because the units in such housing do not meet the minimum floor-area requirements prescribed for other military housing. Under existing law this provision is already applicable to Wherry housing units acquired by the Secretary of Defense.

Deposits in Wherry project condemnation cases

Section 703: Amends section 404(c) of the Housing Amendments of 1955 to provide that in the case of condemnation proceedings on Wherry projects the amount to be deposited with the courts for the estimated compensation to the owner shall not be less than an amount equal to the total interest of the mortagagor as reported by the Secretary of Defense to the Armed Services Committees of the House of Representatives or the Senate.

Defense housing for impacted areas

Section 704: (a) Amends title VIII of the National Housing Act by adding a new section 810 to authorize the FHA Commissioner to insure mortgages on single-family and multifamily projects (not to exceed 5,000 units), the need for which is certified by the Secretary of Defense. Insurance would be on an "acceptable risk" rather than an "economic soundness" basis. The projects would be held for rental for a period of not less than 5 years unless released by the military for sale. Priority in rental or sale is given to military personnel and essential civilian personnel of the armed services as evidenced by certification issued by the Secretary of Defense.

(b) Amends section 808 of the National Housing Act to make applicable the provisions of section 227 of the National Housing Act (cost certification).

(c) Amends section 212(a) of the National Housing Act to make applicable the prevailing wage requirements of the Davis-Bacon Act.

TITLE VIII—MISCELLANEOUS

Surveys of public works planning

Section 801: Amends section 702 of the Housing Act of 1954 to authorize the Administrator to use during any fiscal year up to $50,000 from the section 702 revolving fund to conduct surveys of the status and current volume of State and local public works planning and surveys of estimated State and local public works requirements.

Disposal of Passyunk and Newport war housing projects

Section 802: (a) Extends by 2 years the period during which military personnel (and civilians employed in defense activities) may continue to occupy the Passyunk war housing projects, which are presently owned by the Housing Authority of Philadelphia pursuant to section 406 of the Housing Act of 1956, with occupancy preference and without regard to their income.

(b) Amends section 406 of the Housing Act of 1956 to provide a similar 2-year extension in the case of the housing project which was conveyed to the Housing Authority of Newport, R.I., under that section.

Farm housing research

Section 803: Amends section 603(c) of the Housing Act of 1957 to extend the farm housing research program for 2 additional years (until June 30, 1961), and to authorize appropriations of $100,000 during such additional period.

Hospital construction

Section 804: Amends section 605 of the Housing Act of 1956 so as to extend for 2 additional years (through June 30, 1961), the authority granted by that section for loans and grants to public and nonprofit agencies for hospital construction under the Defense Housing and Community Facilities and Services Act of 1951, where applications for such assistance were filed before June 30, 1953, and denied solely because of lack of funds. An appropriation of $7,500,000 would be authorized for each of the 2 additional years.

Purchase of participating interests by savings and loan associations

Section 805: (a) Amends section 5(c) of the Home Owners' Loan Act of 1933 to permit savings and loan associations to purchase (without regard to the existing area restriction) participating interests in first mortgages on one- to four-family homes, subject to two limitations: (1) No more than 20 percent of an association's assets may be used to purchase such interests; and (2) the aggregate of such participations plus all outstanding loans which the association has made under the existing exception from the $35,000 and 50-mile limitations may not at any time exceed 30 percent of its assets.

(b) Further amends section 5(c) of such act to provide that participating interests in FHA or GI mortgages shall not be taken into account in determining the amount of loans which a savings and loan association may make within any of the percentage limitations contained in that section (the existing 20-percent limit on loans made without regard to the $35,000 and 50-mile restrictions, the new 20-perecnt limit on the purchase of participations, and the 30-percent combined limit).

(c) Amends section 5(c) of the Home Owners' Loan Act of 1933, as amended, to permit an insured savings and loan association to invest an amount not exceeding, at any one time, 5 percent of its withdrawable accounts in loans to finance the acquisition and development of land for primarily residential usage.

Voluntary Home Mortgage Credit Program

Section 806: Amends section 610 of the Housing Act of 1954 to extend the Voluntary Home Mortgage Credit Program until October 1, 1961.

Defense housing projects

Section 807: Amends section 606 of the act entitled "An act to expedite the provisions of housing in connection with national defense and for other purposes," approved October 14, 1950, to permit the commingling of Lanham Act and low-rent project funds and the use of all residual receipts for reduction of any Federal annual contributions contract under the consolidated contract.

Disposal of project

Section 808: Authorizes the PHA Commissioner, if he deems in the public interest, to modify the terms and the conditions of the contract of the Southmore Mutual Housing Corp. of South Bend, Ind., with respect to the sale to that corporation of a Lanham Act war housing project.

Real estate loans by national banks

Section 809: Adds to section 203 of the National Housing Act a new subsection (j) providing that mortgage loans insured under that section shall not be taken into account in applying the existing limitations (contained in sec. 24 of the Federal Reserve Act) on the total amount of real estate loans which a national bank may make in relation to its capital and surplus or its time and savings deposits.

Comparisons of Obligational Authority and Budgetary Impact in Fiscal Year 1960

Proposed housing legislation—Comparative summary of (1) new obligational authority and (2) estimated expenditures for fiscal year 1960

[In millions]

	New obligational authority			Estimated expenditures, fiscal year 1960		
	Administration (S. 65 and S. 612)	S. 57	S. 2539	Administration (S. 65 and S. 612)	S. 57	S. 2539
Grants:						
Urban renewal	[1] $1,550.0	[2] $900.0	[3] $650.0			
Urban planning (sec. 701) [4]	10.0	10.0	10.0	$1.0	$1.1	$1.1
Scholarship [4]		.3			.1	
Defense hospital [4]		15.0	15.0		2.5	2.5
Farm housing research [4]		.1	.1			
Loans:						
Elderly housing direct loans [4]		50.0	50.0		2.5	2.5
Urban renewal advances				3.6	8.0	8.0
Public housing advances					5.0	5.0
College housing loans	200.0	300.0	250.0			
College classroom loans		62.5	[4] 50.0		2.5	2.5
Mortgage purchases: FNMA special assistance for cooperative housing		37.5	25.0		6.3	6.3
Total	1,760.0	1,375.4	1,050.1	4.6	28.0	[5] 27.9

[1] Authorizations for a 6-year period.
[2] Authorizations for a 2-year period.
[3] Includes $100,000,000 for small cities, to be used at discretion of President.
[4] New obligational authority when appropriated.
[5] Does not include an estimate of possible cost attributable to provisions regarding (1) extension of FNMA commitments and (2) acquisition of military housing projects.

Table prepared by staff of Senate Housing Subcommittee, Aug. 5, 1959.

Mr. SPARKMAN. Mr. President, I should like to say that the Senator from Indiana [Mr. CAPEHART] and I have substantially agreed on several amendments which I believe will be needed. I certainly hope that there will not be a flood of amendments which would substantially change the bill, because it is well balanced. It is a bill which I believe the House will accept, and which I hope the President likewise will approve.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. CLARK. First, I wish to commend the Senator from Alabama for a very clear and cogent explanation of the new bill, which the subcommittee over which he presided has brought to the floor of the Senate after its approval by the full committee.

Next, let me say that in my opinion—and I wonder whether the Senator will agree with me—every single change that has been made in the bill is a change against the public interest, weakens the bill, and was made solely and alone because of our feeling that we would walk still another mile to get the President behind the bill, even though most of the changes we made were ones which, in my judgment—and I suspect also in the judgment of the distinguished Senator from Alabama—were not changes which we would willingly have made, except that we wanted to meet the President's views as nearly as possible.

Mr. SPARKMAN. If the Senator will retain "most" and strike out "even though," then I would certainly agree with him because, there were, of course, technical changes, and others of a similar type which were made. But I agree, of course, that we went more than halfway to meet the President in his objections, and we tried to write a bill that should meet his approval.

Mr. CLARK. We walked the extra mile.

Mr. SPARKMAN. I agree. Mr. President, I yield back the time I have not used, and I yield 10 minutes to the distinguished chairman of our committee.

Mr. ROBERTSON. Mr. President, both in committee and on the floor of the Senate I voted against the previous housing bill, S. 57. Agreeing with the objection voiced by the President to that bill I voted to sustain his veto. In my opinion the items in S. 57, to which I objected, have been sufficiently moderated in the new bill, S. 2539, to justify me in voting for it.

It is highly essential to continue the present FHA mortgage insurance program which has been well administered and has financed the construction of over 6 million new homes and reconstructed homes without expense to the Government and within the framework of our private enterprise system. Items in the pending bill for urban renewal and college housing have been reduced and the most objectionable item to me in S. 57—a possible 190,000 units of public housing—has been reduced to 37,000. Budgeted spending in the new bill will exceed the budget estimate for the current fiscal year by some $23 million only.

Before action is completed today on S. 2539, I would like to see adopted amendments to eliminate all so-called back-door financing and a substantial reduction in the ceiling on new public housing units.

In the first place I definitely feel that there is no constitutional authority for such a program. In the Constitution specific authority can be found for improvement of river navigation and the construction of post and military roads, but none for the building of homes for private occupation.

Incidentally, Mr. President, that issue went before the Supreme Court, and it sidestepped a decision on it. It never has passed on it. Proponents of public housing rely, of course, upon the general welfare clause. James Madison and others who framed the Constitution said the general welfare clause was a limitation upon the manner in which delegated power should be exercised and not a separate grant of power. But to justify grants-in-aid to the States and their political subdivisions and to individuals now totaling more than $1 billion a year, the Congress has ruled otherwise.

It can now spend—and the U.S. Supreme Court has promised not to intervene—for anything sanctimoniously declared to be for the public welfare. But houses built by cities under the public housing program are not built for the public but for a very limited group of individuals and our cities will run out of funds to finance the program before even 10 percent of the group that can meet the low income test has been so housed.

A local public has an interest in the elimination of slums but that can be accomplished through grants to the cities for urban renewal. The rebuilding of homes in such instances should be by private enterprise. Saddling the general taxpayers of the Nation with a housing subsidy that eventually will amount to at least $180 million a year, and, incidentally, obligations already exceed $6 million for public housing subsidies, in order that a select few in metropolitan areas can live in new, modern homes, is to me not the most objectionable phase of this departure from the American system of private enterprise. My greatest cause for concern is that public housing, if carried to its logical conclusion, would affect the character of the American people.

The Cavaliers who came to Virginia in 1607, and the Plymouth Fathers to Massachusetts in 1620, brought with them the English tradition—A man's home is his castle—and every one of those early settlers had an ambition to own his own home. So, long before the adoption of the Declaration of Independence in 1776, the colonists had become homeowners. As compared with the architecture of a mature civilization those homes of hewn logs in the wilderness were crude. But in their building the founders of our Republic experienced the inspiration of freedom of action, reacted to the stimulating influence of a system of private enterprise and learned, by stern necessity, that the foundation of democracy in personal responsibility.

During World War I when I was commanding an infantry company, I overheard a private say to another, "I'd rather die than see the Germans drop a bomb on my mother's home." Throughout our history those who have sacrificed to own a home, whose labor or private funds have gone into its construction, and whose personality has been reflected in what our Nation's favorite song calls "Home Sweet Home," have cherished that evidence of personal freedom and have been willing to fight for its preservation.

Homes of that character, with the family as a unit, the Bible in the home, have been the foundation of our national strength.

The things that will destroy America—

Said President Theodore Roosevelt in a memorable speech in Asheville, N.C., more than 50 years ago—

are prosperity at any price, peace at any price, safety first instead of duty first, the love of soft living, and the get-rich-quick theory of life.

By a happy coincidence at about the same time that speech was made and in the same State a college professor, destined for future greatness, was making a similar appeal to the true manhood of America. Speaking at the University of North Carolina on the unselfish devotion to duty of General Robert E. Lee, Woodrow Wilson said:

The Nation which denies itself material advantage and seeks those things which are of the spirit works not only for each generation but for all generations, and works in the permanent and durable stuffs of humanity. * * *

I wish there were some great orator who could go about and make men drunk with this spirit of self-sacrifice. I wish there were some man whose tongue might every day carry abroad the golden accents of that creative age in which we were born a Nation; accents which would ring like tones of reassurance around the whole circle of the globe, so that America might again have the distinction of showing men the way, the certain way, of achievement and of confident hope.

At the laying of the cornerstone of the Bunker Hill Monument, Daniel Webster said:

No vigor of youth, no maturity of manhood, will lead the Nation to forget the spots where its infancy was cradled and defended.

But what boots it for us to remember Jamestown and Plymouth Rock if we ignore the fundamental principles for which the Founding Fathers stood?

Our concept of public housing did not originate in this country. It was borrowed from the Socialists of Western Europe, where it has been no bulwark against the spread of communism.

Before our public housing program becomes a backbreaking financial burden, some future Congress must come to grips with the problem.

In the meantime, desiring to see the continued construction of privately owned homes, with the help of FHA financing and believing that the desirable features of the pending housing bill outweigh the undesirable ones, I intend to vote for it even though amendments which I favor are not adopted.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. CLARK. I express my own great gratification at the last word spoken by the distinguished Senator from Virginia, our very able, gracious, and courteous chairman of the committee. I do not know of any word which cheers me more than the word that the junior Senator from Virginia will vote for the bill because I know how hard it has been for him to make up his mind.

Having said those words, I would not want to dull my praise because of other things to which he has alluded in his comments, other than to say that, in my judgment ,simply to keep the record straight, I could concur in everything which Theodore Roosevelt, Woodrow Wilson, and Daniel Webster said, as quoted by the Senator from Virginia, and still be a strong advocate of public housing, which I am, feeling that the sense of compassion is a part of our American heritage, too.

Mr. ROBERTSON. I appreciate the kind, complimentary reference to me by the distinguished Senator from Pennsylvania, who also is a member of the Committee on Banking and Currency.

The PRESIDING OFFICER. The time of the Senator from Virginia has expired.

Mr. DIRKSEN. Mr. President, I yield 15 minutes to the Senator from Utah.

Mr. BENNETT. Mr. President, as we enter upon the consideration of the new housing bill, it has naturally occurred to me, as I know it has to many other Members of the Senate, how greatly different it is from the bill which the President vetoed; and what will the President's attitude be, or what may it be, toward the provisions which this bill contains? I intend to spend a minute or 2 to discuss the bill from that point of view.

The first matter I shall mention refers to the budgetary picture of S. 2539. The fact is that S. 2539 will involve budgetary expenditures in the fiscal years 1960 and 1961 which are somewhat higher than would have been the case if S. 57 had not been vetoed. Both bills would involve expenditures much above those recommended by the administration.

The following table gives the essential facts on the increases in budgetary expenditures under the three proposed programs:

	Fiscal 1960	*Fiscal 1961*
S. 2539	93	248
S. 57	75	240
Administration proposals:		
Excluding HEW classroom proposals	5	131
Including HEW classroom proposals	5	138

Because the public housing program provided for in S. 2539 is less than in S. 57, there is a smaller commitment for future expenditures in S. 2539 than in S. 57, but the commitment is still a very large, and we think extravagant, one and is very much in excess of and exceeds very much the commitments that would be involved in the administration's proposals.

Mr. CLARK. Mr. President, will the Senator from Utah yield, or would he prefer to complete his statement?

Mr. BENNETT. I would prefer to finish my statement before yielding.

The following tabulation compares the new obligation of authority and other types of authorizations provided for in the various proposals under consideration.

S. 57, with no Wherry housing, but 45,000 public housing units, would have cost $2,249,000,000.

The administration proposal, with no Wherry housing and no public housing, would have cost $810 million.

It has been argued by some that this comparison of obligational authorities involved in the administration proposals and in S. 57 and S. 2539 should take account of the administration-advocated legislation on college classrooms offered by HEW. However, even when this program is included in the administration proposals, S. 2539 is still very much more expensive.

There are several adjustments in these new obligational figures that ought to be made in order to put the administration's proposals and S. 2539 on a comparable basis. First, one could include the HEW classroom authorization of $50 million in the administration package. Second, one would have to regard the urban renewal authorization of S. 2539 as a 1-year proposition and put the administration's proposals for urban renewal on a similar basis. Finally, one would have to include the $100 million which S. 2539 gives to the President as a fund to be used at his discretion for urban renewal in small cities. Even after one makes all of these adjustments, the spending authority of the three separate programs compares as follows:

S. 2539	$1,866,000,000
S. 57	1,849,900,000
Administration proposals	1,060,000,000

The gist of all of this is, no matter how the figures are put together, the present bill involves more spending even than S. 57.

In his veto message, the President objected to the allowance for urban renewal. This has been cut to $550 million, with $100 million discretionary.

The President vetoed $900 million for the 2 years, or $450 million a year. If, as I suspect later developments will bring out, the new bill is in effect a 1-year bill, then the $650 million in the bill is $200 million more than the average annual payment provided under S. 57, the bill which the President vetoed.

The bill goes part way in meeting the President's objection to public housing. It cuts a potential 190,000 units to 37,000. This is a compromise.

The bill makes no attempt to meet the President's objection to housing for the elderly. It makes no change in the interest rate on the college-loan program to which the President objected. It reduces the amount which would be authorized for classrooms from $62½ million, as in S. 57, to $50 million in the new bill, and makes that money subject to appropriation.

There is no change in the ultimate effect of this program, however, which, to use the President's words, can grow to "staggering proportions." I think even the supporters of the classroom provision consider that the present bill is a modest beginning of what they feel can be developed into a much greater program. I hope we can make some changes in that program during our work on the bill in the House.

The bill tends to substitute Government financing for private investments, to which the President objects.

The bill still provides for housing for the elderly, for classrooms, and for an additional FNMA special assistance program, although the amount was reduced from $37,500,000 to $25 million.

The bill meets the President's objections to Wherry housing projects. It does not, however, change the subsidized interest rate on college housing or classrooms. It does not remove the time limit on FHA Title 1 authorizations. The President, it may be remembered, asked that these might continue without a time limit.

The bill compromises the lower down payment and longer maturities of FHA insurance, which the President felt were not wise. It does meet, to a large extent, the President's criticism that the basis in the bill for distributing urban renewal funds was too rigid and too discriminatory. The administration feels that it can live with the language of the bill.

However, the bill does not meet the charge that it contains certain provisions under which civic improvements previously contracted for and erected can be applied to the communities' share in determining the cost of urban-renewal projects.

The bill cuts the retroactive period from 5 years to 3 years, although the President requested that that provision be eliminated. The bill preserves what to me are windfalls which the cities will receive because of activities of universities or colleges in acquiring land in or near land subject to urban renewal. The net effect is to increase the Federal share of the activities in which such colleges or universities are involved; and those will be windfalls, not to the college or universities, but to the cities.

The bill compromises in connection with the President's concern about additional insurance authority, but then damages the compromise to a certain extent, by placing a 1-year limitation on it.

The bill meets the President's objection about title 1, which he wanted continued.

The President's objection about extending the provision for Capehart housing was met in a separate bill. It meets the President's objections, because Senate bill 57 did not extend the voluntary home mortgage program. That bill met the President's objection, because the FHHA provisions would not have been replenished. But they will be replenished under this bill. But rather than given him what he wanted in terms of an increase in the cities' share of the cost of urban renewal the bill tends to reduce—because of the windfalls I have mentioned—the share of the cities, and to increase the share of the Federal Government.

The bill does not meet the President's objection to the classroom provision.

The President felt that that provision should be handled through another program, one outside the jurisdiction of this committee.

The President also hoped that the ceilings on interest in connection with certain programs would be raised or increased. The bill has met those objections part way, by increasing some of the ceilings.

To summarize the situation, out of 22 objections the President made to Senate bill 57, when he vetoed it, 6 were met, and 4 were compromised. Of those compromised, one was handled by a dangerous device, namely, a limitation on the life of the FHHA; and one was solved by handling it outside this committee. Ten of the 22 must remain as objections to this bill, if passed without amendment, because they were not met.

In addition, the bill includes certain new proposals, on which no hearings have been held, although those proposals were not before the President when Senate bill 57 was vetoed. They are as follows:

First, the provision for the mandatory purchase of all Wherry housing, regardless of whether any Capehart housing is being built.

Second, provision for the further extension of expired FNMA commitments. About $100 million of these have expired; and this provision represents a contingent burden on the program, although the effect cannot be measured, and was not studied by the committee.

The bill also extends the privilege, given in Senate bill 57, of reducing the land value basis for land in urban renewal projects to be taken for public housing, not only to projects which are supported under the Federal program, but also to city and State projects, thus requiring the Federal Government to subsidize—in part, at least—the cost of land acquisition and land clearance for these city and State projects.

Finally, the bill will have the very interesting effect of amending the Military Construction Act of 1960, which only recently has gone to the President's desk, but which he has not yet had time to study thoroughly.

Mr. President, I offer this information to the Senate because I believe it bears out the thought that this bill needs careful study here on the floor—inasmuch as it is now too late to study it further in the committee—and I think it will be necessary for the Senate to consider some rather substantial amendments if the President is to be expected to sign the new bill.

Mr. ROBERTSON. Mr. President, will the Senator from Utah yield?

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). Does the Senator from Utah yield to the Senator from Virginia?

Mr. BENNETT. I am happy to yield.

Mr. ROBERTSON. Will the Senator from Utah be kind enough to advise the Senate what the chairman of the committee said about the two new provisions of Senate bill 57 to which the President objected—namely, the one in regard to college classrooms and the one in regard to the special direct program for housing for the elderly? Will the Senator also state how the committee marched up the hill and then marched down again, as regards the college classroom amendment?

The PRESIDING OFFICER. The time available to the Senator from Utah has expired.

Mr. BUSH. Mr. President, I yield to the Senator from Utah whatever additional time he may wish, from the time available on the bill.

The PRESIDING OFFICER. The Senator from Utah may proceed.

Mr. BENNETT. Mr. President, the chairman of the committee is here, and I am sure his memory of what he said is much better than mine is. But my memory is that, in general, he warned the committee that these two provisions were such that they would result in causing it to march up the hill and then march down again. Is my recollection correct?

Mr. ROBERTSON. Yes.

The classroom provision is not a proper part of a housing bill. First, the committee voted, by a majority of one, to eliminate it; and, subsequently, the committee voted, by a majority of one, to include it. That was the item to which the President objected.

It was apparent that under the FHHA, more housing could be constructed than under the subsidized program—aside from the fact that the latter would require back-door financing, and that the $50 million worth of housing would be constructed at one-half the rate of interest that private investors would have to pay, and much less than the interest cost for private financing, and therefore such a provision would dry up the private financing.

Mr. BENNETT. It is my information that the private financing has already developed more housing for the elderly than this bill could finance. So the net effect of the provision not only would be to dry it up, but also to slow it down, even though Federal money were placed into the program.

Mr. ROBERTSON. That will be the result.

Mr. BENNETT. Today, before we conclude our action on this measure, I hope to offer an amendment to correct that situation.

Mr. CLARK. Mr. President, will the Senator from Utah yield to me, with the understanding that the time I take will not be charged to the time available to his side?

Mr. BENNETT. I am glad to yield.

Mr. CLARK. Let me ask the Senator from Alabama to yield to me not to exceed 10 minutes of the time available on the bill.

Mr. SPARKMAN. I yield to the Senator from Pennsylvania 10 minutes from the time available on the bill.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 10 minutes on the bill.

Mr. CLARK. Let me ask the Senator from Utah whether I correctly understood him to say that the Bureau of the Budget had computed that the bill now before the Senate would cost $93 million more than the President's budget recommendations.

Mr. BENNETT. I read a statement, the figures of which I obtained from the Bureau of the Budget. Unfortunately, the reporter has taken the copy of the statement I read. So I hope someone will have the reporter return it to me.

Mr. CLARK. The figures are not too important for my question.

Will not the Senator from Utah agree with me that there was a controversy, between the committee staff and the FHHA staff, in regard to how much more Senate bill 57 would cost, as compared to the President's budget estimates?

Was it not the view of our staff that during the fiscal year 1960 Senate bill 57 would cost only $23 million more than the amount of the President's budget estimates? Therefore, I was a little startled to find that the Bureau of the Budget has now estimated the cost at $93 million, which is considerably more than $74 million which the FHHA had depended on when we discussed the matter in the committee. Can the Senator inform us where the extra $19 million of estimated cost came from?

Mr. BENNETT. As I have stated, my prepared statement was taken by the reporter, and I am waiting for its return.

Mr. CLARK. Let us skip that for a moment. I just wanted to make the point that, in the opinion of the committee staff, S. 57 would exceed the President's budget figures for fiscal 1960 by only $23 million and the housing agency figures appear to be substantially higher. It is my opinion that the only differences made in the new bill which were not in S. 57 were ones having to do with the extension of FNMA commitments, which I understand are in the neighborhood of $10 million, but which I am sure the Senator will agree is entirely discretionary, and not 1 penny has to be spent unless it wants to do so. Is that correct?

Mr. BENNETT. The extent of the commitments may vary anywhere from zero to $100 million, as I remember it.

Mr. CLARK. But it is discretionary, and not mandatory?

Mr. BENNETT. That is correct.

Mr. CLARK. My friend also added up the costs of the three bills. He suggested that S. 57 would cost $2,200 million; the President's bill would cost $810 million; S. 2539, the bill presently before the Senate, would cost $1,880 million; I gather in computing the $1,880 million, he added $140 million for the cost of the Wherry housing?

Mr. BENNETT. The Wherry housing figure is——

Mr. CLARK. One hundred and forty million dollars, I have.

Mr. BENNETT. Ninety-one million dollars.

Mr. CLARK. I am surprised at that, because our staff states that HHFA had figured it out at $140 million.

Mr. BENNETT. The Bureau of the Budget assumes $15 million to purchase equity and $76 million to pay off the balance and rehabilitate the properties, a total of $91 million.

Mr. CLARK. Apparently the Bureau of the Budget and the HHFA are not in accord, because the Senator from Indiana has been kind enough to let me look over his shoulder. I see the HHFA

figure is $140 million. Apparently the Bureau of the Budget figure is less than that.

The Wherry housing is acquired by the Government as an asset, and returns the money which is spent to acquire that housing. Is that correct?

Mr. BENNETT. That is a matter of opinion, and it cannot be proved until 10 or 15 years have gone by.

Mr. CLARK. The Government takes the title.

Mr. BENNETT. The Government is given back the title and finds itself in the position of being landlord. The question is whether it can operate the housing at a profit over a long period of time. But assuming, for the time being, that the Senator from Pennsylvania is correct, it would still seem to me that at a time when we are struggling to balance the budget—and this is a long-term program—it is going to have a very substantial budget effect in the year in which it is operated. I think it might be well for the committee at least to sit down and examine the proposal in all its ramifications, rather than merely accept it without examination.

Mr. CLARK. I may say I am not a great advocate of Wherry housing; but I am not going to get into a debate on that question at this time with the Senator, because he may well be right. I wanted to see if the figures were accurate.

It is true, is it not, that the President has recommended an aid to education bill involving a cost of $500 million, or 10 times as much as the loan feature which is in this particular pending measure?

Mr. BENNETT. It is my understanding that is the case, and it is before a committee of which my colleague from Pennsylvania is a member, I believe, and that committee has seen fit to ignore the bill.

Mr. CLARK. The Senator is correct. I think I can assure him, although I am a very junior member of the committee, that the administration bill will never see the light of day, because our committee thinks it is extravagant, unwarranted, and not the way to handle the matter, when one-tenth of that amount could be put in the college academic facility part of this bill. I am sure the Senator does not agree with me.

Mr. BENNETT. I am sure the Senator knows he is talking about one-tenth of the amount for the first year, with the sky the limit from then on.

Mr. CLARK. I do not think the sky will ever be the limit so long as the Senator from Utah is on the floor.

Mr. BENNETT. The Senator from Utah is flattered by that very interesting observation; but there is no limit in the bill for the erection of college classrooms.

The Senator from Utah is of the feeling that what started out to be a housing program to enable the American people to buy houses and live in them has now become so big and so full of only dimly related programs that we are spending about 5 percent of our time concerned with Federal housing and 95 percent of the time we concern ourselves with what might be described as institutional assistance or expenditures only indirectly related to housing.

Mr. CLARK. I understand the feeling of the Senator from Utah. I do not want to take the time to debate the question with him now. I wanted to ask the Senator some questions because the Senator from Virginia said a while ago that housing for elderly people is properly handled by FHA insurance programs. But one-half of the elderly family units in this country are not going to have any decent housing unless this program called for by the bill is approved by the Senate and started. The testimony before our committee established beyond a peradventure of a doubt that the income categories of elderly family units are such that FHA housing available to them could only take in the top income half of the elderly family units in this country.

I thank my friends for yielding to me.

Mr. BENNETT. I suppose the Senator who has the floor can also have the last word?

Mr. CLARK. He certainly can.

Mr. BENNETT. I think the record on rental housing for the elderly will show that under the present provision it is developing housing for the elderly under FHA loans. Funds representing $35 million have already been committed for 4,036 units, and $23 million have already been insured. So the present program is moving rapidly along.

I agree with the Senator from Virginia that Gresham's law would have application here, and that if these people could get direct Federal loans as subsidized interest they would drop the FHA program like a hot potato, and we would find the whole demand for elderly housing in this program.

Mr. CLARK. The whole question is whether we want to take care of the rich elderly only or whether we want to take care of the poor or middle class elderly, too.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. CAPEHART. One of the big problems in connection with housing is getting the proper figures and the proper facts. I hold in my hand a chart prepared by the HHFA, the parent agency in respect to housing agencies that we have.

Mr. CLARK. Mr. President, the Senator from Indiana has graciously agreed that he will conduct his colloquy in his own time, and not in mine.

Mr. CAPEHART. Mr. President, will the Senator from Illinois yield me 5 minutes?

Mr. DIRKSEN. I yield 5 minutes to the Senator from Indiana.

Mr. CAPEHART. This chart was made up by the HHFA on August 17, 1959. I think we have every reason to believe that these are the true figures and if they are not, and there are enough of us who believe they are not the true figures, then we ought to move to recommit the bill to the committee and get the facts.

Here are the figures according to the HHFA, the agency headed by Mr. Mason. I am not talking about Wherry housing now; I shall discuss that later.

The amount authorized by the bill for grants is $1,394 million. For loans it is $375 million.

In the grants, there is $719 million for public housing, which would be distributed over a 40-year period.

Let us consider the grants over a 10-year period. I am going to use the HHFA figures. It is said that in 1960, as the result of passage of the bill we are now considering grants, would amount to $4.4 million 1961 grants would be $21.95 million. In 1962, grants would be $47.05 million; in 1963, $67.7 million; in 1964, $112.3 million; in 1965, $125 million; in 1966, $149 million; in 1967, $103 million; in 1968, $68 million; and, in 1969, $58 million. That includes $719 million which will be spent over a 40-year period.

For loans, the authorization is $375 million, of which it is said $50.4 million will be loaned in 1960; $190.2 million in 1961; $163.6 million in 1962; and $43.1 million in 1963. From that time on there is a minus figure, because the loans will be in the repaying process. Starting in 1964, $28.9 million would be paid back; in 1965, $31.7 million would be paid back; in 1966, $17 million would be paid back; in 1967, $7.2 million would be paid back; in 1968, $7.4 million would be paid back; and in 1969, $12.8 million would be paid back.

Are we entitled to consider these figures as being the facts? If we are, then we ought to work from this set of figures that I have been quoting.

Mr. BENNETT. Mr. President, would the Senator read into the RECORD the figure at the bottom of the first column, which is the total authorization?

Mr. CAPEHART. I said that I was not including the Wherry housing. I am going to get to that in a minute.

Now I want to give the facts in connection with the Wherry housing.

The mandatory acquisition and operation of Wherry housing, according to the HHFA will cost $140.3 million. This would cost the Federal Government $38.6 million in 1960, $36.1 million in 1961, $8.2 million in 1962, $8.2 million in 1963, $8.2 million in 1964, $8.2 million in 1965, $8.2 million in 1966, $8.2 million in 1967, $8.2 million in 1968, and $8.2 million in 1969.

Now let me present the facts about Wherry housing. The Federal Government has guaranteed the mortgages on all Wherry houses. Therefore, when we say that we are going to purchase these Wherry projects, we are going to buy the equity which the owners have, and assume the mortgages. The Federal Government has already guaranteed the mortgages, so if these mortgages are no good, and if the houses are no good, the Federal Government when it acquires them, must stand the cost of renovation. Furthermore, the Wherry projects are built on Government-owned property.

We must also remember that the Government guarantees the rental to the Wherry project owner.

There are approximately 23 projects in the United States, for a total of about 14,000 units. Under the existing law it

is necessary to buy these Wherry projects if there is Capehart housing project nearby. Under the bill we are considering today it would be necessary to buy these projects, provided there is going to be a permanent military installation. If there is not going to be a permanent military installation, it is not necessary to buy them.

I do not particularly like this procedure, but there are two sides to the coin. Under the Capehart Act the Government owns all the houses, but the Government also owns a lot of houses as a result of direct appropriations.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. CAPEHART. Mr. President, will the Senator yield me some more time?

Mr. DIRKSEN. Mr. President, I yield 5 additional minutes to the Senator from Indiana.

Mr. CAPEHART. Perhaps it makes sense that the Government should acquire the other 23 projects. Originally I think there were some 143 Wherry projects. The Government has acquired all but 23 at the moment. The question is, Should the Federal Government acquire those 23?

The $140 million is the total amount. The Government has already guaranteed the mortgages.

Mr. SPARKMAN. Mr. President, will the Senator yield to me?

Mr. CAPEHART. I yield.

Mr. SPARKMAN. My information is that if the Government does not buy this housing over the same period of time, for which the Senator figures $140 million, the Government will spend $135 million for rental allowances of servicemen.

Mr. CAPEHART. In rentals?

Mr. SPARKMAN. Yes.

Mr. CAPEHART. The Senator is correct.

I am not advocating this. I was opposed to it, but I like to be fair and accurate, and I like to have the Senate consider both sides of the coin. I like to present the facts.

The facts are that if we buy these Wherry houses at the end of the allotted time, when the mortgages are paid out, the Government will own the houses. If we do not buy them and the projects are unsuccessful, the Government is going to have to pick up the mortgages, because the Government has guaranteed the mortgages. In the meantime, the Government has guaranteed the rental on these Wherry projects.

Would it not be better for the Government to own the houses. The Government is going to pay a rental for these houses, and in the meantime the private enterprisers will get the rent. That is the other side of the coin.

I am having prepared at the moment an amendment in which the Senate will be requested to make it mandatory that the Government buy the Wherry houses where there are going to be permanent bases, by paying nothing in cash but paying for the project over a period of 10 years by giving 10-year debentures, due one-tenth each year, thereby putting the program on about the same basis as is the Capehart military housing, which will mean that the rental from these houses will amortize the unpaid mortgages and amortize the debentures, so that the Government would lose no money when the mortgages are amortized. The Government would then own some 14,000 units in some 23 projects.

Those are the facts about the Wherry housing. There are certainly two sides to the coin. I can make a good argument that the Government ought to buy the houses, that it is good business for the Government to buy them because they are built on Government land, the Government has guaranteed the mortgages, and the Government guarantees the rentals. If the Government buys the houses, the rental payments will amortize the mortgages.

I think it is particularly true that the Government ought to buy the houses if it can buy them on the basis of issuing 10-year debentures, using the rental payments to amortize the mortgages.

The other side of the coin is that the Government will have to spend considerable money in rehabilitating these houses. Somebody is going to have to do that, anyway. We must remember the law requires that the military services must rent these houses. If these housing projects are unsuccessful, the Government will have to assume the mortgages, because the mortgages have already been sold and are in the hands of the banks, the insurance companies, and the other financial institutions in the United States.

Those are both sides of the Wherry housing controversy. I wish I were wise enough to know exactly which one is the better. I am not. I see both sides of the question.

The thing which really breaks my heart, as I said a while ago, is our inability to get over the facts on housing, both sides of the coin, the pros and the cons. It is hard to get an understanding of the problem.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. CAPEHART. Mr. President, will the Senator yield me more time?

Mr. DIRKSEN. Mr. President, I yield 5 additional minutes to the Senator from Indiana.

Mr. CAPEHART. I see present on the floor the general counsel from the HHFA. I should like to ask if this chart which I hold in my hand was made up by that agency, and if it is felt the figures are correct?

Mr. BUSH. The gentleman assures us it was made up by the agency.

Mr. CAPEHART. And we have every reason to believe we can use it as the basis for our discussion.

On the loans, outside of Wherry housing, it is $50.4 million in 1960 and $190.2 million in 1961.

The two sides of the coin in connection with college classrooms are as follows: First, there is a grave need for additional college classrooms in the United States, particularly on the part of the small colleges—in Indiana, such colleges as Huntington and Oakland City. I do not know where those private colleges are going to get their money. There is need for classrooms in many small colleges across the land.

The administration has before this very body a Federal aid to education bill which calls for $2 billion, $500 million of which would be outright grants. One thing I do not like is to be fooled. On the one hand, we are advocating $2 billion worth of Federal aid to education, and offering $550 million worth of grants. On the other hand, we say that we ought not to help the small colleges in the United States to the extent of $50 million in loans, which they are willing to pay back.

I am perfectly willing to vote against college classrooms, and against the proposed $2 billion for Federal aid to education, but I do not like to be a hypocrite. I do not like, on the one hand, to be advocating one thing, and on the other hand, advocating something else. We are for either one or the other. We cannot be for both.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. ROBERTSON. The Senator will recall that the chairman of the committee urged elimination of the provision for classrooms, on the ground that the President bitterly objected to the start, which could expand, and the result in all the colleges calling on us to help them expand, thereby drying up all sources of private contribution.

Mr. CAPEHART. There is no question about it. That is the other side of the coin.

Mr. ROBERTSON. The chairman said to the committee, "Why invite a veto over $50 million?" It was not so much the money. It was establishing a principle.

As soon as the general debate is concluded, the chairman of the committee will offer an amendment to eliminate classrooms, because he has been assured that such a provision is still so objectionable to the President that he would not approve the bill if it included provision for classrooms.

Mr. CAPEHART. I do not like such threats. The President is a member of my party. I have defended him as much as has any other Member of the Senate over a period of 7 years. I, for one, do not like to be threatened, particularly when I am trying to arrive at a compromise and help to enact a housing bill. I am not frightened by any threats of a veto. If the President in his wisdom wishes to veto this bill, he certainly may do so. That is his business. I have worked hard, and many others have worked hard, to solve a very complex situation.

Mr. ROBERTSON. I regret that the Senator from Indiana feels that he is being threatened. That is not so in the case of the Senator from Virginia, because he was 100 percent in accord with what the President thought. He thought the item should be eliminated.

Mr. CAPEHART. I appreciate that; but on the one hand we proceed to advocate a $2 billion Federal aid to education bill, while on the other hand we are talking about $50 million in loans. I do not like to hear people say one thing out of one corner of their mouths, and some-

thing else out of the other corner, particularly after we have worked so hard in an effort to bring forth a bill.

When we come to the item of elderly housing, we changed that so as to provide for appropriated funds, not loans. There are two sides to that coin. Personally I was against elderly housing. I voted to take it out of the bill. I think we can handle that matter without direct loans, through the appropriation route. However, we wrote it into the bill because the majority so voted.

Urban renewal is something which I thought the Republicans in this administration were taking a great deal of pride in. Back in 1953 we appointed a committee of 130. They went out for a year and studied the entire problem. They came back with a plan and a policy. I introduced legislation in 1954 for the administration, which would have carried out what I thought it was enthusiastic about. We changed the name from "slum clearance" to "urban renewal" that year. I thought it was a very fine thing, and I still do.

I am not too certain that I have always felt the same way about the Government being in the housing business. At times I have felt that the Government should get out of the housing business entirely, but that is not what we are talking about. We are not talking about getting the Federal Government out of all kinds of housing and letting private industry do it. We are talking about the role of the Federal Government in housing.

When I look at both sides of the coin and analyze the records and the facts; when I know what the administration has advocated in the past, and what it is advocating today; when I know what the law is with respect to urban renewal—and I was the author of the provision that people could not be moved out of slums unless a place were provided for them to move into, and unless we knew where they were going to move, which requires some kind of public housing—I conclude that perhaps it was not a good law. Perhaps we should not have enacted it, but we did.

When I am through analyzing the pros and cons of the bill, when I am through looking at the facts, I see that the figure for expenditure for grants for 1960 is $4.4 million, and for loans, aside from Wherry housing, the amount is $50.4 million. When I think in terms of the billions of dollars we are spending, when I think of the fact that not many weeks ago the Senate, through the so-called backdoor procedure, voted to be borrowed approximately $4 billion through the back door from the International Bank——

The PRESIDING OFFICER. The additional time yielded to the Senator has expired.

Mr. DIRKSEN. Mr. President, I yield 2 more minutes to the Senator from Indiana.

Mr. CAPEHART. When I look around, I see that we are spending $1 billion a year for storage charges alone in connection with the storage of surplus farm products. We are spending $7 billion a year on the Department of Agriculture. Here again I read in the housing bill the figure of $4.4 million expenditures in 1960 for grants, and $50.4 million for loans, aside from Wherry acquisitions.

In 1961, the figure for loans is $190.2 million. After 1963, the figure is a minus. The highest figure for grants reached is $149 million in 1966. For 1961, it is $21 million.

I should be very happy to join in considering the question of getting the Government entirely out of the housing business in all its aspects, but I do not like to join in trying to cut off the dog's tail little by little, and to be against such activities on a basis which, in my opinion, is not in accord with the records.

The PRESIDING OFFICER. The additional time yielded to the Senator from Indiana has expired.

Mr. CAPEHART. I repeat that I do not like to be taken in. I do not like to see us trying to do one thing with one hand and something else with the other.

Mr. BENNETT. Mr. President, a parliamentary inquiry. I believe when the Senator from Indiana started to talk, the Senator from Utah had the floor.

The PRESIDING OFFICER. That is correct.

Mr. BENNETT. Does the Senator from Utah still have the floor? Have I used all the time that was yielded to me?

The PRESIDING OFFICER. All time yielded has been used up. Otherwise the Senator would have the floor.

Mr. BENNETT. May I ask for 30 seconds?

Mr. DIRKSEN. Mr. President, I yield the distinguished Senator 2 minutes.

Mr. BENNETT. I need only 30 seconds to say to the Senator from Pennsylvania, who, when we finished our colloquy about housing for the elderly, said that the FHA program would only take care of the rich elderly, not the poor. The subsidized loans provided for by this bill are not accompanied by any control regarding the income of people who may be benefited. So there is no assurance that elderly housing developments under this bill would be limited to people of low income.

Mr. ROBERTSON. Mr. President, I offer an amendment and ask that it be reported.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 75, strike out line 25 and through line 21 on page 78, and insert in lieu thereof the following:

SEC. 602 (a). Title IV of the Housing Act of 1950 is amended by adding the following new subsections at the end of section 402:

On page 79, line 24, strike "; and".

On page 80, strike out lines 1 through 3.

Mr. ROBERTSON obtained the floor.

Mr. BUSH. Mr. President, will the Senator yield for a quorum call? The distinguished Senator from Arkansas is particularly interested in this subject, and asked to be notified if it was brought up, and I indicated that I would see that he was notified.

Mr. ROBERTSON. The Senator from Virginia will be glad to yield with the understanding that after the quorum call he will have the floor.

Mr. BUSH. I ask unanimous consent that no time be charged to either side, and that the Senator from Virginia not lose the floor while the call is proceeding.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, on this amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ROBERTSON. Mr. President, I yield myself 5 minutes.

For the benefit of Senators who were not present when this amendment was offered, I may say that it strikes out of the bill all of that section which authorizes $50 million of loans for college classrooms.

In the first place, this is a housing bill. The provision for the construction of classrooms has no proper place in a housing bill.

In the second place, this provision sets a precedent which the President said would expand and would mushroom. While it starts with $50 million, we may in a few years be met with demands for 10 times $50 million, because the finances of a great many colleges are inadequate to take care of the number of students who now want a college education.

Third, undoubtedly the adoption of the amendment would tend to dry up charitable gifts to colleges, gifts on which so many colleges which are not supported by the States must depend.

Last, but not least, while I do not regard it as a threat, we are under an obligation to recognize that the Government operates in the legislative field as two branches: one is the legislative branch, which agrees on the bill which is sent to the White House. The other is the executive branch, which decides whether the bill shall become law or not. We have no right to ignore the views which have been expressed by the Chief Executive.

We sent him a bill which he said was extravagant and which involved some principles which he could not endorse. Thus, acting as Chief Executive for the people of the United States, just as we are acting as their legislators, the President vetoed the bill.

When we voted on that veto, we said, in effect, "Mr. President, so far as most of us are concerned—certainly so far as more than one-third of us are concerned—40 of us—you were right."

Now we are considering another bill. Why should we again ignore the very specific wish of the President, his very specific view, that we should not embark upon a new scheme, under the guise of housing, to finance college classrooms? The amendment I have offered takes this provision out of the bill.

While I say again that I do not regard it as a threat, I have been informed,

just a few minutes ago, by the distinguished senior Senator from Connecticut [Mr. BUSH] that this provision is so objectionable to the President that the Senator from Connecticut believes that if it remains in the bill, the President will again be compelled to veto the bill. The Senator from Connecticut will speak on that matter himself.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. LAUSCHE. It is true, is it not, that the President, in his message vetoing the previous bill, dealt specifically with his objections to the establishment of a new loan system for classrooms?

Mr. ROBERTSON. The Senator is correct.

Mr. LAUSCHE. He pointed out in his message that while the amount involved was small, his objection to the provision was that it established a new precedent.

Mr. ROBERTSON. The Senator is correct.

Mr. LAUSCHE. Is the Senator from Virginia of the opinion that once the door has been opened by providing $50 million for the building of classrooms, the program will expand as the years go on?

Mr. ROBERTSON. Indubitably.

Mr. LAUSCHE. With respect to the interest rate to be charged, the President in his message also pointed out that money would be lent at a rate less than the interest which is being paid at the Federal level.

Mr. ROBERTSON. That is correct—for long-term loans.

Mr. LAUSCHE. Is there not a distinction between the building of classrooms and the building of dormitories? Is it not correct that the rooms in the dormitories are rented to produce income?

Mr. ROBERTSON. That is correct. A dormitory comes under the general heading of housing, but classrooms do not.

Mr. LAUSCHE. Am I correct in my understanding that the bill provides an expansion in the lending program?

Mr. ROBERTSON. That is correct, although we amended that provision in S. 57. The original $50 million for classrooms was to be back door spending; but after the close vote, lacking just one, to take it out of the bill in committee, the committee adopted an amendment to let this lending go through the procedure of the Committees on Appropriations, although the next item, for housing for the elderly, still provides for a back door financing program.

Mr. LAUSCHE. In any event, there will be a deficiency?

The PRESIDING OFFICER. The time of the Senator from Virginia has expired.

Mr. ROBERTSON. I yield myself 1 more minute.

Mr. LAUSCHE. The Federal Government will have to sell its bonds to obtain money to be loaned to borrowers, at a time when the Government is having trouble selling refunding bonds in order to pay off the bonds which are maturing in this year, in the amount of at least $75 billion.

Mr. ROBERTSON. That is correct.

Mr. LAUSCHE. There are at least $75 billion in short-term and long-term bonds which are maturing this year.

Mr. ROBERTSON. And the current interest rate on long-term bonds—bonds maturing in 10, 15, or 20 years—is above the 4½ percent which the Treasury is authorized to pay, and therefore is financing now with bills and notes.

Mr. LAUSCHE. If a Senator is of the opinion that he does not want to subscribe to create new programs of giving, lending, and spending money, he should vote for this amendment.

Mr. ROBERTSON. If a Senator believes in economy, if he is against a new program of spending, if he thinks that in the long run the program will dry up gifts to colleges, he should vote for this amendment.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ROBERTSON I yield myself 1 more minute.

Mr. DOUGLAS. The memory of the Senator from Illinois is not very good, but will the Senator from Virginia inform me whether it is true that earlier in the year the President of the United States advocated the making of an outright grant of $500 million to colleges for the construction of classrooms?

Mr. ROBERTSON. I am inclined to believe it is true.

Mr. DOUGLAS. In other words, the President was ready to agree to have $500 million given away, but now he objects to having $50 million loaned.

The PRESIDING OFFICER. The time the Senator from Virginia has yielded to himself has expired.

Mr. ROBERTSON. Mr. President, I yield myself 1 more minute, so that at this time I may yield to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 1 more minute.

Mr. ROBERTSON. Mr. President, at this time I yield to the Senator from Florida [Mr. HOLLAND].

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, the Senator from Virginia will recall that numerous suggestions have been made, some from the White House, and some from other sources, that we appropriate large sums for the construction of public schools. One suggestion was for an appropriation up to $2 billion, and I think one was for up to $4 billion.

How does the Senator from Virginia think the Senate could defend itself against such a huge program, if it proceeded now to agree to the request for the allowance of $50 million for the construction of school rooms for the education of college students?

Mr. ROBERTSON. It would be difficult to do so.

I think the Senate should realize that when the President took the last look at this matter, he was correct; and the Senate should sustain him in that connection.

Mr. HOLLAND. I agree with the Senator from Virginia.

Mr. ROBERTSON. Mr. President, I reserve the remainder of the time available to me.

Mr. BUSH. Mr. President, will the Senator from Illinois yield to me 5 minutes, on the amendment?

Mr. DIRKSEN. I yield 5 minutes on the amendment to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 5 minutes.

Mr. BUSH. Mr. President, with reference to what has just now been stated about the bill which was introduced on behalf of the administration, let me say that no doubt reference was made to Senate bill 1017; and that bill would provide the $500 million over a period of not less than 20 years or more than 50 years. So it is hardly appropriate to talk about a grant of $500 million, without mentioning the time involved in connection with the expenditure of that amount of money.

The fact that the bill is before the Committee on Labor and Public Welfare is of course an additional reason why this classroom provision is out of place in this particular housing bill—as my distinguished friend, the Senator from Utah [Mr. BENNETT], pointed out earlier in the afternoon.

So, for that reason, I would support the amendment offered by the distinguished Senator, the chairman of our full committee.

This is a housing bill. It seems to me that a provision for classroom construction should—as many Members of the Senate believe—properly come within the jurisdiction of the committee which deals with health, education, and welfare matters; namely, the Committee on Labor and Public Welfare. After all, this matter relates to education.

It has been stated, as the distinguished Senator from Virginia has said, that the President is quite opposed to this classroom provision, on the basis that it would begin an entirely new program.

From my own discussions with members of the administration, I believe that this provision is the basis of one of the President's most serious objections to the pending measure, and it is one of the several to which his objections are very serious, indeed. Others provide for the program for housing for the elderly and for the time limitation upon the FHA program; namely, October 1, 1960. I believe that my distinguished friend, the Senator from Utah [Mr. BENNET], will offer an amendment as to that.

At any rate, I am delighted that the Senator from Virginia [Mr. ROBERTSON], the chairman of the committee, has offered his amendment. I hope all Senators will support it.

Mr. BENNETT. Mr. President, will the Senator from Connecticut yield to me?

The PRESIDING OFFICER. The additional time yielded to the Senator from Connecticut has expired.

Mr. BUSH. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The time now being taken is from the time available on the bill.

Mr. BUSH. Mr. President, I refer to the time available to us on the amendment.

Mr. ROBERTSON. Mr. President, I yield to the Senator from Connecticut 2 minutes on the amendment.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 2 additional minutes.

Mr. BUSH. I thank the Senator from Virginia.

Mr. BENNETT. Mr. President——

Mr. BUSH. Mr. President, at this time I yield to the Senator from Utah.

Mr. BENNETT. I should like to ask the Senator from Connecticut this question: Does not he think it inappropriate to have this provision remain in the bill, and thus have the money loaned for the construction of college classrooms, for the reason that in that event the Housing and Home Finance Agency, rather than the Department of Health, Education, and Welfare, would operate the program, and thus the bill would place the program under that unrelated agency?

Mr. BUSH. That is correct.

Mr. President, at this time I should like to read a brief article which appears in Time magazine for August 17. The title of the article is "Breakthrough?". I ask the Senator from Virginia to yield an additional 2 minutes to me, so that I may read the article.

Mr. ROBERTSON. First, will the Senator from Connecticut yield to me, so that I may ask a question?

Mr. BUSH. Of course.

Mr. ROBERTSON. Does the Senator from Connecticut feel that if we sent to the White House another housing bill which contained this college-classroom provision, we would be inviting another veto?

Mr. BUSH. As I have said, I think this provision is one of the two or three most important provisions of that sort in the whole bill, although I would not think this one more important than the others.

Mr. SPARKMAN. Mr. President, before the Senator from Connecticut reads the article to which he has referred, will he answer a question: Did he say this is the most important provision, insofar as the possibility of a veto is concerned?

Mr. BUSH. Mr. President, someone is trying to pin me down, I am afraid.

Mr. SPARKMAN. But did I correctly understand what the Senator from Connecticut said?

Mr. BUSH. I have said I think it is one of the two or three most important provisions of this kind in the bill—so important, in fact, that I cannot overemphasize its importance.

Mr. SPARKMAN. Does the Senator from Connecticut believe that the President would veto the bill if this provision were to remain in it?

Mr. BUSH. Of course I cannot answer that question categorically. But I think the inclusion of this provision would tempt the President in that direction.

Mr. President, I wish to read now the article entitled "Breakthrough?" which appeared in Time magazine for August 17. It reads as follows:

BREAKTHROUGH?

Much of the furor over soaring enrollment sounds as if U.S. colleges and universities might go broke by 1968 trying to handle some 6 million students each year. Not so, says the Council for Financial Aid to Education. The monster invasion will indeed cost a staggering amount —$11.5 billion for new buildings and equipment alone in the "crisis" decade 1957–67. But the council found "grounds for hope that we are at last approaching a breakthrough." Main evidence: construction has consistently matched rising enrollment. Since 1955, colleges and universities have apparently been able to spend some 20 percent more a year ($925 million in 1957–58)—and from now on will need to spend only about 6.5 percent more annually to house the invaders by 1967.

The key: private gifts, which will make up some 21 percent of the total cost of higher education in 1969. If gifts flow as freely in the next decade as they do now, the council reported, the United States "can and will pay the big bills that are beginning to fall due. . . . The Nation possesses the means and will provide the support."

Mr. FULBRIGHT. Mr. President, will the Senator from Connecticut yield to me?

The PRESIDING OFFICER. The additional time yielded to the Senator from Connecticut has expired.

Mr. BUSH. Mr. President, I yield myself 2 minute on the bill, in order that I may yield to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for an additional 2 minutes.

Mr. BUSH. I now yield to the Senator from Arkansas.

Mr. FULBRIGHT. I understand that the pending amendment merely would strike from the bill the authority to appropriate funds for college classroom construction.

Mr. BUSH. That is correct.

Mr. FULBRIGHT. But do I not correctly understand that it will compensate by increasing the amount available for borrowing for the construction of college housing. Is that correct?

Mr. BUSH. That is correct. Of course, I know why the Senator from Arkansas has asked me that question.

Let me say to him that an arrangement has been made, I believe, for one Member of the Senate—I believe it will be the distinguished chairman of the subcommittee—to offer an amendment which will transfer the $50 million, which was set aside for classroom construction, so that it will be made available to the college housing program, in addition to the sums provided in the bill. My understanding was that the distinguished Senator from Alabama [Mr. SPARKMAN] would submit such an amendment. If he does not do so, I will.

Mr. SPARKMAN. No, I must disclaim that. As a matter of fact, I am opposed to the amendment.

I am supporting the committee bill, for the fifth time; this is the fifth time that the bill, with the college classroom construction provision in it, has been before the Senate; and for the fifth time I am supporting the bill as reported by the committee.

Mr. BUSH. Mr. President, at this time I yield further to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I wanted to make my position clear. I am much interested in keeping the colleges going and in trying to give them reasonable financing for construction of their facilities. I have been in the past especially interested in college housing. I think that so long as the overall amount is made available for college housing, that fact is more important than to try to divide the amounts made available, because if the colleges can devote their resources to housing under this program, it relieves the pressure of other funds for the classrooms. So the division of the funds is not important.

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired.

Mr. BUSH. Mr. President, I yield myself 2 additional minutes.

Mr. FULBRIGHT. I would not be willing to support the amendment without any assurance that at least the amount there provided is added under the authority to borrow now in existence with respect to college housing. I would not want to risk that not being done by voting for this amendment and depending on a later vote to increase the amount for college housing. So unless the two are coupled and the amount is increased for college housing, I could not consider supporting the amendment. As a matter of fact, I approve making funds available for classrooms, but I recognize, as the Senator has indicated, and as other Members of the Senate have indicated, this proposal is especially offensive to the President, and I would not want to prejudice the bill by insisting on the matter, when we could compensate for it by increasing the amount for college housing.

Mr. BUSH. I had prepared an amendment which would accomplish the deletion of the classroom provision and the deletion of the $50 million in one amendment.

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired.

Mr. BUSH. I yield myself 2 additional minutes.

In deference to my colleague who wanted to offer the amendment, I yielded, but, Mr. President, I now send to the desk an amendment in the nature of a substitute, which would accomplish both purposes.

The PRESIDING OFFICER. The amendment offered by the Senator from Connecticut will be stated.

The CHIEF CLERK. It is proposed, on page 75, line 20, to strike out the figure "$1,175,000,000" and substitute in lieu thereof the figure "$1,225,000,000."

On page 75, strike out line 25 to line 21 on page 78 and insert in lieu thereof the following:

SEC. 602(a). Title IV of the Housing Act of 1950 is amended by adding the following new subsection at the end of section 402.

On page 79, line 24, strike out "; and".

On page 80, strike out line 1 through line 3.

Mr. BUSH. Mr. President, I yield myself 5 minutes on the new amendment, or will the Senator from Illinois yield me 5 minutes?

Mr. DIRKSEN. Mr. President, under the unanimous-consent agreement, the substitute would make available 15 minutes on each side. Is that correct?

The PRESIDING OFFICER. The amendment is being examined now to ascertain whether it is a substitute.

The Senator's amendment would not be in order until all time had expired on the pending amendment.

Mr. BUSH. Mr. President, will the Senator yield me 2 minutes?

Mr. DIRKSEN. I yield 2 minutes to the Senator from Connecticut.

Mr. BUSH. I hope this is sufficient assurance for the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I did not understand what the Chair ruled.

Mr. DIRKSEN. The Chair stated that the amendment was not an actual substitute for the pending amendment.

The PRESIDING OFFICER. The amendment is not in order until all time on the pending amendment has been exhausted.

Mr. BUSH. The Chair stated that the time would have to expire on the pending amendment before this amendment would be in order.

Mr. DIRKSEN. Mr. President, may I inquire what the time situation is?

The PRESIDING OFFICER. Three minutes remain to the proponents; 15 minutes to the opponents.

Mr. DIRKSEN. Mr. President, who controls the time in opposition to the amendment?

Mr. ROBERTSON. Mr. President, the Senator from Virginia has 3 minutes remaining. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. ROBERTSON. The Senator from Virginia wants to take 10 seconds to say he is opposed to this amendment to his amendment.

If the Senator from Illinois needs any time to join the Senator from Virginia in opposing the amendment, the Senator from Virginia will yield it to him.

Mr. BUSH. Mr. President, I will withdraw the substitute, in order that we may clarify the situation.

Mr. FULBRIGHT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FULBRIGHT. Do I correctly understand that as soon as the time lapses on the amendment of the Senator from Virginia, the amendment of the Senator from Connecticut will be in order?

The PRESIDING OFFICER. A proper amendment would be in order.

Mr. FULBRIGHT. Is it not a proper amendment?

The PRESIDING OFFICER. From our examination of it, it does not appear to be in the nature of a substitute. It relates to a different portion of the bill.

Mr. FULBRIGHT. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FULBRIGHT. Then, the only way to reach the objective of the Senator from Connecticut is to defeat the pending amendment. The amendment of the Senator from Connecticut would then be in order. Is that correct?

Mr. BUSH. Mr. President, if the Senator will yield, that is not the only way to do it at all. If I may say so, I think the way to do it would be to accept the amendment, vote for the amendment of the Senator from Virginia, and then vote on the addition of the $50 million.

Mr. FULBRIGHT. But suppose that fails; what then?

Mr. BUSH. I assumed all the "ducks" were in a row.

Mr. FULBRIGHT. There is one "duck" here that obviously is not in the row. [Laughter.]

Mr. DIRKSEN. Mr. President, will the Senator from Virginia yield to me 5 minutes?

Mr. ROBERTSON. I will yield to the Senator such time as I have left.

The PRESIDING OFFICER. The Senator from Virginia has 2 minutes remaining.

Mr. DIRKSEN. Mr. President, I yield myself 3 minutes on the bill if I have need of it.

The pending amendment is the Robertson amendment to strike out two allusions to money amounting to $50 million for classrooms and related matters. Is that correct?

Mr. ROBERTSON. That is correct. The amendment is to strike out the whole classroom section.

Mr. DIRKSEN. Incidentally, this goes a little further than classrooms. It includes all structures. It includes facilities. It includes laboratories. It includes initial machinery and equipment and modernization. If that does not add up to $500 mililon in the future, then I have not seen any of these evolutionary amendment here.

Mr. President, the amendment ought to prevail. This is a new function. As the Senator pointed out, it has no business in the housing bill.

To be sure, the officials are going to advise with the Office of Education in the Department of Health, Education, and Welfare, but that does not take the curse off the proposal. It is still a new function. There will be demands for it in the future. Sometimes I say regretfully, the committee has caved in on these demands. With respect to urban renewal, already there are applications on hand at the end of July amounting to $320 million, and another $230 million are ready. That makes a total of $550 million. If that is what they ask for, there is a tendency to give it to them. If they get it, it is only an incentive for everybody else to head for Washington and ask for money.

Mr. President, the amendment ought to prevail, because it will wipe out a new function that has no business in the housing bill.

Secondly, expressing a wholly individual viewpoint, I hope we will not increase the provision for college housing by another $50 million. The President asked for only $200 million. S. 57 contained an item of $300 million. It was $100 million over the President's request. Now comes a compromise item of $250 million in the instant bill.

It is proposed now to take the $50 million for classrooms and add it to the college housing and dormitories provision. That would put the figure back to $300 million. Then the bill would provide for $300 million over the President's request for college housing.

That may be a compromise, but it sounds a little like a horseburger—one horse and one rabbit. It is all to the good of one side and not of the other.

I hope, therefore, that the amendment of the distinguished Senator from Virginia will prevail. I hope the Senate will not write in the $50 million it would recoup under that amendment by adding it to the college dormitories and college housing provision.

What will happen? Will we invite another veto for the bill? I do not know what the President will do about it.

I notice, however, with regard to the 30 substantive changes to which the committee referred, 16, or more than half, did not even concern themselves with the veto message. There were seven deletions. That is what the committee report says. Two of those had nothing to do with the veto, and one did not meet the veto objections. The committee report says there were 15 modifications. Six of those modifications had nothing to do with the veto, and six did not meet the President's objections completely.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. Mr. President, I yield myself 1 minute.

There are eight additions. That is what the committee report says. It is like the billboard signs which advertise cigarettes, "Something new has been added." There have been eight additions. Those things have been added. None of them, so far as I know, were requested by the President. Are we going to commit mayhem on this modified bill and invite another veto? I hope not.

I hope, therefore, that the Robertson amendment will prevail, and that we will not add the $50 million to college housing, because it will still be $100 million over the budgetary request.

Mr. President, I yield myself 1 additional minute.

I suppose there is a belief that I have a fetish about the budget. Well, I have, Mr. President. The Budget and Accounting Act was enacted in 1921. We set up the Comptroller General's Office. We set up the Budget Office. We provided a budget officer not merely for one branch of the Government, not merely for the Congress, but a budget officer of the Government of the United States. His business is to correlate, to revise, and to do those things which are effective. That is what the Budget and Accounting Act provides. He has expressed deep concern about some of these items in the bill, because of their impact on the budget.

It has been our hope that the budget would be balanced and that in the balancing we would not scatter the money in additional places, taking out in one

place and compensating by increases in others.

The PRESIDING OFFICER. The time of the Senator has again expired.

Mr. DIRKSEN. I hope the Robertson amendment will prevail.

Mr. SPARKMAN. Mr. President, I yield 3 minutes to the Senator from Minnesota [Mr. HUMPHREY].

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 3 minutes.

Mr. HUMPHREY. Mr. President, the argument has been made with reference to the $50 million loan fund—the revolving fund for college classrooms and related facilities, such as laboratories, libraries, and other facilities—that it is not relevant to the bill.

Mr. President, first of all, the Housing and Home Finance Agency has within it a bureau which handles what we call community facilities. Under community facilities funds can be authorized for or allocated to sewers, water, curbing, municipal buildings or a host of other facilities which make up what we know as community facilities.

The college classrooms or college dormitories program is to be administered by this bureau which handles the community facilities. The college classroom program would be administered by the same bureau.

Secondly, Mr. President, the opponents of the college classroom funds point out that this would violate the budget statement of the President. Mr. President, this same President of the United States, through his Cabinet officers, reminds us again and again that the interest rates on Government bonds must follow the dictates of the market. The President says, when it comes to paying interest on Government securities, that the Congress should have little or nothing to say, but the market conditions should determine—the need and the demand should determine the rate. If we are going to have need and demand control the price of interest on Government bonds, what about the question of need and demand with regard to college classrooms? We can at least apply the same principle.

This amount of money is $50 million on a loan fund. As the Senator from Illinois so well put it a while ago, by his question, the administration has recommended far more in terms of grants for schools than is being recommended now in terms of loans for college classrooms.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HUMPHREY. I would add one final thought. Mr. Khrushchev is coming to the United States to pay us a visit. Mr. Khrushchev is coming here not because we like him and not because the President likes him.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. Mr. President, will the Senator yield me 1 additional minute?

Mr. SPARKMAN. I yield 1 additional minute to the Senator from Minnesota.

Mr. HUMPHREY. Mr. Khrushchev is coming here because he is the leader of a powerful nation, our adversary on the world scene. What makes the Soviet Union powerful today? One reason, at least, is its educational system.

Admiral Rickover traveled with our Vice President. He came home to warn the American people to "get on the ball" with regard to education. He has warned us of the need for more college classrooms, more facilities, and more laboratories, yet when we see one hope and one chance for additional funds for classrooms before us the Congress of the United States is being asked to turn it down, when it involves a matter of national security.

I think Mr. Khrushchev's visit should shake us into a realization that we have much work to do in this country to keep America strong. I vigorously oppose the amendment of the Senator from Virginia.

Mr. SPARKMAN. Mr. President, I yield 5 minutes to the Senator from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. President, let us first dispose of this talk about a veto of this phase of the bill. Nobody has a higher regard for the common sense of the President of the United States than I. Senators should not tell me that the President of the United States, who has sent to Congress a recommendation for $500 million of grants to higher educational institutions in the United States of America, is going to veto a bill which will allocate $50 million of loans—one-tenth the amount—for the same purpose.

The President knows, and I know, that the two Senators from Alabama know better than anybody else, that the President's program of $500 million for grants is never going to see the light of day. So we have a situation where the Congress in its infinite wisdom has decided that it would rather have a $50 million loan program than a $500 million grant program, so far as the present session of Congress is concerned.

I have too high a regard for the President of the United States to think that he is going to veto a bill which cuts down the amount he recommends to one-tenth.

What about the need for this program? Before our committee appeared able representatives of every single association of higher educational institutions in the United States of America. These representatives testified without contradiction that the enrollment in our colleges has doubled since 1940, and will double again before 1970. They testified that $250 million was what we really needed for this college classroom program, to start it out right, and that the $62.5 million which was provided in S. 57 was the minimum amount they could get along with. They thought it would cost $11.5 billion to satisfy the total building and academic needs for the immediate future.

Mr. President, these representatives also testified—and testified eloquently—that private funds were not available to build an overwhelming majority of these college facilities. I should like to quote from what Mr. John A. Hannah, president of Michigan State University, told our committee. Mr. Hannah, incidentally, is a member of the President's Civil Rights Commission. He said:

> We simply cannot build fast enough through our normal revenue sources to meet the need. Borrowing in substantial amounts is inevitable if our colleges and universities are to provide the required campus facilities for our young people * * *
>
> We submit that the financing of needed * * * academic facilities by Government loans, at the average rate paid by the Government for its borrowed funds, plus one-fourth of 1 percent for administration, is as sound an investment in the welfare and security of our people as the Government can make. As we see it the charge that a subsidy is involved in this interest rate is not supported by the facts * * * The funds made available to the colleges under the (housing and proposed classroom) program are loans, not grants and each year an increasing amount of the principal is being repaid to the Government. We are proud to say that there is no record of a default ever having been made on one of these loans to a college. (Hannah, p. 370.)

Finally, Mr. President, let me say, in support of the bill, that the same witnesses testified that in their judgment the need for academic facilities was substantially greater than the need for dormitories and eating houses, because so many of our college students in the future will be living at home.

One does not receive a great deal of higher education sleeping in a dormitory or eating in a cafeteria; but he can learn a great deal about the knowledge of the past and the hopes of the future in classrooms, libraries, laboratories and many other academic facilities so desperately needed by our institutions of higher learning, which are falling so far behind the need of the present day, which will be greater tomorrow.

I urge that the amendment be overwhelmingly defeated.

Mr. President, I yield back the remainder of my time.

Mr. SPARKMAN. Mr. President, I yield 1 minute to the Senator from Oregon.

Mr. MORSE. Mr. President, all I wish to say is that I am very much disappointed that the administration is opposed to the $50 million item for college classrooms, laboratories, and libraries.

One of the reasons it is opposed to it is that it is said that it would replace private credit.

We have never yet evaluated the educational system of the country on a profit motive basis. On the contrary, I believe we all recognize that it is the needs of our educational system which are of primary importance, and that we must build classrooms if we are to meet the training needs of the increased number of boys and girls who will be going to higher educational institutions in the next few years. Whether any profit is derived from them is far less important than whether they are actually built in sufficient number.

I remind the Senate that when we had before us the proposal for national defense scholarships, college administrator after college administrator came before us and testified that they did not know what they would do with the additional scholarship students, because they

did not have the facilities for the normal increase in enrollments, and therefore they were not enthusiastic about an increase in scholarship funds. It was a pretty sad day when we had to listen to that sort of testimony.

As the distinguished Senator from Minnesota [Mr. HUMPHREY] pointed out, we must have facilities in which to educate young men and women if we are to keep pace with the great brain power threat of Russia in the half century ahead.

Therefore I hope the proposal of the Senator from Virginia will be overwhelmingly defeated.

Mr. SPARKMAN. Mr. President, I yield 3 minutes to the Senator from Texas [Mr. YARBOROUGH].

Mr. YARBOROUGH. Mr. President, first I wish to compliment the distinguished Senator from Alabama for his leadership in the field of housing, including college housing, over the years. His years of diligent labor have made better housing available to millions of American families. His leadership has put dormitories on many college campuses.

I believe this college classroom amendment is one of the most vitally needed programs; it is not really an appropriation, because this proposal is merely a provision for loans to colleges, and not for grants. The able Senator from Alabama is to be commended for this provision. This modest $50 million sum will put students in college classrooms where there are no classrooms.

Why do we need it?

In 1960 the enrollment in colleges of students from 18 to 21 years of age, projected on the basis of already known figures, will be 3½ million. By 1965 the enrollment in colleges of students in this age group will be 4,600,000, and by 1970 the enrollment in American colleges will be over 6 million. That represents a great increase in the percentage of persons going to college. The percentage of persons going to college increases every year, because American families know that a college education is the hope of the future for most of their sons and daughters, and they sacrifice everything to get their sons and daughters into college. While this great demand for college education puts new pressures on colleges, they lack the classrooms to meet them.

The percentages of young people of college age who are in college are going up year by year. In 1958, in California, 60 percent of all the people of college age went to college. In Massachusetts, 53 percent of all those of college age went to college in 1958. The figure for my home State of Texas was 31½ percent, but in some States the percentage of students of college age, actually in college, was as low as 18 percent. But the people of those States with a low percentage of college attendance are not going to be content to see only 18 percent of their boys and girls go to college, while in California 60 percent of all those of college age go to college, and in my own State 31½ percent go to college.

The question is asked, "Who wants this program?" The answer is that the colleges want it.

I have had letters from both State-supported colleges and privately supported colleges in my home State for these loans.

Many letters came to me during the hearings this year on the GI bill, though they were meant primarily for the Committee on Banking and Currency. I believe that if Senators had time to read the 20 pages of testimony which the able Committee on Banking and Currency heard, as recorded on pages 473 to 493 of the printed 1959 hearings on the housing bill, the Senate would vote overwhelmingly to defeat the pending amendment against loans for college classroom construction.

The figures show who wants this program: the American Association of Land Grant Colleges and the State universities, the Association of American Colleges, the Association for Higher Education of the National Education Association, the American Council on Education, and many others. Every national association of colleges in this country has given testimony as to the current need. They have also shown what their estimate were in 1953 of projected college enrollments in 1960. We know now, in 1959, that their estimates of projected college enrollment for 1960, made 6 years ago, were 1 million too low. We know in 1959 that there will be 1 million more young Americans in college in 1960 than the college authorities thought in 1953 would be there.

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mr. YARBOROUGH. Mr. President, I ask the distinguished Senator from Alabama to yield me 2 minutes on the bill.

Mr. SPARKMAN. Mr. President, I yield 2 minutes on the bill to the Senator from Texas.

Mr. YARBOROUGH. With this growing college enrollment rate, the necessity for the program becomes clearly apparent. It is necessary if the youth of America are to be permitted to go to college.

The able Senator from Minnesota [Mr. HUMPHREY] mentioned the report of Admiral Rickover as to what he saw in Russia; that which frightened him was not the present arms system of the Russians, but their educational system.

An article appeared less than a month ago in the Sunday magazine supplement of many of our great newspapers, containing the testimony of Dr. Teller, acknowledged as inventor of the H-bomb. He said that unless we step up our educational activities, by 1969 Russia will be ahead of us in science.

College presidents and college witnesses testified that scientific equipment is greatly needed. That is one field in which we are lagging. We lack proper buildings and equipment to train the youth of our country. This bill makes a small start in the right direction. The Congress lags more in educational fields than in any other field of governmental endeavor. Is the Congress afraid to educate the American people? It is time we passed measures to stimulate the education of the youth of this country, not to stifle it.

Mr. SPARKMAN. Mr. President, how much time remains on the amendment?

The PRESIDING OFFICER. Four minutes remain on the amendment, and 25 minutes on the bill.

Mr. SPARKMAN. Mr. President, I shall speak very briefly on the amendment. I hope it will be rejected.

I have a great respect for the wishes of the President of the United States. I believe our committee has gone more than the "extra mile" in order to meet his objections, as expressed in his veto message.

Regardless of his disapproval of this program, I believe that the testimony before our committee more completely substantiates the need for this program than is the case with respect to any other program with the possible exception of housing for elderly persons.

There was a question as to the jurisdiction of the committee. On our committee are members who are also members of the Committee on Labor and Public Welfare. Before this provision was ever written into our bill that is S. 4035, I discussed this subject with my colleague from Alabama [Mr. HILL], who is chairman of the Committee on Labor and Public Welfare. That was last year.

This proposal is not something new. To hear many people talk about it, one might think that it was a brandnew program. This is the fifth time it has been before us. The provision was contained in S. 4035 which was passed by the Senate last year. The provision was in S. 57 which passed on February 5 of this year. The provision was in the conference report on S. 57. It was in the legislation, which the President vetoed, and was therefore considered when we took up the veto. As I say, this is the fifth time it has been before us. It is nothing new.

Mr. President, I am glad that the Senator from Texas [Mr. YARBOROUGH] referred to the testimony before our committee. I hope the Members of the Senate will read the testimony given to us by Dr. Hannah, who is president of Michigan State University, and was representing all of the different associations of colleges here with the exception of one. By the way, Dr. Hannah is a member of this administration, and has been for some time.

The PRESIDING OFFICER. The time on the amendment has expired.

Mr. SPARKMAN. I yield myself 3 minutes on the bill.

Dr. Hannah has been a member of this administration, in one capacity or another, practically since the administration went into office. I challenge anyone to read his testimony and then say that the program we present is not needed—and badly needed. We will fall behind if we do not start doing something right away.

It is true that S. 1017 has been before the committee so ably presided over by

my distinguished colleague from Alabama. Reference was made repeatedly to that bill. There is an objection to the $50 million college classroom item in S. 57. Yet S. 1017 is a bill which the administration itself sought, which proposes underwriting a $2 billion program with grants of $500 million. In contrast, S. 2539 provides for loans—loans that will be paid back, and with interest.

Mr. BUSH. Will the Senator yield?

Mr. SPARKMAN. Let me complete my very brief statement; then I will yield.

Let me say another thing. Bill S. 1017 pertains only to private colleges so far as those grants are concerned, if I understand correctly, whereas under what is proposed in S. 2539 private schools, private colleges, tax-supported colleges, all may apply and borrow money and pay it back. Not at the subsidized interest rate as stated by my friend from Illinois, the minority leader, but an interest rate based upon a formula which guarantees the return of the money cost to the Federal Government, plus one-quarter of 1 percent. It is not a subsidized interest rate.

Mr. President, I yield now to the Senator from Connecticut.

Mr. BUSH. Mr. President, if the Senator will permit, I call his attention to the fact that the figures which he used with respect to Senate bill 1017 are applicable over a period of from 20 to 50 years.

Mr. SPARKMAN. That is true.

Mr. BUSH. It is hardly fair to compare them with the $50 million program which is immediately upon the Senate.

Mr. SPARKMAN. Yes; I would have been glad to point that out. It is an underwriting of a $2 billion undertaking over a period of 20 years, with $500 million of outright grants in addition to the $2 billion underwriting. Yes; that is true.

Mr. BUSH. Will the Senator yield further?

Mr. SPARKMAN. Yes; I yield to the Senator from Connecticut.

Mr. BUSH. I think that again the Senator is a little bit mistaken in his figures on the bill. The figure for loans over a 20- to 50-year period is $1 billion. Grants-in-aid amount to $500 million over a similar period. If we squeeze those down to an annual basis, it makes an entirely different picture from that the Senator is painting. That is all I care to point out.

Mr. SPARKMAN. Nevertheless, the administration itself is proposing a tremendous figure, and yet is saying that we should not in S. 2539.

Mr. President, I ask to have included as a part of my remarks the introductory part of Dr. Hannah's statement when testifying before our committee. This statement will introduce Dr. Hannah and also Dr. Calvert M. Ellis, president of Juniata College of Huntingdon, Pa., who was here representing the Association of American Colleges. I also present a condensation of the testimony given by Dr. Hannah.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

Mr. HANNAH. Mr. Chairman, members of the committee, my name is John A. Hannah and I am president of Michigan State University at East Lansing, Mich.

As chairman has indicated, I am authorized to testify today on behalf of five major organizations in the field of higher education which are united in their positions on legislation authorizing loans for college housing and academic facilities.

The five organizations are the American Association of Land-Grant Colleges and State Universities, the American Council on Education, the State Universities Association, the American Association of Junior Colleges, and the Association for Higher Education, which is a department of the National Education Association. A sixth major organization, the Association of American Colleges, also is in agreement but will be represented by another witness, President Calvert N. Ellis of Juniata College.

The membership of the American Council on Education includes both educational organizations and colleges and universities in its membership. This includes 142 educational organizations and 1,047 institutions, among them nearly all the accredited colleges, universities, and junior colleges in the United States.

The American Association of Land-Grant Colleges and State Universities, of which I am a past president, includes 70 major colleges and universities of which 68 are land-grant institutions. The State Universities Association includes the 24 major State universities which are not land grant.

The American Association of Junior Colleges has 510 members.

The Association of Higher Education of the NEA is an individual membership organization with about 16,000 members, all of them college administrators or teachers.

* * * * *

STATEMENT OF CALVERT N. ELLIS, PRESIDENT, JUNIATA COLLEGE, HUNTINGDON, PA.

Mr. ELLIS. I am Calvert Ellis, president of Juniata College, Huntingdon, Pa. I am today representing the Association of American Colleges which, as you know, is the national organization of colleges of liberal arts and sciences, and includes in its membership of 778 institutions nearly all the accredited liberal arts colleges and universities of the United States.

We are glad to have this opportunity of joining with our sister organizations in testifying to this committee on the vital importance of the college building loan program to American higher education.

My association represents a wide variety of institutions, large and small, public and private, church related and secular. Regardless of their type of governance, they are united in their support of this program, as witness the resolutions we have unanimously adopted year after year at our annual meetings, and the testimony that we have offered this committee year by year over the last 5 years.

I have therefore no reason to pursue the interests of any one kind of institution rather than another, but I cannot help speaking from my personal experience as president of a relatively small private college.

Since the start of the college housing loan program, nearly two-thirds of all approved projects, representing slightly more than half of all the money loaned, have been undertaken by private institutions. I am certain that without Federal loans for dormitory and dining facilities, those colleges could never have met the steadily rising demand for admission.

* * * * *

Dr. HANNAH. The educational organizations for which I speak (all institutions of higher education) are emphatically in favor of an expanded program of college housing loans, and in favor of the extension of such a program to include academic facilities. I share this attitude.

Earlier this year witnesses for the organizations I represent today asked for an expansion of $500 million in the loan authority for college dormitories, faculty housing, and related facilities. This was a figure covering both the 1959 and 1960 fiscal years. Since we thought then and we think now that this is a conservative estimate of need, the figure of $300 million—some of which is for non-college housing—in Senate bill 57, is an absolute minimum.

In testimony earlier this year we supported also the inauguration of a new program of loans for academic facilities—classrooms, laboratories, libraries—patterned after the successful college housing loan program. The figure we proposed was $250 million. The $62.5 million finally approved by the Congress, which is only one-fourth of our recommendation, is clearly an absolute minimum.

Perhaps it should again be emphasized that the funds made available to the colleges under this program are loans, not grants, and that each year an increasing amount of the principal is being repaid to the Government. We are proud to say that there is no record of a default ever having been made on one of these loans to the colleges.

Attacks on the college housing interest rate seem to be based on the charge that the present formula involves a subsidy. It is our position that the present formula, based on the average rate of interest on all Government securities, plus one-fourth of 1 percent for administration, was adopted by the Congress in 1955 as fair and equitable.

The demand for a new and higher interest rate charge against the colleges is not justified by a close look at the record. In fact, the history of this program demonstrates that a temporary rise or fall in the general interest does nothing to destroy the validity of the present interest rate formula.

When the Government rate went up this year, the college rate on July 1 was adjusted to 3⅛ percent, again giving a fair reflection of what the Government pays for its money. Thus the record demonstrates, we believe, that the formula adopted in 1955 has provided adequate protection to the Government, and has been effective in encouraging construction of the student housing which is essential to the welfare and strength of the Nation. We submit that the formula is quite as good today as when it was adopted in 1955, and that it should be retained.

Mr. DIRKSEN. Mr. President, I believe I have 6 minutes left on the bill.

The PRESIDING OFFICER. The Senator has 6 minutes.

Mr. DIRKSEN. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I rise to speak only because I am a member of the subcommittee, and I voted in a way which probably would be considered rather different from normal for me, because I voted for this amendment in committee, and I intend to vote for it here, for the following reason:

I believe that we must understand that in this Chamber we voted on a veto which could not be overridden, though I voted to override it.

Each one of us has to make up his mind what is the straw that will break the camel's back. For myself, I believe

the pending amendment could be, because it is a new program, perhaps the straw which would induce the President to veto again, though I hope that is not so, which would again lose us that degree of support on the floor which is necessary if we really want to impress the President with the fact that this is the housing bill we want.

Mr. President, in view of the fact that we probably have another opportunity to render Federal aid to the colleges, I do not believe that the program proposed for housing is really risking breaking the camel's back. I would rather have housing for the elderly, public housing for urban renewal, for every other part of this bill. I believe that in the final analysis the President would sign such a bill, but I entertain grave doubts whether he would sign the pending bill if we added a brandnew program that called for classrooms.

It is for that reason, Mr. President, that I think, with our overall interest in housing, none of us should go around with a chip on his shoulder and say to the President, "Here it is. We dare you to knock it off."

I think we have to use our own best judgment as to how best to place this bill in such shape that if he does not sign it, there will be at least enough support here to impress him that he ought to sign it.

I think this new program could very well be the straw that would break the camel's back. Hence I voted as I did in committee, and expect to do the same here.

I shall support the amendment of the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Connecticut [Mr. BUSH] to add this money which is taken out of college housing, because that is a going program, and I do not believe the President would veto the bill on that ground alone.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum without charging the time to either side.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. I yield myself one-half minute.

Mr. President, I understand the question recurs on the amendment offered by the distinguished Senator from Virginia [Mr. ROBERTSON], and that the purpose and object of the amendment is to strike out $50 million and also the authorization for a new program embracing college classrooms, laboratories, initial machinery and equipment, and the modernization of structures.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Virginia. All time for debate has expired. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ALLOTT. On this vote I have a pair with the junior Senator from Missouri [Mr. SYMINGTON]. If he were present and voting, he would vote "nay"; if I were permitted to vote, I would vote "yea." I withhold my vote.

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. JORDAN] and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

I further announce that if present and voting, the Senator from Wyoming [Mr. O'MAHONEY] would vote "nay."

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. CASE] is absent because of death in his family.

The result was announced—yeas 40, nays 53, as follows:

YEAS—40

Aiken	Dworshak	Prouty
Anderson	Eastland	Robertson
Beall	Ervin	Russell
Bennett	Frear	Saltonstall
Bridges	Goldwater	Schoeppel
Bush	Hickenlooper	Scott
Butler	Holland	Smith
Byrd, Va.	Hruska	Talmadge
Carlson	Javits	Thurmond
Case, N.J	Keating	Wiley
Cooper	Kuchel	Williams, Del.
Cotton	Lausche	Young, N. Dak.
Curtis	Martin	
Dirksen	Morton	

NAYS—53

Bartlett	Hartke	Mansfield
Bible	Hayden	Monroney
Byrd, W. Va.	Hennings	Morse
Cannon	Hill	Moss
Capehart	Humphrey	Mundt
Carroll	Jackson	Murray
Chavez	Johnson, Tex.	Muskie
Church	Johnston, S.C.	Neuberger
Clark	Kefauver	Pastore
Dodd	Kennedy	Proxmire
Douglas	Kerr	Randolph
Ellender	Langer	Smathers
Engle	Long	Sparkman
Fulbright	McCarthy	Stennis
Gore	McClellan	Williams, N.J.
Green	McGee	Yarborough
Gruening	McNamara	Young, Ohio
Hart	Magnuson	

NOT VOTING—5

Allott	Jordan	Symington
Case, S. Dak.	O'Mahoney	

So Mr. ROBERTSON's amendment was rejected.

Mr. SPARKMAN. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. JOHNSTON of South Carolina. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider the vote by which the amendment was rejected.

The motion to lay on the table was agreed to.

Mr. BUSH. Mr. President, I submit an amendment which I send to the desk; and at this time I shall submit a brief explanation of the amendment.

Mr. JOHNSON of Texas. Mr. President, before the Senator does so, and if he will yield to me, I ask unanimous consent that 10 minutes be allowed for debate on the amendment, to be divided equally between the Senator from Connecticut and the chairman of the subcommittee.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BUSH. Mr. President, on the question of agreeing to the amendment, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. SPARKMAN. Mr. President, a parlimentary inquiry: Will the agreement which has been entered into preclude the making of a point of order against the amendment?

The PRESIDING OFFICER. No, it will not.

Mr. GORE. Mr. President, I object, inasmuch as the amendment has not yet been read to the Senate.

Mr. JOHNSON of Texas. To what does the Senator from Tennessee object?

Mr. GORE. To the requested agreement.

Mr. JOHNSON of Texas. I understood that the agreement had been entered into.

The PRESIDING OFFICER. That is correct.

Mr. GORE. Mr. President, I ask unanimous consent that the agreement be rescinded until the amendment is read.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the amendment will be read.

The LEGISLATIVE CLERK. On page 75, in line 20, it is proposed to strike out "$1,175,000,000," and to substitute in lieu thereof $1,225,000,000."

On page 75, it is proposed to strike out all beginning in line 25 through line 21 on page 78, and to include in lieu thereof the following:

Section 602(a) Title IV of the Housing Act of 1950 is amended by adding the following new subsection at the end of section 402:

Mr. BUSH obtained the floor.

Mr. SPARKMAN. Mr. President, I wish to make a point of order.

Mr. BUSH. Let me inquire in whose time the Senator from Alabama is speaking.

Mr. SPARKMAN. I wish to make a point of order, and I assume that the time required therefor will not be charged to the time available on the amendment.

The PRESIDING OFFICER. The Senator from Connecticut has the floor, and——

Mr. BUSH. Mr. President——

Mr. SPARKMAN. I would like to hear what the Chair said.

Mr. BUSH. The Chair said I have the floor.

Mr. SPARKMAN. Yes; but the Chair said something else, too.

Mr. BUSH. Mr. President, I ask unanimous consent that I may yield to the Senator from Alabama, in order that he may make his point of order, and that the time required therefor not be charged to the time available to either side on the amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, from hearing the amendment—which I have not had an opportunity to see—I understand that part of the amendment seeks to negate the vote taken only a moment ago in the Senate, as the result of which

the Senate, by majority vote, rejected the previous amendment. So I make the point of order, that it is not in order to seek in this way to reverse that action.

The PRESIDING OFFICER. The amendment of the Senator from Connecticut is in order, for it deals with only part of the subject matter of the previous amendment, which was rejected.

Mr. SPARKMAN. Mr. President, the Chair has stated that the pending amendment deals with only a part of the previous amendment, which was rejected. But the vote taken only a few minutes ago on the previous amendment sustained the action of the committee in providing for college classroom construction. As I understand, the pending amendment would strike out that provision. Thus, I fail to understand how the pending amendment deals only in part with that subject matter. Instead, it seems to me that the pending amendment deals with it in toto.

Mr. BUSH. Mr. President, the Chair has ruled that my amendment is in order; and at this time I should like to explain the amendment.

The sole purpose of the amendment is to do two things together: One, to make a substitute the $50 million which was provided for in the classroom construction part of the bill, by placing it in the college housing program. I do not intend to labor that point. I have already made my argument against the classroom construction provision; I have stated that it would begin a new program which could grow and grow and grow.

I believe that the college housing program, which already has been established, needs this amount of money more than the classrooms do. I have submitted to the Senate evidence on that point, as have other Senators.

So I urge Senators to vote for the pending amendment, in order that we may vote to increase the college housing program, and to eliminate the highly controversial program which, as other Senators have stated, may indeed imperil enactment of this housing bill.

Mr. FULBRIGHT. Mr. President, will the Senator from Connecticut yield to me?

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Does the Senator from Connecticut yield to the Senator from Arkansas?

Mr. BUSH. I yield.

Mr. FULBRIGHT. I wish to make two brief points in regard to the Senator's remarks.

First, I wish to refer to the opposition of the administration to the classroom program, which would authorize appropriations. Let me say that even if the administration did not veto the bill on that account, there would be no way, under that authority to appropriate, to make the administration request and spend the funds. On the other hand, the regular college dormitory program, which the amendment of the Senator from Connecticut would increase by $50 million, is the traditional and established college housing program which provides authority to borrow on the basis of a formula which has been fought out and approved by the Senate for several years now.

Finally, the overall amount available for the colleges is more important, it seems to me, than a new program for classrooms.

Therefore, I shall support the amendment.

Mr. AIKEN. Mr. President, will the Senator from Connecticut yield to me?

Mr. BUSH. I yield.

Mr. AIKEN. I should like to state——

Mr. RUSSELL. Mr. President, I call for order.

The PRESIDING OFFICER. The Senate will be in order.

Mr. AIKEN. Mr. President, I should like to make clear one point: Much as I dislike back-door financing, I will support the amendment of the Senator from Connecticut, for the reason that I do not know why the $50 million for loans for dormitories has been deducted and put in this bill, by the last vote, as an appropriation for classrooms over the express opposition of the President. I hope it is not for the purpose of getting a veto. But if this $50 million item remains in the bill and there is a veto, I shall then vote to sustain the veto.

On the other hand, if a reasonable bill is sent to the President, without any of these defiant provisions, and is vetoed, then I shall probably vote to override the veto. So what we do may indicate whether we are going to have a housing bill enacted or not. If we do not get any housing bill enacted, the blame will rest where it belongs.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BUSH. I yield to the Senator from Ohio.

Mr. LAUSCHE. I will support the amendment. I will do so because I think the President is on sound ground when he vigorously opposes the enactment of new programs. The expenditure of $50 million in fiscal 1960 under the new program will probably run into $250 million by 1962.

I think by transferring the $50 million item into the college housing fund, we remain on safe ground by eliminating a new program.

I also fear if $50 million is provided for college classrooms, the next step will be to give funds for public school classrooms; and there will be no end to it.

My position has been that I will subscribe to no new programs. On that basis, I support the Senator from Connecticut in his amendment.

Mr. BUSH. I thank the Senator.

Mr. President, I am prepared to yield back the time remaining to me, if the other side will do likewise.

Mr. SPARKMAN. Mr. President, I am not prepared to yield back my time, because I have not used any of it.

First, I yield to the Senator from Pennsylvania 3 minutes.

Mr. CLARK. Mr. President, by a vote of 52 to 40 the Senate has just gone on record as being in favor of creating a program of loans for academic facilities in institutions of higher learning. It is proposed to reverse that vote by indirection. What they cannot do directly, the opponents of the program want to do indirectly. They want to do it by the clever device of taking the $50 million authorization for classrooms and putting it into the dormitory program, thus killing the classroom program which we just voted, by a vote of 52 to 40, to sustain.

I sat through all the testimony during which the academic witnesses appeared before our committee. Without a single dissenting vote, it was the opinion of the educators of this country that for the years ahead we need infinitely more money to be spent for the construction of libraries, laboratories, and classroom academic facilities, than we do for the boarding and lodging of students, many of whom will live at home. So if we take this money away from the classroom facilities program and put it into the dormitory and hashhouse program, we shall be taking it out of the higher priority of classroom facilities for American higher education and putting it into a lower priority.

I hope the Senate will take the same action on this amendment that it did on the amendment a few minutes ago, when our friends across the aisle attempted to kill that program.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. PASTORE. What is wrong with a new program that allows an institution of learning which does not have the room to accommodate young men and women who want to go to college to borrow money that it has to pay back, in order to make the facilities available to accommodate those students?

Mr. CLARK. There is nothing wrong with it.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. CLARK. I yield to the Senator from Indiana.

Mr. CAPEHART. I think a good argument might be made against the college housing program, which means dormitories and places to sleep. One also might make a good argument against classrooms. But it seems to me that classrooms are needed more than are places to sleep, because in the big cities a great part of the students live at home and attend the colleges and universities.

Mr. President, one is either for or against the whole program. I thought a moment ago we were trying to save money. It looks like we are merely trying to trade horses. There are good arguments in both directions, but it seems to me that if a Senator is going to vote for college housing, he realizes that classrooms are needed more, or certainly as much as housing is needed at the moment.

Mr. SPARKMAN. Mr. President, I hope the amendment will be defeated and the action taken by the Senate only a few moments ago will be sustained. I want to call attention to the fact that there are really three questions involved in this proposal. One is to do way with what the Senate voted for just a few minutes ago, that is, the provision for college classrooms, which, according to all the testimony before our committee, is mostly badly needed in our colleges

and institutions of higher learning today.

The second would boost college housing, cafeterias, and so forth, by the same amount as that provided for college classrooms.

Mr. President, I am strongly in favor of the college housing program. I introduced the bill for that program that was originally written into law back in 1950. It was rejuvenated in 1953 or 1954. It has been a good program. I am for it. I believe in it. However, we have provided not as much as I would like to have had provided, but more than the President suggested for it.

The third point involved is this, and it may be a harmless little thing. In order to make this amendment proof against, a point of order a third point was brought into the proposal, which will be found on page 80 of the bill. This would have provided that funds may be borrowed for nonprofit student housing provided the loan is cosigned by the educational institution. This provision strengthens the college housing program; but in order to get at the other provision, an effort is made to throw it out.

I want to say to my good friend the distinguished senior Senator from Vermont [Mr. AIKEN] that, certainly, I am not inviting a veto. If the Senator was on the floor, he heard me put the question directly to the Senator from Connecticut, and I now put it to any Senator who may know: Will the President veto this bill if this item is in it? If any Senator knows, let him say so. I have not been told so.

It is true this is one of the points to which the President objected, but there are many others. Just a few days ago he said at Gettysburg that his statement did not mean we had to comply with every single objection he had to the bill.

After the veto message, when we began to consider the matter, I started with the idea that this would be one of the items we would drop from the program. Another was the provision for direct loans for housing the elderly. They were new programs. I sat through the hearings and heard all of the testimony. I heard every word of it. When the hearings were over I felt strongly, and I feel strongly now, that these two items were the most strongly substantiated parts of the bill.

Mr. President, if we believe in this program I do not think that we ought to back down simply because somebody says the President may veto the bill. We have a responsibility.

I respect the responsibility of the President of the United States in all his official functions. I respect the President's right to exercise the veto when he believes it ought to be exercised. But, Mr. President, that does not relieve the Congress of the United States of the responsibility which is given to it under the Constitution of the United States to pass upon what we ought to enact into law. That is our job. I believe we ought to speak out this afternoon with the same determination with which we spoke on the amendment a few minutes ago.

I hope the Senate will reject the amendment.

Mr. President, I am prepared to yield back my remaining time.

Mr. BUSH. Mr. President, I am not quite ready to yield back the time. I desire to yield 1 minute to the Senator from Kentucky [Mr. COOPER].

Mr. COOPER. Mr. President, I want to associate myself with the remarks of the senior Senator from Vermont [Mr. AIKEN]. This is the third time we have had to vote on a housing bill. I want the bill to pass. I do not want to vote again to sustain a Presidential veto unless there is substantial reason. I must say I agree with the Senator that if the committee and Senate deliberately courts a veto we may be placed in the position of voting to sustain one. It may not be the intent of the committee to court a veto, but objectively it could lead to the same result. This is a new program. It has no relation or predecessor in any previous housing program. It is not a housing program for college students. It is a Federal aid to education bill, to build classrooms for colleges—which starts at $50 million a year, but will cost eventually $2 billion. I do not believe that Federal aid for college classrooms is a proper part of the housing bill.

It would take good reasons to persuade me to vote again to sustain a veto and defeat a housing bill this year. I will not do it unless there are good and strong reasons to support it.

However, the committee and the Senate ought not to court—and I use the word "court" advisedly—a veto by including this extraneous provision in the bill.

If those on the majority side who are insisting on this course continue to do so—they may bring about the defeat of a housing bill this year—and without reason.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. BUSH. Mr. President, I yield such time as the distinguished minority leader desires.

Mr. DIRKSEN. Mr. President, first I ask unanimous consent that the time on the bill be extended by 1 hour, to be equally divided. I think we are nearly out of time on the bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois?

Mr. CAPEHART. Mr. President, I am not sure I want to agree. What is the request?

Mr. DIRKSEN. I ask that the time on the bill be extended 1 hour, to be equally divided.

Mr. CAPEHART. How much time remains at the moment?

Mr. DIRKSEN. The time on the bill, on this side, has nearly been exhausted.

Mr. JOHNSON of Texas. The Senator has 4 minutes remaining.

Mr. CAPEHART. How much time is there on the other side?

The PRESIDING OFFICER. 22 minutes remain on the other side.

Mr. CAPEHART. There are 22 minutes on the other side and 4 minutes on this side?

The PRESIDING OFFICER. The Senator is correct.

Mr. CAPEHART. The Senator asked to extend the time for an hour. I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, I find myself in a quandary. I must ask myself a question. How much do we get for $50 million?

I voted for the Robertson amendment. I am opposed to the new activity. I think it would ultimately snowball and run into a cost of hundreds of millions of dollars. I believe, also, it has no appropriate place in a housing bill.

As I indicated before, the proposal calls only for consultation with the Office of Education in the Department of Health, Education, and Welfare. If we are going to do something in the school field, then we should put the authority where it belongs, in the Office of Education. That is not contemplated.

Mr. President, I wanted to see the so-called classroom provision entirely deleted from the bill. Now, however, the $50 million which was authorized in the bill for classrooms is to be transferred to and consolidated in the item in the bill for college housing.

The President asked for $200 million. S. 57, the original housing bill which was vetoed, carried $300 million. The committee compromise cut it in half, and made the figure $250 million. If we transfer this $50 million to the college housing, we will have $300 million, and we will be $100 million over the budget.

So we would add $50 million to the bill for college housing. It is a pretty difficult equation to solve, to provide what I think is a durable and substantial answer, in view of the vote on the Robertson amendment.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the Senator from Connecticut.

Mr. BUSH. Mr. President, is it not true that if the money is transferred from the classrooms to the college housing program, it would make available to the colleges $50 million which they might otherwise have had to spend for dormitories and so forth?

Mr. DIRKSEN. The Senator is quite correct.

Mr. BUSH. Actually, we are not cutting them down at all. We are increasing their whole potential by $50 million. In my view, it would not in the least injure the classrooms, by the keeping out of a new program for the Federal Goverment.

Mr. DIRKSEN. My disposition is to vote for the substitute amendment which is now on the desk, in the hope that perhaps the $100 million over the budget request might ultimately be excised also. I know of course, if we do not do it the House still must impress its will upon this bill.

So I am going to vote for the amendment to get rid of this activity, and we will see what we can do about disposing of the $300 million for college hous-

ing, and whether all of that amount should be left in the bill.

Mr. CAPEHART. Mr. President, will the Senator yield me 1 minute?

Mr. DIRKSEN. Mr. President, I have the floor. I yield the floor, Mr. President.

Mr. CAPEHART. Mr. President, I should like to ask a question.

Why are some Senators willing to appropriate $300 million for beds for students to sleep in and opposed to appropriating $50 million for the chairs for students to sit in in the classrooms? What is the reasoning.

I can understand some Senators being opposed to anything for either program. I am a member of the committee, and I listened to the testimony. I think I know, judging from the testimony, that there is more need for chairs in classrooms and for classroom equipment in these colleges in the United States than for the beds. There is not a single one of the colleges that has enough of the proper equipment to teach our students the science and engineering subjects.

Why are some Senators perfectly willing to vote for $300 million for dormitories and not willing to vote for $50 million for classrooms, when a great number of the students live at home, sleep at home, and are looking for classroom facilities.

Mr. SPARKMAN. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 2 minutes.

Mr. SPARKMAN. Mr. President, a good bit has been said here, and a good bit was said in the course of the hearings from time to time, regarding the bill pending in the Committee on Labor and Public Welfare, that is S. 1017. All the testimony before us indicated that we cannot expect anything to come from this proposed legislation.

I have no desire to duplicate programs. I believe we ought to get started. We ought to get started now. My feeling is that if a college classroom program is started and later some other such program comes about as the result of the administration's proposal which takes care of the same facilities in a reasonably comparable manner, there is no reason why the program proposed in this bill could not be phased out or merged into the other program. Let me reiterate I have no desire to set up a duplicating service which will run on through the years. S. 2539 is a way to get started quickly on a program which is sorely needed.

Mr. President, I simply wanted to advance that thought, because it does represent my thinking.

Mr. DIRKSEN. Mr. President, is there any time remaining on the amendment?

The PRESIDING OFFICER. The Senator from Connecticut has 4 minutes remaining and the Senator from Alabama has 1 minute remaining.

Mr. BUSH. Mr. President, I yield 2 minutes to the Senator from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. President, I wish to answer the distinguished Senator from Indiana [Mr. CAPEHART].

In my judgment, there is a great deal of difference between this program and the analogy he undertakes to paint. In the first place, we have a college housing program. It is under way. I do not know that I was too happy about it, but it is here. So in that sense we are dealing with an existing program.

The proposal before us is a new program. The language of the bill includes machinery, equipment, laboratories, structures, and so forth. It is not a very far cry from a microscope in a laboratory to a book, and it is not a very far cry from a textbook to tuition.

So there is quite a difference in this program. I intend to vote for the amendment of the Senator from Connecticut, and I still hope that we can reduce the appropriation to the President's budget.

Mr. SPARKMAN. Mr. President, I yield back the remainder of my time.

Mr. BUSH. Mr. President, I yield back any time I have remaining.

The PRESIDING OFFICER. All time has been exhausted or yielded back.

The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. BUSH]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALLOTT (when his name was called). Mr. President, on this vote I have a pair with the junior Senator from Missouri [Mr. SYMINGTON] I am informed that if he were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I therefore withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Missouri [Mr. SYMINGTON] is absent on official business.

The Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

I further announce that if present and voting, the Senator from Wyoming [Mr. O'MAHONEY] would vote "nay."

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. CASE] is absent because of death in his family.

The result was announced—yeas 41, nays 53, as follows:

YEAS—41

Aiken	Dworshak	Martin
Anderson	Eastland	Morton
Beall	Frear	Prouty
Bennett	Fulbright	Robertson
Bridges	Goldwater	Russell
Bush	Hayden	Saltonstall
Butler	Hickenlooper	Schoeppel
Byrd, Va.	Holland	Scott
Carlson	Hruska	Smith
Case, N.J.	Javits	Thurmond
Cooper	Keating	Wiley
Cotton	Kuchel	Williams, Del.
Curtis	Lausche	Young, N. Dak.
Dirksen	McClellan	

NAYS—53

Bartlett	Gore	Kerr
Bible	Green	Langer
Byrd, W. Va.	Gruening	Long
Cannon	Hart	McCarthy
Capehart	Hartke	McGee
Carroll	Hennings	McNamara
Chavez	Hill	Magnuson
Church	Humphrey	Mansfield
Clark	Jackson	Monroney
Dodd	Johnson, Tex.	Morse
Douglas	Johnston, S.C.	Moss
Ellender	Jordan	Mundt
Engle	Kefauver	Murray
Ervin	Kennedy	Muskie
Neuberger	Smathers	Williams, N.J.
Pastore	Sparkman	Yarborough
Proxmire	Stennis	Young, Ohio
Randolph	Talmadge	

NOT VOTING—4

Allott	O'Mahoney	Symington
Case, S. Dak		

So Mr. BUSH's amendment was rejected.

Mr. SPARKMAN. I move to reconsider the vote by which the amendment was rejected.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. SPARKMAN. Mr. President, I have an amendment which I do not believe will be controversial, proposed by myself and the Senator from Indiana [Mr. CAPEHART], which I send to the desk and ask the clerk to report.

The PRESIDING OFFICER. The clerk will report the amendment.

The LEGISLATIVE CLERK. The Senator from Alabama proposes an amendment for himself and the Senator from Indiana [Mr. CAPEHART], as follows:

On page 9, beginning with line 24, strike out all through line 5 on page 10, and insert in lieu thereof the following:

"SEC. 107. (a) (1). Section 217 of the National Housing Act is amended by striking out '$7,000,000,000' and inserting in lieu thereof '$15,000,000,000'.

"(2) Section 217 of such Act is amended effective October 1, 1960, by (A) striking out 'July 1, 1956' and inserting in lieu thereof 'October 1, 1960', and (B) striking out that part of the first paragraph which follows clause (a) and inserting in lieu thereof the following: ', and (b) the principal amount of all outstanding commitments to insure on that date'."

Mr. SPARKMAN. Mr. President, if I may have the attention of the Senate, I think I can explain this amendment in very short order.

I yield myself 5 minutes, Mr. President.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 5 minutes.

Mr. SPARKMAN. There has been some discussion about the action that the full committee took in limiting the FHA general insurance authorization to 1 year.

Let me say that we started out at first with the idea of placing the authorization on a 2-year basis so that we would not have to have a housing legislation next year. It became apparent, however, as we proceeded, that we were not going to be able to accomplish this aim. Urban renewal funds, for instance, probably will not last 2 years. College housing funds probably will not last 2 years. Therefore we decided that since we would have to have a housing bill next year, we would hold title I, the home improvement program, to 1 year; that is, continue it to October 1, 1960; and we would do the same thing with the FHA insurance authorization; that is, extend it to October 1, 1960.

We provided a cutoff this date so that it would be necessary to get additional

authorization in order for the FHA to continue in operation.

Somehow the understanding has gotten abroad that we were abolishing FHA effective October 1, 1960. Of course, nothing of that kind was ever in our minds.

The reason that some people got that idea was because we said the FHA could not use any of the general insurance authorization beyond that time; nor could the agency issue any agreements to insure that it has been issuing; nor could the agency use any part of the revolving fund.

Mr. President, this amendment proposes to let the provisions of S. 2539 stand with the exception that the FHA may continue to use that portion of the authorization which rolls over.

By the way, this is not money. It is authorization to insure which revolves presently at the rate of approximately $2 billion a year.

Under this amendment we would authorize an additional $8 billion for the general insurance authorization. Some $4 billion of the increase will be necessary to wipe out the agreements to insure that FHA has been issuing since October of last year. We make it very clear in the bill that we do not regard this practice as legal and we do not want any more of it. As a matter of fact we prohibit it. Four billion dollars plus the amount the revolving fund returns will be available to take care of new FHA insurance commitments.

Mr. CAPEHART. Mr. President, I want to say that it is my idea in the first place, as it was the able Senator from Alabama, that we might provide general insurance authorization for 2 years or 3 years or 4 years. However, I do not see that it makes much difference because during the last 25 years we have increased this authorization from year to year on the theory that we ought to take a look at the FHA each year.

If we extend the authorization for longer than a year in this particular bill, we will be doing something that we have not done in the last 25 years. So I think it is six of one and half a dozen of the other as to whether it is 1 year or 2 years. If it is 2 years, of course, we do not have to consider it next year. If it is 1 year, then it has to come up next year.

Mr. SPARKMAN. We recognize that the FHA mortgage insurance programs are good programs and we do not intend to stop them. So Congress will make whatever authorization may be necessary to keep these programs going whenever it is necessary.

I yield to the Senator from Illinois.

Mr. DOUGLAS. Of course, it is true that the housing bill is really a composite of a series of individual programs and various groups in the country are attached primarily to one program or to another program.

The most powerful group is the group which wants more and more insurance under FHA. Frequently, commonly they go along, somewhat unwillingly perhaps, with other measures, such as urban renewal, a modicum of public housing, housing for the elderly, college housing, but in 1958 they were able to get a special bill through which provided for them and then they had no interest whatsoever in a housing bill. The result was that we had no housing bill last year. If we provide amply for them, are they not likely to lose interest in a general housing bill next year?

The PRESIDING OFFICER. The time of the Senator from Alabama has expired.

Mr. SPARKMAN. I yield myself 3 additional minutes.

Mr. DOUGLAS. Can children be left freezing on the doorstep? Can we leave urban renewal, public housing, housing for the elderly, and cooperative housing to themselves? I do not want to see them left as children starving to death or freezing to death.

Mr. SPARKMAN. I am confident that none of them will starve to death or freeze to death. Urban renewal is a program which I think can stand on its own feet. But this may not be true of all the housing programs.

I am certain that Congress will provide adequately for college dormitories, for urban renewal, for FHA, and for many of the programs. I am certain there will be a housing bill next year. I believe this amendment provides for FHA to operate through October 1, 1960, and that it is a good proposal.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. BUSH. I was not able to hear the Senator distinctly. Does the Senator give us to understand that his amendment provides for a rollover which amounts to approximately $2,500,000 a year?

Mr. SPARKMAN. That is correct.

Mr. BUSH. That this is all the amendment provides?

Mr. SPARKMAN. That is all.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. CLARK. I should like to be certain I understand the Senator's amendment because of the necessity of its being phrased in rather technical language. As I understand, the Senator's amendment keeps in the bill as it was reported by the committee the cutoff date of October 1, 1960, for the utilization of the $8 billion of additional FHA authorization. Is that correct?

Mr. SPARKMAN. The Senator is correct?

Mr. CLARK. The Senator's amendment simply provides that after October 1, 1960, the FHA can live on its rollover as long as it can roll over.

Mr. SPARKMAN. That is true.

Mr. CLARK. In effect, the figures which the staff furnished us indicate that the rollover would be at the rate of about $2,500 million a year, which in terms of recent history would not be nearly enough to keep them going at the rate they want the program to go.

Mr. SPARKMAN. That is correct.

Mr. CLARK. I am happy to support the amendment.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. MONRONEY. If I understand the Senator's amendment correctly, Congress will be in control of regulating this program in October 1960. Is that correct?

Mr. SPARKMAN. That is correct.

Mr. MONRONEY. We then will have the right to prohibit the escalation, if we desire, by Government mandate and by administrative action in the FHA, and the inflationary spiral of charges for home building.

Mr. SPARKMAN. We will have that power or that right. Whether we exercise it or not is another thing.

Mr. MONRONEY. Has the Senator from Alabama had any assurance from the head of the FHA whether he will use his full statutory power again to get this up through the stratosphere, a policy which this administration has consistently followed, and which has created inflation by Government action, and will, I fear, increase the $10 billion we are talking about by taking the full limit of their authorization and raising from 5¼ percent to the statutory limit of 6 percent the cost to the home buyer, adding $2,250 million to the $10 billion we are putting up over the 30-year length of these mortgages?

I wonder if the committee, feeling as they do, that the interest rate has gone through the stratosphere already, would give any advice as to whether the 1-year cutoff will allow Congress to review effectively the interest rate policy which is, in itself, very inflationary and adds 20 percent over the 30-year period to the price of a home costing about $20,000.

Mr. SPARKMAN. Congress certainly will have the right and the duty to review the program. We do have some interest increases in the bill. As the Senator knows, we adopted them heretofore.

Mr. MONRONEY. That is correct.

Mr. SPARKMAN. But we did not go as far as FHA asked us to go. We have no assurance that they will or will not go to that ceiling. However, we do have this experience to go by. For several years FHA has had the right to raise interest rates on FHA insured mortgages to the level of 6 percent. They have not gone above 5¼ percent. That is where the interest rate is today.

So I think we can assume that setting a ceiling at a certain level does not mean that that level will be reached. It does provide a certain amount of flexibility.

Mr. MONRONEY. I have an amendment at the desk which I had intended to call up, which I shall not call up, because it affects only rental projects under FHA, which I understand is only about $400 million out of some $30 billion in financing. But this escalates up the interest rate on rental housing loans from 4½ percent to 5¼ percent. I wish the chairman of the Subcommittee on Housing would state that this is not an invitation and is not an open sesame and has nothing to do with the existing rate on the title II housing, which applies to normal home construction.

Mr. SPARKMAN. The raises we made, as I said, were less than the administration asked for. In presenting their request, officials of the Administration told us that it did not mean that they were going to raise their rates to

those levels, but they wanted the flexibility to enable them to maneuver.

Mr. MONRONEY. But the increase in the rental housing rate has nothing whatever to do with encouraging them, through the action of Congress, to raise the interest rate which is now in effect due to the statutory limit.

Mr. SPARKMAN. Not at all.

Mr. GORE. Mr. President, I oppose the amendment.

The PRESIDING OFFICER. The Senator must first obtain time.

Mr. SPARKMAN. Mr. President, who has control of the time in opposition to the amendment, under the unanimous-consent agreement? Do I have any time remaining?

The PRESIDING OFFICER. The Senator from Alabama has 5 minutes remaining.

Mr. SPARKMAN. I yield that much time to the Senator from Tennessee.

Mr. GORE. Mr. President, I hardly understand what I see and hear. The Committee on Banking and Currency has reported to the Senate a bill which it has recommended; yet we have an amendment offered by the chairman of the Subcommittee on Housing which does not have the approval of the committee. I make no criticism; I simply say it is a bit unusual.

I remind the Senate that just a short time ago the veterans' housing program was snatched out and dealt with separately. Now, by establishing, permitting, authorizing, condoning, and endorsing this use of the revolving fund, we are snatching out the FHA. I warn Senators that this means the death knell of the college classroom program and the programs for college housing, urban renewal, and public housing. I think this is an unwise move.

I should like to have the opportunity, as I should like the Senate and Congress to have the opportunity, 1 year from now to review the housing program. If this amendment should be adopted and if it should become law, the FHA will then have become virtually self-sufficient, and with its revolving fund capacity can go on almost ad infinitum and will not be a part, necessarily, of another housing bill.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. SPARKMAN. I say in all sincerity that the Senator from Tennessee is wrong in his statement. As the Senator from Pennsylvania, I believe it was, stated a few minutes ago, the average of $200 million a month from the revolving fund is not enough to keep the FHA going. As a matter of fact, we are giving them $4 billion for each year. I think our committee can assure the Senator from Tennessee that there will be a housing bill next year and that this amendment does not pull the FHA out of omnibus housing legislation. That has been our whole purpose. Only the revolving fund will be allowed to continue to operate.

Mr. GORE. If that be the case, what is the reason for this amendment; and if there is a need and a reason for it, why did not the subcommittee propose it?

Mr. SPARKMAN. I am not at all certain that when it was submitted to the committee, we were fully aware of the effect it would have on the revolving fund. I do not know this to be certain, but I wonder whether we were fully aware of the effect that this provision would have had on that fund.

At any rate, as I said a while ago, the rumor had gotten around that we were killing the FHA as of October 1, 1960.

Mr. GORE. I have not said that.

Mr. SPARKMAN. But I have heard it said by others, and I have received telephone calls about it, and various persons have spoken to me about it. The reason for the misapprehension is that the bill, as we wrote it, would have stopped the use of the revolving fund as well as the use of new funds we were making available.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). The time available to the Senator from Tennessee has expired.

Mr. GORE. I should like to have 5 minutes on the bill.

Mr. JOHNSON of Texas. I yield 5 minutes on the bill to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for an additional 5 minutes, on the bill.

Mr. GORE. I thank the Senator from Texas.

Mr. President, I still do not understand why the amendment is before us. Was it considered by the committee?

Mr. CLARK. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. I yield.

Mr. CLARK. I have been reluctant to support this amendment, for somewhat the same reasons as those stated by the Senator from Tennessee. Nevertheless, after going into the figure as carefully as I could with the staff and with the Senator from Alabama, I do not believe we shall be running into any danger by adopting the amendment.

For example, in the fiscal year 1959 the total net use of insurance authority was $6,500 million. If the rollover is only $200 million a month or approximately $2,500 million a year; this would amount to scarcely more than one-third of the amount that is needed.

The Senator from Tennessee wishes to know why it is proposed that the amendment be adopted, inasmuch as it was not considered in either the subcommittee or the full committee. The reason is that we wish to see the bill go through the Senate and through the House without a great deal of wrangling, and be placed on the desk of the President.

I call upon the Senator from Alabama, who knows more about these matters than I do, to state the detailed reasons. However, I may state that I believe this amendment will make it possible to get the bill through the House in a hurry; and therefore I intend to support the amendment.

Mr. SPARKMAN. As a matter of fact, this morning I received a telephone call from the chairman of the subcommittee of the other body. He told me about the reports which had been coming to him about this matter. He said he hoped the House would be able to accept immediately the bill which is sent to it by the Senate. I told him it was not my purpose to kill off the FHA. That is why I favor the adoption of this amendment.

Mr. GORE. For many, many years I have been reviewing and voting on this program, but this is the first time I have heard the suggestion that we should make it permanent. It seems to me that the prudent course——

Mr. SPARKMAN. If I may interrupt, let me say there is no permanency. As a matter of fact, the President asked for it in his veto message. But the amendment does not give it permanency, because the rollover fund would not be enough to permit FHA to function more than a couple of months.

Mr. GORE. Is it true that the only real motivation for this amendment is to try to make this program more acceptable at the other end of the avenue? If so, I can understand the reason for the amendment.

Mr. SPARKMAN. No. In my opinion, if we had really thought or realized how this measure would effect the revolving fund, we would have taken care of this matter in the committee, because we want to keep the revolving fund alive; and I do not believe we would have voted to cut it off.

Mr. GORE. Does the Senator from Alabama believe that this amendment would separate the FHA program from the urban renewal program, or would give the former preferential treatment?

Mr. SPARKMAN. Not at all. No Member of the Senate—as I believe the Senator from Tennessee will recall—is more eager than I am to see a well-rounded, sound housing program go on all the time.

Mr. GORE. I agree.

Mr. SPARKMAN. And I would not support any measure which I believed would prevent us from having proper housing programs as the needs develop.

Last year, when we provided for taking care of the housing needs, and when the FHA showed no interest in a housing program after that time, I said on this floor that, so far as I was concerned, there would never be a bobtailed housing bill which would have the effect of preventing the passage of a good, sound, adequate housing program; and I stand on that statement.

Mr. GORE. I recognize the interest and the enthusiasm of the able Senator from Alabama——

The PRESIDING OFFICER. The additional time yielded to the Senator from Tennessee has expired.

Mr. HUMPHREY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Minnesota will state it.

Mr. HUMPHREY. Is not time available for a Senator who opposes the amendment?

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Tennessee from the time available on the bill, if he wishes to have further time.

Mr. GORE. I should like to have an additional 5 minutes.

Mr. JOHNSON of Texas. Very well; I yield 5 minutes on the bill to the Senator from Tennessee.

Mr. HUMPHREY. The Senator in control of the time in opposition to the amendment is out of the Chamber, and that creates a rather ridiculous situation.

Mr. JOHNSON of Texas. Time on the bill is still available and under my control; and I yield 5 minutes of that time to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for any additional 5 minutes, on the bill.

Mr. GORE. I thank the Senator from Texas for yielding time to me.

Let me say that I realize the interest and the desire of the Senator from Alabama for a well-rounded housing program.

But I should like to ask him if the following is the case: Would this amendment make it possible for the FHA program to operate beyond 1960, until January 1961, whereas the other programs could not do so? If that be the case, I must persist in my opposition to the amendment. If that is not the case, I shall not persist in my opposition to the amendment.

Mr. SPARKMAN. As a matter of fact, one of the most popular programs, and one of the largest, is that under title I, for home improvement. That would expire October 1960 under the new bill. Does the Senator from Tennessee believe we should let it expire?

Mr. GORE. Mr. President, will the Senator from Alabama respond to my question?

Mr. SPARKMAN. Yes. The FHA could continue to operate beyond October 1, 1960, for a limited time. I am not sure that it would be able to operate until January 1, 1961.

However, let us remember that under the provision we have made, it will no longer be able to issue the letters of intent; and $200 million a month simply will not be sufficient to run the FHA.

Mr. GORE. Then the first statement I made is substantiated, and this amendment would give preferential treatment to the FHA, by allowing it to continue through 1960, whereas the other programs will not be treated likewise.

Mr. HUMPHREY. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. I yield.

Mr. SPARKMAN. First, if the Senator from Tennessee will yield first to me, I should like to say that we do have housing programs which run beyond that date.

Mr. GORE. Very well; I yield to the Senator from Alabama.

Mr. SPARKMAN. For instance, we extended to 1962, if I recall correctly, the authority to make direct loans under the veterans housing program. I believe that authority was extended to 1962, although I do not have that bill before me at this time.

Mr. GORE. Of course if we begin to give preferential treatment to individual programs, each program will soon stand alone.

Mr. SPARKMAN. The program for the construction of farm housing continues to 1962, and the program for special defense housing, under section 809, continues until 1961; and we have various other programs which will continue for various lengths of time.

But we have certain important programs which we know will require either extension or new funds in 1960.

So I say with absolute confidence that the Senate can rest quite assured that there will be a housing bill in 1960. There simply must be.

Mr. GORE. I think the need to extend the FHA might help to insure that.

Mr. HUMPHREY. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. I yield.

Mr. HUMPHREY. In connection with these matters, my tendency is to go along with the views of the members of the committee, because they have studied this measure in much more detail than the rest of us, who are not members of the committee, have been able to do.

But I have just heard an argument which disturbs me. Although I want very much to support the distinguished chairman of the subcommittee, because I admire so much his leadership on these housing matters, I still feel some concern which I must express.

In the first place, the veterans housing program is now operating independently. The so-called Capehart and Wherry housing programs are under separate authorizations, with separate termination dates. These are programs for homebuilders, not what we call public service programs, not urban renewal programs, not programs for slum clearance or for public housing.

What I worry about is that if we begin to divide the total housing program, and if we begin to provide for different date lines for different parts of it—for further authorization and continuity and overlapping for some, but for cutoffs on others, pretty soon the housing program package will be divided into so many small pieces that we shall not be able to put together a housing program which will enlist majority support.

Let me give the Senator a good example of what I talk about. This is what happened to the agricultural program. We started out to enact a program for wheat, or cotton, or corn, or another product, each by itself. Pretty soon we had what some call a farm program, but which cannot be dignified by that name. We have a shambles. I hope that does not happen to the housing program.

Why do we need this amendment, if we have not had it before? What is the concern on the part of the FHA or homebuilders now that they did not have in previous years? Perhaps the chairman of the subcommittee can give me the answer.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HUMPHREY. Mr. President, I ask the acting minority leader [Mr. KUCHEL], who is in charge of the opposition time, to yield to me 5 minutes.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KUCHEL. Am I correct in assuming that since the majority leader has indicated he favors this bill, then the 15 minutes are available for the acting minority leader to allocate?

The PRESIDING OFFICER. The Senator is correct.

Mr. KUCHEL. Do I have the full 15 minutes to allocate?

The PRESIDING OFFICER. The Senator is correct.

Mr. KUCHEL. Can anyone on this side indicate he would like to speak on this proposal?

Mr. SCOTT. I would like to speak.

Mr. KUCHEL. First, Mr. President, I yield 5 minutes to the Senator from Minnesota.

Mr. HUMPHREY. The Senator from California is very kind. I wanted to be able to continue the debate, with the participation of the Senator from Tennessee, and obtain answers to what are sincere questions, even though they may not always be the most informed questions.

I should like to ask the Senator from Alabama why it is that this particular amendment is needed in this particular bill, when, if my recollection serves me correctly, such a provision was not in the bill 2 years ago.

Mr. SPARKMAN. Mr. President, the subcommittee reported the bill with the recommendation that the program continue until October 1, 1961. We had a 2-year program. When we got into the committee and realized we were going to have a 1-year urban renewal program and a 1-year college housing program, we felt there was a necessity for cutting back the title I home improvement program and the FHA general insurance authorization to October 1, 1960.

The question came up last October, as the Senator knows, when the FHA ran out of insurance authorization. The FHA started issuing agreements to insure, commonly referred to as ATIs. The majority of our committee did not like this procedure. A good many people believed these ATIs were illegal. We decided to prohibit the FHA from using this practice in the future. We devised language to prohibit it, but in doing so eliminated the FHA general insurance authorization revolving fund, which had not been done before.

Mr. HUMPHREY. Had the revolving fund been continued before?

Mr. SPARKMAN. Yes; ever since 1954 there has been a revolving fund.

Mr. HUMPHREY. How much time was there provided for the mortgage insurance?

Mr. SPARKMAN. To October 1, 1961, which was 2 years. We cut it back to 1960. What made the matter become involved was the fact that agreements to insure were being made. In devising language to eliminate this practice, we also cut out the use of the revolving fund.

The Senator mentioned the veterans' direct home loan program and the farm housing program. These programs have revolving funds. These funds have never been cut off and have been allowed to revolve steadily. Whenever it becomes necessary to replenish those funds, we do it. The same applies to

the FHA general insurance authorization. There is nothing strange or dangerous about this procedure.

Mr. HUMPHREY. I am sure there is nothing strange or dangerous about it, or the Senator from Alabama would not sponsor it; but let me say it disturbs some of us when we see the veterans' housing program pass quickly on its own merits, with special arrangements out of the general housing package——

Mr. SPARKMAN. I believe the Senator will recall it was passed in our general bill.

Mr. HUMPHREY. Yes.

Mr. SPARKMAN. As a matter of fact, for the last three times the direct home loan program has been extended, the extension has been accomplished in that manner because of a jurisdictional question. Our committee happens to have jurisdiction of the program on this side of the Capitol, and the Veterans' Affairs Committee has jurisdiction of that matter on the House side. Several times the Senate has passed an extension of the VA direct home loan program as a part of the general housing bill. That is the way we generally do it. In the meantime, the House will pass a bill relating to the program. We usually wait until a conference, and then decide the matter in conference, or we pass a separate bill.

Mr. HUMPHREY. There are some American proverbs that pass through my mind when we do this kind of thing. One is that we shall either hang together or assuredly hang separately. Sometimes I worry that we may not be putting these different matters together correctly. Another proverb is that in unity there is strength. When we put enough of these items in one bill, we can get enough votes to get a program passed; but when we start trying to put a program together by having one item stand on its own feet, and then another item stand on another pair of feet, we find that the feet of the public interest get knocked out from underneath the program. That is what I do not want to happen.

Mr. SPARKMAN. All of us have given careful thought to this question. The Senator can rest assured that this proposal is not breaking down the law of unity.

Mr. HUMPHREY. I thank the Senator for his assurance.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. Mr. President, I yield whatever time I have left to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, is it not true that as to the so-called rollover funds, consisting of monthly payments on interest, plus forefeitures, as the total amount of insurance increases from $30 billion to $38 billion, there will be an increase in the monthly rollover of $200 million a month, or $2,400 million a year——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SPARKMAN. Mr. President, will the Senator from California yield enough time to the Senator from Illinois so that he may complete his question?

Mr. KUCHEL. I yield 1 minute to the Senator from Illinois.

Mr. DOUGLAS. Is it not true that the rollover funds will increase from $2,400 million a year to at least $3 billion a year, so that more leeway will be given to FHA than it would seem at first sight?

Mr. SPARKMAN. There will be a slight increase, but nothing like the amount mentioned by the Senator in that short a time. I do not know how we can calculate the figures. I suppose it can be done, but I believe the increase over the present figure of $200 million a month would be slight.

Mr. GORE. Mr. President, will the Senator yield?

Mr. SPARKMAN. I do not have the time.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KUCHEL. Mr. President, I yield 5 minutes to the Senator from Pennsylvania [Mr. SCOTT].

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 5 minutes.

Mr. SCOTT. Mr. President, may I ask a question of the able Senator from Alabama, as a matter of interest? Does he happen to know what the legal rate of interest is in the State of Alabama?

Mr. SPARKMAN. Yes. It is 6 percent. It is 8 percent on contract.

Mr. SCOTT. So there is a legal rate of interest in Alabama above 6 percent. Is that correct?

Mr. SPARKMAN. By contract; by special agreement; yes.

Mr. SCOTT. I am sorry the Senator from Oklahoma [Mr. MONRONEY] is not present, because I rose to make this observation. We have heard so much about inflation. We have heard so much about high-interest rates. I am in favor of this bill.

I again suggest, as I have suggested before, that the executive department has no money which the Congress does not award to the Executive for the purpose of carrying out the intent of the legislature. If there are Senators who believe that the appropriations of these large sums of money is inflationary, I would respectfully suggest to them that they vote against the bill. If they fear that it is the administration which raises the cost of money, and if they fear that it is the administration which is responsible for these appropriations, let them vote against the bill. I, myself, will not, because I think this is a worthy bill. I will support it as I supported its predecessor.

I cannot quite see the motivation of the kind of argument which says—when the legislature votes to spend money, and when the Federal Reserve banks, plus the other agencies available to the Executive, are concerned with the raising of the money—when interest rates increase, as they have under several previous administrations at times, that somehow it indicates the administration is deliberately engaging in inflation. On the contrary, on my judgment it certainly is not. I am satisfied in my own mind that the administration would like to pay as low a rate of interest as possible, if the market permitted it.

On another subject, several Senators have mentioned the importance of making the bill palatable at the other end of the avenue. I would suggest that a better way to make the bill palatable, although I will support the amendment of the Senator from Alabama, would be to extend the authority to FHA for 2 years instead of 1 year. This piecemeal, rather picayune act of limited generosity would permit the continuance of certain functions for a matter of an undetermined number of months, and presumably, according to the Senator from Alabama, less than 3. I suggest that agreeing to the next amendment, as I anticipate it, to extend these authorities to the FHA, perhaps might be the best way to make the bill more palatable.

I conclude by saying I am still of the opinion I was when I entered this body, that the cost of interest in this country is not due to action of the administration, but is due to the action of the legislature and to the inevitable operation of the law of supply and demand and of the market value of money.

Mr. GORE. Mr. President, will the Senator yield?

Mr. SCOTT. I believe my time has expired.

The PRESIDING OFFICER. Does the Senator from California yield?

Mr. KUCHEL. I yield an additional minute to the able Senator from Pennsylvania.

Mr. SCOTT. I am happy to yield to the Senator from Tennessee.

Mr. GORE. Is the Senator aware that the Federal National Mortgage Association only last week increased by one-half of 1 percent the discount at which it would buy Government guaranteed mortgages, thus deliberately and purposely putting on pressure for higher interest rates?

Mr. SCOTT. The fact which the Senator states is a fact. The conclusion which the Senator draws from the fact is not necessarily accurate. The Senator uses the word "deliberately" as if some malice or unkind intent existed on the part of the Federal National Mortgage Association.

Mr. GORE. Mr. President, will the Senator yield?

Mr. SCOTT. I am happy to yield.

Mr. GORE. For what purpose was the discount rate increased?

Mr. SCOTT. As I have just said, in order to be able to raise the money in the market.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SCOTT. If the Senator thinks interest rates are not subject to market value and to the law of supply and demand, then there is nothing I can say which would further enlighten him.

Mr. BENNETT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BENNETT. Mr. President, the Senator from Utah has an amendment which he wishes to offer as an amendment to the amendment of the Senator from Alabama. At what point will it be be proper to offer the amendment of the Senator from Utah?

The PRESIDING OFFICER. The Chair will state that the Senator from Alabama has 5 minutes remaining. At the end of that time, or at any time the Senator relinquishes his time, the Senator from Utah may offer his amendment.

Mr. BENNETT. So the amendment of the Senator from Utah may be considered before a vote is had on the amendment of the Senator from Alabama?

The PRESIDING OFFICER. The Senator is correct.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KUCHEL. Does that mean it is required of the author of the pending amendment that he exhaust all his opportunity to discuss his amendment before an amendment to the amendment is in order?

The PRESIDING OFFICER. That is the effect of the unanimous-consent agreement.

Mr. KUCHEL. Mr. President, does the minority have any additional time available?

The PRESIDING OFFICER. The time is exhausted.

Mr. KUCHEL. If no one wishes to speak in opposition to the amendment, Mr. President, the acting minority leader is prepared to yield back his time on the amendment, with the understanding that the able Senator from Alabama will do likewise.

Mr. SPARKMAN. Mr. President, I am ready to yield back the time on the amendment, and I ask for a vote.

The PRESIDING OFFICER. All time has been yielded back on the amendment.

Mr. BENNETT. Mr. President, I offer an amendment to the amendment of the Senator from Alabama, to change the date in section 2 of the amendment by striking out the date "October 1, 1960" and by inserting in lieu thereof the date "October 1, 1961."

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were not ordered.

Mr. DIRKSEN. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. What was the announcement of the Presiding Officer?

The PRESIDING OFFICER. There was not a sufficient second.

Mr. DIRKSEN. How many seconds are required, on the basis of the last vote?

The PRESIDING OFFICER. The requirement is for one-fifth of 93 votes, or 19 seconds.

Mr. DIRKSEN. Mr. President, I renew the request for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. BENNETT. Mr. President, I yield myself 5 minutes on the amendment.

Mr. President, as Senators have heard the chairman of the subcommittee say, when the subcommittee reported the bill to the full committee the date in the bill was October 1, 1961, but that date was taken out by action of the full committee. It seems to me that the subcommittee, which heard all the testimony, made the wiser decision of the two.

The full committee took the date out as a part of the program, as Senators have heard the chairman say, under which there was also taken out of the bill the privilege of the FHA to use the rollover funds.

The effect of the bill as it came to the floor—I will say parenthetically at this point, that effect has been corrected or will be corrected, if the Senate agrees to the amendment offered by the Senator from Alabama, either with or without the amendment now offered by the Senator from Utah—would have been complete death for FHA October 1, 1960. There would have been no money out of new authorizations, and FHA would not have been allowed to use, as it has been allowed to do since the beginning of the program, whatever funds may be available to it from what is called the rollover, or the right-to-use-again authorization, previously created, which had been used once and had been, in effect, reestablished, because the purpose for which it had been used had been satisfied and the amount of the authorization was free again.

As the bill came to the committee, I think this was a most serious situation, for several reasons. As I say, in the past we have never chopped off FHA completely at any point. There have been times in the past when we have continued it to times further in the future and increased its authorization.

We have done so for the purpose of having an opportunity to look at it in the future, but never with the intention of cutting it off entirely.

The risk of cutting it off entirely has been minimized, and probably eliminated, by the proposal of my friend from Alabama. But the continuation of the date of October 1, 1960, has a very interesting effect—or at least it seems so to the Senator from Utah. Senate bill 57, which was vetoed by the President, was a 2-year bill. There was a 2-year authorization for urban renewal, specifically, and in other respects it was a 2-year bill. The bill before us, particularly with respect to urban renewal authorizations, has an open end. There is an amount of $500 million available until it is used. If we cut the program down into a 1-year program, rather effectively by leaving the date of October 1, 1960, in the bill, we encourage—in fact, we rather definitely establish—the assumption that this is $500 million for urban renewal, to be spent in 1 year. This has the interesting effect of actually increasing, on a 1-year basis, the amount available for urban renewal, which is $500 million, whereas under Senate bill 57, it was $550 million for 2 years.

I am sure the Senator from Alabama is correct when he tells this body that he has no intention of seeing FHA's authority to guarantee mortgages grind to a stop. On that basis, I cannot see why he would not agree to the original suggestion of the subcommittee, that the privilege of authorizing insurance, including the privilege, now, of rolling over previous authorizations, should be made available until 1961.

This would then preserve the 2-year aspect of the bill, and would remove from the supporters of the bill the charge that they are using the FHA private insurance program as a hostage in order to make sure that Congress comes back next year to increase urban renewal, to increase college housing, to increase classroom loans, and other features in the bill.

We have debated the classroom provision at great length. It is pointed out that the amount involved is $50 million, and that it is only a beginning. I assume that if the date of October 1, 1960, remains in the bill, we must come back and act on a bill next year, because the FHA insurance program, which is the basis today of the erection of some $1.25 billion of new housing starts, will then be in jeopardy. We must act on it. We must come back.

This is a very interesting situation. Originally the housing legislation had to do with a program to make it possible for private individuals, with a Government guarantee of their mortgages, to build homes for themselves. This program has proliferated to the point where as we have heard in the discussion today, this part of the program is apparently regarded with some disfavor by those who are eager to see it developed into what I call an institutional program—programs of loans, at subsidized interest, for schools, urban renewal, public housing, and all the rest of the institutional uses.

Frankly, I think we would be better off if we followed the recommendation of the subcommittee and protected the FHA insurance program past the next election. That would permit it to operate as the subcommittee originally intended.

When my friend from Alabama offered his amendment, he took most of the sting out of the situation. I will admit that he took away a good part of the necessary justification for my amendment.

The PRESIDING OFFICER. The time of the Senator from Utah has expired.

Mr. BENNETT. I yield myself 2 more minutes.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BENNETT. Let me finish.

In a sense, the amendment I am proposing is not nearly as vital as it would have been if the Senator from Alabama had not offered his amendment. I hope the Senate will vote to give assurance to the home buyers and home builders of the United States that the FHA mortgage guarantee program is assured for at least 2 years more.

I now yield to the Senator from Tennessee.

Mr. GORE. Mr. President, I have listened to the able Senator with care. I hold him in very high and warm regard, because we have served on the same committee, and have had pleasant associations. Therefore I have listened intently and sympathetically.

The only reason I have heard him give for the extension which he proposes,

or for that which the junior Senator from Alabama proposes, is to get FHA past the election. Will the Senator be so kind as to say what virtue there is in getting FHA by the 1960 election, and not getting the classroom, urban renewal, public housing, college housing, and other programs by the election?

Mr. BENNETT. Let me say to my friend from Tennessee that there is no time limit on the other programs. That money is available until it is used.

Mr. GORE. Mr. President, will the Senator further yield?

Mr. BENNETT. I yield.

Mr. GORE. Must I infer from that that the Senator suggests a stretch-out, and that the money available for other programs must suffice so long as the money for FHA suffices, which, with the revolving fund, would carry it perhaps to January or February 1961? Does that, in fact, not indicate that the adoption of the Senator's amendment would mean no housing bill in 1960?

Mr. BENNETT. I think the question of whether or not we need a housing bill in 1960 should depend upon the conditions we face.

Take the urban renewal program. There is an open-ended authorization for $500 million. It requires a great deal of time to develop the applications and develop the justification for urban renewal programs. I have no way of knowing—nor do I think the Senator from Tennessee has any way of knowing—whether that $500 million will be used up in 1959, 1960, or later.

The PRESIDING OFFICER. The time of the Senator from Utah has again expired.

Mr. BENNETT. Mr. President, I yield myself 5 additional minutes.

However, because the FHA program is a well-established program, with a complete history and with a pattern of experience, and because we know that the building of private homes is proceeding at a record rate, we are pretty sure that if we do not extend the program into 1961 we shall be forced to come back here to consider this problem, and open up the other programs. I am perfectly willing to agree that if the funds available in the other programs are, in fact, exhausted, they should be opened up. In no sense am I trying to cut them off. But in the same spirit, I do not believe that the Senate should be trying to cut off the FHA program a little more than a year from now, when we have had a generation of experience with it, and we know of its value. Certainly no Member of this body tends to abandon it or destroy it.

Mr. GORE. Will the Senator yield?

Mr. BENNETT. I will be happy to yield to the Senator from Tennessee.

Mr. GORE. It is not my desire to put words in the mouth of the able Senator. It does seem to me that it is reasonable to conclude from his remarks that the real purpose of this program is to avoid the necessity of a housing bill next year. It does provide FHA with sufficient revenue to operate beyond the next legislative session, beyond 1960, with the usual slowup in November and December of construction, perhaps into January, even February, through the use of the revolving fund.

I submit to the Senate that the adoption of the Senator's amendment would endanger the opportunity of enactment of a housing bill next year.

Mr. BENNETT. I would like to change one word in the statement of the Senator from Tennessee to me.

I do not think my proposal eliminates what the Senator indicates. The Senator from Tennessee used the words "the necessity for a housing bill." I feel that my proposal makes it possible for us to consider a housing bill next year if it should be necessary.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BENNETT. I shall take 2 more minutes. The effect of my proposal is not automatically to require any other program whether we need it or not.

Mr. CAPEHART. May I have 1 minute?

Mr. SPARKMAN. I yield 1 minute to the Senator from Indiana.

Mr. BENNETT. Do I have any more time?

The PRESIDING OFFICER. The Senator has 3 minutes.

Mr. CAPEHART. Mr. President, I do not care whether the program is for 1 year or 2 years. We have had FHA now for 25 years and we have always extended it. If we now extend it 2 years, we will be doing something we have not done in the last 25 years.

I do not think it makes any difference. I think the question revolves itself around whether or not we want to have a housing bill up next year.

I remember years ago an attempt was made to get it extended for 2 or 3 years, and I was opposed to it. It is six of one and half a dozen of the other to me. I think the record shows that heretofore we have extended it from year to year.

On the pending question, for whatever my recommendation to the Senate is worth, it is that Senators vote any way they desire to vote, because in my opinion, it does not make a particle of difference.

Mr. BENNETT. I yield my 3 minutes to the Senator from Connecticut.

Mr. BUSH. Mr. President, I strongly support the amendment of the Senator from Utah because I disapprove fully of legislating in the way suggested.

The question covered by the amendment came up in committee, and the distinguished chairman of the committee at that time said that he thought it would be a good idea to take the question out of politics, and that we should make the date for the FHA extension October 1, 1961. All the members agreed to that. Following that, along came the amendment on urban renewal, which put the program on a basis of $550 million, with $100 million subject to the discretion of the President, without time limit.

The effect of that is simply that instead of the urban renewal program being a program without time limit, a lever is put into the hands of those who wish to expand the programs rapidly, namely, the FHA deadline of October 1, 1960.

This is a piece of legislative trickery, Mr. President, to which I object very strongly because I think these programs should stand on their own feet.

I have objected before to this omnibus bill type of treatment with these enormous programs, many of which are unrelated, and should be considered separately on their merits.

If the pending bill shall be passed as its supporters propose, we are simply putting a gun into the hands of those who have special interests to plead, and we are going to find that they will threaten not to extend the FHA program unless we give them this and unless we give them that; that that is the reason why the deadline was advanced from October 1, 1961, to October 1, 1960. That is why I think the Senator's amendment should be agreed to. I believe we should take that weapon out of the hands of those who intend to use it for the expansion of programs which are not expanded merely on their own merit, but through the use of these threats to get it done.

Mr. LAUSCHE. Why will it be simpler to accomplish in 1960 than in 1961 some of the objectives which the Senator just implied he had in mind?

Mr. BUSH. What I say is simply that they will use the deadline of October 1, 1960, as a threat, saying "We won't give you an extension of the FHA insurance program unless you give us this and unless you give us that."

Mr. LAUSCHE. Why would they want it to do it in 1960 and not wait until 1961?

Mr. BUSH. Purely for political reasons, in my humble opinion.

Mr. LAUSCHE. Does the Senator mean to say it will be because 1960 will be an election year?

Mr. BUSH. Oh, yes; I certainly do.

Mr. LAUSCHE. I am surprised.

Mr. BUSH. Well, the Senator should not be surprised.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CLARK. Mr. President, the distinguished senior Senator from Connecticut is so good a personal friend of mine that I know when he spoke of legislative trickery he was not referring either to me or to any member of the subcommittee who strongly oppose the pending motion, but I think I know him well enough to know that we can take rule XIX, section 2, in our stride, and not ask each other to sit down.

I say to him that if there is any legislative trickery involved, it has proceeded from and is the effort of those who want an extension of the law for 1 additional year, thus making it possible—and I weigh my words carefully—thus making it possible for the well-to-do, upper middle income groups to continue to get unlimited Government insurance for high priced homes, while the people who have to live in public housing, the people who need urban renewal, the colleges which need the housing program, are cut off without any possibility of getting the broad basis of support which is necessary in order to pass the pending bill.

If the Senator from Connecticut thinks it is legislative trickery to say, "you cannot have an extension of FHA, if you are not going to give an adequate grant to

urban renewal, if you are not going to give an adequate grant to public housing, you are going to have to do it over my dead body."

Mr. BUSH. That is exactly the point I am making, Mr. President. I am glad the Senator made that point.

Mr. SPARKMAN. I am sorry that the distinguished Senator from Utah offered this amendment. Frankly, I do not feel that it is necessary. I stated here on the floor of the Senate several times this afternoon, and I am as confident as I can be, that there will be a housing bill next year. When the Senator speaks about the political implications of having one or not having one, I do not see that we would have anything to gain by not having a housing bill next year. If there are some housing programs which need to be extended or need to be replenished, I am confident that if the urban renewal funds run out before the end of the present fiscal year, Congress will support the replenishing of those funds. I have the same opinion with reference to title I, having to do with home improvement, one of the most popular programs in housing. I have the same thought with reference to college housing. I have every confidence that there will be a housing bill, and I certainly see no need of moving the date from 1960, as we have it now, to 1961.

Here we are caught more or less between two fires. We are caught by those that say that we need it to go on because there may not be a housing bill next year, and we have the other ones that say we ought not to allow this rollover to FHA because then it would remove the necessity of a housing bill. I do not believe that either one has merit.

I just checked some figures. In 1955 they might have gotten by with a rollover during the last 3 months of the year and the first month of 1956. They would have needed $44 million in addition to the rollover during the months of October, November, December, and January. During the same corresponding months in late 1956 they could have gotten by, too, but in late 1957 they would have needed $746 million in addition to the rollover to get by.

In late 1958 they would have needed $1,504,000,000, in addition to the rollover, in order to get by. So I do not think there is anything to be afraid of. We are not holding FHA as a hostage. We are playing fair and square and aboveboard. We remember the old saying that a burnt child dreads the fire. Last year we gave FHA just exactly what it asked for. What happened? FHA lost all interest in the housing bill, and we went through last year without one. That is the reason why we are having so much trouble this year.

Goodness knows, we are not trying to hide this or keep it a secret. I have said it a dozen times on the floor of the Senate. I strongly support FHA. But I support the other housing programs too. I try conscientiously to carry out the directives which Congress has given to us. That is the line which I try to follow. I favor a comprehensive housing program, and I shall continue to do so.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. MONRONEY. As I understand, the purpose of the Bennett amendment is to stretch out in a 2-year program the $500 million for urban redevelopment, whereas the original bill, which the President vetoed, would have provided $950 million.

Mr. SPARKMAN. I do not understand the Bennett amendment to apply to anything except FHA.

Mr. BENNETT. That is correct.

Mr. SPARKMAN. It does not apply to urban renewal. Does the Senator mean that urban renewal is analogous to FHA?

Mr. MONRONEY. That is correct. By giving FHA continuing authority to go through the following year, we will not have a chance to review, we will not be instructing the Budget Bureau to provide for the other funds necessary for other housing programs, will we?

Mr. SPARKMAN. To be perfectly frank, I do not think the amendment would have any particular effect, because I am convinced there will be a housing bill next year, and therefore the matter will be considered.

Mr. President, I am ready to yield back the remainder of my time and ask for a vote.

Mr. BENNETT. I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has been yielded back. The yeas and nays have been ordered, and the clerk will call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that there may be a quorum call, the time for the quorum call to be charged to neither side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time has been yielded back. The question is on agreeing to the amendment of the Senator from Utah to the amendment of the Senator from Alabama. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Montana [Mr. MURRAY] and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

I further announce that if present and voting the Senator from New Mexico [Mr. CHAVEZ], the Senator from Montana [Mr. MURRAY], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Wyoming [Mr. O'MAHONEY] each would vote "nay."

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. CASE], is absent because of death in his family.

The result was announced—yeas 37, nays 56, as follows:

YEAS—37

Aiken	Curtis	Prouty
Allott	Dirksen	Robertson
Beall	Dworshak	Russell
Bennett	Eastland	Saltonstall
Bridges	Goldwater	Schoeppel
Bush	Hickenlooper	Scott
Butler	Hruska	Smith
Byrd, Va.	Keating	Thurmond
Capehart	Kuchel	Wiley
Carlson	Lausche	Williams, Del.
Case, N.J.	Martin	Young, N. Dak.
Cooper	Morton	
Cotton	Mundt	

NAYS—56

Anderson	Hartke	McNamara
Bartlett	Hayden	Magnuson
Bible	Hennings	Mansfield
Byrd, W. Va.	Hill	Monroney
Cannon	Holland	Morse
Carroll	Humphrey	Moss
Church	Jackson	Muskie
Clark	Javits	Neuberger
Dodd	Johnson, Tex.	Pastore
Douglas	Johnston, S.C.	Proxmire
Ellender	Jordan	Randolph
Engle	Kefauver	Smathers
Ervin	Kennedy	Sparkman
Frear	Kerr	Stennis
Fulbright	Langer	Talmadge
Gore	Long	Williams, N.J.
Green	McCarthy	Yarborough
Gruening	McClellan	Young, Ohio
Hart	McGee	

NOT VOTING—5

Case, S. Dak.	Murray	Symington
Chavez	O'Mahoney	

So Mr. BENNETT'S amendment to Mr. SPARKMAN'S amendment was rejected.

Mr. SPARKMAN. Mr. President, I move that the vote by which the amendment to my amendment was rejected be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the Senator from Alabama.

The amendment was agreed to.

Mr. SPARKMAN. Mr. President, I move that the vote by which my amendment was agreed to be reconsidered.

Mr. JOHNSON of Texas. I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. FREAR. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 74, in line 7, it is proposed to strike out "thirty-seven" and insert in lieu thereof "twenty-five."

Mr. FREAR. Mr. President, the amendment is a very simple one. It pertains to public housing, and simply would strike out the provision for 37,000 units of public housing, and would insert a pro-

vision for 25.000 units of public housing. The amendment is that simple.

I think the President wants only 25,000 units of public housing. If he does not want that many, this bill will not force him to have that many, regardless of whether the Senate votes for 37,000 or for 25,000.

So, in order to help the President have a housing bill, I think we might just as well provide him with authority for 25,000 units of public housing, rather than with authority for 37,000 units.

That is all I have to say on the amendment.

Mr. SPARKMAN. Mr. President, who controls the time in opposition to the amendment.

Mr. FREAR. I will control it, if the Senator from Alabama wants me to do so.

The PRESIDING OFFICER. Probably the majority leader is in control of the time in opposition to the amendment.

Mr. JOHNSON of Texas. I yield to the Senator from Alabama whatever time he may need.

Mr. SPARKMAN. Mr. President, I rise in opposition to the amendment. It is a simple amendment, and it was well explained by the Senator from Delaware.

However, in connection with the amendment, I believe a few things should be called to the attention of the Senate.

The committee worked very carefully in regard to the number of units of public housing to be provided for; and the number 37,000 is not just a guess or a number pulled out of the air.

Senators must also remember that we have an urban renewal program and we have an interstate highway program. Under the laws which established those programs, a city or a town or a municipality cannot engage in and have a program of either urban renewal or interstate highway construction, through the city or through the area, unless it can show that it has decent, safe, and sanitary housing for the families which will be displaced. Of course, urban renewal and slum clearance projects lie primarily in slum areas. Interstate highways often go through the poorest areas of cities and towns. About half of the people who are displaced are not able to pay for new houses, for economic reasons. That is the principal reason why the provision for public housing was put in the bill.

Mr. BUTLER. Mr. President, will the Senator from Delaware ask for the yeas and nays?

Mr. FREAR. I certainly have no objection. I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. SPARKMAN. Yes, I yield.

Mr. JAVITS. On the one hand, we have to be careful not to break the camel's back on a veto; but, on the other hand, we had better be careful not to break the housing bill, too. This whole fuss has been about a modest amount of public housing. In my State public housing comes to about 4 percent of the total number of new starts. That is minimal enough. If we are going to break the camel's back by having any bill, we may as well have a clear-cut issue. Either we are going to be in favor of public housing or none at all. I do not think providing for 25,000 units would have either effect.

In the process of trying to keep the President in favor of the bill, let us not go overboard and surrender completely the whole thing we have been fighting about.

The number of units provided in the bill is the minimum number of units needed. We have hedged on it by allowing credit for all those units that are deadwood. That is certainly pressing this matter down to an absolute minimal basis.

I hope the Senate will not permit itself to be misled into completely destroying the bill, after the long fight and difficulties we have had with it.

Mr. SPARKMAN. I appreciate the remarks of the Senator from New York.

Mr. President, the 37,000 figure was not an accidental one. We took the testimony of the officials representing the administration. They testified and gave us a list, which list is in the record of hearings.

Mr. President, I ask unanimous consent to have that list printed in the RECORD at the conclusion of my statement as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SPARKMAN. Mr. President, as to those projects, in various cities and towns throughout the United States, applications are already on hand and ready to go. A total of approximately 58,000 units was called for. The testimony of Mr. Mason and of Mr. Slusser, head of the Public Housing Administration, was to the effect that there could be an attrition of about one-third. We simply took one-third from 58,000, and that left approximately 37,000.

We decided this was the minimum number to which the administration officials themselves testified was needed in order to take care of the backlog which is already on hand.

That is the reason why the number of 37,000 units was arrived at. I believe we ought to adhere to that number and that the amendment of my friend from Delaware ought to be defeated.

EXHIBIT 1

Public Housing Administration list of places with outstanding applications for reservations, or with units reserved, but not yet under annual contributions contract

Units in "Under reservation" column relate to projects for which applications were received when authorization to enter into annual contributions contracts had not yet run out. Reservations were granted on a general showing of need for the units, with no requirement that the site be chosen or that plans and specifications be submitted. Units in "Application pending" column relate to applications made after it was clear that existing authorization would not be sufficient to cover the units. Accordingly, there has been no processing of the applications to determine the general need.

State and place	Application pending	Under reservation
Total	18,494	39,097
Alabama:		
Adamsville		115
Anniston		36
Ariton	150	
Ashland		28

Public Housing Administration list of places with outstanding applications for reservations, or with units reserved, but not yet under annual contributions contract—Con.

State and place	Application pending	Under reservation
Alabama—Continued		
Birmingham		750
Blountsville		20
Boaz	150	
Brent	80	
Carbon Hill	50	
Cherokee	60	
Childersburg	80	
Clanton	200	
Collinsville		20
Columbiana	75	
Cordova		40
Demopolis	200	
Detroit	30	
Flomaton	100	
Gadsden		200
Gardendale		62
Geneva		34
Goodwater		18
Graysville		74
Hobson City		20
Kennedy	50	
Kimberly		62
Leeds	50	
Leighton		30
Lineville	50	
Millry		14
Mobile		2,180
Mulga		230
New Brockton	150	
Newbille	150	
Northport	400	
Opp	60	
Ozark	120	
Parrish	25	
Red Bay	40	
Sylacauga	250	
Arizona:		
Maricopa County		150
Tolleson		20
Arkansas:		
Camden		80
Dequeen		28
Dierks		26
Horatio		2
Lewisville		16
Little Rock		72
Lockesburg		10
Mineral Springs		8
Nashville		34
California:		
Atwater		15
Blythe	26	
Calipatria area		25
Eureka		60
Holtville area		50
Imperial area		25
Colorado: Denver		1,500
Connecticut:		
Ansonia		60
East Hartford		50
Groton	500	
New Haven		130
New London		176
Norwich	500	
Putnam		1
Rockville	100	
Stratford		36
Southington		50
Willimantic		50
Delaware: Wilmington		500
Florida:		
Altha	75	
Bristol	150	
Carrabelle	150	
Cottondale		6
Graceville	20	
Jacksonville		1,266
Lauderdale		66
Levy County	350	
Miami		168
Milton	150	
Monticello	150	
New Smyrna Beach	150	
Ocala		98
Pensacola		328
Titusville		54
Wewahitchika	150	
Georgia:		
Adairsville	50	
Americus	100	
Ashburn	20	
Austell		18
Bainbridge	100	
Barwick	80	
Bowman	125	
Buchanan		8
Camilla	50	
Canton	300	
Cave Spring	50	
Cumming		30
Dublin		100
Eastman	35	

Public Housing Administration list of places with outstanding applications for reservations, or with units reserved, but not yet under annual contributions contract—Con.

State and place	Application pending	Under reservation
Georgia—Continued		
East Point		150
Elberton		20
Ellaville	150	
Ellijay		10
Fairmont	50	
Fayetteville	50	
Grayson	40	
Lincolnton	200	
Lynes	200	
Macon		400
Manchester	50	
Morven	50	
Norman Park	80	
Ochlochee	100	
Patterson	50	
Pinehurst		6
Ringgold	300	
Rochelle		6
Royston	34	
Savannah	400	
Sparta	110	
Swainsboro	100	
Thomson		21
Unadilla	100	20
Vernon	50	
Vienna		28
Villa Rica	62	
Wadley	50	
Warwick		10
Hawaii:		
Hilo		100
Honolulu		120
Illinois:		
Brighton		6
Brooklyn		100
Brussels		2
Carlinville		10
Centralia	20	
Chicago		1,425
De Witt County	25	
East Alton		50
Gillespie		30
Golconda		20
Granite City		100
Hamburg		4
Joliet		342
Maywood		100
Pinckneyville		14
Rock Island	20	
Salem	20	
Sparta		8
Staunton		24
Stonefort		8
Streator		25
Tamaroa		10
Virden		10
Waukegan		260
Indiana:		
Kokomo		25
Muncie		520
New Albany	75	
Kentucky:		
Catlettsburg		50
Covington		50
Cumberland		60
Frankfort	75	
Morehead		30
Murray		62
Nicholasville		50
Owensboro		74
Paintsville		52
Paris		30
Prestonburg		40
Louisiana:		
Abbeville	50	
Arnaudville	50	
Berwick		30
Breaux Bridge	50	
Church Point	60	
Cotton Port	50	
Duson	30	
Elton		8
Erath		4
Esterwood	75	
Grand Cocteau	50	
Gueydan	50	
Iota	75	
Jefferson Parish		300
Kenner		60
Kinder		16
Lake Arthur	25	
Mermentau	75	
Morse	40	
New Orleans		111
Oberlin		14
Patterson		30
Plaquemine		124
Scott	60	
Sunset	50	
Ville Platte	30	
Maine:		
Norway	175	
Van Buren	40	
Maryland:		
Baltimore		749
Cumberland		65
Hagerstown	30	
Rockville	125	
Massachusetts:		
Boston		150
Cambridge		325
Fall River		200
Lowell		116
Medford		54
Newburyport		100
Pittsfield		200
Somerville		142
Taunton		76
Michigan:		
Alpena		18
Baraga		10
Bessemer		30
Mount Clemens	100	
River Rouge	100	
Minnesota:		
Chisolm		4
Hibbing		50
Minneapolis		1,054
St. Paul		701
Virginia		50
Winona		40
Mississippi:		
Ackerman	100	
Baldwin	75	
Booneville	60	
Bude	120	
Cleveland	120	
Collins		18
Hernando	100	
Laurel		176
Leakesville	120	
Louin	30	
Meadville	60	
Meridian	60	
Mount Olive		10
Newton		30
Prentiss		16
Tupelo		30
Tylertown	100	
Yazoo		12
Missouri:		
Kansas City		326
St. Charles		2
St. Louis County		110
New Hampshire: Portsmouth		1
New Jersey:		
Asbury Park	50	
Atlantic City		278
Bayonne		4
Burlington		100
Camden		164
Edison Township	40	
Franklin Township		30
Jersey City		82
North Bergen		40
Orange		20
Passaic		46
Paterson		8
Rahway		79
Trenton		10
Union City		45
West New York	200	
New York:		
Buffalo		1,583
Cohoes		130
Herkimer	50	
Lackawanna		150
New York City		1,787
Niagara Falls	100	
Rome	180	
Troy		80
North Carolina:		
Apex	100	
Concord		90
Jacksonville		50
Laurinburg		73
Wake Forest	100	
Wayne County		45
Wendell	100	
Zebulon	100	
North Dakota: Williston		16
Ohio:		
Cincinnati		5
Cleveland		2,074
Columbus		648
Dayton		200
Lorain		12
Portsmouth		190
Oregon: Portland		398
Pennsylvania:		
Abington Township		50
Altoona		500
Ambridge		44
Carnegie		90
Connellsville		100
East Pittsburgh		100
East Stroudsburg	56	
Greensburg		100
Jeannette		100
McKees Rocks		14
Nanty Glo		50
New Brighton		2
Philadelphia		2,230
Pittsburgh		748
Portage	200	
Scalp Level Borough	200	
Scranton		100
Sharon		50
Smith Township		60
Stoud Township	44	
Rhode Island:		
Pawtucket		222
Providence		206
South Carolina:		
Bennettsville		65
Charleston		557
Chester	250	
Duncan		10
Winnsboro		68
Tennessee:		
Bolivar	200	
Chattanooga		500
Decaturville	250	
Etowah	100	
Franklin		16
Gallatin		40
Jamestown		40
Knoxville		577
La Follette		50
Lake City		50
Laurenceburg	300	
Lebanon	60	
Livingston	100	
Manchester		40
McMinnville	240	
Morristown	330	
New Tazewell		14
Oneida		25
Paris		64
Parsons	250	
Sparta		50
Springfield		50
Waverly	112	
Texas:		
Alice	200	
Anahuac		10
Bryson		4
Cross Plains		10
Crystal City	70	
Daingerfield		20
Dallas	250	
Del Rio		70
Deport		10
Dodson	50	
Donna	50	
Fort Worth		200
Frisco	75	
Jacksonville	200	
Levelland		40
Liford		10
McGregor		12
Mercedes	100	
Panhandle		10
Port Arthur		132
Post		28
Robstown		70
Roby		10
Rotan		36
San Antonio		1,500
Sinton		36
Stamford		4
Tahoka		2
Terrell		140
White Settlement		100
Virginia:		
Charlottesville		225
Richmond		6
Roanoke		300
South Norfolk		30
West Virginia:		
Fairmont	100	
Huntington		500
Wisconsin: Milwaukee		868
Puerto Rico:		
Arecibo	300	
Barceloneta		1
Carolina	200	
Cayey	250	
Ceiba	80	
Guanico	150	
Humacao	200	

Public Housing Administration list of places with outstanding applications for reservations, or with units reserved, but not yet under annual contributions contract—Con.

State and place	Application pending	Under reservation
Puerto Rico—Continued		
Isabella	200	
Lares	80	
Las Marias	30	
Loiza	100	
Manati	200	
Mayaguez		1
Ponce	500	
Salinas	50	
San Lorenzo	200	
San Sebastian	200	
Yanco	250	

Mr. FREAR. Mr. President, after the Senator from Alabama has made his statement, I am inclined to agree that the amendment is not as simple as he indicated it was.

I yield back the remainder of my time.

Mr. SPARKMAN. I yield back the remainder of my time.

Mr. JOHNSON of Texas. Mr. President, for the information of the Senate, I announce that at the conclusion of the yea-and-nay vote there will be certain routine business transacted, but we do not anticipate any more rollcalls or votes this evening. So Senators may make their plans accordingly.

The PRESIDING OFFICER (Mr. Moss in the chair). The question is on agreeing to the amendment of the Senator from Delaware. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. ALLOTT (after having voted in the affirmative). Mr. President, on this vote I have a pair with the junior Senator from Missouri [Mr. SYMINGTON]. If he were present and voting he would vote "nay." If I were at liberty to vote I would vote "yea." I therefore withdraw my vote.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Montana [Mr. MURRAY], the Senator from Louisiana [Mr. ELLENDER], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

I further announce that if present and voting the Senator from New Mexico [Mr. CHAVEZ], the Senator from Montana [Mr. MURRAY], and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. CASE] is absent because of death in his family.

The result was announced—40 yeas, 51 nays, as follows:

YEAS—40

Aiken	Dirksen	Kerr
Beall	Dworshak	Kuchel
Bennett	Eastland	Lausche
Bridges	Ervin	McClellan
Bush	Frear	Martin
Butler	Goldwater	Morton
Byrd, Va.	Hickenlooper	Moss
Carlson	Holland	Mundt
Cotton	Hruska	Prouty
Curtis	Jordan	Robertson
Russell	Stennis	Williams, Del.
Saltonstall	Talmadge	Young, N. Dak.
Schoeppel	Thurmond	
Smathers	Wiley	

NAYS—51

Anderson	Gruening	McGee
Bartlett	Hart	McNamara
Bible	Hartke	Magnuson
Byrd, W. Va.	Hayden	Mansfield
Cannon	Hennings	Monroney
Capehart	Hill	Morse
Carroll	Humphrey	Muskie
Case, N.J.	Jackson	Neuberger
Church	Javits	Pastore
Clark	Johnson, Tex.	Proxmire
Cooper	Johnston, S.C.	Randolph
Dodd	Keating	Scott
Douglas	Kefauver	Smith
Engle	Kennedy	Sparkman
Fulbright	Langer	Williams, N.J.
Gore	Long	Yarborough
Green	McCarthy	Young, Ohio

NOT VOTING—7

Allott	Ellender	O'Mahoney
Case, S. Dak.	Murray	Symington
Chavez		

So Mr. FREAR's amendment was rejected.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. SPARKMAN. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama to lay on the table the motion of the Senator from Texas to reconsider.

The motion to lay on the table was agreed to.

ORDER FOR ADJOURNMENT UNTIL TOMORROW AT 11 A.M.

Mr. JOHNSON of Texas. Mr. President I ask unanimous consent that when the Senate concludes its business today it stand in adjournment until 11 o'clock a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Committee on Banking and Currency may meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

The PRESIDING OFFICER. The Chair will inquire of the majority leader whether any of the time consumed in routine business is to be charged to the time on the bill.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that it may be in order to transact routine business without the time being charged to either side.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

THE LABOR-MANAGEMENT REPORTING AND DISCLOSURE BILL

Mr. HUMPHREY. Mr. President, earlier today the Senate voted to send the labor-management reporting and disclosure bill, S. 1555, as amended by the other body this past week, to conference. I supported this action and am pleased that such action was taken.

I was rather disturbed at reports which were circulating this past week end to the effect that some of our colleagues were considering a move to have the Senate adopt S. 1555 exactly as approved by the House of Representatives rather than to follow the customary procedure of having the bill referred to conference committee.

This is far too important and complex a measure, Mr. President, to rush through without full and careful study. In my judgment the Senate would have committed a grave error if it had agreed to shortcut the regular procedure and accept the House version in toto. The House amended the Senate bill with approximately 80 amendments—many of significant importance.

The better course of action is the one which we have adopted. After the conference committee has had the opportunity to sit down, to study and to discuss this complex measure, I am sure that it will reach agreement on a bill which will reflect the best features of both the Senate and House versions of S. 1555.

Let me make it clear that I am for a strong and effective labor-management reform bill. It was my privilege and honor to join as an original cosponsor on S. 1555. This bill, as approved by the Senate Committee on Labor and Public Welfare, was effectively designed to eliminate the crooks and racketeers in the labor-management relations field. It was a strong bill with teeth in it, and yet it was, in the true sense of the word, a reasonable and responsible bill. By that I mean it would with proper enforcement, eliminate the corrupt practices brought to light through the work of the Senate Committee on Improper Activities in the Labor or Management Field, while at the same time not infringing upon legitimate activities of management and labor unions in the labor-management field.

I am confident that the conferees in considering S. 1555 will bear in mind that the purpose of this measure is to eliminate corrupt practices. There are some, I fear, who are more interested in punishing the overall labor movement than in eliminating the unsavory practices of a few discredited union officials.

The object of labor reform legislation should not be to punish labor unions. Rather it should be to pass a bill which will protect union members and the public interest from unethical practices of either labor or management officials. We should pass legislation to hit at corruption, gangsterism, and racketeering.

With such an objective in mind, the conferees will agree on a measure which deals effectively with the recognized problem and yet is effective, fair and well

balanced. This is the type of bill Congress should pass and which I am confident will be passed before this session ends. The American people expect constructive action by the Congress. They expect us to pass an effective labor-management bill before we conclude the first session of the 86th Congress.

I concur in this view of the American people, and hope the Congress will act effectively and expeditiously.

PRESIDENT'S RADIATION COUNCIL CALLED INADEQUATE

Mr. HUMPHREY. Mr. President, over the weekend the President announced the appointment of a Federal Radiation Council. The Federal Radiation Council announced by the President is designed to correlate and coordinate the activities of the several Federal agencies concerned about radioactive fallout.

The trouble with the President's proposal for a Federal Radiation Council is that it is not adequate to cope with all the problems raised in the radiation field.

The President's order is a belated and long overdue recognition that the administration has finally realized that serious problems exist in the entire field of radiation standards.

The most serious defect in the President's order, as I have indicated, is the establishment of an interdepartmental committee of high level politically appointed policymaking officers to handle a problem which should have little to do with politics or policy.

The levels of radiation which could cause harmful effects in human beings ought to be determined by a scientific body on the basis of independent, objective research. Employment figures are not set by a politically appointed partisan committee. They are set on the basis of carefully worked out studies, based upon objective statistical evaluations. Likewise, levels of radiation should not be a matter of political policy. Rather, they should be based upon careful technical and scientific analysis.

I am afraid that the President's solution, coming at a time when the Atomic Energy Commission and the Pentagon are attempting to set the stage for resuming nuclear weapons' tests, must be watched carefully to see what will follow. It should be followed by the establishment of a scientific group whose basic concern is for the health of the American people, to determine, on the basis of objective data, what radiation standards should be set. If further steps are not forthcoming, I suggest that Congress itself must act.

I realize, of course, that the President's Radiation Council will attempt to do a good job; but the fact that it is an interdepartmental committee of politically appointed officers does not lend itself to what the scientific community would call the objective and scientific approach. The subject of radiation, and the dangers involved in radiation fallout, are of such importance that this subject matter should be studied only by men who are respected in the field of science and technology, and have no particular political axe to grind, and no particular political policy to serve.

USE OF U.S. CROP SURPLUSES IN AMERICAN FOREIGN POLICY

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial entitled "Disposing of Surpluses," published in the Wichita (Kans.) Eagle of July 9, 1959.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DISPOSING OF SURPLUSES

A new farm legislation battle is shaping up in Washington with the administration on one side and Congress on the other. It is due to come to a head in hearings next week.

This time the problem is how to dispose of U.S. crop surpluses overseas.

Senator HUBERT HUMPHREY, Democrat, of Minnesota, is pushing a food-for-peace bill that would set up a Peace Food Administrator to handle the disposal program on a long-term basis. The Administrator would have 5-year authority to sell surplus crops for foreign currencies.

Opposing this in testimony this week were spokesmen for the U.S. State Department and Agriculture Department. The first said such a program would disrupt American relations with other food-exporting countries; the second said "there is little to be gained" by such a plan.

Next week the House Agriculture Committee will hold hearings on a hopper full of disposal bills, the chief of which is Committee Chairman HAROLD COOLEY'S bill for extending the present disposal program 1 year and expanding trading of crops for strategic materials.

Secretary Benson wants a 1-year authority to dispose of $1½ billion worth of surpluses; this would be an emergency measure to extend the present law which expires December 31.

HUMPHREY emphasizes that what is needed is to get away from the emergency approach and put surplus disposal on a continuing basis, using it as an instrument of foreign policy.

Out of all this may come some benefits for surplus-crippled agriculture. Certainly some should result.

The difficulties are enormous but logic argues that some method can be found for getting our food to have-not nations without ruining our foreign policy. Maybe through some kind of an international "food bank" or United Nations effort.

Mr. HUMPHREY. This particular editorial refers to the food-for-peace bill, which would establish a Peace Food Administrator to handle disposals of surplus agricultural products on a long-term basis. As the Senate knows, this bill has been reported favorably by the Senate Committee on Foreign Relations. I am hopeful that it will receive the wholehearted support of the Senate Committee on Agriculture and Forestry.

The food-for-peace bill represents a constructive approach to the utilization of America's agricultural abundance for purposes of American foreign policy, as well as for humanitarian purposes, in serving the needs of people throughout the world who are the victims of hunger or disease.

KI-ANN DANCERS TO PERFORM

Mr. McGEE. Mr. President, this week the State of Wyoming will attempt to inject a note of interesting and diversionary entertainment into the hectic pace of Capitol Hill life.

It is my pleasure to call to the attention of the Senate the fact that at high noon Thursday, in the parking lot area directly in front of the East Front of the Capitol, the Ki-Ann Indian Dancers from Cheyenne, Wyo., will perform for the Members of this body and the interested public.

This group of 30 teenage Cheyenne youths, dedicated to the preservation of authentic Indian dances, is truly one of the most entertaining and spectacular groups in the Nation today. Some of you may have had the opportunity to witness the lavish performance of the Ki-Anns before, since they have now performed over 600 times in nearly every major city of the United States and Canada.

The group is now on tour of the Eastern United States and during their visit to Washington they have graciously consented to present their program for the enjoyment of both Houses of Congress and the public.

I find that words are not enough to tell my colleagues what they may expect to see. This dedicated group of boys has over $30,000 invested in costumes alone—and thousands of hours of back-breaking work invested in equipment and perfecting the over 125 different dances they are capable of performing.

Perhaps the most conclusive testimonial to the authenticity of the dances of the Ki-Anns comes from the American Indians themselves. The Sioux Tribe of Pine Ridge has asked this group to teach their children their own native dances.

In closing, Mr. President, may I urge every Member of this body to take advantage of this opportunity Thursday noon. The color, pageantry, and lore of the Ki-Anns will not, I predict, be soon forgotten on Capitol Hill.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills and joint resolutions of the Senate:

S. 822. An act to authorize the conveyance of certain property administered as a part of the San Juan National Historic Site to the municipality of San Juan, Puerto Rico, in exchange for its development by the municipality in a manner that will enhance the historic site, and for other purposes;

S. 1330. An act to amend the act entitled "An act for the relief of the city of Fort Myers, Fla., and Lee County, Fla.," approved July 22, 1958;

S. 1590. An act for the relief of the Government of the Republic of Iceland;

S. 2099. An act to provide for the striking of medals in commemoration of the 100th anniversary of the admission of West Virginia into the Union as a State;

S. 2210. An act to provide for the disposition of the Philadelphia Army Base, Philadelphia, Pa.;

S.J. Res. 16. Joint resolution to designate the lake to be formed by the waters im-

pounded by the Dickinson Dam in the State of North Dakota as "Edward Arthur Patterson Lake";

S.J. Res. 24. Joint resolution authorizing the Secretary of the Army to receive for instruction at the U.S. Military Academy at West Point two citizens and subjects of the Kingdom of Thailand; and

S.J. Res. 106. Joint resolution authorizing the Secretary of the Navy to receive for instruction at the U.S. Naval Academy at Annapolis two citizens and subjects of the Kingdom of Belgium.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 6939) to repeal the act of October 20, 1914 (38 Stat. 741), as amended (48 U.S.C., secs. 432–452), and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ASPINALL, Mr. ROGERS of Texas, Mr. POWELL, Mr. SAYLOR, and Mr. WHARTON were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 7509) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes, and it was signed by the President pro tempore.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, August 17, 1959, he presented to the President of the United States the enrolled bill (S. 746) to amend the act entitled "An act to regulate the placing of children in family homes, and for other purposes," approved April 22, 1944, as amended, and for other purposes.

ADJOURNMENT TO 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, in accordance with the order previously entered, I now move that the Senate stand in adjournment until 11 o'clock a.m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 36 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Tuesday, August 18, 1959, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate August 17, 1959:

DEPARTMENT OF STATE

Eric H. Hager, of Connecticut, to be Legal Adviser of the Department of State.

DEPARTMENT OF COMMERCE

Philip A. Ray, of California, to be Under Secretary of Commerce, vice Frederick Henry Mueller, elevated.

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

I. FOR APPOINTMENT

To be senior assistant surgeons

Joseph A. Barnes
Robert N. Butler
Lawrence F. Dietlein, Jr.
Louis Gillespie, Jr.
J. Donald Hawthorne
Albert Kapikian
Roger W. O'Gara
Donald C. Walsh

To be senior assistant dental surgeon

Robert O. Wolf

To be assistant dental surgeon

Rex A. Warnick

To be senior scientist

Fay M. Hemphill

II. FOR PERMANENT PROMOTION

To be senior assistant sanitary engineer

James H. McDermott.

U.S. MARSHAL

John H. Phillips, of Mississippi, to be U.S. marshal for the northern district of Mississippi for the term of 4 years, vice John W. T. Falkner IV, deceased.

U.S. MARINE CORPS COMMANDANT

Maj. Gen. David Monroe Shoup, U.S. Marine Corps, to be commandant of the Marine Corps with the rank of general for a period of 2 years from the first day of January 1960.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

The following-named officers for promotion in the Regular Army of the United States under the provisions of title 10, United States Code, sections 3284 and 3298. All officers are subject to physical examination required by law.

To be first lieutenants

Abene, Gasper V., O84931.
Adams, James E., O75330.
Allanach, Jack W., O81571.
Anderson, Joseph L., O84938.
Areheart, Henry W., Jr., O85400.
Armstrong, Hart R., O81575.
Banner, Thomas A., O75333.
Barber, James J., O84944.
Barborak, Franklin D., O85401.
Baumeister, Harold J., O79553.
Baun, Richard A., O85402.
Beck, Frederick S., O78226.
Bennett, Ferrell R., O75919.
Berg, George A., O75335.
Biberstein, Billy J., O85126.
Biernacki, Richard G., O85293.
Binder, Fremont E., O85403.
Blaker, William J., O74082.
Bomar, Hobby J., Jr., O78231.
Boswell, Leonard LeR., O78572.
Briggs, Charles F., O85297.
Briggs, Thomas J., O85299.
Britton, John A., O74967.
Bryant, James W., O85404.
Buel, Charles J., O83639.
Carmody, Robert W., O79564.
Castelli, Joseph G., O74970.
Chandler, Richard L., O74972.
Chaney, Bobby J., O77813.
Clark, Gary L., O81601.
Clark, Ray L., O85409.
Cleaver, George A., Jr., O83644.
Collar, Robert D., O78262.
Cofoni, Peter J., O85308.
Conklin, Willard D., O79567.
Connell, Jerry L., O83646.
Conroy, Arthur T., Jr., O85510.
Cook, John E., O74975.
Cothran, Paul E., O75342.
Coughlin, James L., O83647.
Coull, James M., O75343.
Cowles, Phillip R., O74977.
Crawford, Jack F., O75344.
Curran, Francis R., Jr., O85516.
Davies, Peter G., O75345.
Davis, Harold M., Jr., O79570.
Davis, Warren L., O74941.
Dawes, Robert C., O74980.
DelVecchio, William P., O85412.
Denmark, Sumner J., Jr., O74982.
Desonier, Richard J., O75347.
Devereaux, Raymond A., O84975.
Donker, Leo M., O85314.
Doolittle, Lloyd W., O85525.
Duhon, Ben E., O85315.
Durr, Donald D., O85528.
Dwayer, William M., O78290.
Dyer, Howard B., O85415.
Ellis, Gary L., O84981.
Engle, Phillip D., O85319.
Fader, Jerome H., O85531.
Fiske, William S., O78302.
Fleming, Jerry L., O75355.
Fournier, Joseph J., O85538.
Fries, Cecil E., Jr., O79577.
Fritz, Richard L., O83652.
Garner, John J., Jr., O83653.
Gomon, Charles W., O74991.
Gordon, Harold J., O74223.
Groetken, David L., O85175.
Guillory, Larry G., O85553.
Hall, George W., Jr., O79578.
Handley, Charles B., Jr., O85328.
Hanlin, Richard W., O85329.
Harris, Robert E., O76197.
Harrison, William H., O77432.
Harts, William G., O78343.
Harvard, Thomas P., Jr., O75370.
Hearne, William D., Jr., O74996.
Hehle, Joseph P., O85560.
Hettinger, John R., O75063.
Hill, Robert G., O82275.
Holmes, David R., O85332.
Honsinger, Larry E., O85185.
Hopper, Samuel R., O84524.
Hoyt, Richard E., O79585.
Hummel, Richard H., O85420.
Humphreys, George D., O85421.
Ingman, John F., O75000.
Izatt, James, O85579.
Jacobs, Irwin M., O78364.
Jewett, Richard E., O85335.
Johnson, James C., O78370.
Jones, Walter R., O75379.
Judy, Jerry E., O79589.
Kegelman, Theodore J., Jr., O85191.
Kelley, John W., Jr., O85588.
Kelly, John J., Sr., O79590.
Kelly, Ted W., O85426.
Kelly, Thomas W., O85427.
Kerver, Thomas J., O85192.
Kessinger, John McF., O75008.
King, Charles M., O84089.
Kircher, Jacob F., 3d, O75009.
Kirkwood, John H., O79592.
Kleypas, Kenneth A., O79593.
Kysar, Alverado F., Jr., O83656.
Lanham, Michael C., O75012.
Latturner, George J., O85601.
Leger, Jean C., O81685.
Lewis, Robert C., O85604.
Lipmanson, Joel D., O85607.
Logan, Laddie B., O75390.
Lorms, John L., O76352.
Lucas, Ronald M., O85203.
Machen, Bobby, O76359.
Malone, K. H., Jr., O85617.
Marmaras, Ernest, O85207.
McAfee, Floyd H., O75017.
McConkey, Rodney F., O85434.
McGarvey, Bruce H., O75396.
Mettan, Richard E., O75398.
Miller, Robert F., O85215.
Mills, Lawrence L., O74396.
Modica, Giac P., O85216.
Montalvo, Martin T., O79605.
Mortensen, Theodore J., Jr., O85626.
Moxley, Thomas T., O75024.
Mullins, Donald G., O85224.
Nelson, Clifford R., O75401.
Nemeth, Philip K., O75402.
Newman, Charles D., O85632.
Newton, George F., O85440.
Nicks, John G., O84528.
Noakes, Edmund D., O85225.
Noyer, Gary R., O75406.
Oakes, Leslie C., O85226.
Offan, Kenneth J., O85357.

O'Rourke, Lewis C., O74424.
Owens, Ronald E., O74930.
Paas, Alfred O., O74798.
Palmertree, Tommy R., O85230.
Pare, Harold J., O85064.
Parke, Walker M., O85358.
Parrack, Jim M., Jr., O75408.
Passailaigue, Edward P., Jr., O85232.
Patterson, Earl A., Jr., O84715.
Perry, Mervin E., O85234.
Peterson, Harlan F., O85444.
Pettersen, Clifford D., O85359.
Philpott, Lawrence D., O75412.
Place, Berwyn L., O85236.
Polk, John C., O75415.
Powe, Carl M., Jr., O86660.
Powell, Raymond G., O85237.
Prichard, Alvin L., Jr., O75080.
Prossor, John E., O84717.
Rahm, Richard R., Jr., O75027.
Rawls, Paul L., O85365.
Reeves, Donald W., O85240.
Rhodes, Howard E., O75029.
Riviere, Francis, O85242.
Roberts, Donald A., O75030.
Roberts, Donald M., O84532.
Roberts, Roy A., O85653.
Rudrow, Robert G., Jr., O85657.
Salonen, William L., O75032.
Sanchez, James, O85450.
Schroeder, Eldon K., O85663.
Schwoppe, Edwin G., Jr., O81735.
Selch, Glenn C., O74499.
Seybold, Lawrence C., Jr., O85253.
Shannon, Douglas, O84719.
Short, Robert J., O79618.
Siegel, Lewis A., O74957.
Simpson, William F., Jr., O75429.
Skahan, Michael N., O83664.
Skelton, Robert C., O85258.
Smith, Carl D., O85668.
Smith, Derald H., O78508.
Smith, George O., O85670.
Snow, William Z., O83665.
Stamps, John R., O75035.
Stewart, John P., O75038.
Stewart, William R., O74858.
Stycos, John S., O75041.
Swagerty, Daniel L., O78520.
Swayne, Charles J., O75042.
Terrana, Vincent, O77950.
Tilly, Clyde C., Jr., O75044.
Toolson, John M., Jr., O75308.
Torf, Arthur S., O85682.
Truett, Curtis P., O85683.
Turk, Roy M., O74574.
Van Herpe, William H., O85456.
Van Houten, Peter F., O75048.
Wade, Merle L., O78143.
Wagner, Keith A., O85276.
Walker, Harry D., O76725.
Walker, Robert E., Jr., O85460.
Wall, Walter F., O85096.
Watson, James H., O83669.
Wharton, Walter N., O75438.
Whatley, Howard G., O75439.
Whiddon, Orren R., O85386.
Willey, John L., O85462.
Williams, John K., O78548.
Williams, William J., Jr., O75442.
Willies, Edward J., O85464.
Wilson, John W., O85704.
Winkler, Carl G., O85705.
Wise, Harry L., Jr., O85707.
Young, Richard B., O80233.
Zitz, Joseph S., O85713.

To be first lieutenant, Women's Army Corps

Whitman, Annie M., L560.

To be first lieutenants, Medical Service Corps

Adams, Louis H., O84933.
Amidon, Charles D., Jr., O80304.
Browning, Robert D., O75336.
Charlton, John L., Jr., O85499.
Decker, Walter J., O85519.
Harding, Clarence E., Jr., O84339.
Johnson, David E., O85422.
Oswalt, Harris G., O75407.
Steinberg, Marshall, O83846.
Stowe, Charles L., O85107.

The following-named persons for reappointment to the active list of the Regular Army of the United States, in the permanent grade of colonel, Regular Army, and the temporary grade of brigadier general, Army of the United States, from the temporary disability retired list, under the provisions of title 10, United States Code, sections 1211, 3442, and 3447:

Greeley, Leonard J., O15449.
Rolfe, Onslow S., O8637.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3288, 3287, 3286, and 3285:

To be majors

Chester, Michael C., O1307371.
Fayle, Orin A., O1104146.
Kennedy, Richard J., Jr., O1289271.
Martin, Charles W., O1000622.
Schofield, Rudolph J., O414502.
Thornley, James F., O1650774.

To be captains

Anthony, Richard D., O2263657.
Cronin, Walter J., Jr., O1917630.
Edwards, Grey H., O1330400.
Howard, G. B., O938142.
Juskowiak, Joseph L., O1545990.
LaVache, Emil J., O1688731.
Mejia-Flores, Francisco, O934463.
Shahrabani, Maurice G., O1924918.
Weygand, Leroy C., O2262206.
Wheeler, Richard G., O2209288.

To be first lieutenants

Cain, David L., O4019385.
Deringer, Clifton H., Jr., O2028436.
Guptill, Colin K., O1922974.
Jones, Glenwood E., Jr., O4022049.
King, Whitfield, O4042777.
Levine, Edwin R., O4021003.
Martin, Humphrey J., O2293572.
McCarthy, John W., O4036986.
McLean, Raymond O., O4013666.
Merklinger, George J., O4017200.
Nash, John N., O4075260.
Nestler, Carl M., O4041333.
Pannier, Leon G., Jr., O1894157.
Ratcliff, Robert H., O2033739.
Sikorski, Bennie W., O1940552.
Summers, Richard A., O4057586.

To be second lieutenants

Bostancic, James F., O4069565.
Carruth, George A., O4071535.
Derr, William R., O5300506.
Duvall, Norman L., O4059499.
Fabis, Ronald B., O4061468.
Frey, James L., O4071809.
Fuller, James R., O5401163.
Garman, Robert T., O1892192.
Hamilton, William A., O5400034.
Harrell, Hugh W., O5201874.
Ingram, Julian T., O5302396.
Kelly, William T., O5302942.
Kerr, Paul J., O5304225.
Mazo, David R., O5301775.
McInnes, Thomas J., O5505529.
Meier, Morris G.
Miller, Richard H., O5300560.
Neely, Carl C., Jr., O5202943.
O'Brien, James W., O5200096.
O'Hern, Robert P., Jr., O4084517.
Ozier, Larry G., O5303185.
Rosenberg, David C., O1928599.
Stanborough, Robert M., O5202035.
Weary, Sheron E., O4069735.

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, sections 3294, 3291, 3288, 3287, 3286, and 3285:

To be captains

Adams, Laurence J., MC, AO1853767.
Bachmeyer, Janet A., ANC, 773302.
Lindholm, Virginia I., ANC, N774856.
Renegar, Velma F., ANC, N790357.
Tyndall, Arnold E., MSC, O1335363.

To be first lieutenants

Barcus, Billie J., ANC, N902074.
Bjornson, Jon, MC, O2295013.
Brannock, Joseph E., Jr., MSC, O4058974.
Cox, Sherman L., DC.
Gerster, Paul W., MC, O2289836.
Harris, Davis P., MSC, O4063412.
Kelly, Phillip L., Jr., MC, O2289723.
Klinar, Karl L., DC, O4033983.
Leaver, Robert C., MC, O2291381.
Messinger, Alan J., MC, O2295061.
Meyer, James A., MC, O2291708.
Mullins, Charles E., MC, O2290046.
Nusynowitz, Martin L., MC, O2291816.
Pena, Heriberto, MC.
Pierce, Clovis H., MC, O2290207.
Strader, Lorenzo D., Jr., MC, O2290241.
Triano, Donald H., MSC, O4007195.
Ungar, Ralph F., MSC, O2270174.
Valpey, Jack M., MC, O2289742.

To be second lieutenants

Berland, Maynard C., MSC, O5504046.
Duffy, Paul F., MSC, O2284396.
Hackendahl, Arthur H. L., II, MSC, O5503806.
Madden, John T., Jr., MSC, O4056783.
Russillo, Michael P., Jr., MSC, O5001756.

The following-named persons for appointment as chaplain in the Regular Army of the United States in the grade of first lieutenant, under the provisions of title 10, United States Code, sections 3288, 3287, 3286, and 3285:

Cox, Billy H., O2289769.
Davis, Pat H., O1874463.

The following-named distinguished military students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3288, 3287, 3286, and 3285:

Danhouser, David C.
Reynolds, Sonny D.

The following-named person for reappointment to the active list of the Regular Army of the United States in the grade of colonel, from the temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

Dusenbury, Carlisle C., O11672.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 17, 1959

The House met at 12 o'clock noon.

The Rev. Dr. Alfred J. Thomas, pastor of the First Evangelical United Brethren Church, Williamsport, Pa., offered the following prayer:

Father of us all, we invoke Thy blessing and ask Thy direction upon the business of this day's session of the U.S. Congress.

We feel keenly our humanity and in humility we reach out to grasp Thy hand. Give us the wisdom to think and to speak clearly. Give us honesty of mind and spirit that we may maintain the integrity of our hearts in every moment of every day's living. Grant us courage to speak when duty requires it and to remain quiet when it is wise to listen and to ponder. We ask that Thou will bless every person in our fair land and may we prove a blessing in the community of the world.

This we pray in the name of Jesus Christ, our Lord. Amen.

The Journal of the proceedings of Friday, August 14, 1959, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On August 6, 1959:

H.R. 3460. An act to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes.

On August 7, 1959:

H.R. 1219. An act to amend section 2038 of the Internal Revenue Code of 1954 (relating to revocable transfers);

H.R. 2067. An act to authorize the Honorable Thomas F. McAllister, judge of the United States court of appeals, to accept and wear the decoration tendered him by the Government of France;

H.R. 2594. An act for the relief of certain claimants against the United States who suffered personal injuries, property damage, or other loss as a result of the explosion of a munitions truck between Smithfield and Selma, N.C., on March 7, 1952;

H.R. 2846. An act for the relief of Dorman William Whittom;

H.R. 2909. An act relating to the maintenance and travel expenses of judges;

H.R. 3290. An act to amend title 10, United States Code, to eliminate the requirement that each chaplain make an annual report to the Secretary of the Navy;

H.R. 3320. An act to amend the act of June 21, 1950, relating to the appointment of boards of medical officers;

H.R. 3321. An act to amend title 10, United States Code, with respect to crediting certain service as a member of the Women's Army Auxiliary Corps, and for other purposes;

H.R. 4068. An act to amend title 10, United States Code, by repealing section 7475, which restricts the increasing of forces at naval activities prior to national elections;

H.R. 4340. An act to amend sections 43 and 34 of the Bankruptcy Act (11 U.S.C. 71, 62) to simplify the filing of referee vacancies;

H.R. 6319. An act to amend chapter 55 of title 38, United States Code, to establish safeguards relative to the accumulation and final disposition of certain benefits in the case of incompetent veterans;

H.R. 6436. An act to amend the Federal Insecticide, Fungicide, and Rodenticide Act so as to include nematocides, plant regulators, defoliants, and desiccants, and for other purposes;

H.R. 6587. An act to authorize certain generals of the Army to accept and wear decorations, orders, medals, presents, and other things tendered them by foreign governments;

H.R. 6717. An act for the relief of Mrs. Kathrene LeTang; and

H.J. Res. 280. Joint resolution consenting to an interstate compact to conserve oil and gas.

On August 10, 1959:

H.R. 5674. An act to authorize certain construction at military installations, and for other purposes.

On August 11, 1959:

H.R. 4413. An act to provide improved opportunity for promotion for certain officers in the naval service, and for other purposes; and

H.R. 6714. An act for the relief of Abraham Fye.

On August 14, 1959:

H.R. 697. An act to authorize the Secretary of the Navy to acquire certain real property in the county of Solano, Calif., to transfer certain real property to the county of Solano, Calif., and for other purposes;

H.R. 3322. An act to amend title 10, United States Code, and certain other laws to authorize the payment of transportation and travel allowances to escorts of dependents of members of the uniformed services under certain conditions, and for other purposes; and

H.R. 6769. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1960, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate disagrees to the amendment of the House to the bill (S. 1555) entitled "An act to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes," agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. MCNAMARA, Mr. MORSE, Mr. RANDOLPH, Mr. GOLDWATER, Mr. DIRKSEN, and Mr. PROUTY, to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7509) entitled "An act making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to Senate amendment numbered 15 to the above entitled bill.

THE LATE HONORABLE KENNETH MILLS REGAN

Mr. RUTHERFORD. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RUTHERFORD. Mr. Speaker, it is my sad duty and with profound regret, that I announce to the House the passing of one of its former Members, who represented the 16th Congressional District of Texas, which I now serve.

Kenneth Mills Regan, who was a Member of this body from mid-1947 through 1954, passed away Saturday, August 15, 1959, in Sante Fe, N. Mex., after an illness of several months.

Ken Regan was born March 6, 1893, in Mount Morris, Ill. He was educated in the public schools of Mount Morris and at Vincennes University. He served his Nation as a member of the Armed Forces in both World War I and World War II, holding the rank of captain in each conflict.

After moving to west Texas, Mr. Regan was many times honored with public office by the people of that area. He served as president of the Pecos, Tex., Chamber of Commerce, then served 3 years as city alderman in Pecos before being elected to two terms as mayor of that city. He served a term as State senator from the 29th senatorial district of Texas, and was elected to Congress August 23, 1947. As a Member of Congress for some 7½ years, Mr. Regan served on the House Interior and Insular Affairs Committee and on the House Administration Committee. At the time of his death, Mr. Regan lived in Midland, Tex., and was employed by the American Association of Railroads as a Washington representative. Many of Ken Regan's former colleagues in this House had the opportunity to renew their friendships with him here during the past few months.

I know the House is saddened by his passing, and there are many Members here today who served with Mr. Regan, and who shall forever recall fond memories of their association with their honored former colleague.

I knew Mr. Regan to be a man sincere in his deep convictions, and his return to Washington early this year gave me the opportunity to become better acquainted with him personally. Our association was cordial and I grew to respect him. I do not think it presumptuous to say that we became friends, and had a mutual understanding of each other.

I have already transmitted to his bereaved widow, Roberta, an expression of deepest sympathy from myself and my wife. I know this House shares in these expressions, and will want to send its prayers and best wishes to Mrs. Ken M. Regan.

Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative days in which to extend their remarks in the RECORD on the life and accomplishments of Kenneth Mills Regan.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. THOMPSON of Texas. Mr. Speaker, I was very deeply grieved to learn of the passing of our mutual friend and former colleague, the Honorable Ken Regan, of Texas. Ken and I were elected to Congress in the same special election back in 1947. I had already known him in Texas, but our real acquaintance did not flourish until we came up here together some 12 years ago. We were always warm and intimate friends, and we enjoyed that same close relationship in our homes.

Ken was a devoted public servant. He frequently used to comment that he supposed he should stay home and attend to his personal affairs but that he felt he owed it to the public to give of his time and talents in the interest of the people. He would always comment that as long as they desired his services, he felt that they had a prior right to them.

Those of us who served with Ken will remember him as a warm and loyal friend who, above all, loved his fellow man. We will recall him as a fearless legislator who voted his convictions and never looked back. This Congress is a better place because Ken once worked here. Each one of us is a better man because we once knew and worked beside him.

Mrs. Thompson's sympathy and my own go to Mrs. Regan and all who survive him.

Mr. THORNBERRY. Mr. Speaker, I was saddened to hear the news of the passing of our former colleague and my close friend, the Honorable Ken Regan. Ken Regan was a Member of the House when I first came here in January 1949. From the time I came here until he retired we were personal friends and he was always very helpful to me and considerate of my needs.

Both Ken and Roberta Regan were close friends to Mrs. Thornberry and me and we enjoyed the wonderful personal association and friendship we had with them.

Ken Regan has rendered an outstanding service to his State and Nation in public service. He made many friends here, all of whom are sorry to hear of his passing.

My family and I extend our deep sympathy to Mrs. Ken Regan with the hope that she will receive understanding and comfort from the fine and useful life he lived and all the many friends both of them have here in the Congress and in Washington.

Mr. BURLESON. Mr. Speaker, the passing of our former colleague, Ken Regan, leaves a feeling of deep sorrow in the hearts of many of us. Even on a short acquaintance was to know, enjoy, and admire him.

Serving with him for several years in the Congress, and particularly as a member of the Committee on House Administration, I came to know him well. He was my friend.

Ken Regan was a devoted public servant and I know of no one who ever questioned his motives, his integrity, or his genuineness.

His wife Roberta was also known to many people in the city of Washington. On leaving the Capital City they were both missed, and hardly a week passes that some of their friends do not make inquiry of them.

Many join us in extending our deepest sympathy to Roberta, and we trust she may receive divine strength to support her in her deep sorrow.

Mr. KILGORE. Mr. Speaker, the long stretch of the Texas-Mexico border lost an able and amiable gentleman when Ken Regan died over the weekend.

While he served in the House, he made many friends in the border country. I was not in the House during Ken's tenure here—but he worked frequently with my predecessor, Lloyd Bentsen, Jr., and they both served with distinction on the Interior and Insular Affairs Committee on problems of mutual interest to the particular part of the Nation they represented.

The exigencies of time made Ken's and my friendship a brief one—but the "adios" is as sincere as if it were backed up by the years of service which endeared him to so many in the House.

Mr. MAHON. Mr. Speaker, I wish to pay tribute to the late Ken Regan, who served in the House from August 1947 to January 1955. I had not met Ken Regan until he came to Washington as the Representative of the great 16th Congressional District, which joins on the south and west the district which I have the honor to represent.

Ken Regan was a man of good will. As colleagues from west Texas we worked together on many problems for the public good. Ken was cooperative, understanding, and effective in his work.

Ken Regan had a big district. He had a big heart. He was big in his thinking. He loved his district and the people of his State and Nation. He served them well in Washington. I wish to join with others in paying tribute to a departed friend. I wish also to extend sympathy to his wife, Roberta Regan, who survives him, and who shared his interests during their years in Washington.

Mr. PATMAN. Mr. Speaker, there are many Members of this House who will remember with feelings of friendship and respect the late former Congressman from my State, Kenneth Mills Regan, who died Saturday, August 15, in Santa Fe, N. Mex. He served here in the House during the 80th Congress as the Representative from the 16th Congressional District, demonstrating great loyalty for the people whose battles he fought in committee and on the floor, and great devotion to Texas and to his country. He was reelected to the 81st Congress. I rise to speak in behalf of his memory not only because I have been for years his friend as he was mine and regarded him with affection but because he was during his incumbency as a national legislator one with whom I took frequent counsel and one who had the good grace to acknowledge and respect the value of my advice, experience, and cooperation. He regarded me not merely as a fellow Texan and a friend, but as a fellow American. It was a source of no little pride for me to note that Ken Regan was quite as capable of seeing the Nation as a whole when he was confronted by a decision, as he was eminently astute in recognizing the needs of the area he represented and its people.

Regan's career—broadly speaking—was not unlike that of many of us here in this Chamber. He attended public school and studied at Vincennes University in Vincennes, Ind. He engaged in the real estate business and since 1920 was an oil operator. He began his political career as an alderman for the city of Pecos and was that city's mayor from 1929 through 1932. Then from 1933 through 1937 he was a member of the State senate. He participated in both World Wars—I and II—serving with the rank of captain. Many of us knew him here in the House when he was elected to fill the vacancy caused by the resignation of the Honorable Robert Ewing Thomason. Among his legislative interests here were a deep concern for the ending of the Korean war, proposals for improving the water situation in our State, problems on reclamation and mining, the protection of trademarks, immigration problems, questions involving oil and gas leases—a field in which he was expert—and other issues that confronted our State, his district, and our Nation. He did much for El Paso and for rehabilitation projects along the Rio Grande.

Ken Regan was in his 66th year and while his passing is a source of regret to his family, his friends, the thousands whom he befriended, and the country, it is satisfying to know he had a full and highly satisfying life. He made good, many times over, his obligations as a leader, and accomplished much for the public interest. I want from the Chamber of the House of Representatives to offer my condolences to his widow, Mrs. Regan, the former Roberta Katherine McGary of El Paso, and to express as formally and respectfully as possible, the regrets of the House of Representatives on the death of this distinguished and able former associate.

Mr. FISHER. Mr. Speaker, I desire to join with my colleagues in the House in paying deserved tribute to the late Ken Regan, a former Member of this body. He was a dedicated public servant. He was a true patriot of the old school, and always willing to fight for the cause of good government whenever the occasion arose. Few men have ever served in this body who were more devoted, more courageous, and more deserving of commendation.

Ken Regan was my personal friend. I visited with him frequently. I was always inspired by his pleasant mannerisms and by his philosophy. He was a friend of friends, a bighearted and generous person, who always had a good word and a pleasant thought.

This Nation needs more men of the stature of Ken Regan. He was a man who always put the welfare of the country ahead of petty politics. He voted the way he thought, the way he believed, never looked back. The one test that he applied to every issue was: Is it right or is it wrong? Ken always associated himself actively with the economy-minded bloc in the House. He warned of the dangers of inflation and the importance of balanced budgets. He was a man of great foresight who thought more of the future than he did of the political benefits that might accrue at a given moment.

I extend to his wife, Roberta, my deepest sympathy in her bereavement.

LEGISLATIVE BRANCH APPROPRIATIONS, 1960

Mr. NORRELL. Mr. Speaker, I call up the conference report on the bill H.R. 7453, making appropriations for the legislative branch for the fiscal year ending June 30, 1960, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 905)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 45 and the amendment of the House thereto to the bill (H.R. 7453) "making appropriations for the legislative branch for the fiscal year ending June 30, 1960, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment No. 45: That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by the Senate amendment, and the amendment of the House thereto, insert the following:

"Hereafter, the Architect of the Capitol is authorized, without regard to the Classification Act of 1949, as amended, to fix the compensation of three positions under the appropriation 'Salaries, Office of the Architect of the Capitol', of one position under the appropriation 'Capitol Buildings', and of one position under the appropriation 'House Office Buildings' at a basic rate of $7,700 per annum each: *Provided,* That this provision shall not be applicable to the positions of Architect, Assistant Architect, or Second Assistant Architect of the Capitol.

"Hereafter, the Architect of the Capitol is authorized, without regard to the Classification Act of 1949, as amended, to fix the compensation of one position under the appropriation 'Senate Office Buildings', at a basic rate of $7,020 per annum."

And the House agree to the same.

W. F. NORRELL,
MICHAEL J. KIRWAN,
CLARENCE CANNON,
WALT HORAN,
JOHN TABER,
Managers on the Part of the House.

JOHN C. STENNIS,
CARL HAYDEN,
STYLES BRIDGES,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate numbered 45 to the bill (H.R. 7453) making appropriations for the legislative branch for the fiscal year ending June 30, 1960, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to such amendment, namely:

ARCHITECT OF THE CAPITOL

Amendment No. 45: Provides a basic salary rate of $7,700 for five positions under the Architect of the Capitol instead of $8,000 rate as proposed by the House; and includes the Senate provision for one position under the appropriation "Senate Office Buildings", at $7,020 per annum.

W. F. NORRELL,
MICHAEL J. KIRWAN,
CLARENCE CANNON,
WALT HORAN,
JOHN TABER,
Managers on the Part of the House.

Mr. NORRELL. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. NORRELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. NORRELL. Mr. Speaker, this conference report settles the one amendment remaining in connection with the legislative branch appropriation bill for 1960. All other amendments of the Senate to the bill were agree to in the House on June 29. The one remaining amendment covered by this report concerns certain salary provisions under the Architect of the Capitol included in the bill as it passed the House but which the Senate had stricken.

Briefly, the House bill included provision for salary adjustment on five key positions in the Architect's organization. The Senate did not agree. As explained in the statement of the managers, just read by the Clerk, we have reinstated the provision but at a lower figure than the House had believed justified. Under the circumstances, we believe the settlement is reasonable.

To summarize the whole bill at this point, the totals are as follows:

Budget estimates considered by House	$105,460,005
House bill	100,279,350
House reduction	5,180,655
Budget estimates considered by Senate	133,648,180
Senate bill	128,797,380
Senate reduction	4,850,800
Conference total	128,797,380

AMENDING MINERAL LEASING ACT OF 1920—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 214)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H.R. 6940, "An act to amend the Mineral Leasing Act of 1920 in order to increase certain acreage limitations with respect to the State of Alaska."

An unrestricted doubling of the present maximum allowable holding of oil and gas leases or options—which H.R. 6940, in the case of Alaska, would authorize—would not, in my judgment, be in the best interests of Alaska or the Federal Government.

Rather than providing an inducement to the development of oil and gas resources in Alaska, the bill would tend to produce an excessive concentration of control over such potential resources, and there is no assurance provided by the bill that the interests so held would at any time be developed.

Development contracts and unit agreements already provide relief from acreage limitations when circumstances justify their approval. Any additional concentration of ownership would among other things deter participation in these existing and successful programs which are designed to provide specific assurance of the expenditure of funds for exploration and development work. The need is for further progress under existing programs, not just speculative or control holding of excessive acreages, if the development of oil and gas resources on public lands is to occur and the interests of Alaska and the Nation are to be served.

I am aware that allowing increased acreage holdings might be of immediate financial importance to our 49th State, but I believe this to be a shortsighted goal for it eventually could well result in depriving both the Alaskan and Federal Governments of substantial revenues. Sacrificing sound principle and the long-run public interest in order to achieve a limited immediate gain does not seem to me to be wise.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 17, 1959.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Mr. ASPINALL. Mr. Speaker, I move that the bill and message be referred to the Committee on Interior and Insular Affairs and ordered to be printed.

The motion was agreed to.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

AMENDING TITLE 38, UNITED STATES CODE, TO PROVIDE ADDITIONAL COMPENSATON FOR VETERANS

The Clerk called the bill (H.R. 268) to amend title 38 of the United States Code to provide additional compensation for veterans having the service-incurred disability of deafness of both ears.

Mr. WEAVER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

INCREASED COMPENSATION FOR CERTAIN SERVICE-CONNECTED DISABLED VETERANS

The Clerk called the bill (H.R. 283) to amend section 314(k) of title 38, United States Code, to provide an increased statutory rate of compensation for veterans suffering the loss or loss of use of an eye in combination with the loss or loss of use of a limb.

Mr. WEAVER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

RESOLUTION RELATING TO DISPOSAL OF COCONUT OIL FROM THE NATIONAL STOCKPILE

The Clerk called the joint resolution (H.J. Res. 441) relating to the disposition of coconut oil from the national stockpile under the Strategic and Critical Materials Stock Piling Act.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this measuse be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

EDUCATIONAL ASSISTANCE FOR ORPHANS

The Clerk called the bill (H.R. 4306) to provide education and training for the children of veterans dying of a service-connected disability incurred after January 31, 1955, and before the end of compulsory military service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101 of title 38, United States Code, is amended by adding at the end thereof the following:

"(28) The term 'induction period' means the period beginnng on February 1, 1955, and ending on the day before the first day thereafter on which individuals (other than individuals liable for induction by reason of a prior deferment) are no longer liable for induction for training and service into the Armed Forces under the Universal Military Training and Service Act."

SEC. 2. Paragraph (1) of subsection (a), and subsection (c), of section 1701 of title 38, United States Code, are each amended by striking out "or the Korean conflict" and inserting in lieu thereof the following: "the Korean conflict, or the induction period".

SEC. 3. In the case of any individual who is an "eligible person" within the meaning of section 1701(a)(1) of title 38, United States Code, solely by virtue of the amendments made by this Act, and who is above the age of seventeen years and below the age of twenty-three years on the date of enactment of this Act, the period referred to in section 1712 of title 38, United States Code, shall not end with respect to such individual until the expiration of the five-year period which begins on the date of enactment of this Act.

With the following committee amendments:

On page 2, line 3, insert the following:

"SEC. 2. Subsection 1701(a)(1) of title 38, United State Code, is amended to read as follows:

"'(1) The term 'eligible person' means a child of a person who died of a service-connected disability arising out of active military, naval, or air service—

"'(A) during World War I, World War II, or the Korean conflict, or

"'(B) as a direct result of armed conflict or while engaged in extrahazardous service (including such service under conditions simulating war) during the induction period,

but only if such service did not terminate under dishonorable conditions. The standards and criteria for determining whether or not a disability is service-connected shall be those applicable under chapter 11 of this title.'

"On page 2, line 18, strike out '2. Paragraph (1) of subsection (a), and subsection (c),' and insert '3. Subsection (d)'.

"On page 2, line 20, strike out 'are each' and insert 'is'."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. TEAGUE of Texas. Mr. Speaker, in the 84th Congress I had the honor to sponsor what became Public Law 634, the War Orphans' Educational Assistance Act of 1956. This law provided educational assistance to the children of veterans of World War I, World War II, and the Korean conflict who died of a service-connected disability.

Generally speaking, the age limitations were, and are, 18 to 23 years and the monthly allowance is $110 for a full-time course not to exceed 36 months.

When veterans' benefits laws were codified as title 38, this particular law became chapter 35 of that title.

The program has worked, and is working, well and is providing a very real and substantial benefit for children whose fathers die of service-connected causes. The latest available figures indicate that on the average there were over 5,000 children in training each school month during 1959.

This bill, as introduced by the gentleman from Texas [Mr. THORNBERRY], covered the children of all those veterans who lost their lives as a result of service-connected disability arising out of military service performed between January 31, 1955, and the date when individuals were no longer liable for induction into the Armed Forces under the Universal Military Training and Service Act. Strange as it may seem, service in peacetime under the conditions enumerated in this bill, as amended, are more dangerous sometimes than those prevailing during time of war. The gentleman from Texas [Mr. THORNBERRY] has given considerable time and study to this matter and testified before our Subcommittee on Education and Training when hearings were held on July 21, 1959. It is because of his leadership on this subject that this bill is presented to the House today.

As reported by the committee the bill has been substantially amended and is restricted now to only the children of those service-connected veterans whose deaths were shown to have directly resulted from armed conflict or to have occurred during extrahazardous service. This is a considerable restriction in contrast to the introduced bill, but it will provide a substantial benefit to the children of veterans who lose their lives under these conditions.

The Veterans' Administration reported on the bill at the time of its introduction and estimated that it would cost $114,000 for the fiscal year 1960; $339,000 in 1961; $656,000 in 1962; $1,100,000 in 1963; and $1,500,000 in 1964. The annual cost would thereafter arise to a peak of approximately $3 million.

I am happy to advise the House that Mr. T. F. Daley, Associate General Counsel for Legislative Services, advised me under date of August 7 that in view of the amendment of the committee the number affected by the legislation would not exceed 2,000 and the reduction in cost would be at least 91 percent. On this basis, Mr. Daley advised that the cost of direct benefits for the first 5 years should not exceed: $10,000 for the first year; $29,000 for the second year; $56,000 for the third year; $94,000 for the fourth year; and $128,000 for the fifth year. This, of course, would mean a cost of $317,000 for the first 5 years.

LIMITING THE PRIORITY OF TAXES IN BANKRUPTCY

The Clerk called the bill (H.R. 2236) to amend the Bankruptcy Act with respect to limiting the priority and nondischargeability of taxes in bankruptcy.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

CERTAIN LANDS TO THE CITY OF CRAWFORD, NEBR.

The Clerk called the bill (H.R. 6179) to grant the right, title, and interest of the United States in and to certain lands to the city of Crawford, Nebr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall convey to the city of Crawford, Nebraska, upon the payment by the city of an amount equal to the fair market value thereof, all the right, title, and interest of the United States in and to the tract of land which is enclosed within the following boundary:

Starting at the northeast corner of the tract of land granted, subject to certain conditions, to the village of Crawford, Nebraska, by the Act of June 25, 1906 (34 Stat. 461), and running thence due west a distance of 1,156.98 feet, thence due south a distance of 1,300 feet, thence due east 1,156.98 feet, thence due north 1,300 feet to the place of origin, containing 34.5 acres more or less.

With the following committee amendment:

Page 1, lines 4 and 5, strike out the words "an amount equal to the fair market value thereof," and insert in lieu thereof the words "the sum of $880, which is the estimated fair market value thereof,".

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWARD ARTHUR PATTERSON LAKE, N. DAK.

The Clerk called the resolution (S.J. Res. 16) to designate the lake to be formed by the waters impounded by the Dickinson Dam in the State of North Dakota as "Edward Arthur Patterson Lake".

There being no objection, the Clerk read the resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the lake to be formed by the waters impounded by the Dickinson Dam in the State of North Dakota shall hereafter be known as "Edward Arthur Patterson Lake", and any law, regulation, document or record of the United States in which such lake is designated or referred to shall be held to refer to such lake under and by the name of "Edward Arthur Patterson Lake".

The resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REMOVAL OF CERTAIN ACREAGE LIMITATIONS

The Clerk called the bill (H.R. 5412) to amend the act of June 14, 1926, as amended, to provide that lands conveyed under such act for State park purposes shall not be subject to the 640-acre limitation contained in such act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, (a) section 1(b) of the Act entitled "An Act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes", approved June 14, 1926 (44 Stat. 741), as amended, by the Act of June 4, 1954 (68 Stat. 173), is further amended by striking out the period at the end thereof and inserting a semicolon and the following: "but such restriction shall not apply if the land conveyed is to be used for State park purposes".

With the following committee amendment:

Strike all after the enacting clause and substitute the following: "That subsection (b) of Section 1 of the Act of June 14, 1926, as amended by the Act of June 4, 1954 (68 Stat. 173, 174; 43 U.S.C., sec. 869), is further amended to read as follows:

"'(b) Conveyances made in any one calendar year shall be limited as follows:

"'(i) For recreational purposes—

"'(A) To any State or Territory, for not more than three recreational sites, 6,400 acres in all.

"'(B) To any political subdivision of a State or Territory, 640 acres.

"'(C) To any nonprofit corporation or nonprofit association, 640 acres.

"'(ii) For public purposes other than recreation—

"'(A) To any State, Territory, or agency or instrumentality thereof, for any one program, 640 acres.

"'(B) To any political subdivision of a State or Territory, 640 acres.'

"SEC. 2. The last sentence of Section 3 of the same Act is repealed."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed. The title of the bill was amended so as to read: "A bill to amend the act of June 14, 1926, as amended by the act of June 4, 1954 (68 Stat. 173; 43 U.S.C., sec. 869)."

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1436) to amend section 1 of the act of June 14, 1926, as amended by the act of June 4, 1954 (68 Stat. 173; 43 U.S.C. 869), similar to the House bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 1 of the Act of June 14, 1926, as amended by the Act of June 4, 1954 (68 Stat. 173, 174; 43 U.S.C. 869), is further amended to read as follows:

"(b) No more than six hundred and forty acres may be conveyed to any one grantee other than a State, in any one calendar year: *Provided,* That no more than six hundred and forty acres may be conveyed to a State in any one calendar year for the benefit of any one State program or of the program of any one State agency: *Provided further,* That there shall be no limitation as to the acreage which may be conveyed to a State or to a State park agency for public park purposes."

Mr. ASPINALL. Mr. Speaker, I move to strike out all after the enacting clause of the bill and insert in lieu thereof the provisions of the bill H.R. 5412, as passed.

The motion was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider and a similar House bill (H.R. 5412) were laid on the table.

AMENDING THE NATIONAL SCIENCE FOUNDATION ACT

The Clerk called the bill (H.R. 8284) to amend the National Science Foundation Act of 1950, as amended, and for other purposes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

STATUTORY LIENS AND THE POWERS OF THE TRUSTEE

The Clerk called the bill (H.R. 7242) to amend sections 1, 57j, 64a(5), 67b, 67c, and 70c of the Bankruptcy Act, and for other purposes.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

CONVEYANCE OF CERTAIN PROPERTY IN PHILADELPHIA, PA.

The Clerk called the bill (S. 2210) to provide for the disposition of the Philadelphia Army Base, Philadelphia, Pa.

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to have someone familiar with the bill tell us whether we are supposed to have any estimate of the value of the property.

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. VINSON. If the gentleman will refer to the bill and the report on the bill he will see that in section 3 a report must be submitted 30 days before the transfer date. This is valuable property. It has to be appraised.

My recollection is that this property involves three piers. The city of Philadelphia is very anxious to obtain it. The committee did not have the knowledge of the exact value so we said "Fair market value." We will know 30 days in advance of execution of the quitclaim deed what value has been set on the property.

My recollection is that the city of Philadelphia is going to spend some large sums of money, in the millions, in connection with these three piers.

Mr. GROSS. As I understand the report, in addition to the piers there is some 53 acres of land.

Mr. VINSON. That is right.

Mr. GROSS. Probably very valuable ground.

Mr. VINSON. It is valuable property. Therefore we say, "Fair market value."

Mr. GROSS. Is there some reason why the House cannot have an estimate of value?

Mr. VINSON. After an appraisal is made the committee will be advised. If the committee is not satisfied with the value a resolution will naturally be introduced with reference to it.

Mr. GROSS. What does "Report to the Committee" mean?

Mr. VINSON. We cannot properly value the property until it is appraised and we know how much it is worth. We are keeping our hands on the property until we know what the appraisal is.

Mr. GROSS. This will be referred to the same committee that handled the San Jacinto property.

Mr. VINSON. Oh, no.

Mr. GROSS. The gentleman is speaking of the same subcommittee.

Mr. VINSON. This will come to the full committee.

Mr. GROSS. This report would go to the Subcommittee on Real Estate.

Mr. VINSON. The bill says it will go to the Armed Services Committee of the Senate and the House of Representatives. That is the law. The law requires it.

May I say this is a very important matter to the city of Philadelphia. This is an important bill that should be favorably considered. The Government will get fair market value for this property.

Mr. GROSS. I have no doubt this is an important bill. That is one of the reasons why I am trying to find out something about it. The present lease expires next April, but there is nothing in the bill providing that this property will be disposed of before the lease expires. Is not that correct?

Mr. DURHAM. We went into this very thoroughly. Of course, these piers are deteriorating and in a few years we will not get anything for them at all. That is the situation. It is a question of trying to work this out at fair market value. The people of Philadelphia and the Port Authority appeared before the

committee. This will come back to the Real Estate Committee when an appraisal is made by a concern, also in cooperation with the Army. They will make the decision and if we decide it is not fair market value we will turn it down.

Mr. GROSS. I am not going to ask that the bill go over, but I think that we should have more information concerning this property in the report which the committee submitted to the House.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized to convey, on or before June 30, 1960, by quitclaim deed to the city of Philadelphia the real property under his jurisdiction located at the Philadelphia Army Base, Philadelphia, Pennsylvania, consisting of approximately fifty-three and seventy-five one-hundredths acres together with all appurtenances pertaining hereto and all improvements located thereon.

SEC. 2. The conveyance herein authorized shall be made at the fair market value of the property as determined by the Secretary of the Army, and shall be made upon such terms and conditions and shall include such reservations as the Secretary of the Army shall determine to be in the public interest.

SEC. 3. Within at least thirty days prior to execution of the quitclaim deed, the Secretary of the Army shall report to the Committees on Armed Services of the Senate and of the House of Representatives his determination of the fair market value of the property authorized to be conveyed by section 1.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

U.S. MILITARY ACADEMY AT WEST POINT

The Clerk called Senate Joint Resolution 24 authorizing the Secretary of the Army to receive for instruction at the U.S. Military Academy at West Point two citizens and subjects of the Kingdom of Thailand.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. EVINS. Mr. Speaker, reserving the right to object, will the author of the bill explain why this bill is necessary or desirable?

Mr. VINSON. Mr. Speaker, this is not anything new. Under the law today cadets can be admitted to West Point and the Naval Academy from all of Central and South America, Canada, and the Philippines, without any legislation. This permit two students to be admitted from Thailand, and it is in accordance with the custom of the past. There are 13 in the West Point Academy today from foreign countries, and there are 17 in the Naval Academy. It is without any expense whatever to the Federal Government.

Mr. EVINS. It seems to me the measure sets a precedent as far as legislating for the Middle East is concerned. We have a law that we can admit cadets to the U.S. Military Academy from South America. Now we are opening up admission to the U.S. Military Academy to the Middle East and probably all countries in Europe and the East. Is not this the precedent that is being established?

Mr. VINSON. There is no precedent being established. Congress controls it, and if the facts and circumstances do not warrant, the Congress will disapprove it.

Mr. EVINS. Will this not ultimately entail the addition of more facilities, more dormitories, and so forth?

Mr. VINSON. No; it will not cost one penny more. There are also students from the countries that the gentleman is complaining about.

Mr. EVINS. I would like to have some information as to why we are setting a precedent here when the Academy is overcrowded and our Academy officials are asking for additional authority to name cadets above and beyond congressional authorizations.

Mr. VINSON. There are no requests for expansion at all.

Mr. STRATTON. I may say to the gentleman that this permits an addition to the Academy of students from an area which is of vital concern to our national security. As the gentleman knows, there have been movements in the area of Thailand that look as though the Communist menace is on the march again. I think if we turn this bill down we turn down an opportunity to build up the military strength of some of the friendly nations situated in a very critical part of the world.

Mr. EVINS. Some of our military officials have been for years trying to do away with or limit the number of Members of Congress recommendations for admission to the Academy. They want the authority to nominate and to name them, irrespective of the wishes of Congress, and I think it is a bad precedent not to have the Congress have more control over who is admitted to our service Academies.

Mr. HOEVEN. Mr. Speaker, I would like to know who pays for the cost of instruction. Does the foreign government reimburse the United States for the increased cost of instruction?

Mr. VINSON. The bill states that the United States cannot be subject to any expense on account of certain instruction.

Mr. EVINS. The gentleman from Iowa [Mr. HOEVEN] and I had the privilege of serving a few years ago as members of the Board of Visitors to the U.S. Military Academy, by appointment of Speaker RAYBURN and we were told that the desire they wanted most was for the Academy to name the members above and beyond that of the Congress. I am constrained to object at this time. We are having this recurring appeal to open the Academy to those other than nominations by Members of Congress.

Mr. Speaker, I object.

INSTRUCTION FOR BELGIAN CITIZENS AT ANNAPOLIS

The Clerk called the resolution (S.J. Res. 106) authorizing the Secretary of the Navy to receive for instruction at the U.S. Naval Academy at Annapolis two citizens and subjects of the Kingdom of Belgium.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the present consideration of the resolution?

Mr. EVINS. I object, Mr. Speaker.

CONVEY CERTAIN LAND TO THE STATE OF MICHIGAN

The Clerk called the bill (H.R. 65) to provide for the conveyance to the State of Michigan of certain land in Grayling Township, Crawford County, Mich., to be used for National Guard purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized to convey to the State of Michigan all the right, title, and interest of the United States in and to a tract of land in Crawford County, Michigan, containing seven hundred ninety-eight and eighty hundreds acres, more or less, being that parcel of land in Grayling Township known as Grayling Army Airfield, subject, however, to the conditions and restrictions set forth in section 2 of this Act.

SEC. 2. The conveyance authorized by this Act shall be made without monetary consideration therefor but upon condition that the property shall be used primarily for training of the National Guard and for other military purposes, and in the event it shall not be used for such purposes title thereto shall immediately revert to the United States, and, in addition, title to all improvements made by the State of Michigan during its occupancy shall vest in the United States without payment of compensation therefor. The deed of conveyance shall reserve to the United States all mineral rights, including gas and oil, and contain the further provisions that whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon determination by the Secretary of Defense that the property conveyed is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made by the State of Michigan, for a period not to exceed the duration of such state of war or national emergency plus six months, and upon cessation of such use the property shall revert to the State of Michigan, together with any or all improvements thereon and appurtenances appertaining thereto.

SEC. 3. The cost of any surveys necessary as an incident to the conveyance authorized herein shall be borne by the grantee.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEASE PART OF TWIN CITIES ARSENAL, MINNEAPOLIS, MINN.

The Clerk called the bill (H.R. 2449) to authorize the Secretary of the Army to lease a portion of Twin Cities Arsenal, Minn., to Independent School District No. 16, Minn.

Mr. WEAVER. Mr. Speaker, at the request of a Member who is not able to be here today, I ask unanimous consent

that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

MEDAL TO MEMBERS OF ANTARCTICA EXPEDITIONS

The Clerk called the bill (H.R. 3923) to provide for the presentation of a medal to persons who have served as members of a U.S. expedition to Antarctica.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each person who serves, or has served, as a member of a United States expedition to Antarctica between January 1, 1946, and a date to be subsequently established by the Secretary of Defense shall be presented a medal with accompanying ribbons and appurtenances, under regulations to be prescribed by the Secretary of the Military Departments under whose cognizance the expedition falls, such regulations to be subject to the approval of the Secretary of Defense. The regulations may include provisions for award to civilian as well as uniformed members and for posthumous awards.

Members of the Armed Forces of the United States who are presented the medal referred to in the first section of this Act may wear such medal and the ribbon symbolic of such medal in such manner as shall be prescribed by regulations approved by the Secretary of Defense.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF PROPERTY TO SACRAMENTO COUNTY, CALIF.

The Clerk called the bill (H.R. 2247) to authorize the conveyance of certain real property of the United States to the county of Sacramento, Calif.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CURTIS of Missouri. Mr. Speaker, reserving the right to object, and I probably shall object, but as I understand the statement made here, expenditure of Federal funds are not involved. It may be that expenditure of additional Federal funds are not involved, but this is a piece of property with improvements on it worth $128,000 at the time it was constructed. It is worth considerably more now, as sewage disposal plants go. Apparently this property is under lease to Sacramento County. It seems to me that when the military are getting only about 8 cents on the dollar on the disposal of their surplus property, it is about time we started looking into these giveaway programs, and for that reason I feel constrained to object.

DEFINE TERM "A MEMBER OF A RESERVE COMPONENT"

The Clerk called the bill (H.R. 6269) to amend section 265 of the Armed Forces Reserve Act of 1952 to define the term "a member of a reserve component" so as to include a member of the Army or Air Force without specification of component.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 265(h) of the Armed Forces Reserve Act of 1952 (50 U.S.C. 1016) is amended to read as follows:

"(h) For the purpose of this section—

"(1) the term 'a member of a reserve component' shall include a member of the Army or Air Force without specification of component, and

"(2) the term 'involuntary release' shall include release under conditions wherein a member of a reserve component, who has completed a tour of duty, volunteers for an additional tour of duty and the service concerned does not extend or accept the volunteer request of the member for the additional tour."

SEC. 2. Payments authorized by this Act shall be made from appropriations currently available for military pay and allowances.

SEC. 3. This Act is effective from July 9, 1956.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEASE CERTAIN PROPERTY IN MISSOURI FOR SCHOOL PURPOSES

The Clerk called the bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools R–I, Missouri.

Mr. WEAVER. Mr. Speaker, on behalf of a Member who could not be here today, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

WILDLIFE CONSERVATION IN MILITARY RESERVATIONS

The Clerk called the bill (H.R. 2565) to promote effectual planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation in military reservations.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RIVERS of Alaska. I object, Mr. Speaker.

REPEALING SECTION 217 OF MERCHANT MARINE ACT

The Clerk called the bill (H.R. 5067) to repeal section 217 of the Merchant Marine Act, 1936, as amended.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

WILDLIFE CONSERVATION IN MILITARY RESERVATIONS

Mr. DINGELL. With respect to H.R. 2565, I was on my feet and was about to ask the gentleman from Alaska to withdraw his objection and that he merely reserve the right to object and that he explain to me his reason for objecting.

The SPEAKER pro tempore. Does the gentleman ask unanimous consent to turn to H.R. 2565?

Mr. DINGELL. Yes, Mr. Speaker.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. DINGELL. Will the gentleman tell me the reason for his objection?

The SPEAKER pro tempore. Does the gentleman from Alaska reserve the right to object?

Mr. RIVERS of Alaska. Yes. I am willing to answer the question. This goes to the policy question of whether or not to put the Secretary of Defense in the game-management business which he is not in at the present time. The Secretary of the Interior is in the game-management business and seeks to extend it in perpetuity in Alaska in the form of an Arctic Wildlife Reserve. The Forest Service is now taking steps to expand the part it is playing in the game-management business in the National Forests. All of this makes me wonder when there will be moves to put practically all of the Departments of the Federal Government in the game-management business. I think this piece of legislation should be considered fully with a rule.

Mr. DINGELL. Will the gentleman yield to me and just ask unanimous consent that this bill be passed over so that we can have a chance to talk it over? Now, we have been all over every objection on this particular piece of legislation before my committee, and I think in this bill we have met every objection that has been made.

I will say to the gentleman that he has had notice of this bill. He has a close interest in it, and he knows I have been handling it. This is the first objection I have heard on the part of the gentleman. I hope he will not object and just ask unanimous consent that it be passed over without prejudice.

Mr. RIVERS of Alaska. I want to say that this particular bill did not come to my attention until after the hearings were over. Because of the request of the gentleman from Michigan I withdraw my objection and now ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

There was no objection.

MERCHANT MARINE ACT, 1936

The Clerk called the bill (H.R. 5067) to repeal section 217 of the Merchant Marine Act, 1936, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 217 of the Merchant Marine Act, 1936, as amended (56 Stat. 171; 46 U.S.C. 1127), is hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASE IN RETIREMENT FOR MEMBERS OF LIGHTHOUSE SERVICE

The Clerk called the bill (H.R. 5431) to provide a further increase in the retired pay of certain members of the former Lighthouse Service.

Mr. WEAVER. Mr. Speaker, on behalf of a Member who is not present today, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

ARCTIC WILDLIFE RANGE, ALASKA

The Clerk called the bill (H.R. 7045) to authorize the establishment of the Arctic Wildlife Range, Alaska, and for other purposes.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

GREAT LAKES PILOTAGE

The Clerk called the bill (H.R. 57) to require pilots on certain vessels navigating U.S. waters of the Great Lakes, and for other purposes.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

LICENSING OF INDEPENDENT FOREIGN FREIGHT FORWARDERS

The Clerk called the bill (H.R. 5068) to amend the Shipping Act, 1916, to provide for licensing independent foreign freight forwarders, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BOLAND. Mr. Speaker, this matter is to be taken up under suspension; I object.

RELIEF OF GOVERNMENT OF ICELAND

The Clerk called the bill (H.R. 8499) for the relief of the Government of the Republic of Iceland.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1590, be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, to the Government of the Republic of Iceland, the sum of $5,378.98, and such additional sum due to increases in rates of exchange as may be necessary to pay this claim in foreign currency, in full satisfaction and final settlement of its claim against the United States in the amount of 88,000 Icelandic kronur, arising out of accidents involving United States Armed Forces during their presence in Iceland from July 7, 1941, to April 5, 1947, under the terms of the agreements between the Government of the United States of America and the Government of the Republic of Iceland, respecting the defense of Iceland, dated July 1, 1941 (55 Stat. 1547), and regarding the settlement of claims of Icelandic insurance companies, dated November 23, 1956.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 8499) was laid on the table.

FOREIGN-FLAG AFFILIATIONS OF SUBSIDIZED OPERATORS

The Clerk called the bill (H.R. 8388) to amend the Merchant Marine Act, 1936, to provide further requirements for applicants for and contractors under operating-differential subsidy contracts.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 605 of the Merchant Marine Act, 1936, is amended by adding at the end thereof the following new subsection:

"(d) Before awarding any contract for operating-differential subsidy under this title, the Board shall, after a public hearing, determine whether or not the applicant for such subsidy, or any holding company, subsidiary, affiliate, or associate of such applicant, or any officer, director, agent, or executive thereof, or person owning or having a beneficial interest in a substantial portion of the stock of the applicant, directly or indirectly, operates, charters, acts as agent or broker for, or owns a substantial interest in any foreign-flag vessel which competes with any American-flag service determined to be essential under section 211 of this Act. If the Board determines that the applicant or such holding company, subsidiary, affiliate, or associate, or other person has such interest in, relationship with, or so acts in respect of, any foreign-flag vessel competitive with an American-flag service, the Board shall not enter into a contract with the applicant under title VI unless it is also determined after such public hearing that special circumstances exist, and good cause is shown, which in the discretion of the Board justify the making of the contract with the applicant, notwithstanding such foreign-flag interest, relationship, or activity. The public hearings provided for in this subsection shall not be required with respect to any applicant whose application was filed prior to December 1, 1958."

SEC. 2. That section 804 of the Merchant Marine Act, 1936, is amended to read as follows:

"It shall be a misdemeanor for any contractor receiving an operating-differential subsidy under title VI or for any charterer of vessels under title VII of this Act, or any holding company, subsidiary, affiliate, or associate of such contractor or such charterer, or any officer, director, agent, or executive thereof, or person owning or having a beneficial interets in 5 per centum or more of the stock of such contractor or charterer directly or indirectly, to operate, charter, act as agent or broker for, or own a substantial interest in any foreign-flag vessel which competes with any American-flag service determined by the Board to be essential as provided in section 211 of this Act: *Provided, however,* That under special circumstances and for good cause shown the Board may, in its discretion, following public hearings, waive the provisions of this section for a specific period of time. If any person or corporation holding or having a beneficial interest in 5 per centum or more of the stock of such contractor or charterer violates this section, such violation shall not be deemed a breach of the contractor's operating-differential subsidy contract, or of the charterer's charter."

With the following committee amendments:

On page 2, line 22, immediately after the quotation mark insert "SEC. 804.".

On page 3, line 12, delete the words "or corporation", and insert in lieu thereof the following: "other than an officer, director, agent, or executive of the contractor or charterer, or corporation other than the contractor or charterer itself".

The committee amendments were agreed to.

Mr. TOLLEFSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. TOLLEFSON. Mr. Speaker, during the consideration of H.R. 8388 by our committee, I had suggested the advisability of an amendment to the bill which would spell out in some way the kind of competition we would be concerned with as between American-flag vessels and foreign-flag vessels carrying cargoes between one foreign port and another. We came to the conclusion that perhaps we could best deal with this matter in the report on the bill. Unfortunately, in the press of its work, our staff forgot to mention it in the report at all.

I was convinced that we were concerned with competition which was substantial in nature. It would be difficult to spell this out in legislation, understandably. Therefore, I believed that the report should have made mention of the problem and should have indicated that the Maritime Board ought to have some flexibility in determining what kind of competition was substantial and detrimental to the American Merchant Marine. The committee agreed that the report should deal with the subject, and it would have dealt with it had not the staff overlooked it. I certainly mean no criticism of our staff which is an excellent one. The staff simply has been burdened with an unusual amount of work. It is understandable that this matter was overlooked.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTERNATIONAL RULES OF JUDICIAL PROCEDURE

The Clerk called the bill (H.R. 8461) to amend the act of September 2, 1958, establishing a Commission and Advisory Committee on International Rules of Judiciary Procedure.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ROONEY. Mr. Speaker, reserving the right to object, I should like to inquire if this is the same Commission that was established about a year ago by a bill called up on the Consent Calendar, with an assurance to the House at that time that the total cost of the Commission would be not more than $5,000, which Commission subsequently came to the House Committee on Appropriations with a request for $75,000? Is this the same Commission?

Mr. WALTER. This is the same Commission. However, I might state to the gentleman that the Commission does not function because there are vacancies and that is the reason for this amendment. It merely extends the life of the Commission.

Mr. ROONEY. It is my understanding, I must say to my distinguished friend, the gentleman from Pennsylvania, that there were nine members appointed on this Commission, all of one political faith, under the aegis of the former distinguished Attorney General, Mr. Brownell. At the present time, this seems to be an effort to extend the life of the Commission and to cost the taxpayer an additional $75,000 for some work that could just as well be done by the American Bar Association, the Ford Foundation or some such private agency as these, without any cost to the American taxpayer.

Mr. WALTER. Mr. Speaker, I do not know whether any of the foundations or organizations which the gentleman has mentioned have indicated a willingness to perform these very necessary functions. But with respect to the people appointed on the Commission I know of several of the members, one of whom is a member of the staff of the Committee on the Judiciary. He has been a lifelong Democrat. I do know that former Attorney General McGranery was offered a position; and I know that two justices from the third circuit have been recommended for appointment and will probably be appointed, and they are both Democrats.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. ROONEY. I yield to the distinguished gentleman from New York.

Mr. CELLER. As to the appointments being of one political faith, that is unfortunately true. I took that up with the Deputy Attorney General and I said that was highly unfair. He admitted finally it was unfair and has agreed to rectify that situation. Two vacancies have occurred and pledges have been given that the two new members would be of a different political faith than the other seven and if other vacancies occur Democrats will be appointed until there is a fair balance. There are also advisory members. Most of the advisory members are of the political faith to which the gentleman and I belong. So that situation is being remedied. It is quite unlikely I will say to the gentleman from New York that the various foundations would be willing to do this type of work. It is purely legal. It provides for making possible easier service of judicial process upon foreign corporations in foreign countries; the obtaining of evidence; the proof of foreign law. You have these difficult language barriers to contend with. There are some 80 countries to deal with, with so many diverse languages, and within those countries there are subdivisions. For example, in Switzerland you have the various cantons and in India you have the different Provinces or the States. In Mexico you have the several States. Languages differ in various of these local political subdivisions and so on. You have these grave difficulties in effectuating service and you have great difficulties in the process of receiving evidence greatly exacerbated by language barriers. This committee is trying to overcome these difficulties by establishing and aiding in the establishment of treaties with these 80 different nations. The program of translation of documents and laws is stupendous. It is a very important assignment and a very difficult one. The Commission is bent upon a painstaking job. I think it should indeed earn the plaudits of this Congress and the bill ought to pass.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. ROONEY. I yield.

Mr. WALTER. I would like to call the attention of the gentleman to the fact that because of the war it has been difficult to settle many estates in many of the nations in the world. In finally working out these settlements it is important that there be some sort of uniform procedure, particularly with respect to the taking of affidavits of people who are not in the United States.

Mr. ROONEY. I might say that during the course of the House appropriations hearings it appeared that it originally was the intention to do this all by mail. Has this now gotten to the point where it is going to cost the taxpayers additional money beyond what was already provided for this Commission?

Mr. WALTER. No. I do not think any of the money has been expended. Certainly the only expenditures will be for the very modest staff that this Commission will have to have in order to carry out the mailing of the proposed forms that the gentleman knows about.

Mr. ROONEY. Then the gentleman feels that we have an assurance from the Commission that this will not cost the taxpayers any additional sums?

Mr. WALTER. I do not have the faintest idea.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ROONEY. I yield.

Mr. GROSS. I believe I raised the question when the bill was originally on the floor about the cost.

Mr. WALTER. The gentleman from Iowa did raise that question.

Mr. GROSS. I think I was told by the gentleman from Pennsylvania [Mr. WALTER] that it was supposed it would cost $5,000.

Mr. WALTER. Yes, I am sure I informed the gentleman from Iowa that it would cost $5,000.

Mr. GROSS. Do I understand that the cost has been upped to $150,000 for this? Or what is it?

Mr. ROONEY. I notice in the report, I should say to the distinguished gentleman from Iowa, that Mr. Brownell has requested an additional $75,000 under date April 22, 1959, but the Committee on the Judiciary in its wisdom has denied or ignored that request and has brought us the bill now on this Consent Calendar which does not provide for any additional funds. Is that correct?

Mr. CELLER. The gentleman is correct.

Mr. ROONEY. So we have an assurance that it will not cost any further sums of taxpayers' money. In that event, Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of subsection (b) of section 7 of the Act of September 2, 1958, establishing a Commission and Advisory Committee on International Rules of Judicial Procedure is amended to read as follows:

"The Commission shall submit its final report and the Commission and the Advisory Committee shall terminate prior to December 31, 1961."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLARIFYING PROHIBITION AGAINST ARRESTMENT OF WAGES OF U.S. SEAMEN

The Clerk called the next bill (H.R. 6815) to amend title 46, United States Code, section 601, to clarify types of arrestment prohibited with respect to wages of U.S. seamen.

Mr. BONNER. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate bill (S. 1958) to amend title 46, United States Code, section 601, to clarify types of arrestment prohibited with respect to wages of U.S. seamen, a similar bill.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 46, United States Code, section 601, is amended by adding at the end thereof the following: "*And provided further,* That prior to September 1, 1961, no part of the wages due or accruing to any seaman who is a member of the crew on a vessel engaged in the foreign, coastwise, intercoastal,

interstate, or noncontiguous trade shall be withheld pursuant to the provisions of the tax laws of any State, Territory, possession, or Commonwealth, or a subdivision of any of them."

Mr. BONNER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BONNER moves to strike out all after the enacting clause in S. 1958 and insert the following: "That the second sentence of section 12 of the act of March 4, 1915 (38 Stat. 1169; 46 U.S.C. 601) is amended by striking out the period at the end thereof and inserting a colon in lieu thereof and the following: *'And provided further,* That no part of the wages due or accruing to a master, officer, or any other seaman who is a member of the crew on a vessel engaged in the foreign, coastwise, intercoastal, or noncontiguous trade shall be withheld pursuant to the provisions of the tax laws of any State, Territory, possession, or Commonwealth, or a subdivision of any of them.' "

The motion was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

On the motion of Mr. BONNER, the title was amended so as to read: "A bill to amend section 12 of the Act of March 5, 1915, to clarify types of arrestment prohibited with respect to wages of United States seamen."

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

MODIFYING OF CITIZENSHIP REQUIREMENTS FOR U.S. SHIPPING CORPORATIONS

The Clerk called the bill (H.R. 6888) to amend section 4132 of the Revised Statutes, section 37 of the Merchant Marine Act, 1920, and section 2 of the Shipping Act, 1916.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4132 of the Revised Statutes, as amended (46 U.S.C. 11), is amended by striking out of the first sentence thereof the words "or corporations organized and chartered under the laws of the United States, or of any State thereof, the president and managing directors of which shall be citizens of the United States" and inserting in lieu thereof the words "or corporations organized and chartered under the laws of the United States, or of any State thereof, of which the president shall be a citizen of the United States and such number of its directors shall be citizens of the United States as will at any meeting of the board of directors, a quorum being present, be a majority of the directors present".

SEC. 2. Section 37 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 888), is amended by striking out the words "by this Act".

SEC. 3. Section 2 of the Shipping Act, 1916, as amended (46 U.S.C. 802), is amended by striking out of subsection (a) the words "in the case of a corporation, unless its president and managing directors are citizens of the United States" and inserting in lieu thereof the words "in the case of a corporation, unless its president is a citizen of the United States and such number of directors are citizens of the United States as will at any meeting of the board of directors, a quorum being present, be a majority of the directors present,".

With the following committee amendments:

Strike out of line 1 through 4, of page 2, the words "the president shall be a citizen of the United States and such number of its directors shall be citizens of the United States as will at any meeting of the board of directors, a quorum being present, be a majority of the directors present" and insert in lieu thereof the words "the president or other chief executive officer and the chairman of the board of directors shall be citizens of the United States and no more of its directors than a minority of the number necessary to constitute a quorum shall be noncitizens,".

Strike out of lines 13 through 17, of page 2, the words "its president is a citizen of the United States and such number of its directors are citizens of the United States as will at any meeting of the board of directors, a quorum being present, be a majority of the directors present" and insert in lieu thereof the words "its president or other chief executive officer and the chairman of its board of directors are citizens of the United States and unless no more of its directors than a minority of the number necessary to constitute a quorum are noncitizens."

Insert at the end of the bill a new section 4, to read as follows:

"SEC. 4. Section 905(c) of the Merchant Marine Act, 1936, as amended, is amended by striking out the words 'section 2 of the Shipping Act, 1916, as amended (U.S.C., title 46, sec. 802),' and inserting in lieu thereof the words 'section 2 of the Shipping Act, 1916, as amended (U.S.C., title 46, sec. 802), and with respect to a corporation under title VI of this Act, all directors of the corporation are citizens of the United States'."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. BONNER, the title was amended so as to read: "A bill to amend section 4132 of the Revised Statutes, section 37 of the Merchant Marine Act, 1920, section 2 of the Shipping Act, 1916, and Section 905(c) of the Merchant Marine Act, 1936, as amended."

A motion to reconsider was laid on the table.

CONVEYING CERTAIN LANDS IN SALT LAKE COUNTY, UTAH

The Clerk called the bill (H.R. 5270) to authorize the Secretary of the Interior to convey to the Metropolitan Water District of Salt Lake City, Utah, all right, title, and interest of the United States in certain lands located in Salt Lake County, Utah.

Mr. WEAVER. Mr. Speaker, I ask that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

EXTENDING TIME FOR COMMENCING CERTAIN PROJECTS BY MICHIGAN

The Clerk called the bill (H.R. 3180) to extend for an additional 3 years the time within which the State of Michigan may commence and complete the construction of certain projects heretofore authorized by the Congress.

There being no objection the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso in the first section of the Act entitled "An Act to revive and reenact the Act entitled 'An Act authorizing the State of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the Saint Marys River, from a point in or near the city of Sault Sainte Marie, Michigan, to a point in the Province of Ontario, Canada', approved December 16, 1940", approved July 28, 1953 (67 Stat. 226; Public Law 157, Eighty-third Congress), approved May 18, 1956 (70 Stat. 159 and 160; Public Law 530, Eighty-fourth Congress), is amended to read as follows: *"Provided* That this Act shall be null and void unless the actual construction of the bridge, or series of bridges, causeways, and approaches thereto, referred to in this Act, is commenced on or before July 28, 1962, and completed on or before July 28, 1965."

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the Act entitled 'An Act authorizing the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the Saint Marys River, from a point in or near the city of Sault Sainte Marie, Michigan, to a point in the Province of Ontario, Canada', approved December 16, 1940 (54 Stat. 1222; Public Law 889, Seventy-sixth Congress), is hereby revived and reenacted: *Provided,* That this Act shall be null and void unless the actual construction of the bridge, or series of bridges, causeways, and approaches thereto, referred to in such Act of December 16, 1940, is commenced within three years, and completed within six years, from the date of enactment of this Act.

"SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL MEDAL OF SCIENCE

The Clerk called the bill (H.R. 6288) to establish a National Order of Science to provide recognition for individuals who make outstanding contributions in science and engineering.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. BROOKS of Louisiana. Mr. Speaker, reserving the right to object, I hope the gentleman will let this bill be considered. Will the gentleman advise what his objection to the bill is?

Mr. GROSS. Will the gentleman first tell the House what the purpose of the bill is? Then I will tell him what my objection is.

Mr. BROOKS of Louisiana. The purpose of this bill, which was introduced by the gentleman from New York [Mr. ANFUSO] is to provide for the award of certain scientific medals for outstanding

work done by young scientists in order to encourage them to engage in new scientific activities, particularly to promote the general field of science in the United States at this critical time. That in general is the purpose of the bill.

Mr. GROSS. Yes; but the gentleman has left out one important provision in the bill; that is to pay to each of the 20 such individuals recognized each year $10,000; in other words, this bill can cost up to $200,000 a year.

When this Government undertakes to pay $10,000 a year in connection with the award of medals of this kind to 20 persons a year it can turn out to be costly.

Mr. BROOKS of Louisiana. I am glad to ascertain the gentleman's objection. The important thing is the award of the medal. If the monetary award is the sole objection I think it can be worked out.

Mr. GROSS. I think you are going pretty strong on the number of scientific award medals when you fix it at 20 a year, but I am particularly opposed to giving each of these persons $10,000.

Mr. BROOKS of Louisiana. May I say to the gentleman that the number of medals awarded is left to the discretion of the President of the United States.

Mr. GROSS. I understand that perfectly.

Mr. BROOKS of Louisiana. And it is spread throughout several categories of science.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield.

Mr. McDONOUGH. As a member of the committee that reported this bill I think it should be understood that these awards will not be made promiscuously. It is not entirely within the discretion of the President of the United States, but it is with the advice and counsel of the National Academy of Science.

Some encouragement ought to be given to young scientists who are striving on their own to try and make scientific strides for the Nation. There was the case of the recent discovery by Dr. Thaler that gives us the assurance that we can discover and locate the firing of rockets beyond the radar horizon. He made that research on his own to a large extent.

So a monetary award should be given these scientists who are trying to give us something that we do not now have and sometimes get very discouraged because they have not the means or facilities to pursue their investigations.

Mr. BROOKS of Louisiana. May I say further to the gentleman that it was simply to provide an appropriate medal for these outstanding scientists. The reason a stipend was placed in the bill was because it was brought out that those honored would probably be young scientists struggling upward and it would mean something to them.

Mr. GROSS. Is the gentleman telling the House that $10,000, tax free, is a little stipend?

Mr. BROOKS of Louisiana. No. I may say to the gentleman that the amount cannot exceed that sum, and it is discretionary with the President who is the awarding officer. It could be $500, it could be more. It could be any amount less than $10,000.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman from Pennsylvania.

Mr. FULTON. May I say to the House that I raised the question of the monetary awards at the time in committee, and at that time the committee thought otherwise than I did. I felt that the bill would be much better if it were an honorary medal, and I even opposed the setting up of any order of scientists on the basis you might set them apart or make them in a separate group. I feel the committee should take into consideration the views of the gentleman from Iowa [Mr. GROSS] and come back here with a bill with the monetary award stricken out. The committee chairman is correct, it is discretionary in the President up to 20 how many will be awarded each year, and likewise it is discretionary as to the amount of award to each individual. I feel the monetary award without an income tax is setting a precedent, and I accept the view of the gentleman from Iowa [Mr. GROSS].

Mr. BROOKS of Louisiana. May I ask the gentleman one more question. That is the sole objection to the bill?

Mr. GROSS. I would object to the awarding of these medals.

Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

SAN JUAN NATIONAL HISTORIC SITE, P.R.

The Clerk called the bill (S. 822) to authorize the conveyance of certain property administered as a part of the San Juan National Historic Site to the municipality of San Juan, P.R., in exchange for its development by the municipality in a manner that will enhance the historic site, and for other purposes.

There being no objection, the clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to enhance the setting and to promote the public appreciation and enjoyment of the San Juan National Historic Site, the Secretary of the Interior is authorized, in his discretion, to convey to the municipality of San Juan, Puerto Rico, that certain tract of land described below: *Provided,* That in exchange therefor and in accordance with the requirements hereinafter set forth, the municipality shall develop and thereafter maintain such tract for public recreational purposes only, in accordance with such plans as may be approved by the Secretary which shall complement and enhance the national historic site.

Beginning at point 1 which is at the northwesterly corner of Tetuan and Santo Cristo Streets, thence south 85 degrees 48 minutes west, 56.6 feet to point 2; thence north 6 degrees 46 minutes west, 15.3 feet to point 3; thence north 80 degrees 35 minutes east, 4.0 feet to point 4; thence north 7 degrees 42 minutes west, 22.7 feet to point 5; thence south 81 degrees 07 minutes west, 57.5 feet to point 6; thence south 10 degrees 07 minutes east, 9.5 feet to point 7; thence south 78 degrees 26 minutes west, 149.2 feet to point 8; thence south 78 degrees 26 minutes west, 17.5 feet to a point located 5 feet east of the retaining wall for access road to Conception Bastion; thence south 11 degrees 11 minutes east, 30 feet to a point 0.75 feet north of the north edge of the scarf wall; thence northeasterly in a straight line 260.13 feet, more or less, to a point on the Capilla del Cristo Building 2.0 feet north of the scarf wall; thence along the wall of said building north 4 degrees 06 minutes east, 7.95 feet to a corner of the said Capilla del Cristo Building; thence still along said building north 85 degrees 54 minutes east, 13.6 feet to the westerly line of Santo Cristo Street, produced; thence along the line of said streeet north 11 degrees 97 minutes west, 18.1 feet to the point or place of beginning, already described, comprising an area of 0.36 acres, more or less, and being a portion of the 0.54-acre tract accepted by the Department of the Interior by transfer from the Secretary of the Army on February 15, 1956.

SEC. 2. The deed effecting the conveyance and exchange authorized by the first section of this Act shall include but need not be limited to the following conditions:

(a) Prohibit use of the premises as an outdoor dining facility or for any other comparable purpose that, as may be determined by the Secretary of the Interior, would interfere with the use of the area as a public park;

(b) Reserve permanently to the United States, for the purpose of maintaining and preserving the old city wall, a right or rights of access to the said wall through the conveyed property;

(c) Reserve permanently to the United States all right, title, and interest in and to the vaults and tunnels connected to the old city wall and extending in part under the property to be conveyed, together with all rights of ingress and egress thereto; and

(d) Provide that in the event the municipality of San Juan, Puerto Rico, does not proceed with the development of the aforesaid area as a public park and promenade for the benefit and enjoyment of the people in a manner and period of time satisfactory to the Secretary of the Interior, or if the municipality ceases to use the said area for the purposes for which it was conveyed, as determined by the Secretary of the Interior, all or any portion thereof, not so utilized, in its then existing condition, shall, upon a declaration to that effect by the Secretary, revert to the Unied States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FORT MYERS, FLA., AND LEE COUNTY, FLA.

The Clerk called the bill (S. 1330) for the relief of the city of Fort Myers, Fla., and Lee County, Fla.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (a) of the first section of the Act entitled "An Act for the relief of the city of Fort Myers, Florida, and Lee County, Florida", approved July 22, 1958 (72 Stat. 401), is amended by striking out "$137,997.64" and inserting in lieu thereof "$141,997.64".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WAIVER OF COLLECTION OF CERTAIN ERRONEOUS PAYMENTS MADE BY THE FEDERAL GOVERNMENT TO CERTAIN CIVILIAN AND MILITARY PERSONNEL

The Clerk called the bill (H.R. 7529) to authorize the waiver of collection of certain erroneous payments made by the Federal Government to certain civilian and military personnel.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, I would like to inquire of the author of the bill or someone as to whether or not the provision made in this bill as amended calls for a cut-off date. I understand the Attorney General favors the principle of the bill, but recommends that the date of enactment be the cut-off date.

Mr. LANE. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Massachusetts.

Mr. LANE. May I answer the gentleman by saying that the subcommittee gave this matter considerable attention, and we felt there ought to be a cut-off date. The bill has a reasonable amount of retroactive effect and for that reason we placed a cut-off date as of June 30, 1950.

Mr. PELLY. May I inquire of the gentleman as to whether the amendment does not read that the indebtedness growing out of erroneous payments made after June 30, 1950? That is not a cut-off date, it is a starting date.

Mr. LANE. May I say to the gentleman that even with this legislation many of these claim private bills will still have to come before the committee. This subject matter came to us as a result of the number of these private bills that the Committee on the Judiciary struggles with from year to year. There were 289 of them in the last Congress, and 37 of them became the law. We felt the enactment of this bill makes possible the development of a uniform standard of procedure and would make for a rapid, fair and reasonable disposition of all these claims that are pending.

May I say further to the gentleman that after all none of these claims will be approved unless they come with the favorable recommendation of the Department; and, secondly, approval by the Comptroller General is mandatory. So there are certain precautions that your committee has taken.

Mr. PELLY. On the understanding that the cut-off date actually is June 30, 1950, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, (a) That the Comptroller General, upon the recommendation of the heads of departments, agencies, or establishments concerned, or such subordinates as they may designate, and a showing that collection would be against equity and good conscience, may waive indebtedness growing out of erroneous payments of money to any civilian employee of the Government or to any member of the military or naval forces of the United States.

(b) As used in this Act the term "Employee" shall include any civilian officer or employee or former civilian officer or employee of the Government and any member or former member of the military or naval forces of the United States.

(c) The relief provided herein shall apply to determinations of indebtedness made after effective date of this Act.

With the following committee amendments:

Page 2, lines 6 and 7, strike "determinations of indebtedness made after the effective date of this Act" and insert "indebtednesses growing out of erroneous payments made after June 30, 1950."

Page 2, insert new subparagraph (d) as follows:

"(d) This Act shall not apply in any case where the indebtedness may be remitted, or its recovery waived, under 10 U.S.C. § 4837 (d); 10 U.S.C. § 9837(d); 38 U.S.C. § 302(a); sections 10, 11, and 13 of the Dependents Assistance Act of 1950, 64 Stat. 796, 797; or any other provision of law."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXPENSES OF STORAGE OF HOUSEHOLD EFFECTS—NAVY

The Clerk called the bill (H.R. 8106) to provide for the relief of certain members and former members of the Department of the Navy for the expenses of temporary storage of household effects.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I wonder if there is someone who could explain this mistake? I do not believe I will object to this bill, but I would like to know who made this mistake.

Mr. LANE. Mr. Speaker, if the gentleman will yield, may I say to the gentleman that it was the understanding of the Department of Defense that this matter could be taken care of in that fashion. This was sent to us as an executive communication. It has been necessary to validate the action of the Navy over the years, from away back in 1949 to April 1954. In that period, may I say to the gentleman from Iowa, the Navy followed certain set policies and procedures in providing for commercial storage of these household effects of our servicemen who had their stations changed from time to time.

Mr. GROSS. I do not want to take the time of the House. I understand the purpose of the bill and I think it is a worthy purpose, but I wonder why the committee did not find out who made the mistake originally in misinterpreting the law. It seems to me that we ought to ascertain who makes these mistakes and penalize those responsible. Then, perhaps, we would not have so much of this kind of legislation before us.

Mr. LANE. I quite agree with the gentleman from Iowa.

Mr. GROSS. Well, did you inquire into it when you handled this bill?

Mr. LANE. That is a very worthy suggestion.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding any law, all payments made for services rendered before April 17, 1954, for the temporary storage of the household effects of members of the Navy, which were temporarily stored in commercial facilities after April 20, 1949, under the provisions of Executive Order 10053 or of the Joint Travel Regulations of the uniformed services, whether paid directly or as reimbursement to the member, are validated to the extent that they were paid.

(b) Any member or former member of the Navy or his legal representative, who, directly or by set-off, has repaid the United States for an amount paid by it for services rendered after April 20, 1949, but before April 17, 1954, for the temporary storage of his household effects in commercial facilities, is entitled to be paid the amount involved, if otherwise proper, from the account to which the repayment was credited, or if that account is not available, from appropriations available for the refund of any amounts erroneously collected.

SEC. 2. In the audit and settlement of accounts of disbursing and certifying officers, full credit shall be given for amounts for which liability is relieved under this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REEMPLOYMENT OF RETIRED MEMBERS OF CONGRESS

The clerk called the bill (H.R. 8241) to amend certain provisions of the Civil Service Retirement Act relating to the reemployment of former Members of Congress.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALEY. Mr. Speaker, reserving the right to object, I wonder if some member of the committee would give us an explanation of this bill.

Mr. FOLEY. Mr. Speaker, will the gentleman yield?

Mr. HALEY. I yield to the gentleman from Maryland.

Mr. FOLEY. Mr. Speaker, this bill was introduced by the gentleman from New Jersey [Mr. WALLHAUSER]. I am wondering if Mr. WALLHAUSER is here at the present time. I would like to ask him to go into it and then I would have further comments, if necessary.

Mr. WALLHAUSER. Mr. Speaker, will the gentleman yield?

Mr. HALEY. I yield to the gentleman from New Jersey.

Mr. WALLHAUSER. In explanation of this bill, I might say that under the present law a Member of Congress who serves, after retirement, in an appointive

or elective position, or on an intermittent basis, or without compensation, forfeits his annuity while he is serving. This bill seeks to correct that inequity and give him credit for the service that he rendered in the other capacity.

Mr. HALEY. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 9(c) of the Civil Service Retirement Act (5 U.S.C. 2259(c)) is amended—

(1) by striking out "The annuity of a Member retiring under this Act" and inserting in lieu thereof "The annuity of a Member, or of a former Member with title to Member annuity, retiring under this Act"; and

(2) by inserting, in paragraphs (2), (3), (4), and (5) thereof, "or performed in a position in which he is subject to this Act after his separation from service as a Member," immediately following "prior to his separation from service as a Member,".

(b) Section 13(c) of the Civil Service Retirement Act (5 U.S.C. 2263(c)) is amended to read as follows:

"(c) If a Member heretofore or hereafter retired under this Act hereafter becomes employed in an appointive or elective position, annuity payments shall be discontinued during such employment and resumed in the same amount upon termination of such employment, except that—

"(1) any such retired Member or any Member heretofore or hereafter separated with title to an immediate or deferred annuity who serves or has served, at any time after separation as a Member, in an appointive position in which he is or was subject to this Act shall, if he so elects, have his Member annuity computed or recomputed as if such service had been performed prior to his separation as a Member and such annuity as so computed or recomputed shall be effective (A) the day Member annuity commences, (B) the first day of the month following the date of separation from the appointive position, or (C) the first day of the first month following the date of enactment of this Act, whichever day is the latest;

"(2) if such retired Member shall have become employed after December 31, 1958, in an appointive position on an intermittent-service basis, (A) his annuity shall continue during such employment and shall not be increased as a result of service performed during such employment, (B) no retirement deductions shall be withheld from his salary, (C) there shall be deducted from his salary, except for lump-sum payment purposes under the Act of December 21, 1944, a sum equal to the annuity allocable to the period of actual employment, and (D) the amounts so deducted shall be deposited in the Treasury of the United States to the credit of the fund;

"(3) if such retired Member takes office as Member and gives notice as provided in section 2(c), his service as Member during such period shall be credited in determining his right to and the amount of his subsequent annuity.

This subsection shall not apply to a Member appointed by the President of the United States to a position not requiring confirmation by the Senate."

SEC. 2. Notwithstanding any other provision of law, benefits payable by reason of the amendments made by the first section of this Act shall be paid from the civil service retirement and disability fund.

With the following committee amendments:

(1) Page 3, immediately following line 12, insert the following:

"(3) if such retired Member shall have become employed after December 31, 1958, in an appointive position without compensation on a full-time, or a substantially full-time, basis, his annuity shall continue during such employment and shall not be increased as a result of service performed during such employment; and".

(2) Page 3, line 13, strike out "(3)" and insert "(4)" in lieu thereof.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROHIBIT USE OF AIRCRAFT TO HUNT WILD HORSES

The Clerk called the bill (H.R. 2725) to amend chapter 3 of title 18, United States Code, so as to prohibit the use of aircraft or motor vehicles to hunt certain wild horses or burros on land belonging to the United States, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, and I shall not object, I believe this bill prohibits the shooting of wild horses and jackasses, is that correct?

Mr. LANE. May I answer the gentleman? It is the wild horses and the burros in the State of Nevada. After World War II we had in that section of the country some thousands and thousands of these horses. At that time we had 20,000. Right now we have about 5,000 left.

Mr. GROSS. I just wondered if this might be called a bill to protect the "sons of the wild jackasses." I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 3 of title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 47. Use of aircraft or motor vehicles to hunt certain wild horses or burros; pollution of watering holes

"(a) Whoever uses an aircraft or a motor vehicle to hunt, for the purpose of capturing or killing, any wild unbranded horse, mare, colt, or burro running at large on any of the public land or ranges shall be fined not more than $500, or imprisoned not more than six months, or both.

"(b) Whoever pollutes or causes the pollution of any watering hole on any of the public land or ranges for the purpose of trapping, killing, wounding, or maiming any of the animals referred to in subsection (a) of this section shall be fined not more than $500, or imprisoned not more than six months, or both.

"(c) As used in subsection (a) of this section—

"(1) The term 'aircraft' means any contrivance used for flight in the air; and

"(2) The term 'motor vehicle' includes an automobile, automobile truck, automobile wagon, motorcycle, or any other self-propelled vehicle designed for running on land."

(b) The analysis of such chapter 3, immediately preceding section 41, is amended by adding at the end thereof the following new item:

"47. Use of aircraft or motor vehicles to hunt certain wild horses or burros."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROHIBIT MISUSE OF NAMES TO INDICATE FEDERAL AGENCY

The Clerk called the bill (S. 355) to amend title 18 of the United States Code so as to prohibit the misuse by collecting agencies or private detective agencies of names, emblems, and insignia to indicate Federal agency.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 33 of title 18 of the United States Code is amended by adding at the end thereof the following new section:

"§ 712. Misuse of names by collecting agencies or private detective agencies to indicate Federal agency

"Whoever, being engaged in the business of collecting or aiding in the collection of private debts or obligations, or being engaged in furnishing private police, investigation, or other private detective services, uses as part of the firm name of such business, or employs in any communication, correspondence, notice, advertisement, or circular the words 'national,' 'Federal,' or 'United States,' the initials 'U.S.,' or any emblem, insignia, or name, for the purpose of conveying and in a manner reasonably calculated to convey the false impression that such business is a department, agency, bureau, or instrumentality of the United States or in any manner represents the United States, shall be fined not more than $10,000 or imprisoned not more than 1 year, or both."

SEC. 2. The provisions of this section shall become effective 60 days from the enactment thereof.

SEC. 3. The analysis of chapter 33 of title 18 of the United States Code which immediately precedes section 701 of such title is amended by adding at the end thereof the following:

"Sec. 712. Misuse of names by collecting agencies to indicate Federal agency."

With the following committee amendment:

On page 2, line 11, strike out "$10,000" and insert in lieu thereof "$1,000."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADDITION TO INDEPENDENCE NATIONAL HISTORICAL PARK

The Clerk called the bill (H.R. 6781) to authorize the Secretary of the Interior to acquire certain additional

property to be included within the Independence National Historical Park.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America is Congress assembled, That the act entitled "An act to provide for the establishment of the Independence National Historical Park, and for other purposes," approved June 28, 1948 (16 U S.C. 407m and the following), is amended by inserting immediately after the first section thereof the following new section:

"SEC. 1A. The Secretary of the Interior is authorized to acquire by donation or with donated funds, or to acquire by purchase from the Redevelopment Authority of the City of Philadelphia, all of the land immediately adjacent to Old Saint Joseph's Church, comprising an area 15,400 square feet situated on the south side of Walnut Street, Philadelphia, commencing with and including No. 324 Walnut Street and extending up to and including the southeast corner of Fourth and Walnut Streets, being known and numbered and shown on the records of the city of Philadelphia at 324, 326, 328, 330, 332, 334, and 336 Walnut Street, to be included within the Independence National Historical Park. The Secretary shall first enter into an agreement with the proprietor or proprietors of such property (Old Saint Joseph's Church), such agreement to contain the usual and customary provisions for the protection of the property, assuring its physical maintenance as part of the Independence National Historical Park, without any limitation or control over its use for customary church purposes."

SEC. 2. Section 6 of such act is amended by inserting immediately after the first sentence thereof the following new sentence: "There are hereby authorized to be appropriated such sums, not exceeding $46,200 as may be necessary to acquire the property referred to in section 1A of this act."

With the following committee amendment:

Strike out all after the enacting clause and insert: "That the Secretary of the Interior is authorized to acquire by donation or with donated funds, or to acquire by purchase, from the Redevelopment Authority of the City of Philadelphia the land and interests in land immediately adjacent to, but not including the Old Saint Joseph's Church property in the city of Philadelphia, Pennsylvania, which land and interests in land are identified on the records of the city of Philadelphia as 324, 326, 328, 330, 332, 334 and 336 Walnut Street, for inclusion in the Independence National Historical Park: *Provided,* That the Secretary shall first enter into an agreement with the proprietor or proprietors of the Old Saint Joseph's Church property, such agreement to contain the usual and customary provisions for the protection and physical maintenance of such church property, without expense to the United States, in keeping with, but not as a part of the nearby Independence National Historical Park and providing for its continued use, without limitation or control, for customary church purposes.

"SEC. 2. There are hereby authorized to be appropriated such sums, not exceeding $46,200 as may be necessary to carry out the purposes of section 1 of this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REVISING ORGANIC ACT OF THE VIRGIN ISLANDS

The Clerk called the bill (H.R. 7870) to amend the Revised Organic Act of the Virgin Islands, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Virgin Islands Organic Act Amendments of 1959".

SEC. 2. (a) Subsection (a) of section 6 of the Revised Organic Act of the Virgin Islands (68 Stat. 499; 48 U.S.C. 1572) is amended to read as follows:

"(a) The term of office of each member of the legislature shall be two years. The term of office of each member shall commence on the second Monday in January following his election: *Provided, however,* That the term of office of each member elected in November 1958 shall commence on the second Monday in April 1959 and shall continue until the second Monday in April 1961, and the term of office of each member elected in November 1960 shall commence on the second Monday in April 1961 and continue until the second Monday in January 1963."

(b) The first sentence of subsection (c) of section 6 of said Act is amended to read as follows: "Each member of the legislature shall be paid the sum of $600 annually, one-third on the first day of the regular session of the legislature, one-third one month after the beginning of such regular session, and one-third at the close of such regular session."

(c) The first sentence of subsection (a) of section 7 of said Act (68 Stat. 500; 48 U.S.C. 1573) is amended to read as follows: "Regular sessions of the legislature shall be held annually, commencing on the second Monday in January (unless the legislature shall by law fix a different date), and shall continue in regular session for not more than sixty consecutive calendar days in any calendar year: *Provided, however,* That the regular annual session for each of the years 1959, 1960, and 1961, respectively, shall commence on the second Monday in April and shall continue in regular session for not more than sixty consecutive calendar days."

SEC. 3. The second sentence of section 16(a) of the Revised Organic Act of the Virgin Islands (68 Stat. 504) as amended (48 U.S.C. 1957) is further amended to compromise two sentences to read as follows: "The head of each executive department other than the department of law shall be designated as the commissioner thereof, and the commissioner of finance shall be bonded. The head of the department of law shall be known as the attorney general of the Virgin Islands."

SEC. 4. Section 27 of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1617) is amended to read as follows:

"SEC. 27. The President shall, by and with the advice and consent of the Senate, appoint a United States attorney for the Virgin Islands to whose office the provisions of chapter 31 of title 28, United States Code, shall apply. Except as otherwise provided by law it shall be the duty of the United States attorney to prosecute all offenses against the United States and to conduct all legal proceedings, civil and criminal, to which the Government of the United States is a party in the district court and in the inferior courts of the Virgin Islands. He shall also prosecute in the district court in the name of the government of the Virgin Islands all offenses against the laws of the Virgin Islands which are cognizable by that court unless, at his request or with his consent, the prosecution of any such case is conducted by the attorney general of the Virgin Islands. The United States attorney may, when requested by the Governor or the attorney general of the Virgin Islands, conduct any other legal proceedings to which the government of the Virgin Islands is a party in the district court or the inferior courts of the Virgin Islands. In the case of a vacancy in the office of United States attorney, the District Court of the Virgin Islands may appoint a United States attorney to serve until the vacancy is filled. The order of appointment by the court shall be filed with the clerk of the court."

With the following committee amendments:

Page 2, line 8, strike out all of section (b) and insert:

"(b) Subsection (e) of section 6 of said Act is amended to read as follows: 'Each member of the legislature shall be paid the sum of $600 annually, one-third on the first day of the regular session of the legislature, one-third one month after the beginning of such regular session, and one-third at the close of such regular session. Each member of the legislature who is away from the island of his residence shall also receive the sum of $20 per day for each day's attendance while the legislature is actually in session, in lieu of his expenses for subsistence, and shall be reimbursed for his actual travel expenses in going to and returning from each session, or period thereof, for not to exceed a total of eight round trips during any calendar year. The salaries, per diem, and travel allowances of the members of the legislature shall be paid by the Government of the United States: *Provided, however,* That nothing herein shall prohibit the Virgin Islands Legislature from providing for payment of travel expenses and per diem in lieu of subsistence, at rates not in excess of those permitted by the Federal Government for its employees, for members of the legislature traveling on official business outside of the Virgin Islands.'"

Page 3, line 23, strike out "compromise" and insert "comprise."

Page 4, line 11, after "apply" insert "except that the Attorney General shall not appoint more than one assistant United States Attorney for the Virgin Islands."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REASONABLE NOTICE WHEN APPLYING FOR INTERLOCUTORY RELIEF

The Clerk called the bill (H.R. 7559) to provide for reasonable notice of applications to the U.S. courts of appeals for interlocutory relief against the orders of certain administrative agencies.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third sentence of subsection (b) of section 9 of the Act of December 29, 1950 (64 Stat. 1132; 5 U.S.C. 1039), is amended to read as follows: "In cases where irreparable damage would otherwise ensue to the petitioner, the court of appeals may, on hearing, after reasonable notice to the agency and to the Attorney General, order a temporary stay or suspension, in whole or in part, of the operation of the order of the agency for not more than sixty days from the date of such order

pending the hearing on the application for such interlocutory injunction, in which case such order of the court of appeals shall contain a specific finding, based on evidence submitted to the court of appeals, and identified by reference thereto, that such irreparable damage would result to petitioner and specifying the nature of such damage."

SEC. 2. Subsection (d) of section 1006 of the Federal Aviation Act of 1958 (72 Stat. 795; 49 U.S.C. 1486(d)) is amended to read as follows:

"(d) Upon transmittal of the petition to the Board or Administrator, the court shall have exclusive jurisdiction to affirm, modify, or set aside the order complained of, in whole or in part, and if need be, to order further proceedings by the Board or Administrator. Upon good cause shown and after reasonable notice to the Board or Administrator, interlocutory relief may be granted by stay of the order or by such mandatory or other relief as may be appropriate."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STILLHOUSE HOLLOW DAM, TEX.

The Clerk called the bill (H.R. 616) to designate the dam across the Lampasas River in Texas as Stillhouse Hollow Dam.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the dam across the Lampasas River in Bell County, Texas, authorized to be constructed by section 11 of the Flood Control Act of 1954, is hereby designated as Stillhouse Hollow Dam. Any law, regulation, map, document, record, or other paper of the United States in which such dam is referred to shall be held to refer to such dam by the name of Stillhouse Hollow Dam.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NINETEEN HUNDRED AND FIFTY-NINE PACIFIC FESTIVAL

The Clerk called the joint resolution (H.J. Res. 281) authorizing and requesting the President to issue a proclamation with respect to the 1959 Pacific Festival, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. BOW. Mr. Speaker, reserving the right to object, I would like to inquire whether any Federal funds are authorized under this resolution.

Mr. MAILLIARD. Mr. Speaker, if the gentleman will yield, this resolution calls for no Federal expenditure or participation. It is merely a question of having the President make official the invitation that has been issued.

Mr. BOW. I should like to ask whether or not it provides for any study to be made as to whether Federal funds shall be appropriated in the future.

Mr. MAILLIARD. None whatsoever.

Mr. BOW. Does the gentleman anticipate there will be any Federal funds involved?

Mr. MAILLIARD. There is no expectation of it. This resolution simply authorizes it for this year without any funds and we have no plan nor do we see any need or requirement for any Federal participation.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield.

Mr. GROSS. I am glad the gentleman has asked these questions. I was prepared to do so, because these proclamations usually lead to further demands upon the Treasury.

Mr. BOW. We are going to have one such tomorrow.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. FULTON. As a member of the House Committee on Foreign Affairs I should like to confirm what the gentleman from California [Mr. MAILLIARD] has said. There are no funds, no study funds for the specific festival. Secondly, in the tradition we have had I believe it is the understanding and I would like it on the record that the President shall not invite any nation of the Pacific rim which holds any other nation in Communist subjection. That will eliminate North Korea, Communist China, as well as Northern Vietnam from any invitation to this specific festival.

Mr. BOW. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation inviting foreign nations to participate in the 1959 Pacific Festival which is being held at San Francisco, California, from September 18, 1959, to September 27, 1959, inclusive.

The joint resolution was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

MEDALS COMMEMORATING 100TH ANNIVERSARY OF WEST VIRGINIA

The Clerk called the bill (S. 2099) to provide for the striking of medals in commemoration of the 100th anniversary of the admission of West Virginia into the Union as a State.

Mr. WEAVER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

GOLD MEDAL, PROF. ROBERT H. GODDARD

The Clerk called the joint resolution (H.J. Res. 19) to authorize the issuance of a gold medal in honor of the late Prof. Robert H. Goddard.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in recognition of the great, creative achievements of the late Doctor Robert H. Goddard, and his historic pioneering research on space rockets, missiles, and jet propulsion, the chairmen of the House Committee on Science and Astronautics and the Senate Committee on Aeronautical and Space Sciences, on behalf of the Congress, are authorized to present to the family of the late Doctor Robert H. Goddard an appropriate gold medal. For such purpose, the Secretary of the Treasury is authorized and directed to cause to be struck a gold medal with suitable emblems, devices, and inscriptions to be determined by the chairmen of the House Committee on Science and Astronautics and the Senate Committee on Aeronautical and Space Sciences. There is hereby authorized to be appropriated the sum of $2,500 for this purpose.

SEC. 2. The Secretary of the Treasury shall cause duplicates in bronze of such medal to be coined and sold, under such regulations as he may prescribe, at a price sufficient to cover the cost thereof (including labor), and the appropriations used in carrying out the provisions of this section shall be reimbursed out of the proceeds of such sale.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TECHNICAL CORRECTION SECTION 5136 OF REVISED STATUTES

The Clerk called the joint resolution (H.J. Res. 493) making a technical correction in section 5136 of the Revised Statutes (relating to national banks).

There being no objection, the Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of paragraph seventh of section 5136 of the Revised Statutes, as amended (12 U.S.C. 24), is amended by striking out so much of the proviso as follows "shall hold obligations issued" and precedes "as a result" and by inserting in lieu thereof "by any of said organizations".

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore. This concludes the call of the eligible bills on the Consent Calendar.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. TEAGUE] may extend his remarks in the RECORD immediately following the passage of the bill H.R. 4306 on today's Consent Calendar.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

AMENDING THE NATIONAL SCIENCE FOUNDATION ACT

Mr. BROOKS of Louisiana. Mr. Speaker, I ask unanimous consent to return to Calendar No. 198, H.R. 8284.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

Mr. GROSS. Mr. Speaker, reserving the right to object, what is proposed to be done by returning to the bill?

Mr. BROOKS of Louisiana. Mr. Speaker, I will say that we propose to offer an amendment to strike out lines 17, 18, 19, and 20 down to the word "section." In doing so we will do away with the small increase of salary that was provided in the bill, which will, I think, remove the gentleman's objection.

Mr. GROSS. This takes out the language in the bill which increases the salary from $15,000 to $22,500; is that correct?

Mr. BROOKS of Louisiana. The gentleman is correct.

Mr. FULTON. Mr. Speaker, will the gentleman yield for a correction?

Mr. GROSS. I yield.

Mr. FULTON. It takes out the raise in salary for the head of a National Science Foundation from $20,000 to $22,500, not from $17,500.

Mr. GROSS. The bill says $15,000 to $22,500.

Mr. BROOKS of Louisiana. It takes out the raise in pay, whatever it is; the pay remains the same.

Mr. FULTON. I must give assurance that there is no raise of pay in the bill in this amendment.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Science Foundation Act of 1950, as amended, is amended as follows: Section 3(a)(2) of the National Science Foundation Act of 1950, as amended, is amended to read as follows:

"(2) To initiate and support basic scientific research and programs to strengthen scientific research potential in the mathematical, physical, medical, biological, engineering, and other sciences, by making contracts or other arrangements (including grants, loans, and other forms of assistance) to support such scientific activities and to appraise the impact of research upon industrial development and upon the general welfare;".

SEC. 2. Section 4(d) and section 4(e) of the National Science Foundation Act of 1950, as amended, are amended to read as follows:

"(d) The Board shall meet annually on the third Monday in May, unless, prior to May 10 in any year, the Chairman has set the annual meeting for a day in May, other than the third Monday, and at such other times as the Chairman may determine, but he shall also call a meeting whenever one-third of the members so request in writing. A majority of the voting members of the Board shall constitute a quorum. Each member shall be given notice, by registered mail mailed to his last known address of record not less than fifteen days prior to any meeting, of the call of such meeting.

"(e) An election of the Chairman and Vice Chairman of the Board shall take place at the first meeting of the National Science Board following enactment of this legislation. Thereafter such election shall take place at the second annual meeting occurring after each such election. The Vice Chairman shall perform the duties of the Chairman in his absence. In case a vacancy occurs in the chairmanship or vice chairmanship, the Board shall elect a member to fill such vacancy."

SEC. 3. Section 5(b) of the National Science Foundation Act of 1950, as amended, is amended to read as follows:

"(b) In addition to the powers and duties specifically vested in him by this Act, the Director shall, in accordance with the policies established by the Board, exercise the powers granted by section 10 and 11 of this Act, together with such other powers and duties as may be delegated to him by the Board; but no final action shall be taken by the Director in the exercise of any power granted by section 10 or 11(c) unless in each instance the Board has reviewed and approved the action proposed to be taken, or such action is taken pursuant to the terms of a delegation of authority from the Board or the Executive Committee to the Director."

SEC. 4. Section 6(a) and section 6(b)(1) of the National Science Foundation Act of 1950, as amended, are amended to read as follows:

"(a) The Board is authorized to appoint from among its members an Executive Committee, and to assign to the Executive Committee such of the powers and functions granted to the Board by this Act as it deems appropriate; except that the Board may not assign to the Executive Committee the function of establishing policies.

"(b) If an Executive Committee is established by the Board—

"(1) such Committee shall consist of the Director, as a nonvoting ex officio member, and not less than five nor more than nine other members elected by the Board from among their number."

SEC. 5. Section 10 of the National Science Foundation Act of 1950, as amended, is amended to read as follows:

"(a) The Foundation is authorized to award, within the limits of funds made available specifically for such purpose pursuant to section 17, scholarships and graduate fellowships for scientific study or scientific work in the mathematical, physical, medical, biological, engineering, and other sciences at appropriate nonprofit American or nonprofit foreign institutions selected by the recipient of such aid, for stated periods of time. Persons shall be selected for such scholarships and fellowships from among citizens of the United States and such selections shall be made solely on the basis of ability; but in any case in which two or more applicants for scholarships or fellowships, as the case may be, are deemed by the Foundation to be possessed of substantially equal ability, and there are not sufficient scholarships or fellowships, as the case may be, available to grant one to each of such applicants, the available scholarship or scholarships or fellowship or fellowships shall be awarded to the applicants in such manner as will tend to result in a wide distribution of scholarships and fellowships among the States, Territories, possessions, and the District of Columbia."

SEC. 6. Section 11(e) of the National Science Foundation Act of 1950, as amended, is amended to read as follows:

"(e) to acquire by purchase, lease, loan, gift, or condemnation, and to hold and dispose of by grant, sale, lease, or loan, real and personal property of all kinds necessary for, or resulting from, the exercise of authority granted by this Act."

SEC. 7. Section 13 of the National Science Foundation Act of 1950, as amended, is amended to read as follows:

"(a) The Foundation is hereby authorized to cooperate in any international scientific activities consistent with the purposes of this Act and to expend for such international scientific activities such sums within the limit of appropriated funds as the Foundation may deem desirable. The Director, with the approval of the Board, may defray the expenses of representatives of Government agencies and other organizations and of individual scientists to accredited international scientific congresses and meetings whenever he deem it necessary in the promotion of the objectives of this Act. In this connection, with the approval of the Secretary of State, the Foundation may undertake programs granting scholarships and fellowships to, or making other similar arrangements with, foreign nationals for scientific study or scientific work in the United States without regard to section 10 or the affidavit of allegiance to the United States required by section 16(d)(2) of this Act.

"(b)(1) The authority to enter into contracts or other arrangements with organizations or individuals in foreign countries and with agencies of foreign countries, as provided in section 11(c), and the authority to cooperate in international scientific activities as provided in subsection (a) of this section, shall be exercised only with the approval of the Secretary of State, to the end that such authority shall be exercised in such manner as is consistent with the foreign policy objectives of the United States.

"(2) If, in the exercise of the authority referred to in paragraph (1) of this subsection, negotiation with foreign countries or agencies thereof becomes necessary, such negotiation shall be carried on by the Secretary of State in consultation with the Director."

SEC. 8. Section 15(d) of the National Science Foundation Act of 1950, as amended, is amended to read as follows:

"(d) The members of the Board, and the members of each divisional committee, or special commission, shall receive compensation at the rate of $50 for each day engaged in the business of the Foundation pursuant to authorization of the Foundation and shall be allowed travel expenses as authorized by section 5 of the Act of August 2, 1946 (5 U.S.C. 73b–2)."

With the following committee amendments:

On page 3, line 3, strike all of the language through line 15 and insert in lieu thereof the following:

"SEC. 3. Section 5(a) of the National Science Foundation Act of 1950, as amended, is further amended by striking '$15,000' where it appears therein and by inserting '$22,500' in lieu thereof. Section 5(b) of the Act is amended to read as follows:

" '(b) In addition to the powers and duties specifically vested in him by this Act, the Director shall, in accordance with the policies established by the Board, exercise the powers granted by sections 10 and 11 of this Act, together with such other powers and duties as may be delegated to him by the Board; but no final action shall be taken by the Director in the exercise of any power granted by section 10 or 11(c) unless in each instance the Board has reviewed and approved the action proposed to be taken, or such action is taken pursuant to the terms of a delegation of authority from the Board or the Executive Committee to the Director.' "

On page 5, lines 24 and 25, strike the words "scholarships and".

Add a new section 9 to the bill as follows:

"SEC. 9. Section 106(a)(34) of the Act of July 31, 1956 (Public Law 854, 84th Congress, 70 Stat. 736), is here repealed."

Mr. BROOKS of Louisiana. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROOKS of Louisiana: Page 3, line 17, strike out lines 17, 18, 19 and line 20 down to the word "section."

Strike out lines 21 through 23, page 7.

The amendment was agreed to.

Mr. BROOKS of Louisiana. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROOKS of Louisiana: On page 3, line 17, strike all of the language through line 7 on page 4 and insert in lieu thereof the following:

"SEC. 3. Section 5(b) of the National Science Foundation Act of 1950, as amended, is amended to read as follows:

"'(b) In addition to the powers and duties specifically vested in him by this Act, the Director shall, in accordance with the policies established by the Board, exercise the powers granted by sections 10 and 11 of this Act, together with such other powers and duties as may be delegated to him by the Board; but no final action shall be taken by the Director in the exercise of any power granted by section 10 or 11(c) unless in each instance the Board has reviewed and approved the action proposed to be taken, or such action is taken pursuant to the terms of a delegation of authority from the Board or the Executive Committee to the Director.'"

On page 7, line 21, strike the language through line 23.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield.

Mr. FULTON. I have not had that amendment given to me with that extra last provision added on. It was not on the written amendment submitted to me. Let me ask the gentleman this question. Are you simply reenacting then everything beginning on page 3, line 20, beginning with the words "section 5(b)"?

Mr. BROOKS of Louisiana. That is correct.

Mr. FULTON. That is following the same language of the bill. If so, I have no objection.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Louisiana [Mr. BROOKS].

The amendment was agreed to.

The committee amendments, as amended, were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING INSTRUCTION AT WEST POINT OF TWO CITIZENS AND SUBJECTS OF THAILAND

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to return to Consent Calendar No. 201 for the present consideration of the joint resolution (S.J. Res. 24) authorizing the Secretary of the Army to receive for instruction at the U.S. Military Academy at West Point two citizens and subjects of the Kingdom of Thailand.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. GROSS. Mr. Speaker, reserving the right to object, what is the nature of this resolution?

Mr. STRATTON. Mr. Speaker, this resolution provides for two citizens of Thailand to enter the U.S. Military Academy to follow two others who have just graduated.

Mr. EVINS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. EVINS. Mr. Speaker, with the understanding that this is temporary legislation and not permanent, and that it does not establish a precedent, I withdraw my objection to this legislation.

Mr. STRATTON. I appreciate the action of the gentleman from Tennessee.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. STRATTON]?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized to permit, within one year after the date of enactment of this joint resolution, two persons, citizens and subjects of the Kingdom of Thailand, to receive instruction at the United States Military Academy at West Point, New York; but the United States shall not be subject to any expense on account of such instruction.

SEC. 2. Except as may be otherwise determined by the Secretary of the Army such person shall, as a condition to receiving instruction under the provisions of this joint resolution, agree to be subject to the same rules and regulations governing admissions, attendance, discipline, resignation, discharge, dismissal, and graduation, as cadets at the United States Military Academy appointed from the United States; but they shall not be entitled to appointment to any office or position in the United States Army by reason of their graduation from the United States Military Academy.

SEC. 3. Nothing in this joint resolution shall be construed to subject such persons to the provisions of section 4346(d) and section 4348 of title 10 of the United States Code.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING INSTRUCTION AT U.S. NAVAL ACADEMY OF TWO CITIZENS AND SUBJECTS OF BELGIUM

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to return to Consent Calendar No. 202 for the present consideration of the joint resolution (S.J. Res. 106) authorizing the Secretary of the Navy to receive for instruction at the U.S. Naval Academy at Annapolis two citizens and subjects of the Kingdom of Belgium.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. GROSS. Mr. Speaker, reserving the right to object, will the gentleman from New York explain what this joint resolution provides?

Mr. STRATTON. Mr. Speaker, this is to take care of the same situation with regard to two citizens of Belgium at the Naval Academy.

Mr. EVINS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. EVINS. Mr. Speaker, it is my understanding that this is temporary legislation and not permanent legislation. In view of that fact and in view of the fact that it is not to be considered as establishing a precedent, I withdraw my objection to this legislation.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. STRATTON]?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized to permit, within one year after date of enactment of this joint resolution, two persons, citizens and subjects of the Kingdom of Belgium, to receive instruction at the United States Naval Academy at Annapolis, Maryland; but the United States shall not be subject to any expense on account of such instruction.

SEC. 2. Except as may be otherwise determined by the Secretary of the Navy such person shall, as a condition to receiving instruction under the provisions of this joint resolution, agree to be subject to the same rules and regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation, as cadets at the United States Naval Academy appointed from the United States; but they shall not be entitled to appointment to any office or position in the United States Navy by reason of their graduation from the United States Naval Academy.

SEC. 3. Nothing in this joint resolution shall be construed to subject such persons to the provisions of section 6959 of title 10 of the United States Code.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RE-REFERENCE OF H.R. 7415

Mr. BURLESON. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from the further consideration of the bill H.R. 7415, authorizing the Attorney General to consent, on behalf of the Library of Congress Trust Fund Board, to a modification of the terms of a trust instrument executed by James B. Wilbur, and that the said bill be re-referred to the Committee on the Judiciary.

Mr. Speaker, if I may advise the Speaker, the gentleman from Vermont [Mr. MEYER] who introduced the bill and the chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER], have agreed to accept the bill in the Judiciary Committee. The reason the request is made is that the other body has referred the companion bill to the Committee on the Judiciary.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

MEDAL IN COMMEMORATION OF 100TH ANNIVERSARY OF ADMISSION OF WEST VIRGINIA INTO THE UNION

Mr. MOORE. Mr. Speaker, I ask unanimous consent to return to Consent

Calendar No. 236 for the present consideration of the bill (S. 2099) providing for the striking of medals in commemoration of the 100th anniversary of the admission of West Virginia into the Union as a State.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

Mr. GROSS. Mr. Speaker, reserving the right to object, will the gentleman explain this bill?

Mr. WEAVER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. WEAVER. Mr. Speaker, when this bill was called up a moment ago we did not have all the information from the departments. The gentleman from West Virginia has advised me that the Treasury Department has approved this legislation and that it will not cost anything to the Government. Therefore I withdraw the objection I previously made.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia [Mr. MOORE]?

Mr. GROSS. Mr. Speaker, further reserving the right to object, I do not know what the bill is about.

Mr. MOORE. This bill provides for the striking of 200,000 medals commemorating the entry into the Union of the State of West Virginia.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the one hundredth anniversary of the admission of West Virginia into the Union as a State (which anniversary will be celebrated in 1963), the Secretary of the Treasury is authorized and directed to strike and furnish to the West Virginia Centennial Commission not more than two hundred thousand silver medals, one and five-sixteenths inches in diameter, with suitable emblems, devices, and inscriptions to be determined by the West Virginia Centennial Commission subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by the commission in quantities of not less than two thousand, but no medals shall be made after December 31, 1963. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes.

SEC. 2. (a) The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture: including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such cost.

(b) Upon authorization from the West Virginia Centennial Commission, the Secretary of the Treasury shall cause duplicates in silver of such medal to be coined and sold, under such regulations as he may prescribe, at a price sufficient to cover the cost thereof (including labor).

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTERNATIONAL WHEAT AGREEMENT

Mr. SPENCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8409) to extend the International Wheat Agreement Act of 1949, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the International Wheat Agreement Act of 1949, as amended, is amended as follows:

(1) The first sentence is amended by striking out "under the International Wheat Agreement of 1949" and all that follows and inserting in lieu thereof "under the International Wheat Agreement of 1949 signed by Australia, Canada, France, the United States, Uruguay, and certain wheat importing countries, along with the agreements (the agreement of 1953, the International Wheat Agreement, 1956, and the International Wheat Agreement, 1959, signed by the United States and certain other countries) revising and renewing such Agreement of 1949 for periods through July 31, 1962 (hereinafter collectively called the 'International Wheat Agreement')."

(2) There is inserted immediately before the last sentence the following new sentence: "Such net costs in connection with the International Wheat Agreement, 1959, shall include those with respect to all transactions which qualify as commercial purchases (as defined in such agreement) from the United States by importing member countries."

The SPEAKER pro tempore. Is a second demanded?

Mr. McDONOUGH. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. Under the rules the gentleman from Kentucky will be recognized for 20 minutes and the gentleman from California [Mr. McDONOUGH] for 20 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. SPENCE. Mr. Speaker, the purpose of this bill is to extend for 3 years the International Wheat Agreement Act.

This bill is desired by the administration.

I am informed that the farm organizations favor the bill. We have found none who oppose it. It was voted out of the committee without an opposing vote.

The International Wheat Agreement provides that the wheat-producing nations, the United States, Australia, Canada, France, and Uruguay, the exporting nations, will sell to the importing nations wheat at certain specified prices, within a range of from $1.50 to $1.90. The exporting nations agree to supply the needs of the importing nations. The importing nations under the conditions of the agreement agree to purchase 70 percent of their entire wheat imports from these exporting nations.

The agreement furnishes a stable market for the excess wheat acquired by the U.S. Government in its price support program. It gives an opportunity to the Commodity Credit Corporation to dispose of this wheat under conditions more favorable, and in a market more stable, than they otherwise could find.

I desire to insert herewith a detailed description of the procedure and operations under the Wheat Agreement Act:

The following comments are intended as background for the consideration of proposed legislation to extend the International Wheat Agreement Act of 1959, as amended, thus to implement U.S. membership for the ensuing 3 years in the 1959 International Wheat Agreement which was ratified by the United States on July 16, 1959.

RIGHTS AND OBLIGATIONS

The concept of the new agreement is more broad than that of prior agreements. Agreements heretofore have included fixed quantities, and any additional purchases by importing countries necessarily have been completely outside. In this agreement there are no fixed quantities. Instead, each importing member undertakes to purchase from member exporters a specified percentage of its total commercial purchases from all sources, whatever that total may be. The weighted average of the percentages subscribed by individual importing countries is a little over 70 percent. At the level of trade during the 4 years 1954–58, commercial transactions per year for these countries approximated 600 million bushels. It is expected that these countries will buy a much greater proportion of their total commercial requirements than the 70 percent subscribed; this percent is the minimum guaranteed under the agreement. This importer obligation exists at the agreement minimum price, and throughout the range up to the maximum price. The right of the United States and other exporting countries is to sell the guaranteed percentage of importers' purchases, with the added benefit of whatever quantities over the subscribed percentages the member importers may purchase from them. This benefit is global in the sense that exporting countries compete with one another in selling importing countries their requirements.

The exporting countries' obligations exists if the price reaches the agreement maximum. Then, they undertake to furnish any quantities not already purchased in that year, up to a moving average equal to importers' historical commercial purchases during a 5-year period. To purchase up to these quantities at the maximum price is the importing countries' right. On the basis of average commercial exports in the period 1954–58, the U.S. annual obligation would be a little over 150 million bushels. Exporting countries' obligations are global in the sense that an exporting country may discharge its obligation by selling to any member importers until the aggregate of the exporter's obligation, computed historically with respect to all importers, has been fulfilled. Thereafter, the exporting country may sell at prices above the maximum if it chooses.

Transactions involving inconvertible local currency such as sales under title I of Public Law 480, and other transactions which include features introduced by the government of a country concerned which do not conform with usual commercial practices, do not come within the rights and obligations of the agreement.

MEMBERSHIP

All exporting countries which were in the 1956 agreement are members of the new agreement, and additionally Italy, Spain, and Mexico have switched from importer to exporter status; the latter two quite nominally.

A gratifying feature of the new agreement is the return to membership of the world's largest wheat importer, the United Kingdom, after having been outside the agreement since 1953. Twelve importing countries which were members of the preceding agreement (representing 6 percent of the aggregate quantities) did not participate in the negotiating conference or for some other reason have not yet come into the new agreement. It has been the experience heretofore that some countries came in later through accession. Two of these countries already have petitioned to accede.

MAXIMUM PRICE DECLARATION

A maximum price declaration may be made by the Council only when an exporting country on its own initiative puts its price of wheat to the maximum. The purpose of the declaration is to establish the time when importing countries, because of the maximum price condition, are relieved of their percentage obligation. They are partially relieved if one or more, but not all, exporting countries place prices at the maximum, and completely freed if all exporting countries go to the maximum.

OTHER PROVISIONS

The agreement also includes certain stated objectives, provisions for an annual review as to compliance, an annual review of the world wheat situation, and the price range. However, the principal elements are the rights and obligations outlined above, and the price range.

THE PRICE RANGE

The price-range concept remains the same as in the expiring agreement, with a reduction from $2.00 to $1.90 in the maximum price, and no change in the $1.50 minimum. These prices are in terms of a basic grade, No. 1 Manitoba Northern, at a basing point at the head of the Great Lakes in Canada. The current Canadian quotation for this grade of wheat in the base location (converted to U.S. funds which coincide with the monetary basis specified in the agreement) is $1.74. This is 16 cents below the agreement maximum and 24 cents above the minimum.

The equivalents of the agreements basic prices at U.S. ports are determined on the basis of prevailing transportation rates to destinations. As an example, the current equivalents at U.S. gulf ports to the United Kingdom are approximately $2.05 maximum and $1.65 minimum. The equivalent of the going price at the gulf therefore would be 16 cents less than the maximum, or $1.89. This is for the basic grade. For practical purposes of comparison, this price must be further interpreted in terms of classes and grades of U.S. wheat.

The agreement does not specify differentials for classes and grades other than the basic grade. The United States establishes differentials for its various classes and grades as required in the light of competitive world prices. Currently, No. 1 U.S. Hard Winter wheat is selling in export at approximately $1.68. This is 21 cents under the equivalent of the going price for No. 1 Manitoba Northern. This compares with current differentials of 13½ and 24 cents for No. 3 and No. 4, Manitobas, respectively.[1]

AGREEMENT ADMINISTRATION

The agreement is administered internationally by a Wheat Council composed of member countries of the agreement. Votes are divided equally between exporting countries and importing countries, with each group having 1,000 votes. The United States holds 339 of the 1,000 exporter votes in the Council, and 35 percent of the executive committee.

The United States pro rata proportion of the cost of administration during the 10-year period has averaged $24,000. The assessment under the new agreement for 1959–60 is $18,984, or about one-seventieth of a cent per bushel of wheat exported under the agreement.

U.S. PROGRAM UNDER THE AGREEMENT

The price range under the agreement is the result of, and consistent with, world price levels for wheat which have evolved as a result, to some extent, of supply-demand factors, disposal and pricing policies of the principal wheat-exporting countries, and negotiations in connection with the agreement to maintain a reasonable and stable price, scarcity or surplus conditions notwithstanding. The subsidy cost to the United States in connection with exports of wheat and wheat flour are occasioned by reason of the U.S. domestic price of wheat being higher than the world price.

The Commodity Credit Corporation program which has been conducted pursuant to the International Wheat Agreement Act of 1949, as amended in 1953 and 1956, enables commercial wheat exporters and millers to purchase wheat at domestic market prices and to sell the wheat, or wheat flour product, to purchasers in IWA importing countries, at prices consistent with the agreement price range, in competition with other exporters in the world market.

The act requires the Commodity Credit Corporation to utilize the usual and customary channels, facilities, and arrangements of trade and commerce to the maximum extent practicable in making wheat available under the agreement. During the life of the 1956 agreement, all but a negligible part of the exports of wheat and wheat flour under the agreement have been handled by the private trade. Specifically, Commodity Credit Corporation has been directly involved in foreign sales only under special circumstances, in transactions representing 3 percent of all wheat agreement exports in 1956–57, eight-tenths of 1 percent in 1957–58, and four-tenths of 1 percent in 1958–59.

Insofar as practicable, practices and procedures applicable to ordinary commercial exports are permitted and encouraged. The program requirements are such as to make participation practicable for small business or for any exporter regularly engaged in the exportation of wheat or wheat flour.

Under the program, an exporter in the private trade negotiates a sale of wheat or wheat flour with a buyer in a wheat agreement importing country, in the knowledge of export payment rates which are publicly announced each day by the Commodity Credit Corporation after grain markets have closed. The exporter reports the sale by telegraph to the CCC, and if the transaction is eligible he receives confirmation of eligibility under the program within a few hours. He later accomplishes the exportation and upon presentation of evidence of sale and proof of export, he collects the export payment from an office in his area at the rate per bushel of wheat or hundredweight of flour which prevailed at the time the sale was made. In the case of wheat, the subsidy payment is made in the form of a negotiable certificate which is redeemable only in wheat from Commodity Credit stocks at the domestic market price. This wheat is utilized only in connection with further exports under the program.

EXPORT SUBSIDY COSTS

During the life of the 1956 agreement, the average payment per bushel has been about 73 cents, although during the last 1 of the 3 years it was considerably less than the preceding 2 years. It is estimated that during the first year of the 1959 agreement the payment per bushel may average between 55 and 60 cents. An estimate of the cost beyond the first year has not been made because of the uncertainties in forecasting (1) the level of domestic market prices and (2) the future selling prices which will need to be established in order to remain competitive in the world market. In the latter connection, no appreciable change is anticipated which would result in increased subsidy costs.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to insert a description of the operations under the Wheat Agreement Act.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. McDONOUGH. Mr. Speaker, the chairman of the committee has clearly stated the purposes of this bill.

One of the items I believe to be of special interest to those of us who are seeking to economize on our price support agriculture program on agricultural commodities is that the exports provided for under this bill will help keep the costs at a minimum for providing a stable wheat market, and to release from storage many millions of bushels of wheat that otherwise would have to be stored at great expense to the American taxpayer.

Let me read the following from the committee report:

PURPOSE OF BILL

The bill would extend for an additional 3 years the necessary implementing legislation to carry out U.S. participation in the International Wheat Agreement. This agreement was originally signed in 1949 and since has been extended at 3-year intervals, the latest extension having been ratified by the Senate on July 15, 1959, by a vote of 92 to 1. Under the 1959 agreement, some 30 participating wheat-importing countries have agreed to buy on the average of 70 percent of their commercial wheat imports from the United States and 8 other wheat-exporting countries, at prices within a specified range. H.R. 8409 would extend the Commodity Credit Corporation's authority to make wheat and wheat flour available for export to exercise our rights, and fulfill our obligations under the agreement.

RIGHTS AND OBLIGATIONS UNDER THE 1959 AGREEMENT

Under the International Wheat Agreement of 1959 each importing member country undertakes to purchase from member exporters a specified percentage of its total commercial purchases from all sources. The weighted average of the percentages subscribed by individual importing countries is a little over 70 percent. At the level of trade during the 4 years 1954–58, commercial transactions per year for these countries approximated 600 million bushels. It is expected that these countries will buy a much greater proportion of their total commercial requirements than the 70 percent subscribed; this percent is the minimum guaranteed under the agreement. This importer obligation exists at the agreement minimum price, and continues throughout the range up to the maximum price established by the agreement. The United States and other exporting countries have the right

[1] Price comparisons must take into account the fact that marketing methods and price structures are not the same in Canada as in the United States. In particular, prices of Manitobas include average protein content, which in the past year was around 14 percent. The U.S. Hard Winter prices mentioned are on the basis of ordinary wheat; proteins command varying premiums.

to sell the guaranteed percentage of importers' purchases, with the added benefit of whatever quantities over and above the subscribed percentages member importers may purchase from them.

The exporting countries' obligation becomes effective if the price reaches the agreement maximum. Then, they must furnish any quantities not already purchased in that year, up to a moving average equal to importers' historical commercial purchases during a 5-year period. Importing countries have the right to purchase up to these quantities at the maximum price. On the basis of average commercial exports in the period 1954–58, the U.S. annual obligation would be to sell a little over 150 million bushels.

Transactions involving inconvertible local currency such as sales under title I of Public Law 480, and other transactions which include features introduced by the government of a country concerned which do not conform with usual commercial practices, do not come within the rights and obligations of the agreement.

THE PRICE RANGE

The price range specified in the 1958 agreement is $1.50 to $1.90 per bushel. These prices are in terms of a basic grade, No. 1 Manitoba Northern, at a basing point at the head of the Great Lakes in Canada. The current Canadian quotation for this grade of wheat in the base location (converted to U.S. funds which coincide with the monetary basis specified in the agreement) is $1.74. This is 16 cents below the agreement maximum and 24 cents above the minimum.

The price range under the agreement is the result of, and consistent with, world price levels for wheat which have evolved as a result, to some extent, of supply-demand factors, disposal and pricing policies of the principal wheat-exporting countries, and negotiations in connection with the agreement to maintain a reasonable and stable price, scarcity or surplus conditions notwithstanding.

There is no objection to the bill that I know of. I have no requests for time. I hope, in view of the fact that we are a party to this international wheat agreement and this action will extend the agreement for another 3 years, that the bill will pass.

Mr. SHELLEY. Mr. Speaker, will the gentleman yield?

Mr. McDONOUGH. I yield.

Mr. SHELLEY. Does this bill in any way change the present requirements of 50–50 carriage of cargo wherever this type of cargo is being released or distributed by the United States Government?

Mr. McDONOUGH. I appreciate the interest of the gentleman from California in that particular respect. This does not change the 50–50 formula for the handling of the commodities.

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. McDONOUGH. I yield to the gentleman from North Carolina.

Mr. BONNER. Does it pertain in any manner to the 50–50 formula for the carriage of cargoes of this type in American-flag vessels?

Mr. McDONOUGH. No, it does not.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two thirds having voted in favor thereof) the rules were suspended and the bill was passed.

ESTABLISHING AN ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Mr. FOUNTAIN. Mr. Speaker, I move to suspend the rules and pass the bill H.R. 6904), with Committee amendments, to establish an Advisory Commission on Intergovernmental Relations.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

SECTION 1. There is hereby established a permanent bipartisan commission to be known as the Advisory Commission on Intergovernmental Relations, hereinafter referred to as the "Commission".

DECLARATION OF PURPOSE

SEC. 2. Because the complexity of modern life intensifies the need in a federal form of government for the fullest cooperation and coordination of activities between the levels of government, and because population growth and scientific developments portend an increasingly complex society in future years, it is essential that an appropriate agency be established to give continuing attention to intergovernmental problems.

It is intended that the Commission, in the performance of its duties, will—

(1) bring together representatives of the Federal, State, and local governments for the consideration of common problems;

(2) provide a forum for discussing the administration and coordination of Federal grant and other programs requiring intergovernmental cooperation;

(3) give critical attention to the conditions and controls involved in the administration of Federal grant programs;

(4) make available technical assistance to the executive and legislative branches of the Federal Government in the review of proposed legislation to determine its overall effect on the Federal system;

(5) encourage discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation;

(6) recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government; and

(7) recommend methods of coordinating and simplying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.

MEMBERSHIP OF THE COMMISSION

SEC. 3. (a) The Commission shall be composed of twenty-five members, as follows:

(1) Six appointed by the President of the United States, three of whom shall be officers of the executive branch of the Government, and three private citizens, all of whom shall have had experience or familiarity with relations between the levels of government;

(2) Three appointed by the President of the Senate, who shall be Members of the Senate;

(3) Three appointed by the Speaker of the House of Representatives, who shall be Members of the House;

(4) Four appointed by the President from a panel of at least eight Governors submitted by the Governors' Conference;

(5) Three appointed by the President from a panel of at least six members of State legislative bodies submitted by the board of managers of the Council of State Governments;

(6) Four appointed by the President from a panel of at least eight mayors submitted jointly by the American Municipal Association and the United States Conference of Mayors;

(7) Two appointed by the President from a panel of at least four elected county officers submitted by the National Association of County Officials.

(b) The members appointed from private life under paragraph (1) of subsection (a) shall be appointed without regard to political affiliation; of each class of members enumerated in paragraphs (2) and (3) of subsection (a), two shall be from the majority party of the respective houses; of each class of members enumerated in paragraphs (4), (5), and (6) of subsection (a), not more than two shall be from any one political party and of the members enumerated in paragraph (7) of subsection (a), not more than one shall be from any one political party; of each class of members enumerated in paragraphs (5), (6), and (7) of subsection (a), not more than one shall be from any one State; at least two of the appointees under paragraph (6) of subsection (a) shall be from cities under five hundred thousand population.

(c) The term of office of each member of the Commission shall be two years, but members shall be eligible for reappointment.

ORGANIZATION OF THE COMMISSION

SEC. 4. (a) The President shall convene the Commission within ninety days following enactment of this Act at such time and place as he may designate for the Commission's initial meeting.

(b) The President shall designate a Chairman and a Vice Chairman from among members of the Commission.

(c) Any vacancy in the membership of the Commission shall be filled in the same manner in which the original appointment was made; except that where the number of vacancies is fewer than the number of members specified in paragraphs 4, 5, 6, and 7 of section 3(a), each panel of names submitted in accordance with the aforementioned paragraphs shall contain at least two names for each vacancy.

(d) Where any member ceases to serve in the official position from which originally appointed under section 3(a), his place on the Commission shall be deemed to be vacant.

(e) Thirteen members of the Commission shall constitute a quorum, but two or more members shall constitute a quorum for the purpose of conducting hearings.

DUTIES OF THE COMMISSION

SEC. 5. It shall be the duty of the Commission—

(1) to engage in such activities and to make such studies and investigations as are necessary or desirable in the accomplishment of the purposes set forth in section 2 of this Act;

(2) to consider, on its own initiative, ways and means for fostering better relations between the levels of government;

(3) to submit an annual report to the President and the Congress on or before January 31 of each year. The Commission may also submit such additional reports to the President, to the Congress or any committee of the Congress, and to any unit of government or organization as the Commission may deem appropriate.

POWERS AND ADMINISTRATIVE PROVISIONS

SEC. 6. (a) The Commission or, on the authorization of the Commission, any subcommittee or members thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings, take such testimony, and sit and act at such times and places as the Commission deems advisable. Any member authorized by the Commission may administer oaths or affirmations to witnesses

appearing before the Commission or any subcommittee or members thereof.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

(c) The Commission shall have power to appoint, fix the compensation of, and remove a staff director without regard to the civil service laws and the Classification Act of 1949. Such appointment shall be made solely on the basis of fitness to perform the duties of the position and without regard to political affiliation.

(d) Subject to such rules and regulations as may be adopted by the Commission, the Chairman, without regard to the civil service laws and the Classification Act of 1949, and without reference to political affiliation, shall have the power—

(1) to appoint, fix the compensation of, and remove such other personnel as he deems necessary.

(2) to procure temporary and intermittent services to the same extent as is authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a) but at rates not to exceed $50 a day for individuals.

(e) Except as otherwise provided in this Act, persons in the employ of the Commission under subsections (c) and (d)(1) of this section shall be considered to be Federal employees for all purposes, including—

(1) the Civil Service Retirement Act, as amended (5 U.S.C. 2251–2267),

(2) the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2091–2103),

(3) annual and sick leave, and

(4) the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842).

(f) No individual employed in the service of the Commission shall be paid compensation for such employment at a rate in excess of $20,000 per annum.

COMPENSATION OF COMMISSION MEMBERS

SEC. 7. (a) Members of the Commission who are Members of Congress, officers of the executive branch of the Federal Government, Governors, or full-time salaried officers of city and county governments shall serve without compensation in addition to that received in their regular public employment, but shall be allowed necessary travel expenses (or, in the alternative, a per diem in lieu of subsistence and mileage not to exceed the rates prescribed in the Travel Expense Act of 1949, as amended), without regard to the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842), the Standardized Government Travel Regulations, or section 10 of the Act of March 3, 1933 (5 U.S.C. 73b), and other necessary expenses incurred by them in the performance of duties vested in the Commission.

(b) Members of the Commission, other than those to whom subsection (a) is applicable, shall receive compensation at the rate of $50 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission, as provided for in subsection (a) of this section.

AUTHORIZATION OF APPROPRIATIONS

SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The SPEAKER. Is a second demanded?

Mr. MEADER. Mr. Speaker, I demand a second.

Mr. FOUNTAIN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, before addressing myself to the legislation at hand, I want to thank each and every member of the Subcommittee on Intergovernmental Relations, and also the members of the full Committee on Government Operations, for their interest in this legislation and their cooperation in helping me to bring it to the House for action. I also want to thank those members who formerly served on the subcommittee for the significant part they played in our hearings during the 85th Congress. These include Representatives Robert E. Jones, Henry S. Reuss, Chet Holifield, Robert H. Michel, and former Representative Edwin H. May, Jr., of Connecticut. Especially do I want to pay my respects to the ranking minority member of our subcommittee, the distinguished and able Congresswoman from New Jersey [Mrs. DWYER] for her untiring efforts and nonpartisan cooperation in making this legislation a reality. She has worked diligently at all times in a genuinely sincere effort to find a satisfactory vehicle for the improvement of intergovernmental relations. Mrs. DWYER has reflected credit not only upon herself but also upon the constituency which she has the high honor to represent.

Mr. Speaker, the bill before the House at this time, H.R. 6904, was unanimously reported with amendments by the Committee on Government Operations on July 31, 1959. This bill is intended to implement one of the principal recommendations made by the committee in its 30th report to the 85th Congress—Report No. 2533—and is a result of almost 3 years of study of Federal-State-local relations by the committee's Intergovernmental Relations Subcommittee.

The need for the advisory commission proposed in this legislation has been widely recognized and its establishment, in my judgment, is long overdue. It is interesting to note that a similar commission was recommended 10 years ago by the first Hoover Commission. I might add that the 2-year study of this neglected area of intergovernmental relations by the Kestnbaum Commission was the first official undertaking of its kind since the Constitutional Convention in 1787.

The Commission would serve in an advisory capacity to the President, to the Congress, and to State and local government. Its function would be to provide information and to make recommendations for the purpose of facilitating sound governmental policies with respect to intergovernmental activities and problems. The Commission would have no administrative responsibilities.

It should be made perfectly clear that the Advisory Commission is not intended to be exclusively a Federal agency or an agency dominated or controlled by any one level of government. Rather, it is intended to be a genuine interlevel body. In effect, the Commission is a political innovation—a new type of organization tailored to fit the character and the needs of our Federal system. This fact is reflected in the Commission's composition.

The Commission's 25 members would be distributed as follows: 6 from the Congress, 3 from the executive branch of the Federal Government, 4 State Governors, 3 members of State legislatures, 4 mayors, 2 county officers, and 3 persons from private life. In drawing its members from among active and responsible public officials at all levels of government, the Commission would have the advantage of its members' firsthand knowledge of intergovernmental problems and their ability to communicate the Commission's findings and recommendations back to their respective levels of government. While a 25-member body may appear to be unduly large, I believe that a commission of this size is justified by the various units of government and points of view that will be represented.

The need for an Advisory Commission was well documented in the joint hearings which the subcommittee held this past June with the Senate Committee on Government Operations. The witnesses who appeared were unanimous in their support of this legislation. In addition, a great many statements were received from Members of Congress, Governors, mayors, State legislators, and private organizations, including the U.S. Chamber of Commerce and the AFL–CIO, favoring the Commission's establishment. Only one statement was received in opposition. It may be of interest that resolutions urging the enactment of this legislation have been adopted by such national organizations as the Governors' conference, the American Municipal Association, the U.S. Conference of Mayors, and the National Association of County Officials.

As many of you know, I have always taken a very critical view personally of proposals for the creation of new commissions and committees. It has been my feeling that the need for such bodies must be clearly demonstrated. In my judgment, the need has been adequately established in the present case.

In sponsoring this legislation it has been my intention that the Commission would be a modest undertaking served by a very small but outstanding professional staff. There is no need to create a bureaucracy in support of the Commission, since the staff will function primarily to draw upon operational data available from government agencies, to stimulate and coordinate the research efforts of public and private agencies in relation to intergovernmental matters, and to fill the gaps that now exist in the analysis and presentation of information in this field.

In summary, I should like to emphasize that the basic objective of the Commission is to strengthen the ability of our Federal system to meet the problems of an increasingly complex society in this space age by promoting greater

cooperation, understanding, and coordination of activities between the separate levels of government. Even if the Commission did no more than provide the machinery for bringing together Federal, State and local officials to discuss matters of mutual interest and concern, I feel the proposed Commission would be worth the expense. The importance of establishing effective lines of communication between the levels of government should not be underestimated. However, I sincerely believe that the Commission, if given a fair chance, will accomplish a great deal more, and I urge my colleagues to support this legislation which has received the committee's unanimous approval.

Because of its importance in outlining the committee's thinking with respect to the nature and role of the Advisory Commission, I am placing the text of the report on the bill—Report No. 742—in the record together with the bill at the conclusion of my remarks. This report also includes representative excerpts from the testimony of the joint hearings which emphasize the special importance of the Commission and its potential usefulness.

For purposes of clarification, I am also placing in the RECORD a tabular analysis of the Advisory Commission's membership and a chronology of the events connected with this legislation.

Before concluding my remarks, I would like to comment briefly on the relationship between this legislation and other proposals now under consideration for the establishment of a commission on metropolitan area problems.

Unquestionably, the area of responsibility of the Commission in H.R. 6904 is sufficiently broad to include a study or studies of metropolitan problems. As a matter of fact, it was intended and anticipated by our subcommittee that the Advisory Commission would give attention to present and emerging metropolitan area problems that are intergovernmental in origin or effect. However, the subcommittee did not consider the question of whether or not an intensive full-scale study of metropolitan problems is needed and should be undertaken at the present time. Consequently, I presently have no personal opinion on this question. The Congress in its wisdom will have to determine, of course, whether or not there is sufficient evidence to warrant an intensive metropolitan area study at this time.

In the absence of such a determination by the Congress in this session, I would personally expect the Advisory Commission, when it is duly constituted, to consider the need for such a comprehensive study and to advise whether it or another body would be best equipped to study this problem.

However, we should bear in mind that the area of responsibility intended for the Advisory Commission is very broad and there are many pressing problems that will require the Commission's early attention. Consequently, I doubt that it would be advisable for the Congress to require that the Commission channel its energies at the outset into any single segment of the entire field of intergovernmental relations.

H.R. 6904

A bill to establish an advisory commission on intergovernmental relations

Be it enacted in the Senate and House of Representatives of the United States of America in Congress assembled,

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

SECTION 1. There is hereby established a permanent bipartisan commission to be known as the Advisory Commission on Intergovernmental Relations, hereinafter referred to as the "Commission".

DECLARATION OF PURPOSE

SEC. 2. Because the complexity of modern life intensifies the need in a federal form of government for the fullest cooperation and coordination of activities between the levels of government, and because population growth and scientific developments portend an increasingly complex society in future years, it is essential that an appropriate agency be established to give continuing attention to intergovermental problems.

It is intended that the Commission, in the performance of its duties, will—

(1) bring together representatives of the Federal, State, and local governments for the consideration of common problems;

(2) provide a forum for discussing the administration and coordination of Federal grant and other programs requiring intergovernmental cooperation;

(3) give critical attention to the conditions and controls involved in the administration of Federal grant programs;

(4) make available technical assistance to the executive and legislative branches of the Federal Government in the review of proposed legislation to determine its overall effect on the Federal system;

(5) encourage discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation; and

(6) recommend, within the framework of the Constitution, the most desirable allocation of governmental functions and responsibilities, among the several levels of government.

MEMBERSHIP OF THE COMMISSION

SEC. 3. (a) The Commission shall be composed of twenty-four members, as follows:

(1) Six appointed by the President of the United States, three of whom shall be officers of the executive branch of the Government, and three private citizens, all of whom shall have had experience or familiarity with relations between the levels of government;

(2) Three appointed by the President of the Senate, who shall be Members of the Senate;

(3) Three appointed by the Speaker of the House of Representatives, who shall be Members of the House;

(4) Four appointed by the President from a panel of at least six Governors submitted by the Governors' Conference;

(5) Three appointed by the President from a panel of at least five members of State legislative bodies submitted by the board of managers of the Council of State Governments;

(6) Four appointed by the President from a panel of at least six mayors submitted jointly by the American Municipal Association and the United States Conference of Mayors;

(7) One appointed by the President from a panel of at least two elected county officers submitted by the National Association of County Officials.

(b) The members appointed from private life under paragraph (1) of subsection (a) shall be appointed without regard to political affiliation; of each class of members enumerated in paragraphs (2) and (3) of subsection (a), two shall be from the majority party of the respective houses; of each class of members enumerated in paragraphs (4), (5), and (6) of subsection (a), not more than two shall be from any one political party; of each class of members enumerated in paragraphs (5) and (6) of subsection (a), not more than one shall be from any one State; at least two of the appointees under paragraph (6) of subsection (a) shall be from cities under five hundred thousand population.

(c) The term of office of each member of the Commission shall be two years, but members shall be eligible for reappointment.

ORGANIZATION OF THE COMMISSION

SEC. 4. (a) The President shall convene the Commission within ninety days following enactment of this Act at such time and place as he may designate for the Commission's initial meeting. The President, or his designee, shall serve as the Commission's temporary Chairman pending the election of a permanent Chairman.

(b) The Commission shall elect a Chairman and a Vice Chairman from among its members.

(c) Any vacancy in the membership of the Commission shall be filled in the same manner in which the original appointment was made; except that where the number of vacancies is fewer than the number of members specified in paragraphs 4, 5, and 6, of section 3(a), each panel of names submitted in accordance with the aforementioned paragraphs shall contain at least one name more than the number of vacancies.

(d) Where any member ceases to serve in the official position from which originally appointed under section 3(a), his place on the Commission shall be deemed to be vacant.

(e) Twelve members of the Commission shall constitute a quorum, but two or more members shall constitute a quorum for the purpose of conducting hearings.

DUTIES OF THE COMMISSION

SEC. 5. It shall be the duty of the Commission—

(1) to engage in such activities and to make such studies and investigations as are necessary or desirable in the accomplishment of the purposes set forth in section 2 of this Act;

(2) to consider, on its own initiative, ways and means for fostering better relations between the levels of government;

(3) to submit an annual report to the President and the Congress on or before January 31 of each year. The Commission may also submit such additional reports to the President, to the Congress or any committee of the Congress, and to any unit of government or organization as the Commission may deem appropriate.

POWERS AND ADMINISTRATIVE PROVISIONS

SEC. 6. (a) The Commission or, on the authorization of the Commission, any subcommittee or members thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings, take such testimony, and sit and act at such times and places as the Commission deems advisable. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or any subcommittee or member thereof.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

(c) The Commission shall have power to appoint, fix the compensation of, and remove a staff director without regard to the civil service laws and the Classification Act of 1949. Such appointment shall be made

solely on the basis of fitness to perform the duties of the position and without regard to political affiliation.

(d) Subject to such rules and regulations as may be adopted by the Commission, the Chairman, without regard to the civil service laws and the Classification Act of 1949, and without reference to political affiliation, shall have the power—

(1) to appoint, fix the compensation of, and remove such other personnel as he deems necessary

(2) to procure temporary and intermittent services to the same extent as is authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a) but at rates not to exceed $50 a day for individuals.

(e) Except as otherwise provided in this Act, persons in the employ of the Commission under subsections (c) and (d) (1) of this section shall be considered to be Federal employees for all purposes, including—

(1) the Civil Service Retirement Act, as amended (5 U.S.C. 2251–2267),

(2) the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2091–2103),

(3) annual and sick leave, and

(4) the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842).

(f) No individual employed in the service of the Commission shall be paid compensation for such employment at a rate in excess of $20,000 per annum.

COMPENSATION OF COMMISSION MEMBERS

SEC. 7. (a) Members of the Commission who are Members of Congress, officers of the executive branch of the Federal Government, Governors, or full-time salaried officers of city and county governments shall serve without compensation in addition to that received in their regular public employment, but shall be allowed necessary travel expenses, including subsistence (or, in the alternative, a per diem in lieu of subsistence not to exceed the rate prescribed in the Travel Expense Act of 1949, as amended), without regard to the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842), the Standardized Government Travel Regulations, or section 10 of the Act of March 3, 1933 (5 U.S.C. 73b), and other necessary expenses incurred by them in the performance of duties vested in the Commission.

(b) Members of the Commission, other than those to whom subsection (a) is applicable, shall receive compensation at the rate of $50 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission, as provided for in subsection (a) of this section.

AUTHORIZATION OF APPROPRIATIONS

SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

ESTABLISHING AN ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Mr. DAWSON, from the Committee on Government Operations, submitted the following report:

The Committee on Government Operations, to whom was referred the bill (H.R. 6904) to establish an Advisory Commission on Intergovernmental Relations, having considered the same, report favorably thereon with amendments and recommends that the bill as amended do pass.

The amendments are as follows:

Page 2, line 24, strike "cooperation, and" and insert "cooperation;".

Page 3, line 3, strike "functions and" insert "functions,".

Page 3, line 3, after the word "responsibilities" insert ", and revenues".

Page 3, line 4, strike "government." and insert "government; and".

Page 3, after line 4, add the following new paragraph:

"(7) recommend methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers."

Page 3, line 7, strike "twenty-four" and insert "twenty-five".

Page 3, line 18, strike "six" and insert "eight".

Page 3, line 20, strike "five" and insert "six".

Page 3, line 24, strike "six" and insert "eight".

Page 4, line 3, strike "One" and insert "Two".

Page 4, line 4, strike "two" and insert "four".

Page 4, line 13, after the word "party" and before the semicolon add "and of the members enumerated in paragraph (7) of subsection (a), not more than one shall be from any one political party".

Page 4, line 14, strike "(5) and" and insert "(5).".

Page 4, line 14, after "(6)" insert ", and (7)".

Page 4, beginning in line 25, strike out "The President, or his designee, shall" and all that follows down through line 2 on page 5.

Page 5, lines 3 and 4, strike out "The Commission shall elect a Chairman and a Vice Chairman from among its members." and insert "The President shall designate a Chairman and Vice Chairman from among members of the Commission."

Page 5, line 9, strike "and".

Page 5, line 9, after "6" insert ", and 7".

Page 5, lines 11 and 12, strike out "one name more than the number of vacancies." and insert "two names for each vacancy."

Page 5, line 16, strike "Twelve" and insert "Thirteen".

Page 6, line 15, strike "of" and insert "authorized by".

Page 8, lines 12 and 13, strike out "expenses, including subsistence" and insert "expenses".

Page 8, line 14, after "subsistence" insert "and mileage".

Page 8, line 14, strike "rate" and insert "rates."

PURPOSE

H.R. 6904, as amended, would establish a permanent bipartisan Advisory Commission on Intergovernmental Relations which, on a continuing basis, will (1) bring together representatives of the Federal, State, and local governments for the consideration of common problems; (2) provide a forum for discussing the administration and coordination of Federal grant and other programs requiring intergovernmental cooperation; (3) give critical attention to the conditions and controls involved in the administration of Federal grant programs; (4) make available technical assistance to the executive and legislative branches of the Federal Government in the review of proposed legislation to determine its overall effect on the Federal system; (5) encourage discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation; (6) recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government; and (7) recommend methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.

The underlying purpose of the Commission is to strengthen the ability of our Federal system to meet the problems of an increasingly complex society by promoting greater cooperation, understanding, and coordination of activities between the separate levels of government.

The membership of the Commission would be drawn, for the most part; from among active and responsible public officials at all levels of government. Thus, the Commission would benefit from both the firsthand knowledge of its members of the problems under consideration and their ability to communicate the findings and recommendations of the Commission to their respective levels of government.

It is intended that the Commission will provide guidance to the President and the Congress for the development of sound Federal policies with respect to State and local government. The Advisory Commission, however, would in no way substitute for or interfere with either the responsibility of the President for the coordination of Federal intergovernmental programs or with the legislative responsibilities of the Congress. It is intended that the Commission will also provide guidance for the development of sound intergovernmental relations at the State and local levels.

The committee wishes to emphasize its intention that the Commission will serve to strengthen State and local government so as to preserve the values of our Federal system. It should be an objective of the Commission to facilitate discussion of intergovernmental problems and to identify governmental responsibilities as they arise, and to make appropriate suggestions and recommendations to the proper level of government if recognized responsibilities are not being met at such level.

BACKGROUND

H.R. 6904 implements a major recommendation of the 30th report of the Committee on Government Operations which was unanimously adopted in August 1958.

In that report (H. Rept. 2533, 85th Cong., 2d sess.) the committee recommended "the establishment of a broadly based Advisory Commission on Intergovernmental Relations, drawing its membership from the Congress, the executive branch, Governors, State legislators, mayors, county officials, and private citizens." The committee envisaged "that such a large body would meet infrequently, but would maintain working committees to deal with special problems and would be assisted by a permanent professional staff."

The recommendation for an Advisory Commission is the result of 3 years of intensive study of Federal-State-local relations by the committee's Intergovernmental Relations Subcommittee. In the course of its investigations the subcommittee held numerous public hearings, including field hearings throughout the country during the fall of 1957, and made questionnaire surveys and special studies.[1] The subcommittee's investigations pointed strongly to the need for a

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[1] The printed hearings and reports are as follows:

Staff Report on Replies from Federal Agencies to Questionnaire on Intergovernmental Relations (August 1956).

Replies from State and local governments to Questionnaire on Intergovernmental Relations, Sixth Report by the Committee on Government Operations (H. Rept. 575), June 1957.

Federal-State-Local Relations. Hearings before a subcommittee of the Committee on Government Operations, House of Representatives (July 29, 30, and 31, 1957).

Federal-State-Local Relations, State and Local Officials. Hearings before a subcommittee of the Committee on Government Operations, House of Representatives:

Part 1: Boston, Mass., and New York, N.Y. (Sept. 30, Oct. 1, 2, 3, 4, and 7, 1957).

Part 2: Chicago, Ill., and Kansas City, Mo. (Oct. 16, 17, 18, 21, and 22, 1957).

permanent Advisory Commission to build on the foundation laid by the Commission on Intergovernmental Relations (the Kestnbaum Commission, whose 1955 report to the President and the Congress was referred to and thoroughly studied by the subcommittee), and the need to strengthen communication and relations between the levels of government. The Kestnbaum Commission's 2-year study of intergovernmental relations was the first official undertaking of its kind since the Constitutional Convention in 1787.

Identical bills to establish an Advisory Commission on Intergovernmental Relations were introduced in the House on May 6, 1959, by Representative L. H. FOUNTAIN (H.R. 6904) and Representative FLORENCE P. DWYER (H.R. 6905). A companion Senate bill, S. 2026, was introduced by Senator EDMUND S. MUSKIE for himself and 25 cosponsors.

JOINT HEARINGS

Joint hearings were held on the identical bills, H.R. 6904, H.R. 6905, and S. 2026, by the Intergovernmental Relations Subcommittee and the Senate Committee on Government Operations. In these joint hearings, held on June 16, 17, 19, and 22, 1959, the committees heard 21 witnesses and received written statements from 45 additional individuals or organizations who were unable to be present.

The witnesses included Members of Congress, Governors, mayors representing the two national municipal organizations, a spokesman for the National Association of County Officials, and members of the former Commission on Intergovernmental Relations.

Testimony or statements favoring this legislation were received from 22 Governors. In addition, the committee received communications from 16 Governors who were unable to attend the hearings and who expressed no opinion on the bills. No Governor was opposed to the Commission's establishment.

State Senator Leslie B. Cutler, of Massachusetts, presented the committees in joint hearing with a unanimous resolution adopted June 10, 1959, by the Massachusetts Senate memorializing the Congress to enact this legislation for the establishment of an Advisory Commission on Intergovernmental Relations. Similar resolutions have also been adopted by the American Municipal Association, the U.S. Conference of Mayors, and the National Association of County Officials.

NEED FOR COMMISSION

The need for a permanent Commission to give continuing attention to intergovernmental problems has been widely recognized.

Ten years ago the first Hoover Commission recommended the establishment of a Commission on Intergovernmental Relations.

Last year this committee, after hearings by its subcommittee throughout the United States, made a similar recommendation. In emphasizing the need for a permanent commission the committee stated in its report:

"Occasional studies and ad hoc committees, however useful, are not an effective substitute for the continuous review of intergovernmental programs and problems from the standpoint of the Federal system as a whole."[2]

Last month a joint hearing of the Intergovernmental Relations Subcommittee and the Senate Committee on Government Operations adduced unanimous testimony in support of a permanent commission. This support had no geographical limitations, no political differences, no divisiveness as between levels of government.

The advocacy of distinguished witnesses was universal and reflected many areas of interest and experience; it also, with unconcerted foresight, anticipated numerous arguments which might be made against the proposal by those who are not as close to the problems involved. This report, therefore, incorporates excerpts at some length from their testimony.

EXCERPTS FROM TESTIMONY

Mr. Meyer Kestnbaum, in speaking of the work of the Commission on Intergovernmental Relations which he headed, stated:

"I am sure I need not remind you that the Commission, in making its report, had in mind the fact that its study was only the beginning of a real inquiry into the whole subject.

* * * * *

"I should like to go on record as saying that the idea of a commission that will give the President and the Congress the benefit of careful, incisive research and examination of the many problems that face us in this area, is sound, and that it can fulfill a very important and useful function."

Former Congressman Brooks Hays, who served as a member of the Kestnbaum Commission, addressed himself to what is frequently the first reaction when a commission is proposed. Mr. Hays said:

"I see no escape from what you might call the proliferation of agencies. Now, I do not mean that we can go on just multiplying commissions and agencies, but as we find some new need, and establish a commission, we also find the atrophy of commissions that were born out of another necessity that can be abandoned.

* * * * *

"But to refuse to meet a new need, with imagination, such as underlies this legislation, is simply not to give proper weight to the dynamic character of this Federal system.

"I see no escape from it. In other words, the alternative of doing nothing because you do not want to yield is to assume that we have already achieved the ideal. But we need changes, and inaction is unthinkable with America's genius for going forward in other fields.

"One trouble, Mr. Chairman, is that we have lagged in working this whole political enterprise, as I like to call it. People in America have falsely assumed that the system, being what Gladstone said, largely will operate itself.

"And we have given so much of our intellectual energies in America to other fields—the fields of business, of education, and of religious institutionalism, if I might come into another field that has demanded some of my attention in recent years, as the chairman knows.

"If we could relate these energies to this problem of getting people to recognize their mutual interests and to be less rigid in their loyalties to local, State, and Federal Government so they see the higher level through imaginative eyes, if we could pour some of their righteousness into the political enterprise as distinguished from the valid other loyalties of commerce, and so on, I think we would be meeting the demands of the 20th century, because man is a political creature and he must not let there to be a lag in this field."

Representative HAROLD C. OSTERTAG, who was also a member of the Kestnbaum Commission, in voicing his support countered the arguments which might be raised against creating a new commission in this way:

"Of course, with any of these proposals we must face the reaction which can be expected to the creation of another commission. But when a good cause is to be served, as in this case, I think this is an obstacle which can be overcome by logical and sound explanations.

"Certainly, there is a continuing need for machinery in our governmental structure to provide the guidance and the balance essential to strengthening our system of Government. The creation of a continuing Commission on Intergovernmental Relations, in my judgment, makes possible such machinery and provides the means for the necessary followthrough which is so important to the very objectives we seek."

Further explaining his support for an advisory commission, Representative OSTERTAG said:

"Now, on the former Commission on Intergovernmental Relations, the so-called Kestnbaum Commission, we concluded exhaustive studies in a great many areas of intergovernmental relations. There was not agreement on all of our findings but one thing on which we did agree was that there was a definite need for continuous study and observation of intergovernmental relations in this country. Some felt that this could best be done from an office in the executive. Others felt that a broader independent commission would be more suitable for the purpose. So, while there may be various vehicles for carrying out this work, I feel that the bills which are being considered by this committee are a step in the right direction.

"The aims of the Commission which is proposed are very sound and worthy of attainment. I note that this is to be an advisory commission, but I would hope that this committee would consider more measures for translating the advice and recommendations of such an advisory commission into concrete results."

The committee heard from still another former member of the Kestnbaum Commission, former Gov. Sam H. Jones of Louisiana, who wrote:

"In my opinion there is no validity to the arguments that 'this is just another commission' and 'it has no power and can do nothing.' The wisest thing about our Federal system is that each level of government is, within limitations, autonomous within its own sphere. It is, therefore, within the nature of our system that no one level can completely dominate the other two levels. This legal situation makes an advisory commission the only method by which we can tackle and ultimately solve the accumulated and constantly increasing problems of our three-level system.

"And I might add here that, whilst the controversy between the advocates of States rights and those who lean toward national control is very real and highly publicized, there is another controversy that is just as determined. I refer to the battle that is now raging between the advocates of State control and those who sponsor wider latitude for municipal and county governments. This latter controversy is, in many respects, more

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Part 3: Denver, Colo., and San Francisco, Calif. (Oct. 24, 25, 28, and 29, 1957).

Part 4: New Orleans, La., and Raleigh, N.C. (Nov. 18 and 19, and Dec. 10 and 11, 1957).

Federal-State-Local Relations, Dade County (Fla.) Metropolitan Government. Hearings before a subcommittee of the Committee on Government Operations, House of Representatives (Nov. 21 and 22, 1957).

Federal-State-Local Relations, Joint Federal-State Action Committee. Hearings before a subcommittee of the Committee on Government Operations, House of Representatives (Feb. 18, 1958).

Federal-State-Local Relations, Nongovernmental Organizations and Individuals. Hearings before a subcommittee of the Committee on Government Operations, House of Representatives (Feb. 25 and 26, 1958).

Federal-State-Local Relations, Federal Departments and Agencies. Hearings before a subcommittee of the Committee on Government Operations, House of Representatives, Mar. 26, 27; Apr. 2, 30; May 7, 8; and June 19, 1958.

Federal-State-Local Relations, Federal Grants-in-Aid, 30th Report by the Committee on Government Operations (H. Rept. 2553), August 1958.

[2] H. Rept. 2533, 85th Cong., 2d sess., p. 39.

difficult than the former because local governments are creatures of the State; while the States are not the creatures of the National Government. It is much more important, therefore, that there should be brought about some forum for the discussion of State-local problems than for the discussion of national-State problems.

"The proposed Advisory Commission on Intergovernmental Relations would do both."

Gov. Herschel C. Loveless, of Iowa, explained the need for an advisory commission in this way when he appeared before the joint committees:

"The refinement of the science of intergovernmental relations, I am firmly convinced, is an important key to the future success of Government under our Federal system. To compete with totalitarian nations, who command certain efficiencies, however repugnant their philosophy may be to us, we too must develop new methods of obtaining economy and efficiency in our democratic system. Studious efforts to improve coordination and eliminate duplications between the levels of government, both in regulatory functions and in meeting human needs, will I am convinced, do wonders toward obtaining these results.

"Of course, today, as heretofore in our democracy, our problem is a dual one. We do not propose to sacrifice any of our basic liberties under the Federal system in our zeal to make government work more efficiently. But, as I have stated earlier, I am convinced that the true prerogatives of State and local government can best be preserved by constant study and reevaluation of the appropriate roles of each level of government in the complicated pattern of intergovernmental relations.

"Additional studies performed by temporary commissions and ad hoc committees cannot do the job. The face of government changes, too rapidly. A permanent, impartial agency, equipped with the necessary resources, is required for this important work. I submit to you that the proposed Advisory Commission on Intergovernmental Relations is the logical answer."

Gov. G. Mennen Williams, who also testified in person in the joint hearings, said:

"The Advisory Commission would make a significant contribution, I think, if it were to review the areas of coordinate Federal and State responsibility with a view toward raising those unresolved questions of jurisdiction and responsibility that should be considered by both the Federal and State Governments. I am not suggesting any specific directions that either the Federal or State Governments should take but rather recommending that this important series of problems be given the kind of study that an Advisory Commission could provide.

* * * * *

"There is no question in my mind, however, that the whole range of Federal activity should be analyzed constantly with a view toward relieving it of those responsibilities that can be done better or just as well by the States. I suggest this because I feel that the Federal Government should be strengthened in its capacity to do those things which it alone can do. Specifically, I think this encompasses the crucial tasks of foreign relations, national security, and economic stability. * * * I have indicated what appear to me to be the major issues confronting the American Federal-State system. Study of these issues is the basic reason why I feel the proposed Advisory Commission on Intergovernmental Relations is desirable and should be established. Therefore, I urge favorable committee consideration for H.R. 6904 and recommend its quick enactment by the Congress."

Gov. William G. Stratton, of Illinois, wrote the committee that—

"In my opinion, the creation of such a permanent commission is timely and necessary.

"The Federal system of government which is so precious to all of us depends in essence on cooperation and correlated activities of the various State governments and the Federal Government. With the explosive growth of population and urbanization we are now experiencing, it becomes imperative that the relationships among our governments must be harmonious.

"A permanent commission could serve as a clearinghouse for the various studies and investigations which are being made of the functions and responsibilities of our governments. In my opinion, such a commission would not overlap any of the work now being done, including that of the Joint Federal-State Action Committee in which the Governors' conference plays an important role."

Gov. Luther H. Hodges, of North Carolina, expressed his view of the Advisory Commission in this manner:

"From the beginning of my service as Governor of North Carolina, I have had many occasions to deal with vital questions affecting Federal-State relations. It is my present privilege to serve as a member of the Joint Federal-State Action Committee (an unofficial group of State and Federal officials), of which the U.S. Secretary of the Treasury and the Governor of Idaho are currently the cochairmen. In my capacity as Governor and in my capacity as a member of this Joint Federal-State Action Committee, I have become thoroughly convinced that there is a strong need for a continuing and officially recognized advisory agency to give concentrated attention to Federal-State problems.

"Special studies in this area such as was done by the Commission on Intergovernmental Relations are helpful and of course the special attention to the overall problem which has been given by the Intergovernmental Relations Subcommittee of the House Committee on Government Operations has made a great contribution to our understanding in this area. But what is needed is a continuing advisory agency which can take up specific selected problems, work out specific solutions, and provide adequate followup to see that proposed action on specific problems is given adequate consideration by the Federal Government and by the States."

Gov. Foster Furcolo, of Massachusetts, made the point that—

"It is important, moreover, that the present Federal grant-in-aid formulas be surveyed to determine whether they are equitable. It is desirable, too, to have some source of clear and accurate information as to the Federal grant program so that State officials of both the executive and legislative branches of government will have a clear understanding of Federal programs. Such an understanding is vital in the formulation of policy and the establishment and administration of programs within the State."

Senator CLIFFORD P. CASE, of New Jersey, took note in his statement of the effects of the growth of government that has taken place on all levels over the past few decades:

"The interrelation of Federal, State, and local governmental units brought about by this growth has in turn created problems of its own. Our Federal system has had to adjust in a manner undreamed of by our Founding Fathers. Since much of the expansion in government has been on an ad hoc basis, it is perhaps only natural that inefficiency and confusion have frequently accompanied this growth. But it is imperative, for the future, that efforts be made now to insure a more fruitful cooperation between the various levels of government. The proliferation of grant-in-aid programs alone demands continuing study and evaluation. And there are numerous areas of jurisdictional conflict which should receive more attention, particularly in relation to current growth trends.

"I am convinced that the establishment of a permanent Advisory Commission on Intergovernmental Relations would do much in this direction. It is a practical idea and one that could result in concrete suggestions for the improvement of our Federal system. By bringing together officials and experts from all levels of government, the proposed Commission can foster a spirit of cooperation and understanding which is so essential to a proper functioning of a Federal system, and which in turn could pave the way for significant improvements in the administration of cooperative programs.

"More than ever, we need a group of this nature to study the continuing impact of a growing society on a system of government that was originally established for a rural nation of only 3 million people. Thanks to the flexibility of our Constitution, we have been able to adjust to the enormous changes which have taken place since that time. Today, however, we live in an age in which the consequences of change are much more immediate and significant than they were 170 years ago. If we value the basic outlines of our Federal system, with its balance of National and State jurisdictions, we must pay more constant attention to the problems associated with intergovernmental relations.

"I believe that the proposed Commission would prove a valuable and necessary service for the betterment of our system of government."

Representative Chester W. Bowles of Connecticut pointed out the urgency of improving communication between the levels of government:

"The basic problem, as both the Kestnbaum Commission and this subcommittee's report have pointed out, is one of communications. It seems impossible in this day and age that a coordinated, effective means of sharing information and ideas between the Federal, State, and local governments does not exist, but unfortunately this is the case.

"As a former Governor of Connecticut, who has faced the confusion and inconsistencies of the present situation from a State capitol, I feel very strongly that the proposed Advisory Commission on Intergovernmental Relations is a constructive, forward step which is long overdue, and I sincerely hope that favorable action on this proposal can be taken soon."

Senator JACOB K. JAVITS, of New York, emphasized the pressing need for systematic and continuous attention to Federal-State relations:

"S. 2026, which would establish an Advisory Commission on Intergovernmental Relations, deals with a problem which has perennially plagued our Federal system, and which has become more pervasive and more acute with the increasing role of the Federal Government in our society. It is high time that the entire problem of relations between the States and the Federal Government be given systematic and sustained attention on a broad basis, since piecemeal attack on the problems of conflict of jurisdiction and administration between them has proved inadequate."

Senator ESTES KEFAUVER, of Tennessee, pointed out the value of the Commission to the committees of Congress:

"In its broadest sense, S. 2026 would, I believe, help tremendously in bringing about a better understanding of mutual problems among officials of local, State, and Federal Governments.

"Such an intergovernmental advisory commission as S. 2026 proposes would also be of great value to the various committees of Congress in providing a broad perspective of the total picture of the programs which now originate in many committees and are directed to many different jurisdictions.

Coordination of tax resources is still another advantage that can be brought about through the functions of the proposed agency."

Representative SILVIO O. CONTE, of Massachusetts, noted that the Commission would be of particular value to State legislatures:

"As a former State legislator, having served for 8 years in the Massachusetts State Senate, I am particularly aware of the desirability of bringing the legislative branch of State government into closer contact with Federal officials in connection with intergovernmental matters. I note with satisfaction that the Advisory Commission would facilitate this objective by including State legislative representation in its membership. Our State legislatures are desperately in need of more information on the many Federal activities that require State and local cooperation. Moreover, I believe their interest in these intergovernmental activities should be stimulated well in advance of the point at which the Congress takes legislative action which, for all practical purposes, necessitates State and local financial and administrative participation. A permanent Advisory Committee should provide an excellent educational medium for developing greater State legislative interest in this field. Such a development, I believe, would be extremely helpful to the legislative committees of the Congress."

Senator WINSTON L. PROUTY, of Vermont, stressed that the Commission would not interfere with the prerogatives of State and local government:

"I cosponsored the Senate bill under consideration only after satisfying myself that such a commission as the bill visualizes offers no threat of interference with State and local units of government. The people of Vermont have always placed a high value on their rights and prerogatives under local units of government. They like to make their own plans and decisions and they have not usually gone out of their way to welcome what they consider outside interference, even though they may know it is intended to be helpful.

"I am convinced that the proposed Advisory Commission on Intergovernmental Relations will not constitute interference. On the contrary, it should help protect the legitimate interests and prerogatives of State and local governmental units, should help eliminate overlapping of operations, provide useful information, and increase efficiency.

"In addition, such a commission should prove most useful to the Federal Government through assisting Congress in assessing local opinion on intergovernmental problems, through smoothing out relationships between Federal agencies and departments and local governments, and in keeping open the channels of communication among the various levels of government."

Representative BYRON L. JOHNSON, of Colorado, pointed out several areas where intergovernmental policies tend to conflict:

"Let me speak first to the powers and duties of the proposed Commission. As the members of the committee know very well, there are a number of areas where Federal, State, and local interests operate less than harmoniously. First, there is, for example, the question of the right of each level of government to tax property owned by another unit and level of government.

"Second, there is the question as to whether interest on the debt obligations of one level of government can properly be taxed by another as part of income taxes.

"Third, there is the question as to whether the payments in lieu of taxes now being made by some Federal agency are adequate and properly related to the impact of such Federal property upon local taxing jurisdictions.

* * * * *

"Fourth, there is the question of the reasonableness of the shared receipts and revenues on certain public lands. * * *

* * * * *

"Fifth, there are questions as to whether or not certain taxes act as trade barriers, contrary to the constitutional intent.

"Sixth, there is a very sensitive question of the rights of several States to tax the same property or income, because the Federal courts have taken a very permissive attitude toward multiple and overlapping State taxation. Congress and the Federal Government could do much under the Constitution to accomplish substantial uniformity in State laws with great benefit to American businessmen in simplifying their tax compliance. Such improvements need not materially reduce State revenues but should certainly simplify tax administration and enforcement.

"One of the hidden areas in public finance is our lack of knowledge of the cost of compliance upon taxpayers in filling out the thousands of forms that they are required to fill out for the thousands of taxing jurisdictions with which the larger corporations must deal. Many taxpayers are plagued by the inconsistencies and complexities of the various tax jurisdictions having power to tax them.

"Now, these questions will never be resolved if we wait for neighboring States to work out suitable answers. They might be resolved by having a Federal Commission conducting continuing research, issuing publications, and holding conferences as background for appropriate changes in law at each level.

"Finally, there is a question of grants-in-aid, which is specifically provided for by H.R. 6904."

Mayor Frank P. Zeidler, of Milwaukee, representing the U.S. conference of mayors, described the need for an Advisory Commission in these terms:

"Bills H.R. 6904 and S. 2026, I believe, would remedy this lack of formal assembly to gather information from all levels of government in order to adjust the difficulties which may exist between these levels. It would also remedy the lack of sense of direction which the Federal, State, and local governments have as to where each one is going with respect to each other. It will provide an avenue for channeling the best technical information and most comprehensive knowledge that is now possessed by experts in the United States in the science of government that this knowledge may be able to improve the inner workings of government in the United States."

Mayor Gordon S. Clinton, of Seattle, testifying for the American Municipal Association, stated that—"because the Commission proposed recognizes the need for equitable, responsible, and knowledgeable representation on the part of all levels of government * * * we feel that the conclusions reached as a result of its deliberations will enjoy considerable acceptance on the part of all levels of government * * *.

* * * * *

"I am certain that we can effect better intergovernmental relationships, that we can encourage and promote realinement of functional responsibilities at various levels of government, that we can do some within the broad framework of government laid down by our Constitution. And, in so doing, be secure in the knowledge that our democratic process and individual freedoms need never be violated in the course of our work."

Mr. Saul I. Stern, chairman of the Montgomery County chapter of the Maryland Municipal League, expressed the thinking of a public official familiar with the problems of small urban communities:

"I believe that those of you who have been in contact with State, county, and municipal officials can agree that the vast majority of these elective and appointive officials are very dedicated and devoted public servants. I believe a great many of the problems, a great part of the inaction, arises from the fact that these particular officials are confused, and they have no course or direction because they are truly bewildered by the complexities of our population and physical growth. And of course all of us who are public officials are staggered by the spiraling costs of government. We wonder where the dollars are going to come from to provide the increased demands of service which our population is insisting upon. And I think that if this Commission is set up—and I am most hopeful that it will be—and if it sits down to determine the roles, functions, duties, and services that the various levels of government should perform in light of these constantly changing conditions imposed by growth, we will have made a real step forward to the solution of the financial as well as a good many of our other problems.

"I think we need to have representatives of the Federal Government and representatives of the State, county, and municipal governments sitting down and discussing these problems together. We need, however, first of all to determine what our common problems are. * * *

* * * * *

If our Federal system is to be workable, if it is to be vital, and if it is to be continued on a strong and firm basis, then we must have this sort of study. But we must have survival of all systems of government. It is my firm belief that as long as people participate in government at all levels we will have a very strong, vibrant, and a really meaningful democracy. And I am most hopeful that the Commission on Intergovernmental Relations will be set up on a continuing basis. I think it should be established now and should be placed on a permanent basis."

NATURE OF COMMISSION

The committee views the Advisory Commission as a political innovation—a new type of organization designed especially to cope with the changing problems encountered in our Federal form of government. It will be a genuine interlevel body, not an agency dominated or controlled by any one level of government.

In providing for the appointment of Commission members, the committee has sought to assure the selection of persons possessing special knowledge and qualifications in this field. Thus, the committee favors the participation of the designated organizations in the selection of State and local members since these organizations are well equipped to recommend outstanding individuals from their respective levels of government. However, the committee also favors the appointment of members from panels as proposed in H.R. 6904, as amended, because it believes the President is in the best position to weigh such considerations as the geographic areas and the type of communities represented so as to produce a well-balanced advisory body.

Similarly, the committee believes that the President is best situated to designate the Chairman and Vice Chairman, who should possess outstanding qualifications for these assignments and a reputation for objectivity which will make them generally acceptable to all levels of government.

The committee studied two other proposals for the appointment of Commission members. It was proposed, on the one hand, that the State and local organizations directly appoint representatives to the Commission,

and, on the other hand, that the selection of members be left completely to the discretion of the President. Neither of these proposals is believed as desirable as the procedure recommended by the committee.

It is the committee's intent that the designated organizations will take geographic considerations into account in selecting the panels. Further, the committee is confident that the President and these organizations will work together for the purpose of achieving an objective and geographically balanced body.

It is the committee's expectation that members will come to the Commission with open minds and with the intention of working toward the ultimate goal of responsible and effective government at all levels of our Federal system. In this connection, the committee also believes that the members will not regard themselves as primarily representatives of any particular group, level of government, or geographic area for the advancement of a special point of view. It is intended that the Commission will not urge a Federal solution simply because Federal action appears the easiest course. It is rather intended that it will encourage the assumption of responsibility by the appropriate level or levels of government with respect to any given problem.

It is the committee's expectation that the Commission will establish working subcommittees which will give intensive and continuing study to important problems of concern to the Commission as a whole.

The committee is hopeful that the Commission will function as a coordinating center for the study of intergovernmental relations and will encourage and stimulate attention to the problems in this field not only on the part of government but by the universities and private foundations as well.

COOPERATION OF THE STATES

Consideration was given to the States contributing a portion of the Commission's operating expenses. While the committee believes joint Federal-State financial support is desirable in principle, considerable doubt has been raised as to the practicability of such an arrangement. In order to avoid handicapping the Commission, the committee believes it advisable that the Commission's operating expenses be paid for the present wholly from Federal funds.

However, the committee is of the opinion that the States should and will wish to contribute indirectly to the Commission's support by furnishing staff assistance to the Commission and to its working committees.

It is expected that the State and local governments, collectively through their respective organizations, and individually where feasible, will cooperate actively with the Commission in the collection and analysis of State and local research data and by the assignment, when needed, of appropriate personnel to assist in the conduct of specific research projects.

CONCLUSION

Upon recommendation of the Intergovernmental Relations Subcommittee, the full committee favorably reports H.R. 6904, with amendments, to establish an Advisory Commission on Intergovernmental Relations.

The committee recognizes that the particular organizational features provided by this bill may require adjustment from time to time in response to experience and changing conditions. For the present, however, the committee is satisfied that the bill, as amended, represents a sound and carefully planned method of accomplishing the important objectives intended for the Commission.

The committee adopted five principal amendments of H.R. 6904 to incorporate recommendations made by witnesses in the joint hearings and by the Director of the Bureau of the Budget. These amendments are: (1) An elaboration of the declaration of purpose to clarify and make more explicit the breadth of the Commission's responsibilities (sec. 2 (6), (7)); (2) enlargement of the membership of the Commission from 24 to 25 members, to provide greater representation for county government (sec. 3(a)); (3) enlargement of the size of the panels to be submitted to the President by the several State and local organizations for the appointment of Commission members, in order to afford the President greater flexibility in the appointments (sec. 3(a), (4), (5), (6), (7)); (4) increase the number of members from county government from one to two (sec. 3(a), (7); (5) provision for designation of the Chairman and Vice Chairman of the Commission by the President from among members of the Commission (sec. 4(b)).

In addition, the committee adopted a number of technical perfecting amendments.

ADDITIONAL VIEWS OF HON. CLARE E. HOFFMAN

H.R. 6904 is an outgrowth of the 30th report by the Committee on Government Operations in the 85th Congress. Among the findings of that report—a report in which I concurred—was one to the effect that there was generally favorable acceptance throughout the Nation of the grant-in-aid principle and most existing grant programs.

However, throughout the hearings upon which the report was based, it became apparent that the tangled web of intergovernmental relationships, in a complex which encompasses echelons ranging from the local to the national, was sorely in need of continuing review and coordination.

While I am basically opposed to the Federal Government continually increasing its authority and activities, especially those which should and can be performed by the States and the municipalities, inasmuch as that tendency will continue, we certainly must seek means to make the spending and the controls as efficient and economical as possible.

Perhaps the creation of a Commission such as that provided for in the bill will tend to bring about those objectives—that is, less spending, less waste, greater efficiency.

CLARE E. HOFFMAN.

Analysis of composition of Advisory Commission

25 members	How appointed	Political affiliation
3 Representatives	Speaker of House	2 majority, 1 minority.
3 Senators	President of Senate	Do.
3 officers of executive branch	President	None specified.
3 private citizens	do	Without regard to political affiliation.
4 Governors	President from panel of at least 8 submitted by Governors' conference.	Not more than 2 from any 1 political party.
3 State legislators [1]	President from panel of at least 6 sumbitted by Board of Managers of Council of State Governments.	Not more than 2 from any 1 political party.
4 mayors [1]	President from panel of at least 8 submitted jointly by American Municipal Association and U.S. conference of mayors (at least 2 from cities under 500,000).	Not more than 2 from any 1 political party.
2 elected county officers [1]	President from panel of at least 4 submitted by National Association of County Officials.	Not more than 1 from any 1 political party.

[1] Not more than 1 from any 1 State.

CHRONOLOGY OF EVENTS CONNECTED WITH H.R. 6904

August 1955: Kestnbaum Commission report referred to subcommittee.

December 1955: Questionnaire on intergovernmental relations sent to State and local governments.

January 1956: Questionnaire sent to all Federal departments and agencies.

August 1956: Staff report on replies from Federal agencies to questionnaire.

June 1957: Replies from State and local governments to questionnaire (sixth report by committee; H. Rept. No. 575).

July 29–31, 1957: Hearings for planning regional hearings.

September 30–December 11, 1957: Regional hearings (Boston, New York, Chicago, Kansas City, Denver, San Francisco, New Orleans, Raleigh).

November 21–22, 1957: Hearing on Dade County (Fla.) metropolitan government.

February 18, 1958: Hearing, Joint Federal-State Action Committee.

February 24–25, 1958: Hearings, nongovernmental organizations and individuals.

March 26–27; April 2, 30; May 7–8, and June 19, 1958: Hearings, Federal departments and agencies.

August 8, 1958: Thirtieth report by Committee on Government Operations (H.R. 2633), "Federal Grants-in-Aid."

May 6, 1959: H.R. 6904 introduced by Representative FOUNTAIN and H.R. 6905 by Representative DWYER (after informal discussion with Governors and municipal and county organizations).

June 16, 17, 19, and 22, 1959: Joint hearings held by Subcommittee and Senate Committee on Government Operations on H.R. 6904, H.R. 6905, and S. 2026. (Testimony invited by letter from every Member of House, every Governor, all members of State legislatures who testified in regional hearings, Governors' conference, American Municipal Association, U.S. conference of mayors, and the National Association of County Officials. All other interested organizations and persons invited to testify or submit statements through press release printed in CONGRESSIONAL RECORD.)

July 22, 1959: H.R. 6904 with amendments unanimously reported by subcommittee.

July 31, 1959: H.R. 6904 with amendments unanimously reported by Committee on Government Operations.

August 5, 1959: Enactment of H.R. 6904 and S. 2026 urged by unanimous resolution adopted by annual Governors' conference (San Juan, P.R.). (Similar resolutions adopted earlier by American Municipal Association, U.S. conference of mayors, National Association of County Officials, Massachusetts State Senate, etc.)

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. FOUNTAIN. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Did the Hoover Commission recommend this type of Commission be established?

Mr. FOUNTAIN. The first Hoover Commission did, 10 years ago.

Mr. MEADER. Mr. Speaker, I yield 5 minutes to the gentlewoman from New Jersey [Mrs. DWYER].

Mrs. DWYER. Mr. Speaker, it is a pleasure to associate myself with the remarks of the gentleman from North

Carolina, the chairman of the Subcommittee on Intergovernmental Relations, in support of the bill (H.R. 6904) to create a permanent, bipartisan Advisory Commission on Intergovernmental Relations.

The record should show that the legislation has had broad bipartisan backing from its inception as a principal recommendation in the report of the subcommittee last year. The bill before the House today is the product of identical bills introduced together by the subcommittee chairman and the ranking minority member. The joint House-Senate hearings were also conducted in this bipartisan spirit, and the amendments to the bill were discussed together and unanimously agreed upon by the sponsor.

The idea of an Advisory Commission on Intergovernmental Relations was recommended 10 years ago by the first Hoover Commission, and the subsequent experience of the Kestnbaum Commission on Intergovernmental Relations—which was a temporary study group—confirmed the need for a continuing body in this increasingly complex field.

Mr. Kestnbaum, a special adviser to the President on problems of intergovernmental relations, stated his view of this legislation as follows:

> I should like to go on record as saying that the idea of a Commission that will give the President and the Congress the benefit of careful incisive research and examination of the many problems that face us in this area is sound, and that it can fulfill a very important and useful function.

From his lengthy experience in government, Governor Stratton, of Illinois, endorsed the Advisory Comission as, and I quote, "timely and necessary." He went on to say this:

> The Federal system of government which is so precious to all of us depends in essence on cooperation and correlated activities of the various State governments and the Federal Government. With the explosive growth of population and urbanization we are now experiencing, it becomes imperative that the relationship among our governments must be harmonious.

These informed views are typical of those expressed at the hearings. Although testimony was received from persons of all political persuasions and from varied economic and geographical backgrounds, support for an Advisory Commission was virtually unanimous.

The Advisory Commission represents a modest but important attempt to increase a sense of responsibility for politics, for self-government, in the field of Federal-State-local relations. We believe it will help make our Federal system of government a more effective instrument of government in times that are infinitely more complex than when our forefathers established it.

Much has been made of the fact that our political institutions have not kept abreast of the earth-shaking advances in science and engineering, advances that have created almost insoluble problems along with the benefits they have made possible. These problems—of transportation and the use of natural resources, for instance, and the accompanying fiscal and social implications—are today plaguing our people at every level of government. These problems involve them all, they are interrelated with others. Yet, today, there is no existing machinery whereby such problems can be seen and understood in the perspective of Federal-State-local relations, the context in which they exist and in which they must be solved.

The Advisory Commission would help fill this gap in our political system. It would be composed of men and women who know what the problems are, who daily are faced with the lack of sufficient information, who understand—because they have been hampered by them—the barriers to necessary cooperation with other levels of government, and who have practical ideas of how best their own governments can be helped to do their essential work.

The Advisory Commission would be established neither to expand the use of Federal grant-in-aid programs nor to restrict them. Its purpose would be to improve them: by better planning based on hitherto unavailable information and data; by a wider, more timely exchange of information among affected governmental units; by more consistent definition of the purposes and limitations of grants-in-aid; by utilizing available experience to determine the most effective criteria, standards, and principles to govern the operation and discontinuance of specific grant programs.

It is generally accepted that the Federal grant method of cooperating with State and local governments has achieved a great deal of good.

The time has come to establish a continuing means whereby grants-in-aid can be made to accomplish their purposes with maximum effectiveness and efficiency and at minimum expense and interference.

This is an entirely new undertaking. No other agency of government resembles it. It is frankly experimental, but I believe it is well worth the effort we make for it. It will not cost much, and there is no danger that it will be tempted to grow and expand like so many bureaucracies have in the past because this will be an informing group, instead of one with administrative and action-type responsibilities.

A great deal of good, I think, can be expected from this project. It is really a matter of self-help, a means of allowing representatives from all levels of government to help work out their own problems and improve mutual understanding and cooperation.

Mr. MEADER. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Speaker, normally I would find myself in opposition to the establishment of any new bureau or commission. And I suspect I would be opposed to the establishment of this Commission had it not been for my having served on the subcommittee with the very able chairman, the gentleman from North Carolina, and the gentlewoman from New Jersey [Mrs. DWYER] in the 85th Congress. And may I take this opportunity to pay a special tribute to both of them for their diligence and untiring efforts in developing this legislation. The subcommittee has worked hard and long listening to witnesses from one end of the country to the other and this bill is the culmination of the subcommittee's efforts.

In my testimony before the subcommittee I dwelt on several facets of this legislation. One was the composition of the Commission, for I thought it very important particularly to those Members of this body who, like myself, have some very strong feelings relative to whether or not we think this should be a big, strong central government or whether we regard it more or less a loose confederation of States. And those of us who have the strong feelings about States rights would certainly be very interested in whom the President appoints to serve on this Commission. I am happy to note in the legislation that, as the chairman has pointed out, this is one Commission that certainly will not be another federally dominated Commission, for the while the President appoints six members, three from the executive branch and three at large, there are four Governors who serve, three State legislators, four mayors—incidentally two of them must come from cities whose population is less than 500,000—and two county officials. So in a sense, aside from the three members who would serve from this body and the three members who would serve from the other body, it is pretty evenly divided between Federal, State and local levels of government. I think that is very important.

When I testified before the subcommittee it was my considered opinion that there would be two principal problems with which the Commission would have to deal in this present day. One is the competition of revenues between the various levels of government and, two, our explosive population growth. I am happy to see again in the legislation that on page 3, paragraph (7), the original bill was amended to include the provision:

> (7) recommend methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.

I think this is a very important addition to the legislation.

Mr. Speaker, some might question our establishing a permanent Advisory Commission rather than one on a temporary basis. May I point out again, if I may, the example cited during the course of the hearings, relative to the deficiency of the Highway Trust Fund. We find the President now proposing a tax increase the necessity for which was not foreseen or envisioned when the highway construction program was originally enacted. Now we see because of the authorized increased highway construction going on throughout the country the Trust Fund is deficient. How much better it would have been if this Commission had been organized so that the President could have called upon the mayors and Governors and county officials and asked for their advice relative to the further financing of this program, for here is

where it seems to me the Federal Government is encroaching upon areas where the State and local governments have a primary call for revenue. I think this would be one specific example where the Advisory Commission might have been brought into play and might have given the President some good advice. Times are changing so rapidly that we cannot expect to keep up with the problems of intergovernmental relations unless there is a permanent Commission in being that can be convened on short notice. I believe it can serve a very useful purpose although admittedly we must make certain that those serving on the Commission do not stray from our intention that they "recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government."

Mr. MEADER. Mr. Speaker, as the gentleman from North Carolina stated, this bill, H.R. 6904, was reported unanimously by the Committee on Government Operations. However, there is one aspect of it with which I am not pleased, the fact that there is no termination date for the Commission. If the Commission is doing a useful job, its life, of course, can be extended. Despite that objection, I did not oppose the bill in committee.

But I want to call to the attention of the House another aspect of the situation. We have two Subcommittees on Government Operations which have handled legislation of this kind. One is the Subcommittee on Intergovernmental Relations and the other, a Subcommittee on Executive and Legislative Reorganization which reported out a week later a bill, H.R. 7465, to establish a Commission on Metropolitan Problems. Look at the purposes of these two Commissions. No one can avoid coming to the conclusion that there is a conflict between them. The minority, the Republicans on the committee, with some aid from the other side, objected to our committee bringing two Commissions to this House for approval at the same time.

Mr. Speaker, the Committee on Government Operations, as you know, is charged with the duty of studying the economy and efficiency of operations of the executive branch of the Government including elimination of duplication and waste. Yet this committee brings out bills to create two Commissions to do the job of one.

I would have preferred that this bill was not before us under suspension of the rules. If it were open to an amendment, we could say clearly that it is the duty of the Intergovernmental Relations Advisory Commission to study metropolitan problems. Certainly that is one of the fields in which the Federal Government, with the grant-in-aid programs does affect municipalities. I certainly hope when the other bill comes to the House we will have more judgment here than we did in the Committee on Government Operations, and that the House will not create two Commissions where one can do the job.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield.

Mr. HARDY. I think the gentleman has made a valid point. Certainly the Commission created by this bill has the authority to go into this whole metropolitan problem. It might well make that a major function. Of course, the question of competent staff personnel is important in this as well as in other phases of the Commission's responsibilities but surely adequate competent and experienced people can be found.

Mr. MEADER. I certainly think so. It would be worse if we allowed two Commissions to operate in the same field simply because it very well might be that they would have conflicting views on what ought to be done. There either would be conflicts or the two Commissions would have to establish liaison staffs and procedures to coordinate their activities and their views, all of which involves costly delay.

Mr. MEADER. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I am surprised that this country has grown as great as it has without a Commission to coordinate relations between the States, municipalities, and Federal Government.

Here you are embarking upon another expensive Commission in government, and I am opposed to it.

With respect to the cost of this bill we have heard nothing so far as I know. I tried to listen to all of the debate, but I do not believe a word has been said or an estimate given of how much this Commission is going to cost. I note that on page 7 the bill states that the Commission shall have the power to appoint a staff director, and then on page 8 it states that no individual employed in the service of the Commission shall be paid compensation for such employment at a rate in excess of $20,000 per annum.

That means the staff director will be paid $20,000 a year, and the staff director, in turn, can appoint and fix the compensation of the personnel. How many?

How expensive a Commission is proposed to be set up here? We hear nothing. It could be anything. Then we get into the question of allowances and expenses—allowances for members of the Commission. How much? This is going to be a big Commission. Will some Member advise me whether the Commission members are to be paid $50 per diem, plus expense money, transportation, and so forth?

Mr. FOUNTAIN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. FOUNTAIN. It is $50 per diem only for those few members of the Commission who are not employed as full-time salaried officers of Federal, State, and local governments.

Mr. GROSS. What kind of a contribution are the States going to make to this?

Mr. FOUNTAIN. I am glad the gentleman asked that question. I personally was one of those who felt that the States should contribute financially to the operation of this Commission, inasmuch as the States and their local governments would be represented. However, it was found that there is a practical problem in that in almost every State the legislature would have to provide a special appropriation for the Commission. Because of this difficulty, we decided not to insist upon State financial participation.

Mr. GROSS. That would not have been any injurious burden on the States if they were required to appropriate some money to help take care of this.

The U.S. Treasury is not exactly bottomless, you know.

Mr. FOUNTAIN. I quite agree with the gentleman.

I might read the gentleman a few pertinent paragraphs from page 15 of the committee's report on the bill:

> Consideration was given to the States contributing a portion of the Commission's operating expenses. While the committee believes joint Federal-State financial support is desirable in principle, considerable doubt has been raised as to the practicability of such an arrangement. In order to avoid handicapping the Commission, the committee believes it advisable that the Commission's operating expenses be paid for the present wholly from Federal funds.
>
> However, the committee is of the opinion that the States should and will wish to contribute indirectly to the Commission's support by furnishing staff assistance to the Commission and to its working committees.
>
> It is expected that the State and local governments, collectively through their respective organizations, and individually where feasible, will cooperate actively with the Commission in the collection and analysis of State and local research data and by the assignment, when needed, of appropriate personnel to assist in the conduct of specific research projects.

Mr. GROSS. I thank the gentleman, but I just want to say this thing more: You are here setting up another expensive Commission of Government and we are certainly overrun with them today. We ought to be abolishing some instead of creating another.

Mr. FOUNTAIN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. FOUNTAIN. Because of limitations of time I did not at the outset go into this, but I have made a very careful study of the possible cost. It is estimated that the total operating expense, excluding rent and the acquisition of permanent office equipment, would be approximately $179,000 a year. And my studies show that this amount would be adequate for a continuing Commission of the type contemplated by this bill.

Mr. GROSS. I will say to the gentleman that I am opposed to this bill. I do not know whether there will be a record vote, but I want the record to show that I am opposed to it.

Mr. MEADER. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, I think 1 minute will be enough. It is heartbreaking to disagree with members of my party, especially when there are only two of us, but I cannot go along with my brother from Iowa [Mr. GROSS] on this one. I am as opposed to this business of setting up a new Commission with a lot of employees just

as much as he is; nevertheless, it seems we will be forced to do something about the spending of billions of dollars. It will be another case of the Commission we set up in 1947 and 1948 when we spent a lot of time and money trying to unify the various branches of the armed services. That is what the gentleman from Michigan [Mr. MEADER] tried to point out. That is, we are now trying to prevent the setting up of two instead of one new agency to check on certain activities. That is what we are trying to do today. I am opposed to even one but if the money is to be spent we certainly do not—as the gentleman from Michigan [Mr. MEADER] pointed out—need two outfits on the same job. If it were possible, I would be in favor of stopping the spending right here, but it is not possible. So instead of two groups working at it or two agencies or two Commissions, I think we are lucky to get out of it with one.

Mr. MICHEL. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Illinois.

Mr. MICHEL. May I ask the gentleman one question? Is it not true that under the provisions of the bill all elected public officials would be excluded from the per diem provisions? In other words, you have only 3 of the 25 who are selected by the President who would come under this provision. The rest of us, whether we be in the House or Senate or State officials would not be getting this kind of compensation.

Mr. FOUNTAIN. All employees, Federal, State and local, would be excluded.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. FOUNTAIN. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Speaker, I was a member of the subcommittee which reported this bill out and I happened to also be a member of the subcommittee that considered the bill setting up the other Commission that has been referred to. I was one who was very skeptical from the very beginning concerning the establishment of this Commission, but after the Governors of many States, the city planners, and city officials came before the committee, I felt a good many of these questions that are naturally in people's minds were adequately answered. I think certainly we have to make government work more efficiently, as expensive as it is today, and it seems to me the true prerogatives of State and local governments could best be served by a constant study and evaluation of their problems. I finally came to the conclusion that this would probably be money well spent rather than money wasted. At least I think we should try and see if that is the case. If it does not promote efficiency and justify the expectations of those who testified for it, appropriations can be stopped. I did have great apprehension concerning the fact that the President makes all the appointments under this bill. It is possible where the President of one party makes all the appointments to appoint members of the opposite party who happen to be the weakest among the nominees in order not to build up the strongest men in their own areas. But I have found no alternative that would be better, and I finally came to the conclusion that the method of selecting members is the best proposed. After carefully listening to several days of testimony, I came to the conclusion this bill should be passed and I urge its passage.

Mr. FOUNTAIN. Mr. Speaker, I have no further requests for time. I ask unanimous consent that the text of the report on the bill (Rept. No. 742) be placed in the RECORD at the conclusion of my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative days in which to extend their remarks in the RECORD on the bill now being considered.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. MEADER. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. BARRY].

Mr. BARRY. Mr. Speaker, I rise in support of the pending legislation. This bill does seven things.

First, it brings together representatives of the Federal, State and local governments for consideration of common problems; second, provides a forum for discussing the administration and coordination of Federal grant and other programs requiring intergovernmental cooperation; third, gives critical attention to the conditions and controls involved in the administration of Federal grant programs; fourth, makes available technical assistance to the executive and legislative branches of the Federal Government in the review of proposed legislation to determine its overall effect on the Federal system; fifth, encourages discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation; sixth, recommends, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government; and seventh, recommends methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.

Mr. Speaker, when President Eisenhower became the first Republican President in several decades, one of his first acts was the formation of a temporary commission which arose out of the recommendations of the Hoover Commission to do the very thing that this permanent Commission we are now setting up is supposed to accomplish. Basically, this need has been made evident by the overlapping of functions in government, local, State and Federal. The establishment of the Commission would go a long way to help clarify and to iron out functions of government to the betterment of the people of this Nation.

Mr. OSTERTAG. Mr. Speaker, will the gentleman yield?

Mr. BARRY. I yield to the gentleman from New York.

Mr. OSTERTAG. Mr. Speaker, H.R. 6904, a bill to establish an Advisory Commission on Intergovernmental Relations is designed to provide the machinery sorely needed at this time to coordinate the activities and responsibilities of the levels of government under our Federal system.

I want to take this opportunity to commend the Subcommittee on Intergovernmental Relations of the Government Operations Committee for their thorough handling of and sound approach to this problem. This is not a partisan issue, but rather a means for the consideration of the fundamental principles which have made this country great and strong.

Mr. Speaker, prior to my membership in the House of Representatives, I served 19 years in the Legislature of the State of New York. During that time, it was my privilege and honor to serve for 15 of those years as chairman of the New York Committee on Interstate Cooperation and as a member of the Board of Managers of the Council of State Governments. There has been and continues to be a great need to coordinate the States in order that they may meet the varying and many responsibilities of governments on the State and local level and there is equally a need to provide a better way to develop and solidify the intergovernmental relations so necessary today on a Federal-State basis.

I have often stated, Mr. Speaker, that if our Founding Fathers made an error in establishing the framework under which this great Republic of ours was to function, it was not one of commission but rather one of omission. By that I mean that no machinery was devised for the coordination and cooperation of the several levels of our Republic and Union of States.

I believe I am the only Member of the House who served as a member of the Commission on Intergovernmental Relations back in the years of 1954 and 1955. It was commonly known as the Kestnbaum Commission and I can tell you that it was a rewarding experience. In the letter of transmittal of the Commission's report to the President, Chairman Kestnbaum said in part:

> Many of the problems to which we have addresses ourselves have been with us since the founding of the Republic. They are likely to concern us for many years to come. No inquiry of this kind could possibly provide universally satisfactory answers to all of the difficult questions that are under discussion at any particular moment. We are hopeful that this report will be regarded as the beginning rather than the end of a contemporary study of the subject of intergovernmental relations, and that it will stimulate all levels of government to examine their respective responsibilities in a proper balanced Federal system.

Mr. Speaker, there can be no doubt as to the continuing need for study,

evaluation and balance in the intergovernmental relationship of our Government. Our Federal system is the greatest and oldest in the whole world but we must not be unmindful of the constant changes that are taking place. Transportation, communication, and the many other fields of development and growth have changed the picture immeasurably since the time this Republic was formed.

Mr. Speaker, in the Commission on Intergovernmental Relations Report, chapter 1 deals with the "Evolution of the American Federal System" and I commend it to each and every Member of the House. It deals with the very background which I believe makes the establishment of the Advisory Commission as proposed in the legislation before us so necessary.

With the tremendous growth in development and population in this country of ours, intergovernmental relations becomes more and more important to us and our cherished system. Within the past 10 years more than 12 million people have moved to suburban areas and it is estimated that our overall national population will exceed 200 million by the year 1970. Mr. Speaker, precise divisions of governmental activities need always to be considered in the light of varied and shifting circumstances; they need also to be viewed in the light of principles rooted in our history. This proposed Commission might well provide the guidance and balance essential to strengthening our system of government. There are many areas whereby relations can be improved, and a better balance between all levels maintained. The Commission could well provide guidance and lines of authority and responsibility in many fields. Yes, Mr. Speaker, within the constitutional limits of national and State powers, and in the light of nearly 170 years of practical experience, the Commission will be in a responsible role for providing the guidelines best calculated to sustain a workable basis for intergovernmental relations in the future.

The SPEAKER. The question is on suspending the rules and passing the bill, H.R. 6904, as amended.

The question was taken; and on a division (demanded by Mr. FULTON) there were—ayes 91, noes 18.

Mr. FULTON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 335, nays 31, not voting 68, as follows:

[Roll No. 134]

YEAS—335

Abbitt	Ashley	Bass, N.H
Abernethy	Ashmore	Bass, Tenn
Addonizio	Aspinall	Bates
Albert	Auchincloss	Baumhart
Alexander	Avery	Becker
Alford	Ayers	Beckworth
Allen	Baker	Belcher
Anderson, Mont.	Baldwin	Bennett, Fla.
Andrews	Baring	Bennett, Mich.
Arends	Barr	Blitch
	Barry	Boggs
Bolling	Hardy	Nix
Bonner	Hargis	Norrell
Bosch	Harmon	O'Brien, Ill.
Bow	Harris	O'Brien, N. Y.
Bowles	Harrison	O'Hara, Ill.
Boyle	Healey	O'Hara, Mich.
Brademas	Hébert	O'Neill
Bray	Hechler	Oliver
Breeding	Hemphill	Ostertag
Brewster	Henderson	Passman
Brooks, La.	Herlong	Patman
Brooks, Tex.	Hiestand	Pelly
Broomfield	Hoeven	Perkins
Brown, Ga.	Hoffman, Ill.	Pfost
Brown, Mo.	Hoffman, Mich.	Philbin
Brown, Ohio	Hogan	Pirnie
Broyhill	Holland	Pillion
Budge	Holt	Poage
Burdick	Holtzman	Poff
Burke, Ky.	Hosmer	Preston
Burke, Mass.	Huddleston	Price
Burleson	Hull	Prokop
Bush	Ikard	Pucinski
Byrne, Pa.	Irwin	Quie
Byrnes, Wis.	Jarman	Quigley
Cannon	Jennings	Rabaut
Carnahan	Jensen	Rains
Casey	Johnson, Calif.	Randall
Cederberg	Johnson, Md.	Rees, Kans.
Chamberlain	Johnson, Wis.	Reuss
Chelf	Jonas	Rhodes, Ariz.
Chenoweth	Jones, Mo.	Rhodes, Pa.
Chiperfield	Judd	Riehlman
Church	Karsten	Riley
Clark	Karth	Rivers, Alaska
Coad	Kasem	Rivers, S.C.
Cohelan	Kastenmeier	Roberts
Collier	Kearns	Robison
Colmer	Keith	Rogers, Colo.
Conte	Kelly	Rogers, Fla.
Cook	Keogh	Rogers, Mass.
Cooley	Kilday	Rostenkowski
Cramer	Kilgore	Roush
Curtin	King, Calif.	Rutherford
Curtis, Mo.	King, Utah	St. George
Daddario	Kirwan	Santangelo
Daniels	Kitchin	Saund
Davis, Ga.	Knox	Saylor
Davis, Tenn.	Kowalski	Schenck
Dawson	Laird	Schwengel
Delaney	Lane	Scott
Dent	Langen	Selden
Denton	Lankford	Shelley
Derounian	Lennon	Sheppard
Diggs	Lesinski	Shipley
Dixon	Levering	Simpson, Ill.
Dollinger	Libonati	Simpson, Pa.
Donohue	Lindsay	Sisk
Dorn, N.Y.	Loser	Slack
Dorn, S.C.	McCormack	Smith, Iowa
Downing	McCulloch	Smith, Miss.
Doyle	McDonough	Smith, Va.
Dulski	McFall	Spence
Durham	McGinley	Springer
Dwyer	McGovern	Stratton
Edmondson	McIntire	Stubblefield
Everett	McMillan	Sullivan
Evins	Machrowicz	Teague, Calif.
Fallon	Mack, Ill.	Thomas
Farbstein	Mack, Wash.	Thompson, N.J.
Fascell	Madden	Thompson, Tex.
Feighan	Magnuson	Thomson, Wyo.
Fenton	Mahon	Thornberry
Fisher	Mailliard	Toll
Flood	Marshall	Tollefson
Flynn	Matthews	Trimble
Flynt	May	Tuck
Fogarty	Meader	Udall
Foley	Merrow	Ullman
Forand	Metcalf	Utt
Ford	Meyer	Vanik
Forrester	Michel	Van Zandt
Fountain	Miller, Clem	Vinson
Frazier	Miller, George P.	Wainwright
Frelinghuysen	Mills	Wallhauser
Friedel	Minshall	Walter
Garmatz	Moeller	Wampler
Gary	Monagan	Weis
Gathings	Montoya	Westland
Gavin	Moore	Whitener
Giaimo	Moorhead	Whitten
Glenn	Morgan	Widnall
Granahan	Morris, N. Mex.	Willis
Grant	Morris, Okla.	Winstead
Gray	Moss	Wolf
Green, Oreg.	Moulder	Wright
Griffin	Multer	Yates
Griffiths	Murphy	Young
Gubser	Murray	Zablocki
Hagen	Natcher	Zelenko
Haley	Nelsen	
Halpern		

NAYS—31

Adair	Dingell	Milliken	Smith, Kans.
Andersen, Minn.	Dowdy	Mumma	Taber
Berry	Fulton	Norblad	Teague, Tex.
Betts	George	O'Konski	Weaver
Brock	Gross	Ray	Wharton
Cunningham	Johansen	Rogers, Tex.	Wier
Dague	Lafore	Rooney	Younger
Devine	Latta	Short	

NOT VOTING—68

Alger	Goodell	Morrison
Anfuso	Green, Pa.	Osmers
Bailey	Hall	Pilcher
Barden	Halleck	Porter
Barrett	Hays	Powell
Bentley	Hess	Reece, Tenn.
Blatnik	Holifield	Rodino
Boland	Horan	Roosevelt
Bolton	Jackson	Scherer
Boykin	Johnson, Colo.	Sikes
Buckley	Jones, Ala.	Siler
Cahill	Kee	Smith, Calif.
Canfield	Kilburn	Staggers
Carter	Kluczynski	Steed
Celler	Landrum	Taylor
Coffin	Lipscomb	Teller
Corbert	McDowell	Thompson, La.
Curtis, Mass.	McSween	Van Pelt
Derwinski	Macdonald	Watts
Dooley	Martin	Williams
Elliott	Mason	Wilson
Fino	Miller, N.Y.	Withrow
Gallagher	Mitchell	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Hays with Mr. Halleck.
Mr. Buckley with Mr. Kilburn.
Mr. Anfuso with Mrs. Bolton.
Mr. Boykin with Mr. Cahill.
Mr. Johnson of Colorado with Mr. Taylor.
Mr. Staggers with Mr. Reece of Tennessee.
Mr. Blatnik with Mr. Osmers.
Mr. Kluczynski with Mr. Miller of New York.
Mr. Morrison with Mr. Lipscomb.
Mr. Thompson of Louisiana with Mr. Horan.
Mr. Powell with Mr. Fino.
Mr. Celler with Mr. Algers.
Mr. Porter with Mr. Scherer.
Mr. Gallagher with Mr. Siler.
Mr. Jones of Alabama with Mr. Withrow.
Mr. Barrett with Mr. Corbett.
Mr. McDowell with Mr. Bentley.
Mr. Williams with Mr. Smith of California.
Mr. Teller with Mr. Van Pelt.
Mr. Sikes with Mr. Martin.
Mr. Roosevelt with Mr. Jackson.
Mr. Rodino with Mr. Dooley.
Mr. Pilcher with Mr. Wilson.
Mr. Boland with Mr. Goodell.
Mr. Bailey with Mr. Mason.
Mr. Steed with Mr. Curtis of Massachusetts.
Mr. Elliott with Mr. Derwinski.
Mr. Coffin with Mr. Hess.
Mr. Macdonald with Mr. Canfield.

Messrs. FENTON, PELLY, and GAVIN changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AGUA CALIENTE (PALM SPRINGS) RESERVATION IN CALIFORNIA

Mr. HALEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8587) to provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior (hereinafter called the "Secretary") is authorized and directed to do

whatever is necessary and proper to equalize as nearly as possible the values of all allotments of land on the Agua Caliente (Palm Springs) Reservation in California in accordance with the provisions of this Act.

SEC. 2. Any member of the Agua Caliente Band (hereinafter called the "band") who is living on the date of the enactment of this Act and who has not received an allotment of land shall be given an allotment in accordance with the provisions of law existing prior to this Act. No further allotments of land shall thereafter be made to any other or future born members of the band, or to their heirs or devisees, except for the purpose of equalization. This prohibition against further allotments shall not be construed as a closing of the band's membership rolls.

SEC. 3. (a) The Secretary shall determine on the basis of the contract appraisals that were made in 1957 and 1958 (1) the value of all unallotted tribal land, and (2) the value of the allotment of each allottee who is living on the date of this Act, excluding the value of any improvements thereon. Where lands of a living allottee have been sold under the supervision of the Secretary, their value for the purpose of equalization shall be the amount received from such sale, excluding the value assigned to any improvements thereon. Where lands of a living allottee have been fee patented to and sold by the allottee, their value for the purpose of equalization shall be the appraised value of the lands, excluding improvements, as of the time of the sale, regardless of the amount received from the sale. The allotments of allottees who are not living on the date of this Act shall be excluded from the equalization program. All values so determined by the Secretary shall be final and conclusive for the purposes of this Act.

(b) In no event shall the following tribal lands be subject to allotment, and they shall henceforth be set apart and designated as tribal reserves for the benefit and use of the band:

Cemetery numbered 1, block 235, section 14, township 4 south, range 4 east.

Cemetery numbered 2, as now constituted pursuant to secretarial order, comprising approximately two acres.

Roman Catholic Church, as now constituted pursuant to secretarial order, comprising approximately two acres.

Mineral Springs, lots 3a, 4a, 13, and 14, section 14, township 4 south, range 4 east: *Provided*, That no distribution to member of the band of the net rents, profits, and other revenues derived from that portion of these lands which is designated as "parcel B" in the supplement dated September 8, 1958, to lease by and between the Agua Caliente Band of Mission Indians and Palm Springs Spa dated January 21, 1958, or of the net income derived from the investment of such net rents, profits, and other revenues or from the sale of said lands or of assets purchased with the net rents, profits, and other revenues aforesaid or with the net income from the investment thereof shall be made except to those enrolled members who are entitled to an equalization allotment or to a cash payment in satisfaction thereof under this Act or, in the case of such a member who died after the enactment of this Act, to those entitled to participate in his estate, and any such distribution shall be per capita to living enrolled members and per stirpes to participants in the estate of a deceased member.

San Andreas Canyon, west half southeast quarter, southeast quarter southeast quarter section 3, township 5 south, range 4 east.

Palm Canyon, south half and south half north half section 14, township 5 south, range 4 east; all section 24, township 5 south, range 4 east.

Tahquitz Canyon, southwest quarter section 22, township 4 south, range 4 east; north half section 28, township 4 south, range 4 east.

Murray Canyon, east half section 10, township 5 south, range 4 east.

(c) On the basis of such values, the Secretary shall determine the highest level of equalization that is feasible for the members of the band who are living at the time of this Act by allotting all of the unallotted tribal land, except the reserved areas listed in subsection (b) of this section, without regard to acreage limitations heretofore imposed by law. Such unallotted tribal land shall then be allotted to those members who have received allotments with a value that is less than the equalization figure deemed feasible in accordance with procedures prescribed by the Secretary. No selection of an allotment pursuant to such procedures shall create a vested right in the land until all selections authorized by this Act have been made, included in one schedule, and approved by the Secretary. Allotments thereafter made shall be subject to the same laws and regulations that apply to other trust allotments on the Agua Caliente Reservation.

(d) The unallotted portions of section 18, township 4 south, range 5 east, and section 12, township 4 south, range 4 east, that are in the municipal airport for the city of Palm Springs shall be subject to allotment as a part of the equalization program, subject to the following qualifications: If within thirty days after the date of this Act a majority of the adult members of the band who are eligible to vote agree, the Secretary may offer to sell such land to the city for its appraised value on the date of this Act, and the Secretary shall cause an independent appraisal thereof to be made by an appraiser he shall select who shall be approved jointly by the band and the city before proceeding with such appraisal, the costs for the appraisal to be shared by the band and the city; thereafter the Secretary shall review the completed appraisal and shall, if approved, then submit copies to both the band and the city for their approval which shall be either accepted or rejected in writing within thirty days; and if within three hundred and sixty-five days after joint acceptance of such appraisal by the band and the city, the city accepts the offer and tenders payment in full, the Secretary shall complete the sale, and any allottees who may have made or who may thereafter make an equalization selection from the lands sold to the city shall receive in lieu of the allotment selected his proportionate share of the proceeds of the sale.

SEC. 4. The Secretary shall request the appointment of a guardian of the estate of all minor allottees and for those adult allottees who in his judgment are in need of assistance in handling their affairs in accordance with applicable State laws before making any equalization allotment or payment to such persons.

SEC. 5. (a) The right to an equalization allotment or to a cash payment in lieu thereof pursuant to section 3, subsection (d), of this Act, shall be transferable by will or descent in the same manner as are trust payments under existing law and shall not be subject to State or Federal inheritance, estate, legacy, or succession taxes.

(b) A cash payment made in lieu of an equalization allotment pusuant to section 3, subsection (d), of this Act shall not be regarded as income or capital gain for purposes of Federal or State income taxation and shall not, as long as it remains in the form of cash or a bank deposit in the ownership of the allottee, be subject to taxation as personal property.

SEC. 6. (a) Equalization allotments made pursuant to this Act shall not be subject to assignment, sale, or hypothecation or to any attachment or levy for claims or debts created before or after the effective date of this Act, without the written approval of the Secretary, and any such assignment, sale, hypothecation, attachment, or levy that has not been so approved by the Secretary shall be absolutely null and void.

(b) No equalization allotment made pursuant to this Act, and no basic allotment made prior to this Act, shall be subject to an equitable charging lien or other charge or lien or enforced sale for any advantage or benefit which the allottee has received or will receive under or as a consequence of enactment of this Act, nor shall any lis pendens heretofore or hereafter filed upon such lands while in a restricted status be of any effect or constitute notice of any action. Whoever directly or indirectly accepts or receives any money or other form of compensation for legal services in connection with such restricted lands from any person who has not expressly employed him as his attorney shall be liable, in a civil action brought by the payor or his heirs or devisees or by the United States on his behalf, for twice the amount so accepted or received unless, prior to the time of acceptance or receipt of said compensation, the right to such compensation has been determined and the amount thereof fixed by a formal order of the Federal court having jurisdiction to make such order. Nothing herein provided shall be construed to prevent any attorney from petitioning the Federal court having jurisdiction to fix and determine the fees to which he is entitled and to pursue and enforce payment thereof in any lawful manner after the court has made such order.

SEC. 7. Allotments in accordance with the provisions of this Act shall be deemed complete and full equalization of allotments on the Agua Caliente Reservation.

SEC. 8. The band may, at any time it wishes to do so, organize a legal entity under the laws of the State of California and request the Secretary to transfer to such legal entity title to the lands in the reserves established by subsection 3(b) of this Act. The Secretary shall transfer an unrestricted title to such property if the organization of the legal entity and request for the transfer have been approved by a majority of the adult members of the band who are eligible to vote, and if in the judgment of the Secretary the legal entity is organized in a form and manner that is fair to all members of the band: *Provided, however*, That if the lands to which the provisio to the fourth item in subsection 3(b) of this Act is applicable are transferred to such an entity, they shall be held by it subject to the terms provided in said proviso, and the rights and duties therein set forth shall be preserved and reflected in any distribution of securities of, or other evidences of participation in, said entity.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

Mr. HALEY. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. SAUND].

Mr. SAUND. Mr. Speaker, this bill will equalize the allotments of the Agua Caliente Tribe of Indians in Palm Springs, Calif., a tribe of 101 members who have holdings near and inside the city of Palm Springs.

In 1949, pursuant to a court order, the Secretary of the Interior allotted 47 acres to each one of the members of the tribe. The values of those allotments were very different. They varied from the highest value of $600,000 to the low-

est of $72,000. There was court action after that, and the court ordered that the balance of the property owned by the Agua Caliente Tribe of Indians be distributed among the members of the tribe to equalize their allotments in value.

This bill intends to accomplish that purpose. The bill has the unanimous and enthusiastic support of all members of the Agua Caliente Tribe; it has the support of the city council of Palm Springs, and it is approved by the Department of the Interior.

Mr. SAYLOR. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, this bill will settle a matter that has been pending since 1917. As near as the members of the committee know, this meets with the unanimous approval of all members of the tribe.

I urge that the House suspend the rules and pass this bill.

Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. BARRY].

Mr. BARRY. Mr. Speaker, I rise in support of this bill. Although I am from New York, I also have a home in this area in California. If I were to tell you that Palm Springs is a hodgepodge of geography, you would not believe it. You would be surprised to learn that there is a square mile of Indian land absolutely barren checkerboarded against another square mile fully developed, and this pattern is repeated.

This has brought about many problems. You can imagine the problem of sewage, and water supply, the difficulty of developing or adequately planning a city in this checkerboard fashion because of the lack of development of certain sections of land over the years.

This bill would make possible the orderly development of the city. It is in the best interests of all of the residents of the city of Palm Springs, it is in the best interest of the individual families of Indians who own these lands, and it would begin to give to this community the opportunity to develop in accordance with the orderly practice of other cities and other localities throughout the Nation.

Mr. SAYLOR. Mr. Speaker, I yield much time as he may desire to the gentleman from California [Mr. HOSMER].

Mr. HOSMER. Mr. Speaker, I desire to associate myself with the supporters of this bill which is the result of several years' work not only by the Committee on Interior and Insular Affairs but by people in California and the Indian tribes who are vitally interested. The bill will not only solve a difficult problem for the tribe but as well a very difficult problem for the community of Palm Springs. I therefore commend the bill to all of my colleagues.

Mr. HALEY. Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MINUTE MAN NATIONAL HISTORICAL PARK IN MASSACHUSETTS

Mrs. PFOST. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5892) to provide for the establishment of Minute Man National Historical Park in Massachusetts, and for other purposes, as amended.

The Clerk read as follows:

Whereas the outbreak of the War of the American Revolution was essential and prerequisite to the achievement of American independence and the creation of a Federal Government; and

Whereas the events relating to the beginning of Revolutionary hostilities on the 18th and 19th of April 1775, and associated with Paul Revere, the Minute Men, and the British are of great importance in American history; and

Whereas a number of historic properties, buildings, sites and objects in Boston, Massachusetts, and the vicinity thereof, including the road and roadsites between Lexington and Concord, are intimately connected with the events that opened the war, and consequently, merit preservation and interpretation in the public interest as prime examples of the Nation's historical heritage: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve for the benefit of the American people certain historic structures and properties of outstanding national significance associated with the opening of the War of the American Revolution, Minute Man National Historical Park is hereby authorized to be established in the Commonwealth of Massachusetts.

The park shall comprise not more than seven hundred and fifty acres as may be designated by the Secretary of the Interior from within the area beginning at Fiske Hill and thence lying along Massachusetts Avenue, Marrett Road and Marrett Street in the town of Lexington, along Nelson Road, Virginia Road, Old Bedford Road, and North Great Road or State Route 2–A in the town of Lincoln, and along Lexington Road, Monument Street, Liberty Street and Lowell Road in the town of Concord to and including the North Bridge and properties on both sides of the Concord River in the vicinity of the North Bridge.

SEC. 2. The Secretary of the Interior is authorized to acquire by donation or with donated funds, or with funds hereby authorized to be appropriated, lands and interests in lands within the area designated for the park. Administrative jurisdiction of Federal lands lying within the area designated for the park shall, with the concurrence of the Federal agency involved, be transferred to the Secretary of the Interior for administration as a part of the park.

The park shall be established as Minute Man National Historical Park by notice in the Federal Register when the Secretary of Interior finds that sufficient lands within the designated area have been acquired to warrant such establishment.

SEC. 3. To provide further for the preservation and interpretation of historic sites, structures, and properties lying along the entire route or routes where significant events occurred on the 18th and 19th of April 1775, in the cities of Boston, Cambridge, Medford, and Somerville, and the towns of Arlington, Brookline, Concord, Lexington, and Lincoln, including the area generally described in section 1 as lying between Fiske Hill and the North Bridge, the Secretary of the Interior is authorized, in accordance with the purposes of this Act, to enter into cooperative agreements with the Commonwealth of Massachusetts, political subdivisions thereof, corporations, associations, or individuals, and to erect and maintain tablets or markers, in accordance with provisions contained in the Act approved August 21, 1935, entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes" (49 Stat. 666).

SEC. 4. The Secretary of the Interior is authorized to appoint an advisory commission of five members to advise him on the development of Minute Man National Historical Park, to consist of one member to be recommended by the selectmen of each of the towns of Concord, Lexington, and Lincoln, Massachusetts; one member to be recommended by the Governor of the Commonwealth of Massachusetts; and one member to be designated by the Secretary.

SEC. 5. When established pursuant to this Act, the park shall be administered, protected, and developed by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented, and the Historic Sites Act of August 21, 1935 (49 Stat. 666; U.S.C. 461–467).

SEC. 6. There are hereby authorized to be appropriated such sums, but not more than $8,000,000, as may be needed for the acquisition of lands and interests in lands and for development of the Minute Man National Historical Park, of which not more than $5,000,000 shall be used for acquisition purposes, and in addition thereto, such sums as may be needed for its administration and maintenance.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. I demand a second, Mr. Speaker.

The SPEAKER. Without objection a second will be considered as ordered.

There was no objection.

Mrs. PFOST. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, this bill authorizes not to exceed $8 million, as may be needed, for the acquisition of land and for the development of the Minute Man National Historical Park, of which not more than $5 million shall be used for acquisition purposes.

The immediate and urgent need requires only $503,000 which would acquire approximately 310 acres of unimproved vacant parcels of land. The park would consist of two units of approximately 750 acres; one a stretch of properties containing about 557 acres along 4 miles of road in the towns of Lexington, Lincoln, and Concord, and the other consists of about 155 acres at and near the celebrated North Bridge in Concord. The Boston National Historic Sites Commission and the Department of the Interior advised the Committee that these are the areas in which it is most feasible to preserve or recover the historic features and values associated with the American Revolution without excessive acquisition costs or undue interference with other uses that might be made of the land involved.

The Department of the Interior has already accepted transfer of an 8-acre tract of land along the battle road. The area contains the original stone walls, boulders, and other features of the natural setting where the colonial minutemen fired on British troops retreating along the Lexington-Concord Road. It has been designated as the Minute Man National Historic Site.

The bill provides for appointment of a five-man advisory commission. Three of the members are to recommended by the selectmen of the towns of Concord, Lexington, and Lincoln and one by the Governor of Massachusetts. The fifth will be designated by the Secretary of the Interior.

Now, I want to take this opportunity to acknowledge the generosity of the gentleman from Massachusetts [Mr. O'NEILL], who introduced the first bill on this subject. When the proposal came before the committee [Mr. O'NEILL], who is a member of the Boston National Historic Sites Commission, graciously stood aside in favor of the identical bill authored by the gentlewoman from Massachusetts [Mrs. ROGERS]. The gentleman from Massachusetts [Mr. O'NEILL] told the committee that since the area involved is within Mrs. ROGERS' congressional district, he preferred that the committee pass the Congresswoman's bill in place of his own.

This was a very generous and gracious act, and at the appropriate time, I should like to recognize Mr. O'NEILL for further explanation of the bill.

Mr. SAYLOR. Mr. Speaker, I yield such time as he may desire, to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I take this time to ask someone, perhaps the author of the bill, a few questions. Do I understand now that this is going to cost $8 million or $5 million; five or eight, which is it?

Mrs. PFOST. The total is $8 million, which includes park roads, trails, all of the improvements, together with land acquisition of over 750 acres of land.

Mr. GROSS. The State of Massachusetts has done pretty well in the House recently, if I may judge the situation. A few days ago there was an authorization provided for a super highway study which, of course, opens the door for construction. Does this bill have any relation to the super highway proposition? This is not going to be a lever in the future to come back to the Congress to get some money for this super duper highway?

Mrs. PFOST. No; I can assure the gentleman that we will not be coming back as a result of this particular measure.

Mr. GROSS. I hope that Massachusetts will cease and desist for a little while. It seems to me that State is doing very well.

Mrs. PFOST. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. O'NEILL].

Mr. O'NEILL. Mr. Speaker, in 1954 I was appointed by you as a House Member of the National Committee on Sites for the New England Area which made a study with regard to colonial and revolutionary-history sites in the area. The President of the United States had five appointments to the committee, and the Senate had one appointment, and that was the Senator from Massachusetts [Mr. SALTONSTALL]. The life of this Commission has been extended twice.

From our original funds we hired a secretary, an architect, and a historian. As of the first of the year we filed a report, as was required, with the President of the United States and the Speaker of the House. I urge Members of the House to get a copy of that report. It is, without a doubt, one of the greatest historical reports that has ever been turned over to this body.

I read some excerpts from the report:

HISTORICAL SIGNIFICANCE OF THE 19TH OF APRIL 1775

The direct purpose of the military expedition to Lexington, as presumed by the patriots who watched every move made by the British in Boston, was to arrest John Hancock and Samuel Adams, who had taken refuge there as guests of the Reverend Jonas Clarke following the adjournment of the Provincial Congress at Concord. These patriot leaders had been foremost in fomenting sedition against those acts of oppression and misrule that for more than a decade had characterized the restrictive colonial policy of the King's ministers and Parliament. If captured, they doubtless would have been sent to England and tried for treason. From Lexington, the royal troops were to advance on Concord and seize the military stores gathered there by order of the Provincial Congress and the Committees of Safety and Supplies.

The outcome, as every schoolchild knows, was a clash of arms, the shedding of blood, and the opening of the War of the American Revolution. When Samuel Adams heard the distant rattle of British musketry on Lexington Green, he is alleged to have exclaimed, "What a glorious morning for America is this." And, indeed, it was, for the volley which brought forth those ecstatic and oft-quoted words from the "Father of the Revolution" foretold the coming of Independence and the birth of a new Nation.

The sequence of deeds and incidents which started on the night of the 18th and continued through the 19th of April 1775 have long been cherished in "tradition, legend, tune, and song." As a noted English historian also once remarked: "Pages and pages have been written about the history of each 10 minutes in that day, and the name of every colonist who played a part is a household word in America."

Enthusiasm for the subject as a whole developed as the young Nation grew in stature and strength, and attained enough perspective to look back with feelings of reverence and pride on is unpretentious, yet no less dramatic, origins. A fully popular discernment of the place of the 18th and 19th of April in the country's past no doubt stems from about the year 1863 when the poet Longfellow was inspired to write his familiar verses bestowing particular glory on Paul Revere, who—

"On the eighteenth of April, in Seventy-five"

Had proved himself—

"Ready to ride and spread the alarm
Through every Middlesex villiage and farm,
For the country folk to be up and to arm."

The story of "Paul Revere's Ride" and ensuing events on that fateful day in "Seventy-five," told by Longfellow in Tales of a Wayside Inn, does not fail to kindle the dullest of imaginations or to stir the most sluggish sentiments of patriotism. To the poet, it may be safe to say, half of he world owes its impressions of—

"How the British Regulars fired and fled,—
How the farmers gave them ball for ball,
From behind each fence and farmyard wall,
Chasing the red-coats down the lane,
Then crossing the fields to emerge again
Under the trees at the turn of the road,
And only pausing to fire and load."

Hardly less memorable than the spirited lines of Longfellow are those of the sage Emerson, whose "Concord Hymn" was first sung in 1837 upon completion of the battle monument which still rises—

"by the rude bridge that arched the flood"—

And commemorates "the embattled farmers" who "fired the shot heard 'round the world."

The great philosopher's phrasing was more momentous than perhaps he himself was fully aware, for the shot fired by "the embattled farmers" not only marked the beginning of the war of the American Revolution but four decades of tumult and upheaval in the wide and restive world of Western civilization. It also initiated an epoch-making change in warfare itself.

An armed yeomanry—the product of revitalizing the old colonial militia system and combining the rudiments of both selective and universal military service—had been hastily summoned to fight for liberty. A horde of citizen soldiers, comprised of the young and active levies of Minute Men who were sworn to hold themselves "in readiness at a minute's warning with arms and ammuntion" and reserves of old men and boys in alarm companies, had turned out to expel the invader. No mere professional hirelings submissive to the vicissitudes of the debasing military life of the time, this host of freedom-loving countrymen had been aroused to a high pitch of patriotic fervor. Their determination to uphold what they regarded as their natural rights and to govern themselves had already been expressed on more than one occasion. In no uncertain terms, a Lexington town meeting in 1773 had pledged aid and allegiance to the people of Boston, who were opposed to the landing of a shipment of tea to be taxed for the King. In these impassioned words, the citizens had declared:

"We trust in God that should the state of affairs require it, we shall be ready to sacrifice our estates and everything dear in life, yea, and life itself, in support of the common cause."

An outpouring of manpower imbued with such an exalted and fervent temper of mind was bound to challenge and confound the static and formalized 18th century concept of making war; and it was soon to be evident that the habitually small but highly trained and specialized armies, meeting mostly on open terrain, could no longer depend on reaching a lasting decision by force of arms. A military revolution, in short, had begun which in a little more than another decade was to cross the Atlantic and be compounded in the democratic mass wars of the French Revolution.

Almost from any reckoning or choice, then, whether it be documentary or legendary, political or social, and literary or military, the 19th of April 1775 looms large in the perception of history—not only to fill pages that sparkle in the Nation's own honorable record, but also to stand before the whole world as a harbinger of progress and change. For, on the day of Lexington and Concord, man reached an important milestone in the eternal struggle to control and improve his estate upon earth and in America, at least, a new beacon of hope began to shine in his favor.

Speaking at Lexington three-quarters of a century later, Louis Kossuth, a Hungarian leader celebrated in the cause of freedom, looked back and proclaimed the action of that decisive day in its widest perspective as "the opening scene of a revolution that is destined to change the character of human governments, and the condition of the human race."

The same glowing sentiment pervaded the centennial celebration at Concord in 1875 and was fittingly expressed in the following summary fashion:

"The 19th of April 1775; a glorious day for Lexington and Concord, for the towns of Middlesex, for Massachusetts, for America, for freedom and the rights of man. Every

blow struck for liberty among men since the 19th of April 1775 has but echoed the guns of that eventful morning."

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield.

Mr. GROSS. Will the gentleman state who introduced the original resolution?

Mr. O'NEILL. The original resolution was introduced by the gentleman from Massachusetts, Mr. JOHN W. MCCORMACK.

Mr. GROSS. I thank the gentleman.

Mr. O'NEILL. This bill, Mr. Speaker, provides for making a national park in the area where the first battle was fought, the so-called Battle of Lexington and Concord. The bill actually does three things. There were three basic recommendations. They were that certain historical landscapes and features be set aside for preservation and protection as a national historic park. Two, that a positive program be initiated that will lead to cooperative agreements between local governments, society and other property owners to cooperate in providing further for the preservation and interpretation of historic sites, structures, and properties that lie inside or outside the limits of the proposed Minute Man National Park; and three, to establish a uniform system of historical markers.

The cost of the bill ultimately is expected to be somewhere in the neighborhood of $8 million. It is interesting that a similar bill was introduced in this Congress in 1925. If the Congress in 1925 in its wisdom had passed that bill, they could have bought this property at a figure of around $100,000 to $125,000. This area is about 16 to 20 miles outside of the city of Boston. The same thing is happening to the city of Boston as is happening throughout the Nation. People are going from the main city out into the metropolitan area, into the suburban area. This property, which only a few years ago, in 1925 when the Congress rejected that bill because they thought that the land was going to be preserved for years, because it was 20 miles outside the city of Boston is much more valuable property now. Industrial developments, new road systems, new suburban developments, new homes are being built almost daily out there and they are encroaching upon this last bit of property.

We need around $500,000 for the initial appropriation. We expect this to be a 16-year project. We hope that the park will be completed by the year 1976. While we say that the overall cost will be $8 million, it is our expectation that it will not cost anywhere near that because we expect to get grants from different people, from different foundations who have taken an interest in this project.

I originally sponsored the bill as a member of the Boston Sites Committee. The gentlewoman from Massachusetts [Mrs. ROGERS], as the gentlewoman from Idaho [Mrs. PFOST], has said, introduced a bill and as this was in her area, the committee most graciously reported her bill. I understand the bill came out of the committee unanimously and I want to thank the committee for its favorable consideration.

Mr. MCCORMACK. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield.

Mr. MCCORMACK. Might I say that the entire delegation from the State of Massachusetts were very happy, including the gentleman from Massachusetts [Mr. O'NEILL], who had introduced the original bill, to request the committee to report out the bill introduced by our colleague from Massachusetts [Mrs. ROGERS], for whom we all have great respect.

Mr. O'NEILL. I concur wholeheartedly in the gentleman's remarks.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. MCCORMACK. I yield.

Mr. PELLY. I would like to inquire whether this project is going to have the name of any statesman living or dead.

Mr. O'NEILL. This will be called the Minute Man.

Mr. PELLY. The Minute Man? Then I am very happy to support it.

Mr. SAYLOR. Mr. Speaker, I yield such time as she may desire to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, I do not believe it is necessary for me to say anything. I doubt if I could add anything. Mrs. PFOST, the very able and distinguished chairman of the subcommittee and the distinguished, brilliant chairman, Mr. ASPINALL, of the full Committee on Interior and Insular Affairs, endlessly and helpfully worked for this park bill. I thank them and the committee for their great contribution and for their kindness in reporting this bill out. I am very happy and truly grateful. I really think it ought to be the O'Neill bill because he was a member of the Boston National Historical Sites Commission and introduced the first bill and did great work on it. He very graciously suggested that the committee take my bill. I also would like to congratulate and thank our powerful and kind floor leader, the gentleman from Massachusetts [Mr. MCCORMACK] for all that he has done for the Boston National Historic Sites Commission and regarding the passage of this legislation. Everyone in the Congress has a stake in this bill. This park will really belong to every State in the Union, not just to Massachusetts. It was in this area that the first blow for freedom—which we love so much and are fighting always to maintain—was struck.

Mr. Speaker, this important legislative proposal will preserve key historic sites associated with the opening day of the American Revolution and with the deeds of those great patriots, John Hancock, Samuel Adams, and Paul Revere. The Federal Government's role in preserving for the public the whole story of the chief events in the American Revolution will not be complete until we save the sites and scenes related to April 18–19, 1775, in Massachusetts. We are now preserving for the benefit of all Americans the battlefield at Yorktown, Va., where Cornwallis surrendered to George Washington and American independence was assured. We are also saving Independence Hall, in Philadelphia, where the great documents of American freedom relating to the American Revolution, the Declaration of Independence, and the Constitution, were drafted and where the Continental Congress directed the course of the Revolution. We are preserving the site of the Battles of Saratoga, in New York State, the turning point of the Revolution, which brought France into the war as our ally. But we are not saving the whole story of the Revolution for future generations unless we save the remaining sections of the Lexington-Concord Battle road.

The Department of the Interior has recommended favorable consideration of the establishment of the proposed Minute Man National Historical Park, referred to in H.R. 5892, as this proposal will commemorate and preserve for all time the events relating to the opening day of the American Revolution. The Advisory Board on National Parks, Historic Sites, Buildings, and Monuments recognized the national significance of the Lexington-Concord Road in illustrating and commemorating the history of the United States as long ago as 1937.

In the intervening years, local governments, private preservation leaders, and historical societies in Massachusetts have made valiant efforts to preserve the famous landmarks along this road connected with the outbreak of the American Revolution. The recent report on the preservation of the Lexington-Concord Road by the Boston National Historic Sites Commission—created by the act of Congress approved June 16, 1955, 69 Stat. 136, as amended—has shown that these groups have done important work in preserving some of the sites along this historic route. Before the advent of heavy motor traffic and the vast urban and industrial expansion in the vicinity of this historic route, private efforts to save the scene appeared adequate. Since World War II especially, suburban residential developments and defense industries have rapidly encroached on the Lexington-Concord Road and now seriously threaten to engulf and destroy forever this key historic American terrain.

The report of the Boston National Historic Sites Commission shows that of the 20 miles of the historic route between Boston and Concord, only 4 miles can now be preserved for commemorative purposes. Urgent action is yet needed by the Congress to save even this representative stretch of the old route upon which Paul Revere rode and along which the Colonial patriots began the American Revolution.

The following is the committee report on H.R. 5892:

MINUTE MAN NATIONAL HISTORICAL PARK, MASS.

Mrs. PFOST, from the Committee on Interior and Insular Affairs, submitted the following report:

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 5892) to provide for the establishment of Minute Man National Historical Park in Massachusetts, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 2, lines 21 and 22, strike out the words "to acquire by purchase".

Page 4, following line 19, add a new section to read as follows:

"SEC. 6. There are hereby authorized to be appropriated such sums, but not more than $8,000,000, as may be needed for the acquisition of lands and interests in lands and for development of the Minute Man National Historical Park, of which not more than $5,000,000 shall be used for acquisition purposes, and, in addition thereto, such sums as may be needed for its administration and maintenance."

PURPOSE

Enactment of H.R. 5892 will authorize the Secretary of the Interior to establish the Minute Man National Historical Park in the State of Massachusetts. H.R. 5892 was introduced by Representative ROGERS of Massachusetts. An identical measure, H.R. 1932, by Representative O'NEILL was also considered by the committee.

Under the terms of the bill the Secretary will acquire not more than 750 acres within a described area. The park will consist of two units: One a stretch of properties containing about 557 acres along 4 miles of road in the towns of Lexington, Lincoln, and Concord; the other consisting of about 155 acres at and near the celebrated North Bridge in Concord. The Boston National Historic Sites Commission and the Department of the Interior advised the committee that these are the areas in which it is most feasible to preserve or recover the historic features and values associated with the American Revolution without excessive acquisition costs or undue interference with other uses that might be made of the land involved.

The Department of the Interior has already accepted transfer of an 8-acre tract of land along the Battle Road, within the area proposed for designation as a national historical park, that played a significant part in the events of April 19, 1775. This area contains the original stone walls, boulders, and other features of the natural setting where the colonial minutemen fired on British troops retreating along the Lexington-Concord Road. It has been designated as the Minute Man National Historic Site.

Upon the acquisition of the necessary land and establishment of the park by a Federal Register notice, as provided in section 2, the Secretary will administer, protect, and develop the park as a unit of the national park system. He will also be authorized to enter into cooperative agreements with the Commonwealth of Massachusetts, local governments, private organizations, and individuals for the erection of historical tablets and markers in accordance with the act of August 21, 1935 (49 Stat. 666), which provides for the preservation of historic American sites, buildings, objects, and antiquities having national significance.

The bill provides for appointment of a five-man advisory commission. Three of the members are to be recommended by the selectmen of the towns of Concord, Lexington, and Lincoln and one by the Governor of Massachusetts. The fifth will be designated by the Secretary of the Interior.

NEED AND PUBLIC SUPPORTS

The sites involved in the Minute Man National Historical Park embrace portions of the route that was traversed by the British at the outset of the Revolutionary War on April 19, 1775, and used by the minutemen and provincial militia to turn the British retreat into a rout. This is clearly a historical setting of great national significance.

Among the events which these sites recall were the proposed arrest of John Hancock and Samuel Adams, the capture of colonial military stores at Concord, the momentous ride of Paul Revere, and the colonial minutemen's stirring defense.

The preservation of these important sites has been investigated by the Boston National Historic Sites Commission, created by the act of June 16, 1955 (69 Stat. 136). This Commission, in commenting on the historical significance of the events which took place there, said:

"The Revolution made by the ardent Samuel Adams and other zealous patriots in Boston and the war started at Lexington and Concord comprise what is, fundamentally, the most important combination of events in American history, for in the end they achieved independence and brought into existence a new nation. Those events which transpired on the 19th of April 1775, clearly and unmistakably broke the ground and paved the way for all that America has accomplished since."

The Commission's interim report, dated June 16, 1958, containing its recommendations, was submitted to Congress by the Secretary of the Interior on January 27, 1959, and has been printed as House Document No. 57, 86th Congress. This document contains full details concerning the park that would be established by this legislation. Mr. Mark Bortman, Chairman of the Commission, in a letter of July 16, 1959, has stated that H.R. 5892 reflects all of the essential recommendations contained in the interim report.

The Department of the Interior has been joined by representatives of the governments of the towns of Concord, Lincoln, and Lexington, various patriotic and other organizations, and many individual citizens in its concurrence with the recommendations of the Boston National Historic Sites Commission concerning the preservation of the Lexington-Concord Battle Road properties. The committee concurs in those recommendations.

No opposition to the enactment of H.R. 5892 was presented to the Subcommittee on Public Lands during open hearings on the measure.

Prompt enactment of H.R. 5892 is necessary if key parcels of land are to be acquired at reasonable cost, since transformation of the road and its environment in the form of suburban growth and other development is proceeding rapidly.

COST

The interim report of the Boston National Historic Sites Commission indicates that the estimated market value of the properties proposed for inclusion in the park is $4,838,100. Of that figure, however, only about $503,000 would be needed to initiate the most urgent phase of the land acquisition program for the proposed park. This money would permit the acquisition of about 310 acres of unimproved vacant parcels lying within the units considered suitable for park designation.

The construction and development costs as estimated by the Department of the Interior amount to $2,920,000. Annual park operating costs are estimated by the Department at $155,000.

DEPARTMENT RECOMMENDATION

The Department of the Interior recommends the enactment of H.R. 5892. The Department's report follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., June 18, 1959.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. ASPINALL: Your committee has requested a report on H.R. 1932, a bill to provide for the establishment of Minute Man National Historical Park in Massachusetts, and for other purposes, which is identical to H.R. 5892.

We recommend that this legislation be enacted.

The enactment of this legislation would create a national historic park embracing portions of the traditional setting along the route in Lexington, Lincoln, and Concord, Mass., that was traversed by the British at the outset of the Revolutionary War on April 19, 1775, and used by the minutemen and provincial militia to turn their retreat into a rout. The park is not to exceed 750 acres and is to be acquired by donation or purchase.

The historic events relating directly to the British military expedition from Boston to Concord, Mass., on April 18 and 19, 1775, are of paramount importance in American history. Those events include the proposed arrest of the patriots, John Hancock and Samuel Adams, the capture of colonial military stores at Concord, the momentous ride of Paul Revere, the stirring defense by the colonial minutemen, and other key happenings of the opening hostilities of the Revolutionary War. The national significance of these events and their importance in illustrating and commemorating the history of the United States was recognized by the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, at its meeting on March 25–26, 1937. This Board was created under the Historic Sites Act of August 21, 1935 (49 Stat. 666), to advise the Secretary of the Interior on historic preservation and other park matters.

The preservation of the important sites along the Lexington and Concord Road, between Boston and Concord, has been investigated by the Boston National Historic Sites Commission, created by the act of Congress approved June 16, 1955 (69 Stat. 136), as amended. This Commission, in reporting on the historical significance of these events, commented:

"Almost from any reckoning or choice, then, whether it be documentary or legendary, political, or social, and literary or military, the 19th of April 1775, looms large in the perception of history—not only to fill pages that sparkle in the Nation's own honorable record, but also to stand before the whole world as a harbinger of progress and change. For on the day of Lexington and Concord, man reached an important milestone in the eternal struggle to control and improve his estate upon earth and in America, at least, a new beacon of hope began to shine in his favor * * *. Any plan conceived at the Federal level to encompass the full scope and significance of the Nation's history cannot overlook the beginning of the struggle that joined the Thirteen Colonies together and finally moved them to form the United States of America."

In concluding its recommendations on the historical importance of the Lexington-Concord Road, the Commission stated:

"The Revolution made by the ardent Samuel Adams and other zealous patriots in Boston and the War started at Lexington and Concord comprise what is, fundamentally, the most important combination of events in American history, for in the end they achieved independence and brought into existence a new nation. Those events which transpired on the 19th of April 1775, clearly and unmistakably broke the ground and paved the way for all that America has accomplished since."

The interim report of the Boston National Historic Sites Commission on the Lexington-Concord Battle Road was transmitted to the President of the Senate and the Speaker of the House with Secretary Seaton's letters of January 20, as provided by the act of June 16, 1955 (69 Stat. 136). The report contains three basic recommendations. They are (1) that certain historic landscapes and features be set aside for preservation and protection as a national historical park; (2) that a positive program be initiated that will lead to cooperative agreements with local govern-

ments, societies, and other property owners to insure the continued preservation and interpretation of significant sites and structures that lie inside or outside the limits of the proposed Minute Man National Historical Park; and (3) establish a uniform system of historical markers to identify the sites and structures over the entire 20-mile route taken by the British on the eventful dates that opened the War of the American Revolution.

As contemplated in the report and in H.R. 1932 and H.R. 5892, the proposed Minute Man National Historical Park would be comprised of two units: One a continuous stretch of slightly more than 4 miles of road and roadside properties in the towns of Lexington, Lincoln, and Concord, containing about 557 acres, and the other consisting of about 155 acres embracing the celebrated North Bridge in Concord and its adjoining area. These are the areas in which the Commission feels it is still feasible to preserve and recover the historic features and values associated with the Revolutionary period in our country's history. We feel that these bills adequately implement the recommendations of the Boston Historic Sites Commission.

The recommendations of the Commission concerning the establishment of a coordinated program for the preservation and appreciation of the Lexington-Concord Battle Road properties have been carefully evaluated. Based on our awareness of the significance of these properties and the conditions on the ground, we concur in those recommendations. Urgent measures are needed to have historically significant portions of the traditional setting in which the War of the American Revolution had its beginning on the 18th and 19th of April 1775. It is important that a feasible solution to the problem of the preservation of this battle road be considered without delay, as transformation of the road and its environment in the form of suburban growth and other developments, is proceeding at an alarming pace.

This Department has already accepted transfer of an 8-acre tract of land along the Battle Road (within the area proposed for designation as a national historical park), that played a significant part in the events of April 19, 1775. This area, which contains the original stone walls, boulders, and other features of the natural setting where, on April 19, 1775, the opening day of the American Revolution, colonial minutemen fired on British troops retreating along the Lexington-Concord Road, has been designated as the Minute Man National Historic Site.

The interim report of the Commission indicates that the estimated market value of the properties they propose for inclusion in the park is $4,838,100. Of that figure, however, only the amount of $503,400 would be needed to initiate the most urgent phase of the land acquisition program for the proposed park. This money would involve the acquisition of about 310 acres of unimproved vacant parcels lying within the units considered suitable for park designation.

As prescribed by the act of July 25, 1956 (70 Stat. 652), which requires that certain reports of the executive branch to the Congress contain information pertaining to the number of civilian officers and employees required to carry out additional or expanded functions, we have prepared and enclose herewith a statement concerning these matters as they apply to both H.R. 1932 and H.R. 5892.

The Bureau of the Budget has advised that while there is no objection to the submission of this report to your committee, the timing of a recommendation for an appropriation for the land acquisitions and management expenses authorized by its enactment will depend upon the budgetary situation.

Sincerely yours,

FRED A. SEATON,
Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, WASHINGTON, D.C.

Statement to accompany the report of the Department of the Interior concerning legislation relating to establishment, administration, and protection of the proposed Minute Man National Historical Park, Mass.

[Estimated additional man-years of civilian employment and expenditures for the 1st 5 years]

Estimated additional man-years of civilian employment	1st year	2d year	3d year	4th year	5th year
Administrative services and support:					
Superintendent	1	1.0	1.0	1.0	1.0
Administrative assistant	1	1.0	1.0	1.0	1.0
Secretarial and clerical	1	1.0	2.0	2.0	2.0
Total	3	3.0	4.0	4.0	4.0
Substantive:					
Engineer		1.0	1.0	1.0	1.0
Architect		1.0	2.0	1.0	1.0
Landscape architect		1.0	1.0	1.0	1.0
Realty officer	1	1.0	1.0	1.0	1.0
Secretarial	2	3.0	3.0	3.0	3.0
Historian	2	2.0	2.0	3.0	3.0
Museum curator		1.0	1.0	1.0	1.0
Rangers		1.2	2.3	3.0	3.2
Foreman		1.0	1.0	1.0	1.0
Skilled craftsmen and laborers		4.0	5.3	7.4	7.7
Total	5	16.2	19.6	22.4	22.9
Total estimated man-years of civilian employment	8	19.2	23.6	26.4	26.9
Estimated additional expenditures:					
Personal services	$48,000	$104,000	$122,000	$160,000	$156,000
All other	250,000	678,000	1,229,000	2,168,000	2,495,000
Total	298,000	782,000	1,351,000	2,328,000	2,651,000

COMMITTEE AMENDMENTS

The committee amended section 2 of H.R. 5892 to delete the words "or acquire by purchase". This deletion will remove any implication that the Secretary of the Interior may acquire properties for the park only by donation or through voluntary sales. It is the committee's intent in making this amendment to provide authority to condemn under the provisions of the act of August 1, 1888.

The committee also amended the bill by adding a new section 6. The section limits authorized appropriations to $8 million for land acquisition and development costs. Of this amount, not more than $5 million will be available for land acquisition.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs recommends the enactment of H.R. 5892, as amended.

Mrs. PFOST. Mr. Speaker, I yield such time as he may desire to the gentleman from Massachusetts [Mr. LANE].

Mr. LANE. Mr. Speaker, this bill is timely.

We need to be reminded of our heritage, and to be inspired by it.

H.R. 5892, has been introduced by Mrs. ROGERS, who represents the district where the war for American independence began.

It will provide for the establishment of Minute Man National Historical Park to honor and perpetuate the scene of these stirring events.

At Concord and Lexington, a few men with faith and determination dared the impossible and won.

They did not take the easy way.

And they did not invite the oppressor of those days to visit the Colonies in the hope that they could persuade him to make a deal that would relax the tension.

They showed that they would not make peace at any price.

Guided by their heroic example that would not compromise with despotism, our Nation has become great and strong, not in material things alone, but in the devotion to liberty for which we are known and respected throughout the civilized world.

The scene of the events that gave birth to the American spirit, is in danger of being overrun by ranchhouses, suburban shopping centers, and express highways.

The bulldozer is practical.

It is unmoved by anything except petroleum products, and the man in the driver's seat, who takes orders from the construction superintendent, who follows specifications.

Is the liberty road useful?

Is it profitable?

Who cares for anything else?

The bulldozer is advancing upon the shrine of American independence.

People who understand the imperative need of strengthening the human spirit against the challenge of materialism are supporting this bill to establish a Minute Man National Historical Park in Massachusetts.

Where we can see unspoiled by modern overlay the scene, and the events associated with it, that the people of Massachusetts honor each year by the celebration of Patriot's Day.

Where the villagers and the farmers, on the 18th and 19th of April, 1775, fired the shots heard 'round the world for the cause of human freedom.

We must rekindle this spirit today, to save our Nation from the complacency and the compromises that threaten our national will and purpose.

We do not have much time.

The bulldozer, symbol and instrument of impersonal materialism, is leveling everything before it.

Need more be said?

Every American who cherishes the memory of those courageous and self-reliant minutemen of 1775 will support

this bill to establish a national historical park in Massachusetts.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

LICENSING OF INDEPENDENT FOREIGN FREIGHT FORWARDERS

Mr. BONNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5068) to amend the Shipping Act of 1916, to provide for licensing independent foreign freight forwarders, and for other purposes, as amended.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Shipping Act, 1916 (46 U.S.C. 801), is amended by adding at the end thereof the followng new paragraph:

"(a) The term 'foreign freight forwarder' means any person engaged in the business of dispatching shipments on behalf of other persons, by oceangoing vessels in commerce from the United States, its Territories or possessions to foreign countries, or between the United States and its Territories or possessions, or between such Territories and possessions; and of handling the formalities incident to such shipments. This definition includes independent freight forwarders, common carriers, manufacturers, exporters, export traders, manufacturers' agents, resident buyers, brokers, commission merchants, and other persons, when they engage for and on behalf of any person other than themselves, in the aforementioned activity.

"(b) An independent foreign freight forwarder is a foreign freight forwarder who, in connection with shipments dispatched by such forwarder, is not a shipper or consignee or a seller or purchaser or common carrier by water of such shipments, nor has any beneficial interest therein, nor directly or indirectly controls or is controlled by the shipper or consignee, common carrier by water, or by any person having a beneficial interest in such shipments."

SEC. 2. The Shipping Act, 1916, is further amended by redesignating section 44 as section 45, and inserting immediately after section 43 the following new section:

"SEC. 44. (a) No person shall engage in business as a 'foreign freight forwarder' as defined in this Act unless such person holds a license issued by the Federal Maritime Board to engage in such business.

"(b) A forwarder's license shall be issued to any qualified applicant therefor if it is found by the Board that the applicant is fit, willing, and able properly to perform the services of a foreign freight forwarder, and to conform to the provisions of this Act and the requirements, rules, and regulations of the Board issued thereunder, and that the proposed forwarding business is, or will be, consistent with the public interest and the national maritime policies declared in the Merchant Marine Act, 1936; otherwise such application shall be denied. Any forwarder who, on the effective date of this Act, is engaged in business as a foreign freight forwarder under a registration number issued by the Board may continue such business for a period of one hundred and twenty days thereafter without a license; and, if application for such license is made within such period, the forwarder may, under such regulations as the Board shall prescribe, continue such business until otherwise ordered by the Board.

"(c) The Board shall prescribe reasonable rules and regulations including maximum brokerage fees to be observed by any person holding a forwarder's license and no such license shall be issued or remain in force unless such person shall have furnished a bond or other security approved by the Board, in such form and amount as in the opinion of the Board will insure financial responsibility and the supplying of the services in accordance with contracts, agreements, or arrangements therefor.

"(d) Licenses shall be effective from the date specified therein, and shall remain in effect until suspended or terminated as herein provided. Any such license may, upon application of the holder thereof, in the discretion of the Board, be amended or revoked, in whole or in part, or may upon complaint, or on the Board's own initiative, after notice and hearing, be suspended, changed, or revoked, in whole or in part, for willful failure to comply with any provision of this Act, or with any lawful order, rule, or regulation of the Board promulgated thereunder, or with any term, condition, or limitation of such license.

"(e) A common carrier by water may compensate an independent foreign freight forwarder licensed hereunder for the extent of the value rendered to such carrier in connection with any shipment and such forwarder may receive such compensation from such carrier when such forwarder has solicited and secured cargo for such carrier, and has performed one additional service as set out hereunder, and has so certified:

"(1) The cordination of the movement of the cargo to shipside;

"(2) The preparation and processing of the ocean bill of lading;

"(3) The preparation and processing of dock receipts or delivery orders;

"(4) The preparation and processing of consular documents or export declarations; and

"(5) Relieving the carrier of bookkeeping and billing expense by advancing or arranging payment of freight and accessorial charges, if any, on all prepaid shipments handled by such forwarder on a particular vessel."

The SPEAKER. Is a second demanded?

Mr. TOLLEFSON. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BONNER. Mr. Speaker, I yield to the gentleman from California [Mr. GEORGE P. MILLER] to explain the bill.

Mr. GEORGE P. MILLER. Mr. Speaker, it is the intent of this legislation to license freight forwarders and to set out services which are performed directly for the benefit of the carrier so that these forwarders might collect brokerage fees for services rendered.

This industry has been rife with innumerable forwarders who were not qualified to act in that capacity and who have all too often demanded and collected brokerage fees from carriers when in reality no service had been performed for the carrier.

This legislation clearly sets out services which must of necessity be performed, and grants to the Federal Maritime Board the authority to set up rules and regulations under which competent forwarders may be licensed.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. GEORGE P. MILLER. I yield.

Mr. McCORMACK. I read the hearings and the report of the committee with special interest. I feel that the passage of this bill will enable the control of racketeers in this activity.

Mr. GEORGE P. MILLER. The gentleman is correct. This is a bill to rid the maritime industry of racketeers. I think there is no question of that, because in this field it has been so widely open that it has led people to come in who could blackjack commissions out of shippers and out of shipping companies without rendering a proper service for those fees. The object of this legislation is to set up rules and regulations whereby they will have to render proper and competent service in order to collect these fees.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GEORGE P. MILLER. I yield.

Mr. GROSS. I want to thank the gentleman for his statement and subscribe also to the statement made by the gentleman from Massachusetts that this should have the effect of driving racketeers out of this business.

The committee gave very serious study to this matter, as the gentleman well knows, and the bill was rewritten a couple of times. I want to commend the gentleman for his efforts.

Mr. GEORGE P. MILLER. We as Members of Congress have a pertinent interest in this matter. We subsidize certain of our shipping lines. Every time an illegal or unearned increment of freight is collected by freight forwarders who are not performing a service for it, the Federal Government is paying a part of that money.

Mr. TOLLEFSON. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. GLENN].

Mr. GLENN. Mr. Speaker, this business of foreign freight forwarding is a very important segment of our foreign commerce. It is an involved and specialized vocation.

Certain practices have grown up through the years, however, that are objectionable to all concerned, including the shippers, the carriers, and the freight forwarders, such as the use by large shippers of dummy forwarders, in order to collect unearned brokerage fees from carriers.

It is sometimes difficult to distinguish whether forwarder services are rendered for the shipper or the carrier, but it has become necessary to do so, and the main purpose of this bill is to license the legitimate forwarders. To do so it would be spelled out by legislation generally and regulation specifically, how and when they are to be paid, both by the shipper and the carrier.

A similar bill was passed by the House last year, but in my opinion it has been improved by this bill in a clearer definition of when brokerage may be paid by an ocean carrier.

The industry generally has received a commission of 1¼ percent of the freight charges where they have performed some service for the carrier. Some carriers, however, in order to get cargo have paid freight forwarders as high as 2½, 5, and even 10 percent of the freight

charges in order to get the cargo steered in their direction. This is added to the total bill and hence paid for by the shipper and then by the general public.

This bill will control such practices by licensing and reasonable regulation by the Maritime Board.

The Subcommittee on Freight Forwarders of the Merchant Marine and Fisheries Committee has worked hard on this bill for several years and the freight forwarding industry in the main is satisfied with this bill. It may not satisfy all the individuals in the business, but I feel it is in the public interest and that it protects shippers, carriers, and the great majority of the foreign freight forwarders.

In conclusion let me read the final paragraph of our committee report for it sets out what we are attempting to do and what we have to a large extent accomplished:

> The committee feels that when services have been performed for the shipper, the shipper should compensate forwarders for these services and that where brokerage fees have been earned by the forwarder the carrier in turn should pay for those services. Both the carrier and the shipper should be expected to pay and the charge to each by the forwarder should be the reasonable value of the forwarder's service to each.

Mr. TOLLEFSON. Mr. Speaker, I yield such time as he may require to the gentleman from New York [Mr. DORN].

Mr. DORN of New York. Mr. Speaker, I have the honor of being a member of the Special Subcommittee on Ocean Freight Forwarders and Brokers of the House Merchant Marine and Fisheries Committee which passed this bill. The gentleman from Louisiana [Mr. THOMPSON], the chairman of this subcommittee, should be congratulated for 2 years of intensive work on this legislation.

The bill requires the forwarder to "solicit and secure" cargo for a carrier and perform one additional specified service before he could be compensated by the carrier in the form of "brokerage." Such compensation has been traditionally paid in the New York area for approximately 100 years and constitutes a substantial portion of the overall revenue of ocean freight forwarders and brokers in this port and throughout the country. The forwarders in New York were seriously concerned that the mandatory requirement of soliciting and securing cargo without a definition of the clause would have the effect of denying them traditional revenue in the form of brokerage.

Their fears were not entirely unjustified in view of the testimony of the Chairman of the Federal Maritime Board before the special subcommittee on June 18, 1959. At that time he acknowledged that as an attorney practicing before the Board he had opposed the payment of brokerage to forwarders and that he saw no reason to change his views on becoming a member of the Board. The Chairman has consistently taken the position in testimony before House and Senate committees that forwarders do not merit compensation from steamship lines even though the carriers who pay the brokerage have overwhelmingly testified to the contrary.

It is the view of the committee that it had no intention to bring about the elimination of the traditional compensation to forwarders in the form of brokerage from ocean carriers by the mandatory language used, and a sentence is in the report to the effect that the forwarder need not be designated as agent of the carrier in order to qualify for brokerage. The committee has rejected the argument that cargo can only be solicited and secured for a carrier by a person who has either been retained as agent to do so or is an employee of the line. There is in addition a sentence in the report to the effect that where the forwarder has solicited and obtained export freight from a shipper which is thereafter turned over to a carrier, it is the committee's view that the forwarder has solicited and secured the cargo within the meaning of this bill.

With this language in the committee report the legislative intent as to what was meant by soliciting and securing cargo has been clarified. The committee view is that where a forwarder has sought the business of an exporter and obtains the account and thereafter from time to time sees to it that the shipments of this exporter reach steamship lines for transportation, the forwarder is performing the middleman function of bringing the cargo and vessel together and he is thereby soliciting and securing cargo within the meaning of paragraph 44(e) of the bill. The forwarder is thus earning brokerage under the bill and according to the report a carrier would be "obligated" to compensate him provided that one additional service as specified in the bill is performed and the forwarder so certified. The fact that a shipper may be a party to a conference contract does not affect the forwarder's claim to brokerage, where he has performed the essential services to earn such brokerage.

Mr. TOLLEFSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this measure has been studied by our committee for a period of about 3 years. We have worked very hard on it, and we feel that we have come up with a good solution to the problem involved. I trust that the House will approve the bill.

Mr. BOSCH. Mr. Speaker, will the gentleman yield?

Mr. TOLLEFSON. I yield to the gentleman from New York.

Mr. BOSCH. There seems to be some confusion about the extent of the intention of section 44(a) of the act. The section says:

> No person shall engage in business as a foreign freight forwarder as defined in this act unless such person holds a license issued by the Federal Maritime Board to engage in such business.

There are many manufacturers and exporters who have specialized shipping departments to do a fairly capable job of performing the dispatching of shipping services to the complete satisfaction of foreign governments.

My first question, Will this legislation compel the manufacturers or others who export from the United States to abandon the handling of shipments on behalf of their export customers and will they be required to obtain a license as provided in this act?

Mr. TOLLEFSON. I may say to the gentleman that this and similar questions have been presented to the committee. The committee has no intention of requiring a license of a manufacturer or exporter, or shipper, in other words, who handles his own product.

If he seeks to handle the product of someone else, some third person, and in effect do the work of a freight forwarder, he would have to be licensed, but so long as he handles his own product he does not need to have a freight forwarders license.

Mr. BOSCH. This act may not be construed as requiring manufacturers or others who sell for export to use a licensed freight forwarder to handle this export business for them?

Mr. TOLLEFSON. That same question also has been presented to the committee. The bill is not intended to require that the shipper or manufacturers, of whom you speak, be compelled to hire a freight forwarder. He may handle his own shipments. May I summarize what I have said with respect to both of your questions.

Some concern has been expressed before this committee by representatives of exporters that the bill will require the licensing of an exporter who does his own export traffic work. This is not the intention of the committee. The bill provides for the licensing of a person engaged in the business of dispatching shipments on behalf of other persons. An exporter who forwards his own goods or that of a subsidiary or affiliate as an incidental activity of his main occupation is not engaged in the business of forwarding. He would not, in my opinion, be required to employ a freight forwarder, nor would he require a license himself. In addition, since the goods he forwards are his own, he is not dispatching shipments on behalf of other persons. The committee believes this to be true regardless of the terms of sale and the technical niceties of when title to the goods may pass. Of course, if an exporter seeks to forward merchandise of third persons unrelated to his own exporting business and is thereby actively engaging in a forwarding operation, he would be required to be licensed under this bill.

Mr. BOSCH. I thank the gentleman.

Mr. BONNER. Mr. Speaker, I might say to the House that this bill is the result of a request made to the chairman of the Committee on Merchant Marine and Fisheries by the organization of freight forwarders to license them, just as we license custom brokers, to put them in a position where they would hold the respect of industry and the shipping industry.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

DIRECTING SURGEON GENERAL TO MAKE STUDY OF THE DISCHARGE OF SUBSTANCES INTO THE ATMOSPHERE FROM THE EXHAUSTS OF MOTOR VEHICLES

Mr. ROBERTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8238) to prohibit the introduction into commerce of new motor vehicles which discharge substances in amounts found by the Surgeon General of the Public Health Service to be dangerous to human health.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Surgeon General of the Public Health Service (hereinafter referred to as the "Surgeon General") shall conduct a thorough study for the purpose of determining, with respect to the various substances discharged from the exhausts of motor vehicles, the amounts and kinds of such substances which, from the standpoint of human health, it is safe for motor vehicles to discharge into the atmosphere under the various conditions under which such vehicles may operate.

SEC. 2. As soon as practicable, but not later than two years after the date of the enactment of this Act, the Surgeon General shall submit to Congress a report on the results of the study conducted pursuant to the first section of this Act, together with such recommendations, if any, based upon the findings made in such study, as he may deem to be necessary for the protection of the public health.

SEC. 3. As used in this Act the term "motor vehicles" means vehicles propelled by mechanical power and used for transporting passengers or property on a highway.

Amend the title so as to read: "A bill to authorize and direct the Surgeon General of the Public Health Service to make a study and report to Congress, from the standpoint of the public health, of the discharge of substances into the atmosphere from the exhausts of motor vehicles."

The SPEAKER. Is a second demanded?

Mr. SCHENCK. Mr. Speaker, I demand a second.

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ROBERTS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this bill was introduced by the distinguished gentleman from Ohio [Mr. SCHENK].

Mr. Speaker, I commend him for his great service and effort in working for this fine bill. It will do much for safety of the American people.

Mr. Speaker, enactment of H.R. 8238 is recommended by the Committee on Interstate and Foreign Commerce to speed research into the problem of the effect on human health of substances discharged into the atmosphere by motor vehicle exhausts.

This bill, as amended by the committee, directs the Surgeon General of the Public Health Service to conduct such a study and submit a report to Congress within 2 years with such recommendations, if any, he considers necessary to protect human health.

The Surgeon General now is conducting and sponsoring research into this problem in connection with a study of air pollution authorized by Congress. Enactment of H.R. 8238 will emphasize the desire of Congress to accelerate this research as rapidly as possible.

It is hoped that within 2 years the Surgeon General can make recommendations that will make possible remedial action.

Air pollution is a national problem. It is already a serious menace in some large cities and threatens every metropolitan area in the Nation. Automobile exhausts have been blamed as a major cause of air pollution. The National Conference on Air Pollution held last November was told by Dr. Leslie A. Chambers, director of research, Los Angeles County Air Pollution District, that more than two-thirds of hydrocarbon pollutants, which play so prominent a role in smog formation, come from the use of gasoline engines in automobiles, trucks, and buses.

The evidence that there are carcinogens—cancer-producing agents—in the air is quite convincing. Lung cancer deaths among white males is twice as high in cities as in rural sections. In laboratory exposures of experimental animals to constituents of automotive exhaust caused an increase in lung tumors as much as 100 percent. In a statement regarding these experiments made to the Subcommittee on Health and Science, the Acting Surgeon General stated:

> In our opinion these studies justify the conclusion that constituents of automotive exhaust fumes can produce carcinogenic and other undesirable physiological effects in mice, and therefore might produce these effects in human beings. Whether they do so, however, cannot be stated.

The problem of automobile exhausts has been under study by the committee for several years.

In 1956, the Special Subcommittee on Traffic Safety of the Committee on Interstate and Foreign Commerce made a study of the problem during a visit to research centers of the automobile manufacturing industry. In hearings held in Dayton, Ohio, in 1956, Dr. Robert E. Zipf, president of the Ohio State Coroner's Association, recommended a research program to study the problem of automobile exhausts. It was pointed out that harmful toxic effects of exhaust fumes may be an important contributory cause of automobile accidents.

After consideration of the data gathered in the subcommittee study, the gentleman from Ohio [Mr. SCHENCK] introduced H.R. 9368, 85th Congress, to prohibit the use in commerce of any vehicle which discharged unburned hydrocarbons in an amount found by the Surgeon General of the Public Health Service to be dangerous to human health. That bill directed the Surgeon General to prescribe and publish not later than 6 months after enactment of the legislation, standards as to the amount of unburned hydrocarbons which are safe, from the standpoint of human health—with particular reference to the carcinogenic nature of unburned hydrocarbons—for a motor vehicle to discharge into the atmosphere. Criminal penalties were provided for operating in commerce a vehicle which discharged unburned hydrocarbons in excess of the standards set by the Surgeon General.

Hearings were held on this bill March 17, 1958, by the Special Subcommittee on Traffic Safety. Leading experts in the field were heard and a comprehensive record of 180 pages published.

At the beginning of the present Congress, the gentleman from Ohio introduced H.R. 1346, a modification of his bill in the previous Congress. The gentleman from California [Mr. McDONOUGH] introduced H.R. 1297, also dealing with the problem of unburned hydrocarbons.

H.R. 1297 would require the Surgeon General of the Public Health Service to prescribe and publish in the Federal Register, not later than 6 months after the date of enactment of the legislation, standards as to the amounts of unburned hydrocarbons and other noxious gases which are safe, from the standpoint of human health (with particular reference to the carcinogenic nature of unburned hydrocarbons and other gases) for a motor vehicle to discharge into the atmosphere. It would provide criminal penalties, effective 1 year from the publication of standards, for the manufacturer for sale, the offering for sale, the use in commerce, or the importation into the United States of any motor vehicle which discharges unburned hydrocarbons or other noxious gases in amounts in excess of the standards set by the Surgeon General.

H.R. 1346 would require the Surgeon General of the Public Health Service to prescribe and publish in the Federal Register, not later than 12 months after the date of enactment of the legislation, standards as to the amount of substances which he considers safe, from the standpoint of human health, for a motor vehicle to discharge into the atmosphere. Such standards, however, would have to be established only for those substances on which sufficient scientific information is available to permit judgment as to adverse effects upon human health. The bill provides for the revision of these standards and their enlargement as adequate technical information becomes available. Criminal penalties are provided for using in commerce within the United States or with foreign nations a motor vehicle which discharges substances in amounts in excess of the standards fixed, provided the Surgeon General found there was available a reasonable method of controlling such discharges.

Agency reports on H.R. 1297 and H.R. 1346 were not favorable. One objection was to the creation of a Federal organization to inspect and enforce motor vehicle safety standards.

After consideration of the legislation by the Subcommittee on Health and Safety, the gentleman from Ohio [Mr. SCHENCK] introduced H.R. 8238 to eliminate the objection regarding Federal enforcement of the safety standards set

by the Surgeon General. The feeling was that the essential and urgent thing is to determine what can and should be done as soon as possible.

After careful consideration, the committee adopted the substitute language brought to the House today to direct the Surgeon General to make a study and report to the Congress as soon as possible but not later than 2 years after date of enactment of the legislation.

NEED FOR EARLY ACTION

That exhausts from motor vehicles can and do pollute the air no one disputes. There is disagreement about the nature and the extent of this pollution.

There is some disagreement regarding what can be done to control these harmful exhausts. Research now underway may provide the answer to some of these questions and point the way to feasible methods of abatement. If additional legislation is indicated by the report the Surgeon General makes, the Congress will have basic information with which to work.

If this air pollution resulted only in discomfort and loss of visibility, with its attendant hazards and motor vehicle traffic, the problem would be serious enough to warrant real concern but there is abundant evidence that smog is a serious health menace and results in heavy losses to agriculture. The loss to agriculture in the Los Angeles area alone has been estimated at $5 million a year.

Therefore, the Committee on Interstate and Foreign Commerce urged the adoption of H.R. 8238 as amended.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. ROBERTS. I yield to the gentleman from Arkansas.

Mr. HARRIS. I should like to commend the gentleman from Alabama, chairman of the Subcommittee on Health and Safety, and the members of his subcommittee, for the constant work that has been accomplished on this subject for the last several years. The gentleman from Alabama and the gentleman from Ohio [Mr. SCHENCK], the author of this bill, have labored together with their subcommittee for quite some time—I think this is the third Congress—during which a lot of study has gone into the problems of safety. Is it not true that from the gentleman's study you found in certain metropolitan areas of the country a very serious problem in relation to exhaust fumes from automobiles?

I thank the distinguished gentleman, the chairman of the Interstate and Foreign Commerce Committee.

Mr. ROBERTS. I would certainly say to the gentleman that that is true, and I think that it is a problem that is not only found in the Los Angeles area but I think it is found in other areas of the country, and that soon it will be here in Washington and New York and in other great metropolitan areas of the country.

Mr. HARRIS. The gentleman's committee held hearings on this particular bill and had members of the industry, scientists and research people before the committee in the development of this legislation; is that not true?

Mr. ROBERTS. I would say to the gentleman we held full hearings in the last session of the Congress and we held hearings for 3 days in this session of the Congress, and this has been a continuing study with his subcommittee for the past 3 years.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ROBERTS. I yield to the gentleman from Iowa.

Mr. GROSS. I note that the reports from the executive branch of the Governernment are adverse to, perhaps, the original bill. This bill has been rewritten, has it not?

Mr. ROBERTS. That is correct. May I say to the gentleman that there has been no report on this particular bill. The report we had was on the McDonough bill and the Schenck bill as originally introduced, H.R. 1346. This is a clean bill and we have met the objections of the departments that were brought out in the hearings.

Mr. GROSS. Now, as to the cost. There will be some cost involved. Is that to be absorbed by the agencies of Government?

Mr. ROBERTS. I would not want to be bound, but I can say to the gentleman that I think sufficient funds are already in the hands of the Public Health Service with which to make this study.

Mr. GROSS. I thank the gentleman.

Mr. SCHENCK. Mr. Speaker, first I should like to say to the House that it has been a very high honor and a great privilege to be a member of the Committee on Highway Traffic and Safety since its beginning in 1956 and during this present Congress known as the Subcommittee on Health and Safety. All this time the committee has been under the energetic and very capable chairmanship of our distinguished colleague from Alabama [Mr. ROBERTS], our subcommittee, through the deep interest of all our members and their devotion to automotive and highway traffic safety has rarely achieved great results. All of this has been done with very modest expenditure of funds. Our subcommittee work has been made possible through the understanding, splendid cooperation, encouragement and help of the able chairman of the full Committee on Interstate and Foreign Commerce, the distinguished gentleman from Arkansas [Mr. HARRIS].

Mr. Speaker, the chairman of our committee has explained the bill very well. I believe it would not serve any useful purpose to take further time to explain the details of the bill.

Therefore, Mr. Speaker, I shall simply ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SCHENCK. Mr. Speaker, sometimes, unfortunately, we are inclined to pay little attention to many things which are really very close to us in terms of good health and we are also inclined to take many things for granted. Fundamentally, as we all know, there are two elementary needs for sustaining human life. One is water, and it is well known that human life cannot long exist without water. In a relatively short time our bodies become dangerously dehydrated and this seriously affects all body functions. The length of time the human body can get along without water varies somewhat from person to person, depending upon variables and conditions.

The other fundamental need, for sustaining human life, Mr. Speaker, is oxygen, which our marvelous body mechanisms obtain from the air we breathe. While life can be maintained for hours and sometimes even days without water, human life ceases to exist and cannot be restored if cut off for even a matter of minutes from oxygen from the air we breathe. Thus the air we breathe and the purity of the air, when we stop to think about it, immediately becomes of very primary importance to each of us.

Much has been done, Mr. Speaker, in the field of air pollution and in the elimination of harmful pollutants from such sources as smoke stacks, chemical and oil refineries, incinerators, and manufacturing processes. Various agencies of our Federal Government have cooperated fully with State and local governments and with industry to determine the cause and aid in the removal and abatement of many causes of air pollution and contamination. Actually, many millions of dollars have been spent by various agencies of government, local, State, and Federal, and by industry in achieving the very commendable progress made thus far. Much, of course, remains to be done and progress will continue because a considerable number of standards have been agreed upon as the result of significant achievements in research. One source of air pollution, however, Mr. Speaker, becomes more alarming each day because of the present limited knowledge of the harmful effects on human health, because the amount of air pollution from this source is increasing day by day and because almost nothing has been done on an overall basis to control this source of air pollution. I am speaking, Mr. Speaker, about the presently uncontrolled emissions of automotive exhaust gases which, many scientific people are fully convinced, contain substances which are not only harmful but are extremely dangerous to human health. I shall point out later, Mr. Speaker, some of the dangers to which I have referred and some of the limited progress that has been made thus far by various researchers and engineers working on these problems.

It is, Mr. Speaker, with pardonable pride and the indulgence of the House, that I point out the fact that I introduced the first legislative proposal of this kind in the Congress of the United States on August 20, 1957. This bill, known as H.R. 9368, provided the basis for a hearing by the Special Subcommittee on Highway Traffic Safety of which I was privileged to be a member. This hearing, held on March 17, 1958, developed 180 printed pages of testimony from some of the most expert and knowledgeable people in our Nation on this subject. I commend its careful and thoughtful study to you.

On January 7, 1959, I introduced H.R. 1346, which approached these same

problems in a somewhat different manner. On July 15, 1959, and in accordance with a full and careful consideration of the provisions of H.R. 1346 by our Subcommittee on Health and Safety, I proposed a new bill, H.R. 8238. This bill was unanimously recommended to the full House Committee on Interstate and Foreign Commerce. During the consideration by the entire committee a belief was expressed that with the limited scientific data thus far available and because no device of proven merit at reasonable cost has yet been produced, it would be more wise to confine present legislation to require that a study be made by the Surgeon General of the Public Health Service and that a report of his findings be filed with the Congress within a period of 2 years. Accordingly an amendment in the nature of a substitute for the original language of H.R. 8238 was approved and H.R. 8238, as amended, is now before us here today. Personally, Mr. Speaker, I feel this is a long and strong step in the right direction and I earnestly recommend the approval of this measure.

A tremendous amount of work has been done, Mr. Speaker, in the interest of better health by many agencies financed through public funds and many agencies financed through private funds supported by contributions from individuals, foundations, professional and scientific organizations, and many others. All have combined to make great progress in the production, purity control and packaging of foods, development of medicines, vitamins, and vaccines, and the discovery and use of insecticides, pesticides, fungicides, and many other scientific and biological preparations to produce more healthful and longer living for people everywhere. This list is in no way complete or indicative of the progress already made and is used only by way of illustration. Our medical, scientific, biological, chemical, and other researchers in many fields of science are on the threshold of many discoveries which will make life more healthful, more enjoyable, and which will also greatly lengthen the life span. Our U.S. Department of Health, Education, and Welfare, through its various components of the Bureau of Public Health, the Food and Drug Administration, the National Institutes of Health, and others, working on their own and in complete cooperation and coordination with all other Federal agencies, professional organizations of all kinds, educational, scientific, and research groups have all joined hands in these efforts and achievements. Throughout our Nation, Mr. Speaker, great advances have been made and more are in the making from the standpoints of foods, drugs, medicines, and surgery in the prevention and treatment of many diseases, even in some of those thus far regarded as incurable. The outlook for better health, happier living, and longer life has never been more bright.

While, as I have indicated, Mr. Speaker, very significant progress in better control of air pollution has been made through the control and abatement of some of the more or less fixed location causes, almost nothing has been done in the general field of the emissions of substances in automotive exhaust gases which very many highly qualified medical and scientific authorities are fully convinced are harmful and dangerous to human health. The severity and extent of these dangers from the exhaust gases of all types of automotive vehicles is increasing at a very alarming rate, especially in the urban areas and in the areas of congested traffic. That something must be done promptly to meet this dire threat to human life is fully recognized and acknowledged not only by many medical, scientific, and public health authorities, but also by all engineers in the automotive and automotive fuel fields.

Many years ago, Mr. Speaker, when I was quite young and began my first experience as an assistant chemistry teacher in a high school, we knew that certain gases we developed in our laboratory experiments had very unpleasant odors and made some students feel quite ill. We knew very little then as to the health hazards involved but more and more information has been developed.

Later as one engaged in the automotive service field and still later as a high school teacher of automotive training it was felt that if there was some way to determine the amount of unburned exhaust gases by instrumentation, better and more economic engine performance could be secured. This idea was fostered in my own mind by a chance observation of a carbon dioxide indicator being used in the smoke stack leading from a large steam boiler installation. The engineer explained to me that he kept close watch on this indicator so that he could better control the efficiency of the fire under the boiler. Thus my first interest in the analysis of automotive gases, many years ago, stemmed from the desire to obtain better control of automotive engine adjustments in the interest of better performance and more economy in operation.

Along with many of you, I have been annoyed and at times made to feel ill when driving in heavy traffic, or sometimes even riding in a closed car with a leaky exhaust system, I have had to breathe unpleasant and foul smelling automotive exhaust gases. Frankly, I have often been quite apprehensive of the possible ill effects of such fumes on health. I have discussed the possibility of such ill effects with my own doctor and personal friend for many years, Dr. Thomas P. Sharkey. Dr. Sharkey is an eminently qualified internist and he confirmed my own fears that great dangers of many kinds undoubtedly lurk in the breathing of automotive exhaust gases.

During hearings held in Detroit in 1956 by our Subcommittee on Highway Traffic Safety, Mr. Speaker, we made a trip through some of the engineering laboratories of the leading manufacturers of automobiles. There I saw some engineers making some tests of exhaust gases coming from the exhaust pipe of one of their standard cars. A sampling tube had been inserted in the automobile exhaust pipe and it was connected to some meters and also to a mechanism which made a tracing on calibrated paper which was being rolled up on one roll from a supply roll. As I observed these tests being made, and discussed the procedure with the engineers, they told me that they were studying the amounts of unburned hydrocarbons being exhausted by the engine under varying adjustments made in both the ignition and the carburetor. They pointed out to me and demonstrated by means of the tracing being made on the calibrated recording paper that a considerable additional quantity of unburned hydrocarbons is present in the exhaust gases at the times when the speed of the engine is suddenly either accelerated or decelerated. At other times when the engine was being operated evenly, either at slow or relatively rapid speed, the engine exhaust gases contained a lower and more even amount of unburned hydrocarbons. Thus it became quite evident from this one test I saw being made that the peaks of unburned hydrocarbons in this automotive exhaust gas occurred both during sudden acceleration or deceleration of the engine speed. At my request, one of the engineers increased and quickly decreased the engine speed several times similar to the actions of some drivers impatiently waiting for a traffic light clearance or at a stop street. The peaks of unburned hydrocarbons showed up immediately on the instruments and on the recording paper. This demonstration quickly convinced me, Mr. Speaker, that, first, drivers who quickly accelerate and decelerate engine speeds while waiting for a traffic light clearance, or at a stoplight, are unnecessarily endangering not only their own health, but also those around them, none of whom have any choice but to breathe this air polluted and contaminated with unburned hydrocarbons and other noxious exhaust gases; second, that in closely built-up urban areas with congested automotive traffic with a lot of stop and go driving, and in other areas where traffic congestion occurs, actually millions of people are daily inhaling great quantities of automobile exhaust gases which, I am personally convinced after much study, are very harmful to human health.

The hearings held by our subcommittee, Mr. Speaker, are filled with testimony and references by highly qualified medical authorities, research scientists, and other experts, that substances in automotive exhaust gases are harmful to human health in many ways. House Report No. 814 on H.R. 8238 quotes many authorities on this subject and there is no need to repeat them in my remarks except to urge all Members to study this report carefully.

Dr. Leroy E. Burney, Surgeon General of the U.S. Public Health Service, is quoted in a recent periodical as saying:

> There is a definite association between community air pollution and high mortality rates due to cancer of the respiratory tract, including the lung, cancer of the stomach and esophagus, and arteriosclerotic heart disease.

Dr. Burney is also quoted as having stated in an address before the Society of Automotive Engineers that—

> Certain components of automotive exhaust have been known as cancer causing substances for years.

Time, Mr. Speaker, will not permit me to quote or use but a very small amount of the material I have gathered in my study of these problems. Many folks first think of carbon monoxide as being one of the greatest dangers in automotive exhaust gas. There is no question, Mr. Speaker, that carbon monoxide is a deadly poison when released in a confined space, but carbon monoxide is a waste product of the gasoline that has been totally burned up in an automotive engine and it disperses quickly and harmlessly in the open air. There are other substances in automotive exhaust gases, Mr. Speaker, the dangers of which, while not yet fully documented by adequate scientific data, are never-the-less very dangerous. These substances result from the unburned gasoline vapor and are naturally present in greater volume when the engine is idling along in slow moving, congested traffic. Included in automotive gases are oxides of nitrogen and many other substances. Some of them combine with ozone and other gases in the air. Some of these gases are changed into other compounds as the result of the reaction of sunlight and other light rays, all of them producing still more organic compounds that we breathe into our lungs.

There are nearly 70 million motor vehicles being operated on our highways and streets today, Mr. Speaker, and this number is increasing at a net rate of some 3 million per year. More than 130 million gallons of gasoline are being used per day in our Nation and this means that some where between 10 and 12 million gallons are being discharged into the air. This tremendous number of liquid gallons, when converted into gases and this volume increased still further when combined with gases already in the air, creates an almost unbelievable volume of cancer inducing gases. I am told, Mr. Speaker, that whether we drive or not, each of us inhales some 5,000 quarts of air each 24 hours. When we realize that this air we breathe is contaminated with vapors and tiny suspended organic substances from automotive exhaust gases and when we realize that even extremely minute amounts of cancer-inducing automotive exhaust gases are so extremely dangerous there is little wonder that the 250,000 Americans who die from cancer each year include many who die from lung cancer.

The Washington Sunday Star of August 9, 1959, Mr. Speaker, included a very well written editorial on this subject pointing out some of the dangers from automotive exhaust gases that I have been discussing here, and referred to a recent announcement by General Motors Corp., according to the New York Times of August 4, and the Herald Tribune of that same date, which indicated that General Motors has held preliminary discussions with the Sloan-Kettering Institute for Cancer Research about the possibility of that institute doing a thorough study of the actual and potential evils inherent in exhaust fumes from trucks, buses, and private automobiles. Under unanimous consent, Mr. Speaker, I include this editorial as part of my remarks:

POISON ON WHEELS

It is good to note that General Motors, in cooperation with the Sloan-Kettering Institute for Cancer Research, is planning to finance a thoroughgoing study of the actual and potential evils inherent in exhaust fumes from trucks, buses and private automobiles. The project is altogether timely and very much to the point, and it is to be welcomed and commended as something that ought to stimulate the entire automotive industry into doing far more than it has done so far in this challenging and worrisome field.

There can be no doubt, in any case, that the contaminating materials released by vehicular exhausts markedly exceed industrial smoke as the principal cause of poisonous smog and other noxious atmospheric conditions in all our great urban centers. Experts like Surgeon General Leroy E. Burney of the U.S. Public Health Service make no bones about the situation. They feel sure that our municipal traffic, because it is the chief contributor to these conditions, must be dealt with as a factor definitely associated with malignant tumors and such afflictions as asthma. In Dr. Burney's opinion, as expressed some months ago to the first National Conference on Air Pollution, "We know that cancer-producing agents are in the air we breathe. * * * We know that lung-cancer rates in the largest cities are twice as high as those in nonurban areas. The case has not yet been proved, but the weight of circumstantial evidence grows heavier as research progresses."

These are words that speak pretty much for themselves. With our population increasing at an explosive rate, we face the prospect of massively expanding motor traffic throughout our country. As far as metropolitan public health is concerned, this makes it all the more important, if not urgent, to carry out just such studies as the one being contemplated by General Motors. Everybody, of course, and not just GM, has reason to take a lively interest in the problem.

Favorable, continuous and insistent prompt action, by the Congress, is completely justified and extremely important, Mr. Speaker, on what is shown to be a serious menace to human health. I am completely convinced, Mr. Speaker, that the exhaust pipes from automotive engines may well prove to be the most deadly and dangerous part of the car from the standpoint of the health of people.

The automotive industry, as a group and through its association with various automotive professional engineer organizations, has been doing a great deal of research on these problems and on devices to correct some of the dangers to which I have referred. Much has been done, but a great deal more must be done.

The American Petroleum Association, through its own members and through cooperation with many other organizations, has been doing a great deal of work in this field.

Many universities, colleges, research organizations, medical experts, scientists, municipal and State officials and many others have been working on these very important problems.

Some progress has been made, Mr. Speaker, and although some devices have been developed in an effort to solve the problem by attempting to clean up automotive exhaust gases so that they will not be harmful to human health, efficient devices to do the job within reasonable cost limits have not yet been fully developed. I am completely confident, however, Mr. Speaker, that American automotive engineers, scientists, mechanical engineers, chemical engineers, and many others, both within the industry and outside the industry, have the ability and the ingenuity to do the job once they are fully convinced of the need and the public demand.

Frankly, Mr. Speaker, and as can be seen by the reports from the several departments, certain objections to H.R. 9368 and H.R. 1346 have been raised for the reasons stated. I am firmly convinced that H.R. 8238, as amended, meets all these objections. Mr. William F. Sherman, Secretary, Engineering Advisory Committee, Automobile Manufacturers Association, by a telegram addressed to me on July 17, 1959, expressed certain reservations and opinions of H.R. 8238, and, under unanimous consent, I include Mr. Sherman's telegram referred to in full:

I have been directed by the chairman and members of the Engineering Advisory Committee of the Automobile Manufacturers Association, which appeared before your committee on July 8, to advise you that the statement attributed to you by the press that your bill H.R. 8238 is not opposed by the manufacturers misinterprets the position of the manufacturers with respect to your bill while all of the automobile manufacturers subscribe to the objectives of H.R. 8238 as evidenced by the major intensive research and development program they are conducting in their efforts in this direction, they do not believe that its passage will accelerate progress or further the attainment of these same objectives. However, the automobile manufacturers will support a bill that directs the Surgeon General to conduct research on this subject and report his findings periodically to the Congress.

Permit me, Mr. Speaker, to point out that H.R. 8238 as amended fully meets two statements in Mr. Sherman's telegram which I have quoted fully. These are: That "all the automobile manufacturers subscribe to the objectives of H.R. 8238," and that "the automobile manufacturers will support a bill that directs the Surgeon General to conduct research on this subject and report his findings periodically to the Congress."

It is my considered opinion, Mr. Speaker, therefore, that H.R. 8238 as amended, meets any and all of the objections of the several departments of the Federal Government and all of the objections of the Automobile Manufacturers Association Engineering Committee as presented by William F. Sherman, its secretary.

It is also my own personal opinion, Mr. Speaker, that the Surgeon General of the Public Health Service through appropriation of funds already approved for the use of the Public Health Service, the National Institutes of Health, and the Department of Health, Education, and Welfare, has ample funds to carry out the provisions of H.R. 8238, as amended, and that no additional funds are necessary at this time. It is also my personal opinion, Mr. Speaker, that the Automobile Manufacturers Association,

along with the petroleum industry, and others, have ample funds and a recognized responsibility in the public interest to cooperate fully with the Surgeon General, both in proving the need for any corrective action necessary and producing the device or methods necessary to meet this need.

It is my personal opinion, therefore, Mr. Speaker, that H.R. 8238, as amended, should be approved promptly by the Congress so that the responsibility of the Surgeon General is recognized; so that he is directed to proceed promptly in accordance with all the provisions of H.R. 8238, as amended; that the automotive industry in general should recognize and act in accordance with its responsibility in the public interest, and further; that the Congress shall insist that all proper steps be taken to alleviate the dangers to human health from automotive exhaust gases at the earliest practicable date.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. SCHENCK. I yield to the gentleman from Arkansas.

Mr. HARRIS. Mr. Speaker, I should like to commend the gentleman from Ohio as well as the other members of the committee for the tremendous progress they have made in their study on matters of safety. I think it would be well to advise the House that the author of the bill, the gentleman from Ohio [Mr. SCHENCK], has spent many years in the field of education, was an instructor himself in the field of the automotive training and therefore has had a long background of experience in this field. He has made a tremendous contribution to the solution of the safety problems in this country.

Mr. SCHENCK. I thank the distinguished gentleman.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. SCHENCK. I yield to the gentleman.

Mr. BECKER. Mr. Speaker, I should like to pursue the question raised by the gentleman from Iowa [Mr. GROSS]. I know that the gentleman from Alabama [Mr. ROBERTS] answered very frankly and honestly that he could not be bound by his statement as to where the funds for this study would come from. Is there not further information as to where the funds will come from to make this study? I think we ought to have factual statements as to where the funds are coming from. I think the gentleman from Alabama or the gentleman from Ohio can give us that information.

Mr. SCHENCK. Mr. Speaker, in reply to the question of my good friend from New York, the Public Health Service now, as I understand it, has approximately $1 million in its fund for research in connection with these exhaust gas fumes. Also included in the National Institutes of Health are various agencies. I have a very definite opinion from all the testimony we have received that these substances in the exhaust gases are carcinogenic in type, in that they are cancer-forming substances. The National Institutes of Health is interested in that particular phase and has ample funds with which to continue its research in this matter, this being a very possible source of injury and harm to human health.

Mr. BECKER. Does the gentleman say that the funds are coming from the Public Health Service, or are the funds to be obtained from the Department of Health, Education, and Welfare? As I understand the gentleman the funds are going to come out of one of those two departments, is that correct?

Mr. SCHENCK. That is my understanding. It is my understanding that these funds will come directly out of the Public Health Service, the Department of Health, Education, and Welfare and the operations of the National Institutes of Health, which funds have already been appropriated.

Mr. BECKER. Mr. Speaker, I would like to say that my interest in this is because so much of the funds of the Department of Health, Education and Welfare are used for studies and then they make studies and start propagandizing for funds to be appropriated by Congress for purposes that many Members of Congress are opposed to. That is why I would like to know where these funds are coming from.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. SCHENCK. I yield to the gentleman from Arkansas.

Mr. HARRIS. I think the gentleman from New York is laboring under some misapprehension with reference to the purpose of this legislation.

Mr. BECKER. Perhaps so.

Mr. HARRIS. As the bill was originally introduced it required the Surgeon General of the Public Health Service, after conducting necessary research, to establish standards which the industry would have to follow to meet this problem. We thought we were not quite ready for that yet. The committee decided that we should direct the Surgeon General to make a study and to report back to the Congress on the problem.

Mr. BECKER. Mr. Speaker, I am glad the gentleman has cleared my mind on that, because I was confused by the original bill and the report, and the proposition we have before us now. I am now entirely satisfied.

Mr. TABER. Mr. Speaker, will the gentleman yield for a question?

Mr. SCHENCK. Yes, I am happy to yield to the distinguished gentleman from New York.

Mr. TABER. How can any committee of Congress have legislative powers to direct the Department of Health, Education, and Welfare to do anything?

Mr. SCHENCK. It is my understanding, Mr. Speaker, that under the legislative jurisdiction of the Committee on Interstate and Foreign Commerce and through legislation approved by the Congress we may direct the Department to do so.

Mr. TABER. They have the right to bring in bills that relate to the Department, but they do not have the right to direct them what to do.

Mr. SCHENCK. Oh, yes.

Mr. TABER. Oh, no; they could not.

Mr. SCHENCK. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. MCDONOUGH].

Mr. MCDONOUGH. Mr. Speaker, as the author of one of the bills, H.R. 1297, considered by the committee, I want to express my appreciation to the committee for bringing this bill to the floor and for the hearings that were held and the study that was made. The report signifies that this is a very vital thing as far as the health of the public in general is concerned. It has been determined after long and exhaustive research that the exhaust gases of automobiles contribute immeasurably to the pollution of the air, especially in heavily populated city areas of the United States and in particular in my locality in Los Angeles, where we have not only a heavy population and a heavy automobile registration operating the year around, but we have a topographical situation where the prevailing wind comes off the Pacific Ocean and we have a high mountain range to the east of the city which impedes the flow of the atmosphere. The polluted air keeps building up and building up until it rolls back over the city and then drops when the atmosphere gets heavy and brings down upon the people toxic gases that cause smarting of the eyes and contributes to asthmatic conditions and, as the report indicates, is a contributing factor to the incidence of cancer. Of course, there is no secret about the fact that automobile exhaust gases are very disastrous because we have heard of a number of suicides where people have used that as a means of committing suicide, that is, in a concentrated form where they pipe the exhaust gas into the cabin of the car and they inhale a certain amount of carbon monoxide and all the deleterious gases. When we know these gases are being released into the atmosphere in large quantities it is certainly the responsibility of the Public Health Service to discover to what extent this can be controlled and what sort of equipment ought to be applied to an automobile to implement the study of the Public Health Service in order to prevent the introduction of these gases into the atmosphere.

Permit me to read the following from the committee report:

HISTORY OF THE LEGISLATION

Air pollution is a national problem. It is a public health problem. Federal, State, and local governments have spent vast sums to study and control this problem. Industry likewise has spent millions on research and abatement. Great progress has been made but the problem is far from solved. In fact, the blight of air pollution, especially resulting from automotive exhaust gases, has become a real menace to all urban areas.

This problem has been under consideration by the Committee on Interstate and Foreign Commerce for many years. In 1955, your committee reported favorably on legislation for Federal aid in air-pollution control. This legislation (Public Law 159, 84th Cong.) directs the Public Health Service to conduct and support research and to provide technical services to State and local governments and to private agencies. The law provides for a 5-year program and authorized total expenditures of $25 million.

In 1956, the Special Subcommittee on Traffic Study of this committee made a study

of noxious, toxic, and harmful motor vehicle exhaust fumes in connection with a comprehensive investigation of highway traffic safety. Testimony was taken and research activities of the industry were studied on visits to manufacturing plants.

The danger to automobile drivers and occupants resulting from exposure to exhaust fumes in traffic was called forcefully to the attention of the Traffic Safety Subcommittee in the 1956 hearings at Dayton, Ohio, by Dr. Robert E. Zipf, president of the Ohio State Coroner's Association, who urged that a research program be set up to study this problem (hearings, "Traffic Safety, 1956," p. 722).

Legislation proposed to provide standards

After consideration of the data gathered in the subcommittee study, Congressman SCHENCK, on July 20, 1957, introduced H.R. 9368, 85th Congress, to prohibit the use in commerce of any motor vehicle which discharged unburned hydrocarbons in an amount found by the Surgeon General to be dangerous to human health.

That bill directed the Surgeon General of the Public Health Service to prescribe and publish, not later than 6 months after enactment of the legislation, standards as to the amount of unburned hydrocarbons which are safe, from the standpoint of human health (with particular reference to the carcinogenic nature of unburned hydrocarbons), for a motor vehicle to discharge into the atmosphere.

The bill provided criminal penalties for any person using in commerce in the Territories or the District of Columbia, in interstate commerce, or in commerce with foreign nations, a motor vehicle which discharged unburned hydrocarbons in amounts in excess of the standards set by the Surgeon General.

Hearings on this bill were held March 17, 1958, by the Special Subcommittee on Traffic Safety. Leading experts in the field were heard and a comprehensive record of 180 pages published, which is available from the committee.

At the beginning of the present session, Congressman SCHENCK introduced H.R. 1346, a modification of his bill in the previous Congress. Congressman MCDONOUGH introduced H.R. 1297, also dealing with the problem of motor exhausts. The bill H.R. 8238, here reported with amendments, was similar to H.R. 1346 but with modifications referred to below.

Because agency reports on H.R. 1346 and H.R. 1297 were discussed by the committee in detail in connection with consideration of H.R. 8238, and the adoption of the committee substitute, the text of these two bills and the agency reports thereon are printed hereafter in an appendix to this report.

Hearings held on air pollution legislation

Hearings on air pollution legislation were held May 19 and June 24, 1959, by the Subcommittee on Health and Safety. At that time valuable information on the problem of unburned hydrocarbons was presented by representatives of the Public Health Service and others. These hearings have been printed and are available from the committee.

Additional hearings were held July 7, 8, and 9 by the subcommittee to consider automobile safety legislation, including the problem of unburned hydrocarbons.

Following the hearings, the legislation was considered by the subcommittee. Certain amendments were adopted to H.R. 1346, chiefly to section 2 to eliminate the objection raised by the Bureau of the Budget and the Department of Health, Education, and Welfare, that as written this section would necessitate the creation of a Federal enforcement organization in an area traditionally under State and local jurisdiction. Congressman SCHENCK thereafter introduced a new bill to incorporate the amendments adopted in the subcommittee and this became H.R. 8238, the bill considered by the entire committee.

In addition to the above objection, the Department of Health, Education, and Welfare, while agreeing that the provisions of H.R. 1346 relating to standards "are technically feasible of ultimate accomplishment," also opposed enactment of the legislation as introduced on other grounds set out in detail in a letter addressed to the chairman of this committee, included hereafter in an appendix to this report. After considering these objections and other aspects of the problem, the committee adopted an amendment in the nature of a substitute for the purpose of accelerating research into the problem. As outlined above, the committee substitute calls for a comprehensive study and report by the Surgeon General.

NEED FOR THE LEGISLATION

Automobile exhaust research now is being conducted by the Public Health Service. In the hearings on May 19 and June 24 the scope and progress of this research was explored by the subcommittee.

The committee is concerned about the general problem of air pollution but desires to emphasize here the importance of giving the highest priority to an investigation of the role of motor vehicle exhaust gases, especially in view of the testimony in the record regarding the important part motor vehicle exhaust gases play in contributing to air pollution in major metropolitan areas.

Also, harmful toxic effects upon drivers of motor vehicles who inhale exhaust fumes may be an important contributory cause of automobile accidents, as pointed out by Dr. Zipf in the 1956 subcommittee hearings mentioned above.

Clearly, more information is needed about the part that unburned hydrocarbons play in contributing to air pollution in general, with the attendant ill effects on human health and comfort.

We need information on how to eliminate and control harmful, toxic, and irritating motor vehicle exhaust fumes. We need more information regarding the harmful effects of these fumes on public health.

In the May 19, 1959, hearings on air pollution control legislation, the subcommittee was told that scientists know there are pollutants in the air which cause cancer, particularly in laboratory animals, and that death rates from certain types of cancer and respiratory conditions are higher in urban areas where air pollution is greater. Statistics were cited which show that lung cancer rates are twice as high for the largest cities than in rural areas. Agriculture also suffers extensive damage from air pollution.

Extensive study of problem needed

The committee feels that extensive study of carcinogens (cancer-producing agents) which may be present in motor vehicle exhausts is urgent. In that connection, the following excerpt from a statement regarding air pollution research submitted by the Public Health Service in connection with the May 19 hearings (p. 32) is of interest:

"In something less than 4 years of effort in this field, several important and significant findings have emerged from medical research on air pollution and its effect on man. Evidence strongly suggests that the slowly progressive and subtle changes that may result from air pollution cause much of the distress and disability of our aging population. Certain air pollutants found in our cities are known to be experimentally carcinogenic for animals, and there is evidence that death rates for certain causes of death increase markedly with urbanization. Specifically, these causes include cancer of the lung, trachea, and bronchus, cancer of the stomach and esophagus, arterio-sclerotic heart disease, and myocardial degeneration. Incomplete evidence suggests that the distribution of cancer mortality within cities is related to the distribution of air pollution intensity. Further medical research on the effects of air pollution is needed in order to help delineate those factors which affect human comfort, health, and life spans, so that effective and practical control efforts may be undertaken."

In the hearings on H.R. 9368, 85th Congress, March 17, 1958, the subcommittee was told in a statement submitted by the Department of Health, Education, and Welfare (hearings, p. 120):

"It has been shown that auto exhausts contains substances which, when supplied to suitable experimental animals under appropriate conditions, will increase the frequency of cancer."

Reports of studies on exhaust fumes

The committee also considered the following memorandum from the Acting Surgeon General, dated July 14, 1959, submitted by the Secretary of Health, Education, and Welfare, in response to a request from the subcommittee chairman:

"The following information is provided in response to the request of Representative KENNETH A. ROBERTS, chairman, Subcommittee on Health and Safety, concerning the possible effects on health of automotive exhaust fumes.

"Automotive exhaust fumes, and the products that result after these fumes enter the atmosphere, include numerous groups of compounds of which the unburned and partially burned hydrocarbons are only one. To our knowledge, the only pertinent studies thus far undertaken that involve the deliberate exposure of human subjects to known mixtures, or constituents, of automotive exhausts, are the studies concerned with its effect in producing eye irritation.

"Our presently available information, therefore, is limited to knowledge obtained from controlled laboratory exposures of experimental animals to constituents of automotive exhaust. The results of two such studies, conducted by Dr. Paul Kotin and his associates at the University of Southern California, have been reported in Cancer (vol. 9, No. 5, 1956, and vol. 10, No. 6, 1957). These studies involved the exposure of both tumor-susceptible and tumor-resistant mice to ozonized gasoline, a form of unburned hydrocarbon. The exposures induced an increase in lung tumors of 100 percent in the tumor-susceptible mice, and produced lung tumors in 10 percent of the tumor-resistant mice. Other effects reported included higher death rate, lighter body weights and some reduction in fertility. Dr. Kotin, in his conclusion, states: 'Differences in tumor rates and the production of hyperplastic and metaplastic changes in the bronchial epithelium in a highly refractory inbred strain warrant the consideration of polluted atmosphere characterized primarily by oxidation products of aliphatic hydrocarbons as a factor in human pulmonary carcinogenesis.'

"In our opinion, these studies justify the conclusion that constituents of automotive exhaust fumes can produce carcinogenic and other undesirable physiological effects in mice, and therefore might produce these effects in human beings. Whether they do so, however, cannot now be stated."

Discussions at Conference on Air Pollution

The need for extensive study of the contribution of motor-vehicle exhaust fumes to air pollution in metropolitan areas is indicated in papers prepared for presentation at the National Conference on Air Pollution in Washington, November 18, 1958.

Dr. Leslie A. Chambers, director of research, Los Angeles County Air Pollution Control District, said:

"Few sources of air pollution have been under such close scrutiny in recent years as the automobile and other petroleum fueled vehicles. This attention is well deserved on the basis of the firmly established major role of vehicular exhausts in the production of smog in Los Angeles, and the inevitable inference that automobile exhausts are contributing heavily to air pollution in other metropolitan areas."

Dr. Paul Kotin, associate professor of pathology, University of Southern California School of Medicine, Los Angeles, said:

"Certain epidemiological facets of the increasing incidence of lung cancer suggest that the atmospheric environment may be casually associated with this observed increase."

Dr. Lester Breslow, chief, Bureau of Chronic Disease, California State Department of Health, said:

"The findings of the several investigations briefly reported here add up to a substantial justification for concern about the long-term effect of repeated exposure to air pollution. Evidence is gradually accumulating which suggests that air pollution of various types chemically and physically, may be involved in such important lung conditions as chronic bronchitis, asthma, emphysema, and lung cancer."

Dr. Thomas F. Mancuso, chief, division of industrial hygiene, Ohio State Department of Health, Columbus, said:

"I believe that air pollution represents a highly probable and important factor in the excess of lung cancer in urban areas, acting directly and augmenting the occupational exposures of men so that carcinogenic and cocarcinogenic agents of both environments may be involved."

Recommendations of national conference

The National Conference on Air Pollution recommended additional research to devise effective control methods for various types of emissions, with particular attention to problems of automobile exhausts.

In a summary of the highlights of that conference, published by the Department of Health, Education, and Welfare (Public Health Service Publication No. 648), it is stated (p. 14):

"The transportation industry's greatest pollution problem is the exhaust emitted from the tailpipe of the automobile. Although the public is more aware of the smoke and odors emitted from diesel engine buses, trucks and trains, these are relatively minor sources as compared to automobile exhausts.

"The most significant emissions from automobile exhausts are carbon monoxide, oxides of nitrogen, and organic substances. The latter two are the major cause of the Los Angeles smog and are a problem of growing importance in many other cities. There are probably several thousand organic components involved, which have varying effects on eye irritation, toxicity, plant damage and visibility. More needs to be known about the individual components of exhaust emissions and the meteorological factors which govern the formation of reaction products. Satisfactory methods of reducing this pollution have yet to be developed, although the automobile industry has made some progress in achieving better combustion and thus reducing the amount of fuel that escapes into the air."

Studies of fumes in metropolitan areas

In the hearings March 17, 1958, on H.R. 9368, 85th Congress, Dr. Clarence A. Mills, professor of experimental medicine, University of Cincinnati, presented three exhibits giving some very interesting results of his study of air pollution problems. His testimony indicates the urgent need for further study of the part motor-vehicle exhaust fumes play in contributing to air pollution in metropolitan areas.

In his statement he had the following to say regarding his exhibit C, an article from the November 1957 issue of Cancer Research (hearings, p. 75):

"Now, exhibit C, the tobacco smoking, motor exhaust fumes and general air pollution in relation to lung-cancer incidence, represents a very serious effort to assay the various factors at work in the amazing and very alarming rise in lung-cancer incidence in American cities, much more in the cities than in the country districts, and the finger of suspicion has been pointed very strongly at tobacco smoking, there had been some suspicion of general urban air pollution being a factor also, but there had been no real serious effort at separate evaluation of those factors in this lung-cancer situation.

"This report, exhibit C, presents my findings there which, in essence, indicate tobacco smoking, and primarily cigarette smoking, as the major etiological causative factor in lung-cancer incidence, but that tobacco-smoking effect is more than doubled for those urban residents who drive more than 12,000 miles a year on an average in urban traffic.

"It is still higher for those tobacco smokers who drive that much and then live in the dirtiest part of the city.

"So we have there a very first strong hint that motor-exhaust fumes are a significant factor, mathematically significant also, in the incidence of lung cancer."

The committee recognizes the urgent need for additional and expanded research on the problem to determine how motor vehicle exhausts contribute to air pollution and the harmful levels of concentration endangering human health. This research is necessary to establish criteria upon which engineers can develop better control methods.

In a letter to the chairman of the Subcommittee on Health and Safety, dated July 16, 1959, Hon. Arthur S. Flemming, Secretary of Health, Education, and Welfare said:

"It should be pointed out that the role of the Public Health Service in the auto exhaust problem is essentially one of research related to the characterization of exhaust components and to their effect."

I am very much concerned with the passage of adequate legislation to control this, having introduced a bill with my colleague, the gentleman from Ohio. I trust we will obtain a satisfactory report from the Public Health Service soon and that we will be able to implement the recommendations of the Public Health Service as soon as possible.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The title was amended so as to read: "A bill to authorize and direct the Surgeon General of the Public Health Service to make a study and report to Congress, from the standpoint of the public health, of the discharge of substances into the atmosphere from the exhausts of motor vehicles."

A motion to reconsider was laid on the table.

Mr. SCHENCK. Mr. Speaker, I want to express my deep appreciation and sincere thanks to the Members of the House for their approval of H.R. 8238 today. This measure is of great importance for the protection of human health from the harmful substances I am convinced are contained in automotive exhaust gases. It is my sincere hope, Mr. Speaker, that this proposed legislation will receive prompt attention in the other body and that it will be approved.

Engineers and scientists in the automotive and allied fields are to be sincerely commended, Mr. Speaker, on the progress made thus far in working on these problems, but much more needs to be done and done promptly in the public interest. It is my hope, Mr. Speaker, that the approval of this measure here in the House today will serve to encourage greater interest and an early solution.

The Congress, by approving this measure, Mr. Speaker, will focus public attention upon these dangers to human health, especially in areas of congested and slow moving automotive traffic and I am certain that such attention will bring public demand for adequate protection. I feel certain also that many local communities and states will be encouraged to take appropriate action.

There is no doubt in my mind, Mr. Speaker, but that the Surgeon General and all those associated with him will be able to establish proper standards of safety in automotive exhaust gases well within the time limitation of two years as required by the provisions of H.R. 8238.

I am completely confident, however, Mr. Speaker, that automotive engineers and other scientists will find the proper solutions to these problems with or even perhaps without the need for any new device or attachment. The best forecast of the future needs but a brief review of accomplishments in the past to note that our U.S. engineers and scientists can always achieve the proper answers when confronted with the necessity of doing so. The automotive industry in our United States has, by sheer skill, ability, and know-how, produced the best engineered and best appearing automobiles in the entire world. A method of controlling exhaust gases so that they will not be harmful to human health coupled with the production of efficient automobiles of pleasing design and style which at the same time include safety devices for the protection of everyone are but two of the challenges that will be met successfully through American ingenuity.

It is not my purpose or intention, Mr. Speaker, to create any undue hardship on the very important automotive industry. I am convinced, however, Mr. Speaker, that these matters to which I have referred are essential in the public interest and I am sure that these challenges can be and will be met because such is the history of American ingenuity and accomplishment.

Mr. SCHENCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

AUTHORIZING PARTICIPATION BY THE UNITED STATES IN PARLIAMENTARY CONFERENCES WITH MEXICO

Mr. SAUND. Mr. Speaker, I move that the House suspend the rules and

pass the joint resolution (H.J. Res. 283) to authorize participation by the United States in parliamentary conferences with Mexico, as amended.

The Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That not to exceed twenty-four Members of Congress shall be appointed to meet jointly and at least annually and when Congress is not in session (except that this restriction shall not apply during the first session of the Eighty-sixth Congress or to meetings held in the United States) with representatives of the Chamber of Deputies and Chamber of Senators of the Mexican Congress for discussion of common problems in the interests of relations between the United States and Mexico. Of the Members of the Congress to be appointed for the purposes of this resolution (hereinafter designated as the United States group) half shall be appointed by the Speaker of the House from Members of the House (not less than four of whom shall be from the Foreign Affairs Committee), and half shall be appointed by the President of the Senate from Members of the Senate (not less than four of whom shall be from the Foreign Relations Committee). Such appointments shall be for the period of each meeting of the Mexico-United States Interparliamentary group except for the four members of the Foreign Affairs Committee, and the four members of the Foreign Relations Committee, whose appointments shall be for the duration of each Congress.

SEC. 2. An appropriation of $30,000 annually is authorized, $15,000 of which shall be for the House delegation and $15,000 for the Senate delegation, or so much thereof as may be necessary, to assist in meeting the expenses of the United States group of the Mexico-United States Interparliamentary group for each fiscal year for which an appropriation is made, the House and Senate portions of such appropriation to be disbursed on vouchers to be approved by the Chairman of the House delegation and the Chairman of the Senate delegation, respectively.

SEC. 3. The United States group of the Mexico-United States Interparliamentary group shall submit to the Congress a report for each fiscal year for which an appropriation is made including its expenditures under such appropriation.

SEC. 4. The certificate of the Chairman of the House delegation or the Senate delegation of the Mexico-United States Interparliamentary group shall hereafter be final and conclusive upon the accounting officers in the auditing of the accounts of the United States group of the Mexico-United States Interparliamentary group.

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection a second will be considered as ordered.

There was no objection.

Mr. SAUND. Mr. Speaker, I yield such time as he may require to the distinguished chairman of the Committee on Foreign Affairs, the gentleman from Pennsylvania [Mr. MORGAN].

Mr. MORGAN. Mr. Speaker, I rise in support of House Joint Resolution 283, a resolution to authorize participation by the United States in parliamentary conferences with Mexico.

This resolution will make it possible for an interparliamentary group on the part of the House and Senate to meet with Mexican legislators to discuss various matters and problems common to the interests of both our countries. Earlier during this session the Congress approved a resolution establishing a similar interparliamentary relationship between the United States and Canada and two meetings have since taken place. These two meetings resulted in friendly exchanges of views and discussions on mutual problems which can only lead to a better understanding.

I urge the passage of House Joint Resolution 283 so that it may provide for the other great nation which borders our country on the south the same helpful parlimentary relationship which we have now established with our northern neighbor.

Mr. GROSS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, it was not so long ago that legislation was before the House to provide for one of these parliamentary deals with Canada. At that time I asked how long it would be before there would be such an arrangement with Mexico. I suspected but did not know then that another new resolution would follow so quickly, but here it is on the floor, here is another junketing setup.

I repeat again, we have the Interparliamentary Union, the granddaddy of them all. That has been in existence since back in the 1880's. I have never been able to ascertain what it has accomplished. If any Member of the House can tell me anything of substance accomplished on the part of the Interparliamentary Union I yield to him or her now to do so. Nor do I know what is expected to be accomplished with this organization that is to be established here today.

In addition to the Interparliamentary Union there is another junketing organization, the NATO parliamentary group which has just completed a nice trip over to London.

I have been unable to learn what this outfit accomplished, if anything, and that leads me to ask this question: Why the round figure of $30,000 you are asking for this new one? How do you arrive at the figure of $30,000?

Mr. MORGAN. The gentleman knows, of course, that was the amount contained in the Canadian resolution, and it was incorporated in this one.

Mr. GROSS. In other words, it is just a nice round figure that was plucked out of the air.

Mr. MORGAN. No; it was worked out in detail in the case of Canada, and in several other instances, the same figure was found to be a practical basis for estimating actual required expenses.

Mr. GROSS. All right, you do not know why it was incorporated in the bill, except that $30,000 has become an accepted figure for interparliamentary expenses.

I understand that there are some uneasy people around here who are scheduled to take off on the Interparliamentary Union junket to Warsaw, Poland, the last of this month. They are fearful Congress will not adjourn soon enough. Does anyone have any idea when this junket is going to set out for Mexico City. Can any of those who sponsored this resolution give me any idea as to when the first junket will take place?

Mr. SAUND. It cannot go until the money is appropriated.

Mr. GROSS. I understand that.

Mr. SAUND. And the Appropriations Committee will have to act before the money is available. The time and place will have to be negotiated between representatives of the Congress of Mexico and the Congress of the United States.

Mr. GROSS. You do not have the money now, do you?

Mr. SAUND. Oh, no; this is just the authorizing resolution.

Mr. GROSS. You do not plan to spend your own money on this, do you?

Mr. SAUND. That is a very strange question.

Mr. GROSS. The answer, of course, is that you are not going to spend your own money on this sort of thing, so you will have to wait until the Appropriations Committee gives you this $30,000.

Mr. TABER. Mr. Speaker, will the gentleman yield for a question?

Mr. GROSS. Yes, I am happy to yield to the gentleman from New York.

Mr. TABER. I am wondering what they have all these things for. I do not think anybody would send me, because I would not go.

Mr. GROSS. I appreciate that, and I am sure the gentleman realizes that the $30,000 is not the only expense involved in these junkets. They undoubtedly will get a free plane ride from MATS, so the money appropriated is not the total bill for any of these junketing outfits.

Mr. TABER. It runs into real money.

Mr. GROSS. Of course it runs into real money. The $30,000 is only the start.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. GROSS. Mr. Speaker, I yield myself 2 additional minutes; and I wonder if the Speaker is not going to run out of Members if the House keeps on authorizing junkets; if the Speaker is not going to run out of Members to send.

The SPEAKER. That is not a parliamentary inquiry.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. HOFFMAN of Michigan. I did not understand that the gentleman was making a parliamentary inquiry. I think the inquiry was directed to having the Speaker recognize that sometime we would not have any more money.

Mr. GROSS. It is not a question of money entirely; it is a question of having enough Members to go on all these junkets if they happen to take place at the same time.

Mr. HOFFMAN of Michigan. We will increase the membership.

Mr. GROSS. I see.

I want to get back to my other question: Is it proposed to organize a parliamentary group to go over to Cuba, down to Ecuador, another one for Brazil, and another one for Argentina, and so forth? Where is this kind of business going to stop?

Mr. MORGAN. The gentleman knows that Cuba and Argentina do not join our

borders. This resolution, like the Canadian resolution, concerns a country that has a contiguous border with our own.

Mr. GROSS. That is not the story of the Interparliamentary Union, and the gentleman knows it.

Mr. MORGAN. This is not an Interparliamentary Union resolution.

Mr. GROSS. It is very similar to it. Mexico, I have no doubt, is a member of the Interparliamentary Union. Is it or is it not?

Mr. MORGAN. Yes, it is a member of the Interparliamentary Union.

Mr. GROSS. Then why this organization?

Mr. MORGAN. This organization will help provide a forum for informal discussion of our common problems. We share many common problems with Mexico.

Mr. GROSS. How have these common problems been taken care of in the past?

Mr. MORGAN. Many of them have not been, and that is the reason we need this organization.

Mr. GROSS. Do we have a serious situation so far as Canada and Mexico are concerned?

Mr. MORGAN. No, we do not, but we do have many mutual problems which can be helped by frank and friendly discussion.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. SAUND. Mr. Speaker, I yield such time as he may desire to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Speaker, I rise in support of House Joint Resolution 283. I introduced a similar resolution. I am pleased to join with the gentleman from California in urging the House to pass this particular piece of legislation. The most important areas in the Western World, as far as future relations with the United States are concerned, are the Dominion of Canada and the Republic of Mexico. These are our two good neighbors to the north and south. We have a language barrier as far as relations with the Republic of Mexico are concerned, but I hope this barrier will be dissipated as time runs on by an increased knowledge on both sides of the border of the tongues which are spoken in each country. I hope, also, that this barrier will be dissipated by an interchange of delegations such as is encompassed in this resolution.

It is certainly a healthy thing for legislators on this side of the border to meet with legislators on the other side of the border; it is a healthy thing for the legislators of this Nation, this oldest modern republic, to meet also with the Spanish-speaking representatives of the Republic of Mexico, one of the bright shining lights of our democratic way of life and the republican form of government in the Western World.

Mr. Speaker, I hope this resolution will be adopted.

Mr. SAUND. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. COAD].

Mr. COAD. Mr. Speaker, it has never been my policy, and is not today, to take exception to my colleague from Iowa, one who has spoken possibly on more subjects than I have ever read about. But today he has spoken disparagingly about the NATO Conference, which I attended in London about 2 months ago. I notice this subject has come up in his conversation in addressing the House quite a number of times.

I have been a Member of this House since 1957. This is my third session in the Congress of the United States. I have stood here on the floor of the House of Representatives, and I have voted on bills that have amounted to billions and billions of dollars, the amounts of which I could never count. I have been held responsible to the constituency of my district for my actions here. Every Member of this House, including the gentleman from Iowa [Mr. GROSS], has voted many times in absolute and total darkness on some of the items that have been in these bills, because of the cloak of security and the lack of specific information. I think many times it is an atrocity and a crime that we commit upon our constituencies to have to vote in such darkness. I am not one who would be for junkets and for the flagrant misuse of the taxpayer's money, and I would be the last one to defend anything that smacked of that kind of operation.

I do say, and I contend here now, that it is an overall narrow viewpoint to say that there can never be a time when a public official, especially of the House of Representatives or the other body, cannot go out into the world and see and observe firsthand what is going on in connection with his duties and his responsibilities here. I do not hear anyone decrying the aspects of travel on the part of the Executive. We have planes coming in and going out of the United States, across the world to every dark and distant corner, and we expect them to go and they ought to go, because they are executing the laws that we here make.

Yet, supposedly we are supposed to sit here in our idle darkness and do nothing and be ignorant. And, I want to say this, that before I left for London I invited my colleague from Iowa to go along, and he declined. I wish he had gone, because I learned more on that trip about international affairs, sitting side by side with representatives from Italy, from France, and many, many other nations of the free world. And, I found that I have a greater respect for some of their problems, and I found that I am a better legislator as far as international affairs are concerned since I have been to London.

Mr. GROSS. Mr. Speaker, I yield myself 5 additional minutes.

Mr. Speaker, I have no apology to make to the gentleman from Iowa [Mr. COAD], or anyone else, for speaking often on the floor of the House and I intend to continue raising questions about spending bills. I do not know to whom he was alluding when he spoke of legislating in the dark. I do not legislate in the dark. I try to find out what these bills are about. Perhaps he legislates in the dark; I do not.

Mr. COAD. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Iowa.

Mr. COAD. You know as well as I do, or at least I am sure you do, that there are many times when bills come up here, that the name of the country cannot even be named, because it is held in confidence; it is a secret matter. You know that there are many projects that are brought up that you and I do not know anything about. They are secret.

Mr. GROSS. After having gone abroad and seen some of the rat holes in connection with foreign aid, it would not do you very much good, because it would still be classified. It is not necessary to spend the taxpayers money to go overseas to know what kind of an operation foreign aid has become. You do not have to spend thousands and thousands of dollars of the taxpayers' money to find that out. The record is pretty clear.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Washington.

Mr. PELLY. I am supporting this resolution. I would like to explain that I know of my personal knowledge of the many problems that we have with our two neighboring countries as regards the border. I know that with Canada we have problems over water and fish, and I know with Mexico we have many problems over shrimp fisheries. For that reason I think it would be good if the position of our legislators were known to the legislators of Mexico, for instance, and therefore I am going to support the resolution. I want to commend the gentleman for taking the time when he gets on the floor and develops the information about these resolutions. There is no one that I have more respect for than the gentleman from Iowa for the job that he does of bringing light out on many of these dark situations.

Mr. GROSS. I thank the gentleman. But, I want to point out that we also have troubles with Cuba. Are the problems with Cuba to be solved by organizing a parliamentary group to go over to Cuba? We have problems, I suspect, with every South American country and every country in the world. Is the answer to organize another parliamentary group?

Mr. PELLY. Mr. Speaker, if the gentleman will yield further, I would agree with the gentleman, but this particular time we are talking about a nation with which we have a common border. I support the resolution, but not for Cuba or many other nations the gentleman has referred to.

Mr. GROSS. I appreciate the gentleman's comment. It is a good deal like this business of economy tomorrow, not today, but tomorrow; we will start saving money tomorrow; not today. And tomorrow never comes.

Now, with respect to the conference that the gentleman talked about, his junket over to London a short time ago, if there was anything accomplished as a result it is not of record. It cost around $6,000 to send a MATS plane over to London and return, and I challenge anyone to stand on the floor and tell me now of anything concrete that was accomplished on that junket. No, I do not legislate in the dark; I find light on almost

every subject that I am willing to look for the light, and I do not appreciate the comments of the gentleman from Iowa [Mr. COAD].

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Suppose a committee of the Congress has the duty of handling foreign affairs and then, according to the committee, members of a particular subcommittee are asked to go and look into an argument. For example, on the argument between Pakistan and India as to the dams that are being built and why they cannot agree, consulting with the officials there; or on Formosa, to see whether the Army is getting too old, or whether the reports we receive are true. Does not the gentleman think, in the same context, that as part of our foreign policy it is worth while to make this expenditure of money to send a group over there? The gentleman himself was sent over there in World War I as a serviceman, to do his duty for the United States of America, and he went and did his duty well, as I understand. That can be taken in the same context as these people who have their duties as Members of Congress and who do what the committee feels is the right thing to do. And I think they are doing a good job, just as the gentleman did during World War I.

Mr. GROSS. My quarrel is with those Members of Congress who take their wives and their families on junkets at Government expense. I have never opposed legitimate expenditures on the part of Members of Congress.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. BECKER. With reference to the remarks made by a previous speaker about operating on bills in this House in the dark, from my experience in this House, the gentleman who now has the floor, Mr. GROSS, would be the last one in my opinion about whom it could be said that he operates on legislation in the dark. I say honestly and sincerely that there is no man in this House, whether we agree with him at times or not, about whom it can more truly be said that he does not operate on the floor of this House in the dark on any legislation.

Mr. GROSS. I thank the gentleman.

The SPEAKER. The question is, Will the House suspend the rules and pass House Joint Resolution 283, with amendments?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

A motion to reconsider was laid on the table.

AGAINST SEATING OF COMMUNIST CHINA IN THE U.N.

Mr. ZABLOCKI. Mr. Speaker, I move to suspend the rules and pass the concurrent resolution (H. Con. Res. 369) expressing the sense of Congress against the seating of the Communist regime in China as the representative of China in the United Nations.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that its opposition to the seating in the United Nations of the Communist China regime as the representative of China should be and is hereby reiterated; and be it further

Resolved, That it is hereby declared to be the continuing sense of the Congress that the Communist regime in China has not demonstrated its willingness to fulfill the obligations contained in the charter of the United Nations and should not be recognized to represent China in the United Nations.

The SPEAKER. Is a second demanded?

Mr. JUDD. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman opposed to the concurrent resolution?

Mr. JUDD. Mr. Speaker, no, I am not.

Mr. MEYER. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman opposed to the concurrent resolution?

Mr. MEYER. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, House Concurrent Resolution 369 was introduced by me. An identical resolution was introduced by the gentleman from Minnesota [Mr. JUDD].

The mutual security appropriation bill for 1960 included a section expressing opposition to the seating in the United Nations of the Communist regime in China as the representative of China. On a point of order made by the gentleman from Oregon [Mr. PORTER], this section was stricken as being legislation in an appropriation bill. In order that the record be clear that said action did not constitute a change of opinion or policy of the Congress of the United States, House Concurrent Resolution 369 was introduced. The single purpose of this resolution is to reaffirm the attitude of the Congress that it is opposed to the seating of Communist China in the United Nations.

The General Assembly of the United Nations will reconvene on September 15. Because there are only a few more weeks in this congressional session it is necessary that this House and the other body act on this resolution before Congress adjourns.

There should be only one test in voting on this resolution; that is, to determine whether Communist China meets the qualifications set forth for admission. Mr. Speaker, in article IV of the Charter of the United Nations, it is clearly spelled out that membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present charter and in the judgment of the organization are able and willing to carry out these obligations.

The Communist regime in China is still seeking to gain respectability. It wants to increase its prestige and influence by membership in an organization devoted to the peaceful settlement of international disputes. Yet it was only a few months ago that that regime engaged in barbarities in Tibet that shook the world.

Since 1948 the House on 15 occasions has approved language opposing the admission of the Communist regime in China to the United Nations and its specialized agencies. We are only reiterating that position.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks; and I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this resolution.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KING of Utah. Mr. Speaker, will the gentleman yield for a question?

Mr. ZABLOCKI. I yield.

Mr. KING of Utah. I wonder if the gentleman from Wisconsin would like to discuss for just a moment the relationship between the problem of granting a seat to Communist China in the United Nations on the one hand and the general problem of our granting diplomatic recognition to Communist China on the other hand.

I would like to know, in other words, whether voting for one would in any way constitute a commitment on the other issue.

Mr. ZABLOCKI. Not necessarily. I do not think it would at all. Under our Constitution recognition is vested in the President. It is my belief, however, that a President would give consideration to the overwhelming and repeated expressions by the Congress on this subject.

I do not think we should take any action at this time which might in any way suggest that we have changed our opinion on the admission of Communist China while it still is branded an aggressor nation.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman for a question.

Mr. BECKER. I do not know how the time is going to be divided here and whether or not we can get time, but I certainly do want to be on record as backing up what the gentleman said. I could in no wise support the proposition of recognition of Red China or her admission to the United Nations while they are holding as prisoners today not only American soldiers but American civilians, and have cruelly tortured them. I see no reason why we should recognize them until they have purged themselves of this wrongdoing.

Mr. ZABLOCKI. I am sure the gentleman would want to advise the House that there are 450 prisoners of war who are not accounted for and the Communist regime does not intend to account for them. I do not think we should ever entertain any proposition that would weaken or soften our position as to the admission of Communist China so long as we do not have a proper accounting.

Mr. BECKER. I agree with the gentleman.

Mrs. GREEN of Oregon. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentlewoman.

Mrs. GREEN of Oregon. It is the sense of this resolution that Red China should not be admitted to the United Nations at the present time. Is that correct?

Mr. ZABLOCKI. That is correct.

Mrs. GREEN of Oregon. Does the gentleman from Wisconsin by supporting this resolution rule out the possibility of the United States, or the Congress, supporting a policy which might include reevaluation and possible steps leading to the admission of Red China to the United Nations?

Mr. ZABLOCKI. I would like to advise the gentlewoman I think the first steps should be taken by Communist China. The burden is on that country to demonstrate beyond any doubt that it is able and willing to carry out its international obligations in keeping with the Charter of the United Nations. It is not for us to lead Communist China into the United Nations.

Mrs. GREEN of Oregon. Then the gentleman does admit, however, steps might be taken toward the eventual admission of Red China to the United Nations?

Mr. ZABLOCKI. There may come a time when Communist China may qualify. But on the basis of China's recent activities I cannot see where we can be hopeful in that respect.

Mrs. GREEN of Oregon. Mr. Speaker, the major question posed in this resolution is not one which can honestly or conclusively be answered by an unqualified "yes" or an emphatic "no." If the question were simply whether Red China should be admitted unconditionally and immediately today to the United Nations, I would gladly vote against this. Red China has not, as of today, earned this right. But if this resolution can be interpreted as involving a permanent congressional commitment to a policy of exclusion of Red China from the UN regardless of what may develop, then I cannot support the resolution.

In the first place, the President, of course, has the constitutional function of guiding the Nation's foreign policy. The participation of the Congress in that function is a limited one, at best, and extends to only some sectors of the foreign policy field.

It seems to me the height of inconsistency—one week to have the President of the United States invite Khrushchev to this country to discuss international problems in the hope of easing world tensions—and in the next week have the Congress pass a resolution that Red China must not be admitted to the United Nations to discuss the same international problems with the same hope of lessening world tensions.

For years the question has been argued as to whether membership in the United Nations should be one of universality or whether membership should be limited to only the nations enjoying the friendship of the present members. John Foster Dulles had some interesting comments to make on this when he wrote his book, "War or Peace" in 1950:

> I have now come to believe that the United Nations will best serve the cause of peace if its Assembly is representative of what the world actually is, and not merely representative of the parts which we like. Therefore, we ought to be willing that all the nations should be members without attempting to appraise closely those which are good and those which are bad. Already that distinction is obliterated by the present membership of the United Nations.
>
> Some of the present member nations, and others that might become members, have governments that are not representative of the people. But if in fact they are government—that is, if they govern—then they have a power which should be represented in any organization that purports to mirror world reality.
>
> If the Communist government of China, in fact, proves its ability to govern China without serious domestic resistance, then it, too, should be admitted to the United Nations. However, a regime that claims to have become the government of a country through civil war should be not recognized until it has been tested over a reasonable period of time.
>
> If the United Nations membership were made substantially universal, that might end a preponderant voting superiority of the United States and its friends which, while pleasant, is somewhat fictitious.
>
> Communist governments today dominate more than 30 percent of the population of the world. We may not like that fact; indeed we do not like it at all. But if we want to have a world organization, then it should be representative of the world as it is.

As I said earlier, I could not in good conscience vote for the immediate admission of Red China to the United Nations. Our recognition of the Peiping regime should never be an unconditional affair. It should certainly be predicated upon some very concrete conditions. The Peiping government should give more assurances that it will respect the terms of the Korean settlement, and the Indochina settlement. The Chinese Government should bear the burden of proof that it is, in fact, able and willing to carry out the obligation of a member of the United Nations before it is admitted to the United Nations. But these conditions should be negotiated for. Recognition and admission to the U.N. should be questions to be discussed. We want some things from China. We want the release of Americans held in Chinese prisons. We want an increased stability in the Far East. We want a permanent cease fire in the Formosa Straits. Very well, then. We cannot expect to stand aloof, ostentatiously ignoring the very existence of the Peiping Government. We cannot obtain what we want without negotiating, and we cannot negotiate while maintaining the childish premise that the country with which we are negotiating does not exist. This kind of behavior may be suitable among children. It is not suitable for adults, and it is highly undignified behavior for a great nation such as ours.

In the winter volume of the Columbia University Forum, there is a very provocative article called "The Politics of Sentimentality." In this article, the author, Nathaniel Peffer, has this to say in regard to the present realities of our foreign policy:

> The contrast with our relation to Russia is revealing. Russia too is a declared enemy, its hostility expressed with no less bluntness than China's. Its social philosophy is no less inimical to our instincts and beliefs than China's. More important, Russia is far more dangerous than China. Indeed, the threat from China derives from its affiliation with Russia rather than from its own capacities. Yet we manage to remain moderately calm in contemplating Russia and dealing with it. There is suspicion, distrust, anger, but there is no hysteria. We have an Embassy in Moscow; Moscow has an Embassy in Washington. We debate with the Russians in the United Nations, exchange social amenities. Our citizens visit Russia, Russians visit here—with limitations in each case, it is true. We analyze calmly our position vis-a-vis Russia and do not act precipitately, wildly or provocatively. There are those among us who go beyond the bounds of reason, but they do not carry with them the government or the majority of the people.
>
> But China? To acknowledge that the Communist government effectively controls China—as the Communist Party controls Russia—is, among our statesmen, to betray the eternal verities. Russia sits in the United Nations—"peace-loving" in accordance with the qualifications for membership—but to admit the effective government of China would apparently be to defile the high thinking, noble ideals and fraternal harmony of that body, spread contagion through the American body politic and renounce the principles of the Founding Fathers. And to all this the American people give assent in a kind of national hypnosis. The vendetta has become almost a sacred trust for the Nation.
>
> No country or people at this time in history—or ever—can afford the luxury of sentimentality in that which concerns peace or war. It was a luxury this country could perhaps afford when it was less prominent in world politics; now the United States holds the power of decision for much of the world. How does a people disembarrass itself of folly, of shallow and meretricious psychology—or of any psychology, for that matter? It is a slow and difficult process, but the American people had better begin it. A healthy revision can come only by a cool, reasoned examination of how the psychology took form and of what it is compounded.

The United Nations, Mr. Speaker, is not supposed to be a polite club, composed of like-thinking gentlemen who never disagree about anything important. It is a world forum, open to nations on both sides of just about every possible dispute, in the confines of which contending nations can come and air their differences. The airing of these differences does not always produce the results we would like. But the airing of differences in the Suez crisis, in the Lebanese crisis, in the Iranian crisis, and in a score of other crises, small and large, has usually resulted, if not in the precise solution which we would draw up if we were dictators of all mankind, in at least a nonviolent accommodation. The U.N. has been assailed as a talking shop. This term of derogation, Mr. Speaker, was also used by the late Adolf Hitler in his criticisms of free parliaments. But even if the U.N. is a talking shop, and even if much of the talk is in terms which we do not like to hear, the fact remains that hard words are better than hard radiation, hot arguments are better than hot wars; cold rebuffs are better than cold steel as a means toward the end which we all serve—peace and international security.

I would hope that some reasoned consideration could be given to steps that might lead to the eventual admission of the Peiping government to the United

Nations. Perhaps this would involve removing China altogether from the fifth permanent seat on the Security Council—and replacing her with India, a nation equally important in Asia and in the world. If eventually admitted as a simple member of the Assembly, on a par with Formosa and with other members of the U.N., China's one vote would not substantially increase the Soviet bloc and would certainly not overwhelm our own built-in majority in the Assembly.

In discussing these possibilities, we will be assuming a policy more in accord with the realities of the world around us; and the vital fact is that Red China will have been brought forth from behind her Bamboo Curtain into the international forum where she can be talked to about the problems in which she is involved. Are we, for instance, Mr. Speaker, sincere in our efforts to gain workable disarmament agreements? Do we really mean what we say about an inspection system? I do not know whether such agreements can be reached. But, certainly, if they do not include China, they cannot be meaningful agreements in any sense of the word.

The Fifth World Order Study Conference, called by the National Council of Churches, recommended that we give careful study to the problems involved in Peiping participation in the U.N. and recognition of China by the United States. I had the honor to be present at that conference, and to listen to very outstanding addresses on this question by the late John Foster Dulles, then Secretary of State, Thomas K. Finletter, former Air Force Secretary, and others. I participated in the deliberations of that conference, and I came away feeling that the conference had taken a wise and thoughtful middle position, between those who would have us immediately recognize Red China, unconditionally, and those who would have us close our minds to the possibility and our eyes to the realities.

On the China issue, the conference declared that Christians should urge "reconsideration by our Government of its policy. While the rights of the people of Taiwan—Formosa—should be safeguarded, steps should be taken toward the inclusion of the People's Republic of China in the United Nations." At the same time, the document stressed that such recognition does not imply approval of mainland China's government.

May I repeat—at no time did the action of the Cleveland Conference call for the immediate recognition of Red China. This conference consisted of 600 churchmen who were officially appointed representatives of their churches. Many denominations of the National Council of Churches were represented.

It was with deep regret and a sense of personal affront that I saw exaggerated and misleading accounts of that conference and a maligning of the many devoted churchmen who were active at the conference. There are differences of opinion in regard to the question of our relations with Red China. But I believe we have reached a dangerous position when persons can have their patriotism attacked for supporting a position which they consider to be in the best interest of the United States. I ask unanimous consent to have printed at this point in my remarks some editorial comment on the Cleveland Conference and the reaction to it. The first is from an editorial in the February 9 issue of the Presbyterian Outlook.

It is regrettable that the significant fifth world order study conference held in Cleveland in November should have had almost its total impact swallowed by concern for the proposed recognition of Red China by the United States and its admission to the United Nations. It seems, however, that few people will be able to get beyond that single point in the significant message.

The flame is being fanned just now by habitual opponents of the National Council of Churches, which called the conference, and by others, some of whom are clearly misled. Others, whose leadership has been widely discredited, are seeking to capitalize on this difference of opinion.

Then, there are others who are just opposed to the statement—on the basis of what they understand about it.

In this comment we may get caught in the crossfire between these groups, but what we want to do—and all we are concerned here to do—is to clarify a few points that seem to be widely misunderstood or distorted, and to raise some questions.

These study conferences are not new. The National Council and other groups have been calling them for a long time. The conference is free to make its own way, to come to its own conclusions. That seems to be the only way such studies can be conducted where competent people from many walks of life are to be involved. The council's own studies are subjected to long and careful scrutiny and a series of approvals before they are adopted. A study conference could not use this technique.

The delegates at Cleveland were named, not by the council, but by the denominations, by council groups and affiliated agencies. Two-thirds of these were not "impractical preachers," but down-to-earth, hard-headed laymen. This was designed to get grassroots convictions rather than collecting the judgments of the top brass. Calling such an able and important group together, the council would find it neither possible nor desirable to control its decisions or to censor its conclusions. Nor would it be possible for it to assume responsibility for its findings.

Some of the professional declaimers have, as usual, made much of statements that the conference spoke for 38 million Protestants. Newspaper reporters use whatever language they choose. We have it on good authority that neither the conference nor its agents made such a claim as to speak for anybody but the conference itself.

Much of the fury stirred up by the Daniel Poling, et al., promotion, is understandable. The mailing to 45,000 to 50,000 ministers represents possibly one-fifth or one-sixth of the total number of American clergymen. What list was used? Further, accompanying the mailing was a reprint from the Communist Daily Worker which was clearly designed to load the issue—guilt by association could not be escaped. There were more accurate stories of the conference printed in hundreds of papers, but only this one was chosen for the mailing.

The committee behind the mailing is making extravagant claims about its activities that would be hard to support. Further, and significantly, it is calling desperately for money—to make up last year's deficit.

Now, and most importantly, what about the rest of the Cleveland Message? What are the critics doing or going to do about that? Or, will they still allow the objectionable portion to loom so large that they will never see or appreciate the primary objective of Cleveland—to stress the immediate task of every Christian which is "to seize the initiative in the prevention of war and the achievements of peace"? Will they not concern themselves with the statements on the control of nuclear weapons, disarmament, the United Nations, our general attitude toward Communist Nations, problems related to newly created nations and domestic problems that have a bearing on our effectiveness overseas? Will they never get down to this?

On the specific point of the recognition of Red China—whatever you may think about that—let us pose a few questions that deserve answers:

Does recognition imply approval? If so, do you approve Franco Spain, or Batista Cuba or the Castillo Armas government in Guatemala that "shoots its way to power," or a new government in Iraq that is established by a brutal coup—or a dozen other governments with which we do business?

These are questions that need to be answered.

And next, Mr. Speaker, I should like to include the very timely and thoughtful article written by the Reverend Charles Bayer, minister of Shepherd Park Christion Church in Washington, D.C., entitled "Lest We Forget".

History stands in judgment upon every nation, culture and government, and this includes our own. In the 1840's a Frenchman named Alexis deTocqueville observed, after extensive studies of American Government, morals and culture, that if America ever falls it will be by the tyranny which removes from any man the right to express an opinion. DeTocqueville feared that when a majority of the people become conditioned to one idea or one set of ideas, any other opinion becomes intolerable. He warned us that democracy will destroy itself when the voice of the minority is silenced.

We have already seen, from time to time, that those who deviate from a given opinion are subject to the gravest social penalties—no, not imprisonment, but more crushing, the loss of the right to exercise the God-given capacity to think and to propagate the fruits of one's thinking. A minister was recently removed from his pulpit for advocating the simple doctrine that people of different races ought to have opportunities to find out about each other. Thought is being given to insisting that college professors sign loyalty oaths. Religionists interested in the problems of labor are, in some quarters, labeled subversive and un-American. One who tinkers with old cars but is in reality a bank president is called "a thinking man"; whereas one who believes that every aspect of every problem is worthy of public exploration and debate is labeled a "pinko."

The most telling case in point centers around certain reactions to a statement released by the World Order Study Conference of the National Council of Churches, last November. This prophetic document expressed interest in a multitude of different fields of national and international concern, such as foreign aid, disarmament, and refugees. Buried in the report was a call for America to study, to examine the eventual possibility of recognizing Red China and admitting her to the United Nations. There was no unequivocal call for immediate recognition of the Peiping regime, nor was there any justification of her treachery, but the simple recognition that this is a subject that ought to be openly discussed. Behind the observation was doubtless the insurmountable problem of disarmament, with its necessary inspection system while we ignore a

third of the territory of East Asia and two-thirds of a billion people. An enterprising reporter, who knew a story when he saw one, lifted these statements out of the context of this thoughtful document and made headlines—and then the roof fell in.

In the months which have ensued since that fateful day, groups which have some natural antagonism to the national council have jumped in with all fours. Patriotic organizations were incensed. Self-styled preservers of freedom viewed with alarm the prospect of any intelligent group even raising the question. Some prominent religious leaders lifted their voices in protest against the national council. The newspapers, taking the cue, pounded the council to death editorially, and letters to the editor outdid one another in a campaign of vilification. An anonymous group called "The Circuit Riders" attempted to establish the fact that those who attended the conference were basically pinkos, fellow-travelers, and secret subversives. Such names as Ralph Sockman, Edwin Dahlberg, and George W. Buckner were picked out for special attention. A prominent American legislator headed up "A Committee of One Million Against the Admission of Communist China to the United Nations." The literature produced by this committee was nothing more than an attack upon the national council. The committee sent what was publicized to be a questionnaire, but was in reality nothing more than a call for support, to 45,000 ministers. Out of a few over 9,000 replies, a few less than 8,000 agreed to agree with them. The committee then allowed the press to report that almost 8 out of 9 American ministers were opposed to the national council's action.

The discouraging thing about these attacks is that they all reprimand the national council for even raising the question. The maintain that Christian people ought to stick to counting their beads and keep out of such impious areas of concern. That is to say, Christian men and women ought not to discuss the great issues that confront our world. When the day arrives that it becomes un-American to discuss important issues and un-Christian to be politically sensitive, then we have lost both our freedom and our faith. Whether or not we agree with certain leaders of the national council is not the point. Whether we can stand by and let them be crucified for challenging America to discuss certain problems openly is exactly the point.

There can be nothing more American or Christian than the appeal made by the council early this spring when they challenged us all to—

1. Uphold the right and duty of the churches and their councils to study and comment upon issues of human concern, however controversial.

2. Encourage from within and without the churches and their councils full and open criticism of the positions taken by them.

3. Resist all efforts to discourage full freedom of discussion; reject attempts to suppress such freedom.

4. Invite full candor on the part of Government officials and other leaders of opinion in the public exposition of problems and dilemmas affecting our Nation and its citizens.

"Eternal vigilance is the price of freedom." We must be vigilant as Christians that every problem facing us finds the light of sensible public discussion. God help us lest we forget—lest we forget.

With the deepest respect to those distinguished Members who have introduced this resolution and secured its approval in such short order by the Foreign Affairs Committee, I say again, Mr. Speaker, that this resolution is not one on which either an unqualified "yes" or an emphatic "no" could be entirely proper. I cannot vote for the resolution, because of the implication in its wording that this embodies a permanent or indefinite statement of congressional policy against admission of China to the U.N., whatever may happen. I cannot approve a resolution which will have the appearance of tying the President's hands in an area where flexibility is of the utmost importance. I cannot vote "no" because such a note could be susceptible of the interpretation that I believe Red China should be admitted immediately and unconditionally to the U.N. As I have said, Red China has not yet earned that right. Since there is no known parliamentary device under which I can vote as I feel—"25 percent yes, 40 percent no, and 35 percent maybe"—I shall refrain from voting.

Mr. MEYER. Mr. Speaker, I yield myself 15 minutes.

UNITED STATES POLICY ON CHINA

Mr. MEYER. Mr. Speaker, I do not rise to argue the case for or against the admission of Communist China to the United Nations. I do rise in objection to House Concurrent Resolution 369 as an unnecessary and undesirable resolution opposing the seating of Communist China and to say that its wording and timing should cause concern to all of us.

It speaks of "the Communist China regime" as though it was not representative of China. While it may not represent the poeple of China in the same sense as some governments represent their peoples and while it may not be a government that meets with the approval of many peoples, it is still the de facto government of China whether we like it or not. Certainly Chiang Kai-shek and his 2 million Chinese imposing their will on Formosa or Taiwan can by no stretch of the imagination be called the government of 600 million Chinese. How could one-third of 1 percent of the mainland Chinese population now living on an island—Taiwan—that has its own government—Taiwanese—in exile in Japan, be thought of as a representative government of mainland China? They do not govern China but are protected by our fleet and financial support. Certainly if the government of Communist China has not shown that it controls China after all these years, then there are many other countries in and out of the United Nations whose governments are demonstrably less de facto representative of their peoples. This is no question of approval or disapproval; it is a statement of fact—a recognition of reality. Certain the proponents of the Landrum-Griffin labor bill did not deny the existence of Mr. Hoffa nor ignore his status as an official of the Teamsters Union; instead they proposed methods of dealing with the reality.

The resolution goes on to say "that the Communist regime in China has not demonstrated its willingness to fulfill the obligations contained in the Charter of the United Nations" and implies that this is the reason it should not be recognized "to represent China in the United Nations." I must in all fairness declare that the regime is guilty as charged and I do not defend them, but then I know that it would be difficult to name many nations that really live up to the charter and that quite a few countries in the United Nations are in fact guilty of very serious violations comparable to those of Communist China. I do not argue for or excuse violations, and I hope that the situation will improve and I am all for serious efforts to get all members to do a better job. However, we cannot be so hypocritical or self-righteous as to maintain that purity exists within the membership of the United Nations or that serious offenders have faced ejection. Certainly, the obligations of membership are at least as important as the qualifications for potential membership. Can we afford to set lower standards for those who supposedly share common goals than for those whom we fear oppose such goals? Many of the ills facing mankind can be traced to the countenancing of double or multiple standards of morality and performance—particularly in the cause of self-interest.

Mr. Speaker, I rise to protest against the procedure followed in bringing this resolution to the floor of the House. The record is briefly discussed in my minority views in House Report 825. I am a member of the Foreign Affairs Committee and serve on the Subcommittee on the Far East and the Pacific as well as on the subcommittee concerned with the United Nations and I state categorically with no fear of refutation that I received absolutely no specific advance notice that this legislation was to be considered and that I first heard about it when I attended a meeting of the full committee on August 4, after returning from a weekend speaking engagement at Cornell University. In fact the bill had been introduced on July 30, just before the weekend. I requested that hearings be held because of the complicated nature of the proposal, and I requested that I be permitted to present opposing testimony. Neither request was granted and after a discussion of about 1 hour on August 4 in which many of us participated, the resolution was approved. I asked for a record of the discussion but was told that only minutes were kept at such a meeting. Therefore, the House has no factual report in detail. No direct testimony on the resolution itself was formally scheduled or shown to me. To the best of my knowledge it does not exist. As far as I know, no opposing viewpoints were allowed to be presented. Congress has no current evaluation and I say upon which to base an opinion. The resolution was not put before the Rules Committee and now it finds its way to the floor of the House at the first opportunity under suspension of the rules.

Mr. Speaker, I say that I am deeply disturbed—particularly because on another recent occasion of tragic importance to our country, I was denied access to this or similar methods of bringing legislation to the floor for discussion and debate. I tried every regular or customary procedure to bring up concurrent resolutions opposing seven agreements with foreign powers to share our secret nuclear information and weapons systems. This was a vital matter subject to unusual parliametary procedure and yet after trying all normal channels,

I could not use such special channels made available today for this bill.

Mr. Speaker, I am a quiet man who would prefer to learn the ropes through developing friendly associations with the fine men serving in this body and by listening to my senior colleagues as they carry the burden of leadership and debate. However I must state that if no one will say what I believe must be said, then I will say it. Arguments for this approach to world peace and understanding must be heard. I will not be tolerant of parliamentary maneuvers to silence opposition to what I believe is a bankrupt policy of bipartisan leadership in foreign affairs that promises nothing but a drift to ultimate disaster for my country and humanity. If in the process I become as unpopular as the brashest college freshman, I still will not defer to the sterile policies of the opposition party, conceived in the Pentagon, nursed by the Atomic Energy Commission, tutored by the State Department, supported by fear, and doomed to the ashcan unless they first doom civilization itself. Yes, I will speak out and if necessary fight alone, an outcast Member of this body, in defense of my rights. This is the duty of a Representative of the people, and I cannot recognize multiple standards based on seniority or viewpoint. I must object to parliamentary maneuvers that preclude adequate debate and thoughtful consideration of vital issues—particularly when the issues concern world peace. In these cases, I must refuse to be denied a fair share of the time in debate and will oppose bipartisan pressure or the leadership of my own party when I believe that it fails to grasp the need for and the opportunities of a new approach. We have been told that we would be able to stand on the record of the 86th Congress. Let those who can, do so; I cannot. While granting credit for accomplishments and admitting that the Republicans blocked some measures, I fear that we are now either going to join with them or concede defeat in the field of foreign policy and in the quest for peace just as we did in the debacle that branded us with the Landrum-Griffin labor bill. Are we every going to be able to bring forth a program for social and economic progress if we do not control the waste and scandal in military expenditures? Such control can most effectively be accomplished by reducing the threat of war. Until this is done, we can only dream about programs for housing, education, power, agriculture, and so forth.

In the meantime, we expect to redeem ourselves by scoring a smashing victory in passing this resolution condemning Communist China. Shades of Don Quixote. This windmill has been tilted at enough. Or must we find release for all our frustrations by dragging out the Communist whipping boy? Actually, the subject matter of the resolution is covered in the Mutual Security Act. There is no need for a special resolution. In fact, it may not be wise to pass one. Such a vain gesture will neither win friends nor influence people. Policies are changing. Remember the recent visit of the Vice President to Russia and the President's invitation to Mr. Khrushchev. Remember the hatred for Germany and the security protected secrets that now will become their property under the atomic giveaway agreements. Remember our former friendship with China; perhaps the present hatred may grow less intense if the pot is not constantly stirred.

Fellow Democrats on my side of the aisle, we need a program and a plan of action. Perhaps our party should caucus occasionally. What we do in this House has its effect throughout the world, but it will also have some effect in 1960. I am sure that the Vice President would like to seize upon the peace issue and go before the American people as its champion in 1960. Remember 1952 and the branding of war party accorded to us. Let us show again our dedication to peace and the interest of people everywhere just as we did last month in the mutual security appropriations debate when almost all of the 31 percent of the votes against the nuclear agreements were indicated on our side of the aisle.

And to the Republicans on the other side of the aisle I say join with us in the quest for peace and sanity in a world that must live or die together.

Mr. Speaker, I urge the rejection of this resolution because it is unnecessary, unwise, hasty, and unconsidered; rammed down our throats; useless and possibly harmful. I shall vote against it and hope that others will do the same.

Mr. ZABLOCKI. Mr. Speaker, will the gentleman yield?

Mr. MEYER. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. Since the gentleman has stated that this resolution has been rammed down our throats and that it had not been given proper consideration, the gentleman will agree that the intent of the policy of the resolution was continually considered by the Congress. As a member of the Committee on Foreign Affairs and as a member of the subcommittee dealing with questions of the Far East, I want to commend the gentleman because he has usually been attentive at the committee hearings. You mean to say that the policy of this resolution was not discussed while you were a member and present at the various and sundry meetings that our subcommittee and the full committee had on the dangers of communism in the Far East?

Mr. MEYER. I would say to my subcommittee chairman, for whom I have great admiration, that this same argument could be used for many bills, and to my logical way of thinking, when a specific bill comes up for consideration, we do not depend on discussions that took place in 1948 or on discussions that took place in connection with some other bill.

Mr. ZABLOCKI. But the gentleman will agree that we had discussed the policy in 1959 and as recently as July 27, 1959.

Mr. MEYER. I do not know about July 27, but I know we discussed one hundred or a thousand things, and this is the point of my argument.

Mr. ZABLOCKI. If the gentleman will look into the hearings of our Committee on Foreign Affairs and read the transcript, he will learn that we had thoroughly discussed this policy on that particular meeting date.

Mr. MEYER. I doubt that.

Mr. KASEM. Mr. Speaker, will the gentleman yield?

Mr. MEYER. I yield to the gentleman from California.

Mr. KASEM. Was there any discussion in your committee about the feasibility of this resolution and the propriety and the advantage or the disadvantage of it in connection with the Communist problems in the Far East?

Mr. MEYER. Absolutely none. And as far as I know, until August 4, when it was discussed, I think by probably 20 Members—there were about 20 Members present—so they had a little talk and it was passed.

Mr. KASEM. Mr. Speaker, will the gentleman yield further? Just a word of commendation.

I appreciate the great courage and the fortitude that the gentleman from Vermont has, and perhaps if there is a single voice of reason in this House he speaks out with it, and if you must share the fate of unpopularity, I ask to be permitted to share it with you.

Mr. MEYER. I thank the gentleman very much.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. MEYER. I yield to the gentleman from New York.

Mr. STRATTON. Mr. Speaker, does the gentleman from Vermont sincerely feel the cause of peace would be helped if we permitted the Communist Chinese to shoot their way into the United Nations?

Mr. MEYER. I do not mean to use the word, but this is sophistry, because we are not discussing shooting. We are discussing the advisability of passing this resolution, which is merely another way of kicking a horse.

Mr. STRATTON. Mr. Speaker, if the gentleman will yield further, is it not true that the Communist Chinese are still in the process of assaulting the territory of Free China at Quemoy and Matsu, and is it not true that they still hold captive American soldiers and American citizens?

Mr. MEYER. I would say to the gentleman whether or not this is true has no bearing upon this resolution and the points I am making. Therefore I do not care to answer that question, because it has no bearing upon the particular thing we are talking about. I say that this matter has been covered in the Mutual Security Act and that there is no need to repeat it here again.

Mr. STRATTON. Does not the gentleman feel that those facts are important when we consider whether we should or should not admit the Chinese Communist regime into the U.N.?

Mr. MEYER. All facts are important, sir, and I would say that it is equally important when we discuss or consider a resolution of this type that we should have a hearing on it and hear the proponents and the opponents.

Mr. STRATTON. Are we not discussing the resolution now in an effort to bring those facts out?

Mr. MEYER. We are discussing it now in a few brief minutes and, as far as I am concerned, this is not enough for a measure of this nature.

Mr. Speaker, I yield to the gentleman from Pennsylvania.

Mr. FULTON. Mr. Speaker, the question comes up as to the policy of the United States and, of course, it must apply the same to all such situations as this. Therefore, when Nazi Germany took over France and there was only a minority part of France left free, would the gentleman at that time have had the United States recognize the government that Germany had put into the major part of France, the Nazi government, which was just a paper government? Should we at that time have recognized France as a part of the Nazi government when obviously the Nazi government had full control of the country? We could not do anything about it. They were operating the government. By the same token the gentleman would have to say he would, if he were going to do this for Communist China.

Mr. MEYER. Let me say to the gentleman that he should not put words in my mouth. The gentleman did not state the case concerning France properly. If the gentleman could state the situation about France properly, I would answer him.

Mr. Speaker, in support of the points which I have made in this discussion on House Concurrent Resolution 369, I would like to insert at this time my minority views as found in House Report No. 825 from the Committee on Foreign Affairs:

MINORITY VIEWS

The passage of House Concurrent Resolution 369 at this time is neither wise nor necessary because—

(1) The subject is covered in the Mutual Security Act.

(2) No hearings were held on the subject in 1959.

(3) Any related testimony heard in connection with other bills was incidental and of no consequence because it did not apply directly to House Concurrent Resolution 369 and especially because opposing viewpoints were not heard.

(4) Many months were available to present such a resolution if its passage was urgent or important. No reasonable grounds exist for hasty action. Either it is important enough for adequate review or it is not important enough for special attention.

(5) Therefore, it was ill advised to push House Concurrent Resolution 369 through committee on August 4, with approximately an hour of discussion, when it had only been introduced on July 30. A resolution dealing with such a complicated subject should not have been brought up for a quick decision, particularly because no specific advance notice was given. Furthermore, little attention was given to the opinions of at least six committee members who regarded the resolution as unnecessary or who questioned the wisdom of hasty action.

WILLIAM H. MEYER.

AUGUST 10, 1959.

Mr. Speaker, I would also like to insert for the RECORD a copy of the letter which the gentleman from Oregon [Mr. PORTER] and I sent to each Member of the House over the weekend for their consideration on the subject of this resolution:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 15, 1959.

DEAR COLLEAGUE: We would like to bring a few facts to your attention with respect to House Concurrent Resolution 369 on which there will be a rollcall vote Monday afternoon, August 17.

There have been no hearings and no rule, but we expect that there will be a total of 40 minutes of debate under suspension of the rules.

Out of the 100 nations in the world, 44 now recognize Red China. Previous U.N. voted on postponing consideration of bringing up the question of admitting Red China to the U.N. are as follows:

1956: 47 to 24, 8 abstentions.
1957: 48 to 27, 6 abstentions.
1958: 44 to 28, 9 abstentions.

In 1950 the late John Foster Dulles wrote words, the wisdom of which, in our opinion, survives later qualifications:

"If the Communist government of China in fact proves its ability to govern China without serious domestic resistance, then it, too, should be admitted to the United Nations. However, a regime that claims to have become the government of a country through civil war should not be recognized until it has been tested over a reasonable period of time.

"If the United Nations membership were made substantially universal, that might end a preponderant voting superiority of the United States and its friends which, while pleasant, is somewhat fictitious.

"Communist governments today dominate more than 30 percent of the population of the world. We may not like that fact; indeed, we do not like it at all. But if we want to have a world organization, then it should be representative of the world as it is."

In a preface added in 1957 to the same book, "War or Peace," he decided "qualitative tests" in the Charter ought to be applied, just as the committee's report on this resolution states that admission to the U.N. should wait until Red China is "willing to agree in a dependable way to 'refrain from the threat or use of force.' " This, we submit, is more than we and other major nations are willing to do today. Massive deterrence, our proclaimed policy, includes a threat of the use of force. Sending the Marines to Lebanon showed the use of force. Until we have real international law, and that won't be for quite awhile, we will have force and the threat of force. The real question is whether we will have a forum where we can prevent or mitigate the use of force in settling disputes between nations.

If the United Nations is to function effectively in trying to prevent war, all nations must be represented. The Soviet Union, certainly a more powerful potential enemy than Red China, is a member of the United Nations. If discussions can lead to peace and replace the use of force, the nations of the world—all of them—have to take part.

We know that our position on this question could be misrepresented. We do not advocate "softness." We do not forget or forgive Red China's aggressions in Korea and elsewhere. We say that strengthening the United Nations so as to include all nations should be the most promising path to peace and that our civilization will not survive an atomic war.

Unless Red China agrees, how are we going to achieve an inspection system which many believe to be an essential prerequisite of an agreement to end nuclear wepons tests? Recognition of Red China and Red China's admission to the United Nations would not imply approval of her regime. We do not approve of the regime in the Soviet Union but we deal with it. Indeed, the President is encouraging visitor exchanges with the Soviet Union at all levels in order to achieve better understanding in the interests of peace.

Please consider these facts. We hope you will decide to vote "no" as a step along the way of calling for peace in a world under the rule of law.

Sincerely,

CHARLES O. PORTER.
WILLIAM H. MEYER.

In connection with this discussion, I would also like to direct your attention to views recently expressed by another nation, Ireland, on this subject:

SPEECH MADE BY THE DELEGATE OF IRELAND, MR. F. AIKEN, T.D., MINISTER FOR EXTERNAL AFFAIRS, AT THE 753D MEETING OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS (13TH SESSION) ON THE 22D OF SEPTEMBER, 1958, DURING THE DEBATE ON ADOPTION OF THE AGENDA, FIRST REPORT OF THE GENERAL COMMITTEE (AGENDA ITEM 8)

(A draft resolution calling for adoption of the report was before the General Assembly and was eventually passed. An amendment proposed by India, Afghanistan, Burma, Ceylon, Indonesia, Nepal, and the United Arab Republic, asking for the placing on the agenda of an item entitled "The Representation of China in the United Nations," was defeated. The vote on the crucial part of this draft amendment was 29 for, 40 against, 12 abstentions.)

Our delegation would have preferred to have postponed public debate on this question to some time later in this session in order not to interfere with the Warsaw talks, but we failed to secure this. The question as to whether this item is to be included in our agenda for this session at all has, therefore, to be decided now.

May I emphasize that the issue raised by the resolution and the amendment is not whether the Communist government in Peiping should be admitted to this organization, with or without conditions, this year or next year or at all. The issue is whether this Assembly is to feel free to debate openly and comprehensively any important questions affecting international relations.

There can be doubt that the question of whether Peiping China should or should not be represented here is one of major importance. The situation in the Far East not only affects the interests of China and Korea but is an immediate threat to local peace and to world peace. Indeed, I wonder whether our refusal to discuss it in previous years may not have contributed to the present dangerous situation in the Far East.

Those of us who represent functioning democracies and wish to see this Assembly a model and exemplar of democratic procedure may perhaps ask ourselves how a question of the same relative importance would be handled in our own Parliament. Could a government properly refuse to allot government time for such a debate or refuse to allow opposition deputies to table a motion regarding it? Discussions on major issues of policies are often an embarrassment to democratic governments, opinions are often expressed and proposals made which are anathema to the Government and sometimes detrimental to the national interest and to national morale. But in Ireland we take the view that, in the long run, free and open parliamentary discussion leading to a well-informed public opinion on the issues involved is by far the better and more healthy course to adopt. If damage is done by debate, it is less than would be caused by suppression of debate and by the uncertainties and suspicions aroused through the denial of rights of minorities or of individual deputies. We might all detest what a

deputy says but, in our tradition, we must unite to defend his right to say it in an orderly way in a free Parliament.

Our delegation holds the view that this Assembly should discuss in orderly fashion and on appropriate occasions questions of the magnitude and importance covered by the Indian amendment. It is not a question of whether we approve or disapprove the doctrines and methods of the Chinese Communists. My own country is unalterably opposed to doctrines which involve the suppression of religious freedom and to methods which have caused death and suffering on a great scale inside and outside China, and have helped to bring about the division of ancient nations.

The Irish people know historically what it means to be deprived of religious and political freedom. They detest oppression, whatever form it takes, and it has taken many forms. They are freedom-loving people in the fullest sense of that term. But can the cause of freedom really be served by shirking discussion? The Chinese Communists, like other Communists, deny the right of free discussions. But for peoples of the democratic traditions, that right is fundamental.

If this Assembly decides to have a free and open debate on this question, that decision will not be in our opinion a victory for Chinese communism or any other communism: It will be a victory for the vital principle of the democratic tradition, and not that merely, but an important step toward the securing of peace by making this Assembly what it should be, a Parliament for the nations of the world. For these reasons we must vote for the Indian amendment.

Some additional remarks in the Irish Parliament on this issue are also of interest and I insert the following excerpts from speeches delivered on July 7, 1959, in the Dail Eireann. First, here are some of the remarks by the Taoiseach, or Prime Minister, Mr. Sean Lemass, T.D.:

We know that in the United Nations there are many countries whose form of government we would not like to see repeated here, countries of whose policies we strongly disapprove and the philosophy of whose rulers is abhorrent to our people. However, if the United Nations is to become what we want to see it, an effective shield for world peace, then clearly it must be of that character. A grouping of nations that were not likely to become involved in conflict with one another, whose forms of government and outlook regarding the conduct of the affairs of the world were not in disagreement, would be an alliance of a different character. Perhaps it would have some value but it would not be the United Nations which we want to see growing in influence and effectiveness in preventing the danger of war. We want to see a real United Nations whose members are pledged to peace and who are willing to accept the verdict of the other member countries in relation to any acts of theirs which might imperil peace.

Whether it is in the interests of world peace that Communist China, with 600 million people, even though it is ruled by a Communist government with whose outlook we are in complete disagreement, should be within the United Nations or out is a question upon which many strong views have been expressed here. Certainly in a situation in which any one country can, through the use of nuclear weapons, bring about almost total world destruction, and knowing as we do that China has the technical capacity to create these weapons, we would like to see her in some situation under which she would be pledged to submit any disputes which might develop between her and other countries to the judgment of the United Nations before seeking to settle them by the arbitrament of war. If every time we vote on any issue in the United Nations we are going to be held to approve of everything done and said by those who vote with us, or if every time we vote in favor of having a discussion on a problem we are to be represented as having a particular view on that problem, then our position there would become impossible and we had perhaps better withdraw from the organization altogether.

In this same debate, the Minister for External Affairs for Ireland, Mr. Frank Aiken, T.D., had this to say:

There is no one, I think, who dislikes dictatorship of any kind more than I do. I am glad the day has gone when the opposition used to wear the Fascist blue shirt. It is right that with the world as it is, being in a situation where we cannot make war to establish right because if we do we blot out everything, if people have a message to pass on, we should keep contact with those to whom we have to deliver it. On the basis that you cannot have any contact and that it is betraying civilization and spiritual values if contact takes place with people of whom you do not approve, St. Patrick would have stayed out of Ireland.

I believe we should keep in contact with all the countries who have power over the fate of the world whether for good or evil. We have no means of combating them or turning their energies to useful purposes except by keeping in contact with them and by encouraging them to negotiate and to evolve a system of world order based on peace and justice, the sort of peace that we want to achieve. I trust we shall continue in our efforts like all sensible people and I pray God that the negotiations at present going on in Geneva between the Russians, the Americans, the British and others will be successful, and that the outcome will show some little step, however small, on the road to reducing tension and opening the way for a more stable peace which will be lasting and which will open up new possibilities for our children and an improved standard of life for people whose standard is very low at the present time.

Also the following comments unidentified as to source but made by various retired Foreign Service officers as printed in "Study of U.S. Foreign Policy" of Committee on Foreign Relations, U.S. Senate, June 15, 1959:

What would be our attitude if men whom we considered rebels were to occupy Staten Island with the assistance of some foreign power and use it as a base for espionage and propaganda and a possible jumping-off place for an invasion of the country? What would be our attitude if a former President of the United States, refusing to give up his authority, had retreated with a small army to Puerto Rico and there, with the aid of a foreign power, had established himself and threatened from time to time an invasion and the overthrow of the Government in Washington?

* * * * *

I felt strongly then and equally so now that if we had displayed from the beginning of the Revolution in 1917 greater resiliency and flexibility in our relations with the Soviet Union, of whose incipient strength I then had no doubt, our subsequent relations might have been altogether different. Closing our minds to any attempt to understand the implications of this vast social upheaval, which was beyond our simplified view of the world, we thought we might escape its influence by quarantining it, as we are endeavoring futilely to do today in the case of Communist China.

* * * * *

Our nonrecognition of Communist China based on moral considerations is in the last analysis a self-denial of opportunities to progress in that area. Since Peking is unlikely to agree to the establishment of relations without unacceptable modifications of our unfortunate commitments to Chiang Kai-shek, the best we can do to mitigate our disadvantages is to raise the ban on China travel.

* * * * *

It is nevertheless patent that we cannot for an indefinite period continue our present attitude toward Communist China. We shall have to accommodate ourselves to the situation there just as we eventually did with respect to the Soviet Union, even though it took 15 years to get around to it. Khrushchev is not completely unreasonable when he points out that it is a political absurdity to have Nationalist China as a senior member of the Security Council of the United Nations. We are committed to support Chiang Kai-shek for the moment, but when he passes from the scene, we should advocate the holding of free elections in Taiwan for the purpose of determining whether the people of that island wish to remain independent or to unite with Communist China. In any event, we shall have to recognize the latter in the long run and agree to its having a seat on the Security Council of the United Nations.

* * * * *

Our relations with China, which for the time being would seem to constitute our second most important problem of foreign policy, should be recognized as a source of terrible potential danger. We cannot afford to continue to play the ostrich in dealing with China. We cannot afford to continue the pretense that Formosa is China and that the Chinese Government with full control over 600 million people is a negligible quantity. The Chinese, after all, not long ago inflicted upon us the most dreadful military defeat in our history. They are openly preparing to repeat that performance on a larger scale. We should begin by recognizing that the Chinese regimes of the past are dead and as gone as the czarist regime in Russia, and having recognized that fact, we should act accordingly. Let us remember that for many years our relations with Soviet Russia were dominated by wishful thinking that the Communist regime would soon collapse and that even during the last few years that type of wishful thinking has colored public statements by the Secreatry of State. How foolish that all seems now. Let us not continue to make the same mistake again. It is vitally necessary that we know what is going on in China, and our first step toward establishing reasonable relations with that country should be to permit travelers, and in particular newpapermen and qualified scholars, to travel there in order that the facts of the situation may gradually become known in this country. Our second step should be the giving up of Quemoy and the other offshore islands as soon as that can be conveniently brought about.

The problem of recognition is interwoven with the problem of our relations with China. We should recognize the Chinese Government as soon as we conveniently can, but the problem of recognition transcends the problem of our relations with China.

* * * * *

In other words, when we have to face a government like the present Government of China, that diplomatic relations are most important. We should not only recognize the Chinese Government but we should send to China the ablest Ambassador in our service with an exceptionally able staff and neither he nor they should be vilified for attempting to establish friendly and confidential relations with the most influential persons in the Chinese Government, in order to lay the foundation for possible eventual negotiations.

* * * * *

However, it should be noted that these reasons for a policy of nonrecognition can hardly be described as logical, because we have in fact recognized a number of other Communist governments, as well as totalitarian governments, who have equally indulged in blood baths and who have cruelly mistreated their people.

* * * * *

Finally, I believe that our policy with respect to Communist China should be marked by an intelligent flexibility that will be prepared to take the initiative whenever an opportunity presents itself.

The SPEAKER. The time of the gentleman from Vermont [Mr. MEYER] has expired.

Mr. ZABLOCKI. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, the only reason I take this time is because I think there ought to be in the RECORD a more accurate statement of what the position of the United States on Red China is, and why.

To begin with, it is the same under this administration as it was under the previous administration. When the Communist attacks on Quemoy began a year ago, the former President of the United States, Mr. Truman, was among the first to identify himself with the policy of the present President on this issue.

Those favoring membership for Communist China in the United Nations generally give about three major reasons. Two of them have been mentioned today. One is the realism argument. Red China is there, it exists, it is a fact; therefore we should admit it to the United Nations to represent the Chinese people in that organization. It is said that not to do so is unrealistic; we are hiding our heads in the sand; or, as the gentleman from Vermont has put it, we are trying to deny its existence. Now nobody denies the existence of Communist China. We are very acutely aware of its existence and its danger. That is precisely why we do not want to build it up. We recognize it for what it is—a dedicated enemy of the United States. Every instinct of self-preservation—that is, realism—requires that we not do anything to make it stronger or give it greater stature, influence, power—as acceptance into the U.N. would certainly do.

Gangsters are a fact in some of our own cities. Should we, therefore, take them into the FBI, the agency charged with maintaining law and order against the gangsters? Does anyone ask, How can the FBI plan its operations against the gangsters unless it has the gangsters in it to help it plan and carry out its operations against the gangsters? Of all courses, that would be the most unrealistic.

No one in this Government denies the existence of Red China. On the contrary, we have been dealing with it officially for years. We have had 87 official negotiations with its representatives in the last 4 years, at Geneva and at Warsaw. We have negotiated with it on two main issues, and only two. First, we have been trying to get the Chinese Reds to release American prisoners of war captured in Korea, or to account for them. We have tried to get them to do that in accordance with their pledges at Panmunjon, for two reasons. One, we care about our boys. Two, we would like to find out if, just once, they will keep their word. We accepted a military draw in Korea, the first time in our history that we ever took less than a victory. Part of the reason was in order to get back thousands of American boys who were in their cruel hands. Everybody remembers Little Switch and later Big Switch. But they held back on some 900 men. Little by little word has come through that at least half of those are dead. But there are still 450 who we know were in their hands at one time, and alive. They spoke over the Communist radio from Peiping in their own voices, and their folks here heard them. They sent postal cards home at Christmastime in their own handwriting. When John Jones was released he said that Bob Smith was in the bunk next to his, but Smith could not be exchanged because his leg had just been cut off. And so on. We know they had them. Why will they not release them? Maybe they are all dead now. But their mothers will not believe that. Why will not the Reds account for them?

Mr. Speaker, we paid a great price in exchange for those promises. We have been trying to get them to keep the promises. If just once they would do that, then the question asked by the gentlewoman from Oregon about changing our policy would be more pertinent. There might be some sense then in going on to a next step.

The other issue on which we have been negotiating with them is the issue of conquest by the use of force. We have tried to get them to agree to refrain from using war as an instrument of national policy in the Taiwan Straits and in Asia, without prejudice to their positions on the various disputes there. They have adamantly refused to renounce force as the way to get what they want, and yet they demand membership in the United Nations.

That brings up the second argument, namely that the United Nations is a universal organization and therefore all existing governments should be members. Of course the United Nations was never intended to be a universal organization. That idea was debated and rejected at San Francisco. It was to be a union of peace-loving nations which would accept certain obligations. They are very plain; you can read them.

Article IV reads:

Membership in the United Nations is open to all other peace-loving nations which accept the obligation contained in the present charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

What is the first obligation?

All members shall settle their international disputes by peaceful means.

And—

All members shall refrain in their international relations from the threat of use of force against the territorial integrity or political independence of any state.

We have been trying to get them to agree to accept those obligations. They would then be eligible for membership.

The United States is not stubbornly, capriciously, arbitrarily keeping Communist China out of the United Nations as you are told by some. It keeps itself out. It simply will not qualify. Whenever Red China is willing to qualify by accepting the obligations of the charter and will demonstrate in a dependable way that it is able and willing to carry out its international obligations under the charter, it will unquestionably be admitted at the next session of the U.N. General Assembly.

You may argue if you wish that the United Nations ought to be a universal organization. Then you should work to amend the charter and make it that. But please don't nullify the charter and make a mockery of it. Do not drag the United Nations down to the level of the lawless, but call upon the lawless to bring their conduct up to the standards of the charter, if they want the benefits of membership.

Somebody will raise the objection, "If you are not going to let Red China in, why do you not kick out the Soviet Union?" That is a fair question; but it is a useless question. Because you cannot kick the Soviet Union out. She can veto her own expulsion. So there is no use arguing about what cannot be done.

When the Soviet Union was admitted at the formation of the U.N., she was pretending to be democratic and peace loving. She agreed to accept and carry out the obligations of the charter. Her breaches of faith came after her admission. It is bad enough to have been fooled by Russia then. What excuse is there for taking in Red China now, when we know before admission that she had no intention of keeping the obligations of the charter? At the negotiations last year at the time of the Quemoy aggression, she insisted on four goals: Quemoy, Matsu, Formosa, and expulsion of the United States from the Western Pacific.

No one can appease Red China by giving it Quemoy, or even Formosa. It is destruction of our position in the Western Pacific that it is after, in order then to take over the rest of Asia, easily.

Mr. Speaker, ours is not an arbitrary action of prejudice or stubbornness. It is, first of all, hardheaded concern for the security of the United States.

It is said that since the Chinese are the most numerous people on the globe, they are entitled and ought to have representation in the U.N. Certainly, but the Peiping government does not represent the Chinese people. It is not working for their well-being. It is making war on them and on everything they hold dear, on order to use them for its world objectives. When a person becomes a Communist, he ceases to be a Chinese patriot, or a French patriot, or an American patriot. He is a world revolutionist. A Communist government does not operate in terms of national interests; it operates in terms of an international conspiracy.

Whenever the Reds will let the Chinese people choose their own representatives in free elections, these representa-

tives will promptly be admitted to the U.N.

Let me ask three questions.

First. Would admission of Communist China to the U.N. make that regime weaker or stronger? The answer is obvious. Why would every Red sympathizer in the world be moving heaven and earth all these years to get Red China admitted if such admission would weaken the Communists?

Second. Would admission decrease or increase Red China's prestige, power, and influence with its neighbors in Asia—Japan, the Philippines, southeast Asia, India—and the neutrals everywhere? The answer again is obvious.

Third. Would admission make Red China a lesser or a greater danger to ourselves and to genuine peace in the world? Once more the answer is obvious.

To build up an avowed enemy, as admission to the U.N. would undeniably do, could only be described as an act of folly. The future of our Nation and the cause of freemen everywhere require that this not happen, unless or until the Communist government in China is willing to qualify for admission by meeting the requirements for admission, particularly the requirement of "refraining from the threat or use of force against the territorial integrity or political independence of any state."

It is not a blind and stubborn United States that is blocking admission; it is Red China's stubborn refusal to change her lawless international conduct.

Let me sum up the reasons why the United States resolutely opposes admission of Communist China to the United Nations. They are not founded on emotional prejudice. They arise from the true character of the Chinese Communist regime.

First. Such admission would destroy the United Nations as an effective instrument for justice and freedom and peace in the world. It would make a mockery of both the letter and spirit of the charter.

Almost all Americans want to see the United Nations succeed as an instrument to insure justice, and security, and peace in the world. To convert it from a union of peace-loving nations into a league with lawless gangsters could only destroy it.

Second. Admission of Communist China would weaken our own security and that of the free world. The Communist world conspiracy is openly dedicated to our destruction. We are at war with it in every sense except open hostilities. If we are not at war with it, then why are we straining ourselves so dangerously to help about 60 other countries in the world build up their strength and maintain their security against its pressures and threats? If we are at war with it, then how can anybody justify our taking an action that would greatly strengthen it?

Admission to the United Nations would give the Communist dictatorship in China legitimacy, respectability, enormously increased prestige, and influence, and power. It would lead to recognition by most, probably all, other governments and thus enable Peiping to turn every Chinese Embassy and consulate in the world into a center of espionage, sabotage, and conspiracy against the governments and peoples still free and independent.

Third. Admission of Communist China to the United Nations would represent the abandonment to Communist enslavement of almost one-fourth of all the human beings on this planet. That we are not willing to do.

We cared enough about freedom of choice for Communist prisoners of war to delay the Korean truce for months, secrificing thousands of American lives in the process. How can we accept for 600 million Chinese people the enslavement we rejected for 15,000 Chinese prisoners of war in Korea?

Such a course would be not only morally wrong, it would be shortsighted and a foolish abandonment of the national character that has given us greatness and the terrible responsibility of world leadership.

Mr. ZABLOCKI. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Speaker, in urging the prompt adoption of the pending House Concurrent Resolution 369, I should like to point out, as was previously stated by the distinguished gentleman from Wisconsin [Mr. ZABLOCKI], that adoption of this resolution would certainly cause no change or alteration of public opinion or policy of the United States on this subject. This House has many, many times adopted this very proposition against the admission of Red China to the United Nations. Today the law of the land on this subject is contained in Public Law 86–84, 86th Congress, signed by the President on July 13, 1959, the act making appropriations for the Departments of State and Justice, the judiciary and related agencies. I read to you therefrom section 105:

> It is the sense of the Congress that the Communist Chinese government should not be admitted to membership in the United Nations as the representative of China.

This House acted upon that very provision on May 27, 1959, when it passed the bill H.R. 7343 which I had the honor to introduce. I feel that this should fairly and quite fully answer the distinguished gentleman from Vermont [Mr. MEYER] when he says that the pending resolution was too hastily conceived for him.

I should add that the language expressing the sense of the Congress against the admission of Communist China to the United Nations has been contained in the State and Justice, the judiciary and related agencies appropriations bills for many years and without a dissenting vote.

Mr. Speaker, I am confident the pending resolution will be promptly and overwhelmingly adopted.

Mr. ZABLOCKI. I yield 1 minute to the gentleman from Pennsylvania [Mr. FULTON.]

Mr. FULTON. Mr Speaker, I would like to say that our current U.S. policy that has been adopted in respect to Communist China has been a completely bipartisan policy of both parties in this country. Each of the Republican and Democratic Parties have firmly stated their position.

Secondly, in the hearings on the mutual security program, in each year the Foreign Affairs Committee and the House Appropriations Committee have gone into this question and studied it thoroughly. We have had witnesses from the executive departments as well as from the military branch who all favored this policy. Our U.S. Ambassadors have come in and told us what would happen if we took a different policy, and advised against a change.

In fact, we have unanimously passed this type of resolution, time after time in this House. So this is a continuation of a basic U.S. policy and not the formation of a new one.

I am sorry to disagree with the gentleman from Vermont because I do not believe the House Committee on Foreign Affairs or anybody has rammed this resolution down anybody's throat. We have given full consideration to the policy, and its effect on the basic security and best interests of the United States. I ask that this resolution be unanimously adopted so that we show a united position in our U.S. policy in the Far East.

Mr. ZABLOCKI. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. O'NEILL].

Mr. O'NEILL. Mr. Speaker, I feel that the American people who are so bitterly opposed to Red China should have an affirmative stand on this matter by their Congress. It is interesting to note how times will change things. Only a few short years ago it would have been appalling to have Khrushchev come to this country. But that is the prerogative of the President of the United States to invite whomever he wants. But on this particular matter the United Nations was set up as an instrument for permanent peace. It was set up as an instrument or an organization with only peace-loving nations as members thereof. In view of the past record of Red China who today openly and boastfully admits that she has from 5 to 10 million people doing slave labor and who is talking about increasing the output of steel by small plants in backyards where people who have labored all day long come home at night and in their spare time try to produce more steel, where we have the situation of Red China advocating a great plan of hatred and bigotry against the American people, I figure it is high time that this Congress show the world how we stand.

Mr. Speaker, I hope the resolution is adopted.

Mr. ZABLOCKI. Mr. Speaker, I am delighted to yield the balance of the time to our distinguished majority leader, the gentleman from Massachusetts [Mr. MCCORMACK], who over the years has been one of the most outspoken advocates of the position expressed in this resolution.

Mr. McCORMACK. Mr. Speaker, I commend the action of the majority of the Committee on Foreign Affairs in reporting this concurrent resolution. There seem to be some things that those who are demanding the recognition of Red China and her admission into the

United Nations fail to recognize. They fail to also demand as a condition precedent that Red China change its tactics and policies and its aggressions and its disturbances to the peace of the world.

At San Francisco in 1945 there was a long debate as to whether membership in the United Nations should be based on universality or on qualifications. The latter prevailed.

The United Nations is an organization to maintain peace and its charter requires that a member be a peace-loving nation willing to assume the obligations of the charter. That is the important question involved here.

Is there anyone in this Chamber who requires that a member be a peace-loving nation and willing to live up to the obligations of the United Nations Charter?

It is only a few days ago when President Eisenhower in a letter to a Member of this House dated August 7 said:

> I cannot agree with you that it would be desirable for this country to give diplomatic recognition to Communist China or for me to invite Chou En-lai to visit this country. So long as the balance of advantage lies in maintaining our present policies in the Far East, I believe we should not change them. I believe these policies best serve the cause of peace.

It was not so many weeks ago that Red China went into Tibet and we all know what happened there. Is that consistent with peace? Or is that consistent with Red imperialism?

Only a few days ago Red China threatened the United States in connection with Laos. Is that action consistent with world peace, or is that an action consistent with aggression? I am very sure the threat against the United States was also intended as a message to Khrushchev, that Mr. Khrushchev had better recognize that Red China is not a junior partner in the Communist world, but a coequal partner with the Soviet Union. At the same time that Red China made this threat to the United States, Red China was indirectly conveying the message to Mr. Khrushchev that he had better be careful while he is in the United States. So the threat to the United States is also probably a message to Khrushchev. As I have said, that Red China is a full partner in the Communist world, and for the Soviet Union and Mr. Khrushchev never to forget that fact. It is also a direct threat to the United States. Is that any course of action which would qualify Red China for admission into the United Nations? How it could be so construed is beyond my comprehension.

Mr. ANDERSEN of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I am happy to yield to my colleague from Minnesota.

Mr. ANDERSEN of Minnesota. I want to compliment the distinguished gentleman from Massachusetts and also my colleague, the gentleman from Minnesota [Mr. JUDD], for their continuous fight throughout the years and their steadfast opposition in keeping this Red Communist country out of the United Nations.

Mr. McCORMACK. I thank my good friend from Minnesota. I cannot understand how anyone with a feeling of responsibility can interpret world events in any sense that would lead one to believe that China has not been an aggressor, or that Red China is not determined to make its contribution toward revolution and world domination by the Communist ideology.

Until Red China changes its tactics it seems to me it would be disadvantageous to all the peaceful world ultimately and for the national interests of our United States particularly to recognize Red China or agree to her admission in the United Nations.

This resolution comes at a timely period immediately prior to the visit of Khrushchev to the United States.

Mr. KASTENMEIER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, it is with certain misgivings that I vote for House Concurrent Resolution 369, for I am not convinced that it is either necessary or that any vote on the measure faithfully reflects an exact consensus of the House.

There are, apparently, I agree, compelling reasons to object to the seating of Communist China in the United Nations. At various times in the past 12 years, Red China has pursued policies in derogation of the requirement for United Nations membership that a nation be peace loving. The most recent act for which objection can be made on that ground is the invasion and overthrow of the Government of Tibet.

However, the overriding concern for world peace, and the collateral concern for the national welfare may persuade the President and the State Department to assume, at some future time, a new attitude toward this problem and to waive objections formerly made. Our action here today should not be construed to recommend to the Executive that our China policy be placed in deep freeze, and to suggest that a reevaluation of our national position in this regard is forbidden.

Further, as a personal view, I would like to see us evolve a policy or to seek an appropriate United Nations charter amendment, whereby all the nations of the world would be represented in the United Nations, good or bad, popular or unpopular. At that juncture, I would hope that we, in concert with other nations, would rise above individual considerations of self-interest. I cannot conceive of the United Nations as a private club for compatible members. Unhappily, present standards for admission appear to be more restrictive.

In view, then, of existing criteria for membership, I reluctantly agree with this resolution though I am of the opinion that there are many nations, nonmembers and members, who would similarly be disqualified along with Red China.

Mr. FRIEDEL. Mr. Speaker, as an American who believes in democracy, freedom, and the great ideals for which each of us is ready to defend with his very life, I must emphatically concur with House Concurrent Resolution 369 that it is the sense of the Congress against the seating in the United Nations of Red communistic China.

It is a fact that Red China is not an independent nation, but is merely a vassal state of godless communistic Russia, ready to do the bidding and obey the orders from its overlords in the Kremlin. Have we not learned that Soviet history is replete with instances of treachery, broken treaties, and the making of veritable slave states of other nations which at one time were independent.

To admit Red China to the U.N. is but to give the international Communist criminal conspiracy another vote and an additional voice in the council and assembly of God-fearing men. Please remember that the iron fist of the Communist tyrant is often concealed by the velvet glove of so-called peaceful coexistence.

I plead with my colleagues in the Congress not to be duped by any so-called peaceful coexistence for that is impossible and is clearly contrary to the oft announced intentions of the Reds. Those misguided people firmly believe and labor incessantly for world revolution and global conquest. To them, there is no such thing as "peaceful coexistence." It is either their way or none.

As for me, as a duly elected Representative, I stand four square for American principles and ideals of democracy, freedom, and liberty. I shall continue to fight communism or its recognition in any form, because it is the sworn enemy of human dignity and human rights.

Communism and belief in God cannot peacefully coexist because God's truth is communism's mortal enemy. Therefore, Mr. Speaker, when my name is called I will vote "aye" in favor of the resolution against the admission of Russia's puppet—Red China—to the U.N.

Mr. REUSS. Mr. Chairman, I intend to vote for House Concurrent Resolution 369. With the fall session of the United Nations approaching, our Government must once again take a position either for or against the seating in the United Nations of the Communist China regime. Although matters involving recognition and seating are peculiarly the province of the Executive, it is apparent now that there is not in train any package of political or strategic solutions for the Far East such as would make consideration of recognition or seating necessary or desirable.

I want to make clear, however, that when Congress expresses its "sense," it does so as of the date of such expression and not from here to eternity.

In his press conference on August 4, 1954, President Eisenhower was questioned as to whether he could see any merit in the view of the organization, the American Assembly, against allowing Red China into the U.N. at this time but opposing "a rigid policy of permanent opposition to"—admission of—"this regime." The President replied—New York Times, August 5, 1954, page 12:

> Well, he thought they were being realistic.

Might he ask anybody here who, in the spring, let us say the winter of 1944 or 1945 when we were engaged in the Battle of the Bulge could have seen the time when we were looking upon Germany and then applying the same standard to Japan, and Japan, as people we ought to reach understandings with and to make close associates?

Now, remember, China was a great mass of human beings, hundreds of millions. Those of them who had traveled through China he knew had been as astonished as he had that so many people could live in such a space. They had a government of which we violently disapproved and we were not going to accept them in any organism in which we had any say under present conditions. But for him to say to them here that he knew what the conditions 5 years from now were going to be, well, they would know that he was a little bit off his rocker. And so he was not going to try. [Laughter.]

So the Assembly, as far as he saw it—and he hadn't seen that quotation—they were merely saying, of course, we were not going to admit them if we could help it at this time—and he thought we could help it—but we were always ready to see whether the sinner reformed and came into the fold. That was the way he felt about it.

Again, in the August 1958 State Department memorandum on policy toward Communist China, inserted into the CONGRESSIONAL RECORD on August 13, 1958, the Department said:

Basically the U.S. policy of not extending diplomatic recognition of the Communist regime in China proceeds from the conviction that such recognition would produce no tangible benefits to the United States or to the free world as a whole and would be of material assistance to Chinese Communist attempts to extend Communist domination throughout Asia. It is not an inflexible policy which cannot be altered to meet changed conditions. If the situation in the Far East were so to change in its basic elements as to call for a radically different evaluation of the threat Chinese Communist policies pose to U.S. and free world security interests, the United States would of course readjust its present policies.

The sole relevant question which the U.S. Government must ask itself, in connection with the question of recognition or seating of Communist China, is: What is the best interest of the United States?

That is a question which we should ask ourselves anew each morning.

Mr. HENDERSON. Mr. Speaker, once again the Congress is considering an important international problem, Red China and the United Nations. For many years it has been the sense of this Congress that Red China should not be admitted to the United Nations.

Before a nation is welcomed into the fellowship of nations, she must meet certain obligations and demonstrate that she is qualified for recognition.

The people of my congressional district have been consistent in their opposition to recognition as demonstrated by their response to a question contained in my annual questionnaire. Their vote has been overwhelming in opposition to such recognition.

The record is one of monstrous rascality, aggression, lies, broken promises, and inhumanity on the part of the Red Chinese regime. No remorse, no desire to change her pattern of thought or action has been suggested.

We have painfully built up a security system in southeast Asia intended to protect ourselves and the millions of peoples in the new nations there from the aggressive designs of Communist China. If we were to adopt a soft policy toward Red China now, that security system would be gravely weakened and the southeast Asians, many of whom recognize the danger of Red China for the first time since the recent tragic events in Tibet, would be disheartened and confused as to the future or consistency of our policy. What is done there is of immense importance to us and to the security of the free world.

The Congress must reaffirm its position in strong unequivocal language that the Communist regime has not demonstrated its willingness to fulfill the obligations contained in the Charter of the United Nations and should not be seated in the United Nations.

Mr. LANE. Mr. Speaker, this resolution—House Concurrent Resolution 369—expressing the sense of Congress against seating Red China as a member of the United Nations, is good commonsense, straight and to the point.

It is clear, forthright, and faithful to American concepts of peace with justice.

The way that our national self-respect has been melting in recent weeks. I was dreading the day when the administration would invite the leaders of Red China to be the honored guests of the United States, and to enjoy our deferential hospitality.

The facts on Red China cannot be hidden. They cannot be changed by any wishful thinking.

Red China has trampled on every human right.

It has violated with cynical contempt, every principle of international law and morality.

The United Nations, after deliberate consideration, found it guilty of aggression against Korea. Every intelligent person knows that Red Russia instigated that attack, encouraged and supported it. But the U.N., frustrated by Soviet vetoes, and intimidated by Soviet threats, did not follow through and indict Red Russia as well as Red China.

The Peiping regime sent troops pouring into Korea to fight against the United Nations. It has failed to obey the mandate of the U.N. and clear itself of aggression by withdrawing its material support of the North Korean Reds.

It wants to gate-crash the U.N., and then blackmail that organization once it gets inside.

This outlaw nation, which is responsible for the deaths of tens of thousands of young Americans, and still keeps American civilians in illegal confinement, scorns all standards of civilized behavior.

Mainland China must never be accepted into the family of nations until the Chinese people purge their country of the brutal Communist oppressors who torture them, and who seek to extend their power by conspiring against the governments of neighboring nations. This fanatical desire to enslave people is a form of mental derangement. It is a menace to the world.

With no respect whatever for the sanctity of human life, the new class called communism, with its tightly organized power elite in Red China is more repressive and cruel than any emperor or war lord of the old days, because it perverts all the modern knowledge and facilities at its command, to serve evil.

Its power is based upon lies, betrayals, and merciless regimentation of all the human resources under its whip. It is not the chosen government of the Chinese people. It does not represent their true and honorable interests.

I have only one reservation regarding Resolution 369.

It does not go all the way.

Instead of merely expressing opposition to the admission of Red China to the United Nations, it should seize the initiative and denounce Red China for its crimes against humanity.

However, it still has the courage to close the door to an aggressor.

That is a rare and valuable quality in this strange summer of appeasement.

This resolution, by the Congress, will tell the world that the American people are not backtracking.

We know that this world will never be safe for ourselves and other free peoples, and for those who aspire to freedom, until communism mends its ways—if ever—and gives conclusive evidence that it has abandoned permanently, the use of force and subversion as instruments of national policy.

No words will suffice.

We must have guarantees subject to the supervision and effective control of a grownup United Nations.

Until that day, Red China must be quarantined, to protect the uncertain peace.

I consider it a privilege to vote for this resolution that sternly rejects any proposal that Red China should even be considered for admission to the U.N.

Let us make it unanimous.

Mr. ASHLEY. Mr. Speaker, the best that can be said about the resolution before us, in my opinion, is that it shows questionable judgment and reflects an astonishing lack of self-confidence.

We are told that the single purpose of this resolution is "to reaffirm the attitude of the Congress that it is opposed to the seating of Communist China in the United Nations." The same proponent goes on to point out that since 1948, the House on 15 occasions has approved language opposing the admission of the Communist regime in China to the U.N.

This is an average of 1.3 times per year for the past 11 years, Mr. Speaker, and I am constrained to wonder if this almost routine expression of opposition is really necessary or desirable.

Does the legislative branch of our Government so distrust the executive, which is charged with the conduct of our foreign policy, that it finds it necessary to continuously reestablish and emphasize such guidelines as contained in the resolution before us?

I have not noticed any tendency on the part of the administration to be soft on communism or to favor the admission of Red China to the United Nations, either in the past or at the present time. For this reason, the resolution before us appears to me to be totally unnecessary.

But maybe I am wrong about this, Mr. Speaker. Maybe the drafters of this

resolution detect a slight quavering on the part of the administration in its conduct of the cold war. If so, then there might be a very real question as to whether 1.3 times per year is actually often enough for us to express congressional opposition to Red China's admission to the U.N. If the distinguished Committee on Foreign Affairs detects such a quavering, perhaps we should incorporate an expression of congressional opposition as part of our daily routine. Just after the morning prayer or perhaps prior to adjournment each day.

Mr. Speaker, I can see where some Members may feel that a difficult question is raised by the House record of 15 protestations on this subject in the last 11 years. After all, if we do not continue to maintain a batting average of 1.3 protests per year our constitutents may find cause to question our resolve and determination in freedom's fight against totalitarianism.

I am happy to say, Mr. Speaker, that I don't think the people whom I have the privilege of representing in Ohio would be terribly upset even if our batting average falls to less than one resolution on this subject per year. Nor do I think that our neighbors in the U.N. would construe such inaction as an affirmative indication that the United States wants China in the United Nations. Our position is perfectly clear on this score and there is no reason whatever to suppose it in doubt.

The resolution, as I see it, is undesirable as well as unnecessary. It is undesirable because it interjects Congress into the conduct of our foreign affairs in a manner which serves no constructive purpose whatever. If we persist in this kind of nonsense, Mr. Speaker, every vestige of flexibility in the conduct of our foreign policy stands to be destroyed. It is time we recognize that such infringements by Congress upon Presidential authority can lead to confusion, if not disintegration, in the implementation of an affirmative foreign policy.

Mr. Speaker, many of us here are vehemently opposed to the admission of Red China as a member of the U.N. at this time. But it does not follow that we must therefore cast an affirmative vote for the resolution before us. I am sure that if the membership of the House is careful to distinguish between the question of whether Red China should at this time be a member of the U.N. and whether or not the legislation before us can serve any proper or useful purpose, an intelligent decision on the resolution will be reached.

The SPEAKER. The question is on suspending the rules and passing the resolution.

The question was taken; and there were—yeas 368, nays 2, not voting 64, as follows:

[Roll No. 135]

YEAS—368

Abbitt	Anderson, Mont.	Baldwin
Abernethy	Andrews	Baring
Adair	Arends	Barr
Addonizio	Ashmore	Barry
Albert	Aspinall	Bass, N. H.
Alexander	Auchincloss	Bass, Tenn.
Alford	Avery	Bates
Allen	Ayers	Baumhart
Andersen, Minn.	Baker	Becker
Belcher	Goodell	Moeller
Bennett, Fla.	Granahan	Monagan
Bennett, Mich.	Grant	Montoya
Bentley	Gray	Moore
Berry	Green, Pa.	Moorhead
Betts	Griffin	Morgan
Blitch	Griffiths	Morris, N. Mex.
Boggs	Gross	Morris, Okla.
Boland	Gubser	Moss
Bolling	Hagen	Moulder
Bonner	Haley	Multer
Bosch	Halpern	Mumma
Bow	Hardy	Murphy
Bowles	Hargis	Murray
Boyle	Harmon	Natcher
Brademas	Harris	Nelsen
Bray	Harrison	Nix
Breeding	Healey	Norblad
Brewster	Hébert	Norrell
Brock	Hechler	O'Brien, Ill.
Brooks, La.	Hemphill	O'Brien, N.Y.
Brooks, Tex.	Henderson	O'Hara, Ill.
Broomfield	Herlong	O'Konski
Brown, Ga.	Hiestand	O'Neill
Brown, Mo.	Hoeven	Oliver
Brown, Ohio	Hoffman, Ill.	Ostertag
Broyhill	Hoffman, Mich.	Passman
Budge	Hogan	Patman
Burke, Ky.	Holland	Pelly
Burke, Mass.	Holt	Perkins
Burleson	Holtzman	Pfost
Bush	Hosmer	Philbin
Byrne, Pa.	Huddleston	Pirnie
Byrnes, Wis.	Hull	Poage
Cannon	Ikard	Poff
Carnahan	Irwin	Preston
Casey	Jarman	Price
Cederberg	Jennings	Prokop
Chamberlain	Jensen	Pucinski
Chelf	Johansen	Quie
Chenoweth	Johnson, Calif.	Quigley
Chiperfield	Johnson, Md.	Rabaut
Church	Johnson, Wis.	Rains
Clark	Jonas	Randall
Coad	Jones, Mo.	Ray
Cohelan	Judd	Reece, Tenn.
Collier	Karsten	Rees, Kans.
Colmer	Karth	Reuss
Conte	Kasem	Rhodes, Ariz.
Cook	Kastenmeier	Rhodes, Pa.
Cooley	Kearns	Riehlman
Corbert	Kee	Riley
Cramer	Keith	Rivers, Alaska
Cunningham	Kelly	Rivers, S.C.
Curtin	Keogh	Roberts
Curtis, Mo.	Kilday	Robison
Daddario	Kilgore	Rogers, Colo.
Dague	King, Calif.	Rogers, Fla.
Daniels	King, Utah	Rogers, Mass.
Davis, Ga.	Kirwan	Rogers, Tex.
Davis, Tenn.	Kitchin	Rooney
Delaney	Kluczynski	Rostenkowski
Dent	Knox	Roush
Derounian	Kowalski	Rutherford
Devine	Lafore	St. George
Diggs	Laird	Santangelo
Dingell	Landrum	Saund
Dixon	Lane	Saylor
Dollinger	Langen	Schenck
Donohue	Lankford	Schwengel
Dorn, N.Y.	Latta	Scott
Dorn, S.C.	Lennon	Selden
Dowdy	Lesinski	Shelley
Downing	Levering	Sheppard
Doyle	Libonati	Shipley
Dulski	Lindsay	Short
Durham	Loser	Simpson, Ill.
Dwyer	McCormack	Simpson, Pa.
Edmondson	McCulloch	Sisk
Everett	McDonough	Slack
Evins	McDowell	Smith, Calif.
Fallon	McFall	Smith, Iowa
Farbstein	McGinley	Smith, Kans.
Fascell	McGovern	Smith, Miss.
Feighan	McIntire	Smith, Va.
Fenton	McMillan	Spence
Fisher	Machrowicz	Springer
Flood	Mack, Ill.	Staggers
Flynn	Mack, Wash.	Stratton
Flynt	Madden	Stubblefield
Fogarty	Magnuson	Sullivan
Foley	Mahon	Taber
Forand	Mailliard	Teague, Calif.
Ford	Marshall	Teague, Tex.
Forrester	Matthews	Thomas
Fountain	May	Thompson, N.J.
Frazier	Meader	Thompson, Tex.
Frelinghuysen	Merrow	Thomson, Wyo.
Friedel	Metcalf	Thornberry
Fulton	Michel	Toll
Garmatz	Miller, Clem	Tollefson
Gary	Miller, George P.	Trimble
Gathings	Milliken	Tuck
Gavin	Mills	Udall
George	Minshall	Utt
Giaimo	Moeller	Vanik
Van Zandt	Westland	Wolf
Vinson	Wharton	Wright
Wainwright	Whitener	Yates
Wallhauser	Whitten	Young
Walter	Widnall	Younger
Wampler	Wier	Zablocki
Weaver	Willis	Zelenko
Weis	Winstead	

NAYS—2

Ashley	Meyer

NOT VOTING—64

Alger	Gallagher	Osmers
Anfuso	Glenn	Pilcher
Bailey	Green, Oreg.	Pillion
Barden	Hall	Porter
Barrett	Halleck	Powell
Blatnik	Hays	Rodino
Bolton	Hess	Roosevelt
Boykin	Holifield	Scherer
Buckley	Horan	Sikes
Burdick	Jackson	Siler
Cahill	Johnson, Colo.	Steed
Canfield	Jones, Ala.	Taylor
Carter	Kilburn	Teller
Celler	Lipscomb	Thompson, La.
Coffin	McSween	Ullman
Curtis, Mass.	Macdonald	Van Pelt
Dawson	Martin	Watts
Denton	Mason	Williams
Derwinski	Miller, N.Y.	Wilson
Dooley	Mitchell	Withrow
Elliott	Morrison	
Fino	O'Hara, Mich.	

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Martin and Mr. Buckley for, with Mr. Porter against.

Mr. Anfuso and Mr. Hays for, with Mr. Johnson of Colorado against.

Until further notice:

Mr. Mitchell with Mr. Alger.

Mr. Pilcher with Mr. Halleck.

Mr. Rodino with Mr. Wilson.

Mr. Bailey with Mr. Taylor.

Mr. Roosevelt with Mr. Withrow.

Mr. Boykin with Mr. Glenn.

Mr. Jones of Alabama with Mr. Horan.

Mr. Steed with Mr. Jackson.

Mr. Williams with Mr. Miller of New York.

Mr. Morrison with Mr. Osmers.

Mr. Thompson of Louisiana with Mr. Lipscomb.

Mr. Gallagher with Mr. Kilburn.

Mr. Dawson with Mrs. Bolton.

Mr. Elliott with Mr. Cahill.

Mr. Macdonald with Mr. Van Pelt.

Mr. Holifield with Mr. Scherer.

Mr. Barrett with Mr. Mason.

Mr. Blatnik with Mr. Siler.

Mr. Celler with Mr. Curtis of Massachusetts.

Mr. Powell with Mr. Fino.

Mr. Teller with Mr. Hess.

Mr. Sikes with Mr. Pillion.

Mr. Hall with Mr. Dooley.

Mr. Denton with Mr. Canfield.

Mr. Coffin with Mr. Derwinski.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPEAL ACT OF OCTOBER 20, 1914, LEASING COAL LANDS IN ALASKA

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6939) to repeal the act of October 20, 1914 (38 Stat. 741), as amended (48 U.S.C., secs. 432–452), and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado. [After a pause.] The Chair hears none and appoints the following conferees: Messrs. ASPINALL, ROGERS of Texas, POWELL, SAYLOR, and WHARTON.

DESIGNATING DYBERRY DAM AND RESERVOIR, LACKAWAXEN RIVER BASIN, PENNSYLVANIA, AS GENERAL EDGAR JADWIN DAM AND RESERVOIR

Mr. PROKOP. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8035) to designate the Dyberry Dam and Reservoir, Lackawaxen River Basin, Pennsylvania, as the General Edgar Jadwin Dam and Reservoir. That is No. 246 on the Consent Calendar. I have cleared the bill with all members of the Committee of Official Objectors and they have no objection.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. ARENDS. Mr. Speaker, reserving the right to object, I wish the gentleman would withdraw his request under the circumstances because it is late in the day and the objectors on this side have left and I was left with instructions that no bill which had been objected to or passed over should be taken up.

The SPEAKER. The gentleman from Pennsylvania has assured the Chair that the bill has been cleared.

Mr. ARENDS. I had this last word from some of the gentlemen who are on the Objectors Committee on this side. If they want to change their position, all fine and good.

Mr. WEAVER. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield.

Mr. WEAVER. Mr. Speaker, this bill was not called on the Consent Calendar for today. The gentleman from Pennsylvania has cleared it with me and so far as I am personally concerned I have no objection to the present consideration of the bill.

Mr. ARENDS. I had understood the gentleman to say that it was on the calendar. If that is not the case, then it is all right. I was talking about bills that were called on the calendar today.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the dam and reservoir known as the Dyberry Dam and Reservoir, authorized to be constructed in the Lackawaxen River Basin by section 203 of the Flood Control Act of 1948 (62 Stat. 1176; Public Law 858, Eightieth Congress), shall be known and designated hereafter as the "General Edgar Jadwin Dam and Reservoir". Any law, regulation, map, document, record, or other paper of the United States in which such dam and reservoir are referred to shall be held to refer to such dam and reservoir as the "General Edgar Jadwin Dam and Reservoir."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADM. ARLEIGH A. BURKE, CHIEF OF NAVAL OPERATIONS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, today, August 17, Admiral Burke begins a third term as Chief of Naval Operations and as a member of the Joint Chiefs of Staff. This represents not only an unprecedented honor for Admiral Burke, but it also provides the U.S. Navy, the Joint Chiefs of Staff, and the Nation with the benefits of his great capacity and leadership.

In its long distinguished history, the U.S. Navy has had a number of outstanding leaders. One of them was the great wartime commander, Fleet Admiral William F. Halsey, whose passing from this life the whole Nation mourns today. Throughout its brilliant history, however, no naval leader has brought to the U.S. Navy, and to the national defense of the Nation, a greater understanding of the problems involved, greater force and greater energy, and a more cooperative and efficient Naval organization within the national defense structure than has and does Admiral Burke.

Admiral Burke is a thorough student of naval defense. He is strong, capable and all business. He is constantly studying and measuring the job constituting the military responsibility of our Nation. He is constantly working upon the correct methods to meet this great responsibility. Admiral Burke is an extremely reasonable naval officer constantly seeking the truth, and constantly trying to develop the best and most efficient methods to accomplish the needs of the present and insure the Nation's future security. When he believes he is right, he has the courage to stand up for his views. If anyone can show him a better way, he is always anxious and ready to accept such suggestions. It is the job he is concerned with and he has proved on many occasions he wants to do the job the best way it can be done.

The U.S. Navy and the Nation is fortunate, indeed, President Eisenhower asked Admiral Burke to serve an unprecedented third term as Chief of Naval Operations. In accepting this responsibility, and in doing the job, Admiral Burke will never take his eye off of the prime target, which is the best way to defend and protect the security of the United States of America and the free world.

In beginning this unprecedented third term, I know all of my colleagues here in the Congress extend to him their best wishes and their cooperation. Although the Navy and the other military services, as well as the whole Department of National Defense have many fine military officers and officials, nevertheless, I feel, and I am sure Americans throughout the Nation feel, a sense of security and a sense of strength because we know Admiral Burke is still to be in command and our entire national defense responsibilities will have the benefit of his counsel and wisdom.

Yesterday, in the Sunday Star, appeared a very fine editorial written by the Star staff writer, Mr. L. Edgar Prina, entitled "Reflections of a Top Military Planner." It is altogether fitting, I think, Mr. Speaker, to include this article about Admiral Burke as a part of my remarks at this time:

REFLECTIONS OF A TOP MILITARY PLANNER

(By L. Edgar Prina)

Adm. Arleigh A. Burke, who tomorrow begins an unprecedented third term as Chief of Naval Operations and as a member of the Joint Chiefs of Staff, was a deeply troubled man when he was asked to stay on for 2 more years.

It wasn't that the 57-year-old destroyerman was tired or fed up. Far from it. The reason, which may astonish those who don't know the admiral, projects light on his character and personality.

"I wasn't sure it would be a good thing for the Navy for one man to run the show, to have things done his way, for so long a period," he told a reporter. "And I am still not sure."

But while Admiral Burke may have preferred to step aside, when he was told that his Commander in Chief particularly wanted him to continue, he responded willingly.

It was President Eisenhower, of course, who, in 1955 dipped down past 4 admirals, 20 vice admirals, and 63 rear admirals to pick the two-star Burke, then commander, Atlantic Fleet destroyers, to succeed Adm. Robert B. Carney as Chief of Naval Operations. Of the 87 flag officers he leapfrogged, only 30 are on active duty today.

YOUNGEST MEMBER OF JOINT CHIEFS OF STAFF

Admiral Burke, who remains the youngest member of the Joint Chiefs of Staff, still has 4 months and 14 days to go before he will have served longer as Navy boss than any other officer. Adm. William Shephard Benson held the post from May 11, 1915, to September 24, 1919.

The heads of each of the armed services automatically serve as a member of the Joint Chiefs of Staff. Before the appointment of Admiral Burke to a third 2-year term, no officer had ever served more than two terms. The admiral is credited with having a particularly acute grasp of Soviet tactics and global strategy. The late Secretary of State, John Foster Dulles, often conferred directly with him.

The President and Admiral Burke have not always seen eye-to-eye on major defense issues. One of the prime examples was the admiral's opposition to key portions of Mr. Eisenhower's Pentagon reorganization plan. But a great deal of mutual respect exists between the two men.

Not the smoothest of the Joint Chiefs on the witness stand, Admiral Burke nevertheless has been a particular favorite on Capitol Hill. Although he sometimes gropes for words in his eagerness to explain his position, he almost always finds the right ones.

After a hearing earlier this year on the Nation's defense posture, Senate Majority Leader LYNDON JOHNSON told reporters that in his more than 25 years of attending congressional hearings he has never heard a more competent or more honest witness than Arleigh Burke.

TO PRESS FOR MORE DEFENSE

In an interview in his Pentagon office late last week the Navy chief made it clear that in the next two years he would press for the strengthening of America's limited war capabilities.

He feels keenly about this because, in his opinion, all-out war between the United States and the Soviet is only a remote possibility and will grow less likely as newer, deadlier and less vulnerable weapons come into being.

Admiral Burke contends that there is "no real evidence" that the Russians' No. 1 priority is a sneak attack against this country at the earliest moment. If such was their aim they would have built up a large heavy bomber force, he says. This they have not done.

According to the admiral, the American people, as a whole, still do not understand that the Communist strategy is for a ceaseless war of attrition and an avoidance of any dramatic military attacks.

Asserting that Soviet nibbles around the periphery of the free world "are going to come faster and faster, and faster," he asked a Naval War College audience last April:

"Why can't we realize that we cannot react violently to one provocation and then sink back into lethargy? Why do recurring offers of Soviet peace stir a new but vain hope?"

The admiral complained, too, that we let the Soviet Union set the ground rules—like the one that the battleground of the cold war is always in a free world territory, never within the Soviet bloc. He said:

"What they (the Russians) say in effect is that what happens in the non-Communist world is their business, but what happens in the Communist world is nobody else's business. * * *

"Something very dangerous happens to the man who comes to accept that the other fellow will always carry the ball."

THE REAL FIGHT

The real fight with communism is on the "day-to-day scene" and that is where "we will have to take them on," he declared. If we don't, he warned, "there will be no death agony," but rather a "prolonged, gradual, almost painless ebbing of the life and spirit of the free world."

Admiral Burke said he figuratively keeps pasted in his cap a statement made by Dimitri Manuilsky, the old Soviet warhorse, in 1931. He expressed a wish that all Americans could occasionally refer to it. This is what Mr. Manuilsky said:

"War to the hilt between communism and capitalism is inevitable. Today, of course, we are not strong enough to attack. Our time will come in 20 or 30 years. The bourgeoisie will have to be put to sleep, so we will begin by launching the most spectacular peace movement on record.

"There will be electrifying overtones and unheard-of concessions. The capitalist countries, stupid and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends. As soon as their guard is down we shall smash them with our clenched fist."

The admiral conceded that the public today probably does not understand as thoroughly as it did before and during World War II, the need for strong sea forces.

IMPORTANCE OF MOBILITY

He feels, however, that the Lebanon, Formosa, and other cold-war incidents of the past couple years, the development of the Polaris missile and its atomic-powered submarine base—"the best retaliatory system in the world by far"—and an increasing realization of what mobility means in the ballistic missile age, has turned the spotlight on the Navy again.

"But we still haven't been able to crack the money barrier," he said. "We continue to get about 28 percent of the total defense budget."

He explained that the Navy has not been able to obtain a percentage increase—nor has the Army—even though, in his opinion, we already have more than enough strategic weapons, very expensive items. He believes that some of the funds now being allocated to increasing our stocks of these big weapons should go to the modernization of the fleet and ground forces.

There is not any relief in sight either. According to the admiral, the money squeeze, tight last year, "will be worse this year."

While he declined to predict what defense spending will be limited to in the new budget, he made the point that even if there is no reduction, the rising costs of labor and materials and the increasing complexity of equipment could mean less defense for the dollar.

The admiral asserted that drastic steps, such as the elimination of entire weapons systems, probably will have to be taken if the Navy is going to live within its share of the 1961 budget now being drawn up.

PROGRAM FOR BALANCE OF WEEK

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time to ask the majority leader if he has some additional information as to the program for the balance of the week.

Mr. McCORMACK. I am glad the gentleman asked that question, because while I have nothing to announce yet as to additional legislation that would come up under a rule this week, the Rules Committee is meeting tomorrow and considering several bills; nevertheless, before we take up H.R. 8374, relating to the exposition in Seattle, the following bills from the Ways and Means Committee will be called up following the Private Calendar but not necessarily in the order listed:

First. H.R. 4857, admission tax, crippled children.

Second. H.R. 2886, tariff, suspension of duty, silk yarn.

Third. H.R. 6368, tariff, pumice stone, put on free list.

Fourth. H.R. 6579, tariff, tanning products, free list.

Fifth. H.R. 47, taxes, exemption, children placed for adoption.

Sixth. H.R. 2573, taxes, marital deduction to widow's allowance or award.

Seventh. H.R. 4384, tariff, free entry, religious articles.

Eighth. H.R. 4586, to amend section 4021 of the Internal Revenue Code of 1954, aromatic cachous.

Ninth. H.R. 4576, tariff, suspend duties on bookbinding and covers.

Tenth. H.R. 4029, taxes, eliminate the proration of the occupational tax on persons dealing in machineguns and certain other firearms.

Eleventh. H.R. 7588, taxes, copyright royalties, holding company.

Twelfth. H.R. 7456, tariff, free entry, casein.

Thirteenth. H.R. 3151, withholding city income taxes.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman from Illinois yield?

Mr. ARENDS. I yield.

Mr. HOFFMAN of Michigan. Can the majority leader tell us how long the legislative program will take tomorrow?

Mr. McCORMACK. There will be the call of the Private Calendar and these bills from the Ways and Means Committee. There are but three other bills for the balance of the week; H.R. 8374 relating to the exposition out in Seattle, Wash., then H.R. 7985, the Communications Act, and H.R. 1341, the safety standard for Government-passenger-carrying vehicles. It is not intended to bring those three up tomorrow.

Mr. HOFFMAN of Michigan. Would the gentleman say we would run past 3 o'clock?

Mr. McCORMACK. I would say we might run until 5 o'clock. If the gentleman has any special reason for wanting earlier recognition perhaps we could accommodate him.

Mr. HOFFMAN of Michigan. I just want to get 20 additional minutes for either Wednesday, Thursday, or Friday, and I wanted to know what the legislative situation was going to be.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield.

Mr. GROSS. The gas tax bill from the Ways and Means Committee will not come up tomorrow, will it?

Mr. McCORMACK. That bill will come from the Committee on Public Works. They have had no meeting as yet and while I do not want to foreclose myself, the probabilities are that it will not be brought up this week. I do not want to make a definite statement to that effect, however.

Mr. ARENDS. I thank the gentleman from Massachusetts.

SPECIAL ORDERS

Mr. HOFFMAN of Michigan. Mr. Speaker, under consent previously granted I have 30 minutes tomorrow and 10 minutes on Wednesday, Thursday, and Friday. I would like, if I do not use more than 5 of my 30 minutes tomorrow, to have the privilege of using the remaining time on those other days; and I assure the Speaker I will never use them but once.

The SPEAKER. Without objection the gentleman's amendment to his previous request is agreed to.

There was no objection.

LABOR, VETERANS, AMERICANS: PROTEST KHRUSHCHEV VISIT

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, for the first time since that deadly evil communism was spawned in the Russian Revolution of 1917, an American President has shocked and humiliated our people by inviting Khrushchev, the assassin of human freedom, to be his guest at the White House.

"Blood on the White House" is the reaction of a front-page editorial in the Manchester (N.H.) Union-Leader of August 6, 1959.

"Enter, Czar Nikita" is the mocking comment of David Lawrence in the August 10 editorial of U.S. News & World Report.

Surprise, disbelief, resentment, anger—these are the feelings aroused in the American public by the colossal blunder of the administration and its advisers.

Turning its back on Captive Nations Week, the administration now asks us to participate in Shame Day—September 15—when the free air of this country will be polluted by this administration's welcome to the enemy of humanity.

"Be nice to (Killer) Khrushchev" says the administration. "Hasn't he promised that you and your children will live under communism? Remember now to be polite and let him have his own way. Be friendly and he will be friendly."

Sure, like the wolf in sheep's clothing.

"But see how he smiles and winks at pretty girls and pats babies on the head," says the administration in a hollow voice, as with secret misgivings, it begins to realize how it was baited and hooked by Khrushchev.

In every captive nation there is despair at the news that the President of the United States has personally invited their oppressor to enjoy the hospitality of our country. Has the United States deserted them?

In every smaller nation that looked up to our example, there is bewilderment and emergency sessions of the governments as they try to adjust themselves to the new look at communism fashioned by the White House.

In view of this sudden about face, can the United States be trusted, they anxiously ask themselves?

And in many an American home there is frustration and doubt and dismay.

"What has happened to our American birthright?"

"What induced our leaders to misrepresent us before the world?"

"What can we do to change the disgraceful image of our country that is to be presented to the world and regain the faith that freedom-hungry people once reposed in us?"

It can—it must be done.

By speaking up for the true America—its people—as distinguished from the administration that has done it such a disservice.

For the real America is not in the material toys that the administration is so anxious to show to Khrushchev, but in the spirit of its people who will never compromise with despotism, or permit themselves to be used as extras to provide the background for a disgusting reception to Khrushchev.

That spirit must express itself so that the world will clearly note, understand, and be inspired by the fact that we have not abandoned our faith in freedom.

And so we appeal to every clear-thinking American who is not hypnotized or brainwashed into believing the tragic fallacy of the administration that "we can do business with communism" to protest vigorously and continuously: We do not want Khrushchev to come here."

To the great labor organizations, and veterans' groups, and fraternal societies, to all nationalities and religions, we plead for a great outpouring of public protest against the shameful spectacle of a once proud Nation honoring a mass murderer.

TAX TREATMENT OF AMERICAN CONCERNS OPERATING ABROAD

The SPEAKER. Under the previous order of the House, the gentleman from Indiana [Mr. BRAY] is recognized for 15 minutes.

Mr. BRAY. Mr. Speaker, the House Ways and Means Committee has been holding hearings for several days on legislation that, if finally enacted into law, would, in my opinion, do great damage to American industry and especially to American labor. I refer to H.R. 5, which was introduced by Representative HALE BOGGS, of Louisiana, and which would give to American manufacturers preferred treatment with respect to income derived from foreign activities.

Under this bill, American concerns—if they manufacture goods abroad using foreign labor—will have to pay only 38 percent corporation tax on their net income instead of 52 percent which they would have to pay on the same goods manufactured in America using American labor. This legislation, if passed, will, among other things, tell the American manufacturer that he will be taxed at a rate 14 percent less on profits made abroad than he would have to pay in making the same profits operating in the United States; or, in plain English, this legislation tells the American manufacturer that he is being given a bonus and special privileges if he moves a plant to foreign soil to do his manufacturing. He can then ship the goods that are manufactured abroad back into competition with like goods made in America. In addition, the manufacturer operating abroad will pay no taxes on his net profits until they are brought back into the United States.

Even without this 14-percent tax benefit, American industry has already invested more than $27 billion abroad since World War II in factories, oil wells, mines, and other enterprises. I would like to briefly point out the great extent to which American companies are already manufacturing goods abroad even without this 14-percent tax benefit that H.R. 5 proposes.

American investments abroad have already created over one million jobs for foreign labor. General Motors this year will import 40,000 of their German-made Opels and 24,000 of their British-made Vauxhalls, which is approximately 100 percent more of these automobiles than they brought to this country last year. Ford Motor Co. will import 44,000 of its British-made Fords and German-made Taunus this year, a great increase over 1958. Chrysler imported 12,800 of their French-made Simcas last year and plan to import 50,000 this year, an increase of almost 400 percent. The workers in these countries are poorly paid by American standards. In England, the average hourly pay to the automobile worker is $1.25 an hour; in France and Germany, 70 cents an hour, while in America it is $2.66 an hour.

The Hamilton Watch Co. is now having a Japanese firm manufacture watches. It has also purchased a factory in Switzerland. The Elgin National Watch Co. is also leasing a factory in Switzerland. The Singer Sewing Machine Co. is now manufacturing sewing machines in Scotland. The H. J. Heinz Co., famous for its 57 varieties, is building one factory in England that alone will employ 7,500 workers. It has also opened a factory in Holland. The Borden Co. is now operating in Holland and Denmark.

Incidentally, a few days ago I received a letter from the Amalgamated Meat Cutters and Butcher Workmen, expressing great concern as to the American packinghouses that are being closed because of the importation of cheaply slaughtered processed meats from abroad. I have just noted that in the first 5 months of this year, the United States has imported three times as much beef from Australia as they did in the entire year of 1958. If American packinghouses get a 14 percent tax advantage for operating outside of the United States, they will continue to slaughter more and more foreign meats to the ultimate detriment of all Americans.

I also received a letter last week from the Amalgamated Clothing Workers of America, expressing concern about the impact brought about by the importation of foreign clothing.

Parke Davis & Co. and Bristol-Myers Co. are now operating abroad. International Harvester Co. is shipping tractors to the United States which are made in England. J. I. Case Co., of Racine, Wis., has purchased the controlling interest in a French company, and states that it will probably import a small diesel tractor into the United States. Johns-Manville Corp. is opening two new plants in Italy. Minneapolis-Honeywell Regulator Co. has bought a half-interest in a Japanese firm which employs 13,000 workers.

I have given only a very brief résumé of the many hundreds of American manufacturers who are operating or are planning to operate factories abroad using cheap foreign labor and using cheap power created from coal mined in Europe or Asia. In addition to the payroll that is being distributed to the foreign labor, many millions are being spent abroad for the power, energy, raw products, and such that go into the manufacture of the finished product. Yet these finished products are imported into America in competition with American-made goods.

The farmer is also a victim of unfair trade policies. In addition to the meat, many other farm products are being imported today in large quantities. Those products we produce in surplus and those traditionally American should be protected by import quotas. These jobs should be saved for American workers and farmers. It is the duty of the State Department, the Congress, and the President to give to the American farmer and the American worker the same advantages and protection as offered by foreign countries to their farmers and workers.

By these remarks, I do not mean to infer that I am against foreign trade

or against American industry operating abroad. Our country, however, must keep in mind that while we should be a true friend to other countries, our first responsibility is to take proper care of the needs of our own people. Neither do I intend to condemn American business for moving their operations abroad. Our governmental trade policies are making it increasingly difficult for manufacturers operating in America, paying American wages, to successfully compete with cheap foreign imports.

I believe that last year Congress could have passed certain amendments to the extension of the Trade Agreements Act that would have given American industry and labor this needed protection without greatly damaging our foreign trade.

On the 10th day of June last year, I addressed this body, opposing the 4-year extension of the Trade Agreements Act unless we included amendments to given some protection to American labor and industry against the importation of goods made by foreign labor receiving only a fraction of what American labor received. A few of us made a bitter fight to get for American business and labor that minimum of necessary protection. I regret to say that, while we did get some minor changes in the legislation, on the whole, we lost the fight. This was not a political fight, as the leadership of both political parties favored the legislation without change. We, who attempted to get this protection for American labor, were accused of being against world trade. This accusation was unfounded; speaking for myself, I realize the importance of world trade, but I realize that American industry and labor need protection in the ruthless competition of foreign labor. Our labor is paid generally from $1 to $3 an hour, whereas foreign labor generally is paid from 30 cents to 70 cents per hour.

I would like to give just a few figures to point out the justification of the fears which I expressed on the floor on June 10, 1958. May I quote from the Wall Street Journal of Wednesday, June 29, 1959:

> For 6 months through May, imports have exceeded exports each month. This pattern runs counter to all experience. * * * New imports have been increasing steadily since last December.

Since the beginning of 1959, our exports have dropped 20 percent. On the other hand, imports into the United States from abroad have increased by some 6 percent in the first quarter of 1959 as compared with the first quarter of 1958. Also, since the beginning of 1959, we have lost $2.6 billion in gold; that is, we have been running a deficit in our total foreign account.

There are many types of tariffs, quotas, blocking of currencies, and such methods that other countries are using to discourage American imports into their countries.

American industry is being threatened by foreign competition in such fields as: textiles, coal by the importation of residual oil, glass, clothing, wood products including veneers, rubber products including clothing, automobiles including equipment and parts, electronic products including all types of electrical equipment, fabrication of steel, structural tile, clay pipe, canned meats slaughtered and processed abroad, and countless other items.

I am well aware of the problems American business has in operating in America without some protection against foreign imports. I am very much in favor of giving American industry and labor that protection, and I think that soon enough Members of Congress will be aware of this situation to approve of such legislation. However, I insist that legislation such as H.R. 5 is not the solution to our problem. This piece of legislation would, in my opinion, damage all America.

I regret that all too many Americans seem to forget that any economic conditions that tend to injure any segment of our economy will ultimately adversely affect us all. For instance, in my district, the rubber worker in Washington, the clay worker in Brazil, the glass worker in Vincennes, the miner in Princeton, the gypsum worker in Shoals, the electronics worker in Bloomington—if he is out of work, he in turn cannot buy from his grocer, his filling station operator, his clothier, the auto appliance salesman. Neither can he pay his doctor or dentist nor hire a carpenter or painter.

Every town in my district would welcome a branch of one of these industries into their business community. I receive many letters concerning the possibility of bringing new plants to Indiana communities. Our people are particularly sensitive to increasing their markets of labor, power, and products.

An unemployed America cannot keep up our high standard of living and cannot pay taxes to keep up our American Government—local, State and National. I trust that the House Ways and Means Committee will not report favorably on H.R. 5, and I trust that we may be able to defeat or properly amend it in the House if it should be brought before us. We do need to give American industry some protection but in my opinion, to encourage our industries or to even force them to leave America and operate abroad certainly is not the assistance that we should give them.

The original idea of reciprocal trade was to sell automobiles, textiles, steel, wheat and cotton to the other countries of the world, and buy tea, coffee, cocoa, and products we need. No one would ever dream of asking Brazil to import coffee, nor India to import tea, nor Honduras, bananas, nor the Malaya States, rubber. Never before in the history of the world has a nation been required to import things it already has in surplus. Yet, that in effect is what we are doing today.

I do not mean to be an alarmist. American industry is operating at a high level. Our standard of living is the best on earth, and still improving. American labor on the whole is at the highest degree of employment. However, I can see the approaching shadow on this bright economic picture. To me, it is apparent that there is a trend in our trade policies that can become critical in the near future unless these policies are more in accord with plain common sense.

A PLAN TO HELP HIRE MORE MIDDLE-AGED AND OLDER PEOPLE

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. PUCINSKI] is recognized for 20 minutes.

Mr. PUCINSKI. Mr. Speaker, I have today introduced legislation which I believe will help solve one of the most pressing problems confronting America—the problem of helping our middle-aged and older citizens obtain employment.

The legislation which I have introduced would give an employer a full tax credit for whatever additional costs he may encounter whenever he hires or retains as an employee an older person. Under my proposal, the Federal Government would help eliminate one of the biggest obstacles confronting modern American industry regarding the hiring of older people and would in effect encourage industry to make employment available to our growing army of older workers.

This is a far-reaching measure which for the first time would recognize that under our modern concept of business and industry, where the employer is faced with ever-increasing costs of fringe benefits in employment, including pension plans and health and welfare programs, the hiring of older people frequently imposes additional financial burdens on the employer which he avoids merely by not hiring these older people.

A recent study by the U.S. Department of Labor shows that unemployment is more prevalent among older workers in this country. This situation exists not because older workers are less capable or less productive, but simply because it costs an employer more money to hire them. This is a fact which too many of our social agencies have tried to minimize.

I firmly believe the time has come when we in Congress should face this issue fairly and squarely.

I have just completed a very thorough study of this subject only to find that most social agencies—including a very distinguished citizens' committee recently appointed by the Secretary of Labor—have tried consistently to minimize this cost factor in appraising the entire problem of why industry is becoming more and more reluctant to hire older workers.

I submit, Mr. Speaker, that these efforts to minimize the additional costs of hiring older people—well meaning as they may be—are misdirected. The fact of the matter is that older workers have a higher rate of unemployment in America—despite our present boom—than their younger counterparts.

In 1955, the last comparable year when this Nation experienced a period of relatively full employment for which statistics are available, the Department of Labor reports that there were only 2.9

percent of people between the ages of 25 to 44 unemployed as against a total of 3.5 percent unemployed between the ages of 45 and over. More tragically, this same survey showed that older people remain unemployed for a longer period of time. Witness these figures prepared by the Department of Labor: In 1955, 30.1 percent of the people between the ages of 25 to 44 were unemployed for 15 or more weeks against 42.3 percent of those unemployed for 15 or more weeks in the age group of 45 or older.

We must recognize the fact that modern business theories are based on dollar volume and dollar profits. Because of intense competition, the modern businessman or industrialist—no matter how considerate he may want to be—must consider his enterprise in terms of costs versus profits. Many theorists have tried to persuade industry under our free enterprise system—as we know it—to forsake its profits for more humane programs. This, of course, is a worthy cause but unfortunately fails to recognize the realities of a desire for highest profits on an investment. Why should one businessman be asked to take a loss when such action may well drive him out of business because of mounting competition from similar industries not quite as altruistic as himself.

The fact of the matter is that in actual employment practices today, as the Department of Labor points out, the age at which the job seeker encounters employment varies widely with his occupation, industry, locality, and with the general conditions of the labor market in his area. Age restrictions are applied arbitrarily by many employers—sometimes as low as 35 or 40 years of age—more often at age 45 years or older.

Changes in policies, practices, and attitudes toward the hiring, training, and use of middle-aged and older workers frequently vary among employers.

I have introduced this legislation because I believe that job opportunities should be available for all of our people who are able and want to work. Each worker should be considered for employment on the basis of his individual qualifications as these measure up to the basic requirements of the job. Every employer should be permitted to recognize that in a job it is ability that counts—regardless of age—and that in reality there is no fixed age at which a person becomes too old to work.

I have thousands of letters from my constituents who tell me they have been out of work for months or even years simply because they are told they are considered too old to be hired.

The tragedy of these people is that they are too young to claim their pensions under social security and too old to be hired by private industry.

I have tragic letters from both men and women who are either in their late thirties or early forties and cannot get employment simply because industry tells them they are too old. In many instances, these people have growing children who must be fed and educated. What are these unfortunate souls to do?

We in Congress must also recognize that the whole concept of family life in modern America has changed. When I was a little boy, it was a practice for the young people to take care of their older relatives. It was not uncommon in my home—and I am sure this was true in many of your homes—that we always found an extra room for either a grandparent, or a parent, or some uncle or aunt, to put them up for a spell if they were out of work. The whole family would pitch in and help. But today, when the modern house barely has room for the immediate members of the family; when young people in these times of inflation find it difficult to make ends meet for the needs of their own immediate family, including the wife and children, they can hardly be expected to look after their older relatives. Lamentable as this may be, it is a hard and fast economic reality in modern America.

It is for this reason that I urge the Congress to approve as quickly as possible my proposal to give industry a tax credit against its income tax for the additional costs of hiring older people. I firmly believe this problem has reached the proportion of a national crisis.

I could cite a myriad of statistics to prove that middle aged or older workers are more reliable; more productive; more dependable and less susceptive to changing their position once they gain employment.

But I can also cite statistics to prove that the reason why employers prefer not to hire older people is because it costs them more to train an older worker and it also costs the employer more in the way of pension contributions—where a firm has a pension plan—and more for health and welfare insurance.

I must state as firmly as I can that those who have tried to minimize these additional costs—well meaning as they may be—have done a grave disservice to the older workers of America. The businessman or industrialist who must bear the additional costs knows these indisputable facts, regardless of what the various "experts" may claim to the contrary.

Permit me, Mr. Speaker, to cite figures prepared by the Department of Labor as to additional costs involved in hiring older workers in the steel industry—which has an excellent pension plan. These figures clearly show that the employer's annual contribution to the pension fund for a worker starting out at age 30 is only $120 annually; but this same employer's annual contribution to the pension fund for a worker starting out at age 45 is almost double, or $214 annually. The cost per hour per worker is 6 cents an hour for the employee starting out at the age of 30 years as against 10.7 cents an hour for the worker aged 45. The cost jumps to $242 a year, or 12.1 cents an hour, for the worker aged 50. For the worker aged 55, the annual cost is $265 a year, or 13.2 cents an hour.

This is for the pension fund only. To this you must add the additional cost to the employer for health and hospitalization insurance and all other fringe benefits. This is why I am proposing this tax credit so the employer will not have to carry the extra burden of these costs and actually have an incentive to capitalize on the older workers' stability when hiring him.

My proposal will in no way hurt the younger workers of America. The population growth of this Nation along with the increase in the labor force which we will need to fulfill our needs will make plenty of jobs available for all—both young and old. However, because industry knows that it costs more to hire an older person—a cost which industry is reluctant to absorb—industry is increasing automation to eliminate the worker entirely. We all know that too much automation could well destroy the very foundation of our national economy.

The plan I have introduced today would actually serve as an incentive to hire older people and serve the best interest of our entire Nation. Simply stated, it means that an employer can claim a tax credit for whatever the additional costs may be in hiring or continuing to employ an older person, as compared to what it would normally cost him to hire the youngest person who could do the same job effectively. To cite an example, an employer with 100 employees would determine what the fringe benefits cost him for his youngest group of employees doing work comparable to those of older employees. Using this figure as a base, he would compute the difference between this cost and the cost for all of his other employees in the same job classification. He could claim the total of the difference as a tax credit. Thus, the employer would not suffer the extra cost from his own profits.

Under existing law, an employer may now absorb part of this increased cost as a tax deduction in the normal course of doing business. But under existing procedures he recovers only a fraction of the added cost of hiring or retaining older people. By allowing the employer a full tax credit after he has computed his corporate tax, in addition to his normal tax deduction, he would be able to claim the entire additional cost of hiring older people against his firm's income tax.

I believe the plan is sound and I earnestly hope Congress will approve it just as quickly as possible. I have discussed this proposal with the Legislative Council here in Congress and am assured it is not in conflict with our existing revenue code.

In the name of humanity, in the name of helping our older citizens keep the jobs they now have, and help those unemployed to get employment, I urge speedy approval of this measure.

THE NEW YORK TIMES AND THE 4¼ PERCENT CEILING ON U.S. BONDS

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. REUSS. Mr. Speaker, Congress has been considering the administration's request to raise the 4¼ percent ceiling on U.S. bonds. The House Committee on Ways and Means on July 8 adopted the Metcalf-Reuss resolution, stating the sense of Congress that the Federal Reserve System, "where practicable, should bring about future needed monetary expansion by purchasing U.S. securities, of varying maturities."

The Treasury, the Federal Reserve, and the New York Times have since conducted a vigorous campaign against the "sense" resolution. Last week they won a skirmish in the interest-rate battle by inducing a majority of the Ways and Means Committee to substitute the administration's own "sense" resolution, in effect praising the administration for its debt management policies. So far as I know, this is the only case on record where the agency which is being directed is allowed to write the directive itself. According to press reports, Democrats on the Ways and Means Committee voted 2 to 1 against the administration's "sense" resolution.

The New York Times has repeatedly presented its views editorially. In its July 29 editorial, the Times said:

A DANGEROUS PROPOSAL

In regulating the reserves of the member commercial banks of the country—and thereby the potential volume of the money supply—the Federal Reserve authorities rely upon three major instruments, namely, (1) open market operations, (2) changes in the rediscount rate, and (3) changes in the percentage of reserves that the member banks must maintain against the volume of their deposits. Of the three, in central bank practice as it has been developed in the United States, the first of these is the most important.

When it is the purpose of the central bank policy to restrict the expansion of credit and the money supply the Reserve sells Government securities in the open market. When the purchasing bank pays for such purchases the result is to reduce its balance with its regional bank; and since its balance with the regional bank represents its reserves, the effect upon its ability to create credit is a multiple one. At the present time the ratio is roughly as seven is to one. In times of policy expansion the System buys "Governments," which sets in motion a sequence that is precisely the reverse of this.

Long a moot issue bearing upon the technique of open market policy has been the question: "Should the monetary authorities, in carrying it out, confine themselves (or virtually confine themselves) to dealing in short-term securities (which is the case at the present time) or should they expand their operations to include long-term Government issues as well?" At the moment this issue has been lifted by events out of the realm of purely academic controversy. Representative REUSS of Wisconsin has attached an amendment to a pending administration measure that would declare it to be "the sense of Congress" that adhering to their "basic mission" of conducting a sound monetary policy, the Reserve authorities should, "when appropriate," buy Government securities "of varying maturities" when it wants to expand the monetary supply.

Now this issue is one on which able and conscientious men may, and have, differed. The highy respected Allan Sproul, former president of the New York Reserve Bank, differed with Mr. Martin on the question. This represented an honest difference of opinion between two extremely able central bankers within the System whose integrity and whose nonpolitical approach to the issue was never in question. It is quite a different thing when Congress seeks to impose its political judgment on the Reserve System on a technical problem of this kind with which it cannot possibly be equipped to debate with the authorities, either in terms of experience or objectivity.

Even if we had had no experience with the dangerously inflationary temptation that is inherent in "pegging" the Government bond market, such a directive would seriously hamper the freedom of action of the System when the desideratum is a maximum of flexibility and it could be a one-way street to monetary disaster.

What with all the talk in the editorial about integrity, I felt impelled to answer the editorial, as follows:

JULY 29, 1959.

LETTERS TO THE EDITOR,
New York Times,
New York, N.Y.
To the EDITOR:

In your July 29 editorial, you label as "a dangerous proposal" the Reuss amendment declaring it to be "the sense of Congress" that the Federal Reserve should purchase U.S. securities "of varying maturities," instead of its present "bills only" policy.

Your opinion that the Reuss amendment is dangerous is evidently not based on any disagreement with its substance, for you point out that the highly respected Allan Sproul, former president of the New York Reserve Bank likewise disputes the wisdom of Fed's "bills only" policy. You might well have quoted Mr. Sproul's testimony before the Joint Economic Committee that the "bills only" policy puts us in danger of placing ourselves in a straitjacket which would not permit us to accomplish what the Congress and the public might expect us to accomplish in terms of monetary management.

Apparently it is all right for the highly respected Mr. Sproul to recommend flexibility, but it becomes political and dangerous when Congress does so. This is the nub of your editorial.

Congress has the duty under our Constitution to coin money (and) regulate the value thereof. It cannot escape ultimate responsibility for safeguarding the Nation's credit, although it wisely delegates day to day administration to the Federal Reserve.

Any action by the Congress, I suppose, is political. Democracy, fortunately or unfortunately, is political.

Speaker RAYBURN summed it up well the other day when he said:

"I have been forced to the conclusion that the Federal Reserve authorities have reached a point in their thinking where they consider themselves immune to any direction or suggestion by the Congress, let alone a simple expression of the sense of Congress. It appears that the fault of the suggested committee bill was not that the language itself was wrong, but that the Congress dared even to speak to the Federal Reserve, a creature of Congress."

Sincerely,

HENRY S. REUSS,
Member of Congress,
Fifth District, Wisconsin.

My reply was not printed by the Times. Instead, I received the following note on August 1:

THE NEW YORK TIMES.

Your letter has been noted by the editorial staff, which appreciates your interest in writing. We regret that we are not able to publish it. Unfortunately, the amount of space available is so limited that much material of interest and value must be passed over.

LETTERS EDITOR.

The amount of space available was not so limited, however, as to prevent the Times from printing on August 2 still another editorial on the subject:

IGNORING SOME MONETARY FACTS

When William McChesney Martin, Jr., Chairman of the Federal Reserve Board, appeared before the Joint Economic Committee of Congress, he found the Democratic members virtually united in criticizing one basic policy of the Reserve System. This was its so-called "bills only" policy, which means that in its conduct of "open market operations" it confines its purchases and sales of Government securities almost exclusively to those in the very-short-term category.

In short, they stood with Representative HENRY S. REUSS, Democrat of Wisconsin. Representative REUSS is the author of an amendment to the administration's proposal for eliminating the prevailing ceiling of 4¼ percent on the coupon rate for Government securities with maturities of five years or over. The Reuss amendment would establish it as "the sense of Congress" that the Federal Reserve, while cleaving to its principal mission of conducting a "sound monetary policy," should, when appropriate, buy Government securities as an alternative to the technique of reducing the member banks' required minimum reserves. The basic objective, when one removes the frills from this suggestion, is the always politically popular one of achieving cheap money by increasing the money supply.

Since this is what the proposal boils down to, nonparticipants in this controversy may be excused for wondering about a strange omission on the part of Mr. REUSS and his supporters. We refer to the fact, so spectacularly ignored by Mr. REUSS and his fellow advocates of cheap money, that Congress passed and sent to the White House only a few days ago a bill that would liberalize drastically the amount of reserves that member banks are required to maintain under the present law. This would be achieved by permitting the banks to count their vault cash in the form of currency and coin in computing their reserves. It would provide the banks with an estimated additional reserve of $2.447 million (based on the figures as of the last week in June). This could permit a sevenfold expansion of bank credit, or roughly $17 billion. Mr. REUSS and his colleagues seem to think that this legislation isn't worth mentioning. We doubt that many nonpolitically minded followers of this controversy would share their point of view.

Anxious not to let the accusation of my alleged "strange omission" go unchallenged, I wrote the Times as follows on August 5, 1959:

AUGUST 5, 1959.

LETTERS TO THE EDITOR,
The New York Times,
New York, N.Y.
To the EDITOR:

In your editorial of August 2, "Ignoring Some Monetary Facts," you refer to "a strange omission on the part of Mr. Reuss and his supporters." You go on to accuse me of suppressing mention of the fact that Congress recently passed the vault cash bill, which you imply is an easy-money measure to permit a sevenfold expansion of bank credit.

The facts are these. Far from concealing mention of the vault cash bill, I have been most vocal about it. And, far from wanting to use the vault cash bill as a method of achieving cheap money by increasing the money supply, I warned the Federal Reserve during the July 1 debate on the House floor against using it for any such purpose:

"I want to make it very clear that Congress, in enacting this bill, has no intention whatever of giving the Federal Reserve a

mandate to lower member bank reserve requirements, in the overall. * * * If, when, and to the extent that the Fed does permit the counting of vault cash, there is no reason under the sun why it cannot at the same time raise the general percentage of reserve requirements for the banks affected, so that the credit-creating powers caused by permitting the counting of vault cash are neutralized by an increase in overall reserve requirements."

Public discussion of how we can improve our debt management practices is all to the good. But it should stick to the facts, and not dismiss as political anyone who disagrees with the New York Times' editorial writers.

Sincerely,

HENRY S. REUSS,
Member of Congress,
Fifth District, Wisconsin.

My August 5 letter, like my July 29 letter, was not published by the Times. Instead, on August 11, I received a rejection slip identical with the August 1 rejection.

And now today, on August 17, the Times breaks another galley of type over my head with the following:

THE BOND BILL

The House Ways and Means Committee has voted the President authority to raise the interest rate ceiling on Government bonds. Moreover, it has approved the measure without the amendment to which Chairman William McC. Martin, Jr., of the Federal Reserve Board, supported by Secretary of the Treasury Robert B. Anderson, had vigorously objected.

This was the so-called Metcalf amendment, which in an earlier form had been submitted unsuccessfully before the House Banking and Currency Committee by Representative HENRY S. REUSS, Democrat, of Wisconsin. In character it was a sort of veiled directive, "suggesting" that when undertaking credit-expansion policies the Reserve System give preference to buying Government bonds of varying maturities in the open market rather than, as it sometimes does, reducing the minimum margin requirements of the member banks.

This has been replaced with a new—and very general—amendment reading as follows: "It is the sense of Congress that monetary and debt management officials of the Government shall * * * take fully into account the importance of promoting a continuity of employment opportunities, achieving the maximum sustainable rate of economic growth, maintaining reasonable stability in the purchasing power of the dollar and assuring that the cost of managing the public debt is kept to the minimum consistent with these vital objectives."

The original amendment not only attempted to impose its judgment on a matter concerning the technical aspects of the Board's operations. It also suggested specifically that the Board abandon a policy that it deliberately adopted in 1953 after a lengthy study of alternatives.

Certainly it is a far cry from the wisdom of the Reserve Board to the half-informed views of Representative REUSS, who a few days ago "explained" his own proposal. "Some 80 to 90 percent of the purpose," he declared, "was to provide the Reserve with increased earning assets and thus by adding to its profits save the taxpayers money." The only question here is which is the more naive: (1) To propose dealing with matters of central bank policy on the basis of which method is financially the most profitable; or (2) to propose substituting "open market operations" when a general reduction in reserve requirements may be indicated—all this under the mistaken assumption that the two are interchangeable instruments for dealing with identical situations.

I would be moved to answer this editorial, too, but my spirit has been broken by the steady stream of rejection slips. The Times will no doubt continue to conduct the great debate on monetary policy with itself. It seems too bad, though, because some of its readers might like to read what the other side has to say.

LABOR-MANAGEMENT REFORM LEGISLATION

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, the action taken last Thursday and Friday prompts me to voice deep concern that we have not passed a true reform measure for which I fought with conviction and sincerity in my support of the Shelley bill. I do not say this to impugn the motives of anyone. I say this to point up the fact that I view, with justifiable alarm, the antilabor provisions contained in the Landrum-Griffin bill on the theory—a false theory, in my considered judgment—that such provisions are needed to cure the patient from a designated disease. I am firmly convinced that if these antilegitimate trade union provisions become the law of the land, then we will have killed or seriously maimed the patient—incidentally, the self-same patient whom the supporters of such provisions or amendments have claimed they want to save from the malignancy. I, for one, cannot follow this type of reasoning.

To punish the honest 99 percent of the trade unionists for the failings and condemned and inexcusable actions of the dishonest 1 percent is, in my opinion, a direct violation of our cherished common law concept to protect the innocent in our efforts to weed out the guilty.

I was not panicked, Mr. Speaker, by the volume of mail that came in from business groups urging a strong labor bill—and I might add that it was always in terms of a strong labor bill, and not a strong labor-management bill. I say I did not panic because the points they stressed most vociferously were not those dealing with the crooks, the embezzlers, the bribegivers in management and the bribetakers in labor, and so on, but with matters which would make the Taft-Hartley law even more biased in favor of management. Thus, the management groups and representatives have presented a special interest viewpoint—not a public viewpoint—in the area of labor-management relations. They have seized on the reform issue to push for their desire to weaken the role of organized labor in the give-and-take of labor-management relations.

I have been most impressed and, yes, encouraged, by the equally heavy volume of mail received from individual workers urging my support of the Shelley bill.

Among the letters received from individuals was one that impressed me particularly because it summed up in essence the thinking and concern of the many, many persons who wrote as individuals and as citizens. This wage earner wrote:

I am writing this for a great number of friends who asked me to tell you thanks for your stand on the labor issue. We feel that your proposal will stop abuses and help the labor movement better living standards of millions of underpaid workers. We feel that Hoffa's mob is doing great harm to the labor movement as it gives labor haters an excuse to pass antilabor laws.

In concluding, the writer said:

I wish all Members of both the House and the Senate could hear what the voters are saying. I am sure they would join you if they could.

One final observation, I believe, is in order. A lot of words have been spoken about the rights of union members. And yet, this concern suddenly lost many of its crusading advocates when efforts were made to protect the rights of all workers by providing that it would be an unfair labor practice on the part of a labor organization to refuse or restrict membership on the basis of race, religion, color, or national ancestry, or to discriminate against union members for such reasons.

It is not too difficult to assess the reason for the defeat of such an amendment—an amendment which I supported. As I stated on the floor, when this amendment was offered to the Shelley bill:

We will now see whether our Republican colleagues will vote against civil rights for the sake of preserving the coalition that fights real progress and protection for all, not some, Americans.

Well, we have seen that the coalition approach, for the sake of "getting" the labor movement, took precedence over a principle affecting American workers, workers for whom so much concern has been expressed for many and many a month.

The so-called bill of rights will mean little to those workers who must continue to suffer the sting and indignity of prejudice and discrimination.

I cannot help but note, Mr. Speaker, that the defeat of this civil rights amendment is based on the reasoning set forth in George Orwell's book "Animal Farm." To paraphrase the author's sharp commentary:

In this labor bill, all workers are equal but some are more equal than others.

In order that I may be specific, the following are reasons—and this is by no means an all-inclusive list—why the Landrum-Griffin bill is a union-busting measure, at its worst, and a union harassment measure, at its best:

First. It imposes undue expense on the small union in its reporting requirements, and only by having the Secretary of Labor review some 40,000 cases will any of them be granted an exemption. Obviously, few, if any, will be exempted.

Second. It contains completely inadequate reporting provisions for employers, thus failing to get at the Schefferman-type middleman.

Third. It contains a bond provision automatically eliminating most of the eligible bonding companies, both within and outside the United States.

Fourth. It imposes a double standard of labor law by allowing the National Labor Relations Board to cede its jurisdiction to State jurisdiction.

Fifth. It outlaws hot cargo contracts, having nothing to do with the Teamsters, by making all hot cargo contracts with any employer an unfair labor practice, thus greatly encouraging the non-union-made product and products produced under sweatshop conditions.

Sixth. It eliminates the amendment involving the building trades, which was previously recommended by President Eisenhower in order to reverse the so-called Denver building trades rule.

Seventh. It outlaws all organizational and recognition picketing by an uncertified union under conditions which give no recognition to the many proven cases where organizational picketing is a vital economic weapon in a union's organizing efforts.

Eighth. It eliminates any provision that an employer's unfair labor practice may be used as a defense against a charge of illegal picketing.

Ninth. It fails to grant equal opportunity for membership in, and equal rights within, a labor organization regardless of race, color, or creed.

Tenth. It provides no provision for voting by economic strikers.

Further, other general provisions will result in unions being constantly engaged in legal actions, the financial cost of which will probably break the back of most unions. The Landrum-Griffin bill, I predict, will be a lawyer's windfall but a paper nightmare for the legitimate trade union movement.

Mr. Speaker, I am proud to be counted among those who fought for the Shelley antiracketeering and anticorruption bill vis-a-vis union-busting proposals and among those who wanted to bring real meaning to the bill of rights for workers.

"LOBBYISTS USE HEAVY PRESSURE ON LABOR BILL"

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, there have been times when I have criticized the press for what I thought was inaccurate or slanted reporting. Therefore it is with considerable pleasure that I call to the Members' attention an Associated Press news item which appeared in the St. Louis Post-Dispatch on August 9, 1959, which I regard as fair, accurate, and informative reporting.

This news item is headlined in the St. Louis Post-Dispatch as follows: "Lobbyists Use Heavy Pressure on Labor Bill." I expected to read one of the usual run-of-the-mill stories taking to task one group, or the other group—depending upon the sentiments of the reporter—for lobbying. I was pleasantly surprised to find the article, though, recounting heavy lobbying pressures on the labor bill, pointing out that lobbying is a "legal and time-honored practice." It might also be said that it is one of the constitutional rights all of our citizens have, to petition the Congress, and that employed properly is a necessary and beneficial part of the democratic process.

It is important that our people understand that lobbying is legal and time honored because understanding that they will take a more active part in their government. This is not to minimize the fact that there are improper lobbying techniques which should be condemned. It is to point out, however, that it is the improper techniques that should be condemned, not lobbying itself.

There is such a thing as ineffective lobbying also. I received a hand-written letter from one of my labor union constituents which might well serve as a prototype of ineffective lobbying, particularly as it revealed the techniques of the real lobbyist, the labor leader who ordered his members to "write to the Congressmen." I quote the letter in its entirety:

DEAR SIR: I do not know what this is all about. We were told to write but they did not give me any paper like the other girls got.

Sincerely,

E. —— J. ——.

I set out the Associated Press news item I referred to with warm approbation to the unnamed reporter who wrote it:

[From the St. Louis Post-Dispatch, Aug. 9, 1959]

LOBBYISTS USE HEAVY PRESSURE ON LABOR BILL

WASHINGTON, August 8.—Probably no issue in recent years has subjected Members of the House to such a crossfire of pressures as has the current controversy over labor legislation.

The lobbying on both sides has been terrific, varying from the direct and blunt to the subtle and diplomatic approach. It has been conducted over the breakfast and dinner tables, in the hallways of the Capitol, and the House Office Buildings, through the mails, and over radio and television networks.

Lobbying means, in general, seeking to influence legislation. A constituent who urges his Congressman to vote for or against a bill is lobbying. It is a legal and time-honored practice.

In a broad sense, the more prominent lobbyists in the labor battle have been President Eisenhower and George Meany, president of the AFL–CIO.

Both expressed their views last Thursday night—Mr. Eisenhower on radio-television networks and Meany on radio—on the controversy which the House will decide next week.

The President said neither a bill passed by the Senate nor a measure backed by the House Labor Committee would really do the job of curbing labor-management abuses. He said "a good start toward a real labor reform law" is to be found in another bill, sponsored by Representative PHIL M. LANDRUM, Democrat, of Georgia, and ROBERT P. GRIFFIN, Republican, of Michigan.

Meany described the Landrum-Griffin bill as a blunderbuss that would inflict grievous harm on all unions. The AFL–CIO has indorsed a third bill, sponsored by Representative JOHN F. SHELLEY, Democrat, of California, an active member of the Teamsters' Union and a former president of the California State Federation of Labor.

Stanley C. Hope, president of the National Association of Manufacturers, commended Mr. Eisenhower for having "fulfilled an obligation to speak out on the critical need for a real labor law reform measure."

During House committee hearings on the various bills, representatives of unions, the National Association of Manufacturers and the United States Chamber of Commerce flocked to Capitol Hill.

The Teamsters Union, headed by James R. Hoffa, invited groups of Congressmen to a series of breakfasts. The Teamsters followed up with personal visits to congressional offices. Representative GRAHAM A. BARDEN, Democrat, of North Carolina, chairman of the Labor Committee, accused organized labor of trying to take over his committee.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RODINO (at the request of Mr. FASCELL), for Monday, August 17, 1959, on account of illness in family.

Mr. PORTER (at the request of Mr. MEYER), for Monday, August 17, 1959, on account of official business.

Mr. STEED (at the request of Mr. ALBERT), through August 20, on account of official business (conducting hearings, Dairy Industry Subcommittee, Denver, Colo.).

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PUCINSKI, for 20 minutes, today.

Mr. HOFFMAN of Michigan, for 30 minutes, on Tuesday, for 10 minutes, on Wednesday, Thursday, and Friday.

Mr. CURTIN (at the request of Mr. GRIFFIN), for 10 minutes, on Tuesday, August 18.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. BARING.

Mr. ALGER.

Mr. MEYER, to revise and extend his remarks and include extraneous matter in his remarks made on House Concurrent Resolution 369.

Mr. ROONEY to revise and extend the remarks he made earlier today and include extraneous matter.

(At the request of Mr. GRIFFIN, and to include extraneous matter, the following:)

Mrs. BOLTON.

Mr. SCHWENGEL.

(At the request of Mr. BRADEMAS, and to include extraneous matter, the following:)

Mr. POWELL.

Mr. BRADEMAS.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 7509. An act making appropriations for civil functions administered by the Department of Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes.

ADJOURNMENT

Mr. BRADEMAS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 59 minutes p.m.) the House adjourned until tomorrow, Tuesday, August 18, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1309. A letter from the Assistant Comptroller General of the United States, transmitting a report on review of the acquisition of 33 Wherry housing projects purchased by the Department of the Air Force through June 30, 1958; to the Committee on Government Operations.

1310. A letter from the Administrator, Federal Aviation Agency, transmitting a draft of proposed legislation entitled "A bill to create the National Capital Airports Corporation, to provide for the operation of the federally owned civil airports in the District of Columbia or its vicinity by the Corporation, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

1311. A letter from the Secretary of the Army and Secretary of Agriculture, transmitting a notice of the intention of the Department of the Army and the Department of Agriculture to interchange jurisdiction of lands within the Lucky Peak Reservoir project, Idaho, and the Boise National Forest, as authorized by law, pursuant to Public Law 804, 84th Congress; to the Committee on Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of August 14, 1959, the following bills were reported on August 15, 1959:

Mr. COOLEY: Committee on Agriculture. H.R. 1359. A bill to provide for the establishment of a food stamp plan for the distribution of $1 billion worth of surplus food commodities a year to needy persons and families in the United States; with amendment (Rept. No. 907). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 8609. A bill to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, by extending the authorities of titles I and II, strengthening the program of disposals through barter, and for other purposes; without amendment (Rept. No. 908). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted August 17, 1959*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 3144. A bill to place in trust status certain lands on the Standing Rock Sioux Reservation in North Dakota and South Dakota; without amendment (Rept. No. 909). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs: H.R. 6128. A bill to provide for the division of the tribal assets of the Catawba Indian Tribe of South Carolina among the members of the tribe, and for other purposes; with amendment (Rept. No. 910). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 8317. A bill to amend the law relating to the distribution of the funds of the Creek Tribe; without amendment (Rept. No. 911). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 7437. A bill to authorize the use of funds arising from a judgment in favor of the Kiowa, Comanche, and Apache Tribes of Indians of Oklahoma, and for other purposes; without amendment (Rept. No. 912). Referred to the Committee of the Whole House on the State of the Union.

Mr. EDMONDSON: Committee on Interior and Insular Affairs. H.R. 8514. A bill to authorize the sale of 40 acres of land owned by the Creek Tribe of Indians; without amendment (Rept. No. 913). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 4029. A bill to amend the Internal Revenue Code of 1954 to eliminate the proration of the occupational tax on persons dealing in machineguns and certain other firearms, to reduce occupational and transfer taxes on certain weapons, to make the transferor and transferee jointly liable for the transfer tax on firearms, and to make certain changes in the definition of a firearm; with amendment (Rept. No. 914). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 7588. A bill to amend the Internal Revenue Code of 1954 with respect to the treatment of copyright royalties for purposes of the personal holding company tax; with amendment (Rept. No. 915). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. House Joint Resolution 80. Joint resolution providing for the erection of a memorial tablet at Garden Key, Fla., in honor of Dr. Samuel Alexander Mudd; with amendment (Rept. No. 916). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FOLEY:

H.R. 8693. A bill to amend the act approved April 11, 1956, to extend the jurisdiction of the domestic relations branch of the municipal court for the District of Columbia to cover the adjudication of the interests of husband and wife, of personal and real property in the District of Columbia; to the Committee on the District of Columbia.

By Mr. KILGORE:

H.R. 8694. A bill to authorize the Starr-Camargo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.; to the Committee on Foreign Affairs.

By Mr. PUCINSKI:

H.R. 8695. A bill to amend the Internal Revenue Code of 1954 to provide credit against income tax for an employer who employs older persons in his trade or business; to the Committee on Ways and Means.

By Mr. KEARNS:

H.R. 8696. A bill to amend the District of Columbia Police and Fireman's Salary Act of 1958 to remove certain inequities and for other purposes; to the Committee on the District of Columbia.

By Mr. RABAUT:

H.R. 8697. A bill to amend the District of Columbia Redevelopment Act of 1945 with respect to the requirements for adoption of a redevelopment plan for a project area; to the Committee on the District of Columbia.

By Mr. SHIPLEY:

H.R. 8698. A bill to provide additional compensation for employees in the postal field service required to qualify on scheme examinations; to the Committee on Post Office and Civil Service.

By Mr. McCORMACK:

H.R. 8699. A bill to assist the U.S. cotton textile industry in regaining its equitable share of the world market; to the Committee on Agriculture.

By Mrs. BOLTON:

H.J. Res. 502. Joint resolution authorizing the erection in the District of Columbia of a memorial to Mary McLeod Bethune; to the Committee on House Administration.

By Mr. HALL:

H. Con. Res. 382. Concurrent resolution providing for certain priorities for the temporary employment of civilian personnel to conduct the decennial census; to the Committee on Post Office and Civil Service.

By Mr. HARGIS:

H. Con. Res. 383. Concurrent resolution providing for certain priorities for the temporary employment of civilian personnel to conduct the decennial census; to the Committee on Post Office and Civil Service.

By Mr. HOGAN:

H. Con. Res. 384. Concurrent resolution providing for certain priorities for the temporary employment of civilian personnel to conduct the decennial census; to the Committee on Post Office and Civil Service.

By Mr. KASTENMEIER:

H. Con. Res. 385. Concurrent resolution providing for certain priorities for the temporary employment of civilian personnel to conduct the decennial census; to the Committee on Post Office and Civil Service.

By Mr. MULTER:

H. Con. Res. 386. Concurrent resolution providing for certain priorities for the temporary employment of civilian personnel to conduct the decennial census; to the Committee on Post Office and Civil Service.

By Mr. SLACK:

H. Con. Res. 387. Concurrent resolution providing for certain priorities for the temporary employment of civilian personnel to conduct the decennial census; to the Committee on Post Office and Civil Service.

By Mr. THOMPSON of New Jersey:

H. Con. Res. 388. Concurrent resolution expressing the sense of Congress that in the future memorials to great statesmen of the United States in the District of Columbia should be living memorials, and that living memorials to Presidents James Madison, Woodrow Wilson, Theodore Roosevelt, and William Howard Taft and other great statesmen are overdue, and that a community art center such as was recommended by the Commission of Fine Arts in its 16th report would be suitable for this purpose; to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HARRIS:

H.R. 8700. A bill to authorize the President to reappoint Elwood R. Quesada, formerly lieutenant general, U.S. Air Force, retired, to the grade of major general and to retire him in the grade of lieutenant general, and for other purposes; to the Committee on Armed Services.

By Mr. BENNETT of Michigan:

H.R. 8701. A bill to authorize the President to reappoint Elwood R. Quesada formerly lieutenant general, U.S. Air Force, retired, to the grade of major general and to retire him in the grade of lieutenant general, and for other purposes; to the Committee on Armed Services.

By Mr. DADDARIO:

H.R. 8702. A bill for the relief of Aldo Francesco Carbone; to the Committee on the Judiciary.

By Mr. GEORGE P. MILLER:

H.R. 8703. A bill for the relief of Chew Wah Young (Joseph T. Chew); to the Committee on the Judiciary.

By Mr. NIX:

H.R. 8704. A bill for the relief of Laibeck Teitelbaum; to the Committee on the Judiciary.

By Mr. YOUNGER:

H.R. 8705. A bill for the relief of Mrs. Annie Zambelli Stiletto; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H.R. 8706. A bill for the relief of Mara Zorich; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

256. The SPEAKER presented a petition of the secretary-treasurer, Socialist Party, Milwaukee, Wis., petitioning consideration of their resolution with reference to "calling for the enactment of a substantial housing and slum clearance bill whether the President of the United States threatens to veto it or not", which was referred to the Committee on Banking and Currency.

EXTENSIONS OF REMARKS

Washington Report

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, August 17, 1959

Mr. ALGER. Mr. Speaker, the following is my newsletter of August 15, 1959:

WASHINGTON REPORT BY CONGRESSMAN BRUCE ALGER, FIFTH DISTRICT, TEXAS

The labor bill passed, unbelievably the strongest of the three bills considered, and by a lopsided resounding vote, 303 to 125. A victory for Senator MCCLELLAN and his committee (through its disclosures), for the President, for the minority Republican House leadership, and for the coalition of Republicans and southern Democrats. By their own statements against the bill, it was a defeat for the House Democrat leadership, the AFL–CIO, the Teamsters, and the dedicated House liberals. But, most of all, it was a victory for the people, both in and out of unions, who by letters and wires demanded labor reform and an end to the abuses and excesses of the power of labor leaders.

The bills considered and their sponsors: (1) The Teamsters sponsored the weakest bill, the Shelley bill (defeated 245 to 132). (2) The Democrat House leadership (and AFL–CIO indirectly) sponsored the committee bill. (3) The administration, most business interests, the minority House (Republican) leadership, and southern Democrats sponsored the bipartisan Landrum-Griffin substitute bill, passed with 156 Democrats and 147 Republicans for, 122 Democrats and 3 Republicans against. Oddly enough and yet understandably, the excesses of labor and of proponents of labor's legislative demands brought on their own downfall or correction. These excesses include (1) unwillingness to concede that effective labor reform legislation was needed; (2) intemperate and inaccurate criticism of the substitute bill; (3) accusations of management's lobbying (galleries full of labor representatives and most lobbying by labor as usual); (4) sponsorship of committee bill that would actually weaken present labor law (example: exempt from boycott provisions 88 percent of truckers now covered); (5) those against the committee bill were accused by Democrat leadership of being "labor haters" and partisan.

The debate raged around the differences of the three bills (see last week's newsletter). On study I found arguments for the substitute bill outweighed the arguments for the Committee bill (after Shelley bill was eliminated). Arguments for committee bill include: (1) It's stronger than Shelley bill; (2) It goes as far as possible without hurting labor movement; (3) The substitute bill is "punitive" and goes too far. Rebuttal by proponents of the substitute bill (see last week): (1) Only the substitute bill covers the main areas of abuse: (a) Workers' bill of rights (b) union finances (c) No man's land labor disputes jurisdiction (d) Blackmail picketing (e) Secondary boycotts and hot cargo; (2) the substitute bill is not punitive and will eliminate from labor movement only the undesirable.

The debate was the most stimulating of the year—the air almost crackled with excitement, intemperate statements were hodgepodged with studious presentations, tempers flared, laughter greeted many exchanges. Debate highlights, humor or oddities include: (1) Threats by labor proponents that dire political consequences would befall those voting against organized labor's wishes, that this would be the "Congressional Retirement Act of 1959"; (2) The disclosures of brutality, violence, and coercion by John L. Lewis, Hoffa, and Reuther; (3) The intemperate charges of partisanship by House Democrat leadership, even as Republicans and Democrats smoothly joined (the "coalition") to put through the Landrum-Griffin bipartisan substitute; (4) The union-member Congressman who pleaded for labor reform to protect working people which he claimed only by the substitute bill could provide; (5) The attempt by labor's spokesmen to sabotage the substitute bill by tagging it NAM (National Association of Manufacturers) or chamber of commerce-sponsored; (6) The liberals' amendment to include no discrimination in union membership because of race, color, creed or sex, contrary to AFL–CIO desire to select membership by their own rules,[1]—and many others. Volumes will be written describing this 4-day debate and its legislative outcome, a landslide of popular opinion for correction of labor's indiscretions.

My own belief is that even here we are attempting to doctor the surface sores rather than cure the basic illness. The boycotts, financial embezzlements, violence, and other abuses are the sores; the basic illness stems from the monopolistic power of unions which further result in dictatorial power of the national union leaders. The shutdown nationally of the steel industry (Hoffa's power to tie up transport nationally), prevention of piggy-back trucking, price fixing, limiting of new businesses entering trades, limitation of new products' use such as prefabricated window, door, and building units or plastic pipe, all these and more are situations that cannot be cured short of antitrust law. Why shouldn't labor be treated as equal to business which is under antitrust law? I presented this viewpoint in suggesting my bill H.R. 8003, which would: (1) Return control of local unions to local union members and their elected officers; (2) end monopolistic practice of industry-wide bargaining by professional labor bosses at national and international level; (3) unions no longer could fix prices, restrict uses of new processes and products. Enforcement would be injunctive relief in Federal court (not criminal prosecution). I predict that, though the bill just passed was the best before us, the abuses, excesses and dangers of organized labor's power will not be curbed until and unless labor organizations are placed under antitrust law. Only then will union members, the consumer, and management-labor relations be really protected. Because I believe this, I predict that the national labor leaders will never rest until I am removed from office, no matter how greatly my bill would benefit union members. As always, it is up to the people. The victory of the labor bill resulted from aroused public opinion communicated to Congressmen.

[1] Senator MCCLELLAN's endorsement of the substitute bill.

Magazine Publisher Who Toured Russia With Vice President Nixon Says Communism Not Answer to Race Problem

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, August 17, 1959

Mr. POWELL. Mr. Speaker, any Negro who feels that communism is the solution to the race problem in the United States will be sadly disappointed if he takes a trip to Soviet Russia.

This is the opinion of John H. Johnson, publisher of Jet and Ebony magazines, who, with his wife Eunice, was a member of the press group which accompanied Vice President NIXON on his recent trip to Russia and Poland. There are relatively few Negroes in the Soviet Union, and Mr. Johnson agrees with the

Russian claim that it does not have a race problem. However, he is quick to point out that most of the privileges which we take for granted, such as freedom of speech and the press, and the right to own property, are not enjoyed by the Russian people.

The American Negro who wants better housing, more productive employment, and more individual opportunities will find that they are not available to him in Russia because they are not available to the majority of the Russian people.

Says Mr. Johnson. He does feel, however, that even though the Communist philosophy is not a good one for Negro, or white Americans, there is no reason why the United States and Russia should not be friendly and peaceful.

Mr. Johnson believes that the Nixon trip contributed much to the development of friendly relations between the two countries and that further cultural and educational exchanges should be continued.

Mary McLeod Bethune

EXTENSION OF REMARKS
OF
HON. FRANCES P. BOLTON
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, August 17, 1959

Mrs. BOLTON. Mr. Speaker, nearly 100 years have passed since President Abraham Lincoln signed the great Emancipation Proclamation into law. In commemoration of this "century of freedom," the National Council of Negro Women has voted unanimously to undertake in 1963 the project of memorializing their founder, the late Mary McLeod Bethune.

I have today introduced a House joint resolution authorizing the Secretary of the Interior to grant authority to the National Council of Negro Women to erect in the District of Columbia a memorial honoring Mary McLeod Bethune, the design and location of the memorial to be approved by the Secretary, the Commission of Fine Arts, and the National Capital Planning Commission.

Among the Negro people who have truly shared the American dream of freedom none stands higher than the late Mary McLeod Bethune. Rightly called the "first woman of her race," her life work stands as a testimonial to selfless dedication in behalf of her people.

Born of slave parents in South Carolina on July 10, 1875, Mary McLeod Bethune was educated in South Carolina, North Carolina, and Illinois. Consumed with a desire to help others, she set about finding a place to teach with only $1.50 in her pocket. Through prayer, determination and unbounded faith, she was enabled to open a small school with only five girls as students. Today this little school has grown into the thriving institution of Bethune-Cookman College, in Daytona Beach, Fla.

During her 38 years as a college president, Mary McLeod Bethune participated in numerous constructive efforts of her time. Responding to the call of Government she occupied many important posts including service under Presidents Coolidge and Hoover as a member of the National Commission for Child Welfare. During the administration of Franklin D. Roosevelt, she was Director of the Office of Negro Affairs, National Youth Administration, Special Advisor to the President on Minority Affairs, and Special Assistant to the Secretary of War for selecting candidates to the first WAC Officers Candidate School.

Mary McLeod Bethune was affiliated with numerous literary and religious societies and served as an active officer for dozens of professional and civic associations. Next to building Bethune-Cookman College into a million-dollar coeducational institution, her greatest interest was founding the National Council of Negro Women. She considered the vast potential of organizing into one unit the woman power of 800,000 Negro women, already organized into more than 20 national groups. Her dream was accomplished in 1935 and she became the council's first president, a position she held for 14 years, at which time she became president emeritus. Untimely though her passing on May 18, 1955, her memory is enriched by her works and her rare spirit.

It is the hope of the council that the statue of Mrs. Bethune can be erected in Lincoln Park on East Capitol Street where the dramatic figure of President Lincoln and the Negro slave, known as the emancipation group, was erected by the Western Sanitary Commission of St. Louis. Dedicated on April 14, 1876, the 11th anniversary of the assassination of President Lincoln, this memorial was built with funds contributed solely by emancipated citizens.

Mr. Speaker, this is a moment of great significance in the history of mankind's progress toward social justice. Adoption of this resolution will demonstrate that America is keeping faith with its destiny, and will provide renewed inspiration to free peoples throughout the world.

A Boost for Conservation

EXTENSION OF REMARKS
OF
HON. FRED SCHWENGEL
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 17, 1959

Mr. SCHWENGEL. Mr. Speaker, it is my privilege to call attention to the third annual National Conservation Sports Tournament to be held near Davenport, Iowa, August 21, 22, and 23.

This event is sponsored each year by the Davenport Chapter of the Izaak Walton League of America in conjunction with the Buffalo Bill Council of the Boy Scouts of America.

Over 500 Explorer Scouts from all over the United States will participate in the 3-day event again this year. The purpose of the tournament is to promote among the Nation's youth the need for the wise use of our soil, woods, water, and wildlife. The sponsor's hope to influence the minds of the participants so that they will realize that only through the wise use of our natural resources can we continue to prosper.

The events of the tournament help develop physical fitness, keen competitive ability, character, sportsmanship, and a basic understanding of the constant need for conservation of resources.

A winner and runner-up will be selected in each of seven competitive vents including marksmanship, archery, mo-skeet, bait casting, fly casting, swimming, and nature trail.

Although my duties here will not permit me to attend this event this year, I have had the pleasure in the past of seeing these young Americans take part in this program which is wholesome and beneficial to all. I trust that other communities will see fit to pattern similar events after this one so that this experience can be made available to more young people all across the Nation.

A Letter to Bankers and Insurance Executives

EXTENSION OF REMARKS
OF
HON. ANDREW F. SCHOEPPEL
OF KANSAS
IN THE SENATE OF THE UNITED STATES
Monday, August 17, 1959

Mr. SCHOEPPEL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an article written by the Honorable STYLES BRIDGES, entitled "A Letter to Bankers and Insurance Executives—Why the Nation Needs Your Activity in Politics," published in Human Events, on August 19, 1959.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Human Events, Aug. 19, 1959]

A LETTER TO BANKERS AND INSURANCE EXECUTIVES—WHY THE NATION NEEDS YOUR ACTIVITY IN POLITICS

(By the Honorable STYLES BRIDGES)

In recent months various corporations have announced their intention of becoming active in politics. Programs have been established to encourage employees to register and work for the party of their choice. Political activity once frowned upon by many corporations as too controversial is now being accepted as one of the civic responsibilities of Americans.

Intelligence has recently been received from the great metropolitan centers of the United States that insurance and banking institutions are also becoming concerned with the importance of political activity on the part of their employees.

It seems clear that the votes of the great numbers of blue and white collar workers offer the only hope of balancing the various political pressure groups including the extremes of the labor movement.

It is encouraging, therefore, that bankers and insurance men have determined to discard the ancient antipathy toward politics which has characterized these professions and are launching a program to protect the public interest. This is a very laudable activity and in the words of Shakespeare:

" 'Tis a consummation devoutly to be wished."

While the grand master plan for political activity is being designed, however, politics continues as usual in Washington, D.C. It is for this reason that I am writing to you.

It happens that the most vital problems which face our Nation at this time concern matters which lie within your domain of special competence. Never before has your guidance and sound advice been so desperately needed by our legislators.

The problems of inflation, deficit financing, interest rates, the role of the Federal Reserve System and the question of gold supply, et al., are complex and confusing to the average Senator and Congressman.

Crackpot plans and panaceas are being daily advocated by those who little realize that most of their suggestions have in the past caused economic collapse of civilizations. All too often those who are uninhibited by the facts grab the spotlight and get the publicity.

May I respectfully submit to the banking and insurance fraternity, therefore, a list of items now pending before the councils of our Government, which need immediate, aggressive and enthusiastic attention by men like yourselves who are experts in the field:

1. The President and the Treasury Department have requested permission of the Congress to remove the fixed interest rates on Government borrowings.

Demagogues have attempted to make this request appear as an insidious conspiracy against the "little man" and for the benefit of the Wall Street bankers' vested interests.

It is clear to you that if we are to have a free economy, we must maintain a free money market. Government bonds must be sold on the basis of their safety and their yield and must compete for the purchaser's dollar with other investments available. Accordingly, interest rates in a free society can never be fixed by anyone except the prospective buyer.

It would be very helpful if bankers and insurance executives would testify to this fundamental, economic truth before the various committees of Congress concerned with the problem.

It would be a great public service if bankers and insurance men all over the country communicated with their local, State and Federal representatives and dispelled the smokescreen of socialistic propaganda on this subject.

This question of interest rates is immediate and pending business before the Congress.

How many of your colleagues have made their feelings known? How many of your correspondent banks have been actively recruited in this struggle?

Certainly Congressmen WILBUR MILLS and RICHARD SIMPSON, of the House Ways and Means Committee, and Senators HARRY BYRD and JOHN WILLIAMS, of the Senate Finance Committee, would appreciate a statement of your views.

There is still time to be effective, but there is no time to be leisurely.

Every sizable community in the United States has some type of banking and insurance facility. In addition to providing a repository for the funds of the people and financing local projects, do you agree that your profession has some responsibility for the economic education of your customers?

If so, haven't we reached the time when local bankers and insurance brokers should be organized on a national basis in order to carry the message of the importance of fiscal solvency throughout their communities?

Is it not desirable for local bankers and insurance men to utilize every opportunity before the service clubs, fraternal organizations and civic meetings to emphasize the present dangers of irresponsible and socialistic monetary and fiscal policies?

Is it not necessary for informed people like you to tell the parents of your community what is being done to the legacy of their children?

In modernization programs of banking and insurance institutions, in which the business machines play such a large part, have you allowed finance to become so impersonal that the customer has ceased to be a man and is merely a number?

The traditional and honored role of economic counselor and adviser to the local community must not be lost by bankers in the whirring of electronic machines.

2. It has been said that, "Those who know better should say so."

Officials of financial and insurance institutions do not normally write letters to the editor; but who else is to challenge the fallacious schemes which are proposed daily in both editorial and news columns by persons who are generally unqualified and ill equipped to speak on monetary and fiscal matters?

A recent editorial in the St. Petersburg (Fla.) Times, for example, advocated the hackneyed, repudiated theory of escalation clauses for Government bonds. This would provide that Government bonds at maturity would be redeemed for face value plus a sum equal to the amount of inflation which had occurred since the date of issuance.

To those who have difficulty with thinking this proposal might have some appeal: Should it go unchallenged in the public press; or should the bankers and insurance executives of Florida, independently and collectively, register their professional opinion concerning such an absurd proposition?

It is difficult to select at random a metropolitan newspaper without finding some items of false economics to which the bankers and insurance men of America should address themselves.

3. At the present time an assault is being aimed at the Federal Reserve System in an attempt to use this agency as an instrument to promote cheap money and easy credit.

The scheme is patently preposterous, but how will the people of America ever know unless professionals like yourselves inform them?

4. There is presently an organized campaign to promote a little inflation.

Left-wing economists and socialistic politicians are trying to convince the public that creeping inflation is inevitable, necessary, and desirable.

Yet, with blatant intellectual dishonesty, they add that this inflation will be controlled at a level of from 2 to 4 percent a year.

Obviously, if inflation is inevitable, once it starts spiraling it cannot be controlled at any annual percentage level. The ultimate reckoning of creeping inflation has always been collapse and chaos.

Only the bankers and insurance men of America are in a position to inform the people as to hazards of the weird economic propositions with which we are being bombarded daily.

May I emphasize that in no way do I advocate your activities be characterized as partisan politics. Your professional colleagues throughout the Nation belong to both great political parties.

In the House of Representatives and the Senate of the U.S. Congress, there are many Members from both political parties who realize the importance of the matters which we are here discussing. Unfortunately, they are not in the majority. However, they have steadfastly opposed irresponsible fiscal proposals. These individuals need all the support and assistance which you can give them.

National solvency and sound fiscal policies transcend partisan politics. They are not legitimate matters of debate. They are matters of fact. They have been established by the entire history of man's social and economic organization.

Eventually our survival may depend upon the action we take in respect to these problems.

Other nations of the world such as Japan, Argentina, Germany, Great Britain, France and, in fact, the entire European Economic Community have awakened to the necessity for putting their fiscal houses in order.

As members of the banking and insurance professions you now have the strategic opportunity to be of inestimable service to the Nation and to the world.

Please assert yourself now and speak out with vigor and authority before it it too late.

(STYLES BRIDGES, of New Hampshire, is the ranking Republican Member of the U.S. Senate, ranking Republican member of the Senate Appropriations Committee, and a member of the Senate Armed Services Committee. His most recent article to appear in Human Events was "The American Heritage." June 3, 1959.)

DAV Services in Nevada

EXTENSION OF REMARKS
OF
HON. WALTER S. BARING
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 17, 1959

Mr. BARING. Mr. Speaker, an exceptional record of vital rehabilitation services freely extended to thousands of Nevada citizens has recently come to my attention. These splendid humanitarian services are not sufficiently appreciated by those who have benefited thereby, directly and indirectly.

Among the several congressionally chartered veteran organizations, which have State departments and local chapters in Nevada, is the Disabled American Veterans. The DAV is the only such organization composed exclusively of those Americans who have been either wounded, gassed, injured, or disabled by reason of active service in the Armed Forces of the United States, or of some country allied with it, during time of war. Formed in 1920, under the leadership of Judge Robert S. Marx, DAV legislative activities have benefited every compensated disabled veteran. Its present national commander is another judge, David B. Williams, of Concord, Mass. Its national adjutant is John E. Feighner, of Cincinnati, Ohio. Its national legislative director is Elmer M. Freudenberger; its national director of claims, Cicero F. Hogan; and its national director of employment relations, John W. Burris—all located at its national

service headquarters at 1701 18th Street NW., Washington, D.C.

Inasmuch as less than 10 percent of our country's war veterans are receiving monthly disability compensation payments for service-connected disabilities—some 2 million—the DAV can never aspire to become the largest of the several veteran organizations. Nevertheless, since shortly after its formation in 1920, the DAV national headquarters, located in Cincinnati, Ohio, has maintained the largest staff of any veteran organization of full-time trained national service officers, 138 of them, who are located in the 63 regional and 3 district offices of the U.S. Veterans' Administration, and in its central office in Washington, D.C. They have ready access to the official claim records of those claimants who have given them their powers of attorney. All of them being war-handicapped veterans themselves, these services officers are sympathetic and alert as to the problems of other less well-informed claimants.

The DAV national service officer in Nevada is Mr. Melvin L. Jacobsen, located at the Veterans' Administration Regional Office, 1000 Locust Street, Reno. The department commander is Mr. Charles F. Hardin, 130 North Virginia Street, Reno, and the department adjutant is Mr. Charles E. Jackson, 1853 G Street, Sparks, Nev. The DAV VAVS representative is Mr. John Haley.

The Veterans' Administration hospital located in Reno is a 166-bed general medical hospital.

During the last fiscal year, the VA paid out $6,108,000 for its veteran program in Nevada, including disability compensation to its 2,094 service disabled veterans. The amount of $1,848,614. These Federal expenditures in Nevada furnish substantial purchasing power in all communities. Only about 12 percent, 253, are members of the 5 DAV chapters in Nevada.

This 12 percent record is strange, in view of the very outstanding record of personalized service activities and accomplishments of the DAV national service officer in behalf of Nevada veterans and dependents during the last 10 fiscal years, as revealed by the following statistics:

Claimants contacted (estimated)	5,995
Claims folders reviewed	4,996
Appearances before Rating Boards	2,243
Compensation increases obtained	319
Service connections obtained	167
Nonservice pensions	125
Death benefits obtained	18
Total monetary benefits obtained	$178,984.57

These above figures do not include the accomplishments of other national service officers on duty in the Central Office of the Veterans' Administration, handling appeals and reviews, or in its three district offices, handling death and insurance cases. Over the last 10 years, they reported 83,611 claims handled in such district offices, resulting in monetary benefits of $20,850,335.32, and in the central office, they handled 58,282 reviews and appeals, resulting in monetary benefits of $5,337,389.05. Proportionate additional benefits were thereby obtained for Nevada veterans, their dependents and their survivors.

These figures fail properly to paint the picture of the extent and value of the individualized advice, counsel and assistance extended to all of the claimants who have contacted DAV service officers in person, by telephone, and by letter.

Pertinent advice was furnished to all disabled veterans—only about 10 percent of whom were DAV members—their dependents, and others, in response to their varied claims for service connection, disability compensation, medical treatment, hospitalization, prosthetic appliances, vocational training, insurance, death compensation or pension, VA guarantee loans for homes, farms, and businesses, and so forth. Helpful advice was also given as to counseling and placement into suitable useful employment—to utilize their remaining abilities—civil service examinations, appointments, retentions, retirement benefits, and multifarious other problems.

Every claim presents different problems. Too few Americans fully realize that governmental benefits are not automatically awarded to disabled veterans—not given on a silver platter. Frequently, because of lack of official records, death or disappearance of former buddies and associates, lapse of memory with the passage of time, lack of information and experience, proof of the legal service connection of a disabality becomes extremely difficult—too many times impossible. A claims and rating board can obviously not grant favorable action merely based on the opinions, impression or conclusions of persons who submit notarized affidavits. Specific, detailed, pertinent facts are essential.

The VA, which acts as judge and jury, cannot properly prosecute claims against itself. As the defendant, in effect, the U.S. Veterans' Administration must award the benefits provided under the laws administered by it, only under certain conditions.

A DAV national service officer can and does advise a claimant precisely why his claim may previously have been denied and then specifies what additional evidence is essential. The claimant must necessarily bear the burden of obtaining such fact-giving affidavit evidence. The experienced national service officer will, of course, advise him as to its possible improvement, before presenting same to the adjudication agency, in the light of all of the circumstances and facts, and of the pertinent laws, precedents, regulations, and schedule of disability ratings. No DAV national service officer, I feel certain, ever uses his skill, except in behalf of worthy claimants, with justifiable claims.

The VA has denied more claims than it has allowed—because most claims are not properly prepared. It is very significant, as pointed out by the DAV acting national director of claims, Chester A. Cash, that a much higher percentage of those claims which have been prepared and presented with the aid of a DAV national service officer are eventually favorably acted upon, than is the case as to those claimants who have not given their powers of attorney to any such special advocate.

Another fact not generally known is that, under the overall review of claims inaugurated by the VA some 4 years ago, the disability compensation payments of about 37,200 veterans have been discontinued and reduced, as to about 27,300 others at an aggregate loss to them of more than $28 million per year. About one-tenth of 1 percent of such discontinuances and reductions have probably occurred as to disabled veterans in Nevada with a consequent loss of about $28,000 per year.

Most of these unfortunate claimants were not represented by the DAV or by any other veteran organization. Judging by the past, such unfavorable adjudications will occur as to an additional equal number or more during the next 3 years, before such review is completed. I urge every disabled veteran in Nevada to give his power of attorney to the national service officer of the DAV, or of some other veteran organization, or of the American Red Cross, just as a protective measure.

The average claimant who receives helpful advice probably does not realize the background of training and experience of a competent expert national service officer.

Measured by the DAV's overall costs of about $12,197,600 during a 10-year period, one would find that it has expended about $3.50 for each claim folder reviewed, or about $8.80 for each rating board appearance, or, again, about $22.70 for each favorable award obtained, or about $123 for each service connection obtained, or about $54 for each compensation increase obtained, and has obtained about $14.10 of direct monetary benefits for claimants for each dollar expended by the DAV for its national service officer setup. Moreover, such benefits will generally continue for many years.

Evidently, most claimants are not aware of the fact that the DAV receives no government subsidy whatsoever. The DAV is enabled to maintain its nationwide staff of expert national service officers primarily because of income from membership dues collected by its local chapters and from the net income on its Idento-Tag—miniature automobile license tag—project, owned by the DAV and operated by its employees, most of whom are disabled veterans, their wives, or their widows, or other handicapped Americans—a rehabilitation project in thus furnishing them with useful employment. Incidentally, without checking as to whether they had previously sent in a donation, more than 1,400,000 owners of sets of lost keys have received them back from the DAV's Idento-Tag department, 1,354 of whom, during the last 8 years, were Nevada residents.

Every eligible veteran, by becoming a DAV member, and by explaining these factors to fellow citizens, can help the DAV to procure such much-needed public support as well as enable it to maintain its invaluable nationwide service setup on a more adequate basis. So much

more could be accomplished for distressed disabled veterans, if the DAV could be enabled, financially, to maintain an expert service officer in every one of the 173 VA hospitals.

During the last 10 years, the DAV has also relied on appropriations from its separately incorporated trustee, the DAV Service Foundation, aggregating $3,300,000 exclusively for salaries to its national service officers. Its reserves having been thus nearly exhausted, the DAV Service Foundation is therefore very much in need of the generous support of all "serviced" claimants, DAV members and other social-minded Americans—by direct donations, by designations in insurance policies, by bequests in wills, by assignments of stocks and bonds and by establishing special types of trust funds.

A special type of memorial trust fund originated about 3 years ago with concerned disabled veteran members of the DAV chapter in Butte, Mont., which established the first perpetual rehabilitation fund of $1,000 with the DAV Service Foundation. Recently it added another $100 thereto. Since then, every DAV unit in that State has established such a special memorial trust fund, ranging from $100 to $1,100 equivalent to about $5 per DAV member.

Each claimant who has received any such rehabilitation service can help to make it possible for the DAV to continue such excellent rehabilitation services in Nevada by sending in donations to the DAV Service Foundation, 631 Pennsylvania Avenue NW., Washington, D.C. Every such serviced claimant who is eligible can and should also become a DAV member, preferably a life member, for which the total fee is $100—$50 to those born before January 1, 1902, or World War I veterans—payable in installments within 2 full fiscal year periods.

Every American can help to make our Government more representative by being a supporting member of at least one organization which reflects his interests and viewpoints—labor unions, trade associations, and various religious, fraternal, and civic associations. All of America's veterans ought to be members of one or more of the patriotic, service giving veteran organizations. All of America's disabled defenders who are receiving disability compensation, have greatly benefited by their own official voice—the DAV.